



**RESOURCE  
MANAGEMENT AGENCY  
COUNTY OF TULARE  
AGENDA ITEM**

**BOARD OF SUPERVISORS**

ALLEN ISHIDA  
District One

PETE VANDER POEL  
District Two

PHILLIP A. COX  
District Three

J. STEVEN WORTHLEY  
District Four

MIKE ENNIS  
District Five

**AGENDA DATE:** December 18, 2012

Public Hearing Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Published Notice Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Advertised Published Notice	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Meet & Confer Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Electronic file(s) has been sent	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Personnel Resolution attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s)	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>

CONTACT PERSON: Celeste Perez PHONE: (559) 624-7010

**SUBJECT:** Transfer Station Closures

**REQUEST(S):**

That the Board of Supervisors:

1. Authorize the extension of closure of Earlimart and Kennedy Meadows Transfer Stations to March 30, 2013.
2. Find that the transfer station closure extensions are exempt from the California Environmental Quality Act pursuant to the adopted State of California CEQA Guidelines Section 15061 (b)(3) and direct the Environmental Assessment Officer to sign and file the Notice of Exemption with the Tulare County Clerk.

**SUMMARY:**

On August 28, 2012 your Board passed Resolution 12-0668 authorizing the closure of the Earlimart Transfer Station effective November 1, 2012. Since that time, staff has met with the community and Licensed Refuse Hauler affected by this closure.

On October 23, 2012 your Board passed Resolution 12-0829 which extended the closure dates for the Balance Rock, Badger, and Kennedy Meadows Transfer Stations. Since that time staff has met with the communities affected by these closures.

On November 13, 2012 your Board passed Resolution 12-0865 which extended the closure date for the Earlimart Transfer Station while staff worked to lease the facility to a private operator in order to keep the site open for the community.

On December 4, 2012 your Board passed Resolution 12-0874 which implemented

**SUBJECT:** Transfer Station Closures

**DATE:** December 18, 2012

operational and fee changes to keep the Badger and Balance Rock Transfer Stations open.

Staff is requesting an extension to the closure date for the Earlimart and Kennedy Meadows Transfer Stations while working to lease the Earlimart site to a private operator and identify a fee methodology to continue the service for the Kennedy Meadows area. Due to the complex nature of the solutions to keep services available in these two areas staff is requesting an extension to March 30, 2013.

Extending closing the underutilized transfer station is consistent with Section 15061 (b)(3) "general rule" or "common sense" exemption. The exercise of the authority contained in Tulare County Ordinance Code Section 4-03-1135 to open and/or close waste transfer stations will result in the Earlimart and Kennedy Meadows Transfer Stations to remain open. Extending the closure date of the waste transfer stations will not result in an adverse impact on the health, safety, and general welfare of the citizens of Tulare County.

**FISCAL IMPACT/FINANCING:**

Closing the underutilized transfer stations would have resulted in approximately \$180,000 in savings for the Solid Waste Enterprise Fund. Extending the closure date will have a negative impact to the Solid Waste Enterprise fund and diminish the projected savings for the fund.

**LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:**

The requested actions assists the County in its efforts to manage its natural resources in addition to providing for the health and safety of the general public through environmental protection.

**ADMINISTRATIVE SIGN-OFF:**



Roger Hunt, RMA Assistant Director  
Administration Branch

Cc: Auditor-Controller  
County Counsel

Attachment  
CEQA NOE Earlimart and Kennedy Meadows Transfer Station Closure  
Extensions

**BEFORE THE BOARD OF SUPERVISORS  
COUNTY OF TULARE, STATE OF CALIFORNIA**

**IN THE MATTER OF TRANSFER  
STATION CLOSURES**

) Resolution No. \_\_\_\_\_  
) Agreement No. \_\_\_\_\_

UPON MOTION OF SUPERVISOR \_\_\_\_\_, SECONDED BY  
SUPERVISOR \_\_\_\_\_, THE FOLLOWING WAS ADOPTED BY THE BOARD  
OF SUPERVISORS, AT AN OFFICIAL MEETING HELD \_\_\_\_\_, BY THE  
FOLLOWING VOTE:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

ATTEST: JEAN M. ROUSSEAU  
COUNTY ADMINISTRATIVE OFFICER/  
CLERK, BOARD OF SUPERVISORS

BY: \_\_\_\_\_  
Deputy Clerk

\* \* \* \* \*

1. Authorized the extension of closure of Earlimart and Kennedy Meadows Transfer Stations to March 30, 2013.
2. Found that the transfer station closure extensions are exempt from the California Environmental Quality Act pursuant to the adopted State of California CEQA Guidelines Section 15061 (b)(3) and direct the Environmental Assessment Officer to sign and file the Notice of Exemption with the Tulare County Clerk.

# Notice of Exemption

Fee Exempt per Government Code Section 6301

To: ☐ Office of Planning and Research  
1400 Tenth Street, Room 121  
Sacramento, CA 95814

☒ Tulare County Clerk  
Room 105, Courthouse  
221 South Mooney Boulevard  
Visalia, California 93291

Lead Agency: Tulare County Resource Management Agency  
Public Works Branch, Solid Waste Division  
5961 South Mooney Boulevard  
Visalia, CA 93277

Applicant(s): Tulare County Resource Management Agency – Solid Waste Division  
5961 South Mooney Boulevard  
Visalia, CA 93277

Activity / Project Title: Extension of closure date of Earlimart and Kennedy Meadows Waste Transfer Stations effective March 30, 2013

Activity / Project Location - Specific: Unincorporated communities noted above in Tulare County, California

Activity / Project Location- Section, Township, Range: N/A

Activity / Project Location - City NA

Activity / Project Location - County: Tulare

Description of Nature, Purpose, and Beneficiaries of Activity / Project: Pursuant to Tulare County Ordinance Code Section 4-03-1135, the County of Tulare has the authority to determine hours of operations, fees, and opening and/or closure of waste transfer stations. The County is exploring viable cost-effective alternatives as part of its efforts to keep Earlimart and Kennedy Meadows waste transfer stations open. An alternative being explored for Earlimart is a lease through a private operator and development of a fee methodology for Kennedy Meadows. In the interim, closure of both waste transfers stations will be delayed until March 30, 2013. Regardless of alternative selected, County residents still have the opportunity to properly dispose of their solid waste prior to or following closure of the waste transfer stations at alternative sites.

## Exempt Status:

- ☐ Ministerial (Sections 21080(b)(1); 15268);
- ☐ Declared Emergency (Sections 21080(b)(3); 15269(a));
- ☐ Emergency Project (Sections 21080(b)(4); 15269(b)(c));
- ☒ General Rule Exemption: **State CEQA Guidelines Section 15061(b)(3)**
- ☐ Categorical Exemption:
- ☐ Statutory Exemptions:

Reasons why activity / project is exempt from CEQA: This action is consistent with Section 15061 (b)(3) "general rule" or "common sense" exemption. The exercise of the authority contained in Ordinance (Section 4-03-1135) may result in the closure or operational and/or fee alternatives of the Earlimart and/or Kennedy Meadows waste transfer station operated for the County of Tulare Solid Waste Division. These actions will not result in an adverse impact on the health, safety, and general welfare of the citizens of Tulare County. Attached Exhibit "A" is incorporated by reference herein.

Name of Public Agency Approving Activity / Project: County of Tulare, Resource Management Agency

Activity / Project Representative: Britt Fussel, Public Works Director Area Code/Telephone: (559) 624-7000

Signature: \_\_\_\_\_ Date: \_\_\_\_\_ Title: Chief Environmental Planner  
Hector Guerra

Signature: \_\_\_\_\_ Date: \_\_\_\_\_ Title: Assistant Director – Planning and  
Michael C. Spata Environmental Assessment Officer

☒ Signed by Lead Agency

Date received for filing at Tulare County Clerk's Office: \_\_\_\_\_

## **Exhibit “A”**

### **Reasons Why Activity is Consistent with CEQA Guidelines, 14 Cal Code Section §15061, subd. (b)(3) (“general rule” or “common sense” exemption)**

**Implementing Tulare County Ordinance Code Section 4-03-1135 allowing extension of closure date of Earlimart and Kennedy Meadows Waste Transfer Stations effective March 30, 2013, is an activity excluded from CEQA per CEQA Guidelines, 14 Cal Code §15061, subd. (b)(3) (“general rule” or “common sense” exemption).**

The reasons supporting this conclusion are stated as follows: Initially, the County anticipated closure of these facilities effective October 1, 2012.

- (a) The Solid Waste Division is responsible for administering the County of Tulare’s solid waste disposal services. Revenues are insufficient to match expenditures thereby resulting in an unsustainable deficit. Without implementation of certain authorities (such as modifying tipping fees and retaining County-generated solid waste), it can be foreseen that the Solid Waste Division is under threat to become fiscally insolvent. Expenses contained in the proposed budget for fiscal year 2012 are projected to be \$13,700,309 while revenues are projected to be \$8,246,418. In a separate action, the County of Tulare will adjust tipping fees which are subsequently projected to generate \$3,075,467 in revenues and will retain solid waste generated within Tulare County which would otherwise be transported outside of Tulare County resulting in additional revenues of \$1,333,000. Despite these additional revenues, the County still will not achieve one-hundred percent cost recovery of revenues. Another action unrelated to the waste transfer station closures includes reduced hours of operation of an underutilized landfill. These efforts are part of the County’s comprehensive effort to avoid more drastic actions which would hamper the ability of the Solid Waste Division to recover its costs.
- (b) Tulare County Ordinance 4-03-1135 provides the authority to open and/or close waste transfer stations. The waste transfer stations at Earlimart and Kennedy Meadows have very low volumes of users resulting in low volumes of solid waste being deposited at the respective sites; thus, they are not fiscally viable. Following is a summary of operational costs at each site:

Kennedy Meadows transfer station does not have a solid waste collection fee yet incurs expenses of \$87,000 annually. A roll off container is provided for the public to use free of charge, however; the County provides a staff person to haul the solid waste material to Ridgecrest. Staff is exploring a methodology to determine and collect fees in order to keep the site open. In the event of closure, the residents have the option of using the Ridgecrest landfill.

The Earlimart site incurs expenses of approximately \$200,000 per year yet generates only \$100,000 in revenues. Although a tipping fee modification is not feasible at this site, staff is exploring development of a lease to a private operator to keep this site operating. In the event of closure, residents within this service area will have the option of subscribing to refuse collection service from a Licensed Hauler or traveling to the Teapot Dome Landfill located approximately 20 miles northeast of the Earlimart Transfer Station.

Hence, the implementation of an existing Ordinance (Section 4-03-1135) allows exploration of viable cost-effective alternatives to keep the Earlimart Waste Transfer Station open through a lease with a private operator; and developing a fee methodology to keep Kennedy Meadows open thus delaying the closure of both waste transfers stations until March 30, 2013, is exempt from CEQA.