

RESOLUTION NO. 96-08

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF EL PASO DE ROBLES
DISAPPROVING THE THE SITING ELEMENT
AND SUMMARY PLAN AS PREPARED BY THE SAN LUIS OBISPO COUNTY
INTEGRATED WASTE MANAGEMENT AUTHORITY**

WHEREAS, the people of the State of California have enacted the Integrated Waste Management Act of 1989 (Assembly Bill 939) which requires the preparation of solid waste planning documents known as the "Siting Element" and the "Summary Plan"; and

WHEREAS, the San Luis Obispo County Integrated Waste Management Authority (the "Authority"), acting as the Local Task Force, prepared and circulated the proposed Siting Element in accordance with the requirements of Public Resources Code Division 30, part 2, Chapter 4, § 41700 *et seq.*, and California Code of Regulations, Title 14, Division 7, Chapter 9, § 18755 through § 18756.7; and

WHEREAS, the Authority has prepared and circulated the proposed Summary Plan in accordance with the requirements of Public Resources Code Division 30, Part 2, Chapter 4, § 41700 *et seq.* and California Code of Regulations Title 14, Division 7, Chapter 9, § 18755 through §18758; and

WHEREAS, the Authority approved the proposed Siting Element and proposed Summary Plan after consideration of all information presented to it at the November 8, 1995 public hearing; and

WHEREAS, the proposed Siting Element and proposed Summary Plan were received by the City of El Paso de Robles on November 14, 1995; and

WHEREAS, a duly advertised public hearing was held by the City Council of the City of El Paso de Robles on February 6, 1996, to receive and consider testimony on the proposed Siting Element and Summary Plan.

NOW, THEREFORE, BE IT RESOLVED,

Section 1. That the City Council of the City of El Paso de Robles has held a public hearing and considered all testimony regarding the proposed Siting Element and Summary Plan.

Section 2. The City hereby disapproves the proposed Siting Element and Summary Plan as provided in California Code of Regulations Title 14, Division 7, Chapter 8, § 18783 for the following reasons:

- a. The proposed Siting Element and Summary Plan do not address the additional significant increase in tonnage permitted to be deposited at the Chicago Grade Landfill as a result of its recently approved revised Solid Waste Facilities Permit, including but not limited to, the possible importation of waste from outside the County, and the resulting impact on the project landfill capacity.
- b. There are certain factual inaccuracies that should be corrected and other revisions made to the Siting Element and Summary Plan, as set forth in Exhibit A to this resolution, attached hereto and incorporated herein by reference.
- c. The proposed Siting Element and Summary Plan do not address the current exportation of waste from Nipomo Mesa to Santa Maria, and the effect upon the County landfills by the pending closure of the Santa Maria landfill.
- d. The proposed Siting Element Policy 3B, which would allow both the importation of solid waste into the County and prohibit the exportation of solid waste from the County may not be legally enforceable.
- e. The proposed Siting Element and Summary Plan drafted by the Authority, which is intended to address the ability of the region to meet solid waste disposal needs and identifies the Paso Robles Landfill as being integral to meeting those regional needs, is inconsistent with the Authority's actions to confine the actual use of the Paso Robles Landfill by customers to a much smaller area.

PASSED AND ADOPTED, this 6th day of February, 1996, by the following roll call vote:

AYES: Heggarty, Martin, Picanco, and Macklin
NOES: Iversen
ABSENT: None
ABSTAIN: None


Walter J. Macklin, Mayor

ATTEST:


Richard J. Ramirez, City Manager/City Clerk

EXHIBIT A

Siting Element

Page VI - 1- 2

1. Description of Chicago Grade Landfill does not address possible importation of waste from outside San Luis Obispo County which its revised solid waste permit would allow.
2. Last sentence in description of Paso Robles Landfill is inaccurate and should be revised to reflect that it was the County LEA (not the state) that issued a Notice and Order in January, 1995. It should also note that the California Integrated Waste Management Board is now the enforcement agency for the Paso Robles Landfill.

Page VI - 3- 3, Table 3-1

It does not appear that this table and accompanying graph reflect the impact of increasing Chicago Grade's permitted tonnage to 100,000 tons per year.

Page VI-4-2, Table 4-1 (Existing Permitted Solid Waste Disposal Facilities San Luis Obispo County)

1. Footnote b should be revised to reflect the tonnage allowed by the revised Solid Waste Facilities Permit approved by the California Integrated Waste Management Board in January 1996.
2. Figures in table under Chicago Grade Landfill should be revised to reflect the effect on the remaining permitted disposal capacity and maximum permitted disposal.
3. Footnote g should reflect that (similar to the original footnote b regarding Chicago Grade) that the Paso Robles Landfill Site is currently under environmental review for a Solid Waste Facilities Permit modification to increase maximum disposal to 250 tpd and 52,000 tpy.

Summary Plan

1. Page VII-4-1 (Chapter 4, § 4.1 Management Systems)
Same comments as Comment Nos. 1. and 2. on Siting Element, page VI-1-2, above.
2. Page VI-4-4, Table 4-2
Same comments as Comment Nos. 1.,2. and 3., to Table 4-1, Existing Permitted Solid Waste Disposal Facilities in San Luis Obispo County, above.