STAFF REPORT
CITY OF SOLANA BEACH

TO: Honorable Mayor and City Councilmembers
FROM: David Ott, Interim City Manager
MEETING DATE: January 14, 2015
ORIGINATING DEPT: City Manager's Department
SUBJECT: Adopt A Resolution Supporting The Redesignation Of The North San Diego County Recycling Market Development Zone To Renew The Zone And Expand Its Boundaries

BACKGROUND:
The Integrated Waste Management Act of 1989 allows for the establishment of Recycling Market Development Zones (RMDZ), which are specific geographic areas designated by the California Department of Resources Recycling and Recovery (CalRecycle), to provide financial and administrative incentives to expand economic and employment opportunities related to recycling. This designation does not affect land use standards for the areas and is only used to benefit recycling businesses, or businesses using recycled feedstock, located in the zone.

The County of San Diego (County), working with other local agencies, formed the North San Diego County Recycling Market Development Zone (RMDZ) on December 7, 1993. The original application included the cities of Carlsbad, Del Mar, Escondido, Oceanside, Poway, San Diego, San Marcos, Solana Beach and Vista to establish the North San Diego County RMDZ. The County serves as the Zone Administrator for the North County RMDZ. The redesignation of the North County RMDZ is required to renew the existing zone designation, which expired in November 2014, and the renewal would be sought for another 10 year term. The application for redesignation would also seek to expand the boundaries of the North County RMDZ to include the cities of Encinitas and Santee, as well as portions of unincorporated territory in the County.

This item is before the Council to adopt Resolution 2015-009 supporting the redesignation of the North County RMDZ and approving the County of San Diego's Negative Declaration Addendum.

CITY COUNCIL ACTION:
______________________________________________________________
______________________________________________________________

AGENDA ITEM A.5.
DISCUSSION:
RMDZs cover roughly 88,000 square-miles of California from the Oregon border to San Diego. Under the RMDZ Program, qualifying companies can apply to CalRecycle for below market, fixed rate and long term loans for projects that increase diversion of recyclable materials from landfills. Loans are for up to 75% of project cost, not to exceed $2 million, and can be used for equipment, working capital, real estate purchase (maximum of $100,000), leasehold improvements and debt refinancing. Qualifying companies include those that produce a recycled content, value added product, or otherwise increase market demand for materials normally disposed of in a landfill. CalRecycle will also provide marketing assistance, tax incentives for capital improvements, and financial planning expertise to these businesses.

The diversion and reuse or remanufacturing of discarded materials from landfills has positive environmental benefits since making products from recycled materials generally requires less energy than those manufactured from virgin materials. Recycling provides a more efficient use of the resources already extracted from the earth and recycling and remanufacturing creates jobs, stimulating the local economy. While some of the participating jurisdictions (including Solana Beach) have limited to no heavy industrial land, their participation in the RMDZ provides assistance for smaller cottage industries that also use recycled feedstock. Additionally, all jurisdictions will benefit from having local markets for their recycled materials.

The current designation of the RMDZ expired on November 16, 2014. Redesignation of the RMDZ is required so that member agencies may remain active participants in the program for another 10 years. CalRecycle requires that member cities adopt resolutions approving the County of San Diego’s redesignation submittal.

CEQA COMPLIANCE STATEMENT:
The proposed project has been reviewed for compliance with the California Environmental Quality Act (CEQA) and it has been determined that the project was covered in a previously adopted Negative Declaration for the North San Diego Recycling Market Development Zone Redesignation, as prepared by the Land Development Review Division of the City of San Diego (State Clearinghouse Number 2004091023). Pursuant to CEQA, on November 8, 2004, the City of San Diego, acting as Lead Agency, adopted the Negative Declaration (ND). On January 31, 2014, the County of San Diego, acting as Zone Administrator in anticipation of filing a redesignation with CalRecycle, having found and determined that certain amendments to the RMDZ, including the referenced boundary changes, would not result in significant unmitigated impacts and that only minor technical changes or additions to the ND were necessary and that none of the conditions described in Section 15162 of the state CEQA Guidelines calling for the preparation of a subsequent environmental document had occurred, adopted an Addendum to the Negative Declaration. Therefore, no further CEQA actions or determinations are required.

FISCAL IMPACT:
There is no fiscal impact associated with this item.
WORKPLAN: N/A

OPTIONS:
- Approve Staff recommendation.
- Approve Staff recommendation with modifications.
- Do not approve Staff Recommendation and provide direction.

DEPARTMENT RECOMMENDATION:
Staff recommends the City Council:

1. Adopt Resolution No. 2015-009:
   a) Approving the renewal of North San Diego County as a RMDZ.
   b) Adopting the RMDZ Negative Declaration Addendum.
   c) Authorizing the County of San Diego to administer the RMDZ program.

CITY MANAGER RECOMMENDATION:

Approve Department Recommendation

David Ott, Interim City Manager

Attachments:
1. Resolution No. 2015-009
2. County of San Diego RMDZ Redesignation Application
3. RMDZ Negative Declaration Redesignation Addendum
RESOLUTION NO. 2015-009

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLANA BEACH, CALIFORNIA, SUPPORTING THE REDESIGNATION OF NORTH SAN DIEGO COUNTY AS A RECYCLING MARKET DEVELOPMENT ZONE DUE TO AN INCREASE IN BOUNDARIES AND ADOPTION OF NEGATIVE DECLARATION ADDENDUM

WHEREAS, California Public Resources Code Section 42010, et al. provides for the establishment of the Recycling Market Development Zone (RMDZ) program throughout the State which provides incentives to stimulate development of post-consumer and secondary materials markets for recyclables; and

WHEREAS, all California jurisdictions must meet a 50% reduction in landfill waste disposal as mandated by the California Integrated Waste Management Act; and

WHEREAS, the North San Diego County RMDZ includes designated areas in cities of Carlsbad, Del Mar, Escondido, Oceanside, Poway, San Diego, San Marcos, Solana Beach, Vista, and the County of San Diego San Diego; and

WHEREAS, the North San Diego County RMDZ is dedicated to establishing, sustaining and expanding recycling-based manufacturing businesses, which is essential for market development and to assist these jurisdictions in meeting the established landfill waste reduction goals; and

WHEREAS, the designation of North San Diego County RMDZ expired on November 16, 2014; and

WHEREAS, the cities of Encinitas, Santee, and northern and eastern portions of the unincorporated areas of the County desire existing and new recycling-based manufacturing businesses located within their jurisdictions to be eligible for the technical and financial incentives associated with the RMDZ program; and

WHEREAS, the redesignation of the North San Diego County RMDZ and the addition of these jurisdictions to the North San Diego County RMDZ is still necessary to facilitate local and regional planning, coordination, and support existing recycling-based manufacturing businesses, as well as attract private sector recycling investments to the RMDZ; and

WHEREAS, the continued development of local markets for recycled materials would reduce the need to transport them out of the region in the future; and
WHEREAS, the current and proposed waste management practices and conditions are favorable to the development of post-consumer and secondary waste materials markets; and

WHEREAS, the California Legislature has defined environmental justice as "the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations and policies" (Government Code section 65040.12(e)), and the California Department of Resources Recycling and Recovery (CalRecycle) has adopted a goal to continuously integrate environmental justice concerns into all of the Department’s programs and activities; and

WHEREAS, the cities of Carlsbad, Del Mar, Encinitas, Escondido, Oceanside, Poway, San Diego, San Marcos, Santee, Solana Beach, Vista, and the County of San Diego San Diego have agreed to submit an application to CalRecycle requesting the redesignation of North San Diego County RMDZ due to an increase in boundaries; and

WHEREAS, the County of San Diego has agreed to act as Lead Agency for the proposed redesignation of the RMDZ; and

WHEREAS, in accordance with the California Environmental Quality Act (CEQA), the County of San Diego has reviewed and considered the information in the Negative Declaration (ND) for the North County Recycling Market Development Zone (RMDZ) prepared and adopted by the City of San Diego City Council on November 8, 2004 (SCH #2004091023); and

WHEREAS, in accordance with section 15162 of the CEQA guidelines, the County of San Diego has determined that there are no substantial changes in the project or in the circumstances under which it is undertaken which involve significant new environmental impacts which were not considered in the previously adopted ND and has prepared an Addendum to the ND for the Redesignation of North San Diego County as a RMDZ dated January 31, 2014.

WHEREAS, the City of Solana Beach finds there are no grounds for the City of Solana Beach to assume the Lead Agency role or to prepare a subsequent or supplemental environmental document; and

WHEREAS, the record of the proceedings on which the City of Solana Beach bases its decision to adopt the Negative Declaration Addendum is available from the
Lead Agency's custodian of records: Thomas Duffy, 5510 Overland Avenue, Suite 410, San Diego, California, 92123.

**NOW THEREFORE:** the City Council of the City of Solana Beach, California, does resolve as follows:

1. That the foregoing recitations are true and correct.

2. That the City of Solana Beach hereby adopts the Negative Declaration Addendum.

3. That the City of Solana Beach, as Responsible Agency, approves the renewal of North San Diego County as a RMDZ and directs Director, Department of Public Works, County of San Diego to submit an application to CalRecycle requesting redesignation of North San Diego County as a RMDZ which includes the cities of Carlsbad, Del Mar, Encinitas, Escondido, Oceanside, Poway, San Diego, San Marcos, Santee, Solana Beach, Vista, and the County of San Diego.

4. That the County of San Diego will administer the RMDZ program in a manner that seeks to ensure the fair treatment of people of all races, cultures and incomes including, but not limited to, soliciting public participation in all communities within the RMDZ, including minority and low income populations.

5. That the Director of Public Works, County of San Diego, shall file a Notice of Determination respecting this project with the State Clearinghouse pursuant to CEQA Guidelines Section 15096(i).
PASSED AND ADOPTED this 14th day of January, 2015, at a regularly scheduled meeting of the City Council of the City of Solana Beach, California by the following:

AYES: Councilmembers –
NOES: Councilmembers –
ABSENT: Councilmembers –
ABSTAIN: Councilmembers –

LES A HEEBNER, Mayor

APPROVED AS TO FORM:                      ATTEST:

JOHANNA N. CANLAS, City Attorney            ANGELA IVEY, City Clerk
RECYCLING MARKET DEVELOPMENT ZONE
Redesignation Application

This application is designed for an existing Recycling Market Development Zone (Zone) that is requesting renewal of a current Zone designation and/or requesting a change in boundaries of the Zone.

Please read the Application Instructions before completing the application (see Attachment 1). Guidance is also provided in the CEQA toolkit to assist in completing CEQA requirements for Zone Renewal and Zone boundary change.

Zone designations are approved for a term of 10 years. RMDZs must reapply for another 10 year designation term prior to the expiration of the 10-year term. If the Zone applies for a change in boundaries before its 10 year renewal anniversary, the clock will reset and a new 10 year clock will be established from the approval date of the change in boundaries.

In completing this application, the Zone Administrator should evaluate if there are any changes to the information requested based on the most recent Zone Annual Report, information contained in the Zone Information Reporting System (ZIRS) database, or previously submitted Zone designation or redesignation applications. If changes or updates are identified, please include information in the boxes provided below or attach additional documents to this application, if needed, with revised information to be included in the review. If you need assistance in determining what information has been reported to CalRecycle to date, please contact your Zone Liaison.

ALL DOCUMENTS, INCLUDING THE APPLICATION, CAN BE SUBMITTED ELECTRONICALLY. THE APPLICATION COVERSHEET WITH SIGNATURE MUST BE SUBMITTED IN HARD COPY.

Application Coversheet
Check the box or boxes indicating the type(s) of redesignation requested:

☐ Renewal of Designation
   (Please complete coversheet, certification, and Sections 1, 2 and 4 below)

☐ Zone boundary change (Please indicate which type):
   ☑ Expansion
   ☐ Reduction
   (Please complete coversheet, certification, Section 1, appropriate subsection(s) under Section 3, and Section 4 below)

If you are completing both a Renewal of Designation and requesting a Change in Boundaries, please complete section, 1, 2, 3 (choose appropriate subsection), and 4.
State of California

<table>
<thead>
<tr>
<th>Existing Zone Name: North San Diego County</th>
<th>Proposed New Name (if applicable): N/A</th>
</tr>
</thead>
<tbody>
<tr>
<td>Primary Contact – Zone Administrator (Name &amp; Title): Michael Wonsidler, Program Coordinator</td>
<td></td>
</tr>
<tr>
<td>Mailing Address: 5510 Overland Ave, Suite 210, MS 0350</td>
<td></td>
</tr>
<tr>
<td>City &amp; Zip Code: San Diego 92123</td>
<td>County/ies covered: San Diego</td>
</tr>
<tr>
<td>Phone: 858-694-2465</td>
<td>Fax: 858-505-6356</td>
</tr>
<tr>
<td>E-mail Address: <a href="mailto:Michael.Wonsidler@sdcounty.ca.gov">Michael.Wonsidler@sdcounty.ca.gov</a></td>
<td></td>
</tr>
</tbody>
</table>

Certification:
I declare, under penalty of perjury, under the laws of the State of California, that all information submitted for CalRecycle’s consideration for redesignation as a Recycling Market Development Zone is true and accurate to the best of my knowledge.

Signature of person authorized by the Resolution: _______________________ Date: _____________________

Type or print name and title: __Richard Crompton, Director of Public Works___________________

https://share.calrecycle.ca.gov/RMDZ/Shared%20Documents/RMDZ%20Redesignation%20Application.doc
(Last Updated 7 11 13)
Section 1: Application Form

For all Redesignation types (renewals and/or change in boundaries), please complete Section 1. If there have not been any changes to the Zone information since the Zone designation or latest redesignation application then you may indicate Not Applicable (N/A) in each box." or "... then you may indicate N/A in each box. (N/A = Not Applicable)"

1. Briefly describe any changes to the Zone Mission Statement (if no changes, indicate N/A):
   N/A

2. Describe any changes to how the Zone will address the four statewide objectives (if no changes, indicate N/A):

   The proposed redesignation and expansion of the North San Diego County RMDZ will assist the region to:
   
   **Extend Landfill Capacity:** Miramar, Otay and Sycamore Landfills are the three largest landfills in San Diego County. Through waste reduction, recycling and remanufacturing activities within the North San Diego RMDZ, these landfills may extend their expected length of operation. The Zone will work to increase the demand for recyclables; build the demand for these materials locally, which will generated new jobs and revenue to the region.

   **Encourage Innovative and Emerging Technologies to Address Priority Materials:** Infrastructure for organic materials is weak within this region. The Zone partners have already begun discussions on how to increase organic material market options and looking for highest and best uses of this material. Regional collaboration with the Southern Border Region RMDZ will provide greater opportunities for marketing materials as well as providing manufacturing options.

   **Distribute Zones Throughout the State:** The expansion of the North San Diego Zone will expand the size of the zone and include additional jurisdictions.

   **Stimulate Regional Markets:** Expanding the zone will allow existing recycling operations not previously included in the zone to participate in the RMDZ program. Several facilities have expressed interest in the program and financing options may help to assist these businesses with expansions and ability to increase the amount of materials processed and available for purchase in the region.

3. Describe any changes to the Zone’s targeted and regional approach (if no changes, indicate N/A):

   The zone will now encompass a larger area in the region. Staff will work with partner jurisdiction economic development personnel to assure that RMDZ information is part of their marketing strategies. Working with partner jurisdictions is vital to outreach to the business community.

4. Briefly describe any changes to the Zone’s Recycling Marketing Development Plan resulting from the Renewal or Zone Expansion, e.g., Goals and Objectives, marketing activities, locating feedstock, financial support and/or incentives for businesses, etc. If there are no changes, then indicate N/A. If there are changes, please keep it brief and you may use bullets:

   Program staff will work with local resources such as professional and trade organizations to inform targeted industries about the opportunities afforded by the RMDZ program. Another strategy will be to work with the local chambers of commerce to include information about this program in their literature while attending regional trade shows and meetings.
Person to person connections are also important as we will be outreaching to the community through business visits and attending business group meetings.

5. Describe any changes to how you will measure and evaluate the RMDZ Recycling Market Development Plan (if no changes, indicate N/A):
N/A

6. Briefly describe any changes to the Zone budget, administration, and resources (if no changes, indicate N/A):
N/A

7. Please indicate if there have been any changes to multi-jurisdictional agreements (e.g., Joint Powers Authority agreements) that pertain to the administration of the Zone. Please provide copies of agreement(s) if there have been changes or if CalRecycle does not currently have a copy of the agreement(s) on file.
N/A

8. Renewal of commitment to Environmental Justice: (Government Code section 65040.12(e) and Public Resources code Section 71110(a))
The Lead Agency agrees to administer the RMDZ program in a manner that seeks to insure the fair treatment of all races, cultures, and incomes, including but not limited to soliciting public participation in all communities within the RMDZ, including minority and low-income populations.

Section 2: Zone Renewals

a. For Zone Renewals, please include the following information:

i. For Zone Renewals, please provide a brief description as to why redesignation is sought:
North San Diego County RMDZ seeks redesignation to continue the important work of offering resources to businesses that create a viable product out of discarded materials that would otherwise be disposed in a landfill. The proposed redesignation will include additional jurisdictions which were previously excluded, allow continued expansion of recycling infrastructure and offer cost-effective waste management options for the region. With the new statewide 75% recycling goal, staff believes that it is necessary to expand local and statewide recycling businesses that have the capacity to process organic materials, carpet, lumber, plastics and others which represent a large percentage of our remaining landfill disposal.

ii. For Zone Renewals that do not result in a change to the boundaries of the Zone, please confirm that updates are not needed to the following documents compared to documents submitted as part of the original designation or subsequent redesignations.

☐ No changes to the redesignation area's boundaries as identified on a street map.
☐ No changes to the General Zoning and Land Use maps of the redesignation area.

Section 3: Change in Boundaries

DOCUMENTS TO SUBMIT WITH APPLICATION FOR ZONE CHANGES IN BOUNDARIES, INCLUDING EXPANSION, REDUCTION. NOTE: MAPS CAN BE SENT ELECTRONICALLY.

✓ A street map identifying the streets that mark the boundaries of the redesignation area on a street map, and

https://share.calrecycle.ca.gov/RMDZ/Shared%20Documents/RMDZ%20Redesignation%20Application.doc
(Last Updated 7 11 13)
✓ Copies of the existing general zoning and land use maps for the proposed redesignation area and the area immediately surrounding it. Clear identification of the boundaries of the proposed changes to the Zone should be on the maps.

a. For Zone Expansions, which covers the addition of a jurisdiction or jurisdictions to an existing Zone's boundaries, please include the following information:

i. For Zone Expansions, please provide a description of the proposed change in Zone boundaries:
This application for redesignation includes expanding the boundaries of the zone to include additional jurisdictions in north San Diego County: Cities of Santee, Encinitas, and northern and eastern portions of the unincorporated areas of the County that were not previously included. The red outlined area below illustrates the new zone boundaries.

ii. Please provide a brief justification for the Zone expansion, including how the expansion will complement the existing Zone and will create additional markets for recyclable materials:
The purpose for expanding the zone boundaries is to increase the available area in which companies that use recycled materials as feedstock for manufacturing are eligible for RMDZ incentives. While some of these jurisdictions have limited or no heavy industrial land, their participation in the zone could provide assistance for smaller cottage industries that also use recycled feedstock. Creating a larger area for materials exchange opportunities will also support niche recycling markets that will benefit the region overall, expand commerce and green job creation, as well as develop creative entrepreneurship.

DOCUMENTS TO SUBMIT WITH APPLICATION FOR ZONE EXPANSION.
✓ Letters of commitment and support for the new Zone area from jurisdictional entities having a role to play in implementing the expanded Zone's Market Development Plan.

b. For Zone Reductions, which covers the deletion of a jurisdiction or jurisdictions from an existing Zone's boundaries, please include the following information:

i. For Zone Reductions please provide a description of the proposed change in Zone boundaries including the reason the Zone is being reduced in size:

SECTION 4: CEQA

CEQA Toolkit

As part of this process for redesignation, a local jurisdiction must complete all CEQA requirements. To assist in this, CalRecycle has developed an extensive toolkit that is available on SharePoint that consists of guidance and resolution/form templates (see 3 below). If the Zone has determined that the redesignation application does not constitute a project, the resolution templates are provided (see 1 and 2 below). There are several actions that must be taken and documents that must be completed, noticed, and filed to comply with CEQA and that should be submitted with your application, which include one of the following:

1. Lead agency determination that its redesignation application does not constitute a “project” under CEQA or is otherwise exempted. If the Lead agency has decided to file a Notice of Exemption

https://share.calrecycle.ca.gov/RMDZ/Shared%20Documents/RMDZ%20Redesignation%20Application.doc
(Last Updated 7 11 13)
(NOE) with the appropriate county clerk(s) then a copy of the NOE will satisfy this requirement. The following should be provided with the application:

- Lead Agency’s NOE or other evidence of compliance with CEQA, and
- Resolutions for the lead agency approving Redesignation that includes changes in Zone boundaries (Renewal and Expansion) or approving the Redesignation (Renewal) of the Zone,
- Resolutions for any participating jurisdictions* approving Redesignation that includes changes in Zone boundaries (Renewal and Expansion) or approving the Redesignation (Renewal) of the Zone.

2. Lead agency determination that its redesignation application does not constitute a “project” under CEQA or is otherwise exempted. If the Lead agency chooses not to submit a NOE, then the Lead Agency must submit a letter with the application stating that the Lead Agency has consulted with legal counsel (or followed whatever its local procedures require) and has determined that the redesignation is exempt from CEQA and is choosing not to file a NOE. The letter should briefly explain the basis for this determination and be signed by the appropriate authority. In addition, the following must be submitted with the application:

- Lead agency’s letter stating that it has consulted with legal counsel (or followed whatever its local procedures require) and has determined that the redesignation is exempt from CEQA and is choosing not to file a NOE. The letter should briefly explain the basis for this determination and be signed by the appropriate authority.
- Resolutions for the lead agency approving Redesignation that includes changes in Zone boundaries (Renewal and Expansion) or approving the Redesignation (Renewal) of the Zone,
- Resolutions for any participating jurisdictions* approving Redesignation that includes changes in Zone boundaries (Renewal and Expansion) or approving the Redesignation (Renewal) of the Zone.

3. Lead agency determination that the project will not cause any significant environmental effects and the lead agency has filed a Notice of Determination (NOD) with the appropriate county clerk(s) and the State Clearinghouse. Submit the following with the application:

- Negative Declaration or Mitigated Negative Declaration adopted by the lead agency together with Initial Study (sometimes in the form of a checklist).
- Resolution from the lead agency adopting the Negative Declaration or Mitigated Negative Declaration and resolutions from the lead agency and any participating jurisdictions* approving changes in Zone boundaries (if applicable) and approving the Redesignation of the Zone, and
- Notice of Determination (NOD) as filed by the lead agency.

4. Lead agency determination that the CEQA documentation submitted with the previous application meets the requirements of CEQA. Submit the following with the application:

- Previous Negative Declaration or Mitigated Negative Declaration or EIR,
- Resolution from the lead agency adopting the previously-submitted environmental document and resolutions from the lead agency and any participating jurisdictions approving the changes in Zone boundaries (if applicable) and approving the Redesignation of the Zone (Note: You can use the Resolution templates in 3 above and include that you are using the Neg Dec from XX time, etc.), and
- Notice of Determination (NOD) as filed by the lead agency.
5. In the event redesignation requires the preparation and certification of an EIR, submit the following:
   a) EIR,
   b) Resolution from the lead agency certifying the EIR and resolutions from the applying agency and any participating jurisdictions* approving the Redesignation of the Zone, and
   c) Notice of Determination filed with the appropriate county clerk(s) and the State Clearinghouse.

*Note: If a Zone is part of a JPA and/or Regional Agency, than your Zone Liaison can coordinate with our Legal staff who can review the JPA to determine if individual jurisdiction resolutions, as noted above, are needed or not.
ATTACHMENT 1
APPLICATION INSTRUCTIONS

The following explains how to complete this application including the level of detail needed for narrative responses. This application is for existing Zones going through the renewal process or changing areas of the Zone. The application requests a minimal amount of information as required by regulation, but applicants should provide additional detail as needed to fulfill local requirements or outline changes to Zone activities not already documented through CalRecycle reporting systems.

Please note that the application, CEQA documents and any supporting materials, except the Cover Sheet, may be submitted electronically in lieu of hard copy to the CalRecycle Zone Liaison.

Note: The Cover Sheet(s) with original signature(s) must be submitted in hard copy to the address below—electronic signatures will not be accepted.

If the ZA cannot provide needed documentation electronically, applications can also be delivered or mailed to CalRecycle at:

CalRecycle
Local Assistance and Market Development
Attention: CalRecycle Zone Liaison
1001 I Street (P.O. Box 4025)
Sacramento, CA 95812

APPLICATION COVERSHEET

Applicant: Provide the name of the agency, department, organization, or entity applying for Zone Redesignation. If the Zone is seeking a name change based on changes in membership, please include proposed new Zone name.

Mailing Address: Provide the complete mailing address for the agency, department, organization, or entity that serves as primary Zone contact (in most cases the Zone Administrator). Include the county in which the Zone will be located. If multiple counties are included in the Zone boundaries, list all counties covered.

Primary Contact: Make sure that the person identified as the Zone Administrator is the contact person for the Lead Agency. Remember to include phone and fax numbers, as well as e-mail addresses.

Certification: This is your acknowledgement that the information you provide is accurate to the best of your knowledge.
Note: The Coversheet(s) with original signature(s) must be submitted in hard copy to the address above—electronic signatures will not be accepted.

Section 1: Background

Please review the following components to determine if changes are needed based on Zone Renewal and/or Changes in Zone Boundaries. If no changes are noted based on information transmitted to
CalRecycle through previous review cycles, Zone Annual Reports, or the Zone Information Reporting System, please indicate N/A. Please keep changes brief, e.g., use bullets, etc.

1. **Zone Mission Statement:** The Zone mission statement should include -
   - The purpose of the Zone
   - The Zone's primary stakeholders
   - How the Zone will help these stakeholders
   - Products and services offered

   Provide brief update if changes are needed. If no changes, indicate N/A.

2. **Statewide Objectives:** There are four statewide recycling market development objectives identified in PRC Section 17909.
   
   - **Objective 1:** Extend Landfill Capacity.
   - **Objective 2:** Encourage Innovative and Emerging Technologies to Address Priority Materials.
   - **Objective 3:** Distribute Zones throughout the State.
   - **Objective 4:** Stimulate Regional Markets.

   Please indicate if there are any changes to how the Zone will address the Statewide Objectives based on the redesignation sought. If no changes, indicate N/A.

3. **Zone's targeted and regional approach:** Please indicate briefly if there are any changes in available waste types and recycling processing and/or collection infrastructure at the local or regional level that would influence the materials targeted by the Zone. If no changes, indicate N/A.

4. **Zone’s Recycling Market Development Plan:** The Zone’s Recycling Market Development Plan should be current since the most recent Annual Report in the Zone Information Reporting System (ZIRS). However, for renewals this space can be used to briefly summarize any planned activities and tasks that are not already reported in ZIRS that will promote manufacturing using recycled feedstock, will attract manufacturing businesses, and will retain existing manufacturing businesses, especially in a depressed economic climate. If no changes, indicate N/A.

   In the case of a Zone Expansion, please briefly describe any changes in the Zone’s Recycling Market Development plan, e.g., changes in the plan’s Goals and Objectives, marketing activities, locating feedstock, financial support and/or incentives for businesses, etc. If no changes, indicate N/A.

   Please note that CalRecycle has developed an optional tool for Zone Administrators to use to acquire more information about potential new member jurisdictions. The **Zone Administrator Guide on New Members** is a questionnaire that can be used to determine more information about infrastructure, financial and non-financial incentives, and feedstock sourcing in jurisdictions that are seeking to be part of a Zone. Having more information about these resources will assist the Zone Administrator in future efforts to promote manufacturing throughout the Zone area and could assist in the evaluation to determine if changes need to be made to the Zone’s Recycling Market Development Plan.

5. **Zone Evaluation of Recycling Market Development Plan and Metrics:** Evaluation measures and metrics should be current since the most recent Annual Report in the Zone Information Reporting System...
(ZIRS). However, this space can be used to summarize any changes to evaluation and/or metrics that will be implemented to evaluate program specific activities, outputs, and outcomes compared to baseline information. If no changes, indicate N/A.

6. Zone Budget, Administration, and other resources: Existing zones should consider how renewal and/or expansion might require budget changes, changes in funding, expenditure of funds, etc. Information that has previously been provided to CalRecycle includes a staffing chart with information about the staff, the percent of time devoted to Zone administration, the staff’s responsibilities, and staff experience. For Zone Expansions, additional information may be needed to briefly describe how the Zone administration will coordinate with all members. If no changes, indicate N/A.

7. Multi-Jurisdictional Agreements: If there are any multi-jurisdictional agreements pertaining to the administration of the Zone, please summarize changes to the agreements that have been made since the last renewal and provide copies of the agreements. If no agreements or no changes to existing agreements, please indicate N/A.

8. Renewal of commitment to Environmental Justice: CalRecycle Regulations (Title 14 California Code of Regulations Section 17914) require all Redesignations to include a statement demonstrating the Zone’s commitment to environmental justice and to protecting the environment and public health and safety in a manner that does not unfairly affect any low-income and minority populations. (See also Government Code section 65040.12(e) and Public Resources code Section 71110(a)) Note: We have inserted the following statement into the application. Before making any changes please contact your Zone Liaison.

“The Lead Agency agrees to administer the RMDZ program in a manner that seeks to insure the fair treatment of all races, cultures, and incomes, including but not limited to soliciting public participation in all communities within the RMDZ, including minority and low income populations.”

Section 2: Zone Renewals
Please note that Zone Renewals are approved for a term of 10 years.

Describe why Zone is seeking renewal.

If there are no changes to Zone boundaries (i.e. the most recently submitted Zone boundaries, General Zoning, and Land Use maps are accurate), please check the boxes indicated. If requesting changes to Zone boundaries, please refer to Section 3 of the Application to describe changes in Zone boundaries.

Please work with the Zone Liaison assigned to the Zone if you need additional information about supplemental documents requested as part of a Zone Renewal.

Section 3: Zone boundary change
For all redesignations that will result in a change in the area covered by the Zone, please submit a street map identifying the streets that mark the boundaries of the redesignation area on a street map, and copies of the existing general zoning and land use maps for the proposed redesignation area and the area immediately surrounding it. Clear identification of the boundaries of the proposed changes to the Zone should be on the maps.
a. Zone Expansions

If adding multiple counties to the Zone, list all proposed new member cities and/or counties.

Justification for adding new jurisdictions to the Zone could include a discussion as to how new jurisdictions

- Have high potential to target existing manufacturing businesses to include more recovered materials and/or to assist them in staying viable, to help compensate for the current economic conditions; and;
- Offer high potential to target new businesses to use regionally available commodities.

*Letters of commitment and support:* Provide any letters of support you have received to support statements about in-kind support, working with other organizations, government entities, etc.

Please work with the Zone Liaison assigned to the Zone if you need additional assistance developing information about proposed new member jurisdictions as requested for a Zone Expansion.

b. Zone Reductions

Please describe changes to Zone boundaries and why the change is being sought.

Please work with your Zone Liaison if you need additional information about supplemental documents requested as part of a Zone Reduction.

Section 4: CEQA

**Complete the following components for Zone Renewals and/or Zone boundary change.**

As part of this process for redesignation, a local jurisdiction must complete all CEQA requirements. To assist in this, CalRecycle has developed an extensive toolkit that is available on SharePoint. This toolkit will guide you through the CEQA procedure for Zone redesignation, including change in boundaries, and provides templates for each step of the process. Not only is this toolkit a simple step-by-step guide, CalRecycle staff will also assist you if you need any help along the way.

*Note: The Notice of Determination must be filed with the County Clerk and the State Clearinghouse prior to submitting your documentation. Please refer to the CEQA Toolkit for additional guidance.*
ADDENDUM TO THE PREVIOUSLY ADOPTED NEGATIVE DECLARATION FOR

PURPOSE
This addendum to the previously adopted Negative Declaration (ND) has been prepared in accordance with California Environmental Quality Act (CEQA) Guidelines Section 15164 to revise the previously adopted ND to accurately reflect the changes or additions to the project, changes in conditions under which the project is undertaken, or to add new information.

BACKGROUND ON THE PREVIOUSLY ADOPTED MITIGATED NEGATIVE DECLARATION
A Final ND for the North San Diego County Recycling Market Development Zone (RMDZ) Redesignation Project, dated October 11, 2004, on file with the State Office of Planning and Research as State Clearinghouse Number 2004091023, was prepared and adopted by the City of San Diego City Council on November 8, 2004. The ND addressed redesignation or continuation of the RMDZ, a State loan program established by the California Department of Resources, Recycling and Recovery (CalRecycle), which provides economic incentives to businesses using post-consumer secondary materials from the waste stream as feedstock for manufacturing, therefore diverting solid waste material from the landfills. The program also provides technical assistance to businesses and marketing assistance to encourage re-use, development of recycled products, and waste reduction in San Diego County. The boundaries of North County RMDZ included the Cities of Carlsbad, Del Mar, Escondido, Oceanside, Poway, San Diego, San Marcos, Solana Beach, and Vista, and unincorporated areas within the County of San Diego.

The ND evaluated the environmental impacts that would result from approval to continue the State loan program for an additional 10 years until 2014. The adopted ND concluded that the project would not have any potentially significant effects of the environment.

ADDITIONS AND CHANGES TO THE NEGATIVE DECLARATION
The County of San Diego is proposing to redesignate or continue the RMDZ program for another 10 year period until 2024 and expand the zone to include the Cities of Encinitas and Santee, and the unincorporated areas of the County not previously included. The purpose for expanding the zone boundaries is to increase the area in which companies that use recycled materials as feedstock for manufacturing are eligible for RMDZ incentives. The proposed RMDZ program redesignation and zone expansion would not involve substantial changes in the magnitude of impacts identified in the adopted ND, dated October 11, 2004, and would not
create new potentially significant impacts that would require mitigation. This conclusion is based on the following analysis:

The intent of the RMDZ Loan Program is to help manufacturers increase their processing capabilities and create additional markets for recycled-content products. Expanding the zone will foster the creation of local markets for recyclables, increase business opportunities and jobs, and increase landfill diversion within the zone. The proposed RMDZ redesignation for an additional 10 years and expansion of the zone does not change zoning, land use patterns or planning, and would not result in any physical development or land use. Any project proposed as a result of incentives offered through the RMDZ would require land use review and approval from the government agency with jurisdiction and be subject to compliance with CEQA and applicable State and local planning and permitting requirements.

EXPLANATION OF THE DECISION NOT TO PREPARE A SUBSEQUENT OR SUPPLEMENTAL ND
The CEQA Guidelines Section 15162 through 15164 set forth the criteria for determining the appropriate environmental documentation, if any, to be completed when there is a pre-existing adopted Negative Declaration covering the project area.

Utilizing the results of an Environmental Review Update Checklist Form that has been prepared in accordance with CEQA Guidelines Section 15164(e) to explain the rationale for determining whether any additional environmental documentation is needed for the subject discretionary action, the Department of Public Works provides the following findings pursuant to these criteria as required by CEQA Guidelines Section 15164(e):

CEQA Guidelines Section 15162(a) states that when an ND has been adopted for a project, no Subsequent or Supplemental ND shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in light of the whole public record, one of more of the following:

1. Substantial changes are proposed in the project which will require major revisions of the previously adopted ND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

Discussion:

The ND addressed redesignation or continuation of a State loan program established by the CalRecycle that provides economic incentives to businesses using post-consumer secondary materials from the waste stream as feedstock for manufacturing, therefore diverting solid waste material from the landfills. The program also provides technical assistance to businesses and marketing assistance to encourage re-use, development of recycled products, and waste reduction in San Diego County. The proposed redesignation and zone expansion will continue a program that has been in place for the
last 20 years and would not involve substantial changes in the magnitude of impacts identified in the adopted ND, dated October 11, 2004, and would not create new potentially significant impacts that would require mitigation. The proposed RMDZ redesignation for an additional 10 years and expansion of the zone does not change zoning, land use patterns or planning, and would not result in any physical development or land use. Any project proposed as a result of incentives offered through the RMDZ would require land use review and approval from the government agency with jurisdiction and be subject to compliance with CEQA and applicable State and local planning and permitting requirements.

2. **Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous ND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.**

**Discussion:**

The physical setting of the project site has not changed significantly since the previous ND was adopted in 2004. The proposed zone redesignation includes an expansion of the RMDZ boundary, however, the project does not change zoning, land use patterns or planning, and would not result in any physical development or land use. Any project proposed as a result of incentives offered through the RMDZ would require land use review and approval from the government agency with jurisdiction and be subject to compliance with CEQA and applicable State and local planning and permitting requirements. Therefore, there are no substantial changes with respect to the circumstances under which the project is undertaken, which will require major revisions of the previously adopted ND.

3. **New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous ND was adopted, shows any of the following:**

   a. **The project will have one or more significant effects not discussed in the previous ND;** or

   **Discussion:** No new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous ND was adopted, shows that the project will have one or more significant effects not discussed in the ND. The project, as proposed, is consistent with the project evaluated in the previous ND and will not have any significant effects consistent with the conclusions in the previously adopted ND. The previously adopted ND concluded that the project would not have any potentially significant effects of the environment.
b. Significant effects previously examined will be substantially more severe than shown in the previous ND; or

Discussion: The previously adopted ND concluded that the project would not have any potentially significant effects of the environment. The proposed project is the redesignation of the RMDZ for an additional 10 years and expanding the zone to include new areas within North San Diego County. The proposed project does not change zoning, land use patterns or planning, and would not result in any physical development or land use. Any project proposed as a result of incentives offered through the RMDZ would require land use review and approval from the government agency with jurisdiction and be subject to compliance with CEQA and applicable State and local planning and permitting requirements. Therefore the project change will not result in a significant effect previously examined that will be substantially more severe than shown in the previous ND.

c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

Discussion: No new information or changes in the project design have resulted in mitigation measures or alternatives once found to be infeasible that are now feasible. The adopted ND concluded that the project would not have any potentially significant effects of the environment.

d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous ND would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Discussion: No mitigation measures or alternatives, which are considerably different from those analyzed in the previous ND, have been identified that would substantially reduce a significant effect on the environment. The adopted ND concluded that the project would not have any potentially significant effects of the environment.

CONCLUSION: None of the above criteria triggered the preparation of a Subsequent ND or EIR pursuant to CEQA Guidelines Section 15162 or 15164. Given this fact, this addendum to the previously adopted ND has been prepared in accordance with CEQA Guidelines Section 15164 to accurately reflect the present project, environmental conditions, or new information or to make minor technical changes.