

RESOLUTION R2019-__

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NAPA, STATE OF CALIFORNIA, AUTHORIZING THE UTILITIES DIRECTOR TO SUBMIT AN APPLICATION FOR, AND EXECUTE ALL NECESSARY DOCUMENTS TO IMPLEMENT, A CALRECYCLE ORGANICS GRANT IN THE AMOUNT OF APPROXIMATELY \$1.5 MILLION FOR A SHREDDER, CONVEYOR, ROCK SCREENER, AIR CLASSIFIER AND GRANT ELIGIBLE LABOR AT THE CITY'S MATERIALS DIVERSION FACILITY; AND DETERMINING THAT THE ACTIONS AUTHORIZED BY THIS RESOLUTION WERE ADEQUATELY ANALYZED BY A PREVIOUS CEQA ACTION

WHEREAS, Public Resources Code sections 48000 et seq. authorize the Department of Resources Recycling and Recovery (CalRecycle) to administer various grant programs (grants) in furtherance of the State of California's (state) efforts to reduce, recycle and reuse solid waste generated in the state thereby preserving landfill capacity and protecting public health and safety and the environment; and

WHEREAS, in furtherance of this authority CalRecycle is required to establish procedures governing the application, awarding, and management of the grants; and

WHEREAS, CalRecycle grant application procedures require, among other things, an applicant's governing body to declare by resolution certain authorizations related to the administration of CalRecycle grants.

WHEREAS, the State of California (via AB 341, AB 1826 SB1383) and the City of Napa (via R2012 100) have adopted policy goals to achieve or exceed a minimum level of 75% recycling and composting by the year 2020, including expanded and enhanced collection and recovery of organics, including food scraps and soiled paper; and

WHEREAS, the City of Napa has identified covered aerated static pile (CASP) composting at the City's Materials Diversion Facility (MDF) as an initiative in its Sustainability Plan; and

WHEREAS, the City of Napa would be submitting a grant application for approximately \$1.3 million for a slow-speed shredder, conveyor system, rock screener, air classifier (to remove plastics) and magnetic belt to be added to the current organics preprocessing system and creation of two new sorting positions as a result the improved efficiency and tonnage throughput as a result of the grant-paid capital equipment; and

ATTACHMENT 1

WHEREAS, in 2013, an Initial Study and Mitigated Negative Declaration was prepared and adopted for the Napa Renewable Resources Project, which included an analysis of adding facilities for covered composting and stormwater improvements; and

WHEREAS, the City Council has considered all information related to this matter, as presented at the public meetings of the City Council identified herein, including any supporting reports by City Staff, and any information provided during public meetings.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Napa, as follows:

1. The City Council hereby finds that the facts set forth in the recitals to this Resolution are true and correct and establish the factual basis for the City Council's adoption of this Resolution.

2. The City Council finds that the 2013 Initial Study and Mitigated Negative Declaration prepared and adopted for the Napa Renewable Resources Project included analysis of significant improvements at the existing Materials Diversion Facility including adding facilities for covered composting, anaerobic digestion, biomass gasification, storm water management and solar panels. Compost processing up to 66,640 tons per year was identified in the CEQA Initial Study, however the facilities identified to process the compost was a combination of open windrows, covered compost system and an anaerobic digestion system.

Pursuant to CEQA Guidelines Section 15162, when an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

- (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:

ATTACHMENT 1

- (A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
- (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
- (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
- (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

The City Council hereby finds that the actions authorized by this Resolution include the same or similar type and scope of construction activities within the previously analyzed footprint of the existing developed and operating industrial facility and do not constitute the type of substantial change that would require major revisions to the previous Mitigated Negative Declaration under CEQA Guidelines Section 15162.

The compost operations will compost all 66,640 tons per year in a covered compost system for the active stage of composting rather than some of the product continuing to be composted in windrows which have significantly higher air emissions. The revised processes for composting are not substantial changes to the project and do not introduce new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

Accordingly, the City Council hereby further determines that the potential environmental effects of the actions authorized by this Resolution were adequately analyzed by the Initial Study and Mitigated Negative Declaration prepared for the Napa Renewable Resource Project (File No. PL12-0022), adopted November 7, 2013 (Resolution No. PC2013-15), pursuant to CEQA Guidelines Section 15162.

3. The City Council hereby authorizes the Utilities Director to submit an application for a CalRecycle organics grant in the amount of approximately \$1.5 million for a shredder, conveyor and grant eligible labor at the City's Material Diversion Facility.

4. The City Council hereby authorizes the Utilities Director to execute in the name of the City of Napa, all grant documents, including but not limited to, applications, agreements, amendments and requests for payment, necessary to secure grant funds and implement the approved grant project; and

5. This Resolution shall take effect immediately upon its adoption and is effective for no less than five (5) years from the date of adoption of this Resolution.

ATTACHMENT 1

I HEREBY CERTIFY that the foregoing Resolution was duly adopted by the City Council of the City of Napa at a public meeting of said City Council held on the 19th day of November 2019, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: _____
Tiffany Carranza
City Clerk

Approved as to form:

Michael W. Barrett
City Attorney