County of San Diego

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NEGATIVE DECLARATION

PROJECT NAME: ORGANIC MATERIALS ORDINANCE UPDATE

RECORD ID: PDS2020-POD-20-015

ENVIRONMENTAL LOG NO.: PDS2020-ER-20-00-001

The Document is Considered Draft Until it is Adopted by the Appropriate County of San Diego Decision-Making Body

This Negative Declaration is comprised of this form along with the Environmental Initial Study that includes the following:

a. Initial Study Form
b. Environmental Analysis Form

1. California Environmental Quality Act Negative Declaration Findings:

   Find that this Negative Declaration reflects the decision-making body's independent judgment and analysis, and; that the decision-making body has reviewed and considered the information contained in this Negative Declaration and the comments received during the public review period, and; on the basis of the whole record before the decision-making body (including this Negative Declaration) that there is no substantial evidence that the project will have a significant effect on the environment.

ADOPTION STATEMENT: This Negative Declaration was adopted and above California Environmental Quality Act findings made by the:

_____

on _____

Tyler Farmer, Group Program Manager
Sustainability Planning Division

County of San Diego

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May 26, 2022

CEQA Initial Study - Environmental Checklist Form (Based on the State CEQA Guidelines, Appendix G)

1. Title; Project Number(s); Environmental Log Number:

   Organic Materials Ordinance Update; PDS2020-POD-20-015; PDS2020-ER-20-00-001

2. Lead agency name and address:
   County of San Diego, Planning & Development Services
   5510 Overland Avenue, Suite 310
   San Diego, CA 92123-1239

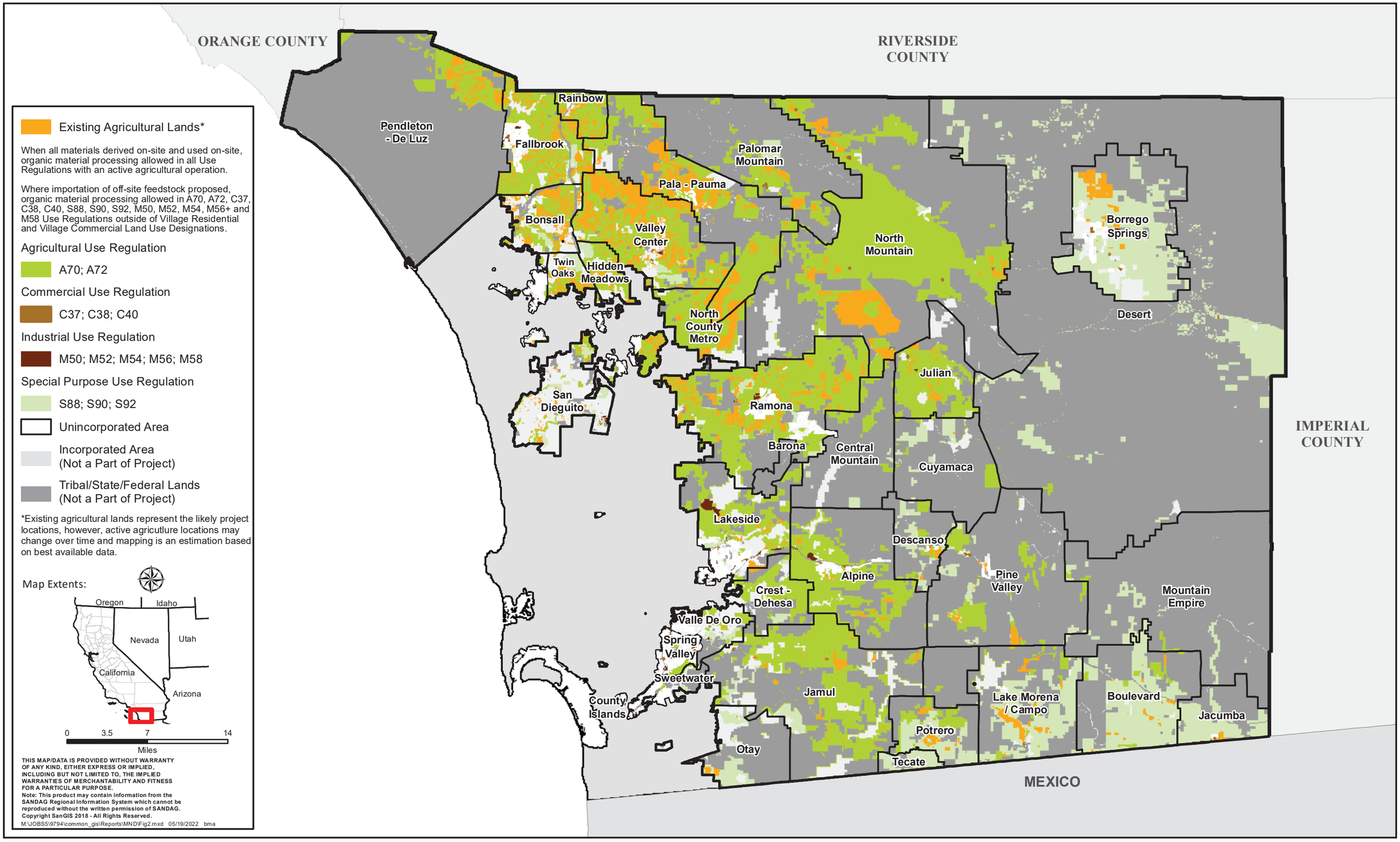
3. a. Contact: Claire Moss, Land Use/Environmental Planner
   b. Phone number: (619) 679-4625
   c. E-mail: Claire.Moss@sdcounty.ca.gov

4. Project location:

   The proposed ordinance amendments would apply to specified zones within the unincorporated County, which reflect existing zones where organic material processing is allowed in some manner. As detailed in the project description, several categories of regulations for organic materials processing operations are proposed in order to clarify allowable organic material processing uses in the Zoning Ordinance. The ordinance would apply to land in the County with active agricultural operations in addition to other non-agricultural lands for commercial organic material processing operations and organic material processing associated with community gardens and community composting. The Use Regulations where each category of organic material processing would be allowed is depicted in Table 1. Refer to Figure 1 for the Regional Location and Figures 2 through 6 for the Use Regulations applicable to each type of organic material processing operation proposed to be regulated by the Organic Materials Ordinance (OMO).

0 50 100 200
Miles

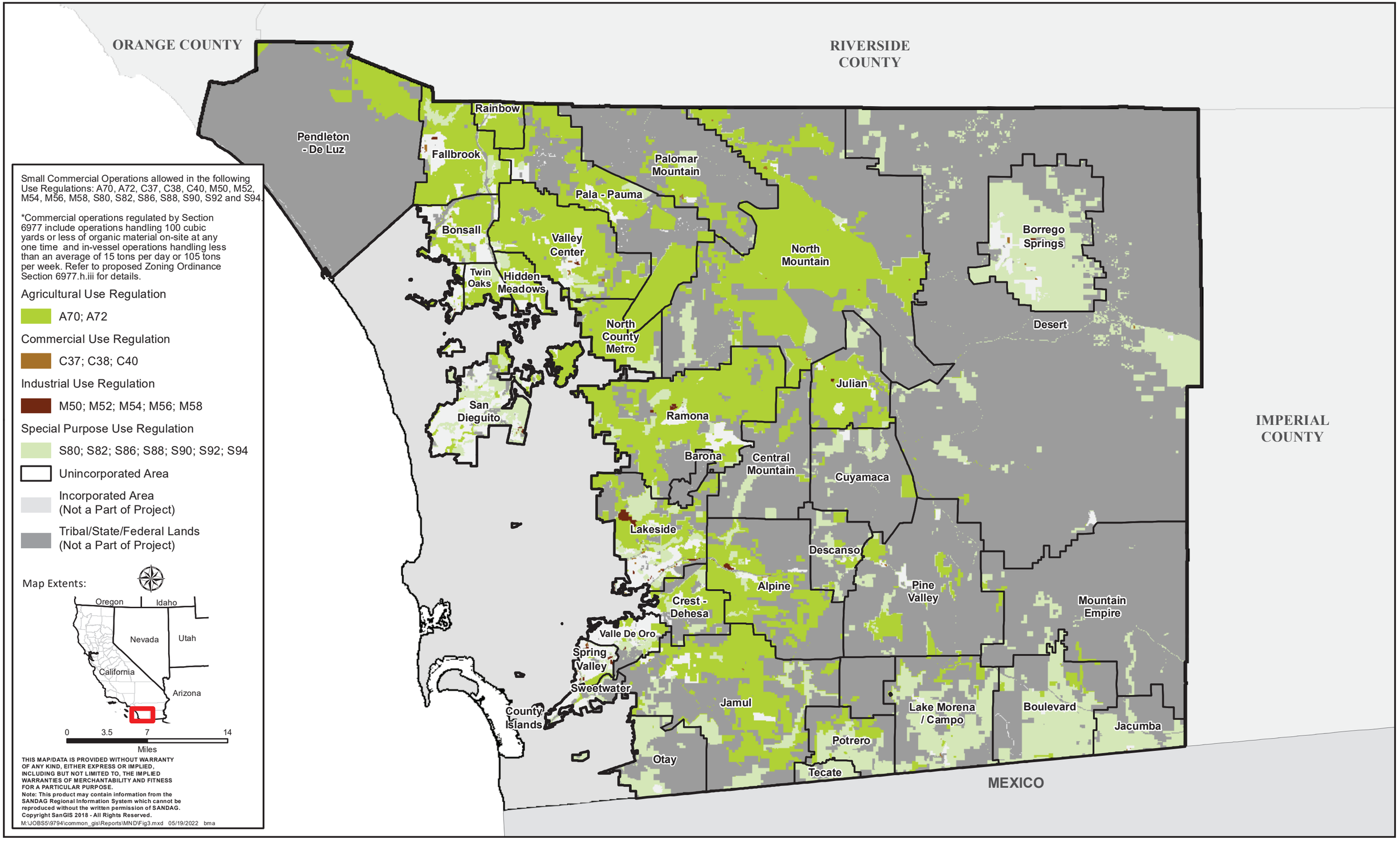
Figure 1
Regional Location



Source: ESRI, SanGIS, County of San Diego, 2020

Figure 2

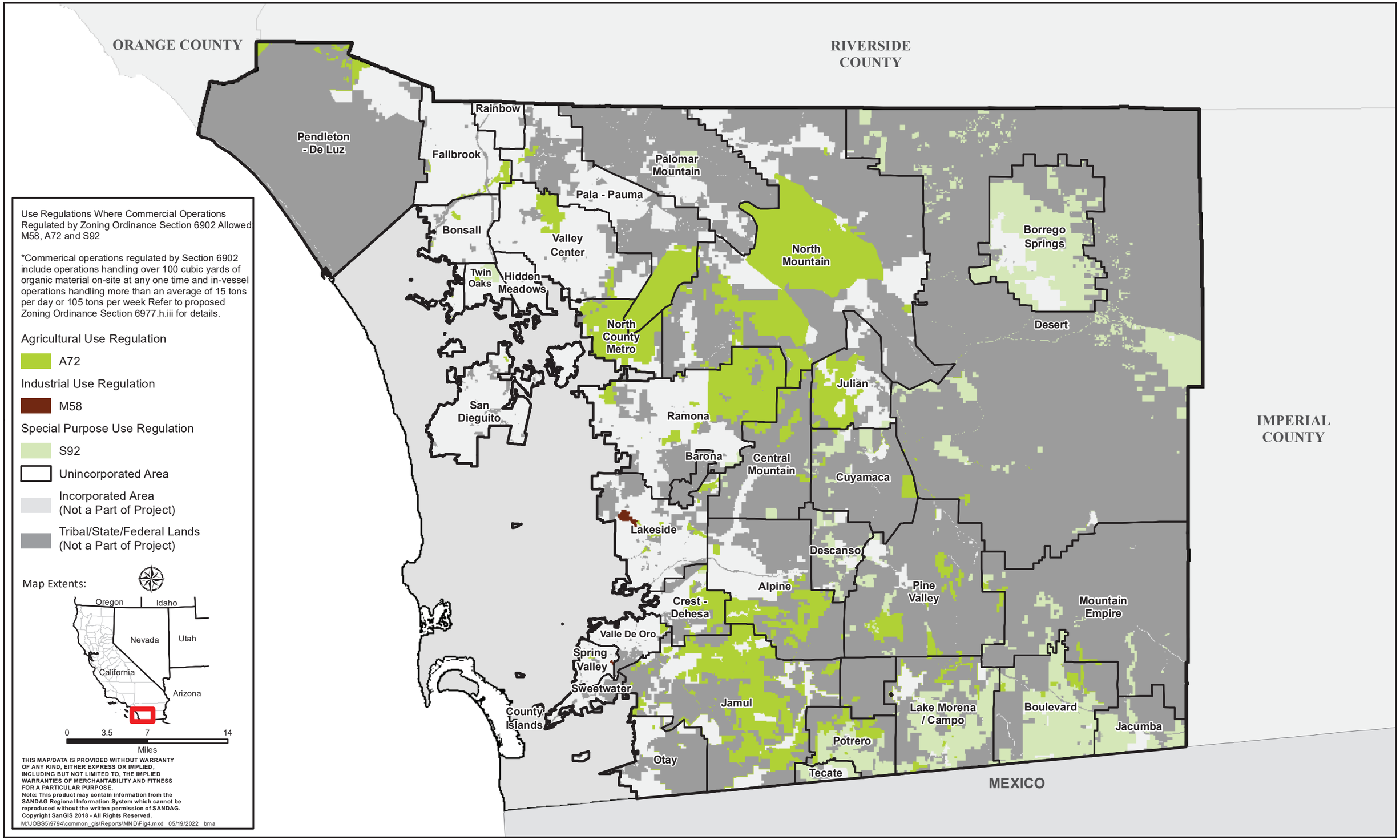
Potential Locations of Organic Material Processing as an Accessory Use to Active Agricultural Operations



Source: ESRI, SanGIS, County of San Diego, 2020

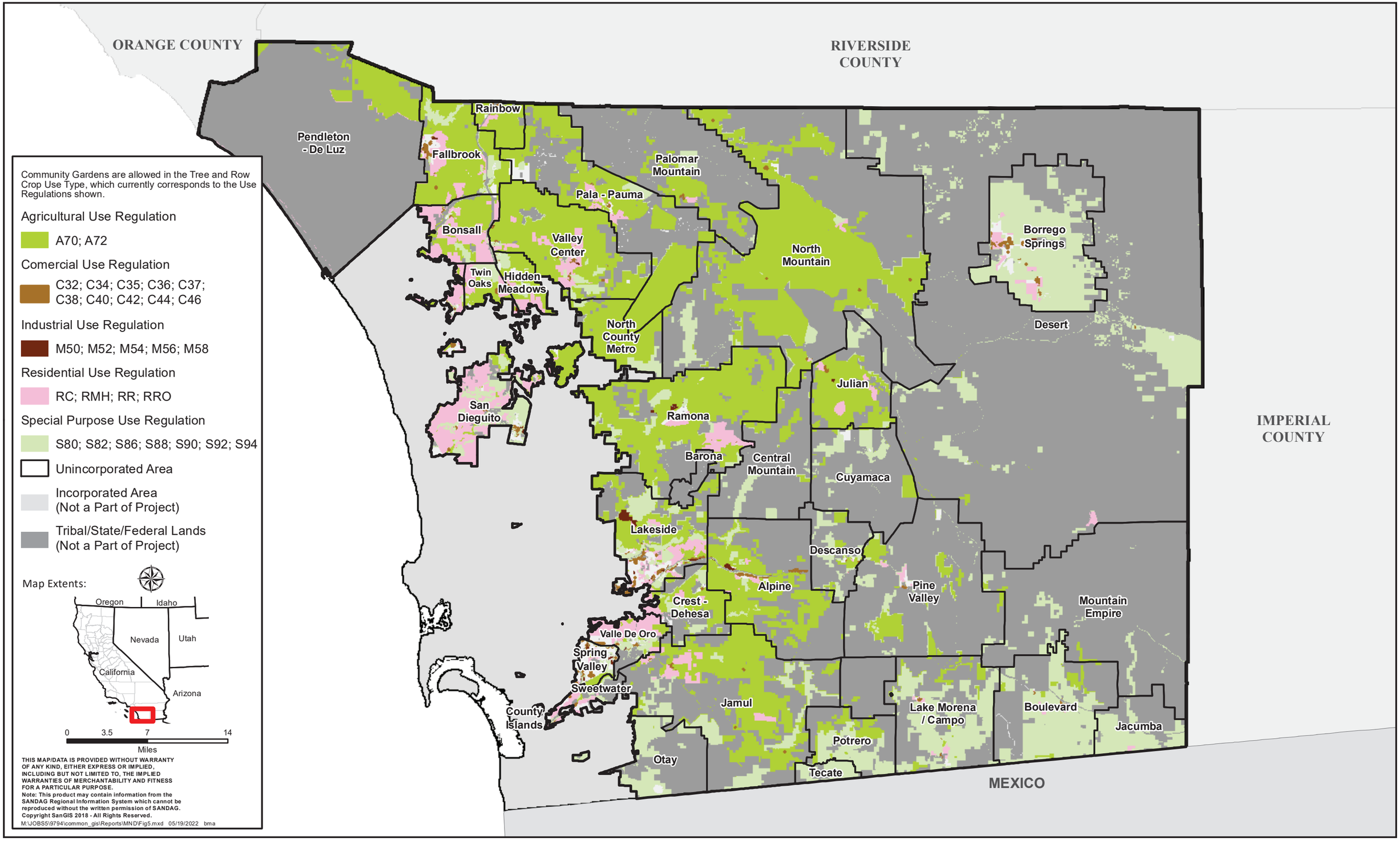
Figure 3

Use Regulations where Small Commercial Organic Materials Processing Allowed as regulated by Zoning Ordinance Section 6977*



Source: ESRI, SanGIS, County of San Diego, 2020

Figure 4
Use Regulations where Commercial Organic Materials Processing Allowed as regulated by Zoning Ordinance Section 6902*



Source: ESRI, SanGIS, County of San Diego, 2020

Figure 5
Use Regulations where Community Gardens are Allowed

ORANGE COUNTY

RIVERSIDE COUNTY

IMPERIAL COUNTY

MEXICO

Pendleton - De Luz

Rainbow

Fallbrook

Palomar Mountain

Pala - Pauma

Bonsall

Valley Center

Twin Oaks

Hidden Meadows

North Mountain

Borrego Springs

Desert

North County Metro

Julian

San Dieguito

Ramona

Barona

Central Mountain

Cuyamaca

Lakeside

Descanso

Alpine

Pine Valley

Crest - Dehesa

Mountain Empire

Valle De Oro

Spring Valley

Sweetwater

County Islands

Jamul

Lake Morena / Campo

Boulevard

Jacumba

Potrero

Otay

Tecate

Existing Agricultural Lands*

Agricultural Use Regulation*

A70; A72

Residential Use Regulation

RC; RD; RM; RMCD; RMH; RMV; RR; RRO; RS; RU; RV

Unincorporated Area

Incorporated Area (Not a Part of Project)

Tribal/State/Federal Lands (Not a Part of Project)

*Existing agricultural lands and agricultural zones represent areas of likely active agricultural operations where community composting may occur, based on best available data.

Map Extents:

M:\JOBS5\9794\common_gis\Reports\MND\Fig6.mxd 05/19/2022 bma

Source: ESRI, SanGIS, County of San Diego, 2020

Figure 6
Potential Locations of Community Composting

Table 1
Location of Potential Organic Material Processing Operations by Use Regulations[1, 2]

Applicable Zoning Section	Type of Operation				
	Operations on Agricultural Land		Commercial Operations	Community Gardens	Community Composting
	with no off-site import	with off-site material collection			
Regulated by New Section 6977	Allowed in all Use Regulations as an accessory use to agricultural operations (either by-right)	Allowed in A70, A72, C37, C38, C40, S88, S90, S92, M50, M52, M54, M56 and M58 Use Regulations as an accessory use to agricultural operations outside of Village Residential and Village Commercial Land Use Designations. (requires a Zoning Verification Permit, Administrative Permit, or Minor Use Permit).	Operations up to 100yd^3 (750 sf) allowed in A70, A72, C37, C38, C40, M50, M52, M54, M56, M58, S80, S82, S86, S88, S90, S92, and S94 Use Regulations with a Zoning Verification Permit or Administrative Permit.[3]	Allowed in (A70, A72, C32, C34, C35, C36, C37, C38, C40, C42, C44, C46, M50, M52, M54, M58, RC, RMH RR, RRO, S80, S82, S86, S88, S90, S92, and S94 Use Regulations), as defined in Section 6912 Community Gardens.[4]	Allowed as an accessory use on any site where an active agricultural operation is present and/or in the RS, RD, RM, RV, RU, RMH, RR, RRO, and RC Use Regulations.
Regulated by Amended Section 6902	N/A	N/A	Operations larger than 100 yd^3 (750sf) allowed in M58, A72 and S92 zones with an Administrative Permit or Major Use Permit [3]	N/A	N/A

yd^3 = cubic yards; sf = square feet; N/A = not applicable

[1]Organic material processing is currently allowed in all of the referenced zones, the proposed ordinance clarifies when activities on sites with agricultural operations are allowed, clarifies permit requirements for larger organic material processing operations, and allows off-site collection for agricultural operations, community gardens and community composting. The regulations do not allow organic material processing in zones where it is not currently allowed.
[2]Refer to Attachment A for a description of each use regulation.
[3]Operation quantities mentioned are identified as on-site at any one time.
[4]Community Gardens are allowed in the Tree and Row Crop Use Type, which currently corresponds to the Use Regulations shown

5. Project Applicant name and address:

   County of San Diego, Planning & Development Services
   5510 Overland Avenue, Suite 310
   San Diego, CA 92123-1239

6. General Plan

Community Plan:	Various
Land Use Designation:	Various
Density:	Various
Floor Area Ratio (FAR)	Various

7. Zoning

Use Regulation:	Various
Minimum Lot Size:	Various
Special Area Regulation:	Various

8. Description of project:

The County OMO (project) involves amendments to the County of San Diego (County) Zoning Ordinance to clarify and modernize the regulation of organic material management and organic material processing operations. The project would modify existing regulatory tiers as well as create new regulatory tiers for organic material processing. Permit tiers would depend on the volume and type of materials to be processed, the origin of the materials, zone, lot size, among other criteria. The goal of the project is to increase processing of organic material generated from agricultural operations and other sources of organic materials to reduce the amount of organic material that is sent to landfills. Organic material diversion from landfills is required in order to meet State mandates set by Assembly Bill (AB) 1826 and Senate Bill (SB) 1383.

The proposed ordinance would add a new section to the County Zoning Ordinance: Section 6977 Organic Materials Processing. There are new terms that would be defined as follows:

A. General Definitions

- Organic Materials: Refers to agricultural material, food material, vegetative food material, and green material as defined by Title 14 of California Code of Regulations (CCR Title 14) Division 7, Chapter 3.1 (California Department of Resources Recycling and Recovery [CalRecycle]).
- Organic Materials Processing: Refers to operations that include but are not limited to static piles, windrow, in-vessel, vermicomposting, and mushroom farming. All other organic processes are subject to additional discretionary review. New methods of Organic Materials Processing not currently considered by CalRecycle may be permitted subject to additional discretionary review as determined by the Director of Planning & Development Services or his or her designee and as guided by this section.

- Community Composting: Refers to the scale and geographic focus of the composting activities. This type of composting is small in scale (20-cubic-yard maximum) and is meant to facilitate composting on the neighborhood level. Community composting is not commercial and can occur within residential and agricultural settings.

B. Feedstock Types

- Feedstock: Is any compostable material used in the production of compost or chipped and ground material including, but not limited to, agricultural material, green material, vegetative food material, food material, biosolids, digestate, and mixed material. Feedstocks shall not be considered as either additives or amendments.
- Green Materials: Refers to any plant material except food material and vegetative food material. Green material includes, but is not limited to, tree and yard trimmings, untreated wood wastes, natural fiber products, wood waste from silviculture and manufacturing, and construction and demolition wood waste.
- Agricultural Materials: Is any waste material of plant or animal origin, which results directly from the conduct of agriculture, animal husbandry, horticulture, aquaculture, silviculture, vermiculture, viticulture and similar activities undertaken to produce food or fiber for human or animal consumption. Agricultural material includes, but is not limited to, manures, orchard and vineyard pruning, grape pomace, and crop residues.
- Vegetative Food Materials: Refers to any food material that is plant based. Vegetative food material may be processed or cooked but must otherwise retain its essential natural character and no salts, preservatives, fats or oils, or adulterants have been added. Vegetative food material includes, but is not limited to, fruits and vegetables, edible flowers, plants, outdated and spoiled produce, and coffee grounds.
- Food Materials: Is any waste material of plant or animal origin that results from the preparation or processing of food for animal or human consumption. Food material includes, but is not limited to, food waste from food facilities as defined in the San Diego County Health and Safety Code, food processing establishments, grocery stores, institutional cafeterias (such as prisons, schools, and hospitals), and residential food scrap collection.

C. Methods of Organic Material Processing

- Anaerobic Decomposition: Is a biological decomposition of organic substances in the absence of oxygen.
- Aerobic Decomposition: Is the decomposition of organic materials primarily by aerobic microbes under controlled conditions

- Static Piles: Compostable materials are piled up, paying special attention to the mix of carbon materials, like leaves or wood chips, and nitrogen materials, like food waste or fresh grass. The pile is then turned regularly and kept moist. This method can take up to six months or a year to create compost.
- Aerated Static Piles: Piles are made the same way as static piles, except these have a system to let more air in. The system can be as simple as a pallet under the bin or as elaborate as Polyvinyl chloride (PVC) tubing with forced air inserted into the pile. More air helps the system work faster.
- Windrow: Compostable materials are mixed and placed in long, narrow piles at least 4 feet high and can range up to 100 feet long. This method requires a lot of space and heavy machinery such as a front-end loader and/or windrow turner. Windrows can be covered or not. This method is often used for agricultural operations or for cities and/or counties.
- In-vessel: These in-vessel systems can compost anywhere from a few pounds to over 60 tons a day. It is an aerobic process in which compostable material is enclosed in a static or motorized drum or other container for the purpose of producing compost, maintained under uniform conditions of temperature and moisture where airborne emissions are controlled. This is a good method for smaller community garden with limited space. Larger commercial facilities in-vessel systems are fully automated with sensors to monitor temperature, oxygen, and moisture.
- Enclosed Containers: Is any enclosure that is a static drum, wood bin, cart, enclosure (fabricated or purchased) or other container for the purpose of producing compost, maintained under uniform conditions of temperature and moisture where airborne emissions are controlled. This is a good method for smaller community garden with limited space.
- Vermicomposting: This kind of composting uses red wiggler (*Eisenia foetida*) worms and microorganisms to do the work of composting. Food waste is broken down and consumed, leaving behind worm castings, a highly valued fertilizer. Vermicomposting systems are also available in a variety of sizes ranging from a 10-gallon (2 pounds per day) system that could manage organic materials generated from a small home up to a continuous flow system that could manage over 60 tons per day.
- Insect raising: Insets can be used for organic material processing. For example, black soldier fly (*Hermetia illucens*) larvae are able to process nutrients in food waste which speeds up the decomposition. This type of organic material processing can occur indoors or outdoors with by a screened enclosure. The structure is typically several feet wide and tall to provide the flies ample space to fly and breed. Black soldier flies can tolerate a widely varied diet from organic waste such as table scraps, composting feed, and animal manure.

- Mushroom Farming: Is any activity that produces mushrooms within a substrate mix usually consisting of chopped straw, poultry and horse manure, gypsum, nitrogen-containing compounds, and water. The leftover soil (mushroom compost) can be used as soil amendment to improve water infiltration, holding capacity, permeability, and aeration.
- Chipping and Grinding: Is any activity that mechanically reduces the size of greenwaste and woodwaste to be used for a variety of applications.

The OMO would define regulations for organic material processing on land with an active agricultural operation, add allowances for organic material processing in community gardens (as amended in Zoning Ordinance Section 6912, which regulates composting in community gardens consistent with 6977), add allowances for community composting (less than or equal to 20 cubic yards) and for large commercial organic material processing operations greater than 100 cubic yards (750 square feet) or 15 tons per day (as amended in Zoning Ordinance Section 6902), and provide new regulations for small-scale commercial organic material processing operations that do not exceed 100 cubic yards (750 square feet) or 15 tons per day.

The new regulations define organic material processing that can occur by-right on land with an active agricultural operation, as these activities are currently part of normal agricultural practices on farms, but the zoning ordinance currently does not reference them. As a result, while the project introduces new regulations, many of the proposed by-right and ministerial organic material processing operations allowed on land with an agricultural operation represent typical existing operations on farms since organic material management is a normal part of farming operations.

The regulations additionally define type and volume of feedstocks, allowances for importation of materials, and allowance for sales. Depending on various factors, certain uses are permitted with a Zoning Verification Permit, Administrative Permit, Minor Use Permit, or Major Use Permit. A summary of existing and proposed regulations is provided in Table 2, with a focus on how the proposed regulations would modify existing organic material processing allowances. As detailed in Table 2, the key changes that would result from adoption of the ordinance include the following:

- Allowance for importation of feedstocks for organic material processing, excluding anaerobic digestion, on land with active agricultural operations, with either a Zoning Verification Permit, Administrative Permit, or Minor Use Permit, depending on the type and volume of feedstocks. The regulation would codify regulations for organic material processing on farms that are currently not referenced in the Zoning Ordinance. Regulations are intended to mirror current practice, while providing permit requirements for larger operations.
- Allowance for importation of feedstocks to support organic material processing operations, excluding anaerobic digestion, at community gardens provided the total volume of material on-site at any one time does not exceed 100 cubic yards or 750 square feet. Currently organic material processing at community gardens is allowed, but limited

to only community garden members. This amendment would allow small-scale organic material processing to support the community garden.

- Allowance for small-scale (no more than 20 cubic yards at any time) community composting to occur on lands with active agriculture and within certain residential land use designations. Allowed materials can originate from off-site areas and may include vegetative food material and green materials, including agricultural materials when located on a site with active agriculture.
- Allowance, subject to a Zoning Verification Permit, for importation of feedstock for commercial organic material processing operations, excluding anaerobic digestion, provided that the total volume of material on-site at any one time does not exceed 100 cubic yards (750 square feet) or 15 tons per day. This provision would allow small-scale commercial organic material processing operations with a Zoning Verification Permit, compared to the current requirement for a Major Use Permit for any operation.
- Changes to Zoning Ordinance Section 6902 regulating commercial organic material processing operations would be amended as follows:
    - Creation of an Administrative Permit procedure within Zoning Ordinance Section 6902 for large commercial organic material processing operations that handle 12,500 cubic yards or less of material on-site at any one time and only handle agricultural, green or vegetative food materials. Operations qualifying for an Administrative Permit may operate on parcels smaller than 5 acres if certain findings are met. Operations handling more than 12,500 cubic yards and/or that handle food material would continue to require a Major Use Permit.
    - Regulations added for in-vessel operations, requiring either an Administrative Permit or a Major Use Permit depending on the volume of materials processed. Existing zoning does not regulate in-vessel operations.
    - Anaerobic digestion systems for commercial processing of organic materials are permitted under Section 6902.
    - Requirement for a Best Management Practices Plan and Odor Impact Minimization Plan for commercial organic material processing operations.

Table 3 provides a summary of allowances for each organic material processing category included in the ordinance.

Table 2
Summary of Existing Regulations and Proposed Ordinance Changes

Organic Material Processing Type	Existing Regulations	Proposed Ordinance Changes
Organic Material Processing on land with Active Agricultural Operations	By-right allowance for organic material processing where all feedstock materials are derived on-site and used on-site, (e.g., no importation of feedstocks allowed unless from a commonly leased or owned property). This is allowed as current practice but is not specifically referenced in the Zoning Ordinance. Sales of agricultural products produced on-site (including compost) is allowed pursuant to Zoning Ordinance Section 6157(a).	Regulations would specifically define that organic material processing is allowed on land with an active agricultural operation where all materials are derived on-site and used on-site. This clarifies regulations but does not change allowed organic material processing compared to existing conditions. The ordinance adds new regulations (e.g., a Zoning Verification Permit) for these operations depending on the type of feedstock and volume of materials, as detailed in Table 4.
	Importation of feedstocks is not allowed to support organic material processing on land with an active agricultural operation.	Ordinance would allow, through Zoning Verification Permit, Administrative Permit, or Minor Use Permit, importation of feedstock to support organic material processing operations on lands with active agricultural operations in the following use regulations only: A70, A72, C37, C38, C40, S88, S90, S92, M50, M52, M54, M56, and M58. Organic material processing end products are allowed to be sold as agricultural products pursuant to Zoning Ordinance Section 6157(a).
Organic Material Processing at Community Gardens	Composting may be performed on a site with a community garden, in a composting container using only materials generated on-site or contributed by active members of the community garden.	The proposed ordinance would allow off-site collection of organic materials from any source provided the total volume of organic material on-site at any one time is limited to 100yd^3 or 750 square feet. Finished compost may be donated in any amount. Sales are prohibited.
Community Composting	Community composting not currently defined or regulated in the Zoning Ordinance.	Allowed as an accessory use on any site where an active agricultural operation is present and/or in the RS, RD, RM, RV, RU, RMH, RR, RRO, and RC Use Regulations. No permits are required and the total volume of organic material may not exceed 20 cubic yards at a given time for organic material processing. All processing of organic materials must occur within an enclosed container. Organic materials processed shall be limited to vegetative food material and green material only unless it's occurring on agricultural properties then agricultural materials may also be included. Finished compost may be donated. Sales are prohibited[1].

Table 2
Summary of Existing Regulations and Proposed Ordinance Changes

Organic Material Processing Type	Existing Regulations	Proposed Ordinance Changes
Commercial Operations	Commercial organic material processing operations are regulated under one of two Zoning Ordinance sections: • 6902, Animal Waste Processing Regulations • 6975c Recycling Processing Facility, Wood and Green Materials These use classifications are defined in Zoning Ordinance Section 1513 and 1730. Excerpts of the existing regulations are provided as Attachment A.	Proposed ordinance changes would allow small commercial operations in additional zones, specifically A70, A72, M50, M52, M54, M56, M58, S80, S82, S86, S88, S90, S92, and S94. Specifically, through a Zoning Verification Permit, small commercial operations would be allowed that maintain 100 yd^3 (750 sf) or less of material on-site at any one time. Large In-Vessel Operations/Facilities with anything under 15 tons per day or up to 105 tons per week would require an Administrative Permit. Larger commercial operations would be subject to a discretionary permit process depending on the type of permit (either Administrative Permit or Major Use Permit). The ordinance amendments include changes to Zoning Ordinance Section 6902 and a new Section 6977. Sections 1513 and 6975c will remain unchanged.

yd^3 = cubic yards; sf = square feet

[1]Title 6 Division 8. Chapter 5. Article IV. Section 68.531 of the San Diego County Code of Regulatory Ordinances includes exemptions from the requirement for a recyclable materials collector certificate. This section of the code would be amended to exempt “A person or non-profit entity that collects organic materials from service recipients, for the purpose of recycling or processing in a community composting facility as defined in section 6977 d. and e. This person or non-profit entity may collect fees to offset the collection costs.”

Table 3
Summary of Proposed Organic Material Processing Regulations

Organic Material Processing Operation	Zones Allowed/Source of Materials	Sales[2]	Volumes Allowed and Permits Required	Chipping and Grinding Allowed?[1]
On land with Active Agricultural Operations	Allowed in all Use Regulations if all materials are derived on-site (e.g., no importation except as described in footnote[3)]	A maximum of 1,000 yd^3 of finished compost may be donated annually.	Refer to Table 4.	Allowed only as accessory to the primary organic material processing
	A70, A72, C37, C38, C40, S88, S90, S92, M50, M52, M54, M56 and M58 with off-site material importation allowed.	Finished product may be sold or donated in any amount subject to Section 6157(a).	Refer to Table 5.	
Community Gardens	As permitted by Section 6912 Community Gardens. Off-site organic materials from any source may be received for processing on-site.	Finished compost may be donated in any amount. All sales are prohibited.	The total organic material volume on-site at any one time shall not exceed 100yd^3 or 750 sf.	
Community Composting	Allowed on any site where an active agricultural operation is present and/or in the RS, RD, RM, RV, RU, RMH, RR, RRO, and RC Use Regulations Organic materials processed shall be limited to vegetative food material, and green material only. Except if the organic materials processing activity is occurring on agricultural properties, then agricultural materials may be included.	Finished compost may be donated in any amount. All sales are prohibited. Collection of fees to offset collection costs is allowed.	No permits are required if the total organic material volume on-site at any one time does not exceed 20 cubic yards at a given time used for organic material processing.	Prohibited

Table 3
Summary of Proposed Organic Material Processing Regulations

Organic Material Processing Operation	Zones Allowed/Source of Materials	Sales[2]	Volumes Allowed and Permits Required	Chipping and Grinding Allowed?[1]
Commercial Operations	As permitted by Section 6977 Organic Material Processing for in-vessel operations are allowed in the following zones when the total volume on site is equal to or below 100 yd^3 (750 sf) or 15 tons per day: A70, A72, M50, M52, M54, M56, M58, S80, S82, S86, S88, S90, S92, and S94. As permitted by Section 6902 Commercial Organic and Animal Waste Processing allowed in the following zones when total volume on site exceeds 100 yd^3 (750 sf) or 15 tons per day: A72, M58, and S92. Off-site organic materials from any source may be received for processing on-site.	Finished product may be sold or donated in any amount, unless limited by the administrative or use permit.	Refer to Table 6	Allowed only as accessory to the primary organic material processing

yd^3 = cubic yards; sf = square feet

[1]If chipping and grinding is the primary use, that use would be regulated as a Recycling Processing Facility, Wood and Green Materials pursuant to Section 1513(c).

[2] All on-site sales must comply with Section 6157(a) On-Site Agricultural and/or Horticultural Sales, unless otherwise indicated in the administrative or use permit. Finished product is considered an agricultural product. This allowance for sales reflects what is allowed in the existing condition.

[3] Materials may be considered "derived on-site" if:
1) they originate from parcels under the same ownership or leased by the same owner; or
2) materials are from operations managed by groups of independent agricultural operations in close proximity to one another. Notice must be submitted to the County to confirm independent agricultural operations are acting as a group.

[4] Refer to Attachment A for a description of each use regulation.

For each of the above categories, a number of operational and siting requirements have been identified as detailed below. Zoning Ordinance Section 6977 would require submittal of an Odor Impact Minimization Plan (OIMP) to the County Planning & Development Services when such a plan is required by CalRecycle regulations (CCR Title 14, Sections 17863.4 and 17863.4.1). Furthermore, in order to ensure operators of organic material processing operations that are allowed with a ministerial zoning verification permit comply with applicable regulations of the proposed ordinance in addition to other applicable local, State, and Federal regulations, the ordinance would require each operator to develop a Best Management Practice (BMP) plan that demonstrates compliance with the operational and siting criteria discussed below, and shall include, but not be limited to, the type(s) of materials to be processed, siting, access, drainage, management of pests, odors (per CCR Title 14, Section 17853.4), noise, and description of the general operations. The BMP plan must be submitted to the County with Zoning Verification Permit applications and all plans would be provided to the Department of Environmental Health and Quality (DEHQ) Local Enforcement Agency (LEA) to be kept on file. For permit applications that require a discretionary review, the BMP plan would require review by the DEHQ LEA who will be responsible for providing specific conditions related to permitted materials and permissible volumes allowed for a project as well as conditions to ensure adequate suppression of odors, air contaminants, vectors, and other potential hazards to public health.

The ordinance additionally reserves the right of the County to inspect organic material operations annually, or as otherwise provided in the applicable permit, with reasonable notice to the operator.

Operational Requirements included in proposed Zoning Ordinance Section 6977:

- Organic Materials Processing operations are subject to the volume and material limitations set forth by CalRecycle.
- Processing of meat and dairy products must occur within an enclosed container or in-vessel, unless otherwise described in the Administrative or Use Permit.
- Stormwater runoff from processing site(s) and leachate shall be managed to meet the standards of all Federal, State, and local water permits.
- Application of water for organic materials processing on-site shall be managed to reduce the generation of wastewater.
- During a weather event, organic materials shall be completely covered, or equivalent measures implemented, to reduce the generation of wastewater runoff.
- Operations and compost width and height shall comply with the current provisions or future amendments adopted by the County for the San Diego County Consolidated Fire Code – Section 96.1.2808.
- Chipping and grinding is only allowed as accessory to the organic material processing operation and shall not occur before 8:00 a.m. or after 5:00 p.m.

- On-site sales shall not occur before 7:00 a.m. or after 6:00 p.m. unless otherwise provided as a condition of an Administrative or Use permit.
- Organic Materials Processing shall be conducted in a manner so as not to become a nuisance to surrounding properties and shall be managed to:
    - Prevent the migration of agricultural pests identified by the horticultural pest and disease control boards (DEHQ and Quality and Agriculture, Weights and Measures guidelines) as applicable.
    - Prevent attraction of flies, rodents, and other vectors per CCR Title 14 Sections 1710.4, 17820, and 18227 as applicable. The LEA is authorized on behalf of the State to take corrective action if operations result in the occurrence of excessive vectors or other adverse public health/well-being related conditions per CCR Title 14 Section 17855.
    - Control air contaminants such as dust and odors to prevent migration beyond the property boundary although customary agricultural practices that are identified under the Right to Farm Act are allowed. According to the Right to Farm Act, customary agricultural practices in farm operations may include, but are not limited to, noise, odors, dust, light, insects, the operation of pumps and machinery, the storage and disposal of manure, bee pollination, and the ground or aerial application of fertilizers, pesticides, and herbicides.
    - Minimizes operational noise, hazards, or litter beyond the property boundaries.
    - Noise levels shall not exceed limits set by the San Diego County Noise Ordinance, Section 36.404 as measured at the property line of the property on which the noise is produced or at any location on a property that is receiving the noise.
- Organic Materials Processing operations shall be conducted to minimize impact to sensitive habitats or species, such as but not limited to breeding seasons, riparian habitats, wildlife corridors, etc. including compliance with all Federal, State, and local regulations.
- The Organic Materials Operator shall prepare, implement, and maintain site operations to ensure that any type of composting operations implement best practicable treatment and control that meets pathogen reduction requirements as specified in CCR Title 14, Division 7, Chapter 3.1, Section 17868.3 – Process to Further Reduce Pathogens. (CalRecycle)

Siting Requirements included in proposed Zoning Ordinance Section 6977:

- All operations must be sited a minimum of 100 feet from any existing groundwater well and/or nearest surface water body.
- All operations must be sited a minimum of 50 feet from any state or federally protected wetlands and sensitive habitat.
- Operations sited within a known Floodplain or Special Flood Hazard Areas as identified by the County Department of Public Works – Flood Control Division maps and/or the

Federal Emergency Management Agency maps shall be in compliance with the County's Flood Damage Prevention Ordinance – Division 11, Section 811.

- All operations at a minimum shall be set back from the property line 10 feet unless enclosed or processing occurs in-vessel in which case the minimum setback is 3 feet. All other setbacks shall comply with Section 4800 Setback Requirements for the applicable zone in which the use is located, whichever is more stringent.
- Organic material processing is excluded from the enclosure matrix as indicated in Section 6816.
- Screening shall comply with Section 6700 Screening and Fencing Requirements for the applicable zone in which the use is located.
- The composting area shall be sited to prevent, to the greatest extent possible, ponding, infiltration, inundation, and erosion impacts.

For each of the organic material processing categories discussed in Table 4, the type and volume of materials processed on-site would dictate the applicable permit requirements for the use.

Table 4
Permit Requirements for Organic Material Processing Operations on Sites with an Active Agricultural Operation and No Off-site Importation of Materials Allowed

Feedstock or Organic Materials Processing	Local Permits		
	≤100 yd^3	≤12,500 yd^3	>12,500 yd^3
Agricultural Feedstock	NP*		
Agricultural + Green Feedstock	NP*		
Agricultural + Green + Vegetative Food Feedstock	NP*		
Agricultural + Green + Vegetative Food + Food Feedstock **	NP*		
In-Vessel Agricultural	NP		
In-vessel Agricultural + Dairy + Food	NP		

yd^3 = cubic yards; NP: No Permit Required
*Includes in-vessel digestion with less than a total of 100 yd^3 of organic materials
**Processing of meat and dairy products must occur within an enclosed container or in-vessel

Table 5
Permit Requirements for Organic Material Processing Operations on Sites with an Active Agricultural Operation where Importation of Materials is Allowed

Feedstock or Organic Materials Processing	Local Permits		
	≤100 yd^3	≤12,500 yd^3	>12,500 yd^3
Agricultural Feedstock (used on-site)	ZVP*		
Agricultural + Green Feedstock	ZVP*	AD	ZAP
Agricultural + Green + Vegetative Food Feedstock***	ZVP*	AD	ZAP
Agricultural + Green + Vegetative Food + Food Feedstock **	ZVP*	ZAP	
In-vessel Agricultural + Dairy + Food (import allowed, used on-site)	ZVP		
Organic Materials Processing	Local Permits (defined by tpd or tpw)		
In-Vessel Operations/Facilities	avg. <15 tpd, 105 tpw	avg. 15 ≤ x ≤ 100 tpd	avg > 100 tpd, 700 tpw
	ZVP	AD	ZAP

yd^3 = cubic yards; ZVP = Zoning Verification Permit; AD = Administrative Permit; ZAP = Minor Use Permit; tpd = tons per day; tpw = tons per week
*Includes in-vessel digestion with less than a total of 100 yd^3 of organic materials
**Processing of meat and dairy products must occur within an enclosed container or in-vessel
***Community Composting: No permits are required if the total organic material volume on-site at any one time does not exceed 20 yd^3 at a given time used for organic material processing. Chipping or grinding and sales are prohibited

Table 6
Permit Requirements for Commercial Organic Material Processing Operations

Feedstock or Organic Materials Processing	Local Permits		
	≤100 yd^3	≤12,500 yd^3	>12,500 yd^3
Agricultural + Green Feedstock	ZVP*[1]	AD[2]	MUP[2]
Agricultural + Green + Vegetative Food Feedstock	ZVP*[1]	AD[2]	MUP[2]
Agricultural + Green + Vegetative Food + Food Feedstock **	ZVP*[1]	MUP[2]	
Organic Materials Processing	Local Permits (defined by tpd or tpw)		
In-Vessel Operations/Facilities	avg. >15 tpd, <105 tpw[1]	> 100 tpd or 700 tpw[2]	
	AD	MUP	

yd^3 = cubic yards; NP: No Permit Required; ZVP = Zoning Verification Permit; AD = Administrative Permit; ZAP = Minor Use Permit; MUP = Major Use Permit; tpd = tons per day; tpw = tons per week
*Includes in-vessel digestion with less than a total of 100 yd^3 of organic materials
**Processing of meat and dairy products must occur within an enclosed container
[1] Regulated by Zoning Ordinance Section 6977.
[2] Regulated by Zoning Ordinance Section 6902.

Organic material processing operations that could occur by-right or with a Zoning Verification Permit under the proposed regulations include the following:

- Operations on a parcel with an active agricultural operation where materials originate on-site and are used on-site. Volumes are limited by materials on-site (or from the same owner, lessee, or nearby group of operators) and the ability for the operators to use the materials on-site, as only 1,000 cubic yards are allowed to be donated annually.
- Operations on a parcel with an active agricultural operation where materials can be imported, but all final compost product is used on-site. Volumes are limited by the ability of the operators to use the materials entirely on-site.
- Operations containing up to 100 cubic yards (750 square feet) of materials on-site at any one time or 15 tons per day, on a parcel with an active agricultural operation where materials can be imported, and materials can be sold or donated.
- Operations at Community Gardens limited to 100 cubic yards (750 square feet) of material on-site at any one time and 750 square feet of organic material processing area. Importation of off-site organic materials is allowed, not to exceed the 100-cubic-yard limit.
- Operations for community composting limited to 20 cubic yards (66 square feet) of material and occur within an enclosed container and can be imported. Organic materials limited to vegetative food material, and green material only. If organic materials processing activity is occurring on agricultural properties, then agricultural materials may be included.
- Commercial organic material composting operations that maintain up to 100 cubic yards (750 square feet) of materials on-site at any one time or 15 tons per day. Primary Use Commercial Organic operations would be limited by the viability of a commercial operation or parcel size.

Photographs of typical by-right and small/medium operations that would be allowed by-right and/or with a Zoning Verification Permit are characterized visually in Photographs 1 through 10.

The project additionally includes amendments to Section 7359 of the Zoning Ordinance to add required permit findings for organic material operations subject to a use permit. The proposed findings would be in addition to the standard use permit findings (Section 7358) and would ensure that projects comply with siting, operational and other criteria identified in Section 6977 and 6902. The following supplemental findings are proposed:

Section 7359

[…]

c. *Organic Materials Processing. In addition to the findings required by Section 7358, it shall be found that proposed facility complies with siting, operational, and other criteria as specified in 6977.*

d. *Large Commercial Organic Processing. In addition to the findings required by Section 7358, it shall be found that proposed facility complies with siting, operational, and other criteria as specified in 6902.*

The Zoning Ordinance procedures for Administrative Permits under Section 7058 outlines that Administrative Permit applications are required to meet the standards and criteria identified in pertinent sections of The Zoning Ordinance. The OMO outlines that operations requiring an Administrative Permit would be required to comply with siting, operational, and other criteria as specified in Section 6977 of the Zoning Ordinance.

The ordinance amendments are intended to bring County regulations more in line with the CalRecycle organic material composting regulations by defining feedstock types and volumes and incorporating best practices as defined by CalRecycle. Currently, the Zoning Ordinance is silent on many organic material processing activities and the ordinance amendments would in some cases clarify and define existing practice. For example, zoning regulations are currently silent regarding allowances for organic material processing operations on farms; however, in practice, the County allows organic material processing operations on farms as a by-right use where all the materials originate from the property and would be used on the property. The new ordinance would add new tiers and allowances for organic material processing on property with an agricultural operation that accounts for material importation, feedstocks, and sales. The new ordinance would bring local regulations in line with State regulations for organic material processing.

Solid waste facilities, including composting operations are subject to State regulations contained in the CCR Title 14 and are regulated by CalRecycle, along with local enforcement agencies. The DEHQ Solid Waste LEA is certified by CalRecycle to enforce State solid waste laws and regulations in San Diego County, excluding the City of San Diego. The purpose of this regulatory oversight is to manage and mitigate the impacts of solid waste on public health and safety and the environment by enforcing compliance with regulations and State minimum standards, through integrated and consistent permitting, inspection, and enforcement efforts. Typical impacts of organic material processing operations are addressed through extensive regulation at the State level, as further discussed in this Initial Study.

PHOTOGRAPH 1
Static Pile – 3-bin System

PHOTOGRAPH 2
Static Pile – Windrow

PHOTOGRAPH 3
Static Pile – Windrow

PHOTOGRAPH 4
Static Pile – Covered Windrow

PHOTOGRAPH 5
Aerated Static Pile at Horse Ranch

PHOTOGRAPH 6
Aerated Static Pile at Horse Ranch

PHOTOGRAPH 7
Covered Aerated Static Pile

PHOTOGRAPH 8
In-vessel Composting – Earth Tub

PHOTOGRAPH 9
Vermicomposting – In Vessel

PHOTOGRAPH 10
Vermicomposting – Horse Manure in Windrow

9. Surrounding land uses and setting (Briefly describe the project's surroundings):

The proposed ordinance amendments would apply within the unincorporated County. The unincorporated portion of San Diego County encompasses approximately 3,570 square miles, of which 35 percent is privately owned. The unincorporated area consists of 27 distinct communities that vary in land use and density and include local commercial uses, services, schools, public facilities, and residences, and are often surrounded by agricultural lands and open spaces. Regional access throughout the project area is provided by interstate highways and local State Routes (SRs). Agricultural areas in the County are served by both public and private roads.

Ordinance amendments would apply to various Use Regulations throughout the County, depending on the type of operation, feedstocks used, and the volume and source of materials. The regulations address organic material processing on land with an active agricultural operation, organic material processing at community gardens, community composting and commercial organic material processing (refer to Figures 2 through 6).

10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement):

Adoption of the ordinance amendments do not require any outside agency approvals; however, future individual organic material processing projects may require additional agency approvals, including:

Permit Type/Action	**Agency**
Solid Waste Local Enforcement Agency Permits (Notification, Registration, and Full Permits)	County of San Diego, Department of Environmental Health Local Enforcement Agency (LEA)
Water Quality Permits	Regional Water Quality Control Board
Operational Permit	San Diego County Fire Authority

11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code §21080.3.1? If so, has consultation begun?

YES ☒ NO ☐

Note: Conducting consultation early in the CEQA process allows tribal governments, public lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and to reduce the potential for delay and conflict in the environmental review process (see Public Resources Code §21083.3.2). Information is also available from the Native American Heritage Commission's Sacred Lands File per Public Resources Code §5097.96 and the

California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code §21082.3(e) contains provisions specific to confidentiality.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project and involve at least one impact that is a "Potentially Significant Impact" or a "Less Than Significant With Mitigation Incorporated," as indicated by the checklist on the following pages.

☐ Aesthetics	☐ Agriculture and Forest Resources	☐ Air Quality
☐ Biological Resources	☐ Cultural Resources	☐ Energy
☐ Geology & Soils	☐ Greenhouse Gas Emissions	☐ Hazards & Hazardous Materials
☐ Hydrology & Water Quality	☐ Land Use & Planning	☐ Mineral Resources
☐ Noise	☐ Population & Housing	☐ Public Services
☐ Recreation	☐ Transportation	☐ Tribal Cultural Resources
☐ Utilities & Service Systems	☐ Wildfire	☐ Mandatory Findings of Significance

DETERMINATION (To be completed by the Lead Agency)

On the basis of this initial evaluation:

☒ On the basis of this Initial Study, Planning & Development Services finds that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☐ On the basis of this Initial Study, Planning & Development Services finds 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 project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ On the basis of this Initial Study, Planning & Development Services finds that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

Claire Moss	May 26, 2022
Signature	Date
Claire Moss	Land Use/Environmental Planner
Printed Name	Title

INSTRUCTIONS ON EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, Less Than Significant With Mitigation Incorporated, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an Environmental Impact Report (EIR) is required.

4. "Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level.

5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
   a) Earlier Analysis Used. Identify and state where they are available for review.
   b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
   c) Mitigation Measures. For effects that are "Less Than Significant With Mitigation Incorporated," describe the mitigation measures that were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7. The explanation of each issue should identify:
   a) The significance criteria or threshold, if any, used to evaluate each question; and
   b) The mitigation measure identified, if any, to reduce the impact to less than significance.

I. AESTHETICS

Except as provided in Public Resources Code Section 21099, would the project:

a) Have a substantial adverse effect on a scenic vista?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less than Significant Impact: A vista is a view from a particular location or composite views along a roadway or trail. Scenic vistas often refer to views of natural lands but may also be compositions of natural and developed areas, or even entirely of developed and unnatural areas, such as a scenic vista of a rural town and surrounding agricultural lands. Scenic vistas include areas of aesthetic quality that are considered valuable because of their visual resources. The County identifies scenic vistas in its General Plan and associated community plans. Three distinctive geographic regions that are considered scenic environments are the Low-lying Coastal Plain, the Mountainous Peninsular Range, and the Desert Salton (Imperial Basin). These distinctive geographic provinces provide open space and visual relief from the built environment. Examples include the U.S. Marine Corps Base Camp Pendleton (Coastal Plain), the Cleveland National Forest (Peninsular Range), and the Anza Borrego Desert State Park (Desert Region). Further, County Resource Conservation Areas are identified within each community planning area, which are designated due to the presence of valued visual resources.

The project would add regulations to the Zoning Ordinance to more fully regulate organic material processing operations to reflect existing practices and methods and add new permit tiers where appropriate. Specifically, the ordinance would provide regulations for organic material processing operations on parcels with active agricultural operations. Small-scale organic material processing operations would be allowed either by-right or with a ministerial Zoning Verification Permit on parcels with active agricultural operations. Additionally, organic material processing at community gardens would be allowed by-right provided the total volume of organic material on-site at any one time is limited to 100 cubic yards or 750 square feet. Also, community composting would be allowed by-right provided the total volume of organic material on-site at any one time is limited to 20 cubic yards and is within an enclosed container. All of these uses that would be allowed either by-right or with a Zoning Verification Permit could change the visual environment, primarily in agricultural areas. Visual change may involve compost bins and containers, outdoor material stockpiling, compost windrows, and general management of organic materials on farms which would be visually consistent with existing agricultural activities on farms and/or community gardens (see Photographs 1–10).

Small-scale organic material processing operational uses on parcels with an active agricultural operation would not introduce a substantial visual change that could have an adverse effect on a scenic vista because the scale and visual character of the allowed uses would be consistent

with typical existing agricultural activities and their scope and scale would be controlled by the zoning ordinance and OMO limitations.

The project would also allow (with a Zoning Verification Permit) commercial organic material processing operations that maintain 100 cubic yards (750 square feet) or less of materials on-site at any one time. This allowance would expand the zones where small commercial operations could be allowed compared to existing conditions and they would be allowed as a ministerial use (refer to Table 2).

The small agricultural and commercial operations that would be allowed either by-right or with a Zoning Verification Permit would be limited in scale and would be subject to all applicable size, height, and setback limitations for the applicable zone. Additionally, these uses would be subject to the use limitations contained in the ordinance such as screening requirements as defined in Section 6700 Screening and Fencing for the applicable zone in which the use is located. Further, applicable project areas would be subject to San Diego's Scenic Area Regulations, which are intended to preserve and enhance scenic resources of adjacent land uses (San Diego County Zoning Ordinance, Sections 5200–5212).

Higher level permit tiers include medium and larger scale organic material processing operations that would be subject to a project level discretionary review at the time of application. For larger operations subject to discretionary review, the proposed ordinance amendments do not add new allowances or alleviate requirements associated with organic material operations. Rather, the regulations simply modernize the Zoning Ordinance to address existing organic material management practices (such as in-vessel operations) and align the regulations to be consistent with existing State regulations by CalRecycle. Furthermore, amendments to the zoning regulations for commercial organic material operations (Section 6902) add new requirements for a BMP plan and an OIMP that would add new protections. However, by clarifying regulations and adding a new permit tier for mid-scale commercial operations, the ordinance could indirectly encourage operators to propose new organic material processing operations.

The visual impacts of these medium and larger scale uses would be limited by the zoning regulations and the relevant limitations in the OMO. Potential visual impacts of larger organic material operations would vary depending on the specific location and visibility. Depending on visibility of an operation, measures that may be needed to minimize adverse visual impacts include increased setbacks, screening (e.g., fencing or landscaping) or other site design measures that ensure project visibility is minimized. Subsequent project-level environmental review would ensure that visual impacts are addressed at the project level to reduce impacts to the extent feasible.

Implementation of the OMO would result in a less than significant effect on scenic vistas or views from public viewing areas including within County-designated Resource Conservation Areas. Additionally, the project would not result in cumulative impacts on a scenic vista because future medium and large-scale operations would require subsequent project level environmental review, which would ensure each individual future project complies with all applicable regulatory

requirements including zoning limitations on height and applicable design review requirements. Additionally, the future discretionary review would include individual project reviews for consistency with applicable General Plan and Community Plan policies addressing scenic vistas. Project design features and all feasible mitigation would be applied during the discretionary process to minimize or avoid potentially significant impacts to the extent feasible. Each by-right or ministerial organic material processing operation would be subject to applicable zoning requirements and OMO limitations. Therefore, the project would result in a less than significant cumulative impact 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?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less than Significant Impact: State scenic highways are roadways that are officially designated by the California Scenic Highway Program, under the California Department of Transportation (Caltrans). The California Scenic Highway Program first adopts a scenic corridor protection program and then applies to Caltrans for scenic highway approval and a designation determination. If the highway receives approval from Caltrans, it is designated as an official Scenic Highway. The County currently has two officially designated scenic highways (SR-78 through the Anza-Borrego Desert State Park and SR-125 from SR-94 in Spring Valley to I-8 in La Mesa), and a number of potentially eligible designated highways (Caltrans 2021). Viewsheds of scenic highways are considered to be areas that are visible from the vehicular right-of-way. The County also has County-designated scenic priority routes, though these are not officially designated State Scenic Highways.

Adoption of the OMO could result in expansion of organic material processing uses near State scenic highways and near land that is adjacent to viewsheds within the County. Visual change may involve outdoor material stockpiling, compost windrows, and general management of organic materials on farms. While additional organic material processing operations could change the visual environment, these uses would be visually consistent with normal agricultural practice and would not result in a significant change to viewsheds as seen from vehicular rights-of-way. Additionally, all uses would require compliance with applicable size, height, and setback limitations of the zone and applicable limitations of the OMO. For organic material processing projects subject to a future discretionary review, additional requirements would apply that would address potential impacts to scenic resources. For example, projects proposed in areas where design guidelines are in place would be subject to review by the applicable design review board and applicable design standards.

The project would not result in cumulative impacts on a State Scenic Highway because each operation would be subject to all standards in the Zoning Ordinance including limitations on height and applicable design review requirements. Additionally, the future discretionary review would include individual project reviews for consistency with applicable General Plan and Community Plan policies addressing views. Project design features and all feasible mitigation would be applied during the discretionary process to minimize or avoid potentially significant impacts to the extent feasible. Ministerial or by-right projects would be subject to various ordinance limitations that restrict their scale. As a result, ministerial operations are not anticipated to result in significant impacts. Therefore, the project would result in a less than significant cumulative impact on a scenic resource.

c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less than Significant Impact: Visual character in the County is characterized by diverse natural vistas and scenic environments that range from the ocean to the desert. The existing visual character and quality of lands throughout the unincorporated areas of the County and within the project boundaries vary. For organic material processing operations allowed either by-right or with a Zoning Verification Permit, these uses would occur on parcels with active agricultural operations, at community gardens, or within Agricultural, Industrial or Special Use zones (for small commercial operations). In addition, the OMO would allow for community composting as an accessory use to any site within an active agricultural operation and/or within residential use regulations. Community composting would be limited to 20 cubic yards and with materials being managed within an enclosed container such as compost bins. Visual representations of potential Community Composting operations are reflected in Photographs 1 and 7–9. For example, a non-profit/person/homeowners association could set up an area for composting (e.g., covered bins made of wood or plastic) and allow members of the community to drop off organic material waste for processing, with the compost end-product being made available for use by community members. No sales are allowed but collection of funds for collection costs would be allowed with community composting. Examples of various types of by-right and small operations allowed with a Zoning Verification Permit are characterized visually in Photographs 1 through 10. As discussed in response I(a), the visual character of small-scale organic material processing operations would be consistent with the character of typical agricultural land uses. For example, small-scale organic material processing operations would be allowed on sites with equestrian uses. These uses typically have large quantities of hay and manure on-site that needs to be stored, managed, and disposed of. The ordinance would support

composting these materials on-site versus requiring waste material to be hauled away. This would allow flexibility for organic material management on sites with active agricultural operations but would not represent a significant change to the visual character of these properties. Regarding the allowance for sales of compost produced on-site, this allowance would be consistent with existing zoning regulations (6156.a) which allow for sales of agricultural products produced on-site as an accessory use to agriculture. With regard to small commercial organic material processing operations, these uses would be consistent with the visual character of agricultural zones for the reasons stated above. Across the County, land uses within industrial zones are varied and represent a range of manufacturing uses including outdoor storage. Small commercial organic material processing in these areas would not be visually inconsistent with existing uses. Other industrial zones throughout the County are interspersed and located in areas where visual character compatibility with organic material processing operations would not be an issue due to either the rural agricultural nature or presence of existing manufacturing, outdoor storage, or similar land uses. Special purpose use types are widespread throughout portions of the County, including but not limited to areas of Tecate, Potrero, Lake Morena/Campo, Boulevard, and Jacumba. While special purpose use types are located within communities throughout unincorporated San Diego County, the location of potential commercial organic material processing operations would be constrained by public and conserved lands within these zones. Furthermore, the OMO restricts by-right operations at any property that supports easements for the protection of sensitive resources such as biological or agricultural resources or that is located within or adjacent to a planned Multiple Species Conservation Program (MSCP) preserve area. Such operations would require, at a minimum, an Administrative Permit regardless of volume or material processed. This additional requirement for a discretionary review would ensure site-specific consideration of potential visual impacts of operations on surrounding natural resources.

The visual character of organic material processing operations that require a use permit would be addressed through application of required permit findings. For example, findings detailed in Zoning Ordinance Section 7358 applicable to use permits would ensure “harmony in scale, bulk, coverage and density” and would require consideration of “The harmful effect, if any, upon desirable neighborhood character.” In addition to the findings in Section 7358, additional findings would be required for organic material processing operations that would ensure consistency with operational and siting requirements detailed in the OMO. Additionally, all operations would require compliance with applicable size, height, and setback limitations of the zone and applicable limitations of the OMO.

The project would not result in cumulative impacts to visual character or quality because operations allowed under the OMO would be subject to the applicable development regulations of the zone in addition to the limitations of the OMO for the applicable permit tier and organic material processing operations type. Therefore, the project would not result in any adverse project- or cumulative-level effects on the existing visual character or quality of a project site or its surroundings. Impacts related to visual character or quality of public views would be less than significant.

d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less than Significant Impact: Future projects implemented under the OMO may include the introduction of new light sources. All projects would be subject to the provisions of the County's zoning ordinance Outdoor Lighting Regulations (Section 6300) and the County's Code of Regulatory Ordinances Sections 59.101–59.115, Light Pollution Code (LPC). The County adopted the LPC, or the Dark Sky Ordinance, in order "to minimize light pollution for the enjoyment and use of property and the night environment by the citizens of San Diego County and to protect the Palomar and Mount Laguna observatories from the effects of light pollution that have a detrimental effect on astronomical research by restricting the permitted use of outdoor light fixtures on private property" (Section 59.101). The LPC regulates applicants for any permit required by the County for work involving outdoor light fixtures, unless exempt. The LPC designates all areas within a 15-mile radius of each observatory as Zone A, with all other areas designated as Zone B. Zone A has more stringent lighting restrictions due to its proximity to the observatories, including limits on decorative lighting. As such, projects implemented under the proposed ordinances would be required to be compliant with applicable regulations prior to approval and would not create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area. Additionally, activities associated with composting do not require a significant amount of additional light as operations typically occur during daytime hours. Sources of on-site light would primarily be associated with safety lighting on buildings, where applicable.

The project would not result in cumulative impacts on day or nighttime views because all development including by-right and discretionary projects, would be required to comply with the LPC and operations would occur during the day. Therefore, the project would not create a significant new source of substantial light or glare, which would adversely affect daytime or nighttime views in the area, on a project or cumulative level. Impacts related to light or glare would be less than significant.

II. AGRICULTURE AND FORESTRY RESOURCES

Would the project:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide or local Importance (Important Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, or other agricultural resources, to non-agricultural use?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☐ Less than Significant Impact
☒ No Impact

Discussion/Explanation:

No Impact: The OMO would create a tiered permitting structure to facilitate by-right and small-scale organic material processing operations on farms, in addition to amending the existing permit structure for commercial operations to allow small commercial operations without a discretionary permit in certain zones. The regulations would be supportive of agricultural land by clarifying allowed organic material processing operations as part of agricultural operations. Additionally, depending on the permit tier, the amendments would allow for sales of processed materials with certain restrictions which would permit the growth and preservation of agricultural uses within the County. Therefore, no potentially significant project- or cumulative-level conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance or Farmland of Local Importance to a non- agricultural use would occur as a result of the project. No impact would occur.

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☐ Less than Significant Impact
☒ No Impact

Discussion/Explanation:

No Impact: Implementation of the OMO would result in zoning changes to define allowable organic material processing operational uses within agriculturally zoned lands. The zoning amendments would be consistent with zoning for agricultural use and would maintain compatibility and consistency with currently zoned agricultural uses. Additionally, projects implemented in accordance with the OMO may be subject to, or adjacent to, land that is included as a part of a Williamson Act contract; however, by-right and small-scale organic material processing operations would be consistent with agriculture uses. As a result, Williamson Act conflicts are not anticipated. Each property owner with a Williamson Act Contract would ultimately need to ensure all operations are consistent with the provisions of the specific contract

language. Therefore, the project would not conflict with existing zoning for agricultural use or a Williamson Act contract. No impact would occur.

c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), or timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☐ Less than Significant Impact
☒ No Impact

Discussion/Explanation:

No Impact: The OMO would allow by-right and small organic material processing operations on land with active agricultural operations, in residential zones for just community composting, at community gardens, and for commercial purposes, which would not conflict with existing zoning for forest land or timberland. There are no zoned forest lands or timberlands within the project boundary. No impact would occur.

d) Result in the loss of forest land or conversion of forest land to non-forest use, or involve other changes in the existing environment, which, due to their location or nature, could result in conversion of forest land to non-forest use*?*

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☐ Less than Significant Impact
☒ No Impact

Discussion/Explanation:

No Impact: See the response to II(c) above. The project would not conflict with existing zoning for forest land or timberland. No impact would occur.

e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Important Farmland or other agricultural resources*,* to non-agricultural use or conversion of forest land to non-forest use?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☐ Less than Significant Impact
☒ No Impact

Discussion/Explanation:

No Impact: The project would increase options and flexibility for agricultural operations to manage organic materials. Organic material management is part of normal agricultural practice and would not result in the conversion of Important Farmland, agricultural resources, or forest land. Larger operations would require subsequent permitting and environmental review including evaluation of impacts to agricultural resources consistent with the County Guidelines for Determining Significance, Agricultural Resources. Additionally, large organic material processing operations are generally compatible with commercial agriculture and would not create land use conflicts that could result in conversion of agriculture. Therefore, no impact would occur.

III. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:

a) Conflict with or obstruct implementation of the San Diego Regional Air Quality Strategy (RAQS) or applicable portions of the State Implementation Plan (SIP)?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less Than Significant Impact: The San Diego Air Pollution Control District (SDAPCD) is required, pursuant to the Federal and State Clean Air acts, to reduce emissions of criteria pollutants for which the County is in nonattainment status (i.e., ozone [O_3], particulate matter 10 microns in diameter or smaller [PM_{10}], and particulate matter 2.5 microns in diameter or smaller [$PM_{2.5}$]). The most recent SDAPCD air quality attainment plans are the 2016 RAQS and the 2020 Plan for Attaining the National Ambient Air Quality Standards for Ozone in San Diego County, adopted October 2020 (SDAPCD 2020). The RAQS outlines SDAPCD's plans and control measures to attain the State air quality standards for ozone, while the relevant SIP documents, and 2020 attainment plan, outline SDAPCD's plans and control measures for attaining Federal air quality standards for ozone. Both the Federal and State plans forecast future emissions and determine the strategies necessary to reduce stationary-source emissions through regulatory controls. These air quality plans include all emissions sources within the County, including, but not limited to, stationary sources and mobile sources.

For the purposes of this analysis, "conflict with or obstruct implementation" is defined as circumstances in which the project would worsen existing air quality violations or exceed the growth projections developed by the County and San Diego Association of Governments (SANDAG). A project is deemed inconsistent with air quality plans if it would result in population

and/or employment growth that exceeds estimates used to develop applicable air quality plans, which, in turn, would generate emissions not accounted for in the regional emissions budgets. Therefore, the proposed project is evaluated to determine if it is consistent with the land use designations and growth anticipated in the RAQS and ozone attainment and maintenance plans prepared for the San Diego region.

The OMO is intended to incentivize small-scale organic material processing activities on parcels with an active agricultural operation, in addition to provide allowances for small-scale (100 cubic yards or less) commercial operations, community composting and organic material processing associated with community gardens. Although the proposed project would amend the existing Zoning Ordinance, the OMO would not result in a change in land use designation as delineated in the County General Plan. Because the OMO would allow uses (either by-right or with a permit) consistent with the uses allowed by the Land Use Element and applicable zones, the uses would be consistent with SANDAG growth projections used in establishing the RAQS and SIP. Therefore, the project would conform to the forecast and would not conflict or obstruct implementation of the air quality plans. Impacts would be less than significant.

b) 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?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less Than Significant Impact: San Diego County is presently in non-attainment for the 1-hour concentrations under the California Ambient Air Quality Standard (CAAQS) for ozone. San Diego County is also presently in non-attainment for the annual geometric mean and for the 24-hour concentrations of PM_{10} under the CAAQS. Ozone is formed when volatile organic compounds and nitrogen oxides (NO_X) react in the presence of sunlight. Volatile organic compound sources include any source that burns fuels (e.g., gasoline, natural gas, wood, oil); solvents; petroleum processing and storage; and pesticides. Sources of PM_{10} in both urban and rural areas include motor vehicles, wood burning stoves and fireplaces, dust from construction, landfills, agriculture, wildfires, brush/waste burning, and industrial sources of windblown dust from open lands.

Implementation of the ordinance amendments would revise zoning regulations for organic material processing on parcels with an agricultural operation in addition to provide allowances for small-scale commercial operations and organic material processing associated with community gardens (100 cubic yards or less) and community composting (20 cubic yards or less). By-right and small-scale organic material processing operations as defined in the project description would be allowed ministerially, either by-right or with a Zoning Verification Permit. As these uses would not require further discretionary review, the focus of the analysis is on the

by-right and ministerial Zoning Verification Permit facilities. In order to determine whether these facilities could result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment, the types of equipment and typical operations for these tiers are characterized.

The by-right and Zoning Verification Permit tier organic material processing operations would typically require the following equipment: a chipper/grinder, loader and/or compost turner, and a trommel screen (see Photographs 11 through 16). This equipment and their typical usage is described below and summarized in Table 7. For purposes of the analysis, we are assuming equipment usage based on operations processing up to the highest cubic yardage of material on-site at any one time (12,500 cubic yards), although smaller operations would typically be significantly less intense with less equipment usage.

Table 7
Equipment and Operational Characteristics for By-Right and Zoning Verification Permit Tiers (Up to 12,500 Cubic Yards)

Typical Equipment	Typical Operation
Loader and/or Compost Turner	Daily as part of normal farming operations, assume 4 hours per day.
Chipper /Grinder	Assume chipping grinder operates up to 5 days per year, 4 hours per day.
Trommel Screen	4 hours per day

Loader or Compost Turner: Daily use of the loader is assumed to be approximately four hours per day. Loaders or compost turners are needed to turn compost piles. The daily use rate is a conservative estimate as the piles would not need to be turned daily. Photographs of loaders and compost turner for the by-right and small-size operations are shown in Photographs 11 and 12. It should be noted that loaders are typical equipment on farms and would likely be already existing and in operation as part of the agricultural operation.

Chipping/grinding equipment: Chipping and grinding equipment usage is estimated to be in operation on-site up to five days per year, four hours per day. This is a conservative estimate as many operators may not have any chipping/grinding occur on-site. For example, some operations may accept already chipped materials from landscape companies. Additionally, this equipment is not likely to be owned and kept on-site by small-scale operators due to the cost of this machinery, at approximately $10,000 or more for the smallest available type of this equipment. Small operations are likely to contract a grinder to come out for a day to grind materials, on a periodic basis, or only accept materials that have already been ground, like horse manure, straw, or chipped materials from landscape companies. Operators processing closer to the top tier of 12,500 cubic yards of material may choose to invest in a small chipper/grinder (see Photograph 13).

PHOTOGRAPH 11
Loader

PHOTOGRAPH 12
Windrow Compost Turner

PHOTOGRAPH 13
Chipper/Grinder

PHOTOGRAPH 14
Trommel Screen – Do-it-Yourself

PHOTOGRAPH 15
Trommel Screen – Small

PHOTOGRAPH 16
Trommel Screen – Medium

Trommel Screen: The last piece of equipment needed is a screen. Small- to medium-size operations typically use a type of screen known as a trommel screen. A trommel screen is a cylindrical tube with mesh that is turned by a machine to sift larger particles out of the finished compost. These can range in size from hand-turned screens for small sites, to motorized screens for a commercial compost operation (see Photographs 14–16). This equipment is needed at the end of a compost cycle to process finished compost. Approximately three to four compost cycles could occur in one year and it may take several weeks to process the finished compost. Although the trommel screen would not operate daily, the analysis conservatively assumes operation of a motorized screen up to four hours daily.

The by-right and Zoning Verification Permit tier organic material processing operations on parcels with existing agricultural use are not anticipated to result in significant construction emissions as organic material processing operations do not require new construction of buildings that could generate construction emissions.

The main source of operational emission is from the equipment used during operation, described in Table 7. Emissions were calculated using the California Air Resources Board (CARB) OFFROAD2017 emission factors. The results are summarized in Table 8, and the calculations are provided in Attachment B. These emission estimates are considered conservative as some of the equipment emissions would be existing on-farm emissions regardless of a new organic material processing operation. The analysis also conservatively assumes all motorized equipment would be gas powered; although many smaller operators use electric chippers and screens, which would reduce emissions. Additionally, these numbers assume operations allowed without further discretionary review handle volumes at the higher end of allowable range and thus, use emission generating equipment most intensively.

As shown, emissions due to operation of the equipment required for organic material processing would be well less than the County's significance thresholds for all criteria pollutants. However, the emission calculations are based on emission estimates for one operation. While it is not known how many ministerial organic material processing operations may occur, it is assumed that numerous small to medium operations may operate within agricultural areas. In order to determine the potential emissions associated with future small- and medium-scale by-right facilities the potential air quality emissions associated with a representative project handling up to 12,500 cubic yards was modelled. These typical emissions are detailed in Table 8. One by-right operation would generate emissions well below the County's significance threshold. Based on the conservative emission estimates for one by-right operation handling up to 12,500 cubic yards shown in Table 8, even if over 50 new by-right operations (at the highest volumes allowed) were to start across the County, total emissions would still fall below the significance threshold for daily emissions (based on the NO_X emissions). For example, if one operation handling up to 12,500 cubic yards per day is estimated to generate 4.51 NOx pounds per a day, this threshold would conservatively not be exceeded until over 55 operations were operational. More realistically, new operations that are allowed by-right, would not handle up to the maximum cubic yardage, which would increase the number of by-right operations that could operate without exceeding any air quality threshold. While the OMO is intended to increase the number

of small organic material processors, the increase in operations allowed by-right or with a Zoning Verification Permit is not anticipated to exceed significance thresholds for air quality.

Table 8
Maximum Daily Emissions for One Representative Organic Material Processing Operation (12,500 cy)

Equipment[1]	ROG	NO_X	CO	SO_X	PM_{10}	$PM_{2.5}$
Loader	0.07	0.69	0.95	<0.01	0.04	0.03
Compost Turner	0.07	0.69	0.95	<0.01	0.04	0.03
Chipper/Grinder	0.17	1.68	1.76	<0.01	0.09	0.08
Trommel Screen	0.21	1.46	1.15	<0.01	0.12	0.11
Total[2]	**0.51**	**4.51**	**4.81**	**0.01**	**0.28**	**0.26**
County of San Diego Significance Threshold	*75*	*250*	*550*	*250*	*100*	*55*

[1]Emission factors for a "tractor/loader/backhoe" were used to calculate emissions from a loader and compost turner, emission factors for "other construction equipment" were used to calculate emissions from a chipper/grinder, and emission factors for "agricultural – others" were used to calculate emissions from a trommel screen (see Table 7).
[2]Totals may vary due to independent rounding.

The potential emissions resulting from organic material processing operations must also be viewed in light of the existing emissions associated with organic material management in the unincorporated area. If no new small and medium operations were to start within agricultural areas, organic materials would either be hauled to more centralized recycling facilities or to landfills. In this scenario, there would be emissions associated with both transport of materials and the equipment used to manage the material at its end destination. Although the calculations above provide a conservative emission estimate, when compared to the existing condition, there would be a likely reduction in emissions due to the anticipated reduction in vehicle miles traveled (VMT) associated with reduced hauling distances of organic materials to recycling facilities or landfills. By allowing organic material processing on parcels with agricultural operations, allowing community composting, and allowing small commercial operations with a Zoning Verification Permit, more organic materials are anticipated to be processed at their source or hauled to nearby operations versus being hauled to more distant locations and landfills. The OMO is intended to increase the number of small-scale organic material processing facilities in the County, thereby decentralizing the available locations for organic material recycling or disposal. Increased on-site management of organic material and reduced demand for hauling materials off-site would reduce emissions associated with vehicle emissions. Refer to Section XVII. Transportation for additional discussion regarding VMT.

Regarding larger operations that would require a subsequent environmental review, the ordinance amendments add additional permit tiers which could incentivize new operations by providing options to obtain an Administrative Permit instead of a Major Use Permit for mid-scale commercial operations. Larger organic material processing operations could be associated with additional equipment use and associated air emissions. The ordinance would not result in a cumulatively considerable net increase of any criteria pollutant because future medium and large

scale operations would require subsequent project level environmental review that would include a compliance review to ensure consistency with all applicable regulations and County guidance including the County Guidelines for Determining Significance for Air Quality. Through these reviews, applicable project design features and mitigation measures would be implemented to reduce potentially significant impacts to the extent feasible.

For purposes of the air quality analysis, the project is not anticipated to result in an increase in air emissions associated with increases in VMT from vehicle or truck trips as the project would increase efficiency of trips associated with organic material disposal and local availability of compost end products. Implementation of the ordinance is not anticipated to result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment. Impacts would be less than significant.

c) Expose sensitive receptors to substantial pollutant concentrations?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less Than Significant Impact: Air quality regulators typically define sensitive receptors as schools (Preschool–12th Grade), hospitals, resident care facilities, or day-care centers, or other facilities that may house individuals with health conditions that would be adversely impacted by changes in air quality. The County also considers residences as sensitive receptors since they house children and the elderly.

The analysis of project-related impacts on human health focuses on those localized pollutants with the greatest potential to result in a significant, material impact on human health. This is consistent with the current state-of-practice and published guidance by the California Air Pollution Control Officers Association (2009), Office of Environmental Health Hazard Assessment (2015), and CARB (2005). These pollutants are locally concentrated diesel particulate matter (DPM) and carbon monoxide (CO).

Health risks related to DPM are assessed qualitatively based on anticipated emissions and proximity to sensitive receptors. While small-scale operations are not anticipated to require construction activity, it is possible that some level of construction may occur associated with organic material processing operations (equipment storage, sheds, etc.). Construction generates DPM emissions from the use of heavy-duty equipment and trucks. DPM concentrations, and thus cancer health risks, dissipate as a function of distance from the emissions source. Because no or very little construction activity is anticipated for organic material processing operations, significant DPM emissions are not anticipated. Additionally, the operations accessory to agriculture would be located on agricultural lands which are generally located in rural areas, which would limit the number of sensitive receptors affected by an

individual project. Commercial operations would be limited to agricultural, industrial, and special purpose zones which similarly would limit the number of surrounding sensitive receptors.

For larger scale operations subject to future discretionary review, SDAPCD Rule 1200 also establishes acceptable risk levels and emission control requirements for new and modified facilities that may emit operational toxic air contaminants, including DPM. Under SDAPCD Rule 1200, permits to operate may not be issued when emissions of toxic air contaminants result in an incremental cancer risk greater than one in one million without application of best available control technology or a health hazard index (chronic and acute) greater than one. Given the rural nature of anticipated construction and required compliance with SDAPCD Rule 1200, implementation of the OMO is not anticipated to expose sensitive receptors to substantial DPM concentrations.

The second source of potentially significant health risk is CO. Elevated CO concentrations are typically found in areas with significant traffic congestion. CO is a public health concern because it combines readily with hemoglobin and reduces the amount of oxygen transported in the bloodstream.

The County requires an analysis of localized CO concentrations associated with traffic congestion to ensure concentrations remain below CAAQS and National Ambient Air Quality Standards. The County has developed a set of preliminary screening criteria that can be used to determine whether a project would cause or contribute to an existing or future violation of the ambient air quality standards. The criteria include placement of receptors within 500 feet of a signalized intersection operating at or below level of service (LOS) E, or degradation of road intersections with peak-hour trips exceeding 3,000 to LOS E or worse.

The project would not support any sensitive land uses and therefore would not place new sensitive receptors within 500 feet of a signalized intersection operating at or below LOS E. As discussed in Section XVII Transportation, the project is not anticipated to result in an overall increase in trips on area roadways due to the fact that increasing small organic material processing locations in rural areas is intended to absorb demand for organic material disposal closer to their source, which could ultimately reduce longer truck trips from haulers.

Implementation of the OMO would not generate construction or operational emissions that could result in a significant generation of air pollutants and subsequent exposure of sensitive receptors. Impacts related to sensitive receptor exposure would be less than significant.

d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less than Significant Impact: Organic material processing operations involve organic material management and decomposition of organic materials which can generate objectionable odors if not properly managed.

Solid waste facilities that handle compostable materials and require at a minimum a Notification to the LEA pursuant to CCR Title 14, Section 17854.1 (Regulatory Tier Requirements for Compostable Material Handling Operations and Facilities) are required to prepare, implement and maintain an OIMP (Attachment C), which provides guidance to on-site operation personnel for implementing odor monitoring and data collection, identifying the location of nearby odor receptors and methods for assessing odor impacts at receptor locations, meteorological conditions affecting odor migration, complaint response and recordkeeping protocols, and optimal operation considerations to minimize odor. The OIMP is an operational plan to prevent odors from occurring. If the operator is not following the procedures in the OIMP, the LEA may issue a notice and order to require the operator to either comply with the odor impact minimization plan or to revise it. If the odor impact minimization plan is being followed, but the odor impacts are still occurring, the LEA may issue a notice and order requiring the operator to take additional reasonable and feasible measures to minimize odors. An OIMP is required for all compostable materials handling operations and facilities, with the exception of agricultural operations without odor complaints.

Only excluded activities (as defined by CCR Title 14, Section 17855) are not required to prepare an OIMP. This includes organic material composting operations where material is derived on-site and used on-site, vermicomposting operations, and operations handling materials that do not exceed 100 cubic yards or 750 square feet total (e.g., agricultural operations where materials derived on-site and used on-site, community composting locations, community gardens and commercial uses that meet the cubic yard limitation). While these composting operations would not be subject to the requirement to prepare an OIMP per CCR Title 14 Sections 17863.4 and 17863.4.1, the LEA may require preparation of an OIMP for operators excluded from the EA Notification requirement in the event the operation causes nuisance odor impacts. If this occurs, the LEA must provide notice to the operator in writing of the violation (CCR Title 14, Section 17856(b)) and then may apply the requirement for an OIMP. As part of the proposed ordinance, the County would require submittal of the OIMP when one is required by CalRecycle. Further, in order to ensure small-scale agricultural operators at the Zoning Verification Permit tier that may be excluded from the requirement to prepare an OIMP do not generate excessive odors, the ordinance includes standard operational requirements that operations shall be conducted in a manner so as not to become a nuisance to surrounding properties and shall be managed to prevent air contaminants such as dust and odors to prevent migration beyond the property boundary. A sample OIMP provided by CalRecycle is included as Attachment C for reference.

The ordinance additionally incorporates the requirement for an OIMP for commercial operations that require further discretionary review, adding protections that would help to avoid odor impacts.

While increasing allowances for organic material processing operations on-farms could expose nearby residences to objectionable odors, ordinance requirements in addition to State oversight of organic material processing operations through the LEA would ensure that odors are minimized. In the event a nuisance odor is generated, regulatory requirements would be implemented to ensure the operations are inspected and modifications to the operating procedures are made to reduce odor impacts. With the requirement to prepare an OIMP and implementation of State and local regulations, odor impacts would be less than significant.

IV. BIOLOGICAL RESOURCES

Would the project:

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 Wildlife, or CDFW, or U.S. Fish and Wildlife Service?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less Than Significant Impact: Implementation of the project would allow certain small organic material processing operations without further discretionary review on land with active agricultural operations, at community composting locations, community gardens, or small-scale commercial operations, provided the total volume of organic material on-site at any one time is limited to 100 cubic yards or 750 square feet. For operations allowed by-right or with a Zoning Verification Permit, impacts to native vegetation would be largely avoided as small-scale composting uses are anticipated to occur within existing disturbed areas of a parcel. In these cases, there would be no related ground-disturbing activity or removal of native vegetation. However, the specific locations of future organic material processing operations are not known at this time, and there is a possibility that future operators could seek to expand operations within sensitive habitats, which would be subject to the Grading Ordinance as discussed below. Figure 7 identifies the vegetation communities and land cover types within the project areas. While clearing or grading of native habitats is not anticipated, it is possible that a future operation could disturb sensitive habitats to provide additional area for operations or to provide a level surface for windrows, for example.

The Grading Ordinance regulates clearing and requires an Administrative Permit for clearing of land pursuant to Section 87.501 et seq. of the Grading Ordinance. Section 87.504(b) of the ordinance requires that in order for the County to approve the Administrative Permit for clearing, the County Official must determine that: “(1) the proposed clearing is exempt from environmental review under the terms of CEQA, or the proposed clearing would not have a significant effect on the environment, or all significant effects have been mitigated; if the County Official determines

that the proposed clearing would have one or more significant effects which are not mitigated, he or she shall deny the permit." Administrative Permits and Grading Permits are discretionary actions which are subject to CEQA as well as the MSCP, Biological Mitigation Ordinance (BMO), Natural Community Conservation Planning Act (NCCP), Fish and Game Code, Environmentally Sensitive Areas (ESA), Clean Water Act (CWA), and other local or regional plans, policies, and regulations.

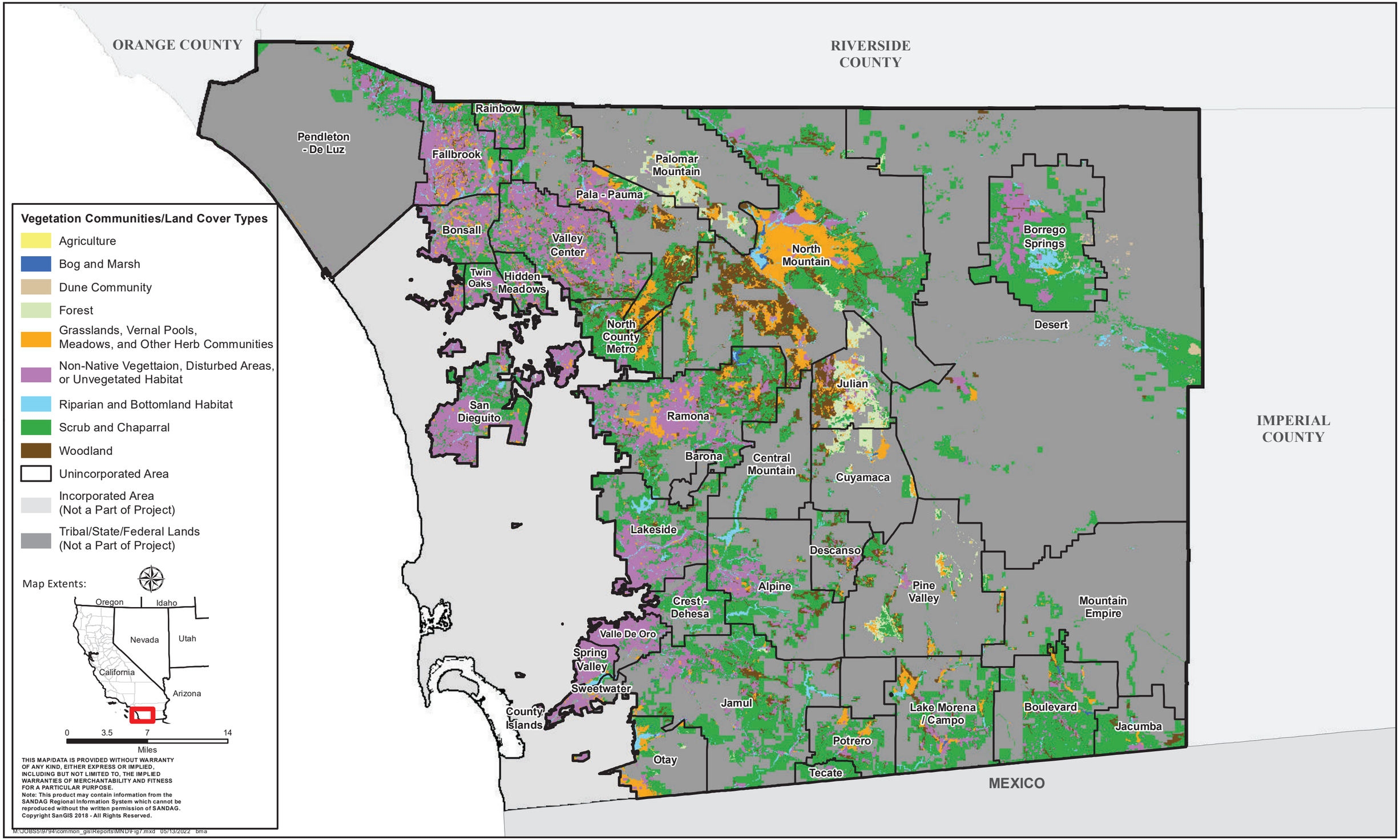
Compliance with these regulations would avoid substantial adverse impacts to riparian habitat or other sensitive natural communities. Additionally, Grading Ordinance Section 87.213 requires any grading within the MSCP Subarea to provide written certification from the Director that the requirements of the BMO have been complied with. A grading permit is a discretionary action, which would ensure site specific environmental review and all feasible mitigation is implemented as appropriate.

Notwithstanding existing regulations that provide protections for direct disturbance of sensitive habitat, project operations could indirectly affect sensitive species if noise producing machinery is operated in proximity to sensitive habitat where nesting birds are present.

Existing ambient noise conditions may play a factor where operations occur in locations where existing ongoing noise from typical agricultural operations or other commercial uses is part of the existing condition. In these circumstances, noise from the organic material processing operation may not increase the ambient noise level substantially. Nonetheless there is potential for different types of equipment or more frequent equipment use to be used associated with the organic material processing operation that could create increased noise levels.

Organic material processing operations in proximity to sensitive habitat could have an adverse effect on sensitive wildlife due to noise from machinery. In order to minimize adverse impacts to sensitive species, the ordinance has included a requirement that operations be setback a minimum of 50 feet from state or federally protected wetlands and sensitive habitat. This setback distance is provided primarily to provide an adequate separation between operations and adjacent habitat, as noise associated with machinery would be intermittent and typical of noises associated with normal agricultural practices and industrial zones. Furthermore, small-scale commercial and/or community garden organic material processing operations would not typically be associated with noise producing equipment due to the limited size. The ordinance also incorporates operational standards that requires compliance with noise level limitations consistent with the County Noise Ordinance Section 36.404.

All migratory bird species that are native to the United States or its territories are protected under the Federal Migratory Bird Treaty Act (MBTA), as amended under the Migratory Bird Treaty Reform Act of 2004 (FR Doc. 05-5127). The MBTA is generally protective of migratory birds but does not actually stipulate the type of protection required. In common practice, the MBTA is now used to place restrictions on disturbance of active bird nests during the nesting season.



Source: ESRI, SanGIS, County of San Diego, 2020

Figure 7
Vegetation Communities and Land Cover Types

In addition, the United States Fish & Wildlife Service (USFWS) commonly place restrictions on disturbances allowed near active raptor nests. Pursuant to California Fish and Game Code Section 3503, it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by this code or any regulation made pursuant thereto. Organic material processing operations that require discretionary review would be subject to CEQA review and a County biologist would determine if mitigation is required. For ministerial projects avoidance of any construction activities (particularly vegetation removal or construction near nests) during the typical bird breeding season (January 1–July 15 for raptors and February 1–September 15 for general nesting birds), and ensuring no equipment shall operate in a manner or location that would result in an hourly average of 60 decibels (dB) at adjacent native habitat, would avoid adverse impacts to migratory or nesting birds. In order to achieve these noise levels, the OMO requires operators to set back equipment operation a minimum of 100 feet from adjacent habitat areas and use shielding (e.g., temporary barriers or intervening structures) to reduce noise levels, where applicable. These applicability and responsibility of operator compliance with the MBTA is outlined in the BMP Plan, which is required of all organic material processing operations, including by-right and Zoning Verification Permit tier operations. Procedurally, these requirements would be included in the BMP Plan and an applicant shall conform to the breeding season avoidance measures pursuant to the County's Biological Resources Guidelines for Determining Significance. With implementation of OMO restrictions and the requirement for the BMP Plan for all operations, impacts to sensitive species would be less than significant.

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less Than Significant Impact: The project is not subject to the provision of the Resource Protection Ordinance (RPO, Section 86.603(a)) because the RPO does not apply to Zoning Ordinance amendments. Future implementation of organic material processing operations would be subject to RPO, depending on the permit tier. Ministerial projects, Zoning Verification Permits, and Administrative Permits for clearing and for agricultural clearing are not subject to RPO. The RPO does apply to other Administrative Permits and Minor and Major Use Permits.

Adoption of the OMO does not permit impacts to riparian habitat or other sensitive natural communities as defined by the MSCP, RPO, NCCP, Fish and Game Code, ESA, CWA, or other local or regional plans, policies, or regulations. Any future organic material operation proposed on sensitive habitats would be subject to the County's Grading and Clearing ordinance described

in Section IV(a), which would ensure adverse impacts to riparian or other sensitive natural communities are avoided.

Organic material processing operations are anticipated to be accommodated within disturbed areas. In these cases, there would be no related ground-disturbing activity, or associated impact to riparian habitats or sensitive natural communities. With implementation of applicable regulations described above in Section IV(a), impacts would be less than significant.

c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less Than Significant Impact: Adoption of the OMO does not permit impacts to state or federally protected wetlands as defined by Section 404 of the CWA. Any future organic material operation that requires any grading or clearing of habitat would be subject to the County's Grading and Clearing ordinance described in Section IV(a), which would ensure adverse impacts to state or federally protected wetlands would be avoided. Furthermore, projects are required to comply with Federal and State wetland regulations, regardless of the size or the amount of grading being proposed.

Section 87.214 of the Grading Ordinance prohibits grading within certain waterways. Specifically, if the County official suspects that proposed grading may involve jurisdictional waters of the United States regulated by the United States Army Corps of Engineers or a river, stream or lake regulated by the CDFW, the County Official may defer approval of grading or improvement plans until the applicant obtains and submits to the County Official evidence that the requirements of the applicable agency have been complied with.

Impacts to jurisdictional wetlands or waterways would require a 404 permit pursuant to the CWA, a 1600 Streambed Alteration Agreement from the CDFW, and a 401 State water quality certification from the Regional Water Quality Control Board (RWQCB). Section 87.214 of the Grading Ordinance requires the County to ensure that the required Federal and State approvals listed above have been issued for grading in an area that is suspected to contain wetlands prior to approval of grading plans. Compliance with these permit requirements and regulations would avoid a substantial adverse effect on federally protected wetlands.

Existing regulation would ensure direct disturbance to state or federally protected wetlands is avoided. However, operations may occur in proximity to these resources which could introduce indirect effects to adjacent resources. In order to ensure indirect impacts to State and Federally protected wetlands are avoided, the OMO requires operations to be sited a minimum of 50 feet

from state or federally protected wetlands. Additionally, as discussed in Section X. Hydrology and Water Quality, organic material processing regulations are subject to State and local water quality protection requirements including implementation of best management practices (BMPs) to avoid runoff into adjacent sensitive resource areas. Implementation of the requirements of the OMO in addition to applicable water quality regulations that would protect adjacent wetland resources, would ensure impacts would be less than significant.

d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less Than Significant Impact: Small-scale organic material processing operations that could be allowed by-right are anticipated to be accommodated within existing disturbed areas and would not introduce substantial improvements or operations of a size that would have the potential to interfere with wildlife corridors or impede native wildlife nursery sites. Operations would typically be outdoors. Small commercial operations would be limited by the total of volume of materials allowed on-site at any one time (100 cubic yards or 750 square feet).

Where any clearing or grading of habitat is proposed, requirements of the County's Grading, Clearing and Watercourses Ordinance (Grading Ordinance) would apply as discussed in Section IV(a).

Grading Ordinance Section 87.504 regulates clearing to assure the avoidance of significant impacts. Administrative Permits and Grading Permits are discretionary actions which are subject to CEQA as well as the MSCP, BMO, NCCP, Fish and Game Code, ESA, CWA, and other local or regional plans, policies, or regulations. Compliance with these regulations would avoid substantial adverse effects to wildlife movement and nursery sites. Additionally, a required 50-foot setback from wetlands and sensitive habitats has been incorporated into the OMO, to ensure avoidance of impacts to wildlife species, wildlife corridors and native wildlife nursery sites. Impacts would be less than significant.

While the new permit tiers introduced for larger organic material operations may promote new or expanded operations, the requirement for discretionary review including review and compliance with the County Guidelines for Determining Significance for Biological Resources remains in place. Future operations would be evaluated for their potential to interfere with wildlife movement. Considering the nature of organic material processing operations and the lack of physical improvements associated with these uses, the likelihood that future large-scale operations would interfere with wildlife movement is low. Nonetheless, medium- and larger-scale

operations would be reviewed for consistency with the County's Guidelines for Determining Significance for Biological Resources, and applicable regulations and ordinances including the Resource Protection Ordinance and Biological Mitigation Ordinance, where applicable. Project design features and mitigation measures would be implemented to avoid or minimize potentially significant impacts to biological resources to the extent feasible,. Impacts would be less than significant.

e) Conflict with the provisions of any adopted Habitat Conservation Plan, Natural Communities Conservation Plan, other approved local, regional or State habitat conservation plan or any other local policies or ordinances that protect biological resources?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

The proposed ordinance amendments are not subject to the regulations of the BMO (per Section 86.503(a)(3)), the RPO (per Section 86.603(a)) or the Habitat Loss Permit (HLP) ordinance (per Section 86.102) because a Zoning Ordinance amendment is not a land development permit. Therefore, adoption of the ordinance does not require compliance with these regulations. However, the OMO has been designed to avoid adverse impacts to biological resources consistent with the intent of the BMO, RPO, and HLP ordinance. Specifically, the OMO includes siting and operational requirements that require protection of downstream waterbodies through requirements to manage storm water runoff, noise level limitations consistent with the County Noise Ordinance Section 36.404, requirements to be sited at least 100 feet from a groundwater well, and at least 50 feet from state or federally protected wetlands and sensitive habitat. Operations are also required to comply the County Flood Damage Prevention Ordinance. Any proposed grading would be subject to the requirements of the County Grading Ordinance, where applicable. Incorporation of the siting and operational standards of the OMO in addition to compliance with Federal, State and local regulations would ensure consistency with the biological resource protections of the BMO, RPO, and HLP.

Other applicable plans, policies and ordinances include the approved South County MSCP. Future organic material processing under the OMO that requires a discretionary permit would be reviewed for consistency with applicable MSCP plans. By-right and small-scale organic material processing operations that do not require a discretionary review would occur on agricultural land for operations accessory to an agricultural operation or on agriculture, commercial, industrial, or special purpose use regulations for small commercial operations, or in residential zones for community composting. Implementation of organic material operations accessory to an agricultural use would not conflict with the South County MSCP because the MSCP takes agricultural land uses into account. Section 4.3.4.1 of the MSCP discusses "exemptions" for clearing and grading for agricultural purposes provided the property owner can

meet certain requirements. These requirements include the following: demonstrating that the land has been farmed during three of the last five years and would be retained in agriculture for the next five years or that an agricultural operation would be established on the parcel of land within one year and retained in agriculture for at least ten years. Additionally, the parcel must not be within a Pre-Approved Mitigation Area or a floodplain. Applicants who meet the requirements for an exemption but do not have an existing agricultural operation are required to obtain a discretionary Administrative Permit, which would assure the avoidance of significant impacts. Land that has been farmed during three of the last five years is not considered critical to the goals of the MSCP and continued farming of these lands does not conflict with the MSCP.

Small commercial operations would be allowed with a Zoning Verification Permit on agriculture, industrial, or special purpose use regulations. Any property constrained by an easement for the protection of sensitive resources, including but not limited to biological or agricultural resources, or is located within or immediately adjacent to a MSCP planned preserve (e.g., Pre-Approved Mitigation Area, Priority Conservation Area, Focused Conservation Area) will require, at minimum, an Administrative Permit regardless of volume or material processed. Through the Administrative Permitting process, findings would be required to ensure all operations comply with the siting, operational and other criteria outlined in the OMO.

Larger organic material processing operations that require discretionary review would be subject to different tiers of permitting by the County (e.g., Administrative Permit, Minor Use Permit, or Major Use Permit); however, the associated requirements for discretionary review, application of the County's Guidelines for Determining Significance for Biological Resources, the BMO, and other applicable ordinances would continue to apply as with the existing condition. The requirements of the MSCP and other applicable regulations would not change or be superseded by the OMO; therefore, no conflicts with the MSCP would occur and impacts would be less than significant.

V. CULTURAL RESOURCES

Would the project:

a) Cause a substantial adverse change in the significance of a historical resource pursuant to 15064.5?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Less Than Significant Impact: Historic resources are found throughout the County of San Diego and include a range of resources, from ceramic scatters to historic trash scatters and structures (County of San Diego 2011a). Implementation of organic material processing operations allowed either by-right or with a Zoning Verification Permit are anticipated to largely occur on agricultural land and within existing disturbed areas. In the event any ground

disturbance is required to implement a new operation, any grading and/or clearing would be subject to the County's Grading and Clearing Ordinance which would require a discretionary review and evaluation of the site consistent with the County Guidelines for Determining Significance for Cultural Resources.

Additionally, organic material processing operations generally occur outdoors and would not have the potential to cause demolition or alteration of potentially historic structures. Additionally, there would be no ground-disturbing activity related to construction of structures that could cause a substantial adverse change in the significance of a historical resource.

Organic material processing allowed without a discretionary permit would primarily occur within existing disturbed areas on farms, at community gardens, community composting locations, or associated with a commercial operation. In the event grading or clearing is proposed, the requirements of the clearing and/or grading ordinance would apply. Administrative Permits for clearing and grading permits are discretionary actions which are subject to CEQA and the County's Guidelines for Determining Significance for Cultural Resources. If during the discretionary review, significant resources are present, mitigation would be required to protect or preserve the significant resources to the extent feasible. Compliance with CEQA and the Grading Ordinance would avoid significant adverse impacts to an historical resource. Impacts to historical resources pursuant to 15064.5 of the CEQA Guidelines would be less than significant.

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less Than Significant Impact: Important archaeological resources are found throughout San Diego County and include prehistoric bedrock milling features, hearth features, lithic scatters, and rock art sites, among others. Implementation of organic material processing operations allowed either by-right or with a Zoning Verification Permit are anticipated to largely occur on agricultural land and within existing disturbed areas. In the event any ground disturbance is required to implement a new operation, any grading and/or clearing would be subject to the County's Grading and Clearing Ordinance which would require a discretionary review and evaluation of the site consistent with the County Guidelines for Determining Significance for Cultural Resources which would require a survey to identify the presence of potential archaeological resources. Administrative permits for clearing and grading are discretionary actions which are subject to CEQA. If during the discretionary review, significant resources are present, mitigation would be required to protect or preserve the significant resources to the extent feasible. While the new permit tiers introduced for larger organic material operations may promote new or expanded operations, the requirement for discretionary review including review

and compliance with the County Guidelines for Determining Significance for Cultural Resources remains in place. Compliance with CEQA, County Guidelines for Determining Significance, and the Grading Ordinance would avoid significant adverse impacts to an archaeological resource pursuant to 15064.5 of the CEQA Guidelines and impacts would be less than significant.

c) Disturb any human remains, including those interred outside of dedicated cemeteries?

☐	Potentially Significant Impact	☒	Less than Significant Impact
☐	Less Than Significant With Mitigation Incorporated	☐	No Impact

Discussion/Explanation:

Less Than Significant Impact: Archaeological materials, including human burials, have been found throughout unincorporated San Diego County. Human burials have occurred outside of formal cemeteries, usually associated with archaeological resource sites and prehistoric peoples. Therefore, areas with known archaeological resources sites may have a higher risk for containing human remains. The location of most of these sites is kept confidential in order to protect these resources. Resources throughout the County include remains left by local Native Americans and other early inhabitants. Due to the size of the project area, human remains and/or burials could be present.

The proposed ordinance amendments would allow smaller organic material processing activities and organic material processing accessory to an agricultural use either by-right or with a Zoning Verification Permit. In the event grading or clearing is proposed to accommodate a by-right or Zoning Verification Permit tier operation, the requirements of the clearing and/or grading ordinance would apply. Administrative permits for clearing and grading permits are discretionary actions which are subject to CEQA. If during the discretionary review, significant resources are present, mitigation would be required to protect or preserve the significant resources to the extent feasible and consistent with the County Guidelines for Determining Significance for Cultural Resources. Section 87.216 of the Grading Ordinance also requires a modification to a Grading Permit when “information has been received indicating that previously unknown historical resources or unique archaeological resources may be located on the site.” A permit modification would be issued to protect or preserve sensitive historical or archaeological resources. Section 87.429 of the Grading Ordinance also addresses the treatment of human remains or Native American artifacts. The ordinance requires grading activities to be suspended if human remains or Native American artifacts are discovered during grading operations. Health and Safety Code Section 7050.5 and Public Resources Code Section 5097.99 require notification of the County Official, as detailed below.

Inadvertently discovered human remains require special handling as defined in Public Resources Code Section 5097.98 and Section 87.429 of the Grading Ordinance. In the event of the discovery of human remains and/or funerary items, the following procedures as outlined by the Native American Heritage Commission (NAHC) shall be followed:

1. There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:
   A. The County Medical Examiner must be contacted to determine that no investigation of the cause of death is required, and
   B. If the Medical Examiner determines that the remains are Native American,
      i. the Medical Examiner shall contact the Native American Heritage Commission within 24 hours.
      ii. The NAHC shall identify the person or persons it believes to be the most likely descended from the deceased Native American.
      iii. The Mostly Likely Descendent may make the recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98, or

2. Where the following conditions occur, the landowner or his authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further disturbance.
   A. The NAHC is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 24 hours after being notified by the commission.
   B. The descendent identified fails to make a recommendation; or
   C. The landowner or his authorized representative rejects the recommendation of the descendent, and the mediation by the NAHC fails to provide measures acceptable to the landowner.

As with the existing conditions, organic material processing operations that requires a discretionary review would continue to be subject to the same regulatory framework that requires CEQA review and compliance with the County Guidelines for Determining Significance for Cultural Resources to minimize impacts to the extent feasible. As the project modifies regulatory permit tiers for organic material processing operations but does not allow any specific operation, the potential for additional impacts to occur beyond what would be anticipated by existing growth in organic material processing is not known and would be speculative. Compliance with CEQA, Public Resources Code, and the Grading Ordinance would avoid significant adverse impacts to an archaeological resource pursuant to 15064.5 of the CEQA Guidelines and impacts would be less than significant.

VI. ENERGY

Would the project:

a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less Than Significant Impact: The project amends regulations related to organic material processing and creates new permit tiers to regulate commercial operations and operations accessory to an agricultural use. The ordinance clarifies that certain small- and mid-scale organic material processing operations that are accessory to an agricultural operation are allowed by-right (reflecting existing practice). Additionally, organic material processing is defined as an allowed use on parcels with a community garden. With the proposed ordinance amendments, small-scale organic material processing operations would be encouraged in the unincorporated area, which could offer more decentralized locations for disposal and management of organic materials into compost. More small-scale composting operations in locations close to the source of organic materials being produced (e.g., agricultural areas, community gardens, community composting) would support shorter trips associated with hauling organic materials to facilities that accept organic material for processing or disposal. Energy use associated with small-scale organic material processing operations would include transportation energy use from the transfer of organic material and compost, and energy use from the equipment needed to process organic material. Since organic material processing operations do not require large-scale grading or building construction activities, there would be no energy use associated with construction activities or electricity or natural gas use in buildings. Refer to Section XVII, Transportation for further discussion on the efficiencies anticipated associated with VMT. Overall, energy associated with vehicle trips is anticipated to be reduced under the OMO, resulting in a decrease in fuel consumption. Although motorized equipment is needed to facilitate composting operations, the minimal energy use associated with equipment needed to create compost would not be considered unnecessary, wasteful or inefficient, as composting organic materials is largely a natural process of either aerobic or anaerobic digestion of organic materials to create a useable end product. Additionally, for operations accessory to agriculture, equipment needed to process organic material is typically existing equipment needed for farming activities.

As with the existing conditions, organic material processing operations that require a discretionary review would continue to be subject to the same regulatory framework that requires CEQA review and evaluation of energy use. As the project modifies regulatory permit tiers for organic material processing operations but does not allow any specific operation, the potential

for a substantial increase in energy consumption beyond what would be anticipated by existing growth in organic material processing is not known and would be speculative. Further, organic material processing does not generally consume excessive amounts of energy and can support energy efficiencies. Impacts would be less than significant.

b) Conflict with or obstruct a State or local plan for renewable energy or energy efficiency?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less Than Significant Impact: The applicable State plans that address renewable energy and energy efficiency are the California Green Building Standards Code, the California Energy Code, and the Renewables Portfolio Standard. The project amends regulations related to organic material processing and creates new permit tiers to regulate commercial operations and operations accessory to an agricultural use. There are no components of the proposed ordinance amendments that would conflict with a State or local plan for renewable energy or energy efficiency. The ordinance amendments are proposed to bring County regulations closer in line with existing CalRecycle regulations governing organic material processing operations and to clarify and streamline regulations for organic material processing operations. The project would not conflict with or obstruct implementation of California Green Building Standards Code, the California Energy Code, or Renewables Portfolio Standard. Impacts related to conflicts with renewable energy or energy efficiency plans would be less than significant.

VII. GEOLOGY AND SOILS

Would the project:

a) Directly or indirectly cause 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 or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less than Significant Impact: While the proposed organic material processing operations could be located within a fault-rupture hazard zone as identified by the Alquist-Priolo Earthquake Fault Zoning Act, Special Publication (SP) 42, revised text in 1997 and maps in 2012, Fault-Rupture Hazards Zones in California or within an area with substantial evidence of a known fault, organic material processing operations would not typically involve new structures or increasing occupancy at a site. As a result, there would be no associated increased risk of loss, injury or death associated with earthquake faults. In the event any structure were proposed, all applicable building regulations would apply including Guidelines for Evaluating and Mitigating Seismic Hazards in California (SP 177A), and Seismic Design Category D and E requirements. Impacts would be less than significant.

ii. Strong seismic ground shaking?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less than Significant Impact: San Diego County is located within a seismically active region in which very large earthquakes (9.0+) are possible; however, strong seismic shaking is a regional hazard and is not particular to any one project site. The potential for seismic ground shaking is unavoidable if these conditions are present on a property. However, the risk of people or structures experiencing substantial adverse effects as a result is low because the primary land use facilitated through the ordinance amendments would be organic material management, particularly as an accessory use to existing agricultural operations. Any structures proposed would be ancillary to the primary use and would either be existing/legal residences or otherwise permitted in accordance with the California Building Code. Any new development would be required to comply with the seismic zone standards of the California Building Code. These standards are in place to ensure that structures are designed and built to withstand strong seismic ground shaking. Proposed ordinance amendments do not authorize or increase the likelihood for new habitable structures and habitable structures are not typically associated with organic material operating operations. As a result, there would be no associated increased risk of loss, injury or death associated with seismic ground shaking. As with the existing conditions, any new structure associated with an organic material processing operation would be subject to applicable building regulations including conformance with the Seismic Requirements as outlined within the California Building Code. The County Code requires a soils compaction report with proposed foundation recommendations to be approved before the issuance of a building permit. Therefore, compliance with the California Building Code and the County Code ensures the project would not result in a potentially significant impact from the exposure of people or structures to potential adverse effects from strong seismic ground shaking. Impacts would be less than significant.

iii. Seismic-related ground failure, including liquefaction?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less than Significant Impact: San Diego County Multi-Jurisdictional Hazard Mitigation Plan mapped the liquefaction hazards in the County, which are mostly located in areas with loose sandy soils. Primary areas for potential liquefaction hazard include the lower San Dieguito, Sweetwater, and San Luis Rey River Valleys; Jacumba; Borrego Valley near the Borrego Sink; and parts of Ramona community planning area (County of San Diego 2011a).

The risk of lateral spreading, subsidence, and liquefaction at many sites throughout San Diego County is also high, but depends on site specific conditions. The potential for ground failure to occur is unavoidable if these conditions are present on a property. However, the risk of people or structures experiencing substantial adverse effects as a result is low because the primary land use facilitated through the ordinance amendments would be organic material management, particularly as an accessory use to existing agricultural operations. The proposed ordinance amendments would not authorize any new structures or increase potential for new habitable structures as operations are largely outdoors. In the event structures are proposed as part of an organic material operation, they would be ancillary to the primary use and would either be existing/legal residences or otherwise permitted in accordance with the California Building Code, including Seismic Design Category E and F requirements and Guidelines for Evaluating and Mitigating Seismic Hazards in California (SP 177A). Compliance with construction recommendations and/or the requirements of the geotechnical investigations prepared for future discretionary development projects, as well as compliance with applicable building code requirements, would reduce impacts associated with seismic-related ground failure, including liquefaction, to a level less than significant.

iv. Landslides?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less than Significant Impact: The proposed ordinance amendments would not authorize any new structures or increase potential for new habitable structures as operations occur outdoors. In the event structures are proposed as part of an organic material operation, they would be ancillary to the primary use and would either be existing/legal residences or otherwise permitted in accordance with the California Building Code. Windrows for composting operations would be

required to be no more than 10 feet tall and would pose no landslide risk. Therefore, there would be no associated increased risk of loss, injury or death associated with landslides. Impacts would be less than significant.

b) Result in substantial soil erosion or the loss of topsoil?

☐ Potentially Significant Impact	☒ Less than Significant Impact
☐ Less Than Significant With Mitigation Incorporated	☐ No Impact

Discussion/Explanation:

Less than Significant Impact: Regarding the potential for loss of topsoil, the project by definition supports recapture of organic matter into healthy topsoil through processing organic materials into compost. Compost is then applied to land to support healthy plants and soil. Because of the high organic and microbial content of finished compost, it has greater water holding capacity than typical topsoils and when applied to land, it can help to prevent erosion and loss of topsoil (University of California, Division of Agriculture and Natural Resources, 2021).

However, the process of creating finished compost through various methods of organic materials management could result in soil erosion if appropriate BMPs are not implemented. All tiers of organic material processing operations are subject to a requirement to implement best management practices to prevent erosion and protect downstream waterbodies. Applicable regulations that would ensure soil erosion is prevented as a part of operations are discussed below.

In the event any grading or clearing is proposed with an organic material processing operation, the County Grading Ordinance would ensure implementation of appropriate BMPs during grading and construction activities to reduce soil erosion. The County Grading Ordinance requires all clearing and grading activities to be carried out with dust control measures, such as watering, an application of surfactants, shrouding, control of vehicle speeds, paving in access areas, or other measures to reduce erosion from wind.

During the organic material processing operations, implementation of BMPs would be required consistent with CCR Title 14, including:

- When a composting operation is proposed to cease, site restoration is required pursuant to CCR Title 14§ 17870, which requires compostable materials handling operations and facilities to meet the following requirements:
  (a) The operator shall provide the EA[1] written notice of intent to perform site restoration, at least 30 days prior to beginning site restoration.

[1] The EA refers to the Enforcement Agency. In the County of San Diego the Enforcement Agency for the unincorporated County is the County Department of Environmental Health Local Enforcement Agency, or LEA.

(b) The operator(s) and owner(s) shall provide site restoration necessary to protect public health, safety, and the environment.
(c) The operator shall ensure that the following site restoration procedures are performed upon completion of operations and termination of service:
(1) The operation and facility grounds, ponds, and drainage areas shall be cleaned of all residues including, but not limited to, compost materials, construction scraps, and other materials related to the operations, and these residues legally recycled, reused, or disposed of.
(2) All machinery shall be cleaned and removed or stored securely.
(3) All remaining structures shall be cleaned of compost materials, dust, particulates, or other residues related to the composting and site restoration operations.

Note: Authority cited: Sections 40502, 43020 and 43021, Public Resources Code. Reference: Sections 43020 and 43021, Public Resources Code.

- All composting operations, including those except from the Composting General Order are required to implement best management practices (State Water Boards 2021).
- For construction sites greater than one acre, compliance with the National Pollution Discharge Elimination System (NPDES) permit program, which requires stormwater pollution prevention plans (SWPPPs) to be prepared and BMPs to be implemented.

Implementation of appropriate BMPs would protect water quality by controlling stormwater runoff and ensuring that the quality of stormwater flows meets the applicable requirements of the RWQCB. As further discussed in Section X. Hydrology and Water Quality, the State Water Resources Control Board (SWRCB) adopted General Order WQ 2015-0121-DWQ, which contains regulations and guidance for general waste discharge requirements related to composting operations. The General Order covers most facilities that receive and process organic material including leaves, landscape trimmings, grass, food scraps, and food contaminated paper to create compost. The 2015-0121 General Order applies to both new and existing composting facilities that aerobically compost materials such as green waste, manure, anaerobic digestate, biosolids, food scraps, and scrap paper products.

The County Watershed Protection Ordinance (WPO) additionally regulates all sources of potential storm water. Specifically, the WPO (Section 67.807 of the San Diego County Code of Regulatory Ordinance) requires minimum best management practices for all dischargers to ensure protection from soil erosion, pollution prevention, prevention of illegal discharges, ensure materials and wastes are stored in a manner that prevents contact with rainfall and storm water. Therefore, compliance with all applicable regulations, including the NPDES, RWQCB General Order WQ 2015-0121-DWQ, WPO, and County Grading Ordinance, would reduce impacts related to substantial soil erosion or the loss of topsoil to a level less than significant.

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 an on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less than Significant Impact: The ordinance amendments would create new permit tiers for organic material processing operations, but would not be associated with construction of habitable structures that could become unstable. Compliance with all applicable Federal, State, and local regulations and building standards would reduce impacts associated with on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse to a level less than significant.

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less than Significant Impact: The ordinance amendments would create new permit tiers for organic material processing operations, but would not be associated with construction of habitable structures that could result in risk to life or property due to expansive soils. As in the existing condition, in the event any structure is proposed related to an organic material processing operation, compliance with all applicable Federal, State, and local regulations, including the California Building Code, would reduce impacts associated with expansive soils to a level less than significant.

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?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☐ Less than Significant Impact
☒ No Impact

Discussion/Explanation:

Less than Significant Impact: The project does not propose any septic tanks or alternative wastewater disposal systems since no wastewater would be generated. No impacts would occur.

f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less than Significant Impact: Proposed ordinance amendments would not authorize any new grading or disturbance of land. Any land disturbance would be subject to the County's Grading Ordinance which is a discretionary action subject to CEQA review and consistency with the County's Guidelines for Determining Significance for Paleontological Resources. In the event a site required grading with the potential to impact paleontological resources, a major grading permit would trigger discretionary review, including consideration of paleontological sensitivity of the site. Although significant grading is not anticipated, in the event a grading permit is required a discretionary review would be conducted to ensure the grading would not directly or indirectly destroy unique paleontological resources. As part of the grading permit review, paleontological monitoring may be required. As a result, impacts to paleontological resources would be less than significant.

VIII. GREENHOUSE GAS EMISSIONS

Would the project:

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less than Significant Impact. CEQA Guidelines Section 15064.4 states that "the determination of the significance of greenhouse gas emissions calls for careful judgment by the lead agency, consistent with the provisions in Section 15064. A lead agency should make a good-faith effort, based to the extent possible on scientific and factual data, to describe, calculate, or estimate the amount of greenhouse gas emissions resulting from a project." Section 15064.4(b) further states

that a lead agency should consider the extent to which the project may increase or reduce GHG emissions compared with the existing environmental setting. CEQA Guidelines Section 15064(h)(1) states that "the lead agency shall consider whether the cumulative impact is significant and whether the effects of the project are cumulatively considerable." A cumulative impact may be significant when the project's incremental effect, though individually limited, is cumulatively considerable.

On September 30, 2020, the County Board of Supervisors (Board) voted to set aside its approval of the County's 2018 Climate Action Plan (2018 CAP) and related actions because the Final Supplemental Environmental Impact Report (2018 CAP SEIR) was found to be out of compliance with CEQA. In response to this Board action, the County is preparing a Climate Action Plan Update to revise the 2018 CAP and correct the items identified by the Court within the Final 2018 CAP SEIR that were not compliant.

In order to determine whether organic material processing operations that could be allowed by-right or with a Zoning Verification Permit could result in significant GHG emissions, the types of equipment and typical operations for these tiers have been characterized. The by-right and Zoning Verification Permit tier organic material processing operations would typically require the following equipment: a chipper/grinder, loader and/or compost turner, and a trommel screen. The equipment and their typical usage is described in Section III, Air Quality and summarized in Table 7.

The organic material processing operations, covered in this ordinance are not anticipated to result in significant construction emissions as organic material processing operations largely occur outdoors and do not require construction of new buildings that could generate construction emissions.

The main source of operational GHG emission is from the equipment used during operation, described above in Table 7 in the Air Quality section. Emissions from equipment was calculated using the CARB OFFROAD2017 emission factors (Attachment D). The project would also result in a decrease in GHG emissions associated with on-road vehicle emissions and with the diversion of waste from landfills. For example, if no new small and medium operations were initiated, organic materials would either be hauled to more centralized recycling facilities or to landfills. In this scenario, there would be emissions associated with both transport of materials (vehicle emissions), the emissions from equipment used to manage the material at its end destination, and landfill gas emissions. Although the calculations of GHG emissions provide in Table 9 provide a conservative emission estimate, when compared to the existing condition, there would be a likely reduction in overall GHG emissions due to the anticipated reduction in VMT associated with reduced hauling distances of organic materials to recycling facilities or landfills. By allowing organic material processing as an accessory use to agricultural operations, more organic materials are anticipated to be processed on-site or hauled to nearby on-farm operations versus being hauled to more distant locations. Similarly, allowing organic material processing at community gardens would avoid the need for organic material hauling. Allowance for small commercial operations with a Zoning Verification Permit would incentivize small

operations and support reduced organic material hauling distances. Refer to Section XVII, Transportation for additional discussion regarding vehicle miles traveled. For purposes of the GHG analysis, the project is not anticipated to result in an increase in VMT from vehicle or truck trips as the project would increase efficiency of trips associated with organic material disposal and local availability of compost end products.

Larger organic material processing operations would have the potential to generate GHG emissions; however, as discussed herein and detailed in Table 9 below, new organic material processing operations are likely to have a net GHG benefit due to the diversion of organics from landfills and reduced hauling distances. Furthermore, any new large organic material processing operations would continue to require a discretionary review and would be subject to a CEQA review and application of all feasible mitigation measures to reduce GHG emissions to the extent feasible. The proposed ordinance amendments would not change the regulatory requirements for larger operations that requires site specific discretionary review consistent with CEQA.

Additionally, future implementation of organic material processing operations would divert organic material from landfills. Landfill gas is a natural byproduct of the anaerobic decomposition of organic material in landfills. It mostly consists of methane (CH_4) and carbon dioxide (CO_2) and small amounts of volatile organic compounds. However, composting is an aerobic process and does not produce methane because methane-producing microbes are not active in the presence of oxygen. Therefore, by diverting organic material from landfills and composting, the project would reduce GHGs generated at landfills. GHG emission reduction from diverting organic material from landfills to composting facilities were calculated using CARB methodology (CARB 2017). CARB's study determined GHG emission reduction factors of 0.62, 0.44, and 0.56 MT CO_2E per ton of feedstock for food waste, yard waste, and mixed organics, respectively. Using the lowest emission factor of 0.44 MT CO_2E per ton of yard waste and an average weight of 600 pounds per ton of yard waste, the GHG emission reductions associated with diverting 12,500 cubic yards from landfills was calculated. The results are summarized in Table 9, and the calculations are provided in Attachment D.

Table 9
Annual GHG Emissions

Equipment[1]	Annual Usage (hours)	Annual GHG Emissions (MT CO_2E)
Loader	1,460	23.7
Compost Turner	1,460	23.7
Chipper/Grinder	20	0.7
Trommel Screen	1,460	4.2
Total	**4,400**	**52.3**
GHG Emission Reductions from Diversion of Waste	--	*1,650.0*
Net Decrease in GHG Emissions	**-**	**-1,597.7**

[1]Emission factors for a "tractor/loader/backhoe" were used to calculate emissions from a loader and compost turner, emission factors for "other construction equipment" were used to calculate emissions from a chipper/grinder, and emission factors for "agricultural - others" were used to calculate emissions from a trommel screen.

As shown, implementation of the project is anticipated to result in a decrease in GHG emissions due to diversion of organic material from landfills. In the existing condition, some organic material may currently be hauled to facilities that recycle organic material, and thus would not achieve the same GHG reductions due to landfill diversion. However, based on the amount of organics currently going to landfills, it is reasonable that some portion of the organics processed under the OMO would have otherwise ended up in the landfill. Based on data from the County Department of Public Works, approximately 244,737 tons of organic materials end up in the landfill. If even a portion of the organic material that ends up in landfills is composted on farms under the OMO allowances, GHG reductions would occur. Note that these calculations do not take into account any additional reduction in GHG emissions that would occur due to the decrease in VMT. The project would not generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment. Impacts would be less than significant.

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less than Significant Impact: Please see the response to VIII(a) above. The County does not currently have an adopted plan for the purpose of reducing GHG emissions. However, the State of California promulgates several mandates and goals to reduce statewide GHG emissions, including the goal to reduce statewide GHG emissions to 40 percent below 1990 levels by the year 2030 (SB 32). As previously shown, GHG emissions would result from operation of the equipment required for organic material processing; however, the project would result in an overall decrease in GHG emissions because it would divert organic material from landfills.

In regard to the CAP, while the court ruling struck down part of the 2018 CAP's EIR, it did not find fault with its 26 GHG reduction measures. The County continues implementing sustainability measures to effectively reduce GHGs as part of its ongoing commitment to the environment. The GHG reduction measure applicable to the project is Strategy SW-1 to increase solid waste diversion in the County. The CAP establishes an 80 percent waste diversion target by 2030 within the unincorporated area. The proposed OMO would help the County achieve this goal.

As a result, the project would support GHG reductions and would not conflict with applicable plans, policies, or regulations adopted for reducing GHG emissions. The purpose of the proposed OMO is to reduce the amount of waste hauled to landfills. Impacts would be less than significant.

IX. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, storage, use, or disposal of hazardous materials or wastes or through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less Than Significant Impact: Organic material processing operations throughout the unincorporated areas of the County would involve the routine use and storage of hazardous materials such as oils and gasoline for machinery. Hazardous materials handling associated with these uses would be similar to materials used in a typical agricultural or commercial operation such as gasoline for machinery. All storage, handling, transport, emission and disposal of hazardous substances would be required to be in full compliance with local, State, and Federal regulations. Additionally, organic material processing operations are not anticipated to involve handling of lead or asbestos containing materials, which are subject to hazardous waste disposal requirements (Title 22 CCR Division 4.5, the worker health and safety requirements; Title 8 CCR Section 1532.1) and the State Lead Accreditation, Certification, and Work Practice Requirements (Title 17 CCR Division 1, Chapter 8).

The DEHQ Hazardous Materials Division (HMD) is the Certified Unified Program Agency for San Diego County responsible for enforcing Chapter 6.95 of the Health and Safety Code. As the Certified Unified Program Agency, the DEHQ HMD is required to regulate hazardous materials business plans (for businesses in a structure) and chemical inventory, hazardous waste and tiered permitting, underground storage tanks, and risk management plans. Should any underground tanks or other uses be proposed, regulatory oversight would be provided by DEHQ. Similarly, the County LEA or the State is authorized to require corrective action if the design and layout of agricultural operations or management of agricultural waste results in the occurrence of excessive vectors or other adverse public health/well-being related conditions.

Therefore, due to the strict requirements that regulate hazardous substances outlined above and the fact that the initial planning, ongoing monitoring, and inspections would occur in compliance with local, State, and Federal regulation; the OMO would result in a less than significant impacts related to the routine transport, use, and disposal of hazardous substances or related to the accidental explosion or release of hazardous substances.

b) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less than Significant Impact: Organic material processing operations may be located within one-quarter mile of a proposed school. Operations may involve the routine use and storage of hazardous materials, such as gasoline for machinery. These types of hazardous materials associated with organic material processing operations are not anticipated to be substantially different than hazardous materials used in an agricultural operation. The ordinance does not change the locations where organic materials processing can occur and thus the locations of potential hazardous materials handling with the ordinance amendments would not change. Additionally, all storage, handling, transport, emission and disposal of hazardous substances is required to be in full compliance with local, State, and Federal regulations. Therefore, the project would result in a less than significant impact related to emissions near a school.

c) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, or is otherwise known to have been subject to a release of hazardous substances and, as a result, would it create a significant hazard to the public or the environment?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less than Significant Impact: Numerous known contaminated sites occur throughout the County and there are likely many more that have not yet been recorded. As a result, there is a potential for organic material processing operations to be located on or adjacent to a contaminated site; however, due to the nature of these operations that do not require any habitable structures, a significant hazard to the public or environment is not anticipated. Additionally, contaminated sites and the potential for exposure of workers and the public to contamination is highly regulated by Federal, State, and local regulations including but not limited to the Resource Conservation and Recovery Act of 1976, the Comprehensive Environmental Response, Compensation, and Liability Act and the Superfund Amendments and Reauthorization Act of 1986, the Cortese List (Government Code § 65962.5 (a)), the Hazardous Materials Business Plan program and the California Accidental Release Prevention program requirements of Chapter 6.95 of the California Health and Safety Code. The Department of Toxic Substances Control (Chapter 6.5 within Title 22 of the CCR) regulates the generation,

transportation, treatment, storage, and disposal of hazardous waste under Resource Conservation and Recovery Act and the California Hazardous Waste Control Law. The County DEHQ Site Assessment and Mitigation Program maintains a list of contaminated sites that have previously or are currently undergoing environmental investigations and/or remedial actions and their primary purpose is to protect human health, water resources, and the environment within San Diego County by providing oversight of assessments and cleanups in accordance with the California Health and Safety Code and the CCR. Therefore, impacts related to existing on-site contamination would be less than significant.

d) 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 or excessive noise for people residing or working in the project area?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less than Significant Impact: Organic material processing operations that may occur under the proposed ordinance amendments may be 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. Operations allowed under the proposed ordinance would not be associated with habitable residences and businesses which could conflict with airport safety and noise compatibility zones. The outdoor uses would be compatible with noise and safety zones near airports since the operations involve only periodic management and would not require a significant number of employees to be present for related management activities. Therefore, the project would not generate a safety hazard or excessive noise for people residing or working in the project area and impacts would be less than significant.

e) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

i. OPERATIONAL AREA EMERGENCY PLAN AND MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN:

Less Than Significant Impact: The Operational Area Emergency Plan is a comprehensive emergency plan that defines responsibilities, establishes an emergency organization, defines

lines of communications, and is designed to be part of the statewide Standardized Emergency Management System. The Operational Area Emergency Plan provides guidance for emergency planning and requires subsequent plans to be established by each jurisdiction that has responsibilities in a disaster situation. The Multi-Jurisdictional Hazard Mitigation Plan includes an overview of the risk assessment process, identifies hazards present in the jurisdiction, hazard profiles, and vulnerability assessments. The plan also identifies goals, objectives, and actions for each jurisdiction in the County, including all cities and the County unincorporated areas. The OMO would not interfere with either plan because it would not prohibit subsequent plans from being established or prevent the goals and objectives of existing plans from being carried out.

ii. SAN DIEGO COUNTY NUCLEAR POWER STATION EMERGENCY RESPONSE PLAN

No Impact: The County Nuclear Power Station Emergency Response Plan would not be interfered with due to the location of the project in relation to the nuclear power station and the specific requirements of the plan. The emergency plan for the San Onofre Nuclear Generating Station includes an emergency planning zone within a 10-mile radius. All land area within 10 miles of the plant is not within the jurisdiction of the unincorporated County and as such a project in the unincorporated area is not expected to interfere with any response or evacuation.

iii. OIL SPILL CONTINGENCY ELEMENT

No Impact: The Oil Spill Contingency Element would not be interfered with because the project is not located along the coastal zone or coastline.

iv. EMERGENCY WATER CONTINGENCIES ANNEX AND ENERGY SHORTAGE RESPONSE PLAN

No Impact: The Emergency Water Contingencies Annex and Energy Shortage Response Plan would not be interfered with because the project does not propose altering major water or energy supply infrastructure, such as the California Aqueduct.

v. DAM EVACUATION PLAN

Less Than Significant Impact: Organic material processing operations allowed as a result of the proposed project may be located within a dam inundation area for one of several dammed water bodies in the County. However, respective Dam Evacuation Plans would not be interfered with because organic material processing operations would not be associated with occupied structures and would not be considered a unique institution that would be difficult to safely evacuate in the event of a dam failure. Unique institutions, as defined by the Office of Emergency Services, include hospitals, schools, skilled nursing facilities, retirement homes, mental health care facilities, care facilities for patients with disabilities, adult and childcare facilities, jails/detention facilities, stadiums, arenas, amphitheaters, or a similar use. Since the project does not propose a unique institution in a dam inundation zone, the project would not impair implementation of or physically interfere with the implementation of an emergency response plan.

f) Propose a use, or place residents adjacent to an existing or reasonably foreseeable use that would substantially increase current or future resident's exposure to vectors, including mosquitoes, rats or flies, which are capable of transmitting significant public health diseases or nuisances?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less than Significant Impact: As detailed in the County Guidelines for Determining Significance for Vectors (County of San Diego, 2009), typical adverse effects related to vectors are two-fold. First, vectors can cause potentially significant public health risks because of the transmission of diseases to human and animal populations. Second, vectors can create a nuisance for residents of the County. A project that proposes a source of vector breeding habitat could result in an unnecessary increase in vector populations. When the vector breeding source is located near a substantial human population, a potentially adverse environmental effect could occur. Implementation of the OMO could result in more organic material stock piling, management and composting which could support disease and nuisance vectors.

As stated in the County Guidelines for Determining Significance and Report Format and Content Requirements – Vectors (County of San Diego 2009), the presence of large quantities of manure can significantly increase problems related to vectors, particularly from the breeding of flies. Proper planning and effective management of sources of manure can ensure that intense breeding grounds for vectors are not supported. Nuisance insects such as flies that do not transmit disease can occur in sufficient numbers to become a public health problem by causing intense annoyance and distress to humans and animals. To minimize the generation of both disease and nuisance causing insects, the OMO requires operations to be managed in a way to prevent attraction of flies, rodents, and other vectors. Further, the LEA is authorized on behalf of the State to take corrective action if operations result in the occurrence of excessive vectors or other adverse public health/well-being related conditions per CCR Title 14, Section 17855. The DEHQ Vector Control Program additionally has resources available to operators to support proper management of organic material processing operations in a way that does not support vectors. For operations under the OMO that require a future discretionary review, these projects would be subject to the County Guidelines for Determining Significance for Vectors which requires preparation of a Vector Control Plan for uses that may include vector breeding sources. The Vector Management Plan would identify details of the proposed operations and the ongoing management activities that would ensure vector breeding is minimized. Vector Management Plans are intended to provide management tools to prevent vector breeding sources. In all cases where a Vector Management Plan is required, the DEHQ Vector Control Program would be provided with a copy of the plan for review and concurrence to ensure that appropriate management practices are identified.

Smaller operations that do not require a discretionary permit would, in some cases depending on the size and type of operation, be subject to local and State oversight related to vectors as regulated by the LEA.

CCR Title 14 regulations that pertain to vectors are summarized below:

- CCR Title 14, Section 17820, Agricultural Solid Wastes As a Public Health/Well-Being Hazard. This section requires any person who sustains, stores, manages, or receives agricultural by-products or other waste materials generated as a result of the operation of any agricultural property or produce processing plant shall do so in such a manner as to prevent the spread of disease, the occurrence of excessive vectors, odor, dust, or feathers or other such adverse conditions related to the public health and well-being. In addition:
  (a) The presence of excessive vectors on the property shall be prima facie evidence that an adverse public health/well-being hazard exists.
  (b) The determination of the presence of excessive vectors shall be made by an Enforcement Agency or the Department.
  (c) The determination of the presence of excessive vectors shall take into account the proximity of the agricultural operation to neighboring human habitation and use areas, the population density of the entire area and the severity of the public health/well-being hazard posed by said vectors.

- CCR Title 14, Section 18227: Each operator of a compostable material handling facility that is required to obtain a Compostable Materials Handling Facility Permit or a Registration Permit for a Vegetative Food Material Composting Facility, must file a Report of Composting Site Information with the LEA. Among other things, this report requires, "(d) A description of the proposed methods used to control leachate, litter, odors, dust, rodents, and insects, for example, how the operator would store, process and incorporate food material and vegetative food material into windrows or static piles, timeframes for inclusion of material, collection and containment of leachate, passive and active vector controls, methods to monitor effectiveness of control measures." This section would largely apply to larger facilities that require a discretionary action under the OMO.

The LEA is authorized on behalf of the State to take corrective action if the design and layout of agricultural operations or management of agricultural waste results in the occurrence of excessive vectors or other adverse public health/well-being related conditions. Even for activities excluded from a State permit, the LEA is authorized to verify that the activity is being conducted in a manner that qualifies as an excluded activity or from taking any appropriate enforcement action (CCR Title 14, Section 17855). Thus, even for smaller operations that do not require a discretionary permit and/or do not trigger a requirement for a State permit, the LEA has enforcement authority to require remediation of any vector issues or related vector nuisance complaints. All BMP plans would be forwarded to LEA for their records and to allow for tracking of all sizes of organic processing operations and to facilitate necessary enforcement as needed.

Based on the existing regulatory framework in place to ensure adverse vector impacts do not result from organic material processing facilities, impacts would be less than significant.

X. HYDROLOGY AND WATER QUALITY

Would the project:

a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less than Significant Impact: Organic material processing operations or composting typically results in release of moisture from the feedstock material as biological decomposition occurs. Additionally, depending on weather conditions water must be applied to compost piles to provide the correct conditions to support biological decomposition. Precipitation may also fall on compost piles. Water released from a compost pile becomes leachate and, if sufficient in volume, would drain from the compost pile. Compostable materials may contain nutrients, metals, salts, pathogens, and oxygen-reducing compounds that can migrate with leachate or wastewater from these materials. Additionally, when composting of nutrient-rich feedstocks occurs on more permeable soil, leachate may enter groundwater and create elevated nitrate concentrations (SWRCB 2020).

The potential for adverse water quality effects from composting are addressed through the SWRCB NPDES program administered under the Federal CWA and California's Porter-Cologne Act. Before 2015, potential discharges from composting operations in California were regulated through project specific Waster Discharge Requirements (WDRs) developed by the RWQCB with jurisdiction over the site. In 2015, SWRCB adopted General Waste Discharge Requirements for Composting Operations, Order WQ 2015-0121DWQ (Attachment E, Composting WDRs) to efficiently support the redirection of organic material from landfills to composting operations while providing requirements to protect water quality. General Order WQ 2015-0121-DWQ contains regulations and guidance for general waste discharge requirements related to composting operations. The General Order covers most facilities that receive and process organic material including leaves, landscape trimmings, grass, food scraps, and food contaminated paper to create compost. The 2015-0121 General Order applies to both new and existing composting facilities that aerobically compost materials such as green waste, manure, anaerobic digestate, biosolids, food scraps, and scrap paper products. Most small composting operations (less than 500 cubic yards) such as backyard composting, community gardens, and community composting are exempt under the order.

Many of the small by-right and Zoning Verification Permit tier operations allowed under the OMO may be exempt or conditionally exempt from the SWRCB General Order. Operations conditionally exempt and exempt from the General Order are as follows:

Conditionally Exempt

1. Composting operations that occur on-farm or are part of agricultural, horticultural, aquaculture, silvicultural, floricultural, vermicultural, or viticultural activities are conditionally exempt if all the following conditions are met:
   a. The facility receives, processes, and stores less than 25,000 cubic yards of a combination of allowable feedstocks, compost (active, curing, and final product), additives and amendments on site at any given time;
   b. Feedstocks consist of vegetative agricultural materials, green materials, manure, and/or other material as allowed by the RWQCB, but do not include animal carcasses. Examples include manures and bedding, orchard and vineyard prunings, culls and crop residues, and spoiled or unsalvageable food commodities;
   c. The resulting compost product is returned to the same site or a property owned by the owner of the composting activity and applied at an agronomic rate; and
   d. No more than 5,000 cubic yards of compost final product is given away or sold annually.

   To remain conditionally exempt, activities must implement the following BMPs:

   - Materials and activities on-site must not cause, threaten to cause, or contribute to conditions of pollution, contamination, or nuisance;
   - Activities shall be setback at least 100 feet from the nearest surface water body and/or the nearest water supply well;
   - Dischargers must implement practices to minimize or eliminate the discharge of wastes that may adversely impact the quality or beneficial uses of waters of the State; and
   - Dischargers must manage the application of water (including from precipitation events) to reduce the generation of wastewater; and working surfaces must be designed to prevent, to the greatest extent possible, ponding, infiltration, inundation, and erosion, notwithstanding precipitation events, equipment movement, and other aspects of the facility operations.

Operations exempt from the compost General Order include:

1. Chipping and grinding facilities and operations. This includes chipping and grinding facilities and operations at a composting facility if located outside of the composting operation area;
2. Lot clearing by local government agencies (e.g., grubbing, tree trimming, etc.) for fire protection;

3. Composting activities that are within a fully enclosed vessel;
4. Composting operations that receive, process, and store less than 500 cubic yards of allowable materials at any given time; and
5. Composting operations that receive, process and store less than 5,000 cubic yards per year of allowable Tier I and Tier II feedstocks, additives and amendments that implement the following management practices:
    a. Completely cover materials during storm events as needed to reduce the generation of wastewater; and
    b. Manage the application of water to reduce the generation of wastewater.

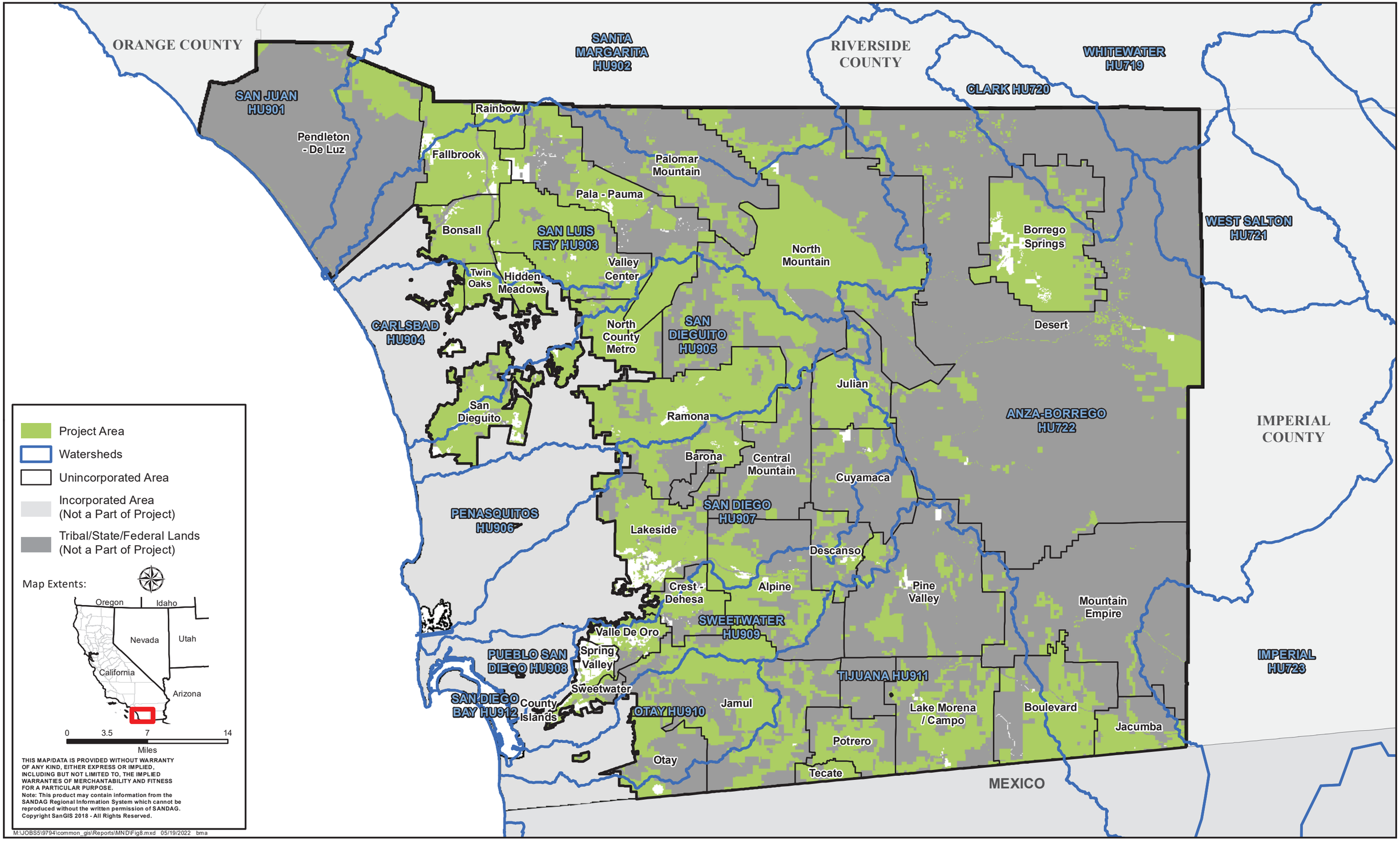
Refer to Figure 8 for the project areas in relation to watershed boundaries.

While the RWQCB has found these activities are unlikely to degrade water quality if the noted management practices are implemented, the RWQCB may determine individual Waste Discharge Requirements are appropriate under site-specific conditions.

Under the composting WDRs, even conditionally exempt activities are required to implement best management practices, as follows:

- Materials and activities on site must not cause, threaten to cause, or contribute to conditions of pollution, contamination, or nuisance.
- Activities shall be setback at least 100 feet from the nearest surface water body and/or the nearest water supply well.
- Dischargers must implement practices to minimize or eliminate the discharge of wastes that may adversely impact the quality or beneficial uses of waters of the State.
- Dischargers must manage the application of water (including from precipitation events) to reduce the generation of wastewater; and working surfaces must be designed to prevent, to the greatest extent possible, ponding, infiltration, inundation, and erosion, notwithstanding precipitation events, equipment movement, and other aspects of the facility operations.

Through the requirement for a BMP plan for all operations under the OMO, operators would be notified of the applicability of the compost General Order WQ 2015-0121-DWQ, and the BMP plan would require operators to demonstrate how stormwater would be managed to prevent runoff and/or leachate from the processing site(s). Based on the existing regulatory protections applicable to organic material operations, impacts related to water quality standards and waste discharge requirements would be less than significant.



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Source: ESRI, SanGIS, County of San Diego, 2020

Figure 8
Watersheds

b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less than Significant Impact: Organic material processing operations may use groundwater. Composting operations require the addition of water to maintain adequate moisture levels for optimal organic material break-down during the composting process. While groundwater could be used for this purpose, the water demand would be minimal and far less than the water demand for typical agricultural crop production. Furthermore, the application of finished compost on land increases the water holding capacity of the soil and reduces evaporation, which can help to reduce water demand for crops or landscaping. Thus, while groundwater may be used to water compost piles, any application of groundwater would be minimal and operations would allow for infiltration of water into the ground to allow for recharge. Operations would not be associated with new impervious surfaces that could interfere substantially with groundwater recharge. Impacts would be less than significant.

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or through the addition of impervious surfaces, in a manner which would:

(i) result in substantial erosion or siltration on- or off-site;

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less than Significant Impact: Organic material processing operations require implementation of best management practices to comply with the Composting WDRs. Even small operators who are exempt from the WDRs are required to implement BMPs to reduce erosion and sedimentation, prevent contamination of runoff, and capture stormwater. Compliance with existing protections included in the SWRCB Composting WDRs, NPDES permitting process, and/or the County WPO would control site drainage and avoid erosion and siltation. Based on compliance with existing regulatory protections, impacts related to erosion and siltation would be less than significant.

(ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Less than Significant Impact: See c(i) above. Compliance with existing protections included in the SWRCB NPDES and Composting WDRs would control site drainage and prevent new organic waste management facilities from generating substantial amounts of erosion, causing on- or off-site flooding, or creating substantial and unmanaged volumes of polluted runoff. Additionally, the OMO has incorporated a requirement that operations sited within a known Floodplain or Special Flood Hazard Areas as identified by the County Department of Public Works – Flood Control Division and/or the Federal Emergency Management Agency shall comply with County's Flood Damage Prevention Ordinance – Division 11, Section 811. Compliance with the County's Flood Damage Prevention Ordinance in addition to other applicable SWRCB regulations would ensure impacts would be less than significant.

(iii) 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; or

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Less than Significant Impact. Implementation of the OMO would not result in runoff that would exceed the capacity of existing or planned stormwater drainage systems as runoff would be managed on-site and not flow into stormwater drainage systems, consistent with the requirements of the SWRCB NPDES and Composting WDRs. Additionally, impervious surfaces are not generally associated with organic material composting operations. If a future accessory use requires the building or removal of a structure, a building permit would be required, and development of the facility would be subject to the preparation of a Minor Stormwater Management Plan and implement site-specific BMPs to maintain existing drainage patterns and runoff levels to the greatest extent possible. Conformance to the WPO and other local requirements would ensure that future facilities do not substantially alter the existing drainage patterns or contribute runoff water that would potentially exceed the capacity of existing or planned stormwater drainage systems. Compliance with these regulations and protection from runoff would be ensured through implementation of the OMO BMP plan. As detailed in the OMO, a BMP plan would be required at permit intake for all Organic Material Processing operations that explains the measures that would be implemented to avoid polluted runoff. Typical measures may include, but are not limited to the following:

- Unless other equivalent stormwater management measures are implemented, completely cover materials during storm events as needed to reduce the generation of wastewater.

- Manage the application of water to control the generation of wastewater.
- Install erosion and runoff control measures to prevent ponding, infiltration, and erosion.

These requirements would be identified in the BMP Plan attached to each permit at intake. Procedurally these requirements would be included in the BMP Plan. Higher tier operations under the OMO that trigger Grading Permits or other discretionary approvals would be similarly evaluated for consistency with the WPO in addition to a required CEQA review. With implementation of the existing regulatory framework, impacts related to would be less than significant.

d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Less than Significant Impact: Organic material processing operations would be concentrated in the unincorporated areas of the County, which are more than 1 mile inland and therefore are not likely to experience tsunami or seiche. Organic material processing operations may contain nutrients, metals, salts, pathogens, and oxygen-reducing compounds. Stockpiles of organic wastes, compost, and mulch placed in floodplains or other areas subject to inundation could be carried with floodwaters and release nutrients and pollutants.

The Composting WDRs contain inundation prevention requirements for composting facilities located within 100-year floodplains and requires that facilities be located a minimum of 100 feet from any surface water. Additionally, the OMO includes the requirement that all organic materials processing operations must be sited a minimum of 100 feet from any watercourse or groundwater resource. Existing regulations are in place to protect organic waste management facilities from inundation by floodwaters and to prevent leaching of wastes if inundation does occur; therefore, the potential for the release of pollutants from inundation of an organic waste management site would be less than significant.

e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Less than Significant Impact: The San Diego RWQCB Basin Plan (Region 9) was approved by SWRCB in 1994 and was most recently revised in 2016 (RWQCB 2016). A majority of the project areas are located in Region 9, although land east of the mountains lies in Region 7 and is covered by the Colorado River Basin Plan amended January 8, 2019. The RWQCB designates

beneficial uses in the Basin Plan under California Water Code Section 13240. Beneficial uses are defined as water uses necessary for the survival or well-being of humans, plants, and wildlife. Designated beneficial uses in Region 9 inland surface waters, coastal waters, reservoirs and lakes, and groundwater in the County are identified in Tables 2-2 through 2-5 of the Basin Plan. The County has adopted a Groundwater Sustainability Plan for Borrego Valley and is in the process of preparing plans for all other basins (San Diego River, San Luis Rey, San Pasqual). As detailed in responses X(a) through (d), implementation of the SWRCB NPDES and Composting WDRs in addition to requirements of the OMO which requires organic materials processing operations to be sited a minimum of 100 feet from any existing groundwater well and at least 50 feet from state or federally protected wetlands, the project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

XI. LAND USE AND PLANNING

Would the project:

a) Physically divide an established community?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☐ Less than Significant Impact
☒ No Impact

Discussion/Explanation:

No Impact: The project would amend the Zoning Ordinance to create a tiered permitting structure to regulate small, medium, and large organic material processing operations, throughout the unincorporated areas of the County. While the ordinance amendments do not propose any specific operation, the new permit structure could incentivize more organic material processing operations in the County. Regulations would allow certain operations by-right when they are accessory to an agricultural operation (reflecting existing practice), would allow small-scale organic material processing at community gardens, and small-scale commercial operations with a Zoning Verification Permit. The zones where organic material processing is allowed would not be expanded. Ordinance amendments would not result in the introduction of new infrastructure, such as major roadways that would divide established communities in the unincorporated county. Therefore, the project would not significantly disrupt or divide the established community. No impact would occur.

b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less than Significant Impact: County General Plan Land Use Goals 2.2, 2.3 and 2.5, as well as the Board of Supervisors Policy I-133 support long-term retention of agricultural land for agricultural use and the expansion of agricultural uses. Implementation of the proposed ordinance amendments would support agriculture by clarifying when organic material processing is allowed by right on land with active agriculture, reflecting existing practice. Additionally, adoption of ordinance amendments would support regulatory streamlining for organic material processing operations which would be consistent with goals for landfill diversion and GHG reduction. No conflict with General Plan goals and policies have been identified as the project would support organic material management and diversion of organic materials from landfills. Because there would be no conflicts with the General Plan, Community Plans, Zoning regulations, or Board Policy I-133, the project would not result in impacts related to these land use plans and policies. The applicability of plans and policies such as the MSCP, RPO, and BMO which protect biological resources has been previously addressed in Section IV, Biological Resources. Additionally, no subdivision of land or installation of new infrastructure is included as a part of the project. Impacts would be less than significant.

XII. MINERAL RESOURCES

Would the project:

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?

☐ Potentially Significant Impact	☒ Less than Significant Impact
☐ Less Than Significant With Mitigation Incorporated	☐ No Impact

Discussion/Explanation:

Less than Significant Impact: Future development under the project may be located on land classified as having mineral resources. The County's Mineral Resources Map would indicate whether the site would be located within a region where geologic information indicates significant mineral deposits are present. Implementation of organic material processing operations of any scale would not result in the loss of availability of local important mineral resource recovery sites as the uses would be compatible with existing or future mineral resource extraction. The OMO would not allow development that would result in future inaccessibility for recovery of mineral resources in the County. Further, Sections 2820 through 2825 of the County's Zoning Ordinance, preserves areas with valuable mineral deposits and defines the screening process for the potential loss of availability of mineral resources. Therefore, no potentially significant loss of availability of a known mineral resource of value to the region and residents of the state would occur. Impacts would be less than significant.

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?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less than Significant Impact: The San Diego County General Plan Update Program Environmental Impact Report Figure 2.10-2 (County of San Diego 2011b) shows mineral resource extraction sites throughout the County. Implementation of organic material processing operations of any scale would not result in the loss of availability of local important mineral resource recovery sites as the uses would be compatible with existing or future mineral resource extraction. Therefore, the project would not result in the loss of availability of a locally important mineral resource recovery (extraction) site delineated on a local general plan, specific plan, or other land use plan. Impacts would be less than significant.

XIII. NOISE

Would the project result in:

a) Generation of a substantial temporary or permanent 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?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less than Significant Impact: The County of San Diego General Plan, Noise Element, Tables N-1 and N-2 address noise sensitive areas and requires an acoustical study to be prepared for any use that may expose noise sensitive areas to noise in excess of a Community Noise Equivalent Level (CNEL) of 60 A-weighted dB (dBA) for single-family residences (including senior housing, convalescent homes), and 65 dBA CNEL for multi-family residences (including mixed-use commercial/residential). Moreover, if the project is in excess of 60 dBA CNEL or 65 dBA CNEL, modifications must be made to the project to reduce noise levels. Noise sensitive areas include residences, hospitals, schools, libraries or similar facilities as mentioned within Tables N-1 and N-2 of the General Plan Noise Element (County of San Diego 2011a).

Implementation of the OMO would create new permit tiers for organic material processing operations and would clarify when organic material processing operations accessory to an

agricultural use are allowed by right. Implementation of by-right or Zoning Verification Permit tier operations on land with an agricultural use, at community gardens, and small commercial operations would not result in the addition of any noise sensitive land uses, although operations could occur in proximity to existing residences or other sensitive receptors. The County Noise Ordinance, Section 36.404, sets limits on the noise levels generated from one property to another. However, for operations on land with agricultural uses, the noise level limits do not apply to agricultural operations. As the by-right and Zoning Verification Permit tier organic material processing operations on agricultural land would be accessory uses to the primary agricultural use and the end product of the operation (compost) is applied to the land to support soil health and crop growth, the agricultural noise exemption applies. Additionally, typical agricultural land uses use most of the same machinery that is needed for organic material processing operations.

Section 36.417(b)(2) states that the noise level limits in Section 36.404 do not apply to equipment associated with agricultural operations, provided that each piece of equipment and machinery powered by an internal-combustion engine is equipped with an appropriate muffler and air intake silencer in good working order and one of the following applies:

A. Operations do not take place between 7 p.m. and 7 a.m. of the following day.
B. The operations and equipment are utilized for the preparation, planting, harvesting, protection or salvage of agricultural crops during periods of potential or actual frost damage or other adverse weather conditions.
C. The operations and equipment are used for agricultural pest control in accordance with regulations and procedures administered by the County Department of Agriculture.

Noise levels from agricultural equipment are exempt from the noise level limits of the County's Noise Ordinance provided that the equipment does not operate between 7 p.m. and 7 a.m. As chipping and grinding necessary to support the organic material processing would generate the greatest dB, the ordinance has included a restriction that any chipping and grinding must be accessory to the primary organic material processing use and must only occur between the hours of 8:00 a.m. to 5:00 p.m. Additionally, the frequency of chipping and grinding would be limited by the volume of materials on-site that require grinding, conservatively estimated at no more than five times per year for operations that would be allowed either by-right or with a Zoning Verification Permit. While noise may increase periodically due to equipment usage for operations, the increase would not be substantial or permanent based on the intermittent nature of required equipment usage.

The project would not generate substantial construction noise since organic material processing operations do not require large-scale grading or building construction activities. Noise generating activities associated with commercial operations would be subject to applicable noise level limits of the Noise Ordinance, depending on the zone. Additionally, the same restrictions on chipping and grinding discussed above would apply to commercial operations. For larger operations that require a discretionary permit, the volume of material processed could increase noise levels.

However, as with the existing regulations, future mid- and large-scale organic material processing operations would be subject to a future discretionary review including review for compliance with County noise standards and application of the County's Guidelines for Determining Significance for Noise. Based on applicability of the noise ordinance standards and the intermittent nature of equipment usage associated with organic material management, and the requirement for site specific evaluation of noise impacts for larger operations, implementation of the OMO would not generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of established standards. Impacts would be less than significant.

b) Generation of excessive groundborne vibration or groundborne noise levels?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less Than Significant Impact: Heavy equipment has the potential to result in varying degrees of temporary ground vibration, depending on the specific equipment used and operations involved. Ground vibration generated by equipment spreads through the ground and diminishes in magnitude with increases in distance. The effects of ground vibration may be imperceptible at the lowest levels, low rumbling sounds and detectable vibrations at moderate levels, and damage to nearby structures at the highest levels. Vibration perception would occur at structures, as people do not perceive vibrations without vibrating structures.

Human reaction to vibration is dependent on the environment the receiver is in as well as individual sensitivity. For example, vibration outdoors is rarely noticeable and generally not considered annoying. Typically, humans must be inside a structure for vibrations to become noticeable and/or annoying. Based on several Federal studies, the threshold of perception is 0.035 inch per second (in/sec) peak particle velocity (PPV), with 0.24 in/sec PPV being distinctly perceptible (Caltrans 2013). Neither cosmetic nor structural damage of buildings occurs at levels below 0.1 in/sec PPV

The equipment required for small- and mid-scale organic material processing (see Table 7) is not anticipated to generate substantial vibration levels. Equipment such as small bulldozers/tractors generate vibration levels of 0.003 in/sec PPV at 25 feet (Federal Transit Administration 2018). This level of construction vibration would be below the distinctly perceptible threshold of 0.24 in/sec PPV and below the cosmetic and structural damage of buildings threshold of 0.1 in/sec PPV. The operations would be located on agricultural lands which are generally located in rural areas distanced from sensitive receptors. It should also be noted that loaders are typical equipment on farms and would likely be already existing and in operation as part of the agricultural operation. For larger operations that require a discretionary permit, vibration levels could be higher. However, as with the existing regulations, future mid-

and large-scale organic material processing operations would be subject to a future discretionary review including review for compliance with County noise standards and application of the County's Guidelines for Determining Significance for Noise. Therefore, project implementation would not generate excessive groundborne vibration or groundborne noise levels, and impacts would be less than significant.

c) For a project located within the vicinity of a private airstrip or 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?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less than Significant Impact: The project does not propose any sensitive land uses and therefore would not place new sensitive receptors within the vicinity of an airport or airstrip. Impacts would be less than significant.

XIV. POPULATION AND HOUSING

Would the project:

a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☐ Less than Significant Impact
☒ No Impact

Discussion/Explanation:

No Impact: The OMO does not propose regulatory changes that would encourage population growth. Therefore, the project would not induce substantial population growth in an area, either directly or indirectly and no impacts would occur.

b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☐ Less than Significant Impact
☒ No Impact

Discussion/Explanation:

No Impact: The OMO does not include expansion into residential zones that would take away from existing residential housing, nor would it replace housing with agricultural uses. Additionally, the OMO would not alter the residential uses associated with current agricultural operations, such as farm housing on farms, and would not replace residents with agriculture. Therefore, the project would not displace substantial numbers of people, necessitating the construction of replacement housing, and no impacts would occur.

XV. PUBLIC SERVICES

Would the project:

a) 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 service ratios, response times or other performance objectives for any of the public services:

i. Fire protection?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☐ Less than Significant Impact
☒ No Impact

Discussion/Explanation:

No Impact: The project would not result in the need for significantly altered fire protection services or facilities. The project does not involve the construction of new or physically altered government facilities including but not limited to fire protection facilities. The project consists of ordinance amendments which would create a tiered permitting structure to regulate organic material processing on farms, at community gardens, and for commercial operations. Organic material processing operations are not anticipated to create a demand for fire protection services as the risk of fire can be negated by keeping compost piles of a prescribed size, which regulated in the County Consolidated Fire Code. The ordinance amendments include a requirement that “Operations and compost width and height shall comply with the current provisions or future amendments adopted by the County of San Diego for the San Diego County Consolidated Fire

Code – Section 96.1.2808." Additionally, the project would not generate a substantial increase in population leading to increased need for services. Because the uses associated with the OMO would not be associated with a higher demand for fire services and would not induce population growth, the project would not result in the need for significantly altered fire protection services and would not require the construction of new or physically altered fire protection facilities, no impact would occur.

i. Police protection?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☐ Less than Significant Impact
☒ No Impact

Discussion/Explanation:

No Impact: The project would not create the need for additional police protection or facilities and would not require the construction of new or physically altered government facilities, such as police facilities.

Because the proposed OMO would not generate a substantial increase in population, there would not be substantial demand placed on existing public services such as police protection, and no new facilities would need to be developed. Because there would be no substantial effects on the ability to affect performance objectives related to police protection and facilities, there would be no impacts on public services.

i. Schools?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☐ Less than Significant Impact
☒ No Impact

Discussion/Explanation:

No Impact: The project would not result in land uses that would increase demand on school facilities or involve construction of any school related facilities. The project does not include any form of residential development or use that would increase school demand or necessitate the development of schools. The project would amend the Zoning Ordinance to create a tiered permitting structure to regulate small, medium, and large organic material processing operations throughout the unincorporated areas of the County. The project does not propose any development of residential units, nor is the population expected to increase as a result of the project. Therefore, the project would not have an adverse physical impact associated with new or significantly altered educational services or school facilities. No impact would occur.

i. Parks?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☐ Less than Significant Impact
☒ No Impact

Discussion/Explanation:

No Impact: The project would not result in the need for significantly altered park services or facilities. As stated in response XV(c) above, no residential units would be constructed, nor is the population expected to increase, as a result of the proposed project. The project includes amendments to the Zoning Ordinance to create a tiered permitting structure to regulate small, medium, and large organic material processing operations and does not involve or require the construction of parks. Because the project would not create a need for a new or physically-altered park facility, the proposed project would not result in adverse physical impacts associated with the construction of such a facility. As such, no impact would occur.

i. Other public facilities?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☐ Less than Significant Impact
☒ No Impact

Discussion/Explanation:

No Impact: There are no elements of the project that would impact other public facilities, such as libraries or regional hospitals. The project would not be associated with increases in population that could increase demand on services. Therefore, the project would not result in substantial adverse physical impacts associated with the provision of new or physically altered public facilities, or the need for new or physically altered public facilities, or the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives. No impact would occur.

XVI. RECREATION

Would the project:

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?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☐ Less than Significant Impact
☒ No Impact

Discussion/Explanation:

No Impact: The project would not 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. As discussed under Section XIII (Population and Housing) and Section XIV (Public Services) of this Initial Study, the project would not induce substantial population growth in an area, either directly or indirectly. The project does not include the development of residential uses and would not require the construction of a residential subdivision, mobile home park, or single-family residences that would increase the use of existing neighborhood and regional parks or other recreational facilities in the vicinity. Because the proposed OMO would not generate increases in population, there would not be substantial demand placed on existing recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. Therefore, the use of existing neighborhood and regional parks or other recreational facilities would not substantially increase, and no impact would occur.

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?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☐ Less than Significant Impact
☒ No Impact

Discussion/Explanation:

No Impact: The proposed OMO does not include recreational facilities or require the construction or expansion of recreational facilities. As stated above in response XVI. a. the project does not entail the construction of a residential subdivision, mobile home park, or single-family residences that would increase the use or require the development of recreational facilities. Since the project would not induce substantial population growth in an area, the use of existing neighborhood or regional parks or other recreational facilities would not substantially increase, necessitating the construction or expansion of recreational facilities. Therefore, the project would have no impact on the construction or expansion of recreational facilities.

XVII. TRANSPORTATION

Would the project:

a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less than Significant Impact: The project includes amendments to the Zoning Ordinance to create a tiered permitting structure to regulate small, medium, and large organic material processing operations. No specific organic material operation is proposed with this project, although the amendments would clarify and streamline regulations, allowing small commercial organic material processing operations with a Zoning Verification Permit, organic material processing at community gardens, in addition to organic material processing as an accessory use to agricultural operations. Medium and larger scale organic material processing operations would be allowed with either an Administrative Permit or a Use Permit, but the changes do not affect the allowed location of operations or level of discretionary review required. The proposed ordinance amendments would not conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including public transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and public transit. All operations would occur within existing parcels and would be required to adhere to all required setbacks and operational siting requirements of the ordinance. As a result, operations would not conflict with surrounding streets, pedestrian, bicycle or transit facilities.

Policies related to transportation are provided in Chapter 4, Mobility Element of the San Diego County General Plan. There are policies pertaining to County transportation as a whole, with additional policies pertaining specifically to the road systems, pedestrian and bicycle systems, and transit systems within the County. Operations regulated under the OMO that require a discretionary permit would be required to demonstrate conformance with all established General Plan policies and regulations in order to be permitted. Organic material processing operations subject to a discretionary permit would undergo a site-specific review to ensure consistency with County standards and requirements.

Organic material processing operations would not generate a demand for public transit, bicycle, or pedestrian facilities. In addition, implementation of the OMO would not require changes to roadways or transit corridors. Therefore, implementation of the OMO would not create any conflicts with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities, a less than significant impact would occur.

b) Would the project conflict or be consistent with CEQA Guidelines section 15064.3, subdivision (b)?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less than Significant Impact: The project would not conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b), because the project is anticipated to result in an overall reduction in VMT compared to existing conditions. CEQA Guidelines Section 15064.3(b)(1), states "…Projects that decrease vehicle miles traveled in the project area compared to existing conditions should be considered to have a less than significant transportation impact."

CEQA Guidelines Section 15064.3 requires that the determination of significance for transportation impacts be based on VMT instead of a congestion metric such as LOS. The change in the focus of transportation analysis is the result of legislation SB 743. SB 743 intends to change the focus from congestion to the reduction of vehicle miles traveled, leading to reduced GHG emissions, and encouraging mixed use development. Where quantitative models or methods are unavailable, Section 15064.3 allows agencies to assess VMT qualitatively, using factors such as availability of transit and proximity to other destinations.

The OMO would create a tiered permitting structure to regulate small-, medium-, and large-scale organic material processing operations. While ordinance amendments create new permit tiers for mid- and large-scale commercial operations, they do not affect the location that the facilities are currently allowed to occur in, nor do the amendments affect the level of discretionary review required. Thus, while it is possible that more mid- and large-scale operations could be proposed due to permit streamlining in the ordinance amendments, the same level of discretionary review would be required including discretionary review and application of the County Guidelines for Determining Significance for Transportation. While these operations would be associated with vehicle trips primarily for hauling of feedstocks and end product, the addition of new facilities would generally be expected to reduce overall VMT associated with organic material processing operations since facilities are regional serving and more facilities would reduce potential trip distances required to bring organic materials from their source to a facility for processing. Nonetheless, for larger operations, each project specific analysis would undergo its own project specific environmental review.

The ordinance amendments would allow organic material processing at community gardens as a by-right use provided the volume limitations are adhered to. This use by its nature is intended to allow for organic materials generated from the gardens to be processed on-site, which would not be associated with substantial trip generation. Users of the gardens may bring organic materials into the garden for composting; however, these trips would be existing trips associated with typical community garden use. VMT generation associated with organic material processing at community gardens would be negligible.

The ordinance amendments would allow community composting as a by-right use provided the volume limitations are adhered to. This use by its nature is intended to allow non-profits/persons the opportunity to locally collect organic materials generated from their community and to be processed on-site, which would not be associated with substantial trip generation. Community

members may bring organic materials collection site for composting; however, these trips would be existing trips associated with typical community garden use. VMT generation associated with organic material processing at community gardens would be negligible.

The ordinance amendments would additionally allow organic material processing on land with active agricultural operations as an accessory use. This allowance is anticipated to increase the number of small and medium on-farm organic material processing operations and reduce the amount of organic material that is sent to landfills. As described in the project description, the County currently allows composting on parcels with active agriculture when all material originates from the agricultural property and are used on the same property (or properties under the same ownership). The ordinance amendments would clarify this allowance in the Zoning Ordinance to be consistent with existing allowances. The ordinance amendments would additionally allow some importation of off-site organic materials onto farms for organic material processing.

Figure 9 identifies the location of facilities that accept organic material for recycling. As shown, the facilities are focused within surrounding cities, in addition to limited facilities in the unincorporated County. These facilities generally charge a fee for accepting organic materials. Fees vary but on average are approximately $40 per ton of organic material. Other transfer stations also accept organic materials which may or may not be recycled. In an inquiry with Escondido Disposal, Inc., which has facilities in Fallbrook, Escondido, and Ramona, the fee for accepting organic material is $86 per ton. Under existing conditions, an agricultural operator would either manage their own organic materials on-site or they would need to have materials hauled to a facility that accepts organic materials, for a fee.

On-site management and composting of organic materials generated on farms is by its nature VMT reducing because it allows organic materials to be managed closer to their source. Trips created by waste haulers would be reduced due to less demand for organic materials pick-up. The current ordinance prohibition on importation of organic materials limits the viability of on-farm composting because operations may not have enough materials or the right type of materials to create active compost. By allowing importation of organic materials on farms subject to the tier limitations described in the project description, more organic materials would remain closer to their source. Hauling trip length would decrease because the location of facilities that accept organic material are spread around the County in locations closer to surrounding cities. The potential expansion of small-scale composting operations within agricultural areas would provide local options for disposal of organic materials within agricultural areas where the materials are produced. Local disposal would likely be a preferred option due to the convenience of a closer facility and reduced hauling and disposal costs. Increased local disposal options would reduce trip length associated with organic material disposal. Based on these factors, trip length associated with disposal of organic materials from agricultural operations is anticipated to decrease with implementation of the OMO.

ORANGE COUNTY

RIVERSIDE COUNTY

IMPERIAL COUNTY

MEXICO

Agromin OC - Oceanside Green Materials

El Corazon Compost Facility

Evergreen Nursery and Compost Facility

Evergreen Nursery and Compost Facility

Sycamore Landfill Chipping and Grinding Activity Facility Operation

Miramar Greenery

Otay Landfill Inc. Composting Operation

Otay Landfill CDI Medium Volume Processing Facility

Otay Landfill Chipping and Grinding Activity

Otay Landfill Research Composting Op.

Plant's Choice (at Otay Landfill)

Amswede Recycling Inc. LVTO

JMD Composting Operations

San Pasqual Valley Soils

Ramona Organics

Hanson Aggregates A-1 Soils

Inland Pacific Resource Recovery LLC

Inland Pacific R.R. Slaughterhouse Yard

Evergreen Nursery Blossom Valley

Otay Mesa Compost Facility

Facilities Accepting Organic Materials for Recycling

Project Area

Unincorporated Area

Incorporated Area (Not a Part of Project)

Tribal/State/Federal Lands (Not a Part of Project)

Map Extents:

0 3.5 7 14

Miles

M:\JOBS5\9794\common_gis\Reports\MND\Fig9.mxd 05/19/2022 bma

Source: ESRI, SanGIS, County of San Diego, 2020

Figure 9
Facilities Accepting Organic Materials for Recycling

The OMO would additionally define and expand allowances for sales of finished compost. Like the availability of organic materials within agricultural areas, the availability of local compost for sale would provide a local source of soil amendments to nearby farms and residents. While there would be some trips associated with purchase of finished compost, it is reasonable to assume that the consumers would be local and/or associated with pass-by trips. Considering the availability of finished compost at other facilities (including many listed in Figure 9) and at various farm supply or home improvement stores, the availability of compost within agricultural areas would likely be purchased by local consumers (not those from distant locations). The availability of local compost sources could reduce VMT as consumers would have a shorter drive to obtain compost product.

The accessory on-site composting use would not generate a substantial number of trips on a daily basis. Trips to landfills, transfer stations, and organic material recycling sites by waste haulers and agricultural operators are anticipated to be reduced in favor of more localized availability of organic material management facilities.

For small commercial operations allowed with a Zoning Verification Permit, the number of trips generated by the use would be limited by the volume of materials allowed on-site at any one time (100 cubic yards). Trips would be associated with receiving organic materials from off-site locations and transport of finished product from the site. Like the discussion above, adding new locations for organic material processing would offer a benefit of providing decentralized facilities that offer organic material drop-off and compost pick up. Based on the small volume of these facilities and the benefit of potentially reducing hauling distances, VMT generation is anticipated to be minimal.

Implementation of the OMO is not anticipated to result in an increase in VMT from vehicle or truck trips as operations would increase efficiency of trips associated with organic material disposal and local availability of compost end products. Consistent with CEQA Guidelines Section 15064.3(b)(1), the OMO is anticipated to have a net decrease in VMT compared to existing conditions and therefore, would have a less than significant transportation impact.

c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

☐	Potentially Significant Impact	☒	Less than Significant Impact
☐	Less Than Significant With Mitigation Incorporated	☐	No Impact

Discussion/Explanation:

Less than Significant Impact: The project would not substantially increase hazards due to design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment). While organic material processing operations would require use of equipment (refer to Photographs 11–16), the equipment would be used on-site and would not interfere with

roadway operations. Additionally, the project does not propose any changes to roadways, nor does it propose the construction of any new roadways and would therefore not substantially increase hazards due to a geometric design feature or incompatible uses. As with the existing ordinance, larger operations subject to a discretionary permit would be subject to a future site-specific review to ensure adequate access and consistency with policies and regulations detailed in the County Code of Regulatory Ordinances Division 7. Therefore, the project would have a less than significant impact on hazards due to design features and incompatible uses of equipment on roads.

d) Result in inadequate emergency access?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less than Significant Impact: Implementation of the project would not adversely affect emergency access. Future operations under the OMO would be required to be consistent with the Consolidated Fire Code (County of San Diego 2020) Section 96.1.2808 which regulates "storage and processing of wood chips, hogged material, fines, compost, solid biomass, feedstock and raw product associated with yard waste, agro-industrial and recycling facilities." The OMO specifically references required compliance with the San Diego County Consolidated Fire Code – Section 96.1.2808. The regulations require operators to submit an emergency plan detailing operator fire response actions, fire dispersal area, emergency equipment operator callback and initiation of incoming diversion plan. All plans must define the equipment necessary to process and handle the materials. The Consolidated Fire Code also mandates the availability of a fire access roadway. Any future projects seeking an organic materials processing permit would be required to be in conformance with applicable setback requirements and specified emergency access areas as required in the Consolidated Fire Code and County Zoning Ordinance. Therefore, the project would have a less than significant impact on emergency access.

XVIII. TRIBAL CULTURAL RESOURCES

Would the project:

a) Cause a substantial adverse change in the significance of a tribal cultural resource, as defined in Public Resources Code §21074 as either a site, feature, place, or cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

   i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of Historical Resources as defined in Public Resources Code §5020.1(k), or

ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code §5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code §5024.1, the Lead Agency shall consider the significance of the resource to a California Native American tribe.

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less Than Significant Impact: Tribal cultural resources may be found throughout the County. Information on tribal cultural resources is more difficult to obtain than most archaeological resources as there is no database of such resources and they cannot be identified by simply surveying the land. Identification of such resources requires coordination with Native American Tribes. The proposed Zoning Ordinance Amendment applies to a large area of the County that contains tribal cultural resources. As with existing regulatory requirements, mid- to large-scale commercial organic material processing operations would be subject to future discretionary review and would be required to review each site for the potential to contain tribal cultural resources. Actions that require a cultural resources report would include outreach to Tribes as part of the Sacred Lands review, and tribal cultural resources could be identified at that time. For the small by-right and Zoning Verification Permit tier organic material processing operations, these operations would either occur on existing parcels within existing disturbed areas, or would otherwise be subject to requirements of the grading and clearing ordinance. In order to obtain information from tribes regarding the potential for tribal cultural resources, the NAHC was contacted to determine if sacred lands have been identified in the project area. Additionally, pursuant to Public Resources Code Section 21080.3.1 (AB 52), California Native American Tribes that are traditionally and culturally affiliated with the project area can request notification regarding projects in their traditional cultural territory.

The County extended an invitation to consult under AB 52 on February 24, 2021 to those Tribes that are traditionally and culturally affiliated with the project area and have requested to be notified of projects subject to AB 52 consultation. Fifteen Tribes were notified of the project and the following Tribes requested consultation: Viejas Band of Kumeyaay Indians, Jamul Indian Village, Rincon Band of Luiseño Indians and San Luis Rey Band of Mission Indians. Consultation has been conducted over a series of meetings from May 2021 to March 2022 and is still in process. Jamul Indian Village, Rincon Band of Luiseño Indians, and Viejas Band of Kumeyaay Indians have concluded consultation during April and May 2022. The County requested to conclude consultation with the San Luis Rey Band of Mission Indians on April 26, 2022 and May 11, 2022, and to date no response has been received.

XIX. UTILITIES AND SERVICE SYSTEMS

Would the project:

a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less than Significant Impact: Implementation of the OMO would allow small and medium organic material processing operations to occur without a discretionary permit on lands with an active agricultural operation, in addition to small commercial operations with a Zoning Verification Permit, community composting and organic material processing at community gardens. For larger operations that require a discretionary permit, any required services needed would be assessed as part of a future site-specific environmental review although major services or utility expansion or construction is not an anticipated need for any size operation. For the operations allowed without further discretionary review, significant environmental effects are not anticipated related to relocation or construction of new or expanded water, wastewater treatment, stormwater drainage, electric power, natural gas, or telecommunication facilities. No new facilities related to wastewater treatment, electric power, natural gas, or telecommunication facilities is anticipated. While organic material processing operations would require some limited water use, the operations would occur on parcels with existing water availability. The ordinance amendments do not authorize any construction or expansion of utilities or service systems. Water supply would come from connections to existing municipal water supply systems, on-site wells, or on-site water storage tanks already available on-site. Organic material processing is anticipated to require minimal electric power; however, in the event any electric powered equipment is used, this would connect to existing available infrastructure. Stormwater BMPs would be installed as part of the organic material processing operation (see Section X); however, these would be small-scale measures to protect surface water and would not require construction of new drainage or stormwater facilities. Impacts would be less than significant.

b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less than Significant Impact: Implementation of the OMO is not anticipated to result in new water demands that have not already been anticipated and planned for in water supply planning documents. Each applicable water service provider develops supply and demand projections in their Urban Water Management Plans (UWMPs). UWMPs accomplish water supply planning over a 20-year period, with plans prepared in 5-year increments. The plans identify water demand, water supplies, including recycled water, for existing and future demands, in normal, single-dry and multiple-dry years and identify conservation and efficiency measures for efficient use of water supplies. The UWMP process ensures that water supplies are being planned to meet future growth. Demand forecasts and supply needs based on the most recent SANDAG forecast, which is based on the underlying General Plan land use for each jurisdiction. As the OMO does not propose any changes to General Plan land uses and the uses would be consistent with the underlying land use designation, water demands are already included in water supply planning documents. The ordinance is not introducing new land uses, rather the ordinance is clarifying and defining allowable organic material processing uses within specified areas.

Water use associated with organic material processing operations varies depending on the type of operation; however, for typical windrow or static-pile composting, water is applied periodically to the pile or windrow, as needed, to maintain an appropriate moisture level in the pile that would support microbial action and organic material breakdown (active compost). Water use would depend on the season, with water demand rising in the summer, similar to an agricultural operation.

As implementation of the OMO would not introduce any new primary uses that are inconsistent with the existing land use designations, the water use demand of organic material processing operations would be within the existing water use projections for the underlying land uses. Impacts related to water supply would be less than significant.

c) 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?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less than Significant Impact: Implementation of the OMO is not anticipated to exceed the wastewater treatment capacity of applicable providers because organic material processing operations would not generate wastewater that requires off-site conveyance or treatment. Additionally, as discussed above in response XIX(b), the OMO does not propose any changes to General Plan land uses that would create a change in the anticipated demand on wastewater treatment facilities. The ordinance is not introducing new land uses, rather the ordinance is

clarifying and defining allowable organic material processing uses within specified areas. As a result, impacts related to wastewater treatment capacity would be less than significant.

d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☐ Less than Significant Impact
☒ No Impact

Discussion/Explanation:

No Impact: The proposed OMO is intended to result in a reduction in the amount of solid waste that is disposed of in landfills. Specifically, the project is intended to support diversion of organic materials from landfills by defining allowances for organic materials to be recycled through a variety of organic material management techniques (composting, anaerobic digestion, vermicomposting, etc.). The project would support attainment of solid waste reduction goals, specifically State mandates set by AB 1826 and SB 1383.

Regarding landfill capacity, in San Diego County, the County Department of Environmental Health, Local Enforcement Agency issues solid waste facility permits with concurrence from the California Integrated Waste Management Board under the authority of the Public Resources Code (Sections 44001-44018) and CCR Title 27, Division 2, Subdivision 1, Chapter 4 (Section 21440 et seq.). There are five, permitted active landfills in San Diego County with remaining capacity. Therefore, there is sufficient existing permitted solid waste capacity to accommodate waste disposal needs. As no changes in primary land uses are proposed with the OMO, the demand for landfill capacity would not increase. Therefore, the project would comply with State and local standards, while aiding the County in meeting solid waste reduction goals, no impact would occur.

e) Comply with Federal, State, and local management and reduction statutes and regulations related to solid waste?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☐ Less than Significant Impact
☒ No Impact

Discussion/Explanation:

No Impact: As discussed above under response XIX(d), implementation of the OMO is intended to support diversion of organic materials from landfills and support attainment of solid waste reduction goals, specifically State mandates set by AB 1826 and SB 1383. The OMO would provide regulatory streamlining for organic material processing operations with the goal of reducing the amount of organic material that is sent to landfills. Therefore, the project would comply with Federal, State, and local statutes and regulations related to solid waste, and no impact would occur.

XX. WILDFIRE

For projects located in or near State responsibility areas or lands classified as very high fire hazard severity zones, would the project:

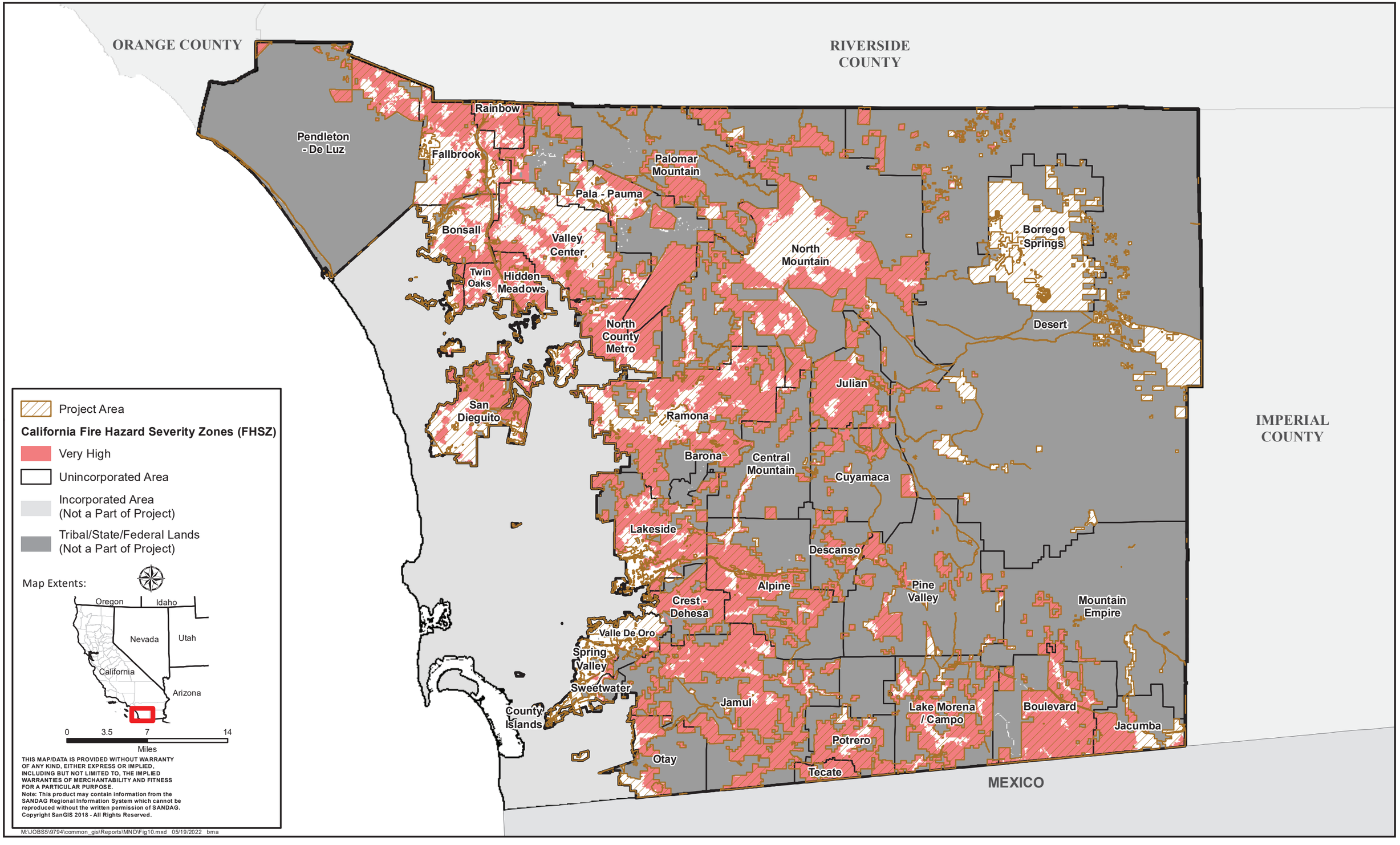
a) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less than Significant Impact: The California Department of Forestry and Fire Protection uses Fire Hazard Severity Zones to classify the anticipated fire-related hazard for State responsibility areas. The classifications include Non-Wildland Non-Urban, Moderate, High, and Very High. Fire hazard measurements take into account the following elements: vegetation, topography, weather, crown fire production, and ember production and movement. The very high fire hazard severity designation can be attributed to a variety of factors including highly flammable, dense, drought adapted desert chaparral vegetation, seasonal, strong winds, and a Mediterranean climate that results in vegetation drying during the months most likely to experience Santa Ana winds. Very High Fire Hazard Severity Zones are mapped on Figure 10 in relation to the project areas.

As with most of the County, the project areas coincide with Very High Fire Hazard Severity Zones and are subject to significant fire risk. Implementation of the OMO would not result in any new primary uses, as organic material processing is an allowed use in all zones contemplated with the ordinance amendments, either by-right when associated with an agricultural operation or with a permit. Organic material processing operations that are not carefully managed and that are left dry, unattended, and large piles that are insulated with limited air flow, have improper moisture distribution and that are exposed to excessive temperatures could result in a fire. However, standard management of organic material operations sufficiently minimizes fire risk. The State maintains minimum operating standards for composting operations that ensure proper management for fire hazard reduction. As described in CCR Title 14, Section 17867(9) “the operator shall provide fire prevention, protection, and control measures, including, but not limited to, temperature monitoring of windrows and piles, adequate water supply for fire suppression, and the isolation of potential ignition sources from combustible materials. Fire lanes shall be provided to allow fire control equipment access to all operation areas.” Implementation of these State and local requirements would minimize fire risk. Additionally, implementation of standards in the OMO are also outlined in Section 96.1.2808 of the San Diego County Consolidated Fire Code (SDCCFC) and would ensure the risk of a spontaneous fire does not occur. The SDCCFC outlines the requirements for an operational and emergency plan, combustible vegetation control, pile separation, required setbacks, size of piles, and static pile protection.



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Source: ESRI, SanGIS, County of San Diego, 2020

Figure 10
Very High Fire Hazard Severity Zone (FHSZ)

Implementation of the OMO would not introduce a new population into high fire hazard areas and would not result in additional structures being exposed to fire hazards as the operations generally occur outdoors and would not require new structures. The number of people on any one site to manage the organic material processing operation is minimal and active management is intermittent. As a result, the project would not result in the addition of more people into a high fire hazard area. As with the existing regulatory framework, projects implemented under the OMO that require a discretionary action would be subject to a future environmental review to ensure no significant risk of loss, injury or death involving wildland fires would occur. The ordinance amendments additionally include the requirement that operations and compost width and height shall comply with the current provisions or future amendments adopted by the County of San Diego for the San Diego County Consolidated Fire Code – Section 96.1.2808 (see XX(c) below for additional detail). As the project would not involve introduction of new structures or populations in high fire risk areas, impacts would be less than significant.

b) Substantially impair an adopted emergency response plan or emergency evacuation plan?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less than Significant Impact: Applicable emergency response plan requirements are set forth by the County Office of Emergency Services and other local police and fire departments through the Operational Area Emergency Plan, a comprehensive emergency plan that and integrates with the statewide Standardized Emergency Management System. The County has a number of emergency response or emergency evacuation plans. Implementation of the OMO would create new and expanded permit tiers for organic material processing operations and would allow small commercial operations and certain operations on land with active agricultural operations either by-right or with a Zone Verification Permit. Other larger-scale uses would be subject to a discretionary review, consistent with the existing regulatory requirements. Organic material processing uses would not result in changes in land uses that could conflict with emergency plans as the uses are consistent with the underlying zone and no new land uses are proposed in new areas. Implementation of the OMO would not impair implementation of the emergency response plan, impacts would be less than significant.

c) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentration from a wildfire or the uncontrolled spread of a wildfire?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less than Significant Impact: Future operations under the OMO would be required to be consistent with the Consolidated Fire Code (County of San Diego 2020) Section 96.1.2808 which regulates "storage and processing of wood chips, hogged material, fines, compost, solid biomass, feedstock and raw product associated with yard waste, agro-industrial and recycling facilities." The regulations require operators to submit an emergency plan detailing operator fire response actions, fire dispersal area, emergency equipment operator callback and initiation of incoming diversion plan. All plans must define the equipment necessary to process and handle the materials. The Consolidated Fire Code mandates the availability of a fire access roadway. Organic materials processing operations would be required to be in conformance with applicable setback requirements and specified emergency access areas as required in the Consolidated Fire Code and County Zoning Ordinance.

As discussed above in response XX(a) the project would be subject to the existing regulations relating to emergency access, water supply, and defensible space as specified in the Consolidated Fire Code and County Code of Regulatory Ordinances, Title 3, Division 5, Chapter 3 and Appendix II-A of the Uniform Fire Code.

Organic Materials processing and/or composting is the natural process of recycling organic matter that can enrich soil and plants. Organic material processing operations that are not carefully managed and that are left dry, unattended, and large piles that are insulated with limited air flow, have improper moisture distribution and that are exposed to excessive temperatures could result in a fire. Through compliance with the above-referenced regulations, codes and ordinances, it is not anticipated that the project would expose people or structures to a significant risk of loss, injury or death involving wildland fires. Therefore, a less than significant impact would occur.

d) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less than Significant Impact: Implementation of the OMO would provide new permit tiers for organic material processing, but would not allow or require the installation or maintenance of infrastructure such as roads, fuel breaks, emergency water sources, power lines or other utilities. All applicable fire access roads would be maintained to allow access to the organic material processing operations, but these would be located within the existing parcel and would not exacerbate fire risk or result in temporary or ongoing impacts to the environment.

e) Expose people or structure to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less than Significant Impact: Wildfire can create conditions that increase the risk of post fire flooding and mass wasting events. Placement of new residential subdivisions or other urban development in high fire risk areas can unduly expose people and structures to risk of post fire slope instability, downstream flooding, and landslides. Organic materials processing operations are typically located on flat topography or on sites with minor slope and are at minimal risk to landslides. By having these operations regulated by setbacks from other properties, sited a minimum of 100 feet from any existing groundwater well and/or nearest surface water body and requiring a BMP plan to ensure implementation of siting and operational requirements, there is minimal risk of exposing people or structures to flooding or landslides. Implementation of the OMO would not introduce any new habitable structures, as a result the project would not increase exposure of people or structures to significant risk. Impacts would be less than significant.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE:

Would the project:

a) Have the potential to substantially 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, substantially 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?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less Than Significant Impact: Per the instructions for evaluating environmental impacts in this Initial Study, 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 were considered in the response to each question in sections IV and V of this form. In addition to project specific impacts, this evaluation considered the projects potential for significant cumulative effects. There is no substantial evidence that there are biological or cultural resources that are affected or associated with this project. Therefore, this project has been determined not to meet this Mandatory Finding of Significance.

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)?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less than Significant Impact: Per the instructions for evaluating environmental impacts in this Initial Study, the potential for adverse cumulative effects were considered in the response to each question in sections I through XX of this form. In addition to project specific impacts, this evaluation considered the projects potential for incremental effects that are cumulatively considerable. As an ordinance amendment that would apply throughout the unincorporated County, a list of projects that would produce similar impacts was not identified. The proposed OMO does not propose any specific project or physical improvement that would create impacts. As the OMO would facilitate organic material processing in the County, a use that currently exists in the County, its adoption is not anticipated to contribute to any cumulative impacts. As a result of this evaluation, there is no substantial evidence that there are cumulative effects associated with this project. Therefore, this project has been determined not to meet this Mandatory Finding of Significance.

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less Than Significant Impact: In the evaluation of environmental impacts in this Initial Study, the potential for adverse direct or indirect impacts to human beings were considered in the response to certain questions in this Initial Study. As a result of this evaluation, there were determined to be no potentially significant adverse effects related to human beings related to several issues including but not limited to air quality, geology and soils, hazards and hazardous materials, noise, and population and housing. As a result of this evaluation, there is no substantial evidence that there are adverse effects on human beings associated with this project. Therefore, this project has been determined not to meet this Mandatory Finding of Significance.

REFERENCES USED IN THE COMPLETION OF THE INITIAL STUDY CHECKLIST

All references to Federal, State, and local regulation are available on the Internet. For Federal regulation refer to http://www4.law.cornell.edu/uscode/. For State regulation refer to www.leginfo.ca.gov. For County regulation refer to www.amlegal.com. All other references are available upon request.

California Air Pollution Control Officers Association (CAPCOA)

2008 CEQA & Climate Change: Evaluation and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act. January. http://www.capcoa.org/wp-content/uploads/2012/03/CAPCOA-White-Paper.pdf

2009 Health Risk Assessments for Proposed Land Use Projects. July 2009.

California Air Resources Board (CARB)

2005 Air Quality and Land Use Handbook: A Community Health Perspective. California Air Resources Board. April.

2017 Method for Estimating Greenhouse Gas Emission Reductions from Diversion of Organic Waste from Landfills to Compost Facilities. May. Accessed March 29, 2021. https://ww2.arb.ca.gov/sites/default/files/classic/cc/waste/cerffinal.pdf

California Department of Transportation (Caltrans)

2013 Technical Noise Supplement. November.

2021 Scenic Highways. Accessed March 20, 2021. https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways

Federal Transit Administration (FTA)

2018 Transit Noise and Vibration Impact Assessment Manual. FTA Report No. 0123. Prepared by John A. Volpe National Transportation Systems Center. September 2018.

Office of Environmental Health Hazard Assessment (OEHHA)

2015 Air Toxics Hot Spots Program Guidance Manual for the Preparation of Risk Assessments (Guidance Manual), February.

Regional Water Quality Control Board (RWQCB)

2016 Water Quality Control Plan for the San Diego Basin (9). September 8 (with amendments effective on or before May 17, 2016). Accessed March 29, 2021. https://www.waterboards.ca.gov/sandiego/water_issues/programs/basin_plan/docs/R9_Basin_Plan.pdf

San Diego Air Pollution Control District (SDAPCD)

2012 Redesignation Request and Maintenance Plan for the 1997 National Ozone Standard for San Diego County. Adopted December 5, 1012. https://www.sdapcd.org/content/dam/sdc/apcd/PDF/Air%20Quality%20Planning/8_Hour_O3_Maint-Plan.pdf.

2016a 2016 Revision of the Regional Air Quality Strategy for San Diego County. Final December 2016. https://www.sdapcd.org/content/dam/sdc/apcd/PDF/Air%20Quality%20Planning/2016%20RAQS.pdf.

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San Diego, County of

2009 County Guidelines for Determining Significance and Report Format and Content Requirements for Vectors. Accessed March 28, 2021. https://www.sandiegocounty.gov/content/dam/sdc/pds/docs/vector_guidelines.pdf

2011a San Diego County General Plan Update. Available at: http://www.sandiegocounty.gov/pds/generalplan.html.

2011b San Diego County General Plan Update Program Environmental Impact Report. https://www.sandiegocounty.gov/content/sdc/pds/gpupdate/environmental.html.

2020 Consolidated Fire Code. 7th Edition. March 27. Accessed on March 30, 2021. https://www.sandiegocounty.gov/content/dam/sdc/sdcfa/documents/prevention/2020-County-Consolidated-Fire-Code-FINAL.pdf

State Water Resources Control Board (SWRCB)

2020 General Waste Discharge Requirements for Commercial Composting Operations State Water Resources Control Board Order WQ 2020-0012-DWQ. Accessed March 25. https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2020/wqo2020_0012_dwq.pdf

2021 Regulation of Composting Operations. Accessed March 25. https://www.waterboards.ca.gov/water_issues/programs/compost/

ATTACHMENTS

ATTACHMENT A

Summary of Use Regulations

Part of Sections 2000-2990

RS, RD, RM, RV – Single Family, Duplex, Multi and Variable Family Residential. Family Residential is the principle, dominate use and civic uses are conditionally allowed by Use Permit.	M50 – Basic Industrial. Allows almost all processing and manufacturing uses. Permits only limited commercial uses. Virtually all uses must be enclosed within buildings.
RU – Urban Residential. Family Residential, conditional institutional residential care uses and civic uses allowed by Use Permit. Applied to areas where adequate levels of public services are available.	M52 – Limited Industrial. Allows wide range of industrial and commercial uses frequently associated with industrial operations; such as wholesaling, auto and truck repair and administrative and professional offices. Virtually all uses must be conducted within buildings except when outdoor uses are allowed by Use Permit
RMH – Mobilehome Residential. Family Residential use in a mobile home. Typically applied to a mobilehome park or mobilehome subdivision.	M54 – General Impact Industrial. Allows unenclosed commercial and industrial operations having potential nuisance characteristics such as construction sales and services
RR – Rural Residential. Family Residential uses permitted with Group Residential, limited packing and processing, and other uses allowed by Use Permit	M56 – Mixed Industrial. Intended to create an industrial area, and a maximum of 5% of each lot to be designated as support commercial area. Generally applied to large areas of 100 or more acres where a unified appearance can be created. A Specific Plan will be required
RRO – Residential-Recreation Oriented. Residential uses permitted with certain recreation uses allowed by Use Permit	M58 – High-Impact Industrial. Same as M54, but allows petroleum refining, manufacture of explosives and radioactive materials by Major Use Permit.
RC – Residential-Commercial. Intended for mixed residential-commercial areas where residential uses predominate, and limited commercial, office and sales are allowed by Use Permit	A70 – Limited Agriculture. Intended for crop or animal agriculture. Number of animals allowed are specified by neighborhood regulations.
C30 – Office-Professional. Allows administrative and professional offices and other limited commercial uses	A72 – General Agriculture. Intended for crop or animal agriculture. Number of animals allowed are specified by neighborhood regulations
C31 – Residential-Office Professional. Same as C30, but also allows Family and Group Residential uses	S80 – Open Space. Intended for recreation areas or areas with severe environmental constraints.
C32 – Convenience Commercial. Intended for retail commercial uses conducted inside buildings of limited size to serve immediate need of surrounding residential areas. Residences may be permitted as secondary uses of commercial buildings.	S82 – Extractive Use. Intended for mining, quarrying, borrow pits and oil extraction.
C34 – General Commercial-Residential. Intended for mixed commercial-residential developments. General retail and residential uses permitted. Uses generally required to be enclosed within buildings. Outdoor uses may be allowed by Use Permit	S86 – Parking. Allows vehicle parking is association with another dominant land use.
C35 – General Commercial/Limited Residential. Intended for mixed commercial-residential developments. General retail uses permitted. Uses generally required to be enclosed within buildings. Residential uses and outdoor uses may be allowed by Use Permit	S88 – Specific Plan. Allows limited uses, and after adoption of a specific plan, any use allowed by the specific plan
C36 – General Commercial. General retail sales and services permitted if conducted within buildings. Outdoor uses may be allowed by Use Permit. Residences may be permitted as secondary uses	S90 – Holding Area. Used to prevent premature urban or non-urban development until more precise zoning regulations are prepared. Permitted uses are similar to A70. Any temporary use allowed by Major Use Permit
C37 – Heavy Commercial. Same as C36, except enclosure of uses not required, and additional wholesaling and other uses permitted. Industrial uses conforming to performance and power standards are permitted. Residences may be permitted as secondary uses.	S92 – General Rural. A residential and agriculture zone which is intended to provide approximate controls for land which is rugged terrain, watershed, dependent on ground water for a water supply, desert, susceptible to fire and erosion, or subject to other environmental constraints
C38 – Service Commercial. General commercial, wholesaling and service uses. Industrial uses conforming to performance and power standards permitted. Residences may be permitted as secondary uses.	S94 Transportation and Utility Corridor. Intended to create and protect existing and future transportation corridors, and corridors for facilities for transmission of electricity, gas, water and other materials / forms of energy.
C40 – Rural Commercial. Intended for commercial centers which serve predominantly rural or semi-rural areas with a broad range of goods and services	AL-V – Indicates customized zoning regulations applied to properties within the Alpine Village Core area (refer to the Alpine Village Core FBC).
C42 – Visitor Service Commercial. Intended for areas devoted to the provision of a broad range of recreational and tourist services. Other uses are very limited.	FB-V – Indicates customized zoning regulations applied to properties within the Fallbrook Village area.
C44 – Freeway Commercial. Intended for small commercial areas to serve traveling public at freeway interchanges. Allows gasoline sales, motels, restaurants and similar uses.	RM-V – Indicates customized zoning regulations applied to properties within the Ramona Village Center area (refer to Ramona Village Center FBC).

ATTACHMENT B

Existing Zoning Ordinance Use Regulations and General Regulations for Recycling Processing Facility, Wood and Green Materials and Animal Waste Processing

Zoning Ordinance Part I, Use Classifications

1513 RECYCLING PROCESSING FACILITY

The Recycling Processing Facility use type refers to establishments or places primarily engaged in processing recyclable materials for the purpose of resource recovery. Processing means the preparation of materials by one or more of the following means: baling, briquetting, compacting, flattening, grinding, crushing, mechanical sorting, shredding and cleaning. Recycling processing facilities include the following:

c. Recycling Processing Facility, Wood and Green Materials: A facility devoted exclusively to grinding, shredding, splitting or chopping, (including sawing) of wood and/or green waste.

(Added by Ord. No. 8058 (N.S.) adopted 4-15-92)
(Amended by Ord. No. 10035 (N.S.) adopted 1-27-10)
(Amended by Ord. No. 10095 (N.S.) adopted 12-8-10)

Zoning Ordinance Part Six, General Regulations

6975 RECYCLING PROCESSING FACILITY.

The Recycling Processing Facility Use Type (as defined at Section 1513) is a permitted use in the specified Use Regulations when conducted in accordance with the following:

c. Recycling Processing Facility, Wood and Green Materials

1. A facility devoted exclusively to the processing (not including composting) of wood and green materials is considered a General Industrial Use Type, and as such, shall be conducted in accordance with the regulations applicable to said Use Type except that a Wood and Green Materials Recycling Processing Facility may be permitted in an Agricultural or Special Purpose Use Regulation upon issuance of a Minor Use Permit. The conditions of said Minor Use Permit shall require compliance with the criteria for a light recycling processing facility as set forth above in this section commencing at subsection a.2., except for the requirement that the operations be conducted entirely within an enclosed building; except for the requirements of subsection a.4 relating to size and scope of operation; subsection a.6. relating to storage within containers; and, subsection a.10. relating to noise level limits. The conditions of the Minor Use Permit shall address the above-mentioned requirements as well as any others necessary in order to make the findings required for the granting of a Minor Use Permit. Said Minor Use Permit may include composting of wood and/or green waste provided the conditions relating to composting are satisfactory to the Director of the Department of Public Works.

(Added by Ord. No. 8058 (N.S.) adopted 4-15-92)
(Amended by Ord. No. 9958 (N.S.) adopted 12-10-08)
(Amended by Ord. No. 10095 (N.S.) adopted 12-8-10)

Zoning Ordinance Part I, Use Classifications

1730 ANIMAL WASTE PROCESSING.
The Animal Waste Processing use type refers to the processing of animal waste and by-products, including but not limited to animal manure, animal bedding waste, and similar by-products of an animal raising agricultural operation, for use as a commercial fertilizer or soil amendment and including composting operations.

The Animal Waste Processing use type does not include poultry manure management practices involving drying and disposal of manure produced on site or brought to a poultry ranch from another poultry ranch owned or operated by the same person(s), provided the receiving site is zoned with an animal regulations designation which allows an unlimited number of poultry.

(Amended by Ord. No. 7817 (N.S.) adopted 9-26-90)

Zoning Ordinance Part Six, General Regulations

6902 ANIMAL WASTE PROCESSING.
All animal waste processing operations shall comply with the following provision.

a. Location. No animal waste processing operation shall be located closer than 1/2 mile from property in a zone which does not permit animal waste processing operations; provided that this requirement need not be met if the Planning Commission or Board of Supervisors finds that a closer location will not adversely affect property in a zone which does not permit animal waste processing because of one or both of the following circumstances:

    1. The effect of natural topography will largely negate any adverse influences of the waste processing operation on property in such zone; or

    2. The property in such zone is vacant or essentially vacant due to its topography, location, access, or other factors, is not reasonably expected to be developed within the time period for which the major use permit is granted.

b. Minimum Site Area. No animal waste processing operation shall be established or maintained on a lot or parcel unless such lot or parcel is 5 acres or more in area.

c. Setback. No building, machinery or stockpile in connection with the operation of animal waste processing subject to this section shall be maintained closer than 1,000 feet from the nearest pool, tennis court, public playground or dwelling located outside the boundary of the parcel or contiguous parcels associated with the animal waste processing operation at the time the Major Use Permit is granted. This requirement need not be met if the Planning Commission or Board of Supervisors finds that the animal waste processing facilities will not create significant adverse impacts to residences within said 1,000 feet and that the Major Use Permit findings at Section 7358 can be made.

d. Operation Plan. The applicant shall submit with his application plans, specifications and a description of the operation in sufficient detail so that the proposed operation can be fully evaluated as to any potential adverse effects on surrounding territory. Such plans shall include but not necessarily be limited to the following:

    1. Site Plan showing the location of all structures and functions of the operation.

    2. A description of machinery, process and products.

3. Specifications for the mechanisms and techniques to be used in the suppression of odors, air contaminants and flies at all times before, during and after the processing operation.

e. Director of Environmental Health Review. The Director of Environmental Health shall review all applications and make recommendations thereon, including recommendations as to conditions deemed necessary to assure adequate suppression of odors, air contaminants, flies and other hazards of the public health.

f. Water Quality Control Board Review. The Director shall send a copy of each application to the appropriate California Regional Water Quality Control Board for information and, if said Board so elects, for recommendation to the Approving Authority.

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)
(Amended by Ord. No. 6506 (N.S.) adopted 1-5-83)
(Amended by Ord. No. 8292 (N.S.) adopted 8-4-93)
(Amended by Ord. No. 8581 (N.S.) adopted 9-20-95)
(Amended by Ord. No. 9676 (N.S.) adopted 9-22-04)

ATTACHMENT C

(SITE NAME)

ODOR IMPACT MINIMIZATION PLAN

Purpose/Context of the OIMP

This Odor Impact Minimization Plan (OIMP) is intended to provide guidance to on-site personnel in the handling, storage, and removal of compostable materials, in accordance with Title 14, California Code of Regulations Section 17863.4. This OIMP will be maintained on-site and revised as necessary to reflect any changes in the design or operation of this site. A copy of the revisions will be provided to the enforcement agency within 30 days of the changes. In addition, this OIMP will be reviewed annually to determine if any revisions are necessary.

This site receives *(…. specify the types, sources, and volumes of material to be processed….)*.[i] No more than *(…. maximum site capacity….)* cubic yards of feedstock, compost, or chipped and ground material is on-site at any one time. The feedstock is processed within *(…. approximate residence time in hours or days prior to processing for inclusion in a composting system or removed from the site for chipping/grinding ….)* after receipt. The compostable materials remain on-site for *(…. approximate residence time in hours or days while being processed in a composting or chipping/grinding system….)* for processing. Finished products are removed from the site within *(…. approximate residence time in hours or days prior to removal from the site….)* after processing.[ii]

I. Odor Monitoring Protocol

A. Proximity of Odor Receptors

The closest receptors are *(….list the types or groups of people that may be exposed to operational odors, e.g., site personnel, the public, material delivery drivers,….)* .

The closest off-site receptors are *(…. list the types, e.g., residential, school, hospital, with the approximate distance and direction of each….)* from the site.[iii]

B. Method for Assessing Odor Impacts

Each operating day the operator evaluates on-site odors and operations for potential release of objectionable odors.

(…. Name and describe the methods of evaluation employed at this site….)

If questionable or objectionable on-site odors are detected by site personnel, operations personnel will implement the following protocol:

1. Investigate and determine the likely source of the odor.
2. Access the effectiveness of available on-site management practices to resolve the odor event and immediately take steps to reduce the odor-generating

capacity of on-site material. (Possible on-site odor sources and management techniques for this site are shown in Table 1.)

3. Determine if the odor traveled off-site by surveying the site perimeter and noting existing wind patterns.
4. If it is determined possible odors impacts occurred, appropriate EA and/or neighbors contact is made.
5. Record the event for further operational review.

II. Meteorological Conditions (Including Seasonal Variations)

A. Wind Velocity

Historical wind data indicates prevailing wind is from the *(…. list direction(s)and velocity of prevailing wind for the site, state frequency and/or intensity of daily or other period events….)*. The most common seasonal variation (or storm event) is *(….Discuss the seasonal variations that apply to this site….)*.

B. Wind Direction

See the Wind Rose provided in *(….identify attachment….)*.

III. Complaint Response Protocol

(….Describe the procedures and/or protocol used to receive and acknowledge odor complaints that are directed at the site. If a standardize format or form is used, identify and attach a form….)[iv]

IV. Operating Procedures (and Design Concerns) to Minimize Odors

In order to minimize the development of conditions that could lead to odor problems, the compostable material handling areas of the site were designed based on the nature and quantity of materials to be received and stored, climatological factors, adjacent land use, grading, and drainage controls.

The primary sources of odors at this site occur during the *(….state the period of highest odor emissions such as receipt and initial handling period ….)*.[v] As a result, site personnel assess materials upon receipt for odor generation potential. Site personnel have been trained to manage all compostable material handling in a manner that minimizes the development of conditions that could lead to objectionable odors.

A. Aeration

(….Describe the primary method of aeration used at this site…)[vi]

B. Moisture Content of Materials and Moisture Management

Most of the material received consists of (*….list significant materials received with moisture contents above 50% and/or low moisture material used to aid in moisture management, such as variable amounts of grass clippings or clean, dry, woody*

materials….).[vii] *(….If a pile or windrow system is being used, state the desired moisture content in the material when forming the pile….)*

C. Feedstock Characteristics and Quality

The feedstock consists of *(….list the types of materials, such as green material, yard trimmings, and wood waste, as defined in 14 CCR 17852….).* Incoming materials are checked for physical contaminants, and removed contaminants are *(….discuss load checking and contamination removal….).*[viii]

D. Airborne Emission Controls

In order to reduce airborne emissions, *(….describe the controls used to address dust and odor-related emissions such as misting systems and ….).* [ix]

E. Drainage Controls

The site's drainage is *(….describe the methods used to control run-on and run-off to assure that standing water does not add to odor generation even in unusual storm events….)*

F. Pad Maintenance

(….Describe the design and maintenance of operational surfaces as to prevent accumulation of odor-generating materials….)

G. Process/wastewater Controls

(….Describe the methods used to control odor generation from process/wastewater including provisions for unusual storm events; include agreements and arrangements for off-site movement of excess process water or leachate….)

H. *Material Processing, Handling, and Storage Practices*

1. Processing

a. Feedstock

Feedstock is processed within *(….list the timing of feedstock processing including the maximum residence time of unprocessed feedstock materials….)*[x]

b. Processed Material

Material that has been placed in *(….list the timing of material processing including the maximum residence time of materials at various stages points of processing and/or indicate the average storage time/frequency used to process materials)*. .

2. Pile Geometry[xi]

a. Feedstock

(….Provide the number and dimensions of each pile, describe changes in pile configuration for special material handing if applicable ….)

b. Processed Material

(….Provide the number and dimensions of each pile, describe seasonal or weather-related adjustments in pile configuration if applicable ….)

I. *Weather Event Impacts*

(….Describe type and frequency of weather events, such as wind changes in velocity and direction, rain, thunder storms, high winds, fog, or inversions which would require adjustments in or impede processing activities. Include mitigations or reference other sections of the OIMP to address impacts of weather on material processing….)[xii]

J. *Contingency Plans*

1. Fire Prevention

(….Describe temperature monitoring and fire prevention measures employed at the site to address the migration of fire-related odors and products of combustion off-site. Include mitigations or reference other sections of the OIMP to address fire impacts on off-site receptors)[xiii]

2. Water Supply

(….List the source(s) of water for material processing and fire control)

3. Equipment

(….List the sources of contingency equipment)

4. Power

(….Describe type and load of emergency power require to maintain operators that would control or be used in the mitigation of odors….)

5. Personnel

(….Describe the contingency plan to be employed for absences of key operatiuons personnel….)

K. *Personnel Training*

(….Describe type and frequency of training provided to operators personnel. Provide the location for the records maintained on personnel training….)

L. *Biofiltration*

(….Describe the biofiltration employed if applicable….)

M. *Load Enclosure / Tarping*

(….Describe type of controls used to mitigate for odors from arriving loads….)

Table 1
Sources of Odor and Possible Management Techniques

Odor Source Location	Possible Cause	Management Approach
Feedstock Receiving	Material exceptionally odorous upon receipt	Add carbon source at grinding and “nibble” at odorous pile
	Odorous material remaining unprocessed on receiving pad (mix sitting too long prior to processing)	Augment material processing efforts
Aisles / Access Roads	Storm water allowed to pond in improperly graded areas	Absorb ponded water with wood chips/other absorbent, fill depressions, improve grading and/or drainage control
	Unprocessed material in aisles	Clean aisles of spilled material and treat with carbon source
Stockpiles / Windrows	Ammonia odor (high nitrogen level)	Add additional wood chips (or other carbon source), recombine pile
	Sulfur Odor (anaerobic conditions)	Increase turning frequency, check temperatures, add bulking agent
	Varying odors in pile	Turn windrows to achieve even mixing, check temperatures, porosity, fiber-length, bulk density, and moisture content, adjust windrow constituents, geometry, and/or configuration
	Odors generated after turning	Increase turning frequency, increase pile porosity, add odor-absorbing amendment (like wood chips, sawdust, wood ash)
	Long retention time	Remove chipped and ground material more frequently
Curing Piles / Product Storage Areas	Odors present at time of loading (temperatures above 122°F)	Decrease pile size, increase windrow time prior to moving to curing piles or product storage

[i] The operator needs to list (and consider) all feedstock received. Many compostable materials have very distinctive odor-generating properties. Descriptions that contain the type and source of the material are especially helpful, such as, "two week collection cycle, curbside green material," or "private hauler, landscraper-collected, yard trimmings," or "morning-delivered, by end-dump, 95% moisture biosolids," or "unground, grocery produce with associated packaging by walking-floor trailer."

[ii] Compostable materials used on-site for beneficial use are generally considered removed from the site.

[iii] The distribution of receptors and their relationship to surrounding land use is extremely important. The description of surrounding land uses may also assist in identifying other potential odor sources.

[iv] An odor complaint receipt procedure is an integral part of the OIMP. The information provided by the complainant can be extremely valuable to site operations personnel. A typical odor response protocol might be:

When a complaint is received, designated site personnel will:

1. Obtain time, location, and nature or characteristics of the odor and record that information to review for operational trends (see 4.).
2. If practical, proceed to the location of the complaint to verify that the site is indeed responsible for the odor. Otherwise, investigate the probable source of the odor complaint and implement operational changes to minimize odors.
3. If warranted, meet with the LEA and complainant (if known and choosing to participate) within a reasonable time frame to discuss the nature of the source of the odor and operational changes proposed and/or implemented.
4. Document the complaint(s) in the Operations/Complaint Log, including the nature of the complaint and actions taken to minimize odors in the future. Notify the LEA and other interested parties of the status of the complaint.

The use of an identified "complaint form" may help many operations with tracking and documentation of odor events. Identify the form in the OIMP and place it as an attachment if used.

[v] Emissions from compostable materials usually demonstrate their most objectionable qualities in the front end of the composting process, first two to seven days. Site operations can take advantage of this fact by adjusting handling and pile geometry in the first week, or sometimes even the first three weeks.

[vi] The most common form of aeration is passive (or convective aeration) with periodic pile agitation (or turning). In most cases the convective flow (with diffusion) provides the piled, compostable material with most of its oxygen. Many of the decomposers in the pile do fine with oxygen levels below 10%. Although forced-air systems can greatly increase the available oxygen in most systems, the challenges are many to get the air where it needs to be (as is the case with bio-filters also).

[vii] The use of handling methods specifically developed for high-moisture content materials, such as grass clippings, food wastes, or biosolids, cannot be over stressed. The identification and initial handling of these high-moisture materials can be the single most crucial step in odor impact management. There may also be significant seasonal variations in the moisture content of these materials, grass clippings being the best example. The method by which moisture is added to feedstock as it is chipped and ground may play an important role also. Particle coating is the goal, as opposed to a measurable 50-60% overall moisture content.

[viii] The benefits from adequate load-checking are many. Language such as, "All incoming feedstock is checked for physical contaminants. A spotter is on-site during operating hours," might be sufficient for many operations. See note vii, also.

[ix] Misting/spray systems can provide effective control of dust and water-soluble, odor-causing compounds. Water may be introduced with sprays in great enough quantities to increase the overall moisture content, but misting systems do not add significant moisture when used during the chipping/grinding and screening processes.

[x] Again the receipt/initial handling of materials presents an opportunity to address odor. Some materials may require immediate mixing with high carbon, relatively dry, woody material or even stockpiled odor – trapping ash. Pile temperatures of heterogeneous materials should be monitored to prevent fires in the feedstock storage areas. (See also note vii and xiii)

[xi] Pile geometry has a direct impact on convective aeration and therefore odor-generating potential. In general, smaller, steeper piles have better convective characteristics.

[xii] Weather-related operational changes must be considered by most operations. If wind direction or meteorological conditions may cause off-site odors, operations personnel should implement an operations adjustment. A typical protocol may include the following:

1. Stop all operations that will cause off-site odor.
2. Determine if on-site management practices may remedy any odor problems and immediately take steps to remedy the situation.
3. Determine whether or not the odor is traveling beyond the site by patrolling the site perimeter. Do not start operations again until the wind and meteorological conditions are favorable and will not promote off-site odors
4. Determine whether or not the odor has moved off-site and if so, if it is significant enough to warrant contacting the adjacent neighbors and/or the LEA.

Maintenance of operational areas for spreading and/or temporary storage may be necessary for some operations during adverse weather conditions.

[xiii] As fires and resulting products of combustion may cause off-site odors, temperatures of high-risk piles should be monitored daily. Ample areas for spreading and wetting of burning materials should be maintained adjacent to feedstock receipt and initial chipping/grinding areas.

ATTACHMENT D

California Air Resources Board (CARB) OFFROAD2017 Model Results

					Emission Factor (pounds per hour)							Daily Emissions (pounds per day)							Annual CO2 Emissions	
Equipment	Notes	HP	Max Daily Usage (hours)	Max Annual Usage (hours)	ROG	NOx	CO	SOx	PM10	PM2.5	CO2	ROG	NOx	CO	SOx	PM10	PM2.5	CO2	CO2 (pounds)	CO2 (MT)
Loader	ConstMin - Tractors/Loaders/Backhoes	100	4	1,460	0.0167	0.1718	0.2366	0.0003	0.0090	0.0083	35.7924	0.07	0.69	0.95	0.00	0.04	0.03	143.17	52,256.85	23.70
Compost Turner	ConstMin - Tractors/Loaders/Backhoes	100	4	1,460	0.0167	0.1718	0.2366	0.0003	0.0090	0.0083	35.7924	0.07	0.69	0.95	0.00	0.04	0.03	143.17	52,256.85	23.70
Chipper/Grinder	ConstMin - Other Construction Equipment	175	4	20	0.0414	0.4197	0.4408	0.0007	0.0219	0.0202	73.3088	0.17	1.68	1.76	0.00	0.09	0.08	293.24	1,466.18	0.67
Trommel Screen	Agricultural - Others	100	4	1,460	0.0537	0.3642	0.2885	0.0001	0.0293	0.0270	6.3959	0.21	1.46	1.15	0.00	0.12	0.11	25.58	9,338.03	4.24
				4,400								**0.51**	**4.51**	**4.81**	**0.01**	**0.28**	**0.26**	**605.16**	**115,317.91**	**52.31**

California Air Resources Board (CARB) OFFROAD2017 Model Results

OFFROAD2017 (v1.0.1) Emissions Inventory
Region Type: County
Region: San Diego
Calendar Year: 2022
Scenario: All Adopted Rules - Exhaust
Vehicle Classification: OFFROAD2017 Equipment Types
Units: Emissions: tons/day, Fuel Consumption: gallons/year, Activity: hours/year, HP-Hours: HP-hours/year

Region	CalYr	VehClass	MdlYr	HP_Bin	Fuel	ROG_tpd	ROG lbs/hr	CO_tpd	CO lbs/hr	NOx_tpd	NOx lbs/hr	CO2_tpd	CO2 lbs/hr	PM10_tpd	PM10 lbs/hr	PM2_5_tpd	PM2.5 lbs/hr	SOx_tpd	SOx lbs/hr	Total_Activity_hpy	Total_Activity_hpd
San Diego	2022	Agricultural - Others	Aggregated	100	Diesel	0.0001	0.0537	0.0007	0.2885	0.0009	0.3642	0.0158	6.3959	0.0001	0.0293	0.0001	0.0270	0.0000	0.0001	1,803.3703	4.9407
San Diego	2022	ConstMin - Other Construction Equipment	Aggregated	175	Diesel	0.0009	0.0414	0.0101	0.4408	0.0096	0.4197	1.6786	73.3088	0.0005	0.0219	0.0005	0.0202	0.0000	0.0007	16,714.8258	45.7940
San Diego	2022	ConstMin - Tractors/Loaders/Backhoes	Aggregated	100	Diesel	0.0275	0.0167	0.3901	0.2366	0.2833	0.1718	59.0169	35.7924	0.0149	0.0090	0.0137	0.0083	0.0005	0.0003	1,203,674.5400	3,297.7385

GHG Emission Reductions from Diverting Waste From Landfills

	MT CO2E/ton of feedstock	Pounds/Cubic Yard	Total Tons	MT CO2E	Net Decrease
Food Waste	0.62	463.00	2,893.75	1,794.13	-1,741.83
Yard Trimmings	0.44	600.00	3,750.00	1,650.00	-1,597.70
Mixed Organic	0.56	531.50	3,321.88	1,860.25	-1,807.95

12,500 cubic yards

Sources:
https://ww2.arb.ca.gov/sites/default/files/classic/cc/waste/cerffinal.pdf
https://www.epa.gov/sites/production/files/2016-04/documents/volume_to_weight_conversion_factors_memorandum_04192016_508fnl.pdf
https://www.calrecycle.ca.gov/swfacilities/cdi/tools/calculations

ATTACHMENT E

GENERAL WASTE DISCHARGE REQUIREMENTS FOR COMMERCIAL COMPOSTING OPERATIONS STATE WATER RESOURCES CONTROL BOARD ORDER WQ 2020-0012-DWQ

April 7, 2020

CALIFORNIA
Water Boards
STATE WATER RESOURCES CONTROL BOARD
REGIONAL WATER QUALITY CONTROL BOARDS

Table of Contents

ACRONYMS AND ABBREVIATIONS

Antidegradation Policy	State Water Board Resolution 68-16, Statement of Policy with Respect to Maintaining High Quality of Waters of California
Basin Plan	Water Quality Control Plan
BMP	Best Management Practices
BPTC	Best Practicable Treatment or Control
CalOES	California Governor's Office of Emergency Services
CalRecycle	California Department of Resources Recycling and Recovery
CEQA	California Environmental Quality Act
cm/s	Centimeters per second
CPLX	Complexity of the Discharge Rating
EDF	Electronic Deliverable Format
EIR	Environmental Impact Report
EQ	Exceptional Quality
FEMA	Federal Emergency Management Agency
FDS	Fixed Dissolved Solids
Industrial General Permit	Waste Discharge Requirements for Discharge of Storm Water Associated with Industrial Activities Excluding Construction Activities
LEA	Local Enforcement Agency
MDL	Method Detection Limit
mg/L	Milligrams per Liter
mg/kg	Milligrams per kilogram
µmhos/cm	Micromhos per centimeter
MRP	Monitoring and Reporting Program
NOA	Notice of Applicability
NOI	Notice of Intent to Comply with the Terms of General Waste Discharge Requirements for Composting Operations

NPDES	National Pollutant Discharge Elimination System
PDF	Portable Document Format
POTW	Publicly Owned Treatment Works
PQL	Practical Quantitation Limit
QA/QC	Quality Assurance/Quality Control
Regional Water Board	Regional Water Quality Control Board
State Water Board	State Water Resources Control Board
TDS	Total Dissolved Solids
TTWQ	Threat to Water Quality Rating
U.S. EPA	United States Environmental Protection Agency
WDRs	Waste Discharge Requirements

BACKGROUND FOR REVISING ORDER WQ 2015-0121-DWQ

On August 4, 2015, the State Water Resources Control Board (State Water Board) adopted General Waste Discharge Requirements for Composting Operations (General Order, Order WQ 2015-0121-DWQ). The General Order includes requirements to protect water quality from composting activities while streamlining the permitting process. The General Order applies to facilities that aerobically compost materials such as green waste, manure, anaerobic digestate, biosolids, food scraps, and scrap paper products. Eligible composting operations are classified into two tiers based on types of feedstocks used, volume of materials on site, and hydrogeologic site conditions. Tier 2 specifications are more protective of water quality than Tier 1 and apply to facilities with greater volumes or materials which pose a higher threat to water quality.

At the September 19, 2017 State Water Board meeting, staff presented an informational item on the implementation of the General Order, providing information about performance measures, enrollment, and compliance. Stakeholders expressed concerns regarding limitations of the agricultural exemption and requirements for composting manure. The Board directed staff to evaluate the General Order relative to these concerns and report back with recommendations in six months.

At the March 20, 2018 State Water Board meeting, staff presented an informational item with recommendations for pursuing changes to the agricultural exemption, requirements for composting manure, and to provide clarity regarding applicability of the General Order. The Board supported staff's recommendations and directed staff to revise the General Order. These revisions affect new composting operations or existing composting operations that may now be eligible for a different tier or exemption.

Manure is a nutrient-rich material and can be a beneficial soil amendment when applied at agronomic rates. Manure may also be composted to create a beneficial soil amendment. A variety of methods are used to manage manure at agricultural operations including land spreading, anaerobic digestion, and composting. Currently, the predominant practice for manure management is stockpiling on site and applying to feed crops.

Research by the Central Valley Dairy Representative Monitoring Program (CVDRMP) indicates there are greater impacts to water quality from over-application of manure to fields than from corrals and manure storage areas; some dairies have more manure than can be land-applied agronomically on-site. Untreated manure is expensive to transport and the crops to which it can be applied are limited.

The CVDRMP evaluated best management practices (BMPs) for storing, handling, and processing dairy manure. Recommendations were submitted in 2019 on behalf of CVDRMP members to the Central Valley Regional Water Board based on results of monitoring and research conducted by CVDRMP. One key recommendation for achieving a whole-farm nitrogen balance at all dairies is to build the capacity for exporting excess manure from dairies to willing participants (e.g., farmers in need of nitrogen fertilizer or organic material to improve soil health) in an economically

sustainable manner. One potential component of expanding the capacity to export manure is composting.

Research to evaluate BMPs for composting manure in California soil and climate conditions will be performed as a result of a State Water Board contract with the University of California at Davis. The amendments to the General Order remove barriers to create compost for beneficial uses.

Order WQ 2020-0012-DWQ amends Order WQ 2015-0121-DWQ.

FINDINGS AND BACKGROUND INFORMATION

The State Water Resources Control Board (State Water Board) finds that:

1. The State of California currently disposes an estimated 35 million tons of waste annually in landfills, of which 32 percent is compostable organic material, 29 percent is construction debris, and 17 percent is paper.
2. Composting is the biological decomposition of organic materials by microorganisms under controlled aerobic conditions to create a product (e.g., soil amendment or soil blend). Compostable materials comprise a wide range of material types: grass, leaves, branches, prunings, stumps, wood waste, agricultural materials, manure, food, and biosolids.
3. Composting organic material yields environmental benefits by recycling nutrients and diverting materials from landfills. Diversion of compostable materials from landfills reduces the amount of material landfilled and extends landfill capacity and service life.
4. Compost can be a valuable soil amendment that improves soil tilth and plant health, increases soil water holding capacity, reduces runoff, adds beneficial micro-organisms, adds organic matter, and sequesters carbon.
5. Composting activities typically occur on open and uncovered land, exposed to precipitation. However, some composting activities are performed within structures, protected from precipitation.
6. Compostable materials may contain nutrients, metals, salts, pathogens, and oxygen- reducing compounds that can degrade water quality if allowed to migrate into groundwater or surface water. The process of composting can allow contaminants to migrate with leachate or wastewater from these materials. Additionally, composting nutrient-rich feedstocks on more permeable soil has the potential to create elevated nitrate concentrations in groundwater.
7. Composting facilities may contain areas where composting operations occur as well as ancillary buildings (e.g., office space, equipment storage, etc.). For the purposes of these General Waste Discharge Requirements for Composting Operations (General Order), the term “Composting Operation”

shall mean the area at which operations are conducted, including the receiving area, pre-processing, processing, curing, storage areas, detention ponds, and other areas associated with production of compost, including storage areas for feedstocks, additives, or amendments. Attachment A, attached hereto and made part of this order, provides definitions of terms and phrases used in this General Order.

8. For the purposes of this General Order, all references to compost include compost piles actively being composted, cured, and stored on site to mature prior to sale or use (final product).
9. Water Code section 13260, subdivision (a) requires that any person discharging waste or proposing to discharge waste, other than to a community sewer system, that could affect the quality of the waters of the state, shall file a report of waste discharge. Water Code section 13263 provides that a Regional Water Quality Control Board (Regional Water Board) or the State Water Board shall prescribe waste discharge requirements (WDRs) that implement the Regional Water Boards' water quality control plans (Basin Plans) and take into consideration the beneficial uses to be protected and the water quality objectives reasonably required for that purpose and the need to prevent nuisance. "Waste" is defined in Water Code section 13050, subdivision (d).
10. Assembly Bill No. 341 enacted in 2011 (2011–2012 Reg. Sess.; Stats. 2011, ch. 476) established a policy goal that not less than 75 percent of the solid waste generated in the state be source-reduced, recycled, or composted by 2020. The California Department of Resources Recycling and Recovery (CalRecycle) developed a plan to increase the diversion of compostable materials.
11. CalRecycle has adopted regulations governing compostable material handling facilities. (Cal. Code Regs., tit. 14, div. 7, ch. 3.1.) The regulations address composting operations including facility siting, design standards, operating standards, environmental health standards, such as sampling and pathogen reduction requirements for the compost products derived from compostable materials prior to being sold or given away, recordkeeping, monitoring, reporting, and site restoration. CalRecycle's authority does not include regulating water quality. The State Water Board and each Regional Water Board have primary responsibility for coordination and control of water quality (Wat. Code, § 13001).
12. Historic regulation of composting operations by the Regional Water Boards has included individual WDRs or conditional waivers of WDRs. This General Order provides a streamlined method to allow the Regional Water Boards to permit composting operations and address potential impacts to water quality.

13. Composting activities covered by individual WDRs or a conditional waiver of WDRs may continue operating under that authority until those orders expire or come up for renewal. At that time, or earlier at the discretion of the Regional Water Boards, it is the intent of the State Water Board that Regional Water Boards will enroll all eligible composting operations under this General Order as appropriate. If a Regional Water Board determines that, due to site-specific conditions and operations, the General Order will not appropriately address a composting operation or if coverage under this General Order will not be protective of water quality, the Regional Water Board may issue individual WDRs for a composting operation. If a composting operation is co-located at a facility that has individual or general WDRs, the composting operation does not need to be covered under this General Order if the facility's WDRs include requirements for the composting activities that are protective of water quality as determined by the Regional Water Board.
14. Water Code section 13263, subdivision (i) states that the State Water Board or a Regional Water Board may prescribe general WDRs for a category of discharges if the State Water Board or Regional Water Board finds or determines that all of the following criteria apply to the discharges in that category:
    a. The discharges are produced by the same or similar operations;
    b. The discharges involve the same or similar types of waste;
    c. The discharges require the same or similar treatment standards; and
    d. The discharges are more appropriately regulated under general WDRs than individual WDRs.

    Composting operations that will be regulated under this General Order are consistent with the criteria listed above, and therefore a general order is appropriate. All discharges regulated under this order will be from similar operations and will be consistent with the description of composting operations as defined in this General Order. The discharges will use similar containment methods (e.g. pads and ponds). Individual WDRs are not necessary because the discharges are similar and discharge requirements would be similar if individual WDRs were issued.
15. This General Order does not preempt or supersede the authority of federal, state, or local governmental agencies to prohibit, restrict, or control discharges of waste subject to their jurisdiction.

16. A composting operation typically consists of a receiving and storage area for feedstocks, additives and amendments; a pre-processing area where materials are prepared for composting (screening, size adjustment, etc.); an active composting area; a curing area where the material matures before sale (moisture content and temperature is reduced); and a final screening and storage area where the final compost product is prepared for sale. Additives and amendments are often added to compost to adjust moisture content, product bulk, or pH.
17. Composting can be done on a small or large scale. This General Order only addresses composting operations that receive, process, and store at least 500 cubic yards of materials at any given time.
18. Composting typically results in release of liquid from the feedstock material as biological decomposition occurs. The released liquid is leachate and, if sufficient in volume, will drain from the compost pile. Precipitation that falls on, or water that is applied to the compost piles may also result in leachate draining from the compost piles. Leachate may contain dissolved solids, nutrients, metals, salts, pathogens, and/or oxygen reducing compounds.
19. Water evaporates from the compost piles, in part due to the heat generated in biological decomposition. Liquids are added to maintain appropriate moisture content. Added liquids may include wastewater collected in ~~the~~ detention ponds, or water from a water supply source.
20. Composting operations have the potential to degrade water quality with nutrients (e.g., nitrate), salinity (e.g., sodium chloride), pathogens, oxygen-reducing materials, sediment, and other waste constituents. Implementation of best practicable treatment or control (BPTC) can prevent or limit the degradation.
21. Composting operation setbacks from water supply wells and surface water bodies are provided in this General Order. Setbacks are included as a means of reducing pathogenic risks by coupling pathogen inactivation rates with groundwater travel time to a well or other potential exposure route (e.g. water contact activities). In general, a substantial unsaturated zone reduces pathogen survival compared to saturated soil conditions. Fine grained (silt or clay) soil particles reduce the rate of groundwater transport and therefore are generally less likely to transport pathogens; coarse grained soil particles or fracture flow groundwater conditions may be more likely to transport pathogens. Setbacks also provide attenuation of other wastewater constituents through physical, chemical, and biological processes.

22. Strategies to control infiltration of wastewater into groundwater include reducing the permeability of areas where compostable materials are stored or composted, constructing sloped pads to facilitate drainage to a detention pond or tank, and reducing the permeability of detention ponds.
23. Wastewater refers to leachate or any other liquid flowing from, or on the working surface. That wastewater from the working surface may be conveyed to a detention pond. Wastewater may be reapplied to the compost piles as needed.
24. Total dissolved solids (TDS) consists of both volatile (organic) and fixed (inorganic) fractions. Varying concentrations of volatile dissolved solids will exist in wastewater that is collected in the detention pond. Volatile dissolved solids in the wastewater reapplied to compost piles may be reduced to negligible concentrations by filtration and biological degradation. However, fixed dissolved solids (FDS) do not degrade biologically.
25. The 40 Code of Federal Regulations part 503 biosolids regulations establish ceiling concentration limits for metals; pollutant concentration limits; Class A pathogen requirements; Class B pathogen requirements; site restrictions; and vector attraction reduction requirements.
26. This General Order requires biosolids that are used as a feedstock at the composting facility to comply, at a minimum, with the ceiling concentrations listed in Table 1 of 40 Code of Federal Regulations part 503.13 listed in Table 1 below, and Class B pathogen requirements. The United States Environmental Protection Agency (U.S. EPA) regularly reviews, and may revise, the limitations and requirements of 40 Code of Federal Regulations, part 503. Consult 40 Code of Federal Regulations part 503 for updates.

Table 1. Biosolids Feedstock Ceiling Concentrations

Constituent	Ceiling Concentration (Milligrams per Kilogram)
Arsenic	75
Cadmium	85
Copper	4,300
Lead	840
Mercury	57
Molybdenum	75
Nickel	420
Selenium	100
Zinc	7,500

SCOPE OF THIS GENERAL ORDER

27. The amount and type of feedstocks composted, as well as site conditions such as depth to groundwater, percolation rate, and proximity to surface water and wells inherently affects the threat to water quality. This General Order employs a tiered approach to regulating composting operations.
28. Only composting operations that comply with the allowable feedstock and setback requirements are eligible for coverage under this General Order.
    a. Tier 1 and Tier 2 allowable feedstocks (as defined in Attachment A) are limited to the materials listed in Table 2.
    b. Composting operations shall be setback at least 100 feet from the nearest surface water body and/or the nearest water supply well. A lesser setback distance may be allowed by the Regional Water Board if the Discharger can demonstrate that the groundwater, geologic, topographic, and well construction conditions at the site are adequate to protect water quality.

Table 2. Allowable Feedstocks

Tier 1 Feedstocks:

- Vegetative agricultural materials,
- Green materials,
- Paper materials,
- Vegetative food materials,
- Anaerobic digestate derived from allowable Tier 1 feedstocks,
- Residentially co-collected or self-hauled food and green materials, and,
- Manure: in accordance with Finding 29 and Design, Construction, and Operation Requirements for Composting Manure at Tier 1 Facilities.

Tier 2 Feedstocks:

- Food materials (non-vegetative),
- Biosolids (Class A, B, and/or Exceptional Quality (EQ)): as defined in Attachment A,
- Anaerobic digestate derived from allowable Tier 2 feedstocks, and
- A combination of allowable Tier 1 and Tier 2 feedstocks

29. Composting operations (Tier 1 or Tier 2) are classified based on the types of feedstocks; total volume of materials received, processed, and stored at any given time; and hydrogeologic siting considerations. The tiers are defined as follows:

a. **Tier 1** includes a composting operation that meets all the following conditions:
   1) The feedstocks are limited to Tier 1 feedstocks listed in Table 2 and defined in Attachment A;
   2) The facility receives, processes, and stores less than 25,000 cubic yards of a combination of allowable Tier 1 feedstocks, compost (active, curing, and final product), additives and amendments on site at any given time; and
   3) The percolation rate and depth to the highest anticipated groundwater level underlying the composting operation is consistent with Table 3 below.

   Manure may be accepted as a feedstock at Tier 1 facilities if a groundwater protection monitoring plan is implemented for the composting operation. The Discharger shall confirm this intention by submitting a complete Groundwater Protection Monitoring Plan in the technical report with the Notice of Intent, as described in Attachment D. Groundwater monitoring wells must be constructed and monitored in accordance with the requirements of Attachment D to allow early detection of potential migration of waste constituents to the environment. If a groundwater protection monitoring plan is not implemented, the Discharger must seek coverage under Tier 2.

Table 3. Tier 1 Percolation Rate and Depth to Groundwater Standards

Soil Percolation Rate	Depth to Groundwater (minimum)
< 1 minutes per inch	50 feet
1 to 5 minutes per inch	20 feet
> 5 to 30 minutes per inch	8 feet
> 30 minutes per inch	5 feet

b. **Tier 2** includes a composting operation that meets one or more of the following conditions:
   1) The feedstocks include any of the Tier 2 feedstocks listed in Table 2, and defined in Attachment A;
   2) The facility receives, processes and stores 25,000 cubic yards or more of allowable Tier 1 and /or Tier 2 feedstocks, compost, additives and amendments on site at any given time; and/or

3) The site-specific hydrogeologic conditions do not meet the Tier 1 percolation rate and depth to groundwater standards listed in Table 3.

30. The following activities are unlikely to degrade water quality if the management practices noted below are implemented and are therefore conditionally exempt from this General Order. However, the Regional Water Board may determine individual WDRs are appropriate under site-specific conditions. Conditionally exempt composting operations may be subject to other federal, state, or local regulations. Composting operations that occur on farm or are part of agricultural, horticultural, aquaculture, silvicultural, floricultural, vermicultural, or viticultural activities are conditionally exempt if all the following conditions are met:

    a. The facility receives, processes, and stores less than 25,000 cubic yards of a combination of allowable feedstocks, compost (active, curing, and final product), additives and amendments on site at any given time;
    b. Feedstocks consist of vegetative agricultural materials, green materials, manure, and/or other material as allowed by the Regional Water Board, but do not include animal carcasses. Examples include manures and bedding, orchard and vineyard prunings, culls and crop residues, and spoiled or unsalvageable food commodities;
    c. The resulting compost product is returned to the same site or a property owned by the owner of the composting activity and applied at an agronomic rate; and
    d. No more than 5,000 cubic yards of compost final product is given away or sold annually.

    Conditionally exempt activities must implement the following best management practices:

    1) Materials and activities on site must not cause, threaten to cause, or contribute to conditions of pollution, contamination, or nuisance;
    2) Activities shall be setback at least 100 feet from the nearest surface water body and/or the nearest water supply well;
    3) Dischargers must implement practices to minimize or eliminate the discharge of wastes that may adversely impact the quality or beneficial uses of waters of the state;
    4) Dischargers must manage the application of water (including from precipitation events) to reduce the generation of wastewater; and

5) Working surfaces must be designed to prevent, to the greatest extent possible, ponding, infiltration, inundation, and erosion, notwithstanding precipitation events, equipment movement, and other aspects of the facility operations.

31. The following composting-related activities are unlikely to degrade water quality and are therefore exempt from this General Order. However, the Regional Water Board may determine individual WDRs are appropriate under site-specific conditions. Composting operations may be subject to other federal, state, or local regulations.
    a. Chipping and grinding facilities and operations. This includes chipping and grinding facilities and operations at a composting facility if located outside of the composting operation area;
    b. Lot clearing by local government agencies (e.g., grubbing, tree trimming, etc.) for fire protection;
    c. Composting activities that are within a fully enclosed vessel;
    d. Composting operations that receive, process, and store less than 500 cy of allowable materials at any given time; and
    e. Composting operations that receive, process and store less than 5,000 cy per year of allowable Tier I and Tier II feedstocks, additives and amendments that implement the following management practices:
        1) Completely cover materials during storm events as needed to reduce the generation of wastewater; and
        2) Manage the application of water to reduce the generation of wastewater.
32. Discharges of the following wastes may pose a significant threat to water quality and are therefore prohibited from being discharged under this General Order. The discharge of these wastes may be more appropriately regulated by individual WDRs or other orders issued by the Regional Water Board.
    a. Animal carcasses (whole or in part);
    b. Liquid wastes other than those of food origin;
    c. Medical wastes as defined in Health and Safety Code section 117690;
    d. Radioactive wastes;
    e. Septage;
    f. Sludge, including but not limited to sewage sludge, water treatment sludge, and industrial sludge;
    g. Wastes classified as “designated”, as defined in Water Code section 13173;

h. Wastes classified as “hazardous” as defined in California Code of Regulations, title 22, section 66261.3;

i. Wood containing lead-based paint or wood preservatives, or ash from such wood; or

j. Any feedstock, additive, or amendment other than those specifically described in this General Order, unless approved by the Regional Water Board as described in the Specifications.

33. The use of additives and amendments, as defined and limited by this General Order, is not expected to pose a significant threat to water quality as long as the Discharger maintains compliance with the requirements and prohibitions of this General Order. A Regional Water Board may limit or prohibit the use of an additive or amendment if the use of the additive or amendment could result in pollution or nuisance.

34. Compliance with design specifications and associated performance requirements included in this General Order is determined to be protective of water quality.

35. The requirements in this General Order do not apply to the application or use of the final compost product.

36. Technical and monitoring reports specified in this General Order are required. Failing to furnish the reports by the due date or falsifying information in the reports, are misdemeanors that may result in assessment of civil liabilities against the Discharger. Water Code section 13267 states, in part:

> “In conducting an investigation specified in subdivision (a), the regional board may require that any person who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge waste within its region, or any citizen or domiciliary, or political agency or entity of this state who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge, waste outside of its region that could affect the quality of waters within its region shall furnish, under penalty of perjury, technical or monitoring program reports which the regional board requires. The burden, including costs, of these reports shall bear a reasonable relationship to the need for the report and the benefits to be obtained from the reports. In requiring those reports, the regional board shall provide the person with a written explanation with regard to the need for the reports and shall identify the evidence that supports requiring that person to provide the reports.”

The technical reports required by this General Order and the Monitoring and Reporting Program (MRP) in Attachment B are necessary to assure compliance with this General Order.

37. In accordance with Water Code section 13000 et seq., this General Order implements regulations and policies adopted by the State Water Board, including the agency's regulations under California Code of Regulations, title 23, and implements applicable provisions of the Health and Safety Code.

APPLICATION PROCESS

38. Composting operations that were in operation prior to August 4, 2015 when General Order WQ 2015-0121-DWQ was adopted, except those with individual WDRs, general WDRs, or conditional waivers of WDRs that address the composting operation as determined by the Regional Water Board, were required to seek coverage under the General Order by submitting a complete Notice of Intent (NOI) (Attachment C), including the appropriate filing fee (Cal. Code Regs., tit. 23, § 2200), and a technical report including, but not limited to, information requested in Attachment D to the Regional Water Board. The NOI, filing fee and technical report were required to be submitted by August 4, 2016. The technical report shall include a proposed schedule for full compliance and must be as short as practicable but may not exceed 6 years from the date of the NOI.
39. New composting operations that began operating after August 4, 2015, are required to seek coverage by submitting a complete NOI (Attachment C), including the appropriate filing fee (Cal. Code Regs., tit. 23, § 2200) and a technical report including, but not limited to, information requested in Attachment D, to the Regional Water Board not less than 90 days prior to commencement of the composting operation. Early consultation with Regional Water Board staff is encouraged.
40. For the purposes of this General Order, an NOI and accompanying technical report (as described in Attachments C and D, respectively) is equivalent to a Report of Waste Discharge. After the Regional Water Board determines that the NOI and accompanying technical report are complete, the initial fee has been received, and the composting operation can be appropriately regulated under this General Order, a Notice of Applicability (NOA) will be issued by the Regional Water Board. Within the NOA, the Regional Water Board will at a minimum, confirm a Discharger's tier, timeline for compliance, and method of monitoring to comply with applicable monitoring requirements.
41. Upon issuance of an NOA for coverage under this General Order, the Discharger's NOI and technical report will become incorporated by reference into this General Order. The Discharger is responsible for implementing all operations in a manner that complies with this General Order.

42. The Discharger is required to pay an annual fee (e.g., waste discharge permit fee) (Wat. Code, § 13260 et seq.). The filing fee accompanying the NOI is the first year's annual fee. The annual fee is based on the threat to water quality (TTWQ) and complexity (CPLX) rating of the discharge (Cal. Code Regs., tit. 23, § 2200.). The ratings are available at: http://www.waterboards.ca.gov/resources/fees/.

ANTIDEGRADATION ANALYSIS

43. State Water Board Resolution No. 68-16, *Statement of Policy with Respect to Maintaining High Quality of Waters of California* (hereafter the Antidegradation Policy) requires that disposal of waste into the waters of the state be regulated to achieve the highest water quality consistent with maximum benefit to the people of the state. The quality of some waters of the state is higher than that established by adopted policies, and that higher quality water shall be maintained to the maximum extent possible consistent with the Antidegradation Policy. The Antidegradation Policy requires the following:
    a. Maintenance of existing high quality waters of the state unless limited degradation is consistent with maximum benefit to the people of the state, will not unreasonably affect present and anticipated beneficial use of the water, and will not result in water quality less than that prescribed in state policies.
    b. Any activity that produces or may produce a waste and discharges or proposes to discharge to existing high quality waters will be required to meet WDRs that will result in BPTC of the discharge necessary to assure pollution or nuisance will not occur, and the highest water quality consistent with maximum benefit to the people of the state will be maintained.
44. When issuing NOAs under this General Order, the Regional Water Board must assure that Dischargers implement BPTC as necessary to maintain the highest water quality consistent with maximum benefit to the people of the state.
45. This General Order may allow limited discharges to groundwater. There are not sufficient data to determine which receiving waters are high quality waters. To the extent a discharge covered under this General Order may be to high quality waters, this General Order authorizes limited degradation consistent with the Antidegradation Policy as described in the findings below.

46. Limited degradation of groundwater by some waste constituents associated with composting operations, after effective source control, treatment, and control measures are implemented, is consistent with the maximum benefit to the people of the state. The economic prosperity of communities and associated industry, and the diversion of wastes from landfills and associated conservation of landfill space are of maximum benefit to the people of the state and provide sufficient justification for allowing limited groundwater degradation that may occur pursuant to this General Order provided the terms of the applicable Basin Plan and other applicable State Water Board and Regional Water Board policies are consistently met.
47. This General Order places restrictions on the discharge of waste from composting operations. The terms and conditions of this General Order are designed to minimize groundwater quality degradation and protect beneficial uses of waters of the state. Implementation of water and wastewater management plans, groundwater protection plans, and construction of waste containment features at composting operations will minimize groundwater quality degradation.
48. The General Order establishes limits on the volume, types, and quality of the feedstocks, additives and amendments used at the facility. Some waste types are explicitly prohibited from use due to their threat to water quality. All feedstocks, additives and amendments must be contained in areas to control wastewater. In addition, hydrogeologic site conditions are considered when classifying a compost facility as Tier 1 or Tier 2.

    Facilities that receive, process, and store less than 25,000 cubic yards of allowable Tier 1 feedstocks, compost, additives and amendments on site at any given time are inherently less likely to degrade water quality because the amount and types of waste constituents present at the facility is lower than at Tier 2 facilities. The limits apply both to the feedstocks and the types and amounts of additives and amendments. Tier 1 facilities must also comply with the hydrogeologic site conditions (depth to groundwater and percolation rate) specified in the General Order. Composting operations that do not meet Tier 1 hydrogeologic site conditions must comply with Tier 2 design and operation standards.

    In addition, groundwater monitoring wells must be constructed at Tier 1 composting operations that accept manure as a feedstock to allow early detection of potential migration of waste constituents to the environment. If a groundwater protection monitoring plan is not implemented, the Discharger must comply with Tier 2 design and operation standards.

Tier 2 facilities impose additional BPTC measures such as limits on feedstock quality; and hydraulic conductivity requirements for working surfaces, detention ponds, and drainage ditches. Biosolids used as a feedstock must comply with the ceiling concentrations contained in Code of Federal Regulations, section 503.13 (Table 1), at a minimum. In addition, detention ponds must be constructed with a pan lysimeter to allow early detection of pond liner leakage.

49. To mitigate potential impacts to water quality, siting restrictions specified in this General Order prohibit composting operations within 100 feet of the nearest surface water body or water supply well. A lesser setback distance may be allowed by the Regional Water Board if the Discharger can demonstrate that the groundwater, geologic, topographic, and well construction conditions at the site are adequate to protect water quality. In addition, feedstocks used (Table 2), volume of materials (received, processed and stored) on site at any given time, soil percolation rate, and depth to groundwater standards (Table 3) of this General Order are used to classify composting operations into two tiers. Composting operations not meeting minimum standards for percolation rate and depth to groundwater are classified into the more protective Tier 2 category.

50. This General Order establishes requirements and standards for BPTC measures to limit or prevent degradation. Identified BPTC measures include:

    a. Minimize Infiltration of Waste Constituents on Working Surfaces - The most effective way to reduce or eliminate water quality impacts is to restrict infiltration of wastes on working surfaces (including receiving, processing, and storage areas). The General Order requires working surfaces to be designed and constructed to be sloped to prevent ponding and convey wastewater to an approved wastewater management system. Tier 2 facilities must also comply with a hydraulic conductivity standard to limit infiltration of liquids to the subsurface at working surfaces, drainage ditches and detention ponds.

    b. Design and Operate Detention Ponds to Contain and Reuse Wastewater - All detention ponds must comply with design, construction, and maintenance requirements in this General Order. The General Order includes requirements that ponds must be designed and certified by a registered professional engineer to have adequate capacity and structural integrity to hold wastewater and precipitation. All ponds must be managed to prevent breeding of mosquitos and generation of odors. Detention ponds constructed at Tier 2 facilities must also comply with a hydraulic conductivity standard to limit infiltration of liquids to the subsurface.

c. Perform Monitoring to Ensure BPTC Measures are Effective - To detect potential threats to water quality, detention ponds constructed at Tier 2 facilities must be constructed with a pan lysimeter monitoring device under the lowest point of the pond or equivalent engineered alternative approved by the Regional Water Board. The engineered alternative must provide equivalent assurance of the earliest possible detection of a release from the pond.

51. The State Water Board recognizes that composting operations play an important role in meeting California's recycling goals to divert more wastes from landfills into reusable products. In addition, composting is a strategy for reducing greenhouse gas emissions throughout the state. Benefits of using compost include increasing soil water holding capacity, adding beneficial micro-organisms to improve soil health, improving soil tilth, and carbon sequestration. Considering these benefits, the State Water Board finds that composting in compliance with this General Order is consistent with the maximum benefit to the people of the state.

TITLE 27 APPLICABILITY

52. California Code of Regulations, title 27, sections 20200 through 20230 establish a waste classification system. Wastes covered under California Code of Regulations, title 27 are classified as either inert, nonhazardous solid, or designated. Inert wastes pose minimal risk to water quality, nonhazardous solid wastes present a greater risk than inert wastes, and designated wastes pose the greatest risk to water quality. Allowable compostable materials per this General Order meet the definition of nonhazardous solid waste under California Code of Regulations, title 27, section 20220, subdivision (a).

53. California Code of Regulations, title 27, section 20200, subdivision (a)(1) allows a finding to be made that, "…a particular waste constituent or combination of constituents presents a lower risk of water quality degradation than indicated by classification according to this article." Therefore, to the extent that a particular compostable material could be characterized as designated waste, such material shall be regulated as a nonhazardous solid waste pursuant to California Code of Regulations, title 27, section 20200, subdivision (a)(1) because the compostable material presents a lower risk to water quality than typical designated wastes when managed as required by this General Order.

54. California Code of Regulations, title 27, regulations include requirements for containing nonhazardous waste that is disposed in facilities such as landfills. Because composting facilities do not operate like disposal facilities, and these requirements are sufficient to protect water quality from the discharges eligible for coverage under this General Order, California Code of Regulations, title 27, do not apply to compost operations enrolled under this General Order so long as the Discharger continues to meet the requirements of this General Order.

CALIFORNIA ENVIRONMENTAL QUALITY ACT

55. On August 4, 2015, in accordance with the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.), the State Water Board certified Environmental Impact Report (EIR) No. 2015012021 for General Order WQ 2015-0121-DWQ. Several significant impacts related to water quality were identified in the EIR. The General Order contains mitigation measures designed to reduce the impact when possible. A summary of the water quality related significant impacts and the mitigation measures is presented below:

EIR Impact Number	Impact Summary	General Order Mitigation Measures
Impact 6.5	Composting operations have the potential to create objectionable odors affecting a substantial number of people.	The General Order requires control of objectionable odors. Mitigation measures are contained in the Specifications and Design Construction and Operation Requirements – All Tiers.
Impact 9.2	Composting operations have the potential to result in substantial soil erosion or loss of topsoil.	The General Order requires control of wastewater generated by the compost process. Mitigation measures are contained in the Design Construction and Operation Requirements – All Tiers.

EIR Impact Number	Impact Summary	General Order Mitigation Measures
Impact 11.1	Composting operations have the potential to result in violations of water quality standards or waste discharge requirements.	The General Order requires surface and groundwater quality to be maintained to protect beneficial uses. The following mitigation measures related to water quality standards are included in the General Order: • For mitigation related to surface water objectives, see mitigation measures in response to Impact 9.2 (listed above). • For mitigation related to groundwater objectives mitigation measures are contained in Prohibitions, Specifications, Design Construction and Operation Requirements – All Tiers, and Tier 2, and maintenance requirements. The General Order limits the types of feedstocks used and requires certain containment requirements to minimize infiltration.

EIR Impact Number	Impact Summary	General Order Mitigation Measures
Impact 11.3	Composting operations have the potential to substantially alter existing drainage resulting in substantial erosion or siltation on- or off-site.	Composting operations will be designed to contain wastewater on-site. See the mitigation measures described for Impact 9.2 and 11.1. Requirements of the General Order to contain wastewater on-site include the following: • Design, construct, and maintain areas used for receiving, processing, or storing feedstocks, additives, amendments, or compost to control and manage run-on and run-off from a 25-year, 24-hour peak storm event; • Protect areas used for receiving, processing, or storing feedstocks, additives, amendments, or compost from surface flows associated with a 25-year, 24-hour peak storm event from inundation by surface flow; • Design and operate the detention pond, containment berm, and drainage conveyance systems to contain a 25-year, 24-hour peak storm event; Require low permeability drainage ditches for Tier 2 operations.

EIR Impact Number	Impact Summary	General Order Mitigation Measures
Impact 11.4	Composting operations may have the potential to 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.	The General Order requires management of drainage and wastewater run-off. See Mitigation Measures 9.2, 11.1, and 11.3.
Impact 11.5	Composting operations may create or contribute runoff water which could exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff.	Composting operations will be designed to contain wastewater on-site. See the mitigation measures described for Impact 9.2.
Impact 11.6	Composting operations may have the potential to substantially degrade water quality.	Composting operations will be designed to contain wastewater on-site and prevent wastewater from changing groundwater quality to the extent beneficial uses are impacted. See the responses to Impacts 9.2 and 11.1.
Impact 15.2	Composting operations have the potential to exceed wastewater treatment requirements of the applicable Regional Water Board.	The General Order requires containment of wastewater that is generated. Active treatment systems at composting facilities are possible (most likely a mechanical aerator in a detention pond). If off-site disposal of wastewater is necessary, delivery to a treatment system is possible via a collection system or tank truck hauling. See the responses to Impacts 9.2 and 11.1.

EIR Impact Number	Impact Summary	General Order Mitigation Measures
Impact 15.6	Composting operations have the potential to result in a determination by the wastewater treatment provider that it does not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments.	The General Order requires containment of wastewater that is generated; therefore, a discharge at a wastewater treatment facility is unlikely. See the responses to Impacts 9.2 and 11.1.

56. The State Water Board has notified composting operators and owners, and governmental agencies and interested persons of its intent to certify an EIR and adopt a General Order and provided them the opportunity to attend a public meeting and submit their written views and recommendations.
57. The State Water Board, in a public meeting, heard and considered all comments pertaining to this matter.
58. In accordance with CEQA, the State Water Board certified a Supplement to Environmental Impact Report No. 2015012021 (SEIR) for General Order WQ 2020-0012-DWQ on April 7, 2020. Significant impacts related to water quality were identified in the SEIR as summarized below:
    a. **Manure as a Feedstock for Tier 1 Facilities:** Using manure as a feedstock at Tier 1 facilities has the potential to impact water quality. To mitigate potential impacts, the General Order requires the development and implementation of a groundwater protection monitoring plan for Tier 1 facilities that use manure as a feedstock. If the composting operation is designed, operated, and maintained in compliance with the General Order, potential impacts should be reduced to less than significant.
    b. **Conditionally Exempt Operations:** Conditionally exempt composting operations may pose a threat to water quality. If best management practices are implemented, potential impacts to water quality should be reduced to less than significant.
59. The State Water Board notified composting operators and owners and governmental agencies and interested persons of its intent to certify a SEIR and adopt a General Order. Opportunities to attend a public meeting and submit written comments were provided. The State Water Board heard and considered all comments pertaining to this matter in a public meeting.

OTHER REGULATORY CONSIDERATIONS

60. All WDRs must implement the applicable Regional Water Board's Basin Plan for the region in which the discharge occurs; therefore, this General Order requires dischargers to comply with all applicable Basin Plan requirements and water quality objectives governing the discharge. In the event of a conflict between the requirements of this General Order and the Basin Plan, the more stringent requirement prevails.
61. The Discharger, as a condition of this General Order, may be required to conduct regular maintenance and monitoring to demonstrate protection of water quality and beneficial uses. Dischargers are financially responsible for costs associated with these activities as long as the operation is covered under this General Order.
62. This General Order is not a National Pollutant Discharge Elimination System (NPDES) permit issued pursuant to the Federal Clean Water Act. For composting operations where storm water discharges off-site, the Discharger may be required to enroll under the State Water Board's General Order No. 2014-0057-DWQ, NPDES General Permit No. CAS000001, Waste Discharge Requirements for Discharges of Storm Water Associated with Industrial Activities Excluding Construction Activities (Industrial General Permit), and/or future promulgations. If wastewater is discharged to surface water, the Discharger may be required to obtain an individual NPDES permit. Coverage under this General Order does not exempt a facility from the federal Clean Water Act. Any facility required to obtain such permits must notify the Regional Water Board.
63. The issuance of this General Order is consistent with the goal to provide water resources protection, while considering economic and environmental impacts as stated in the Strategic Plan of the Water Boards and section 13263, subdivision (a) of the Water Code. Economic considerations are discussed in Appendix D of the EIR.
64. This General Order does not supersede the authority of local governmental agencies to prohibit, restrict, or control the use of biosolids subject to their control, as allowed under current law. It is the responsibility of the Discharger to obtain any local governmental agency permits or authorizations prior to the composting or use of biosolids at each site.
65. This General Order does not supersede any federal, state, or local law or regulation.
66. Pursuant to Water Code section 13263, subdivision (g), the discharge of waste into waters of the state is a privilege, not a right, and adoption of this General Order does not create a vested right to discharge wastes into the

waters of the state. Failure to prevent conditions that create or threaten to create pollution or nuisance or that may unreasonably degrade waters of the state will be sufficient reason to modify, revoke, or enforce this General Order.

67. Pursuant to Water Code section 13241 and 13263, the State Water Board, in establishing the requirements contained herein, considered factors including, but not limited to, the following:
    a. Past, present, and probable future beneficial uses of water;
    b. Environmental characteristics of the hydrographic unit under consideration, including the quality of water available thereto;
    c. Water quality conditions that could reasonably be achieved through the coordinated control of all factors which affect water quality in the area;
    d. Economic considerations;
    e. The need for developing housing within the region(s); and
    f. The need to develop and use recycled water.

IT IS HEREBY ORDERED

IT IS HEREBY ORDERED pursuant to Water Code sections 13263 and 13267, the Discharger, its agents, successors, and assigns, in order to meet the provisions contained in division 7 of the Water Code and regulations adopted hereunder, shall comply with the following:

PROHIBITIONS

1. Any feedstock, additive, amendment, or compost (active, curing, or final product) stored, processed, or composted outside of the designated composting operation areas, as those boundaries are specified in an NOI and/or a technical report, and approved by the Regional Water Board, is prohibited.
2. Any volume of any feedstock, additive, amendment, or compost (active, curing, or final product) exceeding those specified in this General Order is prohibited.
3. Use of any feedstock, additive, amendment, or material, other than those described in this General Order is prohibited.

4. Discharge of any of the following wastes, including storage thereof, at a composting operation under this General Order is prohibited:
    a. Animal carcasses (whole or in part);
    b. Liquid wastes other than those of food origin;
    c. Medical wastes as defined in the Health and Safety Code section 117690;
    d. Radioactive wastes;
    e. Septage;
    f. Sludge, including but not limited to sewage sludge, water treatment sludge, and industrial sludge;
    g. Wastes classified as “designated” as defined in Water Code section 13173;
    h. Wastes classified as “hazardous” as defined in California Code of Regulations, title 22, section 66261.3;
    i. Wood containing lead-based paint or wood preservatives, or ash from such wood; or
    j. Any feedstock, additive, or amendment other than those specifically described in this General Order, unless approved by the Regional Water Board.
5. Discharges of feedstocks, additives, amendments, or wastes to lands not owned, leased, or otherwise controlled by the Discharger for the purposes of composting is prohibited.
6. Discharge of wastes to surface waters is prohibited, except as authorized by an NPDES permit.
7. Discharge of wastes including overflow, wastewater, or bypass from transport, treatment, storage, or disposal systems to adjacent drainages or adjacent properties is prohibited.
8. Use of biosolids as a feedstock with concentrations of a metal that exceeds the ceiling concentration presented in 40 Code of Federal Regulations section 503.13 (Table 1), is prohibited.
9. Use of biosolids as an additive or amendment is prohibited.
10. Use of anaerobic digestate derived from sewage sludge as an additive or amendment is prohibited.
11. Evapo-concentration of constituents in any detention pond that results in hazardous constituent concentration levels, as defined in California Code of Regulations, title 22, section 66261.3 is prohibited.

SPECIFICATIONS

1. The use of additives defined in this General Order, and Attachment A, is allowed provided that the additives meet the following specifications.
    a. For Tier 1 facilities, the following approved additives may comprise no more than 10 percent combined, on a total volume basis, of the total feedstocks for any given batch of compost:
        1) Fertilizing material applied at rates that will be consumed or fixed/immobilized during active composting;
        2) Manure*;
        3) Anaerobic digestate (solid) derived from any material other than allowable Tier 1 feedstocks; and/or
        4) Other material specified in an NOI and/or a technical report and approved by the Regional Water Board.

        * If manure is accepted at greater than 10 percent combined, on a total volume basis, of the total feedstocks for any given batch of compost, a groundwater protection monitoring plan must be implemented for the composting operation in accordance with Finding 29 and Design, Construction, and Operation Requirements for Composting Manure at Tier 1 Facilities. If a groundwater protection monitoring plan is not implemented, the Discharger must seek coverage under Tier 2.
    b. For Tier 2 facilities, the following approved additives may comprise no more than 30 percent combined (other than liquid food material), on a total volume basis, of the total feedstocks for any given batch of compost:
        1) Fertilizing material applied at rates that will be consumed or fixed/immobilized during active composting;
        2) Liquid food material specified in an NOI and/or a technical report, and approved by the Regional Water Board, and applied at a rate that prevents conditions leading to pollution or nuisance, as defined in Water Code section 13050;
        3) Anaerobic digestate (solid) derived from any material other than allowable Tier 1 and Tier 2 feedstocks; and/or
        4) Other material specified in an NOI and/or a technical report and approved by the Regional Water Board.
2. Additives and amendments must be handled, stored, and processed in the manner specified in the NOI and/or technical report and approved by the Regional Water Board.

3. All feedstocks, additives, amendments, and compost (active, curing, or final product) must not cause, threaten to cause, or contribute to conditions of pollution, contamination, or nuisance. These discharges must comply with the applicable Basin Plan requirements.
4. All feedstocks, additives, amendments, and compost (active, curing, or final product) must be located on containment structures designed and constructed as required by this General Order.
5. Dischargers must submit with the NOI and technical report, a Water and Wastewater Management Plan that describes how wastewater will be managed to prevent discharge. The plan must describe the design, operations, and maintenance of the systems, including water balance calculations and assumptions, if required.
6. Wastewater shall be handled and managed in accordance with an approved Water and Wastewater Management Plan in the technical report described in Attachment D.
7. Feedstocks for composting shall be limited to the allowable Tier 1 and Tier 2 feedstocks listed in Table 2 and defined in Attachment A.
8. Composting operations shall be setback at least 100 feet from the nearest surface water body and/or the nearest water supply well. A lesser setback distance may be allowed by the Regional Water Board if the Discharger can demonstrate that the groundwater, geologic, topographic, and well construction conditions at the site are adequate to protect water quality.
9. For Tier 1 and Tier 2 facilities, the type of amendments must be specified in a NOI and/or a technical report.

DESIGN, CONSTRUCTION, AND OPERATION REQUIREMENTS – ALL TIERS

1. Areas used for receiving, processing, or storing feedstocks, additives, amendments, or compost (active, curing, or final product) must be designed to limit water quality degradation. Working surfaces and containment structures must be designed, constructed, operated and maintained to:
    a. Facilitate drainage and minimize ponding by sloping or crowning pads to reduce infiltration of liquids;
    b. Reliably transmit free liquid present during storage, treatment, and processing of materials to a containment structure to minimize the potential for waste constituents to enter groundwater or surface water; and
    c. Prevent conditions that could contribute to, cause, or threaten to cause a condition of contamination, pollution, or nuisance.

2. Working surfaces must be constructed to allow year-round equipment access to feedstocks, additives, amendments, and compost (active, curing, or final product) without damage to the working surfaces and containment structures.
3. To prevent potential impacts to waters of the state, the Discharger must minimize the potential for piles of feedstocks, additives, amendments, or compost (active, curing, or final product) to become over-saturated and generate wastewater.
4. Areas used for receiving, processing, or storing feedstocks, additives, amendments, or compost (active, curing, or final product) must be designed, constructed, and maintained to control and manage all run-on, runoff, and precipitation which falls onto or within the boundaries of these areas, from a 25-year, 24-hour peak storm event at a minimum.
5. Areas used for receiving, processing, or storing feedstocks, additives, amendments, or compost (active, curing, or final product) must be protected from inundation by surface flows associated with a 25-year, 24-hour peak storm event at a minimum.
6. Detention ponds, if used, must be designed, constructed, and maintained to prevent conditions contributing to, causing, or threatening to cause contamination, pollution, or nuisance, and must be capable of containing, without overflow or overtopping (taking into consideration the crest of wind-driven waves and water reused in the composting operation), all runoff from the working surfaces in addition to precipitation that falls into the detention pond from a 25-year, 24-hour peak storm event at a minimum, or equivalent alternative approved by the Regional Water Board.
7. Detention ponds, if used, shall be managed as described in the facility's Water and Wastewater Management Plan.
8. Detention ponds, if used, must be managed to maintain a dissolved oxygen concentration in the upper zone (one foot) of at least 1.0 milligram per liter (mg/L).
9. Detention ponds, if used, shall be managed to mitigate breeding of mosquitoes including, but not limited to the following:
    a. An erosion control program shall be implemented to ensure that small coves and irregularities are not created around the perimeter of the water surface.
    b. Weeds shall be minimized through control of water depth, a shoreline synthetic liner, harvesting, or herbicides.
    c. Dead algae, vegetation, and debris shall be removed from the water surface.

d. Coordination with the local mosquito abatement or vector control district to supplement the measures described above in cases where other methods are infeasible.

10. Berms must be designed, constructed, and maintained to prevent run-on and run-off from a 25-year, 24-hour peak storm event at a minimum. Berms must be adequately protected from erosion, and must not cause, threaten to cause, or contribute to conditions resulting in contamination, pollution, or nuisance.
11. Drainage conveyance systems must be designed, constructed, and maintained for conveyance of wastewater from the working surface in addition to direct precipitation from a 25-year, 24-hour peak storm event at a minimum. Ditches must be properly sloped to minimize ponding and kept free and clear of debris to allow for continuous flow of liquid. Ditches must be adequately protected from erosion, and must not cause, threaten to cause, or contribute to conditions resulting in contamination, pollution, or nuisance. Ditches must be inspected and cleaned out annually prior to the wet season.

DESIGN, CONSTRUCTION, AND OPERATION REQUIREMENTS FOR COMPOSTING MANURE AT TIER 1 FACILITIES

1. Tier 1 composting operations that propose to compost manure as a feedstock must meet all specifications listed in PROHIBITIONS; SPECIFICATIONS 1(a); SPECIFICATIONS 2–9; and DESIGN, CONSTRUCTION, AND OPERATION REQUIREMENTS – ALL TIERS.
2. The Discharger must implement a groundwater protection monitoring program. The Discharger shall submit a complete Groundwater Protection Monitoring Plan in the technical report with the NOI, as described in Attachment D.
3. Within 90 days of issuance of an NOA for existing facilities or within 90 days after commencement of operations at newly constructed facilities, the Discharger shall implement the approved Groundwater Protection Monitoring Plan.

DESIGN, CONSTRUCTION, AND OPERATION REQUIREMENTS – TIER 2 ONLY

1. Working surfaces must be capable of resisting damage from the movement of equipment and weight of piles and have a hydraulic conductivity of 1.0 x 10^{-5} centimeters per second (cm/s) or less. Working surfaces must consist of one of the following:

a. Compacted soils, with a minimum thickness of one foot;
b. Asphaltic concrete or Portland cement concrete; or
c. An equivalent engineered alternative specified in an NOI and/or a technical report and approved by the Regional Water Board.

2. Drainage ditches must be designed, constructed, and maintained to convey all precipitation and runoff from a 25-year, 24-hour peak storm event at a minimum, have a hydraulic conductivity of 1.0×10^{-5} cm/s or less, and be lined with one of the following:
   a. Compacted soils, with a minimum thickness of one foot;
   b. Asphaltic concrete or Portland cement concrete; or
   c. An equivalent engineered alternative specified in an NOI and/or a technical report and approved by the Regional Water Board.
3. In lieu of meeting hydraulic conductivity specifications for Tier 2 working surfaces and drainage ditches, the Discharger may implement a groundwater protection monitoring program. The Discharger shall confirm this intention by submitting a complete Groundwater Protection Monitoring Plan in the technical report with the NOI, as described in Attachment D.
4. Detention ponds must be designed, constructed, operated, and maintained to meet a hydraulic conductivity of 1.0×10^{-6} cm/s or less. These ponds must include one of the following:
   a. A liner system consisting of a 40 thousandths of an inch (mil) synthetic geomembrane (60-mil if high-density polyethylene), underlain by either one foot of compacted clay or a geosynthetic clay liner installed over a prepared base;
   b. A liner system that includes Portland cement concrete – designed to minimize cracking and infiltration – underlain by a 40-mil synthetic geomembrane (60-mil if high-density polyethylene); or
   c. An equivalent engineered alternative specified in an NOI and/or a technical report and approved by the Regional Water Board.
5. Detention ponds must be designed and constructed with a pan lysimeter monitoring device under the lowest point of the pond, or an equivalent engineered alternative specified in an NOI and/or a technical report and approved by the Regional Water Board. The engineered alternative must provide equivalent assurance of the earliest possible detection or prevention of a release from the pond.
6. Tanks, if used, must be designed, operated, maintained and monitored in accordance with applicable laws and regulations.

MONITORING REQUIREMENTS

1. Dischargers subject to this General Order must implement the applicable requirements specified in Attachment B, the MRP, which are hereby incorporated by reference as part of this General Order.
2. Pursuant to Water Code section 13267, the Discharger must comply with the applicable requirements specified in the MRP (Attachment B). If a site-specific MRP becomes necessary, the Discharger must comply with requirements specified in an individual MRP issued to the Discharger by the Regional Water Board. Failure to comply with the applicable requirements specified in Attachment B or a site-specific MRP issued by the Regional Water Board may subject the Discharger to civil liability. (Wat. Code, § 13268.)
3. Within 90 days of issuance of an NOA for existing facilities or within 90 days after commencement of operations at newly constructed facilities, the Discharger shall implement the approved Groundwater Protection Monitoring Plan, if applicable.

MAINTENANCE REQUIREMENTS

1. The Discharger shall maintain containment structures (e.g. berms, pads, detention ponds, tanks, run-on/run-off control structures, etc.) and monitoring systems (e.g. groundwater monitoring devices) in good working order.
2. The Discharger must regularly inspect and maintain all containment structures and monitoring systems pursuant to this General Order, MRP, and NOA. The frequency of inspections must be sufficient to prevent feedstocks, additives, amendments, compost (active, curing, or final product), or wastewater from creating, threatening to create, or contributing to conditions of contamination, pollution, or nuisance.

SITE CLOSURE REQUIREMENTS

1. Release of wastes or waste-derived constituents at an unmanaged, inactive, or abandoned composting operation may cause, threaten to cause, or contribute to degradation of the waters of the state. At least 90 days prior to ceasing composting operations, the discharger shall submit a Site Closure Plan to the Regional Water Board for approval.
2. The Discharger must jointly notify the appropriate Regional Water Board and Local Enforcement Agency in writing at the conclusion of the site closure activities that describes closure in accordance with the Site Closure Plan and Regional Water Board requirements.

REPORT REQUIREMENTS

1. **General Reporting Requirements** – The Discharger must furnish the following information within a timeframe specified by the Regional Water Board:
   a. Any information which the Regional Water Board may request to determine compliance with this General Order; and
   b. Copies of records required to be kept by this General Order.
2. **NOI and Technical Report** – The Discharger must submit an NOI and technical report as specified in Attachments C and D of this General Order. The Discharger must submit general information, site conditions, design, operations and monitoring information and a compliance schedule for existing facilities. The Discharger must submit a technical report with design information at least 90 days prior to any new construction of any working surfaces, detention ponds, berms, ditches, or any other water quality protection containment structure for approval by the appropriate Regional Water Board. The design information must include water balance calculations for detention ponds, design of wastewater conveyance features, liner materials and thicknesses, and rationale for liner system design. The technical report must ensure testing and quality assurance of liner materials and compacted soils in accordance with commonly accepted engineering practices, American Society for Testing and Materials test methods, and/or other appropriate material standards.
3. **Final Post-Construction Report** – The Discharger must submit a post-construction report to the Regional Water Board within 60 days of completing all construction activities associated with all applicable containment and monitoring structures, as required for compliance with this General Order and the MRP. The post-construction report must contain as-built plans and specifications to document that containment and monitoring structures were properly constructed and tested.
4. **Annual Monitoring and Maintenance Report** - The Discharger must submit an Annual Monitoring and Maintenance Report to the appropriate Regional Water Board no later than **April 1st** of each year (or next subsequent business day, if falling on a weekend or state- observed holiday), as described in the MRP. The Annual Monitoring and Maintenance Report must summarize all monitoring and maintenance activities performed and adverse conditions noted since the prior reporting period with respect to all berms, ditches, working surfaces, detention ponds, and monitoring systems. As part of the Annual Monitoring and Maintenance Report, the Discharger must certify that the composting operation complies with the requirements of this General Order and applicable portions of the MRP.

5. **Reporting Declaration** - All applications, reports, or information submitted to the Regional Water Boards must be signed and certified as follows:
   a. The NOI must be signed as follows:
      1) For a corporation - by a principal executive officer of at least the level of vice president;
      2) For a partnership or sole proprietorship - by a general partner or the proprietor, respectively;
      3) For a municipality, state, federal, or other public agency - by either a principal executive officer or ranking elected official; or
      4) For a military facility - by the base commander or person with authority and responsibility for environmental matters at the facility.
   b. All other reports required by this General Order and other information required by the Regional Water Board must be signed by a person designated in paragraph (a) above, or by a duly authorized representative of that person. An individual is a duly authorized representative only if:
      1) The authorization is made in writing by a person described in paragraph (a) above;
      2) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity; and
      3) The written authorization is submitted to the Regional Water Board.
   c. Any person signing a document under this section must make the following certification:

      "I certify under penalty of law that this document, including all attachments and supplemental information, were prepared under my direction and supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment."
6. **Report Submittals** –The State Water Board and Regional Water Boards are transitioning to the paperless office system. Dischargers must submit reports (both technical and monitoring reports) to the State Water Board's GeoTracker database over the Internet in portable document format (PDF) as

specified in California Code of Regulations, title 23, section 3892, subdivision (d) and section 3893. In addition, analytical data must be uploaded to the GeoTracker database under a site-specific global identification number. Information on the GeoTracker database is provided at: http://www.swrcb.ca.gov/ust/electronic_submittal/index.shtml.

7. **Use of Licensed Professionals** – The Business and Professions Code sections 6735, 7835, and 7835.1 require that engineering and geologic evaluations and judgments be performed by or under the direction of licensed professionals. Any plan or report submitted in compliance with the requirements of this General Order, which requires technical interpretation, or proposes either a design, or a design change that might affect the composting operation's containment features, detention ponds, or monitoring systems must be prepared by, or under the direction of, appropriately licensed professionals (e.g., registered civil engineer, professional geologist, or other registered certified specialty geologist) by the State of California. In addition, the licensee must sign and provide his or her registration number or stamp the submitted plan or report.

NOTIFICATION REQUIREMENTS

1. **Revised Notice of Intent** – The Discharger must submit a revised NOI to the Regional Water Board, CalRecycle, and the Local Enforcement Agency at least 90 days prior to: (1) adding a new feedstock, additive, or amendment; (2) changing material or construction specifications; (3) changing a monitoring program; or (4) changing an operation or activity that was not described in the approved NOI and technical report. The Regional Water Board may require submittal of a revised technical report.
2. **Change in Ownership Notification Requirements** – The Discharger must notify the Regional Water Board, CalRecycle, and the Local Enforcement Agency, in writing, at least 30 days in advance of any transfer of the General Order's responsibility and coverage from the current owner to a new owner. This notification shall include:
    a. A statement of acknowledgment that the current owner is liable for violations occurring up to the transfer date and that the new owner is liable for violations occurring after the date that ownership of the property transfers; and
    b. The new owner's NOI and technical report (if applicable).

3. **Termination of Enrollment** – Enrollment under this General Order may be terminated if any of the following occur:
   a. The Regional Water Board, based on site-specific conditions or management practices, may require the Discharger to apply for individual WDRs. The applicability of this General Order to such dischargers will be rescinded upon adoption of individual WDRs;
   b. At least 90 days prior to terminating all waste discharge activates, the Discharger must submit a Site Closure Plan to the Regional Water Board for approval. Filing a request by the Discharger for termination of this General Order does not stay any requirements of this General Order; or
   c. If the operation is eligible for an exemption due to changes in process or procedures, the Discharger may propose termination. Filing a request by the Discharger for an exemption modification, revocation, reissuance, or termination of this General Order does not stay any requirement of this General Order.
4. **Notification of Violations** – If a violation of requirements of this General Order or MRP occurs, the Discharger must notify the Regional Water Board by telephone or email, within 48hours, once the Discharger has knowledge of the violation. This notification must include a description of the noncompliance and its cause, the period of noncompliance (dates and times); and if the noncompliance has not been corrected, the anticipated time the noncompliance is expected to continue. The notification must also include steps taken or planned to reduce, eliminate, or prevent recurrence of the noncompliance. Depending on the severity of the violation, the Regional Water Board may require the Discharger to submit a separate technical report regarding the violation within 10 working days of the initial notification.
5. **Monitoring Wells** – The Discharger must comply with all notice and reporting requirements of the Department of Water Resources, and with any local agency well permitting requirements regarding construction, alteration, destruction, or abandonment of any monitoring wells used for compliance with this General Order and MRP, as required under Water Code sections 13750.5 through 13755, and local agency requirements

ADDITIONAL REQUIREMENTS

1. **Duty to Comply** – Any noncompliance with this General Order constitutes a violation of the Water Code, and is grounds for enforcement action, and/or termination of enrollment under this General Order.

2. **Corrective Action** – The Discharger must take all reasonable steps to minimize or correct any adverse impact to the environment resulting from noncompliance with this General Order, including accelerated or additional monitoring necessary to determine the nature and impact of the noncompliance.
3. **Responsibility for Monitoring and Maintenance** – Dischargers must be responsible for covering the costs associated with the activities necessary to maintain compliance with this General Order.
4. **Maintenance Period** – The maintenance period must continue until the Regional Water Board finds that all feedstocks, additives, amendments, compost (active, curing, or final product), wastewater, or other waste constituents or degradation products will not threaten waters of the state.
5. **Revision of Waste Discharge Requirements** – Enrollment under this General Order may be modified, revoked, reissued, or terminated for causes including, but not limited to, the following:
    a. Violation of any terms or conditions of this General Order,
    b. Obtaining this General Order by misrepresentation or failure to disclose relevant facts, or
    c. A change in any condition that requires a reduction or elimination of the authorized discharge.

    Filing a request by the Discharger for modification, revocation, re-issuance, or termination of this General Order or notification of planned changes or anticipated noncompliance does not stay any condition of this General Order.
6. **Change in Ownership** – This General Order is not transferable to any person except after notice to the Regional Water Board, CalRecycle, and the Local Enforcement Agency. The Discharger must submit a Change in Ownership Notification, pursuant to the Notification Requirements section of this General Order.
7. **Property Rights** – This General Order does not convey any property rights of any sort or any exclusive privileges. Requirements prescribed herein do not authorize commission of any act causing injury to persons or property, nor protect the Discharger from liability under federal, state, or local laws or regulations, nor create a vested right for the owner and operator to continue the regulated activity.
8. **Entry and Inspection** – Under authority of Water Code section 13267, the Discharger must allow the State Water Board and/or Regional Water Board, or an authorized representative, upon presentation of credentials and other documents as may be required by law to:

a. Enter premises where a regulated facility or activity is located or conducted, or where records must be kept under specification of this General Order;
b. Have access to copy, at reasonable times, any records that must be kept under specification of this General Order;
c. Inspect any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or specified under this General Order;
d. Sample or monitor for the purposes of determining compliance with this General Order, any substances or parameters at any location; and
e. Photograph or video-record any structures, facilities, activities, or other conditions to determine compliance with this General Order.

9. **Repository for Waste Discharge Requirements** – A complete and correct copy of this General Order, the NOA, and any pertinent technical documents must be maintained at the local offices of the Discharger and must be available to facility personnel at all times.
10. **Severability** – Provisions of this General Order are severable, and if any provision of this General Order or application of any provision of this General Order to any circumstance is held invalid, application of such provisions to other circumstances and the remainder of this General Order must not be affected thereby.
11. **Effective Date** – This General Order becomes effective upon its adoption by the State Water Board.
12. **Penalties for Investigations, Monitoring, or Inspection Violations** – The State Water Board and Regional Water Boards reserve the right to take any enforcement action authorized by law for violations of any terms and conditions of this General Order.
13. **Civil Monetary Remedies** – Water Code section 13350 et seq. provides that any person who intentionally or negligently violates any conditions issued or amended by the Regional Water Board or State Water Board, is subject to administrative civil liability of up to $10 per gallon of waste discharged, or up to $5,000 per day of violation. The Superior Court may impose civil liability of up to $10,000 per day of violation or, if a cleanup and abatement order has been issued, up to $15,000 per day of violation.
14. **Other Regulations** – Dischargers enrolled under this General Order may be subject to additional federal, state, or local regulations.

15. **Requesting Judicial Review** – Any person aggrieved by this General Order may, not later than 30 days from the date of adoption, file a petition for a writ of mandate for judicial review. Petitions that are not received within 30 days of the State Water Board's adoption of the General Order will not be eligible for review by any court. (Wat. Code, § 13330 et seq.)
16. **Delegation of Authority** – By adoption of this General Order, the State Water Board delegates to the nine Regional Water Board Executive Officers, all powers and authority that may be delegated pursuant to Water Code section 13223. The State Water Board intends for the Executive Officers to make modifications or revisions in appropriate cases, to the maintenance and monitoring requirements contained within the MRP for Dischargers enrolled under this General Order; and to grant Dischargers enrollment or termination under this General Order and MRP pursuant to eligibility and termination criteria established in this General Order.

CERTIFICATION

The undersigned, Clerk to the Board, does hereby certify that this general order with all attachments is a full, true, and correct copy of an order duly and regularly adopted at a meeting of the State Water Resources Control Board held on April 7, 2020.

AYE:	Chair E. Joaquin Esquivel Vice Chair Dorene D'Adamo Board Member Tam M. Doduc Board Member Sean Maguire Board Member Laurel Firestone
NAY:	None
ABSENT:	None
ABSTAIN:	None

Jeanine Townsend
Clerk to the Board

ATTACHMENT A - DEFINITIONS

For the purposes of this General Order, the following terms, phrases, or abbreviations have a narrow scope of meaning, and are as follows:

Active Compost - Compost feedstock that is in the process of being rapidly decomposed and is unstable. Active compost is generating temperatures of at least 50 degrees Celsius (122 degrees Fahrenheit) during decomposition or is releasing carbon dioxide at a rate of at least 15 milligrams per gram of active compost per day, or the equivalent of oxygen uptake. This high temperature on thermophilic phase may last from several days to several weeks.

Additives - Material mixed with feedstocks or active compost in order to adjust the moisture level, carbon to nitrogen ratio, or porosity to create a favorable condition. Additives include, but are not limited to, fertilizers and urea. Additives do not include septage, biosolids, or compost feedstock.

Amendments - Materials added to stabilized compost or cured compost to provide attributes for certain compost products, such as product bulk, product nutrient value, product pH, and soils blend. Amendments do not include septage, biosolids, or compost feedstock.

Anaerobic Digestate - The solid portion of the material remaining after the anaerobic digestion of any combination of agricultural materials, biosolids, sewage sludge, food materials, green materials, manure, paper materials, or vegetative food materials. Dewatered digestate contains organic matter that may need to be further treated to stabilize it, usually through aerated composting.

Animal Carcasses - Refers to any whole or part (including, but may not be limited to the flesh, organs, blood, bones, and marrow) of a carcass of a bird, fish, or mammal, which cannot meet the definition of “food material.”

Background Water Quality - The concentrations or measures of constituents or indicator parameters in water or soil that have not been affected by waste constituents from the area being monitored.

Beneficial Uses - Pursuant to division 7, section 13050, subdivision (f) of the Water Code. “Beneficial uses” of waters of the state that may be protected against degradation include, but are not limited to, domestic, municipal, agricultural and industrial supply, power generation, recreation, aesthetic enjoyment, navigation, and preservation and enhancement of fish, wildlife, and other aquatic resources or preserves.

Best Management Practice - A practice, or combination of practices, that is the most effective and feasible means of controlling degradation or pollution generated by nonpoint sources for the attainment of water quality objectives.

Biosolids - Sewage sludge that has been treated, tested, and meets:

1. The Ceiling Concentration Limits in Table 1 of 40 Code of Federal Regulations section 503.13;
2. The Class A or Class B pathogen control requirements in 40 Code of Federal Regulations part 503.32(a) or (b); and
3. One of the Vector Attraction Reduction requirements in 40 Code of Federal Regulations part 503.33(b) (1—8).

Exceptional Quality (EQ) biosolids – Biosolids meeting metals standards, Class A pathogen reduction standards, and one of the vector attraction reduction standards contained in 40 Code of Federal Regulations sections 503.13 (Table 3), section 503.32(a), and section 503.33(b) (1—8), respectively

Brine - Water saturated with or containing large amounts of common salt (sodium chloride), or a strong saline solution (e.g., calcium chloride).

California Environmental Quality Act (CEQA) - Refers to the statute promulgated in Public Resources Code, beginning with section 21000, and regulations promulgated in California Code of Regulations, title 14, chapter 3, beginning with section 15000, requiring state and local agencies to identify the significant environmental impacts of their actions and to avoid or mitigate those impacts, if feasible.

CalRecycle - The Department of Resources Recycling and Recovery (formerly the California Integrated Waste Management Board), which is the lead agency for implementing the state's municipal solid waste permit program that is deemed to be adequate by U.S. EPA under regulations published pursuant to sections 2002 and 4005 of the Resource Conservation and Recovery Act of 1976.

Chipping and Grinding Facilities and Operations - Facilities or operational areas that do not produce compost, but mechanically reduce the size or otherwise engage in the handling of "green material." Each load of "green material" must be removed from the site within 48-hours from receipt, unless the Discharger has received written permission from the Local Enforcement Agency allowing the "green material" to remain onsite for up to 7 days.

Composting - A controlled microbial degradation of organic wastes yielding a safe and nuisance-free product.

Composting Conducted at a Publicly Owned Treatment Works - Refers to the composting of treated biosolids at a publicly owned treatment works, currently operating pursuant to permit or waste discharge requirements issued by a Regional Water Board or the State Water Board.

Composting Operation - shall mean the areas at which operations are conducted, including the receiving area, pre-processing, processing, curing, storage areas, detention ponds, and other areas associated with production of compost, including storage areas for feedstocks, additives, and/or amendments.

Constituent - An element or compound which occurs in or is likely to be derived from waste handled by a composting operation.

Constituent(s) of Concern - Any waste constituent(s), reaction product(s), and hazardous constituent(s) that is reasonably expected to be in or derived from waste handled by the composting operation.

Construction Quality Assurance - A planned system of activities that provides assurance that the facility or component thereof, is constructed as specified in the approved design. As used in this General Order, the term includes "Construction Quality Control," a planned system of inspections that is used to directly monitor and control the quality of a construction project.

Containment Structures - Refers to any berm, ditch, working surface, detention pond, or other mechanism approved by the Regional Water Board at a Composting Operation designed, constructed, and maintained to limit feedstocks, additives, amendments, and/or compost (active, curing, or final product) from threatening to cause, causing, or contributing to conditions of contamination, pollution, or nuisance.

Contamination - Defined in section 13050, subdivision (k) of the Water Code.

Curing Compost - The final stage of the composting process that occurs after compost has undergone pathogen reduction, as defined in California Code of Regulations title 14, section 17868.3, and after most of the readily metabolized material has been decomposed and stabilized. This curing phase begins after an active compost pile endures a sustained drop in temperature as remaining materials continue to decompose, but at a much slower rate. This helps to further decompose and stabilize potentially toxic organic acids and resistant compounds. The curing process helps bring compost to full maturity and can last several months.

Day - A calendar day unless otherwise specified.

Depth to Groundwater - The vertical distance measured, in feet, from the ground surface to the highest anticipated groundwater level.

Detention Pond - An excavated or diked area designed to capture and hold any wastewater.

Discharge - The accidental or intentional spilling, leaking, pumping, pouring, emitting, emptying or dumping of wastes into or on any land or water.

Discharger - Any person who discharges waste which could affect the quality of waters of the state and includes any person who owns a composting operation or who is responsible for the operation.

Distance to Nearest Water Supply Well - The horizontal distance measured, in feet, from the nearest edge of the composting operation to the center of the water supply well head.

Distance to Nearest Surface Water - Horizontal distance measured, in feet, from the nearest edge of the composting operation to the edge of the high-water mark for lakes and reservoirs, mean high tide line for tidally influenced water bodies, or the natural or levied bank for creeks and rivers.

Electronic Deliverable Format - Defined in California Code of Regulations, title 23, division 3, chapter 30, article 1, section 3891.

Evapo-concentration - The process by which the ratio of solute to water solvent is increased by the removal of the solvent and retention of the solute.

Feedstocks - Materials used in the production of compost. Feedstocks shall not be considered as either additives or amendments.

Fertilizing Material - Defined in division 7, section 14533 of the Food and Agriculture Code.

Final Product - The compost material that has completed the curing phase. Residual substances originally present in the compost pile are consumed after proper curing. The compost has been brought to maturity, and organic acids and resistant compounds have been substantially decomposed.

Food Material - Solid, and/or semi-solid materials resulting from the production or processing of food for animal or human consumption, but is no longer intended for such consumption, that is separated from the municipal solid waste stream. Food material includes, without limitation, food waste from food facilities (as defined in Health and Safety Code, section 113789), food processing establishments (as defined in Health and Safety Code, section 111955), grocery stores, institutional cafeterias (such as prisons, schools, and hospitals), restaurants, and residential food scrap collection. Food material may include meat and materials incidental to a food scrap collection program. Food material shall not contain any substance included in the Prohibitions section of this General Order.

Geocomposite Liner - A manufactured material using geotextiles, geogrids, geonets, and/or geomembranes in laminated or composite form.

Geomembrane - Flexible materials in planar form manufactured to meet specific engineering purposes. Commonly, they are used as a barrier to waste solids and fluids. The term "geomembrane" is synonymous with "synthetic liner" and "flexible membrane liner".

GeoTracker - The State Water Board database as defined in California Code of Regulations, title 23, section 3891.

Green Composting Waiver - Refers to the "Conditional Waiver of Waste Discharge Requirements for Composting Operations." Adopted by most Regional Water Boards in 1996, this waiver covered the composting of green waste, some food processing waste, agricultural waste, and paper waste discharged to land with a volume in excess of 500 cubic yards.

Green Material - Any plant material that is separated at the point of generation and consists of, or contains, materials from plants, including leaves, clippings, cuttings, trimmings of grass, weeds, shrubbery, bushes, or trees, residential or community garden waste, and untreated wood waste. Green material does not include food material, biosolids, material processed from commingled collection, wood containing lead-based paint or wood preservative, mixed construction or mixed demolition debris.

Groundwater - Water below the ground surface that is at or above atmospheric pressure (i.e., perched, unconfined, or confined water).

Groundwater Elevation - The vertical distance measured, in feet, from mean sea level to the water table of the first encountered groundwater below the ground surface.

Hydraulic conductivity - The ability of natural and artificial materials to transmit fluid. For water, including aqueous solutions, the term is expressed as a measure of the rate of flow (e.g., cubic centimeters per second) one can expect through a unit-area (e.g., one square centimeter) cross section of the material under a unit hydraulic gradient (e.g., one centimeter of head loss per centimeter of travel through the material). The resulting numerical value is expressed in velocity units (e.g., centimeters per second).

Leachate - Any liquid formed by the drainage of liquids from, or percolation/flow of liquids through any feedstock, additive, amendment, or compost (active, curing, or final product) pile.

Liquid Food Material - Liquid materials resulting from the production or processing of food for animal or human consumption - but is no longer intended for such consumption - that is separated at the point of generation from the waste stream (e.g., cheese whey, brewery waste, etc.). Liquid food material shall not contain either: brines or any waste included in the Prohibitions section of this General Order.

Liquid Wastes - Waste materials which are not spadeable or in a physical state where the waste materials behave sufficiently like a solid to be moved by a spade at normal outdoor temperatures.

Liner - A material or combination of materials designed, constructed, and maintained to contain any wastewater feedstock, additive, amendment, or compost (active, curing, or final product) discharged to land.

Local Enforcement Agencies (LEA) - Agencies that are designated by the governing body of a county or city and, upon certification by CalRecycle, are empowered to implement delegated CalRecycle programs and locally designated activities.

Lot Clearing for Fire Protection - Refers to the storage of yard trimmings at a publicly designated site for the collection of lot clearing necessary for fire protection provided that the public agency designating the site has notified the fire protection agency.

Manure - Excrement from animals (e.g., cattle, chicken, pig) which includes feces and urine and any bedding material, spilled feed, or soil that is mixed with feces or urine, and the accumulated material does not exceed its moisture holding capacity. Manure does not include carcasses, whole or in part, in accordance with Prohibition 4.a.

Major Storm Event - Is defined as a minimum of one inch of precipitation within 24 hours.

Moisture Holding Capacity - The amount of liquid which can be held against gravity by waste materials without generating free liquid.

National Pollutant Discharge Elimination System (NPDES) - Refers to the national program under Clean Water Act section 402 (33 U.S.C. § 1342), for regulation of discharges of pollutants from point sources to waters of the United States. Discharges are illegal unless authorized by a National Pollutant Discharge Elimination System permit.

Nonhazardous Solid Waste - Means all putrescible and nonputrescible solid, semi-solid, and liquid wastes, including garbage, trash, refuse, paper, rubbish, ashes, industrial wastes, demolition and construction wastes, abandoned vehicles and parts thereof, discarded home and industrial appliances, manure, vegetable or animal solid and semi-solid wastes and other discarded waste (whether of solid or semi-solid consistency); provided that such wastes do not contain wastes which must be managed as hazardous wastes, or wastes which contain soluble pollutants in concentrations which exceed applicable water quality objectives, or could cause degradation of waters of the state (i.e., designated waste).

Nuisance - Defined in section 13050, subdivision (m) of the Water Code.

Pad - See definition for “working surface.”

Paper Material - Nonhazardous paper and paper by-products (including paper, cardboard, tissue, and other products manufactured from vegetative fibers).

Percolation test - A method of testing water absorption of soil. The percolation test shall be conducted as follows or an approved alternative: a minimum of six percolation tests shall be required as follows:

1. Four holes shall be spaced uniformly throughout the operations pad area to a minimum of 24 inches deep; and
2. Two holes outside the perimeter of the detention pond nearest the deepest corner. The holes shall be dug a minimum of 24 inches below the deepest part of the pond.
3. Percolation testing shall be conducted in accordance with local codes and ordinances and performed under the direction of a Professional Geologist, Civil Engineer, or Registered Environmental Health Specialist.

Pollution - Defined in section 13050, subdivision (l) of the Water Code.

Portable Document Format (PDF) - Defined in California Code of Regulations, title 23, division 3, chapter 30, article 2, section 3891.

Precipitation - Is any condensate of atmospheric water vapor and includes hail, mist, rain, sleet, or snow.

Publicly Owned Treatment Works (POTW) - Is as defined in part 403, section 403.3(q) of 40 Code of Federal Regulations.

Radioactive Material - Defined in California Code of Regulations, title 17, section 30100, subdivision (q).

Residentially co-collected or self-hauled food and green materials - Food scraps, food soiled paper, and related items that are produced in a residential setting and are set out to be co-collected with green materials (i.e. yard trimmings) as part of a municipal co-collection, or self-hauled program. No more than 10 percent of residential food material may be comingled with green materials.

Regional Water Quality Control Board (Regional Water Board) - All references to a Regional Water Board, include the Executive Officer, who may act for the Regional Water Board in carrying out this General Order. (Wat. Code, § 13050, subd. (b) & § 13223.)

Residual - The waste destined for disposal or recycling and removed from the site.

Runoff - Any precipitation, wastewater, or other liquids that drain from any part of a Composting Operation.

Run-on - Any precipitation, wastewater, or other liquids that drain onto any part of the Composting Operation.

Separated at the Point of Generation - Includes material separated from the waste stream by the generator of that material. It may also include material from a centralized facility as long as that material was kept separate from the waste stream prior to receipt by that facility and the material was not commingled with other waste during handling.

Septage - Any waste removed from a septic tank, cesspool, portable toilet, Type III marine sanitation device, or similar wastewater handling device that has not passed through a municipal wastewater treatment facility.

Sewage Sludge - Any solid, semi-solid, or liquid residue generated during the treatment of domestic sewage in a municipal wastewater treatment facility. It includes solids removed or used during primary, secondary, or advanced wastewater treatment processes. It does not include grit or screening material generated during preliminary treatment of domestic sewage at a municipal wastewater treatment facility. Sewage sludge does not include biosolids that meet the criteria in Table 1 of 40 Code of Federal Regulations section 503.13.

Significant Maintenance Activities - Refers to, but may not be limited to, those activities which could alter existing surface drainage patterns, change the existing slope configuration, occur as a result of repairing surfaces or conveyances that were damaged, or result in the installation or destruction of any monitoring system at the composting operation (e.g., groundwater monitoring well, lysimeter, etc.).

Sludge - Refers to the solid, semi-solid, or liquid residue produced by water, wastewater, or sewage treatment processes.

Source Separated - Materials that have been separated or kept separate from the waste stream, at the point of generation, for the purpose of composting.

Tier 1 Feedstocks - The following are allowable Tier 1 feedstocks: vegetative agricultural materials, green materials, paper materials, vegetative food materials, residentially co-collected food and green materials, anaerobic digestate derived from allowable Tier 1 feedstocks, and a combination of allowable Tier 1 feedstocks. Manure may be accepted as a feedstock at Tier 1 facilities if a groundwater protection monitoring plan is implemented.

Tier 2 Feedstocks - The following are allowable Tier 2 feedstocks: food materials (non- vegetative); biosolids (Class A, B, and/or EQ) as defined by 40 Code of Federal Regulations part 503; manure; anaerobic digestate derived from allowable Tier 2 feedstocks; and a combination of allowable Tier 1 and Tier 2 feedstocks.

Vegetative Agricultural Material - Consists of pre-consumer plant materials coming directly from lands used in the production of farm, agricultural, horticultural, aquacultures, silvicultural, floricultural, vermicultural, or viticultural products, including, but not limited to, orchard and vineyard prunings, grape pomace, and crop residues. Vegetative agricultural material does not include manure. With the exception of grape pomace or material generated during nut or grain hulling, shelling, and processing, vegetative agricultural material has not been processed except at its point of generation and has not been processed in a way that alters its essential character as a waste resulting from the production of food or fiber for human or animal consumption or use.

Vegetative Food Material - Food material resulting from the production or processing of food for animal or human consumption, but is no longer intended for such consumption, that is derived solely from plants and is separated from the municipal solid waste stream. Vegetative food material may be processed or cooked but must otherwise remain in its essentially natural state and no salts, preservatives, fats, oils, or other adulterants have been added.

Water Quality Control Plan (Basin Plan) - Defined in division 7, section 13050, subdivision (j) of the Water Code.

Wastewater - Refers to leachate or any other liquid flowing from, or on the working surface.

Water Boards - Refers collectively to the State Water Resources Control Board and the nine Regional Water Quality Control Boards.

Waste - Defined in Water Code section 13050, subdivision (d).

Water Quality Objectives - Defined in Water Code section 13050, subdivision (h).

Waters of the State - Defined in Water Code section 13050, subdivision (e).

Wet Season - Defined as October 1 through April 30.

Working Surface - Any area at a Composting Operation used for the storage and/or treatment of feedstocks, additives, amendments, or compost (active, curing, or final product). The final product area may be excluded from the working surface hydraulic conductivity requirements under the following conditions:

- The area is isolated in a dedicated area away from the active and curing compost;
- The area is clearly marked as “final product” and
- The area is identified in the NOI and technical report and approved by the Regional Water Board.

Within Vessel and Fully enclosed - Refers to the action of receiving, composting, curing or storing any feedstock within a fully enclosed vessel or container (e.g., drum, silo, bin, bunker, tunnel, reactor, fabric-covered aerated static piles) where the organic material is covered on all sides and rests on a stable surface with environmental controls for managing all wastewaters.

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ATTACHMENT B – MONITORING AND REPORTING PROGRAM

This Monitoring and Reporting Program (MRP) is issued pursuant to Water Code section 13267. The Discharger shall not implement any changes to this MRP unless and until a revised MRP is issued by the Regional Water Board.

This MRP includes monitoring, reporting and record keeping requirements for composting operations. Monitoring requirements include facility inspections, detention basin water quality, groundwater protection monitoring, and general sampling, as appropriate. Reporting includes requirements for the Annual Monitoring and Maintenance Report, notification of violations, and reporting of significant events. Record keeping describes the types of information and length of time that the Discharger must keep and maintain reports.

The Discharger owns and/or operates the composting operation subject to the NOA and this General Order. The reports are necessary to ensure that the Discharger complies with the NOA and the General Order. Pursuant to Water Code section 13267, the Discharger shall implement this MRP and shall submit monitoring reports described herein.

A. ROUTINE MONITORING REQUIREMENTS

1. FACILITY INSPECTIONS

Any discharger enrolled under this General Order must inspect the composting operation in accordance with the following schedule and record, at a minimum, the observations described below:

a. Operations Areas – Perform quarterly inspections of the working surfaces, berms, ditches, facility perimeter, erosion control best management practices (BMPs), and any other operational surfaces (as specified in the NOI and/or a technical report and approved by the Regional Water Board). The Discharger shall include the following observations in the Annual Monitoring and Maintenance Report:

   1) Date and time of inspections, along with the name of the inspector;
   2) Evidence of areas of deficiency such as cracking or subsidence in the working surfaces;
   3) Evidence of ponding over the working surfaces and within ditches (show affected area on a map);
   4) Effectiveness of erosion control BMPs;
   5) Maintenance activities associated with, but not limited to, the working surfaces, berms, ditches, and erosion control BMPs;

6) Evidence of any water or wastewater leaving or entering the facility, estimated size of affected area, and estimated flow rate (show affected area on a map);
7) Integrity of drainage systems during the wet season; and
8) Photographs of observed and corrected deficiencies.

b. Wastewater Management System - Perform quarterly inspections of the wastewater management system and submit the following observations and records in the Annual Monitoring and Maintenance Report:
   1) Date and time of inspections along with name of inspector;
   2) The overall condition of the wastewater management system (i.e. pond liner, storage tank construction, municipal wastewater connection points);
   3) The available capacity within storage systems and the current volume of wastewater (gallons) or solids (cubic yards) contained;
   4) Presence of odors from the wastewater management system – characterization, source, and distance from source;
   5) Volume of wastewater treated and discharged, if applicable; and
   6) Volume of wastewater disposed at an off-site treatment system and name and location of the wastewater treatment facility, if applicable.

c. Annual Survey – Perform annual survey of the facility to confirm that all containment structures are prepared for the pending wet season. Dischargers shall conduct an annual survey prior to the anticipated wet season, but no later than August 31 and complete any necessary construction, maintenance, or repairs by **October 31**. The Discharger shall include the following in the Annual Monitoring and Maintenance Report:
   1) The observation date and time of the survey, along with the name of the inspector
   2) The type of deficiency/non-compliance observed;
   3) The cause for the deficiency/noncompliance;
   4) Map showing the area of deficiency/noncompliance;
   5) The corrective actions undertaken, or planned to resolve the deficiency/non- compliance, including the date and time of repairs;
   6) The measures undertaken by the Discharger to prevent the recurrence of the observed deficiency/noncompliance; and
   7) Photographs of the observed deficiencies/noncompliance with corresponding location on the map.

d. Major Storm Events - The Discharger shall inspect all precipitation, diversion, and drainage facilities for damage within **7 days** following major storm events. Necessary repairs shall be completed within **30 days** of the inspection. The Discharger shall report any damage and subsequent repairs including photographs of the problem and repairs in the Annual Monitoring and Maintenance Report.

2. DETENTION POND MONITORING (IF APPLICABLE)

a. Any Discharger enrolled under this General Order that has a detention pond to manage wastewater onsite must conduct monitoring of the wastewater within the detention pond quarterly when there is sufficient water and analyze the sample for the parameters listed Table B-1. These field parameters are measured during each sampling event. A laboratory providing water sample analyses must hold a valid certificate of accreditation from the State of California Environmental Laboratory Accreditation Program (ELAP) for the analytical test methods or analytes selected. These laboratory analyses shall be conducted in accordance with methods approved for use in 40 Code of Federal Regulations part 136 (Guidelines Establishing Test Procedures for the Analysis of Pollutants) or other test methods approved by the Regional Water Board.

Table B-1. Detention Pond Monitoring

Constituent	Units	Sample Frequency	Reporting
pH	standard units	Quarterly	Annually
Dissolved Oxygen	mg/L	Quarterly	Annually
Total Dissolved Solids	mg/L	Quarterly	Annually
Fixed Dissolved Solids	mg/L	Quarterly	Annually
Total Nitrogen	mg/L	Quarterly	Annually
Specific Conductance	µmhos/cm	Quarterly	Annually

Detention Pond Leak Detection Monitoring (Tier 2 only) – The leak detection monitoring device (i.e. pan lysimeter) shall be checked monthly during the wet season for liquid. Upon detection of liquid in a previously dry monitoring device Discharger shall notify the Regional Water Board within **48 hours**; collect a sample and analyze the liquid for the constituents listed in Table B-1; remove the liquid from the device; and continue to monitor weekly. If liquid reappears, another sample must be collected and analyzed for the constituents in Table B-1. If the liquid is confirmed to be wastewater, the Discharger must submit a Response Action Plan within 30 days for review and approval by the Regional Water Board.

b. The results of any monitoring conducted more frequently than required at the locations specified in this General Order shall be reported to the Regional Water Board.

3. BIOSOLIDS MONITORING (IF APPLICABLE)

a. Any Discharger enrolled under this General Order that uses biosolids as a feedstock, shall present analytical results from a laboratory with a valid certificate of accreditation from the State of California ELAP for the analytical test methods or analytes selected to show proof that the biosolids meet, at a minimum, with the ceiling concentrations listed in Table 1 of 40 Code of Federal Regulations part 503. Biosolids may be characterized by the entity that generates or otherwise processes the material. Use of analytical data prepared by such an entity may be accepted in lieu of the sampling listed below. The characterization shall contain a description of the sample procedures, the analytical report, and a statement by a responsible person that the characterization was performed in a way that accurately characterizes the quality of the biosolids and includes the certification language contained in the General Order under Reporting Requirements. U.S. EPA regularly reviews, and may revise, the limitations and requirements of 40 Code of Federal Regulations part 503 and should be reviewed for updates.

b. Any discharger enrolled under this General Order that uses biosolids as a feedstock and does not show results from a laboratory with a valid certificate of accreditation from the State of California ELAP for the analytical test methods or analytes selected shall perform monitoring to characterize the material for the parameters listed in Table B-2. The characterization shall contain a description of the sample procedures, the analytical report, and a statement by a responsible person that the characterization was performed in a way that accurately characterizes the quality of the biosolids and includes the certification language contained in the General Order under Reporting Requirements.

Table B-2. Biosolids Monitoring

Constituent	Units	Sample Frequency	Reporting
Arsenic	mg/kg	Sample each delivery	Annually
Cadmium	mg/kg	Sample each delivery	Annually
Copper	mg/kg	Sample each delivery	Annually
Lead	mg/kg	Sample each delivery	Annually
Mercury	mg/kg	Sample each delivery	Annually
Molybdenum	mg/kg	Sample each delivery	Annually

Constituent	Units	Sample Frequency	Reporting
Nickel	mg/kg	Sample each delivery	Annually
Selenium	mg/kg	Sample each delivery	Annually
Zinc	mg/kg	Sample each delivery	Annually

4. GROUNDWATER PROTECTION MONITORING (IF APPLICABLE)

a. A Discharger that is required to perform groundwater monitoring shall perform the monitoring shown in Table B-3. A laboratory providing water sample analyses must hold a valid certificate of accreditation from the State of California ELAP for the analytical test methods or analytes selected. These laboratory analyses shall be conducted in accordance with methods approved in 40 Code of Federal Regulations part 136 (Guidelines Establishing Test Procedures for the Analysis of Pollutants) or other test methods approved by the Regional Water Board.

b. Discharger is required to implement the sampling and analysis program detailed in the approved Groundwater Protection Monitoring Plan submitted with the NOI as part of the accompanying technical report described in Attachment D, which is hereby incorporated by reference as part of this MRP.

c. The results of any monitoring conducted more frequently than required at the locations specified in this General Order shall be reported to the Regional Water Board.

Table B-3. Groundwater Monitoring

Constituent	Units	Sample Frequency	Reporting Frequency
Groundwater Elevation	0.01 Feet	Quarterly	Annually
Depth to Groundwater	0.01 Feet	Quarterly	Annually
Gradient	Feet/Feet	Quarterly	Annually
Gradient Direction	Degrees	Quarterly	Annually
pH	Std. Units	Quarterly	Annually
Total Dissolved Solids	mg/L	Quarterly	Annually
Nitrate as Nitrogen	mg/L	Quarterly	Annually
Sodium	mg/L	Quarterly	Annually
Chloride	mg/L	Quarterly	Annually
Total Coliform Bacteria	MPN/100 mL	Quarterly	Annually

Notes for Table B-3:

- Groundwater elevation shall be based on depth to water using a surveyed measuring point elevation on the well and a surveyed reference elevation.
- If Total Coliform Bacteria are measured with the multiple tube fermentation technique, use a minimum of 15 tubes and three dilutions.

5. GENERAL SAMPLING REQUIREMENTS

a. The Discharger shall use clean sample containers and sample handling, storage, and preservation methods that are accepted or recommended or required by the approved analytical method.

b. All samples collected shall be representative of the volume and nature of the material being sampled.

c. All sample containers shall be labeled, and records maintained to show the time and date of collection as well as the person collecting the sample and the sample location.

d. All samples collected for laboratory analyses shall be preserved and submitted to the laboratory within the required holding time appropriate for the analytical method used and the constituents analyzed.

e. All samples submitted to a laboratory for analyses shall be identified in a properly completed and signed Chain of Custody form.

f. Field instruments may be used provided:

   1) The operator is trained in the proper use and maintenance of the instruments;

   2) The instruments are field calibrated prior to each monitoring event; and

   3) Instruments are serviced and/or calibrated by the manufacturer at the recommended frequency.

g. Analytical results falling between the method detection limit (MDL) and the practical quantitation limit (PQL) shall be reported as “estimated,” be accompanied by documents reporting both the MDL and PQL values for that analytical run, and be flagged appropriately (i.e., “J-flagged”).

h. MDLs shall be derived by the laboratory for each analytical method in accordance with 40 CFR 136. The PQLs shall be derived consistent with the analytical method, or described by the laboratory and shall be approved by the Regional Water Board. In a relatively interference-free laboratory, derived MDLs and PQLs are expected to agree closely with published MDLs and PQLs such as those published by U.S. EPA.

i. If the laboratory suspects that, due to a change in matrix or other effects, the MDL or PQL for a particular analytical run differs significantly from historic MDL or PQL values, results shall be flagged and reported in the quality assurance/quality control (QA/QC) report.

j. The MDL shall always be calculated such that it represents the lowest achievable concentration associated with a 99 percent reliability of non-zero results.

k. The PQL shall represent the lowest concentration at which a numerical value can be assigned with reasonable certainty.

l. All quality assurance/quality control data shall be reported, along with sample results to which it applies. This information shall include method, equipment, analytical detection, quantitation limits, recovery rates, an explanation for any recovery rate that is outside method specifications, results of equipment and method blanks, results of matrix spikes and surrogate samples, and the frequency of quality control analysis. Sample results shall be reported unadjusted for blank results or spike recovery. In cases where contaminants are detected in the quality assurance/quality control samples (i.e., field, trip, or laboratory blanks), the accompanying sample results shall be appropriately flagged.

B. REPORTING REQUIREMENTS

1. ANNUAL MONITORING AND MAINTENANCE REPORT

The Annual Monitoring and Maintenance Report shall be submitted to the Regional Water Board by **April 1st** each year. The Discharger must submit this report in a searchable, electronic format (i.e., Portable Document Format (PDF) and Electronic Deliverable Format (EDF) via the State Water Board's Internet GeoTracker system <http://geotracker.waterboards.ca.gov/> as required by this General Order. The report must include the following:

a. A transmittal letter explaining the essential points shall accompany each report. At a minimum, the transmittal letter shall identify any violations found since the last report was submitted and a description of the actions taken or planned for correcting those violations, including any references to previously submitted time schedules. If no violations have occurred since the last submittal, this shall be stated in the transmittal letter;

b. A map or aerial photograph showing the locations of observation stations and monitoring points;

c. Tabular and graphical summaries of all water quality data collected during the year, including wastewater monitoring if applicable; and

d. All historical monitoring data collected during the previous 5 years, and for which there are detectable results, including data for the previous year, shall be submitted in tabular form and in a digital file format.

e. Monitoring information must include at a minimum:
    1) The date, identity of sample, monitoring point from which the sample was collected, and time of sampling or measurement;
    2) The name of the individual(s) who performed the sampling or measurements;
    3) Date and time that analyses were started and completed;
    4) The analytical techniques or method used, including method of preserving the sample and the identity and volume of reagents used; and
    5) Field instrument calibration logs.
f. Copy of the complete laboratory analytical report(s), signed by the laboratory director or project manager, and at a minimum contain:
    1) Complete sample analytical reports;
    2) Complete laboratory QA/QC reports;
    3) A discussion of the sample and QA/QC data;
    4) A properly completed "chain of custody" from the analyzed samples; and
    5) A transmittal letter stating whether or not all of the analytical work was supervised by the director of the laboratory, and contain the following statement:
    "All analyses were conducted at a laboratory accredited for such analyses by the State Water Board's Environmental Laboratory Accreditation Program."
g. Results and discussion from the annual survey;
h. Results and discussion of the groundwater protection monitoring, if applicable, including statistical analysis as submitted in the NOI and accompanying technical report, and approved by the Regional Water Board;
i. A summary of completion of inspections and maintenance of the working surfaces, berms, ditches, erosion control BMPs or other containment structures;
j. An evaluation of completion of inspections and maintenance on the effectiveness of the wastewater handling facilities including results of the annual testing of wastewater, capacity issues, nuisance conditions, and system problems;
k. A comprehensive discussion of the compliance record, and the result of any corrective actions taken or planned which may be needed to bring the Discharger into full compliance with this General Order; and

l. A discussion of any data gaps and potential deficiencies/redundancies in the monitoring system or reporting program.

2. NOTIFICATION OF VIOLATIONS

If the Discharger determines there has been a violation of the requirements specified in either the General Order or this MRP, the Discharger must notify the Regional Water Board office by telephone or email, within **48 hours**, once the Discharger has knowledge of the violation. The notification must include a description of the noncompliance and its cause, the period of noncompliance (dates and times); and if the noncompliance has not been corrected, the anticipated time the noncompliance is expected to continue. The notification must also include steps taken or planned to reduce, eliminate, or prevent recurrence of the noncompliance.

The Regional Water Board may, depending on the severity of the violation, require the Discharger to submit a separate technical report regarding the violation within **10 working days** of the initial notification.

3. PRIORITY REPORTING OF SIGNIFICANT EVENTS

The Discharger shall report any noncompliance that endangers human health or the environment within **24 hours** of becoming aware of its occurrence. The incident shall be reported to the Regional Water Board, the local environmental health department, and to the California Governor's Office of Emergency Services (CalOES). During non-business hours, the Discharger shall leave a message on the Regional Water Board's voice mail. The message shall include the time, date, place, and nature of the noncompliance, name, and number of the reporting person, and shall be recorded in writing by the Discharger. CalOES is operational 24 hours a day. A written report shall be submitted to the Regional Water Board office within **10 working days** of the Discharger becoming aware of the incident. The report shall contain a description of the noncompliance, causes, duration, and the actual or anticipated time for achieving compliance. The report shall include complete details of steps that the Discharger has taken or intends to take to prevent recurrence. All intentional or accidental spills shall be reported as required by this provision. The written submission shall contain:

a. The approximate date, time, and location of the noncompliance including a description of the ultimate destination of any unauthorized discharge and the flow path of such discharge to a receiving water body;
b. A description of the noncompliance and its cause;
c. The flow rate, volume, and duration of any discharge involved in the noncompliance;

d. The amount of precipitation (in inches) the day of any discharge and for each of the seven days preceding the discharge;
e. A description (location, date and time collected, field measurements of pH, temperature, dissolved oxygen and electrical conductivity, sample identification, date submitted to laboratory, and analyses requested) of noncompliance discharge samples and/or surface water samples taken;
f. The period of noncompliance, including dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue;
g. A time schedule and a plan to implement corrective actions necessary to prevent the recurrence of such noncompliance; and
h. The laboratory analyses of the noncompliance discharge sample and/or upstream and downstream surface water samples shall be submitted to the Regional Water Board office within **45 days** of the discharge.

C. RECORD-KEEPING REQUIREMENTS

The Discharger must retain records of all monitoring information, including all calibration and maintenance records, and copies of all reports required by this MRP, for a minimum of **5 years** from the date of sample, measurement, report, or application. This period may be extended during the course of any unresolved litigation regarding the discharge or when requested by the Regional Water Board. Records of monitoring information must include at a minimum:

a. The date, identity of sample, monitoring point from which the sample was collected, and time of sampling or measurement;
b. The name of the individual(s) who performed the sampling or measurements;
c. Training logs and records;
d. Date and time that analyses were started and completed;
e. The analytical techniques or method used, including method of preserving the sample and the identity and volume of reagents used;
f. Calculation of results;
g. Results of analyses performed, and method used (as proposed in an NOI and accompanying technical report, and approved by the Regional Water Board) for calculating the concentration limits for each naturally occurring constituents, based on background water quality monitoring data;
h. Results of analyses and the MDL for each non-naturally occurring constituent;

i. Laboratory quality assurance results (e.g., percent recovery, response factor, etc.); and
j. Chain of Custody forms.

Ordered by:_____
(Regional Water Board Executive Officer)

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ATTACHMENT C – NOTICE OF INTENT

General Waste Discharge Requirements for Commercial Composting Operations

Order WQ 2020-0012-DWQ

DISCHARGER INFORMATION

Owner Name: _____

Street Address: _____

City/Locale: _____

County: _____

State/Zip: _____

Telephone Number: _____

Facsimile Number: _____

Email Address:

_____

Owner Type (select one): _____

□ Individual

□ Corporation

□ Partnership

□ Other (please specify): _____

OPERATOR INFORMATION IF DIFFERENT FROM OWNER INFORMATION

Operator Name: _____

Mailing Address: _____

City/Locale: _____

County: _____

State/Zip: _____

Telephone Number: _____

Facsimile Number: _____

Email Address:

_____

COMPOSTING OPERATION INFORMATION

Compost Facility Name:

_____

Street Address:

_____

City/Locale: _____

County: _____

State/Zip: _____

Telephone Number: _____

Type (check one): _____

□ Existing Composting Operation

□ New Composting Operation

Facility Acreage (acres): _____

Total Facility Capacity (cubic yards): _____

Average Weekly Throughput (cubic yards per week): _____

Assessor Parcel Number(s): _____

Latitude: _____

Longitude: _____

Regional Water Board Address:

_____

REASONS FOR FILING

□ New Discharge

□ Existing Discharge

□ Expansion or Change in Operations

□ Changes in Ownership/Operator

□ Other: _____

STORMWATER PERMIT

Is there an Industrial Storm Water Permit for this facility?

☐ Yes

☐ No

If yes, WDID Number: _____

Related to storm water, have you received a "No Exposure Certification", "Notice of Termination", or "Notice of Exemption" for this facility?

☐ Yes

☐ No

If yes, please provide a copy.

The Notice of Intent for coverage under the Industrial Storm Water Permit may be obtained over the internet at the Industrial Stormwater Program webpage: http://www.waterboards.ca.gov/water_issues/programs/stormwater/industrial.shtml

OTHER PERMITS

Has another agency issued permits or other entitlements (e.g., solid waste facility permit, notification permit, conditional use permit, building permits, air permits) for the unit?

☐ Yes

☐ No

For each permit or entitlement, list the type, issuing agency, and date of issuance:

_____

_____

_____

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Has a CEQA determination been made by an agency?

☐ Yes

☐ No

Name of Agency:

_____

Type and Date of Determination:

_____

State Clearinghouse Number:

_____

PROCESS

Allowable Materials (check all that apply, and specify the quantity onsite at any time):

☐ vegetative agricultural materials: _____
☐ biosolids (Class A, B, or EQ): _____
☐ green materials:_____
☐ paper materials: _____
☐ residentially co-collected or self-hauled food and green materials: _____
☐ anaerobic digestate: _____
☐ food material (non-vegetative):_____
☐ manure:_____
☐ vegetative food material:_____
☐ other: _____

Current Processing Capacity (cubic yards):

_____

Months during which compostable materials will be on-site: _____

Additives/Amendments and maximum dry weight percentage used (list):

_____

_____

_____

_____

SITE CONDITIONS

Anticipated highest groundwater elevation (feet mean sea level): _____

Average ground surface material percolation rate (minutes per inch) or attach results of percolation testing: _____

Annual average precipitation (inches per year): _____

Distance to nearest water supply well (feet): _____

Closest surface water and distance (name, feet): _____

DESIGN SPECIFICATION TIERS (check one)

□ Tier 1

□ Tier 1 (monitoring)

□ Tier 2

□ Tier 2 (monitoring)

If the box for Tier 1 (monitoring) or Tier 2 (monitoring) has been marked, provide the proposed Groundwater Protection Monitoring Plan with the Technical Report.

TECHNICAL REPORT

Provide a complete technical report with all the information required in Attachment D of this General Order.

FILING FEE

Pursuant to California Water Code section 13260 et seq., Dischargers enrolled under this General Order are required to pay an annual fee, as determined by the State Water Resources Control Board. The filing fee accompanying this NOI is the first year's annual fee. The annual fee is based on the threat to water quality and complexity of the discharge in accordance with California Code of Regulations, title 23, section 2200. Dischargers enrolled under this General Order will be assigned a threat to water quality and complexity rating as described in the General Order and will be assessed the corresponding fee, plus any applicable surcharges. The NOI is to be accompanied by a check, made out to the State Water Resources Control Board for the payment of the filing fee.

CERTIFICATION

"I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment."

Signature (Owner/Authorized Representative): _____

Date: _____

Printed name: _____

Title: _____

Telephone Number: _____

Email Address: _____

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ATTACHMENT D – TECHNICAL REPORT REQUIREMENTS

The technical report required as part of the Notice of Intent (NOI) to comply with the terms of this General Order must be organized such that each item listed below is addressed in the same format, including the numbering scheme. The entire General Order should be thoroughly reviewed for its requirements prior to preparation of this technical report. The minimum information needed to provide a complete review of your application by the appropriate Regional Water Board is listed below. This list may not reference all information needed for every composting operation.

The Business and Professions Code sections 6735, 7835, and 7835.1 require that engineering and geologic evaluations and judgments be performed by or under the direction of licensed professionals. Any plan or report submitted in compliance with the requirements of this General Order, which requires technical interpretation, or proposes either a design, or a design change that might affect the composting operation's containment features, detention ponds, or monitoring systems must be prepared by, or under the direction of, appropriately licensed professionals (e.g., registered civil engineer, professional geologist, or other registered certified specialty geologist) by the State of California. In addition, the licensee must sign and provide his or her registration number, and/or stamp the submitted plan or report.

A. GENERAL INFORMATION

1. Property owner's contact information including business name, main point of contact, address, telephone number, facsimile number, email address, and type of ownership (e.g., individual, corporation, etc.).
2. Operator's contact information including business name, main point of contact, address, telephone number, facsimile number, and email address.
3. Information including name, address, telephone number, facsimile number, and email address where legal notices may be served (if different than above).
4. Legal business name and location of composting operation. Use the most accurate location, which may include address, nearest town, cross streets, and latitude and longitude in accordance with the online document, "GeoTracker's Survey XYZ, Well Data, and Site Map Guidelines & Restrictions." <http://www.waterboards.ca.gov/ust/electronic_submittal/docs/geotrackersurvey_xyz_4_14_05.pdf>
5. Description of the Facility including:
    a. Assessor's Parcel Number(s);
    b. Legal description including Section, Township, and Range;
    c. Total Operational Footprint (acres) including ancillary activities;

d. Permitted Operational Capacity expressed in cubic yards of all materials received, processed, and stored on site at any given time;
e. Land uses within one mile from the perimeter of the operation; and
f. Description of water supply.

6. Provide a detailed site map showing the following:
   a. Location and size (in acres) of the working surface used for the storage of incoming feedstocks, additives, and amendments (receiving area);
   b. Location and size (in acres) of the working surface used for active and curing composting;
   c. Location and size (in acres) of the working surface used for the storage of final product;
   d. Drainage pattern;
   e. Berms and ditches for the conveyance of wastewaters;
   f. Location, size (in acres), and capacity (in acre feet) of all detention ponds, if applicable;
   g. Location of all sampling points for the monitoring of wastewater contained within ponds pursuant to the requirements of the General Order, if applicable;
   h. Location of all sampling points for the monitoring of storm water runoff under the Industrial General Storm Water Permit, if applicable; and
   i. Location of any groundwater monitoring wells and water supply wells within and/or near the property boundary.
7. Provide background information on the composting operation including history and a description of methods and operation used including the following:
   a. Describe the feedstock types, volumes, sources, and suppliers.
   b. Describe the additives used, sources, suppliers, and the maximum dry weight percentage used in the active composting process.
   c. Describe the amendments used, sources and suppliers in the final product.
   d. Describe the method of composting (e.g., windrow, static, forced air, mechanical).
   e. Provide process flow diagram showing movement of the material from received to final product. Include average amount of time the material remains in each part of the process.
   f. Describe how residuals are removed from the feedstocks managed and/or disposed.

B. SITE CONDITION INFORMATION

1. Climatology — Calculate required climatologic values from measurements made at a nearby climatologically similar station and provide the source data from which such values were calculated, together with the name, location, and period of record of the measuring station.
    a. Maximum, minimum, and average annual precipitation in inches/year;
    b. Mean evaporation in inches/year;
    c. 25-year, 24-hour design storm event.
2. Geology:
    a. Map and Cross Sections — A comprehensive geologic map and geologic cross sections showing lithology and structural features.
    b. Materials — A description of natural geologic materials in and underlying the location of the operations, including identification of lithology, distribution and dimension features, physical characteristics, special physical or chemical features (i.e., alteration other than weathering), susceptibility to natural surface/near-surface processes, and all other pertinent lithologic data, all in accordance with current industry practices.
3. Hydrogeology, including:
    a. General – An evaluation of water bearing characteristics of natural geologic materials identified under Geology above, including hydraulic conductivity and delineation of groundwater zones.
    b. Hydraulic Conductivity – An evaluation of the in-place hydraulic conductivity of soils immediately under the operation. For Tier 1 facilities, this would be substituted by the soil percolation test. This evaluation includes:
        1) Hydraulic conductivity in tabular form, for selected locations within the boundary of the operations;
        2) A map of the operations showing test locations; and
        3) An evaluation of the test procedures and rationale used to obtain the data.
    c. Groundwater Flow Direction and Depth – an evaluation of the groundwater flow velocity and direction(s) within the uppermost groundwater zone and the following conditions:
        1) Maximum and average depth to first encountered groundwater below the native ground surface (in feet) and identify the source of the information; and
        2) Maximum and average groundwater elevation of first encountered groundwater (in feet) relative to mean sea level.

4. Discuss the location and distance (in feet) to the nearest water supply wells (e.g., municipal supply, domestic supply, agricultural wells) from the nearest property boundary of the operation.
5. Discuss whether the operation is located within a 100-year flood plain based on the Federal Emergency Management Agency's (FEMA) designation and any design features to prevent inundation of the feedstocks, additives, amendments, compost (active, curing, or final product), or detention ponds. Include a reference to the appropriate FEMA Flood Hazard Map. Operations located within a 100-year floodplain may be subject to state and/or local land use restrictions and permits.
6. Identify all nearby surface water bodies, including streams, ditches, canals, and other drainage courses. Provide distances from the nearest property boundary of the operation to these areas on a map.

C. DESIGN INFORMATION

1. Provide the current and/or proposed design of all working surfaces, berms, and conveyance ditches for the storage and/or treatment of feedstocks, additives, amendments, and compost (active, curing, or final product), along with information demonstrating that these containment structures comply with appropriate design specifications of this General Order. Submit for each operational area detailed preliminary and/or (if existing, or later upon completion) as-built plans, specifications, and descriptions for all working surfaces or other containment structures and drainage/conveyance systems. In addition, the report shall contain a description of, and location data for, ancillary facilities including roads, waste handling areas, detention ponds, buildings, and equipment cleaning facilities.
2. Provide a Water and Wastewater Management Plan describing how water and wastewaters will be managed in accordance with this General Order. Information must include a description of and/or plan illustrating all precipitation controls, containment structures, (i.e., conveyance systems for wastewater and detention ponds), best management practices, and contingency plan including:
    a. A wastewater conveyance system for controlling run-on and runoff from the working surface.
    b. A description of how water and wastewater is obtained and used in the compost process.

c. A description of how the operation collects and manages wastewater. Information may include, but is not limited to, quantity that is reused back into the process, description of wastewater treatment systems, other water quality permits, and best management practices (i.e. covering materials) that reduce the production of wastewater.

d. If using a detention pond, provide a water balance demonstrating compliance with the Design, Construction and Operation Requirements section of this General Order.

D. OPERATIONS AND MONITORING INFORMATION

1. Include a proposal for an annual survey of the operation prior to the rainy season to assure that the site has been graded and prepared for the rainy season to eliminate and minimize erosion and ponding, in compliance with the requirements of this General Order.
2. Describe the inspection and maintenance program that will be undertaken regularly during composting operations, such as inspection of the containment structures for evidence of leachate, ponding, or surface failures such as cracking, spilling, or subsidence, in compliance with the specifications of this General Order.
3. Describe the means by which the composting operation will be conducted in a manner that does not cause, threaten to cause, or contribute to conditions of contamination, pollution, or nuisance.
4. Provide a description of the operations during periods of wet weather to ensure integrity of the containment systems.
5. For Dischargers proposing groundwater protection monitoring in lieu of the design specifications, include a Groundwater Protection Monitoring Plan for establishing, operating, and monitoring to verify groundwater has not been impacted by the composting operation. Include rationale for the type of monitoring, monitoring frequency, spatial distribution of monitoring points, selection of monitoring equipment, construction specifications, procedures for sampling, analysis of the data, and data evaluation. This plan must include the following:
   a. Map – a map showing the locations of the proposed monitoring system;
   b. Plans and Specifications – drawings and data showing construction details of the proposed monitoring system.
   c. Inspection Procedures – construction quality assurance plan to ensure the system will be constructed per approved plans.

d. Sampling and Analysis – the plan shall include consistent sampling and analytical procedures that are designed to ensure that monitoring results provide a reliable indication of water quality at all monitoring points. At a minimum, the plan shall include a detailed description of the procedures and techniques for:
   1) Sample collection (i.e. container types), sampling equipment (i.e. field instruments, pumps, bailers, etc.), equipment calibration, and decontamination of sampling equipment;
   2) Sample preservation and shipment;
   3) Analytical procedures;
   4) Chain of custody control; and
   5) QA/QC procedures.

e. Proposed Data Analysis Method – describe the methods that will be used in evaluating protection of water quality. The specifications for each data analysis method shall include a list of constituents of concern that will be monitored and a detailed description of the criteria to be used for determining "measurably significant" evidence of any release from the operation and for determining compliance.

E. SITE CLOSURE INFORMATION

The technical report must include a plan for site closure activities upon completion of operations under this General Order to protect public health, safety, and the environment. The plan must describe how the site will be restored in compliance with the Site Closure Requirements section of this General Order.

F. COMPLIANCE SCHEDULE (EXISTING FACILITIES)

The technical report shall include a proposed schedule for achieving compliance with this General Order. Proposed schedules for implementation of the identified collection, control, and monitoring practices must be as soon as practicable, supported with appropriate technical or economic justification and in no case may the schedule exceed **six years** from the date of the NOI. The Regional Water Board may modify the schedules based on evidence that meeting the compliance date is technically or economically infeasible.

ATTACHMENT E – NOTICE OF TERMINATION

Dischargers with Notice of Intent (NOI) request termination of coverage under the General Waste Discharge Requirements for Commercial Composting Operations (General Order) when either; (a) the operation of the facility has been transferred to another entity, (b) the facility has ceased operations and completed closure activities, (c) the facility's operations have changed and are now subject to different requirements of the General Order, or (d) the facility's operations have changed and are no longer subject to the General Order. Until a valid Notice of Termination is processed by the Regional Water Quality Control Board, the Discharger remains responsible for compliance with the General Order and payment of accrued annual fees. A Notice of Termination can only be certified by the duly authorized representative for the facility.

DISCHARGER INFORMATION

Owner Name: _____

Street Address:

_____

City/Locale: _____

County: _____

State/Zip: _____

Telephone Number: _____

Facsimile Number: _____

Email Address:

_____

Owner Type (select one): _____

1. Individual
2. Corporation
3. Partnership
4. Other (please specify):

Operator Information (if different)

Operator Name: _____

Mailing Address:

_____

City/Locale: _____

County: _____

State/Zip: _____

Telephone Number: _____

Facsimile Number: _____

Email Address:

_____

COMPOSTING OPERATION INFORMATION

Compost Facility Name:

_____

Street Address:

_____

City/Locale: _____

County: _____

Zip: _____

Telephone Number: _____

REASON FOR TERMINATION

Please select one below: _____

A. The facility has ceased operations and completed closure activities;
B. Operations are subject to different requirements of the General Order;
C. Facility operations have been transferred to another entity; or
D. The operations are no longer subject to the General Order.

CERTIFICATION

"I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment."

Signature (Owner or Authorized Representative):

_____

Date: _____

Printed name: _____

Title: _____

Telephone Number: _____

Email Address: _____