

February 4, 2021

Rowland Hickel, Senior Planner  
Butte County  
7 County Center Drive  
Oroville, CA 95965

Governor's Office of Planning & Research

**Feb 05 2021**

## STATE CLEARINGHOUSE

**SUBJECT: SCH No. 2021010042 Mitigated Negative Declaration/Initial Study for Old Durham Wood, Inc. Conditional Use Permit (UP18-0002)**

Dear Rowland Hickel:

Thank you for allowing the Department of Resources Recycling and Recovery (CalRecycle) staff to provide comments on the proposed project and for your agency's consideration of these comments as part of the California Environmental Quality Act (CEQA) process.

### Project Description

The applicant is requesting a Conditional Use Permit Amendment (UP18-0002) to include unauthorized operational and site changes that have occurred since the approval of Conditional Use Permit UP14-0002 and UP15-0005, and for the 63.9-acre expansion of the facility boundary and operations.

### Existing Non-Permitted Activities

- Approval of the as-built fire hydrant constructed outside the permitted area.
- Unauthorized filling of isolated onsite wetlands within the project site, and the unauthorized filling of jurisdictional wetlands outside the permitted project site from an expansion of the project boundaries.
- Unauthorized road grading activities that resulted in the filling of jurisdictional wetlands.

### Proposed Future Expansion Area

The amendment includes a proposed 64-acre expansion of the project boundary for a total site acreage of 126.7 acres, modifications to the operations at the facility, construction of new improvements, and an amendment of Condition No. 20 of Conditional Use Permit UP14-0002 to allow the receipt, chipping, and grinding of softwood logs at the facility.

## Comments

1. Each operator of a compostable material handling facility is required to obtain a Compostable Material Handling Facility Permit pursuant to California Code of Regulations (CCR) Title 14, Section 17854. The proposed 64-acre expansion of the project boundary is considered a significant change in the design or operation of the solid waste facility and therefore requires an application for a Solid Waste Facility Permit (SWFP) revision.
2. Each operator of compostable material handling facility is required to maintain an up to date Report of Composting Site Information (RCSI). An updated RCSI reflecting the expanded boundary limits should be submitted at the time of filing for a SWFP revision. The updated RCSI should contain a schematic drawing of the facility showing layout and general dimensions of all processes utilized in the production of compost including, but not limited to, unloading, storage, processing, parking, and loading areas.

## Solid Waste Regulatory Oversight

The Butte County Public Health Department, Division of Environmental Health is the Local Enforcement Agency (LEA) for Butte County and is responsible for providing regulatory oversight of solid waste handling activities, including inspections. Please contact the LEA at 530.552.3880 to discuss the regulatory requirements for the proposed project.

## Conclusion

CalRecycle staff thanks the Lead Agency for the opportunity to review and comment on the environmental document and hopes that this comment letter will be useful to the Lead Agency preparing the Mitigated Negative Declaration (MND) and in carrying out their responsibilities in the CEQA process.

CalRecycle staff requests copies of any subsequent environmental documents, copies of public notices and any Notices of Determination for this proposed project.

If the environmental document is adopted during a public hearing, CalRecycle staff requests 10 days advance notice of this hearing. If the document is adopted without a public hearing, CalRecycle staff requests 10 days advance notification of the date of the adoption and proposed project approval by the decision making body.

If you have any questions regarding these comments, please contact me at 916.341.6427 or by e-mail at [eric.kiruja@calrecycle.ca.gov](mailto:eric.kiruja@calrecycle.ca.gov).

Sincerely,

Eric Kiruja, Environmental Scientist  
Permitting & Assistance Branch – Central Unit  
Waste Permitting, Compliance & Mitigation Division  
CalRecycle