



Meeting Agenda - Final City Council

Tuesday, November 5, 2013

6:00 PM

Council Chambers

JOINT REGULAR CITY COUNCIL/WOODLAND FINANCE AUTHORITY

A. CALL TO ORDER

B. ROLL CALL

C. PLEDGE OF ALLEGIANCE

D. COMMUNICATIONS-PUBLIC COMMENT

This is an opportunity for the public to speak to the Council on any item other than those listed for public hearing on this agenda. Speakers are requested to use the microphone in front of the Council and to begin by stating their name, whether they reside in Woodland and the name of the organization they represent if any. The Mayor may impose a time limit on any speaker depending on the number of people wanting to speak and time available for the rest of the agenda. In the event comments are related to an item scheduled on the agenda, speakers may be required to wait to make their comments until that item is considered.

E. COMMUNICATIONS-COUNCIL/STAFF STATEMENTS AND REQUESTS

This is an opportunity for the Council Members and Staff to make comments and announcements, to express concerns, or to request Council's consideration of any items a Council Member would like to have discussed at a future Council meeting.

[13-317](#)

SUBJECT: Long Range Calendar

Recommendation for Action: Staff recommends that the City Council receive the Long Range Calendar for informational purposes only.

Attachments: [Council Long Range Calendar.docx](#)

F. COMMITTEE REPORTS

1. [13-313](#)

SUBJECT: Parks & Recreation Commission Meeting Minutes for September 22, 2013

Recommendation for Action: Staff recommends that the City Council receive the Parks & Recreation Commission meeting minutes for September 22, 2013.

Attachments: [92213PRC minutes.pdf](#)

G. PRESENTATIONS

2. [13-316](#) SUBJECT: Proclamation Honoring November 10, 2013 as the 238th birthday of the United States Marine Corps

Recommendation for Action: Staff recommends that the City Council proclaim November 10, 2013 as the 238th birthday of the United States Marine Corps.

Attachments: [ADM - Marine Corps B-day Proc 2013.doc](#)

3. [13-306](#) SUBJECT: Woodland Public Library Annual Report 2012-2013

Recommendation for Action: Staff recommends that the City Council receive the Woodland Public Library Annual Report 2012-2013 presented by the Woodland Public Library Board of Trustees.

George (Bud) Goding, President Library Board of Trustees

Attachments: [Library annual report 12/13](#)

H. CONSENT CALENDAR

4. [13-292](#) SUBJECT: Approval to Use Housing-Related Program Income on Homebuyer Loans for New and Resale Inclusionary (Affordable) Homes

Recommendation for Action: Staff recommends that the City Council 1) Adopt Resolution No. _____, approving the use of housing-related program income generated from HOME, CalHome, and BEGIN loan repayments for affordable (low income) homebuyer loans on new and resale inclusionary (affordable) homes when the City does not have a current first time homebuyer grant subject to any restrictions imposed by the HOME, CalHome, and BEGIN programs; and 2) Authorize the City Manager to amend the budget as needed.

Attachments: [CC Reso PI Use 5Nov13.pdf](#)

5. [13-298](#) SUBJECT: FY2013/14 contract with the Yolo Emergency Communications Agency

Recommendation for Action: Staff recommends that the City Council approve the FY2013/14 contract for dispatch services with the Yolo Emergency Communications Agency

6. [13-300](#) SUBJECT: Planning Consultant Services for the Prudler Subdivision Project

Recommendation for Action: Staff recommends that the City Council approve the attached planning services contract with Raney Planning & Management (Raney) for an amount not-to-exceed \$100,000 to provide

professional planning services for the Prudler Subdivision project.

Attachments: [Prudler Tentative Subdivision Map Draft Contract.pdf](#)

7. [13-301](#) SUBJECT: Final Acceptance, Well Replacement, Phase II, Well 28, CIP 10-08

Recommendation for Action: Staff recommends City Council accept the Well Replacement-Well 28, Phase II, Project No. 10-08 construction contract as complete and authorize the City Clerk to file a Notice of Completion.

8. [13-304](#) SUBJECT: Donation of the Fire Department's Used Extractor to the West Plainfield Volunteer Fire Department

Recommendation for Action: Staff recommends that the City approve the donation of the Fire Department's used and discontinued 1995 extractor to the West Plainfield Volunteer Fire Department.

9. [13-314](#) SUBJECT: Fiscal Year 2013/14 First Quarter Budget Update

Recommendation for Action: This informational report provides an update on fiscal year 2013/14 revenue and expenditure results relative to the approved budget activity through the first quarter, ended September 30, 2013. No Council action is required.

Attachments: [Quarterly Budget Update Attachment- q1.docx](#)

10. [13-315](#) SUBJECT: Proclaim November 1, 2013, "Extra Mile Day"

Recommendation for Action: Staff recommends that the City Council proclaim November 1, 2013, "Extra Mile Day" in the City of Woodland.

Attachments: [ADM - Extra Mile Proclamation Woodland CA .doc](#)

I. PUBLIC HEARINGS

11. [13-291](#) SUBJECT: Appeal of the Planning Commission Denial of the Golden State Reclamation Conditional Use Permit

Recommendation for Action: Staff recommends that the City Council:
1) Hold a public hearing; and 2) Approve Resolution No ____ Affirming the Planning Commission's September 19, 2013, Findings for Denial, which are contained in the Planning Commission Staff Report dated September 19, 2013 and in the Staff reports dated July 18 and September 5, 2013, and thus affirm the Commission's denial for the Project (See Attachment "1" - City Council Resolution).

Attachments: [Attachment 1 - Resolution of Denial.doc](#)

[Attachment 2 - Notice of Appeal.pdf](#)

[Attachment 3 - Staff Reports.pdf](#)

[Attachment 4 - PGP Comments.pdf](#)

12. [13-307](#) SUBJECT: Hold Public Hearing on Proposed Sewer Rates and Introduce the Ordinance and Proposed Sewer Rates

Recommendation for Action: Staff recommends that the City Council 1) Conduct a Public Hearing on the proposed five-year Sewer Rate Ordinance and, at the conclusion of the hearing, 2) Direct the City Clerk to tally the written protests received by the City, pursuant to the requirements of Proposition 218, and 3) If number of validated protests submitted to the City are fewer than the 50%+1 of the ratepayers (7,343 protests) eligible to file such protests, it is further recommended that Council introduce the first reading of the proposed Ordinance and Sewer Rate Schedule with the first increases to be effective January 1, 2014, and subsequent increases effective on January 1 of 2015, 2016, 2017, and 2018.

Attachments: [2013 Sewer Rate ORDINANCE.docx](#)

J. REPORTS OF THE CITY MANAGER

13. [13-305](#) SUBJECT: Adoption of the 2013 California Fire Code

Recommendation for Action: Staff recommends that the City Council introduce an Ordinance adopting by reference the 2013 California Fire Code (California Code of Regulations, Title 24, Part 9) and amending sections of the City of Woodland Municipal Code related to fire protection and nuisance abatement.

Attachments: [Woodland Ordinance Adopting 2013 Fire Code.doc](#)

14. [13-258](#) SUBJECT: Adoption of the California Building, Plumbing, Mechanical, and Electrical Codes

Recommendation for Action: Staff recommends that the City Council waive first reading and read by title only Ordinance No. : an ordinance of the City Council of the City of Woodland adopting by reference the 2013 Edition of the California Building Standards (California Code of Regulations, Title 24), consisting of the 2013 California Building Code, (incorporating and amending the 2012 International Building Code), the 2012 California Electrical Code (incorporating and amending the 2011 National Electrical Code), the 2013 California Mechanical Code (incorporating and amending the 2012 Uniform Mechanical Code), the 2013 California Plumbing Code (incorporating and amending the 2012 Uniform Plumbing Code), the 2013 California Green Building Code, and the 2013 California

Residential Code, along with the 1997 Edition of the Uniform Code for the Abatement of Dangerous Buildings, the 1997 Edition of the Uniform Housing Code, and the 1997 Edition of the Uniform Security Code, together with certain additions, insertions, deletions and changes thereto.

Attachments: [Woodland Ordinance Adopting 2013 Building Codes.docx](#)
[Most Significant Changes in the 2013 California Building Code Standards.doc](#)

15. [13-311](#) SUBJECT: Approval of Professional Services Contract - Youth Gang Reduction, Intervention and Prevention (YGRIP) Coordinator

Recommendation for Action: Staff recommends that the City Council authorize the City Manager to execute a professional services contract with Ben Flores to serve as Coordinator of the Youth Gang Reduction, Intervention and Prevention (YGRIP) Initiative

Attachments: [YGRIP Coordinator Contract.doc](#)

16. [13-309](#) SUBJECT: Adopt Ordinance to Amend CalPERS Employee Cost Sharing of 4.887% for Classic Local Police Members

Recommendation for Action: Staff recommends that the City Council waive first reading and adopt by title only an Ordinance to amend CalPERS Employee Cost Sharing of 4.887% for classic police members.

Attachments: [Ordinance to amend PERSO contract 2013.doc](#)
[4.887 amendment to police safety agreement.pdf](#)

17. [13-318](#) SUBJECT: Potential Ballot Measure to Replace Measure V ¼ Cent Sales Tax - Continued Discussion

Attachments: [Measure V 091713 Staff Report](#)

K. ADJOURN

I declare under penalty of perjury that the foregoing Agenda for the Joint Regular City Council/Woodland Finance Authority Regular Meeting of the City of Woodland scheduled for November 5, 2013 was posted on November 1, 2013 in the outside display case at City Hall, 300 First Street, Woodland, CA, and was available to the public during normal business hours.

Ana B. Gonzalez, City Clerk

Upon request, agendas and documents in the agenda packet will be made available in appropriate alternative formats to persons with a disability, as required by law. Any such request must be made in writing to the Office of the City Clerk of the City of Woodland. Requests will be valid for the calendar year in which the request is received, and must be renewed prior to January 1st. Persons needing disability-related modifications or accommodations in order to participate in public meetings, including persons requiring auxiliary aids or services, may request such modifications or accommodations by calling the Office of the City Clerk (530-661-5806) at least 48 hours prior to the meeting.

Legislation Details (With Text)

File #: 13-317 **Version:** 1 **Name:**
Type: Report of the City Manager **Status:** Agenda Ready
File created: 10/31/2013 **In control:** City Council
On agenda: 11/5/2013 **Final action:**
Title: SUBJECT: Long Range Calendar

Recommendation for Action: Staff recommends that the City Council receive the Long Range Calendar for informational purposes only.

Sponsors:

Indexes:

Code sections:

Attachments: [Council Long Range Calendar.pdf](#)

Date	Ver.	Action By	Action	Result
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TO: THE HONORABLE MAYOR AND CITY COUNCIL

DATE: November 5, 2013

SUBJECT: Long Range Calendar

Recommendation for Action: Staff recommends that the City Council receive the Long Range Calendar for informational purposes only.

Staff Contact

Ana Gonzalez, City Clerk - 530-661-5806, ana.gonzalez@cityofwoodland.org

Recommendation for Action

Staff recommends that the City Council receive the Long Range Calendar for informational purposes only.

Background

This calendar is being provided for planning purposes only and is intended to keep the Council apprised of upcoming agenda items and better plan for upcoming Council meetings.

Prepared by: Ana Gonzalez
City Clerk

Paul Navazio, City Manager

Attachment

COUNCIL LONG RANGE CALENDAR

Items subject to removal and/or rescheduling

Tuesday, November 19, 2013

Reports due 11/5

Regular Meeting

CONSENT

Sewer Rate Ordinance – 2nd Reading

Amendment to HDR Contract for Sewer Rate Study

Public Safety Quarterly Report

PUBLIC HEARING

2013 Building Code Adoption – 2nd reading

Fire Code – 2nd Reading

REGULAR CALENDAR

Discussion of Implementing Council Districts Report from CVRA Citizen's Advisory Committee

Creation of YCVB Subcommittee

General Plan Update – follow-up from October 15th Council meeting

Tuesday, December 3, 2013

Reports due 11/19

Regular Meeting

PRESENTATIONS

WJUSD – Common Core and LCFF (tentative)

CommuniCare Facilities Update (tentative)

CONSENT

Tree City USA Re-certification

AB1600 Annual Report

MSE Annual Report

MSV Annual Report

Final Acceptance and Notice of Completion for the Pavement Maintenance Project CIP 12-10

Approve Consultant Contract for CIP 08-58, Downtown Streetscape

REGULAR CALENDAR

Fire Hydrant Fee Update

CPI adjustment and increase in disposal fee

Energy Conservation/Renewable Project Recommendation (Terra Verde)

Lease Agreement – Drying Beds (WDCWA JPA)

CDBG Panel Selection and Involvement Process
Council Direction on Ordinance(s) for June 2014 Ballot
Cert. of Appreciation for Neal Peart and Appointment of Council representative to Sacramento Yolo
Mosquito & Vector Abatement District

FUTURE AGENDA ITEMS FOR:

JANUARY

Approval of Final Ballot Measure Ordinance(s)
Study Session – Street Maintenance/Condition Assessment
Housing Related Parks Program Grant App. Submittal - Consent

FEBRUARY

25th – General Plan – CC hearing of alternative analysis and determination of preferred land use
alternative
Mid-year Budget Update

MARCH

11th – General Plan – CC confirmation of final preferred alt
FY 14/15 Budget Workshop

FUTURE AGENDA ITEMS – DATE TO BE DETERMINED:

Amend Home Occupation Ordinance to Comply with CA Homemade Food Act – Public Hearing
Ashley Gate Rehab CIP 14-12 Award Contract – Consent
Solaria Project Status Update
Weed Abatement Ordinance
Verizon Cell Tower Communication License Agreement
New water conservation ordinance
County food waste composting proposal

FUTURE STUDY SESSIONS (TBD):

City Council Goals/Progress Report
Street/Sidewalk Annual Status Report
Climate Action Plan
Update Economic Development Strategic Plan

Legislation Details (With Text)

File #:	13-313	Version:	1	Name:	
Type:	Minutes	Status:		Agenda Ready	
File created:	10/29/2013	In control:		City Council	
On agenda:	11/5/2013	Final action:			
Title:	SUBJECT: Parks & Recreation Commission Meeting Minutes for September 22, 2013				
	Recommendation for Action: Staff recommends that the City Council receive the Parks & Recreation Commission meeting minutes for September 22, 2013.				
Sponsors:					
Indexes:					
Code sections:					
Attachments:	92213PRC minutes.pdf				

Date	Ver.	Action By	Action	Result
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TO: THE HONORABLE MAYOR AND CITY COUNCIL

DATE: November 5, 2013

SUBJECT: Parks & Recreation Commission Meeting Minutes for September 22, 2013

Recommendation for Action: Staff recommends that the City Council receive the Parks & Recreation Commission meeting minutes for September 22, 2013.

Staff Contact

Christine Engel, Community Services Director - 530 661-2008 christine.engel@cityofwoodland.org

Report in Brief

Parks & Recreation Commission meeting minutes for September 22, 2013 are attached for information only.

Conclusion

Staff recommends that the City Council receive the Parks & Recreation Commission meeting minutes for September 22, 2013.

Prepared by: Christine Engel
Community Services Director

Paul Navazio, City Manager

Enclosure: Parks & Recreation Commission Meeting Minutes for September 22, 2013

Parks & Recreation Commission Minutes

Monday, September 23, 2013

City Hall – 300 First Street – 2nd Floor Council Chambers

Open Session

The Parks & Recreation Commission meeting was called to order by Chair Jesse Salinas at 6:30 p.m. on Monday, September 23, 2013 at the Woodland City Hall Council Chambers.

Roll Call

Commission Members Present: Chair Jesse Salinas
 Vice Chair Enrique Fernandez
 Commissioner Joe Romero
 Commissioner Ruben Morales, Jr.
 Commissioner Jon-Paul Valcarenghi
 Commissioner Carla White-Snyder

Commission Member Absent: Commissioner Nathan Stephens

Staff Present: Recreation Superintendent Christine Engel
 P&R Administrative Secretary Cathy Haynie
 Park Supervisor Jeff Sissom

Pledge of Allegiance

Communications-Public Comment

Jim Zimmer explained the game of Pickle Ball to the Commission and requested a court to play on. Staff will look into possible court availability for Pickle Ball and report back to Commission. Roger Vega addressed the Commission as a member of the Frisbee Golf Club that plays at Ferns Park. Mr. Vega is requesting an additional Frisbee Golf Course within the City and additional holes at the current course. Engel explained that staff had been discussing an additional portable course possibly around the Community & Senior Center and would report back to the Commission on progress of Mr. Zimmer's requests.

Consent Calendar (Items)

Adopt Minutes of the Commission Meeting of July 22, 2013

Action Fernandez Moved/ Morales, Jr. Seconded:

Motion carried by the following roll call vote:

Ayes: Salinas, Romero, Fernandez, Morales, Jr., Valcarenghi, White-Snyder

Noes:

Work Plan-Update

Discussed the plan and updated the wording on the Fitness Plan to reflect the City's vision.

Action Salinas Moved/ White-Snyder Seconded:

Motion carried by the following roll call vote:

Ayes: Salinas, Romero, Fernandez, Morales, Jr., Valcarenghi, White-Snyder

Noes:

Standing Committee

Commissioners Morales, Jr. and White-Snyder added to the Facilities Committee; Commissioner Morales, Jr. added to Child, Youth & Playground Committee; Commissioner Valcarenghi added to Urban Forest Committee; Commissioner White-Snyder added as Liaison Other (this will cover any sport group not mentioned in the other Liaisons); Commissioner Fernandez added to Budget and Finance Committee; Commissioner Fernandez removed from Community/Senior Center/Sports Park Committee, added Commissioners White-Snyder and Valcarenghi; Commissioner Stephens added to Ad Hoc Committee and removed as Alt.; Commissioners Morales, Fernandez and Valcarenghi added to Volunteerism Committee.

Action Fernandez Moved/ Morales, Jr. Seconded:

Motion carried by the following roll call vote:

Ayes: Salinas, Romero, Fernandez, Morales, Jr., Valcarenghi, White-Snyder

Noes:

Reports of the Staff

Tennis Courts/Facility Use

Floyd McCain, VP Woodland Tennis Club read Art William's letter to the Commission voicing concerns for non-tennis use of the City Park tennis courts. Connie Champagne, who lives next to City Park, shared with the Commission the issues she has experienced from the soccer use of the tennis courts at City Park. Elaine McCain explained that without the Ordinance the Police cannot remove users from the courts. Commissioners discussed the issues and the ordinance. Sissom explained that the Ordinance would be a tool that the City and PD could use to protect City facilities. Engel stated that the light hours of operation will change to 9:00 p.m. in October, which should help with some of the issues Ms. Champagne has. Staff will pursue alternative

measures for a trial period. Commissioner White-Snyder favored the new ordinance to give staff the tools needed to protect the City's assets, stating that soccer was not an appropriate use of tennis courts. Commissioner Morales, Jr. pointed out the unfairness of the soccer group receiving free light use when all other sports groups must pay for their light use. Commissioner Salinas would like to see more multiuse facilities/shared land use of current facilities. Soccer users were invited to Commission meeting by Commissioner Salinas to voice their needs but did not attend this meeting. Staff will address alternate solutions to the Ordinance on a trial basis and report back to the Commission.

Action: Received

Park Supervisor Jeff Sissom

Sissom reported that he has been with the City for 19 years, starting in the Tree Division, then Streets before moving to the Park Division. Currently Sissom is in charge of the 18 general fund parks with 10 restroom and 15 play grounds in addition to Heritage Plaza. Sissom has one full time staff and has one temporary staff. When Sissom started with parks there were 20 full time staff taking care of the 18 parks. Freeman Park, Dave Douglass Park and the 4th of July are part of Sissom's responsibilities. Commissioner Romero asked about playground inspections and needs. Sissom responded that 5 parks would need replacement in the near future; in addition the sand at City Park needs to be replaced to meet City standards.

Action: Received

Measure V

City Council recommended that staff explore replacing Measure V ¼ cent sales tax for programming. Staff needs to make recommendation to Council in November on which programs the sales tax would fund. Commissioners suggested funding Hiddleston Pool, Boxing Program, Teen Center, joint effort with WJUSD for after school programs at the Middle School funding for a coordinator to oversee the programs.

Action: Received

Recreation Report

Engel reported that the first Movies on Main Street is scheduled for October 11, 2013, showing the Disney movie Cars. The Highway 16 Band will perform; there will be prizes, antique cars, games and a bounce house. Event starts at 6:00 p.m. with the movie starting at sundown. The next Movie on Main Street is scheduled for April 25, 2014. The resurface of Main Street is complete and lights are being installed in the trees, the Main Street businesses will be open during the event and prizes were donated by these businesses. Tennis program has started, offering free clinics through October. 8,200 flyers were sent to schools advertising tennis, youth basketball and the Father/Daughter Dinner Dance. On October 17th there will be a senior flu

clinic in partnership with Yolo County Health Department. Senior Center Inc. will fund 40 free vaccinations to seniors. The event runs 9-12 p.m.

Action: Received

Parks Report

Commissioner Valcarenghi asked if there was a work plan in place for the leave drop season. Engel stated that Sanders could report on that next month.

Action: Received

Adjourn 9:00 p.m.

Action: Fernandez Moved/ White-Snyder Seconded:

Motion carried by the following roll call vote:

Ayes: Salinas, Romero, Fernandez, Morales, Jr., Valcarenghi, White-Snyder

Noes:

Legislation Details (With Text)

File #: 13-316 Version: 1 Name:
Type: Presentation Status: Agenda Ready
File created: 10/31/2013 In control: City Council
On agenda: 11/5/2013 Final action:
Title: SUBJECT: Proclamation Honoring November 10, 2013 as the 238th birthday of the United States Marine Corps

Recommendation for Action: Staff recommends that the City Council proclaim November 10, 2013 as the 238th birthday of the United States Marine Corps.

Sponsors:

Indexes:

Code sections:

Attachments: [ADM - Marine Corps B-day Proc 2013.pdf](#)

Date	Ver.	Action By	Action	Result
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TO: THE HONORABLE MAYOR AND CITY COUNCIL

DATE: November 5, 2013

SUBJECT: Proclamation Honoring November 10, 2013 as the 238th birthday of the United States Marine Corps

Recommendation for Action: Staff recommends that the City Council proclaim November 10, 2013 as the 238th birthday of the United States Marine Corps.

Staff Contact

Ana Gonzalez, City Clerk - 530-661-5806, ana.gonzalez@cityofwoodland.org

Background

This proclamation is being issued to recognize the anniversary of the United States Marine Corps, and will be presented to Mr. Billy Wagster, Yolo County Veterans Service Officer and active member of the Marine Corps League in Yolo County.

The Marine Corps League is best known for the Toys for Tots program and the Christmas tree lighting in the front of City Hall. In addition they have been exemplary in their support of Yolo County Veterans and veteran's issues and vital members of our community.

Prepared by: Ana Gonzalez

City Clerk

Paul Navazio, City Manager

Attachment

CITY OF WOODLAND

PROCLAMATION

COMMEMORATING THE BIRTHDAY OF THE UNITED STATES MARINE CORPS

WHEREAS, on November 10, 1775, the Continental Congress meeting in Philadelphia passed a resolution stating that two “Battalions of Marines” be raised for service as landing forces with the fleet; and

WHEREAS, this resolution, sponsored by John Adams, established the Continental Marine Corps and marked the birth date of the United States Marine Corps; and

WHEREAS, appropriately enough, these first marines signed up for enlistment at Tun’s Tavern in Philadelphia. Serving on land and sea, these first marines established the proud traditions of spirit de corps and being first to fight; and

WHEREAS, the Marine Corps League was founded by Major General, Commandant, John A. Lejeune, in 1923 and chartered by an Act of Congress on August 4, 1937. Its membership of nearly 56,000 is comprised of honorably discharged, active duty, reserve and retired Marines for the purpose of comradeship, mutual support and community service; and

WHEREAS, the members of the Marine Corps League in Yolo County have been exemplary in their support of Yolo County Veterans and veteran’s issues and vital members of our community.

NOW, THEREFORE, BE IT RESOLVED that the Woodland City Council does hereby commemorate November 10, 2013 as the 238th birthday of the United States Marine Corps.

PASSED AND ADOPTED this 5th day of November of 2013 by the following vote:

Marlin H. “Skip” Davies, Mayor

Tom Stallard, Vice-Mayor

William L. Marble, Council Member

Jim Hilliard, Council Member

Sean Denny, Council Member

Legislation Details (With Text)

File #:	13-306	Version:	1	Name:	
Type:	Presentation	Status:	Agenda Ready		
File created:	10/21/2013	In control:	City Council		
On agenda:	11/5/2013	Final action:			
Title:	SUBJECT: Woodland Public Library Annual Report 2012-2013				
Recommendation for Action: Staff recommends that the City Council receive the Woodland Public Library Annual Report 2012-2013 presented by the Woodland Public Library Board of Trustees.					
George (Bud) Goding, President Library Board of Trustees					
Sponsors:					
Indexes:					
Code sections:					
Attachments:	Library annual report 12/13				
Date	Ver.	Action By	Action	Result	

TO: THE HONORABLE MAYOR AND CITY COUNCIL

DATE: November 5, 2013

SUBJECT: Woodland Public Library Annual Report 2012-2013

Recommendation for Action: Staff recommends that the City Council receive the Woodland Public Library Annual Report 2012-2013 presented by the Woodland Public Library Board of Trustees.

George (Bud) Goding, President Library Board of Trustees

Staff Contact

Greta Galindo, Library Services Director, 530-661-5984 greta.galindo@cityofwoodland.org

Prepared by: Greta Galindo
Library Services Director

Paul Navazio, City Manager

Attachment: Woodland Public Library Annual Report 2012-2013

Woodland Public Library

Annual Report 2012-2013

A message from the President of the Library Board of Trustees:

The past year at the library has been very busy and productive. Our new director, Greta Galindo, has overseen a successful partial redecoration, renovation of the children's area, re-view of all library policies, and hiring of a new Children's Librarian and Literacy director. The library has held several productive reading and children's programs. This report will review all of these and more.

-Bud Goding



To inform, to enhance the
quality of life, and to foster
life-long learning.

2012-13 was a year of transitions for the Woodland Public Library. Early in the year Library Director Heather Muller resigned. Greta Galindo was hired in November 2012. Changes in leadership often cause changes in library usage. Greta has spent the last year working on improving the facility and collections for the patrons. The next steps will be the development of programming and the library as a community space for children, families, and people of all ages and walks of life.



Woodland Public Library

July 1, 2012 thru June 30, 2013

The Woodland Public Library is a busy place! The Library is open 44 hours per week.

29,294 Woodland library card holders

2,190 new Library Card Holders

794 average daily visitors

904 items– is the average daily checked out

5,924 reference questions answered

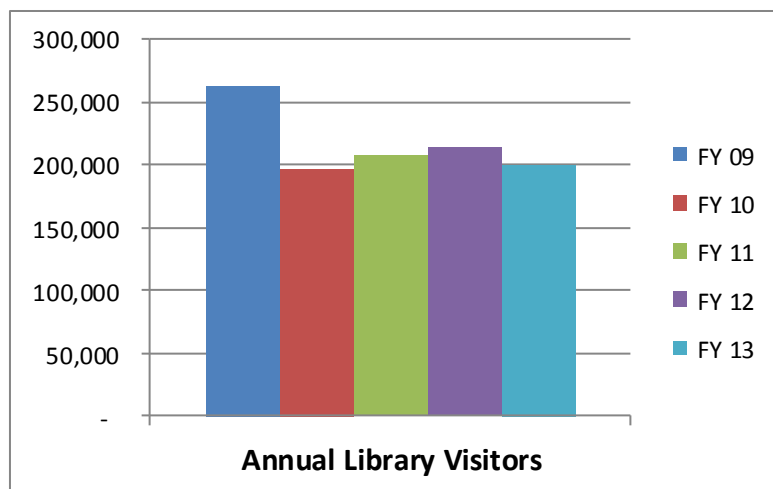
24,856 items loaned from other libraries to Woodland patrons

65,642 items loaned to other libraries

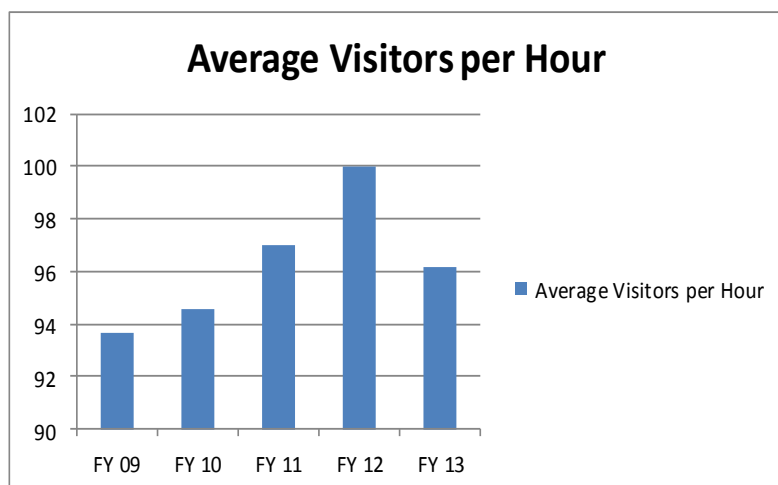
2,194 annual public service hours logged (open to the public)

298,157 items checked out from the Library

Monday	9-7
Tuesday	9-7
Wednesday	9-7
Thursday	9-7
Friday	Closed
Saturday	12-4
Sunday	Closed



There were
200,038 visits
to the Library
this year.



FY 09 open hours 54/week

Library Services

A master's degree in Library and Information Science is the minimum requirement of a professionally trained librarian. The professional librarians at the Woodland Public Library include the Library Services Director, adult services librarian, technical services librarian, and youth services librarian. In addition to traditional librarian work, professional staff are responsible for a variety of other duties vital to keeping the library running smoothly.

Adult Services

48,423 books are in the adult stacks

10,219 multimedia materials line the shelves

157,332 adult materials checked-out

72,544 multimedia materials checked-out

70 magazine titles available for check-out

18 public use computers are available

4,693 reference questions answered

The adult services librarian responds to the information needs of library patrons through reference, referral, and the provision of a comprehensive collection to support the mission of the library: "To inform, to enhance the quality of life, and to foster life-long learning."

Director of Library Services

The Director of Library Services plans, organizes, and directs the operations and activities of the City's library system and the library literacy services. The library services director receives policy direction from the Library Board of Trustees and administrative direction from the City Manager.

Technical Services

The technical services librarian oversees the preparation of material for addition to the collection as well as manages the process by which items are circulated to patrons. Oversight of the circulation system/database is a principle task of this position in addition to the preparation of various statistical reports.



Prepare for a test at the library.

Items Added to the Collection: 7,506

Total Size of the Collection: 104,134

Library Services

Youth Services is the heart of the library. The library is especially committed to growth in children's services in the future.

Youth Services

The youth services librarian oversees the library's efforts with youth ages 0 -18 by developing, implementing and evaluating children and teen programs and services. These services include children and family reference needs, outreach to local schools and organizations, collection development and maintenance, and an in-house program schedule.

"Reading is So Delicious" that for our 2013 Summer Reading Program:

226 elementary students read for fun and prizes a total of **98,229 minutes** or 1,637 hours.

73 toddlers were read and sung to.

38 teens read and reviewed 112 books.

Research shows that kids who read in the summer do not lose educational progress and are ready to start their next grade level.

The Friends of the Woodland Public Library proudly support our annual Summer Reading Programs.

8,357 children in Woodland have library cards

141, 862 children and teen books, dvds, cds, were checked-out

36,508 children's books are in the collection

5,831 teen books are in the YA area

13,372 multimedia materials are available

22 magazine titles are offered for children, teens, and parents

237 programs were held

6,002 children and caregivers attended those programs



The newly created Education Resource section includes state and country books in easy to find alphabetical order.

1,422 children and caregivers enjoyed 50 Toddler Storytimes

2,030 children and caregivers enjoyed 160 Preschool Storytimes

2,432 Students enjoyed 19 School Age Programs

118 Teens enjoyed 8 Teen Programs



The Library collection is developed by librarians to meet the educational, informational, and entertainment needs of the community.

Library Materials Expenditures				
		%Spent FY 13 of "Totals"	% of FY13 Circ	Variance
Adult fiction	\$ 22,939	27.0%	13.9%	13.1%
Large print	\$ 1,208	1.4%	1.0%	0.4%
Adult nonfiction	\$ 15,113	17.8%	12.3%	5.5%
Adult Print Sub	\$ 39,260	46.2%	27.2%	19.1%
Adult Spoken Word	\$ 3,429	4.0%	3.6%	0.4%
TEACH	\$ 80	0.1%	1.0%	-0.9%
CDs	\$ -	0.0%	2.6%	-2.6%
DVDs	\$ 9,290	10.9%	17.1%	-6.2%
Adult AV Subtotal	\$ 12,799	15.1%	24.4%	-9.3%
Adult Total	\$ 52,060	61.3%	52.8%	8.5%
Teen--Total	\$ 6,157	7.3%	4.5%	2.8%
Children's books	\$ 20,915	24.6%	30.1%	-5.5%
Children's Spanish	\$ 890	1.0%	2.7%	-1.6%
Children Print Sub	\$ 21,805	25.7%		25.7%
Child Sp Wd & CD	\$ 746	0.9%	1.3%	-0.5%
J DVDs	\$ 4,142	4.9%	8.7%	-3.8%
Children's AV Sub	\$ 4,888	5.8%	10.0%	-4.2%
Children's Total	\$ 26,668	31.4%	42.8%	-11.4%
Total Print A,YA,J	\$ 67,222	79.2%	65.7%	13.5%
Total AV A, J	\$ 17,687	20.8%	34.3%	-13.5%
Totals	\$ 84,910	100.0%	100.0%	

Actual Standing Orders	\$ 14,324
Overdrive	\$ 1,605
Collection Total	\$ 100,839
VAS	\$ 23,395
Overall Total	\$ 124,234

104,134 total items available to Woodland patrons

90,762 books available to Woodland patrons

13,372 DVDs, Books on CD, and music CDs for Woodland patrons

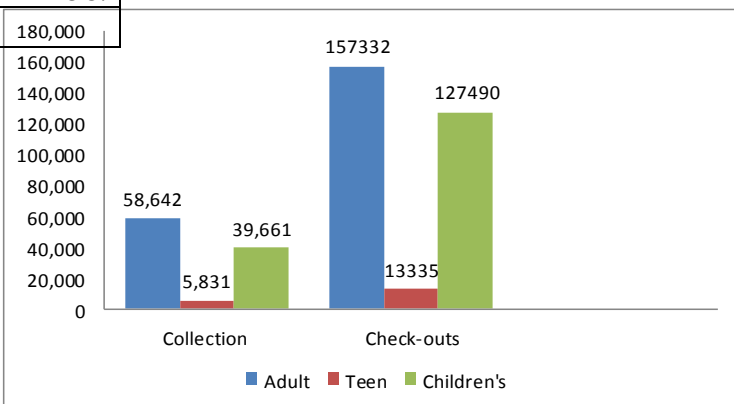
2,000 E-books and E-Audio books were checked-out

2.68 children's books check-out for every 1.75 adult books

298,157 items checked out from the Library

136 items are checked out every hour the library is open

Woodland library card holders also have access to over 2.5 million items through our partner libraries



Volunteers

Volunteers are a vital part of all library operations.

200+ Volunteers gave over 12, 183 hours in service to the Library.

2,491 volunteer hours were spent shelving books, shelf-reading and on special projects

1,074 hours given by The Woodland Public Library Rose Garden volunteers working on the beautiful rose garden and the library grounds.

351.75 hours by the Spine Tingers mending and repairing books.

8, 237 hours given by the Friends of the Library

Message from the Friends of the Woodland Public Library

The Friends of the Woodland Public Library is a volunteer based non-profit group that actively supports the Woodland Public Library. The Friends provide funding to the library for all of their children's, teen and adult programming, including special community presentations and the Summer Reading Programs. Last year, we spent almost \$28,000 on programming and special requests from the library, including tables and chairs to replace the leather chairs and couches. Additionally, we reach out to other groups in the community to partner with them to support the library and literacy in Woodland. This year we partnered with Backpacks for Kids, Woodland Reads, Sexual Assault and Domestic Violence Center, Fourth and Hope, First Five, Woodland Chamber, Woodland Opera House, Peterson Clinic, Cache Creek Rehabilitation, and the Woodland Senior and Community Center, to name a few. The Friends also established a "green" partnership with Better World Books, in an effort to save books from being destroyed or placed in the landfill, while at the same time providing a small revenue stream. All of the books that we are unable to sell or store were sent (free of charge) to their processing center and last year, we sent more than one ton of books (almost 2,000 books), which resulted in saving 28 trees, over 14,000 gallons of water and over three cubic feet of landfill space!

To raise funds, we hold book sales twice monthly, in addition to selling books in the rotunda area of the library. This year, the Friends attended our first antiquarian book fair as a vendor to sell some of our "rare" books, which was very successful. Our single biggest fundraising event is Mystery Night, which features local notables acting in a locally themed murder mystery play held in the library. This year was one of our most successful, with \$6,500 being raised.

The Friends also hold quarterly author events, along with other special events, including our most popular Dia de Los Muertos event, which was attended by almost 100 people. This was our fourth year partnering with the Woodland Community College to provide this cultural event to the community. We also sponsored with the League of Women Voters a Civil Liberties exhibit and reception, which was very popular in the community and a multi-national "Holidays Around the World" event, attended by over 80 children and their families.

-Diana Dearmore, President

Woodland Library Rose Club's 21st Annual Garden Tour

Sunday, April 29th, 2012 Noon to 5 pm
(Rain Date, May 6th)



This year's tour features 6 beautiful and distinctive private gardens as well as the gardens of the Woodland Public Library.

Festivities at the library gardens will include refreshments, music, photo histories of the library & gardens, raffle prizes & more! Tickets are also available day of the tour at the library.

Tickets \$20.00 Each

To Order: Send payment to Woodland Library Rose Club
250 First Street
Woodland, CA 95695

For more information please call (707) 344-6769
Or email info@woodlandlibraryroseclub.com

Photograph by Anna Nativig 4/03; view Woodland Library Rose Club Gardens

Looking Forward

Going Green:

- Email receipts
- Payment of fines by debit or credit card
- Electronic signage, reduction of paper handouts
- Stronger social media presence
- Fully updated Website

Youth Services:

- Children's Library Card campaign
- Increase storytime programs and attendance
- Greater outreach and presence in the community
- Increase participation in Children's Summer Reading Program
- Develop afterschool programs
- Increase family programming
- Create Teen Library Council
- Increase Teen volunteer opportunities



Adult Services:

- Adult Library Card campaign
- Increase participation in Adult Summer Reading Program
- Increase volunteer utilization

The Last Page

Library Board of Trustees

George A. "Bud" Goding, President

Kathy Harryman, Secretary and
Treasurer

Diane Adams

Karen Shepherd

Keith Quigley



Library Staff

(Full time equivalencies)

Director	1.0
Librarians	3.0
Full time Library Assistants	2.0
Temporary Library Assistants	1.5
Shelver pool	2.3



Operating Expenditures

General Fund

Personnel	\$720,892
Office Supplies	\$3,304
Postage	\$1,533
Janitorial Supplies	\$1,751
Books	\$40,402
Telephone	\$2,588
Cell Phones	\$420
Maintenance-Grounds	\$31,940
Maintenance Equipment	\$2,040
Contract Services	\$33,504
Education and Meetings	\$4,165
Indirect Expenses	\$215,345
Utilities	\$31,991
Technology Services	\$57,501

Total **\$1,147,382**

WOODLAND PUBLIC LIBRARY
250 FIRST ST WOODLAND CA
530.661.5980

WWW.CITYOFWOODLAND.ORG/LIBRARY

Legislation Details (With Text)

File #: 13-292 Version: 1 Name:
Type: Consent Item(s) Status: Agenda Ready
File created: 10/10/2013 In control: City Council
On agenda: 11/5/2013 Final action:
Title: SUBJECT: Approval to Use Housing-Related Program Income on Homebuyer Loans for New and Resale Inclusionary (Affordable) Homes

Recommendation for Action: Staff recommends that the City Council 1) Adopt Resolution No. , approving the use of housing-related program income generated from HOME, CalHome, and BEGIN loan repayments for affordable (low income) homebuyer loans on new and resale inclusionary (affordable) homes when the City does not have a current first time homebuyer grant subject to any restrictions imposed by the HOME, CalHome, and BEGIN programs; and 2) Authorize the City Manager to amend the budget as needed.

Sponsors:

Indexes:

Code sections:

Attachments: [CC Reso PI Use 5Nov13.pdf](#)

Date	Ver.	Action By	Action	Result
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TO: THE HONORABLE MAYOR AND CITY COUNCIL

DATE: November 5, 2013

SUBJECT: Approval to Use Housing-Related Program Income on Homebuyer Loans for New and Resale Inclusionary (Affordable) Homes

Recommendation for Action: Staff recommends that the City Council 1) Adopt Resolution No. , approving the use of housing-related program income generated from HOME, CalHome, and BEGIN loan repayments for affordable (low income) homebuyer loans on new and resale inclusionary (affordable) homes when the City does not have a current first time homebuyer grant subject to any restrictions imposed by the HOME, CalHome, and BEGIN programs; and 2) Authorize the City Manager to amend the budget as needed.

Staff Contact

Dan Sokolow, Senior Planner - 530-661-5927 - dan.sokolow@cityofwoodland.org

Fiscal Impact

There is no impact to the General Fund. The City receives housing-related program income (PI) when owner-occupied housing loans and housing project loans are repaid. The repayments are deposited into restricted funds and their use is generally limited to affordable housing loans and to cover staff time in some circumstances. Currently, the City has approximately a cumulative \$115,000 available in HOME, CalHome,

and BEGIN PI funds. Over the next six months or less the City may be able to lend these funds to affordable (low income) homebuyers purchasing new and resale inclusionary (affordable) homes.

Staff estimates that the City may receive annually \$30,000 - 100,000 in PI through HOME, CalHome, and BEGIN loan repayments. Because receipt of loan repayments, and the subsequent loans of the PI, are infrequent in nature and difficult to predict, staff does not regularly include appropriations in the operating budget for loan disbursements. In the event that loan repayments are received, staff is requesting Council to authorize the City Manager to amend the annual budget to expend the amount of repayments received.

Background

The City's housing loan portfolio includes approximately 100 properties and is in excess of 100 loans since a number of property owners received more than one loan from the City. While the loan portfolio includes project-based loans for multi-family developments, the vast majority of the loans were provided to individual households under first time homebuyer or rehabilitation programs. Many of these loans were funded through HOME, CalHome, and BEGIN grants the City received. Repayment of these loans (from individual households or owners of multi-family projects) generates PI for the City that can then be used for additional affordable housing loans.

Discussion

When the City has an open HOME, CalHome, or BEGIN grant for first time homebuyer assistance (FTHB), it has been a common practice to supplement the grant funds with any available PI. In most instances the City is required to spend the PI first before drawing on the grant funds. For example, during the 2.5-year term of the City's recent HOME FTHB grant, the City was required to first spend \$165,000 in HOME PI that it received prior to and during the grant term before it could drawdown the HOME grant funds. The HOME PI funds flowed in as FTHB loans were repaid and from residual receipt payments generated from the City's loan of HOME funds for the Terracina at Spring Lake multi-family project.

Without an open HOME, CalHome, or BEGIN grant, PI from the three sources is banked and not utilized until the City receives a FTHB grant or project-based housing grant (HOME program). However, there remains a need to have FTHB funds available whenever possible to provide FTHB assistance for the affordable purchasers of new and resale inclusionary homes. Currently, one subdivision (Huntington Square, Standard Pacific builder) is constructing inclusionary homes based on the requirements of the Spring Lake Affordable Housing Plan. To date, the City has provided FTHB loans to three households who purchased inclusionary homes at Huntington Square. While housing-related PI is available, the City does not have the ability to provide FTHB loans for affordable buyers at Huntington Square or affordable purchasers of resale inclusionary homes without an open FTHB grant. An affordable purchaser in most instances requires FTHB assistance in order to bridge the "gap" between a principal mortgage and the home's purchase price.

The proposed change to how the City administers HOME, CalHome, and BEGIN PI funds would provide flexibility when the City does not have an open FTHB grant. While the change allows staff to focus the use of HOME, CalHome, and BEGIN PI on affordable buyers purchasing new and resale inclusionary homes, the focus would cease when the City has an open FTHB grant. With a FTHB grant, the City would have the ability to open up its FTHB program to affordable purchasers of resale homes not produced through the Spring Lake Affordable Housing Plan or Ordinance 6A (Inclusionary Housing).

Conclusion

Staff recommends that the City Council take the following actions.

1. Adopt a Resolution No. , approving the use of housing-related program income (PI) generated from HOME, CalHome, and BEGIN loan repayments for affordable (low income) homebuyer loans on new and resale inclusionary (affordable) homes when the City does not have a current first time homebuyer grant subject to any restrictions imposed by the HOME, CalHome, and BEGIN programs; and
2. Authorize the City Manager to amend the budget as needed.

Prepared by: Dan Sokolow
Senior Planner

Reviewed by: Kim McKinney
Finance Officer

Reviewed by: Christine Engel
CSD Director

Paul Navazio, City Manager

Attachment
Resolution No.

RESOLUTION _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND APPROVING
THE USE OF HOUSING-RELATED PROGRAM INCOME ON HOMEBUYER LOANS
FOR THE PURCHASE OF NEW AND RESALE INCLUSIONARY HOMES**

WHEREAS, the City receives housing-related program income (PI) through the repayment of housing loans funded with HOME, CalHome, and BEGIN grants received by the City;

WHEREAS, HOME, CalHome, and BEGIN PI is banked and not utilized until the City has an open first time homebuyer or housing project grant;

WHEREAS, there remains a need to have housing-related PI available whenever possible to assist affordable (low income) purchasers of new and resale inclusionary (affordable) when the City does not have an open FTHB grant;

NOW THEREFORE BE IT RESOLVED, that the City of Woodland takes the following actions:

1. Approves the use of housing-related program income generated from HOME, CalHome, and BEGIN loan repayments for affordable (low income) homebuyer loans on new and resale inclusionary (affordable) homes when the City does not have a current first time homebuyer grant subject to any restrictions imposed by the HOME, CalHome, and BEGIN programs; and
2. Authorizes the City Manager to amend the budget as needed.

PASSED AND ADOPTED this 5th day of November, 2013, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Marlin H. Davies, Mayor

ATTEST:

Ana B. Gonzalez, City Clerk

APPROVED AS TO FORM:

Kara K. Ueda, City Attorney

Legislation Details (With Text)

File #:	13-298	Version:	1	Name:	
Type:	Consent Item(s)	Status:		Agenda Ready	
File created:	10/11/2013	In control:		City Council	
On agenda:	11/5/2013	Final action:			
Title:	SUBJECT: FY2013/14 contract with the Yolo Emergency Communications Agency				
	Recommendation for Action: Staff recommends that the City Council approve the FY2013/14 contract for dispatch services with the Yolo Emergency Communications Agency				
Sponsors:					
Indexes:					
Code sections:					
Attachments:					

Date	Ver.	Action By	Action	Result
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TO: THE HONORABLE MAYOR AND CITY COUNCIL

DATE: November 5, 2013

SUBJECT: FY2013/14 contract with the Yolo Emergency Communications Agency

Recommendation for Action: Staff recommends that the City Council approve the FY2013/14 contract for dispatch services with the Yolo Emergency Communications Agency

Staff Contact

Dan Bellini, Public Safety Chief - 661-7865

Fiscal Impact

The proposed contract results in an annual cost of \$1,685,855 for dispatch services provided to the City of Woodland through a contract with the Yolo Emergency Communication Agency. The contract for FY2013/14 represents an annual increase of \$54,427 over the FY2012/13 contract, and stems from the overall increase in calls for service for the City. Funding in support of this contract is provided in the FY2013/14 annual budget previously approved by the Council.

Background

The Yolo Emergency Communication Agency (YECA) is a Joint Powers Authority established in 1988. YECA is the 9-1-1 Public Safety Answering Point (PSAP) for approximately 80% of Yolo County. Member agencies consist of Yolo County, City of Woodland, City of West Sacramento, City of Winters, and Yocha

Dehe Winton Nation.

As part of the 2010-2020 Capitol Budget, the City Council approved two Capital Projects to be managed through YECA. The first project was the first phase upgrade to the regional emergency radio communications infrastructure and the second project was replacement of the computer aided dispatch software and hardware. Both projects have been completed with the most recent being completion of the replacement of the computer aided dispatch system which went live in September. These Capital projects account for \$97,339 of the annual YECA contract.

Discussion

YECA provides dispatch services to four law enforcement agencies, 17 fire agencies, as well as Animal Control, Public Works, County Maintenance, District Attorney's Office, Environmental Health, Mental Health, Probation Department, and Social Services Department. Costs are allocated based on the percentage of calls for service attributed to the member agency over the previous calendar year. In 2012 the City of Woodland experienced a 6% increase in dispatched calls for service over the previous year accounting for the increase in the FY2013/14 contract.

Conclusion

Staff recommends that the City Council approve the FY2013/14 contract for dispatch services with the Yolo Emergency Communications Agency.

Prepared by: Dan Bellini
Public Safety Chief

Paul Navazio, City Manager

Legislation Details (With Text)

File #:	13-300	Version:	1	Name:	
Type:	Consent Item(s)		Status:	Agenda Ready	
File created:	10/15/2013		In control:	City Council	
On agenda:	11/5/2013		Final action:		
Title:	SUBJECT: Planning Consultant Services for the Prudler Subdivision Project				
Recommendation for Action: Staff recommends that the City Council approve the attached planning services contract with Raney Planning & Management (Raney) for an amount not-to-exceed \$100,000 to provide professional planning services for the Prudler Subdivision project.					
Sponsors:					
Indexes:					
Code sections:					
Attachments:	Prudler Tentative Subdivision Map Draft Contract.pdf				
Date	Ver.	Action By	Action		Result

TO: THE HONORABLE MAYOR AND CITY COUNCIL

DATE: November 5, 2013

SUBJECT: Planning Consultant Services for the Prudler Subdivision Project

Recommendation for Action: Staff recommends that the City Council approve the attached planning services contract with Raney Planning & Management (Raney) for an amount not-to-exceed \$100,000 to provide professional planning services for the Prudler Subdivision project.

Staff Contact

Paul Hanson, AICP, Senior Planner, - 530-661-5814, paul.hanson@cityofwoodland.org

Fiscal Impact

There is no impact to the General Fund or any other City fund. Contract services will be paid from an established advance funding account that the developer has deposited funds into specifically to pay for planning services for this project.

Discussion

The proposed Prudler Tentative Map project is located adjacent to the Spring Lake Specific Plan area, northeast of the intersection of Sports Park Drive and East Street. The project site consists of 38.01 acres of vacant land and project proposes the construction of approximately 204 detached single family homes.

The City's Planning Division of Community Development has received applications for entitlement of the project. In order to process the application in a timely manner given current work load, staff is seeking outside professional planning services to assist with the review of the project and preparation of the project's Initial Study (environmental) document.

Raney Planning & Management has been selected from a Quality Based Selection list of consultants that was developed as a result of a Request for Qualifications (RFQ) process that was carried-out this past April 2013. Raney has been selected due to their extensive experience in the industry, their knowledge of the City's planning processes, and their experience & work with many other Spring Lake development projects for the City of Woodland. In addition, Raney has previously worked with City staff on two previous project concepts on this specific site in the following capacity: prepared the Initial Study for the "Four Seasons" project and reviewed the Initial Study prepared by staff for "Prudler Senior Housing" project.

Raney has provided the City with a scope of services for \$63,000. Staff is requesting budget approval of up to \$100,000 should the scope of services change during the review of the project and additional services be required to complete the analysis of the project. In accordance with the City's procurement policy, staff is requesting City Council approval for this contract as it exceeds the \$50,000 approval authority of the City Manager. All contract expenses will be paid for by the developer and will not have any impact to General Fund or any other City fund.

Conclusion

Staff recommends that the City Council approve the attached planning services contract with Raney Planning & Management for an amount not-to-exceed \$100,000 to provide professional planning services for the Prudler Subdivision project.

Prepared by: Evis Morales, Management Analyst

Reviewed by: Ken Hiatt, Community Development Director

Paul Navazio, City Manager

Attachment: Draft Contract

**CITY OF WOODLAND
PROFESSIONAL SERVICES AGREEMENT
FOR
PLANNING CONSULTANT SERVICES**

This Agreement is entered into this _____ day of **November 2013** by and between the City of Woodland, a California municipal corporation ("City"), and **Raney Planning & Management** ("Consultant").

RECITALS

A. Consultant desires to perform and assume responsibility for the provision of professional planning consultant services and for the preparation of the environmental document for the **Prudler Tentative Subdivision Map** required by the City on the terms and conditions set forth in this Agreement.

B. Consultant has presented a proposal for such services to the City, dated **July 24, 2013**, (attached hereto and incorporated herein as Exhibit "A") and is duly licensed, qualified and experienced to perform those services.

C. Consultant agrees it has satisfied itself by its own investigation and research regarding the conditions affecting the work to be done and labor and materials needed, and that its decision to execute this Agreement is based on such independent investigation and research.

D. City desires to engage Consultant to render such services as set forth in this Agreement.

AGREEMENT

1. SCOPE OF SERVICES.

1.1 General Scope of Services. Consultant promises and agrees to furnish to the City all labor, materials, tools, equipment, services and incidental and customary work necessary to fully and adequately supply the necessary professional planning consultant services ("Services"). The Services are more particularly described in Exhibit "A."

2. SCHEDULE OF SERVICES.

2.1 Schedule of Services. The Services of Consultant are to commence upon execution of this Agreement by the City and shall be undertaken and completed in a prompt and timely manner, pursuant to the schedule outlined in the Scope of Work, more particularly described in Exhibit "A."

2.2 Extension of Time. Consultant may, for good cause, request extensions of time to perform the Services required hereunder. Such extensions shall be authorized in advance by the City in writing and shall be incorporated in written amendments to this Agreement.

3. FEES AND PAYMENTS.

3.1 Compensation. Consultant shall receive compensation, including authorized reimbursements, for all Services rendered under this Agreement at the rates set forth in Exhibit "A". The total compensation shall not exceed **SIXTY TWO THOUSAND EIGHT HUNDRED EIGHTY FIVE DOLLARS (\$62,885)** without City's prior written approval. Extra Work may be authorized, as described below, and if authorized, will be compensated at the rates and manner set forth in this Agreement.

3.2 Payment of Compensation. Consultant shall submit to City a monthly itemized statement which indicates work completed and hours of Services rendered by Consultant. The statement shall describe the amount of Services and supplies provided since the initial commencement date, or since the start of the subsequent billing periods, as appropriate, through the date of the statement. City shall, within forty-five (45) days of receiving such statement, review the statement and pay all approved charges thereon. The maximum interest rate paid on any overdue invoices owed to the Consultant shall be 0.833% per month or 10% per year.

3.3 Extra Work. At any time during the term of this Agreement, City may request that Consultant perform Extra Work. As used herein, "Extra Work" means any work which is determined by City to be necessary for the proper completion of the Project, but which the parties did not reasonably anticipate would be necessary at the execution of this Agreement. Consultant shall not perform, nor be compensated for, Extra Work without written authorization from City's Representative.

4. CHANGES.

4.1 The Parties may, from time to time, request changes in the scope of the Services of Consultant to be performed hereunder. Such changes, including any increase or decrease in the amount of Consultant's compensation and/or changes in the schedule must be authorized in advance by the City in writing. Mutually agreed changes shall be incorporated in written amendments to the Agreement.

5. RESPONSIBILITIES OF CONSULTANT.

5.1 Independent Contractor; Control and Payment of Subordinates. Consultant enters into this Agreement as an independent contractor and not as an employee of the City. Consultant shall have no power or authority by this Agreement to bind the City in any respect. Nothing in this Agreement shall be construed to be inconsistent with this relationship or status. All employees, agents, contractors or subcontractors hired or retained by the Consultant are employees, agents, contractors or subcontractors of the Consultant and not of the City. The City shall not be obligated in any way to pay any wage claims or other claims made against Consultant by any such employees, agents, contractors or subcontractors, or any other person resulting from performance of this Agreement.

5.2 Conformance to Applicable Requirements. All work prepared by Consultant shall be subject to the approval of City.

5.3 Project Manager. The Consultant shall designate a project manager who at all times shall represent the Consultant before the City on all matters relating to this Agreement. The project manager shall continue in such capacity unless and until he or she is removed at the request of the City, is no longer employed by Consultant or replaced with the written approval of the City which shall not be unreasonably withheld.

5.4 Coordination of Services. Consultant agrees to work closely with City staff in the performance of Services and shall be available to City staff, consultants and other staff at all reasonable times. City agrees to work closely with Consultant's staff in the performance of Services and shall be available to Consultant's staff at all reasonable times.

5.5 Warranty. Consultant agrees and represents that it is qualified to properly provide the Services set forth in Exhibit "A" in a manner which is consistent with the generally accepted standards of Consultant's profession. Consultant further represents and agrees that it will perform said Services in a legally adequate manner in conformance with applicable federal, state and local laws and guidelines.

5.6 Interest in Contract. Consultant covenants that neither it, nor any of its employees, agents, contractors, subcontractors has any interest, nor shall they acquire any interest, direct or indirect, in the subject of the Contract, nor any other interest which would conflict in any manner or degree with the performance of its services hereunder.

Consultant shall make all disclosures required by the City's conflict of interest code in accordance with the category designated by the City, unless the City Manager determines in writing that Consultant's duties are more limited in scope than is warranted by the category designated by the City code and that a narrower disclosure category should apply. Consultant also agrees to make disclosure in compliance with the City conflict of interest code if, at any time after the execution of this agreement, City determines and notifies Consultant in writing that Consultant's duties under this agreement warrant greater disclosure by Consultant than was originally contemplated. Consultant shall make disclosures in the time, place and manner set forth in the conflict of interest code and as directed by the City.

6. INSURANCE.

6.1 Time for Compliance. Consultant shall not commence Services under this Agreement until it has provided evidence satisfactory to the City that it has secured all insurance required under this section. In addition, Consultant shall not allow any subconsultant to commence work on any subcontract until it has provided evidence satisfactory to the City that the subconsultant has secured all insurance required under this section.

6.2 Types of Required Coverages. As a condition precedent to the effectiveness of this Agreement for work to be performed hereunder and without limiting the indemnity provisions of the Agreement, the Consultant in partial performance of its obligations under such Agreement, shall procure and maintain in full force and effect during the term of the Agreement, the following policies of insurance.

6.2.1 Commercial General Liability: Commercial General Liability Insurance which affords coverage at least as broad as Insurance Services Office “occurrence” form CG 0001, with minimum limits of at least \$1,000,000 per occurrence. Defense costs shall be paid in addition to the limits.

The policy shall contain no endorsements or provisions limiting coverage for (1) products and completed operations; (2) contractual liability; (3) third party action over claims; or (4) cross liability exclusion for claims or suits by one insured against another.

6.2.2 Automobile Liability: Automobile Liability Insurance with coverage at least as broad as Insurance Services Office Form CA 0001 covering “Any Auto” (Symbol 1) with minimum limits of \$1,000,000 each accident.

6.2.3 Workers’ Compensation: Workers’ Compensation Insurance, as required by the State of California and Employer’s Liability Insurance with a limit of not less than \$1,000,000 per accident for bodily injury and disease.

6.2.4 Professional Liability: Professional Liability insurance for errors and omissions with minimum limits of \$1,000,000. Covered Professional Services shall specifically include all work to be performed under the Agreement.

If coverage is written on a claims-made basis, the retroactive date shall precede the effective date of the initial Agreement and continuous coverage will be maintained or an extended reporting period will be exercised for a period of at least three (3) years from termination or expiration of this Agreement.

6.3 Endorsements.

6.3.1 The policy or policies of insurance required by Sections 6.2.1 Commercial General Liability and 6.2.2 Automobile Liability shall be endorsed to provide the following:

6.3.1.1 Additional Insured: The indemnified parties shall be additional insureds with regard to liability and defense of suits or claims arising out of the performance of the Agreement. Additional Insured Endorsements shall not (1) be restricted to “ongoing operations”; (2) exclude “contractual liability”; (3) restrict coverage to “sole” liability of Consultant; or (4) contain any other exclusions contrary to the Agreement.

6.3.1.2 Primary Insurance and Non-Contributing Insurance: This insurance shall be primary and any other insurance, deductible, or self-insurance maintained by the indemnified parties shall not contribute with this primary insurance.

6.3.1.3 Severability: In the event of one insured, whether named or additional, incurs liability to any other of the insureds, whether named or additional, the policy shall cover the insured against whom claim is or may be made in the same manner as if separate policies had been issued to each insured, except that the limits of insurance shall not be increased thereby.

6.3.1.4 Cancellation: The policy shall not be canceled or the coverage suspended, voided, reduced or allowed to expire until a thirty (30) day prior written notice of cancellation has been served upon the City except ten (10) days prior written notice shall be allowed for non-payment of premium.

6.3.1.5 Duties: Any failure by the named insured to comply with reporting provisions of the policy or breaches or violations of warranties shall not affect coverage provided to the indemnified parties.

6.3.1.6 Applicability: That the coverage provided therein shall apply to the obligations assumed by the Consultant under the indemnity provisions of the Agreement, unless the policy or policies contain a blanket form of contractual liability coverage.

6.3.2 The policy or policies of insurance required by Section 6.2.3 Workers' Compensation shall be endorsed, as follows:

6.3.2.1 Waiver of Subrogation: A waiver of subrogation stating that the insurer waives all rights of subrogation against the indemnified parties.

6.3.2.2 Cancellation: The policy shall not be canceled or the coverage suspended, voided, reduced or allowed to expire until a thirty (30) day prior written notice of cancellation has been served upon the City except ten (10) days prior written notice shall be allowed for non-payment of premium.

6.3.3 The policy or policies of insurance required by Section 6.2.4 Professional Liability shall be endorsed, as follows:

6.3.3.1 Cancellation: The policy shall not be canceled or the coverage suspended, voided, reduced or allowed to expire until a thirty (30) day prior written notice of cancellation has been served upon the City except ten (10) days prior written notice shall be allowed for non-payment of premium.

6.4 Deductible. Any deductible or self-insured retention must be approved in writing by the City and shall protect the indemnified parties in the same manner and to the same extent as they would have been protected had the policy or policies not contained a deductible or self-insured retention.

6.5 Evidence of Insurance. The Consultant, concurrently with the execution of the Agreement, and as a condition precedent to the effectiveness thereof, shall deliver either certified copies of the required policies, or original certificates and endorsements on forms approved by the City. The certificates and endorsements for each insurance policy shall be signed by a person authorized by that insurer to bind coverage on its behalf. At least fifteen (15) days prior to the expiration of any such policy, evidence of insurance showing that such insurance coverage has been renewed or extended shall be filed with the City. If such coverage is cancelled or reduced, Consultant shall, within ten (10) days after receipt of written notice of such cancellation or reduction of coverage, file with the City evidence of insurance showing that the required insurance has been reinstated or has been provided through another insurance company or companies.

6.6 Failure to Maintain Coverage. Consultant agrees to suspend and cease all operations hereunder during such period of time if the required insurance coverage is not in effect and evidence of insurance has not been furnished to the City. The City shall have the right to withhold any payment due Consultant until Consultant has fully complied with the insurance provisions of this Agreement.

In the event that the Consultant's operations are suspended for failure to maintain required insurance coverage, the Consultant shall not be entitled to an extension of time for completion of the Work because of production lost during suspension.

6.7 Acceptability of Insurers. Each such policy shall be from a company or companies with a current A.M. Best's rating of no less than A:VII and authorized to do business in the State of California, or otherwise allowed to place insurance through surplus line brokers under applicable provisions of the California Insurance Code or any federal law.

6.8 Insurance for Subconsultants. All subconsultants shall be included as additional insureds under the Consultant's policies, or the Consultant shall be responsible for causing subconsultants to purchase the appropriate insurance in compliance with the terms of this Agreement, including adding the City as an Additional Insured to the subconsultant's policies.

7. OWNERSHIP OF MATERIALS AND CONFIDENTIALITY.

7.1 Documents & Data; Licensing of Intellectual Property. This Agreement creates a non-exclusive and perpetual license for City to copy, use, modify, reuse or sublicense any and all copyrights, designs and other intellectual property embodied in plans, specifications, studies, drawings, estimates and other documents or works of authorship fixed in any tangible medium of expression, including but not limited to, physical drawings or data magnetically or otherwise recorded on computer diskettes, which are prepared or caused to be prepared by Consultant under this Agreement ("Documents & Data").

Consultant shall require all subconsultants to agree in writing that City is granted a non-exclusive and perpetual license for any Documents & Data the subconsultant prepares under this Agreement. Consultant represents and warrants that Consultant has the legal right to license any and all Documents & Data. Consultant makes no such representation and warranty in regard to Documents & Data which were prepared by design professionals other than Consultant or provided to Consultant by the City.

Consultant shall provide electronic copies of the finished products in the original software format at the conclusion of the respective phases of work. Complex documents such as reports that utilize more than one type of software shall also be provided in a common format such as Adobe Acrobat (*.pdf). Files of construction drawings shall be provided in a current version of AutoCAD.

City shall not be limited in any way in its use or modification of the Documents and Data at any time, provided that any such use or modification not within the purposes intended by this Agreement shall be at City's sole risk.

7.2 Confidentiality. All Documents & Data are confidential and Consultant agrees that they shall not be made available to any individual or organization without the prior written approval of the City, except by court order.

8. ACCOUNTING RECORDS.

8.1 Maintenance and Inspection. Consultant shall maintain and make available for inspection by the City and its auditor's accurate records of all its costs, disbursements and receipts with respect to any work under this Agreement. Such inspections may be made during regular office hours at any time until one (1) year after the final payments under this Agreement are made to the Consultant.

9. SUBCONTRACTING.

9.1 Prior Approval Required. Consultant shall not subcontract any portion of the work required by this Agreement, except as expressly stated herein, without prior written approval of City. Subcontracts, if any, shall contain a provision making them subject to all provisions stipulated in this Agreement.

10. TERMINATION OF AGREEMENT.

10.1 Grounds for Termination. City may, by written notice to Consultant, terminate all or any part of this Agreement at any time and without cause by giving written notice to Consultant of such termination, and specifying the effective date thereof, at least seven (7) days before the effective date of such termination. Upon termination, Consultant shall be compensated only for those Services which have been adequately rendered to City, and Consultant shall be entitled to no further compensation. Consultant may not terminate this Agreement except for cause.

10.2 Effect of Termination. If this Agreement is terminated as provided herein, City may require Consultant to provide all finished or unfinished Documents and Data and other information of any kind prepared by Consultant in connection with the performance of Services under this Agreement. Consultant shall be required to provide such document and other information within fifteen (15) days of the request.

10.3 Additional Services. In the event this Agreement is terminated in whole or in part as provided herein, City may procure, upon such terms and in such manner as it may determine appropriate, services similar to those terminated.

11. GENERAL PROVISIONS.

11.1 Delivery of Notices. All notices permitted or required under this Agreement shall be given to the respective parties at the following address, or at such other address as the respective parties may provide in writing for this purpose:

City:

City Of Woodland
300 First Street
Woodland, CA 95695
Attn: Paul Hanson, AICP, Senior Planner,

Consultant:

Raney Planning & Management
1501 Sports Drive
Sacramento, CA 95834.
Attn: Cindy Gnos, AICP

Such notice shall be deemed made when personally delivered or when mailed, forty-eight (48) hours after deposit in the U.S. Mail, first class postage prepaid and addressed to the party at its applicable address. Actual notice shall be deemed adequate notice on the date actual notice occurred, regardless of the method of service.

11.2 Indemnification. To the fullest extent permitted by law, Consultant shall defend, indemnify and hold the City, its elected officials, officers, employees, agents and volunteers free and harmless from any and all claims, demands, causes of action, costs, expenses, liability, loss, damage or injury, in law or equity, to property or persons, including wrongful death, in any manner arising out of or incident to the negligence, recklessness or willful misconduct of Consultant, its officials, officers, employees, agents, subcontractors and subconsultants, including without limitation the payment of all consequential damages and attorneys' fees and other related costs and expenses except such loss or damage which was caused by the active negligence, sole negligence, or willful misconduct of the City.

Consultant shall defend, at Consultant's own cost, expense and risk, any and all such aforesaid suits, actions or other legal proceedings of every kind that may be brought or instituted against City, its elected officials, officers, employees, agents or volunteers. Consultant shall pay and satisfy any judgment, award or decree that may be rendered against City or its elected officials, officers, employees, agents or volunteers, in any such suit, action or other legal proceeding. Consultant shall reimburse City and its elected officials, officers, employees, agents and/or volunteers, for any and all legal expenses and costs incurred by each of them in connection therewith or in enforcing the indemnity herein provided.

Consultant's obligation to indemnify shall not be restricted to insurance proceeds, if any, received by the City, its elected officials, officers, employees, agents or volunteers.

11.3 Laws and Regulations. Consultant shall keep itself fully informed of and in compliance with all local, state and federal laws, rules, regulations and ordinances in any manner affecting the performance of the Project or the Services, including without limitation City business license requirements and all Cal/OSHA requirements, and shall give all notices required by law.

11.4 Prohibited Interests. Consultant covenants that neither it, nor any of its employees, agents, contractors or subcontractors has any interest, nor shall they acquire any interest, direct or indirect, in the subject of the Agreement, nor any other interest which would conflict in any manner or degree with the performance of the Services hereunder.

11.5 Prevailing Wages. Consultant is aware of the requirements of California Labor Code section 1720, et seq., and 1770, et seq., as well as California Code of Regulations, Title 8, section 16000, et seq., ("Prevailing Wage Laws"), which require the payment of prevailing wage

rates and the performance of other requirements on “public works” and “maintenance” projects. If the Services are subject to the Prevailing Wage Laws, Consultant agrees to fully comply with such Prevailing Wage Laws.

11.6 Equal Opportunity Employment. Consultant shall not engage in unlawful employment discrimination. Such unlawful employment discrimination includes, but is not limited to, employment discrimination based upon a person’s race, religious creed, color, national origin, ancestry, physical handicap, medical condition, marital status, gender, citizenship or sexual orientation.

11.7 Labor Certification. By its signature hereunder, Consultant certifies that it is aware of the provisions of Section 3700 of the California Labor Code which require every employer to be insured against liability for Worker’s Compensation or to undertake self-insurance in accordance with the provisions of that Code, and agrees to comply with such provisions before commencing the performance of the Services.

11.8 Attorneys’ Fees. If either party commences an action against the other party, either legal, administrative or otherwise, arising out of or in connection with this Agreement, the prevailing party in such litigation shall be entitled to reasonable attorneys’ fees and all other costs of such action.

11.9 Assignment or Transfer. Consultant shall not assign or transfer any interest in this Agreement whether by assignment or novation, without the prior written consent of the City, which will not be unreasonably withheld. Provided, however, that claims for money due or to become due Consultant from the City under this Agreement may be assigned to a financial institution or to a trustee in bankruptcy, without such approval. Notice of any assignment or transfer, whether voluntary or involuntary, shall be furnished promptly to the City.

11.10 Successors and Assigns. This Agreement shall be binding on the successors and assigns of the Parties.

11.11 Amendment; Modification. No supplement, modification or amendment of this Agreement shall be binding unless executed in writing and signed by both Parties.

11.12 Waiver. No waiver of any default shall constitute a waiver of any other default or breach, whether of the same or other covenant or condition. No waiver, benefit, privilege or service voluntarily given or performed by a Party shall give the other Party any contractual rights by custom, estoppel or otherwise.

11.13 Entire Agreement. This Agreement constitutes the entire agreement between the Parties relative to the Services specified herein. There are no understandings, agreements, conditions, representations, warranties or promises with respect to this Agreement, except those contained in or referred to in the writing.

11.14 Governing Law. This Agreement shall be governed by the laws of the State of California. Venue shall be in Yolo County.

11.15 Time of Essence. Time is of the essence for each and every provision of this Agreement.

Professional Services Agreement for Planning Services – Raney Planning & Management

11.16 Interpretation. Since the Parties or their agents have participated fully in the preparation of this Agreement, the language of this Agreement shall be construed simply, according to its fair meaning, and not strictly for or against any Party.

11.17 No Third Party Beneficiaries. There are no intended third party beneficiaries of any right or obligation assumed by the Parties.

11.18 Authority to Enter Agreement. Each Party warrants that the individuals who have signed this Agreement have the legal power, right and authority to make this Agreement and bind each respective Party.

11.19 Invalidity; Severability. If any portion of this Agreement is declared invalid, illegal or otherwise unenforceable by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect.

11.20 Counterparts. This Agreement may be signed in counterparts, each of which shall constitute an original.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first above written.

CITY OF WOODLAND

Raney Planning & Management

By: _____
Paul Navazio
City Manager

By: _____
Cindy L Gnos, AICP
Vice President

Date: _____

Date: _____

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EXHIBIT “A”
CONSULTANT PROPOSAL

ATTACHED



WWW.RANEYMANAGEMENT.COM

NORTHERN CALIFORNIA

1501 SPORTS DRIVE

SACRAMENTO, CA 95834

TEL: 916.372.6100 • FAX: 916.419.6108

July 24, 2013

Mr. Paul Hanson, Senior Planner
City of Woodland
300 First Street
Woodland, CA 95695

Re: Prudler Tentative Subdivision Map Initial Study / Mitigated Negative Declaration

Dear Mr. Hanson:

On behalf of Raney Planning & Management, Inc. (Raney), I am pleased to submit the following proposal for preparation of an Initial Study and Mitigated Negative Declaration (IS/MND) and provision of associated planning services for the Prudler Tentative Subdivision Map project in the City of Woodland.

Raney understands that the proposed project consists of constructing approximately 204 detached single-family homes on 38 acres in the City of Woodland. As you know, we are thoroughly familiar with the project site, having worked with the City in preparing the Initial Study for the former Four Seasons project. In addition, Raney has reviewed the 2010 Initial Study prepared by the City for the formerly proposed Prudler Senior Housing project. Based on our familiarity with the project, I have developed the following scope of work for the preparation of an Initial Study and to provide the associated planning services for the newly proposed project.

I will serve as the Project Director and would work as an extension of City staff in processing the proposed project, including the environmental document. I will be assisted by Division Manager / Air Quality Specialist Rod Stinson, who will serve as the Project Manager. Mr. Stinson will be responsible for overseeing the day-to-day preparation of the environmental document and coordinating with the project team.

Thank you for the opportunity to submit our proposal for your consideration. If you have any questions regarding our approach or scope of work, please don't hesitate to contact me. We look forward to the continued opportunity to work with you and the City of Woodland.

Thank you,

A handwritten signature in cursive script that reads 'Cindy Gnos'.

Cindy Gnos, AICP, Vice President
Raney Planning & Management, Inc.
cindygnos@raneymanagement.com



LAURIN ASSOCIATES

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I. Project Understanding

Raney Planning & Management, Inc. (Raney) has prepared this proposal and scope of services to prepare an Initial Study for the Prudler Tentative Subdivision Map project (proposed project) in the City of Woodland, CA. We believe that we have the ability to deliver a unique, unmatched, and ultimately successful product and process to the City of Woodland. We are pleased to have this opportunity to submit our proposal to you for your consideration.

PROJECT OVERVIEW

Project Location/Existing Land Use

The proposed Prudler Tentative Subdivision Map project is located adjacent to the Spring Lake Specific Plan area, northeast of the intersection of Sports Park Drive and East Street in the City of Woodland (APN 041-070-42). The site consists of approximately 38.01 acres of vacant land, zoned General Commercial (GC). Surrounding land uses include the County Fair Mall to the north, single-family residential to the east and west, and Woodland Sports Park to the south.

Project Description

Raney understands that the project applicant, Yolo Residential Investors, LLC, is proposing to construct approximately 204 detached single-family residential units on the project site, with an average density of approximately 5.85 units per acre.

Requested project entitlements include the following:

- General Plan Amendment to re-designate the site from General Commercial (GC) to Low Density Residential (LDR);
- Spring Lake Specific Plan Amendment to modify the East Street cross-section for the segment south of the County Fair Mall to Sports Park Drive;
- Rezone from GC-C2 to Single-Family Residential (R-1) with a Planned Development (PD) Overlay;
- Conditional Use Permit; and
- Tentative Subdivision Map.

It should be noted that the project site was previously analyzed under an Initial Study and Mitigated Negative Declaration in 2010 for a proposed 247-unit senior housing project and in 2006 under an Initial Study and Mitigated Negative Declaration, prepared by Raney, for the Four Seasons residential project; neither of which proceeded through the public hearing process.

APPROACH

Raney proposes to prepare an Initial Study to analyze the potential environmental effects associated with the Prudler Tentative Subdivision Map project and to provide the associated planning services to the City of Woodland. The Initial Study will be prepared using the checklist contained in Appendix G of the CEQA Guidelines and the standard City of Woodland format. Raney assumes that all of the impacts due to the proposed project will be reduced to a less-than-

significant level with the implementation of appropriate and practical mitigation measures. Therefore, Raney anticipates that the appropriate CEQA document will be a Mitigated Negative Declaration. Should any issues arise which would require further analysis, necessitating the preparation of an EIR, Raney would consult with City staff immediately and amend the scope of work accordingly. It should be noted that the City has been contacted regarding the proposed project. While all impacts may be able to be reduced to a less-than-significant level, the “fair argument” standard for a Mitigated Negative Declaration is a rather low standard. Raney will work closely with City staff in the preparation of the Initial Study and determination of appropriate findings and mitigation measures. The Initial Study will provide a discussion of the impacts related to implementation of the proposed project.

Raney will rely on information from the 2010 Prudler Subdivision IS/MND, the 2006 Four Seasons IS/MND, and the City of Woodland General Plan and General Plan EIR, as well as any other technical information prepared to date for the project site for analysis. Raney understands that the following technical information has been prepared to date for the project site:

- Prudler-Sievers Commercial Property Jurisdictional Delineation and Special Status Species Evaluation, prepared by Gibson & Skordal, LLC (Revised October 2009);
- Prudler Tentative Map Tree Mitigation Plan, prepared by the applicant (January 2009);
- Four Seasons Tree Plan Preservation, prepared by Cunningham Engineering (September 2006);
- Four Seasons Arborist Technical Memo, prepared by Sierra Nevada Arborists (September 2006);
- Four Seasons Initial Arborist Report and Inventory Summary, prepared by Sierra Nevada Arborists (February 2006);
- Prudler Tentative Subdivision Map Projected Sewer Flow and Downstream Capacity Memo, prepared by Cunningham Engineering (September 2009);
- Four Seasons Environmental Noise Assessment, prepared by Bollard Acoustical Consultants (December 2006); and
- Four Seasons Traffic Study, prepared by Dowling Associates, Inc. (May 2007).

In order to fully address the impacts associated with the proposed project, Raney proposes to sub-contract with the following technical sub-consultants to update the existing analyses and/or provide new technical reports, as necessary, for the proposed project:

- Gibson & Skordal – updated Biological Resources Report;
- Hort Science – updated Arborist Report;
- Bollard Acoustical – updated Noise Report; and
- Kittelson & Associates, Inc. (formerly Dowling Associates) – updated Traffic Analysis.

Raney will utilize our extensive experience to professionally manage the technical sub-consultants to ensure that all technical reports are delivered on-schedule and within budget. In addition, Raney will internally review the technical reports to ensure that all CEQA issues have been adequately and accurately addressed. The Air Quality and Greenhouse Gas Analysis for the proposed project will be performed in-house by Raney’s Division Manager / Air Quality Specialist, Rod Stinson. Raney assumes that any additional project information needed to

facilitate the environmental review of the project will be supplied by the City and/or the applicant team.

Raney firmly believes that the level of coordination between the City, the applicant team, and the local citizens is directly proportional to the success of the project. Raney intends to work closely with the City of Woodland and the applicant team throughout the development and processing of the Initial Study. Raney will remain objective and rely on the City to make the ultimate determination on the conclusions and mitigation measures. The expectation of Raney is that we will serve as environmental consultants to the City, and will make ourselves available to assist the City in any way necessary to facilitate the process.

II. Technical Scope of Services

The following scope of services has been prepared for Raney to prepare an Initial Study/Mitigated Negative Declaration (IS/MND) for the Woodland Prudler Tentative Subdivision Map project (proposed project). This scope of services identifies each task in the preparation of the necessary documents and includes an objective, approach, and work product associated with each task.

TASK 1 PROJECT INITIATION

Objective

The objective of this task is to coordinate with City staff and the project team to review the existing project information, attend a kick-off meeting to discuss the process, and to refine the scope of work as necessary.

Approach

Vice President Cindy Gnos, AICP, will serve as the Project Director and will be responsible for overseeing preparation of the environmental document and providing the requested planning services. Division Manager / Air Quality Specialist Rod Stinson will serve as the Project Manager for the preparation of the IS/MND. Ms. Gnos and Mr. Stinson will participate in a kick-off meeting with City staff and the project team. Raney will coordinate with staff and the applicant to review the existing documentation for the project, perform a site visit, and identify the project issues and confirm assumptions. In addition, any necessary refinements to the Raney scope of work will be discussed. Raney will submit the final scope, with any necessary revisions, to the City for approval. Raney assumes that the IS/MND will find that, with the implementation of necessary mitigation measures, none of the environmental issues will result in a significant adverse impact. Therefore, the appropriate CEQA document for the project will be a Mitigated Negative Declaration.

TASK 1 PRODUCTS

- Receipt of project information.
- Participate in a kick-off meeting and site visit.
- Refine scope as necessary and provide final scope to City for approval.

TASK 2.1-2.4 PLANNING SERVICES

Task 2.1 Application Review

Objective

The objective of this task is to assist City staff in reviewing and processing the project application for the proposed Prudler Tentative Subdivision Map project.

Approach

Raney will serve as an extension of City staff in the review and processing of the planning application for the proposed project, including routing for completeness. Raney will review all application materials for completeness and consistency with the City of Woodland's plans, policies, ordinances, and regulations. In addition, Raney will review all technical reports provided by the applicant to ensure that all CEQA issues have been adequately and accurately addressed.

Once the application has been routed to pertinent City Departments, Raney will meet with City staff to review all comments on the application. Raney will prepare and provide a letter of completeness, or incompleteness, to the applicant as appropriate.

TASK 2.1 PRODUCTS

- Attendance at one (1) meeting with City staff to review comments on the application.
- Letter of completeness/incompleteness to City staff and the applicant team.

Task 2.2 Agency Coordination

Objective

The objective of this task is to coordinate with appropriate local, State, and Federal agencies throughout the processing of the project and the associated environmental document.

Approach

Raney will coordinate with the appropriate local, State, and Federal agencies to ensure that all requirements are met. Agencies to be contact may include, but not be limited to, City department staff and public services.

TASK 2.2 PRODUCTS

- Coordination with applicable local, State, and Federal agencies throughout the process.

Task 2.3 Prepare Staff Reports

Objective

The objective of this task is to prepare the staff reports for Planning Commission and City Council to summarize the results of the application review process.

Approach

Raney will prepare the necessary staff reports for Planning Commission and City Council, summarizing the findings of the application review and the required conditions of approval. Raney will prepare the staff reports in the standard City format and will provide a draft of each staff report to City staff for review and comment. Raney will revise the staff reports based on City comments and provide final versions to the City.

TASK 2.3 PRODUCTS

- One (1) electronic copy of the draft staff report for Planning Commission and City Council in Word format for City review.
- One (1) electronic copy of the final staff report for Planning Commission and City Council to the City.

Task 2.4 Prepare Public Noticing

Objective

The objective of this task is to prepare and distribute the required noticing for the public hearings on the project and environmental document.

Approach

Raney will prepare the required noticing for the project approval hearing before Planning Commission and City Council. Raney assumes the City will distribute the noticing in accordance with City of Woodland and California Government Code requirements, including publication in the local newspaper and/or posting of the notice in three or more public places at least ten (10) days prior to the hearing.

TASK 2.4 PRODUCTS

- Preparation and distribution of public hearing notice for Planning Commission and City Council.

TASK 3.1 – 3.4 PREPARE INITIAL STUDY

Task 3.1 Prepare Administrative Draft Initial Study

Objective

The objective of this task is to prepare an Administrative Draft version of the Initial Study for review by City staff.

Approach

Raney will prepare an Administrative Draft Initial Study for review by the City. The analysis in the Initial Study will address the potential environmental impacts as a result of the proposed project. The Initial Study will provide an introduction, project description, graphics, illustrations,

and environmental checklist and discussion, based upon Appendix G of CEQA Guidelines. In addition, Raney will utilize the standard City of Woodland Initial Study environmental checklist format. Raney will use existing information for the project site and the City of Woodland, such as the 2010 Prudler Subdivision IS/MND, the 2006 Four Seasons IS/MND, and City of Woodland General Plan and General Plan EIR to the greatest extent possible. The Initial Study will address all the issues identified in the Environmental Checklist (per Appendix G of the CEQA Guidelines as amended). In addition, Raney will review comments submitted on the 2010 Prudler Subdivision IS/MND and update discussions accordingly.

Raney anticipates that the key issue areas, which may require a more in-depth discussion in the Initial Study, may include but not be limited to, Air Quality and Greenhouse Gas Emissions, Biological Resources, Noise, and Transportation and Circulation. The following summarizes how Raney proposes to analyze the key issue areas, relying on existing technical information to be provided by the applicant team as well as on technical studies to be prepared for the proposed project under contract with Raney. The remaining issue areas of the Initial Study will be based upon information provided by the applicant and the City as well as pertinent City documents, including but not limited to the 2010 Prudler Subdivision IS/MND, the 2006 Four Seasons IS/MND, City of Woodland General Plan, and General Plan EIR.

Air Quality

The air quality analysis for the proposed project will be performed in-house by Raney's Division Manager / Air Quality Specialist, Rod Stinson, utilizing the CalEEMod software package and following the Yolo-Solano Air Quality Management District's (YSAQMD) CEQA Guidelines. Raney will utilize the traffic data to be provided by Kittleson & Associates to obtain vehicle trip generation data. The air quality impact analysis will include a quantitative assessment of short-term (i.e., construction) and long-term (i.e., operational) increases of criteria air pollutant emissions of primary concern (i.e., ROG, NO_x, and PM₁₀). For carbon monoxide, Raney will perform CALINE 4 modeling only if one or more of the study intersections are degraded to a level of service specified by the Air District. For the purposes of this scope of work, Raney has assumed up to two (2) intersections. The project's cumulative contribution to regional air quality will be discussed, based in part on the modeling conducted at the project level. The significance of air quality impacts will be determined in comparison to YSAQMD-recommended significance thresholds. YSAQMD-recommended mitigation measures will be incorporated to reduce any significant air quality impacts, and anticipated reductions in emissions associated with proposed mitigation measures will be quantified.

Greenhouse Gas (GHG) Emissions

Raney will work closely with YSAQMD throughout preparation of the GHG section and will follow the District's recommended guidance. Raney will utilize CalEEMod to produce an estimate of carbon dioxide emissions for the project, including indirect emissions of greenhouse gases (e.g., electricity, natural gas). Emissions will be calculated as carbon dioxide equivalents. GHG will be quantified for the project as follows:

- Run the CalEEMod program, based on discussions with YSAQMD, using project land use and trip generation, if available, to produce an estimate of Vehicle Miles Traveled and carbon dioxide emissions for the project. If project-specific land use and trip

generation data is not available, Raney will utilize the model's default trip generation rates for analysis; and

- Compare project GHG emissions to YSAQMD Business As Usual (BAU) standards.

Biological Resources

The Biological Resources analysis will include a description of the potential effects to plant communities, wildlife, and waters of the U.S., including adverse effects on rare, endangered, candidate, sensitive, and special-status species from build-out of the proposed project. Raney will rely on information from the existing Jurisdictional Delineation and Special Status Species Evaluation, prepared by Gibson & Skordal (March 2004) as well as the Initial Arborist Report (Revised October 2009) and Subsequent Arborist Memo, prepared by Sierra Nevada Arborists (September 2006) for the project site. Raney proposes to sub-contract with Gibson & Skordal to update the wetlands delineation and biological resources analysis (Please see Appendix A for complete scopes). Gibson & Skordal will conduct a field survey of the project site to determine if conditions have changed since the previous report and Corps verification were completed in 2009. In addition, Gibson & Skordal will conduct a CNDDDB search and update the report to include any newly recorded species since 2009.

In addition to the updated wetlands delineation and biological resources report, Raney proposes to sub-contract with Hort Science to prepare an updated Arborist report (Please see Appendix B for a complete scope). Hort Science will perform a tree assessment, including species identification, trunk measurement, and evaluation of health and structural condition for all trees 6" or greater in diameter. For the purposes of this scope of work, Hort Science has assumed approximately 35 trees will need to be evaluated. Each tree will be tagged and trees suitable for transplanting will be identified. In addition, Hort Science will prepare a Tree Location Map and provide a summary of findings in an Arborist Report.

Raney will review the updated reports prepared by Gibson & Skordal and Hort Science to ensure that all CEQA issues have been adequately and accurately addressed and will incorporate the results into the biological resources section of the Initial Study discussion.

Noise

The noise analysis will include evaluation of short-term construction and long-term operational impacts due to the proposed project. The noise analysis will be based on the existing Environmental Noise Assessment, prepared by Bollard Acoustical Consultants, Inc. (BAC) in 2006 for the Four Seasons project and an updated Noise Report to be prepared by BAC, under contract with Raney (Please see Appendix C for a complete scope of work). BAC will conduct continuous background noise level measurements and/or short-term noise level measurements on and in the vicinity of the project site to update the existing background noise level data. Future traffic noise levels due to and upon the project site will be analyzed, based on up to date traffic information. The analysis will focus on traffic noise levels due to East Street and Sports Park Drive. Off-site traffic noise impacts associated with project-generated traffic will also be evaluated. In addition, BAC will review the previously conducted analyses of the nearby Sports Park and shopping center to determine noise impacts on the project. Raney will internally review the updated noise report to ensure that all CEQA issues have been adequately and

accurately addressed and will incorporate the results of the analysis into the noise section of the Initial Study discussion.

Transportation and Circulation

The transportation and circulation analysis will be based upon a technical report to be prepared by Kittelson & Associates, Inc. (KAI), under contract with Raney (Please see Appendix D for a complete scope). KAI will perform a traffic impact study to determine the weekday a.m. and p.m. peak hour level of service at study intersections and project driveways under five traffic scenarios; including Existing Conditions, Existing Plus Approved Project Conditions, Existing Plus Approved Project Plus Project Conditions, Cumulative Conditions, and Cumulative Plus Project Conditions. KAI will collect existing turning movement counts at the following nine intersections (to be refined in coordination with City staff):

- Cross Street and East Street;
- Gibson Road and East Street;
- Gibson Road and Matmor Road;
- Gibson Road and State Route 113 SB Ramps;
- Gibson Road and State Route 113 NB Ramps;
- County Road 24A/Sports Park Drive and East Street;
- County Road 25A and East Street;
- County Road 25A and SR 113 SB Ramps; and
- County Road 25A and SR 113 NB Ramps.

Weekday a.m. and p.m. peak hour turning moving counts will be collected when area schools are in session (anticipated mid to late August). KAI will then prepare an estimate of the project's trip generation levels and directional distribution of project traffic. Trip generation levels will be based on the 9th edition of the Institute of Transportation Engineers (ITE) *Trip Generation Manual*. Trip distribution and assignment will be estimated by performing select zone analysis using the City of Woodland's travel demand model. In addition, KAI will perform a qualitative analysis of the proposed project's site plan. KAI will document their approach, methodology, and assumptions and summarize all findings in a traffic report. Raney will review the report to ensure that all CEQA issues have been adequately and accurately addressed and incorporate the results of the analysis into the traffic section of the Initial Study discussion.

Remaining Issue Areas

The remaining issue areas of the Initial Study will be based upon information provided by the City as well as pertinent City documents, including but not limited to the General Plan and General Plan EIR, and any other pertinent information prepared for the project site and surrounding area.

TASK 3.1 PRODUCTS

- One (1) electronic copy, in Word and PDF format, of the Administrative Draft Initial Study to the City of Woodland.

Task 3.2 Revise Administrative Draft and Prepare Public Review IS/MND for City Release to the Public

Objective

The objective of this task is to edit the Administrative Draft Initial Study based on the comments received from City staff and to prepare and submit the Public Review Initial Study to the City for distribution.

Approach

Raney will revise the Administrative Draft Initial Study based on comments provided by the City. Raney will incorporate comments and submit a final version of the document to the City of Woodland. Raney will assist the City in the distribution of the Initial Study, including preparing the Notice of Intent to Adopt a Mitigated Negative Declaration. Raney assumes the City will publish the notice in the paper, post the Initial Study on-line, and provide a copy of the notice and Initial Study to the County Clerk. Raney will deliver fifteen (15) copies to the State Clearinghouse, along with the Notice of Completion. Raney will also prepare the Notice of Determination for filing at the County by the City at the conclusion of the process, if the project is approved.

TASK 3.2 PRODUCTS

- One (1) unbound original copy of the final version of the Initial Study and one (1) electronic file on CD in Word and PDF format to the City of Woodland.
- Delivery of Notice of Completion and fifteen (15) copies of the Initial Study to the State Clearinghouse.
- Preparation of the Notice of Intent to Adopt a Mitigated Negative Declaration.
- Preparation of Notice of Determination.

Task 3.3 Prepare Mitigation Monitoring Program (MMP)

Objective

The objective of this task is to prepare a Mitigation Monitoring Program (MMP) for the City of Woodland.

Approach

Raney will prepare an administrative review copy of the MMP, using the environmental analysis. The administrative review MMP will incorporate existing monitoring mechanisms that are in place in order to assist the City of Woodland in meeting the intent of CEQA. The MMP will be in table format, and will specify mitigation measures, standards of success, parties responsible for implementing and monitoring, and timing.

Raney will revise the administrative review MMP based on City comments and prepare a final MMP to be submitted to the City of Woodland with the Public Review Initial Study.

TASK 3.3 PRODUCTS

- One (1) electronic file on CD in Word and PDF format of the MMP to the City of Woodland with the Public Review Initial Study.

Task 3.4 Response to Comments

Objective

The objective of this task is to provide a written response to any comments received during the public review period of the Initial Study, if necessary.

Approach

Raney will provide written responses to comments received during the Initial Study public review period. Raney will coordinate with the City of Woodland in the preparation of the written responses to comments received, and produce an errata sheet should any comments necessitate changes to the Initial Study text. Although CEQA does not require written responses to comments on an IS/MND, Raney suggests the written responses be included in the staff report to ensure the decision-makers have adequate information on which to base their decision.

TASK 3.4 PRODUCTS

- Responses to comments received from public review of the Initial Study.
- Errata sheet detailing any changes to the Initial Study text based on the public comments received, as necessary.

TASK 4 PROJECT MANAGEMENT, MEETINGS, & HEARINGS

Objective

The objective of this task is to ensure close extensive coordination with City staff throughout the process and to attend the necessary meetings and approval hearings before Planning Commission and City Council for the project.

Approach

Ms. Cindy Gnos will serve as the Project Director/Project Planner and will be responsible for coordinating with City staff, providing planning assistance, and overseeing preparation of the environmental document. Ms. Gnos will be assisted by Division Manager / Air Quality Specialist Rod Stinson who will serve as the Project Manager. The Project Manager is responsible for handling the day-to-day activities of the environmental document preparation, coordinating with the City and technical consultants, and responding to staff inquiries about the IS/MND and the process. In addition, the Project Manager is responsible for coordinating with the project team to ensure that deliverables are completed on time and within budget.

Raney will be available to attend meetings with City staff and/or the applicant team on the project. For the purposes of this scope of work, Raney assumes attendance at up to two (2) progress meetings. Additional meetings could easily be accommodated and would be billed on a time and materials basis.

In addition, Raney will attend the necessary project approval hearings, anticipated to include up to one (1) Planning Commission Hearing and one (1) City Council Hearing. Raney will assist the City in any way necessary, including preparation of noticing (as outlined in Task 2.4 above), preparing staff reports for City review, presenting at the hearing, and responding to questions from staff, Commission, Council, and the public on the project and the process. Raney assumes extensive e-mail and phone conversations throughout preparation of the IS/MND with City staff and the project team.

TASK 4 PRODUCTS

- Coordination, assistance, and project management throughout the process.
- Attendance at up to two (2) progress meetings with City staff and/or the applicant team.
- Attendance at up to two (2) public hearings; including one (1) Planning Commission Hearing and one (1) City Council Hearing.
- Preparation of staff reports and presentation materials, as well as presenting at the hearings.
- Regular in person, phone, and e-mail communication with City staff throughout the preparation of the IS/MND.

III. Schedule

The attached tentative schedule is based on experience preparing environmental documents and providing planning services for similar projects. The schedule could be lengthened or shortened, depending on the needs of the City of Woodland. Factors that could lengthen or shorten the schedule include dates of receipt of project information (including information from the applicant), length of document reviews and unanticipated issues arising from City staff, project team, or public review of the environmental document.

City of Woodland Prudler Tentative Subdivision Map Initial Study and Planning Services	
Notice To Proceed (NTP)	TBD
Project Initiation Meeting	Week of NTP
Meeting with City staff to discuss comments on project application	TBD
Receipt of all Technical Reports	8 weeks from NTP
Administrative Draft Initial Study to the City for review	2 weeks from receipt of all technical studies
Receipt of City comments on Administrative Draft Initial Study	2 weeks
Public Review Initial Study to the City of Woodland	1.5 weeks
Public Review Period (30 days)	30 days
Draft Planning Commission Staff Report to City for Review	15 days prior to hearing
Receipt of City Comments on Planning Commission Staff Report	10 days prior to hearing
Final Planning Commission Staff Report to the City	7 days prior to hearing
Planning Commission Hearing	TBD
Draft City Council Staff Report to City for Review	15 days prior to hearing
Receipt of City Comments on City Council Staff Report	10 days prior to hearing
Final City Council Staff Report	7 days prior to hearing
City Council Hearing	TBD

IV. Cost Proposal

The cost for completion of the Prudler Tentative Subdivision Map Initial Study and associated planning services is not to exceed \$61,445. The costs for preparation of the environmental document and the provision of planning services are based on the estimates of time for each task provided in the spreadsheet below. Costs for the Initial Study preparation will be billed on a not-to-exceed basis, following Raney standard billing rates also included in the spreadsheet below.

PRUDLER INITIAL STUDY & PLANNING SERVICES					
COST ESTIMATE					
		Cindy Gnos, AICP Vice President	Rod Stinson Division Manager/Air Quality Specialist	Associate	Cost Per Task
Task 1	Project Initiation	2	2		\$ 590
Task 2	Planning Services				\$ -
2.1	Application Review	4			\$ 640
2.2	Agency Coordination	2	4		\$ 860
2.3	Prepare Staff Reports	20		10	\$ 4,100
2.4	Prepare Public Noticing	1		1	\$ 250
Task 3	Prepare Initial Study				
3.1	Prepare Administrative Draft Initial Study	2	8	40	\$ 5,000
	Air Quality & Greenhouse Gas Technical Analysis		8	24	\$ 3,240
3.2	Revise AD IS/MND and Prepare Public Review IS/MND		2	4	\$ 630
3.3	Prepare MMP		1	2	\$ 315
3.4	Response to comments, if needed	1	1	2	\$ 475
Task 4	Project Management, Meetings, and Hearings	40	20		\$ 9,100
	Total Hours	72	46	83	
	Hourly Rate	\$ 160	\$ 135	\$ 90	
	Total Labor	\$ 11,520	\$ 6,210	\$ 7,470	\$ 25,200
Sub-Consultants & Expenses					
	Copying/Printing/Travel/Postage/Etc.			\$ 500	
	Sub-Consultant: Arborist			\$ 3,450	
	Sub-Consultant: Biological Resources			\$ 2,500	
	Sub-Consultant: Noise			\$ 4,750	
	Sub-Consultant: Traffic*			\$ 21,750	
	10% administrative fee			\$ 3,295	
	Total Expenses				\$ 36,245
	Total Budget				\$ 61,445
*Optional task: Hearing Attendance by Traffic Consultant				\$ 1,440	

Appendix A

Biological Resources Scope



Gibson & Skordal, LLC

WETLAND CONSULTANTS

PROPOSAL AND CONTRACT TO PROVIDE SERVICES

I. **Project Name:** Prudler Subdivision

II. **Client Name:** Ms. Cindy Gnos, AICP
Raney Planning & Management, Inc.
1501 Sports Drive
Sacramento, California 95834

III. **Location:** Woodland, California

IV. **Description of Services:** Gibson & Skordal, LLC will update the 2009 Prudler-Sievers Commercial Property Jurisdictional Delineation and Special-Status Species Evaluation. We will conduct a field review of the property to determine if conditions have changed since the Corps' verification letter and our review of the site in 2009. The report will be revised to meet current Corps of Engineers' standards.

We will also conduct a CNDDB search, and update the report to include any added species and recorded occurrences since 2009.

We will need shapefiles or CAD files of the property boundary to more precisely identify our study area.

V. **Estimated Costs:** We estimate that the above work will be \$2,500.

Our billing rates are as follows:

POSITION	HOURLY RATE
Principal	\$170.00 - \$200.00
Biologist	\$110.00 - \$130.00
GIS Specialist	\$110.00 - \$130.00
Technical Assistant	\$50.00 - \$80.00
Office Manager	\$40.00 - \$50.00

2617 K Street, Suite 175, Sacramento, California 95816
phone: 916.822.3230 • fax: 916.822.3231

Other direct costs are as follows:

ITEM	COSTS
Automobile Mileage	\$0.565 / mile
ATV Rental	\$150.00 / day
Flexible Scope Camera	\$50.00 / day
GPS Equipment	\$100.00 / day
Laser Level	\$50.00 / day
Plotter Paper	\$3.00 / linear foot
Color Copies	\$0.10 / page
Bookkeeping/Accounting	2% of Professional Fee

In addition to the above expenses, a fee of 10% will be assessed for any single direct expense of \$500.00 or more that is paid by Gibson & Skordal, LLC. The client has the option of paying for those expenses directly and upfront to avoid this fee. Gibson & Skordal, LLC conducts its work on a time and materials basis. The fees and costs will be billed according to the actual hours worked and actual costs incurred. Because elements of our services may rely on information or work supplied by the client or the client's contractors, and further, because implementation of governmental policies, guidelines and procedures are not always accurately predictable, the costs provided above are only estimates. Gibson & Skordal, LLC will obtain authorization from the client if it becomes apparent that the total cost will exceed the above estimate.

VI. Billing and Payment: Gibson & Skordal, LLC bills on a monthly basis. Our terms are NET 30. In the event an invoice is not paid within 60 days of receipt, Gibson & Skordal, LLC reserves the right to cease all work on the project until the payment of the balance is received in full. If we suspend work because of nonpayment, we do not assume liability for any damages that may arise as a result of that suspension of work. In the event any action is brought to enforce the terms hereof or payment hereunder, the prevailing party shall be entitled to reasonable attorneys' fees and court costs.

VII. Insurance: Gibson & Skordal, LLC maintains workers compensation insurance in the amounts statutorily required by the State of California. In addition, Gibson & Skordal, LLC maintains general liability insurance in the amount of \$2,000,000 per occurrence, and professional liability insurance in the amount of \$2,000,000 per occurrence. We will provide you a certificate of insurance for these policies at your request.

VIII. Indemnity: Client agrees to defend, indemnify and hold Gibson & Skordal, LLC, its members, officers, agents and employees harmless from any and all claims, demands, liabilities and damages arising from or in any way connected with any incorrect information supplied by client or any information that client fails to supply or any breach by client of the terms of this Agreement.

IX. Miscellaneous

a. Assignment: Neither party to this agreement may assign any right or interest in this agreement without the written consent of the other party first had and obtained. This agreement shall be binding on and inure to the benefit of the parties and their heirs, personal representatives, and permitted successors and assigns.

b. Client's Exclusive Use: All work performed by Gibson & Skordal, LLC under this Agreement including, but not limited to, the furnishing of findings and reports, (collectively "information") is for client's exclusive use. Client agrees that in the event disclosure of such information leads to any claims or litigation to indemnify, defend and hold Gibson & Skordal, LLC, its members, officers, agents and employees harmless from and against any liability or damages resulting from such disclosure. This provision shall survive expiration or other termination of this agreement.

c. Attorney's Fees: In the event any action is commenced to enforce or interpret the terms of this agreement then, in addition to any other appropriate relief, the prevailing party shall be entitled to recover its reasonable attorney fees and court costs.

d. California Law: This agreement shall be construed and enforced in accordance with the internal laws of the State of California. If any provision of this agreement is determined by any court of competent jurisdiction or arbitrator to be invalid, illegal, or unenforceable to any extent, that provision shall, if possible, be construed as though more narrowly drawn, if a narrower construction would avoid such invalidity, illegality, or unenforceability or, if that is not possible, such provision shall, to the extent of such invalidity, illegality, or unenforceability, be severed, and the remaining provisions of this agreement shall remain in effect.

e. Counterparts: This agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

GIBSON & SKORDAL, LLC, a
California Limited Liability Company

Date: 7/7/13

By: James C. Gibson

Print Name: James C. Gibson Principal

Employer Identification No: 77-0587696

I hereby authorize Gibson & Skordal, LLC to proceed with the work as set forth in this Proposal and Contract.

Date: _____

By: _____

Print Name: _____

Title: _____

Company: _____

State of Incorporation: _____

Federal Tax ID No.: _____

Name and address where billings are to be sent:

Print Name: _____

Title: _____ Email: _____

Reference Name or Number: _____

Telephone: _____ Fax: _____

Mailing Address: _____

City, State & Zip: _____

Appendix B

Arborist Scope



July 23, 2013

Ms. Cindy Gnos
Raney Planning & Management Inc.
1501 Sports Drive
Sacramento CA 95834

Subject: Arborist Report
Prudler

Dear Ms. Gnos:

I am writing in response to your e-mail request. Enclosed please find a proposal to provide an Arborist Report for subject project in Woodland.

Thanks very much. If you have any questions, please feel free to contact me. I look forward to hearing from you.

Sincerely,

A handwritten signature in dark ink, appearing to read "J. Clark", written in a cursive style.

James R. Clark, Ph.D.
Vice President

Enc. Proposal



Proposal to Provide Consulting Services

DATE: July 23, 2013

PREPARED FOR: Raney Planning & Management Inc.
1501 Sports Drive
Sacramento CA 95834

SUBJECT: Prudler project

Raney Planning & Management is preparing environmental documents for the subject project in Woodland CA. HortScience, Inc. was asked to provide a proposal to prepare an Arborist Report. The following are services and related fees.

Scope of Services

Tree assessment will all trees 6" or greater in diameter within and immediately adjacent to the proposed project (approximately 35). All trees will be visually assessed from the ground as follows:

1. Identify the species.
2. Measure the trunk diameter at a point 54" above the ground.
3. Tag each tree with a metal tag for identification purposes.
4. Evaluate the health and structural condition of each tree based on an assessment from the ground.
5. Identify trees suitable for transplanting, based on their health, structural condition and potential longevity and suitability in the landscape.
6. Prepare a **Tree Location Map** showing approximate location of tree tag numbers (base map provided by Raney Planning & Management).
7. Summarize the above findings in an **Arborist Report**.

Fees

The fee for the work listed above shall be \$3,450. Direct expenses such as reproduction and shipping shall be reimbursed at cost. Mileage will be reimbursed at the standard IRS rate. Invoices shall be submitted to the client upon completion of the field survey and following submission of the final report. Payment is due within 30 days of date of invoice.

Work in addition to the above requested by the client (eg. evaluation of additional trees, attending meetings, additional site visits, consultations, etc.) shall be billed at the following hourly rates:

Principal	\$185.00
Consultants	\$160.00
Arborist/ Draftsperson	\$100.00
Field technician	\$85.00
Clerk	\$50.00

Terms

The terms of this proposal shall remain in effect for a period of 45 days.

HortScience, Inc. shall not be required to attend court and provide testimony by reason of this report without subsequent contractual agreement.

Prior to beginning work HortScience, Inc. must be informed of all insurance requirements, including requirements for Certificates of Insurance and specific wording for any Additional Insured statements. If Certificates of Insurance and notations of Additional Insured are required, the Certificates must be received and approved by the client prior to release of HortScience work products, including but not limited to data, reports, letters, maps and/or plans.

Approval

The undersigned agree to the terms and conditions of this proposal.

Raney Planning & Management

Date

HortScience, Inc.



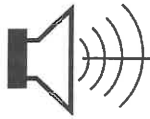
July 23, 2013

James R. Clark, Vice President

Date

Appendix C

Noise Scope



BOLLARD ACOUSTICAL CONSULTANTS, INC.

Acoustics ► Vibration ► Noise Control Engineering

July 5, 2013

Ms. Cindy Gnos
Raney Planning & Management
1501 Sports Drive
Sacramento, CA 95834

Transmitted via email: cindygnos@raneymanagement.com

Subject: Proposal to prepare a noise study update for the Prudler Residential Development in Woodland, California. BAC Proposal #2013-080a

Dear Ms. Gnos:

Thank you for inviting our proposal for this project. Based on the information that you have provided, Bollard Acoustical Consultants, Inc. is pleased to offer the following proposed scope of services, fee, schedule, policies with respect to file formatting and correspondence, and contract agreement.

Scope of Services

- 1. Evaluation of Existing Noise Levels:** Bollard Acoustical Consultants, Inc. will conduct continuous background noise level measurements and/or short-term noise level measurements on and in the vicinity of the project site. The intent of the noise level measurements is to update previously-collected background noise level data.
- 2. Evaluation of the Existing and Future Traffic Noise Levels:** Based upon the intended uses of the site, we will conduct an analysis of future traffic noise levels due to and upon the project site. The report will focus on traffic noise levels at the proposed residential uses due to East Street and Sports Park Drive. In addition, BAC will utilize the latest traffic study to assess off-site traffic noise impacts associated with project-generated traffic.
- 3. Evaluation of Park and Shopping Center Noise Levels:** We will review previously conducted analyses of park and shopping center noise to determine the noise impact of the sports park south of the project site and the shopping center north of the project site.
- 4. Analyses:** We will compare the results of Tasks 1- 3 to the exterior and interior noise level standards of the City of Woodland, and the CEQA guidelines. If needed, we will recommend noise mitigation measures to achieve those standards.
- 5. Written report:** We will prepare a report summarizing our procedures, findings, and recommendations for the project.
- 6. Phone consultation:** We will provide ongoing phone consultation regarding interpretation of the report.

Cost for Consulting Services

We propose to provide the above-described services for a total cost of \$4,750, including expenses. Other work outside the scope of this proposal would incur additional costs according to the attached fee schedule. We will not undertake any additional work without your prior authorization. Payment terms are described in the attached fee schedule.

Schedule

We propose to complete the above-described scope of work within 3-4 weeks of receipt of authorization to proceed.

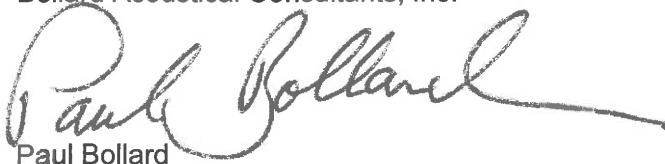
Contract Agreement

If this proposal is acceptable to you, please confirm your acceptance by preparing a return e-mail to us specifically stating that you accept the terms of this proposal, including the BAC proposal number. Each revision to this proposal will contain a unique proposal number. As an alternative, please provide BAC with a written purchase order or standard contract for our review.

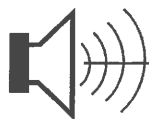
Please contact me at (916) 663-0500 or paulb@bacnoise.com if you have any comments or questions regarding this proposal. Thank you for inviting our participation.

Sincerely,

Bollard Acoustical Consultants, Inc.



Paul Bollard
President



BOLLARD ACOUSTICAL CONSULTANTS, INC.

Acoustics ► Vibration ► Noise Control Engineering

Bollard Acoustical Consultants, Inc. (BAC) Fee Schedule & Consulting Terms Effective February 1, 2013

<u>Staff / Expense Item</u>	<u>Rate</u>
Principal Consultant	\$150 / hr.
Consultant	\$100 / hr.
Principal Consultant Legal Work	\$250 / hr.
Technical Support Staff	\$75 / hr.
Clerical Support Staff	\$50 / hr.
Mileage	\$0.55 / mile
Per Diem Charges (meals & lodging)	\$150 / day
Sound Level Meter Charge	\$50 / day / meter

Insurance Coverage

Bollard Acoustical Consultants, Inc. maintains general and professional liability insurance policies with two million dollars coverage each and maintains automobile liability insurance coverage at one million dollars. We provide certificates of insurance to our clients upon request at no charge.

Invoicing and Terms of Payment

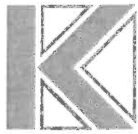
Bollard Acoustical Consultants, Inc. reserves the right to submit monthly invoices for services and expenses which have been incurred when project time-lines are expected to exceed 30 days. Payment for professional services is due within 30 days of the invoice date, and past due thereafter. Past due invoices will incur interest at the rate of 1.5% per month on the balance due.

Commitment to the Environment

In our ongoing effort to minimize our environmental footprint and reduce costs, we will transmit project correspondence electronically via e-mail – including this proposal, draft and final reports (including graphics and appendices), and the invoice for professional services rendered. Paper copies of our work products will not automatically be generated. However, if you require a paper copy of any project work product or project-related correspondence, we will gladly provide one upon request. Please partner with us in this effort by transmitting all project correspondence to us electronically as well.

Appendix D

Traffic Scope



KITTELSON & ASSOCIATES, INC.

TRANSPORTATION ENGINEERING / PLANNING

428 J Street, Suite 500, Sacramento, CA 95814 F 916.266.2190 F 916.266.2195

July 18, 2013

Project #: 13431

Cindy Gnos, AICP
Raney Planning & Management, Inc.
1501 Sports Drive
Sacramento, CA 95834

RE: Prudler Development

Dear Ms. Gnos:

It is our pleasure to submit herewith a scope of work to prepare a traffic impact study for the Prudler Development project in Woodland, CA. This submittal includes the following material: work scope, schedule and, detailed cost estimate.

We look forward to the opportunity to work with you and other on this assignment. This scope is in effect for 90 days from the transmittal date. Please do not hesitate to call at (916) 822-5355 should you have questions or comments regarding this proposal.

Sincerely,
KITTELSON & ASSOCIATES, INC.

Jim Damkowitz
Principal Planner

SCOPE OF WORK

Project Understanding

The purpose of this work scope is to prepare a project-specific traffic impact analysis to provide sufficient information and analysis for subsequent use by Raney Planning & Management, Inc. and the City of Woodland. The analysis will determine whether or not:

- The proposed Prudler development will have any adverse impacts on area traffic/circulation; and if
- The impacts can be mitigated to a less than significant level or avoided altogether.

The Prudler project would be located on the southern edge of Woodland, CA and to the west of SR 113. It would consist of single family residential units at the north-east corner of East Street and Sports Park Drive. Kittelson & Associates (KAI)'s Sacramento office, which used to be Dowling Associates prior to the merger with KAI two years ago, had performed the traffic study for another proposed residential development (Four Seasons) at this same location in 2007. Consequently from that experience, KAI's Sacramento office is familiar with the project area, the City of Woodland and the traffic impact study process with the City.

Work Tasks

The approach in preparing the traffic analysis for this project is outlined in this section.

Task 1. Project Initiation & Intersection Selection: KAI staff will consult with the City of Woodland Public Works staff to discuss the proposed approach and methodology, get the background information (planned/programmed street improvements and prior traffic studies for the area) and key issues to be addressed in this study. We propose to collect existing turning movement counts at the following 9 existing intersections:

1. Cross Street and East Street
2. Gibson Road and East Street
3. Gibson Road and Matmor Road
4. Gibson Road and State Route 113 SB Ramps
5. Gibson Road and State Route 113 NB Ramps
6. County Road 24A/Sports Park Drive and East Street
7. County Road 25A and East Street
8. County Road 25A and SR 113 SB Ramps
9. County Road 25A and SR 113 NB Ramps

In addition, the access driveway on East Street and the access driveway on Sports Park Drive for the project will be evaluated. Sports Park Drive is a new roadway that is currently being constructed.

Task 2. Data Collection: KAI will coordinate the data collection of counts for the nine study intersections. This includes the collection of existing field condition data, including roadway facilities, traffic controls, and vicinity developments. Transit and other modes of transportation currently serving the site will be documented. KAI will also coordinate with City staff to obtain any relevant background information (approved/proposed developments, planned/programmed street improvements, and prior traffic studies for the area). In addition, weekday a.m. and p.m. peak hour turning movement counts at the following key intersections will be collected when area schools are back in session (mid to late August).

Task 3. Project Trips: Kittelson & Associates will prepare an estimate of the project's trip generation levels and the directional distribution of the project's traffic. Trip generation levels for the single family housing will be based on the 9th edition of the *Trip Generation Manual*, published by the Institute of Transportation Engineers (ITE). Trip distribution and assignment will be estimated by performing select zone analysis using the City of Woodland's travel demand model, which KAI will consult with the City for the latest version.

Task 4. Traffic Impacts Analysis: The traffic impact study will determine the weekday a.m. and p.m. peak hour level of service at the study intersections and project driveways under the following scenarios:

1. Existing Conditions
2. Existing Plus Approved Project Conditions
3. Existing Plus Approved Projects Plus Project Conditions
4. Cumulative Conditions
5. Cumulative Plus Project Conditions

A peak hour signal warrant analysis will be conducted for all the unsignalized intersections. A bicycle and pedestrian analysis will also be conducted.

Task 5. Mitigation Measures:

Mitigation measures for the project-generated impacts will be determined under established criteria and goals of the City of Woodland. If there are any impacts, the recommended mitigation improvements will be presented.

Task 6. Site Plan Review:

KAI will do a qualitative analysis of the proposed project's site plan.

Task 7. Draft and Final Reports:

KAI will document the approach, methodology, and assumptions of the analysis and summarize the findings, analysis and recommendations in a draft report for review. After receiving one consolidated set of comments from the City of Woodland on the draft report, a final report will be produced that will address the comments.

Task 8. Quality Assurance / Quality Control:

Documents and engineering calculations will be reviewed by a licensed engineer prior to formal submittal to ensure quality control.

Task 9. Public Hearings:

Our senior professionals would be available to attend public hearings, if requested by the City of Woodland. Reimbursement for attending public hearings would be on a time and materials basis above the fee ceiling. For your convenience, an optional task amount has been shown for attendance for up to two (2) public hearings, if requested by the City of Woodland.

SCHEDULE

Intersection turning movement counts at study intersections can be collected after a written authorization to proceed and an executed contract and may take up to two weeks to receive. The draft report will be submitted within six weeks from written authorization to proceed and also upon receiving the intersection turning movement counts at the study intersections. The final report will be submitted within 1 week from receipt of a non-conflicting set of comments.

This schedule assumes extensive traffic count data collection after the project initiation, which is assumed to occur during the first week after contract approval and receipt of written authorization to proceed. If weather conditions or other factors beyond our control cause these data collection efforts to be delayed, the overall project schedule could be affected. Similarly, if changes to this scope of work are requested, or if the character or size of the project changes, the schedule could be affected. We respectfully request that if any of these events occur, the schedule be equitably adjusted as the work progresses, allowing for delays due to weather or other causes beyond our reasonable control, such as changes in scope, or changes in character or size of the Project.

COST PROPOSAL

The budget for this scope of work is estimated at \$23,190 with the optional task of public hearings. Without this item, the cost would be reduced to \$21,750. These costs assume that we will need to collect new peak hour traffic counts at nine intersections. If recent counts are available the costs would be reduced by \$285 per intersection. A breakdown of personnel hours by task is shown in the table below.

Tasks	Staff	Principal	Senior Engineer / Planner	Transportation Analyst	Graphics, Support	SUB TASK / TASK HOURS	SUB TASK / TASK COST
1 Project Initiation & Intersection Selection							
Task #1 - Subtotal		0	2	0	0	0	\$2,555
2 New Traffic Counts							
2013 Counts for Nine Intersections		0	0	0	0	0	\$2,565
Task #2 - Subtotal		0	0	0	0	0	\$2,565
3 Project Trips							
Trip Generation		1	1	4	2	6	\$860
Trip Distribution		1	2	4	2	9	\$1,195
Task #3 - Subtotal		2	3	8	2	15	\$2,055
4 Traffic Analysis							
Existing Conditions		1	2	4	1	8	\$1,105
Existing plus Approved Project Conditions		1	2	4	1	8	\$1,105
Existing plus Approved Projects plus Project Conditions		1	2	4	1	8	\$1,105
Cumulative Conditions		1	2	4	1	8	\$1,105
Cumulative plus Project Conditions		1	2	4	1	8	\$1,105
Task #4 - Subtotal		5	10	20	5	40	\$4,420
5 Mitigation and Fair Share							
Existing plus Approved Projects plus Project Conditions		1	2	4	1	8	\$1,105
Cumulative plus Project Conditions		1	2	4	1	8	\$1,105
Task #5 - Subtotal		2	4	8	2	16	\$2,210
Site Plan Review		1	2	2	0	5	\$765
Task #6 - Subtotal		1	2	2	0	5	\$765
Draft and Final Report		2	18	26	0	46	\$6,455
Task #7 - Subtotal		2	18	26	0	46	\$6,455
Quality Assurance / Quality Control		2	2	0	0	4	\$720
Task #8 - Subtotal		2	2	0	0	4	\$720
Public Hearings (Optional)		4	4	0	0	8	\$1,440
Task #9 - Subtotal		4	4	0	0	8	\$1,440
TOTAL HOURS		18	45	64	9	LABOR HOURS	LABOR COST
LABOR RATE		\$205.00	\$155.00	\$125.00	\$90.00		
LABOR COST		\$3,690.00	\$6,975.00	\$8,000.00	\$810.00	136	\$23,190
LABOR COST (Without the Optional Items)						128	\$21,750

Legislation Details (With Text)

File #:	13-301	Version:	1	Name:	
Type:	Consent Item(s)	Status:		Agenda Ready	
File created:	10/16/2013	In control:		City Council	
On agenda:	11/5/2013	Final action:			
Title:	SUBJECT: Final Acceptance, Well Replacement, Phase II, Well 28, CIP 10-08				
	Recommendation for Action: Staff recommends City Council accept the Well Replacement-Well 28, Phase II, Project No. 10-08 construction contract as complete and authorize the City Clerk to file a Notice of Completion.				
Sponsors:					
Indexes:					
Code sections:					
Attachments:					

Date	Ver.	Action By	Action	Result
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TO: THE HONORABLE MAYOR AND CITY COUNCIL

DATE: November 5, 2013

SUBJECT: Final Acceptance, Well Replacement, Phase II, Well 28, CIP 10-08

Recommendation for Action: Staff recommends City Council accept the Well Replacement-Well 28, Phase II, Project No. 10-08 construction contract as complete and authorize the City Clerk to file a Notice of Completion.

Staff Contact

Jim Heath, Associate Civil Engineer - 530 661-5977, jim.heath@cityofwoodland.org

Fiscal Impact

Approved funding for the Well 28 Project (including phase I and II) is \$2,953,000, which consists of \$1,953,000 from Water Enterprise funds, \$250,000 from the Redevelopment Bond Fund and \$750,000 from the Redevelopment Agency (RDA). The \$750,000 of RDA funding was placeholder funding that was reimbursed from the State due to their impact from the Yolo County Court relocation project. The phase I construction contract was \$741,000. The phase II construction contract (including approved change orders) is \$1,454,000. The project budget has been fully expended. The difference between the total project cost and the construction contract represents the amount expended for design, construction management, PG&E connection costs, permitting costs and other minor contract costs.

There is an outstanding claim from the contractor related to delay costs. Staff is in ongoing discussions with

the contractor regarding the resolution of the claim. Staff will likely return to Council to get additional funding authorization when this claim is resolved.

There is no impact to the General Fund.

Background

The contractor, Mascon, began construction of the Well Replacement-Well 28, Phase II, project in April 2012 and finished the work August 2013. Work on the project was delayed for several reasons including the testing of lead based paint on the park buildings (that have now been removed), the monitoring well construction on the park site and the redesign of the well to add aquifer storage and recovery (ASR) capabilities to the well. At the time that Well #28 was designed, the ASR concept was under exploration, but the detail design elements were not fully defined. After Well #28 construction was already underway, it was determined that the project needed some amount of redesign of the above ground plumbing and associated building modifications which added time and cost to the project.

Change orders were issued in the amount of \$209,834. The change orders were necessary due to design changes to add ASR capabilities to the well and unforeseen site conditions. The total contract value paid to the Contractor is \$1,453,834.

Well 28 is located in Freeman Park. This new well replaced Well 1 that was located south of Main Street between 5th Street and 6th Street. Well 1 was replaced because of the Yolo County Court relocation project. Well 1 was considered to be one of the City's top wells both in production and water quality. Due to the aging condition of our existing wells, construction of the replacement well was necessary to maintain the City's capability to meet water demands by supplying adequate flow to the downtown area while also maintaining adequate fire flows.

Conclusion

Staff recommends City Council accept the Well Replacement-Well 28, Phase II, Project No. 10-08 construction contract as complete and authorize the City Clerk to file a Notice of Completion.

Prepared by: Jim Heath, Associate Civil Engineer

Reviewed by: Brent Meyer, City Engineer
Ken Hiatt, Community Development Director

Paul Navazio, City Manager

Legislation Details (With Text)

File #:	13-304	Version:	1	Name:	Fire 1995 Extractor Donation
Type:	Report of the City Manager	Status:		Agenda Ready	
File created:	10/18/2013	In control:		City Council	
On agenda:	11/5/2013	Final action:			
Title:	SUBJECT: Donation of the Fire Department's Used Extractor to the West Plainfield Volunteer Fire Department				
	Recommendation for Action: Staff recommends that the City approve the donation of the Fire Department's used and discontinued 1995 extractor to the West Plainfield Volunteer Fire Department.				
Sponsors:					
Indexes:					
Code sections:					
Attachments:					

Date	Ver.	Action By	Action	Result
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TO: THE HONORABLE MAYOR AND CITY COUNCIL

DATE: November 5, 2013

SUBJECT: Donation of the Fire Department's Used Extractor to the West Plainfield Volunteer Fire Department

Recommendation for Action: Staff recommends that the City approve the donation of the Fire Department's used and discontinued 1995 extractor to the West Plainfield Volunteer Fire Department.

Staff Contact

Elle Murphy, Management Analyst, (530) 661-7832, elle.murphy@cityofwoodland.org

Fiscal Impact

No fiscal impact determined.

Background

In 1995 the Fire Department purchased a UniMac 35-lb Extractor for \$4,852 for use in cleaning personal protective equipment (PPEs), specifically the firefighter turnouts. The proper cleaning of PPEs is an essential safety component of Fire operations. This process increases the life of turnouts, resulting in budgetary savings from timely replacements. The removal of carcinogenic hydrocarbons from PPEs protects our firefighters. Combined with compliance with NFPA 1851 procedures for proper in-house cleaning of turnout gear, the Fire Department cannot afford to be without this type of an extractor.

Given the extensive use of this extractor, the projected replacement period is eight years. However, the Fire Department was not able to replace this extractor until June 2012 due to budgetary constraints. Since this recent purchase the 1995 extractor, currently housed at Station 3, has not been used. The manufacturer stopped making the 1995 model 10 years ago so parts and support are difficult to procure.

Fire staff researched the resale value of the 1995 extractor. Per quote from Taylor Houseman, the vendor from whom the 2012 extractor was purchased, the estimated resale value is \$1000-\$1500; however, even Taylor Houseman would not purchase it but would even need to charge the department to discard the equipment. Models newer than 1995 are reselling at around the same price range. Given the age and use history, the machine would not resell well.

Discussion

Early last month, Chief Bellini received an inquiry from the West Plainfield Volunteer Fire Department regarding the Fire Department's 1995 extractor. The City has a mutual aid agreement with West Plainfield. Given that they are a volunteer fire department, their budget is relatively minimal and therefore cannot afford to buy an extractor, not even a used one. The Fire Department wishes to donate the 1995 extractor and deems this is the best option for this surplus equipment. This donation fosters our beneficial relationship with West Plainfield and demonstrates our appreciation for their volunteerism.

Alternative Courses of Action (optional)

1. Approve the donation of the Fire Department's 1995 discontinued extractor, currently not in use.
2. Allocate staff time to resell the 1995 extractor for minimal gain.

Conclusion

Staff recommends that the City approve the donation of the Fire Department's used and discontinued 1995 extractor to the West Plainfield Volunteer Fire Department.

Prepared by: Elle Murphy
Public Safety Management Analyst

Reviewed by: Dan Bellini
Public Safety Chief

Paul Navazio, City Manager

Legislation Details (With Text)

File #: 13-314 Version: 1 Name:
Type: Consent Item(s) Status: Agenda Ready
File created: 10/30/2013 In control: City Council
On agenda: 11/5/2013 Final action:
Title: SUBJECT: Fiscal Year 2013/14 First Quarter Budget Update

Recommendation for Action: This informational report provides an update on fiscal year 2013/14 revenue and expenditure results relative to the approved budget activity through the first quarter, ended September 30, 2013. No Council action is required.

Sponsors:

Indexes:

Code sections:

Attachments: [Quarterly Budget Update Attachment- q1.pdf](#)

Date	Ver.	Action By	Action	Result
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TO: THE HONORABLE MAYOR AND CITY COUNCIL

DATE: November 5, 2013

SUBJECT: Fiscal Year 2013/14 First Quarter Budget Update

Recommendation for Action: This informational report provides an update on fiscal year 2013/14 revenue and expenditure results relative to the approved budget activity through the first quarter, ended September 30, 2013. No Council action is required.

Staff Contact

Kim McKinney, Finance Officer - (530)661-5849, kimberly.mckinney@cityofwoodland.org

Council Goal

This update supports the City's goal for Fiscal Responsibility by providing regular and timely updates of budget information to the City Council and public.

Fiscal Impact

This informational item presents the Citywide revenue and expenditure results through the first three periods of fiscal year 2013/14. As an informational item, there is no direct fiscal impact.

Discussion

This report summarizes the All Funds revenue and expenditure results for the first three periods of fiscal year 2013/14. In addition, the report highlights revenues and expenditures in the General Fund for the first quarter of 2013/14.

Highlights of the reported results include the following:

- All Funds Expenditures through the first quarter of 2013/14 stand at \$30,924,893 or 18% of the All Funds budget of \$171,676,734.
- Through the first quarter of the current fiscal year, All Funds Revenues total \$16,994,379 or 12.02% of the budget of \$141,385,221. In general, revenues appear to be tracking according to budget projections; staff is not aware of any situations that require immediate changes to the revenue budgets approved for FY2013/14.
- Year-to-date FY2013/14 General Fund revenues through the first quarter of the fiscal year were \$2,446,381 or 6.13% of the \$39,908,363 budget.
 - Property Taxes: The first installment of property tax revenues will not be received until January 2014. Information received from Yolo County on citywide assessed valuations indicates that citywide assessed value increased by 1.88% compared to a budget estimate of 1% growth. While property tax revenues will not be known until January, these assessed valuation figures may result in a very slight increase to our property tax revenue estimates.
 - Sales Tax: Due to timing issues related to the Triple Flip Property Tax/Sales Tax swap beginning in FY2005/06, certain portions of sales tax revenues are received with the property tax installments in January and May each year. Additionally, due to the timing of receipts of sales tax payments from the state, sales tax updates are not typically updated on the basis of one quarter results. The City works with a sales tax consultant to assist with monitoring of sales tax activity and projections, which are closely monitored throughout the year and projections will be modified, if necessary, during the mid-year budget update in February.

Updated revenue and expenditure projections will be provided in conjunction with the FY2013/14 mid-year budget update in February. The mid-year budget update will also provide an update to the forecast that will serve as the basis for development of the FY2014/15 budget. In the event that either the revenue or expenditure estimates used in the development of the FY2013/13 budget require material adjustments, staff will be prepared to present potential options and recommendations for budget adjustments, if necessary.

Conclusion

Staff recommends that the City Council receive an update of the fiscal year 2013/14 budget activity through the first quarter, ended September 30, 2013.

Prepared by: Kim McKinney
Finance Officer

Paul Navazio, City Manager

Attachment

ATTACHMENT A

ALL FUNDS REVENUES AND EXPENDITURES

Table 1 – All Funds FY2013/14 Revenues

FY2013/14 Revenues				
	Original Budget	Adjusted Budget	Year-To-Date Actuals	%
General Fund	39,908,363	39,908,363	2,446,381	6.13%
Special Revenue	10,737,541	10,737,541	889,372	8.28%
Debt Service	6,068,993	6,068,993	763,495	12.58%
Capital Projects	9,938,038	9,938,038	1,482,635	14.92%
Enterprise Funds	56,489,372	56,489,372	8,117,337	14.37%
Internal Service	12,984,111	12,984,111	3,266,912	25.16%
Redevelopment	-	-	28,044	0.00%
Agency	5,258,803	5,258,803	203	0.00%
Total All Funds	141,385,221	141,385,221	16,994,379	12.02%

- All Funds revenues through the first quarter of 2013/14 are \$16.99 million, or 12.02% of the adjusted budget.
- General Fund revenues are \$2.45 million, or 6.1% of the adjusted budget, with many of the City's major tax revenues yet to be collected during the current fiscal year.
- The Measure E fund is included in the Capital Projects fund category, and sales tax revenues associated with Measure E have not yet been received; other revenues are dependent upon development activity.
- Agency funds are primarily pass-through special assessment funds. The revenues in these funds are received with the City's property tax distributions in January and May.

Table 2 – All Funds 2013/14 Expenditures by Fund

FY2013/14 Expenditures				
	Original Budget	Adjusted Budget	Year-To-Date Actuals	%
General Fund	43,566,792	43,566,792	8,018,406	18.40%
Special Revenue	10,217,423	10,217,423	1,904,271	18.64%
Debt Service	5,967,975	5,967,975	1,307,688	21.91%
Capital Projects	20,558,808	20,558,808	1,870,027	9.10%
Enterprise Funds	70,996,441	70,996,441	9,807,339	13.81%
Internal Service	14,171,474	14,171,474	3,744,551	26.42%
Redevelopment	992,954	992,954	292,274	29.43%
Agency	5,204,867	5,204,867	3,980,337	76.47%
Total All Funds	171,676,734	171,676,734	30,924,893	18.01%

- Through the first quarter of FY2013/14, All Funds expenditures (not including encumbrances) totaled \$30.9 million, or 18.01% of the adjusted budget. General Fund expenditures totaled \$8.02 million, or 18.4% of the adjusted budget.
- Operating expenditures appear to be tracking within budget for all categories.
- Internal Service funds reflect expenditures of 27.7% of revenues due mostly to up-front payments made for insurance premiums out of the Self Insurance Fund.
- Agency Funds reflect expenditures of 76% of budget due to the timing of debt service payments made for the respective bond issues; many of these funds have payments due in September each year.

Table 3 – All Funds Expenditures by Department

FY2013/14 Expenditures				
	Original Budget	Adjusted Budget	Year-To-Date Actuals	%
Administration	13,742,398	13,742,398	3,946,315	28.72%
Capital Improvements	62,621,532	62,621,532	6,772,898	10.82%
Community Development	7,221,617	7,221,617	1,838,469	25.46%
Fire	9,753,904	9,753,904	2,359,012	24.19%
Library	1,470,716	1,470,716	315,805	21.47%
Non-Departmental	30,496,278	30,496,278	7,096,105	23.27%
Police	16,000,605	16,000,605	3,479,979	21.75%
Public Works	28,294,579	28,294,579	4,595,371	16.24%
Community Services	2,075,105	2,075,105	520,939	25.10%
Total All Funds	171,676,734	171,676,734	30,924,893	18.01%

- As of the end of the first quarter of fiscal year 2013/14, all departments appear to be tracking closely to budget.

ATTACHMENT B

GENERAL FUND REVENUES AND EXPENDITURES

Table 1 – General Fund Revenues

FY2013/14 General Fund Revenues				
	Original Budget	Adjusted Budget	Year-To-Date Actuals	%
Property Tax	8,935,977	8,935,977	-	0.00%
Sales Tax	16,861,405	16,861,405	-	0.00%
Other Taxes	955,000	955,000	162,809	17.05%
Franchise Fees	1,921,221	1,921,221	202,816	10.56%
Licenses/Permits	1,585,844	1,585,844	758,647	47.84%
Fines and Penalties	203,101	203,101	39,315	19.36%
Service Charges	556,133	556,133	151,405	27.22%
Motor Vehicle In Lieu	3,755,190	3,755,190	-	0.00%
Intergovernmental	396,000	396,000	24,304	6.14%
Lease/Interest Income	114,540	114,540	39,093	34.13%
Miscellaneous	4,485,574	4,485,574	1,067,992	23.81%
Transfers	138,378	138,378	-	0.00%
Total General Fund	39,908,363	39,908,363	2,446,381	6.13%

- The City will not receive the first installment of property tax payments until January 2014. Information received from Yolo County indicates that the total assessed value increased by 1.8% from the prior year; the FY2013/14 budget assumed a 1% growth factor.
- Sales Tax payments received through the month of September related to the prior fiscal year; due to the timing lag in receipt of payments, no revenues are recorded through the first three periods. Information received from the City's sales tax consultant indicate that budgeted revenues remain reasonable and will be closely monitored throughout the year.
- The Motor Vehicle In Lieu revenues are received in conjunction with the City's property tax revenues, which do not get distributed until January and May.

Table 2 – General Fund Expenditures by Category

FY2013/14 General Fund Expenditures				
	Original Budget	Adjusted Budget	Year-To-Date Actuals	%
Personnel	23,983,056	23,983,056	6,070,107	25.31%
Supplies & Services	5,912,580	5,912,580	679,827	11.50%
Education & Training	251,144	251,144	28,750	11.45%
Debt Service	210,140	210,140	-	0.00%
Capital Expenditures	170,000	170,000	-	0.00%
Non-Discretionary	5,153,960	5,153,960	1,239,722	24.05%
Operating Transfers	7,885,912	7,885,912		0.00%
Total General Fund	43,566,792	43,566,792	8,018,406	18.40%

- Through the first quarter of FY2013/14, General Fund expenditures (not including encumbrances) total \$8.02 million, or 18.4% of the adjusted budget.
- Personnel costs are trending to be on target with budget, at 25.3% through the first quarter.
- Operating Transfers consist primarily of the transfer of Measure E sales tax received to the capital projects fund, as well as the subsidy for the Storm Drain and Cemetery operations. Because no Measure E revenues have been received, no transfers have been recorded to date. Other fund subsidies are typically recorded toward the end of the fiscal year, when more accurate information is available regarding the subsidies actually required.

Table 3 – General Fund Expenditures by Department

FY2013/14 General Fund Expenditures				
	Original Budget	Adjusted Budget	Year-To-Date Actuals	%
Administration	2,854,639	2,854,639	608,379	21.31%
Community Development	2,222,299	2,222,299	563,767	25.37%
Recreation	1,685,800	1,685,800	427,182	25.34%
Police	15,639,504	15,639,504	3,383,140	21.63%
Fire	9,532,799	9,532,799	2,305,023	24.18%
Library	1,241,339	1,241,339	304,201	24.51%
Public Works	2,281,126	2,281,126	417,320	18.29%
Non-Departmental	8,109,286	8,109,286	9,394	0.12%
Total General Fund	43,566,792	43,566,792	8,018,406	18.40%

- After the first quarter of FY2013/14, all departments appear to be tracking in line with the adjusted budget amounts.
- Non-Departmental expenditures consist primarily of the transfer of Measure E sales tax received to the capital projects fund, as well as the subsidy for the Storm Drain and Cemetery operations. Because no Measure E revenues have been received, no transfers have been recorded to date. Other fund subsidies are typically recorded toward the end of the fiscal year, when more accurate information is available regarding the subsidies actually required.

Legislation Details (With Text)

File #:	13-315	Version:	2	Name:	
Type:	Consent Item(s)		Status:	Agenda Ready	
File created:	10/31/2013		In control:	City Council	
On agenda:	11/5/2013		Final action:		
Title:	SUBJECT: Proclaim November 1, 2013, "Extra Mile Day"				
Recommendation for Action: Staff recommends that the City Council proclaim November 1, 2013, "Extra Mile Day" in the City of Woodland.					
Sponsors:					
Indexes:					
Code sections:					
Attachments:	ADM - Extra Mile Proclamation Woodland CA .pdf				

Date	Ver.	Action By	Action	Result
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TO: THE HONORABLE MAYOR AND CITY COUNCIL

DATE: November 5, 2013

SUBJECT: Proclaim November 1, 2013, "Extra Mile Day"

Recommendation for Action: Staff recommends that the City Council proclaim November 1, 2013, "Extra Mile Day" in the City of Woodland.

Staff Contact

Ana Gonzalez, City Clerk, 530-661-5806, ana.gonzalez@cityofwoodland.org

Background

The Council received a request from Christine Ott with Extra Mile America Foundation that the City Council recognize November 1, 2013 as "Extra Mile Day". By choosing to do so, the City recognizes people and organizations in the community who are going the extra mile.

The idea for Extra Mile Day started in 2009 when Shawn Anderson created the Extra Mile America Tour, a cross-country bicycle tour and inspirational outreach event. As Shawn peddled from San Francisco to Boston, he met over 200 people in pre-arranged interviews who had been identified as "*going the extra mile*" in overcoming a major life defeat or in achieving victory by chasing a passionate dream. After the tour, Shawn personally gave away \$10,000 to individuals whose stories he found particularly inspiring with the hope of motivating them to continue to go the extra mile.

Extra Mile Day has grown from 23 participating cities in its inaugural year, to 116 in 2010, to 228 in 2011, to

362 in 2012 and this year, a goal of 400 cities has been set.

Prepared by: Ana Gonzalez, City Clerk

Paul Navazio, City Manager

CITY OF WOODLAND

PROCLAMATION

DECLARING NOVEMBER 1, 2013 “EXTRA MILE DAY”

WHEREAS, the City of Woodland is a community which acknowledges that **a special vibrancy exists within the entire community** when its individual citizens collectively **“go the extra mile” in personal effort, volunteerism, and service**; and

WHEREAS, Woodland is a community which encourages its citizens to **maximize their personal contribution to the community by giving of themselves wholeheartedly and with total effort, commitment, and conviction** to their individual ambitions, family, friends, and community; and

WHEREAS, Woodland is a community which chooses to shine a light on and celebrate individuals and organizations within its community who **“go the extra mile” in order to make a difference and lift up fellow members of their community**; and

WHEREAS, Woodland acknowledges the **mission of the Extra Mile America Foundation to create 300 Extra Mile cities in America** and is proud to support **“Extra Mile Day” on November 1, 2013**.

NOW THEREFORE, I, Marlin H. “Skip” Davies, Mayor of the City of Woodland do hereby proclaim **November 1, 2013** to be **Extra Mile Day**. I urge each individual in the community to take time on this day to not only “go the extra mile” in his or her own life, but to also **acknowledge all those around who are inspirational in their efforts and commitment to make their organizations, families, community, country, or world a better place**.

Dated this 5th day of November, 2013

Marlin H. “Skip” Davies, Mayor

Tom Stallard, Vice-Mayor

William L. Marble, Council Member

Jim Hilliard, Council Member

Sean Denny, Council Member

Legislation Details (With Text)

File #:	13-291	Version:	1	Name:	
Type:	Report of the City Manager	Status:		Agenda Ready	
File created:	10/10/2013	In control:		City Council	
On agenda:	11/5/2013	Final action:			
Title:	SUBJECT: Appeal of the Planning Commission Denial of the Golden State Reclamation Conditional Use Permit				
Recommendation for Action: Staff recommends that the City Council: 1) Hold a public hearing; and 2) Approve Resolution No ____ Affirming the Planning Commission's September 19, 2013, Findings for Denial, which are contained in the Planning Commission Staff Report dated September 19, 2013 and in the Staff reports dated July 18 and September 5, 2013, and thus affirm the Commission's denial for the Project (See Attachment "1" - City Council Resolution).					
Sponsors:					
Indexes:					
Code sections:					
Attachments: Attachment 1 - Resolution of Denial.pdf Attachment 2 - Notice of Appeal.pdf Attachment 3 - Staff Reports.pdf Attachment 4 - PGP Comments.pdf					

Date	Ver.	Action By	Action	Result
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TO: THE HONORABLE MAYOR AND CITY COUNCIL

DATE: November 5, 2013

SUBJECT: Appeal of the Planning Commission Denial of the Golden State Reclamation Conditional Use Permit

Recommendation for Action: Staff recommends that the City Council: 1) Hold a public hearing; and 2) Approve Resolution No ____ Affirming the Planning Commission's September 19, 2013, Findings for Denial, which are contained in the Planning Commission Staff Report dated September 19, 2013 and in the Staff reports dated July 18 and September 5, 2013, and thus affirm the Commission's denial for the Project (See Attachment "1" - City Council Resolution).

Staff Contact

Paul L Hanson, AICP, Senior Planner, (530) 661-5814, paul.hanson@cityofwoodland.org

Fiscal Impact

Upon development, the project would pay development impact fees.

Background

An application for a Conditional Use Permit, Site Plan, and Design Review was filed by Travis Brandt of Golden State Reclamation on March 11, 2013. The applicant proposes to construct and operate a concrete slurry processing facility at 231 Hanson Way in the Industrial Zone (I).

Included in the proposed project design are two reclamation ponds for the concrete slurry, one retention pond for leachate, one storage building for construction equipment, and one on-site mobile office trailer. The processing ponds would be approximately 6,857 square feet each, or 13,714 square feet total, and would be oriented in a north-south direction. The 14,029-square-foot retention pond would be located directly to the north of the processing ponds. A three-sided, 30-by-50-foot or 1,500-square-foot metal building with a concrete pad and side gaps for flood flow would be utilized for equipment storage. The mobile office trailer would have an approximately 20-by-30-foot or 600-square-foot footprint and would be on wheels for ease of movement. A bathroom for employee-use would be located in the mobile office trailer. The proposed project would include connection to the existing nearby City water and sewer lines in Hanson Way.

Employment at the proposed project would vary according to the time of year, business cycles, and local construction activity. However, between five and 10 individuals per shift are anticipated to be employed for the activities at the project site. The site would operate Mondays through Fridays from 6:00 AM to 6:00 PM, and Saturdays and Sundays from 8:00 AM to 5:00 PM.

The processing ponds would be double-lined and include a leachate collection system. The leachate collection system would consist of a filter fabric layer, followed by a layer of rock, then a layer of dirt. Perforated piping in the dirt layer would collect and convey the filtered leachate to a retention pond. A maximum of approximately 75,000 gallons of water per day is anticipated to be used for the proposed operations. The leachate collected in the retention pond would be used to refill the on-site water tanker and/or to supply the tanker trucks with water to be carried back to local project sites. Thus, all water used at the site would be recycled back into the process.

The waste concrete slurry would be collected and allowed to set in the processing ponds. The volume of material processed at the facility would vary according to the time of year and local construction activity; however, a maximum of 45,000 gallons of slurry, 43 cubic yards per day of material, and 6,450 yards annually is currently anticipated to be processed at the proposed concrete slurry processing facility. It should be noted that an excavator, Bobcat, and front-end loader are anticipated to be utilized and stored on-site for the proposed operations. The proposed project would operate from April through October and would shut down during the winter wet season (November through March). Prior to operational shut down, the processed material in the processing ponds would be loaded onto trucks and delivered to a regional inert material recycler to be incorporated into post-consumer aggregate products. The processing ponds would be cleaned out and any remaining slurry would be hauled to an appropriate disposal facility. Clean water from the retention pond would be used to fill the on-site water tanker, and any remaining water would be hauled to a treatment facility for disposal. Accordingly, processed materials would be hauled from the project site once per year.

Access to the project site would be provided through a new drive isle through a new extension north from Hanson Way, adjacent to an existing 40-foot-wide access point utilized by the development to the west. Four parking spaces (including ADA parking) and a processing area are also proposed for the project site. A total processing area of 70,374 square feet would be gravel covered, and the new drive isle and parking, which would consist of a total of 10,603 square feet, would be asphalt paved. Anticipated trips associated with operation of the proposed concrete slurry processing facility include a maximum of 12 one-way heavy truck trips per day for the delivery of waste concrete to the site and hauling of water back to local project sites.

Assuming that 10 employees would be on-site during operations, a maximum of 10 one-way passenger vehicle trips per day would be anticipated.

The Planning Commission reviewed the project on July 18, 2013 and requested further information regarding comments from PGP International, the adjacent business, and their concerns regarding potential pathogens associated with the slurry ponds (**See Attachment “4” - Comments from PGP**) . At the Planning Commission hearing on September 5, 2013, the Commission in a 3 - 2 vote, denied the Conditional Use Permit, Site Plan, and Design Review. On September 19, 2013, (**See Attachment “3” - Staff Reports**) the Commission adopted the necessary findings for the denial of the Golden State Reclamation CUP.

On September 25 2013, an appeal of the Planning Commission decision was filed by Travis Brandt representing Golden State Reclamation (**See Attachment “2” - Appeal Notice**) . Section 25-27-50 of the Zoning Ordinance requires that an appeal of the action of the Planning Commission must be received within 14 -days after the date of the action. Upon filing of an appeal, the City Clerk shall set the matter for hearing.

Discussion

A request for a Conditional Use Permit for Golden State Reclamation, a concrete slurry processing facility, was considered by the Planning Commission on July 18, September 5 and 19, 2013. Prior to the July 18 PC meeting the Commission received comments from PGP International, an adjacent neighbor, regarding their concerns with the project. PGP’s main concerns were with dust and pathogens contaminating their site. The Commission requested further information regarding the potential for pathogens associated with the slurry ponds. Additional information was submitted by scientific experts in microbiology from both PGP and Golden State Reclamation. (Attachments to the PC Sept 5, 2013 staff report). After reviewing all the information and comments at the meeting, the majority of the Commissioners still had concerns with the project.

The majority of the Commissioners felt that the proposed project was not consistent with the General Plan and Zoning Ordinance. That the proposed use is more similar to a waste processing facility than the typical industrial facility (a manufacturing, storage, or food processing facility) and is not an industrial use similar to other adjacent industrial uses located in close proximity to the proposed project’s location.

The Commission had sufficient concerns regarding the uniqueness of this operation, and in particular were concerned that Woodland would be the first City in the region in which this type of use would be located. They felt that there were enough questions with regard to possible serious public health problems and impacts that this project, even with proposed mitigations, has the potential to negatively and adversely affect the general health and welfare of the community and surrounding uses.

Commission Recommendation

The Project was reviewed before the Planning Commission on July 18 and September 5 & 19, 2013. After review of all the materials submitted, hearing all comments and deliberating on the issues, the Commission voted 3-2 to deny the Project. This denial was upheld at the September 19, 2013 meeting at which the findings and resolution for denial were approved.

Public Contact

Public notice for the advertising for the appeal hearing on this Project was prepared in accordance with the following:

- Legal notice of the item published in the Daily Democrat on or before October 25, 2013
- Notices mailed to all property owners within 300-feet of the project site on or before October 23, 2013
- Posting of the City Council agenda.

Alternative Courses of Action

Staff recommends that the City Council review the information provided and take the following actions:

1. Approve Resolution No ____ Affirming the Planning Commission's September 19, 2013, Findings for Denial, which are contained in the Planning Commission Staff Report dated September 19, 2013 and in the Staff reports dated July 18 and September 5, 2013, and thus affirm the Commission's denial for the Project (**See Attachment "1" - City Council Resolution**).

OR the City Council could take the following alternative action:

2. **Alternative:** The City Council may grant the appeal and rescind the Planning Commission's action and may also direct that an Environment Impact Report be prepared to analyze the potential environmental impact of the Project.

Prepared by: Paul L Hanson, AICP, Senior Planner

Reviewed by: Cindy A. Norris, Principal Planner
Ken Hiatt, Community Development Director
Kara K. Ueda, City Attorney

Paul Navazio, City Manager

Attachment 1 -Resolution No.__ City Council Action on the Golden State Reclamation Appeal

Attachment 2 -Appeal Notice - Travis Brandt of Golden State Reclamation

Attachment 3 - Staff Reports from September 19 and September 5, which includes the July 18, 2013 Staff Report.

Attachment 4 -Comments from PGP International

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND
UPHOLDING THE PLANNING COMMISSION'S DENIAL OF GOLDEN STATE
RECLAMATION'S APPLICATION FOR A CONDITIONAL USE PERMIT**

WHEREAS, the City of Woodland ("City") accepted and processed an application from Golden State Reclamation for a conditional use permit, site plan, and design review for a concrete slurry processing facility ("Project") on a portion of 17.5 acres in an industrial (I) zone to be located at the east end of Hanson Way, just north of East Main Street at 231 Hanson Way in the City of Woodland; and

WHEREAS, the City of Woodland Planning Commission reviewed the application on July 18, 2013 and on September 5, 2013 held a duly noticed public hearing where it voted to deny the conditional use permit, site plan, and design review after receiving public testimony and documentary evidence submitted during the public hearing; and

WHEREAS, on September 19, 2013, the Planning Commission adopted the necessary findings for denial of the Project; and

WHEREAS, at the conclusion of the public hearing, the Planning Commission found that the Project is not consistent with the City's Zoning Ordinance because it is more similar to a waste processing facility than a typical industrial facility and is not an industrial use similar to other adjacent industrial uses; and

WHEREAS, the Planning Commission also found that, even as mitigated, the Project could result in adverse impacts to adjacent properties and that the Project would have the potential to negatively and adversely affect the general health and welfare of the community and surrounding uses; and

WHEREAS, the City of Woodland received an Appeal Notice from Travis Brandt on behalf of Golden State Reclamation on September 25, 2013, appealing the Planning Commission's action denying the conditional use permit for the Project; and

WHEREAS, the City of Woodland City Council held a duly noticed public hearing on November 5, 2013, to receive public testimony and consider the appeal of the Planning Commission's action denying the conditional use permit for the Project; and

WHEREAS, at the conclusion of the hearing the City of Woodland City Council, based on oral testimony and documentary evidence submitted during the public hearing, found that the proposed Project is not consistent with the City's Zoning Ordinance and that the Project could negatively affect the general health and welfare of the public.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Woodland AS FOLLOWS:

Section 1. Recitals. The foregoing recitals are hereby true and correct.

Section 2. Findings. The appeal of the Planning Commission's denial of the Conditional Use Permit for the Project is hereby upheld, based on all written and oral evidence presented to the Planning Commission and to the City Council (including staff reports, public testimony, and deliberation) and based on the following findings, which are hereby made and adopted by the City Council:

A. The Project would receive cured concrete slurry generated from local construction and improvement projects, particularly from highway profile grinding. The waste concrete would be dumped into designated ponds after being transported in tanker trucks from local construction projects.

B. While the City has concluded, based on a Mitigated Negative Declaration for the Project, that the Project as mitigated would not have a significant impact on the environment, other regulatory agencies (including the Regional Water Quality Control Board) have raised questions regarding whether the depth of groundwater and whether the volume of ponds are sufficient to accommodate the proposed volume of slurry.

C. This Project would be the first of its kind in the region, and the exact impacts of the Project are unknown at this time.

i. The City Council was presented with conflicting information and testimony from the public and experts regarding the potential consequences of this Project. In particular, a neighboring food processing plant, PGP International, submitted comments from experts about the Project as it is very concerned about dust and the possibility of food borne pathogens contaminating its products. Because PGP's operations are held to highly regulated and strict food safety standards, it has expressed its concerns regarding potential contamination of its food products.

ii. Due to the uniqueness of the Project, the City Council finds that it is not in the best interest of the City of Woodland, or the public that consumes foods processed at PGP, for the City Council to grant the Conditional Use Permit for this Project.

iii. The City Council also finds that it does want Woodland to suffer from any public health problems associated with this Project and that denying this Project is in the best interest of the public's health, safety, and welfare.

D. The City Council also finds that the Project is not consistent with the General Plan. The Project is not similar to, or compatible with, the existing adjacent uses and possible future uses. The Project is less like a manufacturing, storage, or food processing facility (the uses located in close proximity to the Project) but is more similar to a waste processing facility, which is not compatible with the adjacent uses.

E Due to the nature of the Project, the City Council further finds that the Project is

also not consistent with the City's Zoning Ordinance because it is more similar to a waste processing facility than the more typical industrial use, such as a manufacturing, storage, or food processing facility.

F. Due to the unique nature of this Project, its proximity to a use that is highly sensitive to being exposed to food borne pathogens, and the concerns raised by various regulatory agencies, the City Council finds that, even as mitigated, the Project has the potential to negatively and adversely affect the general health, safety, and welfare of the community and surrounding uses.

Section 3. Substantial Evidence. The City Council has determined that above referenced findings, in conjunction with all written and oral evidence presented to the Planning Commission and to the City Council, including staff reports, public testimony, and deliberation, constitutes substantial evidence for denial of the conditional use permit, and that the denial is necessary to protect the public health, safety, and welfare.

Section 4. Custodian of Records. The documents and materials that constitute the record of proceedings on which these findings are based are located at the City Clerk's office. The custodian for these records is Paul L. Hanson, AICP, Senior Planner and is located at 300 First Street, Woodland, CA 95695.

Section 5. This Resolution shall take effect immediately, and a copy of this Resolution shall be sent to the applicant at the address set forth in the Project application.

PASSED AND ADOPTED by the City Council this 5th day of November 2013, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Marlin "Skip" Davies, Mayor

ATTEST:

APPROVED AS TO FORM:

Ana Gonzales, City Clerk

Kara K. Ueda, City Attorney

Dated: _____

ATTACHMENT 3

NOTICE OF APPEAL

To the Secretary of the Planning Commission of the City of Woodland:

I (we) wish to appeal the Planning Commission decision made September 5th/19th
regarding the (approval) (denial) of the denial
for the Golden State Reclamation project located at 231 Hansen Wy in
the I Zone, for the following reasons:

See attached E-mail

Appeal is made in accordance with Section 25-27.50 of the Zoning
Ordinance of the City of Woodland is accompanied by the filing fee of \$ 247.

Travis Brandt
Name(s)

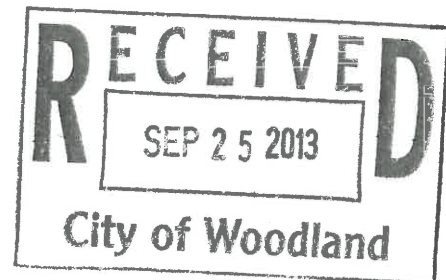
59 Caney Island Dr.
Address

Sparks, NV
City

Phone: (775) 331-1411

Date Received and Filing Fee Paid: _____

By: _____



RECEIVED

OCT 01 2013

CITY CLERK'S OFFICE

PLNG-13-00082

Paul Hanson

From: Travis Brandt [TBrandt@DCCutting.com]
Sent: Friday, October 11, 2013 2:53 PM
To: Paul Hanson
Subject: FW: Golden State

Paul, see my Attorney's response below.

From: Gordon, Garrett [<mailto:GGordon@lrrlaw.com>]
Sent: Friday, October 11, 2013 2:48 PM
To: Travis Brandt
Subject: RE: Golden State

The applicant appeals the Planning Commission's denial of the Golden State Reclamation Conditional Use Permit and, more specifically, challenges the findings for denial as set forth in the Planning Commission Memorandum dated September 19, 2013. The Planning Commission Staff Report dated July 18, 2013 concluded that all findings required for this Conditional Use Permit were satisfied and recommended approval of the application. This staff report, combined with the additional information and documentation provided by the applicant, confirms the Golden State Reclamation Conditional Use Permit application is compatible, consistent and in conformance with the City's General Plan and Zoning Ordinance and the California Environmental Quality Act.

**LEWIS ROCA
ROTHGERBER**

Garrett D. Gordon, Partner
Lewis Roca Rothgerber LLP | Bank of America Building Suite 410
50 West Liberty Street | Reno, Nevada 89501-1922
(T) 775.321.3420 | (F) 775.321.5569
GGordon@LRRLaw.com | www.LRRLaw.com

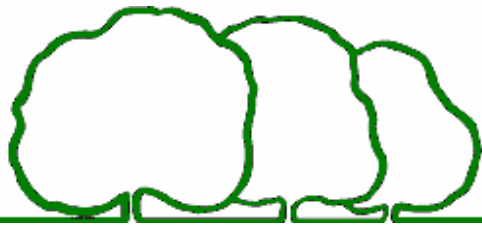


Lewis and Roca LLP is now Lewis Roca Rothgerber LLP.



Legislation Text

File #: 13-244, Version: 1



City of Woodland

MEMORANDUM

TO: PLANNING COMMISSION MEMBERS

DATE: September 19, 2013

SUBJECT: Findings of Denial for Golden State Reclamation CUP

RECOMMENDATION

Staff recommends that the Planning Commission review and adopt the findings for the denial of the Conditional Use Permit (CUP) for the Golden State Reclamation Project.

STAFF CONTACT

Paul Hanson, ACIP, Senior Planner, 530-661-5814, paul.hanson@cityofwoodland.org

BACKGROUND

On July 18, 2013 and September 5, 2013, the Planning Commission reviewed a request for a CUP for the Golden State Reclamation Project, a concrete slurry recycling facility (**See Complete Staff Report online at www.cityofwoodland.org/gov/meetings & select the September 5, 2013 Planning Commission Agenda**) . On September 5, 2013, on a 4 to 1 vote, the Commission denied the Conditional Use Permit for the Golden State Reclamation Project. Staff has prepared the required findings for the Planning Commission's denial of the CUP.

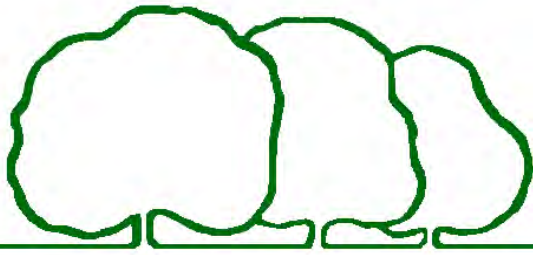
MOTION #1 I move to approve the Findings for Denial for a Conditional Use Permit for Golden State Reclamation Project at 231 Hanson Way.

Findings

1. The proposed project is a concrete slurry processing facility on a portion of 17.5 acres in an Industrial (I) zone, which would be located at the east end of Hanson Way, just north of East Main Street at 231 Hanson Way.
2. The proposed project would receive only cured concrete slurry generated from local construction and improvement projects, particularly highway profile grinding. Tanker trucks would transport the concrete slurry from local projects and would dump the waste concrete into designated ponds.
3. The City of Woodland prepared a Mitigated Negative Declaration (MND) for the proposed project and

concluded that the project, as mitigated, would not have a significant impact on the environment. A number of public agencies commented on the MND, including the Regional Water Quality Control Board, the Central Valley Flood Protection Board, and the Yolo Habitat JPA (among others). The Regional Water Quality Control Board raised issues regarding the depth of groundwater and that the volume of the ponds may be inadequate to accommodate the proposed volume of slurry.

4. PGP International also submitted comments about the proposed project. PGP operates a food processing plant and is concerned about dust and the possibility of food borne pathogens contaminating its products.
5. The City of Woodland's Planning Commission considered the proposed project on July 18, September 5, and September 19, 2013.
6. After considering comments from the applicant, various experts, agencies commenting on the MND, and the public and after considering how the proposed project would fit into the existing industrial area, the Planning Commission finds and determines that the proposed use is not consistent with the General Plan. The proposed project is not similar to, or compatible with, the existing adjacent uses and future possible uses. The proposed project is more similar to a waste processing facility than a manufacturing, storage, or food processing facility, which are the types of located in close proximity to the proposed project's location.
7. Similarly, the Planning Commission finds that the proposed project is not consistent with the City's Zoning Ordinance because it is more similar to a waste processing facility than a typical industrial facility and is not an industrial use similar to other adjacent industrial uses.
8. As such, the Planning Commission finds that, even as mitigated, the proposed project could result in adverse impacts (although perhaps not necessarily significant impacts under the California Environmental Quality Act) to adjacent properties and the City of Woodland. Thus, the proposed project has the potential to negatively and adversely affect the general health and welfare of the community and surrounding uses.
9. Further, the proposed project would be the first of its kind in the region. The Planning Commission heard sufficient concerns regarding the uniqueness of this operation that it did not want Woodland to be the first City in the region, and possibly the state, to experiment with the possible serious public health problems and impacts this project could cause.



City of Woodland

Community Development Department 300 First Street Woodland CA 95695 (530) 661-5820 (530) 406-0832 Fax

MEMORANDUM

To: Woodland Planning Commission

From: Paul Hanson, AICP, Senior Planner
Cindy Gnos, AICP, Contract Planner

Subject: Golden State Reclamation Conditional Use Permit (Continued From July 18, 2013)

Date: September 5, 2013

On July 18, 2013, Planning Commission held a public hearing regarding the proposed Golden State Reclamation Conditional Use Permit project proposed for Hanson Way (**Attachment F - Staff Report July 18, 2013**). The Planning Commission continued the item in order to allow PGP International Inc (neighbor to the south) and the applicant to have microbiologists test the soil and water at the existing ponds in Nevada to determine if pathogens exist.

An attorney representing PGP International Inc sent a letter (**Attachment A - letter dated August 1, 2013**) requesting background information prior to testing. The applicant responded with a letter (**Attachment B - letter dated August 20, 2013**) noting that the information requested by PGP International Inc is not available and that he would be moving forward with the testing.

The applicant also provided a report prepared for Caltrans that tested the slurry removed from their project sites (testing from the trucks leaving the site, not from ponds). The conclusions of this report are provided in **Attachment C - State-Wide Portland Cement Concrete Waste Supplement Study**). The applicant hired Dr. Douglas Nelson, a UC Davis professor of microbiology to analyze the Caltrans report to determine if the slurry could contain the pathogens of concern to PGP International Inc. To confirm the conditions in the pond are similar to those of the Caltrans report, the applicant had the soil and slurry tested from the site in Nevada. The lab results are provided in **Attachment D - dated August 14, 2013**. Dr. Nelson's letter (**Attachment E – dated August 2013**) notes that the pH values would not allow the pathogens to exist.

At the July 18, 2013, Planning Commission hearing, staff had recommended Condition #24 be modified to change the word could to shall and recommended adding a wheel washing condition.

24. During construction and operations, the applicant shall implement adequate dust control measures sufficient to retain dust emissions on-site. The Community Development Department may require operations to stop should dust affect adjacent sites. Dust control measures ~~could~~ shall include, but would not be limited to, the following:

- All disturbed areas and unpaved roads shall be effectively stabilized for dust emissions using water, chemical stabilizers, dust suppressants, tarps, or other suitable material such as vegetative ground cover;
- Apply water to disturbed soils as necessary to retain dust emissions on-site (minimum of twice a day);
- Required effective minimum soil moisture for earthmoving by use of a moveable sprinkler system or a water truck. Moisture content could be verified by lab sample or moisture probe;
- Limit on-site vehicle speeds on unpaved roads sufficient to retain dust emissions on-site (maximum of 15 mph);
- Use a gravel apron, 25 feet long by road width, to reduce mud/dirt trackout from unpaved truck exit routes;
- All transport of materials shall be completely covered with a fabric cover and maintain a freeboard height of 12 inches;
- Water any storage piles by hand at a rate sufficient to retain dust emissions on-site, or apply cover when wind events are declared;
- Apply chemical soil stabilizers on inactive construction areas (disturbed lands that are unused for at least four consecutive days);
- Plant tree windbreaks on the windward perimeter of construction area;
- Plant vegetative ground cover in disturbed areas as soon as possible; and
- All trackout or carryout shall be cleaned at the end of each workday or immediately when mud or dirt extends a cumulative distance of 50 linear feet or more onto a paved road.
- A publicly visible sign shall be posted with the telephone number and person to contact at the City regarding dust complaints. This person shall respond and take corrective action within 48 hours. The YSAQMD's phone number shall also be visible to ensure compliance with applicable regulations.
- Install wheel washers for all exiting trucks, or wash off the tires or tracks of all trucks and equipment leaving the site;

The Planning Commission also discussed the possibility of increased monitoring of the pond lining for leaks the first year, as well as adding a condition related to testing procedures for trucks entering the site that are from outside sources. Planning Commission also discussed the possibility of a condition prohibiting the use of chemical accelerators at the site.

Staff recommends the Planning Commission approve the proposed project based upon the findings of fact and subject to the conditions of approval in the July 18, 2013 staff report.

Attachments:

- A – Letter from PGPI attorney (August 1, 2013)
- B – Letter from Applicant (August 20, 2013)
- C – Caltrans Slurry Testing Conclusions
- D – Nevada Testing Lab Results
- E – Letter from Douglas Nelson, applicant's microbiologist
- F – July 18, 2013, Planning Commission staff report with attachments

ATTACHMENT A



Thomas S. Lee
Direct: 415-675-3447
tom.lee@bryancave.com

August 1, 2013

VIA U.S. MAIL

Mr. Paul Hanson
City of Woodland,
Planning Commission
300 First Street
Woodland, CA 95695

Re: Pathogens Testing and Sampling Related to the Golden State Reclamation Project (the "Project")

Dear Mr. Hanson:

PGPI appreciates your continued involvement in the testing and evaluation of the Project proposed by Diversified Concrete Cutting ("DCC"). As the parties conduct testing and discuss solutions to address PGPI's concerns, we would like to include you in all communications between the parties so that your department is fully appraised of how the discussions between DCC and PGPI are proceeding, and to ensure that these discussions remain focused on a scientific analysis of the threats posed by the Project.

To that end, as you are aware, at the July 18th hearing the Woodland Planning Commission strongly suggested that PGPI – and DCC – conduct testing at DCC's concrete slurry reclamation facility in Nevada. PGPI is concerned that pathogen data from the Nevada facility may not be conclusive or demonstrative of the conditions that will exist at the Woodland facility. Nevertheless, PGPI is willing to conduct the testing, and has retained Dr. Virginia Deibel to do so.

In order for her tests to be productive, Dr. Deibel has requested the following information from DCC:

- Log books for the month leading up to the test showing the pH of the ponds.
- Business records demonstrating activity at the site in the month leading up to the test. This would include records showing any concrete slurry deliveries, any dredging, any alterations to the ponds, any addition or removal of water to the ponds, and any chemicals, pathogens, biological elements, organic elements, or biocidal agents added to or removed from the ponds in the month leading up to the test.

Bryan Cave LLP
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San Francisco, CA 94105-2994
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Mr. Paul Hanson

August 1, 2013

Page 2

- Business records showing whether the ponds have been covered in any way in the month leading up to the test, and if so, what times they were covered and uncovered.
- Log books or business records showing whether the temperature in the ponds has been raised or lowered by any causes other than ambient air temperature.

Please understand that the purpose of these requests is to make Dr. Deibel's tests as comprehensive and effective as possible, and to reduce the need for future testing.

With regards to scheduling, we look forward to receiving a list of dates when Dr. Deibel can visit the Nevada facility to conduct her testing from DCC. In addition, we request that your office or DCC provide PGPI with a list of dates when PGPI's testing staff can conduct testing on the Project site.

Sincerely,



Thomas Lee

cc: Travis Brandt

ATTACHMENT B



August 20th, 2013

Mr. Paul Hanson
City of Woodland,
Planning Commission

RE: Response to PGP letter, dated August 1st, 2013

Dear Mr. Hanson:

We've received PGP's letter requesting log books and/or records of our slurry deliveries, temperatures, pH Levels, etc. While I would like to supply PGP with this information, we do not keep such records, as we are not required to.

That being said, per the Planning Commission's request, we have move forward with testing the material, and we have received detailed feedback from a Microbiologist in regards to the material and it's effect on pathogens. This has been forwarded onto you, and will be presented at the hearing on September 5th.

Travis Brandt
Division Manager
Diversified Concrete Cutting

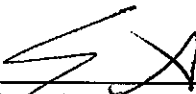
ATTACHMENT C

REPORT OF FINDINGS

State-Wide Portland Cement Concrete Waste Supplemental Study

April 29, 2005

Prepared By:



Greg Acosta, P.E.
Director, Environmental Services Division

Prepared For:

CALIFORNIA DEPARTMENT OF TRANSPORTATION
Division of Environmental Analysis
1120 "N" Street
Sacramento, California 95814

Prepared By:

BRYAN A. STIRRAT & ASSOCIATES, INC.
1360 Valley Vista Drive, Suite 200
Diamond Bar, California 91765
(909) 860-7777



BAS JN: 2004.0074

**CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS)
STATE-WIDE PORTLAND CEMENT CONCRETE WASTE SUPPLEMENTAL STUDY
REPORT OF FINDINGS**

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**CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS)
STATE-WIDE PORTLAND CEMENT CONCRETE WASTE SUPPLEMENTAL STUDY
REPORT OF FINDINGS**

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SECTION 1.0

INTRODUCTION

1.0 INTRODUCTION

Bryan A. Stirrat & Associates, Inc. (BAS) has been retained by the California Department of Transportation (Department) to perform an investigation to identify the typical characteristics of Portland Cement Concrete (PCC) wastes generated from Department projects. In the past years, it has become increasingly difficult to find appropriate and logistically feasible disposal locations for PCC waste products. In particular, the Department wished to address specifically the waste generated from pavement grinding, grooving, and saw cutting operations. The waste stream generated from these operations includes both slurry and liquid components.

In order to address these issues, the Department has asked BAS to conduct a field program in order to collect samples for chemical and physical analysis, and to perform statistical data analysis associated with the field program necessary to reasonably characterize the waste stream described above. The field program was conducted in accordance with the *Waste Characterization Work Plan* (BAS, October 13, 2004) and the associated Health and Safety Plan (HSP), both of which were approved by the Department.

1.1 PROJECT BACKGROUND

The Department performs a myriad of construction and repair projects throughout the State of California. Working with PCC in some fashion is almost always a part of these projects, and as a result, PCC related wastes are generated. The type and quantity of waste generated depends on the scale of the project and the activities being performed, such as new concrete pours, surface grinding operations, and saw cutting. However, in general, the wastes are comprised of a slurry component (a solid waste containing fine powder from grinding and saw cutting operations) and a liquid component (potentially high pH water with suspended solids from these same operations).

In the past, the need for disposal of the liquid component of these wastes was mitigated through either evaporation or infiltration into underlying soils in unlined washout pits. However, current practice on Department projects is to line washout pits with plastic sheeting, thereby eliminating infiltration and resulting in a net increase in the quantity of PCC liquid waste generated, unless prior approval to allow infiltration has been obtained from the appropriate Regional Water Quality Control Board. Although it has been the contractors' responsibility on these projects to dispose of both slurry and liquid PCC wastes that are generated, it has become

difficult to find appropriate and logistically feasible disposal locations for PCC waste products associated with construction activities. In addition, certain RWQCBs have expressed¹ concern regarding the potential presence of hexavalent chromium (Cr⁺⁶) in PCC wastes.

In 2003, the Department issued Task Order #1 to BAS to evaluate, through identification and review of available published studies and documents, typical PCC waste product constituent levels and identify disposal sites and methods to meet the needs of construction projects within the Department right of way. Results of that Task Order were summarized in two technical memoranda, the first of which made the following findings and conclusions regarding the characteristics of PCC wastes.

Although there are emerging concerns regarding Cr⁺⁶ in Portland Cement and PCC wastes, there are no existing studies that have shown either material to contain Cr⁺⁶ at concentrations above currently established State or federal hazardous waste levels. As a result, for disposal outside of the right of way, at this time there is no need to consider PCC wastes to be comprised of anything other than:

- Solid PCC Wastes: Typical solid inert PCC construction/demolition debris (e.g., concrete with typical mix additives) free of rebar, wood or other debris, and free of any other outside contamination, which can be re-used, sent to a Class III disposal site or concrete recycling facility;
- Liquid PCC Waste: A high pH, non-hazardous liquid waste, which can be neutralized on-site under DTSC² and RWQCB approvals; be disposed of at a Class II off-site disposal facility, or be treated at an off-site recycling/treatment facility. (This material could also be sent to a Class I facility, however this is not recommended due to the fact that the waste is not considered either a State or Federally defined hazardous waste and disposal at a Class I facility would result in an unnecessary increase in future liability). If on-site treatment is being considered, appropriate NPDES permits and/or site specific waste discharge requirements (WDRs) would have to be negotiated with the local RWQCB on a case by case basis before discharging treated water.
- Slurry PCC Waste: A combination of solid and liquid PCC waste but considered a solid waste, which can be neutralized on-site (if necessary) under DTSC and RWQCB approvals; disposed of at Class II off-site disposal facility, or sent to a permitted recycling facility, which accepts this waste stream. (This material could also be sent to a Class I facility, however this is not recommended due to the fact that the waste is not considered either a State or Federally defined hazardous waste and disposal at a Class I facility would result in an unnecessary increase in future liability). If on-site treatment or disposal is being considered,

¹ Regional Water Quality Control Board

² Department of Toxic Substances Control

site specific WDRs would need to be established with the local RWQCB on a case by case basis. The WDRs would likely include requirements and restrictions on the type and quantity of waste discharged, the drying of the waste prior to disposal, the lining of the disposal pit(s), and the capping of the disposal pit. Because the primary concern with regard to the waste material is pH level, long term monitoring is not likely to be required. However, a long term post-closure maintenance program for the disposal pit will likely need to be developed to ensure its integrity.

The second memorandum prepared under that Task Order identified potential disposal sites for slurry and liquid PCC wastes throughout the state.

Subsequent to completion of Task Order #1, the Department determined that more specific information was required regarding the typical characteristics of both slurry and liquid PCC wastes being generated through concrete grinding operations. As such, under the scope of work outlined in Task Order #8, the Department authorized BAS to proceed with this portion of the project, objectives of which are summarized below.

1.2 PROJECT GOALS

The purpose of this investigation is to determine the typical characteristics of PCC waste from the Department PCC grinding projects through the task specific objectives:

- To collect samples of PCC grinding waste for analysis,
- To perform chemical analyses,
- To perform statistical analysis on the data generated, and
- To report the findings which shall be used as a representative waste characterization for future PCC grinding projects.

1.3 SITE LOCATIONS AND DESCRIPTIONS

In order to achieve the project goals as delineated in Section 1.2 a total of six sampling events were conducted at the following Department right of way locations and dates:

- District 8, on the southbound lanes of Interstate 15, north of Interstate 210 and south of Interstate 215, near the cities of Fontana and Rancho Cucamonga on October 26, 2004. (EA 08-0A4224)
- District 3, on northbound Interstate 5, between State Highway 91 and Interstate 605 in the City of Norwalk, on November 1, 2004. (EA 07-226204)

- District 3, on the northbound lanes of Interstate 5, between Florin Road and Franklin Road in the City of Sacramento, on November 5, 2004. (EA 03-2M0804)
- District 7, on the northbound lanes of State Route 101 between Ventura and Santa Barbara, on November 18, 2004. (EA 07-193004)
- District 7, on the southbound lanes of State Route 101 between Ventura and Santa Barbara, on December 21, 2004. (EA 07-193004)
- District 8, on the westbound lanes of Interstate 10, just west of the intersection of Interstate 15, and Interstate 10, in the City of Ontario, on January 19, 2005. (EA 08-0A1803)

Figures 1 through 6 shows each of the above listed sampling locations. Additional site specific information and observations are included in Section 2.0.

SECTION 2.0

FIELD ACTIVITIES

2.0 FIELD ACTIVITIES

The goal of the field activities was to collect representative PCC grinding residue samples from representative construction sites within Department rights-of-way where pavement rehabilitation and installation projects were ongoing. To determine typical characteristics of waste generated during PCC grinding operations within Department rights-of-way, BAS collected grab samples of typical liquid and slurry waste from six different PCC grinding operations within three Department Districts (Districts 3, 7, and 8) as directed by the Department. Photographs illustrating typical sampling areas, waste material, and other project related activities are included in Appendix A.

Based on site availability and construction scheduling, the Department directed BAS to conduct one sampling event in District 3, three sampling events in District 7, and two events in District 8. Sampling occurred within these Districts on different construction projects with one exception. Two sampling events were conducted along Route 101 in District 7 during the same construction activity, and samples were collected from the same fixed processing facility used for the entire construction. However, sampling events were conducted over one month apart to allow for progression of the grinding operation to an area of potentially different characteristics. To the greatest extent possible, the sites were selected to represent a variety of PCC sources and mix designs throughout the state. During sample collection, both slurry and liquid samples were collected directly from vacuum trucks that collected the waste at the site. As described in further detail below, it was necessary to collect the samples from the discharge of the trucks at the disposal locations and not during waste generation at the sites.

Typical PCC grinding and waste collection machinery is shown in Photograph 1. This orientation, the PCC grinder leading the vacuum truck, was observed at each of the sampling sites. The PCC grinders observed were computer operated and typically guided by a technician who walked with the grinder during operation. The technician makes any necessary adjustments to ensure proper equipment operations and is responsible for any related safety issues. A large water tank, which acts as ballast, is part of the grinder but does not contribute water to the operation. All water required for the grinding operation is provided by the vacuum truck. As the grinder levels the PCC surface, the spent water and PCC waste are pumped into the vacuum truck. This water is reused for grinding operations by recycling it from inside the vacuum truck's holding tank. The water is separated from the solids by passing it through screens and/or bevels separating the internal compartments

within the truck. Fresh water is typically located in the front compartments of the truck prior to grinding and the waste generated is pumped into the rear of the truck via two separate hoses (inlet and outlet) connected from the grinder to the tanker (Photograph 3). The PCC grinding operation continues until the water within the truck becomes too turbid to allow for spraying onto the working surface. One truck is typically capable of approximately two hours of operation before being taken off-line. One to two standby trucks are typically available at the site to ensure that the grinding operation is uninterrupted. Once taken off-line, the trucks typically leave the construction site immediately and transport the waste to a designated disposal or recycling facility.

Initially, attempts were made to collect samples of the waste material directly from the trucks at the construction sites. However, it was determined early in the project that this resulted in undo delays for the transporters, created health and safety concerns at the construction site, and did not result in the collection of truly representative samples. Subsequent attempts to collect the liquid and slurry waste samples from the trucks as they discharged their loads at the designated disposal sites proved to be a more efficient sample collection strategy.

The majority of the sampling activities occurred during night-time hours and in the presence of active operating equipment at often remote disposal sites. Consequently, all sampling activities were conducted by a team of two field personnel. One team member collected the samples while the other took notes and acted as a look-out, monitoring the surrounding field activities to ensure the safety of the sampler. The following sections outline further specifics regarding the protocol that was implemented during field activities. Arrangements for access and sampling were made with the Department's Resident Engineer on each project being sampled prior to arrival at each designated site.

2.1 OVERALL FIELD OBSERVATIONS

Upon arrival at a designated site, BAS field personnel performed a preliminary site survey to determine whether any conditions existed at the site or in the surrounding area that may impact sample collection and/or the analytical results. In particular, BAS field personnel identified on-site or nearby potential contaminant sources (if any) which may have affected the results of the proposed sampling and analyses. In performing each initial site survey and reconnaissance, observations were made regarding the overall site conditions, and the specific waste generation activities being conducted. This information was recorded on preprinted field sampling logs (Appendix B). At a minimum, the following information was noted regarding each sites activities:

- Site location (highway number)
- Project EA
- Department Project Description and Contact Person
- Department Site Construction Manager
- Construction activity generating PCC waste
- Contractor(s) performing this construction activity
- Equipment used to generate PCC waste (make/model/ID#)
- Condition of equipment
- Other activities being performed at the site
- Time of day, temperature, and weather conditions when waste-generating construction activities occurred
- Original PCC source(s), if known
- Original aggregate and cement sources, if known
- Original PCC mix specification(s), if known
- On-site location from which PCC waste was generated
- Type of PCC waste being generated
- Method of PCC waste storage/stockpiling
- On-site location of PCC waste storage and/or stockpiling
- Identification of any on-site or nearby potential contaminant sources
- Estimated rate of water usage (gal/meter²) in the grooving, grinding, or saw-cutting process

2.2 SAMPLE COLLECTION

During the period from October 2004 through January 2005, a total of 27 liquid samples and 27 slurry samples were collected for chemical and physical analyses. The objectives of the analyses were to determine composition of typical PCC grinding liquid and slurry waste. With the exception of the initial sampling event during which sample collection procedures were refined, five (5) liquid and five (5) slurry samples were collected during each sampling event. Slurry and liquid samples were collected from either the discharge piping (Photograph 4) of the truck, or from the top hatch covers of the trucks (Photograph 5) prior to discharge. All sampling equipment was decontaminated prior to use and between samples and sampling events. Decontamination procedures included washing with a non-phosphate detergent

solution followed by a double rinse with de-ionized water. The sampling equipment was allowed to air dry prior to use.

All samples were labeled, placed in zip-lock bags, and stored on ice in coolers immediately upon collection. All sample labels included the following information: sample ID, laboratory analysis, date, project ID, and sample collector name as required by EPA sampling protocol. Chain-of-Custody (COC) forms were filled out for each sampling event and accompanied all samples during transport to the laboratory (Appendix C).

2.2.1 Slurry Sample Collection

In general, slurry samples were collected by placing a clean five-gallon plastic bucket into the discharge stream from the truck outlet piping and then digging directly into the slurry material with a stainless steel and/or disposable polyethylene sampling trowel and transferring the material directly into new clean glass sample jars and/or plastic containers with Teflon lined lids. If liquid samples were collected from the same bucket, solid material was allowed to settle to the bottom of the buckets prior to liquid sample collection. The setting time for each sample collected varied based on field conditions and visual observations.

In order to collect material that was representative of the waste produced, BAS personnel collected approximately 15-gallons of waste material discharge from each truck. Prior to discharge, the truck operator, as part of standard practice, typically "stirred" the tank with pressurized air to ensure the PCC grindings became entrained in solution and to prevent clogging of the discharge piping.

Photograph 6 in Appendix A shows a typical discharge pipe from a vacuum truck used to collect and transport the PCC waste. Photographs 7 and 8 show a typical off-site disposal site where the PCC waste was discharged into lined pits. Photograph 9 shows typical sample collection taking place.

2.2.2 Liquid Sample Collection

Liquid samples were collected prior to slurry samples by submerging the clean, laboratory supplied containers with appropriate preservative(s) below the surface of the liquid waste within the five-gallon buckets. All containers were immediately

labeled and placed in field coolers containing ice. All sample containers were filled completely with no head space to the best extent possible. Most samples were collected with little or no problem. However, in some instances the sample reacted with the preservatives resulting in the unavoidable presence of head space in some containers. This reaction was not determined by the analytical laboratory to have affected or compromised the samples. Samples were transported to the testing laboratory under COC protocol as described above.

2.3 SPECIFIC SITE SAMPLING

In order to accurately characterize the PCC waste, five liquid and five slurry samples were collected from five of the Department designated sites and two liquid and two slurry samples were collected from the sixth site. Frequency of sample collection for any particular site was determined in the field based on the quantity of PCC waste being generated, the disposal/recycling facility conditions, discharge procedures at the disposal/recycling facility, and input from the Department Task Order Manager. In general, sampling procedures were selected to represent the greatest amount of PCC waste being generated at the site. Whenever possible, each truck was sampled from the top entryways prior to discharge. If necessary, samples were collected from the discharge piping.

Site-specific relevant observations for each sample collection site for this study are provided below. Field logs included in Appendix B provide pertinent data taken for each site.

2.3.1 Interstate 15, District 8 – 10/26/2004

This sampling event was the initial field event for this project and knowledge gained was applied to later sampling activities. Specifically, it was determined, through consultation with the Department, that the initial sample collection strategy of collecting samples at the grinding site was not feasible due to the nature of the material. After repeated unsuccessful attempts to collect a representative slurry sample it was decided that sample collection at the grinding site was resulting in undo delays in the transport of the material to the disposal site and that these delays could impact the completion of the grinding project. As a result, a revised sampling strategy was developed where samples were collected from the discharge of the truck at the disposal site. This technique proved more successful. However,

because of the time that was expended in developing this sampling strategy only two samples could be collected during this event.

According to the Department representative on-site, the PCC pavement being ground during the sampling event was approximately twenty-five years old. No nearby potential contamination sources were identified at this location. The PCC grinder emitted some notable steam during the grinding process (Photograph 10) but the roadway was never saturated with water. Photograph 11 illustrates the typical depth and width of the grooves created by the grinding process at this site and is typical of all of the sites.

The slurry waste samples generated at this location were grey in color, slightly viscous, and warm (approximately 70° F). The slurry appeared slightly foamy and resembled dirty water. Sample material was obtained from the rear and side discharge piping from the trucks at the disposal site. Three five-gallon buckets of material were obtained for each sample collected. The liquid samples were collected from the decant of the bucket prior to collection of the slurry samples.

2.3.2 Interstate 5, District 3 – 11/01/2004

According to the Department representative on-site, the PCC pavement being ground at this location was approximately twenty years old. Concrete slab removal work was occurring adjacent to the grinding operation at the time waste was being generated. There were no indications that this work in any way impacted the sample collection efforts and/or could potentially impact the quality of the material being generated or the samples being collected.

The slurry waste samples generated at this location were grey-dark grey color,¹ slightly viscous, and warm (approximately 75° F). Sample material was obtained at the disposal site from hatch covers on the trucks transporting the material. Samples were collected by lowering new clean five-gallon buckets into the truck's holding tanks. The liquid samples were obtained first from the decant water from the bucket. Slurry samples were collected from the material remaining in the bucket following collection of liquid samples.

¹ Note: All color references were made in the field based on the observations of the on-site engineer/geologist and are subjective.

2.3.3 Interstate 5, District 7 – 11/05/2004

According to the contractor's representative on-site, the PCC pavement at this location was approximately 20 years old. No site conditions were observed that would be considered potential contaminant sources. The slurry waste samples generated at this location were grey-dark grey color, slightly viscous, and warm (approximately 80° F). Sample material was obtained from hatch covers on the trucks transporting the material to the disposal site. Three five-gallon buckets were used to obtain representative waste material by lowering the buckets into the holding tanks. The liquid samples were collected from the decant water within the bucket. Slurry samples were collected from the residual material within the bucket.

2.3.4 Route 101, District 7 – 11/18/2004 and 12/21/2004

According to the Department representative on-site, the PCC pavement at this location was approximately ten years old. This site had a fixed (for the duration of the job) on-site PCC waste disposal/recycling unit. Trucks collected waste material and discharged it directly to the unit which was equipped with a large centrifuge that separated the solid and liquid material. The liquid material was then filtered and reused on-site. The solid material was sent through a shaker machine (King Cobra Shaker) to separate the fine and coarse materials. The fine, medium, and coarse material was discharged directly into plastic-lined 20-yard metal open bins. Once the bins were full, they were dumped into piles on-site and spread to accelerate the drying process. The dried material was later collected and used in new concrete batches.

The slurry waste samples generated at this location were light-grey color, semi-viscous, and warmer than other sites (approximately 85-90° F). Sample material was obtained from a truck discharge hose prior to connection to the recycling equipment. Three five-gallon buckets of material were obtained from each truck and samples were pulled from this material. Liquid samples were collected first from the decant water within the buckets. Slurry samples were collected from the residual material within the buckets. Froth and foam was noted in the material being discharged from the trucks. According to the contractor, this was due to additives put into the system to prevent the centrifuge from clogging. When obtaining the liquid samples at this site, it was noted by field personnel that the samples reacted

with preservatives in some of the containers. It is speculated that the clogging prevention additive was the cause for this reaction.

The samples obtained for grain size analysis at this location came from the three soil bins holding the fine, medium, and coarse material. The finer material was soft, gelatinous, plastic-like, and almost dry to the touch. The medium and coarse material was more clayey with a larger grain size.

2.3.5 Interstate 10, District 8 – 1/19/2005

This site represented the final sampling event for the project. According to the Department representative on-site, the PCC pavement at this location was well over 10 years old. The grinding occurred in the High Occupancy Vehicle (HOV) lane of the westbound Interstate 10. No site conditions were noted that may have impacted the quality of the PCC waste or the samples collected. The PCC waste was transported to the Cemex Facility in Riverside, California where it was unloaded into a large plastic lined open pit (Photographs 12, 13, and 14). The PCC waste samples were collected from the trucks prior to dumping into the pit.

The slurry waste samples generated at this location were grey color, and slightly warm (approximately 65° F). Sample material was obtained from the first flush of discharge from the trucks at the disposal site. Three five-gallon buckets of material were obtained and samples were obtained from this material. Liquid samples were collected first from the decant water within the buckets. Slurry samples were collected from the residual material within the buckets.

2.4 ANALYTICAL TESTING

All collected samples were sent to Amerisci Labs of Los Angeles, California, a State certified laboratory, for analytical testing. All testing methods, sample names, sampling dates, and analytes tested for are illustrated in Table 1 for all samples. The testing results and COCs for all analyte testing performed are found within Appendix C. The first slurry and liquid samples at each site location were also analyzed for a supplemental list of analytes.

Representative samples of the liquid PCC waste were analyzed for:

Analytical Testing for Liquid PCC Waste Samples

Standard Analyte List (All Liquid Samples)	Supplemental Analyte List (First Liquid Sample From Each Site)
CAM 17 Metals (EPA 6010/7000) Chrome VI (EPA 218.6) pH (EPA 150.1) TDS (EPA 160.1) Hardness (EPA 130.1) Alkalinity (EPA 310.1) TPH Carbon Chain (EPA 8015M) Oil & Grease (EPA 413.1) VOCs (EPA 8260B) SVOCs (EPA 8270)	Pesticides/PCBs (EPA 8081/8082) Fish Bio-Assay - Haz Waste Screen Total Organic Halides (EPA 9020B) Total Organic Carbon (EPA 415.1) Phenols (EPA 420.1) Chloride (EPA 300.0) Nitrate/nitrite (EPA 300) Sulfate (EPA 300) Sulfide (EPA 376.2) COD (EPA 410.4) TSS (EPA 160.2) Electrical Conductivity (EPA 120.1) Calcium (EPA 6010/200.7) Iron (EPA 6010/200.7) Phosphate (EPA 365.2) Phosphorus (EPA 365.2) Manganese, Magnesium, Potassium, Sodium, and Boron (EPA 6010)

Representative samples of the solid PCC waste were analyzed for:

Analytical Testing for Slurry PCC Waste Samples

Standard Analyte List (All Slurry/Solid Samples)	Supplemental Analyte List (First Slurry/Solid Sample From Each Site)
CAM 17 Metals (EPA 6010/7000) Chrome VI (EPA 7196) pH (EPA 150.1) TPH Carbon Chain (EPA 8015M) Oil & Grease (EPA 9071B) VOCs (EPA 8260B) SVOCs (EPA 8270)	Pesticides/PCBs (EPA 8081/8082) Chloride (EPA 300.0) Nitrate/nitrite (EPA 300) Sulfate (EPA 300) Iron (6010/200.7) Phosphate (EPA 365.2) Aluminum (EPA 6010) Grain Size Analysis (Gravel - Clay, w/ Hydrometer -ASTM D 422)

When necessary, given holding time restrictions, certain samples were analyzed by other state-certified laboratories. In addition to the analytical testing listed above, if a total concentration analytical result yielded a total concentration numerically in excess of ten times its established Soluble Threshold Limit Concentration (STLC)

and/or Toxicity Characteristic Leaching Potential (TCLP), leachability testing was performed. Results of analytical testing are included in Appendix C, and discussed in detail in Section 3.0.

All slurry samples were sent to GeoLogic Associates Laboratory of Diamond Bar, California for grain size analyses using ASTM D 422. Twelve (12) approximately 10-pound bags of solid grinding waste were sent to an independent lab, two (2) bags per sampling site location. All samples obtained for these analyses were obtained as composite samples from all available sources at each site location. Analyses and graphs from these data are included in Appendix E.

SECTION 3.0

SAMPLING RESULTS

3.0 SAMPLING RESULTS

The following sections present the results of the sampling and analysis activities described in Section 2.0. The discussions focus on the results obtained through laboratory analysis of the liquid and slurry samples and statistical analysis of the testing results.

3.1 ANALYTICAL TESTING RESULTS

Chemical laboratory analyses of liquid and slurry samples collected for this study were performed primarily by AmeriSci, a state-certified analytical laboratory, located in Los Angeles, California. In addition, certain analyses were also performed by Sequoia Analytical of Sacramento; Aquatic Bioassay and Consulting Laboratories, Inc. of Ventura; Advanced Technologies Laboratories of Signal Hill; and Associated Laboratories of Orange, California. All of these laboratories are state-certified analytical laboratories. Copies of the chemical analyses laboratory reports are included in Appendix C. Results of chemical analytical testing of the collected samples are summarized in Tables 1, 2 (A and B), and 3 (A and B).

Grain size analyses for slurry samples were performed by GeoLogic Associates, Inc. (GLA). Results of physical analytical testing of composited slurry samples are summarized in Table 4, with complete GLA laboratory reports included in Appendix D.

3.1.1 Liquid Analytical Testing Results

As presented in Table 1, all 27 liquid samples were analyzed for four general chemistry parameters, CAM 17 Metals, hexavalent chromium, petroleum hydrocarbons, and volatile and semi-volatile organics. Results of these primary analyses are presented in Table 2A. In addition, one sample from each sampling event was analyzed for supplemental general chemistry parameters, pesticides and PCBs. Results of the supplemental analyses only are presented in Table 2B.

Primary General Chemistry Parameters

As presented in Table 2A, pH of collected liquid samples ranged from 9.4 to 12.1. Only minor variations in pH levels were measured between samples collected during different sampling events, as well as in between samples collected from the same event. Within samples collected during the same sampling event, the most variation in pH level was measured in the samples collected from District 7, Highway 101, on December 21, 2004. The least variability was observed in samples collected in District 8 on Interstate 15 on October 26, 2004, and in District 3 on Interstate 5 on November 1, 2004.

Hardness of collected liquid samples ranged from 240 mg/L to 2,000 mg/L. Greater variations were observed in hardness levels than in pH levels, both between and within events. Hardness levels calculated for samples collected from District 7 on Highway 101 on December 21, 2004, were significantly elevated compared to levels for other sampling sites, although not statistically¹ different from results of sampling at the same location on November 18, 2004.

It should be noted that results of hardness testing could be greatly affected by the source water used in the grinding process.

Levels of total dissolved solids (TDS) in the collected liquid samples varied from 440 mg/L to 5,400 mg/L. Similar to hardness, significant variations in concentrations were observed, especially for samples collected from different sampling events. TDS levels for samples collected from District 3 on Interstate 5 on November 1, 2004, and District 8 on Interstate 10 on January 10, 2005, are significantly lower than concentrations measured for the rest of the samples.

Among the collected liquid samples, alkalinity concentrations ranged from 48 mg/L to 30,000 mg/L. Even more so than the TDS levels, alkalinity varied greatly between samples collected on the same day, as well as samples collected from different sampling events. Nonetheless, alkalinity levels measured for samples collected in District 7 on Interstate 5 on November 5, 2004, were substantially elevated compared to the rest of the collected samples.

¹ Statistical data evaluation is discussed in Section 3.2

Supplemental General Mineral Parameters

As presented in Table 2B, with the exception of sulfide, which was not detected above its PQL in any of the samples, all other supplemental analytes were detected in at least one sample. Ortho-phosphate and manganese were detected above their respective laboratory practical quantitation limits (PQLs) in only one sample each. With the exception of phenols, the concentrations of which were similar between all samples, the levels of other analytes varied greatly between sampling events.

None of the liquid samples used for fish bio-assay testing resulted in fish mortality.

Metals

No detectable concentrations of silver or beryllium were determined to be present in any of the collected liquid samples. Similarly, with the exception of only two samples (collected from different sites), levels of antimony and thallium were below their respective laboratory PQL in all of the collected liquid samples. Conversely, detectable levels of barium, total chromium, vanadium and zinc were found in all of the collected samples. With only a few exceptions, detectable levels of arsenic, cobalt, copper, nickel, selenium and hexavalent chromium were also present in the majority of liquid samples. The remaining analytes were detected in some, but not a majority of the samples above their respective PQLs.

As with general mineral analytes, metal concentrations varied both between and within sampling events. These variations are considered to be reflective of variations in natural cement composition, as well as variations in the water used in the grinding process.

Relative concentration of hexavalent to total chromium ranged from less than 1% to more than 150% in liquid samples. The latter ratio is considered to be an outlier², without which concentrations of hexavalent chromium reach up to 65% of total chromium levels. In samples collected from District 3 on Interstate 5 on November 1, 2004, and District 7 on Interstate 5 on November 5, 2004, this ratio was less than

² Due to significant differences associated with analytical methodology used for total chromium (acid digestion, ICP analysis) and hexavalent chromium (WET extraction, UV analysis), as well as low levels at which both analytes were detected, a ratio of concentrations greater than 100% is not of concern.

15%, although total chromium levels in the November 1, 2004, samples were somewhat higher than for samples collected during other events. These results indicate that hexavalent chromium concentrations can not be predicted by the total chromium levels.

Organic Constituents

As presented in Table 2A, no detectable concentrations of Total Petroleum Hydrocarbons (TPH) of gasoline, diesel or oil ranges were found in any of the liquid samples. Minor concentrations of Oil & Grease were detected in 18 out of 27 collected samples.

With the exception of several detections of chloroform and 1,2,4-trimethylbenzene (TMB) in several samples, no other VOCs were detected in the majority of collected liquid samples. With one exception, all detections of both chloroform and 1,2,4-TMB were measured in samples collected in District 3 on Interstate 5 on November 1, 2004.

Similar to VOC detections, only a handful of semi-volatile compounds were detected in the collected liquid samples. Benzoic acid was detected in 5 samples, benzyl alcohol in three samples, phenol in two samples, n-nitroso-di-n-propylamine and 2-nitrophenol in one sample each.

As presented in Table 2B, neither organochlorine pesticides nor PCBs were detected in any of the liquid samples analyzed for these parameters.

3.1.2 Slurry Analytical Testing Results

As presented in Table 1, all 27 slurry samples were analyzed for pH, CAM 17 Metals, hexavalent chromium, petroleum hydrocarbons, and volatile and semi-volatile organics. Results of these primary analyses are presented in Table 3A. In addition, one sample from each sampling location was analyzed for supplemental general chemistry parameters, pesticides and PCBs. Results of the supplemental analyses are presented in Table 3B. A slurry composite for each sampling location was analyzed for grain size distribution, results of which are presented in Table 4.

General Chemistry Parameters

As presented in Table 3A, pH of collected slurry samples ranged from 9.3 to 11.8. Similar to liquid samples, only minor variations in pH levels were measured between samples collected during different sampling events, as well as in between samples collected from the same event. With regard to samples collected during the same sampling event, the most variations in pH levels were measured during the event in District 8 on Interstate 10 on January 19, 2005. The least variability was measured in samples collected in District 8, on Interstate 15 on October 26, 2004, and in District 3 on Interstate 5 on November 1, 2004, which is the same as for liquid samples. In general, pH of slurry samples was slightly lower than that of liquid samples.

Similarly to the liquid samples, and as presented in Table 3B, no orthophosphate was detected above its PQL in any of the slurry samples analyzed. With regard to the remaining general mineral parameters, a great variability was measured in all analytes, as was the case with the liquid samples.

Grain Size Analyses

100 percent of all grains tested passed the #4 sieve size with the largest grain size obtained appearing just before the #8 sieve size. The grain size decreases approximately logarithmically at a rate of 0.1 mm per 10 percent decrease. Approximately 5 – 10% (by weight) of the material passes the #200 sieve size. Each sieve test by shaker machine took approximately 1440 minutes (24 hours).

Metals

In general, detections of metal analytes in slurry samples were similar to those detected in liquid samples, although PQLs for some slurry samples were elevated due to significant matrix interferences, such as high buffering capacity of several samples, which affected sample preparation (acid digestion).

As shown on Table 3A, no detectable concentrations of silver or beryllium were determined to be present in any of the collected slurry samples. In addition, cadmium, mercury and thallium were likewise undetected in all of the slurry samples. Also similar to liquid samples, antimony was undetected in all slurry

samples, but one. Unlike the liquid samples, arsenic and selenium, were undetected in a majority of slurry samples, whereas the same analytes were detected in a majority of liquid samples. It is therefore possible that detections of arsenic and selenium in liquid samples are attributable to the water used in the grinding process rather than the PCC itself.

Barium and zinc were found above their respective PQLs in all slurry samples. The remaining analytes were found in the majority of collected samples.

Among all metal analytes, only one sample, PCC-08-010-S-2 collected from District 8 on Interstate 10 on January 19, 2005, exceeded 10-times the STLC³ value for lead. In addition, sample PCC-03-005-S-1 collected from District 3 on Interstate 5 on November 1, 2004 exceeded 10-times the TCLP⁴ value for total chromium. None of the remaining samples exceeded any of the respective TTLC⁵, STLC or TCLP values, as shown in Table 3A. Results of STLC analysis of sample PCC-08-010-S-2 for lead and TCLP analysis of sample PCC-03-005-S-1 for chromium showed no detectable levels of either analyte.

The relative concentration of hexavalent to total chromium in slurry samples ranged from less than 1% to just over 10% in slurry samples. These ratios are significantly lower than for liquid samples. In samples collected from District 7 on Interstate 5 on November 5, 2004, and District 8 on Interstate 15 on October 26, 2004, hexavalent chromium was not detected above the laboratory PQL. These results are consistent with the fact that hexavalent chromium compounds are significantly more soluble than other chromium compounds.

Organic Constituents

As presented in Table 3A, no detectable concentrations of Total Petroleum Hydrocarbons (TPH) of gasoline or diesel ranges were found in any of the slurry samples. Detectable concentrations of TPH-oil were found in several samples, while Oil & Grease was detected in 25 out of 27 collected samples.

³ California Soluble Threshold Limit Concentration

⁴ Federal Toxicity Characteristic Leaching Potential

⁵ California Total Threshold Limit Concentration

With the exception of one detection of 1,3,5-TMB and several of 1,2,4-TMB in several samples, no other VOCs were detected in the majority of collected slurry samples. With one exception, all detections of both TMBs were measured in samples collected from District 3 on Interstate 5 on November 1, 2004, which was also the case for detection of 1,2,4-TMB in liquid samples. Comparison of data sets for liquid and slurry samples collected from the District 3 location on November 1, 2004, indicates that the source of these compounds was most likely water used in the grinding operation.

Minor levels of bis(2-ethylhexyl)phthalate [or di(2-ethylhexyl)phthalate, DEHP] were detected in several slurry samples. A common plasticizer, DEHP could have been derived from PCC components or hosing used in the grinding operation.

As presented in Table 3B, PCBs were not detected in any of the slurry samples analyzed. Minor concentrations of two organochlorine pesticides, 4,4-DDD and d-BHC, were detected in slurry samples collected on December 21, 2004 and January 19, 2005, respectively. Concentration of 4,4-DDD was significantly below the respective TTLC and STLC levels, as shown in Table 3B.

3.2 STATISTICAL DATA EVALUATION

The data described above was reviewed and evaluated for statistical significance. The statistical evaluation was based on the following criteria:

- Statistical evaluations were performed on the complete data set for each target analyte from all sampling events. No calculations were performed for individual sites / sampling events.
- Statistical evaluations were not performed for analytes where all results were reported as non-detected.
- Statistical evaluations were not performed for analytes where less than five (5) samples had detected concentrations.
- For analytes where the data set included both detected and non-detected (i.e. below laboratory PQL) concentrations, the full laboratory PQL value was used in the data evaluation as the analytical result for samples with non-detected results.
- For analytes where the data set included both detected and non-detected (i.e. below laboratory PQL) concentrations, AND the PQL values were significantly

elevated when compared to the actual detected concentrations, the non-detected data points were excluded from the statistical evaluation.

- Statistical evaluations were not performed for analytes that were tested for, or detected in, only a small number of samples AND the range of detected values varied over an order of magnitude between minimum and maximum (Note: this applied mostly to compounds on the extended analyte lists)

As presented in Tables 4A and 4B, the majority of the target analytes from the primary analyte lists for both liquid and slurry samples were subjected to statistical evaluation. However, only a limited number of analytes from the extended lists, for both liquid and slurry samples, were evaluated.

Once the data sets were selected, they were initially evaluated for normality using the Shapiro-Wilk method, as provided by the Analyze-it for Excel software package. The results of this evaluation are provided in Appendix D and summarized in Tables 4A and 4B.

As presented in Appendix D and Tables 4A and 4B, not all of the data sets were determined to configure to a normal distribution. A Shapiro-Wilk coefficient of 0.9 or higher was used as a threshold value in determining whether a data set was normally distributed. As presented in Tables 4A and 4B, the only data sets that met this criterion were the pH data set for both liquid and slurry samples, the cobalt data set for liquid samples, and the sulfate data set for slurry samples.

As a result, the majority of both the liquid and slurry analyte data sets were defined as non-parametric distributions and tested by the Bootstrap method, a variation of the Monte Carlo technique, as provided by the Excel Modeling VBA software set. The results of these evaluations are also provided in Appendix D and summarized in Tables 4A and 4B.

Results of the statistical evaluations determined that the pH of the liquid waste stream from Department PCC grinding operations is anticipated, with 95% confidence, to be between 10.78 and 11.26, with a mean of 11.0. This indicates that, with 95% confidence, liquid PCC waste will not constitute a hazardous waste stream. In addition, the following constituents are anticipated to be present in the liquid waste from Department PCC grinding operations: arsenic, barium, cobalt,

chromium, copper, mercury, molybdenum, nickel, lead, selenium, vanadium, zinc, hexavalent chromium, oil & grease and a variety of other general mineral constituents. The data and statistical evaluations furthermore indicated that the liquid waste from Department PCC grinding operations is not anticipated to contain detectable concentrations of silver, beryllium, cadmium, antimony, thallium, sulfide, ortho-phosphate, petroleum hydrocarbons, VOCs, SVOCs, pesticides or PCBs.

The pH of slurry waste generated during Department PCC grinding operations is predicted, with 95% confidence, to be between 10.48 and 10.92, with a mean of 10.7, which is slightly lower than the liquid waste. Although numerous heavy metal constituents were detected in the slurry samples, only barium, cobalt, chromium, copper, molybdenum, nickel, lead, selenium, vanadium, zinc and hexavalent chromium are anticipated to be consistently detected in the slurry waste from Department PCC grinding operations, and none are anticipated to be present at concentrations in excess of applicable Federal and State hazardous waste standards. In addition to these heavy metals constituents, the slurry waste is anticipated to contain detectable levels of TPH-oil, oil & grease, chloride, nitrate, sulfate, iron and aluminum. The data and statistical evaluations furthermore indicate that slurry waste for Department PCC grinding operations are not anticipated to contain detectable concentrations of silver, arsenic, beryllium, cadmium, antimony, thallium, ortho-phosphate, gasoline or diesel range petroleum hydrocarbons, VOCs, SVOCs, pesticides, or PCBs.

SECTION 4.0

CONCLUSIONS

4.0 CONCLUSIONS

Based on the results of the sampling, testing, and data analysis efforts described in the previous sections, the following conclusions can be made with regard to the nature of PCC waste being generated through Department grinding operations conducted throughout the state:

- The detected concentrations of inorganic parameters in both liquid and slurry samples varied between the locations tested and in some cases within a single grinding project. As a result, it is difficult to predict with certainty the exact inorganic chemistry characteristics that would be typical of the PCC waste. However, generally speaking, both the liquid and slurry waste have pH levels of 10 or higher, which are basic but non-hazardous, and detectable, but non-hazardous levels of heavy metals and other inorganic parameters. The most frequently detected heavy metals in liquid samples were arsenic, barium, chromium, cobalt, copper, nickel, selenium, vanadium, and zinc. Silver, beryllium, cadmium, antimony, and thallium were found in fewer than half of the liquid samples. Heavy metals concentrations in slurry samples were detected but inconclusive due to elevated detection limits for some of the samples. However, the most frequently detected heavy metals in slurry samples were barium, cobalt, chromium, copper, molybdenum, nickel, lead, vanadium, and zinc. Silver, arsenic, beryllium, cadmium, mercury, antimony, selenium, and thallium were detected only sporadically, if at all, in slurry samples.
- Chromium and hexavalent chromium were found to be ubiquitous throughout the liquid samples as well as in many of the slurry samples. None of the detected concentrations were at hazardous levels.
- Total petroleum hydrocarbons as gasoline, diesel and oil were at non-detectable levels in almost all liquid and slurry samples. However, detectable levels of oil & grease were consistently detected. The presence of oil and grease is not unexpected given the source of the PCC grinding waste even though no pronounced staining of the PCC pavement was noted in the field observations.
- Volatile and semi-volatile organic compounds were detected only sporadically and at relatively low concentrations. No discernible trends could be identified in these detections, which are thought to be specific to individual sites and not associated with

PCC waste in general. The most frequently detected semi-volatile compound was bis(2-ethylhexyl)phthalate, which is a common laboratory contaminant.

- Organochlorine pesticides and PCBs were generally at non-detectable levels in both liquid and slurry samples with few exceptions.

Based on these results, PCC waste is not considered hazardous and disposal of these wastes can be done at appropriately licensed non-hazardous waste disposal sites or recycling facilities. Tables 4A and 4B provide a statistical summary of the results of all of the analyses performed as part of this Supplemental Study. The information included in these tables can be provided to Department contractors, sub-contractors, and/or disposal facilities to demonstrate the typical chemical composition of PCC waste from Department grooving or grinding operations.

It should be noted that these results are typical of waste generated within Department rights-of-way where no significant near-site or on-site contaminant sources exist. In cases where a notable potential contaminant source is identified near a grooving or grinding operation, additional sampling may be necessary to eliminate the possibility of impacts related to that condition. Examples of potential contaminant sources that may affect the characteristics of the PCC grinding waste include, but are not limited to, any of the following types of facilities or activities that through their location or orientation may allow for accidental or intentional discharges onto the Department right-of-way where the grinding operations are occurring.

- Industrial facilities that manufacture, store, use, or dispose of significant quantities of chemicals,
- Major petroleum refineries, or processing and storage facilities,
- Major industrial or hazardous waste processing, storage, or disposal facilities,
- Sites currently under investigation and/or subject to clean-up and abatement orders issued by the United States Environmental Protection Agency, the California Environmental Protection Agency, the California Department of Toxic Substances Control, any of the California Regional Water Quality Control Boards, or any local enforcement agency.

ATTACHMENT D

CALIFORNIA LABORATORY SERVICES

3249 Fitzgerald Road Rancho Cordova, CA 95742

August 14, 2013

CLS Work Order #: CWH0398

COC #: 149240

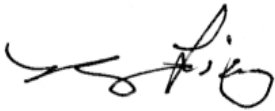
Travis Brandt
Diversified Concrete Cutting
59 Coney Island Dr.
Sparks, NV -

Project Name: Soil Sampling

Enclosed are the results of analyses for samples received by the laboratory on 08/09/13 09:00. Samples were analyzed pursuant to client request utilizing EPA or other ELAP approved methodologies. I certify that the results are in compliance both technically and for completeness.

Analytical results are attached to this letter. Please call if we can provide additional assistance.

Sincerely,

A handwritten signature in black ink, appearing to read 'James Liang', with a stylized flourish at the end.

James Liang, Ph.D.
Laboratory Director

CA DOHS ELAP Accreditation/Registration number 1233

CALIFORNIA LABORATORY SERVICES

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Diversified Concrete Cutting
59 Coney Island Dr.
Sparks, NV -

Project: Soil Sampling
Project Number: [none]
Project Manager: Travis Brandt

CLS Work Order #: CWH0398
COC #: 149240

[illegible]

CA DOHS ELAP Accreditation/Registration Number 1233

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Diversified Concrete Cutting
59 Coney Island Dr.
Sparks, NV -

Project: Soil Sampling
Project Number: [none]
Project Manager: Travis Brandt

CLS Work Order #: CWH0398
COC #: 149240

CHANGE OF STATUS

CLS Labs Job # CWH0398

Project Name: SOIL SAMPLING

Date Sample(s) Were Received: 8/9/13 Original Date 8/16/12

TRAVIS BRANDT of DIVERSIFIED CONCRETE
(Client Contacted) (Company)

on 8/13/12 at 1510 hrs
(Date) (Time)

... and requested the following:

CHANGE TAT TO 3 DAY.

Turnaround time requested for additional work:

[Signature] 8/13/13
(Signature) (Date)

Updated lab job database and file folder by:

Cc: [Signature] 8/13/13

H:\WillOrellana\ChangeOfStatus.Doc

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Diversified Concrete Cutting
59 Coney Island Dr.
Sparks, NV -

Project: Soil Sampling
Project Number: [none]
Project Manager: Travis Brandt

CLS Work Order #: CWH0398
COC #: 149240

CAM 17 Metals

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
Solid (CWH0398-01) Soil Sampled: 08/08/13 00:00 Received: 08/09/13 09:00									
Arsenic	8.7	1.0	mg/kg	10	CW05270	08/13/13	08/13/13	EPA 6020/7000	
Selenium	ND	2.5	"	"	"	"	"	"	
Thallium	ND	1.0	"	"	"	"	"	"	
Antimony	ND	2.5	"	1	CW05268	08/13/13	08/14/13	EPA 6010B	
Barium	390	1.0	"	"	"	"	"	"	
Beryllium	0.66	0.50	"	"	"	"	"	"	
Cadmium	0.68	0.50	"	"	"	"	"	"	
Cobalt	13	1.0	"	"	"	"	"	"	
Chromium	22	1.0	"	"	"	"	"	"	
Copper	28	1.0	"	"	"	"	"	"	
Lead	13	2.5	"	"	"	"	"	"	
Molybdenum	ND	1.0	"	"	"	"	"	"	
Nickel	17	1.0	"	"	"	"	"	"	
Silver	ND	0.50	"	"	"	"	"	"	
Vanadium	55	1.0	"	"	"	"	"	"	
Zinc	70	1.0	"	"	"	"	"	"	
Mercury	ND	0.10	"	"	CW05273	08/13/13	08/13/13	EPA 7471A	
Slurry (CWH0398-02) Sludge Sampled: 08/08/13 00:00 Received: 08/09/13 09:00									
Arsenic	5.4	1.0	mg/kg	10	CW05270	08/13/13	08/13/13	EPA 6020/7000	
Selenium	ND	2.5	"	"	"	"	"	"	
Thallium	ND	1.0	"	"	"	"	"	"	
Antimony	ND	2.5	"	1	CW05268	08/13/13	08/14/13	EPA 6010B	
Barium	270	1.0	"	"	"	"	"	"	
Beryllium	ND	0.50	"	"	"	"	"	"	
Cadmium	ND	0.50	"	"	"	"	"	"	
Cobalt	19	1.0	"	"	"	"	"	"	
Chromium	10	1.0	"	"	"	"	"	"	
Copper	24	1.0	"	"	"	"	"	"	
Lead	4.7	2.5	"	"	"	"	"	"	
Molybdenum	4.3	1.0	"	"	"	"	"	"	

CALIFORNIA LABORATORY SERVICES

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Diversified Concrete Cutting
59 Coney Island Dr.
Sparks, NV -

Project: Soil Sampling
Project Number: [none]
Project Manager: Travis Brandt

CLS Work Order #: CWH0398
COC #: 149240

CAM 17 Metals

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
Slurry (CWH0398-02) Sludge Sampled: 08/08/13 00:00 Received: 08/09/13 09:00									
Nickel	26	1.0	mg/kg	1	CW05268	"	08/14/13	EPA 6010B	
Silver	ND	0.50	"	"	"	"	"	"	
Vanadium	20	1.0	"	"	"	"	"	"	
Zinc	25	1.0	"	"	"	"	"	"	
Mercury	ND	0.10	"	"	CW05273	08/13/13	08/13/13	EPA 7471A	

CALIFORNIA LABORATORY SERVICES

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Diversified Concrete Cutting
59 Coney Island Dr.
Sparks, NV -

Project: Soil Sampling
Project Number: [none]
Project Manager: Travis Brandt

CLS Work Order #: CWH0398
COC #: 149240

Conventional Chemistry Parameters by APHA/EPA Methods

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
Solid (CWH0398-01) Soil Sampled: 08/08/13 00:00 Received: 08/09/13 09:00									
pH	8.87	1.00	pH Units	1	CW05217	08/09/13	08/09/13	EPA 9045C	
Slurry (CWH0398-02) Sludge Sampled: 08/08/13 00:00 Received: 08/09/13 09:00									
pH	11.50	1.00	pH Units	1	CW05217	08/09/13	08/09/13	EPA 9045C	

CA DOHS ELAP Accreditation/Registration Number 1233

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Diversified Concrete Cutting
59 Coney Island Dr.
Sparks, NV -

Project: Soil Sampling
Project Number: [none]
Project Manager: Travis Brandt

CLS Work Order #: CWH0398
COC #: 149240

CAM 17 Metals - Quality Control

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Notes
---------	--------	-----------------	-------	-------------	---------------	------	-------------	-----	-----------	-------

Batch CW05268 - EPA 3050B

Blank (CW05268-BLK1)

Prepared & Analyzed: 08/13/13

Antimony	ND	2.5	mg/kg
Barium	ND	1.0	"
Beryllium	ND	0.50	"
Cadmium	ND	0.50	"
Cobalt	ND	1.0	"
Copper	ND	1.0	"
Lead	ND	2.5	"
Molybdenum	ND	1.0	"
Nickel	ND	1.0	"
Silver	ND	0.50	"
Vanadium	ND	1.0	"
Zinc	ND	1.0	"

LCS (CW05268-BS1)

Prepared & Analyzed: 08/13/13

Antimony	24.7	2.5	mg/kg	25.0	99	75-125
Barium	25.5	1.0	"	25.0	102	75-125
Beryllium	24.7	0.50	"	25.0	99	75-125
Cadmium	23.0	0.50	"	25.0	92	75-125
Cobalt	24.6	1.0	"	25.0	98	75-125
Copper	25.2	1.0	"	25.0	101	75-125
Lead	21.8	2.5	"	25.0	87	75-125
Molybdenum	24.8	1.0	"	25.0	99	75-125
Nickel	24.6	1.0	"	25.0	98	75-125
Silver	24.3	0.50	"	25.0	97	75-125
Vanadium	12.4	1.0	"	12.5	99	75-125
Zinc	24.3	1.0	"	25.0	97	75-125

Matrix Spike (CW05268-MS1)

Source: CWH0494-01

Prepared & Analyzed: 08/13/13

Antimony	10.1	2.5	mg/kg	25.0	ND	40	75-125	QM-5
Barium	220	1.0	"	25.0	95.3	500	75-125	QM-5
Beryllium	22.4	0.50	"	25.0	0.441	88	75-125	
Cadmium	21.0	0.50	"	25.0	0.320	83	75-125	

CALIFORNIA LABORATORY SERVICES

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Diversified Concrete Cutting
59 Coney Island Dr.
Sparks, NV -

Project: Soil Sampling
Project Number: [none]
Project Manager: Travis Brandt

CLS Work Order #: CWH0398
COC #: 149240

CAM 17 Metals - Quality Control

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Notes
---------	--------	-----------------	-------	-------------	---------------	------	-------------	-----	-----------	-------

Batch CW05268 - EPA 3050B

Matrix Spike (CW05268-MS1)		Source: CWH0494-01		Prepared & Analyzed: 08/13/13						
Cobalt	28.7	1.0	mg/kg	25.0	6.75	88	75-125			
Copper	38.0	1.0	"	25.0	15.5	90	75-125			
Lead	29.2	2.5	"	25.0	25.4	15	75-125			QM-5
Molybdenum	20.6	1.0	"	25.0	0.635	80	75-125			
Nickel	38.9	1.0	"	25.0	18.1	83	75-125			
Silver	21.6	0.50	"	25.0	0.180	86	75-125			
Vanadium	38.2	1.0	"	12.5	31.5	53	75-125			QM-5
Zinc	54.4	1.0	"	25.0	33.0	85	75-125			

Matrix Spike Dup (CW05268-MSD1)		Source: CWH0494-01		Prepared & Analyzed: 08/13/13						
Antimony	9.87	2.5	mg/kg	25.0	ND	39	75-125	3	30	QM-5
Barium	178	1.0	"	25.0	95.3	330	75-125	21	30	QM-5
Beryllium	22.1	0.50	"	25.0	0.441	87	75-125	1	30	
Cadmium	20.8	0.50	"	25.0	0.320	82	75-125	0.9	30	
Cobalt	28.2	1.0	"	25.0	6.75	86	75-125	2	30	
Copper	37.2	1.0	"	25.0	15.5	87	75-125	2	30	
Lead	27.6	2.5	"	25.0	25.4	9	75-125	6	30	QM-5
Molybdenum	20.2	1.0	"	25.0	0.635	78	75-125	2	30	
Nickel	37.4	1.0	"	25.0	18.1	77	75-125	4	30	
Silver	21.5	0.50	"	25.0	0.180	85	75-125	0.7	30	
Vanadium	39.3	1.0	"	12.5	31.5	62	75-125	3	30	QM-5
Zinc	53.8	1.0	"	25.0	33.0	83	75-125	1	30	

Batch CW05270 - EPA 3050B

Blank (CW05270-BLK1)		Prepared & Analyzed: 08/13/13								
Arsenic	ND	0.10	mg/kg							
Selenium	ND	0.25	"							
Thallium	ND	0.10	"							
Chromium	ND	0.10	"							

CALIFORNIA LABORATORY SERVICES

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08/14/13 16:08

Diversified Concrete Cutting
59 Coney Island Dr.
Sparks, NV -

Project: Soil Sampling
Project Number: [none]
Project Manager: Travis Brandt

CLS Work Order #: CWH0398
COC #: 149240

CAM 17 Metals - Quality Control

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC Limits	RPD	RPD Limit	Notes
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Batch CW05270 - EPA 3050B

LCS (CW05270-BS1)

Prepared & Analyzed: 08/13/13

Arsenic	4.61	0.10	mg/kg	5.00		92	75-125		
Selenium	4.32	0.25	"	5.00		86	75-125		
Thallium	5.12	0.10	"	5.00		102	75-125		
Chromium	4.91	0.10	"	5.00		98	75-125		

Matrix Spike (CW05270-MS1)

Source: CWH0494-01

Prepared & Analyzed: 08/13/13

Arsenic	12.2	1.0	mg/kg	5.00	7.99	85	75-125		
Selenium	4.31	2.5	"	5.00	0.275	81	75-125		
Thallium	5.90	1.0	"	5.00	0.0850	116	75-125		
Chromium	20.1	1.0	"	5.00	16.0	82	75-125		

Matrix Spike Dup (CW05270-MSD1)

Source: CWH0494-01

Prepared & Analyzed: 08/13/13

Arsenic	13.0	1.0	mg/kg	5.00	7.99	99	75-125	6	30
Selenium	4.37	2.5	"	5.00	0.275	82	75-125	1	30
Thallium	5.70	1.0	"	5.00	0.0850	112	75-125	3	30
Chromium	22.1	1.0	"	5.00	16.0	122	75-125	10	30

Batch CW05273 - EPA 7471A

Blank (CW05273-BLK1)

Prepared & Analyzed: 08/13/13

Mercury	ND	0.10	mg/kg						
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LCS (CW05273-BS1)

Prepared & Analyzed: 08/13/13

Mercury	0.242	0.10	mg/kg	0.250		97	75-125		
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Matrix Spike (CW05273-MS1)

Source: CWH0388-01

Prepared & Analyzed: 08/13/13

Mercury	0.267	0.10	mg/kg	0.250	ND	107	75-125		
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CALIFORNIA LABORATORY SERVICES

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08/14/13 16:08

Diversified Concrete Cutting
59 Coney Island Dr.
Sparks, NV -

Project: Soil Sampling
Project Number: [none]
Project Manager: Travis Brandt

CLS Work Order #: CWH0398
COC #: 149240

CAM 17 Metals - Quality Control

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Notes
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Batch CW05273 - EPA 7471A

Matrix Spike Dup (CW05273-MSD1)

Source: CWH0388-01

Prepared & Analyzed: 08/13/13

Mercury	0.255	0.10	mg/kg	0.250	ND	102	75-125	5	25	
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CALIFORNIA LABORATORY SERVICES

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08/14/13 16:08

Diversified Concrete Cutting
59 Coney Island Dr.
Sparks, NV -

Project: Soil Sampling
Project Number: [none]
Project Manager: Travis Brandt

CLS Work Order #: CWH0398
COC #: 149240

Notes and Definitions

QM-5	The spike recovery was outside acceptance limits for the MS and/or MSD due to matrix interference. The LCS and/or LCSD were within acceptance limits showing that the laboratory is in control and the data is acceptable.
DET	Analyte DETECTED
ND	Analyte NOT DETECTED at or above the reporting limit (or method detection limit when specified)
NR	Not Reported
dry	Sample results reported on a dry weight basis
RPD	Relative Percent Difference

ATTACHMENT E



DEPARTMENT OF MICROBIOLOGY
COLLEGE OF BIOLOGICAL SCIENCES
TELEPHONE: (530) 752-0261
FAX: (530) 752-9014

ONE SHIELDS AVENUE
DAVIS, CALIFORNIA 95616

Comments on letter of 7/17/2013 from Mr. David Cullen (PGP International) to Mr. Paul Hanson, Senior Planner, City of Woodland.

I was asked by Mr. Travis Brandt of Diversified Concrete Cutters (DCC) to provide consultation on the “Pathogen Control Measures” section (point 5) of the above referenced letter. Mr. Cullen’s letter details his firm’s concerns about the “Proposed Golden State Reclamation Project”, here after termed the “Project”

While reading near the beginning of this section of Mr. Cullen’s letter, I took sharp notice of the following sentence: “The Project **would** (emphasis mine) increase the local populations of several pathogens that are of special concern to food production facilities.” Mr. Cullen’s letter used the word “would”, not “might” or “could possibly”, so – as an academic microbiologist -- I read the rest of this section with special interest to determine which pathogens he was certain **would** be increased and what activities related to the Project would cause the increases. The section lists 5 pathogens or groups of possible pathogens whose populations, according to a Dr. Deibel, would be increased by “Project-related conditions”. I do not agree with Dr. Deibel’s conclusions.

My summary conclusions are: (1) Dr. Deibel’s assertion is certainly incorrect when she refers to the “presence of waste water in the reclamation ponds” or “annual removal of the processed material in the processing ponds” increasing local populations of pathogenic bacteria. (2) Dr. Deibel’s assertion about local pathogen populations possibly being increased by the impact of “earth-moving during project construction” or “dirt from local construction sites tracked onto Hanson Way” is **in no way specific to the Project**.

Details of Analysis: I will first discuss the second point raised above. Any disturbance of soil, for example by agricultural use or any other nearby construction project, raises a similar possibility of certain potentially pathogenic bacteria or their spores being suspended into the air. It would seem, therefore, to be “best practices” in the food-processing industry to have filters on air-intake systems that would minimize the impact of these potential pathogens, regardless of their source or how they got into the air. These concerns about general soil disturbance are specific to *Clostridium botulinum*, *Salmonella* species and *Listeria monocytogenes* among the 5 groups cited in the PGP letter as highlighted by Dr. Deibel. *C. botulinum*, the causative agent of botulism poisoning from consumption of canned foods, is widely present in soils as heat-resistant and desiccation-resistant spores. It can only grow in the complete absence of oxygen and does not appear to be of concern for the sorts of foods processed by PGP International. Certain *Salmonella* species, although best known as pathogens, can grow slowly in certain soils. *Listeria monocytogenes* is also found in a variety of soils and wastewater; however, fecal contamination is generally believed to be the common denominator for *Listeria* dissemination, and fecal contamination is not, to my knowledge, an issue with the proposed reclamation ponds. For these reason, concern about these three types of bacteria getting into food products should be a general one in the food-processing industry, regardless of specific localized earth-moving and construction activity. Put another way, **any construction or agricultural activity** in the vicinity of the PGP International facility has the same small probability as construction of the Project to disseminate very modest quantities of the three pathogens listed above.

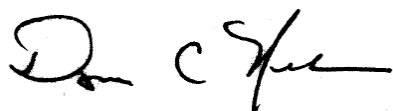
The basis of my conclusion that neither the wastewater in reclamation ponds nor the removal of processed material from these ponds is a potential source of pathogens comes mainly from the following: “Report of Findings, State-Wide Portland Cement Concrete Waste, Supplemental Study (April 29, 2005)”, which was prepared for Caltrans by Bryan A. Stirrat & Associates. This study (along with numerous associated tables and figures) provides a wealth of information on conditions that will prevail in

reclamation ponds proposed for the Project. In this report, slurried concrete materials collected in late 2004 and early 2005 from 5 different Interstate or State highway sites throughout California were analyzed for a wide range of parameters. Most notably from my perspective was the observation that all slurries and liquid samples (derived from slurries by settling) were characterized by alkaline pH values, with the average values being 10.7 and 11.0, respectively (see Table 1 at the end of this correspondence). The respective 95% confidence limits are 9.7 to 11.8 and 9.8 to 12.2. A single pH value determined for a pond managed by Diversified Concrete Cutters near Argent, NV yielded a slurry pH of 11.5, which is in the range of the Caltrans findings, and an adjacent soil pH value much closer to neutrality strongly supported the view that the pond liner was functioning as designed (Table 1). It is expected that impounded slurries in the Project will remain this alkaline or more alkaline because calcium carbonate will continue to dissolve out of the cement chunks and grains, thereby increasing the pH of the solution. Sediments at the bottom of Project reclamation ponds, which will be subject to periodic removal, will have a similarly alkaline pH as long as they retain some moisture. Additionally, the analyses of slurried-materials showed “minor concentrations of oil and grease” as the main organic constituents. What do these analyses have to do with concerns about pathogens? Of the 5 pathogen “types” identified as concerns in the PGP International letter two -- *Salmonella* species and coliform bacteria -- are actually subgroups within the family *Enterobacteriaceae*. (Not all members of this family are pathogenic. For example, most strains of the well know species *Escherichia coli* are not pathogenic but rather harmless members of our gut flora.) As a group the *Enterobacteriaceae* grow by respiring or fermenting a wide range of organic compounds but are not able to multiply with “oil” or “grease” as an organic nutrient source. These bacteria, taken as a group, can grow over the pH range of 4.0 to 9.5 but not under more alkaline conditions. Thus, conditions in the reclamation ponds will be too alkaline (pH > 9.5) to allow their growth. *Listeria monocytogenes* is similarly inhibited by environmental pH values greater than 9.5 and is not expected to find suitable organic substrates in these environments. Finally, since the waters of these shallow reclamation ponds are not expected to be anoxic, *Clostridium botulinum* (an anaerobe) would not be expected to be able to grow there. Additionally, there is no reason to

believe that the carbohydrates needed to fuel its growth will be present in any significant abundance in these ponds. In conclusion, due to the highly alkaline pH environment of the ponds and pond-sediments, coupled with the absence of suitable organic nutrients, the types of pathogenic bacteria identified in the PGP International letter of July 17, 2013, will not find suitable conditions for growth or survival.

Prepared: August 2013

Douglas C. Nelson



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Table 1: Characteristic pH values of Portland Cement Concrete Waste

Sample Source	pH of liquid	pH of slurry
5 Sites in Northern and Southern California (n = 27); Caltrans Study (<i>State-wide Portland Cement Concrete Waste Supplemental Study</i>)	Average = 11.0 95% CL = 9.8 to 12.2	Average = 10.7 95% CL = 9.7 to 11.8
Diversified Concrete Cutting Pond near Argenta, NV Analysis by California Laboratory Services (#CWH0398; COC# 149240)	Not determined separately*	11.5**

*Although not determined separately, this value is expected to be very close to that of 11.5, which characterized the slurry. In the California Department of Transportation Study “liquid” is defined as the upper aqueous portion that results when a “slurry” sample is allowed to settle. The 27 pH pairs (liquid vs. slurry) from that study showed a very high degree of correlation between the two.

**For the Argenta, NV pond, a pH of 8.87 was measured in a soil sample taken approximately 1 foot back from the pond margin. Since this pH value is typical of non-impacted soil it strongly supports the view that the pond liner was performing as expected, i.e. isolating the pond water and sediment from the adjacent soil.

CURRICULUM VITAE
DOUGLAS C. NELSON

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 University of California
 Davis, California 95616-8665
PHONE: (530) 752-6183
FAX: (530) 752-9014
BIRTH: 27 July 1948, Ann Arbor, Michigan

EDUCATION:

University of Oregon, Eugene, 1972-1979, Ph.D. in Biology (Advisor: R. W. Castenholz)

State University of New York, Stony Brook, 1971-1972, Department of Ecology and
 Evolutionary Biology

Harvey Mudd College, Claremont, CA. 1966-1970, B.S. in Chemistry/Biology

PROFESSIONAL EXPERIENCE:

Chair, 2006-2011 and 1999-2003, Department of Microbiology, College of Biological
 Sciences, University of California, Davis

Adjunct Scientist, 1998-present, Monterey Bay Research Institute, Moss Landing, CA

Professor, 1997-present, Department of Microbiology, University of
 California, Davis

Chair, 1992-1997, Microbiology Graduate Group, UC Davis

Assistant & Associate Professor, 1985-1997, Department of Microbiology, University of
 California, Davis

Postdoctoral Investigator, 1984, Institute of Ecology and Genetics, University of
 Aarhus, Denmark (Advisor: B. B. Jørgensen)

Postdoctoral Investigator, 1981-1985, Department of Biology, Woods Hole
 Oceanographic Institution (Advisor: H. W. Jannasch)

Visiting Assistant Professor, 1980, Botany Department, Oregon State University

Instructor, 1977 and 1979, Biology Department, University of Oregon

PROFESSIONAL SERVICES:

Editorial Board (member) for Environmental Microbiology since 2005

Reviewer for the following journals:

Applied and Environmental Microbiology

Archives of Biochemistry and Biophysics
Archives of Microbiology
Biological Bulletin
Environmental Microbiology
FEMS Microbiology Letters
Journal of Bacteriology
Journal of Experimental Biology
Limnology and Oceanography
Marine Biology
Marine Ecology Progress Series
Molecular Marine Biology and Biotechnology
Nature
Proceedings of the National Academy of Sciences
Science
Symbiosis
Systematic and Applied Microbiology

Member of the following grant review panels or overview groups:

RIDGE2000 Panel (NSF) 2008
C-MORE site review team (NSF), 2007, chair
Ridge2000 Steering Committee (NSF), member, 2002-2004
NOAA Ocean Exploration Program Panel, 2004-2005
Ridge2000 Relevancy Review panels, 2002-2004
NSF Biogeosciences Panel 2003
DOE Ocean Margins Program Panel
NSF Ecological & Evolutionary Physiology Panel 1997-2002
NSF Special RIDGE Program Review Panel, May 2001
NSF Life in Extreme Environments Panel, 2000
NSF Biological Oceanography Panel 1996
ALVIN Review Committee, University National Oceanographic Laboratory
Systems, 1987-1992
US Navy /National Undersea Research Program-Submersible Proposals, 1994
RIDGE Relevancy Review Panel, 1993

External Reviewer for the following granting agencies:

Department of Commerce, National Undersea Research Program
Department of Energy, Division of Energy Biosciences
National Environmental Research Council (United Kingdom)
National Science Foundation
Biological Oceanography Program
Cell Biology Program
Cellular Biochemistry Program
Ecological and Evolutionary Physiology Program
Foreign Centers of Excellence Program
Functional And Physiological Ecology
International Programs
Life in Extreme Environments (LExEN)
Metabolic Biochemistry Program
Metabolic Biology
Polar Biology Program
Population Biology and Physiological Ecology
Small Business Innovation Research Program
Surficial Processes
Systematic and Population Biology Program

Systematic Biology Program
 New York Bight, National Undersea Research Program
 NOAA National Undersea Research Program
 US Navy, National Undersea Research Program

Other Service:

Chair-elect -- Division I (General Microbiology) American Society for Microbiology (1987-88)
 Chair -- Division I (General Microbiology) American Society for Microbiology (1988-89)
 Member -- Homestake Mine Technical Review Panel, Yolo County (1988-1996)
 Chair -- Homestake Mine Technical Review Panel, Yolo County (1991-1994)
 Member -- InterRidge Biological Studies Working Group (1994-1997). Initiative for international cooperation in ridge-crest studies.

University Service:

Chair (1999-2003; 2006-2011) Department of Microbiology,
 College of Biological Sciences
 Chair (1992-1997) Microbiology Graduate Group
 Member (1988-1997) Executive Committee, Microbiology Graduate Group
 Chair (1990-92, 1995) Admissions Committee, Microbiology Graduate Group
 Member (1989-95) Admissions Committee, Microbiology Graduate Group
 Member (1992-present) Teaching Committee, Department of Microbiology
 Chair or Member (1989-present) approx. 50 Ph.D. Qualifying Exam or Masters Exam Committees

INVITED SEMINARS: (since 1985):

1985 - Woods Hole Oceanographic Institution, Biology Department, Woods Hole, MA
 1986 - Precambrian Paleobiology Research Group, International Meeting, Palo Alto, CA
 American Society for Microbiology, Annual Meeting, Washington, DC
 1987 - International Symposium on Lithoautotrophy, Göttingen, Germany
 1988 - Sonoma State University, Biology Department, Sonoma, CA
 International Congress of Comparative Physiology and Biochemistry, Baton Rouge, LA;
 American Society for Microbiology, Rocky Mt. Branch, Pingree Park, CO
 Scripps Institution of Oceanography, La Jolla, CA
 1990 - Marine Biological Laboratories, Woods Hole, MA
 West Coast Bacterial Physiologists, Annual Meeting, Asilomar, CA
 1991 - Biology Department, University of Oregon
 1993 - American Society of Zoologists, Annual Meeting, Los Angeles, CA
 1995 - International C1 Symposium, San Diego, CA.
 1996 - Hopkins Marine Station of Stanford University, Pacific Grove, CA
 Monterey Bay Aquarium Research Institute, Moss Landing, CA
 1997 - First International Symposium on Deep-Sea Hydrothermal Vent Biology, Funchal,
 Madeira (Portugal)
 1998 - Ridge 9° N Events Symposium on Deep Sea Hydrothermal Vents, Santa Barbara, CA
 1999 - Biology of Organisms in Extreme Environments, a Symposium for 80th Annual Meeting,
 AAAS, Pacific Division, San Francisco, CA
 Bay Area Science Symposium, San Francisco, CA
 Woods Hole Oceanographic Institution, Woods Hole, MA
 International Congress on Ecosystem Health, Sacramento, CA

- Annual Meeting, American Society of Limnology and Oceanography, Santa Fe, NM
- 2000 – RIDGE Symposium, DeKalb, Illinois
- 2001 - Annual Meeting, American Society for Limnology and Oceanography, Albuquerque, NM
Scripps Institution of Oceanography, La Jolla, CA
Biology Department, California State University, Chico
Max Planck Institute for Marine Microbiology, Bremen, Germany – 3 different seminars
- 2002 - RIDGE Integrated Studies Meeting, Los Angeles, CA
Marine Biological Laboratories, Woods Hole, MA
- 2003 – ASLO Annual Meeting, Salt Lake City, UT; co-organized and co-chaired session titled:
“Symbiosis and Syntrophy in Extreme Environments”
- 2004 - CALFED Science Conference, Sacramento, CA
- 2006 – Mercury 2006, Biannual International Conference on Mercury as a Global Pollutant,
Madison, Wisconsin
- 2007- Marine Biological Laboratories, Woods Hole, MA
- 2008 – Delta Tributaries Mercury Council, Sacramento, CA (May 13)
Hopkins Marine Station of Stanford University, Pacific Grove, CA (June 26)
Bigelow Laboratory, Boothbay Harbor, ME (November 3)
- 2009 – Northern California Brach Meeting, ASM, San Ramon, CA (March 13)

MAJOR OCEANOGRAPHIC RESEARCH EXPEDITIONS:

Northwestern Atlantic, R/V Oceanus Cruise #107, November 1981. Chief Scientist:
Holger Jannasch

Hydrothermal Vents, 21°N East Pacific Rise, Oasis Project (ALVIN & R/V Lulu, Legs I & II), April and May 1982. Chief Scientist: Ken Smith

Northwestern Atlantic, Newfoundland to Woods Hole, R/V Oceanus Cruise #136-2, August, 1983. Chief Scientist: Holger Jannasch

Hydrothermal Vents, Galapagos Rift, ALVIN & R/V Atlantis II, February and March, 1985. Chief Scientist: Jim Childress

Hydrothermal Vents, Guaymas Basin, ALVIN & R/V Atlantis II, July and August, 1985. Chief Scientist: J. F. Grassle

Sediment Microbiology and Geochemistry, Peru oxygen-minimum region, R/V Moana Wave, July, 1987. Chief Scientist: John Farrington

Hydrothermal Vents, Guaymas Basin, ALVIN & R/V Atlantis II, January and February, 1988. Chief Scientist: Holger Jannasch

Hydrothermal Vents, Galapagos Rift, ALVIN & R/V Atlantis II, April and May, 1988. Chief Scientist: Jim Childress

Hydrothermal Vents, Guaymas Basin, ALVIN & R/V Atlantis II, March 1991. Chief Scientist: Holger Jannasch

Hydrothermal Vents, 9°45'N on East Pacific Rise, ALVIN & R/V Atlantis II, February and March, 1992. Chief Scientists: Rachel Haymon and Dan Fornari

Chemo2 - Hydrocarbon and Sulfide Seeps, Gulf of Mexico, Johnson Sealink & R/V Edwin Link, July 1997. Chief Scientist: Ian MacDonald

Chemo2 - Hydrocarbon and Sulfide Seeps, Gulf of Mexico, Johnson Sealink & R/V Edwin Link, June and July 1998. Chief Scientist: Ian MacDonald

Hydrothermal Vents, Juan de Fuca Plate, ALVIN & R/V Atlantis, July and August, 1998. Chief Scientist: Chuck Fisher

Hydrothermal Vents, Juan de Fuca Plate, ALVIN & R/V Atlantis, August and September, 1999. Chief Scientist: Chuck Fisher

FUNDING (last 20 years)

12/15/90 to 6/30/94 Award: \$171,359 (direct + indirect costs)
Source: Biological Oceanography Program, NSF
Project: NSF OCE-9018198. Studies on Physiological Ecology and Genetics of Hydrothermal Vent Sulfur Bacteria.

7/94 -- 6/96 Award: \$ 57,699 (direct costs)
Source: UC Salinity/Drainage Program.
Project: State Salinity 94-1. Can bacteria that accumulate elemental sulfur be used to remediate selenium contaminated waters and soils?
Co-PI: William H. Casey, Department of Land, Air and Water Resources, UC Davis.

8/95 -- 6/00 Award ca \$ 50,000 (direct costs)
Source: Center for Ecological Health Research, UCD (EPA funded)
Project: Clear Lake Watershed: Microbiology of mercury methylation in sediments.

3/96 -- 2/00 Award: \$ 237,837 (direct + indirect costs)
Source: Ecological and Evolutionary Physiology Program, NSF
Project: NSF IBN-95-13962. Ecophysiology and phylogeny of diverse *Beggiatoa* species, bacterial specialists of the sulfide-oxygen interface.

3/96 - 2/98 Award: \$ 96,216 (direct + indirect, including \$60,000 submersible use costs)
Source: NOAA, West Coast National Undersea Research Program
Project: NOAA UAF-96-06. Ecology and physiology of *Beggiatoa* sp. at Monterey Canyon seeps: a model of novel, sulfide-driven, bacterial denitrification.

7/96 -- 6/98 Award: \$ 58,289 (direct costs)
Source: UC Salinity/Drainage Program.
Project: State Salinity 96-18. Bacteria that accumulate elemental sulfur can remediate selenium contaminated waters and soils.
Co-PI: William H. Casey, Department of Land, Air and Water Resources, UC Davis.

10/96 -- 9/98 Award: \$ 29,986 (direct + indirect) Projected total through 3/00: \$ 52,477.
Source: Department of Interior, Minerals Mgt. Service. (Subcontract from Texas A&M Univ.)
Project: Stability and Change in Gulf of Mexico Chemosynthetic Communities.: Bacterial mats: metabolic diversity, productivity and competition with symbiont-containing animals.

1/98 -- 2/00 Award: \$ 746,249 (direct + indirect)
Source: EPA-Superfund, Region IX
Project: The role of the Sulphur Bank mercury mine site (and associated hydrogeological processes) in the dynamics of mercury methylation, transport and bioaccumulation within the Clear Lake (CA) aquatic ecosystem.
Co-PI with Tom Suchanek, UCD (PI)

3/00 – 2/03 – Award: \$ 270,000 (direct + indirect)
Source: NSF, Ecological and Evolutionary Physiology
Project: Ecophysiology and phylogeny of vacuolate, nitrate-accumulating sulfur bacteria.

8/15/00 – 9/14/05 – Award: \$ 360,000 (direct + indirect)
Source: DOE, Basic Energy Biosciences
Project: Physiology and genetics of energy conservation in chemoautotrophic sulfur-oxidizing bacteria.

3/1/01 – 2/28/06 – Total Award: \$2,000,000 (direct + indirect)
Source: EPA, Western Center for Estuarine Indicators Research
Project: Biogeochemistry and Bioavailability Component
Co-Investigator; Rick Higashi (UCD) = PI
Nelson receives a sub-award of \$50,000 per year (direct + indirect) to fund a student to study microbial Hg-cycling in an impacted California estuary.

9/15/01 – 9/14/04 – Award: \$ 370,107 (direct + indirect)
Source: DOE, Biological and Environmental Research
Project: Microbiological impact of direct carbon dioxide injection – exploratory studies under deep-sea conditions.

8/15/00 – 9/14/05 – Award: \$ 360,000 (direct + indirect)
Source: DOE, Basic Energy Biosciences
Project: Physiology and genetics of energy conservation in chemoautotrophic sulfur-oxidizing bacteria.

10/1/05– 9/30/09 – Award: \$392,943 (direct + indirect)
Source: NSF, OCE – Biological Oceanography
Project: Ecophysiology of vacuolate marine sulfur bacteria.

9/1/07—8/31/10 -- Award: \$335,990 (direct + indirect)
Source: NSF, CCMI
Project: Bio-Mediated Improvement of Soil and Soil-Structure Interface Behavior
PI: Jason DeJong, Civil and Environmental Engineering, UCD; Co-PI: Douglas C. Nelson

8/15/08-- 8/15/11 – Award: \$375,000 (direct + indirect)
Source: NSF, CCMI
Project: NEESR-II: Biological improvement of sands for liquefaction prevention and damage mitigation. PI: Jason DeJong, Civil and Environmental Engineering, UCD; Co-PIs: Douglas C. Nelson and Ross Boulanger

7/15/12—6/30/15 – Award: \$596,646 (direct + indirect)
Source: NSF, CCMI-1234367-0
Project: Bio-cementation field-scale trials: addressing the challenges of treatment uniformity and verification, bio-stimulation and by-product management. Jason DeJong, Civil and Environmental Engineering, UCD; Co-PIs: Douglas C. Nelson and Tim Ginn
10/1/2013 – 9/30/17 – Requested: \$199,024 (direct + indirect)
Source: US-Israel Binational Science Foundation-2012196
Project: Stimulation and Permanence of Microbially Induced Calcite Precipitation Treatment of Sands. Investigators: Michael Tsesarsky & Ronen Zeev (Ben Gurion University); Jason DeJong, Douglas C. Nelson, and Timothy R. Ginn (UCD)

PUBLICATIONS

1. Nelson DC (1979) The biology of *Beggiatoa* -- organic nutrition, sulfur utilization and light responses. Ph.D. thesis (Adviser: Richard W. Castenholz), University of Oregon, Eugene
2. Nelson DC and RW Castenholz (1981) The organic nutrition of *Beggiatoa* sp. J Bacteriol 147:236-247.
3. Nelson DC and RW Castenholz (1981) The use of reduced sulfur compounds by *Beggiatoa* sp. J Bacteriol 147:140-154.
4. Nelson DC and RW Castenholz (1982) Light responses of *Beggiatoa*. Arch Microbiol 131:146-155.
5. Nelson DC, JB Waterbury and HW Jannasch (1982) Nitrogen fixation and nitrate utilization by marine and fresh-water *Beggiatoa*. Arch Microbiol 133:172-177.
6. Nelson DC and HW Jannasch (1983) Chemoautotrophic growth of a marine *Beggiatoa* in sulfide-gradient cultures. Arch Microbiol 136:262-269.
7. Jannasch HW and DC Nelson (1984) Recent progress in the microbiology of hydrothermal vents. pp. 170-176. In: MJ Klugg and CA Reddy (eds.) Current Perspectives In Microbial Ecology, Amer. Soc. Microbiol. Publ., Washington.
8. Nelson DC, JB Waterbury and HW Jannasch (1984) DNA base composition and genome size of the prokaryotic symbiont in *Riftia pachyptila* (Pogonophora). FEMS Microbiol. Lett. 24:267-271.
9. Jannasch HW, CO Wirsén, DC Nelson and LA Robertson (1985) *Thiomicrospira crunogena* sp. nov., a colorless sulfur oxidizing bacterium from a deep sea hydrothermal vent. Int. J. Syst. Bacteriol. 34:422-424.
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11. Nelson DC, NP Revsbech and BB Jørgensen (1986) Microoxic-anoxic niche of *Beggiatoa* spp.: micro-electrode survey of marine and freshwater strains. Appl. Environ. Microbiol. 52:161-168.

12. Nelson DC, BB Jorgensen and NP Revsbech (1986) Growth pattern and yield of chemoautotrophic *Beggiatoa* sp. in oxygen-sulfide microgradients. *Appl. Environ. Microbiol.* 52:225-233.
13. Jorgensen BB and DC Nelson (1988) Bacterial zonation, photosynthesis, and spectral light distribution in hot spring microbial mats of Iceland. *Microb. Ecol.* 16:133-147.
14. Williams CA, DC Nelson, BA Farah, HW Jannasch, and JM Shively (1988) Ribulose biphosphate carboxylase of the procaryotic symbiont of a hydrothermal vent tube worm: kinetics, activity and gene hybridization. *FEMS Microbiol. Lett.* 50:107-112.
15. Nelson DC (1989) Physiology and biochemistry of filamentous sulfur bacteria. pp. 219-238 In: HG Schlegel and B Bowien (eds.) The Biology of Autotrophic Bacteria, Science Tech Publishing, Madison, WI.
16. Nelson DC, CA Williams, BA Farah and JM Shively (1989) Occurrence and regulation of Calvin cycle enzymes in non-autotrophic *Beggiatoa* strains. *Arch. Microbiol.* 151:15-19.
17. Nelson DC, CO Wirsén and HW Jannasch (1989) Characterization of large, autotrophic *Beggiatoa* spp. abundant at hydrothermal vents of the Guaymas Basin. *Appl. Environ. Microbiol.* 55:2909-2917
18. Jannasch HW, DC Nelson and CO Wirsén (1989) Massive natural occurrence of unusually large bacteria (*Beggiatoa* sp.) at a hydrothermal deep-sea vent site. *Nature* 342:834-836.
19. Edwards DB and DC Nelson (1991) DNA-DNA solution hybridization studies of the bacterial symbionts of hydrothermal vent tube worms (*Riftia pachyptila* and *Tevnia jerichonana*). *Appl. Environ. Microbiol.* 57:1082-1088.
20. Renosto F, RL Martin, JL Borrell, DC Nelson and IH Segel (1991) ATP sulfurylase from trophosome tissue of *Riftia pachyptila* (hydrothermal vent tube worm). *Arch. Biochem. Biophys.* 290:66-78
21. Nelson DC (1992) The genus *Beggiatoa*. pp. 3171-3180. In: A Balows, HG Truper, M Dworkin, W Harder and K-H Schleifer (eds.) The Prokaryotes, Second Edition. Springer-Verlag, New York.
22. Jorgensen BB, DC Nelson and DM Ward. (1992) Chemotrophy and decomposition in modern microbial mats. pp. 287-293. In: JW Schopf and C Klein (eds.) The Proterozoic Biosphere. Cambridge University Press, Cambridge.

23. Laue BE and DC Nelson (1994) Characterization of the gene encoding the autotrophic ATP sulfurylase from the bacterial endosymbiont of the hydrothermal vent tube worm *Riftia pachyptila*. J. Bacteriol. 176, 3723-3729
24. Nelson DC, KD Hagen and DB Edwards (1995) The gill symbiont of a hydrothermal vent mussel, *Bathymodiolus thermophilus*, is a psychrophilic, chemoautotrophic sulfur bacterium. Mar. Biol. 121:487-495
25. Nelson DC and KD Hagen (1995) Physiology and biochemistry of symbiotic and free-living chemoautotrophic sulfur bacteria. Amer. Zool. 35, 91-101
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4/17/13

ATTACHMENT F

PROJECT TITLE: **Golden State Reclamation.** A request to approve a Conditional Use Permit, Site Plan, and Design Review to construct and operate a concrete slurry processing facility on a portion of 17.5 acres in the Industrial (I) zone.

LOCATION: East end of Hanson Way, just north of East Main Street as Hanson Way makes a 90-degree turn in the southern direction

APPLICANT/OWNER: Applicant: Travis Brandt, Golden State Reclamation
Owner: Woodland Gateway Industrial 109, LLC

ENVIRONMENTAL REPORT: Mitigated Negative Declaration

A.P.N. 027-350-058

PROJECT PLANNER: Paul L. Hanson, AICP, Senior Planner
Cindy Gnos, AICP, Contract Planner

STAFF RECOMMENDATION: Conditional Approval

REPORT FOR: Planning Commission Public Hearing – 7/18/13

GENERAL PLAN DESIGNATION: Industrial (I)

CURRENT ZONING: Industrial (I)

EXISTING LAND USES: Vacant

FLOOD ZONE: AE Zone - Area of 100-Year Flooding, Special Flood Hazard Areas Subject to Inundation by the 1% Annual Chance Flood Event (Base Flood Elevation Determined), FIRM Community Panel Number – 06113C0465H Revised May 16, 2012.

STREET ACCESS: Hanson Way

**ADJACENT LAND USES
& ZONING / GENERAL PLAN:**

North	Industrial	I
South	Vacant and Industrial	I
East	Industrial	I
West	Farm land	County

PENDING / POTENTIAL ACTION

Staff recommends that the Planning Commission take the following actions:

1. Adopt the Mitigated Negative Declaration (**MND**) and approve the Mitigation Monitoring and Reporting Plan (**MMRP**). In accordance with the California Environmental Quality Act (CEQA) section 15074, the Planning Commission finds on the basis of the whole record before it (including the Initial Study and any comments received), that there is no substantial evidence that the project, with the implementation of the recommended mitigation measures, will have a significant effect on the environment, and that the Mitigated Negative Declaration reflects the lead agency's independent judgment and analysis;
2. Approve the Conditional Use Permit, Site Plan, and Design Review for Golden State Reclamation, application dated 3/11/13, Site Plan dated 7/10/13, and Landscape Plans dated 4/29/13, as based on the Findings of Fact and subject to the Conditions of Approval as provided in the Staff Report presented on July 18, 2013 (**See Attachment A - Application, Site Plan, Elevations, and Landscape Plans**).

PROJECT SITE DESCRIPTION

The site contains 17.5 acres of property located at the east end of Hanson Way, just north of East Main Street as Hanson Way makes a 90-degree turn in the southern direction (APN 027-350-058) in the City of Woodland, Yolo County, California. The project site has a City of Woodland General Plan and Zoning Designation of Industrial (I).

Existing industrial developments are located directly south, west, and north of the site, and agricultural land uses are located east and northeast of the project site. A vacant lot separates the development south of the project site which is PGP International, Inc., a large manufacturer of cereal and dairy-based food ingredients. A public utility and access road easement is located along the eastern border of the site. Along the project border further to the east of the site, a Sacramento and San Joaquin Drainage District levee easement exists for a canal. Further to the south, approximately one half-mile from the project site is Interstate 5 (I-5), on the opposite side of East Main Street.

BACKGROUND

The proposed project site is currently vacant.

PROJECT PROPOSAL

The proposed concrete slurry processing facility would receive only cured concrete slurry generated from local construction and improvement projects, particularly highway profile grinding. Uncured concrete would not be accepted at the site. Hazardous wastes would not be accepted at the site. Concrete slurry generated from local projects would be brought to the site in tanker trucks. The trucks would dump the waste concrete directly into designated ponds. Any residual waste concrete remaining in the trucks would be washed from the trucks directly into the ponds.

A 5,000-gallon tanker would be kept on-site at all times to supply water for washing out the residual waste from the trucks, as well as to supply the trucks with water to be carried back out to ongoing

construction and improvement project sites, where the water would be used for cooling grinding equipment. At most, the water tanker would need to be filled once per day.

Included in the proposed project design are two reclamation ponds for the concrete slurry, one retention pond for leachate, one storage building for construction equipment, and one on-site mobile office trailer. The processing ponds would be approximately 6,857 square feet each, or 13,714 square feet total, and would be oriented in a north-south direction. The 14,029-square-foot retention pond would be located directly to the north of the processing ponds. A three-sided, 30-by-50-foot or 1,500-square-foot metal building with a concrete pad and side gaps for flood flow would be utilized for equipment storage. The mobile office trailer would be approximately 10-by-32-foot or 320-square-feet and would be on wheels for ease of movement. A bathroom for employee-use would be located in the mobile office trailer.

The processing ponds would be double-lined and include a leachate collection system. The leachate collection system would consist of a filter fabric layer, followed by a layer of rock, then a layer of dirt. Perforated piping in the dirt layer would collect and convey the filtered leachate to a retention pond. A maximum of approximately 75,000 gallons of water per day is anticipated to be used for the proposed operations. The leachate collected in the retention pond would be used to refill the on-site water tanker and/or to supply the tanker trucks with water to be carried back to local project sites. Thus, all water used at the site would be recycled back into the process.

The waste concrete slurry would be collected and allowed to set in the processing ponds. The volume of material processed at the facility would vary according to the time of year and local construction activity; however, a maximum of 45,000 gallons of slurry, 43 cubic yards per day of material, and 6,450 yards annually is currently anticipated to be processed at the proposed concrete slurry processing facility. It should be noted that an excavator, Bobcat, and front-end loader are anticipated to be utilized and stored on-site for the proposed operations. **The proposed project would operate from April through October and would shut down during the winter wet season (November through March).** Prior to operational shut down, the processed material in the processing ponds would be loaded onto trucks and delivered to a regional inert material recycler to be incorporated into post-consumer aggregate products. The processing ponds would be cleaned out and any remaining slurry would be hauled to an appropriate disposal facility. Clean water from the retention pond would be used to fill the on-site water tanker, and any remaining water would be hauled to a treatment facility for disposal. Accordingly, processed materials would be hauled from the project site once per year.

Employment at the proposed project would vary according to the time of year, business cycles, and local construction activity. However, between five and 10 individuals per shift are anticipated to be employed for the activities at the project site. The site would operate Mondays through Fridays from 6:00 AM to 6:00 PM, and Saturdays and Sundays from 8:00 AM to 5:00 PM.

Access to the project site would be provided through a new drive isle through a new extension north from Hanson Way, adjacent to an existing 40-foot-wide access point utilized by the development to the west. Four parking spaces (including ADA parking) and a processing area are also proposed for the project site. Anticipated trips associated with operation of the proposed concrete slurry processing facility include a maximum of 12 one-way heavy truck trips per day for the delivery of waste concrete to the site and hauling of water back to local project sites. Assuming that 10

employees would be on-site during operations, a maximum of 10 one-way passenger vehicle trips per day would be anticipated.

CITY SERVICES

The project site will be required to hookup to City water services. Water, sewage, electrical and telephone connections will be required as a part of this application. All services shall be shown on the improvements plans to be reviewed and approved by the Public Works Department prior to building permit issuance.

PUBLIC NOTIFICATION

A Notice of Intent to Adopt a Mitigated Negative Declaration and Public Hearing was released May 14, 2013 (**See Attachment B -Notice of Intent to Adopt a Mitigated Negative Declaration and Public Hearing**). The Notice was prepared by the Community Development Department in accordance with notification procedures set forth by the City of Woodland's Municipal Code, CEQA, and State Planning Law.

- Legal notice was published in the Woodland Daily Democrat on May 14, 2013 and July 8, 2013.
- Notice was posted with the County of Yolo on May 14, 2013.
- Notices were mailed to all property owners within 300 feet of the project site and to other listed interested persons and agencies on or before May 14, 2013.
- Notice and the environmental document was delivered to the State Clearing House on May 14, 2013.

Copies of the factual staff report for the proposed project have been on file at City Hall since Friday, July 12, 2013.

At the time of preparation of this staff report, public comment on the Mitigated Negative Declaration was received from the following:

- Yolo-Solano Air Quality Management District
- Regional Water Quality Control Board, Central Valley (May 28, 2013)
- Sacramento – Yolo Mosquito & Vector Control District
- City of Woodland – Transportation Engineer
- Central Valley Flood Protection Board
- Regional Water Quality Control Board, Central Valley (June 11, 2013)
- PGP International (June 12, 2013)
- Yolo County Environmental Health Solid Waste Program (June 12, 2013)
- Yolo Habitat JPA (June 13, 2013)

Those comments and the responses to those comments can be found in **Attachment C, the Response to Comments on the Mitigated Negative Declaration**.

APPLICABLE LAWS, CODES, AND ORDINANCES

The project is subject to several laws, codes, and ordinances:

- The City of Woodland General Plan
- The City of Woodland Zoning Ordinance
- Community Design Standards
- City of Woodland Stormwater Quality Control Ordinance
- The California Environmental Quality Act (CEQA)
- State of California's Water Efficient Landscape Ordinance AB 1881
- Regional Water Quality Control Board (RWQCB) compliance with Title 27 of the California Code of Regulations
- National Flood Insurance Program (NFIP) Regulations (44 CFR Parts 59-78).

ENVIRONMENTAL ASSESSMENT STATUS

A draft Mitigated Negative Declaration for the subject project was circulated on May 14, 2013 for a 30-day comment period extending from May 14, 2013 to June 12, 2013 (**See Attachment D - Mitigated Negative Declaration SCH# 2013052036**).

Changes have been made to the Initial Study/Mitigated Negative Declaration based upon the comments received and the subsequent modifications to the proposed project. The changes include raising of the ponds to meet the requirements of the RWQCB and additional paving and site modifications to address the concerns of PGP International. Flood modeling was run on the proposed raising of the ponds and concluded minimal hydrological impacts. Therefore, the conclusions in the Initial Study/Mitigated Negative Declaration remain consistent.

Staff requests the Planning Commission determine that the subject project, as revised, as further defined and discussed in the attached Environmental Checklist/Initial Study, and with the implementation of the recommended mitigation measures from the Mitigation Monitoring and Reporting Program (MMRP), will not have any significant effects on the environment. As a result, the preparation of an environmental impact report pursuant to the California Environmental Quality Act (Division 13 of the Public Resources Code of the State of California) is not required.

Staff also requests that the Planning Commission adopt the Mitigated Negative Declaration as a final document and make specified findings required under CEQA. Pursuant to Public Resources Code Section 21081.6 and Section 15097 of the CEQA Guidelines, a Mitigation Monitoring and Reporting Program (MMRP) has been prepared (**See Attachment E - Mitigation Monitoring and Reporting Program**) to ensure that during all phases of the project, the City and any other responsible parties implement the adopted mitigation measures. If this project is approved by the Planning Commission, staff will file a Notice of Determination with the Yolo County Clerk's Office in conformance with Article 5 §15075(a) of the CEQA guidelines.

REVIEWING AGENCY COMMENTS

All reviewing city departments and responsible agencies comments have also been integrated into the conditions of approval.

DISCUSSION

Currently, very few locations are available within the Central Valley that provides the services proposed for the project. The project would provide a local disposal site for contractors in the area who need to rid of slurry from construction projects. Accordingly, the project would likely result in various regional and even statewide benefits, such as potential reductions in truck trips and miles traveled and reductions in waste disposed in landfills. In addition, the proposed project would provide jobs for local truckers, laborers, and operators of heavy equipment.

RWQCB

The proposed processing ponds and retention pond will be regulated by the Regional Water Quality Control Board (RWQCB), specifically Title 27 of the California Code of Regulations. Of primary concern is the location of the ponds within the floodplain and proximity to groundwater. The concrete waste that would be processed at the project site is considered designated waste and the site would be considered a Class II waste management unit. According to Section 13173 of the California Water Code, designated waste is nonhazardous waste that could be released in concentrations exceeding applicable water quality objectives or that could reasonably be expected to affect beneficial uses of the water of the State. Designated waste and Class II waste management units are regulated by the SWRCB through the RWQCB and compliance with Title 27 of the California Code of Regulations. Title 27 Section 20250(a) requires that Class II waste management units be located where site characteristics and containment structures isolate waste from waters of the State. Section 20250(c) of Title 27 states that new Class II units shall be designed, constructed, operated, and maintained to prevent inundation or washout due to floods with a 100-year return period. Section 20080(b) of Title 27 allows for engineered alternatives to construction or prescriptive standards, provided demonstration that the alternative is consistent with the performance goal in Section 20250(a) of Title 27. The RWQCB would consider the engineered alternative and determine whether the alternative would still attain the Title 27 performance standard.

In order to meet Section 20250(c) of Title 27, the project would provide an engineered alternative by designing, constructing, operating, and maintaining the proposed project such that all designated waste is not present on the site during the wet season. The proposed project would operate from April through October and would shut down during the winter wet season (November through March) when conditions develop where the probability of a flood with a 100-year return is most likely to occur. Prior to operational shut down, the processed material in the processing ponds would be loaded onto trucks and delivered to a regional inert material recycler to be incorporated into post-consumer aggregate products. The processing ponds would be cleaned out and any remaining slurry would be hauled to an appropriate disposal facility. Clean water from the retention pond would be used to fill the on-site water tanker, and any remaining water would be hauled to a treatment facility for disposal. Thus, all waste solids and water would be removed prior to the beginning of the wet season, which would prevent any waste from coming into contact with flood waters and isolating waste from waters of the State. Therefore, by shutting down and clearing the site of any wastes during the wet season, the project would meet the performance standard of isolating waste from waters of the State during flooding and preclude degradation and/or impairment of receiving waters. The RWQCB must approve the engineered alternative through adoption and issuance of a Waste Discharge Requirements (WDR) Order.

The RWQCB has raised concerns regarding the depth of groundwater. The RWQCB during their permit review will ensure that a minimum five foot separation exists between the ponds and the

highest anticipated elevation of underlying ground water. The RWQCB has also raised concern that the volume of the ponds may not be adequate to accommodate the proposed volume of slurry. The applicant has indicated that if the volume is exceeded, the ponds will be cleaned out and the slurry taken to a permitted disposal site. The applicant has also modified the project to raise the ponds in order to address the flooding and depth to groundwater concerns.

Staff is recommending conditions of approval to address the concerns of the RWQCB.

PGP INTERNATIONAL

On June 12, staff received a letter from PGP International identifying concern related to the proposed project and the Initial Study/Mitigated Negative Declaration. The letter and responses to the comments are included in **Attachment C**. In addition, the applicant has met with representatives of PGP to discuss their concerns. The applicant's correspondence with PGP is provided in **Attachment F**. PGP has operational concerns related to dust. In response, the applicant has modified the project to include additional paving and providing an organic layer over the outside of the ponds to prevent dust. PGP also had concerns related to the ponds related to water quality and vector control. The ponds are double lined to prevent leaching into the water table and monitored regularly. A monitoring report must be submitted quarterly to the State RWQCB. In regards to vector control, a condition of approval requires the City to consider vector control in the project design and also requires regular monitoring of the retention pond to ensure that standing winter storm water does not accumulate. It should be noted that the distance from the closest pond to the closest point of the PGP building is over 1,000 feet. The proposed project is a small processing facility located over 1,000 feet from the PGP facility. The City and the applicant attempted to meet with PGP representatives to discuss the applicant's response to their concerns and PGP cancelled the meeting. The applicant is still attempting to meet with PGP; however, as of the date of this staff report, no follow-up from PGP has been received.

STAFF ANALYSIS

Staff supports this project subject to the attached conditions of approval and provides the following analysis:

GENERAL PLAN CONSISTENCY

The General Plan (GP) designation for the site is Industrial (I). This General Plan designation provides for industrial parks, warehouses, manufacturing, research and development, commercial uses compatible with the industrial uses, public and quasi-public uses, and similar and compatible uses. The project as conditioned is consistent with the General Plan.

CONSISTENCY WITH OTHER PLANS

The project site is subject to the Community Design Standards. The proposed buildings for the project include one 320 square-foot mobile office trailer (10 by 32 feet) and one 1,500 square-foot equipment storage building (30 by 50 feet). The office building is designed as a mobile building due to the location of the building in the floodplain. The building must be able to be removed within 12 hours. The exterior of the building is wood siding. Colors have not been determined. The Community Design Standards recommend that industrial buildings have an enhanced main entrance which has not been detailed on the proposed elevations. **Staff is recommending a condition of approval requiring that the mobile office building use earth tone colors and incorporate an awning or other form of enhancement of the main entrance for the final review and approval of the Community Development Department.**

The storage building is proposed as a three-sided metal building. The building is setback a considerable distance from the street and is shielded by adjacent development, the mobile office building, and landscaping. Colors have not been indicated for the proposed metal storage building. The City of Woodland Building Department has commented that given the depth of the floodplain on the project site, the building must be open on three sides because flood vents are not adequate. **Staff is recommending a condition of approval requiring that the storage building use earth tone colors and the closed side of the building be the western wall for the final review and approval of the Community Development Department.**

ZONING CONSISTENCY

Land Use

The zoning designation for the site is Industrial (I). This purpose of this zoning designation is to encourage sound industrial development by providing areas exclusively for such development subject to regulations necessary to insure the protection of adjoining uses. The closest land use to the proposed project is a concrete and asphalt batch plant which requires a Conditional Use Permit. The proposed project, as conditioned, is consistent with the Zoning Ordinance, provided the Planning Commission approves a conditional use permit.

Setbacks

The proposed buildings will comply with all the required setbacks of Section 25-18-40 of the Zoning Ordinance.

Height

The proposed buildings are not located within 200 feet of any residential or agricultural zone; therefore, no height limitations exist (Sec. 25-18-30 of the Zoning Ordinance).

Off-Street Parking

Article 23 of the Zoning Regulations commencing with Section 25-23-10 addresses off-street parking and loading requirements. Because the site is not a specified industrial use, Section 25-23-10W notes that for mixed uses and uses not listed above, the parking shall be determined. The proposed site plan indicates 14 spaces provided on the site. The applicant has indicated that the maximum number of employees at the site will be 10. Staff recommends that the 14 spaces provided are adequate to serve the proposed development.

Landscaping

Article 22 of the Zoning Ordinance commencing with Section 25-22-10 addresses landscaping requirements. Zoning Ordinance requires that not less than six percent (6%) of the interior area of all auto parking lots shall be devoted to permanent landscaping. The Zoning Ordinance also requires that shade trees shall be planted and evenly distributed within the uncovered portions of the auto parking area so that at the trees maturity forty percent (40%) of the parking stalls and back up area will be in shade at high noon at such times as the trees have full foliage.

Applicant is required to comply with the State of California's new Water Efficient Landscape Ordinance AB 1881. The landscape architect shall document and attest to the compliance with the new State ordinance on the final landscape plans. The applicant has submitted a preliminary landscape plan which complies with the minimum requirements. **Staff is recommending a condition requiring the applicant shall submit final landscape and irrigation plans for the review and approval of the Community Development Department.**

Signage

Article 24 of the Zoning Regulations commencing with Section 25-24-10 addresses signs. The applicant has submitted a preliminary sign concept which includes a 3 foot by 6 foot painted metal sign attached to the south-facing side of the mobile office building. The colors have not been determined. The signage is required to comply with the City Sign Ordinance and Community Design Standards. The proposed 18 square feet of signage is allowed by the Zoning Ordinance. **Staff is recommending a condition requiring City approval for the final sign design, including colors compatible with the proposed building.**

Conditional Use Permit

Article 27 of the Zoning Regulations commencing with Section 25-27-01 addresses conditional use permits. The Planning Commission may approve, conditionally approve or deny an application for a conditional use permit; and in authorizing a conditional use, may impose such requirements and conditions with respect to location, construction, time period, maintenance, and operation, as deemed necessary for the protection of adjacent properties and the public interest, when reasonably related to the use of the property. Before granting any conditional use permit the Planning Commission shall be satisfied that, the proposed structure or use conforms to the requirements and the intent of this chapter and the General Plan.

SUBSTANTIAL CHANGES

At the discretion of the Community Development Department, any substantial modifications or changes to the approved site plan and/or project description may result in further CEQA analysis and public hearings.

APPEAL

The planning commission action on the conditional use permit shall be final unless, within **fourteen (14) calendar** days after the decision, the applicant, or any other person including the city council, any individual city council member, or the city manager, not satisfied with the decision of the planning commission, may appeal to the city council. No conflict of interest shall exist solely by reason of the filing of an appeal by the city council, an individual city council member, or the city manager. Any appeal shall be filed with the city clerk and, except an appeal by the city council, a council member, or the city manager, shall be accompanied by a filing fee as prescribed by city council resolution. The city clerk shall set a date for a public hearing and shall give notice to the appellant, the applicant, and neighboring property owners in the manner provided in Section 25-27-50.

SUMMARY

The applicant is requesting a Conditional Use Permit, Site Plan Review, and Design Review of the Golden State Reclamation project which consists of a concrete slurry processing facility on a 17.56-acre property in the City of Woodland, CA. Operations at the facility would include the recovery of reusable concrete fines from local construction and improvement projects and delivery of finished product to a regional inert material recycler to be incorporated into post-consumer aggregate products. Included in the project design are two reclamation ponds for the concrete slurry, one retention pond for leachate, one storage building for construction equipment, and one on-site mobile office trailer.

RECOMMENDATION

Staff recommends approval of the project by making an affirmative motion as follows:

Motion #1 Move That The Planning Commission Approve The Conditional Use Permit (CUP), Site Plan, and Design Review for the Golden State Reclamation Project Based On The Identified Findings Of Fact And Subject To The Identified Conditions Of Approval, By Taking The Following Actions:

- Adopt the Mitigated Negative Declaration, including errata;
- Approved the Mitigation Monitoring and Reporting Program;
- Determine that the project, as conditioned, is consistent with the General Plan;
- Determine that the project, as conditioned, is consistent with the Zoning Ordinance;
- Determine that the project, as conditioned, is consistent with the Community Design Standards;
- Approve the Conditional Use Permit to allow the construction and operation of a concrete slurry processing facility located at east end of Hanson Way, just north of East Main Street as Hanson Way makes a 90-degree turn in the southern direction (APN 027-350-058);

-OR-

Should the Commission decide to recommend a denial of the project, the motion should be made as follows:

Motion #2 Move That The Planning Commission Deny The Conditional Use Permit (CUP), for the Golden State Reclamation Project, Based On The Identified Findings Of Fact (Specify Findings)

ATTACHMENTS:

- A. Application, Site Plan, Elevations, and Landscape Plans
- B. Notice of Intent to Adopt a Mitigated Negative Declaration and Public Hearing
- C. Response to Comments on the Mitigated Negation Declaration
- D. Mitigated Negative Declaration, May 2013, and Errata
- E. Mitigation Monitoring and Reporting Plan
- F. Applicant correspondence with PGP

FINDINGS FOR PROPOSED GOLDEN STATE RECLAMATION CONDITIONAL USE PERMIT
Prepared for recommendation by the Woodland Planning Commission on July 18, 2013.

CEQA Findings

1. The Planning Commission has considered the proposed Mitigated Negative Declaration and Mitigation Monitoring Reporting Plan before making a decision on the project.
2. The Planning Commission has considered comments received on the Mitigated Negative Declaration and Mitigation Monitoring Reporting Plan during the public review process.
3. The Planning Commission finds that the Environmental Checklist/Initial study identified no potentially significant effects on the environment.
4. The Mitigated Negative Declaration and Mitigation Monitoring Reporting Plan have been prepared in compliance with CEQA and the State CEQA Guidelines, and are determined to be complete and final.
5. The Mitigated Negative Declaration and Mitigation Monitoring Reporting Plan reflects the independent judgment and analysis of the City of Woodland.
6. The Planning Commission hereby adopts the Golden State Reclamation Project Mitigated Negative Declaration and Mitigation Monitoring Reporting Plan.
7. The custodian of the documents, and other materials, which constitute the record of proceedings is the Community Development Director. The location of these items is the office of the Community Development Department at City Hall, 300 First Street, Woodland, California 95695.

General Plan Consistency Findings

1. The proposed project, as conditioned, is consistent with the provisions outlined by the General Plan.

Zoning Consistency Findings

1. The proposed project, as conditioned, meets all regulatory requirements of the Zoning Ordinance.
2. Uses Appropriate to the Area are allowed in the Industrial zone with a Conditional Use permit

Conditional Use Permit Findings

1. Adjacent properties are protected and the public interest is protected.
2. The conditions of approval are reasonably related to the use of the property.
3. The City is satisfied that the proposed structures and uses conform to the requirements and the intent of the Zoning Ordinance and the General Plan.
4. The design of the project and improvements will not cause serious public health problems. Utilities are available to the site.
5. The project is consistent with Article 27 of the Zoning Ordinance in that the proposed use is permitted as a conditional use in the zone and that the use may be allowed subject to conditions with respect to location, construction, time period, maintenance, and operation, as deemed necessary for the protection of adjacent properties and the public interest, when reasonably related to the use of the property.

Community Design Standards Findings

1. The project substantially satisfies the design requirements of the Community Design Standards for development within the City of Woodland.

CONDITIONS OF APPROVAL**PLANNING – Conditional Use Permit, Site Plan, Design Review**

1. The project is as described in the staff report prepared for the July 18, 2013 Planning Commission meeting. The project shall be constructed as depicted on the Conceptual Site Plan dated July 10, 2013, Landscape Plans, and building elevations dated April 26 and 29, 2013, included in the staff report, except as modified in these conditions of approval and with any changes necessary to meet city codes and specifications.
2. The applicant shall defend, indemnify, and hold harmless the City of Woodland, its agents, officers or employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul an approval of the subject application by the City, its legislative body, advisory agencies or administrative officers. The City will promptly notify the applicant of any such claim, action or proceeding against the City and the applicant will either, at the City's discretion, undertake defense of the matter and pay the City's associated legal costs, or will advance funds to pay for defense of the matter by the City Attorney.
3. Prior to the issuance of a Certificate of Occupancy, all conditions of approval and required improvements shall be completed to the satisfaction of the Community Development Department. Design changes that require modifications to uses, elevations or site features other than discussed herein, shall be submitted for review and approval through the planning review process as a Design Review.
4. Prior to submittal for plan check, the applicant shall submit plans and elevations for review and approval by the Community Development Department. Once the final design drawings have been approved by the Community Development Department, two sets of the final planning project review plan set shall be provided to the Community Development Department to be date stamped and included in the project file. This set of plans shall be used for reference during the plan check review process. This Final Plan set shall include all conditions of approval incorporated or clearly listed on the plans. The conditions shall be printed on a full-size plan sheet(s).
5. Revised plans and building elevations incorporating all conditions of approval shall be coordinated and submitted to the Community Development Department as one package in accordance with plan check requirements. All plans, including site, landscape, lighting, mechanical and street improvement plans shall be coordinated for consistency prior to issuance of permits (such as encroachment or building). Any changes to the size, colors, construction materials, design or location of any structure or any other site or landscape improvement shall not be made without prior city approval.
6. Detailed elevations shall be submitted of the storage building for the review and approval of the Community Development Department. The building colors shall be earth tones and the closed side of the building shall be the western wall.
7. Detailed elevations shall be submitted of the mobile office building for the review and approval of the Community Development Department. The colors shall be earth tone and the building shall incorporate an awning or other form of enhancement of the main entrance.

8. The Applicant shall comply with the approved CEQA Mitigation Monitoring and Reporting Plan. Upon request, applicant shall provide a written report detailing compliance with MMRP to the Community Development Department for review.
9. The Conditional Use Permit shall not be issued until the appeal period has expired or final action on an appeal has been rendered.
10. The Conditional Use Permit must be exercised within **one year** of issuance, or it shall be null and void by act of law (Section 25-27-70).
11. At any time, upon request by the City, applicant shall provide a written report detailing compliance with Conditional Use Permit to the Community Development Department for review.
12. Applicant shall provide the Community Development Department with a check for the sum of **\$2,151.50** made out to Yolo County to record the environmental document with Yolo County.
13. Secure approval and satisfy requirements of all agencies that have jurisdiction, including, but not limited to the RWQCB, Central Valley Flood Protection Board, and Yolo County Health Department. Proof of compliance with the agency requirements shall be submitted to the Community Development Department prior to the issuance of building and grading permits.
14. Applicant shall comply with the State of California's new Water Efficient Landscape Ordinance AB 1881. The landscape architect shall document and attest to the compliance with the new State ordinance on the final landscape plans.
15. Applicant shall submit for review and receive final approval from the Community Development Department for a landscape and irrigation plan prepared in accordance with Article 22 of the Zoning Ordinance and Community Design Standards prior to the issuance of building permits.
16. Applicant shall modify proposed landscape plan to show proposed trees indicated on the Site Plan. Applicant shall modify landscape plan, replacing the proposed tree species with trees recommended by the City Arborist - Horn beam (*Carpinus betulus*), Purple Robe (*Robinia X ambigua*) 'Idahoensis', and Chinese Pistache "Keith Davey".
17. Shade trees shall be planted and evenly distributed within the uncovered portions of the auto parking area so that at the tree's maturity, forty percent (40%) of the parking stalls and back up area will be in shade at high noon at such times as the trees have full foliage, consistent with Section 25-22-20(b)4. The landscape architect shall document the calculations and attest to this on the final landscape plan. A shade calculation diagram shall be provided for review and approval of the Community Development Department.
18. For landscaping on private property, a minimum of 15-gallon (or larger) trees is required. Landscaping on private property can also use shrubs from 1-gallon containers. All landscape stock shall be inspected by the project landscape architect prior to installation. No root bound plants shall be used, only healthy, well-formed, and vigorous plant material shall be used. Landscape architect to provide written verification as to plant health.
19. Enter into a landscape Maintenance Agreement with the City. The Agreement shall be recorded prior to issuance of a building permit to assure continuing maintenance of the landscaping.
20. Vegetative matter shall cover 75 percent (75%) of the landscape area. The landscape architect shall document the calculations and attest to this on the final landscape plan.
21. Photometric data shall be provided, and indicate that the parking area will be equipped with one (1) foot-candle of minimum maintained illumination per square foot of parking surface to

include the entire paved area. The parking area shall be illuminated from dusk until the termination of business every operating day. Photometric data must also confirm the absence of "Hot Spots" or areas of ten (10) foot-candle of illumination per square foot or more.

22. The applicant shall obtain a building permit for the exterior sign prior to installation. All signs shall be in accordance with Sign Ordinance and Community Design Standards as outlined in the staff report. The final design and location shall be reviewed and approved by the Community Development Department.
23. Applicant shall incorporate public art into the development per Community Design Standards or pay an "in-lieu" fee. Public art shall be installed or fee paid prior to the final certificate of occupancy.
24. During construction and operations, the applicant shall implement adequate dust control measures sufficient to retain dust emissions on-site. The Community Development Department may require operations to stop should dust affect adjacent sites. Dust control measures could include, but would not be limited to, the following:
 - All disturbed areas and unpaved roads shall be effectively stabilized for dust emissions using water, chemical stabilizers, dust suppressants, tarps, or other suitable material such as vegetative ground cover;
 - Apply water to disturbed soils as necessary to retain dust emissions on-site (minimum of twice a day);
 - Required effective minimum soil moisture for earthmoving by use of a moveable sprinkler system or a water truck. Moisture content could be verified by lab sample or moisture probe;
 - Limit on-site vehicle speeds on unpaved roads sufficient to retain dust emissions on-site (maximum of 15 mph);
 - Use a gravel apron, 25 feet long by road width, to reduce mud/dirt track-out from unpaved truck exit routes;
 - All transport of materials shall be completely covered with a fabric cover and maintain a freeboard height of 12 inches;
 - Water any storage piles by hand at a rate sufficient to retain dust emissions on-site, or apply cover when wind events are declared;
 - Apply chemical soil stabilizers on inactive construction areas (disturbed lands that are unused for at least four consecutive days);
 - Plant tree windbreaks on the windward perimeter of construction area;
 - Plant vegetative ground cover in disturbed areas as soon as possible; and
 - All track-out or carryout shall be cleaned at the end of each workday or immediately when mud or dirt extends a cumulative distance of 50 linear feet or more onto a paved road.
 - A publicly visible sign shall be posted with the telephone number and person to contact at the City regarding dust complaints. This person shall respond and take corrective action within 48 hours. The YSAQMD's phone number shall also be visible to ensure compliance with applicable regulations.

25. The ponds shall be monitored during the rainy season to ensure that any standing water does not result in vector control issues. If necessary, the water shall be pumped from the ponds and transported to an appropriate disposal facility, or other suitable means to eliminate vector control issues to the satisfaction of the Community Development Department.

DEVELOPMENT ENGINEERING

1. Applicant shall prepare improvement plans for all work within the public right-of-way and submit to the Development Engineering with an encroachment permit application for review and approval. Prior to building permit issuance, applicant shall obtain permit, post security for the full cost of the public improvements, and enter into an Improvement Agreement if the estimated cost of the public improvements is greater the \$50,000. This submittal is separate from the building permit submittal. All public improvements shall conform to the current City of Woodland Standard Specifications.
2. The applicant shall update all utility connections to current City Standards. This may include but is not limited to installation of new meter boxes, backflow prevention, cleanouts and/or laterals in a location approved by the Public Works Department.
3. Backflow protection devices are required on the commercial and landscape irrigation water services for the project. Applicant shall install approved backflow devices on all services that serve the project site including domestic and irrigation. Backflow devices shall be tested by a City-approved tester and results provided to the Public Works Department prior to occupancy.
4. Prior to approval of on-site civil improvements, applicant shall produce an easement or other documentation of rights and agreements for the storm drain connection to the adjacent property's lateral. Without documentation to the satisfaction of the City the applicant shall connect directly via underground pipe to the City storm drain system.
5. Project shall comply with the construction, demolition and debris recycling ordinance.
6. Project shall pay development impact fees in place at the time of building permit. Storm drainage impact fees are charged on a per acre basis.
7. The Project is within the flood plain. Development shall comply with all applicable FEMA standards and regulations and all City requirements for development within a flood plain.
8. Construction of projects disturbing more than one acre of soil shall require a National Pollution Discharge Elimination System (NPDES) construction permit. Applications/project disturbing less than one acre of soil shall implement BMP's to prevent and minimize erosion. The improvement plans for construction of less than 1 acre shall include a BMP to be approved by the City Engineer.
9. The project is subject to the City's Storm Water Quality Control Ordinance. All parcels, regardless of size, shall incorporate General Site Design Measures, Site Specific Measures, and Treatment Measures. Applicant does have the option to pay a Storm Water Quality Control in-lieu fee.
10. Project shall construct any improvements required by the environmental document and/or traffic study.

11. The on-site improvement plans shall incorporate mosquito and vector control measures to the satisfaction of the City Engineer. The City will route the improvement plans to the Sacramento-Yolo Mosquito & Vector Control District for comment.

BUILDING

1. The site is within an AE zone. Grade is approximately 31-32 feet and the average flood depth is 7 to 8 feet. Unless an elevation certificate is provided all electrical service panels and receptacles shall be 10 feet above grade.
 - a. Portable trailer shall have wheels and be able to be moved within 12 hours.
 - b. Storage building shall be open on three sides. Flood vents are not adequate due to the depth of flood water, unless otherwise determined by the Building Official. All electrical outlets and lights shall be at two feet above BFE.
 - c. Light standards shall two feet above BFE.
2. This project must meet all criteria and mandates for these City adopted codes:
 - A. 2010 California Building Code (Including the Green Building Code)
 - B. 2010 California Plumbing Code
 - C. 2010 California Mechanical Code
 - D. 2010 California Electrical Code
 - E. 2008 Building Energy Efficiency Standards
 - F. The Code of the City of Woodland
3. Other City and County Agencies (Health, Fire, Public Works, and Planning) may be required to approve the project prior to a building permit being issued.
4. Any deferred submittals that are not a part of the initial permit application must be listed on the cover sheet of the plan at the time of application for the project.
5. All plans, computations and specifications to be prepared and designed by an architect or engineer licensed by the state of California.
6. A licensed architect or licensed engineer shall be responsible for reviewing and coordinating all submittal documents prepared by others, including deferred submittal items, for compatibility with the design of the building.
7. Entire area of parking shall comply with the California Building Code for Accessibility. When conflicts exist between the ADA and the California building Code the standard that provides the greatest degree of accessibility shall comply.

FIRE

1. Ensure all fire apparatus access roads comply with 2010 California Fire Code Section 503.

COUNTY OF YOLO HEALTH DEPARTMENT

1. This project may be regulated by Yolo County Environmental Health as a Construction and Demolition waste processing facility and notification to or permits may be required. The applicant shall contact the Environmental Health Department to ensure compliance.
2. The facility may be subject to regulation by Yolo County Environmental Health under provisions of the Health and Safety Code if they store, handle, or use chemicals, generate hazardous waste, or have aboveground or underground tanks. The applicant shall contact the Environmental Health Department to ensure compliance.

H:\APAU\IC U.Ps\Div Concrete Cutting\Process\PC Staff Report 7-18-13 - Golden State Reclamation.docx

ATTACHMENT A



City of Woodland

Community Development Department

520 Court St, Woodland CA 95695
(530) 661-5820 Fax (530) 406-0832
www.cityofwoodland.org

General Application Form

1. Owner/Applicant

PROPERTY OWNER:

Woodland Gateway Industrial 109, LLC

MAILING ADDRESS:

8775 Folsom Blvd., Suite 200

CITY STATE ZIP CODE:

Sacramento, CA 95826

PHONE NUMBER:

(916) 379-1235

E-MAIL ADDRESS:

Syu@panattoni.com

PROJECT APPLICANT

Golden State Reclamation

MAILING ADDRESS:

13375 Rock Crossing Dr.

CITY STATE ZIP CODE:

Reno, NV 89511

PHONE NUMBER:

(775) 742-8085

E-MAIL ADDRESS:

travis@dccutting.com

2. Application Requested

☐

General Plan Petition

☐

Zoning Amendment

☐

General Plan Amendment

☐

Tentative Subdivision Map

☐

Tentative Parcel Map

☐

Lot Line Adjustment

☐

Site Plan Review

☐

Design Review

☐

Sign Design Review

☒

Conditional Use Permit (CUP)

☐

Zoning Administrator Permit

☐

Variance

☐

Public Convenience or Necessity

☐

Other

Is this request part of another application? ☐ Yes ☐ No If so, what? _____

3. Project Description

Project Name:

Concrete Slurry Reclamation Ponds

Total Acres or Square Feet

17.5

Site address or location:

Hanson Way, Woodland, CA

Assessor's Parcel Number:

027-350-058

Is Your Project Located in a Flood Zone?

☒

Yes

☐

No

Does this request include signage?

☐

Yes

☐

No

4. Justification for Request



On a separate sheet, explain in detail your request and why you believe your request is justified.

5. General Plan Amendment

Existing General Plan Designation	Gross Acres	Proposed General Plan Designation	Gross Acres
_____	_____	_____	_____

6. Zoning Amendment

Existing Land Use Zone	Gross Acres	Proposed Land Use Zone	Gross Acres
_____	_____	_____	_____

7. Residential Development

No. of residential units are being requested? _____		No. of lots will be created by this project? _____	
Single Family _____	Half-plex _____	Do you intend to market the units for <u>sale</u> ? ☐ YES ☐ No	
Duplex _____	Apartments _____	Do you intend to market the units for <u>rent</u> ? ☐ YES ☐ No	
Condominiums _____	Other _____		
Townhomes _____	Total Units _____		

8. Commercial/Industrial Development

Indicate the type of commercial/industrial development proposed:

Indicate the gross and leasable square footage for each type of development:

9. Authority to File Application

Check one:

☐ Property Ownership	☐ Power of Attorney*
☒ Contract to Purchase* ☐ Other	
Purchase and Sale Agreement and Joint Escrow	
Specify Instructions dated March , 2013	

* Attach Evidence of Authority

I hereby certify that the above information and accompanying documents are true and accurate to the best of my knowledge and acknowledge that the processing of this application may require additional fees and expenses for the preparation of necessary environmental documentation and planning studies. I certify that I have reviewed the current Hazardous Waste and Substances Site List, developed pursuant to AB 3750, and found that my project is not on the list.

APPLICATION WILL NOT BE ACCEPTED WITHOUT SIGNATURE OF LEGAL OWNER OR OFFICIAL AGENT

Travis Brandt 3/11/13

Applicant: _____ **Date** _____

See attached signature block

Legal Owner: _____ **Date** _____

Legal Owner: _____ **Date** _____

DEPARTMENT USE ONLY

Amount Paid: _____

Project No: _____

Amount Due: _____

Logged by: _____ Date: _____

GP / Zoning Designation: _____

Planner: _____ Date: _____

Dated: March ____, 2013

WOODLAND GATEWAY INDUSTRIAL 109, LLC,
a California limited liability company

By: Panattoni Investments, LLC,
a California limited liability company,
Managing Member

By: 

Carl D. Panattoni, Trustee of the Panattoni
Living Trust, dated April 8, 1998, Sole Member

* For the avoidance of doubt, or ambiguity, Carl D. Panattoni, is signing this General Application Form for the City of Woodland, not personally, but solely in his capacity as Trustee of the Panattoni Living Trust, dated April 8, 1998, Sole Member of Panattoni Investments, LLC, Managing Member of Woodland Gateway Industrial 109, LLC

GOLDEN STATE RECLAMATION, LLC

Statement of Justification

March 27th, 2013

1. GENERAL INFORMATION

The project site is located at the east end of Hanson Way just north of East Main Street as Hanson Way makes a ninety degree turn in the southern direction.

Assessor Parcel Number: **027-350-055**

Approximate Size of Proposed Concrete Slurry Processing Operation: approximately 6 acres of 17.56 ± acres that comprise the entirety of the property.

~~Approximate Size of Proposed Future Inert Recycling Center as defined in below: approximately 1.5 acres of 17.56 ± acres that comprise the entirety of the property.~~

The owner of the project site is Golden State Reclamation, LLC

2. INTRODUCTION

The purpose of this Project Described is to describe the immediate and future uses of the property.

This Project Description incorporates two separate components.

The first component of this project is a Concrete Slurry Processing Operation where reusable concrete fines will be recovered and delivered to a regional inert material recycler to be incorporated into post-consumer aggregate products.

The Proposed Concrete Slurry Processing Operation will be designed and operated to receive cured concrete slurry generated from local construction and improvement projects. The material will then be mechanically processed into a reusable concrete fine that can be utilized in a host of post-consumer products.

Second, this project description incorporates a future Inert Material Recycling Center adjacent to the concrete slurry operation. The Inert Material Recycling Center will accept broken concrete/asphalt to be recycled into a Class II Aggregate Base product that will utilize the concrete fines from the Concrete Slurry Processing Operation. Portable crushing equipment will be utilized to process inert debris and will only be onsite and in operation for short periods of time.

2. PROJECT CAPACITY

Proposed Concrete Slurry Processing Operation

For purposes of the Proposed Concrete Slurry Processing Operation, the volume of material processed at the site will vary according to time of year and local construction activity, it is currently anticipated that the Proposed Concrete Slurry Processing Operation

will process a maximum of 45,000 Gallons of Slurry, 43 Cubic yards/day of material and 6,450 yards annually.

Future Uses

~~The proposed future Inert Material Recycling Center use will process at maximum capacity 100,000 tons of concrete and asphalt annually in addition to the Concrete Slurry Processing Operation.~~

3.. SITE ACCESS

The subject property is located on the North side of Hanson Way in the City of Woodland community. There is one existing access point off Hanson Way that is approximately 40 feet wide.

4. EMPLOYEES

4.1 NUMBER:

For the proposed Uses, employment will vary according to time of year, business cycles, local construction activity, between 5 to 10 individuals will be employed by the proposed activities on the subject property.

5. EQUIPMENT

It is anticipated that the following equipment would be utilized by the proposed operations.

Equipment Description	Quantity
Excavator	1
Bobcat	1
Front-End Loader	1

6. TRAFFIC ESTIMATES

Proposed Concrete Slurry Processing Operation

It is anticipated that the Proposed Concrete Slurry Processing Operation will have a maximum of 9 one-way heavy truck trips per day. This is calculated by dividing the maximum tonnage per day (225 tons) by 20 (which represents the tonnage capacity of the trucks that will be utilized in this operation) multiplied by 2 to account for trucks entering and exiting the facility.

Future Use

~~The average traffic generation for the future Inert Material Recycling Center is an estimated 64 heavy truck trips per day. This is calculated by dividing the maximum~~

~~tonnage per year of 100,000 by the number of days the facility operates, 260 days (5 days a week multiplied by 52 weeks) which equals a maximum of 385 tons per day. Divide the 385 tons per day by 12 tons (which is the capacity of the smallest haul truck) equals a maximum of 32 one-way heavy truck trips per day. The 32 one-way heavy truck trips per day is multiplied by 2 to account for trucks entering and exiting the site, which equals the maximum of 64 heavy truck trips per day with the smallest capacity haul truck. Most trucks utilized in this industry are approximately double the capacity of the smallest haul truck.~~

7. HOURS OF OPERATION

Monday – Friday: 6:00 AM to 6:00 PM

Saturday: 8:00 AM to 5:00 PM

Sunday: 8:00 AM to 5:00 PM

877-921-1878

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OFFICE SPECIFICATIONS

SIZE

- 36' & 46' Long (including hitch)
- 32' & 42' Box Size
- 10' Wide
- 8' Ceiling Height

EXTERIOR FINISH

- Wood Siding
- I-beam Frame
- Standard Drip Rail Gutters
- 40 lb. Roof Load
- Detachable Hitch

INTERIOR FINISH

- Wood-Grain Paneled Walls
- Vinyl Tile Floors
- Private Offices (2)
- T-Grid Ceilings
- Fold-down Plan Table (1)
- 8' Desktop (1)
- 8' Overhead Shelf (1)

ELECTRIC

- Fluorescent ceiling lights
- 120/240 Volt, single-phase
- 125-amp break panel
- Vandal resistant exterior lights at all doors
- Exterior phone / data jack access

WINDOWS & DOORS

- Horizontal Slider Windows with Screens
- Mini Blinds
- Interior Security Bars
- Hydraulic Door Closures

HEATING & COOLING

- Supply and Returned Ducted
- Central HVAC



MODULAR OFFICE TOUR

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Hanson Way
Woodland, CA

ISSUE #:	DESCRIPTION	DATE:
	CONCEPTUAL SUBMITTAL	4-29-2011

[illegible]

Preliminary Planting Plan

Scale	1"=20'
Job Number	L12-011-1
Date	04-29-2013
Drawn	EJO
Checked	EJO
Sheet	

LP

Varies



15 Gallon 6



15 Gallon 4



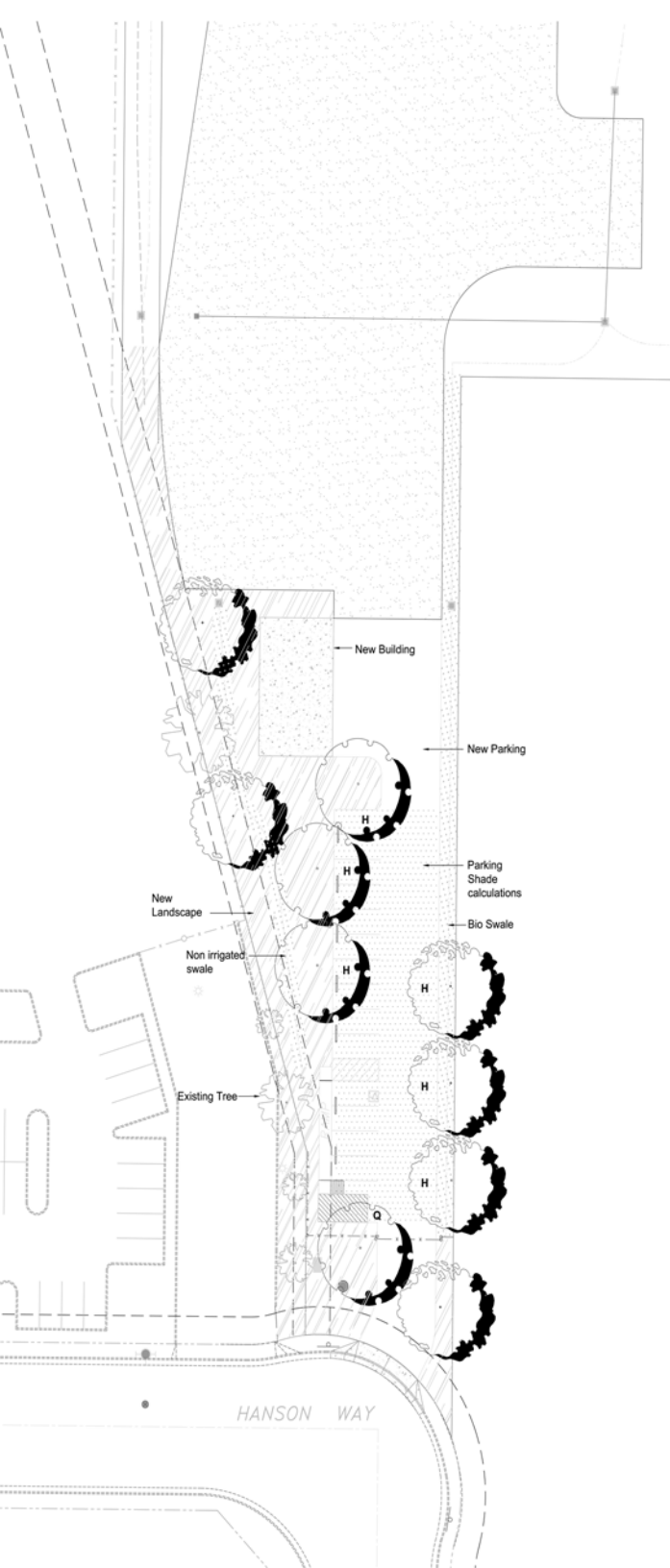
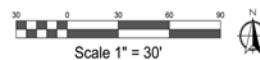
Arctostaphylos 'Howard McMinn'	Manzanita	Low	5 Gallon
Cistus purpureus	Rockrose	Low	5 Gallon
Pennisetum s. rubra	Purple Fountain Grass	Low	1 Gallon
Muhlenbergia capillaris	Pink Muhly Grass	Low	1 Gallon
Nerium oleander dwf	Dwarf Oleander	Low	5 Gallon
Rhapidoilepis 'Pink Lady'	Indian Hawthorne	Low	5 Gallon
Thalpigalia violacea	Society Garlic	Low	1 Gallon
Xylosma c. compacta	Dwarf Xylosma	Low	5 Gallon

1 Gallon	36" OC
1 Gallon	24" OC

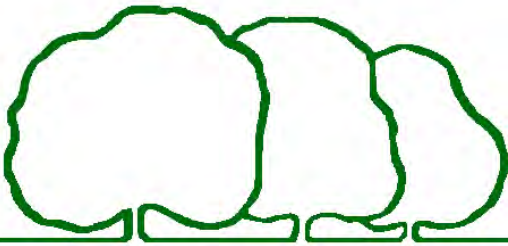
Tree Variety	Full Value	Full	¾	Half	¼	Total Sq.
35' Trees						
Quercus shumardii	962 sq.¹			3		1443
Ulmus True Green	962 sq.¹			3	1	1683
Total Shade Area Provided						3126

Parking Area		6170
Shade required	40%	2468
Shade Provided	50%	3126

Design shall include a fully automatic irrigation system consisting of low volume water conveyance features including subterranean drip emission, ET controller and other water saving features.



ATTACHMENT B



City of Woodland

Community Development Department 300 First Street Woodland, CA 95695 (530) 661-5820 (530) 406-0832 Fax

NOTICE OF INTENT AND NOTICE OF PUBLIC HEARING

TO: All Interested Parties

FROM: City of Woodland Community Development Department

DATE: May 14, 2013

SUBJECT: ***Notice of Intent to Adopt a Mitigated Negative Declaration and Notice of Public Hearing to Take Action on the Proposed Golden State Reclamation Project***

Applicant: Travis Brandt, Golden State Reclamation
13375 Rock Crossing Dr.
Reno, NV 89511 (775) 742-8085

Description of Project: The proposed project, ***Golden State Reclamation Project***, land use and zoning designation is Industrial. Existing industrial developments are located directly south, west, and north of the site, and agricultural land uses are located east and northeast of the project site. The proposed project site is currently vacant and covered in ruderal vegetation. The site is located in Flood Zone AE, which is considered a high risk flooding area.

The proposed project consists of a concrete slurry processing facility. A Conditional Use Permit for the facility would be required per the City's Zoning Ordinance. Included in the proposed project design are two reclamation ponds for the concrete slurry, one retention pond for leachate, one storage building for construction equipment, and one on-site mobile office trailer. The processing ponds would be approximately 6,857 square feet each, or 13,714 square feet total, and would be oriented in a north-south direction. The 14,029-square-foot retention pond would be located directly to the north of the processing ponds. A three-sided, 30-by-50-foot or 1,500-square-foot metal building with a concrete pad and side gaps for flood flow would be utilized for equipment storage. The mobile office trailer would have an approximately 20-by-30-foot or 600-square-foot footprint and would be on wheels for ease of movement. A bathroom for employee-use would be located in the mobile office trailer. The proposed project would include connection to the existing nearby City water and sewer lines in Hanson Way.

Employment at the proposed project would vary according to the time of year, business cycles, and local construction activity. However, between five and 10 individuals per shift are anticipated to be employed for the activities at the project site. The site would operate Mondays through Fridays from

6:00 AM to 6:00 PM, and Saturdays and Sundays from 8:00 AM to 5:00 PM.

Requested entitlements include:

- Adoption of a Mitigated Negative Declaration of Environmental Impacts
- Approval of Conditional Use Permit
- Approval of the Project's Site Plan and Design Review

Project Location: The proposed project is located in an industrial area in the northeastern portion of the City of Woodland, Yolo County. Access to the project site is at the east end of Hanson Way, just north of East Main Street as Hanson Way makes a 90-degree turn in the southern direction. The proposed project would be located on a 17.56-acre property with an Assessor's Parcel Number (APN) of 027-350-058.

Environmental Determination: Mitigated Negative Declaration.

Comments on the Negative Declaration: The City requests your written comments on the Negative Declaration during a **30-day review period**, which begins Tuesday, May 14, 2013, and ends Wednesday, June 12, 2013. All comments must be received no later than 4:00 pm, Wednesday, June 12, 2013. Comments should be directed to Paul L. Hanson, AICP, Senior Planner, 300 First Street, Woodland CA 95695.

Public Hearing: A public hearing will be held to consider adoption of the Mitigated Negative Declaration and take action on the project on Thursday, June 20, 2013, before the Planning Commission. This meeting will be held at 6:30 pm in the City Council Chambers located on the second floor of City Hall at 300 First Street, Woodland, California.

In compliance with the Americans with Disabilities Act, if you are a disabled person and you need a disability-related modification or accommodation to participate in these hearings, please contact the Community Development Department at (530) 661-5820. Please make your request as early as possible and at least one-full business day before the start of the hearing.

The City does not transcribe its hearings. If you wish to obtain a verbatim record of the proceedings, you must arrange for attendance by a court reporter or for some other means of recordation. Such arrangements will be at your sole expense.

If you wish to challenge the action taken on this matter in court, the challenge may be limited to raising only those issues raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission prior to the public hearing.

Availability of Documents: The Mitigated Negative Declaration, Environmental Checklist/Initial Study, and supporting documentation are now available for public review at the Community Development Department, 300 First Street, Woodland, CA 95695.

For more information regarding this project, please call Paul L. Hanson, AICP, Senior Planner at (530) 661-5814 or Cindy Gnos with Raney Planning & Management at (916) 372-6100.

ATTACHMENT C

RESPONSE TO COMMENTS

This Response to Comments document contains comments received during the public review period of the Golden State Reclamation project (proposed project) Initial Study/Mitigated Negative Declaration (IS/MND).

BACKGROUND

The City of Woodland, as lead agency, released the IS/MND for public review beginning on Tuesday May 14, 2013 and ending on Wednesday June 12, 2013 pursuant to CEQA Guidelines Section 15105. The Draft IS/MND and supporting documents were made available at the City Community Development Department, located at 300 First Street in Woodland, CA. According to CEQA Guidelines Sections 15073 and 15074, the lead agency must consider the comments received during consultation and review periods together with the IS/MND. However, unlike with an Environmental Impact Report, comments received on an IS/MND are not required to be attached to the IS/MND, nor must the lead agency make specific written responses to public agencies. Nonetheless, the lead agency has chosen to provide responses to the comments received during the public review process for the proposed project IS/MND.

LIST OF COMMENTERS

The City of Woodland received nine comment letters during the open comment period on the IS/MND for the proposed project. The comment letters were authored by the following representatives of local agencies:

Letter 1	James Herota, Central Valley Flood Protection Board
Letter 2	Trevor Cleak, Central Valley Regional Water Quality Control Board
Letter 3	Katie Wurzel, City of Woodland Community Development Engineering
Letter 4	Kevin Combo, Sacramento-Yolo Mosquito & Vector Control District
Letter 5	Mathew R. Jones, Yolo-Solano Air Quality Management District
Letter 6	Vinoo Jain, Central Valley Regional Water Quality Control Board
Letter 7	George Wilson, PGP International, Inc.
Letter 8	Susan Garbini, Yolo Habitat JPA
Letter 9	Moushumi Hasan, Yolo County Environmental Health Solid Waste Program

RESPONSE TO COMMENTS

The Response to Comments section includes responses to each of the comment letters submitted regarding the proposed project. The comment letters are attached at the end of this section.

LETTER 1: JAMES HEROTA, CENTRAL VALLEY FLOOD PROTECTION BOARD

The City has performed floodplain modeling for the proposed project and has determined that the project would not have any significant effects on flood levels at the site. As brought forth in the

letter, pursuant to Title 23 of the California Code of Regulations, the project applicant would apply for and obtain a permit from the Central Valley Flood Protection Board. Proof of compliance would be submitted to the City's Community Development Department prior to the issuance of building and grading permits, per the proposed project's conditions of approval.

LETTER 2: TREVOR CLEAK, CENTRAL VALLEY REGIONAL WATER QUALITY CONTROL BOARD

The proposed project would comply with all applicable Central Valley Regional Water Quality Control Board (CVRWQCB) requirements, and the project applicant would obtain all necessary permits. Proof of compliance would be submitted to the City's Community Development Department prior to the issuance of building and grading permits, per the proposed project's conditions of approval.

LETTER 3: KATIE WURZEL, CITY OF WOODLAND COMMUNITY DEVELOPMENT ENGINEERING

The comment letter indicates that the IS/MND has been reviewed by the City's Transportation Engineer, and that the Transportation Engineer found no issues with the contents of the IS/MND.

LETTER 4: KEVIN COMBO, SACRAMENTO-YOLO MOSQUITO & VECTOR CONTROL DISTRICT

The commenter is concerned with the potential to breed mosquitos in the proposed retention pond, and requests to review a full set of detailed drawings for the retention pond and stormwater drainage plans. The City will route the requested plans to and consult with the Sacramento-Yolo Mosquito & Vector Control District to determine the best means to address the stated concerns.

LETTER 5: MATHEW R. JONES, YOLO-SOLANO AIR QUALITY MANAGEMENT DISTRICT

The comment letter indicates that the IS/MND has been reviewed by the Yolo-Solano Air Quality Management District (YSAQMD), and that the YSAQMD has no comments. The commenter's request that the project applicant contact the YSAQMD regarding permits shall be forwarded to the project applicant for their consideration.

LETTER 6: VINOO JAIN, CENTRAL VALLEY REGIONAL WATER QUALITY CONTROL BOARD

The CVRWQCB submitted a comment letter dated May 28, 2013. After completing a site specific review of the IS/MND, the CVRWQCB submitted this additional comment letter dated June 11, 2013. The CVRWQCB's concerns included in the June 11, 2013 comment letter are addressed below.

1. The proposed project is located within a high risk flood zone.

This comment provides a summary of the flood risk analysis in the IS/MND and does not address the adequacy of the IS/MND.

2. The proposed project is located where shallow groundwater exists.

As stated in the response to comment letter 2 above, the proposed project would obtain all necessary permits and comply with all applicable CVRWQCB requirements. The CVRWQCB during permit review would ensure that all requirements are met, including ensuring that a minimum five foot separation exists between the ponds and the highest anticipated elevation of underlying ground water. Proof of compliance would be submitted to the City's Community Development Department prior to the issuance of building and grading permits, per the proposed project's conditions of approval.

3. Sizing of two proposed processing ponds appears inadequate.

The applicant has indicated that if the volume within the processing ponds is exceeded, the ponds would be cleaned out and the slurry properly disposed at a permitted disposal site.

4. Solids in two proposed processing ponds is not classified as inert waste.

For clarification purposes, the IS/MND shall be revised to remove any reference of the on-site materials as inert waste, per the comment. The processed materials would be delivered to an authorized recycling facility, and any material being disposed would be disposed of properly at a permitted disposal site, consistent with all applicable State regulations.

5. Gravel skirt around two proposed processing ponds and leachate pond not specified as low permeable material.

The applicant proposes to seal the berms of the ponds with an organic sealant material that would help to minimize permeation of any runoff from the ponds, which is not anticipated to occur. The sealant would also help minimize dust generated by equipment during the unloading and loading of processed materials. The applicant proposes to extend protective double lining system through the gravel skirt areas which will be sloped towards the processing ponds. Any waste leaching through this area would then be collected and prevented from entering the groundwater system.

6. Class II Surface impoundments will require groundwater monitoring network to ensure isolation of waste.

As stated in the response to comment letter 2 above, the proposed project would obtain all necessary permits and comply with all applicable CVRWQCB requirements. The CVRWQCB during permit review would ensure that all requirements are met, including establishing the hydrogeology at the site and groundwater monitoring. Proof of compliance would be submitted to the City's Community Development Department prior to the issuance of building and grading permits, per the proposed project's conditions of approval.

7. The IS/MND considers liquid in leachate pond as clean water.

For clarification, the IS/MND's use of the term "clean water" is not intended to imply that the water would be used for potable or any other such purposes. The intention of the IS/MND's use of "clean water" was to explicate that such water is not concrete slurry and is adequate for reuse as

processing water (e.g., to fill the on-site water tanker, wash out residual waste from trucks, or be hauled to ongoing local project sites for use). Any water not reused on-site would be properly disposed of in accordance with all applicable State laws.

8. During wet season storm water collected in processing ponds and leachate pond may/may not be discharged based on cleanup operations prior to rainy season.

As stated in the response to comment letter 2 above, the proposed project would obtain all necessary permits and comply with all applicable CVRWQCB requirements. The CVRWQCB during permit review would ensure that all requirements are met, including ensuring that either all storm water runoff from the processing area is retained in the ponds during the rainy season or that that all concrete slurry residue is completely removed from the ponds during shut down. Grading and drainage for the processing area would be designed so that runoff from the processing area would not discharge to the City storm drain system. Proof of compliance would be submitted to the City's Community Development Department prior to the issuance of building and grading permits, per the proposed project's conditions of approval.

9. PGP International facility dust sensitive due to on-site operations. Dry solids in processing ponds may create dust nuisance during windy conditions.

As further discussed in Response to Comment 11 of Letter 7 below, the material within the processing ponds would be a consistency similar to mud and would not be completely dry or harden. The material would still have moisture content when removed from the ponds. Thus, dust from "dry solids" in the ponds would not occur. During construction and operations, the applicant will implement adequate dust control measures sufficient to retain dust emissions on-site, per the proposed project's conditions of approval. As would be required for any other project in the area, the proposed project would comply with City and YSAQMD requirements to contain dust during construction. Potential dust control measures could include, but would not be limited to, applying chemical stabilizers, dust suppressants, tarps, or other suitable material. Proof of compliance with the proposed project's conditions of approval would be submitted to the City's Community Development Department prior to the issuance of building and grading permits.

In addition, the site plan has been revised to include an asphalt access road, rather than a gravel access road, which would reduce dust emissions generated at the project site from vehicle travel. The applicant also proposes to seal the berms of the ponds with an organic sealant material that would help to minimize dust generated by equipment during unloading of the processed materials. Furthermore, the site plan has been revised to include a row of trees along the southern fence line of the project site, between the project property and the PGP International facility, to help further reduce the threat of dust.

It should be noted that the project site is currently used for dry farming operations, including being disced each year. Accordingly, dust emissions associated with the disking of the site are currently occurring on the project site. Implementation of the proposed project would likely not result in a substantial increase in dust emissions from what already occurs at the project site related to disking.

10. Report of Waste Discharge (ROWD).

As stated in the response to comment letter 2 above, the proposed project would obtain all necessary permits and comply with all applicable CVRWQCB requirements. The CVRWQCB during permit review would ensure that all requirements are met, including consultation with the CVRWQCB and submittal of a ROWD. Proof of compliance would be submitted to the City's Community Development Department prior to the issuance of building and grading permits, per the proposed project's conditions of approval.

11. Other General Requirements.

a. Antidegradation Considerations.

As stated in the response to comment letter 2 above, the proposed project would obtain all necessary permits and comply with all applicable CVRWQCB requirements. The CVRWQCB during permit review would ensure that all requirements are met, including an antidegradation analysis. Proof of compliance would be submitted to the City's Community Development Department prior to the issuance of building and grading permits, per the proposed project's conditions of approval.

b. Industrial NPDES Storm Water Permit.

As stated in the response to comment letter 2 above, the proposed project would obtain all necessary permits and comply with all applicable CVRWQCB requirements, including coverage under a NPDES Industrial Stormwater Permit. Proof of compliance would be submitted to the City's Community Development Department prior to the issuance of building and grading permits, per the proposed project's conditions of approval.

LETTER 7: GEORGE WILSON, PGP INTERNATIONAL, INC.

The following responses to the comments submitted by George Wilson are numbered in accordance with each bracketed comment of the letter (see bracketed comment letter attached at the end of the Response to Comments section).

Response to Comment 1

The comment is an introductory comment and includes a summary of the project description. The comment does not address the adequacy of the IS/MND.

Response to Comment 2

The commenter summarizes the concerns regarding the proposed project brought forth in further detail throughout the remainder of the comment letter. The commenter's concerns are fully addressed in the responses to comments below.

Response to Comment 3

The commenter explains the services provided by Environmental Resources Management (ERM),

and states that the ERM report is attached to the comment letter. Based on the conclusions in the ERM report, the commenter expresses his opinion that the IS/MND and the Conditional Use Permit (CUP) not be approved. The comment has been forwarded to the decision-makers for their consideration. It should be noted that the concerns brought forth in the ERM report that have led to such an opinion are addressed in the responses to comments below. The IS/MND adequately complies with the requirements of CEQA. In addition, the Planning Commission has the authority to make the final decision regarding approval of the proposed project and CUP.

Response to Comment 4

The comment summarizes the concerns presented in the ERM report, as well as sections of the CEQA Guidelines. All concerns brought forth in the ERM report are addressed in further detail in the responses to comments below.

Response to Comment 5

See Response to Comment 4 above.

Response to Comment 6

The comment is an introductory comment and includes a summary of the concerns identified in the ERM report, each of which is addressed in the corresponding responses to comments below.

Response to Comment 7

The comment is an introductory comment stating the commenter's opinion that some elements of the project description should be clarified. The elements of concern are addressed in Responses to Comments 8 through 11 below.

Response to Comment 8

As noted by the commenter, the IS/MND properly discloses that the material to be handled would be considered a designated waste and the project would be a Class II waste management unit (See pages 34 and 37 of the IS/MND). For further details regarding the incoming materials and overall production process, please see Response to Comment 11 below. Please refer to response number 6 to comment letter 6 regarding hydrologic site characteristics.

Response to Comment 9

Required permits for the project are adequately disclosed in the associated impact areas throughout the IS/MND. The project applicant is not required to contact any regulatory agencies during environmental review nor is the environmental document required to state whether conversations have been initiated at the time of preparation. However, the project applicant has in fact had significant consultations with the RWQCB regarding the design of the project. In addition, the IS/MND includes performance standards, including coordination with the RWQCB prior to issuance of grading permits, that would ensure that the appropriate actions are performed at the appropriate time.

Response to Comment 10

The discussions of project trips included on pages 9 and 17 of the IS/MND are both correct, as well as the discussion of trips on page 51 of the IS/MND. The original project proposal included a recycling center, which is no longer part of the project. Thus, the IS/MND does not include any references to the recycling center and the associated trips were not applied to any of the analyses. The Focused Traffic Study prepared for the proposed project by KD Anderson & Associates, Inc. included the trips associated with the original proposal, including 64 daily truck trips for the recycling center operations. Because the project modification would not change the conclusions of the Focused Traffic Study, an updated version of the Focused Traffic Study was not necessary.

Response to Comment 11

The commenter requests further information and/or clarification regarding the overall production process. Further information and/or clarification are provided as follows:

- 1) The nature of the incoming material is a mixture of concrete grindings and added water (aka concrete slurry). The concrete is “ground” off of public roads, highways, and airports. This material would be transported from construction sites and off-loaded (dumped) at the project site by tankers/trailers, which have a volume of 5,000 gallons. Historically, pH levels have been approximately 10 +/- 1.
- 2) The project would include on-site personnel responsible for inspecting and monitoring incoming loads, in order to detect the presence of any hazardous or prohibited materials.
- 3) The pond would be a double-lined. The secondary liner would be 40-mil HDPE, the minimum required by Title 27 regulations, and the primary liner would be 60 mil, which exceeds the Title 27 requirement. Installation and distance of groundwater to impounded waste would comply with Title 27 (See response 2 of comment letter 6 above).
- 4) A leakage detection system would be placed between the two pond liners and would be monitored and submitted quarterly with the WDR. In compliance with Title 27, monitoring wells would be installed, and a groundwater monitoring and reporting plan would be implemented, which would be overseen by the RWQCB.
- 5) The composition of the material within the ponds during processing would be a concrete mud material, similar to the make-up of concrete when poured, except that the mixture would already be cured. Additional chemicals would not be added to the material in the ponds.
- 6) As stated on page 9 of the IS/MND, “The proposed project would operate from April through October and would shut down during the winter wet season (November through March).”
- 7) The borrow area would be used to temporarily stock pile soil during construction of the project. Upon completion of project construction, portions of the borrow area would be used to park construction equipment when not in use and the remaining portion would be

vacant.

- 8) As noted in 5) above, the material in the ponds would be mud-like and would not harden. Therefore, breaking or grinding of the processed material would not be required. As discussed on page 9 of the IS/MND, and further clarified in response 4 to comment letter 6 above, the excavated material would be loaded onto trucks and transported to an authorized recycling facility, and any material being disposed would be disposed of properly at a permitted disposal site, consistent with all applicable State regulations.
- 9) As discussed on page 40 of the IS/MND, the stormwater collection and conveyance system for the project would consist of adequate capacity in the retention pond for the 1,000-year storm event. The levee tops surrounding the pond would be sloped so that stormwater runoff would flow into the ponds. The water would flow through the leachate collection system and be collected in the retention pond, which, as discussed on page 9 of the IS/MND, would “be used to refill the on-site water tanker and/or to supply the tanker trucks with water to be carried back to local project sites.” The areas outside of the ponds would be sloped to allow stormwater to flow to the City’s existing storm drainage system. Grading and drainage of the processing area would be designed so that runoff from the processing area would not discharge to the City storm drain system. As explained on page 9 of the IS/MND and further clarified in response 7 to comment letter 6 above, prior to operational shut down, water from the retention pond would be used to fill the on-site water tanker, and any remaining water would be properly disposed of in accordance with all applicable State laws.
- 10) As discussed on page 5 of the IS/MND, water and sewer services are currently provided to the project area by the City of Woodland and gas and electric service from Pacific Gas & Electric (PG&E). Existing utility lines are located along Hanson Way. The proposed project would include connection to the existing nearby City water, storm drainage, sewer, and telecommunications lines, as well as the PG&E lines, in Hanson Way.
- 11) If the proposed project is approved on July 18, 2013, construction of the project would commence in late July or early August, and would end no later than the end of October. It should be noted that construction of the project was initially anticipated to begin in May 2013; thus, the air quality and greenhouse gas modeling completed for the proposed project utilized such timing. Because the duration of construction would remain the same as modeled, the construction-related emissions would not change.
- 12) See response 9 to comment letter 6 above. In addition, air quality and dust control practices would be met through the construction activities SWPPP program, as well as through long-term Industrial Stormwater Pollution Plan practices, as required under City Ordinances.
- 13) The “1.5-acre inert material recycling center” mentioned in the comment was initially proposed as part of the project, but has since been removed. In addition, for clarification purposes, as discussed in response 4 to comment letter 6 above, the materials to be processed on-site are not considered inert waste. Thus, the comment is no longer applicable to the proposed project.

- 14) The applicant has indicated that if rainfall during the off season causes any of the ponds to fill near capacity, the water would be pumped out of the pond into water tankers and disposed of properly at a permitted disposal site, consistent with all applicable State regulations. In addition, CVRWQCB during permit review would ensure that all requirements are met, including maintaining minimum freeboard in the ponds in accordance with Title 27. Proof of compliance with all applicable CVRWQCB requirements would be submitted to the City's Community Development Department prior to the issuance of building and grading permits, per the proposed project's conditions of approval.
- 15) Landscaping for the proposed project is shown on the Landscaping Plan submitted to City, and complies with City Ordinances. A copy of the Landscaping Plan could be forwarded to you upon request.

Response to Comment 12

The comment is introductory to comments 13 through 17, which are addressed in detail below.

Response to Comment 13

The proposed project is an allowable use under the existing land use and zoning designations for the site, and would be consistent with the General Plan policies and proposals for industrial land uses. In addition, the project does not include placement of any sensitive land uses nor are any sensitive receptors located in the proximity of the project. The project site is currently vacant and undeveloped. It should be noted that the project site is currently used for dry farming operations, including being disced each year. Irrigation is not provided; the only water application would be rainfall. Pesticides or other chemicals are not used at the project site. The project site is in an industrial area and is adjacent to existing similar land uses. The nearby existing land uses did not identify any soil contamination at their respective sites; thus, soil contamination would be unlikely to occur at the project site as well.

Response to Comment 14

As stated on page 5 of the IS/MND, "According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) Number 06113C0465H, dated May 16, 2012, the proposed project site is located in Flood Zone AE. Flood Zone AE is a base floodplain considered a high risk flooding area." Thus, the existing setting related to on-site flooding has been adequately presented. As discussed on page 38 of the IS/MND, the project would be required to comply with Title 27, as approved by the SWRCB. Also see response to comment letters 1 and 2, and responses 2, 6, and 10 to comment letter 6 above.

Response to Comment 15

The statement made in the IS/MND that the project site may have been previously graded, but is now covered in ruderal and mustard grasses, and that dense vegetation or trees do not exist on the site, is based on visual observations of the site during a site visit in March 2013, which is considered to be during the winter wet season. Google Earth was also utilized to obtain an aerial

view the site. It should be noted that the project site is currently used for dry farming operations, including being disced each year. After being disced, the site is left undisturbed, allowing ruderal vegetation to grow until the next crop seeds are applied to the site. In addition, according to the USFWS National Wetlands Inventory, the project site is not considered wetlands, riparian, nor has historically been a wetland. If “wet areas may have routinely occurred on the site,” such events would likely be associated with the winter wet season. The proposed project would shut down during the winter wet season (November through March) and would comply with Title 27. See responses to comment letter 1 and 2 above.

Response to Comment 16

The commenter states that the City’s 1996 General Plan EIR is outdated regarding the potential for cultural resources at the site, and that a CHRIS records search should be conducted, as “cultural resources could have been identified since that time.” The project site is currently vacant and undeveloped, and has been vacant and undeveloped since the time the General Plan EIR was prepared. In addition, as discussed in Response to Comment 13 above, the project site is currently disced each year. Accordingly, the likelihood for any new known cultural resources to have been identified is low. Page 25 of the IS/MND merely states that known historical resources do not exist on the project site or immediate vicinity; however, as further stated on page 25, unknown or unidentified resources may be located on-site. As such, Mitigation Measure V-1 was provided, which includes performance standards in the event that previously unknown resources are encountered.

Response to Comment 17

See Response to Comment 13 above. In addition, see responses 2, 6, and 9 to commenter letter 6 above.

Response to Comment 18

The comment is introductory to comments 19 through 27, which are addressed in detail below.

Response to Comment 19

CalEEMod is the preferred and recommended model per the YSAQMD. Design-level project details shall be appropriately discussed at the time of design during the permit process, and are not required for environmental review. Because design-level details are not available at this time nor required for environmental review, the best available data was utilized. Accordingly, where project-specific and/or design-level details were available, such information was applied to the project modeling (i.e., construction phasing and schedule and estimated daily project trips). Otherwise, the assumptions and defaults utilized in CalEEMod, the preferred and recommended model, were applied as they would be considered the best available data.

The specific project use is not included in CalEEMod. A blank land use sub type option is available in the model in the event that all other land use sub types do not fit the project; however, no default data associated with the blank land uses is included in the model and all information would need to be entered manually by the user in order for emissions to be calculated. Because

design-level details are not available at this time nor required for environmental review, all the information needed to utilize this option was not available. Therefore, the land use sub type that best matched the proposed use was applied. Although the project's use is not include in the CalEEMod User's Guide brief description of a General Light Industry land use sub type list of "typical light industrial activities," the description better fits the proposed project than any other land use type available in CalEEMod. The proposed project is a free-standing facility devoted to a single use, has an emphasis on an activity other than manufacturing, and has minimal office space. Whereas the CalEEMod User's Guide description for a General Heavy Industry land use sub type is as follows: "Heavy industrial facilities usually have a high number of employees per industrial plant and are generally limited to the manufacturing of large items," which is further from the description of the proposed project's use than the General Light Industry land use sub type. Furthermore, CalEEMod would represent a conservative estimate for the proposed project related to operational emissions from area and energy sources, as the assumptions in the model would assume a higher density, energy requirements, and related activity level than the proposed project.

Per the comment, a supplemental air quality analysis was performed to specifically include the emissions directly from operation of the on-site excavator, Bobcat, and front-end loader. Data obtained from the CARB's In-Use Off-Road Diesel Equipment 2011 Inventory Model and emission factor tables from CARB (derived from the EMFAC model) were utilized. The hours of operation of the proposed project were utilized as well. According to the supplemental analysis, the on-site equipment would result in emissions of ROG and NO_x of 0.13 and 3.42 tons per year, respectively, which are both below the applicable thresholds of significance. Even if the on-site equipment emission estimates were added to the CalEEMod results, the total ROG and NO_x emissions would be 3.64 and 0.74 tons per year, respectively, which would still be below the applicable thresholds of significance. Again, the CalEEMod results already represent a conservative estimate for the proposed project related to operational emissions from area and energy sources.

See response 9 to comment letter 6 above for concerns related to dust emissions.

It should also be noted that, as shown in response to Letter 5 above, the YSAQMD reviewed the IS/MND and had no comments.

Response to Comment 20

See response 9 to comment letter 6, number 12 in Response to Comment 11, and Response to Comment 19 above.

Response to Comment 21

See response 9 to comment letter 6, number 12 in Response to Comment 11, and Response to Comment 19 above. The modeling results were included as an appendix to the IS/MND.

Response to Comment 22

As clearly stated on page 15 of the IS/MND, "where project- or site-specific data was available, such data was input into the model (e.g., construction phasing and schedule, estimated daily project

trips, etc.).” Accordingly, the default trip generation rates were overridden to better reflect project conditions. Also see responses to comments 10, 19, and 20 above.

Response to Comment 23

See responses to comments 19 and 20 above. As such, the project’s air quality impacts have been adequately addressed. According to the modeling, the project would not exceed any applicable thresholds of significance, which supports the conclusion that the project would not violate any air quality standards or contribute to an existing violation. Furthermore, as stated on page 4 of the IS/MND, the nearest sensitive receptor would be located over half-a-mile from the site. Thus, because the project would not exceed thresholds and is located an acceptable distance from sensitive receptors, the conclusion that the project would not expose sensitive receptors to substantial pollutant concentrations is adequate. Although the PGP International facility is dust-sensitive, the facility is an industrial land use and is not considered a sensitive receptor. Nonetheless, the proposed project would include adequate dust control measures sufficient to retain dust emissions on-site. See response 9 to comment letter 6, number 12 in Response to Comment 11, and Response to Comment 19 above.

Response to Comment 24

See Response to Comment 19 above.

Response to Comment 25

The health risks associated with DPM were not determined using CalEEMod. Risks associated with DPM are analyzed based on the amount of anticipated diesel truck trips, stationary sources, and the duration of exposure. As discussed on page 17 of the IS/MND, the proposed project site is located a sufficient distance from the nearest sensitive receptor. Thus, sensitive receptors would not be exposed to on-site DPM emissions from trucks or heavy equipment.

Response to Comment 26

The CARB’s *Air Quality and Land Use Handbook: A Community Health Perspective* (Handbook) provides recommendations for siting new sensitive land uses near sources typically associated with significant levels of DPM emissions, including, but not limited to, freeways and high traffic roads, distribution centers, and rail yards. According to the Handbook, distribution centers with associated diesel truck trips of more than 100 trucks per day are considered a source of substantial DPM emissions. The proposed project would involve a maximum of 24 truck trips associated with operations spread throughout the day. Truck traffic associated with the project would follow the designated truck routes within the City, as set forth in the General Plan, and would not travel through any residential streets. Because the project would result in fewer truck trips on local roadways than the CARB considered as a source of substantial DPM emissions, and the trucks would follow a designated truck route avoiding residential areas, DPM emissions associated with the project’s traveling trucks would not be considered significant.

In addition, risk from DPM to a residential receptor is based on continual exposure (24 hours per day for 350 days per year) over 70 years. The proposed project would only operate from April

through October, Mondays through Fridays from 6:00 AM to 6:00 PM and Saturdays and Sundays from 8:00 AM to 5:00 PM, and would shut down during the winter wet season (November through March). Thus, continual exposure to any receptor would not occur.

It should be noted that the number of truck trips associated with the proposed project is minor in comparison to other nearby industrial uses.

Response to Comment 27

See Response to Comment 19 above. In addition, as stated on page 33 of the IS/MND, very few locations are currently available within the region that provides the services proposed for the project. Currently, the nearest Reclamation Plant and primary dumping location for slurry from improvement projects in the Sacramento area is located in Ceres, California, which is a distance of approximately 80 miles. Thus, the proposed project would significantly reduce the existing regional VMT associated with Sacramento area projects by reducing truck hauling by approximately 60 miles (one-way). Furthermore, slurry from roadway improvement projects on Interstate 80 within California currently is hauled to Storey County, Nevada. As such, implementation of the proposed project would help to reduce State-wide VMT as well.

Landfill emissions, water treatment and conveyance transmission emissions, and wastewater treatment emissions would be reduced as well, as the project would recycle water and processed materials to the maximum extent feasible. Other concrete slurry reclamation facilities may not offer such features; thus, because the project does offer such features, the project would regionally reduce such emissions. In addition, it should be noted that typical industrial land uses (i.e., allowable uses on the project site) would likely result in more solid waste and wastewater generation, as well as potable water demand, than the proposed project.

Response to Comment 28

The comment is introductory to comments 29 through 41, which are addressed in detail below.

Response to Comment 29

Design-level project details shall be appropriately discussed at the time of design during the permit process. Such details are not required for environmental review. The mitigation measures included in the IS/MND would be required per the conditions of approval for the project. In addition, a mitigation monitoring and reporting plan would be approved in conjunction with the IS/MND in order to ensure that all mitigation measures are carried out.

Response to Comment 30

As opposed to the comment, the IS/MND does not include compliance with regulations as mitigation for the project.

Response to Comment 31

Please refer to all responses to comments above. The IS/MND adequately addressed the proposed

project's impacts, and the mitigation measures are adequate to reduce all impacts to less-than-significant levels.

Response to Comment 32

See response 9 to comment letter 6, number 12 in Response to Comment 11, and Response to Comment 19 above.

Response to Comment 33

See response 9 to comment letter 6, number 12 in Response to Comment 11, and responses to comments 13, 17, and 19 above.

Response to Comment 34

See responses 8 and 9 to comment letter 6, number 12 in Response to Comment 11, and Response to Comment 19 above. In addition, as stated on page 18 of the IS/MND, the potential for the project to create some odors does exist; however, the site is located in an industrial area adjacent to existing industrial land uses. Sensitive receptors or land uses that would be affected by objectionable odors are not in the proximity of the project site. The question per the CEQA checklist in Appendix G of the CEQA Guidelines is related to the creation of "objectionable odors affecting a substantial number of people." If the project were to create objectionable odors during the wet season, any such odors would not affect a substantial number of people or affect any receptors for an extended period of time. Odors are regulated on a complaint basis. Included in the conditions of approval for the proposed project is the requirement that a publicly visible sign be posted with the telephone number and person to contact at the City regarding complaints. The contact person shall respond and take corrective action within 48 hours. The YSAQMD's phone number would also be visible to ensure compliance with applicable regulations.

Response to Comment 35

See Response to Comment 15 above.

Response to Comment 36

See Response to Comment 16 above.

Response to Comment 37

The commenter states that the impact analysis needs to consider potential impacts related to earth shaking. Section VI, Geology and Soils, of the IS/MND addresses impacts associated with earth shaking. As discussed on page 28 of the IS/MND, the potential for strong ground shaking and related effects is low at the project site. In addition, the IS/MND further states that the project would comply with the California Code of Regulations (CCR), Title 24, also known as the California Building Standards Code, as well as the Uniform Building Code (UBC). Chapter 16 of the UBC, Division of Earthquake Design, requires that structures be designed using certain seismic design criteria based in part on the seismic zone, soil profile, and the proximity of the site to active

faults. The project would also comply with Title 27 seismic design requirements, as well as other Title 27 geotechnical design requirements, which would include the consideration of expansive soils. Secondary liner would be 40-mil HDPE, the minimum required by Title 27 regulations and the primary liner would be 60 mil, which exceeds the Title 27 requirement.

In addition, the commenter states that the impact analysis needs to consider potential impacts of expansive soils, particularly at the pond locations, as the commenter states that the ponds could be a source of moisture to the underlying soils. Section VI, Geology and Soils, of the IS/MND addresses impacts associated with expansive soils. The applicant proposes to extend the protective liner through the gravel skirt areas which will be sloped towards the processing ponds. Any waste leaching through this area would then be collected. In addition, the pond would be double-lined, as described earlier. A leakage detection system would be placed between the two pond liners and would be monitored and submitted quarterly with the WDR. Therefore, project is not expected to cause substantial moisture to underlying soils.

Furthermore, design-level project details shall be appropriately discussed at the time of design during the permit process, and are not required for environmental review. The RWQCB and the City will review all project plans and engineering design-level details. Any modifications or recommendations suggested for the project during design review would be required to be implemented. Thus, the RWQCB and the City would further ensure through their reviews that the proposed project is adequately designed to minimize environmental impacts.

Response to Comment 38

See response to Letter 4 and responses to comments 13 and 17 above.

Response to Comment 39

See Response to Comment 29 above. Also see response to Letter 1, responses 2 and 6 to letter 6, and responses to comments 11 and 14 above.

The commenter states that issuance of a WDR in itself is not a sufficient mitigation measure, and that the facility operators must follow the WDR requirement in order to reasonably ensure the protection of water quality. In order to obtain a WDR Order, the RWQCB must review and approve all site plans, project design details, and other site-specific details. As such, the project would not be approved until adequate design and safety measures are ensured at the site. Thus, issuance of a WDR alone would not reduce any impacts, but the process of which to obtain a WDR and compliance with all requirement of the issued WDR Order would ensure that the project would not result in a significant impact to water quality.

Response to Comment 40

As stated on page 51 of the IS/MND, implementation of the proposed project is expected to result in of a maximum increase of approximately 44 total trips spread throughout the day. Only 25 of the trips would be truck trips, which would be the main concern associated with traffic noise. Truck traffic associated with the site would follow the designated truck routes within the City, as set forth in the General Plan, and would not travel through any residential streets. The relatively small

number of trips is not expected to significantly change the LOS on the roadways surrounding the project site. Similarly, the noise associated with the slight increase in local traffic volumes would not be expected to be substantial, particularly at any sensitive receptors.

It should be noted that the number of truck trips associated with the proposed project is minor in comparison to other nearby industrial uses.

Response to Comment 41

The proposed project would result in a maximum increase of approximately 44 total daily trips, 25 of which would be truck trips. Due to the relatively few vehicle trips associated with the project, as opposed to what could potentially occur at the project site per the land use and zoning designation, the City determined that a traffic study would not be required for the project. In addition, as discussed in Response to Comment 27 above, the proposed project would significantly reduce the existing regional VMT by reducing truck hauling associated with Sacramento area improvement projects.

However, for informational purposes, it should be noted that a traffic impact analysis was prepared for an expansion project to the existing 1.8-million-square-foot Target distribution facility located just west of the proposed project site on Hanson Way in 2010. City Level of Service policy considers LOS D as the acceptable threshold or intersections within ½ mile of an interchange. LOS C is the acceptable threshold or intersections further away. According to the analysis, all intersections were determined to operate at LOS D or better within half-a-mile of an interchange and at LOC or better beyond, even with implementation of the nearby Target expansion project. The slight increase in truck traffic volumes on local roadways as a result of the proposed project would not be expected to cause surrounding intersections or roadways to operate at unacceptable LOS levels.

The proposed project is an allowable use under the existing land use and zoning designations for the site, and would be consistent with the General Plan policies and proposals for industrial land uses. In fact, the proposed project would likely result in a reduction in the intensity of impacts anticipated for buildout of the site per the land use and zoning designation.

Construction activities would be temporary in nature and are anticipated to occur during normal daytime working hours; thus, construction-related traffic would affect local roadways for a short period of time. In addition, construction activities would comply with all City requirements and regulations.

Truck traffic associated with the site would follow the designated truck routes within the City, as set forth in the General Plan, and would not travel through any residential streets. Thus, the project would not result in any increase to impacts associated with bus routes or bike lanes in the area. As stated on page 52 of the IS/MND, adopted City policies supporting alternative transportation are typically associated with residential and commercial land uses. The project is consistent with the industrial land use and zoning designation for the site and would not cause any conflicts with any adopted policies for alternative transportation.

Response to Comment 42

The comment summarizes the concerns brought forth throughout the comment letter. All concerns have been addressed in the responses to comments above.

LETTER 8: SUSAN GARBINI, YOLO HABITAT JPA

In response to the comment letter, the IS/MND shall be revised to add an additional mitigation measure to the Biological Resources section, specifically pertaining to Swainson's hawk nesting.

LETTER 9: MOUSHUMI HASAN, YOLO COUNTY ENVIRONMENTAL HEALTH SOLID WASTE PROGRAM

The commenter states that the Yolo County Environmental Health Solid Waste Program, in consultation with the State Department of Resources, Recycling and Recovery (CalRecycle), after review of the IS/MND has concluded that solid waste permitting is not required for the proposed project. It should be noted that the proposed project no longer includes a recycling center as originally proposed. In addition, the project site would not accept hazardous wastes and would include on-site personnel responsible for inspecting and monitoring incoming loads for the presence of any hazardous or prohibited materials.

CENTRAL VALLEY FLOOD PROTECTION BOARD

3310 El Camino Ave., Rm. 151
SACRAMENTO, CA 95821
(916) 574-0609 FAX: (916) 574-0682
PERMITS: (916) 574-2380 FAX: (916) 574-0682

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JUN 06 2013

City of Woodland



June 5, 2013

Mr. Paul Hanson
City of Woodland
300 First Street
Woodland, California 95695

Subject: Golden State Reclamation Project
SCH Number: 2013052036
Document Type: Mitigated Negative Declaration

Dear Mr. Hanson:

Staff of the Central Valley Flood Protection Board (Board) has reviewed the subject document and provides the following comments:

The proposed project is located adjacent to or within the Willow Slough, Cache Creek, and the Yolo , which is under the jurisdiction of the Central Valley Flood Protection Board. The Board is required to enforce standards for the construction, maintenance, and protection of adopted flood control plans that will protect public lands from floods. The jurisdiction of the Board includes the Central Valley, including all tributaries and distributaries of the Sacramento River, the San Joaquin River, and designated floodways (Title 23 California Code of Regulations (CCR), Section 2).

A Board permit is required prior to starting the work within the Board's jurisdiction for the following:

- The placement, construction, reconstruction, removal, or abandonment of any landscaping, culvert, bridge, conduit, fence, projection, fill, embankment, building, structure, obstruction, encroachment, excavation, the planting, or removal of vegetation, and any repair or maintenance that involves cutting into the levee (CCR Section 6);
- Existing structures that predate permitting or where it is necessary to establish the conditions normally imposed by permitting. The circumstances include those where responsibility for the encroachment has not been clearly established or ownership and use have been revised (CCR Section 6);
- Vegetation plantings will require the submission of detailed design drawings; identification of vegetation type; plant and tree names (i.e. common name and scientific name); total number of each type of plant and tree; planting spacing and irrigation method that will be utilized within the project area; a complete vegetative management plan for maintenance to prevent the interference with flood control, levee maintenance, inspection, and flood fight procedures (CCR Section 131).

Vegetation requirements in accordance with Title 23, Section 131 (c) states "Vegetation must not interfere with the integrity of the adopted plan of flood control, or interfere with maintenance, inspection, and flood fight procedures."

Mr. Paul Hanson

June 5, 2013

Page 2 of 2

The accumulation and establishment of woody vegetation that is not managed has a negative impact on channel capacity and increases the potential for levee over-topping. When a channel develops vegetation that then becomes habitat for wildlife, maintenance to initial baseline conditions becomes more difficult as the removal of vegetative growth is subject to federal and State agency requirements for on-site mitigation within the floodway. The project should include mitigation measures to avoid decreasing floodway channel capacity.

Hydraulic Impacts - Hydraulic impacts due to encroachments could impede flood flows, reroute flood flows, and/or increase sediment accumulation. The project should include mitigation measures for channel and levee improvements and maintenance to prevent and/or reduce hydraulic impacts. Off-site mitigation outside of the State Plan of Flood Control should be used when mitigating for vegetation removed within the project location.

The permit application and Title 23 CCR can be found on the Central Valley Flood Protection Board's website at <http://www.cvfpb.ca.gov/>. Contact your local, federal and State agencies, as other permits may apply.

The Board's jurisdiction, including all tributaries and distributaries of the Sacramento River and the San Joaquin River, and designated floodways can be viewed on the Central Valley Flood Protection Board's website at <http://gis.bam.water.ca.gov/bam/>.

If you have any questions, please contact me by phone at (916) 574-0651, or via e-mail at jherota@water.ca.gov.

Sincerely,



James Herota
Staff Environmental Scientist
Projects and Environmental Branch

cc: Governor's Office of Planning and Research
State Clearinghouse
1400 Tenth Street, Room 121
Sacramento, California 95814



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Central Valley Regional Water Quality Control Board

28 May 2013

Paul Hanson
City of Woodland
300 First Street
Woodland, CA 95695

CERTIFIED MAIL
7011 2970 0003 8939 9138

COMMENTS TO REQUEST FOR REVIEW FOR THE DRAFT MITIGATED NEGATIVE DECLARATION, GOLDEN STATE RECLAMATION PROJECT, SCH NO. 2013052036, YOLO COUNTY

Pursuant to the State Clearinghouse's 14 May 2013 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Draft Mitigated Negative Declaration* for the Golden State Reclamation Project, located in Yolo County.

Our agency is delegated with the responsibility of protecting the quality of surface and groundwaters of the state; therefore our comments will address concerns surrounding those issues.

Construction Storm Water General Permit

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction Activities (Construction General Permit), Construction General Permit Order No. 2009-009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP).

For more information on the Construction General Permit, visit the State Water Resources Control Board website at:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml.

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City of Woodland

Phase I and II Municipal Separate Storm Sewer System (MS4) Permits¹

The Phase I and II MS4 permits require the Permittees reduce pollutants and runoff flows from new development and redevelopment using Best Management Practices (BMPs) to the maximum extent practicable (MEP). MS4 Permittees have their own development standards, also known as Low Impact Development (LID)/post-construction standards that include a hydromodification component. The MS4 permits also require specific design concepts for LID/post-construction BMPs in the early stages of a project during the entitlement and CEQA process and the development plan review process.

For more information on which Phase I MS4 Permit this project applies to, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permits/.

Industrial Storm Water General Permit

Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order No. 97-03-DWQ.

For more information on the Industrial Storm Water General Permit, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/industrial_general_permits/index.shtml.

Clean Water Act Section 404 Permit

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACOE). If a Section 404 permit is required by the USACOE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements.

If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACOE at (916) 557-5250.

Clean Water Act Section 401 Permit – Water Quality Certification

If an USACOE permit, or any other federal permit, is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications.

¹ Municipal Permits = The Phase I Municipal Separate Storm Water System (MS4) Permit covers medium sized Municipalities (serving between 100,000 and 250,000 people) and large sized municipalities (serving over 250,000 people). The Phase II MS4 provides coverage for small municipalities, including non-traditional Small MS4s, which include military bases, public campuses, prisons and hospitals.

Waste Discharge Requirements

If USACOE determines that only non-jurisdictional waters of the State (i.e., "non-federal" waters of the State) are present in the proposed project area, the proposed project will require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation.

For more information on the Water Quality Certification and WDR processes, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/help/business_help/permit2.shtml.

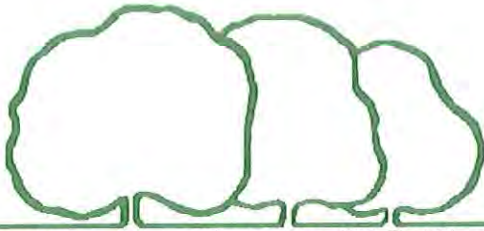
If you have questions regarding these comments, please contact me at (916) 464-4684 or tcleak@waterboards.ca.gov.



for

Trevor Cleak
Environmental Scientist

cc: State Clearinghouse Unit, Governor's Office of Planning and Research, Sacramento



City of Woodland

Community Development Engineering 300 First Street, Woodland, CA 95695 (530) 661-5961 www.cityofwoodland.org

MEMORANDUM

Date: June 6, 2013
To: Paul Hanson, Senior Planner
From: Katie Wurzel, Transportation Engineer
Subject: Golden State Reclamation

I have reviewed the Draft MND for the subject project and have no issue with the contents of Section XVI Transportation/Circulation.

Thank you,

A handwritten signature in blue ink, appearing to read 'Katie Wurzel', is written below the 'Thank you,' text.

AICP
Paul L Hanson
300 First Street
Woodland, Ca. 95695

20 May 2013

Re: Golden State Reclamation Project

The Sacramento-Yolo Mosquito and Vector Control District (District) appreciates the opportunity to review and comment on NOI/Negative Declaration for the Golden State Reclamation Project. The District is providing the following comments and concerns relating to the proposed project.

General Comment: The Sacramento Yolo Mosquito and Abatement District mission is "To provide safe, effective and economical mosquito and vector control for Sacramento and Yolo counties". To accomplish this, we provide ongoing surveillance of mosquitoes and other vectors to determine the threat of disease transmission and lower annoyance levels. As a District we promote cooperation and communication with property owners, residents, social and political groups as well as other governmental agencies to help in these efforts. Our ultimate goal is to protect public health and welfare from diseases transmitted by mosquitoes such as West Nile virus, Western Equine Encephalitis, canine heartworm, malaria and others.

The NOI/Neg Dec for the Golden State Reclamation Project fails to identify or mitigate for the potential adverse effects regarding public health, specifically the potential to breed mosquitoes in the proposed retention ponds as a result of the proposed project.

The District would like to review a full set of detailed drawings for the proposed retention pond associated with this project. Please incorporate a detailed plan along with dimensions, slope, grade, vegetated cover and a long term maintenance plan that may be associated with the retention pond.

The District would like to review any stormwater drainage plans including site specific hydromodification, Low Impact Developments (LID's), or any other type of green infrastructure that may be utilized as part of the counties SWPPP or the City of Woodlands Stormwater Quality Control Ordinance.

Rational: If not properly constructed, managed or maintained, poorly designed and maintained facilities such as retention ponds and improperly designed and maintained stormwater quality and control systems may breed mosquitoes which can have an adverse effect on public health and welfare and may have a direct impact to local economies.

The District has developed and adopted a Mosquito Reducing Best Management Practices (BMP) Manual which can be downloaded from the District's website at: <http://www.fightthebite.net/physical-control>. Please review and implement the District's BMP's for design and maintenance guidelines of all proposed projects to reduce or prevent the breeding of mosquitoes.

Failure to address these issues and potential mosquito breeding sources during the planning and construction process may result in enforcement actions to the landowner after the project has been completed. The District has the authority to abate a public nuisance as defined in the California Health and Safety Code (HSC) Section § 2010 and may pursue enforcement actions pursuant to Sections § 2060 of the (HSC) which can involve civil fines of up to \$1000/per day.

Should you have any questions or concerns please feel free to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Kevin Combo".

Kevin Combo
Ecological Management Department
Sacramento Yolo Mosquito and Vector Control District
kcombo@FightTheBite.net



1947 Galileo Ct., Suite 103 • Davis, California 95616

(530) 757-3650 • (800) 287-3650 • Fax (530) 757-3670

June 4, 2013

City of Woodland Community Development Dept.
Paul Hanson, Senior Planner
520 Court Street
Woodland, CA 95695

Re: Golden State Reclamation Project Mitigated Negative Declaration

Dear Mr. Hanson:

The Yolo Solano Air Quality Management District (District) has reviewed the above project. The District does not have any comments at this time. However, the project applicant should contact the District's permitting section prior to construction of the project to determine whether any permits would be required.

If you have any questions concerning this letter, please contact me at (530) 757-3668.

Sincerely,

A handwritten signature in blue ink that reads "Matthew R. Jones".

Matthew R. Jones
Supervising Air Quality Planner

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JUN 05 2013

City of Woodland



Central Valley Regional Water Quality Control Board

11 June 2013

Paul Hanson, Senior Planner
City of Woodland, Community Development Department
300 First Street
Woodland, CA 95695

***SITE SPECIFIC COMMENTS ON INITIAL STUDY AND MITIGATED NEGATIVE
DECLARATION (IS/MND), GOLDEN STATE RECLAMATION PROJECT (PROJECT),
GOLDEN STATE CRUSHING, LLC (APPLICANT), YOLO COUNTY, SCH#2013052036***

Central Valley Regional Water Quality Control Board (Central Valley Water Board) staff provided general comments on the Project in a letter dated 28 May 2013. Central Valley Water Board staff has completed its site specific review of the IS/MND Plan dated May 2013 for the Project and amends the 28 May 2013 letter with the following site specific comments:

- 1. The proposed Project is located within a high risk flood zone.** The proposed Project is located in Flood Zone AE which is designated by the Federal Emergency Management Agency (FEMA) as a high risk flooding area. The proposed Project intends to process designated waste as defined in CA Water Code Section 13173 within Class II surface impoundments subject to California Title 27 Regulations (Title 27). Title 27 requires that new Class II Units be designed, constructed, operated, and maintained to prevent inundation or washout due to floods with a 100 year return period. As a mitigation measure the Applicant has proposed removing all designated waste from the facility during the wet season when a flood event is most likely to occur. A Waste Discharge Requirements (WDRs) permit issued to the Applicant will incorporate this mitigation measure amongst others that will ensure isolation of designated waste from waters of the state.
- 2. The proposed Project is located where shallow groundwater exists.** Department of Water Resources (DWR) groundwater elevation monitoring well# 10N02E26Q001M located approximately 1000 feet west of the proposed Project has recorded historical groundwater elevations less than five (5) feet below ground surface predominately during the months of March and April. Title 27 Section 20240(c) requires that new Class II surface impoundments be sited, designed, constructed, and operated to ensure that wastes will be a minimum of five feet (5 ft.) above the highest anticipated elevation of underlying ground water. The highest anticipated elevation of underlying ground water includes any water which rises above the saturated zone due to capillary forces e.g. the capillary fringe. The applicant must determine the highest anticipated elevation of underlying ground water including the capillary fringe and site, design, construct, and operate the Class II surface impoundments

such that during years of heavy precipitation and high flows in Cache Creek the proposed Project will consistently comply with Title 27 groundwater separation requirements.

3. **Sizing of two proposed processing ponds appears inadequate.** The IS/MND states that the total square footage of the two processing ponds combined is 13,714 square feet and that the working depth of the ponds is two (2) feet yielding a total storage capacity of approximately 1000 cubic yards. The IS/MND also states that the facility would process a maximum of 45,000 gallons of slurry, 43 cubic yards per day of material, and 6,450 yards annually. Furthermore, the IS/MND states that the processed materials would be hauled from the project site once per year. Based on the information provided the two proposed processing ponds appear to be undersized to process the estimated maximum amount of slurry/solids annually received at the site. Concrete slurry is typically 15% to 50% solids. Assuming an average of 30% solids the proposed site would need a minimum working volume of 1935 cubic yards in the processing ponds to accommodate 6,450 cubic yards of concrete slurry annually. This estimate does not include the volume of leachate present in the processing ponds at any given time.
4. **Solids in two proposed processing ponds is not classified as inert waste.** The IS/MND states that the solids processed in the two processing ponds would be loaded onto trucks and delivered to a regional inert material recycler to be incorporated into post-consumer aggregate products. The solids removed from the processing ponds are not classified as inert material per Title 27 Section 20230. Inert material recyclers are not authorized to store solid waste piles consisting of material removed from the processing ponds unless those waste piles are classified as designated waste piles and regulated appropriately per Title 27 regulations. The recycling or disposal of material removed from the processing ponds must be conducted at sites authorized to accept, store, and dispose/recycle of non-hazardous designated waste.
5. **Gravel skirt around two proposed processing ponds and leachate pond not specified as low permeable material.** The site plan for the proposed Project depicts gravel paving around the two processing ponds and the leachate pond. In this area while these ponds are being emptied there is a high probability that spillage will occur especially around the processing ponds where the Applicant proposes using a backhoe to empty these two ponds. Although the IS/MND indicates that the gravel skirt around the ponds will be sloped towards the ponds without specifying a low permeable surface there is a likelihood that non-hazardous designated waste will infiltrate the gravel surface and discharge leachate into the underlying sub base and eventually to underlying ground water resources.
6. **Class II Surface impoundments will require groundwater monitoring network to ensure isolation of waste.** Title 27 requires a groundwater monitoring network to be installed prior to discharge of waste into the Class II surface impoundments. The Applicant as part of their application for Waste Discharge Requirements (WDRs) from our Board will have to establish the hydrogeology at the site per Title 27 Section 21750(g). In order to determine the hydrogeology at the proposed site the Applicant must install groundwater monitoring wells that will determine groundwater flow direction, background ground water quality, highest anticipated ground water elevation (including capillary rise). Ground water

monitoring should include enough sampling events to determine seasonal fluctuations in groundwater elevation and ground water flow direction.

7. **The IS/MND considers liquid in leachate pond as clean water.** The IS/MND states that *"clean water from the retention pond would be used to fill the on-site tanker, and any remaining water would be hauled to a treatment facility for disposal."* The leachate in the retention pond contains high pH (can be over 12 standard pH Units), and CAM-17 metals such as chromium, copper, nickel, and zinc which may exist in concentrations that are unacceptable to a treatment facility without a pretreatment program in place at the Applicant's facility. Furthermore, due to the high pH nature of the leachate the design and construction of handling and conveyance equipment may require special materials not susceptible to degradation due to the characteristics of the waste.
8. **During wet season storm water collected in processing ponds and leachate pond may/may not be discharged based on cleanup operations prior to rainy season.** During the wet season when storm water is collected in the empty processing and leachate retention pond the water quality of the storm water may still exceed storm water discharge requirements due to the inability to completely remove all concrete slurry residue from the ponds. If laboratory results from testing storm water within the ponds indicate elevated levels of concentrations of constituents of concern the Applicant may not be authorized to discharge the storm water from the ponds to waters of the state. The Applicant may be required to design the ponds such that they retain all storm water during the rainy season.
9. **PGP International facility dust sensitive due to on-site operations. Dry solids in processing ponds may create dust nuisance during windy conditions.** The IS/MND indicated that a large manufacturer of cereal and dairy-based food ingredients exists directly south of the proposed Project and that the manufacturer's facility is dust-sensitive. The Applicant's processing ponds are designed to dry the concrete slurry residue such that the solids can be separated from liquids due to settling and evaporation. The dry surface of the processing ponds may produce dust containing CAM-17 metals during windy conditions at the site which may create a nuisance to dust-sensitive operations in surrounding areas.
10. **Report of Waste Discharge (ROWD).** Whenever, wastewater is generated, stored, or disposed to land, Waste Discharge Requirements (WDRs) are required. In accordance with California Water Code Section 13260, the Applicant is required to submit a ROWD at least 150 days prior to initiation of the Project. If the ROWD is deemed complete, revised or new WDRs will be generated for public comment and subsequent adoption. The ROWD must include all applicable information about the Project and the proposed measures to protect water quality (groundwater and surface water). We expect that the Applicant will consult with Central Valley Water Board staff on information expected in the ROWD prior to its submittal.
11. **Other General Requirements.**
 - a. **Antidegradation Considerations.** All wastewater discharge must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Policy is available on page IV-15.01 at:

http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/sacsjr.pdf

In part it states:

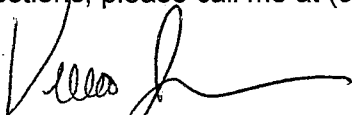
Any discharge of waste to high quality waters must apply best practicable treatment or control not only to prevent a condition of pollution or nuisance from occurring, but also to maintain the highest water quality possible consistent with the maximum benefit to the people of the State.

This information must be presented as an analysis of the impacts and potential impacts of the discharge on water quality, as measured by background concentrations and applicable water quality objectives.

If the Applicant needs a Regional Water Board permit, the antidegradation analysis is a mandatory element in the permitting process. The Applicant needs to investigate groundwater quality, and potential impacts to groundwater quality, as part of their evaluation of the Project's impact on the environment.

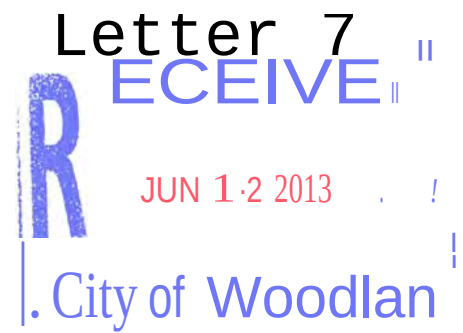
- b. Industrial NPDES Storm Water Permit.** The Applicant's proposed Project will require coverage under the *NPDES General Permit No. CAS000001 for Discharges of Storm Water Associated with Industrial Activities* since it plans to discharge storm water from its facility to waters of the United States. Compliance with the General Permit is dependent on the Standard Industrial Classification (SIC) codes of the Project. The most likely SIC code applicable to processing of concrete slurry residue is SIC code 3273, *Ready-Mixed Concrete* since the chemical characteristics of concrete slurry residue is similar to ready-mixed concrete or portland cement.

Thank you for the opportunity to comment on the IS/MND Plan for this Project. If you have any questions, please call me at (916) 464-4815 or via email at vkjain@waterboards.ca.gov.



VINOO JAIN, P.E.
Water Resources Control Engineer
Title 27 Permitting and Mining

cc: State Clearinghouse, Sacramento
Raney Planning & Management, Inc. Sacramento, CA



June 12, 2013

Paul L. Hanson, AICP
Senior Planner
Community Development Department
City of Woodland
300 First Street
Woodland, CA 95695

Re: Comments of PGP International Inc. (PGP) on the Proposed Golden State Reclamation Project (the Project)

Dear Mr. Hanson:

We here at PGP appreciate your Notice of Intent and Notice of Public Hearing letter dated May 14, 2013, alerting us to the Golden State Reclamation Project. We are submitting our written comments in response to the Initial Study/Mitigated Negative Declaration (IS/MND) and on the applicant's request for approval of a Conditional Use Permit for the Project.

1 According to the materials submitted by the applicant the Project would involve daily truck loads of concrete slurry dumped into large open-air ponds, which would then be cleaned out annually, with the material loaded onto heavy-duty trucks. We at PGP feel strongly that this type of business would heavily impact the environment and our business. PGP manufactures food ingredients at its 158,400 square foot state-of-the-art facility located at 351 Hanson Way in Woodland. The proposed Project would be located directly to the north of PGP's facility. One of our initial major concerns is that construction and operation of the proposed Project will generate dust that could infiltrate the PGP facility through ventilation systems, entryways, and transportation bays, potentially adulterating our manufacturing process and food products. Dust will also be generated from heavy vehicles operating on gravel and from the materials that are picked up and routinely spilled by bulldozers and front loaders. These and other potential impacts to the environment and to our facility have not adequately been addressed in the IS/MND.

¹ On June 7, 2013, PGP requested an extension of time to provide comments on the IS/MND. PGP acknowledges the City's offer to allow PGP an additional day to submit its comments; however, we are pleased to submit our comments by the original June 12, 2013 deadline.

3

In order to assess the potential environmental impacts of the proposed Project we engaged the services of an environmental consulting firm, Environmental Resources Management (ERM), to review the IS/MND. We are enclosing for your review ERM's June 11, 2013 report (the ERM Report). For the reasons explained in the ERM Report and the additional reasons explained below, the Mitigated Negative Declaration should not be adopted and the Conditional Use Permit should not be approved.

Comments on the IS/MND

As documented in the ERM Report, the IS/MND fails to adequately identify and analyze the environmental impacts of the construction or operation of the Project. The ERM Report demonstrates that the proposed Project could result in potentially significant environmental impacts that were not previously identified or sufficiently addressed in the IS/MND.

CEQA guidelines provide that a decisionmaking body shall adopt a mitigated negative declaration "only if it finds on the basis of the whole record before it (including the initial study and any comments received), that there is no substantial evidence that the project will have a significant effect on the environment." 14 CCR § 15074(b). The ERM Report sets forth substantial evidence that the Project could have a significant effect on the environment and that the IS/MND has not adequately analyzed and mitigated the Project's potentially significant environmental impacts.

4

We request that the City of Woodland require that the applicant and its consultant prepare a document that properly analyzes and, if feasible, mitigates the environmental effects of the Project in the form of either a new analysis and MND determination (if the environmental impacts of this Project can be mitigated, which has not yet been established) or an Environmental Impact Report (EIR). The CEQA guidelines provide that "a lead agency is required to recirculate a negative declaration when the document must be substantially revised" after public notice has been published. 14 CCR § 15073.5(a). PGP asserts that at a minimum, the IS/MND for the proposed Project must be substantially revised in light of significant impacts that are not sufficiently addressed by the mitigation measures proposed. See 14 CCR § 15073.5(b) (a "substantial revision" shall mean (1) a new, avoidable significant effect is identified and mitigation measures or project revisions must be added in order to reduce the effect to insignificance; or (2) the lead agency determines that the proposed mitigation measures or project revisions will not reduce potential effects to less than significance and new measures or revisions must be required"). Alternatively, if the City determines that the impacts of the proposed project cannot effectively be mitigated or avoided, the City must withdraw its mitigated negative declaration and prepare a draft EIR. 14 CCR § 15073.5(d).

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Under CEQA guidelines, if a lead agency is presented with a fair argument that a project may have a significant effect on the environment the lead agency shall prepare an EIR even though it may also be presented with other substantial evidence that the project will not have a significant effect. 14 CCR § 15064(f)(1) (citing *No Oil, Inc. v. City of Los Angeles*, 13 Cal. 3d 68 (1974)).

Comments on the Request for a Conditional Use Permit

5

For the reasons summarized above and set forth in further detail in the ERM Report, the applicant has not demonstrated that the Project warrants the findings required for issuance of a Conditional Use Permit. The City's zoning ordinance provides that "before granting any conditional use permit the planning commission shall be satisfied that the proposed structure or use conforms to the requirements and the intent of this chapter and the general plan." City of Woodland Code § 25-27-30. A clear intent of the conditional use permit requirement is to minimize the impacts of dust fumes, and similar nuisances on neighboring landowners. See, e.g., *id.* § 25-18-50(b) ("A conditional use permit shall be required for assembly, fabricating, manufacturing, processing or storage of goods, materials or products in buildings or enclosed yards which may create dust fumes, noise, odors, smoke or vibration in volumes to be offensive or objectionable beyond the premises."). In authorizing a conditional use, the Planning Commission is empowered to impose "requirements and conditions with respect to location, construction, time period, maintenance, and operation, as deemed necessary for the protection of adjacent properties and the public interest." *Id.* § 25-27-30.

The applicant should be required to prepare a rigorous environmental impact analysis to allow the City to determine whether conditions can be devised that if imposed on the Project, would warrant approval of a Conditional Use Permit. If such conditions can be devised, they should be imposed on the Project as conditions of any Conditional Use Permit approved by the Planning Commission.

Conclusion

Thank you for the opportunity to comment on the proposed Project. Please feel free to contact me at 530-668-5090 with any questions regarding this submission.

George Wilson
Environmental Manager, Interim EHS Manager

Environmental
Resources
Management

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11 June 2013

Mr. George Wilson
Environmental Manager
PGP International, Inc.
P.O. Box 2060
351 Hanson Way
Woodland, CA 95776



Subject: Comments on Negative Declaration for Golden State
Reclamation Project, Woodland, California

Dear Mr. Wilson:

At your direction, ERM-West, Inc. (ERM) has reviewed the May 2013 *Golden State Reclamation Project Initial Study/Mitigated Negative Declaration* (IS/MND) prepared by Raney Planning & Management, and developed comments addressing the document's content and analysis.

ERM's review of the IS/ MND identifies significant deficiencies in its description, assessment and mitigation of the environmental impacts of the proposed Project. Accordingly, the proposed Project has not been described and evaluated adequately in accordance with the California Environmental Quality Act (CEQA). This conclusion is based on the following general categories of issues observed in the IS/MND, which are discussed in the subsequent sections:

- The description of the proposed Project is incomplete and/or unclear; key aspects of the proposed Project important to understanding potential environmental impacts have been omitted.
- The discussion of the existing setting of the proposed Project site is inadequate; several key issues relative to potential environmental impacts have been omitted or are mischaracterized.
- The evaluations of potential impacts do not consider all reasonably relevant conditions (in part because of the incomplete existing setting characterization).
- Certain technical studies performed in support of the impact analysis are flawed or otherwise indefensible.

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- Some proposed Mitigation Measures are not appropriate under CEQA and/or may not sufficiently reduce impacts to Less than Significant, as assumed in the IS/MND.

INCOMPLETE PROJECT DESCRIPTION

7

The description provided in the IS/MND does not allow the reader to judge the validity of the IS/MND conclusions about the Project's environmental impacts. Some elements of the proposed Project that are raised in the impact analysis, but should be described and/or clarified in the Project descriptions, are summarized below.

8

- *Incoming material is considered a designated waste and the proposed facility would be considered a Class II waste management unit.* The fact that the proposed Project would be a Class II waste management unit, with oversight by the Regional Water Quality Control Board (Water Board), is not discussed in the IS/MND main text until Section VIII, *Hazards and Hazardous Materials*, and should be presented up front in the Project Description. This discussion should include an explanation of the specific characteristics of the incoming and processed material that result in it being considered designated waste. Furthermore, designated waste is defined as having the potential for impacts to groundwater quality. Therefore, it is important to have a relatively thorough understanding of the hydrologic site characteristics so that potential impacts to nearby surface water (canals and other water bodies) and groundwater can be assessed.

9

- *Required Permits.* The Project Description should also include a listing of permits that would be required in association with facility operations, as well as any permit requirements (e.g., SWPPP, RWQCB Waste Discharge Requirements, NPDES stormwater permit, etc). In particular, the text should discuss whether the Project proponent has initiated conversations with the Water Board regarding Waste Discharge Requirements, and identify design elements, monitoring programs, and contingency plans that will be required by the Water Board.

10

- *Daily trips.* The number of daily heavy truck trips into and out of the facility is presented inconsistently in the IS/MND and needs to be clarified. The Project Description, page 9, states that there will be 12 one-way truck trips. The Air Quality section, page 17, states that there will be 44 truck plus employee trips, which is consistent with

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12 two-way truck round trips and 10 two-way employee trips. Finally, the focused traffic study for the proposed Project, page 1, assumes 20 employee trips, 24 inbound and outbound truck trips, 64 daily truck trips for recycled materials and a total of 108 daily trips.

In general, the overall production process that would be undertaken at the proposed facility is unclear; several specifics with the potential to affect the impacts analysis are not provided in the IS/MND. Examples of project elements needing clarifications are:

- 1) The nature and volume of the incoming material (including chemical composition and pH levels);
- 2) The nature of the "load checking" program;
- 3) The material and construction of the pond liners, including the distance between the impounded waste and groundwater;
- 4) The programs that would be implemented for detection of leakage from the ponds, including contingency actions that would be undertaken if leaks were observed;
- 5) The chemical composition of the material during processing within the ponds and any chemicals added to the slurry during that time;
- 6) The duration of onsite processing;
- 7) Activities that would be conducted in the borrow areas;
- 8) The operations that would occur (*e.g.*, breaking or grinding) in connection with the seasonal excavation of the material from the concrete slurry ponds;
- 9) The stormwater collection and conveyance system;
- 10) Utility and service system connection details;
- 11) The time of year during which construction would occur;
- 12) Air quality/dust control practices that would be followed during construction and operation;
- 13) The operations that would occur and heavy equipment that would operate in connection with the proposed "1.5-acre inert material recycling center";
- 14) The manner in which the collection of rainfall and surface water in the ponds would be managed during off season periods; and
- 15) Landscaping included in the Project for site beautification.

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Without a better understanding of these details, it is not possible to fully assess the environmental impacts.

INADEQUATE CHARACTERIZATION OF EXISTING SETTING

12

An environmental assessment conducted pursuant to CEQA guidelines should incorporate a reasonably thorough understanding of the existing setting, or baseline conditions. Omissions or mischaracterizations in the baseline conditions could lead to errors in predicting the potential environmental impacts of the proposed Project. Furthermore, there is a general over-reliance on potentially outdated information (the 1996 General Plan EIR). Specific resource areas for which the setting is out of date or incomplete are discussed below.

13

- *Historical use of the proposed Project site is not described.* Historical use has bearing on the impact analysis because historical operations can result in the presence of contamination, which could be mobilized or result in unsafe exposures due to the proposed Project. Based on a cursory review of online aerial photos, ERM observed evidence of former agricultural use of the Project site. Agricultural chemicals in particular tend to remain in site soils for extended periods. The text should be revised to describe the former land uses.

14

- *Hydrological conditions at the proposed Project site are not described.* Hydrological conditions have a particular bearing on the impact analysis given the nature of the proposed activities (i.e., introduction of designated waste [a cement slurry] into ponds). The depth to water at the site needs to be provided, such that the engineering design can be properly evaluated – there are inherent adverse impacts associated with constructing a waste pond that intercepts groundwater or has the potential to release waste to groundwater. For a project of this nature, the depth to water should be known (i.e., based on site-specific monitoring well data collected over a variety of seasons); regional water levels are not sufficient. The IS/MND provides no such data. A description of hydrologic conditions should be presented in the Existing Setting, including among other things: the direction of groundwater flow; ambient groundwater quality and its beneficial uses; hydraulic interconnections with nearby surface water bodies; and historical flooding at the site. Based on a cursory review of online aerial photographs ERM observed 1) evidence of historical flooding in the land immediately adjacent to the Project site to the east, and 2)

14 con't	indications that flooding may have routinely occurred on the site in the past, and as such may occur in the future. Based on available information, the site is located in the 100-year flood plain with FEMA Zone designation AE. This designation indicates that there is a one-percent annual chance of the Project site flooding, and corresponds with a 26 percent chance of flooding at least once in the next 30 years. As such, the probability of a flood is neither remote nor speculative at this site.
15	• <i>Cursory description of vegetation.</i> The IS/MND (page 5, 1st paragraph) states that the Project site is "covered in ruderal and mustard grasses," but does not indicate the timing and nature of the site inspection that resulted in this conclusion. If this inspection was not performed during the wet season, evidence of temporal wetlands could have been missed. Based on a cursory review of online aerial photographs ERM observed indications that wet areas may have routinely occurred on the site.
16	• <i>Cultural resources data sources outdated.</i> Based on information provided in Section V. <i>Cultural Resources</i>, it appears that conclusions regarding the unlikely potential for cultural resources are based on a document that is rather old (the 1996 City of Woodland General Plan Final EIR). A current California Historical Resources Information System (CHRIS) records search should be conducted as cultural resources could have been identified since that time. The potential for cultural resources - or low likelihood thereof, if so determined - should also be included in the Existing Setting.
17	• <i>The potential for the presence of chemical contamination is not discussed, but is relevant to the proposed use of the site.</i> As previously noted, historical land uses can result in the presence of chemical contamination in site soils or groundwater. In addition, contamination can migrate from nearby contaminated sites, if any, by means of air dispersion, surface water overflow, and groundwater flow. A Phase I/II environmental site investigation (ESA) would be useful to assess this potential concern, but no such report is cited in the IS/MND. As noted above, presence of residual contamination has bearing on the impact analysis because construction activities and operations associated with the proposed Project could enhance the mobilization of existing contamination in the environment, or result in unsafe human exposures.

FLAWED TECHNICAL STUDIES

18

The IS/MND authors conducted or contracted technical studies to support their assessment of potential impacts to air quality and transportation/circulation. Review of these technical studies identified significant flaws that call into question the validity of the study results and the associated impact evaluation.

Air Quality Analysis

Inappropriate Methodology

19

The IS/MND states that its air quality analysis is based upon use of the CalEEMod model. The CalEEMod model, however, is not the appropriate model to use for the type of activity envisioned in the proposed Project. According to the IS/MND, the land use chosen for the modeling is General Light Industry. The CalEEMod User's Guide describes this land use as follows:

"Light industrial facilities are free-standing facilities devoted to a single use. The facilities have an emphasis on activities other than manufacturing and typically have minimal office space. Typical light industrial activities include printing, material testing and assembly of data processing equipment."

20

The General Light Industry land use category in the model does not have activity descriptions that are specific enough to the unique type of land use under the proposed Project. As such, the emissions-generating activities involved in the proposed Project are not accurately represented and accounted for in this model. It is too generalized and the estimated emissions are likely under-estimated. Among other problems, the land use category chosen for use in the CalEEMod does not include the type of outdoor material processing and truck and heavy equipment operations that are proposed for this site. Such operations will generate fugitive dust and diesel emissions that do not appear to have been accounted for in the IS/MND's air quality analysis. In addition, the IS/MND's air quality analysis fails to account for fugitive dust emissions from the gravel, concrete pads, and seasonally abandoned and dried-out reclamation and retention ponds.

21

The analysis presented in the IS/MND should be transparent enough for the reader to understand how the resulting emissions were estimated, including tabulated emission sources, emission factors, activity rate, and

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↑ resulting emissions, but this information is omitted from the document. For example, it is unclear whether the operational emissions include emissions from the onsite heavy equipment (onsite water tanker truck, excavator, Bobcat, and front-end loader, and the unspecified equipment that will operate in connection with the 1.5-acre inert material recycling center), because the land use chosen in CalEEMod would not necessarily include these pieces of equipment as operational emission sources. Similarly, it is not clear whether or to what extent fugitive dust emissions were included in the CalEEMod modeling; they appear to have been omitted.

22

Vehicle emissions are based on assumed trip generation rates (from the Institute of Transportation Engineers), which in turn are based on the type of land use chosen. The land use description for General Light Industry does not adequately represent proposed Project activities or the types of vehicle that would be operating on this unpaved site. Therefore, particulate matter emissions from travel on unpaved surfaces appear to be underestimated. It is unclear whether the default trip generation rates were overridden to better reflect Project conditions, as can be done in CalEEMod. Moreover, as noted above, the focused traffic study section of the IS/MND includes 64 daily truck trips for recycled materials that are omitted from the discussion of truck trips in the air quality discussion on page 17 of the IS/MND.

23

The more appropriate analysis approach for the proposed project at this site would include U.S. EPA AP-42 emission factors for dust-generating activities, the California Air Resources Board OFFROAD model for heavy equipment emission factors, and the use of the AERMOD dispersion model with representative meteorological data. At a minimum, such modeling should include not only PM₁₀ but also PM_{2.5} and NO₂. Based upon the inadequate air quality analysis described in the IS/MND, the IS/MND does not present any adequate technical basis for its conclusion that the proposed project will not Violate any air quality standard or contribute substantially to an existing or projected air quality violation." Similarly, there is no technical basis presented in the IS/MND for its conclusion that the project will not Expose sensitive receptors to substantial pollutant concentrations." The IS/MND (at page 4) correctly describes the adjoining PGPI facility as "dust-sensitive," but the IS/MND fails to include an adequate analysis of dust emissions or dust-related air quality impacts.

PM₁₀ Emissions Underestimated

24

The unmitigated operation emissions of fugitive PM₁₀ are shown in Table 3 of the Air Quality section as 0.07 pounds per day. It is not plausible that the truck trips, operation of the water tanker, excavator, Bobcat, and front-end loader operating on a graveled surface would generate the estimates cited in the IS/MND (less than one tenth of a pound per day of fugitive PM₁₀), particularly in the absence of any stated mitigation for fugitive dust emissions.

Inadequate Analysis of Health Risks

25

Emissions from the daily heavy truck trips and the ongoing use of heavy equipment onsite have been analyzed in a general manner with the use of CalEEMod and may not fully characterize the health risks associated with Diesel Particulate Matter (DPM) in comparison to the YSAQMD thresholds for risk.

26

The IS/MND assumes that if the distance between the project site access and the nearest sensitive receptor is greater than 1,000 feet, toxic air contaminant impacts are less than significant. However, the project site access should not be used as the origination point of the source of DPM, i.e. the daily truck trips. As a mobile source, the trucks will travel past receptors on their way to the proposed project site; these exposures need to be evaluated. In fact, incoming trucks would likely travel on 1-5, taking the exit that is very close to the Holiday Inn Express and the Multiple Family Zone on the southwest corner of 1-5. In addition, there are receptors subject to the worker exposure duration that are along the truck route from 1-5 to the proposed project site.

Greenhouse Gas Analysis

27

The concerns regarding the use of CalEEMod for the criteria pollutants also apply to GHG. At issue is the unspecified source of the "activity" data (i.e., whether the analysis assumed site specific activity data or CalEEMod assumptions, which may not be appropriate. The Greenhouse Gas Emissions section states that the project could result in an overall reduction of emissions by reducing VMT and landfill emissions but does not outline how these conclusions were reached. In particular, this section should include where the other concrete slurry facilities are in relation to the Project and outline other general information about how the reduction was calculated.

INADEQUATE IMPACT EVALUATION AND MITIGATION

28

As noted above, the information provided in the Project Description and Existing Setting is inadequate to conduct a valid impact assessment for the environmental study items included in the CEQA checklist. Key areas in which these omissions affect the impact analysis and considerations not addressed in the impact analysis that could affect the findings are discussed below.

29

The IS/MND proposes further studies as mitigation measures (MMs); such studies would likely provide much of the relevant data that this letter has identified as missing. In general, it is not appropriate to include future studies as mitigation measures, because this does not allow the public 1) to review of the site conditions established during such studies, or 2) to judge the adequacy of impact analysis or the effectiveness of potential remedies. Studies that characterize site-specific conditions and/or influence the development of MMs should be performed in connection with the IS/MND so that the resulting mitigation measures can be imposed upon the project when and if it is approved.

30

In other cases, the IS/MND identifies compliance with regulations as mitigation. Regulatory requirements are a baseline; they may not be sufficient as mitigations.

31

The authors should reassess the impact analyses for these study items after obtaining the relevant missing information and incorporating the considerations omitted previously, to ascertain whether the IS/MND findings are valid and the mitigation measures are adequate to reduce impacts to Less than Significant (LTS).

Air Quality

32

As discussed above, the validity of the air quality analysis conducted for the IS/MND is in question. Furthermore, it is unclear that any measures--including standard best management practices -- will be undertaken to reduce dust emissions during construction and operations. During construction and operations, the site will be traversed by trucks and heavy equipment. Especially given the dry local climate, the potential for dust and fugitive emissions from the construction and operation of the proposed Project is substantial.

Dust mitigation best management practices that are standard for construction/operations of this type, are not included. The Yolo Solano Air Quality Management District Handbook for Assessing and Mitigating Air Quality Impacts (YSAQMD Handbook), Adopted July 11, 2007, recommends the best management practices included in the table below (replicated from the YSAQMD Handbook), even for projects not exceeding district PM₁₀ thresholds.

Mitigation Measure	Source Category	Effective	References
Water active construction sites at least twice daily. Frequency should be based on the type of operation, soil, and wind exposure.	Fugitive emissions from active, unpaved construction areas	50%	U.S. EPA, "AP-42, Vol. 1," Pg. 11.2.4-L
Haul trucks shall maintain at least 2 feet of freeboard.	Spills from haul trucks	90%	Monterey Bay Unified APCD
Cover all trucks hauling dirt or loose materials.	Spills from haul truck		Monterey Bay Unified APCD
Apply non-toxic binder (e.g., latex acrylic copolymer) to exposed areas after cut and fill operations and hydroseed area.	Wind erosion from inactive areas	Up to 80%	U.S. EPA, "AP-42 Vol. 1," Pg. 11.2.4-L
Apply chemical soil stabilizers on inactive construction areas (disturbed lands within construction projects that are unused for at least 30 consecutive days).	Wind erosion from inactive areas	Up to 80%	South Coast AQMD, "SIP for PM ₁₀ in the Coachella Valley," 1990. Pg. 5-15
Plant tree windbreaks on the windward perimeter of construction projects if adjacent to open land	Wind erosion from inactive areas	4% (15% for mature trees)	South Coast AQMD, "SIP for PM ₁₀ in the Coachella Valley" 1990. Pg. 5-15
Plant vegetative ground cover in disturbed areas as soon as possible.	Wind erosion from inactive areas	5%-9% (based on planting plan)	South Coast AQMD, "SIP for PM ₁₀ in the Coachella Valley" 1990. Pg. 5-15
Cover inactive storage piles.	Wind erosion from storage piles	Up to 90%	U.S. EPA, "AP-42, Vol. 1," Pg. 11.2.34)
Sweep streets if visible soil material is carried out from the construction site.	On-road entrained PM ₁₀	14%	U.S. EPA Report Number EPA-600/R-95-171
Treat access roads to a distance of 100 feet from the paved road with a 6 to 12 inch layer of wood chips or mulch.	On-road entrained PM ₁₀	27-33%	U.S. EPA Report Number EPA-600/R-95-171.
Treat accesses to a distance of 100 feet from the paved road with a 6-inch layer of gravel.	On-road entrained PM ₁₀	42-52%	U.S. EPA Report Number EPA-600/R-95-171

Note: The effectiveness of 2 << more mitigation measures that address the source of emissions will add to the sum of both files & site &

Because the potential for dust generation is high and there is evidence there may be residual agricultural chemicals in the soil on the property, mitigation measures addressing dispersion of dust should be given due consideration to be protective of receptors in adjacent properties. For

example, the inclusion of a truck/wheel washing station would further mitigate dust by preventing dirt from being tracked onto the "gravel" or dirt from being tracked back onto the public roadways from trucks leaving the facility; dirt-caked gravel and roadways could result in air borne dust in dry weather.

The analysis in the IS/MND should consider the potential for fugitive emissions from the concrete slurry ponds and the retention ponds after they have been emptied for the winter. The analysis should also consider the potential for objectionable odors to be created during the off season when the site has been vacated, if rainfall or overland surface water flow is collected within the ponds and becomes stagnant.

Biological Resources

As previously noted, it is unclear whether wetlands are present on the Project site. If wetlands are present in the area, the proposed Project could result in a Potentially Significant Impact rather than LTS. If wetlands are identified, the impact analysis needs to reconsider whether special species could be present on site and to evaluate potential impacts upon those species.

Cultural Resources

As noted above, the IS/MND relies on a 1996 document for information regarding cultural resources in the proposed Project area. It would be appropriate to confirm that older information by conducting a current CHRIS records search. If cultural resources are present in the area, the proposed Project could result in a Potentially Significant Impact rather than LTS with mitigation.

Geology and Soils

The impact analysis needs to consider the potential impacts that could arise from a breach of the retention or process ponds caused by earth shaking. The impact analysis needs to consider potential impacts of expansive soils on the retention and process ponds (not solely the buildings that would be constructed). This is a particular issue considering that the ponds could be a source of moisture to underlying soils, possibly unequally distributed.

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↑ The IS/MND includes MM VI-1, which would include consultation with the City Engineer to evaluate the potential for expansive soils. As discussed above, the geotechnical conditions should be described as part of the baseline given the importance to the integrity of the ponds, so appropriate mitigations for expansive soils (if any) can be incorporated as part of the proposed Project and available for public review.

Hazards and Hazardous Materials

38

The impact analysis needs to consider whether there is a potential for the proposed Project to result in enhanced migration of chemical contamination in soils or groundwater (due to historical uses of the Project site and nearby properties) in the environment, or unacceptable risk to human health.

The analysis should also consider the potential for biological hazards (e.g., mosquito breeding grounds) to be created during the off season when the site has been vacated, if rainfall or overland surface water flow is collected within the ponds and becomes stagnant.

Hydrology and Water Quality

As previously noted, the IS/MND is missing the following information that is fundamental to the impact analysis:

39

- Site-specific hydrologic data, including depth to first water, flooding history, groundwater flow direction and quality, and beneficial uses;
- Pond design details, including vertical separation of waste from groundwater, liner specifications;
- Details regarding a planned groundwater monitoring program;
- Details regarding contingency plans in the event of leakage from the ponds (impacts to groundwater) or rupture of the berms (overland flow); and
- An assessment of the environmental impacts of a flood of the proposed facility.

↓ The IS/MND includes MM IX-1, which would include a requirement to obtain a WDR Order from the Water Board and a technical report demonstrating protection from flooding. The technical report should be incorporated into the analysis, not proposed as a mitigation. The text

39
con't

states that RWQCB approval of the proposed engineered Class II waste management unit and issuance of WDRs would ensure" that the Project would not degrade water quality. This is not true – the issuance of a WDR in itself would not preclude that possibility – even if the WDRs contain stringent requirements protective of water quality, the facility operators must follow those requirements in order to be reasonably sure of protecting water quality. Issuance of WDRs in itself is not a sufficient mitigation measure as presented in MM IX-1.

The IS/MND includes MM IX-2, which would include a requirement to hire a professional geotechnical engineer to conduct a site-specific geotechnical evaluation. The site-specific geotechnical conditions should be described as part of the baseline given the importance to the integrity of the ponds and incorporated into the analysis, not proposed as a mitigation.

Noise

40

The IS/MND states that "The City's threshold of significance for noise increases is an increase of three decibels (dB) or more...Therefore, given the size of the site, noise would noticeably decrease by at least three dB at the property boundary and the projected truck volumes are less than what is required to result in an audible change in noise levels associated with truck operation." The above statement would apply once the trucks are on the property, but the analysis also needs to consider the noise from the trucks before they are within the site. For example, trucks must cross the property boundary and so the statement implying that the property boundary is some distance from the source is not applicable to when the trucks are crossing the boundary.

It would also be helpful if the document would identify the existing traffic levels since the statement, "less than what is required to result in an audible change in noise levels associated with truck operation" would depend on the existing conditions, which have not been described. Ultimately, the conclusion may be the same but additional details are warranted to justify the conclusions.

Transportation/Circulation

The Level of Service (LOS) analysis should include a site baseline based on vehicle counts and the revised calculation for LOS based on the number of vehicle trips that would be generated by the project. This should include quantitative measure of vehicle delay at intersections and letter grades for performance.

41 It is unclear how the ISIMND authors reached the conclusion that *'the proposed project would be consistent with the City's General Plan and would not cause a substantial increase in traffic.'* The City's General Plan states that *'The City shall develop and manage its roadway system to maintain LOS "C" or better on all roadways, except within one-half mile of state or federal highways and freeways and within the Downtown Specific Plan area.'* Without knowing the LOS for the affected project area or estimating the vehicle delays at intersections, it is unclear whether the proposed Project is consistent with the General Plan.

The Transportation / Circulation section also does not address all of the requirements outlined in the CEQA Guidelines, Appendix G for the construction related impacts. These impacts should be discussed in relation to each of the criteria in the environmental checklist for Transportation / Circulation.

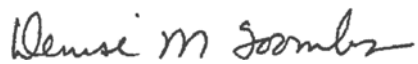
The report concluded that the impacts to alternative transportation are LTS on the basis that none of the employees will use transit. This analysis is incorrect because it does not address the question of whether or not the project conflicts with adopted policies for alternative transportation. A more complete analysis would include an assessment of how the Project impacts the routes of buses in the area and bike lanes.

CONCLUSION

42 Based on the inadequacies summarized above, it is ERM's opinion that the analysis presented in the *ISIMND* is insufficient to conclude that Project environmental impacts would be LTS with mitigation. There are a number of clarifications required to make a determination that all potentially significant effects would be mitigated to LTS. The *IS/MND* also fails to adequately identify the mitigation measures that should be imposed upon the construction and operation of the proposed Project to avoid or reduce potentially significant impacts.

If you have any questions regarding the information in this letter, please contact me at (925) 946-0455.

Sincerely,

A handwritten signature in black ink, reading "Denise M Toombs". The signature is written in a cursive, flowing style.

Denise Toombs
Partner

From: Susan Garbini [<mailto:Susan.Garbini@yolocounty.org>]
Sent: Thursday, June 13, 2013 12:56 PM
To: Paul Hanson
Cc: 'Petrea Marchand'; 'jeff.drongesen@wildlife.ca.gov'; 'Janice.Gan@wildlife.ca.gov'; 'paul.hofmann@wildlife.ca.gov'; Cay Goude
Subject:

Dear Paul:

The Yolo Habitat JPA appreciates the opportunity to provide comments on the proposed Golden State Reclamation Project, which consists of a concrete slurry processing facility near Hanson Way, north of East Main Street in Woodland. We have conducted a preliminary examination of the site based on our information about the proximity to habitat for species that are covered in our habitat conservation plan and natural community conservation plan, which are currently in development.

Our information shows one Swainson's hawk nest in the project site and others within a 5-mile radius of the proposed location of the project (see enclosed map). A number of other species covered in our plan (7-9 according to our modeled habitat data) reside in the vicinity of the proposed project (indicated by the darker coloring on the map). We suggest that in the environmental review for this project, recommendations should be considered to ensure that these operations actively avoid damage to the Swainson's hawk nest at the site (such nests are generally located in large trees), by educating and training construction workers and employees to be aware of and avoid interfering with nests and any other Swainson's hawk behavior. No mention was made of any trees to be felled in the project, but special care should be taken to not disturb trees with nests. In particular, the location of the nest closest to the site should be made obvious to those involved in construction and future operations with a sign or marker. We would be happy to provide services to help with finding and marking the Swainson's hawk nest or locating any other important habitat for covered species.

These comments are also being sent to appropriate staff at the California Department of Fish and Wildlife (CDFW) and the U.S. Fish and Wildlife Service USFWS). Please contact me if you have any questions.

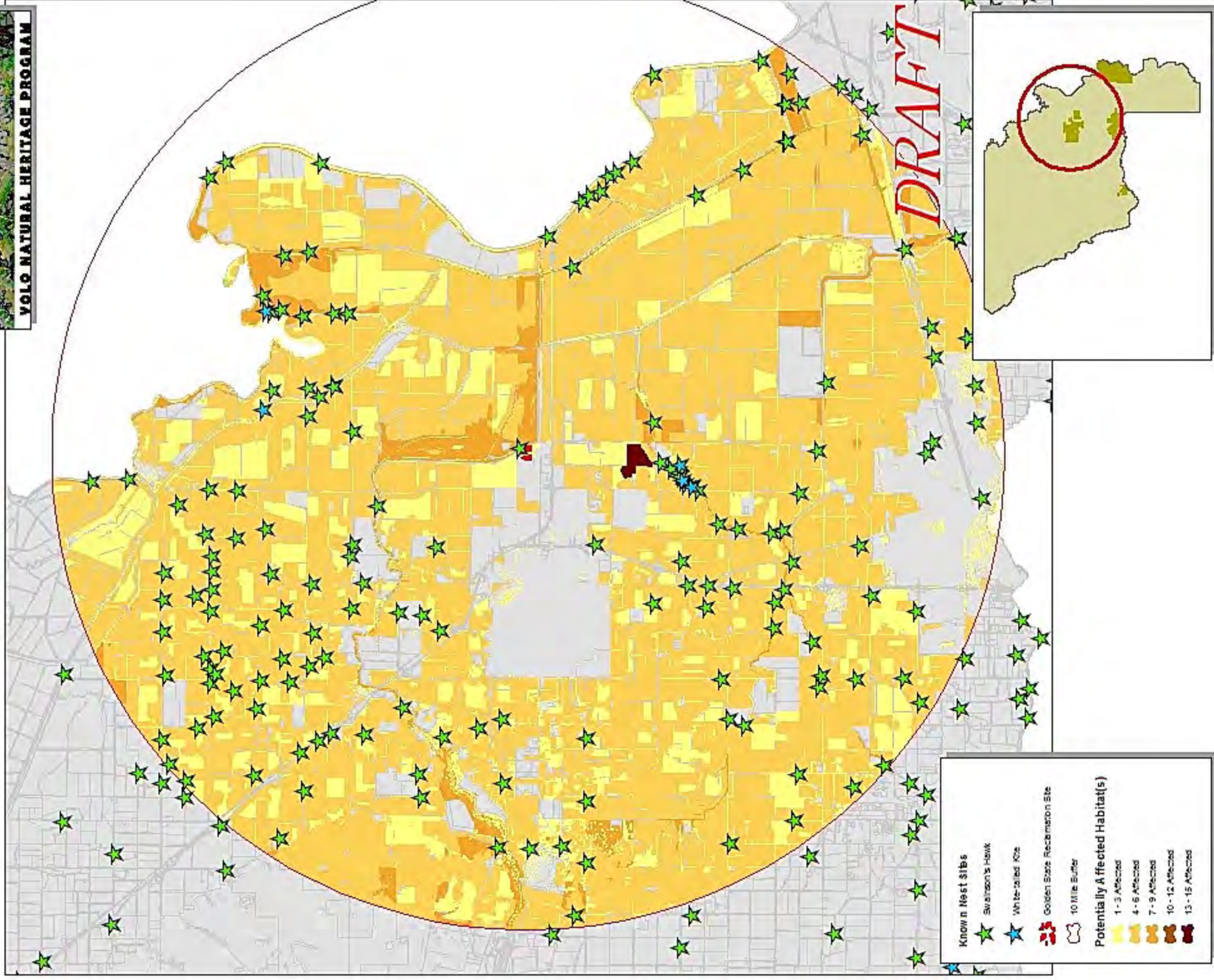
Sincerely,

Susan Garbini, PhD
Research Associate
Yolo Habitat JPA
625 Court St., Rm. 201
Woodland, CA 95695
Susan.garbini@yolocounty.org
Cell: 510-301-4140

Enclosure: Map w/Potential Habitat Impact data

Copy to: Petrea Marchand, Executive Director, Yolo Habitat JPA
Jeffrey Drongesen, CDFW
Janice Gan, CDFW
Paul Hofmann, CDFW
Cay Goude, USFWS

Potential Habitat Impact - Golden State Reclamation



Letter 9

From: Moushumi Hasan [mailto:Moushumi.Hasan@yolocounty.org]
Sent: Wednesday, June 12, 2013 10:36 AM
To: Paul Hanson
Cc: 'Brian Delemos'; Jeff Pinnow
Subject: RE: Golden State Reclamation Project

Hello,

Yolo County Environmental Health Solid Waste Program has reviewed the Initial Study/ Mitigate Negative Declaration for Golden State Reclamation project and after consultation with State Department of Resources, Recycling and Recovery (CalRecycle), has concluded that no solid waste permitting is required for the proposed facility. This decision was based on the regulations in Title 14 California Code of Regulations (CCR), Section 17402.5 (d) Definitions and Related Provisions Regarding Activities That Are Not Subject to the Transfer/Processing Regulatory Requirements, and Section 17403.1 (7) ((G) Excluded Operations.

However, according to Section 17381.1. Activities That Are Not Subject to the Construction and Demolition/Inert Debris Regulatory Requirements.

(g) In evaluating whether or not a particular site is in compliance with this section, the EA shall, among other things, do the following:

(1) If the EA has reason to believe that each load of debris received at a recycling center is not separated at the point of generation, is not source separated or is not separated for reuse, as applicable, or that the residual exceeds 10% of the total debris received per month, or that the amount of putrescible wastes exceeds 1% by volume of the total debris received per month, or material is being stored in excess of the applicable storage limits, or that the site is not in compliance with any other requirement in this section, the EA may require the owner or operator to provide evidence that the recycling center is in compliance. The burden of proof shall be on the owner and operator of the recycling center to demonstrate it is in compliance.

(2) At the time the EA requires a recycling center to provide evidence that it is in compliance with this section, the EA shall provide the owner and operator of the recycling center a written description of the information that has caused the EA to believe that the recycling center is not in compliance. Notwithstanding, the EA shall not be required to identify the name or other identifying information regarding any person(s) who has complained about the about the recycling center.

On a separate note, if applicable to the proposed facility, prior to handling any hazardous materials in quantities greater than 55-gallons, 500-pounds, or 200-cubic feet, or generating hazardous waste at the facility, a Hazardous Materials/Waste Application Package (Business Plan) must be completed and submitted to Yolo County Environmental Health (YCEH). Starting January 1, 2013, this must be done by going to the California Environmental Reporting System (CERS) web site (<http://cers.calepa.ca.gov/>), creating an account, entering required hazardous materials information and submitting the information for approval by Yolo County Environmental Health (YCEH). For assistance with CERS, please call YCEH at (530) 666-8646 and ask to speak to a Hazmat Specialist.

Please let me know if you have any questions on the above.

Thank you.

Moushumi Hasan

*Moushumi Hasan
Hazardous Materials Specialist III
Local Enforcement Agency (LEA)/ Solid Waste Program
Environmental Health Division/ Yolo County Health Dept.
137 N. Cottonwood St., Suite 2400
Woodland, CA 95695
Phone (530) 666-8646 (Main)
Fax (530) 669-1448
www.yolocounty.org*

ATTACHMENT D

Golden State Reclamation Project Initial Study/Mitigated Negative Declaration

Errata Sheet July 10, 2013

Introduction

This Errata Sheet presents, in ~~strike-through~~ and double-underline format, the revisions to the Golden State Reclamation Initial Study/Mitigated Negative Declaration (IS/MND) (May 2013) needed to reflect the comments made during the public review period. The revisions to the IS/MND reflected in this Errata Sheet do not affect the adequacy of the previous environmental analysis contained in the Golden State Reclamation IS/MND. Specifically, the changes provide clarification concerning comments related to the project description provided to the City by local agencies and other interested parties, as well as clarifications to the biological resources mitigation measures. Because the changes presented below would not result in any new significant impacts or increase in impact significance from what was identified in the IS/MND, recirculation of the Golden State Reclamation IS/MND is not required.

Changes to the Project Description section of the IS/MND

The first paragraph on the top of page 5 of the IS/MND is hereby revised as follows:

The proposed project site is currently vacant. The project site may have been previously graded, and is currently used for dry farming operations, including being disced each year. It should be noted that irrigation is not provided at the site and the only water application would be from rainfall. Pesticides or other chemicals are not used at the project site. After being disced each year, the site remains vacant and becomes ~~but is now~~ covered in ruderal and mustard grasses. Dense vegetation or trees do not exist on the site. The project site is relatively flat, with elevations from 30.2 feet to 32.5 feet. According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) Number 06113C0465H, dated May 16, 2012, the proposed project site is located in Flood Zone AE. Flood Zone AE is a base floodplain considered a high risk flooding area.

The above changes are for clarification purposes only and do not change the conclusions of the IS/MND.

The second and third paragraphs under “Proposed Project” on page 5 of the IS/MND are hereby revised as follows:

Included in the proposed project design are two reclamation ponds for the concrete slurry, one retention pond for leachate, one storage building for construction equipment, and one on-site mobile office trailer (See Figure 3, Project Site Plan). The processing ponds would be approximately 6,857 square feet each, or 13,714 square feet total, four feet deep, and would be oriented in a north-south direction. The 6.6-foot-deep and 11,238~~14,029~~-square-foot retention pond would be located directly to the north of the processing ponds. Each of the ponds would be surrounded by earthen berms with side slopes, which would be sealed with

an organic sealant material. A three-sided, 30-by-50-foot or 1,500-square-foot metal building with a concrete pad and side gaps for flood flow would be utilized for equipment storage. The mobile office trailer would have an approximately 20-by-30-foot or 600-square-foot footprint and would be on wheels for ease of movement. A bathroom for employee-use would be located in the mobile office trailer. The proposed project would include connection to the existing nearby City water, storm drainage, telecommunications, and sewer lines, as well as PG&E lines, in Hanson Way.

Incoming material would be a mixture of concrete grindings and added water (aka concrete slurry). The concrete is ground off of public roads, highways, and airports at local construction and improvement projects. The mud-like material would be transported from the construction and improvement project sites to the project site for off-loading and processing. The proposed concrete slurry processing facility would be designed to receive only cured concrete slurry generated from local construction and improvement projects, particularly highway profile grinding. Uncured concrete would not be accepted at the site and additional chemicals would not be added to the material in the ponds. The concrete waste that would be accepted and processed at the project site is considered designated waste and the project site would be considered a Class II waste management unit. Hazardous wastes would not be accepted at the site. A load checking program designed to detect the presence of any hazardous or prohibited materials in incoming loads would be implemented and maintained.

The above changes are for clarification purposes only and do not change the conclusions of the IS/MND.

Figure 3 on page 8 of the IS/MND is revised as shown in the attachment to this Errata Sheet. The changes to the site plan do not change the conclusions of the IS/MND.

The second and third paragraphs on page 9 of the IS/MND are hereby revised as follows:

The processing ponds would be double-lined with a 60-mil HDPE liner and include a leachate collection system. The leachate collection system would consist of a filter fabric layer, followed by a layer of rock, then a layer of dirt. Perforated piping in the dirt layer would collect and convey the filtered leachate to a retention pond. A leakage detection system would be placed between the pond liners and would be routinely monitored. A maximum of approximately 75,000 gallons of water per day is anticipated to be used for the proposed operations. The leachate collected in the retention pond would be used to refill the on-site water tanker and/or to supply the tanker trucks with water to be carried back to local project sites. Thus, all water used at the site would be recycled back into the process.

The waste concrete slurry would be collected and allowed to set in the processing ponds. The volume of material processed at the facility would vary according to the time of year and local construction activity; however, a maximum of 45,000 gallons of slurry, 43 cubic yards per day of material, and 6,450 yards annually is currently anticipated to be processed at the proposed concrete slurry processing facility. It should be noted that an excavator, Bobcat, and front-end loader are anticipated to be utilized and stored on-site for the proposed operations. The proposed project would operate from April through October and would shut down during the winter wet season (November through March). Prior to operational shut down, the processed material in the processing ponds would be loaded onto trucks and

delivered to ~~a regional inert material recycler~~ an authorized recycling facility to be incorporated into post-consumer aggregate products. The processing ponds would be cleaned out and any remaining slurry would be hauled to an appropriate disposal facility. ~~Clean~~ Process water from the retention pond would be used to fill the on-site water tanker, and any remaining water would be hauled to a treatment facility for disposal. Accordingly, processed materials would be hauled from the project site once per year.

The above changes are for clarification purposes only and do not change the conclusions of the IS/MND.

The last paragraph on page 9 of the IS/MND is hereby revised as follows:

Access to the project site would be provided through a new drive isle through a new extension north from Hanson Way, adjacent to an existing 40-foot-wide access point utilized by the development to the west. Four parking spaces (including ADA parking) and a processing area are also proposed for the project site. A total processing area of ~~70,374~~ 22,220 square feet would be gravel covered, and the new drive isle and parking, which would consist of a total of ~~10,603~~ 40,193 square feet, would be asphalt paved. Anticipated trips associated with operation of the proposed concrete slurry processing facility include a maximum of 12 one-way heavy truck trips per day (24 total daily truck trips) for the delivery of waste concrete to the site and hauling of water back to local project sites. Assuming that 10 employees would be on-site during operations, a maximum of 10 one-way passenger vehicle trips per day (20 total daily employee trips) would be anticipated.

The above changes are for clarification purposes only and do not change the conclusions of the IS/MND.

Changes to the Biological Resources section of the IS/MND

A supplemental mitigation measure is hereby added to page 23 of the IS/MND, below Mitigation Measure IV-1, as follows:

IV-2 If project site construction occurs during the breeding season (March 1-September 15), prior to construction, the applicant shall hire a qualified biologist to conduct a CDFG-recommended protocol-level preconstruction survey to determine the presence of Swainson's hawk nests. The area to be surveyed shall include a 0.5-mile radius area including and surrounding the project site. If active nests are not found during the preconstruction survey, further mitigation is not required. If active nests are present on the property, construction activities or other project-related activities that may cause nest abandonment or forced fledging shall not take place within a buffer zone of an active nest determined by the qualified biologist, which would be based on the location of the nest, the background level of disturbance in the nest area, and observed reactions of the nesting species to human activity. The results of the preconstruction surveys shall be submitted to the City for review.

The mitigation measure just clarifies the proposed mitigation related to Swainson's hawk and does not change the conclusions of the IS/MND.

Attachment

Revised Site Plan



Golden State Reclamation Project

INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

May 2013

Prepared by:



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APPENDIX

Air Quality and Greenhouse Gas Modeling Results

INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

May 2013

A. BACKGROUND

1. Project Title: Golden State Reclamation
2. Lead Agency Name and Address: City of Woodland
Community Development Department
300 First Street
Woodland, CA 95695
3. Contact Person and Phone Number: Paul L. Hanson, AICP
Senior Planner
(530) 661-5814
4. Project Location: East of Hanson Way and north of East Main Street
Woodland, CA 95695
APN 027-350-058
5. Project Sponsor's Name and Address: Travis Brandt
Golden State Crushing, LLC
13375 Rock Crossing Drive
Reno, NV 89511
(775) 742-8085
6. Existing General Plan Designation: Industrial (I)
8. Existing Zoning Designation: Industrial (I)
10. Project Description Summary:

The Golden State Reclamation project consists of a concrete slurry processing facility on a 17.56-acre property in the City of Woodland, CA. Operations at the facility would include the recovery of reusable concrete fines from local construction and improvement projects and delivery of finished product to a regional inert material recycler to be incorporated into post-consumer aggregate products. Included in the project design are two reclamation ponds for the concrete slurry, one retention pond for leachate, one storage building for construction equipment, and one on-site mobile office trailer. The necessary entitlements being reviewed by the City of Woodland include a Conditional Use Permit, Site Plan Review, and Design Review.

B. SOURCES

The following documents are referenced information sources utilized by this analysis:

1. California Air Resources Board. *Air Quality and Land Use Handbook: A Community Health Perspective*. April 2005.
2. California Air Resources Board. *Ambient Air Quality Standards*. Available at: <http://www.arb.ca.gov/research/aaqs/aaqs2.pdf>. June 7, 2012.
3. California Air Resources Board. *Climate Change Scoping Plan*. December 2008.
4. California Air Resources Board. In-Use Off-Road Diesel Equipment 2011 Inventory Model. Available at: http://www.arb.ca.gov/msei/categories.htm#offroad_motor_vehicles. Accessed March 2013.
5. California Department of Fish and Wildlife California Natural Diversity Database. *CNDDDB Element Query Results*. April 5, 2013.
6. California Office of Historic Preservation. *Instructions for Recording Historical Resources*. March 1995.
7. City of Woodland. *City of Woodland General Plan Background Report*. Adopted February 27, 1996.
8. City of Woodland. *City of Woodland General Plan Final Environmental Impact Report*. February 1996.
9. City of Woodland. *City of Woodland General Plan Policy Document*. Adopted December 17, 2002.
10. City of Woodland Stormwater Master Plan, Program Element Implementation, August 2004.
11. Code of the City of Woodland, May 30, 2006.
12. ENVIRON International Corporation. *California Emissions Estimator Model User's Guide Version 2011.1*. February 2011.
13. Federal Emergency Management Agency. *Flood Insurance Rate Map Yolo County, California and Incorporated Areas Map Number 06113C0465H*. May 16, 2012.
14. KD Anderson & Associates, Inc. *Focused Traffic Study for the Woodland Concrete Slurry Processing Facility, Woodland*. April 12, 2013.
15. U.S. Department of Agriculture Natural Resources Conservation Service Web Soil Survey. *Soil Map – Yolo County, California*. April 2, 2013.
16. Yolo County. *Yolo Natural Heritage Plan*. Available at: <http://www.yolocounty.org/index.aspx?page=1441>. Accessed April 2, 2013.
17. Yolo-Solano Air Quality Management District. *Handbook for Assessing and Mitigating Air Quality Impacts*. July 11, 2007.
18. Yolo-Solano Air Quality Management District. *State Planning Efforts*. Available at: http://www.ysaqmd.org/state_plans.php. Accessed April 8, 2013.

C. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is “Less Than Significant with Mitigation Incorporated” as indicated by the checklist on the following pages.

- | | | |
|--|--|---|
| ☐ Aesthetics | ☐ Agriculture Resources | ☐ Air Quality |
| ☒ Biological Resources | ☒ Cultural Resources | ☒ Geology & Soils |
| ☐ Greenhouse Gas Emissions | ☐ Hazards | ☒ Hydrology & Water Quality |
| ☐ Land Use | ☐ Mineral Resources | ☐ Noise |
| ☐ Population, Employment, & Housing | ☐ Public Services | ☐ Recreation |
| ☐ Transportation & Circulation | ☐ Utilities & Service Systems | ☐ Mandatory Findings of Significance |

D. DETERMINATION

On the basis of this initial study:

- ☐ I find that the Proposed Project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ I find that although the Proposed Project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the applicant. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the Proposed Project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature

Paul L. Hanson, Senior Planner

Printed Name

Date

City of Woodland

For

E. BACKGROUND AND INTRODUCTION

This Initial Study/Mitigated Negative Declaration (IS/MND) identifies and analyzes the potential environmental impacts of the Golden State Reclamation project (proposed project). The information and analysis presented in this document is organized in accordance with the order of the California Environmental Quality Act (CEQA) checklist in Appendix G of the CEQA Guidelines. If the analysis provided in this document identifies potentially significant environmental effects of the project, mitigation measures that should be applied to the project are prescribed.

The City of Woodland adopted their current General Plan Policy Document in 2002. The current General Plan Final Environmental Impact Report (EIR), a program EIR prepared pursuant to Section 15168 of the CEQA Guidelines (Title 14, California Code of Regulations, Sections 15000 *et seq.*), was prepared in February 1996. It should be noted that the City is in the process of updating their General Plan; however, the updated General Plan is not yet adopted and an EIR has not been certified. Therefore, the current General Plan and EIR have been utilized for this analysis.

The environmental setting and impact discussion for each section of this IS/MND have been largely based on information in the City of Woodland General Plan Environmental Impact Report. In addition, a focused traffic study has been prepared for the proposed project by KD Anderson & Associates, Inc. All technical reports used in the preparation of this IS/MND are available at the City of Woodland upon request.

The mitigation measures prescribed for environmental effects described in this IS/MND will be implemented in conjunction with the project, as required by CEQA. The mitigation measures will be incorporated into the project through project conditions of approval. The City will adopt findings and a Mitigation Monitoring and Reporting Program for the project in conjunction with approval of the project.

F. PROJECT DESCRIPTION

Existing Setting

The proposed project site is located in an industrial area in the northeastern portion of the City of Woodland. The land use and zoning designation for the site is Industrial. Existing industrial developments are located directly south, west, and north of the site, and agricultural land uses are located east and northeast of the project site. The development directly south of the project site is a PGP International, Inc. facility, which is a large manufacturer of cereal and dairy-based food ingredients. It should be noted that the PGP International facility is dust-sensitive due to on-site operations. A public utility and access road easement is located along the eastern border of the site. Along the project border further to the east of the site, a Sacramento and San Joaquin Drainage District levee easement exists for a canal. Further to the south, approximately one half-mile from the project site is Interstate 5 (I-5), on the opposite side of East Main Street. The nearest sensitive receptor would be the Hampton Inn & Suites located over half-a-mile to the southwest of the site, between East Main Street and I-5.

The proposed project site is currently vacant. The project site may have been previously graded, but is now covered in ruderal and mustard grasses. Dense vegetation or trees do not exist on the site. The project site is relatively flat, with elevations from 30.2 feet to 32.5 feet. According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) Number 06113C0465H, dated May 16, 2012, the proposed project site is located in Flood Zone AE. Flood Zone AE is a base floodplain considered a high risk flooding area.

Access to the site is via Hanson Way, a public roadway to the south. Due to the odd shape of the parcel, the frontage along Hanson Way is narrow. Water and sewer services are currently provided to the project area by the City of Woodland and gas and electric service from Pacific Gas & Electric (PG&E). Existing utility lines are located along Hanson Way.

Proposed Project

The proposed project, which is located at the east end of Hanson Way, just north of East Main Street as Hanson Way makes a 90-degree turn in the southern direction, in the City of Woodland (See Figure 1, Regional Project Location, and Figure 2, Project Vicinity Map), consists of a concrete slurry processing facility. A Conditional Use Permit for the facility would be required per the City's Zoning Ordinance. The proposed project would be located on a 17.56-acre property with an Assessor's Parcel Number (APN) of 027-350-058, of which 17.36 acres would be disturbed for the concrete slurry processing facility development operations, including the proposed borrow area of the eastern portion of the parcel. The remaining 0.2-acre would remain vacant and undisturbed, and would provide a setback from the public utility and access road easement along the eastern border of the site.

Included in the proposed project design are two reclamation ponds for the concrete slurry, one retention pond for leachate, one storage building for construction equipment, and one on-site mobile office trailer (See Figure 3, Project Site Plan). The processing ponds would be approximately 6,857 square feet each, or 13,714 square feet total, and would be oriented in a north-south direction. The 14,029-square-foot retention pond would be located directly to the north of the processing ponds. A three-sided, 30-by-50-foot or 1,500-square-foot metal building with a concrete pad and side gaps for flood flow would be utilized for equipment storage. The mobile office trailer would have an approximately 20-by-30-foot or 600-square-foot footprint and would be on wheels for ease of movement. A bathroom for employee-use would be located in the mobile office trailer. The proposed project would include connection to the existing nearby City water and sewer lines in Hanson Way.

The proposed concrete slurry processing facility would be designed to receive only cured concrete slurry generated from local construction and improvement projects, particularly highway profile grinding. Uncured concrete would not be accepted at the site. Hazardous wastes would not be accepted at the site. A load checking program designed to detect the presence of any hazardous or prohibited materials in incoming loads would be implemented and maintained.

Concrete slurry generated from local projects would be brought to the site in tanker trucks. The trucks would dump the waste concrete directly into the designated ponds. Any residual waste concrete remaining in the trucks would be washed from the trucks directly into the ponds.

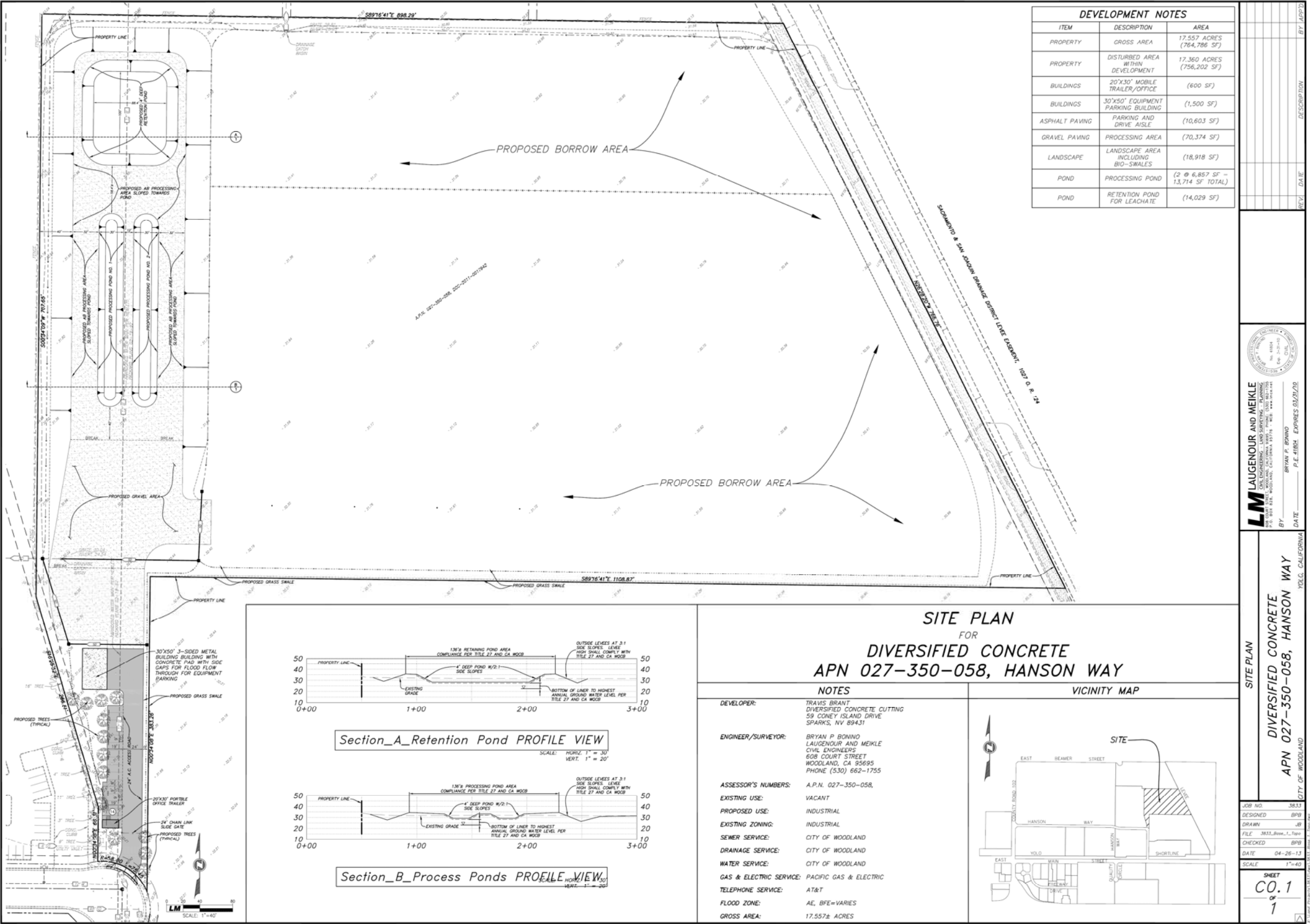
Figure 1
Regional Project Location



Figure 2
Project Vicinity Map



Figure 3
Project Site Plan



A 5,000-gallon tanker would be kept on-site at all times to supply water for washing out the residual waste from the trucks, as well as to supply the trucks with water to be carried back out to ongoing construction and improvement project sites, where the water would be used for cooling grinding equipment. At most, the water tanker would need to be filled once per day.

The processing ponds would be double-lined and include a leachate collection system. The leachate collection system would consist of a filter fabric layer, followed by a layer of rock, then a layer of dirt. Perforated piping in the dirt layer would collect and convey the filtered leachate to a retention pond. A maximum of approximately 75,000 gallons of water per day is anticipated to be used for the proposed operations. The leachate collected in the retention pond would be used to refill the on-site water tanker and/or to supply the tanker trucks with water to be carried back to local project sites. Thus, all water used at the site would be recycled back into the process.

The waste concrete slurry would be collected and allowed to set in the processing ponds. The volume of material processed at the facility would vary according to the time of year and local construction activity; however, a maximum of 45,000 gallons of slurry, 43 cubic yards per day of material, and 6,450 yards annually is currently anticipated to be processed at the proposed concrete slurry processing facility. It should be noted that an excavator, Bobcat, and front-end loader are anticipated to be utilized and stored on-site for the proposed operations. The proposed project would operate from April through October and would shut down during the winter wet season (November through March). Prior to operational shut down, the processed material in the processing ponds would be loaded onto trucks and delivered to a regional inert material recycler to be incorporated into post-consumer aggregate products. The processing ponds would be cleaned out and any remaining slurry would be hauled to an appropriate disposal facility. Clean water from the retention pond would be used to fill the on-site water tanker, and any remaining water would be hauled to a treatment facility for disposal. Accordingly, processed materials would be hauled from the project site once per year.

Employment at the proposed project would vary according to the time of year, business cycles, and local construction activity. However, between five and 10 individuals per shift are anticipated to be employed for the activities at the project site. The site would operate Mondays through Fridays from 6:00 AM to 6:00 PM, and Saturdays and Sundays from 8:00 AM to 5:00 PM.

Access to the project site would be provided through a new drive isle through a new extension north from Hanson Way, adjacent to an existing 40-foot-wide access point utilized by the development to the west. Four parking spaces (including ADA parking) and a processing area are also proposed for the project site. A total processing area of 70,374 square feet would be gravel covered, and the new drive isle and parking, which would consist of a total of 10,603 square feet, would be asphalt paved. Anticipated trips associated with operation of the proposed concrete slurry processing facility include a maximum of 12 one-way heavy truck trips per day for the delivery of waste concrete to the site and hauling of water back to local project sites. Assuming that 10 employees would be on-site during operations, a maximum of 10 one-way passenger vehicle trips per day would be anticipated.

Construction

Construction of the proposed project is anticipated to be accomplished in a three-month period. A total of 70,374 square feet would be gravel covered and a total of 10,603 square feet would be asphalt paved. Approximately 14,000 cubic yards of soil would be moved during construction; however soil import or export would not be necessary, as the remaining 14.60 acres of the subject property would be utilized as soil borrow area as needed. It should be noted that construction activities would comply with the City's Stormwater Pollution Prevention Plan (SWPPP) and noise requirements.

Project Need

Currently, very few locations are available within the Central Valley that provides the services proposed for the project. The project would provide a local disposal site for contractors in the area who need to rid of slurry from construction projects. Accordingly, the project would likely result in various regional and even Statewide benefits, such as potential reductions in truck trips and miles traveled and reductions in waste disposed in landfills. In addition, the proposed project would provide jobs for local truckers, laborers, and operators of heavy equipment.

Discretionary Actions

Implementation of the proposed project would require the following discretionary actions by the City of Woodland:

- Approval of the IS/MND and adoption of the Mitigation Monitoring and Reporting Plan;
- Approval of a Conditional Use Permit; and
- Approval of a Site Plan Review and Design Review.

G. ENVIRONMENTAL CHECKLIST

The following Checklist contains the environmental checklist form presented in Appendix G of the CEQA Guidelines. The checklist form is used to describe the impacts of the proposed project. A discussion follows each environmental issue identified in the checklist. Included in each discussion are project-specific mitigation measures recommended, as appropriate, as part of the proposed project.

For this checklist, the following designations are used:

Potentially Significant Impact: An impact that could be significant, and for which no mitigation has been identified. If any potentially significant impacts are identified, an EIR must be prepared.

Less Than Significant with Mitigation Incorporated: An impact that requires mitigation to reduce the impact to a less-than-significant level.

Less-Than-Significant Impact: Any impact that would not be considered significant under CEQA relative to existing standards.

No Impact: The project would not have any impact.

I. AESTHETICS. <i>Would the project:</i>		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less-Than- Significant Impact	No Impact
a.	Have a substantial adverse effect on a scenic vista?	☐	☐	✗	☐
b.	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?	☐	☐	✗	☐
c.	Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	✗	☐
d.	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	✗	☐

Discussion

- a-d. The proposed project involves introducing a new industrial land use on a currently vacant site. The existing visual character of the project site and vicinity is predominantly urbanized developed land with industrial uses. Other industrial sites are adjacent to proposed project to the south, west, and north. To the east of the project site is County land used for agricultural purposes. Only two minimalist buildings are proposed as part of the project. In addition, landscaping is proposed along the western side of the access roadway from Hanson Way in an attempt to screen views of the mobile office trailer, parking lot, and signage, as well as to blend in with the surrounding industrial developments. Thus, implementation of the proposed project would not degrade existing visual character or quality of the site and its surroundings.

Scenic highways do not exist in the vicinity of the project site and scenic vistas or other scenic resources are not located within or adjacent to the site. In addition, the project site may have been previously graded and is void of any dense vegetation or trees; thus, trees, rock outcroppings, and historic buildings do not exist on-site. Therefore, impacts related to adverse effects on scenic vistas, scenic resources, or State scenic highways would not occur. Substantial night lighting is already in place from the existing surrounding industrial developments. The proposed facility would create a new source of light or glare where none currently exist that could affect day or nighttime views in the area. However, the lighting would be consistent with the other uses in the surrounding area, and the site is in an industrial area away from sensitive receptors. Thus, day or nighttime views in the area would not be affected. For the aforementioned reasons, the proposed project would have a ***less-than-significant*** impact to aesthetics in the area.

II. AGRICULTURE AND FOREST RESOURCES. <i>Would the project:</i>		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less-Than- Significant Impact	No Impact
a.	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	✗
b.	Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	✗
c.	Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	✗
d.	Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	✗
e.	Involve other changes in the existing environment which, due to their location or nature, could individually or cumulatively result in loss of Farmland to non-agricultural use?	☐	☐	☐	✗

Discussion

- a, b, e. The proposed project involves introducing a new industrial land use on a currently vacant site surrounded by existing and currently in-use industrial developments. The site and the surrounding area is designated and zoned for industrial uses. The site is not used for agricultural purposes and agricultural land would not be converted to non-agricultural uses as a result of the proposed project. In addition, the site is not considered Farmland of Prime, Unique, or Statewide Importance and is not under a Williamson Act contract. Therefore, the proposed project would have **no impact** to the conversion of Farmland to non-agricultural use and a conflict with a Williamson Act contract.
- c, d. The project site is not considered forest land (as defined in Public Resources Code section 12220[g]), timberland (as defined by Public Resources Code section 4526), and is not zoned Timberland Production (as defined by Government Code section 51104[g]). Therefore, the proposed project would have **no impact** with regard to conversion of forest land or any potential conflict with forest land, timberland, or Timberland Production zoning.

III. AIR QUALITY. <i>Would the project:</i>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less- Than- Significant Impact	No Impact
a. Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	✗	☐
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	✗	☐
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	☐	☐	✗	☐
d. Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	✗	☐
e. Create objectionable odors affecting a substantial number of people?	☐	☐	✗	☐

Discussion

a,b,d. Both the State and federal governments have established ambient air quality standards (AAQS) for criteria pollutants, such as ozone, carbon monoxide (CO), nitrogen dioxide, sulfur dioxide, particulate matter equal to or less than 10 microns in size (PM₁₀), fine particulate matter equal to or less than 2.5 microns in size (PM_{2.5}), and lead, to help protect the public from the harmful effects of air pollution. State AAQS are generally more restrictive than the federal AAQS. Based on collected monitoring data, the State and federal governments designate areas as “attainment” or “nonattainment” for the various pollutants, based on the comparison of measured data with federal and State standards. The City of Woodland and the project site are located in the Yolo-Solano Air Quality Management District (YSAQMD), which is located in the Sacramento Valley Air Basin. The region is classified as nonattainment for the State and federal AAQS for ozone, as well as the State AAQS for PM₁₀, and partial nonattainment for federal 24-hour PM_{2.5}. Accordingly, the YSAQMD’s primary pollutants of concern are ozone and PM.

The California Clean Air Act (CCAA) requires areas that do not meet the AAQS to comply with and implement the State Implementation Plan (SIP) through preparing plans to demonstrate how and when the region could reach attainment for the standards by the earliest practicable date. Accordingly, the YSAQMD prepared and adopted an Air Quality Attainment Plan (AQAP) in February 1992, which was submitted to the California Air Resources Board (CARB) and approved in May 1992. Triennial reports are required for the AQAP to describe the progress made towards attaining the State ozone standard and revise the emission reductions required. The most recent triennial report and plan update was adopted in May 2010. A 2012 triennial report and plan update was submitted to the YSAQMD’s Board of Directors on April 10, 2013. The YSAQMD’s thresholds of significance, as well as rules and regulations, are intended to

help ensure compliance with the AQAP. The proposed project is required to comply with all YSAQMD rules and regulations.

The YSAQMD thresholds of significance for emissions of PM₁₀ and ozone precursors – reactive organic gases (ROG) and nitrous oxides (NO_x) for both construction and operation are presented in Table 1 below. The thresholds of significance are expressed in tons per year for ROG and NO_x and pounds per day (lbs/day) for PM₁₀. The YSAQMD does not currently have significance thresholds for PM_{2.5} emissions.

Table 1	
YSAQMD Thresholds of Significance	
Pollutant	Construction/Operational Threshold
ROG	10 tons/year
NO _x	10 tons/year
PM ₁₀	80 lbs/day
<i>Source: YSAQMD, 2007.</i>	

Implementation of the proposed project would contribute to increases of ROG, NO_x, and PM₁₀ emissions in the area. The proposed project's short-term construction-related and long-term operational emissions were estimated using the California Emissions Estimator Model (CalEEMod) software - a Statewide model designed to provide a uniform platform for government agencies, land use planners, and environmental professionals to quantify air quality emissions, including GHG emissions, from land use projects. The model applies inherent default values for various land uses, including construction data, trip generation rates based on the Institute of Transportation Engineers (ITE) Manual, vehicle mix, trip length, average speed, etc. However, where project- or site-specific data was available, such data was input into the model (e.g., construction phasing and schedule, estimated daily project trips, etc.). It should be noted that the default load factors for construction equipment were modified according to the CARB's 2011 Inventory Model for In-Use Off-Road Equipment (See Appendix A for CARB's adjusted off-road construction equipment load factors).

Construction-Related Impacts

During construction of the project, various types of equipment and vehicles would temporarily operate on the project site. Construction exhaust emissions would be generated from construction equipment, vegetation clearing and earth movement activities, construction workers' commute, and construction material hauling for the entire construction period. The aforementioned activities would involve the use of diesel- and gasoline-powered equipment that would generate emissions of criteria pollutants. Project construction activities also represent sources of fugitive dust, which includes PM emissions. As construction of the proposed project would generate air pollutant emissions intermittently within the site, and in the vicinity of the site, until all construction has been completed, construction is a potential concern because the proposed project is in a nonattainment area for ozone and PM. In addition, the facility located south of the project site involves dust-sensitive operations.

The proposed project's estimated construction-related emission of ROG, NO_x, and PM₁₀ are presented in Table 2 below.

Table 2			
Maximum Construction-Related Emissions			
	ROG (tons/year)	NO_x (tons/year)	PM₁₀ (lbs/day)
Proposed Project	1.57	2.13	0.25
YSAQMD Thresholds	10	10	80
Exceeds Threshold?	NO	NO	NO
<i>Source: CalEEMod, April 2013 (See Appendix A).</i>			

As shown in the table, construction-related emissions resultant of the proposed project would not exceed the YSAQMD thresholds of significance. Therefore, the generation of construction-related emissions, including fugitive dust, would not violate any air quality standard, expose sensitive receptors to substantial criteria air pollutant emissions, or conflict with implementation of any air quality plan. Furthermore, it should be noted that the project is required to comply with YSAQMD rules and regulations, such as the following:

- Rule 2.3 related to visible emissions from stationary diesel-powered equipment;
- Rule 2.5 related to dust emissions;
- Rule 2.9 related to open burning;
- Rule 2.14 related to architectural coatings; and
- Rule 2.28 related to cutback and emulsified asphalt paving materials application.

Compliance with YSAQMD rules and regulations would ensure that project-related emissions, particularly related to fugitive dust emissions, are minimized.

Operational Impacts

Operation of the proposed project would result in the generation of vehicle trips, which have associated emissions that could potentially affect air quality. The proposed project's estimated operational emission of ROG, NO_x, and PM₁₀ are presented in Table 3 below.

Table 3			
Operational Emissions			
	ROG (tons/year)	NO_x (tons/year)	PM₁₀ (lbs/day)
Proposed Project	0.61	0.22	0.07
YSAQMD Thresholds	10	10	80
Exceeds Threshold?	NO	NO	NO
<i>Source: CalEEMod, April 2013 (See Appendix A).</i>			

As shown in the table, operation of the proposed project would not result in emissions in excess of the YSAQMD thresholds of significance. Therefore, the generation of

operational emissions would not violate any air quality standard, expose sensitive receptors to substantial criteria air pollutant emissions, or conflict with implementation of any air quality plan.

Carbon Monoxide Emissions

Emissions of CO result from the incomplete combustion of carbon-containing fuels such as gasoline or wood and are particularly related to traffic levels. Impacts related to local CO are typically measured by the level of service (LOS) of surrounding roadways and intersections, which imply traffic amounts and, in turn, vehicle CO emissions. The proposed project would generate an associated daily maximum vehicle trips, including truck and employee trips, of 44. The additional trips in the area would not cause any surrounding intersections to operate at unacceptable LOS; thus, substantial levels of CO at surrounding intersections are not expected to occur. In addition, the proposed project is located in an industrial area, is designated and zoned for industrial uses, and would be consistent with the City's General Plan. Furthermore, the nearest sensitive receptor is located over half-a-mile from the project site. It should also be noted that as older, more polluting vehicles are retired and replaced with newer, cleaner vehicles, the overall rate of emission of CO for vehicle fleet throughout the State has been, and is expected to continue, decreasing. Because surrounding intersections would continue to operate at acceptable LOS and emissions of CO associated with the trips generated by the proposed project would not be expected to violate the State AAQS for CO, the proposed project would not have the potential to result in a significant CO air quality impact.

Toxic Air Contaminants

The CARB has identified particulate matter from diesel-fueled engines as a toxic air contaminant (TAC). The CARB has completed a risk management process that identified potential cancer risks for a range of activities using diesel-fueled engines. High volume freeways, stationary diesel engines, and facilities attracting heavy and constant diesel vehicle traffic were identified as having the highest associated health risks. Health risks from TACs are a function of both the concentration of emissions and the duration of exposure. The emissions resulting from construction are temporary, affecting a specific receptor for a period of days or perhaps weeks. Emissions from diesel powered equipment on the site during construction would be spread over the site and would not affect any specific receptor for an extended period of time.

Operation of the proposed project includes diesel truck trips, which would generate diesel particulate matter (DPM) emissions, which are considered a TAC. According to the YSAQMD, if the distance between the project site access and the nearest sensitive receptor is greater than 1,000 feet, the impact of the proposed project on TAC levels would be considered less than significant. The distance from the project site access to the nearest sensitive receptor, which for the proposed project analysis is the Hampton Inn & Suites, is located over half-a-mile (or over 2,640 feet) southwest of the site. In addition, the nearest area with a zoning designation considered a sensitive receptor is a Multiple Family Zone (R-M) area southwest of the County Road 102 interchange on I-5, which is

over 4,500 feet away from the project site access. Therefore, because the distance between the project site access and existing and/or proposed sensitive receptors is greater than 1,000 feet, the impact of the proposed project on TAC levels would be considered less than significant.

Conclusion

Construction-related nor operational emissions associated with the proposed project would not exceed the applicable YSAQMD thresholds of significance. In addition, the project would not expose any sensitive receptors to substantial pollutant concentrations, including CO and TACs. Therefore, the proposed project would not violate any air quality standards, expose sensitive receptors to substantial criteria air pollutant emissions, or conflict with implementation of any air quality plan, and impacts would be considered ***less than significant***.

- c. The CEQA Guidelines indicate that a project would have a significant cumulative impact if the project's contribution would be "cumulatively considerable." The YSAQMD considers project emissions that are not consistent with the AQAP, SIP, or exceed YSAQMD thresholds to have a significant cumulative impact unless offset. As discussed above, the proposed project does not exceed the threshold established by the YSAQMD for either construction or operational emissions. In addition, the proposed project is consistent with the General Plan land use designation and would not involve any new significant effects that were not previously identified in the General Plan EIR. Because the projected emissions inventories included in the AQAP and SIP are based on the potential buildout of an area consistent with the land use designations, the project would be consistent with what has been anticipated by the AQAP and the SIP. The proposed project would not increase emissions from what has been anticipated by the General Plan, AQAP, or SIP and would not result in a significant contribution to cumulative air quality impacts. Therefore, the project's incremental contribution to cumulative air quality impact would be ***less than significant***.
- e. Although the potential exists for industrial uses to create some odors, the project site is surrounded by existing industrial uses, and is not located in the vicinity of any uses that would be considered sensitive receptors. In addition, the proposed project does not handle perishable food items which could be a source of potential odors. Therefore, impacts related to the creation of objectionable odors would be ***less than significant***.

IV. BIOLOGICAL RESOURCES.

Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less- Than- Significant Impact	No Impact
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	✗	☐
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	☐	☐	✗	☐
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	✗	☐
d. Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established resident or migratory wildlife corridors, or impede the use of wildlife nursery sites?	☐	✗	☐	☐
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	✗
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	✗	☐

Discussion

- a, b, c. The land in the vicinity of the proposed project site is predominantly developed with buildings and structures supporting the existing industrial operations to the south, west, and north. However, agricultural County lands are directly east and northeast of the proposed project site. According to the California Department of Fish and Wildlife (CDFW) Natural Diversity Database (CNDDB), the special-status species that are known to occur in the region of the project site are presented in Table 4 below.

Table 4
Special-Status Species in Project Area

Species		Habitat	Potential to Occur On-Site
Common Name	Scientific Name		
Plants			
alkali milk-vetch	<i>Astragalus tener</i> var. <i>tener</i>	Alkali playa Valley and foothill grassland Vernal pool Wetland	NO
heartscale	<i>Atriplex cordulata</i> var. <i>cordulata</i>	Chenopod scrub Meadow and seep Valley and foothill grassland	NO
brittlescale	<i>Atriplex depressa</i>	Alkali playa Chenopod scrub Meadow and seep Valley and foothill grassland Vernal pool Wetland	NO
San Joaquin spearscale	<i>Atriplex joaquinana</i>	Chenopod scrub Meadow and seep Valley and foothill grassland	NO
round-leaved filaree	<i>California macrophylla</i>	Cismontane woodland Valley and foothill grassland	NO
palmate-bracted bird's-beak	<i>Chloropyron palmatum</i>	Chenopod scrub Meadow and seep Valley and foothill grassland Wetland	NO
woolly rose-mallow	<i>Hibiscus lasiocarpus</i> var. <i>occidentalis</i>	Freshwater marsh Marsh and swamp Wetland	NO
Heckard's pepper-grass	<i>Lepidium latipes</i> var. <i>heckardii</i>	Valley and foothill grassland	NO
Baker's navarretia	<i>Navarretia leucocephala</i> ssp. <i>bakeri</i>	Cismontane woodland Lower montane coniferous forest Meadow and seep Valley and foothill grassland Vernal pool Wetland	NO
saline clover	<i>Trifolium hydrophilum</i>	Marsh and swamp Valley and foothill grassland Vernal pool Wetland	NO
Wildlife			
tricolored blackbird	<i>Agelaius tricolor</i>	Freshwater marsh Marsh and swamp Swamp Wetland	NO
California tiger salamander	<i>Ambystoma californiense</i>	Cismontane woodland Meadow and seep Riparian woodland Valley and foothill grassland Vernal pool Wetland	NO
pallid bat	<i>Antrozous pallidus</i>	Chaparral Coastal scrub Desert wash Great Basin grassland Great Basin scrub Mojavean desert scrub Riparian woodland Sonoran desert scrub Upper montane coniferous forest Valley and foothill grassland	NO
burrowing owl	<i>Athene cunicularia</i>	Coastal prairie Coastal scrub Great Basin grassland Great Basin scrub Mojavean desert scrub Sonoran desert scrub Valley and foothill grassland	NO
vernal pool fairy shrimp	<i>Branchinecta lynchi</i>	Valley and foothill grassland Vernal pool Wetland	NO
Swainson's hawk	<i>Buteo swainsoni</i>	Great Basin grassland Riparian forest Riparian woodland Valley and foothill grassland	NO
western snowy plover	<i>Charadrius alexandrinus nivosus</i>	Great Basin standing waters Sand shore Wetland	NO
mountain plover	<i>Charadrius montanus</i>	Chenopod scrub Valley and foothill grassland	NO

(Continued on next page)

Table 4
Special-Status Species in Project Area

Sacramento Valley tiger beetle	<i>Cicindela hirticollis abrupta</i>	Sand shore	NO
valley elderberry longhorn beetle	<i>Desmocerus californicus dimorphus</i>	Riparian scrub	NO
white-tailed kite	<i>Elanus leucurus</i>	Cismontane woodland Marsh and swamp Riparian woodland Valley and foothill grassland Wetland	NO
western pond turtle	<i>Emys marmorata</i>	Aquatic Artificial flowing waters Klamath/North coast flowing waters Klamath/North coast standing waters Marsh and swamp Sacramento/San Joaquin flowing waters Sacramento/San Joaquin standing waters South coast flowing waters South coast standing waters Wetland	NO
merlin	<i>Falco columbarius</i>	Estuary Great Basin grassland Valley and foothill grassland	NO
silver-haired bat	<i>Lasionycteris noctivagans</i>	Lower montane coniferous forest Oldgrowth Riparian forest	NO
western red bat	<i>Lasiurus blossevillii</i>	Cismontane woodland Lower montane coniferous forest Riparian forest Riparian woodland	NO
hoary bat	<i>Lasiurus cinereus</i>	Broadleaved upland forest Cismontane woodland Lower montane coniferous forest North coast coniferous forest	NO
vernal pool tadpole shrimp	<i>Lepidurus packardi</i>	Valley and foothill grassland Vernal pool Wetland	NO
California linderiella	<i>Linderiella occidentalis</i>	Vernal pool	NO
Antioch multilid wasp	<i>Myrmosula pacifica</i>	Interior dunes	NO
black-crowned night heron	<i>Nycticorax nycticorax</i>	Marsh and swamp Riparian forest Riparian woodland Wetland	NO
white-faced ibis	<i>Plegadis chihi</i>	Marsh and swamp Wetland	NO
Sacramento splittail	<i>Pogonichthys macrolepidotus</i>	Aquatic Estuary Freshwater marsh Sacramento/San Joaquin flowing waters	NO
bank swallow	<i>Riparia riparia</i>	Riparian scrub Riparian woodland	NO
American badger	<i>Taxidea taxus</i>	Alkali marsh Alkali playa Alpine Alpine dwarf scrub Bog and fen Brackish marsh Broadleaved upland forest Chaparral Chenopod scrub Cismontane woodland Closed-cone coniferous forest Coastal bluff scrub Coastal dunes Coastal prairie Coastal scrub Desert dunes Desert wash Freshwater marsh Great Basin grassland Great Basin scrub Interior dunes Ione formation Joshua tree woodland Limestone Lower montane coniferous forest Marsh and swamp Meadow and seep Mojavean desert scrub Montane dwarf scrub North coast coniferous forest Oldgrowth Pavement plain Redwood Riparian forest Riparian scrub Riparian woodland Salt marsh	NO

(Continued on next page)

Table 4
Special-Status Species in Project Area

		Sonoran desert scrub Sonoran thorn woodland Ultramafic Upper montane coniferous forest Upper Sonoran scrub Valley and foothill grassland	
giant garter snake	<i>Thamnophis gigas</i>	Marsh and swamp Riparian scrub Wetland	NO
Natural Community			
Great Valley Mixed Riparian Forest	<i>Great Valley Mixed Riparian Forest</i>	Riparian forest	NO
Valley Oak Woodland	<i>Valley Oak Woodland</i>	Cismontane woodland	NO
Source: CNDDDB, April 2013.			

As shown in the table, all of the special-status plants and wildlife occur in specialized habitats that do not occur on the project site, such as chenopod scrub, freshwater marsh, coastal habitats, forests, seasonal wetlands, vernal pools, freshwater marsh, wet meadow, playas, or other aquatic habitats. The project site may have been graded at one time, and the only vegetation currently occurring on the site is ruderal and mustard grasses. Dense vegetation or trees do not exist on the site, nor do any waterways including riparian habitat, federally protected wetlands, or other sensitive natural communities. In addition, the proposed project site is located in an industrial area and is surrounded by existing industrial developments to the north, south, and west. Due to the disturbed nature of the project site and surrounding area, as well as the lack of essential habitat for special-status plants and wildlife known to occur in the region, none of the special-status species listed above are likely to occur on the project site. Therefore, because the proposed project area is disturbed and lacks essential habitat, impacts related to sensitive or special status species, riparian habitat, federally protected wetlands, or other sensitive natural community would result in a **less-than-significant** impact.

- d. As stated above, the only vegetation on the project site is ruderal and mustard grasses. Dense vegetation or trees do not exist on the site, and the site is surrounded by existing industrial developments to the south, west, and north. Open space agricultural land is located east and northeast of the project site. Due to the lack of vegetation and disturbed nature of the project site, the site does not represent suitable habitat for resident or migratory birds or other protected wildlife. However, the nearby agricultural land may be considered suitable foraging habitat for the Swainson's hawk, which is included in Table 4 as a special-status species. The Swainson's hawk is protected from direct take under the Federal Migratory Bird Treaty Act of 1918. Although not anticipated to provide suitable habitat for Swainson's hawk foraging on-site, due to the proximity to the open space agricultural lands, the species may be present on-site during construction activities. Only 17.36 acres would be disturbed by the proposed project, but due to the proximity of disturbance, the remaining 0.2-acre would also be considered disturbed. Therefore, the entire proposed project site could interfere with the movement of the Swainson's hawk, and impacts would be considered **potentially significant**.

Mitigation Measure(s)

The following mitigation measure would reduce the above impact to a *less-than-significant* level.

IV-1 *Prior to issuance of grading permits, the project applicant shall pay the Swainson's hawk habitat mitigation fee established by the Yolo County Natural Community Conservation Plan/Habitat Conservation Plan Joint Power Authority's Interim Mitigation Strategy (currently \$8,660 per acre) for the review and approval of the City of Woodland Community Development Department. The fee shall be paid for the total property acreage (i.e., 17.56 acres, for a total fee of \$152,069.60) to the Wildlife Mitigation Trust Account for the establishment of raptor foraging habitat elsewhere in Yolo County through the purchase of development rights and execution of irreversible conservation or agricultural easement. The established rapture foraging habitat acreage shall be permanently protected from future development via enforceable deed restrictions.*

As an alternative to the above, the project applicant may provide acreage for the establishment of raptor foraging habitat in lieu of paying the habitat mitigation fee. If the acreage that is provided is less than that of the project site, the balance shall be paid to the Wildlife Mitigation Trust Account based on the project's Swainson's hawk habitat mitigation fee.

- e. The proposed project would be developed in highly disturbed area, void of any vegetation and surrounded by existing development. Therefore, because the proposed project would not involve the removal of any trees, a conflict with Chapter 20A of the Woodland City Code regarding tree preservation or any other local policy to protect biological resources would not occur and **no impact** would result.
- f. Yolo County has formed a Joint Powers Agency (JPA) for the purposes of preparing and implementing a Natural Communities Conservation Plan/Habitat Conservation Plan (NCCP/HCP) for Yolo County. The County NCCP/HCP, known as the Yolo Natural Heritage Program, has identified a 653,629-acre planning area, including the City of Woodland. The Yolo Natural Heritage Program will establish a funding mechanism to preserve and enhance native habitats that support endangered and sensitive species. A final Yolo Natural Heritage Program has not yet been adopted. Should the final Yolo Natural Heritage Program be adopted prior to or during the construction of the proposed project, the project would be required to comply with all measures set forth by the NCCP/HCP.

In the interim, the JPA administers a program to implement an agreement with the CDFW regarding impacts to Swainson's hawk foraging habitat, where a Swainson's hawk habitat mitigation fee is collected based on acreage for development of open land within the Yolo Natural Heritage Program area. The mitigation fees are to be sufficient to fund the acquisition, enhancement, and long-term management of one acre of Swainson's hawk foraging habitat for every one acre of foraging habitat lost to urban development.

Currently, the fee is \$8,660 per acre. As discussed above, the proposed project would be required per Mitigation Measure IV-1 to pay the Swainson's hawk habitat mitigation fee.

Nonetheless, the City of Woodland is not currently considered to have an adopted Habitat Conservation Plan and a ***less-than-significant*** impact regarding a conflict with any applicable habitat conservation plan or natural communities conservation plan would occur.

V. CULTURAL RESOURCES.

Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less- Than- Significant Impact	No Impact
a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	☐	☐	✗	☐
b. Cause a substantial adverse change in the significance of a unique archaeological resource pursuant to Section 15064.5?	☐	✗	☐	☐
c. Directly or indirectly destroy a unique paleontological resource on site or unique geologic features?	☐	✗	☐	☐
d. Disturb any human remains, including those interred outside of formal cemeteries.	☐	✗	☐	☐

Discussion

- a. The proposed project site is currently vacant and has been previously graded. Vegetation does not exist on the site. Existing industrial developments are located directly south, west, and north of the site, and agricultural land uses are located east and northeast of the project site. Historical resources are not known to exist on the project site or in the immediate vicinity. Therefore, the proposed project would have a ***less-than-significant*** impact to historical resources.
- b-d. According to the Woodland General Plan EIR (p. 7-2), sites of known cultural or archaeological resources do not occur in the City of Woodland. In addition, the proposed project site is located in an industrial area and is surrounded by existing development. Thus, surface artifacts are unlikely to occur on the project site. However, the possibility exists that during construction activities, such as grading and excavation, unidentified archaeological resources, paleontological resources, or human remains may be uncovered, resulting in a ***potentially significant*** impact.

Mitigation Measure(s)

Implementation of the following mitigation measures would reduce the above impact to a ***less-than-significant*** level.

- V-1 *Prior to the issuance of a grading permit, plans shall include a requirement (via notation) indicating that if historic and/or cultural resources, or human remains are encountered during site grading or other site work, all such work shall be halted immediately within the area of discovery and the contractor shall immediately notify the City of the discovery. In such case, the applicant shall retain the services of a qualified archaeologist for the purpose of recording, protecting, or curating the discovery as appropriate. The archaeologist shall be required to submit to the City for review and approval a report of the findings and method of curation or protection of the resources. Further grading or site work within the vicinity of the discovery, as identified by the qualified*

archaeologist, shall not be allowed until the preceding steps have been taken. All fees associated with the services of the qualified archaeologist shall be paid by the project applicant.

V-2

Pursuant to State Health and Safety Code §7050.5 (c) State Public Resources Code §5097.98, if human bone or bone of unknown origin is found during construction, all work shall stop in the vicinity of the find and the Yolo County Coroner shall be contacted immediately. If the remains are determined to be Native American, the coroner shall notify the Native American Heritage Commission who shall notify the person believed to be the most likely descendant. The most likely descendant shall work with the contractor to develop a program for re-interment of the human remains and any associated artifacts. Additional work is not to take place in the immediate vicinity of the find, which shall be identified by the qualified archaeologist, until the identified appropriate actions have been implemented. All fees associated with the services of the qualified archaeologist shall be paid by the project applicant.

VI. GEOLOGY AND SOILS.

Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less- Than- Significant Impact	No Impact
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area based on other substantial evidence of a known fault?	☐	☐	✗	☐
ii. Strong seismic ground shaking?	☐	☐	✗	☐
iii. Seismic-related ground failure, including liquefaction?	☐	☐	✗	☐
iv. Landslides?	☐	☐	☐	✗
b. Result in substantial soil erosion or the loss of topsoil?	☐	☐	✗	☐
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	✗	☐
d. Be located on expansive soil, as defined in Table 18-1B of the Uniform Building Code?	☐	✗	☐	☐
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	✗

Discussion

ai-iii,

- c. The California Division of Mines and Geology (CDMG) identified past faults within the vicinity of Woodland that are not within Earthquake Fault Hazards Zones as defined by the State of California as active faults. Known faults within the vicinity identified by the CDMG include the following: the Dunnigan Hills fault located approximately seven miles northwest of Woodland; a young fault west of Woodland and south of Cache Creek; the Sweitzer and Eisner faults located approximately 19 miles west of Woodland in the Capay Hills; and the Coast Range-Sierran Block blind-thrust fault located approximately six to nine miles west of Woodland. According to the Woodland General Plan EIR, a credible earthquake of a Magnitude of 6.75 is possible on the Dunnigan Hills Fault. The two other faults in the area are the Midland Fault Zone, located approximately 20 miles southwest of Woodland, and the Capay Valley, 25 miles west of Woodland.

Ground shaking is the primary seismic concern in the Woodland area. The California Division of Mines and Geology has produced a maximum expected earthquake intensity map, which shows Woodland in the low severity zone. This zone could potentially

experience ground shaking intensities of up to VII in Mercalli intensity. The Modified Mercalli scale is a scale of seismic intensity that measures the effects of seismic movement. A Mercalli Intensity of VII indicates that people have difficulty standing, drivers in cars feel shaking, and moderate damage is done to well-built buildings. Four seismic zones are applied nationwide, where Zones 3 and 4 are of the highest potential seismicity and Zone 4 is the most seismically active. According to the City of Woodland General Plan Background Report, Woodland is located within a Zone 3 seismic zone. According to the State of California Department of Conservation, the California Geological Survey of Alquist-Priolo Earthquake Fault Zones does not include the City of Woodland as an affected city by earthquake fault zones and have not identified faults within a five mile radius of downtown Woodland.

In addition to structural damage caused by ground shaking, other ground effects caused by shaking exist such as liquefaction. Liquefaction potential within Woodland is considered to be low, but the potential exists in low-lying areas comprising unconsolidated, saturated, clay-free sand and silts. Although Woodland is within the low severity zone and liquefaction potential is considered low, structural damage could occur as a result of these processes. However, the proposed project includes only two minimalist on-site buildings. In addition, the project would comply with the California Code of Regulations (CCR), Title 24, also known as the California Building Standards Code, as well as the Uniform Building Code (UBC). Chapter 16 of the UBC, Division of Earthquake Design, requires that structures be designed using certain seismic design criteria based in part on the seismic zone, soil profile, and the proximity of the site to active faults. Therefore, because strong seismic ground shaking and seismic-related ground failure, including liquefaction, would not be expected to occur on the site, and because the project would be required to comply with the California Building Standards Code and UBC requirements, the proposed project would not result in an increase to the exposure of people or structures to potential substantial adverse effects from seismic activity or cause the currently stable geologic unit or soil to become unstable. Impacts would be considered *less than significant*.

- aiv. The proposed project site is not susceptible to landslides because the area is essentially flat. Therefore, *no impact* would occur.
- b. Because the land on the site is flat, a slight potential for soil erosion exists. However, during the early stages of construction activities, topsoil would be exposed due to grading and leveling of the site. After grading and leveling and prior to overlaying the ground surface with impervious surfaces and structures, the potential exists for wind and water erosion to occur, which would adversely affect project site soils. The 17.56-acre subject property would be disturbed by grading and other construction activities. As required under the federal Clean Water Act, the proposed project would comply with the State Water Resources Control Board (SWRCB) General Construction Activity Stormwater Permit, which regulates stormwater discharges associated with construction activities where clearing, grading, or excavation results in a land disturbance of one or more acres. The State's General Construction Activity Stormwater Permit requires a Storm Water Pollution Prevention Plan (SWPPP) to be prepared for the site. A SWPPP describes BMPs to control or minimize pollutants from entering stormwater and must address both

grading/erosion impacts and non-point source pollution impacts of the development project, including post-construction impacts. In addition, the proposed project would comply with provisions of the City of Woodland Stormwater Management Program and the National Pollutant Discharge Elimination System (NPDES) permit to avoid and minimize any potential violations of water quality standards or waste discharge requirements. Impacts related to erosion are further addressed in Section IX, Hydrology and Water Quality, of this IS/MND. Therefore, because the proposed project would comply with all applicable policies and regulations, impacts related to soil erosion or loss of topsoil would be considered ***less than significant***.

- d. Expansive soils are soils that have a potential for shrinking and swelling under changing moisture conditions. Expansive soils could cause lifting of a building or other structure during periods of high moisture. Conversely, during periods of low moisture, expansive soil will collapse and could result in building settlement. Accordingly, damage due to expansive soils occurs when the amount of moisture contained in the foundation soils fluctuates.

Expansive soils are generally classified as CH, MH, or OH by the Unified Classification System and have a Plasticity Index (PI) greater than about 25 by ASTM D4318. According to the U.S. Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS)'s Web Soil Survey for the project site, the site is primarily made up of Clear Lake clay soil, with a very small area of Laugenour very fine sandy loam, deep, flooded soil in the southeastern-most point of the site. Laugenour very fine sandy loam, deep, flooded soil does not demonstrate any of the aforementioned general indications of expansive soils. However, according to the NRCS, Clear Lake clay soil is classified as CH by the Unified Classification System, has a PI of 30.0, and has a high shrink-swell potential, which is also indicative of expansive soil.

Only two minor buildings are proposed for the project, including a mobile office trailer on wheels and a three-sided metal building with a concrete pad and side gaps for flood flow to be used for equipment storage. Only the metal building could potentially be affected by expansive soil. In addition, the proposed project would comply with all federal, State, and local building codes, regulations, and practices including standards in the International Building Code related to expansive soils. However, because the proposed equipment storage building could be located on expansive soils, impacts would be considered ***potentially significant***.

Mitigation Measure(s)

The following mitigation measure would reduce the above impact to a *less-than-significant* level.

- VI-1 *Prior to approval of grading plans, the applicant shall coordinate with the City Engineer to determine the soil conditions at the proposed equipment storage building location. If expansive soils are not encountered, further action is not required. If expansive soils are encountered, the applicant shall coordinate with the City Engineer to determine the best means of soil*

treatment. Potential treatment could include, but would not be limited to the following:

- *Ensuring soil is compacted at the appropriate moisture content;*
 - *Selectively grading; or*
 - *Chemically modifying the soil (e.g., apply lime treatment to soil).*
- e. The proposed project includes two reclamation ponds for the concrete slurry and one retention pond for leachate. During the winter wet season, the project would shut down operations. Prior to operational shut down, clean water from the retention pond would be used to fill the on-site water tanker, and any remaining water would be hauled to a treatment facility for disposal. In addition, the proposed project includes a connection to the City's sewer service for the one on-site restroom facility, which would be located in the mobile office trailer. Accordingly, septic tanks or alternative wastewater disposal systems would not be required for the proposed project, and **no impact** would occur from soils incapable of adequately supporting the use of septic tanks.

VII. GREENHOUSE GAS EMISSIONS.	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less-Than- Significant Impact	No Impact
<i>Would the project:</i>				
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	✗	☐
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gasses?	☐	☐	✗	☐

Discussion

- a, b. In September 2006, Governor Arnold Schwarzenegger signed Assembly Bill (AB) 32, the California Climate Solutions Act of 2006. AB 32 requires that Statewide greenhouse gas (GHG) emissions be reduced to 1990 levels by the year 2020. AB 32 delegated the authority for its implementation to the CARB and directs the CARB to enforce the Statewide cap. In accordance with AB 32, CARB prepared the *Climate Change Scoping Plan* (Scoping Plan) for California, which was approved in 2008. The Scoping Plan provides the outline for actions to reduce California's GHG emissions. It should be noted that in 2011, the baseline for the Scoping Plan was revised to account for the economic downturn and State regulation emission reductions. The amended Scoping Plan was re-approved August 24, 2011.

The City of Woodland is in the process of preparing a community Climate Action Plan (CAP), which will establish GHG reduction targets consistent with State-established goals and will provide options for achieving the targets. Once adopted, the CAP would provide future project applicants in the City with a consistent, predictable, and streamlined approach to climate change analysis and mitigation requirements for CEQA compliance. Currently, neither the YSAQMD nor the City of Woodland has identified a specific threshold of significance associated with GHG emissions. According to the YSAQMD, projects that generate new vehicle trips could conflict with AB 32 goals, and recommend that at minimum, a qualitative discussion and analysis of GHG be presented.

Emissions of GHGs contributing to global climate change are attributable in large part to human activities associated with the industrial/manufacturing, utility, transportation, residential, and agricultural sectors. Therefore, the cumulative global emissions of GHGs contributing to global climate change can be attributed to every nation, region, and city, and virtually every individual on Earth. A project's GHG emissions are at a micro-scale relative to global emissions, but could result in a cumulatively considerable incremental contribution to a significant cumulative macro-scale impact.

Implementation of the proposed project would contribute to increases of GHG emissions that are associated with global climate change. Estimated GHG emissions attributable to future development would be primarily associated with increases of CO₂ and other GHG pollutants, such as methane (CH₄) and nitrous oxide (N₂O), from mobile sources and utility usage. The proposed project's GHG emissions have been estimated and are

presented below. The proposed project's short-term construction-related and long-term operational GHG emissions were estimated using the CalEEMod software. CalEEMod is a Statewide model designed to provide a uniform platform for government agencies, land use planners, and environmental professionals to quantify GHG emissions from land use projects. The model quantifies direct GHG emissions from construction and operation (including vehicle use), as well as indirect GHG emissions, such as GHG emissions from energy use, solid waste disposal, vegetation planting and/or removal, and water use. Emissions are expressed in annual metric tons of CO₂ equivalent units of measure (i.e., MTCO₂e), based on the global warming potential of the individual pollutants.

Short-Term GHG Emissions

Estimated increases in GHG emissions associated with construction of the proposed project are summarized in Table 5.

Table 5	
Construction-Related GHG Emissions	
	CO₂ emissions (MTCO₂e)
Total Construction GHG Emissions	229.44
<i>Source: CalEEMod, April 2013 (See Appendix A).</i>	

As presented in the table, short-term emissions of GHG associated with construction of the proposed project are estimated to be 229.44 MTCO₂e. Construction GHG emissions are a one-time release and are, therefore, not typically expected to generate a significant contribution to global climate change. Due to the size of the proposed project, the project's estimated construction-related GHG contribution to global climate change would be considered negligible on the overall global emissions scale and, therefore, less-than-significant. However, the proposed project's construction GHG emissions have been included in the annual operational GHG emissions. Including the construction GHG emissions (a one-time release that would occur only during construction of the project) in the annual operational GHG emissions (which would occur every year over the lifetime of the entire project) would represent a conservative estimate for the annual operational GHG emissions.

Long-Term GHG Emissions

The long-term operational GHG emissions estimate for the proposed project incorporates the project's potential area source and vehicle emissions, emissions associated with utility and water usage, and the generation of wastewater and solid waste. In addition, the one-time release of construction GHG emissions has been included in the annual operational GHG emissions estimate in order to provide a conservative estimate. Estimated GHG emissions associated with the proposed project are summarized in Table 6. As shown in the table, the annual GHG emissions associated with the proposed project including construction GHG emissions would be 1,557.06 MTCO₂e.

Table 6	
Proposed Project Operational GHG Emissions	
	CO₂ emissions (MTCO₂e)
Annual Operational GHG Emissions	1,327.62
Construction GHG Emissions	229.44
ANNUAL GHG EMISSIONS	1,557.06
<i>Source: CalEEMod, April 2013 (See Appendix A).</i>	

Currently, very few locations are available within the Central Valley that provides the services proposed for the project. The project would provide a local disposal site for contractors in the area who need to rid of slurry from construction projects. Without implementation of the proposed project, local contractors would continue to either dispose of slurry from construction projects at a local landfill or transfer the slurry to one of the few processing centers in the Central Valley. Accordingly, the proposed project would likely result in various regional and even Statewide benefits, including an overall reduction in GHG emissions. The reduction in GHG emissions would primarily be associated with the regional and potentially Statewide reduction in vehicle miles traveled (VMT) by providing a local processing center for construction waste and equipment storage. In addition, indirect emission of GHG associated with landfill operations could potentially be reduced by the proposed project as well by providing local recycling services for construction waste, thus, reducing the potential amount of solid waste being disposed of at a landfill. Furthermore, the project is designed to recycle all processing water used on-site back into the process. Therefore, GHG emissions associated with water treatment and conveyance specific for the proposed project's water demands would be minimal.

For the aforementioned reasons, the project would result in an overall decrease in GHG emissions from what is currently occurring locally in the region. Accordingly, the region's incremental influence on the State's overall contribution to climate change would be slightly reduced, and the project's GHG emissions would be considered minimal on a global scale. Therefore, the nature of the proposed project would result in an overall positive effect related to global climate change.

Conclusion

Because the proposed project would result in an overall positive effect on global climate change and is consistent with the existing land use designation for the project site, the proposed project would not be expected to significantly hinder or delay California's ability to meet the reduction targets contained in AB 32. Thus, the proposed project would not conflict with any plan, policy, or regulation and would not generate GHG emissions that would significantly contribute to global climate change. Therefore, impacts related to GHG emissions would be considered ***less than significant***.

VIII. HAZARDS AND HAZARDOUS MATERIALS.

Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less-Than- Significant Impact	No Impact
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	✗	☐
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?	☐	☐	✗	☐
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	✗	☐
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	✗
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	✗
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	✗
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	✗	☐
h. Expose people or structures to the risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	✗	☐

Discussion

- a-c. Hazardous wastes would not be accepted at the site. A load checking program designed to detect the presence of any hazardous or prohibited materials in incoming loads would be implemented and maintained. The concrete waste that would be processed at the project site is considered designated waste and the site would be considered a Class II waste management unit. According to Section 13173 of the California Water Code, designated waste is nonhazardous waste that could be released in concentrations exceeding applicable water quality objectives or that could reasonably be expected to affect beneficial uses of the water of the State. Thus, the designated waste and Class II waste management units are not considered hazardous, and the main concern is the

potential threat to water quality. Water quality impacts are addressed in Section IX, Hydrology and Water Quality, of this IS/MND.

The proposed project site is located in an industrial area predominantly surrounded by existing industrial developments. The nearest school facility is the Ramon Tafoya Elementary School, which is approximately 1.35 miles from the existing site. The property is currently vacant and hazards and hazardous materials are not known to occur on-site or have not been known to be used or stored on the property. The proposed project would not introduce the transport, use or disposal of hazardous materials on the site. Therefore, because the project would not create a significant hazard to the public or the environment from hazardous materials, including an existing or proposed school, impacts would be considered ***less than significant***.

- d. The proposed project site is not included on the list of hazardous materials sites complied pursuant to Government Code Section 65962.5. Therefore, ***no impact*** would result from implementation of the proposed project.
- e,f. The nearest airports are the Medlock Field Airport and the Sacramento International Airport, which are located nearly five miles to the west and over six miles to the east, respectively, of the proposed project site. Therefore, the proposed project is not within an airport land use plan, two miles of a public airport, or in the vicinity of a private airstrip. Therefore, ***no impact*** would occur.
- g. The General Plan currently designates the proposed project site for industrial development. The proposed project is the development and operation of a concrete slurry processing facility. Implementation of the proposed project site would not result in any modifications to the existing roadway system and would not interfere with evacuation or response routes used by emergency response teams. In addition, all fire apparatus access roads are required to comply with 2010 California Fire Code Section 503. Therefore, a ***less-than-significant*** impact would result.
- h. The proposed project is located in an industrial area that is highly disturbed and developed. The project site is surrounded by existing industrial developments to the north, south, and west and is not located in an area considered “wildlands” where wildland fires are a risk to structures. In addition, the project includes only two minor buildings, one of which is a mobile office trailer that would be on wheels for ease of movement in the event of an emergency. The proposed project is required to comply with the 2010 California Fire Code. Open space agricultural land that could be considered a higher risk from wildland fires is located to the east and northeast of the project site; however, a canal separates the project site from the open space areas. Therefore, because the risk of on-site structures being subject to wildland fires is low, a ***less-than-significant*** impact would result.

IX. HYDROLOGY AND WATER QUALITY. <i>Would the project:</i>		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less-Than- Significant Impact	No Impact
a.	Violate any water quality standards or waste discharge requirements?	☐	✗	☐	☐
b.	Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (i.e., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	✗	☐
c.	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	☐	✗	☐	☐
d.	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	☐	✗	☐	☐
e.	Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	✗	☐	☐
f.	Otherwise substantially degrade water quality?	☐	✗	☐	☐
g.	Place housing within a 100-year floodplain, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	✗
h.	Place within a 100-year floodplain structures which would impede or redirect flood flows?	☐	☐	✗	☐
i.	Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam.	☐	☐	✗	☐
j.	Inundation by seiche, tsunami, or mudflow?	☐	☐	☐	✗

Discussion

- a,f. The proposed project would include two reclamation ponds for the concrete slurry, one retention pond for leachate, one storage building for construction equipment, and one on-site mobile office trailer. Although heavy trucks would come and go from the project site daily, maintenance of the vehicles would not occur on-site and constituents related to oil or grease would not be discharged into the sewer, storm drain, parking lot, or street.

During the early stages of construction activities, heavy equipment would be utilized on the project site and ground disturbance would occur, which has the potential to result in pollutant constituents being washed from the site. However, as required under the federal Clean Water Act, the proposed project would comply with the State Water Resources Control Board (SWRCB) General Construction Activity Stormwater Permit, which regulates stormwater discharges associated with construction activities where clearing, grading, or excavation results in a land disturbance of one or more acres. The State's General Construction Activity Stormwater Permit requires a Storm Water Pollution Prevention Plan (SWPPP) to be prepared for the site. A SWPPP describes Best Management Practices (BMPs) to control or minimize pollutants from entering stormwater and must address both grading/erosion impacts and non-point source pollution impacts of the development project, including post-construction impacts. In addition, the proposed project would comply with provisions of the City of Woodland Stormwater Quality Control Ordinance and NPDES permit to avoid and minimize any potential violations of water quality standards or waste discharge requirements related to construction.

The concrete waste that would be processed at the project site is considered designated waste and the site would be considered a Class II waste management unit. According to Section 13173 of the California Water Code, designated waste is nonhazardous waste that could be released in concentrations exceeding applicable water quality objectives or that could reasonably be expected to affect beneficial uses of the water of the State. Designated waste and Class II waste management units are regulated by the SWRCB through the Regional Water Quality Control Board (RWQCB) and compliance with Title 27 of the California Code of Regulations. Title 27 Section 20250(a) requires that Class II waste management units be located where site characteristics and containment structures isolate waste from waters of the State. Section 20250(c) of Title 27 states that new Class II units shall be designed, constructed, operated, and maintained to prevent inundation or washout due to floods with a 100-year return period. Section 20080(b) of Title 27 allows for engineered alternatives to construction or prescriptive standards, provided demonstration that the alternative is consistent with the performance goal in Section 20250(a) of Title 27. The RWQCB would consider the engineered alternative and determine whether the alternative would still attain the Title 27 performance standard.

In order to meet Section 20250(c) of Title 27, the project would provide an engineered alternative by designing, constructing, operating, and maintaining the proposed project such that all designated waste is not present on the site during the wet season. The proposed project would operate from April through October and would shut down during the winter wet season (November through March) when conditions develop where the probability of a flood with a 100-year return is most likely to occur. Prior to operational shut down, the processed material in the processing ponds would be loaded onto trucks and delivered to a regional inert material recycler to be incorporated into post-consumer aggregate products. The processing ponds would be cleaned out and any remaining slurry would be hauled to an appropriate disposal facility. Clean water from the retention pond would be used to fill the on-site water tanker, and any remaining water would be hauled to a treatment facility for disposal. Thus, all waste solids and water would be removed

prior to the beginning of the wet season, which would prevent any waste from coming into contact with flood waters and isolating waste from waters of the State. Therefore, by shutting down and clearing the site of any wastes during the wet season, the project would meet the performance standard of isolating waste from waters of the State during flooding and preclude degradation and/or impairment of receiving waters. The RWQCB must approve the engineered alternative through adoption and issuance of a Waste Discharge Requirements (WDR) Order. It should be noted that a NPDES Industrial Stormwater Permit is required for the proposed project as well.

Compliance with the requirements of the SWRCB, including the WDR, NPDES, and NPDES Industrial Stormwater permits, as well as the City's Stormwater Quality Control Ordinance would ensure that construction and operational activities would not result in degradation of downstream water quality. However, the RWQCB must approve the proposed engineered alternative and adopt and issue a WDR Order to ensure that the project would not violate any water quality standards or waste discharge requirements, or otherwise substantially degrade water quality. Without issuance of a WDR Order, the proposed project could result in a ***potentially significant*** impact related to water quality and waste discharge requirements.

Mitigation Measure(s)

Implementation of the following mitigation measure would reduce the above impact to a *less-than-significant* level.

IX-1 Prior to issuance of grading permits, the project applicant shall obtain a WDR Order from the SWRCB by providing a technical report in conjunction with a Report of Waste Discharge (ROWD) to the RWQCB. The technical report shall demonstrate that the engineered alternative would provide protection from flooding as prescribed in Section 20250(c) of Title 27 by including, but not limiting to, the following:

- *Description of the design of the waste management units relative to flood elevations;*
- *Ensuring a minimum five-foot separation between placement of designated waste and underlying groundwater;*
- *Ensuring all designated waste, whether in slurry, liquid, or solid form, would be cleared from the project site during the wet season (November through March);*
- *Providing an annual report that the site has been properly prepared (all waste solids and water is removed) prior to the beginning of the wet season;*
- *Providing a description of the risk for remedial action, as well as the associated potential costs and financial assurances; and*
- *Providing estimated costs for clean closure of the site.*

The project shall comply with all requirements of the issued WDR Order.

- b. The project area is currently provided water and sewer services by the City of Woodland. Existing utility lines are located along Hanson Way. The proposed project includes a connection to the nearby existing City water lines. Water would be used on-site for potable water for employees, as well as for process water for the reclamation ponds.

The City currently gets their water supply from groundwater wells. However, the City of Woodland, the City of Davis, and the University of California at Davis are jointly working on a regional surface water project that is anticipated to bring Sacramento River water to the communities by the year 2016. Accordingly, groundwater would not be utilized as heavily once surface water becomes part of the water supply. According to the General Plan EIR, groundwater levels recover relatively quickly, and a Groundwater Impact Analysis conducted in 1997, pursuant to General Plan policy, concluded that the aquifer has adequate capacity to serve new development under the City's General Plan buildout conditions. The proposed project is consistent with what has been anticipated for the project site per buildout of the General Plan. Accordingly, the project's water demand has been anticipated by the General Plan and General Plan EIR. Furthermore, the project site includes only two minor buildings and an adequate stormwater collection and conveyance system; thus, the amount of impervious surface proposed for the project is not expected to cause a substantial effect on groundwater recharge.

A 5,000-gallon tanker would be kept on-site at all times to supply water for washing out the waste from the trucks, as well as to supply the trucks with water to be carried back out to ongoing construction and improvement project sites. At most, the water tanker would need to be filled once per day. A maximum of approximately 75,000 gallons per day is anticipated to be used for the proposed operations. However, water from the on-site retention pond would be utilized to refill the on-site water tanker and/or to supply the trucks with water to be carried back to project sites. Thus, all water used at the project site would be recycled back into the process and minimal City-supplied water would be required for processing activities.

The proposed project is consistent with the General Plan, which determined that the aquifer has adequate capacity to serve new development under the City's General Plan buildout condition. In addition, the project would utilize on-site recycled process water to the fullest extent possible minimizing use of City water supplies. Furthermore, the project would not substantially interfere with groundwater recharge. Therefore, the proposed project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level, and impacts would be ***less than significant***.

- c-e. The proposed project includes two reclamation ponds for concrete slurry, one retention pond for leachate, a storage building for construction equipment, and a mobile office trailer. In addition, 70,374 square feet would be gravel covered and a total of 10,603 square feet would be asphalt paved. The proposed project would not result in the alteration of the course of a stream or river. The creation of impervious areas as a result of the proposed project would alter the existing drainage pattern of the site and generate

an increase in urban runoff. However, the project design includes stormwater collection and conveyance sufficient to control the proposed project's stormwater. The stormwater collection and conveyance system for the project consists of adequate capacity in the retention pond for the 1,000-year storm event, earthen berms around the pond edges with slopes towards the ponds, a grass swale along the southeastern portion of the site, and a grass swale along the eastern side of the access roadway. The stormwater would be conveyed along the grass swales to a storm drain that would connect to the City's existing storm drainage system. The stormwater runoff collection and conveyance system on the site would be sufficient to handle the incremental increase in stormwater runoff created by the proposed project. The incremental increase in stormwater would not be expected to result in on- or off-site flooding nor exceed the capacity of any existing or planned stormwater drainage system. Thus, the existing system would be adequate to handle the incremental increase in stormwater resultant of the proposed project.

During the early stages of construction activities, topsoil would be exposed due to grading and leveling of the site, leaving the potential for wind and water erosion to occur and potentially add a new source of polluted runoff. However, as stated above, the proposed project would comply with the requirements of the SWRCB, including the WDR, NPDES, and NPDES Industrial Stormwater permits, as well as the City's Stormwater Quality Control Ordinance. Compliance with SWRCB and City requirements would minimize polluted runoff and effects of flooding. However, the earthen berms around the pond edges with slopes towards the ponds have the potential to be affected by erosion or siltation. Therefore, without appropriate design measures for the slopes, the project could result in a ***potentially significant*** impact related to erosion or siltation from stormwater runoff.

Mitigation Measure(s)

Implementation of the following mitigation measure would reduce the above impact to a *less-than-significant* level.

IX-2 *Prior to issuance of grading permits, the project applicant shall hire a professional geotechnical engineer to perform a site-specific geotechnical evaluation. The geotechnical evaluations shall provide recommendations to ensure that the processing ponds are designed in compliance with Title 27, including recommendations for erosion control measures for the stabilization of the pond slopes. Erosion control measures for stabilizing the processing pond slopes could include, but would not be limited to, slope restrictions (e.g., slopes must be equal to or less than a 3:1 slope) or application of rip rap on slopes (e.g., hard armoring measures).*

- g. The proposed project does not involve the creation of housing. Therefore, the proposed project would not place any housing within a 100-year floodplain and ***no impact*** would result.
- h,i. According to FEMA FIRM Number 06113C0465H, dated May 16, 2012, the proposed project site is located in Flood Zone AE. Flood Zone AE is located within the 100-year

floodplain and considered a high risk flooding area. The flood depth at the site is seven to eight feet. As discussed in detail previously, the project site is subject to the requirements of Title 27 of the California Code of Regulations, which states that new Class II units shall be designed, constructed, operated, and maintained to prevent inundation or washout due to floods with a 100-year return period. In order to meet the requirements of Title 27, the proposed project would shut down and be cleared of all waste during the winter wet season (i.e., from November to March) each year. It should be noted that the RWQCB must adopt and issue of a WDR Order in order to ensure that Title 27 requirements are met and the proposed project would not affect water quality during flooding periods.

In addition, the mobile office trailer would be on wheels in order to be moved within 12 hours in emergency situations, and the storage building would be open on three sides with all electrical outlets and lights at two feet above base flood elevation (BFE). Furthermore, the ponds would be designed in order to accommodate the 1,000-year storm event. It should be noted that all structures on the site would comply with applicable building codes, including the 2010 California Building Code and the Code of the City of Woodland. Therefore, although the project would place structures within the 100-year floodplain, the proposed project is designed to ensure that the structures would not impede or redirect flood flows, and would not expose people or structures to significant risks involving flooding. Therefore, impacts related to flooding would be considered ***less than significant***.

- j. Tsunamis are defined as sea waves created by undersea fault movement. When tsunamis reach the shoreline, high swells of water break and wash inland with great force. A tsunami poses little danger away from shorelines. Because the City of Woodland is located several miles inland, the project site is not exposed to flooding risks from tsunamis. A seiche is a long-wavelength, large-scale wave action set up in a closed body of water such as a lake or reservoir, with destructive capacity that is not as great as that of a tsunami. The proposed project site is not located near a closed body of water large enough for a seiche to occur. Therefore, the proposed project is not anticipated to be impacted by seiches. Furthermore, as mudflows typically occur in mountainous or hilly terrain, and the project site and surrounding areas are relatively flat, danger from mudflows would not be expected. Because the proposed project would not be threatened by a seiche, tsunami, or mudflow, ***no impact*** from such phenomena would occur.

X. LAND USE AND PLANNING.	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less-Than- Significant Impact	No Impact
<i>Would the project:</i>				
a. Physically divide an established community?	☐	☐	☐	✗
b. Conflict with any applicable land use plans, policies, or regulations of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating on environmental effect?	☐	☐	✗	☐
c. Conflict with any applicable habitat conservation plan or natural communities conservation plan?	☐	☐	✗	☐

Discussion

- a. The proposed project site is surrounded by existing development and is not located near residential land uses. The site is designated and zoned for industrial uses, which the proposed project is consistent with. Therefore, the project would not physically divide an established community and ***no impact*** would occur.
- b. The character of the project vicinity is predominantly urbanized with industrial development adjacent to the site to the north, west, and south. Development of the proposed project would not conflict and would be compatible with surrounding land uses, as none of the surrounding uses are considered sensitive receptors. The proposed project site is designated and zoned in the Woodland General Plan as Industrial and would remain Industrial with implementation of the proposed project. Because the proposed project would not require a General Plan Amendment or rezone for the site, the project would be consistent with the industrial development planned for the site in the Woodland General Plan. The project requires a Conditional Use Permit, Site Plan Review, and Design Review. In addition, the project would be consistent with the General Plan policies and proposals for industrial land uses. Therefore, the project's impact related to conflict with applicable land use plans, policies, or regulations would be ***less than significant***.
- f. Yolo County has formed a JPA for the purposes of preparing and implementing a NCCP/HCP for Yolo County. The County NCCP/HCP, known as the Yolo Natural Heritage Program, has identified a 653,629-acre planning area, including the City of Woodland. The Yolo Natural Heritage Program will establish a funding mechanism to preserve and enhance native habitats that support endangered and sensitive species. A final Yolo Natural Heritage Program has not yet been adopted. Should the final Yolo Natural Heritage Program be adopted prior to or during the construction of the proposed project, the project would be required to comply with all measures set forth by the NCCP/HCP.

In the interim, the JPA administers a program to implement an agreement with the CDFW regarding impacts to Swainson's hawk foraging habitat, where a Swainson's

hawk habitat mitigation fee is collected based on acreage for development of open land within the Yolo Natural Heritage Program area. The mitigation fees are to be sufficient to fund the acquisition, enhancement, and long-term management of one acre of Swainson's hawk foraging habitat for every one acre of foraging habitat lost to urban development. Currently, the fee is \$8,660 per acre. As discussed above, the proposed project would be required per Mitigation Measure IV-1 of this IS/MND to pay the Swainson's hawk habitat mitigation fee.

Nonetheless, the City of Woodland is not currently considered to have an adopted Habitat Conservation Plan and a ***less-than-significant*** impact regarding a conflict with an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan would occur.

XI. MINERAL RESOURCES. <i>Would the project:</i>		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less- Than- Significant Impact	No Impact
a.	Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	✗
b.	Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	✗

Discussion

- a,b. The Woodland General Plan EIR states that designated mineral resource zones do not exist within the City of Woodland, and there is no new information identifying the presence of mineral resources on the project site or within the City. Therefore, ***no impact*** to mineral resources would occur as a result of the construction of the proposed project.

XII. NOISE. <i>Would the project result in:</i>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less- Than- Significant Impact	No Impact
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	✗	☐
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	✗	☐
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	✗	☐
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	✗	☐
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	✗
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	✗

Discussion

- a, c. The proposed project includes reclamation ponds, a storage building for construction equipment, and a mobile office trailer. The existing noise environment in the project vicinity is defined primarily by noise from existing vehicular traffic (including heavy trucks) on surrounding roadways and other existing industrial uses in the project area. The nearest sensitive receptor, a Hampton Inn & Suites, is located over half-a-mile to the southwest of the site. The City's threshold of significance for noise increases is an increase of three decibels (dB) or more.

The primary source of noise on the project site as a result of implementation of the proposed project would be from truck operations, specifically from the heavy trucks entering/exiting the site. Anticipated trips associated with operation of the proposed concrete slurry processing facility include a maximum of 24 heavy truck trips per day and 20 employee trips per day. Peak hours of traffic generation would occur at 6:00 AM and 4:00 PM. Trucks would enter the site throughout the day. Heavy trucks generate approximately 80 dB at 50 feet. Noise from the vehicles would generally attenuate by three dB per doubling of distance from the source. Therefore, given the size of the site, noise would noticeably decrease by at least three dB at the property boundary and the projected truck volumes are less than what is required to result in an audible change in

noise levels associated with truck operation. In addition, the background noise from Interstate 5 and East Main Street would mask any noise emanating from the project site and surrounding industrial properties to the nearest sensitive receptor. Hence, exterior noise levels during operation are not expected to significantly change from existing conditions with implementation of the proposed project. Therefore, the proposed project would not be expected to exceed the City's threshold of a 3 dB increase and would not create a substantial permanent increase in ambient noise levels, a ***less-than-significant*** impact would result.

- b. The primary vibration-generating activities associated with the project would occur during grading, and when infrastructure such as utilities and parking lots are constructed. The types of vibration impact include human annoyance and building structural damage. Human annoyance occurs when construction vibration rises significantly above the threshold of perception. Building damage can take the form of cosmetic or structural. Table 7 shows the typical vibration levels produced by construction equipment.

Table 7 Vibration Levels for Varying Construction Equipment		
Type of Equipment	Peak Particle Velocity (ppv) @ 25 feet (inches/second)	Approximate Velocity Level @ 25 feet (VdB)
Large Bulldozer	0.089	87
Loaded Trucks	0.076	86
Small Bulldozer	0.003	58
Auger/Drill Rigs	0.089	87
Jackhammer	0.035	79
Vibratory Hammer	0.070	85
Vibratory Compactor/Roller	0.210	94
<i>Source: Federal Transit Administration, Transit Noise and Vibration Impact Assessment Guidelines, May 2006.</i>		

The Table 7 data indicate that construction vibration levels, with the exception of the vibratory compactor/roller, are less than the 0.2 in/sec ppv threshold of damage to buildings at distances of 25 feet. The construction vibration levels of the vibratory compactor/roller, however, are not significantly above the threshold and would not be expected to cause any damage. In addition, the nearest sensitive receptor is located well beyond 25 feet of the site (approximately half-a-mile southwest of the site). Therefore, if a vibratory compactor/roller is used during construction of the proposed project, the nearest sensitive receptor would not be significantly affected.

The following is an excerpt from the Caltrans Technical Advisory, TAV-02-01-R9601, regarding construction vibrations:

With the exception of a few instances involving pavement breaking, pile driving, all Caltrans construction vibration measurements have been below the 5 mm/s (0.2 in/sec) architectural damage risk level for continuous vibrations. The highest

measured vibration level was 73.1 mm/s (2.88 in/sec) at 3 m (10 ft) from a pavement breaker. This instance marked the only time that the single event safe level of 50 mm/s (2 in/sec) was exceeded during vibration monitoring by Caltrans. Other construction activities and equipment, such as D-8 and D-9 Caterpillars, earthmovers and haul trucks have never exceeded 2.5 mm/s (0.10 in/sec) or one half of the architectural damage risk level, at 3 m (10 ft)).

Based upon the information in Table 7 and the Caltrans Technical Advisory, vibrations are not predicted to exceed safe thresholds at adjacent sensitive receptors. Additionally, the risk of annoyance due to construction vibrations is very low considering the distance to the nearest receptors. Therefore, impacts related to exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels would be considered ***less than significant***.

- d. During the construction phases of the project, noise from construction activities would add to the noise environment in the immediate project vicinity. Activities involved in construction could generate maximum noise levels ranging from 76 to 88 dB at a distance of 50 feet (*Federal Highway Administration, January 2006*). Most of the project construction would occur at distances of approximately half-a-mile from the nearest receptor to the southwest. At distances of 50 feet or more, noise levels could exceed the City's General Plan Noise Element or Ordinance standards; however, construction activities are regulated by the City of Woodland Noise Ordinance, Section 15-26 of the City Code. Construction activities would be temporary in nature and are anticipated to occur during normal daytime working hours. Therefore, because the City's Noise Ordinance restricts hours of operation and allowable operating distances from sensitive receptors, a ***less-than-significant*** impact would result.
- e,f. The proposed project site is not located near an existing airport or a private airstrip and is not within an area covered by an existing airport land use plan. Therefore, ***no impact*** would occur.

XIII. POPULATION AND HOUSING. <i>Would the project:</i>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less-Than- Significant Impact	No Impact
a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?	☐	☐	✗	☐
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	✗	☐
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	✗	☐

Discussion

- a-c. The proposed project does not involve the creation of new housing and would not directly increase the population in the area. In addition, City infrastructure, including water and sewer lines, already exists in the project vicinity to serve the surrounding industrial developments. Displacement of people or housing would not occur as a result of implementation of the proposed project. Between five and 10 individuals per shift are anticipated to be employed for the activities at the project site. However, the minor addition of employees to the area would not be considered substantial population growth in the area. Therefore, because the proposed project would not induce population growth in the area, displace existing housing or people, impacts related to population and housing would be ***less than significant***.

XIV. PUBLIC SERVICES.

Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less- Than- Significant Impact	No Impact
a. Fire protection?	☐	☐	✗	☐
b. Police protection?	☐	☐	✗	☐
c. Schools?	☐	☐	✗	☐
d. Parks?	☐	☐	✗	☐
e. Other Public Facilities?	☐	☐	✗	☐

Discussion

- a, b. The project site is located within the jurisdiction of the Woodland Fire Department (WFD), which provides fire protection services and emergency medical services within the City and to areas within the County. The nearest fire station is located at 1515 Springlake Court in the City of Woodland, which is approximately 1.8 miles southwest of the site. The Woodland Police Department (WPD), Yolo County Sheriff's Department, and the Valley Division of the California Highway Patrol (CHP) provide law enforcement services to the project site.

The proposed project area is already served by the WFD and WPD. Operations on the project site would not be expected to result in a substantial increase in risks from fire danger or personal security. Between five and 10 individuals per shift are anticipated to be employed for the activities at the project site, which would not cause a substantial increase in the demand for fire or police protection services. Because the proposed project would not cause the demand for fire or police protection services to substantially increase, the current fire and police protection services would be adequate to serve the proposed project. Accordingly, the proposed project would not result in a need for new or physically altered facilities, and construction of which, which could cause environmental impacts, would not be required. Therefore, a ***less-than-significant*** impact would occur.

- c-e. The proposed project would not induce population growth or otherwise impact demographic characteristics within the City of Woodland. Therefore, the demand for schools, parks, or other public facilities would not increase due to implementation of the proposed project, and the need for new or physically altered facilities, construction of which could cause environmental impacts, would not occur. Therefore, impacts would be ***less than significant***.

XV.RECREATION.

Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less-Than- Significant Impact	No Impact
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	✗	☐
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	✗	☐

Discussion

- a,b. The proposed project would not induce population growth or otherwise impact demographic characteristics within the City of Woodland. Therefore, an increased demand for new recreational facilities or increased use of existing facilities would not result from implementation of the proposed project, and a ***less-than-significant*** impact with regard to recreational facilities would occur.

XVI. TRANSPORTATION/CIRCULATION. <i>Would the project:</i>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less- Than- Significant Impact	No Impact
a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	☐	☐	✗	☐
b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	☐	☐	✗	☐
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	✗
d. Substantially increase hazards due to a design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	✗	☐
e. Result in inadequate emergency access?	☐	☐	✗	☐
f. Conflicts with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	☐	☐	✗	☐

Discussion

- a,b. The proposed project site is located in an industrial area, is designated and zoned for industrial uses, and is surrounded by existing industrial development. The proposed project would be consistent with what is planned and anticipated for the site. Residential land uses are not in the project vicinity, with the nearest residential development being across I-5 approximately 0.85-mile southwest of the project site.

Implementation of the proposed project is expected to result in of a maximum increase of approximately 44 total trips per day in the area surrounding the project site. Truck traffic associated with the site would follow the designated truck routes within the City, as set forth in the General Plan, and would not travel through any residential streets. The relatively small number of trips is not expected to significantly change the LOS on the roadways surrounding the project site. In addition, a Focused Traffic Study was prepared for the proposed project by KD Anderson & Associates, Inc. in order to determine whether the existing intersections could handle the truck traffic. An Autoturn and sight distance analysis was performed as part of the Focused Traffic Study. The study indicated that the trucks delivering concrete to the project site could complete turns to and from the site at the County Road 102 / Hanson Way and Main Street / Hanson Way intersections. According to the study, the Main Street / Hanson Way intersection is the recommended preferred truck route to the site based on the large curb returns at the intersection that would allow trucks to complete maneuvers without leaving the roadway or encroaching

on opposing lands. The Focused Traffic Study also reviewed the sight distance at each intersection and determined that adequate stopping site distance is available, as well as corner sight distance with tree canopies maintained and pruned according to Section 23 of the City's Engineering Standards.

It should be noted that the General Plan includes policies that are intended to ensure that the effects of future development on the street and roadway system are addressed. Overall, because the proposed project would be consistent with the City's General Plan and would not cause a substantial increase in traffic, or exceed established LOS standards, a ***less-than-significant*** impact would result.

- c. The proposed project would not require any changes to existing regional air traffic activity and the project area is not located near an airport. Therefore, ***no impact*** would occur.
- d,e. Construction of new or alteration of existing roadways or intersections are not included in the project. Therefore, the proposed project would not increase hazards due to a design feature, such as a sharp curve or dangerous intersection, or incompatible uses, such as farming equipment. In addition, the project design includes adequate emergency access to the site. Thus, the proposed project would have a ***less-than-significant*** impact related to emergency access and hazardous design features.
- f. The proposed project is located within an industrial area of the City. Adopted City policies supporting alternative transportation are typically associated with residential and commercial land uses. As such, the project would not conflict with any adopted policies supporting alternative transportation. In the Woodland area, public transit service is provided by the Yolo County Transportation District (YCTD). The addition of between five and 10 employees to the area would not be expected to substantially increase the number of new transit riders (if at all). Therefore, impacts related to alternative transportation would be ***less than significant***.

XVII. UTILITIES AND SERVICE SYSTEMS. <i>Would the project:</i>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less-Than- Significant Impact	No Impact
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	✗	☐
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	✗	☐
c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	✗	☐
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	✗	☐
e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	✗	☐
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	✗	☐
g. Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	✗	☐

Discussion

- a-e. The following is a discussion of the proposed project utilities, including the existing water, sewer, and storm drainage systems in the project vicinity, and the potential increase in demand for each system.

Wastewater System

The City of Woodland's sewer collection system is a gravity system with three trunk mains that run along Gibson Road, Beamer Street, and Kentucky Avenue. One pump station, operational since 1995, is located in the northwest corner of Gibson Road and County Road 102. Wastewater is treated and disposed of at the Woodland Wastewater Treatment Plant (WWTP), located south of I-5 and east of County Road 102 on County Road 24.

Sewer is currently collected from the proposed project area via a 10-inch line in Hanson Way. The proposed project would connect to the existing line. Wastewater generated on the site would be from the restroom in the mobile office trailer. The addition of between

five and 10 employees to the area would not be expected to substantially increase the demand for wastewater treatment services or wastewater exceeding RWQCB requirements. Therefore, current wastewater services would not need to be modified and would be adequate to accommodate the proposed project.

Water System

The City of Woodland currently gets their water supply from groundwater wells. However, the City of Woodland, the City of Davis, and the University of California at Davis are jointly working on a regional surface water project that is anticipated to bring Sacramento River water to the communities by the year 2016. Accordingly, groundwater would not be utilized as heavily once surface water becomes part of the water supply. According to the General Plan EIR, groundwater levels recover relatively quickly, and a Groundwater Impact Analysis conducted in 1997, pursuant to General Plan policy, concluded that the aquifer has adequate capacity to serve new development under the City's General Plan buildout conditions. The proposed project is consistent with the General Plan. Water is currently provided to the project area via an existing line along Hanson Way. The proposed project would connect to the existing line.

A 5,000-gallon tanker would be kept on-site at all times for operations at the project site. At most, the water tanker would need to be filled once per day. A maximum of approximately 75,000 gallons per day is anticipated to be used for the proposed operations. However, all processing water at the site would be recycled back into the process either to refill the on-site tanker or to fill the trucks for use at ongoing construction sites. Water from the City's water system would only be used for the initial fill of the on-site tanker and to supplement the process water being recycled, if necessary. Therefore, only an incremental increase in water consumption would occur due to the proposed project, and the existing water infrastructure would be sufficient to handle the anticipated increase.

Storm Drainage

The creation of impervious areas as a result of the proposed project would generate an increase in urban runoff. However, the project design includes stormwater collection and conveyance sufficient to control the proposed project's stormwater. The stormwater collection and conveyance system for the project consists of adequate capacity in the retention pond for the 1,000-year storm event, earthen berms around the pond edges with slopes towards the ponds, a grass swale along the southeastern portion of the site, and a grass swale along the eastern side of the access roadway. The stormwater would be conveyed along the grass swales to a storm drain that would connect to the City's existing storm drainage system. The stormwater runoff collection and conveyance system on the project site would be sufficient to handle the incremental increase in stormwater runoff created by the proposed project. Therefore, the City's existing stormwater system would be adequate to serve the proposed project and new storm water drainage facilities or expansion of existing facilities would not be required. Impacts related to stormwater services would be considered less than significant.

Conclusion

The addition of five to 10 employees would not substantially increase the demand for water and wastewater services, the existing water supply is sufficient, and the Woodland WWTP would have adequate capacity to serve the proposed project. In addition, the wastewater collected from the site is not expected to exceed the RWQCB wastewater treatment requirements. Although stormwater runoff would incrementally increase due to implementation of the proposed project, the stormwater runoff collection and conveyance system on the site would be sufficient to handle the increase. In conclusion, construction of new or expansion of existing water, wastewater, or stormwater drainage system facilities would not be required, and a ***less-than-significant*** impact related to water, wastewater, and stormwater services would result.

- f.g. Currently, the City contracts for refuse collection services with Waste Management of Woodland and provides residential and commercial solid waste collection and curbside recycling service to the City of Woodland. The solid waste collected by Waste Management in the City limits of Woodland is hauled to the Yolo County Central Landfill, located between the Cities of Woodland and Davis. According to the Woodland General Plan EIR, the Yolo County Central Landfill is expected to reach capacity in the year 2025 at current waste-stream, and is allowed to receive up to 1,800 tons per day for 360 days a year. However, waste-stream reduction, such as recycling, is expected to lengthen the projected life of the facility. Proposed uses on the project site are not directly related to the generation of solid waste. Waste generated on-site would primarily be associated with the employees, such as food waste, food packaging, etc. As such, the quantity of solid waste generated by the proposed project would be nominal. In addition, the project site is designated for industrial uses in the General Plan and the proposed project would be consistent with the General Plan. Furthermore, the project would comply with all federal, State, and local regulations related to solid waste.

It should be noted that the nature of the project would result in an overall positive effect related to solid waste services, as the project consists of recycling construction waste for reuse for other construction projects at other sites. Thus, the project would be contributing to an overall reduction in the potential amount of waste going to a landfill. Therefore, because waste generated by the proposed project would be nominal, the local landfill has sufficient capacity, and the project would positively affect solid waste services, a ***less-than-significant*** impact related to solid waste services would occur.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE.	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☐	✗	☐
b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	✗	☐
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	✗	☐

Discussion

- a. As mentioned previously, the project site has a low sensitivity for biological resources and cultural resources. Although unlikely, the possibility exists that subsurface excavation of the site during grading and other construction activities could unearth deposits of cultural significance; however, this IS/MND includes mitigation measures that would reduce any potential impacts to a less-than-significant level. Therefore, the proposed project would have **less-than-significant** impacts to important examples of California history or prehistory and the overall quality of the environment.
- b. The proposed project would incrementally contribute to cumulative impacts related to air quality, noise, and transportation and circulation in the area. However, the incremental increase would not cause any significant cumulative impacts. In addition, cumulative impacts would be mitigated through cumulatively applied measures per federal, State, and local regulations, standards, and policies as development in the area occurs. Therefore, a **less-than-significant** impact would result from the development of the proposed project.
- c. The proposed project site would be developed in a generally urbanized and built-up area of the City of Woodland. Development of the proposed project would not be expected to result in adverse impacts to human beings, either directly or indirectly. The potential for environmental effects on human beings is addressed within this IS/MND. In addition, the project is consistent with the Woodland General Plan and, therefore, falls within the prior EIR analysis for the General Plan. New unmitigated impacts to human beings would not occur, and a **less-than-significant** impact would result.

APPENDIX

AIR QUALITY AND GREENHOUSE GAS MODELING RESULTS

Woodland Concrete Slurry Processing Facility
Yolo/Solano AQMD Air District, Annual

1.0 Project Characteristics

1.1 Land Usage

Land Uses	Size	Metric
General Light Industry	29.843	1000sqft
Other Asphalt Surfaces	10.603	1000sqft
Other Non-Asphalt Surfaces	70.374	1000sqft

1.2 Other Project Characteristics

Urbanization	Urban	Wind Speed (m/s)	2.2	Utility Company	Pacific Gas & Electric Company
Climate Zone	2	Precipitation Freq (Days)	55		

1.3 User Entered Comments

Project Characteristics -

Land Use - based on site plan

Construction Phase - based on info from applicant

Off-road Equipment - modified per CARB

Off-road Equipment - modified load factors per CARB

Off-road Equipment - modified per CARB

Vehicle Trips - based on total of 44 trips (including trucks and employee vehicles)

Grading - total project site 17.56 acres

2.0 Emissions Summary

2.1 Overall Construction

Unmitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	tons/yr										MT/yr					
2013	1.57	2.13	1.35	0.00	0.15	0.12	0.27	0.07	0.12	0.19	0.00	228.94	228.94	0.02	0.00	229.44
Total	1.57	2.13	1.35	0.00	0.15	0.12	0.27	0.07	0.12	0.19	0.00	228.94	228.94	0.02	0.00	229.44

Mitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	tons/yr										MT/yr					
2013	1.57	2.13	1.35	0.00	0.13	0.12	0.25	0.07	0.12	0.19	0.00	228.94	228.94	0.02	0.00	229.44
Total	1.57	2.13	1.35	0.00	0.13	0.12	0.25	0.07	0.12	0.19	0.00	228.94	228.94	0.02	0.00	229.44

2.2 Overall Operational

Unmitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area	0.56	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Energy	0.00	0.03	0.02	0.00		0.00	0.00		0.00	0.00	0.00	111.36	111.36	0.00	0.00	112.05
Mobile	0.05	0.19	0.50	0.00	0.06	0.01	0.07	0.00	0.01	0.01	0.00	63.22	63.22	0.00	0.00	63.28
Waste						0.00	0.00		0.00	0.00	352.40	0.00	352.40	20.83	0.00	789.76
Water						0.00	0.00		0.00	0.00	0.00	232.60	232.60	4.49	0.12	362.53
Total	0.61	0.22	0.52	0.00	0.06	0.01	0.07	0.00	0.01	0.01	352.40	407.18	759.58	25.32	0.12	1,327.62

2.2 Overall Operational

Mitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area	0.56	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Energy	0.00	0.03	0.02	0.00		0.00	0.00		0.00	0.00	0.00	111.36	111.36	0.00	0.00	112.05
Mobile	0.05	0.19	0.50	0.00	0.06	0.01	0.07	0.00	0.01	0.01	0.00	63.22	63.22	0.00	0.00	63.28
Waste						0.00	0.00		0.00	0.00	352.40	0.00	352.40	20.83	0.00	789.76
Water						0.00	0.00		0.00	0.00	0.00	232.60	232.60	4.49	0.12	362.53
Total	0.61	0.22	0.52	0.00	0.06	0.01	0.07	0.00	0.01	0.01	352.40	407.18	759.58	25.32	0.12	1,327.62

3.0 Construction Detail

3.1 Mitigation Measures Construction

3.2 Grading - 2013

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.13	0.00	0.13	0.07	0.00	0.07	0.00	0.00	0.00	0.00	0.00	0.00
Off-Road	0.16	1.34	0.73	0.00		0.06	0.06		0.06	0.06	0.00	135.24	135.24	0.01	0.00	135.52
Total	0.16	1.34	0.73	0.00	0.13	0.06	0.19	0.07	0.06	0.13	0.00	135.24	135.24	0.01	0.00	135.52

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Worker	0.00	0.00	0.03	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	3.49	3.49	0.00	0.00	3.49
Total	0.00	0.00	0.03	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	3.49	3.49	0.00	0.00	3.49

3.2 Grading - 2013

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.13	0.00	0.13	0.07	0.00	0.07	0.00	0.00	0.00	0.00	0.00	0.00
Off-Road	0.16	1.34	0.73	0.00		0.06	0.06		0.06	0.06	0.00	135.24	135.24	0.01	0.00	135.52
Total	0.16	1.34	0.73	0.00	0.13	0.06	0.19	0.07	0.06	0.13	0.00	135.24	135.24	0.01	0.00	135.52

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Worker	0.00	0.00	0.03	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	3.49	3.49	0.00	0.00	3.49
Total	0.00	0.00	0.03	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	3.49	3.49	0.00	0.00	3.49

3.3 Paving - 2013

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.02	0.12	0.08	0.00		0.01	0.01		0.01	0.01	0.00	9.75	9.75	0.00	0.00	9.79
Paving	0.00					0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total	0.02	0.12	0.08	0.00		0.01	0.01		0.01	0.01	0.00	9.75	9.75	0.00	0.00	9.79

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Worker	0.00	0.00	0.01	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.70	0.70	0.00	0.00	0.70
Total	0.00	0.00	0.01	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.70	0.70	0.00	0.00	0.70

3.3 Paving - 2013

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.02	0.12	0.08	0.00		0.01	0.01		0.01	0.01	0.00	9.75	9.75	0.00	0.00	9.79
Paving	0.00					0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total	0.02	0.12	0.08	0.00		0.01	0.01		0.01	0.01	0.00	9.75	9.75	0.00	0.00	9.79

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Worker	0.00	0.00	0.01	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.70	0.70	0.00	0.00	0.70
Total	0.00	0.00	0.01	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.70	0.70	0.00	0.00	0.70

3.4 Building Construction - 2013

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.08	0.53	0.36	0.00		0.04	0.04		0.04	0.04	0.00	55.46	55.46	0.01	0.00	55.60
Total	0.08	0.53	0.36	0.00		0.04	0.04		0.04	0.04	0.00	55.46	55.46	0.01	0.00	55.60

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Vendor	0.01	0.06	0.04	0.00	0.00	0.00	0.01	0.00	0.00	0.00	0.00	9.30	9.30	0.00	0.00	9.31
Worker	0.00	0.01	0.06	0.00	0.01	0.00	0.01	0.00	0.00	0.00	0.00	8.20	8.20	0.00	0.00	8.21
Total	0.01	0.07	0.10	0.00	0.01	0.00	0.02	0.00	0.00	0.00	0.00	17.50	17.50	0.00	0.00	17.52

3.4 Building Construction - 2013

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.08	0.53	0.36	0.00		0.04	0.04		0.04	0.04	0.00	55.46	55.46	0.01	0.00	55.60
Total	0.08	0.53	0.36	0.00		0.04	0.04		0.04	0.04	0.00	55.46	55.46	0.01	0.00	55.60

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Vendor	0.01	0.06	0.04	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	9.30	9.30	0.00	0.00	9.31
Worker	0.00	0.01	0.06	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	8.20	8.20	0.00	0.00	8.21
Total	0.01	0.07	0.10	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	17.50	17.50	0.00	0.00	17.52

3.5 Architectural Coating - 2013

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Archit. Coating	1.28					0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Off-Road	0.01	0.06	0.04	0.00		0.01	0.01		0.01	0.01	0.00	5.23	5.23	0.00	0.00	5.24
Total	1.29	0.06	0.04	0.00		0.01	0.01		0.01	0.01	0.00	5.23	5.23	0.00	0.00	5.24

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Worker	0.00	0.00	0.01	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.57	1.57	0.00	0.00	1.57
Total	0.00	0.00	0.01	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.57	1.57	0.00	0.00	1.57

3.5 Architectural Coating - 2013

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Archit. Coating	1.28					0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Off-Road	0.01	0.06	0.04	0.00		0.01	0.01		0.01	0.01	0.00	5.23	5.23	0.00	0.00	5.24
Total	1.29	0.06	0.04	0.00		0.01	0.01		0.01	0.01	0.00	5.23	5.23	0.00	0.00	5.24

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Worker	0.00	0.00	0.01	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.57	1.57	0.00	0.00	1.57
Total	0.00	0.00	0.01	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.57	1.57	0.00	0.00	1.57

4.0 Mobile Detail

4.1 Mitigation Measures Mobile

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Mitigated	0.05	0.19	0.50	0.00	0.06	0.01	0.07	0.00	0.01	0.01	0.00	63.22	63.22	0.00	0.00	63.28
Unmitigated	0.05	0.19	0.50	0.00	0.06	0.01	0.07	0.00	0.01	0.01	0.00	63.22	63.22	0.00	0.00	63.28
Total	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA

4.2 Trip Summary Information

Land Use	Average Daily Trip Rate			Unmitigated	Mitigated
	Weekday	Saturday	Sunday	Annual VMT	Annual VMT
General Light Industry	43.87	39.39	20.29	116,377	116,377
Other Asphalt Surfaces	0.00	0.00	0.00		
Other Non-Asphalt Surfaces	0.00	0.00	0.00		
Total	43.87	39.39	20.29	116,377	116,377

4.3 Trip Type Information

Land Use	Miles			Trip %		
	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-W	H-S or C-C	H-O or C-NW
General Light Industry	9.50	7.30	7.30	59.00	28.00	13.00
Other Asphalt Surfaces	9.50	7.30	7.30	0.00	0.00	0.00

	Miles			Trip %		
Land Use	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-W	H-S or C-C	H-O or C-NW
Other Non-Asphalt Surfaces	9.50	7.30	7.30	0.00	0.00	0.00

5.0 Energy Detail

5.1 Mitigation Measures Energy

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Electricity Mitigated						0.00	0.00		0.00	0.00	0.00	80.13	80.13	0.00	0.00	80.63
Electricity Unmitigated						0.00	0.00		0.00	0.00	0.00	80.13	80.13	0.00	0.00	80.63
Natural Gas Mitigated	0.00	0.03	0.02	0.00		0.00	0.00		0.00	0.00	0.00	31.23	31.23	0.00	0.00	31.42
Natural Gas Unmitigated	0.00	0.03	0.02	0.00		0.00	0.00		0.00	0.00	0.00	31.23	31.23	0.00	0.00	31.42
Total	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA

5.2 Energy by Land Use - NaturalGas

Unmitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU	tons/yr										MT/yr					
General Light Industry	585221	0.00	0.03	0.02	0.00		0.00	0.00		0.00	0.00	0.00	31.23	31.23	0.00	0.00	31.42
Other Asphalt Surfaces	0	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Other Non-Asphalt Surfaces	0	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total		0.00	0.03	0.02	0.00		0.00	0.00		0.00	0.00	0.00	31.23	31.23	0.00	0.00	31.42

Mitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU	tons/yr										MT/yr					
General Light Industry	585221	0.00	0.03	0.02	0.00		0.00	0.00		0.00	0.00	0.00	31.23	31.23	0.00	0.00	31.42
Other Asphalt Surfaces	0	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Other Non-Asphalt Surfaces	0	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total		0.00	0.03	0.02	0.00		0.00	0.00		0.00	0.00	0.00	31.23	31.23	0.00	0.00	31.42

5.3 Energy by Land Use - Electricity

Unmitigated

	Electricity Use	ROG	NOx	CO	SO2	Total CO2	CH4	N2O	CO2e
Land Use	kWh	tons/yr				MT/yr			
General Light Industry	275451					80.13	0.00	0.00	80.63
Other Asphalt Surfaces	0					0.00	0.00	0.00	0.00
Other Non-Asphalt Surfaces	0					0.00	0.00	0.00	0.00
Total						80.13	0.00	0.00	80.63

Mitigated

	Electricity Use	ROG	NOx	CO	SO2	Total CO2	CH4	N2O	CO2e
Land Use	kWh	tons/yr				MT/yr			
General Light Industry	275451					80.13	0.00	0.00	80.63
Other Asphalt Surfaces	0					0.00	0.00	0.00	0.00
Other Non-Asphalt Surfaces	0					0.00	0.00	0.00	0.00
Total						80.13	0.00	0.00	80.63

6.0 Area Detail

6.1 Mitigation Measures Area

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Mitigated	0.56	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Unmitigated	0.56	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA

6.2 Area by SubCategory

Unmitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	tons/yr										MT/yr					
Architectural Coating	0.13					0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Consumer Products	0.43					0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Landscaping	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total	0.56	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

6.2 Area by SubCategory

Mitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	tons/yr										MT/yr					
Architectural Coating	0.13					0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Consumer Products	0.43					0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Landscaping	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total	0.56	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

7.0 Water Detail

7.1 Mitigation Measures Water

	ROG	NOx	CO	SO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr				MT/yr			
Mitigated					232.60	4.49	0.12	362.53
Unmitigated					232.60	4.49	0.12	362.53
Total	NA	NA	NA	NA	NA	NA	NA	NA

7.2 Water by Land Use

Unmitigated

	Indoor/Outdoor Use	ROG	NOx	CO	SO2	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	tons/yr				MT/yr			
General Light Industry	146.721 / 0					232.60	4.49	0.12	362.53
Other Asphalt Surfaces	0 / 0					0.00	0.00	0.00	0.00
Other Non-Asphalt Surfaces	0 / 0					0.00	0.00	0.00	0.00
Total						232.60	4.49	0.12	362.53

7.2 Water by Land Use

Mitigated

	Indoor/Outdoor Use	ROG	NOx	CO	SO2	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	tons/yr				MT/yr			
General Light Industry	146.721 / 0					232.60	4.49	0.12	362.53
Other Asphalt Surfaces	0 / 0					0.00	0.00	0.00	0.00
Other Non-Asphalt Surfaces	0 / 0					0.00	0.00	0.00	0.00
Total						232.60	4.49	0.12	362.53

8.0 Waste Detail

8.1 Mitigation Measures Waste

Category/Year

	ROG	NOx	CO	SO2	Total CO2	CH4	N2O	CO2e
	tons/yr				MT/yr			
Mitigated					352.40	20.83	0.00	789.76
Unmitigated					352.40	20.83	0.00	789.76
Total	NA	NA	NA	NA	NA	NA	NA	NA

8.2 Waste by Land Use

Unmitigated

	Waste Disposed	ROG	NOx	CO	SO2	Total CO2	CH4	N2O	CO2e
Land Use	tons	tons/yr				MT/yr			
General Light Industry	1736.05					352.40	20.83	0.00	789.76
Other Asphalt Surfaces	0					0.00	0.00	0.00	0.00
Other Non-Asphalt Surfaces	0					0.00	0.00	0.00	0.00
Total						352.40	20.83	0.00	789.76

8.2 Waste by Land Use

Mitigated

	Waste Disposed	ROG	NOx	CO	SO2	Total CO2	CH4	N2O	CO2e
Land Use	tons	tons/yr				MT/yr			
General Light Industry	1736.05					352.40	20.83	0.00	789.76
Other Asphalt Surfaces	0					0.00	0.00	0.00	0.00
Other Non-Asphalt Surfaces	0					0.00	0.00	0.00	0.00
Total						352.40	20.83	0.00	789.76

9.0 Vegetation

EquipmentTypeID	Adj ARB LF
A/C Tug Narrow Body	0.536
A/C Tug Wide Body	0.536
Baggage Tug	0.3685
Belt Loader	0.335
Bobtail	0.3685
Cargo Loader	0.335
Cargo Tractor	0.3618
Forklift (GSE)	0.201
Lift (GSE)	0.335
Other GSE	0.335
Bore/Drill Rigs	0.5025
Cranes	0.2881
Crawler Tractors	0.4288
Excavators	0.3819
Graders	0.4087
Off-Highway Tractors	0.4355
Off-Highway Trucks	0.3819
Other Construction Equipment	0.4154
Pavers	0.4154
Paving Equipment	0.3551
Rollers	0.3752
Rough Terrain Forklifts	0.402
Rubber Tired Dozers	0.3953
Rubber Tired Loaders	0.3618
Scrapers	0.4824
Skid Steer Loaders	0.3685
Surfacing Equipment	0.3015
Tractors/Loaders/Backhoes	0.3685
Trenchers	0.5025
Aerial Lifts	0.3082
Forklifts	0.201
Other General Industrial Equipment	0.3417
Other Material Handling Equipment	0.3953
Drill Rig (Mobile)	0.5025
Workover Rig (Mobile)	0.5025
Sweepers/Scrubbers	0.4556
Passenger Stand	0.3953

ATTACHMENT E

Golden State Reclamation Mitigation Monitoring and Reporting Program

June 2013

The California Environmental Quality Act (CEQA) and CEQA Guidelines require Lead Agencies to adopt a program for monitoring the mitigation measures required to avoid the significant environmental impacts of a project. The Mitigation Monitoring and Reporting Program (MMRP) ensures that mitigation measures imposed are completed at the appropriate time in the development process.

The mitigation measures identified in the Initial Study/Mitigated Negative Declaration for the Golden State Reclamation project are listed in the MMRP along with the party responsible for monitoring implementation of the mitigation measure, the milestones for implementation and monitoring, and a sign-off that the mitigation measure has been implemented.

MITIGATION MONITORING AND REPORTING PROGRAM			
Golden State Reclamation			
Mitigation Measure	Timing	Monitoring Agency	Sign-Off
IV-1 <i>Prior to issuance of grading permits, the project applicant shall pay the Swainson's hawk habitat mitigation fee established by the Yolo County Natural Community Conservation Plan/Habitat Conservation Plan Joint Power Authority's Interim Mitigation Strategy (currently \$8,660 per acre) for the review and approval of the City of Woodland Community Development Department. The fee shall be paid for the total property acreage (i.e., 17.56 acres, for a total fee of \$152,069.60) to the Wildlife Mitigation Trust Account for the establishment of raptor foraging habitat elsewhere in Yolo County through the purchase of development rights and execution of irreversible conservation or agricultural easement. The established raptor foraging habitat acreage shall be permanently protected from future development via enforceable deed restrictions.</i>	Prior to issuance of grading permits	Community Development Department	

MITIGATION MONITORING AND REPORTING PROGRAM
Golden State Reclamation

Mitigation Measure	Timing	Monitoring Agency	Sign-Off
<i>As an alternative to the above, the project applicant may provide acreage for the establishment of raptor foraging habitat in lieu of paying the habitat mitigation fee. If the acreage that is provided is less than that of the project site, the balance shall be paid to the Wildlife Mitigation Trust Account based on the project's Swainson's hawk habitat mitigation fee.</i>			
V-1 <i>Prior to the issuance of a grading permit, plans shall include a requirement (via notation) indicating that if historic and/or cultural resources, or human remains are encountered during site grading or other site work, all such work shall be halted immediately within the area of discovery and the contractor shall immediately notify the City of the discovery. In such case, the applicant shall retain the services of a qualified archaeologist for the purpose of recording, protecting, or curating the discovery as appropriate. The archaeologist shall be required to submit to the City for review and approval a report of the findings and method of curation or protection of the resources. Further grading or site work within the vicinity of the discovery, as identified by the qualified archaeologist, shall not be allowed until the preceding steps have been taken. All fees associated with the services of the qualified archaeologist shall be paid by the project applicant.</i>	Prior to the issuance of a grading permit	Community Development Department	
V-2 <i>Pursuant to State Health and Safety Code §7050.5 (c) State Public Resources Code §5097.98, if human bone or bone of unknown origin is found during construction, all work shall stop in the vicinity of the find and the Yolo County Coroner shall be contacted immediately. If the remains are determined to be Native American, the coroner shall notify the Native American Heritage Commission who shall notify the person believed to be the most likely descendant. The most likely descendant shall work with the contractor to develop a</i>	If human bone or bone of unknown origin is found during construction	Yolo County Coroner Native American Heritage Commission	

MITIGATION MONITORING AND REPORTING PROGRAM
Golden State Reclamation

Mitigation Measure	Timing	Monitoring Agency	Sign-Off
<i>program for re-interment of the human remains and any associated artifacts. Additional work is not to take place in the immediate vicinity of the find, which shall be identified by the qualified archaeologist, until the identified appropriate actions have been implemented. All fees associated with the services of the qualified archaeologist shall be paid by the project applicant.</i>			
VI-1 <i>Prior to approval of grading plans, the applicant shall coordinate with the City Engineer to determine the soil conditions at the proposed equipment storage building location. If expansive soils are not encountered, further action is not required. If expansive soils are encountered, the applicant shall coordinate with the City Engineer to determine the best means of soil treatment. Potential treatment could include, but would not be limited to the following:</i> • <i>Ensuring soil is compacted at the appropriate moisture content;</i> • <i>Selectively grading; or</i> • <i>Chemically modifying the soil (e.g., apply lime treatment to soil).</i>	Prior to approval of grading plans	City Engineer	
IX-1 <i>Prior to issuance of grading permits, the project applicant shall obtain a WDR Order from the SWRCB by providing a technical report in conjunction with a Report of Waste Discharge (ROWD) to the RWQCB. The technical report shall demonstrate that the engineered alternative would provide protection from flooding as prescribed in Section 20250(c) of Title 27 by including, but not limiting to, the following:</i> • <i>Description of the design of the waste management units relative to flood elevations;</i>	Prior to issuance of grading permits	RWQCB	

MITIGATION MONITORING AND REPORTING PROGRAM
Golden State Reclamation

Mitigation Measure	Timing	Monitoring Agency	Sign-Off
• Ensuring a minimum five-foot separation between placement of designated waste and underlying groundwater; • Ensuring all designated waste, whether in slurry, liquid, or solid form, would be cleared from the project site during the wet season (November through March); • Providing an annual report that the site has been properly prepared (all waste solids and water is removed) prior to the beginning of the wet season; • Providing a description of the risk for remedial action, as well as the associated potential costs and financial assurances; and • Providing estimated costs for clean closure of the site. <i>The project shall comply with all requirements of the issued WDR Order.</i>			
<i>IX-2 Prior to issuance of grading permits, the project applicant shall hire a professional geotechnical engineer to perform a site-specific geotechnical evaluation. The geotechnical evaluations shall provide recommendations to ensure that the processing ponds are designed in compliance with Title 27, including recommendations for erosion control measures for the stabilization of the pond slopes. Erosion control measures for stabilizing the processing pond slopes could include, but would not be limited to, slope restrictions (e.g., slopes must be equal to or less than a 3:1 slope) or application of rip rap on slopes (e.g., hard armoring measures).</i>	Prior to issuance of grading permits	City Engineer	

ATTACHMENT F



June 26th, 2013

Company: PGP International

To: George Wilson

RE: Response to ERM's (15) Questions

Dear Mr. Wilson:

Please see my response to ERM's (15) questions per their letter dated June 11th, 2013. Hopefully my response will provide clarification to these questions:

1) The nature and volume of the incoming material (including chemical composition and pH levels);

A: The nature of the material is a mixture of concrete grindings and added water (aka Slurry). The concrete is "ground" off of public roads, highways, and airports. This material is transported from the construction site and off-loaded (dumped) by tanker/trailers, which have a volume of 5,000 gallons, at the reclamation facility. Previous pH levels have historically been had a pH of 10 +/- 1 level.

2) The nature of the "load checking" program.

A: Golden State Reclamation will have onsite personnel responsible for inspecting and monitoring of incoming loads, to detect the presence of any hazardous or prohibited materials

3) The material and construction of the pond liners, including the distance between the impounded waste and groundwater.

A: The pond liner (which is a double-lined, 60 mil HDPE liner), installation, and distance of groundwater to impounded waste will comply with Title 27.

4) The programs that would be implemented for detection of leakage

A: A leakage detection system will be place between the two pond liners, and will be monitored and submitted quarterly with the Wastewater Discharge Report.

5) The chemical composition of the material during processing within the ponds and any chemicals added to the slurry during that time.

A: The composition of the material is a concrete “mud” material, similar to make-up of concrete as it is poured, except that the cement in the mixture will have already been cured. No chemicals will be added to this material.

6) *The duration of onsite processing.*

A: Processing would occur during Construction season, which is typically from March to November.

7) *Activities that would be conducted in the borrow areas:*

A: The borrowed areas will be surfaced with gravel (as shown on the Site Plan submitted to the city), and will be used as a staging area for Construction equipment.

8) *The operations that would occur (e.g., breaking or grinding) in connection with the seasonal excavation of the material from the concrete slurry ponds*

A: As described in question Five, the material that is processed in the ponds is a Mud-like material, which will not harden. Therefore, there will be no “breaking or grinding” of this material. The excavated material will be loaded into trucks and transported to approved recycling or disposal facilities.

9) *The stormwater and conveyance system:*

A: The levee tops surrounding the pond are sloped so that stormwater runoff will flow into the ponds. This water will flow to the leachate pond, and will be pumped back into the water tanker/trailers. From there, this water will either be used for construction purposes, or will be taken to a water treatment facility. The property located outside of the pond areas will be sloped to flow to City storm drains.

10) *Utility and service system connection details*

A: Potable water, storm drainage, sewer, and telecommunications will be pulled from the City connections at the street. Dry utilities from PG&E will be connected to an onsite Mobile Trailer, which will serve as an office. No other utilities will be required.

11) *The time of year during which construction would occur*

A: With approval of this project on July 18th, construction would begin late July / early August, and would end no later than the end of October.

12) *Air quality/dust control practices that would be followed during construction and operation:*

A: Air quality/dust control practices would be met through our construction activities SWPPP program, as well as through long-term Industrial Stormwater Pollution Plan practices, as required under City Ordinances.

13) The operations that would occur and heavy equipment that would operate in connection with the proposed "1.5-acre inert material recycling center";

A: The recycling center that was initially proposed under the project description has since been removed, and will no longer be applicable to the project.

14) The manner in which the collection of rainfall and surface water in the ponds would be managed during off season periods:

A: If rainfall in the offseason causes the Leachate pond to fill near its capacity, the water will be pumped out of the pond into water tankers and taken to a water treatment facility. Minimum freeboard in the ponds will be maintained in accord with Title 27.

15) Landscaping included in the Project for site beautification.

A: Landscaping for this project is shown on the Landscaping Plan submitted to City, and complies with City Ordinances. A copy of this plan can be forwarded to you upon request.

Respectively,

Travis Brandt
Division Manager
Diversified Concrete Cutting

3301 Kinsman Blvd
Madison, WI 53704

V. Deibel: 608.347.0083
T. Lombardo: 608.218.0510



COVANCE

Mr. Paul Hanson
City of Woodland,
Planning Commission
300 First Street
Woodland, CA 95695

Re: Golden State Reclamation Project

Dear Mr. Hanson:

PGP International, Inc. ("PGPI") has retained me to evaluate the impact that the Golden State Reclamation Project (the "Project") will have on PGPI's Woodland, CA food ingredient manufacturing facility (the "Facility"). I understand that PGPI's counsel provided an overview of my initial conclusions to the Planning Commission during the July 18th hearing, but I would like to take this opportunity to provide a more detailed explanation of my conclusions. In addition, this letter report includes rebuttal comments to the letter provided by Dr Douglas Nelson, Professor of Microbiology, University of California (Davis), dated August 2013. (The "Comment Letter").

Before going into my conclusions I wanted to include a short synopsis of my background in the food microbiology field. I obtained my B.S., Masters of Science/Bacteriology, and Ph.D. from the University of Wisconsin. My Ph.D. major was food microbiology, and my minor was bacteriology. I have worked for over twenty years in the food microbiology field, and have specialized in food safety controls for pathogens, including the pathogens that are of concern here. In that capacity, I have developed and reviewed pathogen control programs for food and packaging establishments, and conducted microbiological investigations for pathogens and spoilage organisms in food production plants. My CV is attached for your review.

I. Executive Summary:

The Project presents serious risks to PGPI's Woodland Facility because of the increased dust and pathogen load that the Project's construction and ongoing operation are likely to generate. As discussed in more detail below, dust from construction is a serious concern at food manufacturing facilities. In addition, food-borne pathogens which are regulated by the FDA and international certification bodies are present in soil. Those pathogens are likely to multiply as a result of the Project's construction and operation, and will certainly be aerosolized as a result of the Project. PGPI's Facility currently controls for the existing levels of dust and pathogens in the local environment, but the Project will greatly increase the levels of both of these contaminants, and will have an adverse effect on PGPI's ability to continue its operations.

With respect to the Comment Letter, I respectfully disagree with Dr. Nelson's conclusions, for the reasons discussed below.

II. PGPI's Concerns Regarding the Project:

The proposed project presents a significant threat to the continued operation of PGPI's Woodland facility. Because of stringent food quality standards, PGPI must continually monitor the content of its products for contaminants, including dust and pathogens. Some pathogens, for example *Salmonella* species (spp.) and *Listeria monocytogenes*, are designated as "zero tolerance" pathogens by the FDA, meaning that the detection of even one cell in a product sample means that the product is not marketable. Because of the nature of its operations, and its concerns about the Project, PGPI retained Covance to conduct an investigation to determine what effects the Project will have.

A. The Pathogens and Soil Microbiology

Based on my 25 years of experience as a food safety microbiologist, I identified the following pathogens that present a threat to PGPI's Facility: *Salmonella* spp., spore-forming bacteria, *Listeria monocytogenes*, and *coliforms*. All of these are found naturally in the environment, and in particular, soils. In addition, because of the mechanics of soil microbiology, changes and disturbance in the soil can lead to increased levels of microbial growth, particularly when moisture is introduced.

Salmonella spp

Salmonella spp. contains over 2000 species, all of which are considered pathogenic or disease producing. *Salmonella* is found throughout nature and usually originates from animals in their gastrointestinal tracts (birds, insects, swine). While *Salmonella* spp. can be found in the environment, it is usually associated with feces. The route that *Salmonella* spp. travels can be from one animal into the environment (soil or water) and then back into another animal through contaminated water and food (Podolak, *et. al*). Since *Salmonella* spp. has been shown to have increased resistance to heat when it has been dried, in soil for example, and studies have shown that *Salmonella* spp. may survive in dry products for long periods of time, PGPI is rightly concerned about the safety of their products. As noted above, *Salmonella* spp. is a "zero tolerance" pathogen pursuant to FDA regulations. If these products are ingested by the elderly or infants, illness can occur. The illnesses caused by *Salmonella* spp. of healthy individuals may include diarrhea (which may be bloody), fever, nausea, vomiting and abdominal pain (FDA, 2011). In some, albeit rare circumstances, *Salmonella* spp. can get into the blood stream and cause arterial infections (i.e., infected aneurysms), endocarditis, and arthritis (FDA, 2011).

Spore Formers (*Clostridium botulinum*, and *Bacillus cereus*)

Ever present in soil and the environment, spore-forming bacteria are of concern to many food manufacturers. These bacteria have two distinct phases: the vegetative cell and the spore phase. Under ideal conditions, the bacterial vegetative cell will grow, multiply, and die in a pre-determined cycle. However, once the bacteria growth cycle has been threatened and interrupted, it will sporulate, forming a protective covering like that of a shell protecting a walnut. In the spore phase, it can survive without nutrients and water and under other adverse conditions. Sporeforming bacteria are ubiquitous within the soil. Thus, *Clostridium botulinum* and *Bacillus cereus*, may be present in the soil surrounding PGPI's Woodland facility, in both the vegetative cell and spore forms.

Listeria monocytogenes

Listeria monocytogenes is one of 6 organisms that comprise the genus *Listeria*. Unlike *Salmonella*, wherein all of the species are pathogenic, it is believed that only *L. monocytogenes* causes disease in humans. The FDA Compliance Policy Guide, Section 555.320, states that "*Listeria monocytogenes* is a pathogenic bacterium that is widespread in the environment and may be introduced into a food processing facility. *L. monocytogenes* can contaminate foods and cause a mild illness (called listerial gastroenteritis) or a severe, sometimes life-threatening, illness (called invasive listeriosis)." Regrettably, Dr. Nelson's assertion that fecal contamination is a common denominator for *Listeria monocytogenes* contamination is incorrect. Rather, *Listeria monocytogenes* is ubiquitous within the environment. According to the USDA Food Safety Inspection Service, "*L. monocytogenes* is widely distributed in the environment; it is found in the air, soil, water, dust, and plant material, including silage. As such, *L. monocytogenes* may enter the environment of processing plants and subsequently contaminate" food production equipment and food products. Those knowledgeable with food manufacturing practices understand that the ubiquitous nature of *Listeria monocytogenes* is well published and easily found in FDA and USDA guidance documents available on their website under the food safety tabs. Additionally, published scientific studies have suggested that *Listeria monocytogenes* was found in 8.3% and 30.8% of cultivated and uncultivated fields, respectively (Dowe, *et al.*). One of our leading Food Safety Leaders, Dr. Bruce Tompkin (2002), in his landmark publication, identified *Listeria monocytogenes* presence in the food production environment as a result of construction and construction dust.

Increased trucking and dredging operations in the vicinity of the PGPI Woodland facility, can allow for increased localized concentrations of *Listeria*, thus increasing the possibility of contamination to the rice storage as well as the processing areas of the PGPI facility.

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Coliforms

From the historical perspective, the term “coliform” was likely meant to include all of the species of the family Enterobacteriaceae that use lactose or milk sugar as a food source (Envir 131-Fall). Enterobacteriaceae are commonly found in feces of humans and animals although some exist naturally in the environment (TRAC, 2007). For example, *E. coli* is a member of the Enterobacteriaceae family. They are considered an indicator of unsanitary conditions or soil contamination when they are identified in a food plant environment. PGPI customers require finished product testing for coliforms and have imposed strict specifications for each lot shipped. If these specifications are not met, the customer will not accept the product.

Soil Microbiology

As discussed above, it is widely held that wide arrays of microbes are prevalent in soil. Soil has the capacity to host microorganisms, either in an active growth mode or in a state of quiescence where there is no growth but the cells are viable. The microbial status (growth or viable) depends on the amount of nutrients and water present. Cells may stay in a viable state until they are exposed to a suitable environment where they can grow. *Salmonella*, for example, has been shown to stay viable in dry environments for long periods of time (months to years) (FDA, 2009). Soil hosts *Salmonella* growth and viability, as well as *Listeria*, *Clostridium*, *Bacillus* and *E. coli*. Soil has microhabitats where some areas will host rapid and prolific microbial growth whereas just inches away the soil's environment may be less favorable and prohibits growth, but supports viability. Each of these microhabitats has its own pH, water and nutrient content. According to Ulukanli and Digrak (2002), soil is made up of a mosaic of microhabitats, each of which is characterized by its specific set of physiological, chemical and biological factors.

It is widely held that soil is a vehicle for microbial dissemination (Dowe *et al.*, 1997, Gorski, *et al.*, 2011). It is for this exact reason that food and ingredient manufacturing facilities place covers over shoes when walking into the production areas of plants or spray chemical disinfectants around doorways leading into production rooms. Plants also go to extreme measures to prohibit cross traffic from non-production areas of the plant into and out of production rooms. Wheels, pallets and shoes all carry soils that may cross-contaminate microorganisms into the food products. As a trained food microbiologist for the entirety of my career and having been in hundreds of food and ingredient manufacturing facilities, it is fair to say that these practices are common to those who are familiar to the food industry.

When construction and DCC activity disrupts soils, there will be more chances for the soil to gain exposure to different microhabitats and thus support growth and/or disseminate microorganisms. The proposed DCC site is likely to disseminate microbes that will lead to contamination of PGP's product..

B. pH and Pathogen Growth

The peer reviewed scientific literature demonstrates that pathogens can grow at pH levels of up to 10, but very little data are provided on the ability of foodborne spoilage and pathogenic organisms to grow and survive at higher alkalinity ranges.* In the alkalinity pH range, substances have a soapy feel. Most foods are unappetizing at alkaline pH's, which may be why food pathogens are not studied in these ranges. *Salmonella* has a growth range up to a pH of 9.5 and at higher levels there may not be growth, but the organism may remain viable (alive). (Jay, 2005) Similarly, *Listeria monocytogenes* can grow up to a pH of 10, but remain viable at higher pH values. (Jay, 2005) Of course, spores of *Clostridium* and *Bacillus*, have the capacity to survive many adverse environments without loss of viability because, as discussed above, they simply form a protective shell when faced with adverse conditions. Each of the organisms of concern to this project (Table 1) have the capacity to grow up to a pH of at least 9.0 and potentially survive at higher pH values.

*The pH scale measures acidity and alkalinity of a substance. The scale ranges from 1-14 with 7 being neutral. Any value <7 is acidic and >7 is alkaline.

Table 1. Pathogenic Microorganisms of Concern and their pH Ranges for Growth

Microorganism pH Range for Growth

<i>Salmonella spp.</i>	4.1 – 9.5
Spore formers:	
<i>Clostridium botulinum</i>	4.6 – 9.0
<i>Bacillus cereus</i>	4.3 – 9.0
<i>Listeria monocytogenes</i>	4.5 – 10.0
Coliforms:	
<i>E. coli</i>	4.4 – 9.0

The Applicant has provided a Soil Sampling Report ("Soil Report") from California Laboratory Services dated August 14, 2013, which includes a pH analysis of a "Solid" – presumably the solid material that forms in the collection ponds – and "Slurry" – presumably the material that is collected on roadsides and dumped into the ponds. The Soil Report shows a pH of 11.50 for the slurry, and 8.87 for the pond material. Based on the figures above, all of the pathogens of concern to PGPI can grow in an environment with a pH of 8.87 and potentially survive at a pH of 11.50.

Those growth rates are significant. For example, if ten cells of *Salmonella* spp. are introduced into a water source, after six hours under normal conditions, over 2.6 million *Salmonella* cells will be present. In other words, in this scenario, *Salmonella* spp. can double its numbers every 21.8 minutes (Todar). Even eating one *Salmonella* cell has shown to produce illness, which is why *Salmonella* spp. is designated a “zero tolerance” pathogen. (FDA, 2009). *Listeria monocytogenes*, while a slower grower, can reach similar cell volumes in approximately 26 hours under its ideal growth conditions (Augustin, *et. al*). Understandably, PGPI is particularly concerned because a very small amount of contamination – from pathogen contamination in the soil or fecal contamination – can result in significant increases in the microbial load increasing the chances that contamination can enter into their production stream.

III. Air Intake Filtration:

PGPI’s current air filtration practices and procedures are in line with industry and regulatory standards given the present state of the activities of the surrounding environment. Ongoing pond dredging, truck traffic and concrete dust nearby will increase the particulate matter of surrounding air requiring unfeasible filtration levels. Any significant increase of dust generation in close proximity to a manufacturing plant will increase the risk of microbiological contamination to PGPI’s food products.

Those who understand the food industry know that proper air filtration is more than a “best practice” but a necessity in food manufacturing. Indeed, the United States Code of Federal Regulation, Title 21, Section 110.40(d) states that food “(h)olding, conveying, and manufacturing systems, including gravimetric, pneumatic, closed, and automated systems, shall be of a design and construction that enables them to be maintained in an appropriate sanitary condition.”

Air filtration is measured on the effectiveness of removing particulates from the air. In the United States, filter efficiency is classified by a Minimum Efficiency Reporting Value (or MERV) rating. The lower the MERV rating, the more coarse the filter will be. Conversely, the higher the MERV rating the more fine the filter. To remove the microbes of concern (*Listeria*, *Salmonella*, spores, *E. coli*, and other Enterobacteriaceae), HEPA (or MERV 18) filtration would be required. Appendix A illustrates the filter classifications, particle size ranges, and intended uses.

The Woodland facility of PGPI manufactures Ready-to-Eat as well as Not Ready-to-Eat foods. The air filtration standard for most food manufacturing is to capture 90 – 95% of all particulates 1 µm and larger. This is achieved by use of MERV 14 – 15 filters. *Salmonella* spp and *Listeria monocytogenes*, at 0.3 µm and 0.5 µm respectively,

are smaller than 1 μm . In general, bacteria range from 0.3-1.0 μm rendering even MERV 15 filtration ineffective against bacteria (Jay). Milled flour facilities use MERV 10 filters, hospital inpatient rooms use MERV 15 and general surgery rooms use MERV 16. While some food manufacturers do require the use of MERV 18 (HEPA) air filtration, these products are typically only used in “high risk” food products such as infant formulas. In these circumstances, MERV 18 filtration is only used for air that is used to convey the product through piping or in small, interior packaging rooms where the costs and maintenance are controllable rather than in large open plant areas, which appears to be what Dr. Nelson is suggesting. Appendix B of this document describes the recommended level of air filtration by product and production room.

Since pathogens, and *Salmonella*, in particular, persists in the environment for years (Gorski, et al) and are carried via air currents, disruption to environments within close proximity has concerning implications for PGPI’s product safety. PGPI’s current MERV 14-15 filters meet industry standards, and are sufficient to handle the current dust and microbial load. PGPI’s concern is that the Project may require the installation of non-standard and impractical MERV 18 filters, at great cost to PGPI, particularly given the volume of air that is exchanged at the Facility each day.

In addition to creating a greater microbiological risk to the food processing portions of PGPI’s facility, there is further concern with the raw ingredient storage. The proposed DCC trucking activity is along an unpaved road adjacent to PGPI’s loading dock and rice storage area. Being an agricultural commodity, rice storage silos do not have the same air filtration requirements as the processing areas within the food manufacturing facility proper. Therefore, since the air filtration for rice storage will not remove any microorganisms, an increase in the microbial loading of the surrounding air may also increase in the microbiological loading of the rice.

IV. FDA and International Certification:

When grounds surrounding a food plant generate environments that may jeopardize the safety of the product manufactured, the plant is responsible for minimizing risk. In this case, the surrounding area and grounds may result in PGPI failing FDA and 3rd Party Food Safety Audit requirements due to the increased potential of product contamination. Since PGPI requires FDA registration for operations and passing 3rd party audits as customer requirements, this puts their overall operations in jeopardy.

United States Code of Federal Regulation, Title 21, Section 110.20(a) states that “(t)he grounds about a food plant under the control of the operator shall be kept in a condition that will protect against the contamination of food.”

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In regards to roads, yards, and parking lots, the regulation further specifies that they must be kept in a condition such “that they do not constitute a source of contamination in areas where food is exposed”.

21 CFR 110.20 continues to proscribe that if “the plant grounds are bordered by grounds not under the operator’s control and not maintained in the manner described in paragraph (a), care shall be exercised in the plant by inspection, extermination, or other means to exclude pests, dirt, and filth that may be a source of food contamination”.

In addition to the FDA regulations, most of PGPI’s customers require certification with an approved agency of the Global Food Safety Initiative (GFSI). In order to maintain its customer base, PGPI must maintain current and uninterrupted GFSI certification. PGPI is currently certified by the British Retail Consortium (BRC). Specific to the BRC external food manufacturing standards:

Section 4.1.1 Consideration shall be given to local activities and the site environment, which may have an adverse impact on finished product integrity, and measures shall be taken to prevent contamination. Where measures have been put into place to protect the site (from potential contaminants, flooding etc.), they shall be reviewed in response to any changes.

Section 4.1.2 The external areas shall be maintained in good order. Where buildings are surrounded by grassed or planted areas, they shall be regularly tended and well-maintained. External traffic routes under site control shall be suitably surfaced and maintained in good repair to avoid contamination of the product.

Failure to comply with these and other 3rd party standards could result in loss of certification and thus loss of customers. The Project will result in a source of “pests, dirt and filth” that PGPI may not be able to control, and may increase the overall microbial load to a point where PGPI is no longer able to obtain the necessary certifications for its products.

V. Response to Dr. Nelson’s Comment Letter:

Dr. Nelson’s Comment Letter comes to two fundamental conclusions, both of which are inaccurate: “(1) Dr. Deibel’s assertions are almost certainly fully incorrect when the refer to ‘presence of waste water in the reclamation ponds’ or ‘annual removal of the processed material in the processing ponds’ increasing pathogen loads. (2) Dr. Deibel’s conclusions about the impact of ‘earth-moving during project construction’ or ‘dirt from local construction

sites tracked onto Hanson Way' are in **no way specific to the Project.**" Without intending to disparage Dr. Nelson, I wish to respond to both of those conclusions.

1) Dr. Nelson bases his first conclusion on tests showing the pH of concrete slurry material, and his conclusion that "conditions in the reclamation ponds will be too alkaline (pH > 9.5)" to allow the growth of pathogens. As a basis for the pH levels he relies on the Report of Findings, State-Wide Portland Cement Concrete Waste, Supplemental Study from 2005. That report did show that the pH of concrete slurry was between 9.5 and 12. However, that report did not test the pH of any concrete slurry reclamation ponds, which is the subject of PGPI's concern. As noted above, the August 14, 2013, Soil Test shows that the pH of the pond material is 8.87, well below the pH level of 9.5 that Dr. Nelson states is the maximum pH level for pathogen growth. Accordingly, even if one were to disregard the peer-reviewed scientific literature summarized in my Table 1 above and to accept Dr. Nelson's opinion as to the alkalinity level that does not allow for pathogen growth, the pathogens at issue will multiply and grow exponentially in the recovery ponds proposed in connection with the Golden State Reclamation Project at the pH levels documented in applicant's August 14, 2013 Soil Test.

Next, the Comment Letter cites no support for the conclusion that pathogen growth cannot occur in pH's higher than 9.5. In fact, that conclusion is contradicted by the research cited above showing that some pathogens can grow at higher pH levels. Finally, Dr. Nelson does not address the fact that several of the pathogens of concern can survive higher pH levels and remain viable, even if they cannot grow at those levels.

Dr. Nelson's first conclusion is contradicted by the Applicant's own test results as well as the available scientific literature.

2) With regards to his second conclusion, Dr. Nelson acknowledges that the pathogens can grow in soil and wastewater, and are spread through fecal contamination. As described above, these facts form the basis of PGPI's concerns about the increased pathogen load. However, Dr. Nelson concludes that the proposed project does not present a concern because "fecal contamination is not, to my knowledge, an issue with the proposed reclamation ponds" and "concern about these three types of bacteria getting into food products should be a general one in the food-processing industry, regardless of specific localized earth-moving and construction activity." He provides no support for either of these conclusions, and does not explain why the fact that pathogen concerns are ubiquitous in the food production industry precludes reasonable mitigating measures in this case.

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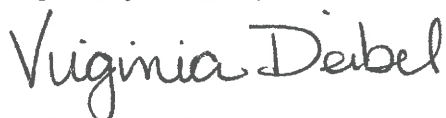
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In his letter, Dr Douglas Nelson surprisingly states that it “would seem, therefore, to be ‘best practices’ in the food-processing industry to have filters on air-intake systems that would minimize the impact of these potential pathogens, regardless of how they got into the air.” PGPI already complies with the industry standard for air filtration. PGPI’s concern is that the increased pathogen load will require a much higher, and more costly and impractical level of filtration.

Next, Dr. Nelson’s offhand dismissal of fecal contamination is improper. Open ponds are subject to fecal contamination from area birds, snakes, rodents and insects, As Dr. Nelson admits, fecal contamination is a primary means of spreading the pathogens that are of concern for this project.

As a trained food microbiologist who has spent my entire career servicing food production facilities, the proposed use of the adjacent land has food safety and quality implications for PGPI.

Respectfully submitted,



Virginia Deibel, Ph.D.

Director of Microbiology

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APPENDIX A. Air Filtration Standards and Their Uses

EU Filter Classification	US Filter Classification	Particle Size Range ASHRAE 52.2*			Filter Use
		(μ m)			
		Efficiency %			
		3-10	1-3	0.3-1	
G1	MERV 1-4	< 20			Primary Filters for Coarse dust
G2		< 20			
G3	MERV 5	20 - 50			
G4	MERV 6-7	50 - 70			
F5	MERV 8-9	> 85	50 - 80		Secondary Filters for fine dust and some yeasts and molds
F6	MERV 10-12	> 90	> 80		
F7	MERV 13	> 90	> 90	< 75	
F8	MERV 14	> 90	> 90	75 - 85	
F9	MERV 15	> 95	> 95	85 - 95	
H10					Semi HEPA and HEPA for yeasts, molds and most Bacteria
H11	MERV 16	> 95	> 95	> 95	
H12					
H13	MERV 18			> 99.97	
H14				> 99.99	
U15				> 99.999	ULPA ultra high efficiency
U16				>99.9999	
U17					

* American Society of Heating, Refrigeration, and Air Conditioning Engineers Standard 52.2-2007

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APPENDIX B*. Recommended Air Filtration by Processing Room / Product Sensitivity

AREA / ROOM	Pre-Filter Efficiency @ 1 Micron	Pre-Filter Grade (US)	Final Filter Efficiency @ 1 Micron	Final Filter Grade (US)	Room Air Changes per Hour	% Outside Make Up Air
High Risk Packaging / Conveying	70 – 80%	MERV 8	99.97% @ 0.3 μ	MERV 18	20	10 – 20%
High Risk Processing Rooms	70 – 80%	MERV 8	90 – 95%	MERV 15	10 – 12	10 – 20%
Ready – to – Eat Processing Rooms	70 – 80%	MERV 8	90 – 95%	MERV 15	8 – 10	10 – 20%
Not Ready-to-Eat Processing Rooms	70 – 80%	MERV 8	90 – 95%	MERV 14 – 15	8 – 10	10 – 20%
CIP / COP Room	70 – 80%	MERV 8	90 – 95%	MERV 14 – 15	Single Pass	100%
Raw Ingredient Storage	NA	NA	50%	MERV 7 – 8	NA	100%

***Best practices adopted from Kraft Foods, Nestle and Leprino Foods internal guidelines.**

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References:

1. United States Code of Federal Regulations, Title 21, Section 110, Good Manufacturing Practices.
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Legislation Details (With Text)

File #: 13-307 Version: 1 Name:
Type: Report of the City Manager Status: Agenda Ready
File created: 10/23/2013 In control: City Council
On agenda: 11/5/2013 Final action:
Title: SUBJECT: Hold Public Hearing on Proposed Sewer Rates and Introduce the Ordinance and Proposed Sewer Rates

Recommendation for Action: Staff recommends that the City Council 1) Conduct a Public Hearing on the proposed five-year Sewer Rate Ordinance and, at the conclusion of the hearing, 2) Direct the City Clerk to tally the written protests received by the City, pursuant to the requirements of Proposition 218, and 3) If number of validated protests submitted to the City are fewer than the 50%+1 of the ratepayers (7,343 protests) eligible to file such protests, it is further recommended that Council introduce the first reading of the proposed Ordinance and Sewer Rate Schedule with the first increases to be effective January 1, 2014, and subsequent increases effective on January 1 of 2015, 2016, 2017, and 2018.

Sponsors:

Indexes:

Code sections:

Attachments: [2013 Sewer Rate ORDINANCE.pdf](#)

Date	Ver.	Action By	Action	Result
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TO: THE HONORABLE MAYOR AND CITY COUNCIL

DATE: November 5, 2013

SUBJECT: Hold Public Hearing on Proposed Sewer Rates and Introduce the Ordinance and Proposed Sewer Rates

Recommendation for Action: Staff recommends that the City Council 1) Conduct a Public Hearing on the proposed five-year Sewer Rate Ordinance and, at the conclusion of the hearing, 2) Direct the City Clerk to tally the written protests received by the City, pursuant to the requirements of Proposition 218, and 3) If number of validated protests submitted to the City are fewer than the 50%+1 of the ratepayers (7,343 protests) eligible to file such protests, it is further recommended that Council introduce the first reading of the proposed Ordinance and Sewer Rate Schedule with the first increases to be effective January 1, 2014, and subsequent increases effective on January 1 of 2015, 2016, 2017, and 2018.

Staff Contact

Lynn Johnson, Senior Management Analyst - (530) 661-5979, lynn.johnson@cityofwoodland.org

Council Goal

This recommendation is consistent with the City's goal for Fiscal Responsibility by undertaking comprehensive fee studies to align ongoing and future expenditures with ongoing revenues. Additionally, adopting appropriate utility fee structures provides the necessary funding to support current and future infrastructure, another Council goal.

Fiscal Impact

The sewer utility currently generates approximately \$10.6 million per year; the rate study identifies the need to increase revenues to \$17.7 million per year over the next five (5) years in order to meet operations & maintenance, capital infrastructure, and current and future debt service requirements. This additional revenue requirement is proposed to be met through a series of five annual rate adjustments that generate a 13% increase in sewer revenue in 2014 followed by a 9% increase in each of the following four (4) years.

Adoption of the proposed rate structure change and rate increases will generate revenue sufficient to meet the City's operational and capital needs through FY 2018. Planned capital projects will be funded in part with sewer utility revenue and partially through the issuance of new bonds. Additionally, adoption of the sewer rate adjustments will allow us to continue covering debt service obligations originally planned for payment from sewer impact fees until such time as development activity increases enough to cover this cost. Increased sewer revenue will allow for the refunding of existing 2002 Sewer Lease Revenue bonds assuming market conditions remain favorable. Refunding of this debt to utility revenue bonds will reduce our annual debt service payments, ultimately saving the City money over the life of the bonds.

Report in Brief

The last major increases to the sewer rates were approved by Council in June 2005 with phased increases through FY 2009. Since then, the sewer rates were increased 0.8% in 2009 for a Consumer Price Index adjustment and have not been modified since. No additional inflationary adjustment or rate increase has occurred, leaving a flat revenue stream for the past four years. A combination of deferred inflation adjustments, ongoing debt service requirements and much needed capital improvements to the sewer infrastructure have warranted a comprehensive review of the existing and ongoing sewer revenue requirements. Staff contracted with HDR Engineering, Inc. (HDR) in October 2011 to prepare a Comprehensive Sewer Rate Study which was issued in July 2013 ("Rate Study"). A broad review of sewer operations and maintenance, capital requirements, industrial pretreatment, and sewer related debt was completed and multiple rate scenarios were reviewed. The recommended sewer rate adjustments reflect what staff and HDR determined to be the minimum rate adjustments necessary to sustain our existing sewer infrastructure system, accomplish the necessary capital projects, and manage existing and future sewer related debt.

Background

There are three different components funded by sewer rate revenues that are driving the need for the rate adjustments: (1) operations and maintenance, (2) capital improvements, and (3) debt service from previous and future capital improvements.

Operations and Maintenance

The proposed sewer rate adjustments assume that the City's current level of service for operations and maintenance programs for sewer collection and wastewater treatment remain unchanged. There are no additional staff positions funded through these rate adjustments. All cost projections are consistent with those used in the City's five-year budget forecast including salaries, benefits, and operational costs.

Capital Improvement Program (CIP)

The current CIP related to sewer includes four major project areas: aeration; wastewater treatment plant asset replacement; sludge removal, including infrastructure for removal and management; and annual sewer repair and replacement, including small and large diameter pipeline and service laterals.

Aeration - The aeration project will change the tertiary treatment plant method by adding denitrification to the process, which will lower the nitrate in our effluent. This process change is required by the Regional Water Quality Control Board (RWQCB) so that the City can continue to meet our wastewater discharge permit limits beginning in 2014.

Asset Replacement - The asset replacement project is needed to begin systematic replacement of large screens, rotors, screw pumps, etc. that were installed at the wastewater plant over the last 20 years. Planning for the replacement of key system components is critical to the long term preservation of our assets, optimizes life expectancy of the systems, and minimizes the overall costs.

Sludge Removal - The requirement for sludge removal and disposal comes from years of wastewater treatment processing whereby the by product was left to accumulate in the ponds. Due to a RWQCB requirement in our last discharge permit, we are no longer allowed to simply leave the sludge alone. The City must have a plan in place to actively manage and dispose of all accumulated sludge, as well as all future sludge generated through the treatment plant process.

Annual Sewer Pipeline Repair & Replacement - Our annual sewer repair and replacement projects are needed to keep up with our aging sewer pipeline. Some of the pipe dates back to the late 1800's. Although we have been repairing/replacing pipeline annually, it has not been enough. Due to our ongoing pipeline imaging program (CCTV), we now have a greater knowledge of the condition of our sewer infrastructure. We must now triage the worst of the worst as we design our annual project to minimize future pipeline failures. Future projects will replace small and large diameter pipe as well as sewer laterals. Slip lining of pipe will be used to the extent possible to minimize project costs.

Debt Service

The final cost component of the sewer rates is our sewer bond debt. The City secured bond financing in 2002 and 2005 to build a series of wastewater treatment plant projects including tertiary treatment, plant expansion, and flood control for the plant facility. A portion of the cost of these projects, especially the expansion project, was supposed to be funded through sewer impact fees collected as residential and commercial growth occurred. This incremental development fee revenue was intended to be a major component of our annual debt service obligations. Residential growth has not happened as projected and as a result, more than \$9 million of sewer reserves have been used to pay the development share of our debt service (approximately \$1.7 million/year). The City cannot continue to meet all of our existing debt service obligations without increasing our sewer rates. As future development occurs, sewer impact fees will be repaid to the sewer utility to recover their appropriate share of the debt requirements.

Also, the bond debt incurred in 2002 is lease revenue bonds, as opposed to sewer revenue bonds, and has a higher interest rate component than the current bond market. In order to refund this bond debt to sewer revenue bonds at a lower total cost, the City must have adequate rate coverage in place. Additionally, the City will need to issue new bond debt to be able to construct the aeration project, which has a projected cost of more than \$15 million. This bond debt will require that the City has suitable bond coverage in place prior to the debt being issued.

Cost of Service

A full cost of service analysis was completed to establish the proposed rates and make sure that each customer class is charged its proportionate share of the cost to provide sewer services. Based on assumed wastewater flows (not water consumption) and wastewater strength, the following breakdown between residential and commercial classes was determined to best allocate the revenue required from each type of customer based on the cost of service results.

	January 1, <u>2014</u>	January 1, <u>2015</u>	January 1, <u>2016</u>	January 1, <u>2017</u>	January 1, <u>2018</u>
Residential	15%	9%	9%	9%	9%
Commercial	9%	7%	9%	9%	9%

Sewer Rate Recommendations

Based on a comprehensive review of current and future revenues and expenses, staff is recommending adoption of five (5) annual increases to the sewer rates beginning January 2014. Under the proposed rate adjustments, residential customers will continue to pay a fixed monthly charge as shown below:

Customer Class	Present <u>Rates</u>	January <u>1, 2014</u>	January <u>1, 2015</u>	January <u>1, 2016</u>	January <u>1, 2017</u>	January <u>1, 2018</u>
Residential						
Single Family	\$38.30	\$44.05	\$48.00	\$52.30	\$57.00	\$62.15
Condo	\$25.00	\$28.75	\$31.35	\$34.15	\$37.20	\$40.55
Multi-Family						
Apartment/ Mobile Home	\$25.00	\$28.75	\$31.35	\$34.15	\$37.20	\$40.55
4-plex or less	\$25.00	\$28.75	\$31.35	\$34.15	\$37.20	\$40.55
Residential Attached	\$31.05	\$35.70	\$38.90	\$42.40	\$46.20	\$50.35
Residential Multi- Unit	\$31.05	\$35.70	\$38.90	\$42.40	\$46.20	\$50.35

Other non-residential customers (Commercial/Institutional) will be charged using a calculation that includes a fixed monthly rate and a strength-based volume rate (how much sewage is deposited into the system) based on an average of winter water use. Averages for winter water use (volume) will be established using the period between November and February from the prior year. This prevents the customer from paying for sewer based on irrigation done in the summer months. The winter water averaging becomes the “ceiling” for the consumption portion of the sewer charges. The City and its rate consultant, HDR, reviewed all non-residential accounts and placed customers into the “low,” “medium,” or high” strength categories based upon varying levels of sewer system use. Proposed rates account for the fact that higher strength sewage is more costly to treat. The majority of the commercial customers, however, will fall into the “low strength” rate category.

	Current <u>Rates</u>	January <u>1, 2014</u>	January <u>1, 2015</u>	January <u>1, 2016</u>	January <u>1, 2017</u>	January <u>1, 2018</u>
Monthly Meter Charge						
Commercial	\$24.99	\$27.25	\$29.15	\$31.75	\$34.60	\$37.70

<i>Schools</i> ¹	\$2.31	\$2.52	\$2.70	\$2.94	\$3.20	\$3.49
Correctional Facility ²	\$5,857.69	\$6,384.88	\$6,831.82	\$7,446.68	\$8,116.88	\$8,847.40

Volume Charge

Commercial	\$3.75	N/A	N/A	N/A	N/A	N/A
Hospital	\$4.26	N/A	N/A	N/A	N/A	N/A
Hotel/Motel	\$4.97	N/A	N/A	N/A	N/A	N/A
Industrial	\$3.75	N/A	N/A	N/A	N/A	N/A
Restaurant	\$9.41	N/A	N/A	N/A	N/A	N/A
Special Rate	\$3.75	N/A	N/A	N/A	N/A	N/A
Schools	N/A	N/A	N/A	N/A	N/A	N/A
Correctional Facility	N/A	N/A	N/A	N/A	N/A	N/A
Low	N/A	\$5.59	\$5.98	\$6.52	\$7.11	\$7.75
Medium	N/A	\$6.46	\$6.91	\$7.53	\$8.21	\$8.95
High	N/A	\$7.34	\$7.85	\$8.56	\$9.33	\$10.17

¹Schools are charged based on Average Daily Attendance (ADA) - NOTE: A reduced School rate from the rate calculated in the draft Rate Study is being recommended for adoption (see below).

²The Correctional Facility is charged a flat contract rate

Wastewater Industrial Pretreatment Program (WIPP) and Pollution Prevention Program

The City also operates an industrial pretreatment program and pollution prevention program. These programs were established in 1995 to meet State and Federal requirements and are designed to reduce the impact of high strength sewage on the system. Components of the programs include education, outreach, and inspection. The current WIPP fee was adopted by Council in 1995 and has not been increased since. The current revenue is no longer sufficient to cover the expenses. An analysis of the revenue and expense requirements as well as a cost of service evaluation for the programs was completed by HDR simultaneous with the Comprehensive Sewer Rate Study and included as an appendix in the Study. Since this fee is ultimately related to our wastewater system and ensuring that we are in full compliance with the RWQCB, the minor increase in the fee is being included as part of the Proposition 218 process with the sewer rates for clarity and to minimize the cost of the process for the City.

	Present	January 1, 2014	January 1, 2015	January 1, 2016	January 1, 2017	January 1, 2018
Residential & Commercial Monitored	\$1.57	\$1.69	\$1.82	\$1.96	\$2.11	\$2.27
Commercial	\$8.57	\$9.21	\$9.90	\$10.64	\$11.44	\$12.30
SIUs ¹	\$185.12	\$199.00	\$213.93	\$229.97	\$247.22	\$265.76

¹Significant Industrial Users have the most impact on the system and therefore require the greatest amount of monitoring and inspection.

Discussion

Revised School Rate - Since the presentation of the Comprehensive Sewer Rate Study to the Council in early

September and the mailing of the Proposition 218 notice to all customers, staff has continued to work with HDR to refine the cost of service allocation, particularly as it relates to schools, which are billed based on average daily attendance (ADA). To most fairly represent the impact to the sewer system created from the schools, we are proposing that the cost for schools per ADA be modified from the original recommendation and reduced to the following:

	Current Rates	January 1, 2014	January 1, 2015	January 1, 2016	January 1, 2017	January 1, 2018
Schools ¹	\$2.31	\$1.20	\$1.28	\$1.40	\$1.53	\$1.67

¹Schools are charged based on Average Daily Attendance (ADA)

Since the Proposition 218 notice specified a higher amount for the schools, this change to the rate structure can be taken through the adopting ordinance without any additional notification requirements.

Utility Assistance Program - In 2009, the City established a Utility Assistance Program. The program currently covers three (3) months of assistance at \$58.75/month towards the flat-rate portion of the bill for residential customers only. The program is funded by Community Development Block Grant (CDBG) revenue, which is allocated to the City annually. Unfortunately, this year's allocation for this program has already been exhausted. We will continue to work with the Water Utility Advisory Committee (WUAC) and the community to search for additional funding for the program. We do not expect additional funding from CDBG until July 2014. As a reminder, revenue collected through the sewer or water rates may not be used for the Utility Assistance Program. Some communities use General Fund revenue for this purpose, however unless additional reductions are gained in the General Fund, there is no excess revenue available to assist this program.

Process Required by Proposition 218 - In accordance with Proposition 218, notifications of the proposed rate changes were mailed to property owners and customers of record on September 16, 2013, more than 45 days prior to the November 5, 2013 Public Hearing. Community meetings were held on October 10 and October 22 to provide information on the proposed sewer rates. Attendance at the community meetings ranged from 20-25 people with some people attending both sessions. Staff has been in regular communication with several community members, responding to a variety of questions. Where possible, answers to questions posed during the community meetings were e-mailed to all members in attendance. Staff has provided projections on rate impacts for several businesses as well as Woodland Joint Unified School District and Woodland Community College. Additionally, we have had a Sewer Rate Hotline available to the community for questions and have received 9 calls as of October 21st. Notice of the November 5th Public Hearing was published in the Daily Democrat on October 26, 2013.

Commission/Committee Recommendation

The WUAC reviewed the City's Sewer Collection and Wastewater Treatment Systems and the Comprehensive Sewer Rate Study over the last months. The Committee presented its report to the City Council on July 2, 2013.

Conclusion

Although increasing utility rates is never desired, staff believes that these rate adjustments are critical to the financial stability of the utility. If Council chooses to defer or delay moving forward with the proposed rate changes, the City will lose the opportunity to refund the existing sewer debt under the current optimal bond conditions and will not be able to move forward with the aeration project. Furthermore, the City's ability to

continue covering the development related portion of existing debt service is unsustainable without a rate increase. Due to the compounding of rate revenue, a one year delay in rate implementation would increase the first year of rate adjustments to 18% followed by three 10% rate adjustments. Additionally, we would have to defer more than \$1 million of capital improvements and increase the amount of long-term debt needed to fund the improvements.

Staff recommends that the City Council conduct a public hearing and tally the written protests after the close of the hearing. If protests are submitted by fewer than 50% of the ratepayers (7,343 protests), it is also recommended that Council introduce the proposed ordinance and sewer rates as prescribed by the attached Ordinance and Sewer Rate Schedule with the first increases to be effective January 1, 2014, and subsequently in January 1 of 2015, 2016, 2017, and 2018.

Prepared by: Lynn Johnson
Senior Management Analyst

Reviewed by: Kim McKinney
Finance Officer

Paul Navazio, City Manager

Attachment: Ordinance

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WOODLAND,
CALIFORNIA ESTABLISHING RATES FOR SEWER SERVICE**

WHEREAS, the Woodland City Council has previously established sewer rates, but has not adjusted sewer rates since 2009; and

WHEREAS, California law allows the City to recover the full cost of providing sewer service to customers, including the cost for pipelines, treatment facilities, and other infrastructure, through the establishment of sewer rates; and

WHEREAS, the City determined to undertake a rate study to analyze the revenue requirements, and the rate structure necessary to proportionately allocate the costs of providing sewer services to its sewer customers and contracted with HDR Engineering, Inc. (HDR) in October 2011 to prepare a Comprehensive Sewer Rate Study (“Rate Study”), which was completed in July 2013; and

WHEREAS, the Rate Study was received by the City Council on September 3, 2013 and made available to the public on the City’s website and the Woodland Public Library on September 13, 2013; and

WHEREAS, the Sewer Rate Schedule, attached hereto as Exhibit “A” and by this reference incorporated herein, includes the proposed rates for the sewer service charges; and

WHEREAS, the findings and determinations contained herein are based upon the Rate Study documenting the estimated reasonable costs of providing sewer services to customers in the City; and

WHEREAS, the Rate Study concluded that the existing sewer rates do not adequately recover the City’s costs of providing sewer service to customers; and

WHEREAS, the City has determined to adopt a five-year schedule of rate increases as recommended in the Rate Study to sustain the City’s existing sewer infrastructure system, accomplish necessary capital infrastructure improvements, and manage existing and future sewer related debt; and

WHEREAS, the City Council hereby finds and determines the following with regard to the proposed rate increases to the sewer service charges:

1. The revenues derived from the proposed sewer service charges will not exceed the funds required to provide the sewer services and shall be used exclusively for the City's sewer system;
2. The amount of the proposed sewer service charges will not exceed the proportional cost of the service attributable to each parcel upon which they are proposed for imposition;
3. The proposed sewer service charges will not be imposed on a parcel unless the sewer services are actually used by, or immediately available to, the customer of the parcel;
4. The proposed sewer service charges will not be used for any other purpose than that for which they are imposed;
5. The proposed sewer service charges are not levied for general governmental services;
6. The proposed sewer service charges are not calculated or developed on the basis of any parcel map, including an assessor's parcel map, but are based upon reasonable estimates of the demand placed upon the City in its role as a provider of the sewer services; and
7. The proposed sewer service charges represent increases in the charges needed to operate sewer collection and treatment facilities; and

WHEREAS, the City hereby finds and determines that in accordance with the provisions of California Constitution article XIII D, section 6 ("Article XIII D"):

1. The City identified the parcels upon which the increased sewer service charges are proposed to be imposed, and calculated the amount of the fees or charges proposed to be imposed on each parcel;
2. On September 16, 2013, the City mailed written Notice to customers of each parcel upon which the proposed increase to the sewer service charges are proposed for imposition, which explained: (a) the amount of the charges; (b) the basis on which they were calculated; (c) the reason for the increases; and (d) the date, time, and location of the public hearing on the proposed increases; and
3. On November 5, 2013 (more than 45 days after mailing the Notice), the City conducted a public hearing and considered all written protests against the proposed increases to the sewer service charges.; and
4. At the conclusion of the public hearing, written protests against the proposed increases to the sewer service charges were not presented by a majority of customers subject to the proposed charges; and

WHEREAS, as of the close of the public hearing, written protests against the proposed fee or charge were not presented by a majority of owners of the affected parcels;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF WOODLAND DOES ORDAIN AS FOLLOWS:

Section 1. The City Council hereby adopts the recitals and findings set forth above and in the staff report prepared in connection with this ordinance.

Section 2. The City Council hereby adopts, by not less than a two-thirds vote pursuant to Government Code section 5471, the sewer rate schedule set forth in Exhibit “A”, attached hereto and incorporated herein by reference.

Section 3. The Ordinance supersedes and voids all prior ordinances, resolutions, and other Council actions, which are inconsistent with its terms, including all prior ordinances and resolutions establishing or amending sewer rates.

Section 4. Adoption of this Ordinance is exempt from the California Environmental Quality Act pursuant to Section 15061(b)(3) of the CEQA Guidelines (14 CCR 15061(b)(3)). CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. It is therefore found and declared that the adoption of the sewer rate schedule in this Ordinance will not have a significant effect on the environment.

Section 5. Severability. If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable. This City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof and intends that the invalid portions should be severed and the balance of the ordinance be enforced.

Section 6. Effective Date. The City Clerk shall certify to the adoption of this Ordinance, and the City Clerk shall cause this Ordinance to be published within 15 days as required by law. This Ordinance shall take effect thirty (30) days following its adoption.

PASSED AND ADOPTED this 19th day of November, 2013 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Marlin “Skip” Davies
Mayor

ATTEST:

Ana B. Gonzalez
City Clerk

APPROVED AS TO FORM:

Kara K. Ueda
City Attorney

EXHIBIT “A”

Sewer Rate Schedule

The sewer and WIPP rates and the effective dates for their implementation are as follows:

Customer Class	Present Rates	January 1, 2014	January 1, 2015	January 1, 2016	January 1, 2017	January 1, 2018
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Residential customers will continue to pay a fixed monthly charge as shown below:

Residential

Single Family	\$38.30	\$44.05	\$48.00	\$52.30	\$57.00	\$62.15
Condo	\$25.00	\$28.75	\$31.35	\$34.15	\$37.20	\$40.55

Multi-Family

Apartment/ Mobile Home	\$25.00	\$28.75	\$31.35	\$34.15	\$37.20	\$40.55
4-plex or less	\$25.00	\$28.75	\$31.35	\$34.15	\$37.20	\$40.55
Residential Attached	\$31.05	\$35.70	\$38.90	\$42.40	\$46.20	\$50.35
Residential Multi- Unit	\$31.05	\$35.70	\$38.90	\$42.40	\$46.20	\$50.35

Non-Residential

Non-residential customers (Commercial/Institutional) will be charged using a calculation that includes a fixed monthly rate and a strength-based volume rate based on an average of winter water use. Averages for winter water use (volume) will be established using the period between November and February from the prior year. The winter water use will be the “ceiling” for billing for calculating the consumption.

Monthly Meter

Charge

Commercial	\$24.99	\$27.25	\$29.15	\$31.75	\$34.60	\$37.70
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	Present	January 1, 2014	January 1, 2015	January 1, 2016	January 1, 2017	January 1, 2018
Volume Charge						
Commercial.....	\$3.75	N/A	N/A	N/A	N/A	N/A
Hospital	\$4.26	N/A	N/A	N/A	N/A	N/A
Hotel/Motel	\$4.97	N/A	N/A	N/A	N/A	N/A
Industrial	\$3.75	N/A	N/A	N/A	N/A	N/A
Restaurant	\$9.41	N/A	N/A	N/A	N/A	N/A
Special Rate	\$3.75	N/A	N/A	N/A	N/A	N/A
Schools	N/A	N/A	N/A	N/A	N/A	N/A
Correctional Facility	N/A	N/A	N/A	N/A	N/A	N/A
Low	N/A	\$5.59	\$5.98	\$6.52	\$7.11	\$7.75
Medium	N/A	\$6.46	\$6.91	\$7.53	\$8.21	\$8.95
High.....	N/A	\$7.34	\$7.85	\$8.56	\$9.33	\$10.17
Schools ¹	\$2.31	\$1.20	\$1.28	\$1.40	\$1.53	\$1.67
Correctional Facility ²	\$5,857.69	\$6,384.88	\$6,831.82	\$7,446.68	\$8,116.88	\$8,847.40

¹Schools are charged based on Average Daily Attendance (ADA)

²The Correctional Facility is charged a flat contract rate

Wastewater Industrial Prevention Program (WIPP)

Residential						
& Commercial.....	\$1.57	\$1.69	\$1.82	\$1.96	\$2.11	\$2.27
Monitored						
Commercial.....	\$8.57	\$9.21	\$9.90	\$10.64	\$11.44	\$12.30
SIUs ¹	\$185.12	\$199.00	\$213.93	\$229.97	\$247.22	\$265.76

¹Significant Industrial Users have the most impact on the wastewater system and therefore require the greatest amount of monitoring and inspection.

Legislation Details (With Text)

File #: 13-305 Version: 1 Name:
Type: Ordinance Status: Agenda Ready
File created: 10/21/2013 In control: City Council
On agenda: 11/5/2013 Final action:
Title: SUBJECT: Adoption of the 2013 California Fire Code

Recommendation for Action: Staff recommends that the City Council introduce an Ordinance adopting by reference the 2013 California Fire Code (California Code of Regulations, Title 24, Part 9) and amending sections of the City of Woodland Municipal Code related to fire protection and nuisance abatement.

Sponsors:

Indexes:

Code sections:

Attachments: [Woodland Ordinance Adopting 2013 Fire Code.pdf](#)

Date	Ver.	Action By	Action	Result
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TO: THE HONORABLE MAYOR AND CITY COUNCIL

DATE: November 5, 2013

SUBJECT: Adoption of the 2013 California Fire Code

Recommendation for Action: Staff recommends that the City Council introduce an Ordinance adopting by reference the 2013 California Fire Code (California Code of Regulations, Title 24, Part 9) and amending sections of the City of Woodland Municipal Code related to fire protection and nuisance abatement.

Staff Contact

Dan Bellini, Public Safety Chief - (530)661-7865, dan.bellini@cityofwoodland.org

Fiscal Impact

Adoption of this ordinance will have no fiscal impact.

Background

Every three years, the various State and National Fire Codes are revised to reflect the latest in building and fire safety standards. The Ordinance before the Council adopts the 2013 California Fire Code (California Code of Regulations, Title 24, Part 9), based on the International Fire Code, 2012 Edition, with errata, published by the International Code Council, including Chapter 1, Section 307, Appendix D, and Appendix E, for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion. It also amends provisions of the 2013 California Building Code and 2013 Residential Code related to fire protection systems.

The Fire Code provides regulations necessary for the maintenance of fire prevention and life safety provisions for buildings and premises. The Building Code regulates the fire, life, and structural safety aspects of all buildings and related structures. The Residential Code provides for requirements in one and two family dwellings and townhomes.

The formal adoption of the proposed Ordinance will take place following the November 19, 2013 Council meeting after a public hearing is held. The City will publish notice of the public hearing twice in a locally circulated newspaper, with the first notice published at least 14 days prior to the hearing. One copy of the 2013 California Fire Code, the 2013 California Building Code, and the 2013 California Residential Code will be available for public inspection in the Office of the Woodland City Clerk.

Discussion

While the City of Woodland and other communities are required by state law to utilize the newest State adopted version of the codes for building permit reviews and inspections, adoption of the codes (by reference) by local jurisdictions provides greater consistency among jurisdictions and allows for minor modifications (amendments) to the codes to reflect local conditions.

There are no significant changes regarding local amendments to the 2013 California Fire Code. Changes involved formatting, aligning specific code sections and deleting language or requirements that are located within the model codes.

All current City amendments to the prior versions of the codes have been reviewed for applicability to the new codes. Many of the City's current amendments are no longer needed because their conditions are now reflected within the State's adopted codes or within the other uniform codes being adopted. With this adoption, all former amendments have been rewritten, deleted, or revised to reflect the most current needs of the City of Woodland. Woodland Municipal Code sections not specifically included within this Ordinance remain unchanged.

Conclusion

Staff recommends that the City Council introduce an Ordinance adopting by reference the 2013 California Fire Code (California Code of Regulations, Title 24, Part 9) and amending sections of the City of Woodland Municipal Code related to fire protection and nuisance abatement.

Prepared by: Dan Bellini
Public Safety Chief

Paul Navazio, City Manager

Attachments: Proposed Ordinance adopting the California Fire Code

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WOODLAND AMENDING CERTAIN SECTIONS OF CHAPTER 9 OF THE WOODLAND MUNICIPAL CODE, ADOPTING BY REFERENCE THE 2013 CALIFORNIA FIRE CODE (CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 9), BASED ON THE INTERNATIONAL FIRE CODE, 2012 EDITION, WITH ERRATA, PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, INCLUDING CHAPTER 1, SECTION 307, APPENDIX D, and APPENDIX E, FOR THE PURPOSE OF PRESCRIBING REGULATIONS GOVERNING CONDITIONS HAZARDOUS TO LIFE AND PROPERTY FROM FIRE OR EXPLOSION, TOGETHER WITH CERTAIN ADDITIONS, INSERTIONS, DELETIONS AND CHANGES THERETO; AMENDING SECTIONS 6-1-2 AND 6-1-9 OF THE WOODLAND MUNICIPAL CODE AMENDING CERTAIN SECTIONS OF THE 2013 CALIFORNIA BUILDING CODE AND THE 2013 CALIFORNIA RESIDENTIAL CODE, RELATED TO FIRE PROTECTION SYSTEMS; AND AMENDING SECTION 14A-1-3 OF THE WOODLAND MUNICIPAL CODE RELATED TO NUISANCE ABATEMENT.

WHEREAS, pursuant to California Government Code Section 50022.1 et seq. the City of Woodland (“City”) may adopt by reference the 2013 California Fire Code, based on the International Fire Code, 2012 Edition, with errata, published by International Code Council (ICC), as adopted by the State of California pursuant to Title 24, Part 9 of the California Code of Regulations; and

WHEREAS, California Health & Safety Code Section 17958.5 and 18941.5 authorize cities to adopt the codes contained in Title 24 of the California Code of Regulations with changes and modifications determined to be reasonably necessary because of local climatic, topographic or geologic conditions; and

WHEREAS, pursuant to Section 50022.1 and California Health & Safety Code Section 17958.5 and 18941.5, the City is considering the adoption of an ordinance on November 19, 2013, which proposes the adoption by reference of the 2013 California Building Code and 2013 Residential Code with the proposed amendments as provided therein; and

WHEREAS, the City desires to adopt the 2013 California Fire Code, based on the International Fire Code, 2012 Edition, with errata, published by the International Code Council (ICC), as adopted by Title 24, Part 9 of the California Code of Regulations (“Fire Code”) with necessary amendments to assure the Fire Code is tailored to the particular fire protection needs of the City as required by local climatic, topographic and geologic conditions and assure that a maximum level of fire protection is provided to residents, businesses and other occupants; and

WHEREAS, the City further desires to make additional necessary amendments to the 2013 California Building Code to assure that the maximum level of fire protection is provided to residents, businesses and other occupants; and

WHEREAS, the City further desires to make additional necessary amendments to the 2013 California Residential Code to assure that the maximum level of fire protection is provided to residents, businesses and other occupants; and

WHEREAS, the City wishes to correct a cross-reference in Woodland Municipal Code section 14A-1-3 related to the location of the City's fire prevention regulations, including the Fire Code; and

WHEREAS, the City held a public hearing on November 19, 2013 at which time all interested persons had the opportunity to appear and be heard on the matter of adopting the Fire Code as amended herein and adopting and amending the California Building Code, California Residential Code, California Plumbing Code, California Electrical Code and California Mechanical Code as provided herein; and

WHEREAS, the City published notice of the aforementioned public hearing pursuant to California Government Code Section 6066 on _____ 2013 and _____ 2013; and

WHEREAS, any and all other legal prerequisites relating to the adoption of this Ordinance have occurred;

The City Council of the City of Woodland does hereby ordain as follows:

1. Purpose. The purpose of this Ordinance is to amend Sections 6-1-2, 6-1-9, 14A-1-3 and certain sections in Chapter 9 of the City of Woodland Municipal Code, adopting by reference the 2013 California Building Standards Code, Title 24, California Code of Regulations, Part 9, (California Fire Code), based on the International Fire Code, 2012 Edition, with errata, published by the International Code Council, including Chapter 1, Section 307, Appendix D, and Appendix E, together with certain additions, insertions, deletions and changes thereto, for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion; adopting and amending certain sections of the 2013 California Building Code and the 2013 California Residential Code, related to fire protection systems; and correcting a cross-reference.

2. Authority. The City Council enacts this Ordinance under the authority granted to the City as follows:

(a) California Government Code Section 50022.1 et seq. authorizes the City to adopt by reference the California Building Standards Code and authorizes the City to adopt other uniform codes by reference; and

(b) California Health & Safety Code Section 17958.7 and 18941.5 authorize the City to adopt the 2013 California Fire Code, the 2013 California Building Code, and the 2013 California Residential Code with modifications determined to be reasonably necessary because of local climatic, geological or topographical conditions.

3. Findings. The City Council hereby finds that the proposed amendments to the 2013 California Fire Code, the 2013 California Building Code, and the 2013 California

Residential Code are more restrictive than the standards adopted by the California Building Standards Commission, and are reasonably necessary because of local climatic, geologic or topographic conditions, based on the express findings and determinations, marked in relation to the respective amendments provided in this ordinance, described in “Exhibit A” attached hereto, and hereby adopted by the City Council as the findings to support the modifications to the 2013 California Fire Code, the 2013 California Building Code, and the 2013 California Residential Code.

4. **Amendment.** Section 9-1 through Section 9-9-28 of the Woodland Municipal Code are hereby amended to read in full as follows:

Sec. 9-1 California Fire Code – Adopted.

There is hereby adopted by the City for the purpose of prescribing regulations governing conditions hazardous to life and property from fire, explosion, or hazardous materials, those certain Codes and known as the 2013 California Building Standards Code, Title 24, California Code of Regulations, Part 9, (California Fire Code), based on the International Fire Code, 2012 Edition, with errata, published by the International Code Council including Chapter 1, Section 307, Appendix D, and Appendix E, save and except such portions as are deleted, modified or amended by Section 9-9 of this Chapter, of which Codes one (1) copy has been and is now filed in the office of the City Clerk of the City of Woodland and the same are hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this chapter shall take effect, the provision thereof shall be controlling within the limits of the City.

Sec. 9-2 Establishment and duties of the bureau of fire prevention.

A. The California Fire Code as adopted and amended herein shall be enforced by the Bureau of Fire Prevention of the Fire Department of the City which is hereby established and which shall be operated under the supervision of the Fire Marshal.

B. The Fire Marshal in charge of the Bureau of Fire Prevention shall be appointed by the Chief of the City on the basis of examination to determine his or her qualifications for the position.

C. The Chief of the City shall recommend to the City Manager the employment of technical staff members, who, when such authorization is made, shall be selected on the basis of examination to determine their qualifications for the position.

D. The Fire Marshal, members of the Fire Prevention Division, and personnel assigned as Fire Arson Investigators shall be peace officers and have the powers as such as established in Section 830.37(a) of the California Penal Code. Other members of the Fire Department shall be peace officers and have the powers as such as established in Section 830.37(b) of the California Penal Code.

Sec. 9-3. (Reserved)

Sec. 9-4. Establishment of limits of districts in which the storage of compressed natural gas is to be prohibited.

The limits referred to in Section 2308.3.2 and 5301.1.1 of the California Fire Code as added by the City of Woodland in which the storage of compressed natural gas storage is prohibited, are hereby established as follows: The storage of compressed natural gas is restricted in all zones except highway commercial, service commercial and industrial zones in the city as defined in the zoning ordinance of the city.

Sec 9-5. Establishment of limits of districts in which the storage of stationary tanks of flammable cryogenic fluids are to be prohibited.

The limits referred to in Section 5806.2 of the California Fire Code in which the storage of flammable cryogenic fluids in stationary containers is prohibited is hereby established as follows: Restricted in all zones except that a use permit may be granted by the chief for storage in those zones defined in the zoning ordinance of the city as general commercial, service commercial, highway commercial and industrial zones.

Sec. 9-6. Establishment of limits in which storage of liquefied petroleum gases is to be restricted.

The limits referred to in Section 6104.2 of the California Fire Code, in which storage of liquefied petroleum gas is restricted, are hereby established as follows: The storage of liquefied petroleum gas is restricted to the highway commercial, service commercial and industrial zones in the city as defined in the zoning ordinance of the city. The aggregate capacity of any one installation shall not exceed two thousand gallons water capacity; except that at the discretion of the chief after consideration of special features such as topographical conditions, nature of occupancy and proximity to buildings, capacity of proposed tanks, degree of private fire protection to be provided and facilities of the fire department, a permit may be granted for such use.

Sec. 9-7. Establishment of limits of districts in which storage of explosives and blasting agents to be prohibited.

The limits referred to in Section 5601.2 of the California Fire Code as added by the City of Woodland, in which storage of explosives and blasting agents is prohibited, are hereby established as follows: Prohibited in all zones defined in the zoning ordinance of the city except that a permit may be issued for installations in existence prior to the adoption of the ordinance codified in this chapter.

Sec. 9-8. Establishment of limits of districts in which storage of flammable or combustible liquids in outside aboveground tanks; bulk plants or terminals; and bulk transfer operations is to be prohibited.

A. The limits referred to in Section 5704.2.9.6.1 of the California Fire Code in which storage of Class I and II liquids in outside aboveground tanks is prohibited, are hereby established as follows: Prohibited in all zones defined in the zoning ordinance of the city except that a permit may be issued for installations in existence prior to the adoption of the ordinance codified in this chapter.

B. The limits referred to in Section 5706.4.5.1 of the California Fire Code as added by the City of Woodland in which bulk plants or terminals for flammable or combustible liquids are prohibited, are hereby established as follows: Prohibited in all zones defined in the zoning ordinance of the city except that a permit may be issued for installations in existence prior to the adoption of the ordinance codified in this chapter.

C. The limits referred to in Section 5706.5.1.1.1 of the California Fire Code as added by the City of Woodland in which bulk transfer and process transfer operations of flammable or combustible liquids are prohibited, are hereby established as follows: Prohibited in all zones defined in the zoning ordinance of the city except that a permit may be issued for installations in existence prior to the adoption of the ordinance codified in this chapter.

Sec. 9-9 Amendments.

The California Fire Code, as described above and adopted by reference in Section 9-1, is hereby amended, modified and revised as set forth in this chapter.

Sec. 9-9-1. Section 202 – General Definitions.

Section 202 is amended by adding the following definitions as follows:

Fire Marshal. Shall mean the Chief of the bureau of fire prevention.

Sec. 9-9-2. Section 307.1.1 – Prohibited Open Burning.

Section 307.1.1 is amended to read as follows:

307.1.1 Prohibited open burning. Open burning is prohibited in the City of Woodland. Any burning, open or otherwise that constitutes a nuisance which is injurious to health, or is indecent or offensive to the senses, or is offensive, or objectionable because of smoke emissions or when atmospheric conditions or local circumstance make such fires hazardous shall be prohibited. The fire code official is authorized to order the extinguishment by the owner, occupant, other responsible person or the fire department of any burning that creates or adds to a hazardous or objectionable situation.

Sec. 9-9-3. Section 103.2 – Appointment.

Section 103.2 is deleted in its entirety.

Sec. 9-9-4. (Reserved)

Sec. 9-9-5. (Reserved)

Sec. 9-9-6. Section 503.2.1.1 – Parking of vehicles on fire apparatus access roads.

Section 503.2.1.1 is added to read as follows:

503.2.1.1 Parking of vehicles on fire apparatus access roads. For the parking of vehicles on a fire apparatus access road, roadway widths shall be increased to accommodate the parking of vehicles as follows:

1. Roadways 20 feet (6096 mm) in width, no parking permitted,
2. Roadways 28 feet (8534 mm) in width, parking permitted on one side only. Parking is permitted on the side of the street absent fire hydrants, and
3. Roadways 36 feet (10 973 mm) in width when parking is not restricted.

Sec. 9-9-7. (Reserved)

Sec. 9-9-8. (Reserved)

Sec. 9-9-9. (Reserved)

Sec. 9-9-10. Section 603.8 – Incinerators.

Section 603.8 is amended to read as follows:

603.8 Incinerators. Commercial and industrial incinerators, and chimneys shall be constructed in accordance with the California Building Code and the California Mechanical Code. Free-standing non-commercial incinerators are prohibited in the City of Woodland.

Sec. 9-9-11. Section 901.6.3 – Resale inspection-residential sprinkler systems.

Section 901.6.3 is added to read as follows:

901.6.3 Resale inspection-residential sprinkler systems. All residential occupancies up for resale and equipped with a NFPA 13D sprinkler system or sprinkler system meeting the requirements of the California Residential Code, are required to be inspected by a representative from the Woodland Fire Department and all necessary repairs shall be completed prior to the closing of escrow.

Sec. 9-9-12. Section 903.1 – Automatic Sprinkler Systems – General.

Section 903.1 is amended to read as follows:

903.1 General. Automatic sprinkler systems shall comply with this section and the following:

An automatic sprinkler system shall be installed in the occupancies and locations set forth in this Chapter 9 and in the locations and according to the conditions described below:

- (1) In all Group R, Occupancies.
 - a. Group R, Division 2 multifamily dwelling occupancies not exceeding 2 stories or more that 5000 square feet may have automatic sprinkler systems installed in accordance with NFPA 13 R.
 - b. Group R, Division 3 and 4 occupancies shall have automatic sprinkler systems installed in accordance with California Residential Code Chapter 3 or NFPA 13 D and local amendments.

Group R, Division 3 Occupancies which incur damage to the structure by fire or other natural or manmade causes which result in damage to the structure in excess of fifty percent of the assessed value shall cause the building or structure to have automatic sprinkler systems installed in accordance with NFPA 13 D and local amendments.

- (2) In all other buildings in which the total floor area of all floors is five thousand square feet or more, or any building which are three or more stories regardless of height.

Exceptions:

1. Group U occupancies, not including private garages attached to R-3 Occupancies.
2. In storage and bulk handling facilities for grain, including grain elevators and flat storage buildings, automatic fire sprinklers shall not be required in areas where the grain is stored, provided:
 - a. An automatic fire extinguishing sprinkler system is not otherwise required for code compliance,
 - b. The floor area of the building or structure does not exceed the maximum basic allowable floor area permitted for specific types of construction as specified in Table 503 and including the allowable increases for clear yard spaces as specified in the California Building Code, and

- c. The construction of the building or structure complies with all other code provisions for the properly assigned group occupancy classification and type of construction.

Fire walls shall not be considered to create a separate occupancy for the purpose of automatic fire sprinkler systems required under the provisions of this ordinance. The floor area shall be the total floor area of the building irrespective of area fire walls as set forth in California Building Code Section 706.1.

- (3) Notwithstanding other provisions of this section, the requirement described in this Section 903.1 shall be applied to alterations, repairs, additions and changes of occupancy of existing buildings as follows:

- a. Where there is no change of occupancy, alterations or repairs not increasing fire area, total height, or number of stories of an existing building may be made without making the entire building comply with this section.
- b. Buildings classified as other than Group R, Division 3 or 4. Whenever, after the date of adoption of the ordinance codified in this section, where an addition or the sum of all additions made to an existing building or structure increases the floor area by more than twenty-five percent of the existing building floor area, or increases the number of stories beyond two, shall require an automatic fire extinguishing system installed throughout, including areas not previously protected.

Exception: Buildings not exceeding five thousand square feet after the addition, or where sprinklers are not otherwise required by code.

- c. Group R, Division 3 and 4 occupancies, including attached Group U occupancies. Whenever, after the date of adoption of the ordinance codified in this section, where an addition or the sum of all additions made to an existing building or structure increases the floor area by more than fifty percent of the existing building floor area, or increases the floor area by more than 1000 square feet, or increases the number of stories beyond two, shall require an automatic fire extinguishing system installed throughout, including areas not previously protected.

- d. No change shall be made in the character of the occupancy or use of any existing building or structure unless the entire building or structure is made to comply with this section.

Exceptions:

- 1. The character of the occupancy of existing buildings may be changed subject to the approval of the building official and the approval of the fire chief, and the building may be occupied for purposes in other occupancy groups without conforming to all the requirements of this section or the California Building Code for those groups, provided the new or proposed use is not more hazardous, based on life and fire risk, than the existing use.
 - 2. No change in the character of occupancy of a building shall be made without a certificate of occupancy, as required by California Building Code. The building official may issue a certificate of occupancy pursuant to the intent of the above exception without certifying that the building complies with all provisions of this section and provisions of the California Building Code.
- (4) NFPA 13D Reference in this code to the National Fire Protection Association (NFPA) Standard 13D shall refer to the 2010 Edition of said standard.
- a. Section 7.6 is amended to read as follows:

7.6 A local water flow alarm shall be provided on all sprinkler systems. An approved interior alarm device shall be installed and interconnected with all smoke detectors to be clearly audible in all bedrooms over the background noise levels with all intervening doors closed.
 - b. Section 8.6.3 is amended to read as follows:

8.6.3 Sprinklers shall not be required in clothes closets, linen closets, and pantries that meet all of the following conditions:

 - (1) The area of the space does not exceed 24 ft² (2.2 m²).
 - (2) The least dimension does not exceed 3 ft (0.9 m).
 - (3) The walls and ceilings are surfaced with noncombustible or limited-combustible materials as defined in NFPA 220, Standard on Types of Building Construction.

(4) The area is not a utility closet which contains heat or flame producing appliances or a closet with attic access

(5) In other areas and occupancies as required in Section 903 of the California Building Code.

Sec. 9-9-13. (Reserved)

Sec. 9-9-14. Section 907.6.2.1 – Fire alarm circuits.

Section 907.6.2.1 is added to read as follows

907.6.2.1 Fire alarm circuits. When providing a fire alarm circuit in a multiple occupancy type building (multiple metering), the circuit shall be energized from the main meter panel board.

Sec. 9-9-15. (Reserved)

Sec. 9-9-16. Section 912.3.1.1 – Locking fire department connection caps required.

Section 912.3.1.1 is added to read as follows:

912.3.1.1 Locking fire department connection caps required. Locking fire department connection caps shall be required and installed on all new and existing fire department connections

Sec. 9-9-17. Section 2306.2.3 – Above-ground tanks located outside, above grade.

Section 2306.2.3 is amended to read as follows:

2306.2.3 Above-ground tanks located outside, above grade.

Above-ground tanks shall not be used for automotive fuel dispensing stations open to the public for retail sales. Above-ground tanks shall not be used for the storage of Class I, II or IIIA liquid motor fuels except as provided by this section.

Sec. 9-9-18. Section 2308.3.2 – Established limits and maximum capacity.

Section 2308.3.2 is added to read as follows:

2308.3.2 Established limits and maximum capacity. The storage of compressed natural gases is prohibited within the limits established by law as the limits of districts in which such storage is prohibited.

Sec. 9-9-19. (Reserved)

Sec. 9-9-20. (Reserved)

Sec. 9-9-21. (Reserved)

Sec. 9-9-22. Section 5301.1.1 – Established limits and maximum capacity.

Section 5301.1.1 is added to read as follows:

5301.1.1 Established limits and maximum capacity. The storage of compressed natural gases is prohibited within the limits established by law as the limits of districts in which such storage is prohibited.

Sec. 9-9-23. Section 5601.2 – Prohibited and Limited Acts.

Section 5601.2 is added to read as follows:

5601.2 Prohibited and Limited Acts. Storage of explosive materials is prohibited within the limits established by law as the limits of districts in which such storage is prohibited.

Sec. 9-9-24. Section 5706.4.5.1 – Established limits.

Section 5706.4.5.1 is added to read as follows:

5706.4.5.1 Established limits. Bulk plants or terminals for receiving or storage of flammable or combustible liquids are prohibited within the limits established by law as the limits of districts in which such storage is prohibited.

Sec. 9-9-25. Section 5706.5.1.1.1 – Established limits.

Section 5706.5.1.1.1 is added to read as follows:

5706.5.1.1.1 Established limits. Bulk transfer and process transfer operations for receiving or transferring flammable or combustible liquids are prohibited within the limits established by law as the limits of districts in which such operations is prohibited.

Sec. 9-9-26. Division II – Administration.

Chapter 1, Division II - Administration is hereby amended as follows:

A. Section 101.1 is amended to read as follows:

101.1 Title. These regulations shall be known as the Fire Code of the City of Woodland, hereinafter referred to as “this code.”

B. Section 105.1.1 is amended to read as follows:

105.1.1 Permits and fees. Permits required by this code shall be obtained from the fire code official. Permit fees, if any, shall be paid prior to issuance of the

permits. Issued permits shall be kept on the premises designated therein at all times and shall be readily available for inspection by the fire code official.

Permit fees for each permit shall be as set forth in the “The City of Woodland Comprehensive Fee Schedule”.

C. Section 108.1 is amended to read as follows:

108.1 Board of appeals established. In order to hear and decide appeals of orders, decisions or determinations made by the fire code official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The board of appeals shall be known as the fire code board of appeals and consistent of the membership appointed by the council under the provisions of the Building Code in use in the city. The board of appeals shall be appointed by the governing body and shall hold office at its pleasure. The Fire Chief shall be an ex officio member of said board but shall have no vote on any matter before the board. The board shall adopt rules of procedure as established for the building code board of appeals for conducting its business, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the fire code official.

The fee for appeals shall be as set forth in the “The City of Woodland Comprehensive Fee Schedule”. Where there is no fee established within the Fire Prevention Fee Schedule, the fee shall be consistent with the City of Woodland Building Code and as stipulated in the City of Woodland Comprehensive Fee Schedule.

D. Section 108.4 is added to read as follows:

108.4 Procedures for appeals.

(a) Whenever the fire code official disapproves an application or refuses to grant a permit applied for, or when it is claimed that the provisions of the code do not apply or that the meaning and the intent of the code have been misconstrued or wrongly interpreted, an appeal therefore may be taken to the board of appeal by any person. A written notice of the appeal must be filed in triplicate, along with any applicable fees for appeal application, with the office of the Fire Chief within ten days after the date of the decision or action being appealed, the Fire Chief shall transmit to the board of appeals all his records pertaining to the decision or action being appealed.

(b) The filing of the notice of appeal shall stay all proceedings by all parties in connection with the matter upon which the appeal is taken until determination of the appeal is hereinafter provided. Notwithstanding the foregoing, in the event a violation of this code is so imminently dangerous to life or other property that such condition must be immediately corrected or isolated, the fire code official may require immediate correction or

abatement of the dangerous condition. In such event, the violator may appeal any of the matters set forth in subsection (a) and/or the fire code official's determination pursuant to this subsection (b) at the public hearing.

(c) The board of appeals shall set the matter for public hearing not more than thirty days after the filing of the notice of appeal. The secretary to the board of appeals shall notify the appellant of the time and place for such hearing. At the hearing, the appellant and interested person shall be afforded the opportunity to present written and/or oral testimony. The board of appeals may continue the hearing from time to time.

(d) Notice of the decision of the board of appeals shall be provided by certified mail to the party initiating the appeal.

(e) A decision of the board of appeals may be appealed to the city council by an interested party by filing a written notice of appeal with the city clerk within five days of the date of the mailing of the notice of decision of the board of appeals. Upon receipt of the notice of appeal, the city clerk will place the matter before the city council at its next regularly scheduled meeting. The city council may continue the hearing from time to time.

(f) The city council may reverse, or affirm wholly or partly, or modify any decision of the board of appeals and may make such decisions as the facts warrant. The city council shall have no authority to waive requirements of this code. The decision of the city council is final.

E. Section 109.3 is amended to read as follows:

109.3 Violation penalties.

Persons who shall violate any provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall subject the violator to any or all of the following: suit for civil remedy or criminal penalty, or the administrative penalties provided in Article VII of Chapter 14A of the Woodland Municipal Code.

The criminal penalty for the first offense shall be punishable as an infraction as defined by the California Penal Code, as amended from time to time. The criminal penalty for a second offense or more, shall be punishable as a misdemeanor as defined by the California Penal Code, as amended from time to time. Each day that a violation continues after due notice has been served shall be deemed a separate offense. Nothing in this paragraph shall be construed as precluding the application of the administrative penalties provided in Article VII of Chapter 14A of the Woodland Municipal Code.

Sec. 9-9-27 (Reserved)

Sec. 9-9-28 (Reserved)

5. **Amendment.** Section 9-9-29 of the Woodland Municipal Code is hereby amended to read in full as follows:

Sec. 9-9-29 (Reserved)

6. **Amendment.** Section 9-11 of the Woodland Municipal Code is hereby amended to read in full as follows:

Sec. 9-11. Citation Program - Issuance of Citations.

The fire marshal and designated members of the fire prevention bureau of the Woodland fire department have the discretionary duty to enforce a statute or ordinance made pursuant to Sections 853.5 and 853.6 of the State Penal Code and subject to the provisions hereof.

A person may be arrested without a warrant whenever the fire marshal or designated members of the fire prevention bureau have reasonable cause to believe that the person to be arrested has committed, in their presence, a violation of a statute or ordinance, which he or she has the discretionary duty to enforce. The fire marshal or designated members of the fire prevention bureau may issue a notice to appear and to release such a person on his or her written promise to appear in court pursuant to Sections 853.5 or 853.6 of the State Penal Code, as applicable.

The fire marshal and designated members of the fire prevention bureau will be the designated officers of the Woodland fire department to exercise such arrest and citation authority as to specified violation.

The chief of the Woodland fire department shall establish and cause to be administered a special enforcement training program designed to instruct those members of the fire department who will exercise such arrest and citation authority, regarding the provisions of the statutes and ordinances to be enforced, the evidentiary prerequisites to proper prosecution for violation thereof, the appropriate procedures for making arrests or otherwise prudently exercising such arrest and citation authority and the legal and practical ramifications and limitation attendant thereto.

The fire marshal and fire prevention designated members of the bureau shall be appropriately instructed to deposit executed citations or notices within the appropriate agency for filing with the court after review for legal sufficiency.

7. **Amendment.** Subsection (h) is hereby added to Section 6-1-2 of the Woodland Municipal Code to read as follows:

(h) Chapter 9 of the California Building Code is amended to read as follows:

(1) Section 903.1 is amended to read as follows:

903.1 General. Automatic sprinkler systems shall comply with this section and the following:

An automatic sprinkler system shall be installed in the occupancies and locations set forth in this Chapter 9 and in the locations and according to the conditions described below:

(1) In all Group R, Occupancies.

- a. Group R, Division 2 multifamily dwelling occupancies not exceeding 2 stories or more that 5000 square feet may have automatic sprinkler systems installed in accordance with NFPA 13 R.
- b. Group R, Division 3 and 4 occupancies shall have automatic sprinkler systems installed in accordance with NFPA 13 D and local amendments.

Group R, Division 3 Occupancies which incur damage to the structure by fire or other natural or manmade causes which result in damage to the structure in excess of fifty percent of the assessed value shall cause the building or structure to have automatic sprinkler systems installed in accordance with NFPA 13 D and local amendments.

(2) In all other buildings in which the total floor area of all floors is five thousand square feet or more, or any building which are three or more stories regardless of height.

Exceptions:

1. Group U occupancies, not including private garages attached to R-3 Occupancies.
2. In storage and bulk handling facilities for grain, including grain elevators and flat storage buildings, automatic fire sprinklers shall not be required in areas where the grain is stored, provided:
 - a. An automatic fire extinguishing sprinkler system is not otherwise required for code compliance,
 - b. The floor area of the building or structure does not exceed the maximum basic allowable floor area permitted for specific types of construction as specified in Table 503 and

including the allowable increases for clear yard spaces as specified in the California Building Code, and

- c. The construction of the building or structure complies with all other code provisions for the properly assigned group occupancy classification and type of construction.

Fire walls shall not be considered to create a separate occupancy for the purpose of automatic fire sprinkler systems required under the provisions of this ordinance. The floor area shall be the total floor area of the building respective of area fire walls as set forth in California Building Code Section 706.1.

(3) Notwithstanding other provisions of this section, the requirement described in this Section 903.1 shall be applied to alterations, repairs, additions and changes of occupancy of existing buildings as follows:

- a. Where there is no change of occupancy, alterations or repairs not increasing fire area, total height, or number of stories of an existing building may be made without making the entire building comply with this section.
- b. Buildings classified as other than Group R, Division 3 or 4. Whenever, after the date of adoption of the ordinance codified in this section, where an addition or the sum of all additions made to an existing building or structure increases the floor area by more than twenty-five percent of the existing building floor area, or increases the number of stories beyond two, shall require an automatic fire extinguishing system installed throughout, including areas not previously protected.

Exception: Buildings not exceeding five thousand square feet after the addition or where sprinklers are not otherwise required by code.

- c. Group R, Division 3 and 4 occupancies, including attached Group U occupancies. Whenever, after the date of adoption of the ordinance codified in this section, where an addition or the sum of all additions made to an existing building or structure increases the floor area by more than fifty percent of the existing building floor area, or increases the floor area by more than 1000 square feet, or increases the number of stories beyond two, shall require an automatic fire extinguishing system installed throughout, including areas not previously protected.

- d. No change shall be made in the character of the occupancy or use of any existing building or structure unless the entire building or structure is made to comply with this section.

Exceptions:

1. The character of the occupancy of existing buildings may be changed subject to the approval of the building official and the approval of the fire chief, and the building may be occupied for purposes in other occupancy groups without conforming to all the requirements of this section or the California Building Code for those groups, provided the new or proposed use is not more hazardous, based on life and fire risk, than the existing use.

2. No change in the character of occupancy of a building shall be made without a certificate of occupancy, as required by California Building Code. The building official may issue a certificate of occupancy pursuant to the intent of the above exception without certifying that the building complies with all provisions of this section and provisions of the California Building Code.

(4) NFPA 13D Reference in this code to the National Fire Protection Association (NFPA) Standard 13D shall refer to the 2010 Edition of said standard.

- a. Section 7.6 is amended to read as follows:

7.6 A local water flow alarm shall be provided on all sprinkler systems. An approved interior alarm device shall be installed and interconnected with all smoke detectors to be clearly audible in all bedrooms over the background noise levels with all intervening doors closed.

- b. Section 8.6.3 is amended to read as follows:

8.6.3 Sprinklers shall not be required in clothes closets, linen closets, and pantries that meet all of the following conditions:

(1) The area of the space does not exceed 24 ft² (2.2 m²).

(2) The least dimension does not exceed 3 ft (0.9 m).

(3) The walls and ceilings are surfaced with noncombustible or limited-combustible materials as defined in NFPA 220, *Standard on Types of Building Construction*.

(5) The area is not a utility closet which contains heat or flame producing appliances or a closet with attic access In other areas and occupancies as required in Section 903 of the California Building Code.

(2) Section 907.6.2.1 is added to read as follows

907.6.2.1 Fire alarm circuits. When providing a fire alarm circuit in a multiple occupancy type building (multiple metering), the circuit shall be energized from the main meter panel board.

(3) Section 912.3.1.1 is added to read as follows:

912.3.1.1 Locking fire department connection caps required. Locking fire department connection caps shall be required and installed on all new and existing fire department connections.

8. **Amendment.** Subsection (k) of Section 6-1-9 of the Woodland Municipal Code is hereby amended to read as follows:

(k) In addition to meeting the minimum requirements as set forth in the 2013 California Residential Code as adopted, automatic fire sprinklers shall be required, extended, modified and meet the provisions as set forth in Section 6-1-2 of Article I, Chapter 6, and Chapter 9 of the City of Woodland Municipal Code amending sections of the 2013 California Building Code, 2013 California Fire Code and 2013 NFPA 13D pertaining to residential sprinklers in Group R occupancies.

9. **Amendment.** Subdivision (b)(7) of Section 14A-1-3 of the Woodland Municipal Code is hereby amended by to read as follows:

(7) Any act, omission or condition in violation of Chapters 6, 7, 9, 20, 33, 24, 25 and 34 of this code;

10. **Repeal of Conflicting Ordinances.** All former ordinances or portions of ordinances conflicting or inconsistent with the provisions of this ordinance or of the California Fire Code, including applicable portions of Ordinance No. 1522, and any other ordinance in conflict herewith are hereby repealed to the extent of such conflict.

11. **Superseding Ordinances.** No ordinance adopted after the adoption of this ordinance shall implicitly supersede or repeal any provision of this ordinance unless that ordinance expressly indicates an intention to do so. Specifically, Sections 7 and 8 of this Ordinance shall not be implicitly superseded or repealed by any later adopted ordinance unless that ordinance expressly so provides.

12. **Severability.** If any section, subsection, subdivision, paragraph, sentence, clause or phrase added by this Ordinance, or any part thereof, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this

Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more subsections, subdivisions, paragraphs, sentences, clauses or phrases are declared unconstitutional, invalid or ineffective.

13. Publication. The City Clerk shall certify to the adoption of this ordinance and shall cause a summary thereof to be published in the Daily Democrat, a newspaper of general circulation, printed and published in the city of Woodland and county of Yolo, at least five (5) days prior to the meeting at which the proposed ordinance is to be adopted and shall post a certified copy of the proposed ordinance in the office of the City Clerk, and with fifteen (15) days of its adoption, shall cause a summary of it to be published, including the vote for and against the same, and shall post a certified copy of the adopted ordinance in the office of the City Clerk, in accordance with California Government Code Section 36933.

14. CEQA. The City Council finds that the changes made to the Fire Code and Building Code are enacted to mitigate the threats posed to public peace, health and safety from earthquakes, high winds and fire. Therefore, it can be seen with certainty that adoption of this Ordinance will not have a significant adverse effect on the environment and is therefore exempt from California Environmental Quality Act pursuant to Section 15061(b)(3) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3. Staff is directed to file a notice of exemption within five (5) days of the adoption of this Ordinance.

15. Effective Date. This ordinance shall take effect upon the later of thirty days after its adoption or January 1, 2014.

PASSED AND ADOPTED by the City Council of the City of Woodland this _____th day of _____, 2013, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Marlin H. Davies, Mayor

ATTEST:

Ana Gonzalez, City Clerk

APPROVED AS TO FORM:

Kara K. Ueda, City Attorney

Exhibit A

Findings to Support Amendments to the 2013 Editions of the California Fire Code, California Building Code and California Residential Code

This Exhibit A provides the express findings and determinations (where necessary pursuant to California Health & Safety Code Sections 17958, 17985.7 and/or 18941.5) justifying the City of Woodland's amendments to the 2013 Edition of the California Fire Code, the 2013 Edition of the California Building Code and the 2013 Edition of the California Residential Code (codified in Title 24 of the California Building Standards Code) as reasonably necessary because of local climatic, geologic or topographic conditions.

CITY OF WOODLAND – PROFILE

The City of Woodland, incorporated in 1871, lies near the heart of the Great Central Valley of California. It is situated 18 miles to the West of the State Capitol in Sacramento and 81 miles Northeast of San Francisco. Woodland is the County Seat of Yolo County.

The City of Woodland encompasses an area of approximately 10.5 square miles with a population in excess of 50,614 based upon 2000 figures as provided by the City of Woodland Community Development Department. The City of Woodland Fire Department, through a Contractual Agreement with the Springlake Fire Protection District, also provides fire protection for approximately 55.5 square miles of rural area surrounding the City, devoted principally to winter grain and summer row crop farming.

The City is the largest industrial area in Yolo County and has experienced a steady, well-planned growth. Woodland is also a key area for the many processing and service activities demanded by the extensive agricultural industries in the region.

Woodland is transcended by several major roadways including Interstate 5 and State Route 113. California Northern Railway maintains a major North-South rail link through Woodland while Yolo Shortline Railway also maintains a local spur line in town from Sacramento. Both rails and highways have created barriers within the town which have significantly affected emergency response routes.

Sec 9-9 Amendments to California Fire Code

Amendment Section, pursuant to Ord. No.	Fire Code Section Impacted	Subject of Amendment	Justification (see below key to justifications)
9-9-1	202	Adds definitions	D

9-9-2	307.1.1	Prohibits burning	D
9-9-6	Add 503.2.1.1	Parking of vehicles on fire apparatus access roads	D
9-9-10	603.8	Prohibition of free-standing non-commercial incinerators	D
9-9-11	Add 901.6.3	Resale inspection of residential occupancies with NFPA 13D sprinkler systems	D
9-9-12	903.1	Regulations regarding installation of automatic sprinkler systems	A, B, C
9-9-14	Add 907.6.2.1	Fire alarm circuits	A, B, C
9-9-16	Add 912.3.1.1	Locking fire department connection caps	D
9-9-17	2306.2.3	Use of above-ground tanks	D
9-9-18	Add 2308.3.2	Establish location limits for storage of compressed natural gases	D
9-9-22	Add 5301.1.1	Establish location limits for storage of compressed natural gases	D
9-9-23	Add 5601.2	Establish limits regarding location and quantity of explosive materials stored	D
9-9-24	Add 5706.4.5.1	Establish location limits for receiving and storing of flammable or combustible liquids	D
9-9-25	Add 5706.5.1.1.1	Establish location limits for bulk and process transfer operations of flammable or combustible liquids	D
9-9-26.A. – H.	101.1, 105.1.1,	Administration	D

	108.1, 108.4, 109.3		
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Sec 6-1-2 Amendments to California Building Code

Amendment Section, pursuant to Ord. No. _____	Building Code Section Impacted	Amendment	Justification (see below key to justifications)
6-1-2(h)(1)	903.1	Regulations regarding installation of automatic sprinkler systems	A, B, C
6-1-2(h)(3)	Add 907.6.2.1	Fire alarm circuits	A, B, C
6-1-2(h)(5)	Add 912.3.1.1	Locking fire department connection caps	D

Sec 6-1-9 Amendments to California Residential Code

Amendment Section, pursuant to Ord. No. _____	Residential Code Section Impacted	Amendment	Justification (see below key to justifications)
6-1-9(k)	Chapter R313	Additional minimum requirements	A, B, C

Justifications KEY: Findings to Support Amendments to California Fire Code and California Building Code

A. CLIMATIC CONDITIONS

The climate within the City of Woodland is similar to other areas in California's Central Valley. The normal rainfall for Woodland is 17.28 inches. Winter storms are responsible for the heaviest intensity of precipitation, with 89 percent of total annual precipitation falling between November and April.

Winds play a major role in Woodland's climatological make-up. Winter storms bring occasional strong South winds with speeds up to 45 mph. There are also intermittent

Summer periods of dry North winds when the humidity will drop well below 10 percent, greatly adding to the potential of a fire conflagration hazard where non-rated wood shake and shingle roof construction currently exists.

Summer sunshine is in abundance in Woodland, averaging 95 percent of the possible hours of daylight. The winter months produce 40 percent of possible sunshine affected somewhat by occasional periods of winter fog, which may persist for several days or weeks at a time.

The average annual temperature for Woodland is 61.5 F with higher temperatures in the mid- to upper 90's during the summer months and lows down to the mid- 30's during the winter months.

The record high of 114 F was recorded in June of 1961 while the record low of 19 F was established in December of 1990 in accordance with The Weather Channel.

Due in part to the winter and spring rains, we generally experience an extensive growth of vegetation during the spring which dries out each summer creating hazardous fuel conditions. Because the City is surrounded by farm land, an exposure problem exists during early summer grain harvest season. Many of the grain fields in the farm land surrounding the City are planted up to the City limits (in some instances, residential neighborhoods). The proximity of burning fields to neighborhoods creates a rural interface problem which greatly increases the chance of a major conflagration if the right conditions exist (low humidity, wind, etc.). Thus, the growth of vegetation, coupled with dry land grain farming, equates to an explosive fire potential prior to and during the grain harvest period.

All of Woodland's water comes from 19 wells which are distributed throughout the City and interconnected with a gridded main system. The drought years of 1977 and 1978 resulted in record low water depths which required the lowering of all City pumps from 50 to 75 feet to maintain an adequate water supply. Drought conditions occurring from 1988 through 1990, 1994, and once again in 2006-2007 placed the subsurface water supply in jeopardy. Additionally, scarce water supplies during this period caused normal fire hydrant flushing and water main maintenance to be severely restricted causing potential silting of the existing grid system.

Due to the dependency on subsurface water supplies recharged with winter and spring rains, the system capacity is a concern, especially as the City expands, putting additional demands on the entire distribution system. This fact is paramount in the adoption of amendments to the Fire Code and Building Code related to fire sprinkler systems within the City, in that early detection and extinguishment through automatic sprinklers is unsurpassed in major fire operations, and consequently, the application of tens of thousand of gallons of water to control and extinguish a major conflagration.

B. GEOLOGICAL CONDITIONS

Woodland lies in the heart of the great Central Valley of California, 18 miles west of the State Capitol in Sacramento. This Greater Sacramento Area is one of the fastest growing regions in the State. Woodland comprises an area of 10.5 square miles. Through a contractual Agreement with the Springlake Fire Protection District, an additional 55.5 square miles is now the responsibility of the Woodland Fire Department. Since the Agreement provides for equal fire protection in the District and the City, staffing and resources are severely stressed if concurrent incidents occur.

The City of Woodland is within an active seismic area. The City is thus subject to moderate to strong to severe shaking and surface ruptures resulting from earthquake faults located within or near the City. These local earthquake faults have the potential to cause severe personal and property damage and fire hazards. Moreover, there is also a potential for damage to roadways, water supplies and the impairment of access allowing fire equipment to respond to emergencies in the event of a severe earthquake. Much of Woodland's downtown area is comprised of construction dating back to the late 1800's and early 1900's. Balloon construction, lack of accessibility, and buildings built too close together greatly add to the fire extension problem inherent to this area, especially exacerbated in the event of seismic activity.

The City has also experienced a tremendous growth in the industrial area. Several major distribution centers have been completed, many exceeding 500,000 square feet, the sheer size of these buildings and the different commodities they house can quickly overwhelm the Department's ability to mitigate an incident of fire caused by any seismic activity.

C. TOPOGRAPHICAL CONDITONS

1. Road conditions. Traffic congestion is a growing problem for the City. Its close proximity to the Sacramento and San Francisco Bay Area metropolitan areas is changing Woodland from an agricultural to a bedroom community. The impact of current and planned developments and associated traffic flow will continue to have an effect on response times and delivery of fire service.

The City is transcended by a major California highway running North-South – Interstate 5. In addition, California Northern Railroad has a line running North-South, while Yolo Shortline Railroad has a branch line running East-West. Flammable liquids and hazardous materials are transported through the City limits by the above-mentioned routes.

The roadway system throughout the City is comprised of surface roads with alley ways running parallel to the surface roads, but to the rear of the addresses. The alley ways are narrow, extremely overgrown with vegetation and not provided with protection by fire hydrants. Accessibility and availability of water are of major concern.

The City derives its water from 19 wells located throughout the City. Due to increased demand by new development, water conservation is of great importance.

2. Road conditions due to flooding. Woodland is essentially flat with Cache Creek forming the Northern Boundary of the Springlake Fire Protection District. Cache Creek flooded during the heavy storms of 1995 closing County Road 98, which is a major artery into town. Fortunately for Woodland, a majority of the flood waters diverted into a borrow pit along I-5 sparing the Northwest corner of Woodland from a one to two foot projected flooding level and which would have created significant response problems to this area. However, during major storms or prolonged rains, some of the streets in the City are actually designed and used for flood control purposes, thus making fire and emergency access difficult during flood conditions. As a consequence, many of the streets within the City are impaired during such flood conditions and such flooding causes physical damage to the streets and the accumulation of debris, all of which hinder access to fire equipment for the purpose of responding to fire and other emergencies.

D. Administrative/Procedural/Public Safety Amendments.

1. This amendment is necessary for administrative or procedural clarification and to establish administrative standards for the effective enforcement of the building standards of the City of Woodland and does not modify a building standard pursuant to California Health & Safety Code Section 17958, 17958.7, and/or 18941.5.

2. This amendment does not modify a building standard pursuant to California Health & Safety Code Section 17958, 17958.7, and/or 18941.5 and is reasonably necessary to safeguard life and property within the City of Woodland.

Legislation Details (With Text)

File #: 13-258 Version: 1 Name:
Type: Report of the City Manager Status: Agenda Ready
File created: 9/24/2013 In control: City Council
On agenda: 11/5/2013 Final action:
Title: SUBJECT: Adoption of the California Building, Plumbing, Mechanical, and Electrical Codes

Recommendation for Action: Staff recommends that the City Council waive first reading and read by title only Ordinance No. : an ordinance of the City Council of the City of Woodland adopting by reference the 2013 Edition of the California Building Standards (California Code of Regulations, Title 24), consisting of the 2013 California Building Code, (incorporating and amending the 2012 International Building Code), the 2012 California Electrical Code (incorporating and amending the 2011 National Electrical Code), the 2013 California Mechanical Code (incorporating and amending the 2012 Uniform Mechanical Code), the 2013 California Plumbing Code (incorporating and amending the 2012 Uniform Plumbing Code), the 2013 California Green Building Code, and the 2013 California Residential Code, along with the 1997 Edition of the Uniform Code for the Abatement of Dangerous Buildings, the 1997 Edition of the Uniform Housing Code, and the 1997 Edition of the Uniform Security Code, together with certain additions, insertions, deletions and changes thereto.

Sponsors:

Indexes:

Code sections:

Attachments: [Woodland Ordinance Adopting 2013 Building Codes.pdf](#)
[Most Significant Changes in the 2013 California Building Code Standards.pdf](#)

Date	Ver.	Action By	Action	Result
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TO: THE HONORABLE MAYOR AND CITY COUNCIL

DATE: November 5, 2013

SUBJECT: Adoption of the California Building, Plumbing, Mechanical, and Electrical Codes

Recommendation for Action: Staff recommends that the City Council waive first reading and read by title only Ordinance No. : an ordinance of the City Council of the City of Woodland adopting by reference the 2013 Edition of the California Building Standards (California Code of Regulations, Title 24), consisting of the 2013 California Building Code, (incorporating and amending the 2012 International Building Code), the 2012 California Electrical Code (incorporating and amending the 2011 National Electrical Code), the 2013 California Mechanical Code (incorporating and amending the 2012 Uniform Mechanical Code), the 2013 California Plumbing Code (incorporating and amending the 2012 Uniform Plumbing Code), the 2013 California Green Building Code, and the 2013 California Residential Code, along with the 1997 Edition of the Uniform Code for the Abatement of Dangerous Buildings, the 1997 Edition of the Uniform Housing Code, and the 1997 Edition of the Uniform Security Code, together with certain additions, insertions, deletions and changes thereto.

Staff Contact

Paul Siegel, Chief Building Official - 530 661-5819, paul.siegel@cityofwoodland.org

Fiscal Impact

The Community Development Department will purchase 4 sets of the 2013 California Building Codes at an approximate cost of \$2,500. Also budgeted is \$3,800 for this fiscal year budget for training.

Report in Brief

This adoption of the 2013 California Building Standards Code, along with other Uniform Codes, will comprise the new Building, Plumbing, Mechanical, Electrical, and Green Codes for the City of Woodland. Code adoption is a two-step process: first at this meeting the Council introduces the new codes, approves a public notice, and at a following Council meeting, after all required public notice has been completed, the formal adoption action takes place.

Background

Every three years, the various State and National Building Codes are revised to reflect the latest in building and fire safety standards. In 2013, the State's Building Standards Commission approved for adoption the following codes: 2012 International Building Code, 2011 National Electrical Code, 2012 Uniform Mechanical Code, and the 2012 Uniform Plumbing Code. Other codes being adopted by the City are the Uniform Housing Code, the Uniform Security Code, and the Uniform Code for the Abatement of Dangerous Buildings with amendments.

According to California law, the 2013 California Building Standards Code applies to a building permit application submitted on or after the effective date to all occupancies throughout the state. The revised code will go into effect on January 1, 2014; the full text of all code material is available for public inspection in the Building Officials office.

Discussion

While the City of Woodland and other communities are required by state law to utilize the newest State adopted version of the codes, adoption of the codes (by reference) by local jurisdictions provides greater consistency among jurisdictions. This adoption process also allows for minor modifications (amendments) to the codes to reflect local conditions.

State Building Standards Law does not limit the authority of a City to establish more restrictive building standards than those contained in the code that are reasonably necessary because of local climatic, geological, or topographical conditions. The Council could add amendments, as it sees fit, if the findings for the amendments comply with modifications based on the local climatic, geological, or topographical conditions.

Each separate amendment is composed of two parts: the findings and the text of the amendment. The findings are local justification for needing the amendment. These findings are sent to the Building Standards Commission and kept on file. The findings must be based upon local topography, climate, or geology. Administrative amendments do not require findings. See Exhibit "A" to the Ordinance for findings to support amendments to the Standards.

All current City amendments have been reviewed for applicability with the new codes. With this adoption all

former amendments have been rewritten, deleted, or revised to reflect the most current needs of the City of Woodland. Some of the most substantive amendments are:

Concrete Slabs : Minimum thickness is 4 inches, with a 5 sack mix, and reinforced with re-bar 18 inches on center each way. Soils having a Plasticity Index (PI) of 15 or greater shall be considered expansive requiring floor slabs to be designed for expansive soils.

Concrete Driveways : Minimum thickness is 4 inches, with a 5 sack mix, reinforced with #3 bar 18 inches on center each way, with a 3-inch gravel base.

Asphalt Paving: 3 inches asphalt over 8 inches Class II aggregate base.

Water piping in or under Concrete Slabs: Not permitted unless specific conditions are met.

Every effort is being made to keep the amendments to a minimum; this makes for consistency among jurisdictions and helps streamline the building plan checking process by providing clarity on how to comply with the code requirements. The above four amendments result in a minimal cost to builders and homeowners. They are needed to ensure code language accurately expresses construction components that mitigate the affect that local soil conditions have on construction materials placed on or in the ground and help protect homeowners from future certain related construction related issues that might arise.

The government mandated triennial code adoption can put a tremendous strain on local governments for staff training. Fortunately, the training budget for the Building Division has been maintained and both the Senior Plan Checker and the Senior Building Inspector have both completed a four day training course on the new codes.

Public Contact

The formal adoption action takes place at a following Council meeting after a public hearing is held. Prior to that meeting there will be two public notices: October 29, 2013 and November 12, 2013 . One copy of the 2013 California Building Standards Code, uniform codes, and proposed ordinance will be available for public inspection in the Office of the Building Official. Information on the new codes will be posted on the City's web site. Many classes and seminars are being taught around the State on the new codes and are available to architects, contractors, and the general public. Links to classes and seminars on the new codes will be posted on the city website.

Alternative Courses of Action (optional)

State Building Standards Law does not limit the authority of a City to establish more restrictive building standards than those contained in the code that are reasonably necessary because of local climatic, geological, or topographical conditions. The Council could add amendments, as it sees fit, if the findings for the amendments comply with modifications based on the local topography, climate, or vegetation. Staff recommends adoption of the ordinance as written with no additional City amendments beyond those previously approved.

Conclusion

Staff recommends that the City Council waive first reading and read by title only Ordinance No. : an

ordinance of the City Council of the City of Woodland adopting by reference the 2013 Edition of the California Building Standards (California Code of Regulations, Title 24), consisting of the 2013 California Building Code, (incorporating and amending the 2012 International Building Code), the 2012 California Electrical Code (incorporating and amending the 2011 National Electrical Code), the 2013 California Mechanical Code (incorporating and amending the 2012 Uniform Mechanical Code), the 2013 California Plumbing Code (incorporating and amending the 2012 Uniform Plumbing Code), the 2013 California Green Building Code, and the 2013 California Residential Code, along with the 1997 Edition of the Uniform Code for the Abatement of Dangerous Buildings, the 1997 Edition of the Uniform Housing Code, and the 1997 Edition of the Uniform Security Code, together with certain additions, insertions, deletions and changes thereto.

Prepared by: Paul Siegel, Chief Building Official

Reviewed by: Ken Hiatt, Community Development Director

Paul Navazio, City Manager

Attachments:

1. Most Significant Changes in the 2013 California Building Code Standards.
2. Ordinance adopting the 2013 California Building Standards Code with
Exhibit A, *Findings to Support Amendments to 2013 Edition of the California Building Standards Code*.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WOODLAND AMENDING SECTIONS 6-1, 6-1-1, 6-1-2, 6-1-3, 6-1-4, 6-1-5, 6-1-6, 6-1-7, 6-1-8, 6-1-9 AND 6-1-10 TO ARTICLE I OF CHAPTER 6 OF THE WOODLAND MUNICIPAL CODE, ADOPTING BY REFERENCE THE 2013 EDITION OF THE CALIFORNIA BUILDING STANDARDS CODE (CALIFORNIA CODE OF REGULATIONS, TITLE 24), CONSISTING IN PART OF THE 2013 CALIFORNIA BUILDING CODE, THE 2013 CALIFORNIA RESIDENTIAL CODE, THE 2013 CALIFORNIA ELECTRICAL CODE, THE 2013 CALIFORNIA MECHANICAL CODE, THE 2013 CALIFORNIA PLUMBING CODE AND THE 2013 CALIFORNIA GREEN BUILDING STANDARDS CODE; THE 1997 EDITION OF THE UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS; THE 1997 EDITION OF THE UNIFORM HOUSING CODE; AND THE 1997 EDITION OF THE UNIFORM SECURITY CODE, TOGETHER WITH CERTAIN ADDITIONS, INSERTIONS, DELETIONS AND CHANGES THERETO

WHEREAS, pursuant to California Government Code Section 50022.1 *et seq.* the City of Woodland (“City”) may adopt by reference the California Building Standards Code, 2013 Edition as provided in Title 24 and 25 of the California Code of Regulations and other codes, including, without limitation, the Uniform Code for the Abatement of Dangerous Buildings, the Uniform Housing Code, and the Uniform Security Code; and

WHEREAS, the California Building Standards Commission (“Commission”) recently adopted the 2013 Edition of the California Building Standards Code; and

WHEREAS, California Health and Safety Code Section 17958.7 and 18941.5 authorize cities to adopt the California Building Standards Code with modifications determined to be reasonably necessary because of local climatic, geological or topographical conditions; and

WHEREAS, the City desires to adopt the California Building Standards Code with the necessary amendments to assure the Codes are tailored to the particular safety needs of the City as required by its unique climatic, geological and topographical conditions; and

WHEREAS, the City held a public hearing on October 15, 2013 at which time all interested persons had the opportunity to appear and be heard on the matter of adopting the Codes as amended herein; and

WHEREAS, the City published notice of the aforementioned public hearing pursuant to California Government Code Section 6066 on October 29, 2013 and November 12, 2013; and

WHEREAS, any and all other legal prerequisites relating to the adoption of this Ordinance have occurred.

The City Council of the City of Woodland does hereby ordain as follows:

- 1. Purpose.** The purpose of this Ordinance is to amend Sections 6-1, 6-1-1, 6-1-2, 6-1-3, 6-1-4, 6-1-5, 6-1-6, 6-1-7, 6-1-8, 6-1-9 and 6-1-10 to the City of Woodland Municipal Code,

adopting by reference the 2013 Edition of the California Building Standards Code as provided in Title 24 of the California Code of Regulations (“California Building Standards Code”), including the California Building Code, 2013 Edition (California Code of Regulations, Title 24, Part 2), which incorporates and amends the International Building Code, 2012 Edition, the California Residential Code, 2013 Edition (California Code of Regulations, Title 24, Part 2.5), which incorporates and amends the International Residential Code, 2012 Edition, California Electrical Code, 2013 Edition (California Code of Regulations, Title 24, Part 3), which incorporates and amends the National Electrical Code, 2011 Edition, the California Mechanical Code, 2013 Edition (California Code of Regulations, Title 24, Part 4), which incorporates and amends the Uniform Mechanical Code, 2012 Edition, the California Plumbing Code, 2013 Edition (California Code of Regulations, Title 24, Part 5), which incorporates and amends the Uniform Plumbing Code, 2012 Edition, the California Green Building Standards Code, 2013 Edition (California Code of Regulations, Title 24, Part 11), together with Appendix G not included in the 2013 California Residential Code and Appendix I not included in the 2013 California Plumbing Code, and with certain additions, insertions, deletions and changes thereto; adopting by reference the Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition, the Uniform Housing Code, 1997 Edition, and the Uniform Security Code, 1997 Edition, together with certain additions, insertions, deletions and changes thereto, to regulate the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area, electrical, plumbing, mechanical, and maintenance of all buildings or structures in the City of Woodland; provide for the issuance of permits and collection of fees set forth in the City of Woodland Comprehensive Fee Schedule; and provide for penalties for the violation of the codes adopted herein.

2. Authority. The City Council enacts this Ordinance under the authority granted to the City as follows:

(a) California Government Code Section 50022.1 et seq. authorizes the City to adopt by reference the California Building Standards Code and authorizes the City to adopt other uniform codes by reference;

(b) California Health & Safety Code Section 17958.7 and 18941.5 authorize the City to adopt the California Building Standards Code with modifications determined to be reasonably necessary because of local climatic, geological or topographical conditions

3. Findings. The City Council hereby finds that the proposed amendments to the 2013 California Building Standards Code are more restrictive than the standards adopted by the California Building Standards Commission, and are reasonably necessary because of local climatic, geologic or topographic conditions, based on the express findings and determinations, marked in relation to the respective amendments provided in this ordinance, described in “Exhibit A” attached hereto, and hereby adopted by the City Council as the findings to support the modifications to the California Building Standards Code.

4. Amendment. Article I to Chapter 6 of the City of Woodland Municipal Code is hereby amended in its entirety by amending Sections 6-1, 6-1-1, 6-1-2, 6-1-3, 6-1-4, 6-1-5, 6-1-6, 6-1-7, 6-1-8, 6-1-9 and 6-1-10 to read as follows:

CHAPTER 6

BUILDING CODES

Sections:

Article I. General Provisions

- 6-1 Adoptions of the Codes and Related Appendices**
- 6-1-1 Violation of Codes – Penalties**
- 6-1-2 Amendments to the California Building Code**
- 6-1-3 Amendments to the California Electrical Code**
- 6-1-4 Amendments to the California Mechanical Code**
- 6-1-5 Amendments to the California Plumbing Code**
- 6-1-6 Amendments to the Uniform Code Abatement of Dangerous Buildings**
- 6-1-7 Amendments to the Uniform Housing Code**
- 6-1-8 Amendments to the Uniform Security Code**
- 6-1-9 Amendments to the California Residential Code**
- 6-1-10 Amendments to the California Green Building Standards Code**

Sec. 6-1 Adoption of Codes

- (a) The 2013 Edition of the California Building Code contained in Part 2 of Title 24 of the California Code of Regulations, which incorporates and amends the 2012 Edition of the International Building Code published by the International Code Council, is hereby adopted by reference as the Building Code of the City of Woodland;
 - (1) Chapter 1 of the 2013 Edition of the California Building Code is hereby adopted and included in the Building Code of the City of Woodland.
- (b) The 2013 Edition of the California Residential Code contained in Part 2.5 of Title 24 of the California Code of Regulations, which incorporates and amends the 2012 Edition of the International Residential Code published by the International Code Council, together with Appendix G, not included in the 2012 California Residential Code, is hereby adopted by reference as the Residential Code of the City of Woodland;
 - (1) Chapter 1 of the 2013 Edition of the California Residential Code is hereby adopted and included in the Building Code of the City of Woodland.
- (c) The 2013 Edition of the California Electrical Code contained in Part 3 of Title 24 of the California Code of Regulations, which incorporates and amends the 2011 Edition of the National Electrical Code published by the National Fire Protection Association, is hereby adopted by reference as the Electrical Code of the City of Woodland;
 - (1) Article [Chapter] 89 of the 2013 Edition of the California Electrical Code is hereby adopted and included in the Building Code of the City of Woodland.

- (d) The 2013 Edition of the California Mechanical Code contained in Part 4 of Title 24 of the California Code of Regulations, which incorporates and amends the 2012 Edition of the Uniform Mechanical Code published by the International Association of Plumbing and Mechanical Officials, is hereby adopted by reference as the Mechanical Code of the City of Woodland;

(1) Chapter 1 of the 2013 Edition of the California Mechanical Code is hereby adopted and included in the Building Code of the City of Woodland.
- (e) The 2013 Edition of the California Plumbing Code contained in Part 5 of Title 24 of the California Code of Regulations, which incorporates and amends the 2012 Edition of the Uniform Plumbing Code published by the International Association of Plumbing and Mechanical Officials, together with and Appendix I, not included in the 2013 California Plumbing Code, is hereby adopted as the Plumbing Code of the City of Woodland;

(1) Chapter 1 of the 2013 Edition of the California Plumbing Code is hereby adopted and included in the Building Code of the City of Woodland.
- (f) The 2013 Edition of the California Green Building Standards contained in Part 11 of Title 24 of the California Code of Regulations is hereby adopted as the Green Building Standards Code of the City of Woodland;
- (g) The Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition, published by the International Conference of Building Officials, is hereby adopted by reference as the Dangerous Buildings Code of the City;
- (h) The Uniform Housing Code, 1997 Edition published by the International Conference of Building Officials, as referenced and adopted by the California Department of Housing and Community Development in Title 25 of the California Code of Regulations pursuant to Sections 17958, 17958.5, 17958.7, 17958.9 and 17959 of the California Health and Safety Code is hereby adopted by reference as the Housing Code of the City;
- (i) The Uniform Security Code, 1997 Edition published by the International Conference of Building Officials, is hereby adopted by reference as the Security Building Code of the City;
- (j) The above-identified codes in this Section 6-1 (hereinafter collectively referred to as the "Codes") are adopted for the purpose of prescribing regulations for the erection, construction, modification, repair, maintenance, demolition, use and occupancy of buildings and structures. One copy of each of the Codes shall be maintained for use and examination of the public in the Office of the Building Official.

Sec. 6-1-1 Violation of Codes - Penalties

Violation of any provision of the Codes shall subject the violator to any or all of the following: suit for civil remedy or criminal penalty, or the administrative penalties provided in Article VII of Chapter 14A of the Woodland Municipal Code.

The criminal penalty for the first or second offense shall be punishable as an infraction as defined by the California Penal Code, as amended from time to time. The criminal penalty for a third offense or more, shall be punishable as a misdemeanor as defined by the California Penal Code, as amended from time to time. Nothing in this paragraph shall be construed as precluding the application of the administrative penalties provided in Article VII of Chapter 14A of the Woodland Municipal Code.

Sec. 6-1-2 Amendments to California Building Code

The provisions of this Section 6-1-2 shall constitute local amendments to the cross-referenced provisions of the 2013 Edition of the California Building Code, and shall be deemed to replace the cross-referenced section in said Code with the respective provisions set forth in this Section 6-1-2.

- (a) Section 105.3 is amended by adding Item 8 at the end of the text of that section to read as follows:

“8. The permittee or his authorized agent shall provide a list of the subcontractors whose services are required and will be part of the prime contract. The permittee, who shall be the owner of the improvements for which the permit is to be issued or the general contractor who has assumed the prime contract shall be responsible for the fees for all permits required for the completion of improvements for which the building permit applied for is to be issued. None of the forgoing shall be construed to prevent subcontractors from applying for and receiving permits upon payment of fees in accordance with other applicable ordinances.”

- (b) Section 105.5 is deleted and replaced with the following:

“**105.5 Expiration.** Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days. A permit will be considered abandoned if the department has no record of inspections for a period of 180 days. Every permit issued by the Building Official under the provisions of this code shall expire and become null and void two years from the date of issuance, with the exception of plumbing, electrical, and mechanical repair or alterations, and building maintenance repairs which shall expire and become null and void one year from the date of issuance. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.”

- (c) Section 109.2 is amended by adding at the end of the text of that section, a new paragraph to read as follows:

“Permit fees for each permit shall be as set forth in the “The City of Woodland Comprehensive Fee Schedule,” except for permits issued covering work performed on buildings or structures owned, leased, or operated by any City, County, State, Federal government agency, or any public agency or district.

In addition, Capital Improvement Facilities Fees shall be as set forth below.

(1) Facilities Fees.

(i) Capital improvement facilities fees are hereby established as a condition of the issuance of building permits in the city. In addition to the citywide capital improvement facilities fee (the major projects financing plan fee or “MPFP”), the Spring Lake infrastructure fee (“SLIF”) is hereby established as a condition of the issuance of building permits in the Spring Lake specific plan area. The City Council shall, by separate resolutions, set forth the specific amounts of the MPFP and the SLIF, identify the specific public improvements to be financed thereby, describe the estimated costs of these facilities, describe the reasonable relationship between such facilities and the various types of new developments, and describe the relationship between the need for the public facility and the various types of new developments.

(ii) Facilities fees shall be paid by each applicant concurrent with the issuance of a building permit.

(2) Limited Use of Facilities Fees. The revenues raised by payment of these facilities fees shall be placed in separate and special accounts, and such revenues, along with any interest earnings on each account, shall be used solely to:

(i) Pay for the City’s future construction of each category of facilities described in the resolution enacted pursuant to Section 108.2(1)(i) above, or to reimburse the city for those facilities identified in the resolution which have been constructed by the city with funds advanced from other sources;

(ii) Reimburse developers who have installed such identified facilities which are oversized with supplemental size, length, or capacity; or

(iii) Allow temporary borrowing between categories of facilities fee accounts, consistent with Government Code Section 66006(a).

(3) Supplemental Fees. An applicant may propose a project, the impact upon public facilities of which, in the judgment of the director of public works, is significantly greater than that used to calculate the standard fees. The director of public works may make such a determination on a case-by-case basis and may impose a supplemental fee on such project.

The determination shall be made based upon the application for a development permit, or upon the application for a building permit if no development permit is required, and any additional information requested by the director of public works. The director of public works may require the developer to submit engineering data, calculations, or other project information which is necessary to make a determination pursuant to this paragraph.

(4) Administrative Guidelines. The City Council shall, by resolution, adopt Administrative Guidelines to provide procedures for the calculation, adjustment, reimbursement, credit, deferral, or waiver of the Capital Improvement Facilities Fees. However, in no event shall facilities fees be waived unless an alternative source of funding to replace the fees has been secured.”

(d) Section 114 is amended to read as follows:

“Section 114 Violations

114.1 Unlawful acts. It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, move, remove, demolish or occupy any building, structure or equipment regulated by this code, or cause same to be done, in conflict with or in violation of any of the provisions of this code.

114.2 Notice of violation. The building official is authorized to serve a notice of violation or order on the person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition, or occupancy of a building or structure in violation of the provisions of this code, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

114.3 Prosecution of violation. If the notice of violation is not complied with promptly, the building official is authorized to request the legal counsel of the jurisdiction to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this code or of the order or direction made pursuant thereto.

114.4 Violation penalties. Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this code, shall be subject to penalties as prescribed in Section 6-1-1 of the Woodland Municipal Code.”

(e) Section 406.3.1 is amended by adding, at the end of the text of that section, a new paragraph to read as follows:

“All concrete driveways designed to access Group U occupancies associated with private garages or carports shall be constructed with the following requirements:

- (i) The minimum thickness of concrete driveway slabs supported directly on the ground shall not be less than 4 inches.
- (ii) The minimum concrete mix shall be 5 sacks per cubic yard of concrete.

- (iii) The concrete driveway shall be reinforced with not less than No.3 bar at 18 inches on center in both directions placed at mid height of the slab or an approved alternate.
 - (iv) The concrete driveway shall be underlain by a minimum of 3 inches of gravel base material.”
- (f) Section 1907A.1 is amended by deleting and replacing the first paragraph with a new paragraph to read as follows:

“**1907A.1 General.** The thickness of concrete floor slabs supported directly on the ground shall not be less than 4 inches (101.6 mm). A 10-mil (0.010 inch; 0.25 mm) polyethylene vapor retarder with joints lapped not less than 6 inches (152 mm) shall be placed between the base course or subgrade and the concrete floor slab, or other approved equivalent methods or materials shall be used to retard vapor transmission through the floor slab. The minimum concrete mix shall be 5 sacks per cubic yard of concrete. The floor slab shall be reinforced with a minimum No. 4 bar 18 inches on center in both directions. All soils having a Plasticity Index (PI) of 15 or greater, determined in accordance with ASTM D 4318, shall be considered expansive requiring floor slabs designed complying with CBC 1808.6.2.”
- (g) The following local regulation related to asphalt paving (not involving regulations contained in the California Building Standards Code) is hereby adopted to include the following requirements for asphalt paving:
 - (i) The minimum structural section of on-site asphalt paving shall be 3 inches of asphalt concrete over 8 inches of Class II aggregate base.
 - (ii) The Class II aggregate base shall be compacted to a minimum 95% over subgrade compacted to 92 %.
 - (iii) The shipping areas, or other areas paved in anticipation of regular truck traffic, the minimum structural section shall be based upon the recommendations of the certified soils engineering report according to an appropriate traffic index for the anticipated use.

Sec. 6-1-3 Amendments to California Electrical Code

The provisions of this Section 6-1-3 shall constitute local amendments to the cross-referenced provisions of the 2013 Edition of the California Electrical Code and shall be deemed to replace the cross-referenced section in said Code with the respective provisions set forth in this Section 6-1-3.

- (a) Section 89.108.4.2 is amended by adding, at the end of the text of that section, a new paragraph to read as follows:

“Permit fees for each permit shall be as set forth in the “The City of Woodland Comprehensive Fee Schedule,” except for permits issued covering work performed on

buildings or structures owned, leased, or operated by any City, County, State, Federal government agency, or any public agency or district.”

Sec. 6-1-4 Amendments to California Mechanical Code

The provisions of this Section 6-1-4 shall constitute local amendments to the cross-referenced provisions of the 2013 Edition of the California Mechanical Code and shall be deemed to replace the cross-referenced section in said Code with the respective provisions set forth in this Section 6-1-4.

- (a) Section 114.2 is deleted, and is replaced with the following:

“Permit Fees. Permit fees for each permit shall be as set forth in the “The City of Woodland Comprehensive Fee Schedule,” except for permits issued covering work performed on buildings or structures owned, leased, or operated by any City, County, State, Federal government agency, or any public agency or district.”

Sec. 6-1-5 Amendments to California Plumbing Code

The provisions of this Section 6-1-5 shall constitute local amendments to the cross-referenced provisions of the 2013 Edition of the California Plumbing Code, and shall be deemed to replace the cross-referenced section in said Code with the respective provisions set forth in this Section 6-1-5.

- (a) Section 102.5 is deleted, and is replaced with the following:

“Section 102.5 Penalties.

102.5 Penalties. Any person, firm, or corporation violating any provision of this code shall be subject to penalties as prescribed in Section 6-1-1 of the Woodland Municipal Code.”

- (b) Section 103.4 is amended by deleting the first paragraph in the section, and replacing it with the following:

“Permit fees and Plan Review fees for each permit shall be as set forth in the “The City of Woodland Comprehensive Fee Schedule,” except for permits issued covering work performed on buildings or structures owned, leased, or operated by any City, County, State, Federal government agency, or any public agency or district.”

- (c) Section 609.3 is amended by adding, at the beginning of the text of that section, a new paragraph to read as follows:

“Water piping within a building shall not be installed in or under a concrete slab resting on the ground without prior approval of the Building Official.”

Sec. 6-1-6 Amendments to the Uniform Code for the Abatement of Dangerous Buildings

The provisions of this Section 6-1-6 shall constitute local amendments to the cross-referenced provisions of the 1997 Edition of the Uniform Code for the Abatement of Dangerous Buildings and shall be deemed to replace the cross-referenced section in said Code with the respective provisions set forth in this Section 6-1-6.

- (a) Section 201 is amended, by adding at the end of the text of that section, the following new subsections:

“201.4 Authority to Disconnect Utilities. The Building Official or the Building Official's authorized representative shall have the authority to disconnect a utility service or energy supplied to the building, structure or building equipment therein regulated by this Code, or the City of Woodland's Building Code, Residential Code, Mechanical Code, Plumbing Code, or Electrical Code, in case of emergency where necessary to eliminate an immediate hazard to life or property. The Building Official shall, whenever possible, notify the serving utility, the owner and occupant of the building, structure or building service equipment of the decision to disconnect prior to taking such action, and shall notify such serving utility, owner and occupant of the building, structure or building service equipment, in writing, of such disconnection immediately thereafter.

201.5 Authority to Condemn Building Service Equipment. When the Building Official ascertains that building service equipment regulated in the City of Woodland's Building Code, Residential Code, Mechanical Code, Plumbing Code, or Electrical Code has become hazardous to life, health, or property, or has become unsanitary, the Building Official shall order in writing that such equipment either be removed or restored to a safe or sanitary condition, as appropriate. The written notice itself shall fix a time limit of compliance with such order. Defective building service equipment shall not be maintained after receiving such notice.

When such equipment or installation is to be disconnected, a written notice of such disconnection and causes therefore shall be given within 24 hours to the serving utility, the owner, and occupant of such building, structure, or premises.

When any building service equipment is maintained in violation of the City of Woodland's Building Code, Residential Code, Mechanical Code, Plumbing Code, or Electrical Code, and in violation of a notice issued pursuant to the provisions of this section, the Building Official shall institute appropriate action to prevent, restrain, correct, or abate the violation.

201.6 Connection after Order to Disconnect. Persons shall not make connections from an energy, fuel or power supply nor supply energy or fuel to building service equipment which has been disconnected or ordered to be disconnected by the Building Official or the use of which has been ordered to be discontinued by the Building Official until the Building Official authorizes the reconnection and use of such equipment.”

- (b) Section 302 is hereby deleted and replaced to read as follows:

“Section 302 Dangerous Buildings.

For the purpose of this code, the words set out in this section shall have the following meaning:

- A. “Abandoned building or structure” means any building or structure which has not been actively utilized for a lawful purpose, which has not been maintained, and which has not been rendered inaccessible to members of the public by boarding or similar means, for a continuous period of not less than six months.
- B. A “dangerous building or structure” means that the condition or defect hereinafter described exists to the extent that life, health, property or safety of the public or its occupants are endangered:
 - (1) Whenever any door, aisle, passageway, stairway or other means of exit is not of sufficient width or size, or is not so arranged as to provide safe and adequate means of exit in case of fire or panic;
 - (2) Whenever the walking surface of any aisle, passageway, stairway or other means of exit is so warped, worn, loose, torn or otherwise unsafe as to not provide safe and adequate means of exit in case of a fire or panic;
 - (3) Whenever the stress in any materials, member or portion thereof, due to all dead and live loads, is more than one and one half times the working stress or stresses allowed in the city building code for new buildings of similar structure, purpose or location;
 - (4) Whenever any portion thereof has been damaged by fire, earthquake, wind, flood, or by any other cause, to such an extent that the structural strength or stability thereof is materially less than it was before such catastrophe and is less than the minimum requirements of the city building code for new buildings of similar structure, purpose or location;
 - (5) Whenever any portion or member or appurtenance thereof is likely to fail, or to become detached or dislodged, or to collapse and thereby injure persons or damage property;
 - (6) Whenever any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting a wind pressure of one-half of that specified in the city building code for new buildings of similar structure, purpose or location without exceeding the working stresses permitted in the city building code for such buildings;
 - (7) Whenever any portion thereof has wracked, warped, buckled or settled to such an extent that walls or other structural portions have materially less resistance to winds or earthquakes than is required in the case of similar new construction;
 - (8) Whenever the building or structure, or any portion thereof, because of dilapidation, deterioration, or decay; faulty construction; the removal, movement or instability of any portion to the ground necessary for the purpose of supporting such building; the deterioration, decay or inadequacy of its foundation; or any other cause, is likely to partially or completely collapse;

- (9) Whenever for any reason, the building or structure, or any portion thereof, is manifestly unsafe for the purpose for which it is being used;
- (10) Whenever the exterior walls or other vertical structural members list, lean or buckle to such an extent that a plumb-line passing through the center of gravity does not fall inside the middle of one-third of the base;
- (11) Whenever the building or structure, exclusive of the foundation, shows thirty-three percent or more damage or deterioration of its supporting member or members, fifty percent damage or deterioration of its nonsupporting members, enclosing or outside walls or coverings;
- (12) Whenever the building or structure has been so damaged by fire, wind, earthquake or flood, or has become so dilapidated or deteriorated through lack of maintenance, as to become an attractive nuisance to children; a harbor for vagrants, criminals or immoral persons; or as to enable persons to resort thereto for the purpose of committing unlawful or immoral acts;
- (13) Whenever any building or structure which, whether or not erected in accordance with all applicable laws and ordinances, has in any nonsupporting part, member or portion, less than fifty percent, or in any supporting part, member or portion less than sixty-six percent of the strength, fire-resisting qualities or characteristics, or weather-resisting qualities or characteristics required by law in the case of a newly constructed building of like area, height and occupancy in the same location;
- (14) Whenever a building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, air or sanitation facilities, or otherwise is determined by the code enforcement officer, to be unsanitary, unfit for human habitation or in such condition that is likely to cause sickness or disease;
- (15) Whenever any building or structure, because of obsolescence, dilapidated condition, deterioration, damage, inadequate exits, lack of sufficient fire-resistive construction, faulty electric wiring, faulty gas connections or heating apparatus, faulty construction, or other cause, is determined by the code enforcement officer to be a fire, health, or safety hazard;
- (16) Whenever any portion of a building or structure remains on a site after the demolition or destruction of the building or structure;
- (17) Wherever any building or structure is abandoned.”

Sec. 6-1-7 Amendments to Uniform Housing Code

The provisions of this Section shall constitute local amendments to the cross-referenced provisions of the 1997 Edition of the Uniform Housing Code and shall be deemed to

replace the cross-referenced section in said Code with the respective provisions set forth in this chapter.

Chapter 10 is hereby deleted and replaced to read as follows:

“Section 1001 Definitions

1001.1 General. Any building or portion thereof that is determined to be an unsafe building in accordance with Section 1.1.2 of the California Building Code, or any building or portion thereof, including any dwelling unit, guest room or suite of rooms, or the premises on which the same is located, in which there exists any of the conditions referenced in this section and the definition of “substandard building” as set forth in the state of California, Health and Safety Code 17920.3, as amended, to an extent that endangers the life, limb, health, property, safety or welfare of the public or the occupants thereof, shall be deemed and hereby are declared to be substandard buildings.

1001.2 Inadequate Sanitation shall include, without limitation, the following:

1. Lack of, or improper water closet, lavatory, or bathtub or shower in a dwelling unit.
2. Lack of, or improper water closets, lavatories, and bathtubs ore showers per number of guests in a hotel.
3. Lack of, or improper kitchen sink.
4. Lack of hot and cold running water to plumbing fixtures in a hotel.
5. Lack of hot and cold running water to plumbing fixtures in a dwelling unit.
6. Lack of adequate heating.
7. Lack of, or improper operation of required ventilating equipment.
8. Lack of minimum amounts of natural light and ventilation required by this code.
9. Room and space dimensions less than required by this code.
10. Lack of required electrical lighting.
11. Excessive dampness of habitable rooms.
12. Infestation of insects, vermin or rodents as determined by the health officer.
13. General dilapidation or improper maintenance.
14. Lack of connection to a functional sewage disposal system,
15. Lack of adequate garbage and rubbish storage and removal facilities as determined by the health officer.

16. Lack of an adequate and safe water supply.

1001.3 Structural Hazards shall include, without limitation, the following:

1. Deteriorated or inadequate foundations.
2. Defective or deteriorated flooring or floor supports.
3. Flooring or floor supports of insufficient size to carry imposed loads with safety.
4. Members of walls, partitions, or other vertical supports that split, lean, list, or buckle due to defective material or deterioration.
5. Members of walls, partitions, or other vertical supports that are of insufficient size to carry imposed loads with safety.
6. Members of ceilings, roofs, ceilings and roof supports, or other horizontal members which sag, split, or buckle due to defective material or deterioration.
7. Members of ceilings, roofs, ceiling and roof supports, or other horizontal members that are of insufficient size to carry imposed loads with safety.
8. Fireplaces or chimneys which list, bulge or have settled, due to defective materials or deterioration.
9. Fireplaces or chimneys which are of insufficient size or strength to carry imposed loads with safety.
10. Cesspools and septic tanks which are structurally unsound.

1001.4 Any nuisance. Buildings in which there exists any nuisance as defined in State law or the Woodland Municipal Code.

1001.5 Hazardous Electrical wiring. Electrical wiring that was installed in violation of code requirements in effect at the time of installation or electrical wiring not installed in accordance with generally accepted construction practices in areas where no codes were in effect or that has not been maintained in good condition or that is not being used in a safe manner.

1001.6 Hazardous Plumbing. Plumbing that was installed in violation of code requirements in effect at the time of installation or plumbing not installed in accordance with generally accepted construction practices in areas where no codes were in effect or that has not been maintained in good condition or that is not free of cross-connections or siphonage between fixtures or that is not being used in a safe manner.

1001.7 Hazardous Mechanical Equipment. Mechanical equipment that was installed in violation of code requirements in effect at the time of installation or mechanical equipment not installed in accordance with generally accepted construction practices in areas where no codes were in effect or that has not been maintained in good and safe condition.

1001.8 Faulty Weather Protection shall include, without limitation, the following:

1. Deteriorated, crumbling, or loose plaster.
2. Deteriorated or ineffective waterproofing of exterior walls, roof, foundations, or floors, including broken window or doors.
3. Defective or lack of weather protection for exterior wall coverings, including lack of paint or weathering due to lack of paint or other approved protective covering.
4. Broken, rotted, split, or buckled exterior wall coverings or roof coverings.

1001.9 Fire Hazard. Any building or portion thereof, device, apparatus, equipment, combustible waste, or vegetation that, in the opinion of the chief of the fire department or his deputy, is in such a condition as to cause a fire or explosion or provide a ready fuel to augment the spread and intensity of fire or explosion arising from any cause.

1001.10 Faulty Materials of Construction. All materials of construction, except those which are specifically allowed or approved by this code and the Building Code, and which have been adequately maintained in good and safe condition.

1001.11 Hazardous or unsanitary premises. Those premises on which an accumulation of weeds, vegetation, junk, dead organic matter, debris, garbage, offal, rodent harborages, stagnant water, combustible materials, and similar materials or conditions construe fire, health, or safety hazards.

1001.12 Inadequate Maintenance. Any building or portion thereof that is determined to be an unsafe building due to inadequate maintenance in accordance with the Building Code.

1001.13 Inadequate Exits. All buildings or portions thereof not provided with adequate exit facilities as required by this code, except those buildings or portions thereof whose exit facilities conformed with all applicable laws at the time of their construction and that have been adequately maintained and increased in relation to any increase in occupant load, alteration or addition, or any change in occupancy. When an unsafe condition exists through lack of, or improper location of, exits, additional exits may be required to be installed.

1001.14 Inadequate Fire-protection or Firefighting Equipment. All buildings or portions thereof not provided with the fire-resistive construction or fire-extinguishing systems or equipment required by this code, except those buildings or portions thereof that conformed with all applicable laws at the time of their construction and whose fire-resistive integrity and fire-extinguishing systems or equipment have been adequately maintained and improved in relation to any increase in occupant load, alteration or addition, or any change in occupancy.

1001.15 Improper Occupancy. All buildings or portions thereof occupied for living, sleeping, cooking, or dining purposes that were not designed or intended to be used for those occupancies.

1001.16 Inadequate Structural Resistance. Any building or portion thereof that is determined to be an unsafe building due to inadequate structural resistance to horizontal forces in accordance with the Building Code.”

Sec. 6-1-8 Amendments to Uniform Security Code

The provisions of this Section shall constitute local amendments to the 1997 Edition of the Uniform Security Code.

(a) Section 1020 is hereby added to read as follows:

“Section 1020 Residential Buildings.

C. Street numbers and other identifying data shall be displayed as follows:

- (1) All residential dwellings shall display a lighted street number in a prominent location on the street side of the residence entrance in such a position that the number is easily visible to approaching emergency vehicles. The numerals shall be no less than four inches in height. If the house number is located on the garage wall it shall be on the wall closest to the front entrance.
- (2) There shall be positioned at each entrance of a multiple-family dwelling complex an illuminated diagrammatic representation of the complex which shows the location of the viewer and the unit designations within the complex. In addition, each individual unit within the complex shall display a prominent identification number, not less than four inches in height and illuminated which is easily visible to approaching vehicular and/or pedestrian traffic.
- (3) The above two sections may be modified by the Fire Marshal.

D. Lighting in multiple-family dwellings shall be as follows:

- (1) Aisles, passageways, and recesses related to and within the building complex shall be illuminated with an intensity of at least twenty-five one hundredth foot-candles at the ground level during the hours of darkness. Lighting devices shall be protected by weather and vandalism resistant covers.
- (2) Open parking lots and carports shall be provided with a maintained minimum of one foot-candle of light on the parking surface during the hours of darkness. Lighting devices shall be protected by weather and vandalism resistant covers.”

(b) Section 1021 is hereby added to read as follows:

“Section 1021 Commercial Buildings.

- (a) Windows shall be deemed accessible if less than twelve feet above ground. Accessible windows having a pane exceeding ninety-six square inches in an area

with the smallest dimension exceeding six inches and not visible from a public or private thoroughfare shall be protected in the following manner:

- (1) Fully tempered glass or burglary resistant glazing (Fire Department approval required); or
- (2) The following window barriers may be used but shall be secured with non-removable bolts:
 - (b) Inside or outside iron bars of at least one-half-inch round or one by one-quarter-inch flat steel material spaced not more than five inches apart and securely fastened; or
 - (c) Inside or outside iron or steel grills of at least one-eighth inch material with not more than a two-inch mesh and securely fastened.
 - (1) If a side or rear window is of the type that can be opened, it shall, where applicable, be secured on the inside with either a slide bar, bolt, crossbar, auxiliary locking device, and/or padlock with hardened steel shackle, a minimum four pin tumbler operation.
 - (2) The protective bars or grills shall not interfere with the operation of opening windows if such windows are required to be openable by the Building Code or by the Fire Code for required access openings for firefighting purposes. (Fire Department approval required).
- (d) All exterior transoms exceeding ninety-six square inches on the side and rear of any building or premises used for business purposes shall be protected by one of the following:
 - (1) Fully tempered glass or rated burglary resistant glazing (Fire Department approval may be required); or
 - (2) The following barriers may be used but shall be secured with non-removable bolts:
 - i. Outside iron bars of at least one-half inch round or one by one-quarter-inch flat steel material, spaced no more than five inches apart and securely fastened, or
 - ii. Outside iron or steel grills of at least one-eighth inch with not more than a two-inch mesh and securely fastened;
 - iii. The protective bars or grills shall not interfere with the operation of opening the transoms if such transoms are required to be openable by the Building Code.
- (e) Roof openings shall be equipped as follows:

- (1) All skylights on the roof of any building or premises used for business purposes shall be provided with:
 - i. Rated burglary resistant glazing; or
 - ii. Iron bars of at least one-half-inch round or one by one-fourth-inch flat steel material under the skylight and securely fastened.
 - iii. Steel grill of at least one-eighth-inch material with a maximum two-inch mesh under the skylight and securely fastened.
- (2) All hatchway openings on the roof of any building or premises used for business purposes shall be secured as follows:
 - i. If the hatchway is of wooden material, it shall be covered on the inside with at least sixteen U.S. gauge sheet metal, or its equivalent, attached with screws.
 - ii. The hatchway shall be secured from the inside with a slide bar or slide bolts. (Fire Department approval required.)
 - iii. Outside hinges on all hatchway openings shall be provided with non-removable pins when using pin-type hinges.
- (3) All air duct or air vent openings exceeding ninety-six square inches on the roof or exterior walls of any building or premises used for business purposes shall be secured by covering the same with either of the following:
 - i. Iron bars on at least one-half inch round or one by one-fourth inch flat steel material spaced no more than five inches apart and securely fastened; or
 - ii. Iron or steel grills of at least one-eighth-inch material with a maximum two-inch mesh and securely fastened.
- (4) If the barrier is on the outside, it shall be secured with bolts which are non-removable from the exterior.
- (5) The above (3) and (4) must not interfere with venting requirements creating a potentially hazardous condition to health and safety or conflict with the provisions of the Building Code or Mechanical Code.
- (f) Permanently affixed ladders leading to roofs shall be fully enclosed with sheet metal to a height of eight feet. This covering shall be locked against the ladder with a case hardened hasp, secured with non-removable screws or bolts. Hinges on the cover shall be provided with non-removable pins when using pin-type hinges. If a padlock is used, it shall have a hardened steel shackle, locking at both

heel and toe, and a minimum five pin tumbler operation with non-removable key when in an unlocked position.

- (g) A building located within eight feet of utility poles or similar structures which can be used to gain access to the building's roof, windows, or other openings shall have such access area barricaded or fenced with materials to deter human climbing.
- (h) The following standards shall apply to lighting, address identification and parking areas:
 - (1) The address number of every commercial building shall be internally illuminated during the hours of darkness so that it shall be easily visible from the street. The numerals in these numbers shall be no less than six inches in height. This standard may be modified by the Fire Marshal.
 - (2) All exterior commercial doors, during the hours of darkness, shall be illuminated with a minimum of one foot-candle of light. All exterior bulbs shall be protected by weather and vandalism resistant cover(s).
 - (3) Open parking lots, and access thereto, providing more than ten parking spaces and for use by the general public, shall be provided with a maintained minimum of one foot-candle of light on the parking surface from dusk until the termination of business every operating day.”

Sec. 6-1-9 Amendments to the California Residential Code

The provisions of this Section 6-1-9 shall constitute local amendments to the cross-referenced provisions of the 2013 Edition of the California Residential Code, and shall be deemed to replace the cross-referenced section in said Code with the respective provisions set forth in this Section 6-1-9.

- (a) Section R105.3 is amended by adding Item 8 at the end of the text of that section to read as follows:

“8. The permittee or his authorized agent shall provide a list of the subcontractors whose services are required and will be part of the prime contract. The permittee, who shall be the owner of the improvements for which the permit is to be issued or the general contractor who has assumed the prime contract shall be responsible for the fees for all permits required for the completion of improvements for which the building permit applied for is to be issued. None of the forgoing shall be construed to prevent subcontractors from applying for and receiving permits upon payment of fees in accordance with other applicable ordinances.”

- (b) Section R105.5 is deleted and replaced with the following:

“Section R105.5 Expiration. Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or

if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days. A permit will be considered abandoned if the department has no record of inspections for a period of 180 days. Every permit issued by the Building Official under the provisions of this code shall expire and become null and void two years from the date of issuance, with the exception of plumbing, electrical, and mechanical repair or alterations, and building maintenance repairs which shall expire and become null and void one year from the date of issuance. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.”

- (c) Section R108.2 is amended to read as follows:

“R108.2 Schedule of permit fees. On buildings, structures, electrical, gas, mechanical and plumbing systems or alterations requiring a permit, the fee for each permit shall be as set forth in the “The City of Woodland Comprehensive Fee Schedule,” except for permits issued covering work performed on buildings or structures owned, leased, or operated by any City, County, State, Federal government agency, or any public agency or district.”

- (d) Section R113 is amended to read as follows:

“Section R113 Violations.

R113.1 Unlawful acts. It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, move, remove, demolish or occupy any building, structure or equipment regulated by this code, or cause same to be done, in conflict with or in violation of any of the provisions of this code.

R113.2 Notice of violation. The building official is authorized to serve a notice of violation or order on the person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition or occupancy of a building or structure in violation of the provisions of this code, or in violation of a detail statement or a plan approved thereunder, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

R113.3 Prosecution of violation. If the notice of violation is not complied with in the time prescribed by such notice, the building official is authorized to request the legal counsel of the jurisdiction to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this code or of the order or direction made pursuant thereto.

R113.4 Violation penalties. Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or, repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this code, shall be subject to penalties as prescribed in Section 6-1-1 of the Woodland Municipal Code.”

- (e) Section R403.1.8 is amended by deleting the “Exception” and replacing with:
“**Note:** Refer to Section R506 for alterations, additions, and accessory buildings.”
- (f) Section R506 is amended by adding after the section heading:
“**Note:** This section is limited to alterations, additions, and accessory buildings.”
- (g) Section R506.1 is amended to read as follows:
R506.1 General. Concrete slab-on-ground floors shall be a minimum 4 inches (101.6mm) thick (for expansive soils, see Section R403.1.8). The specified compressive strength of concrete shall be as set forth in Section R402.2.
- (h) Section R506.2.3 is amended to read as follows:
“**R506.2.3 Vapor retarder.** A 10 mil (0.010 inch; 0.25 mm) polyethylene or approved vapor retarder with joints lapped not less than 6 inches (152 mm) shall be placed between the concrete floor slab and the base course or the prepared subgrade where no base course exists.

Exception: The vapor retarder may be omitted:

1. From detached garages, utility buildings and other unheated accessory structures.

2. For unheated storage rooms having an area of less than 70 square feet (6.5 m2) and carports.

3. From driveways, walks, patios and other flatwork not likely to be enclosed and heated at a later date.

4. Where approved by the building official, based on local site conditions.”
- (i) Section R506.2.4 of the California Residential Code is amended to read as follows:
“**R506.2.4 Reinforcement support.** Where provided in slabs on ground, reinforcement shall be supported to remain in place from the center to upper one third of the slab for the duration of the concrete placement. Reinforcement shall be a minimum of #4-bar at 18 inches on center in both directions.”
- (j) Appendix G, Section AG105.2 is amended by deleting the first sentence of Item 1 and replacing it with the following:
“1. The top of the barrier shall be at least 60 inches (1524 mm) above *grade* measured on the side of the barrier which faces away from the swimming pool.

Sec. 6-1-10 Amendments to California Green Building Standards Code

The provisions of this Section 6-1-10 shall constitute local amendments to the cross-referenced provisions of the 2013 Edition of the California Green Building Standards Code, and shall be deemed to replace the cross-referenced section in said Code with the respective provisions set forth in this Section 6-1-10.

(a) None.

5. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase added by this Ordinance, or any part thereof, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more subsections, subdivisions, paragraphs, sentences, clauses or phrases are declared unconstitutional, invalid or ineffective.

6. Publication. The City Clerk shall certify to the adoption of this ordinance and shall cause a summary thereof to be published at least five (5) days prior to the meeting at which the proposed ordinance is to be adopted and shall post a certified copy of the proposed ordinance in the office of the City Clerk, and with fifteen (15) days of its adoption, shall cause a summary of it to be published, including the vote for and against the same, and shall post a certified copy of the adopted ordinance in the office of the City Clerk, in accordance with California Government Code Section 36933.

7. Effective Date. This ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect on January 1, 2011 which is to be no less than thirty (30) days from and after the date of its final passage and adoption.

8. CEQA. The City Council finds that the changes made to the Codes are enacted to mitigate the threats posed to public peace, health and safety from earthquakes, high winds and fire. Therefore, it can be seen with certainty that adoption of this Ordinance will not have a significant adverse effect on the environment and is therefore exempt from California Environmental Quality Act pursuant to Section 15061(b)(3) of the CEQA Guidelines. Staff is directed to file a notice of exemption within five (5) days of the adoption of this Ordinance.

PASSED AND ADOPTED by the City Council of the City of Woodland this ____ day of _____, 2013, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

Exhibit A

Findings to Support Amendments to the 2013 Edition of the California Building Standards Code

This Exhibit A provides the express findings and determinations (where necessary pursuant to California Health & Safety Code Sections 17958, 17958.7 and/or 18941.5) justifying the City of Woodland's amendments to the 2013 Edition of the California Building Code, the 2013 Edition of the California Electrical Code, the 2013 Edition of the California Mechanical Code, the 2013 Edition of the California Plumbing Code and the 2013 Edition of the California Residential Code (codified in Title 24 of the California Building Standards Code) as reasonably necessary because of local climatic, geologic or topographic conditions.

Sec 6-1-2 Amendments to California Building Code

Amendment Section, pursuant to Ord. No. _____	Building Code Section Impacted	Amendment	Justification (see below key to justifications)
Sec. 6-1-2(a)	Section 105.3	Adds text regarding subcontractors and permits	A
Sec. 6-1-2(b)	Section 105.5	Deletes and replaces the text regarding expiration of permits	A
Sec. 6-1-2(c)	Section 109.2	Adds text authorizing permit fees, as established by separate City Council resolutions	A
Sec. 6-1-2(d)	Section 114	Amends text regarding violations and penalties	A
Sec. 6-1-2(e)	Section 406.3.1	Adds text regarding concrete driveways	B
Sec. 6-1-2(f)	Section 1907A.1	Deletes and replaces the first paragraph regarding concrete floor slabs	B
Sec. 6-1-2(g)	N/A	Adds local language related to asphalt paving	B

Sec 6-1-3 Amendments to California Electrical Code

Amendment Section, pursuant to Ord. No. ____	Electrical Code Section Impacted	Amendment	Justification (see below for justifications)
Sec. 6-1-3(a)	Section 89.108.4.2	Adds text regarding how permits fees are set forth in “The City of Woodland Comprehensive Fee Schedule”	A

Sec 6-1-4 Amendments to California Mechanical Code

Amendment Section, pursuant to Ord. No. ____	Mechanical Code Section Impacted	Amendment	Justification (see below for justifications)
Sec. 6-1-4(a)	Section 114.2	Deletes text and adds text regarding how permits fees are set forth in “The City of Woodland Comprehensive Fee Schedule”	A

Sec 6-1-5 Amendments to California Plumbing Code

Amendment Section, pursuant to Ord. No. ____	Plumbing Code Section Impacted	Amendment	Justification (see below for justifications)
Sec. 6-1-5(a)	Section 102.5	Amends text regarding violations and penalties	A
Sec. 6-1-5(b)	Section 103.4	Deletes text and adds text regarding how permits fees are set forth in “The City of Woodland Comprehensive Fee Schedule”	A
Sec. 6-1-5(c)	Section 609.3	Adds text regarding installation of water piping	C

Sec 6-1-9 Amendments to California Residential Code

Amendment Section, pursuant to Ord. No. _____	Plumbing Code Section Impacted	Amendment	Justification (see below for justifications)
Sec. 6-1-9(a)	Section R105.3	Adds text regarding subcontractors and permits	A
Sec. 6-1-9(b)	Section R105.5	Deletes and replaces the text regarding expiration of permits	A
Sec. 6-1-9(c)	Section R108.2	Deletes text and adds text regarding how permits fees are set forth in “The City of Woodland Comprehensive Fee Schedule”	A
Sec. 6-1-9(d)	Section R113	Amends text regarding violations and penalties	A
Sec. 6-1-9(e)	Section R403.1.8	Deletes text and adds text regarding foundations and floor slabs	B
Sec. 6-1-9(f)	Section R506	Adds text regarding a note that this section refers to alterations, additions and accessory buildings	B
Sec. 6-1-9(g)	Section R506.1	Deletes and replaces text regarding concrete floor slabs	B
Sec. 6-1-9(h)	Section R506.2.3	Amends text regarding vapor retarders	B
Sec. 6-1-9(i)	Section R506.2.4	Amends text regarding reinforcement for ground slabs	B
Sec. 6-1-9(j)	Appendix G, Section AG105.2	Amends text regarding barrier around outdoor swimming pool	B

Justifications KEY: Findings to Support Amendments to California Building Code, California Electrical Code, California Mechanical Code, California Plumbing Code and California Residential Code

A – This amendment is necessary for administrative clarification, and does not modify a building standard pursuant to California Health & Safety Code Sections 17958, 17958.7 and/or 18941.5. This amendment establishes administrative standards for the effective enforcement of the building standards in the City of Woodland.

B – This amendment is reasonably necessary because of the following local climatic, geological, or topographical conditions:

- (i) Local soil conditions (clay soils) tend to be highly expansive, thereby subject to shrinking and swelling during seasonal drying and wetting conditions, and can cause damage to the foundation and other parts of a structure;
- (ii) The minimum requirements set forth in the amendment is a more restrictive standard, which will better avoid damage due to the pumping action caused by local expansive soils;
- (iii) The type and thickness of the materials set forth in the amendment are more restrictive and will better prevent damage, which can occur from the local condition of highly expansive soils in the City of Woodland.

C – This amendment is reasonably necessary because of the following local climatic, geological, or topographical conditions:

- (i) City of Woodland is within an active seismic area;
- (ii) Local soil conditions (clay soils) tend to be highly expansive (i.e. shrink—swell behavior);
- (iii) The local climate is characterized by markedly delineated rainy and dry seasons, which tend to maximize the expansive characteristics of the soil;
- (iv) City of Woodland has hard water, which is corrosive to ferrous and non-ferrous metals;
- (v) The ground water table is unusually high in many places;
- (vi) Therefore, restrictions on the installation of water piping in or under a concrete slab floor as set forth in the amendment is a more restrictive standard which will better prevent damage which can result from these local conditions described here in items (i) through (v).

Most Significant Changes in the 2013 California Building Code Standards

2013 CRC R331.4 (& 2013 CFC 605.11): [Solar] Residential buildings with roof-mounted photovoltaic (PV) solar panels are now required to provide minimum access and pathways on pitched roofs with slopes greater than 2-in-12 (intended primarily to support rooftop fire fighting activities). PV solar panels will be required to be mounted to generally provide a minimum 36" wide pathway at the perimeter of the roof and at ridges and valleys that are structurally capable of supporting a fire-fighter and his equipment. Because the construction and condition of many eaves will not provide the required structural support for rooftop fire fighting activities, the 36" pathway at such areas will need to be located inboard of such structurally inadequate construction. The result is that a given roof will not accommodate as many panels as under the 2010 codes—however given improvements in PV-system efficiency; the new requirements are not likely to pose a major problem for typical installations on homes with good South facing roof areas.

2013 CALGreen Code: [Residential Plumbing] Changes include the extension of the mandatory provisions in Chapter 4 to existing residential buildings where the construction project increases the building's conditions area, volume, or size, but limited to only the area of alteration—Except as referenced by note to the California Civil Code Section 1101.1 (also proposed to be repeated in the 2013 CPC), which requires residential buildings constructed before January 1, 1994 to have any non-compliant plumbing fixtures replaced with energy-conserving plumbing fixtures under certain circumstances (this Civil Code language, is currently being reviewed by California Housing & Development Department (HCD) and the California Building Standards Commission (CBSC) and additional clarification and direction is expected to be forthcoming prior to the January 1, 2014 effective date. Other scoping thresholds for both residential and non-residential buildings have also been lowered to regulate a larger number of buildings than in the 2010 CALGreen.

2013 California Energy Standards & Code: [Energy Code] The most important change is that many more retrofit projects will be required to meet the new-construction standards for lighting than under the 2008/2010 energy code. Spaces in which less than 10 percent of the lighting is being changed out, or buildings in which fewer than 40 ballasts are being replaced are exempt, but otherwise all new lighting must meet not only the lighting power density (LPD) requirements, but also most of the controls requirements (including dimming)

One of the biggest changes to the lighting code for commercial buildings has to do with demand response (DR) capability. Under the current, 2008/2010 code, DR capability is only required of retail buildings with sales floor areas over 50,000 square feet in size. When utilities issue a DR signal to these buildings, they must be capable of automatically reducing their lighting energy use to a level at least 15 percent below the building's maximum lighting power.

The new code applies this DR requirement much more broadly, to all commercial buildings at least 10,000 square feet in size.

Daylighting control requirements have also been vastly expanded. Under the current non-residential building code, photosensor controls are only required in daylit spaces over 2500 square feet. The new code will require photocontrols in all interior daylit spaces with at least 120W of installed lighting power. This change in criteria, from sizeable areas to modest lighting power use, significantly expands the number of spaces required to use photocontrols, affecting virtually every office or commercial space with skylights or windows.

2013 CEC 404.2(C): [Commercial Electric] A new rule will require that switches controlling lighting must have a neutral provided at the switch location (with an exception for conductors in conduit sized large enough to accommodate a neutral conductor to be installed at a later date). Many lighting control devices (such as occupancy sensors and dimmers) require that the switch be provided with standby voltage and current at the switch in order to operate. Many electricians don't currently include a neutral conductor at switch locations, which can result in unacceptable current on the equipment grounding conductor in buildings with many such switches. This change effectively eliminates using dead-end 3-way switches and two-conductor switch loops in most situations.

2013 CBC Chapter 11B: [Accessibility] This Chapter has been completely rewritten and reformatted by the California Division of the State Architect (DSA). The intent was to use the new Federal ADA Standards for Accessible Design as the model code and then amend it to add the additional restrictive California-specific requirements and in some cases coordinate with the US Department of Justice to clarify the intent of the ADA. While there are several new requirements, the code is much easier to reconcile with the current ADA standards, which is especially helpful to Architects and other designers who do most of their work outside California.

2013 CBC 1013.1 & 1013.8: [Residential] Windows in R-2 Occupancy Buildings (triplexes and apartment buildings) with sills more than 72" above the outside grade (i.e. typically windows on the 2nd floor and above) must have sills at 36" Above Finished Floor (AFF) or greater OR be provided with guards or ASTM F 2090 fall-protection device (i.e., a guard rail with no opening permitting a 4" diameter sphere to pass through). The previous height was 24" AFF or "window opening control device complying with ASTM F 2090 (1013.8.1). Designers frequently design bedrooms with 5030 single hung windows. This conforms to the emergency escape and rescue opening requirements for a bedroom. The design usually has the head of the window as high as possible (typically a 6X8 header set under a double top plate or 10-1/4" below the ceiling framing). With an 8' plate height, the sill would be at 2'-1-3/4" which will no longer comply for required escape and rescue windows on the 2nd floor and above. FYI: The 2013 CRC (R-3 Single Family Dwellings & Duplexes) still only requires minimum sill height at 24" AFF for such windows per CRC R312.2.1 although the requirement has been relocated to Chapter 3 from Chapter 6.

Legislation Details (With Text)

File #: 13-311 Version: 1 Name:
Type: Report of the City Manager Status: Agenda Ready
File created: 10/28/2013 In control: City Council
On agenda: 11/5/2013 Final action:
Title: SUBJECT: Approval of Professional Services Contract - Youth Gang Reduction, Intervention and Prevention (YGRIP) Coordinator

Recommendation for Action: Staff recommends that the City Council authorize the City Manager to execute a professional services contract with Ben Flores to serve as Coordinator of the Youth Gang Reduction, Intervention and Prevention (YGRIP) Initiative

Sponsors:

Indexes:

Code sections:

Attachments: [YGRIP Coordinator Contract.pdf](#)

Date	Ver.	Action By	Action	Result
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TO: THE HONORABLE MAYOR AND CITY COUNCIL

DATE: November 5, 2013

SUBJECT: Approval of Professional Services Contract - Youth Gang Reduction, Intervention and Prevention (YGRIP) Coordinator

Recommendation for Action: Staff recommends that the City Council authorize the City Manager to execute a professional services contract with Ben Flores to serve as Coordinator of the Youth Gang Reduction, Intervention and Prevention (YGRIP) Initiative

Staff Contact

Sheila McShane, Human Resources Manager, 530 667 5807, sheila.mcshane@cityofwoodland.org

Fiscal Impact

The proposed contract is for a term of 19 month (December 2013 through June 2015) with a monthly stipend of \$5,000 per month. This amounts to a cost of \$35,000 through the remainder of this fiscal year, and \$60,000 for fiscal year 2014-15. Funding is provided in the current budget sufficient to cover the contract cost as well as ancillary program expenditures. The City budget allocates \$50,000 per year for the YGRIP initiative, which will be supplemented by a funding commitment from the Woodland Joint Unified School District. Among the initial deliverables for the coordinator function is the identification and securing of additional funding sources to continue and/or expand the program beyond the term of the proposed contract.

Discussion

Under direction of the Woodland YGRIP Advisory Committee and reporting to the City Manager of the City of Woodland, the YGRIP Coordinator will coordinate and chair all committees and workgroups associated with Woodland's youth violence and gang initiative. For the purposes of developing systematic interventions and strategies to positively impact problems associated with youth gang participation, the YGRIP coordinator will build and manage a collaborative comprised of representatives from city governments, county agencies, local law enforcement, local business, education, health, social service groups, and community and faith-based organizations.

Responsibilities include developing, implementing, and coordinating interagency prevention, intervention, and suppression programs to provide assistance for youth that are gang involved or at-risk of gang involvement. Additionally the YGRIP Coordinator will evaluate goals, policies, and procedures; and monitor the effectiveness of gang mitigation programs; identify and apply evidence-based practices; assess community gang problems and community risk and protective factors; and identify resources to aid in and facilitate intervention and rehabilitation of individuals that are gang involved or at risk of gang involvement.

Conclusion

Staff recommends that the City Council approve; the contract for INSERT NAME to provide services as a Youth Gang Reduction, Intervention and Prevention (YGRIP) Coordinator

Prepared by: Sheila McShane, Human Resources Manager

Paul Navazio, City Manager

Attachment

CONTRACT AGREEMENT

CITY OF WOODLAND

300 First Street.

Woodland, CA 95776

(530) 661-2000

THIS LICENSE AND CONTRACT AGREEMENT ("Agreement") is made and entered into on _____, 2013, by and between the City of Woodland ("City"), through the City Manager's Office, and Ben Flores, an individual contractor ("Contractor"). City and Contractor are sometimes hereafter referred to individually as "Party" and collectively as "Parties."

WHEREAS, City desires contract with the contractor for services related to implementation and coordination of an evidenced-based framework for addressing youth gang-related activities. The contractor will be directly responsible for implementing and coordinating interagency prevention, intervention and suppression programs to provide assistance and support to youth that are actively, or at-risk of – involvement with gangs. The Contractor will act in the role as Youth Gang Reduction and Invention Prevention (YGRIP) Coordinator will evaluate goals and policies, as well as monitor effectiveness of gang mitigation programs throughout the community. The Contractor will identify and secure resources needed to sustain and expand successful program implementation. and

WHEREAS, Contractor has represented to City that it possesses the necessary, special, and technical qualifications required to act as a YGRIP Coordinate and

WHEREAS, City desires to have Contractor provide guidance and advice regarding best practices for early interventions and mitigation of gangs; and

WHEREAS, for the consideration set forth herein, City shall permit Contractor to use City workspace to this Agreement and shall grant Contractor access to City email, computer and City facilities. .

NOW THEREFORE, for and in consideration of the mutual promises and covenants hereinafter contained, the Parties agree as follows:

1. Incorporation of Recitals. The recitals set forth above, and all defined terms set forth in such recitals and in the introductory paragraph preceding the recitals, are hereby incorporated into this Agreement as if set forth in full.

2. Use of Premises.

a. General Use and Maintenance. Contractor shall use the Premises conducting meetings, and other work related activities.

b. Compliance With Laws. Contractor shall operate the Premises in compliance with all applicable laws and regulations.

c. Completion of Term. Upon expiration or earlier termination of this Agreement, Contractor shall remove all personal property from the Premises .

3. Term. The term of this Agreement shall commence on December 1, 2013 (“Effective Date”) and shall continue for a term of nineteen (19) months, through June 30, 2015. (“Term”). The parties may, by mutual agreement, amend this Agreement to extend the Term for an additional one (1) year. Notwithstanding the Term of this Agreement, it is agreed by the Parties that the Term is only a matter of convenience for both Parties and that the City makes no guarantees to the Contractor that any number of Classes will be available for the Contractor to teach, nor that Classes will be available for the Contractor during the entire Term of this Agreement.

4. Termination. This Agreement may be terminated by (a) either Party upon completion of the services contemplated under this Agreement; (b) by City upon Contractor’s failure to satisfy the terms of this Agreement; or (c) by Contractor upon City’s failure to satisfy its obligations under this Agreement. In addition, if City determines that Contractor’s provision of services, programs, and/or staff endangers the public health, safety, and/or welfare of Registered Participants, City reserves the right to terminate this Agreement immediately. Termination of this Agreement by Contractor for any other reason not stated herein or upon the expiration of the term of this Agreement as set forth in Section 4 of this Agreement, shall be a breach of contract.

Notwithstanding Section 9 of this Agreement, the early termination of this Agreement by City shall entitle Contractor to compensation for those services that have been rendered to City in accordance with the terms of this Agreement up through the effective date of termination. Contractor, in executing this Agreement shall be deemed to have waived any and all claims for damages that may otherwise arise from City’s termination of this Agreement. In the event of such early termination, City may procure from another contractor, upon such terms and in such manner as it may determine appropriate, services similar to those terminated.

5. Contractor’s Rights and Obligations. Contractor shall have the following rights, and agrees to the following obligations:

a. Background Check. City and Contractor anticipate that Contractor is required to pass a non-sworn law enforcement background in order to access certain records.

b. Taxes. Contractor shall be solely responsible to declare for income tax purposes fees for services provided under this Agreement and is solely responsible for all tax liability.

c. Supplies. Contractor and City agree to collaborate on provision of supplies, and other necessary materials and supplies to carry out the terms of this Agreement.

d. Coordination of Services. Contractor agrees to work closely with City staff in the performance of services pursuant to this Agreement and shall be available to City staff at all reasonable times.

e. Standard of Care. Contractor shall perform all services under this Agreement in a skillful and competent manner, consistent with the standards generally recognized as being employed by professionals in the same discipline in the State of California. Contractor represents and maintains that it is skilled in the professional calling necessary to perform the services under this Agreement and that all employees and subconsultants shall have sufficient skill and experience to perform services under this Agreement. Contractor represents that it, its employees, and subconsultants have all licenses, permits, qualifications, and approvals of whatever nature that are legally required to perform services under this Agreement and that such licenses and approvals shall be maintained throughout the term of this Agreement.

f. Compliance with Laws. Contractor shall keep itself fully informed of, and in compliance with, all local, state, and federal laws, rules, and regulations affecting the performance of services under this Agreement and the hiring of employees or subcontractors.

6. Fees.

a. Compensation. Consultant shall receive compensation, including authorized reimbursements, for all Services rendered under this Agreement at the rates set forth in Exhibit A” attached hereto and incorporated herein by reference. The total compensation shall not exceed \$60,000 on an annual basis without written approval of the City Manager. Contractor shall not be reimbursed for any expenses unless authorized in writing by City. Extra Work may be authorized, as described below, and if authorized, will be compensated at the rates and manner set forth in this Agreement.

b. Payment of Compensation. Consultant shall submit to City a monthly itemized statement which indicates work completed and hours of Services rendered by Consultant. The statement shall describe the amount of Services and supplies provided since

the initial commencement date, or since the start of the subsequent billing periods, as appropriate, through the date of the statement. City shall, within forty-five (45) days of receiving such statement, review the statement and pay all approved charges thereon.

c. The Parties may, from time to time, request changes in the scope of the Services of Consultant to be performed hereunder. Such changes, including any increase or decrease in the amount of Consultant's compensation and/or changes in the schedule must be authorized in advance by City in writing. Mutually agreed changes shall be incorporated in written amendments to the Agreement.

d. Timing of Payment. Contractor's Fees shall be paid to Contractor by City in monthly payments, which shall be made within thirty (30) days of the completion of each class or tournament for which such participant fees were received by the City.

7. Insurance. Contractor shall, at its sole cost and expense, obtain and keep in force during the term hereof a separate policy or policies of public liability insurance that shall name Contractor and its employees as the insured, and such policy shall also name City, its officers, agents, and employees as additional insureds against any and all liability arising out of any act or omission of Contractor, its respective agents, members, employees, invitees, or contractors in the performance of this Agreement, or Contractor's use of the Premises. Coverage for both bodily injury and property damage liability must be on an occurrence basis, and each policy shall provide that the insurance afforded thereby shall be primary insurance to the full limits of liability stated in the certificates, and if the named insured has other insurance against a loss covered by said policy, that other insurance shall be excess insurance only.

Contractor shall not commence services under this Agreement until it has provided evidence satisfactory to the City that it has secured all insurance required under this section. Failure to provide and maintain all required insurance shall be grounds for the City to terminate this Agreement for cause.

Contractor shall maintain commercial general liability insurance that affords coverage at least as broad as Insurance Services Office "occurrence" form CG 0001, with minimum limits of at least ONE MILLION DOLLARS (\$1,000,000.00) per occurrence. The policy shall contain no endorsements or provisions limiting coverage for (1) products and completed operations; (2) contractual liability; (3) third party action over claims; or (4) cross-liability exclusion for claims or suits by one insured against another.

Contractor shall also maintain automobile liability insurance with coverage at least as broad as Insurance Services Office Form CA 0001 covering "Any Auto" (Symbol 1) with minimum limits of ONE MILLION DOLLARS (\$1,000,000) each accident.

Contractor shall comply with all State of California laws pertaining to workers' compensation.

Upon execution of this Agreement, Contractor shall deliver to the City current certificates evidencing the existence and amounts of this insurance, with the additional insureds required under this Section 9. Each policy shall contain an endorsement providing that it cannot be cancelled or subject to nonrenewal or reduction in coverage except after thirty (30) days prior written notice from the insurance company to the City.

8. Indemnity. To the fullest extent permitted by law, Contractor shall defend, indemnify, and hold the City, its officials, officers, employees, volunteers, and agents free and harmless from any and all claims, demands, causes of action, costs, expenses, liability, loss, damage, or injury, in law or equity, to property or persons, including wrongful death, in any manner arising out of or incident to any alleged acts, omissions, negligence, or willful misconduct of Contractor, its officials, officers, employees, agents, subcontractors, sub-consultants, or agents arising out of or in connection with the performance of Contractor's services provided pursuant to this Agreement, including without limitation the payment of all consequential damages, expert witness fees, and attorneys' fees and other related costs and expenses, except as may be caused by City's negligence. Contractor shall reimburse City and its directors, officials, officers, employees, agents, and/or volunteers, for any and all legal expenses and costs incurred by each of them in connection therewith or in enforcing the indemnity herein provided. Contractor's obligation to indemnify shall not be restricted to insurance proceeds, if any, received by the City, its directors, officials, officers, employees, agents or volunteers.

9. General Provisions.

a. Independent Contractor. Both parties understand and agree that Contractor is an independent contractor and not an employee, agent, or representative of City. Nothing in this Agreement shall be interpreted or construed as creating or establishing a relationship of employer/employee between City and Contractor or between City and any employee or agent of Contractor. Contractor will determine the means, methods, and details of performing the services specified in this Agreement subject to the requirements of this Agreement. Both Parties acknowledge that Contractor is not an employee for State or federal tax purposes. Contractor shall pay all wages, salaries, and amounts due to its personnel in connection with this Agreement as required by law. City understands and acknowledges that Contractor retains the right to perform services for others during the Term of this Agreement. However, Contractor may only use City facilities for its Classes, clinics, and tournaments pursuant to this Agreement.

b. No Authority to Act on Behalf of City. Contractor shall have no authority, express or implied, to act on behalf of City in any capacity whatsoever as an agent, except as City may specifically provide in writing. Contractor shall have no authority, express or implied, to bind City to any obligation whatsoever.

c. Non-Availability of City Employee Benefits. Contractor's sole compensation for the services provided under this Agreement shall be the payments set forth in Section 7 of this Agreement, and neither Contractor nor any personnel of Contractor shall be

entitled to any other benefits afforded to City employees, including, but not limited to, health insurance, retirement benefits, sick leave pay, holiday leave pay, or vacation leave pay.

d. Assignability. Contractor, with City's prior written consent, which shall not be unreasonably withheld, may assign its rights and obligations under this Agreement.

e. Force Majeure. Except as otherwise provided in this Agreement, if the performance of any act required by this Agreement to be performed by either City or Contractor is prevented or delayed by reason of act of God, strike, lockout, labor trouble, inability to secure materials, restrictive governmental laws or regulations or any other cause (except financial inability) not the fault of the party required to perform the act, the time for performance of the act will be extended for a period equivalent to the period of delay and performance of the act during the period of delay will be excused.

f. No Waiver. No waiver of any of the provisions of this Agreement shall be deemed, or shall constitute, a waiver of any other provision, whether or not similar, nor shall any waiver constitute a continuing waiver. No waiver shall be binding unless executed in writing by the party making the waiver.

g. Captions. The captions of this Agreement are for convenience only and are not a part of this Agreement and do not in any way limit or amplify the terms and provisions of this Agreement.

h. Notice. Except as otherwise expressly provided by law, any and all notices or other communications required or permitted by this Agreement shall be sent to the parties at the following addresses:

CITY: CITY OF WOODLAND
Attn: Paul Navazio
300 First Street
Woodland, CA 95776
Phone: (530) 661-5800

CONTRACTOR: Ben Flores
8 Clemson Court
Woodland, CA 95695

Either party may, by notice to the other given in accordance with this Section 9.k, specify a different address for notice purposes.

i. Attorneys' Fees. Should any action be brought arising out of this Agreement including, without limitation, any action for declaratory or injunctive relief, the prevailing party shall be entitled to reasonable attorneys' fees and costs and expenses of investigation incurred, including those incurred in appellate proceedings or in any action or participation in, or in connection with, any case or proceeding under Chapter 7, 11, or 13 of the Bankruptcy Code or any successor statutes, and any judgment or decree rendered in any such actions or proceedings shall include an award thereof.

j. Venue. This Agreement shall be governed by the laws of the State of California.

k. Amendment. This Agreement may be modified or amended only by a written document executed by both Contractor and City.

l. Entire Agreement. This is an integrated Agreement containing all of the considerations, understandings, promises and covenants exchanged between the Parties.

IN WITNESS WHEREOF, the parties hereto have executed the Agreement on the date first hereinabove written.

Contractor

Date

City of Woodland

Date

EXHIBIT A
Scope of Services

1. Establish regular meetings of key YGRIP committee members and review, revise and or update current YGRIP Logic Model. Develop agendas, keep accurate and current minutes, and develop a method of decision making that is agreeable to all committee members. The YGRIP Coordinator will organize and facilitate all meetings.
2. Establish a list of priorities to be the focal points for the short-, medium, and long-term objectives through the 2013-14 and 2014-15 fiscal years.
3. Review available data provided by the districts, law enforcement or other agencies in order to develop a comprehensive gang/needs assessment for strategic planning purposes. Meet individually with district, law enforcement, and other relevant community agencies to gather insight on concerns, needs and work in progress.
4. Develop evidence based recommendations and policies for youth gang reduction, intervention and prevention.
5. Revise the current YGRIP Logic Model to include specific activities to be completed, agencies/personnel responsible for completing the action, setting timelines for completion and measures of success.
6. Develop one or more YGRIP resource guides students and parents that describe in detail the community resources available to address youth violence and gang activity especially in the areas of prevention and intervention. These resources will include but not be limited to recreation activities, counseling, mentoring and other valuable information.
7. Establish and maintain a web/internet presence for the City of Woodland YGRIP Initiative. The webpage will include revised YGRIP Plan of Action which will contain the mission, vision, goals and objectives, meeting dates and times, agenda, minutes and available resources for parents and their children.
8. Organize and develop ongoing and regular presentations regarding the work and progress on the YGRIP Initiative for the Woodland City Council, Board of Trustees of the Woodland Joint Unified School District, the District of English Language Advisory Committees (DELAC), Faith Based organizations and other organizations that may be recommended by the YGRIP committee.
9. Seek out and secure grant funding to support the efforts of the YGRIP Plan of Action.

Legislation Details (With Text)

File #: 13-309 Version: 1 Name:

Type: Report of the City Manager Status: Agenda Ready

File created: 10/25/2013 In control: City Council

On agenda: 11/5/2013 Final action:

Title: SUBJECT: Adopt Ordinance to Amend CalPERS Employee Cost Sharing of 4.887% for Classic Local Police Members

Recommendation for Action: Staff recommends that the City Council waive first reading and adopt by title only an Ordinance to amend CalPERS Employee Cost Sharing of 4.887% for classic police members.

Sponsors:

Indexes:

Code sections:

Attachments: [Ordinance to amend PERSO contract 2013.pdf](#)
[4.887 amendment to police safety agreement.pdf](#)

Date	Ver.	Action By	Action	Result
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TO: THE HONORABLE MAYOR AND CITY COUNCIL

DATE: November 5, 2013

SUBJECT: Adopt Ordinance to Amend CalPERS Employee Cost Sharing of 4.887% for Classic Local Police Members

Recommendation for Action: Staff recommends that the City Council waive first reading and adopt by title only an Ordinance to amend CalPERS Employee Cost Sharing of 4.887% for classic police members.

Staff Contact

Sheila McShane, Human Resources Manager, 530-661-5807, Sheila.mcshane@cityofwoodland.org

Recommendation for Action

Staff recommends that the City Council adopt an ordinance to amend CalPERS Employee Cost Sharing of 4.887% for classic police members.

Fiscal Impact

Currently all classic police members PERS Cost Share is at 4.887% consequently, there is no fiscal impact.

Discussion

On October 15, 2013, the City Council approved a Resolution of Intention to approve an amendment to the California Public Employees' Retirement System (PERS). The proposed change was "to provide Section 20516 (Employees Sharing Additional Cost) to 4.887% for classic local police members. All three bargaining units agreed to increase the PERS Cost Share from 4.000% to 4.887% in July 2012. All three bargaining units are currently contributing 4.887% as agreed. An independent secret ballot election was conducted, 68% of the members voted to approve the cost sharing. Therefore the Ordinance to amend the contract to reflect the 4.887% Employee Cost Share should be approved.

Conclusion

Staff recommends that the City Council waive first reading and adopt by title only an Ordinance to amend CalPERS Employee Cost Sharing of 4.887% for classic police members.

Prepared by: Sheila McShane
Human Resources Manager

Paul Navazio, City Manager

Attachment: Ordinance to Amend PERS Contract
Exhibit to Amend Contract

ORDINANCE _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WOODLAND
AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY
COUNCIL OF THE CITY OF WOODLAND AND THE BOARD OF ADMINISTRATION OF
THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM

The City Council of the City of Woodland does ordain as follows:

Section 1.

That an amendment to the contract between the City Council of the City of Woodland and the Board of Administration, California Public Employees' Retirement System is hereby authorized. A copy of said amendment being attached hereto, marked as an Exhibit, and by such reference made a part hereof as though herein set out in full.

Section 2.

The Mayor of the City Council of the City of Woodland is hereby authorized, empowered, and directed to execute said amendment for and on behalf of the City of Woodland.

Section 3.

This ordinance shall take effect thirty (30) days after the date of its adoption, and prior to the expiration of thirty (30) days from the passage thereof, shall be published at least once in the Daily Democrat, a newspaper of general circulation, published and circulated in the City of Woodland, County of Yolo, and thenceforth and thereafter the same shall be in full force and effect.

This ordinance adopted and approved this 20 day of October, 2013 by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Marlin H. Davies, Mayor

ATTEST:

APPROVED AS TO FORM:

Ana B. Gonzalez, City Clerk

Kara Ueda, City Attorney



EXHIBIT

California
Public Employees' Retirement System

AMENDMENT TO CONTRACT

Between the
Board of Administration
California Public Employees' Retirement System
and the
City Council
City of Woodland

The Board of Administration, California Public Employees' Retirement System, hereinafter referred to as Board, and the governing body of the above public agency, hereinafter referred to as Public Agency, having entered into a contract effective September 1, 1946, and witnessed August 5, 1946, and as amended effective January 1, 1956, June 1, 1960, April 1, 1963, August 1, 1964, November 1, 1968, July 1, 1973, October 4, 1973, May 1, 1974, January 1, 1977, February 1, 1979, September 1, 1979, January 1, 1980, October 1, 1980, July 1, 1991, July 31, 1992, January 1, 1993, June 6, 1993, July 5, 1996, June 30, 1997, July 23, 1998, December 4, 1998, March 21, 2001, June 26, 2001, December 1, 2003, April 1, 2005, May 17, 2005, March 1, 2006, June 1, 2006, September 1, 2010, June 1, 2012 and December 5, 2012 which provides for participation of Public Agency in said System, Board and Public Agency hereby agree as follows:

- A. Paragraphs 1 through 17 are hereby stricken from said contract as executed effective December 5, 2012, and hereby replaced by the following paragraphs numbered 1 through 17 inclusive:

1. All words and terms used herein which are defined in the Public Employees' Retirement Law shall have the meaning as defined therein unless otherwise specifically provided. "Normal retirement age" shall mean age 55 for local miscellaneous members entering membership in the miscellaneous classification on or prior to December 5, 2012 and age 60 for local miscellaneous members entering membership for the first time in the miscellaneous classification after December 5, 2012; age 50 for local fire members and for those local police members entering membership in the police classification on or prior to June 1, 2012 and age 55 for local police members entering membership for the first time in the police classification after June 1, 2012.
2. Public Agency shall participate in the Public Employees' Retirement System from and after September 1, 1946 making its employees as hereinafter provided, members of said System subject to all provisions of the Public Employees' Retirement Law except such as apply only on election of a contracting agency and are not provided for herein and to all amendments to said Law hereafter enacted except those, which by express provisions thereof, apply only on the election of a contracting agency.
3. Public Agency agrees to indemnify, defend and hold harmless the California Public Employees' Retirement System (CalPERS) and its trustees, agents and employees, the CalPERS Board of Administration, and the California Public Employees' Retirement Fund from any claims, demands, actions, losses, liabilities, damages, judgments, expenses and costs, including but not limited to interest, penalties and attorneys fees that may arise as a result of any of the following:
 - (a) Public Agency's election to provide retirement benefits, provisions or formulas under this Contract that are different than the retirement benefits, provisions or formulas provided under the Public Agency's prior non-CalPERS retirement program.
 - (b) Any dispute, disagreement, claim, or proceeding (including without limitation arbitration, administrative hearing, or litigation) between Public Agency and its employees (or their representatives) which relates to Public Agency's election to amend this Contract to provide retirement benefits, provisions or formulas that are different than such employees' existing retirement benefits, provisions or formulas
 - (c) Public Agency's agreement with a third party other than CalPERS to provide retirement benefits, provisions, or formulas that are different than the retirement benefits, provisions or formulas provided under this Contract and provided for under the California Public Employees' Retirement Law.

4. Employees of Public Agency in the following classes shall become members of said Retirement System except such in each such class as are excluded by law or this agreement:
 - a. Local Fire Fighters (herein referred to as local safety members);
 - b. Local Police Officers (herein referred to as local safety members);
 - c. Employees other than local safety members (herein referred to as local miscellaneous members).
5. In addition to the classes of employees excluded from membership by said Retirement Law, the following classes of employees shall not become members of said Retirement System:
 - a. **PERSONS HIRED ON OR AFTER OCTOBER 4, 1973, WHO ARE EMPLOYED AS "SLEEPERS" IN THE FIRE DEPARTMENT.**
6. Prior to January 1, 1975, those members who were hired by Public Agency on a temporary and/or seasonal basis not to exceed 6 months were excluded from PERS membership by contract. Government Code Section 20336 superseded this contract provision by providing that any such temporary and/or seasonal employees are excluded from PERS membership subsequent to January 1, 1975. Legislation repealed and replaced said Section with Government Code Section 20305 effective July 1, 1994.
7. The percentage of final compensation to be provided for each year of credited prior and current service as a local miscellaneous member in employment before and not on or after December 1, 2003 shall be determined in accordance with Section 21354 of said Retirement Law (2% at age 55 Full).
8. The percentage of final compensation to be provided for each year of credited prior and current service as a local miscellaneous member in employment on or after December 1, 2003 and not entering membership for the first time in the miscellaneous classification after December 5, 2012 shall be determined in accordance with Section 21354.5 of said Retirement Law (2.7% at age 55 Full).
9. The percentage of final compensation to be provided for each year of credited current service as a local miscellaneous member entering membership for the first time in the miscellaneous classification after December 5, 2012 shall be determined in accordance with Section 21353 of said Retirement Law (2% at age 60 Full).

10. The percentage of final compensation to be provided for each year of credited prior and current service as a local fire member and for those local police members entering membership in the police classification on or prior to June 1, 2012 shall be determined in accordance with Section 21362.2 of said Retirement Law (3% at age 50 Full).
11. The percentage of final compensation to be provided for each year of credited current service as a local police member entering membership for the first time in the police classification after June 1, 2012 shall be determined in accordance with Section 21363.1 of said Retirement Law (3% at age 55 Full).
12. Public Agency elected and elects to be subject to the following optional provisions:
 - a. Section 21222.1 (One-Time 5% Increase - 1970). Legislation repealed said Section effective January 1, 1980.
 - b. Section 21222.2 (One-Time 5% Increase - 1971). Legislation repealed said Section effective January 1, 1980.
 - c. Section 20965 (Credit for Unused Sick Leave).
 - d. Section 21319 (One-Time 15% Increase for Local Miscellaneous Members Who Retired or Died Prior to July 1, 1971). Legislation repealed said Section effective January 1, 2002.
 - e. Section 20020.1 ("Local Police Officer" shall include employees of a police department who were employed to perform identification or communication duties on August 4, 1972 and who elected to be local safety members within six months of January 1, 1977). Legislation repealed said Section effective January 1, 1985.
 - f. Section 21325 (One-Time 3% to 15% Increase For Local Miscellaneous Members Who Retired or Died Prior to January 1, 1974). Legislation repealed said Section effective January 1, 2002.
 - g. Section 21326 (One-Time 1% to 7% Increase For Local Miscellaneous Members Who Retired or Died Prior to July 1, 1974). Legislation repealed said Section effective January 1, 2002.
 - h. Section 21327 (One-Time Increase For Local Miscellaneous Members Who Retired or Died Prior to January 1, 1975). Legislation repealed said Section effective January 1, 2002.

- i. Section 20042 (One-Year Final Compensation) for local fire members, local police members entering membership on or prior to June 1, 2012 and for those local miscellaneous members entering membership on or prior to December 5, 2012.
- j. Section 20903 (Two Years Additional Service Credit).
- k. Section 21024 (Military Service Credit as Public Service).
- l. Section 21574 (Fourth Level of 1959 Survivor Benefits).
- m. Section 21583 (Additional Opportunity to Elect 1959 Survivor Benefits) for local police members only.
- n. Section 21023.5 (Public Service Credit for Peace Corps, AmeriCorps VISTA, or AmeriCorps Service).
- o. Section 20516 (Employees Sharing Cost of Additional Benefits):

Section 21362.2 (3% @ 50 Full formula) and Section 21363.1 (3% @ 55 Full formula) for local police members.

From and after April 1, 2005 and until the effective date of this amendment to contract the police employees of Public Agency shall be assessed an additional 4% of their compensation for a total contribution rate of 13% pursuant to Government Code Section 20516.

Section 21362.2 (3% @ 50 Full formula) for local fire members.

From and after June 1, 2006 the fire employees of Public Agency shall be assessed an additional 4% of their compensation for a total contribution rate of 13% pursuant to Government Code Section 20516.

- p. Section 20516 (Employees Sharing Additional Cost).
4.887% for classic local police members.
- q. Section 21548 (Pre-Retirement Option 2W Death Benefit) for local safety members only.
- r. Section 20475 (Different Level of Benefits). Section 21363.1 (3% @ 55 Full formula) and Section 20037 (Three-Year Final Compensation) are applicable to local police members entering membership for the first time in the police classification after June 1, 2012.

Section 21353 (2% @ 60 Full formula) and Section 20037 (Three-Year Final Compensation) are applicable to local miscellaneous members entering membership for the first time in the miscellaneous classification after December 5, 2012.

13. Public Agency, in accordance with Government Code Section 20790, ceased to be an "employer" for purposes of Section 20834 effective on January 1, 1977. Accumulated contributions of Public Agency shall be fixed and determined as provided in Government Code Section 20834, and accumulated contributions thereafter shall be held by the Board as provided in Government Code Section 20834.
14. Public Agency shall contribute to said Retirement System the contributions determined by actuarial valuations of prior and future service liability with respect to local miscellaneous members and local safety members of said Retirement System.
15. Public Agency shall also contribute to said Retirement System as follows:
 - a. Contributions required per covered member on account of the 1959 Survivor Benefits provided under Section 21574 of said Retirement Law. (Subject to annual change.) In addition, all assets and liabilities of Public Agency and its employees shall be pooled in a single account, based on term insurance rates, for survivors of all local miscellaneous members and local safety members.
 - b. A reasonable amount, as fixed by the Board, payable in one installment within 60 days of date of contract to cover the costs of administering said System as it affects the employees of Public Agency, not including the costs of special valuations or of the periodic investigation and valuations required by law.
 - c. A reasonable amount, as fixed by the Board, payable in one installment as the occasions arise, to cover the costs of special valuations on account of employees of Public Agency, and costs of the periodic investigation and valuations required by law.
16. Contributions required of Public Agency and its employees shall be subject to adjustment by Board on account of amendments to the Public Employees' Retirement Law, and on account of the experience under the Retirement System as determined by the periodic investigation and valuation required by said Retirement Law.

17. Contributions required of Public Agency and its employees shall be paid by Public Agency to the Retirement System within fifteen days after the end of the period to which said contributions refer or as may be prescribed by Board regulation. If more or less than the correct amount of contributions is paid for any period, proper adjustment shall be made in connection with subsequent remittances. Adjustments on account of errors in contributions required of any employee may be made by direct payments between the employee and the Board.

B. This amendment shall be effective on the _____ day of _____, _____.

BOARD OF ADMINISTRATION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

CITY COUNCIL
CITY OF WOODLAND

BY _____
KAREN DE FRANK, CHIEF
CUSTOMER ACCOUNT SERVICES DIVISION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BY _____
PRESIDING OFFICER

Witness Date

Attest: _____

Clerk

Legislation Details (With Text)

File #: 13-318 Version: 1 Name:
Type: Report of the City Manager Status: Agenda Ready
File created: 11/1/2013 In control: City Council
On agenda: 11/5/2013 Final action:
Title: SUBJECT: Potential Ballot Measure to Replace Measure V ¼ Cent Sales Tax - Continued
Discussion
Sponsors:
Indexes:
Code sections:
Attachments: [Measure V 091713 Staff Report](#)

Date	Ver.	Action By	Action	Result
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TO: THE HONORABLE MAYOR AND CITY COUNCIL

DATE: November 5, 2013

SUBJECT: Potential Ballot Measure to Replace Measure V ¼ Cent Sales Tax - Continued
Discussion

Staff Contact

Paul Navazio, City Manager - 530 661-5800, paul.navazio@cityofwoodland.org

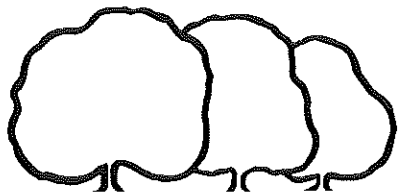
Background

Staff has agendized a presentation of preliminary recommendations for a potential June 2014 Ballot Measure to Replace Measure V - the expiring ¼ cent voter-approved sales tax measure. Council feedback and direction is requested to guide refinement of options to be presented by staff at the November 5th Council meeting.

As the materials for this discussion are still being finalized, staff will be providing the Council with a presentation at the November 5th meeting.

Paul Navazio, City Manager

Attachment



REPORT TO MAYOR AND CITY COUNCIL

AGENDA ITEM

TO: THE HONORABLE MAYOR
AND CITY COUNCIL

DATE: September 17, 2013

SUBJECT: Consideration of Ballot Measure to Replace Measure V ¼ Cent Sales
Tax Expiring June 2014

Recommendation for Action

Staff recommends that the City Council direct staff to assess options for a possible June 2014 ballot measure to replace the city's expiring ¼ cent sales tax (Measure V), and return to Council in November for a full discussion and further direction.

Background

The City currently receives supplemental sales tax revenue through two voter-approved measures authorizing transaction and use taxes of ¼ cent (Measure V) and ½ cent (Measure E), respectively. Measure V which generates approximately \$2 million annually to the General Fund was approved in 2010, for a four year period expiring in June 2014. Measure E, approved in 2006 for a 12 year period, effectively re-authorized the City's Measure H ½ cent sales tax measure first approved by the voters in 2000.

Both of the current voter-approved sales tax measures were accompanied by advisory measures establishing non-binding priorities for use of the revenues generated by each measure. Measure V is currently being used consistent with its advisory measures that provided that 30% be allocated in support of the Woodland Public Library, 30% for park maintenance, landscape maintenance and senior programs, and 40% in support of police and fire services. In contrast, Measure E funding is currently dedicated in support of road rehabilitation and capital improvement projects including the Community and Senior Center, Sports Park, Opera House and various other planned park facilities projects. (Measure E is currently funding rehabilitation of the Brooks Pool Complex and Freeman Park)

Discussion

The Council's decision to place Measure V's ¼ cent sales tax measure before the voters in 2010 was rooted in the budget crisis that resulted in recurring deficits of \$2 - \$3 million, following extensive budget reductions that were implemented to balance the FY2009/10 budget. Significant program and service reductions would have been necessary to achieve a balanced budget for FY2010/11,

including areas deemed to have a direct impact on both the quality of life and public safety in the community. The successful passage of Measure V greatly reduced (but did not eliminate) the need for budget reductions, but provided critical funding support to help the city navigate the economic recession from which we are only recently beginning to slowly recover.

Measure V was specifically intended to help the city through the economic crisis, and avoid draconian service reductions, and provide needed time for the City to find ways to reduce costs and streamline services until the economy improved and city revenues stabilized.

Progress Toward Goal of Fiscal Stability

True to the spirit of Measure V, the City has implemented significant measures to help stabilize our financial situation, despite the deep and protracted economic recession that hit communities like Woodland particularly hard. Since 2008/09, the City has shed roughly \$9 million in annual General Fund costs through deep reductions across all city programs and services supported by property and sales tax revenues. Moreover, the City has made significant progress, in collaboration with its employee bargaining groups, to address growing costs of health and retirement benefits and has begun to address its large unfunded liabilities in this area.

As discussed in the presentation of the City's FY2013/14 budget, the City has made significant progress in advancing its goal of fiscal stability. The five-year budget forecast –which assumes expiration of the Measure V ¼ cent sales tax – reflects a balanced budget through FY2015/16, while maintaining prudent reserves consistent with Council policy.

Moreover, the city also has made significant progress in addressing several structural budget concerns, including capping city exposure to increases in employee health insurance premiums, implementing new, lower-tier retirement benefit formulas as well as increased cost sharing for CalPERS pension costs, and beginning the pre-funding of the city's retiree medical liability. In addition, the city has been able to use one-time budget flexibility to repay inter-fund loans made to the General Fund and restore critical funding to the city's utility enterprise and vehicle internal service funds.

While additional budget-balancing measures may well be needed, beyond 2015/16 to maintain a balanced budget, the conservative assumptions used in the five-year forecast suggest that revenue growth from a sustained economic recovery could erase the projected deficits in the out-years of the budget forecast.

Opportunity for Community Reinvestment

As a result of the budget and staffing reductions implemented over the past six years (\$9 million and 110 staff positions), a number of city programs and services have been greatly reduced or eliminated entirely. Going forward, while the prospects for the city to maintain a balanced budget are much improved, there are a number of program areas that would remain under-funded, with negative impacts on the breadth and quality of city services, and hamper progress on key priority initiatives including those aimed at economic development, business attraction and job creation.

For this reason, staff recommends that the City Council give consideration to a June 2014 ballot measure that would replace Measure V, and provide for continued collection of the existing ¼ cent sales tax – not for the purpose of avoiding future program and service cuts, but rather to provide funding flexibility to reinvest resources in areas most directly tied to improvements in overall quality of life for the community. Several program areas for which additional funding could yield significant community benefits include:

- Youth Recreation Programs
- Teen Programming / Teen Center
- Library - Hours of operations, literacy programs and collections
- Joint City / School District Programming – after-school programs, tutoring and job training
- Aquatics Programs – restore funding for 2nd community pool
- Economic Development – Business Attraction /Retention, Job Creation, Flood Protection
- Downtown Revitalization

The scheduled expiration of Measure V in June 2014, combined with the progress made in addressing many of the city's structural budget challenges, provides an opportunity for future revenues from the existing ¼ cent sales tax to be applied to areas with significant community benefits.

Timelines

At this time, staff is requesting City Council concurrence to assess options for placing a ballot measure to replace Measure V on the June 2014 ballot. If the City Council is so inclined, there would be adequate time to explore and evaluate options, seek community input and craft appropriate ballot language within the timeframes needed for formal council action to place a measure on the June 2014 ballot.

Staff would likely return to the City Council in mid-November with a range of potential ballot options, and the Council would need to provide specific direction – if so desired - by the end of December or early January. This timeframe would allow for formal Council action on all requirements for a June ballot measure to be completed no later than early February.

Conclusion

Staff recommends that the City Council direct staff to assess options for a possible June 2014 ballot measure to replace the city's expiring ¼ cent sales tax (Measure V), and return to Council in November for a full discussion and further direction.

Prepared by: Paul Navazio
City Manager

Tentative Timeline for Possible Consideration of June 2014 Ballot Measure

Election Date:		June 3, 2014 First Tuesday
Consideration of Options / Expiration of Meas. V Initial Council Direction		September 17th
Develop Options & Alternatives Staff-level Commission / Boards Community Stakeholders		Sept. - Nov.
Presentation of Ballot Alternatives - City Council		November 19th
Council Direction to Draft Ordinance		December 17th
Council Calls Election Approves Ballot Language Adopts Ordinance	-123	Regular Meeting January 7th or January 21st
Approved / Executed Resolutions to Board of Supervisors (3 wks)	-109	Early February 2014
Yolo County Board of Supervisors Approve Call of Elections	-88	March 7, 2014
Ballot Arguments Rebuttal to Arguments		March-14
Election Day		June 3, 2014