

Mali LaGoe Acting Community Development Agency Director Trisha Tillotson Director of Public Works

File:

NEVADA COUNTY BOARD OF SUPERVISORS Board Agenda Memo

MEETING DATE: March 9, 2021

TO: Board of Supervisors

FROM: David A. Garcia, Jr., Solid Waste Program Manager

SUBJECT:Resolution Adopting the Initial Study/Mitigated Negative Declaration
and Mitigation Monitoring and Reporting Program for the
McCourtney Road Transfer Station Renovation Project

<u>RECOMMENDATION</u>: Approve the attached Resolution adopting the Initial Study/Mitigated Negative Declaration (IS/MND) and Mitigation Monitoring and Reporting Program (MMRP) for the McCourtney Road Transfer Station (MRTS) Renovation Project, pursuant to Section 15074 of the California Environmental Quality Act (CEQA) Guidelines, based on the findings contained in the Resolution.

<u>FUNDING</u>: This project is primarily funded by Western County Solid Waste Parcel Charge Revenue and a onetime Waste Management contribution. The final design plans and specifications will come back to the Board for formal approval and authorization to bid and award a construction contract. No budget amendment is needed and there is no impact on the General Fund.

BACKGROUND: On January 24, 2012, per Resolution 12-052, Nevada County entered into a franchise agreement with Waste Management. As part of that agreement, Waste Management made a financial commitment to Nevada County to fund, in part, the construction of an improved transfer station. On August 27, 2013, after the contract-mandated analysis was conducted and numerous sites were reviewed, the Board of Supervisors (BOS) adopted Resolution 13-395, making the determination that improvements should be made to the existing transfer station facility located on McCourtney Road. On January 26, 2016, the BOS adopted Resolution 16-048, awarding a contract to HDR Engineering, Inc., (HDR) for conceptual design services to explore various site alternatives and ultimately allow the County

to identify a preferred alternative for the project site. The conceptual analysis was completed in December 2016. The preferred alternative identified in the conceptual design analysis was used as the basis for the current project.

On January 10th, 2017, the Nevada County BOS adopted Resolution No. 17-016, directing the Purchasing Division (in coordination with the Department of Public Works) to solicit Statements of Qualifications from qualified civil engineering or architectural firms interested in developing Project Plans, Specifications and Estimates for the MRTS Redesign Project. Award was temporarily postponed allowing the County to negotiate a contract amendment with Waste Management, which included updated terms and conditions associated with project funding and delivery. The Contract amendment was approved on June 25, 2019, per Resolution 19-360. On September 24, 2019 the BOS adopted Resolution 19-528, approving an agreement with HDR for engineering and design services, including environmental document preparation.

Prior to approving the proposed project, Nevada County must evaluate the project's potential environmental impacts as required by CEQA. The County, as the lead agency under CEQA, is required to consider the proposed project's environmental impacts when considering whether to approve project implementation. The Initial Study is an informational document to be used in the local planning and decision-making process; it does not recommend approval or denial of the proposed project. The final design plans and specifications will come back to the Board for formal approval and authorization to bid and award a construction contract.

PROJECT NEED: The MRTS provides solid waste and recycling transfer services for the communities of Grass Valley, Nevada City, and the unincorporated areas of western Nevada County, California. The facility was constructed in 1994 after the adjacent McCourtney Road landfill closed. As currently designed, the MRTS does not have sufficient capacity to accommodate the volume of vehicles regularly delivering waste to the site, particularly on peak use periods throughout the spring, summer and fall. This capacity constraint is due to the site's the aging infrastructure, compact size and limited vehicle capacity (particularly at the scale facility and receiving areas).

These deficiencies have been exacerbated in recent years due to several major changes affecting the solid waste stream locally, regionally and nationally. First, the amount of recyclable materials traffic at the MRTS has increased due to the closure of most CRV buyback facilities both locally and regionally, including four local facilities operated by RePlanet, as well as Grass Valley Recycle and Recycle Works in Grass Valley. These changes follow the worldwide collapse of the recyclable materials market, China's ban on imported recyclables and outdated bottle bill legislation (AB2020, enacted in 1986). Since 2016, more than 400 buyback facilities have closed in California. Second, due to increased fire frequency and severity across the state there has been a significant increase in green waste traffic and material volume since 2016. Although the County has partnered with the Fire Safe Council of Nevada County to facilitate very successful annual offsite collection programs throughout the County, the MRTS remains the hub for western Nevada County's year round green waste programs and will remain an important resource for the community for the foreseeable future. Finally, beginning in January 2022, the County will be mandated to provide an organic food waste

collection and diversion program as outlined in SB1383 and AB1826. Currently our facility does not have adequate infrastructure to accommodate segregated food waste. This project will allow us to repurpose the existing Public Received Area (PRA) for organic waste.

In short, the facility was not designed to accommodate the increased demands currently being put on it, cannot accommodate anticipated future growth and is not adequate to allow the County to achieve state mandated organics diversion goals.

PROJECT DESCRIPTION: The proposed project includes several facility and operational changes at the Transfer Station including: 1) the expansion of the site entrance road and installation of new scale facilities (with 2 scale houses and 4 scales); 2) construction of an approximately 48,000 square foot material recovery facility that will be a multiuse receiving and loading facility for recycling and municipal solid waste materials (trash); 3) conversion of the existing PRA building to serve as the organics receiving and transfer building; 4) installation of approximately 170,000 square feet of new or repaved asphalt surfaces; 5) the importation of fill material; 6) the expansion and temporary use of a trailer/bin storage area for green/yard waste and construction/demolition receiving and transfer operations during construction; 7) construction of a permanent green/yard waste and construction/demolition receiving PRA; and 8) expansion of the facility's permitted hours of operation, tonnage limits and vehicle limit. The proposed project would employ a phased construction approach to allow current operations to continue throughout the construction process.

PROJECT SCHEDULE: Once the proposed IS/MND is adopted, additional project milestone delivery dates are anticipated as follows. These subsequent project phases will not begin until the CEQA processes have been completed.

1.	Complete Design and Permitting	Summer/Fall 2021
3.	Board Approval of Plans and Specs	
	and Auth to Advertise Construction	Fall 2021
4.	Board Award Construction Contract	Winter 2021/22
5.	Begin Construction	Winter/Spring 2022
6.	Complete Construction	Summer/Fall 2023

ENVIRONMENTAL REVIEW: Based on the analysis included in the IS/MND, attached to the associated resolution, for the MRTS Renovation Project the following potential environmental impacts and mitigations have been identified. As outlined below all impacts can be mitigated to a less-than-significant level. A Mitigation Monitoring and Reporting Program (which includes all mitigation measures for the project) has also been prepared and is attached to the associated resolution.

Air Quality: Construction activities associated with transfer station project would result in the temporary generation of ROG, NO_X , and PM_{10} emissions from construction equipment during site preparation, the application of asphalt overlays, cleanup and other miscellaneous construction activities, and from material transport to the site and construction worker

commute trips. Air quality impacts could occur from the release of diesel exhaust and PM_{10} dust concentrations in the construction area, but would be *less than significant with mitigation* with implementation of <u>Mitigation Measures AIR-1 through AIR-3</u> which include: implementing dust control measures, construction equipment emission reduction measures, restrictions to open burning of vegetation material on site during construction, and use of architectural coatings that meet Northern Sierra Air Quality Mitigation District (NSAQMD) standards.

The project would result in the generation of long-term operational emissions of criteria air pollutants and ozone precursors. Project-generated increases in emissions would be predominantly associated with motor vehicle use. As outlined in the Transportation section (3.17) of the IS/MND, the project is anticipated to decrease vehicle miles traveled in the project area compared to existing conditions since it will reduce vehicle idling and traffic queuing. However, we are projecting a net long-term increase due primarily to standard population growth projections. To a lesser extent, area sources, such as the use of natural-gasfired equipment, landscape maintenance equipment, and architectural coatings, would also contribute to overall increases in emissions. Based on the modeling conducted, daily operational emissions associated with the proposed project would not exceed NSAQMD "Level A" significance thresholds, requiring the most basic mitigations. Therefore, this impact would be considered less than significant. However, NSAQMD still requires the implementation of mitigation measures for projects that generate operational emissions. Mitigation Measures AIR-4 is included which requires the County to obtain applicable NSAQMD permits. All requirements of this permit shall be incorporated into standard operating procedure manuals or materials for the project.

The occurrence and severity of odor impacts depend on numerous factors, including the nature, frequency, and intensity of the source; wind speed and direction; and the presence of sensitive receptors. Moving the acceptance of municipal solid waste into an enclosed building is expected to substantially reduce the odor generated from the handling of this waste in the site's current open PRA. The project also includes the repurposing of the PRA to function as an organics building. The repurposed PRA would receive food waste and other organic from commercial vehicles to assist in compliance with SB 1383 and AB 1826. The anaerobic decomposition of compounds containing nitrogen and sulfur results in a number of gases. Per Mitigation Measure AIR-5, the County shall develop and implement an Odor Impact Minimization Plan (OIMP) prior to repurposing the PRA as an organics building. The OIMP shall identify the specific operational procedures that will be implemented to ensure that offsite sensitive receptors are not regularly exposed to offensive odors associated with site operations. These operational procedures shall include, but not be limited to, the following: prioritizing the processing and offsite transport of food waste and organics to minimize the potential for odor generation at the site; treating odiferous food waste and organics with commercially available odor neutralizing compounds that will be applied using a commercial misting system; and ensuring all food waste is removed from the transfer station within 48 hours of receipt as required by state law.

Biological Resources: The footprint of the proposed project is largely staying within previously developed or highly ruderal areas of the existing transfer station. Although most of project-related impacts would be associated with highly disturbed areas, small portions of the native chaparral community would be impacted by project-related activities. The study area has the potential to support the three species of rare plants and one special-status lizard, and the site also provides suitable nesting habitat for raptors and migratory birds.

A literature review and surveys were performed to characterize the environmental setting of the study area and to determine the potential effects that project-related activities could have on biological resources. The United Stated Fish and Wildlife Services databases were queried to identify federally protected species and critical habitats with the potential to occur in the study area. A query of the California Natural Diversity Database provided a list of processed and unprocessed special-status species occurrences in the Grass Valley and Rough and Ready, California, U.S. Geological Survey (USGS) 7.5-minute quadrangles. In addition, the California Native Plant Society (CNPS) database was queried to identify special-status plant species with the potential to occur in the aforementioned USGS quadrangles. HDR conducted a rare plant survey for the proposed project in June 2017. The HDR team observed two federally-listed plant species as CNPS, Stebbins' Morning-glory and Pine Hill Flannelbush, and mapped the populations for future avoidance. A reconnaissance-level habitat assessment was conducted by HDR biologists on June 16 and June 24, 2020, to determine the potential for special-status species and other sensitive biological resources to be found in the proposed study area. An assessment of the artificial wet area and man-made collection basin was conducted by HDR Professional Wetland Scientists on December 12, 2020.

The results of the USFWS, California Department of Fish and Wildlife (CDFW), and CNPS database queries identified three special-status plants and a single special-status wildlife species with the potential to be affected by project-related activities. These include the two aforementioned plants, Stebbins' Morning-glory and Pine Hill Flannelbush. An additional plant, chaparral sedge (*Carex xerophila*) has the potential to occur in areas similar to that of the two other plants, specifically in the chaparral communities. Chaparral sedge has no federal or state listing; however, it has a California Rare Plant Rank of 1B.2 and was observed during previous botanical surveys as a chaparral associate.

Blainville's Horned Lizard (*Phrynosoma blainvillii*), a California species of special concern, is the only special-status animal with the potential to occur on the project site. This species has been previously observed on the transfer station property. Although the study area provides suitable habitat for Blainville's Horned Lizard, the proposed project is not anticipated to significantly change the level of disturbance when compared to the existing conditions associated with daily operations; thus, the level of potential for impacts on Blainville's Horned Lizard is not expected to increase. Finally, the study area may also provide nesting, wintering and/or foraging habitat for migratory birds and raptors.

The proposed project would minimize impacts to species and habitats with measures including but not limited to pre-construction surveys, pre-construction flagging and fencing, environmental awareness training for construction personnel, CDFW consultations, conducting all vegetation and/or structure clearing outside of the nesting season. With these measures as identified in <u>Mitigation Measures BIO-1 through BIO-3</u>, the project will have impacts to biological resources that are *less than significant with mitigation incorporated*.

Cultural Resources: HDR conducted background research and requested a records search from the North Central Information Center (NCIC) of the California Historical Resources Information System located at California State University, Sacramento. The records search included examining resource location maps and records for archaeological sites, historic built resources, and tribal resources; and consulting historic property files, including the National Register of Historic Places, California Register of Historical Resources, the Historic Property Data File and Built Environment Resource Directory for Nevada County, and California Historic Landmarks. The background research also included a review of historical General Land Office plats and USGS topographic quadrangles to identify the potential to encounter historic sites and features potentially still present within the project area. In a letter dated June 16, 2020 (NCIC 2020), the NCIC indicated that no previous cultural resource studies have been conducted at the project site but one previous study had been conducted within the 0.25mile search radius, in support of the Nevada County Animal Shelter. The NCIC concluded that no previously recorded resources are located either within the project area or within the 0.25mile search radius. HDR's Senior Cultural Resource Specialist Jay Lloyd conducted an intensive pedestrian survey of the project area on June 16, 2020 using transects spaced no more than 10 meters (approximately 33 feet) apart. The field survey was completed by examining all accessible lands (i.e., gentle to moderate slopes, locations with no or moderate densities of vegetation, other areas deemed by field personnel to be safe) within the project area. Topographic features encountered in areas considered to be sensitive for cultural resources (i.e., springs, drainages, terraces, ridge tops, etc.) were thoroughly inspected. All accessible lands in the project area were examined.

The pedestrian survey and records search did not identify any newly discovered or previously recorded historic properties, historical resources, archaeological sites, or objects within the project area. The background research did not identify any previous structures, roads, buildings, or other historic-era facilities which may still be extant within the project area. However, there is always the possibility that archaeological resources are located within the soils underlying the facility and improvement activities could damage or destroy these previously undiscovered archaeological resources. Additionally, there is always the possibility that human remains are located under the facility and improvements could damage or destroy previously undiscovered human remains. With implementation of <u>Mitigation Measures CUL-1</u> <u>and CUL-2</u> the project would have impacts that are *less than significant with mitigation incorporated*.

Geology/Soils: NV5 investigated the subsurface soil, rock and groundwater conditions in 2020 by excavating exploratory trenches, drilling exploratory borings, and performing seismic refraction surveys. This included excavating 10 exploratory trenches and 13 exploratory borings across the project site. In addition, 6 seismic refraction surveys were conducted across the site. Undocumented heterogeneous fill was encountered at depths exceeding 15 feet below ground surface in some of the exploratory trenches and borings conducted during the site's

geotechnical investigation. Due to the presence of uundocumented heterogeneous fill and areas of resistant boulders or rock on the site, the project's proposed buildings may contribute to future differential settlement, poor subgrade support, and/or associated structural movement/distress. Although the project is not expected to be exposed to on- or off-site landslide, lateral spreading, subsidence, or liquefaction (as described above), the potential exposure of the project buildings to elastic settlement would be considered a potentially significant impact. *Mitigation Measure GEO-1* has been included and identifies the use of spread footings, mat foundation, partial fill over excavation and re-compaction, and deep dynamic compaction (DDC) to minimize the potential for elastic settlement following project construction; therefore, impacts would be *less than significant with mitigation incorporated*.

Construction of the proposed project would include excavation activities that would expose site soils to wind and water erosion that could transport sediments into local drainages. These contaminant sources could degrade the water quality of receiving water bodies, potentially resulting in a violation of water quality standards. <u>Mitigation Measure HYD-1</u> has been identified under the Hydrology and Water Quality section, which requires a project SWPPP and best management practices (BMPs) to appropriately control soil erosion from project construction activities; therefore, impacts would be *less than significant with mitigation incorporated*.

Hazards/Hazardous Materials: During project construction, potentially hazardous liquid materials such as treated wood, oil, diesel fuel, gasoline, and hydraulic fluid would be used on the site in construction equipment. These substances are commonly used during construction projects and the risk of a spill that would create a significant hazard to the public or environment would be negligible due to the small quantities of hazardous substances used and the relatively short duration of construction. However, a release of hazardous substances from construction equipment due to a leak or spill could adversely affect the environment. The implementation of *Mitigation Measures HAZ-1 and HAZ-2* would minimize this impact by requiring that safety training be conducted during project construction; requiring the development of emergency response plans; identifying a Safety Director/Manager responsible for managing the safety, health and environmental risk factors for the contractor; and by requiring the preparation of a Hazardous Materials Contingency Plan.With the implementation of these mitigation measures, this impact would be *less than significant with mitigation incorporated*.

Hazardous materials would continue to be used in site operations following construction. However, the use of these materials would not differ from current operations and would not represent a significant hazard to site personnel or the public. Therefore, no impact associated with the use of hazardous materials during site operations would be anticipated.

Hydrology/Water Quality: Construction of the proposed project would include grading activities that would be expected to expose the site's soils to wind and water erosion. Additionally, there is a potential for accidental spills of fluids or fuels from construction vehicles and equipment, or miscellaneous construction materials and debris, could be mobilized and transported off-site in overland flow. <u>*Mitigation Measure HYD-1*</u> requires

submittal and approval of a Storm Water Pollution Prevention Plan by the Central Valley Regional Water Quality Control Board pursuant to National Pollutant Discharge Elimination System requirements, prior to the start of construction activities. The SWPPP will include BMPs to prevent construction pollutants from entering storm water runoff. <u>Mitigation Measures HYD-1</u> will ensure the project impacts will be *less than significant with mitigation incorporated*.

Noise: Implementation of the proposed project would include excavation, construction of foundations, utility installation, and hauling and deposition of construction debris. The project is estimated to require approximately two construction seasons to complete. All construction activities would typically be conducted between the hours of 7:00 a.m. and 6:00 p.m. standard time. Construction activities typically include a variety of construction equipment including backhoes, excavators, loaders, dump trucks, and compaction equipment. Noise-sensitive receptors in the vicinity are the residences located in proximity to the site. Individual residents would experience construction noise for the duration of the two construction period with noise levels varying depending upon the activities that are occurring. However, most residents located in developed communities recognize that construction activities are inevitable from time to time and that short-term daytime noise impacts associated with construction activities are expected on occasion. This fact is reflected in the Nevada County Noise Ordinance, which consider noise levels associated with construction activities to be exempt from the noise thresholds. In addition, because construction activities are expected to occur between the hours of 7 a.m. and 6 p.m. Monday through Friday, the noise associated with the proposed construction activities would not be expected to generate a substantial temporary increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.

The project also includes expanding the facility's operating hours. Currently the facility is permitted to operate between the hours of 8:00 a.m. and 3:30 p.m., or with a special circumstance emergency condition waiver authorized by the County the facility may continue to process material till 5:30 p.m. This includes public receiving Wednesdays through Sundays 8:00 a.m. to 3:30 p.m. The proposed operating hours would be expanded to 7:00 a.m. to 5:30 p.m., or as late as 7:00 p.m. with an emergency conditions waiver authorized by the County. Emergency waivers are granted only for special circumstances such as equipment failure or severe weather conditions such as heavy precipitation, snow and or other unsafe conditions. The expanded operating hours would not occur outside of the designated "daytime" hours of 7:00 a.m. to 7:00 p.m. identified in the Noise Element of the Nevada County General Plan. Therefore, the expansion of the facility's operating hours would not result in the proposed project generating noise during the more sensitive evening (7 p.m. -10 p.m.) and nighttime (10 p.m. - 7 a.m.) periods. The proposed modifications are primarily intended for expanded material processing hours. Modifications to public receiving days and hours would require future Board of Supervisors approval as it would require an amendment to our franchise agreement with Waste Management and modifications to facility operations permit. Because the operational noise levels are not estimated to exceed the Noise Element's maximum daytime exterior noise level threshold and operational activities are not anticipated to occur during evening or nighttime hours when the County's noise thresholds are lower, and this impact is considered less than significant.

The proposed project could require blasting activities if hard rock areas cannot be easily excavated with typical construction equipment. Blasting activities have the potential to result in varying degrees of temporary ground borne vibration. To avoid adversely affecting local residents during blasting activities <u>Mitigation Measure NOI-1</u> has been proposed, requiring contractors to conduct blasting activities in compliance with State and Local regulation; therefore, with the implementation of the proposed mitigation measure impacts would be *less than significant with mitigation incorporated*.

Transportation/Traffic: Regional access to the project area is provided by State Route 20 to the north and State Route 49 to the east. Local access is provided by McCourtney Road and Wolf Mountain Road. The project site can be accessed from both the north and the south via McCourtney Road, which connects with Wolf Mountain Road and the project entrance. Construction related traffic would be expected to include the use of dump trucks, haul trucks, and various deliveries of material and equipment occurring throughout the construction period. These trips would represent a minor and temporary increase in traffic volumes on McCourtney Road and Wolf Mountain Road and other local roads in the project vicinity.

An analysis of 2019 transaction data shows the entrance traffic arrival rates for weekends throughout the summer months to be in the 700 vehicles per day range and nearly 1,100 vehicles used the site during a peak day. Based on conservative estimates for interaction times at the scales, modeling showed that backups currently extend past the designated queuing areas for both the inbound and outbound scales during peak times and this has been observed at the site. In addition to traffic backups caused by the single scale house, the peak traffic model also shows backups at the existing PRA unloading area for self-haul vehicles due to the limited amount of unloading spaces at the existing PRA. The new transfer station and new entrance and scale facilities are expected to be able to accommodate an estimated 50% increase in use, both in materials processed and in traffic on site. Using the highest population growth estimate of 1.28% annually (Sacramento Area Council of Governments), the new facility would run into size limitations in just under 40 years. If the community grows at a lower growth rate, the facility capacity could be extended to a longer period of time. Therefore, project implementation would be expected to eliminate the vehicle backups that can extend onto Wolf Mountain and McCourtney Roads for the foreseeable future. With improved operational efficiencies, the average vehicle miles traveled by County residents disposing of their waste would likely be either unchanged or reduced. Therefore, Transportation impacts would be less than significant.

Tribal Cultural Resources: As discussed under the Cultural Resources section above, based on the prior disturbance of the project site, and applicable site analysis, including record searches and site investigations, archaeological resources, which may also be considered tribal cultural resources, are not expected to be present on the site. However, the proposed project could impact unknown archaeological resources including Native American artifacts and human remains which may, by extension, also be considered tribal cultural resources. Compliance with existing federal, State, and local laws and regulations, as well as implementation of <u>Mitigation Measures CUL-1 and CUL-2</u> identified above for previously unidentified archaeological sites and human remains, would protect previously unidentified and unrecorded tribal cultural resources. Accordingly, implementation of Mitigation Measures CUL-1 and CUL-2 would reduce any impacts to a tribal cultural resource discovered on the project site as a result of implementing the proposed project to *less than significant with mitigation incorporated*.

PUBLIC OUTREACH: The IS/MND was circulated for a 30-day comment period to various agencies, key stake holders and surrounding property owners, including all properties that take access via Wolf Mt. Road. The comment period was from December 10, 2020 to January 10, 2021. Prior to the formal public comment period the County created a project website (www.mccourtneytransferstation.com), hosted two community workshops on September 9 and 29, 2020, and presented at the October 8, 2020 Solid and Hazardous Waste Commission meeting. Both community workshop presentations and additional information was provided on the project webpage and a web address was provided within all notifications. Throughout the public outreach process, the County issued several press releases on the County's social media outlets and the weekly County Executive Office newsletter. County staff also discussed the proposed project with several local media outlets.

Additionally, staff has regularly updated the Solid and Hazardous Waste Commission on the status of this project over the past several years and has provide updates to the Board of Supervisors as described in the Background section above.

<u>COMMENTS RECEIVED</u>: The County received eight (8) comments during the public comment period including five (5) from regulatory agencies, two (2) from residents and one (1) from a local community group (NCCAN-WasteNot). Comments received from local residents/community included the following topics: water quality, traffic on private roads, basis of growth projections and assumptions used to size the facility improvements, public outreach, alternatives analysis, green house gas emissions, community recycling and diversion programs, program level funding allocation and program staffing. Many of the comments were directed to County programs and/or policies which are outside of the scope of the project and therefore not applicable to the adequacy of the proposed IS/MND. All relevant concerns/comments have been adequately addressed within the IS/MND and as discussed in detail within the attached Response to Comments (Exhibit C).

Staff recommends that the Board of Supervisors adopt the IS/MND (Exhibit A) and MMRP (Exhibit B).

Item Initiated by:	David A. Garcia, Jr., Solid Waste Program Manager
Approved by:	Trisha Tillotson, Director of Public Works

TT:DG:kk Submittal Date: February 10, 2021