



**COUNTY OF SAN MATEO**  
**Inter-Departmental Correspondence**

County Manager's Office

**DATE:** Sept. 22, 2008  
**BOARD MEETING DATE:** October 7, 2008  
**SPECIAL NOTICE:** None  
**VOTE REQUIRED:** None

**TO:** Honorable Board of Supervisors  
**FROM:** John L. Maltbie, County Manager  
**SUBJECT:** 2007-08 Grand Jury Response

**Recommendation**

Approve this report containing the County's responses to the following 2007-08 Grand Jury report: The Future of Trash Management in San Mateo County.

**VISION ALIGNMENT:**

**Commitment:** Responsive, effective and collaborative government.

**Goal 20:** Government decisions are based on careful consideration of future impact, rather than temporary relief or immediate gain.

This activity contributes to the goal by ensuring that all Grand Jury findings and recommendations are thoroughly reviewed by the appropriate County departments and that, when appropriate, process improvements are made to improve the quality and efficiency of services provided to the public and other agencies.

**Discussion**

The County is mandated to respond to the Grand Jury within 90 days from the date that reports are filed with the County Clerk and Elected Officials are mandated to respond within 60 days. To meet those requirements, attached is the County's response to the Grand Jury report on Recycling Performance Measurements, issued on July 14, 2008.

## **The Future of Trash Management in San Mateo County**

### **Findings:**

Staff is in general agreement with the Grand Jury's findings. However, a few clarifications are needed. While appreciating the Grand Jury's concern about planning for the closure of the Ox Mountain landfill, it should be pointed out that the landfill closure dates in the report are inaccurate. The report states that the Ox Mountain landfill "is scheduled to begin shutting down in 2010." Staff told the Grand Jury in meetings with the County Manager that the landfill has 18 to 20 more years of useful life under the current conditional use permit and that state regulations require development of a transition plan when the site has 15 years of remaining life. It is still three to five years until the 15-year plan has to be started. Thus, Ox Mountain will not begin shutting down in 2010.

The report also notes that the County has not met the 50% recycling diversion rates. Although not every city has met the 50% target, 14 of the 21 jurisdictions in the County have met or exceed the target, which is 67% of the total. The County is one of the 14 jurisdictions that have met the target along with 13 cities. The Waste Board has granted time extensions to six cities with diversion rates under 50% as they are making good faith efforts to reach the 50% target. Therefore, almost all the cities and the county have met the 50% rate or are on track to achieve that rate soon.

The Grand Jury report also stated that due to the current diversion rates, recycling as "a solution to landfill scarcity" is not an answer. Although not the complete solution, Staff believes that recycling is a key component of extending the useful life of Ox Mountain; the cities and the County are taking steps to further increase diversion rates.

- The South Bay Waste Management Authority (SBWMA), which provides garbage collection service to 10 cities and many of the County unincorporated areas, is currently reviewing proposals for the collection of waste, recycled items and organic materials for the members of the JPA. The new contract will start on or before January 1, 2011 and includes new services such as single stream recycling and recycling of organic materials and universal and e-waste that are expected to increase diversion rates.
- Other cities in the non-SBWMA service areas are also continually working with their franchise haulers to improve their diversion rates.

It is agreed that more work is needed to optimize diversion in the County; however, feel significant progress has been made. Also, plans are in place for further improvements to the recycling programs in the County, which will extend the useful life of the Ox Mountain landfill.

## **Recommendations:**

**The Grand Jury Recommends that the Board of Supervisors direct the County Manager to:**

- 1. Work with the Landfill operator during the upcoming contract renewal talks to consider alternatives to using green waster for daily cover such as tarpaulins to avoid filling the Landfill with recyclable green waste, to slow the filling of the Landfill and to end, or considerably reduce, the importation of trash from outside the county.**

**Response:** Agree in part. The current land use permit agreement between the County and the site owner/operator expires on December 31, 2009. The County will certainly discuss and encourage the use of non-green waste as alternative daily cover (ADC) with the landfill operator when the operator applies for new use permit. However, it should be noted that the use of ADC materials, such as green waste or tarpaulins, is regulated by the State through the Local Enforcement Agency (LEA). The LEA must approve any ADC use at Ox Mountain.

The South Bayside Waste Management Authority (SBWMA) discussed using ADC options with the landfill operator a few years ago. The operator indicated that there is inadequate material on site for the daily cover and if green waste were not used, other suitable materials would need to be brought to the landfill site. The operator evaluated three ADC options, and none were viable. Foam was rejected due to the local climate. Tarpaulins were not viable due to the terrain and work hours at the site. Construction demolition debris (C&D) was also evaluated in a pilot project but it failed to satisfy the LEA, and it was not approved. After learning this information, the SBWMA decided to haul all the green waste and C&D materials to San Jose for "higher and best use" diversion of these materials.

- 2. Work with the City/County Association of Governments of San Mateo County to find alternatives other than expanding into Apanolio Canyon.**

**Response:** Concur. As noted in the findings, when Ox Mountain has a projected life of 15 years, the County will work with C/CAG on

developing the transition plan by updating the Siting Element of the Countywide Integrated Waste Management. This work will include evaluating the benefits and impacts of all options.