

Appendix A

NOP and Comments Received

NCE has made every effort to provide this report and all associated information in an accessible format. If you need the appendices in an alternative format please contact Jeffrey Esquivel, (916) 341-6337, jeffery.esquivel@calrecycle.ca.gov.

NOTICE OF PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT AND PUBLIC SCOPING MEETING DATE

July 22, 2026

TO: California Governor's Office of Land Use and Climate Innovation, State Clearinghouse; California Responsible and Trustee Agencies; Other Interested Public Agencies; and Interested Parties and Organizations

SUBJECT: Notice of Preparation of a Program Environmental Impact Report and Notice of Public Scoping Meetings

PROJECT: Small and Medium Composting Facilities and Operations Program Environmental Impact Report

LEAD AGENCY: California Department of Resources Recycling and Recovery (CalRecycle)

REVIEW PERIOD: July 22, 2026, through August 21, 2026

The California Department of Resources Recycling and Recovery (CalRecycle), as the Lead Agency, is preparing a Program Environmental Impact Report (PEIR) pursuant to the California Environmental Quality Act (CEQA) for small and medium composting facilities and operations consistent with the requirements of Senate Bill (SB) 1046, which is further described below. CalRecycle is requesting identification of the scope and content of environmental issues and information that you or your organization believe should be considered in the PEIR.

PROJECT LOCATION: As shown in Figure 1 below, the Proposed Program would occur throughout the entirety of the State of California.

BACKGROUND: With the passage and implementation of SB 1383 in 2016, CalRecycle, in consultation with CARB, developed a series of goals (and associated regulations) to reduce disposal of organic waste (statewide) by 50 percent of 2014 levels by 2020 and 75 percent by 2025. In addition, a recovery goal of at least 20 percent by 2025 of edible food in the organic waste stream was established. CalRecycle prepared an EIR related to SB 1383 (certified in 2019) that evaluated the expansion and development of large composting facilities throughout the state in response to the established goals. The SB 1383 EIR evaluated the potential impacts of the development and expansion of larger (i.e., greater than 25,000 tons per year [tpy]) composting facilities, as well as other types of waste reduction facilities, throughout the state.

In 2024, CalRecycle prepared an evaluation of current practices and permitting related to the development of small (less than 10,000 tpy) and medium (less than 25,000 tpy) composting facilities that accept agricultural, food, and green material. As identified in that study, the entitlement and environmental review of small and medium composting facilities and operations has been historically approached in many different ways with some facilities non-discretionary (i.e., not a project under CEQA) while others would involve preparation of either a Notice of Exemption, Negative Declaration, or Mitigated Negative Declaration pursuant to CEQA requirements. This historic approach has led to challenges associated with permitting and development, following initial approval by the local jurisdiction. In order to ensure that the State continues to achieve and exceed SB 1383 targets, it is reasonably foreseeable that the

development of additional small and medium composting facilities and operations is necessary, especially within more rural areas of the state.

PROPOSED PROJECT: CalRecycle is now proposing adoption of a statewide PEIR to assist in the process to approve, site, and develop small and medium compostable material handling facilities and operations throughout the State of California, as required by the Organic Waste Reduction Bill (SB 1046, Laird, Chapter 452, Statutes of 2024). SB 1046 requires CalRecycle to prepare a PEIR to provide a consistent approach and consider impacts associated with construction and operation of small and medium composting facilities and operations statewide. The PEIR is also intended to provide an opportunity that will allow for a more consistent approach to siting and permitting (consistent with Section 15168 of the State CEQA Guidelines). The PEIR may serve as the first-tier analysis for later, more detailed, site-specific environmental reviews as necessary. Lead agencies and responsible agencies such as local land use and planning agencies, local enforcement agencies, and CalRecycle may use the CEQA document in considering subsequent discretionary actions.

ISSUES TO BE ADDRESSED IN THE ENVIRONMENTAL IMPACT REPORT: As permitted by Section 15060(d) of the State CEQA Guidelines, CalRecycle has not prepared an Initial Study/Environmental Checklist, as preparation of a PEIR is mandated by SB 1046 (2024). Based on the PEIR description and CalRecycle's understanding of the environmental issues associated with future development of small and medium composting facilities, it is anticipated that the PEIR has the potential to result in environmental effects associated with some or all of the following environmental resource areas, which will be addressed in the PEIR:

- Aesthetics
- Agriculture and Forestry Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gases
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Noise and Vibration
- Public Services
- Transportation
- Tribal Cultural Resources
- Utilities and Service Systems
- Wildfire

As the project would be intended to increase composting within the state and would not increase population or result in the removal of substantial housing opportunities within the state, evaluation of potential impacts associated with population and housing, as well as recreation, is not anticipated. Alternatives to be analyzed in the PEIR are to be defined and analyzed consistent with the requirements of CEQA Guidelines, Section 15126.6. The specific project alternatives to be evaluated in the PEIR may include, but are not limited to, the "No PEIR" alternative, as required by CEQA.

PUBLIC REVIEW AND COMMENTS: CalRecycle is soliciting comments from responsible and trustee agencies as well as interested parties as to the scope and content of the environmental information to be included in the PEIR. In

accordance with CEQA, agencies are requested to review the Proposed PEIR provided in this Notice of Preparation (NOP) and to provide comments on environmental issues related to the statutory responsibilities of each responsible or trustee agency.

SUBMITTAL OF WRITTEN COMMENTS: In accordance with CEQA Section 15082, this NOP is being circulated for a 30-day comment period. CalRecycle requests that written or typed comments be provided at the earliest possible date, but no later than **August 21, 2026**. Comments may be submitted via the following:

Electronically to: Permittrainingassistance@calrecycle.ca.gov

Or Mail to: Department of Resources Recycling and Recovery (CalRecycle)
Waste Permitting, Compliance, & Mitigation Division
Permitting and Assistance Branch
Attn: Jeffery Esquivel
1001 I Street, MS#10A
Sacramento, CA 95814

Please include the following information in your response:

- For all respondents, please provide name and contact information and identify the environmental information and issues that you believe should be addressed in the PEIR.
- For agency respondents, please provide the name of the responsible individual with contact information (mailing address, e-mail, and telephone number). List any potential permit(s) or approval(s) for the project under your agency's authority and any reasonably foreseeable projects, programs, or plans that may have an overlapping influence with the proposed project.
- Comments provided by email should include "**Small and Medium Composting Facilities Program EIR**" in the subject line and the name and physical address of the commenter in the body of the email.

DOCUMENT AVAILABILITY: Proposed PEIR information materials, including this NOP, can be viewed on the CalRecycle website at: <https://calrecycle.ca.gov/swfacilities/permitting/ceqa/> Future CEQA documents, including the PEIR, will also be made available at this webpage and at CalRecycle's Public Notice webpage, <https://www2.calrecycle.ca.gov/publicnotices/>.

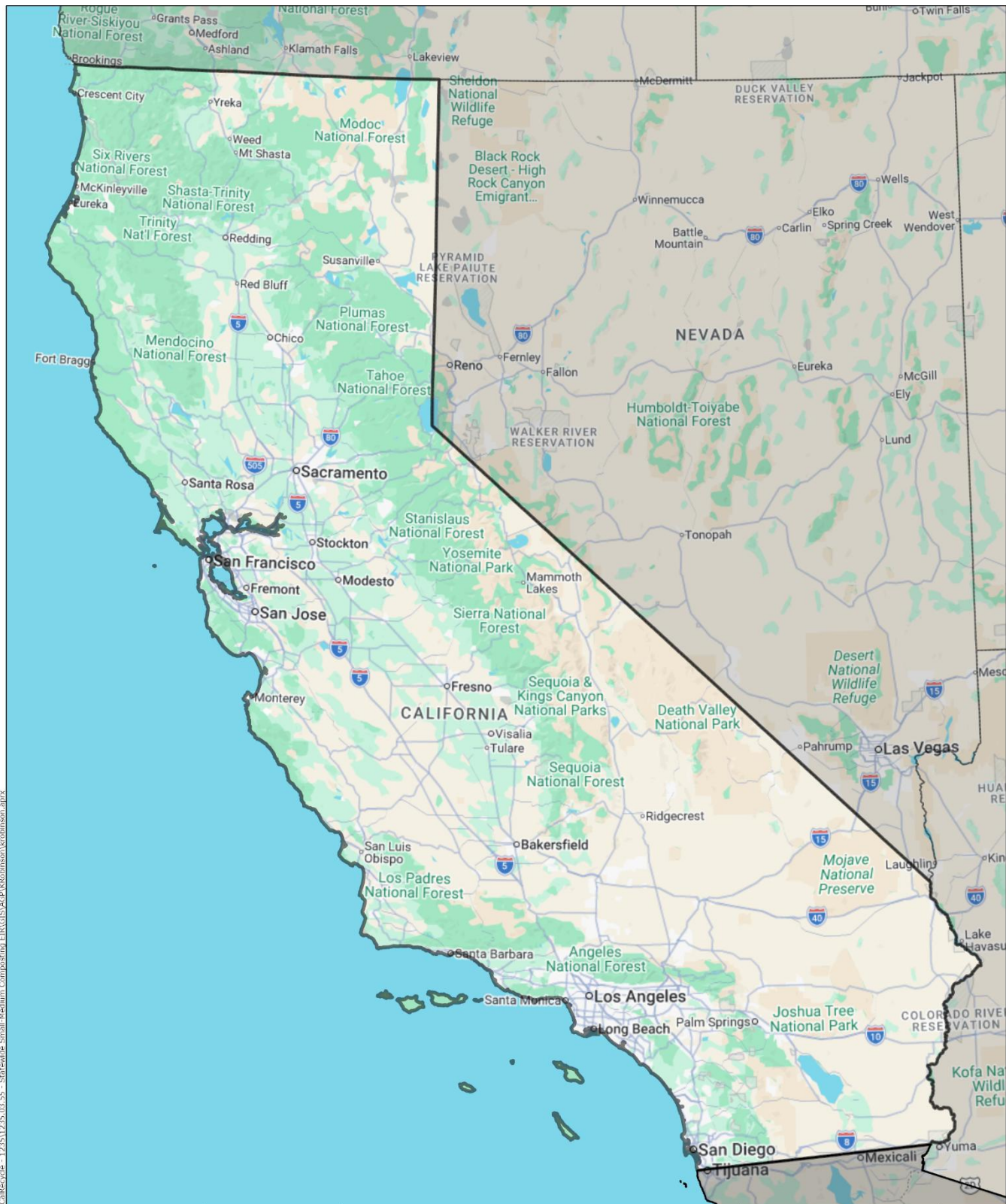
NOTICE OF SCOPING MEETINGS: CalRecycle will conduct two scoping meetings for the purposes of soliciting written comments from interested parties, responsible agencies, agencies with jurisdiction by law, trustee agencies, and involved federal agencies, as to the appropriate scope and content of the PEIR. The meetings will be held virtually on August 6, 2026. The first meeting is intended for public agencies only and will take place between 3 and 4:30 pm, and the second meeting will be held later for interested members of the public between 6 and 7:30 pm.

To attend either meeting, participants must register here:

Local and State public agencies register here: <https://us02web.zoom.us/meeting/register/Zjh0phRnQVaCgwoRU4VCfA>

Members of the public register here: <https://us02web.zoom.us/meeting/register/zq3cCvEqTNa4TdTG7E3BFQ>

After registering, participants will receive a link via email to join the appropriate webinar.



Legend State of California	 	Project Location		 1 in. = 80 mi. 	FIGURE 1
SOURCE Google Roads Basemap	JOB NUMBER 1235.03.55	DRAWN K. Robinson	DATE 7/8/2026	REVISED -	APPROVED -

1001 I Street, Sacramento, CA 95814 O P.O. Box 4025, Sacramento, CA 95812
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NATIVE AMERICAN HERITAGE COMMISSION

August 6, 2026

CHAIRPERSON
Reginald Pagaling
Chumash

Jeffrey Esquivel
California Department of Resources Recycling and Recovery (CalRecycle)

Via Email to: Jeffery.Esquivel@calrecycle.ca.gov

VICE-CHAIRPERSON
Buffy McQuillen
Yokayo Pomo, Yuki,
Nomlaki

Re: 2026070901, Small and Medium Composting Facilities and Operations Project, Statewide Counties

SECRETARY
Isaac Bojorquez
Ohlone-Costanoan

To Whom It May Concern:

PARLIAMENTARIAN
Wayne Nelson
Luiseño

The Native American Heritage Commission (NAHC) has received the Notice of Preparation of a Draft Environmental Impact Report for the project referenced above. The California Environmental Quality Act (CEQA) includes a separate category of cultural resources, "tribal cultural resources" and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. To determine whether a project will cause a substantial adverse change in the significance of a tribal cultural resource, a lead agency will need to determine whether there are tribal cultural resources within the project area.

COMMISSIONER
Sara Dutschke
Miwok

Consultation with California Native American Tribes that are traditionally and culturally affiliated with the geographic area of your proposed project should occur as early as possible. Early consultation will assist in developing a plan for protecting tribal cultural resources and avoiding inadvertent discoveries of Native American human remains.

COMMISSIONER
Stanley Rodriguez
Kumeyaay

For a list of tribes that are traditionally and culturally affiliated with your project area, or for any questions or additional information regarding tribal consultation, please contact me at Mathew.lin@nahc.ca.gov.

COMMISSIONER
Bennae Calac
Pauma-Yuima Band of
Luiseño Indians

Sincerely,

COMMISSIONER
Vacant

Mathew Lin

COMMISSIONER
Vacant

Mathew Lin, MPP
Cultural Resources Analyst

EXECUTIVE SECRETARY
Andrew Alejandre
Paskenta Band of
Nomlaki Indians

cc: State Clearinghouse

NAHC HEADQUARTERS
1550 Harbor Boulevard
Suite 100
West Sacramento,
California 95691
(916) 373-3710
nahc@nahc.ca.gov



August 19, 2026

Jeffery Esquivel
California Department of Resources Recycling and Recovery
Waste Permitting, Compliance, & Mitigation Division
1001 I Street, MS #10A
Sacramento, CA 95814

**Project: Small and Medium Composting Facilities and Operations Program
Environmental Impact Report**

District CEQA Reference No: 20260895

Dear Mr. Esquivel:

The San Joaquin Valley Air Pollution Control District (District) has reviewed the Notice of Preparation (NOP) from the California Department of Resources Recycling and Recovery (CalRecycle) for the proposed project above. Per the NOP, the project consists of the adoption of a statewide Program Environmental Impact Report (PEIR) to assist in the process to approve, site, and develop small and medium compostable material handling facilities and operations throughout the State of California (Project). The Project is located throughout the entirety of the State of California.

The Project is a program-level project and, while project-specific data may not be available until specific approvals are being granted, the PEIR should include a discussion of policies, which when implemented, will reduce or mitigate impacts on air quality at the individual project level.

The District offers the following comments at this time regarding the Project:

1) Project Related Emissions

At the federal level under the National Ambient Air Quality Standards (NAAQS), the District is designated as extreme nonattainment for the 8-hour ozone standards and serious nonattainment for the particulate matter less than 2.5 microns in size (PM_{2.5}) standards. At the state level under California Ambient Air Quality Standards (CAAQS), the District is designated as nonattainment for the 8-hour ozone, PM₁₀, and PM_{2.5} standards.

Samir Sheikh
Executive Director/Air Pollution Control Officer

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Fresno, CA 93726-0244
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Southern Region
34946 Flyover Court
Bakersfield, CA 93308-9725
Tel: (661) 392-5500 FAX: (661) 392-5585

As such, the District recommends that the PEIR stipulate that future development projects within the Small and Medium Composting Facilities and Operations PEIR identify and characterize project construction and operational air emissions. The District recommends the air emissions be compared to the District significance thresholds as identified in the District's Guidance for Assessing and Mitigating Air Quality Impacts: <https://ww2.valleyair.org/media/g4nl3p0g/gamaqi.pdf>.

The District recommends that future projects be mitigated to the extent feasible, and that future projects with air emissions above the aforementioned thresholds be mitigated to below these thresholds.

The District understands that the Small and Medium Composting Facilities and Operations PEIR is a program-level project where future individual project-specific data may not be available at this time. As such, the PEIR should include a discussion of policies, which when implemented, will require assessment and characterization of project-level emissions, and subsequently require mitigation of air quality impacts to the extent feasible at the individual project-specific level. Environmental reviews of potential impacts on air quality should incorporate the following items:

1a) Construction Emissions

The District recommends, to reduce impacts from construction-related diesel exhaust emissions, future development projects should utilize the cleanest available off-road construction equipment.

1b) Operational Emissions

Operational (ongoing) air emissions from mobile sources and stationary sources should be analyzed separately. For reference, the District's significance thresholds are identified in the District's Guidance for Assessing and Mitigating Air Quality Impacts: <https://ww2.valleyair.org/media/g4nl3p0g/gamaqi.pdf>.

Recommended Mitigation Measure: At a minimum, project related impacts on air quality should be reduced to levels below the District's significance thresholds through incorporation of design elements such as the use of cleaner Heavy Heavy-Duty (HHD) trucks and vehicles, measures that reduce Vehicle Miles Traveled (VMTs), and measures that increase energy efficiency. More information on transportation mitigation measures can be found at: <https://ww2.valleyair.org/media/ob0pweru/clean-air-measures.pdf>

1c) Recommended Model for Quantifying Air Emissions

Future development project-related criteria pollutant emissions from construction and operational sources should be identified and quantified. Emissions analysis should be performed using the California Emission Estimator Model (CalEEMod), which uses the most recent CARB-approved version of relevant emissions models and emission factors. CalEEMod is available to the public and can be downloaded from the CalEEMod website at: www.caleemod.com.

2) Health Risk Screening/Assessment

CalRecycle should evaluate the risk associated with the Project for sensitive receptors (residences, businesses, hospitals, day-care facilities, health care facilities, etc.) in the area and mitigate any potentially significant risk to help limit exposure of sensitive receptors to emissions.

To determine potential health impacts on surrounding receptors (residences, businesses, hospitals, day-care facilities, health care facilities, etc.) a Prioritization and/or a Health Risk Assessment (HRA) should be performed for future development projects that may be approved under implementation of the Project. These health risk determinations should quantify and characterize potential Toxic Air Contaminants (TACs) identified by the Office of Environmental Health Hazard Assessment/California Air Resources Board (OEHHA/CARB) that pose a present or potential hazard to human health.

Health risk analyses should include all potential air emissions from the project, which include emissions from construction of the project, including multi-year construction, as well as ongoing operational activities of the project. Note, two common sources of TACs can be attributed to diesel exhaust emitted from heavy-duty off-road earth moving equipment during construction, and from ongoing operation of heavy-duty on-road trucks.

Prioritization (Screening Health Risk Assessment):

A "Prioritization" is the recommended method for a conservative screening-level health risk assessment. The Prioritization should be performed using the California Air Pollution Control Officers Association's (CAPCOA) methodology. Please contact the District for assistance with performing a Prioritization analysis.

The District recommends that a more refined analysis, in the form of an HRA, be performed for any project resulting in a Prioritization score of 10 or greater. This is because the prioritization results are a conservative health risk representation, while the detailed HRA provides a more accurate health risk evaluation.

Health Risk Assessment:

Prior to performing an HRA, it is strongly recommended that land use agencies/project proponents develop and submit for District review a health risk modeling protocol that outlines the sources and methodologies that will be used to perform the HRA.

A development project would be considered to have a potentially significant health risk if the HRA demonstrates that the health impacts would exceed the District's established risk thresholds, which can be found here:

<https://ww2.valleyair.org/permitting/ceqa/>.

A project with a significant health risk would trigger all feasible mitigation measures. The District strongly recommends that development projects that result in a significant health risk not be approved by the land use agency.

The District is available to review HRA protocols and analyses. For HRA submittals please provide the following information electronically to the District for review:

- HRA (AERMOD) modeling files
- HARP2 files
- Summary of emissions source locations, emissions rates, and emission factor calculations and methodologies.

For assistance, please contact the District's Technical Services Department by:

- E-Mailing inquiries to: hramodeler@valleyair.org
- Calling (559) 230-5900

Recommended Measure: Development projects resulting in TAC emissions should be located an adequate distance from residential areas and other sensitive receptors to prevent the creation of a significant health risk in accordance to CARB's Air Quality and Land Use Handbook: A Community Health Perspective located at <https://ww2.arb.ca.gov/our-work/programs/resource-center/strategy-development/land-use-resources>.

3) Ambient Air Quality Analysis

An Ambient Air Quality Analysis (AAQA) uses air dispersion modeling to determine if emissions increases from a project will cause or contribute to a violation of State or National Ambient Air Quality Standards. The District recommends an AAQA be performed for any future development projects that may be approved under implementation of the Project with emissions that exceed 100 pounds per day of any pollutant.

An AAQA uses air dispersion modeling to determine if emission increase from a project will cause or contribute to a violation of State or National Ambient Air Quality Standards. An acceptable analysis would include emissions from both project-specific permitted and non-permitted equipment and activities. The District recommends consultation with District staff to determine the appropriate model and input data to use in the analysis.

Specific information for assessing significance, including screening tools and modeling guidance, is available online at the District's website:
<https://ww2.valleyair.org/permitting/ceqa/>.

4) Voluntary Emission Reduction Agreement

Future development projects from the Project could have a significant impact on air quality. The District recommends the PEIR include a feasibility discussion on implementing a Voluntary Emission Reduction Agreement (VERA) as a mitigation measure for future development projects that may be approved under implementation of the Project that are determined to exceed the District's CEQA significance thresholds.

A VERA is a mitigation measure by which the project proponent provides pound-for-pound mitigation of emissions increases through a process that develops, funds, and implements emission reduction projects, with the District serving a role of administrator of the emissions reduction projects and verifier of the successful mitigation effort. To implement a VERA, the project proponent and the District enter into a contractual agreement in which the project proponent agrees to mitigate project specific emissions by providing funds for the District's incentives programs. The funds are disbursed by the District in the form of grants for projects that achieve emission reductions. Thus, project-related impacts on air quality can be mitigated. Types of emission reduction projects that have been funded in the past include electrification of stationary internal combustion engines (such as agricultural irrigation pumps), replacing old heavy-duty trucks with new, cleaner, more efficient heavy-duty trucks, and replacement of agricultural equipment with the latest generation technologies.

In implementing a VERA, the District verifies the actual emission reductions that have been achieved as a result of completed grant contracts, monitors the emission reduction projects, and ensures the enforceability of achieved reductions. After the project is mitigated, the District certifies to the Lead Agency that the mitigation is completed, providing the Lead Agency with an enforceable mitigation measure demonstrating that project-related emissions have been mitigated.

5) Allowed Uses Not Requiring Project-Specific Discretionary Approval

In the event that CalRecycle determines that a project be approved as an allowed use not requiring a project-specific discretionary approval, the District recommends the PEIR include language requiring such projects to prepare a technical assessment, in consultation with the District, to determine if additional analysis and/or mitigation is required.

6) Vegetative Barriers and Urban Greening

For future development projects within the Project area, and at strategic locations throughout the Project area in general, the District suggests CalRecycle consider incorporating vegetative barriers and urban greening as a measure to further reduce air pollution exposure on sensitive receptors (e.g., residences, schools, healthcare facilities).

While various emission control techniques and programs exist to reduce air quality emissions from mobile and stationary sources, vegetative barriers have been shown to be an additional measure to potentially reduce a population's exposure to air pollution through the interception of airborne particles and the uptake of gaseous pollutants. Examples of vegetative barriers include, but are not limited to the following: trees, bushes, shrubs, or a mix of these. Generally, a higher and thicker vegetative barrier with full coverage will result in greater reductions in downwind pollutant concentrations. In the same manner, urban greening is also a way to help improve air quality and public health in addition to enhancing the overall beautification of a community with drought tolerant, low-maintenance greenery.

7) On-Site Solar Deployment

It is the policy of the State of California that renewable energy resources and zero-carbon resources supply 100% of retail sales of electricity to California end-use customers by December 31, 2045. While various emission control techniques and programs exist to reduce air quality emissions from mobile and stationary sources, the production of solar energy is contributing to improving air quality and public health. The District suggests that CalRecycle consider incorporating solar power systems as an emission reduction strategy for future development projects that may be approved under implementation of the Project.

8) Nuisance Odors

While offensive odors rarely cause any physical harm, they can be unpleasant, leading to considerable distress among the public and often resulting in citizen complaints.

CalRecycle should consider all available pertinent information to determine if future development projects could have a significant impact related to nuisance odors. Nuisance odors may be assessed qualitatively taking into consideration the proposed business or industry type and its potential to create odors, as well as proximity to off-site receptors that potentially would be exposed to objectionable odors. The intensity of an odor source's operations and its proximity to receptors influences the potential significance of malodorous emissions.

Any project with the potential to frequently expose members of the public to objectionable odors should be deemed to have a significant impact.

According to the District Guidance for Assessing and Mitigating air Quality Impacts (GAMAQI), a significant odor impact is defined as more than one confirmed complaint per year averaged over a three-year period, or three unconfirmed complaints per year averaged over a three-year period. An unconfirmed complaint means that either the odor or air contaminant release could not be detected, or the source of the odor could not be determined.

As the future development projects that will fall within the Small and Medium Composting Facilities and Operations PEIR do not yet exist, CalRecycle should stipulate odor mitigation measures in the PEIR as conditions of approval for those business and industry types. An example would be for a project proponent whose project is determined to have a potentially significant odor impact to draft and implement an odor management plan as a mitigation measure in the PEIR.

9) District Rules and Regulations

The District issues permits for many types of air pollution sources, and regulates some activities that do not require permits. A project subject to District rules and regulations would reduce its impacts on air quality through compliance with the District's regulatory framework. In general, a regulation is a collection of individual rules, each of which deals with a specific topic. As an example, Regulation II (Permits) includes District Rule 2010 (Permits Required), Rule 2201 (New and Modified Stationary Source Review), Rule 2520 (Federally Mandated Operating Permits), and several other rules pertaining to District permitting requirements and processes.

The list of rules below is neither exhaustive nor exclusive. Current District rules can be found online at: <https://ww2.valleyair.org/rules-and-planning/current-district-rules-and-regulations>. To identify other District rules or regulations that apply to future projects, or to obtain information about District permit requirements, the project proponents are strongly encouraged to contact the District's Small Business Assistance (SBA) Office at (559) 230-5888.

9a) District Rules 2010 and 2201 - Air Quality Permitting for Stationary Sources

Stationary Source emissions include any building, structure, facility, or installation which emits or may emit any affected pollutant directly or as a fugitive emission. District Rule 2010 (Permits Required) requires operators of emission sources to obtain an Authority to Construct (ATC) and Permit to Operate (PTO) from the District. District Rule 2201 (New and Modified Stationary Source Review) requires that new and modified stationary sources of emissions mitigate their emissions using Best Available Control Technology (BACT).

Future development projects may be subject to District Rule 2010 (Permits Required) and Rule 2201 (New and Modified Stationary Source Review) and may require District permits. Prior to construction, project proponents shall obtain an ATC permit from the District for equipment/activities subject to District permitting requirements.

Recommended Mitigation Measure: For projects subject to permitting by the San Joaquin Valley Air Pollution Control District, demonstration of compliance with District Rule 2201 (obtain ATC permit from the District) shall be provided to CalRecycle before issuance of the first building permit.

For further information or assistance, project proponents may contact the District's SBA Office at (559) 230-5888.

9b) District Rule 9510 - Indirect Source Review (ISR)

Future development projects within the Small and Medium Composting Facilities and Operations PEIR may be subject to District Rule 9510 if upon full buildout, the project would equal or exceed any of the following applicability thresholds, depending on the type of development and public agency approval mechanism:

Table 1: ISR Applicability Thresholds

Development Type	Discretionary Approval Threshold	Ministerial Approval / Allowed Use / By Right Thresholds
Residential	50 dwelling units	250 dwelling units
Commercial	2,000 square feet	10,000 square feet
Light Industrial	25,000 square feet	125,000 square feet
Heavy Industrial	100,000 square feet	500,000 square feet
Medical Office	20,000 square feet	100,000 square feet

General Office	39,000 square feet	195,000 square feet
Educational Office	9,000 square feet	45,000 square feet
Government	10,00 square feet	50,000 square feet
Recreational	20,000 square feet	100,000 square feet
Other	9,000 square feet	45,000 square feet

District Rule 9510 also applies to any transportation or transit development projects where construction exhaust emissions equal or exceed two tons of NOx or two tons of PM.

The purpose of District Rule 9510 is to reduce the growth in both NOx and PM emissions associated with development and transportation projects from mobile and area sources; specifically, the emissions associated with the construction and subsequent operation of development projects. The Rule requires developers to mitigate their NOx and PM emissions by incorporating clean air design elements into their projects.

Should the proposed development project clean air design elements be insufficient to meet the required emission reductions, developers must pay a fee that ultimately funds incentive projects to achieve off-site emissions reductions.

In the case the individual development project is subject to District Rule 9510, per Section 5.0 of the rule, an Air Impact Assessment (AIA) application is required to be submitted no later than applying for project-level approval from a public agency so that proper mitigation and clean air design under ISR can be incorporated into the public agency's analysis.

Information about how to comply with District Rule 9510 can be found online at: <https://ww2.valleyair.org/permitting/indirect-source-review-rule-overview>

The AIA application form can be found online at: <https://ww2.valleyair.org/permitting/indirect-source-review-rule-overview/forms-and-applications/>

District staff is available to provide assistance with determining if future development projects will be subject to Rule 9510, and can be reached by phone at (559) 230-5900 or by email at ISR@valleyair.org.

9c) District Rule 9410 (Employer Based Trip Reduction)

Future development projects may be subject to District Rule 9410 (Employer Based Trip Reduction) if the project would result in employment of 100 or more "eligible" employees. District Rule 9410 requires employers with 100 or more "eligible" employees at a worksite to establish an Employer Trip Reduction

Implementation Plan (eTRIP) that encourages employees to reduce single-occupancy vehicle trips, thus reducing pollutant emissions associated with work commutes. Under an eTRIP plan, employers have the flexibility to select the options that work best for their worksites and their employees.

Information about District Rule 9410 can be found online at:
<https://www2.valleyair.org/compliance/rule-9410-employer-based-trip-reduction/>.

For additional information, you can contact the District by phone at 559-230-6000 or by e-mail at etrip@valleyair.org

9d) District Rule 4002 (National Emissions Standards for Hazardous Air Pollutants)

In the event an existing building will be renovated, partially demolished or removed, Future development projects may be subject to District Rule 4002. This rule requires a thorough inspection for asbestos to be conducted before any regulated facility is demolished or renovated. Information on how to comply with District Rule 4002 can be found online at:
<https://www2.valleyair.org/compliance/demolition-renovation/>

9e) District Rule 4601 (Architectural Coatings)

Future development projects may be subject to District Rule 4601 since they may utilize architectural coatings. Architectural coatings are paints, varnishes, sealers, or stains that are applied to structures, portable buildings, pavements or curbs. The purpose of this rule is to limit VOC emissions from architectural coatings. In addition, this rule specifies architectural coatings storage, cleanup and labeling requirements. Additional information on how to comply with District Rule 4601 requirements can be found online at:
<https://www2.valleyair.org/media/tkgjeusd/rule-4601.pdf>

9f) District Regulation VIII (Fugitive PM10 Prohibitions)

The project proponent may be required to submit a Construction Notification Form or submit and receive approval of a Dust Control Plan prior to commencing any earthmoving activities as described in Regulation VIII, specifically Rule 8021 – *Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities*.

Should the project result in at least 1-acre in size, the project proponent shall provide written notification to the District at least 48 hours prior to the project proponents intent to commence any earthmoving activities pursuant to District Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities). Also, should the project result in the disturbance of 5-

acres or more, or will include moving, depositing, or relocating more than 2,500 cubic yards per day of bulk materials, the project proponent shall submit to the District a Dust Control Plan pursuant to District Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities). For additional information regarding the written notification or Dust Control Plan requirements, please contact District Compliance staff at (559) 230-5950.

The application for both the Construction Notification and Dust Control Plan can be found online at: <https://ww2.valleyair.org/media/fm3jrbsq/dcp-form.docx>

Information about District Regulation VIII can be found online at:
<https://ww2.valleyair.org/dustcontrol>

10) Future Projects / Land Use Agency Referral Documents

Future development projects may require an environmental review and air emissions mitigation. A project's referral documents and environmental review documents provided to the District for review should include a project summary, the land use designation, project size, air emissions quantifications and impacts, and proximity to sensitive receptors and existing emission sources, and air emissions mitigation measures. For reference and guidance, more information can be found in the District's Guidance for Assessing and Mitigating Air Quality Impacts at: <https://ww2.valleyair.org/media/g4nl3p0g/gamaqi.pdf>

If you have any questions or require further information, please contact Jacob Torrez by e-mail at Jacob.torrez@valleyair.org or by phone at (559) 230-6558.

Sincerely,

Mark Montelongo
Director of Policy and Government Affairs



For Daniel Martinez
Program Manager



County Administration South
601 North Ross Street
Santa Ana, CA 92701

P.O. Box 4048
Santa Ana, CA 92702

(714) 667-8800

projectinfo@pw.oc.gov

pw.oc.gov



Administrative Services



OC Agricultural
Commissioner's Office



OC Construction



OC Environmental
Resources



OC Development
Services



OC Facilities Design
& Construction
Management & CUF



OC Facilities
Maintenance



OC Fleet Services



OC Infrastructure
Programs



OC Operations
& Maintenance



August 20, 2026

Jeffery Esquivel

Department of Resources Recycling and Recovery (CalRecycle)

Waste Permitting, Compliance, & Mitigation Division

Permitting and Assistance Branch

1001 I Street, MS#10A

Sacramento, CA 95814

Subject: NCL-26-0008 – Notice of Preparation (NOP) of a Program Environmental Impact Report (PEIR) for small and medium composting facilities and operations in California.

Dear Jeffery Esquivel,

Thank you for the opportunity to comment on the Notice of Preparation (NOP) of a Program Environmental Impact Report (PEIR) for small and medium composting facilities and operations in California. The County offers the following comments:

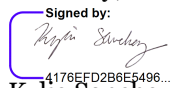
OC Environmental Resources:

Composting facility sites can be throughout Orange County, CA. Environmental Resources recommends the following water quality issues be addressed in the subsequent environmental documents:

1. Projects that, as part of a common plan of development, disturb one or more acres are required to obtain coverage under the General Permit for Discharges of Storm Water Associated with Construction Activity, Order 2022-0057-DWQ and implement a Storm Water Pollution Prevention Plan (SWPPP) and monitoring program consistent with permit requirements.
2. Specific mention should be made of whether or not the project qualifies as a *Priority Development Project* under the city's municipal stormwater permit (Santa Ana Regional Board Order R8-2009-0030) or instead is a Non-Priority Project which would require preparation of a Non-Priority Water Quality Project Plan.
3. For projects that occur in Orange County, CA, specific mention should be made of the Orange County Stormwater Program's Drainage Area Management Plan (DAMP). The DAMP is Orange County's principal policy and program guidance document for stormwater management and includes a Technical Guidance Document to follow when preparing the project's Water Quality Management Plan.
4. Specific mention should be made of the potential water quality impacts from the proposed project, and identification of the anticipated pollutants to be generated by the project should be provided.

Thank you again for the opportunity to review the NOP. If you have any questions regarding these comments, please contact Kylie Sanchez at (714) 667-8895 for OC Development Services or Matt Tucker at (714) 955-0669 for OC Environmental Resources. Please continue to keep the County of Orange on the distribution list for future notifications related to the PEIR.

Sincerely,

Signed by:

4176EFD2B6E5496...

Kylie Sanchez, Land Use Manager

OC Public Works /OC Development Services

601 North Ross Street

Santa Ana, California 92701

kylie.sanchez@pw.oc.gov

cc: Cindy Salazar, Planning Division Manager, OC Development Services
Virginia Gomez, Senior Planner, OC Development Services
Tracy Ingebrigtsen, Countywide Compliance Manager, OC Environmental Resources
Matt Tucker, Environmental Resource Specialist, OC Environmental Resources



Local Enforcement Agency

AMY HARBERT
DIRECTOR

DEPARTMENT OF ENVIRONMENTAL HEALTH AND QUALITY
P.O. BOX 129261, SAN DIEGO, CA 92112-9261
Phone: (858) 505-6700 | www.sdcdehq.org

HEATHER BUONOMO, REHS
DIRECTOR OF ENVIRONMENTAL HEALTH

August 20, 2026

Jeffery Esquivel
Permitting & Assistance Branch
Waste Permitting, Compliance & Mitigation Division
Department of Resources Recycling and Recovery (CalRecycle)
1001 I Street, MS #10A
Sacramento, CA 95814

RE: Small and Medium Composting Facilities Program EIR – LEA Comments on Notice of Preparation

Dear Mr. Esquivel,

The Department of Environmental Health and Quality, Local Enforcement Agency (LEA) for San Diego County appreciates the opportunity to comment on the Notice of Preparation (NOP) for the Small and Medium Composting Facilities and Operations Program Environmental Impact Report (PEIR), released July 22, 2026. These comments are provided in accordance with the California Environmental Quality Act (CEQA) and consistent with the duties of a Responsible Agency under CEQA Guidelines §15096, which require Responsible Agencies to respond to NOPs and identify environmental information relevant to their regulatory authority.

In general, the PEIR should clearly identify how environmental review under the statewide program will interface with existing LEA responsibilities, including solid waste facility permitting, inspections, and enforcement actions. The PEIR should also clearly explain how local agencies — including LEAs — can rely on this statewide document when reviewing and permitting future small and medium composting facilities and operations.

The LEA submits the following comments, organized by environmental resource category, focusing on what information or guidance would be most helpful for local oversight and permitting of small and medium composting facilities.

Aesthetics

The PEIR should describe general site-design practices that reduce visual impacts, such as organized pile layout, screening, equipment storage, and lighting considerations. Clear, practical expectations would help LEAs guide operators and reduce community complaints.

Agriculture and Forestry Resources

Many operations will be located on agricultural or rural land. The PEIR should address potential compatibility considerations — for example, how composting activities may interact with farming operations — so LEAs can direct applicants to appropriate land-use agencies when agricultural concerns arise. For sites in high-fire-hazard areas, the PEIR should include general fire safety principles relevant to those environments.

Air Quality

Odors and dust are significant sources of public complaints to LEAs. The PEIR should include practical, achievable guidance on odor management, feedstock handling, pile management, watering practices, and dust control measures. Standardized expectations would support consistent operational expectations and regulatory oversight.

Biological Resources

The PEIR should identify common biological considerations and include basic procedures operators should follow if biological resources are discovered and provide consistent statewide process for notifying appropriate authorities. This helps LEAs direct applicants appropriately and ensures early coordination with the correct agencies.

Cultural Resources

The PEIR should include basic procedures for operators to follow if cultural or archaeological materials are unexpectedly discovered during site preparation. LEAs would benefit from a consistent statewide process for notifying appropriate authorities.

Energy

The PEIR should describe typical energy needs for small and medium composting operations, including blowers, pumps, and equipment, so LEAs can ensure operators plan appropriately and maintain adequate power for safe operations.

Geology and Soils

The PEIR should identify basic soil and grading considerations that support safe and compliant operations, such as stable operating surfaces, proper slopes, stormwater controls, and erosion-prevention measures. These conditions directly affect nuisance control and enforcement.

Greenhouse Gases

Composting reduces methane emissions by diverting organics from landfills. The PEIR should outline general statewide assumptions about GHG reductions and identify typical sources of emissions for small and medium operations (equipment, transportation). This allows LEAs to provide consistent information to applicants and the public.

Hazards and Hazardous Materials

Feedstock contamination and fire hazards are major LEA concerns. The PEIR should clearly identify acceptable feedstocks, load-checking expectations, and minimum fire-prevention measures (pile size limits, spacing, water access, emergency procedures). This guidance is essential for inspections and enforcement.

Hydrology and Water Quality

Runoff and leachate can create odor, vector, and nuisance conditions. The PEIR should provide foundational guidance on pad construction, slopes, drainage, stormwater controls, and water-supply needs. LEAs rely heavily on these features to assess operational safety.

Land Use and Planning

The PEIR should identify common land-use compatibility considerations and clarify the respective roles of local planning departments and LEAs. This will help LEAs provide accurate direction to applicants and support consistent interagency coordination.

Mineral Resources

The PEIR should acknowledge that some rural areas contain mineral resource zones and provide general guidance on avoiding conflicts. This helps LEAs flag potential issues early and direct operators to land-use authorities.

Noise and Vibration

Noise from grinders, loaders, and truck traffic can generate nuisance complaints. The PEIR should outline general operating practices — such as limiting noisy activities to certain hours or maintaining distance from nearby sensitive receptors. Standardized expectations would support consistent operational expectations and regulatory oversight.

Public Services

The PEIR should describe the types of public-service coordination commonly required for composting operations, including fire departments, stormwater programs and potentially code enforcement programs. This helps LEAs ensure applicants identify responsible agencies and required approvals.

Transportation

Truck traffic is a frequent community concern. The PEIR should include general guidance on routing, scheduling, and on-site traffic management to help minimize nuisance impacts. LEAs may receive traffic-related complaints and would benefit from statewide direction.

Tribal Cultural Resources

The PEIR should describe when coordination with Tribal governments may be needed and outline a basic notification process for unexpected discoveries. This helps LEAs identify when and what, other agencies that need to be engaged.

Utilities and Service Systems

Adequate water supply is crucial for compost moisture management and fire prevention. The PEIR should define minimum utility expectations so LEAs can confirm proposed operations have sufficient resources to operate safely.

Wildfire

San Diego County includes extensive high-fire-risk areas. The PEIR should identify foundational fire-prevention measures such as defensible space, pile size and spacing, emergency access, and onsite water availability. These measures are essential for safe operations in rural areas and for LEA inspection oversight.

The San Diego County LEA appreciates CalRecycle's efforts to develop a comprehensive statewide PEIR that supports consistent permitting, operational safety, and effective oversight of small and medium composting facilities. We look forward to continued coordination as the PEIR is developed. I can be reached at 619-204-0702 or via email catherine.dean@sdcounty.ca.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. Dean', with a stylized flourish at the end.

Catherine Dean
Supervising EHS
Solid Waste Local Enforcement Agency

cc. Joanne Lee, DEHQ
Colleen Hines, DEHQ

M E M O R A N D U M

DATE: August 17, 2026

TO: Philip Hess, Case Planner
County of Ventura

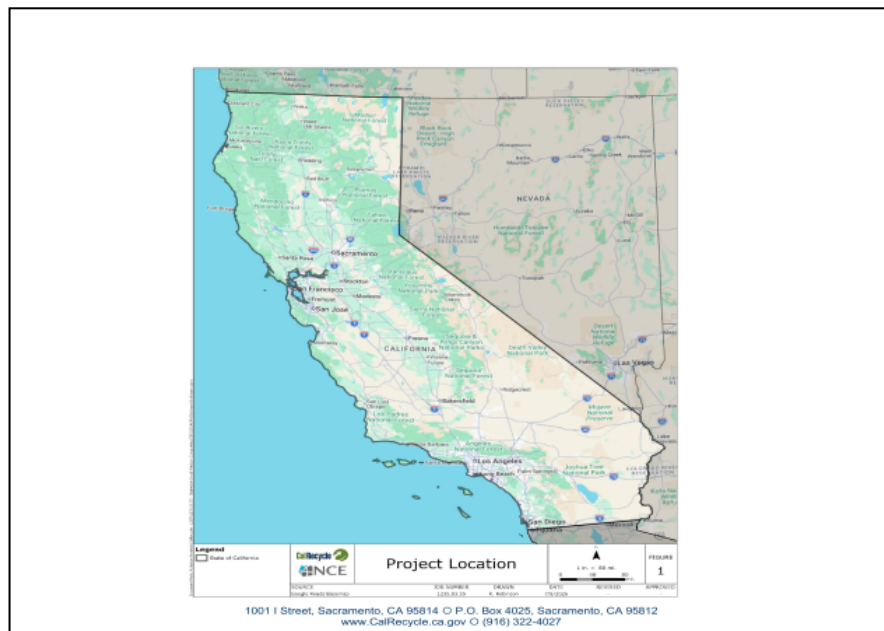
FROM: Jack Schlenger, PWA-WP Case Reviewer

SUBJECT: RMA26-019
APN:083006132
CEQA Review Comments and Conditions

Pursuant to your request dated 7/23/2026, this office has reviewed the submitted materials and provides the following comments.

PROJECT LOCATION:

Location Map:



PROJECT DESCRIPTION:

CalRecycle is now proposing adoption of a statewide PEIR to assist in the process to approve, site, and develop small and medium compostable material handling facilities and operations throughout the State of California, as required by the Organic Waste Reduction Bill (SB 1046, Laird, Chapter 452, Statutes of 2024). SB 1046 requires CalRecycle to prepare a PEIR to provide a consistent approach and consider impacts associated with construction and operation of small and medium composting facilities and operations statewide. The PEIR is also intended to provide an opportunity that will allow for a more consistent approach to siting and permitting (consistent with Section 15168 of the State CEQA Guidelines). The PEIR may serve as the first-tier analysis for later, more detailed, site-specific environmental reviews as necessary. Lead agencies and responsible agencies such as local land use and planning agencies, local enforcement agencies, and CalRecycle may use the CEQA document in considering subsequent discretionary actions

APPLICATION COMPLETENESS:

Complete - from our area of concern.

ENVIRONMENTAL IMPACT ANALYSIS:

Item 31a. Flood Control Facilities/Watercourses – Ventura County Public Works Agency, Watershed Protection is deemed to be Less Than Significant.

The proposed project is situated about 0 feet from the Statewide, which is a WP jurisdictional redline channel. No new or modified direct stormwater drainage connections to this WP channel, activities within WP's easement, or activities over, under, or within the redline channel appear to be proposed or indicated on the applicant's submitted materials.

This proposed project would result in NO increase of impervious area within the subject property.

WP staff determines that the environmental impact is less than significant (LS) on redline channels under the jurisdiction of the Ventura County Public Works Agency - Watershed Protection.

WATERSHED PROTECTION COMMENTS:

None.

WATERSHED PROTECTION CONDITIONS:

None.

RMA26-019
August 17, 2026
Page 3 of 3

If you have any questions, please feel free to contact me by email at jack.schlenger@venturacounty.gov or by phone at [805-654-2005](tel:805-654-2005).

END OF TEXT.

From: [Grunder, Nikolaus S](#)
To: [Permit Training & Assistance](#)
Subject: Small and Medium Composting Facilities Program EIR – Humboldt County LEA Comments
Date: Friday, August 21, 2026 3:58:26 PM
Attachments: [image001.png](#)

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello CalRecycle Permitting and Assistance Branch,

The Humboldt County LEA appreciates the opportunity to provide comments on the scope of the Small and Medium Composting Facilities and Operations PEIR. Humboldt County has an ongoing need for additional local capacity to process food waste. We have experienced challenges trying to get this type of project started in our rural coastal area and are hopeful that the PEIR can help make the environmental review and permitting process more practical for future projects.

The LEA recommends that CalRecycle consider the following as the PEIR is developed:

- **Rural and coastal siting constraints:** The PEIR should consider the challenges of developing small and medium composting facilities in rural coastal counties. In Humboldt County, agricultural properties can be some of the more practical locations for small composting operations. However, much of our agricultural land is also within the Coastal Zone, which can add another layer of permitting and environmental review. These projects may already require coordination between the LEA, CalRecycle, local Planning Department, Regional Water Quality Control Board, and other agencies. We encourage CalRecycle to consider these challenges when evaluating land use and siting of composting facilities in rural and coastal areas.
- **Usefulness for future local projects:** We see one of the greatest benefits of the PEIR as providing a useful starting point for environmental review of future small and medium composting projects. We encourage CalRecycle to provide enough detail on common environmental impacts and mitigation measures that local jurisdictions can make use of the PEIR when reviewing individual projects. This could be especially helpful in rural counties where suitable locations and resources for developing organics infrastructure can be limited.
- **Coordination between regulatory agencies:** Small and medium composting projects can require review and approval from several state and local agencies. We encourage the PEIR to clearly identify the roles of these agencies and look for opportunities to better coordinate the environmental review and permitting process. Better coordination between CalRecycle, LEAs, local land use agencies, Regional Water Quality Control Boards, and other agencies could make the process easier to navigate while still providing the necessary environmental protections.

Thank you again for this opportunity.

Nik Grunder, REHS, M.S.

Senior Environmental Health Specialist
Solid Waste-LEA Program
Humboldt County DHHS-Division of Environmental Health
100 H Street - Suite 100 - Eureka, CA 95501
[Environmental Health | Humboldt County, CA - Official Website](#)

Phone - (707) 298-5620





MARK PESTRELLA, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE
REFER TO FILE: **LD-1**

September 2, 2026

Mr. Jeffery Esquivel
Department of Resources Recycling and Recovery (CalRecycle)
Waste Permitting, Compliance, and Mitigation Division
1001 I Street, MS#10A
Sacramento, CA 95814

Dear Mr. Jeffery Esquivel:

**ENVIRONMENTAL PLAN (RPPL2026002936)
SMALL AND MEDIUM COMPOSTING FACILITIES AND OPERATIONS PROGRAM
NOTICE OF PREPARATION OF A PROGRAM ENVIRONMENTAL IMPACT REPORT**

As requested, Public Works has reviewed the Small and Medium Composting Facilities and Operations Program Notice of Preparation. The project proposes preparing a Program Environmental Impact Report, pursuant to the California Environmental Quality Act, for small and medium composting facilities and operations.

We offer the following comment for your consideration:

1. General Comments

- 1.1. Compliance with the National Flood Insurance Program and applicable local jurisdiction floodplain management codes must be considered when determining suitable locations.

For questions regarding comment 1.1, please contact Diana Ibarra of Public Works, Stormwater Engineering Division, at (626) 458-6132 or dibarra@pw.lacounty.gov.

- 1.2. Consider stormwater and water quality concerns related to compost materials, compost liquid runoff, sediment, nutrients, or other non-stormwater discharges in future environmental reviews.
- 1.3. There may be potential impacts to groundwater recharge areas and groundwater quality, including potential contamination.

Mr. Jeffery Esquivel
September 2, 2026
Page 2

- 1.4. Future site-specific projects may still need the Los Angeles County Flood Control District review, permits, or approvals if they affect District facilities, drainage connections, discharges, or property. The Program Environmental Impact Report should not prevent applicable Los Angeles County Flood Control District review or approvals for future site-specific projects.

For questions regarding comments 1.2-1.4, please contact Daniel Bradbury of Public Works, Stormwater Planning Division, at (626) 458-5988 or dbradbury@pw.lacounty.gov.

- 1.5. Best Management Practices should be effectively implemented during construction and on-going/future operations/maintenance activity corresponding to the expansion/development of composting facilities, that could affect the water quality of nearby/adjacent District drains, channels, rights-of-way, etc.

For questions regarding comment 1.5, please contact Timothy Marino of Public Works, Stormwater Quality Division, at (626) 300-3331 or tmarino@pw.lacounty.gov.

If you have any questions or require additional information, please contact Toan Duong of Public Works, Land Development Division, at (626) 458-4945 or tduong@pw.lacounty.gov.

Very truly yours,

MARK PESTRELLA, PE
Director of Public Works



JAMES CHON, PE
Principal Engineer
Land Development Division

DK:ec

P:\ldpub\SUBPCHECK\Plan Checking Files\Projects submitted by Other Agencies\RPPL2026002936 - Small and Medium Composting Facilities and Operations Program EIR\2026-08-19 Submittal\DPW_Cleared_2026-08-20_RPPL2026002936.docx



(Letter Sent Via Email)

September 1, 2026

Kylie Sanchez, OC Development Services/Planning
Kylie.Sanchez@pw.oc.gov

CC: Virginia.Gomez@pw.oc.gov

Subject: NCL-26-0008

Dear Kylie:

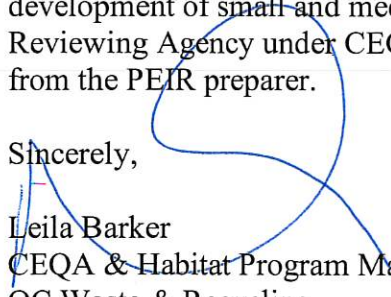
OC Waste & Recycling (OCWR) appreciates receiving your July 28, 2026 transmission of CalRecycle's Notice of Preparation (NOP) dated July 22, 2026 of the Program Environmental Impact Report (PEIR) for small and medium composting facilities and operations in California. This response letter clarifies OCWR's role as a Reviewing agency under CEQA, which underlies our statutory responsibilities in responding to the referenced NOP. Specifically, OCWR is being asked to provide comments and guidance on the scope of the Project's PEIR including any potentially significant environmental impacts and reasonable alternatives and mitigation measures that may be germane to OCWR and therefore recommended for evaluation in the PEIR, if applicable.

We recognize that OCWR would not be responsible for issuing any discretionary approvals or permits for future development of small and medium composting facilities and operations within Orange County and therefore would not have a Responsible agency role under CEQA.

Furthermore, we assume that future development of such facilities is not expected to occur at any of our active or closed landfill properties. As such, we assume that the proposed Project would not have any direct environmental impacts on our active or closed landfill properties, facilities and operations.

Nevertheless, we recognize that information related to landfill capacity in Orange County may be of interest to the PEIR preparer as part of the solid waste analysis in the Public Services section with respect to potential organic and solid waste disposal needs associated with future development of small and medium composting facilities within Orange County. Therefore, as a Reviewing Agency under CEQA, OCWR looks forward to responding to any such data requests from the PEIR preparer.

Sincerely,


Leila Barker
CEQA & Habitat Program Manager
OC Waste & Recycling
Email: Leila.barker@ocwr.ocgov.com

From: [Esquivel, Jeffery@CalRecycle](mailto:Esquivel,Jeffery@CalRecycle)
To: ["Lauren Spellman"](#)
Cc: Perez, Martin@CalRecycle
Subject: RE: CalRecycle EIR

Hello –

Thanks for attending the meeting this evening and I'm not sure why you were unable to raise a hand or ask a question through the chat box. Thanks for reaching out with your question. I would like to confirm dairies were brought up in a previous scoping meeting and I would expect a discussion in the EIR on this topic. If you have further comments, please feel free to submit via email or letter.

Jeffery Esquivel
Training & Assistance Section
Permitting & Assistance Branch
Waste Permitting, Compliance, & Mitigation Division
Department of Resources Recycling and Recovery (CalRecycle)
1001 I Street, MS#10A
Sacramento, CA 95814
916.341.6337

From: Lauren Spellman
Sent: Thursday, August 6, 2026 6:31 PM
To: Esquivel, Jeffery@CalRecycle
Subject: CalRecycle EIR

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good evening, Jeffery,

I apologize for the late email, I was just in the Scoping #2 meeting on zoom but did not have access to the chat or have the raise hand function.

Will this EIR apply to dairies?

Thank you,

Lauren Spellman
Account Assistant



1225 8th Street, Suite 230
Sacramento, CA 95814
M: (559) 670-0860
lsPELLMAN@cogentcc.com



August 20, 2026

Electronically to: Permittrainingassistance@calrecycle.ca.gov

Jeffery Esquivel
Department of Resources Recycling and Recovery (CalRecycle)
Waste Permitting, Compliance, & Mitigation Division Permitting and Assistance Branch
1001 I Street, MS#10A
Sacramento, CA 95814

RE: Small and Medium Composting Facilities Program EIR

Dear Mr. Esquivel:

We appreciate being part of the Scoping Meetings held by CalRecycle on August 6, 2026, where we provided verbal comments that are presented in this letter. Please combine meetings in the future for both stakeholders and regulators as we work together every day on these issues and would welcome hearing each other's points of view.

We welcome the Program EIR for Small and Medium Composting Facilities. The Program EIR for Anaerobic Digestion (AD) Facilities in 2010 helped unlock the mysteries of AD where that that Program EIR was pertinent in launching the AD industry. The NOP alluded that the EIR for SB 1383 in 2019 was for a Program EIR for commercial covered aerated static pile (CASP) facilities, but it was not the Program EIR for CASP that could have been done at the time, although it had useful information for SB 1383 implementation.

We understand that for small composting facilities of under 5,000 cubic yards on site will need to align with SB 279 that was adopted by the Legislature in 2025. Our comments are exclusive to medium volume composting facilities that can store up to 12,500 cubic yards which would need to be permitted with an Enforcement Agency Notification (EAN) under CalRecycle regulatory authority. We have the following comments:

Feedstock Types – Include Biochar – Exclude Food Waste

Feedstock should be limited to agricultural and green materials which are allowed under the EAN application process. There is no allowance for food waste other than vegetative food material from agricultural operations.

We would recommend to include biochar as an additive to the feedstocks being analyzed. Up to 10% biochar additions can reduce VOCs to up to 33% and significantly reduce odors. Since air quality is the major concern for these types of facilities, biochar would be an important feedstock to add. Biochar is readily available for this type of use and has so many co-benefits that the Program EIR should evaluate facilities with and without biochar to provide the needed information for so many local air districts throughout California.

Tonnages – Design for Peak of 60,000 Tons Per Year with several business models

Medium volume composting facilities that can store up to 12,500 cubic yards where different business models can show a wide range of tonnage throughput. Air districts issue their permits based upon annual throughput and not cubic yards stored on-site. Plus, Project EIRs always design for peak tonnage and not average, where this Program EIR needs to evaluate the peak. Under the California Environmental Quality Act (CEQA), a Program EIR (PEIR) evaluates broad policy directions and cumulative impacts. It typically analyzes ***average daily conditions*** for regional planning, but it must account for ***peak loads***.

Program EIRs require an alternatives analysis to just an average project condition. Under the California Environmental Quality Act (CEQA), a Program EIR must evaluate a reasonable range of alternatives to the project, or to the program as a whole, that could feasibly attain most of the basic objectives while reducing environmental impacts.

The NOP uses an average of 25,000 TPY for the throughout of a medium volume compost facility, which can be viewed as an industry average. Different business models do yield higher annual throughputs, which should also be evaluated as peak conditions as part of the Program EIR description. At a minimum, peak business models should be evaluated with alternative analysis to reflect the reality of case studies today, and not just an industry average.

1. EAN Notification Tier Facility – 25,000 TPY average

Many facilities operating windrow composting with 4 cycles per year and need to store compost on-site for seasonal markets has averaged 25,000 TPY and should be evaluated as suggested.

2. Chip and Grinding Facilities with Composting – 60,000 TPY peak

Chip and Grind facilities can apply for an EAN for up to 200 TPD and compost on-site up to 12,500 CYD. The inbound material of 200 TPD could translate to 60,000 TPY where the facility as a whole should be evaluated. The amount of material going to composting may

vary, but the emissions from a 200 TPD green material operation for storage and processing are a common business model and should be evaluated.

3. Pre-processing Off-site and Limited on-Site Storage Compost Facilities – 60,000 TPY peak

Composting on ranches and using compost on the rangelands is another business model that can process up to 60,000 TPY. In-bound material is already pre-processed at a Solid Waste Facility Permit to remove contamination and any food waste, where the clean green material is feedstock ready and is delivered directly into windrows. Compost operators have produced Title 14-compliant compost in 28-day cycles. When the Title-14 compliant compost is finished, the compost is moved and staged at various parts of the ranch to be cured prior to spreading over prescribed grazing lands throughout the year with rotation grazing that leads to year round markets. This is now a common business model and should be evaluated.

To legally distribute, sell, or land-apply a product as finished or stabilized compost in California without restriction, the material must pass three strict testing thresholds under Title 14. Curing is not an absolute regulatory prerequisite under Title 14 for a product to be classified as "finished" or "stabilized" compost, provided the material has fully met the state's strict analytical performance standards. While Title 14 defines curing as the final stage of composting where readily metabolized material decomposes and stabilizes, the law regulates the final product based on biological and physical endpoints rather than a mandatory timeline or explicit curing phase, thus the curing occurs away from the compost facility EAN boundary but occurs adjacent to the prescribed grazing paddocks.

4. CASP Compost Facility – 60,000 TPY peak

Local air districts, such as the SJVAPCD, may require CASP composting as a new source which requires Best Available Control Technology (BACT), with CASP being the approved BACT technology. This would be a viable option that has been explored but not implemented due to the high costs of emission reduction credits (ERCs). Should ERCs not be required, there could be several EAN CASP facilities being developed in certain air districts with stricter air quality regulations and should be evaluated.

Baseline Conditions Comparing Landfilling to Composting

The Program EIR should evaluate baseline conditions of landfilling the organic waste per each business model. The analysis should review criteria pollutants, methane emissions, and loss of nutrients. The Program EIR should also evaluate program conditions of composting the organic waste per business models above compared to landfilling for criteria pollutants, methane emissions and loss of nutrients. This analysis will provide the net benefits of composting organic waste compared to landfilling.

With the information above, the Program EIR should explain how composting is viewed as a 'new source' when the net benefit over landfilling is evident, and what could occur to no longer classify these facilities as a 'new source', where the inherent net benefits are ignored.

Essential Public Service (EPS) and Emission Reduction Credits (ERCs)

Composting facilities are increasingly considered as essential public services. Much like traditional wastewater treatment and solid waste management, organic waste processing is critical for protecting public health, meeting state environmental mandates, and maintaining municipal infrastructure. The South Coast Air Quality Management District (SCAQMD) is expanding its definition of an Essential Public Service under Rule 1302 to include qualifying composting operations. This change helps facilities comply with California's organic waste mandates under SB 1383 by granting access to ERC from their Priority Reserve. This Program EIR should evaluate compost facilities as being essential public service to fulfill the SB 1383 mandate by granting access to ERC banks, where available.

As part of the air permitting process, whether through a compost-specific rule or through an air district's New Source Review, an air district determines the facility potential to emit (PTE). The PTE is then used to determine if the proposed activity exceeds the air district's threshold to require a Health Risk Assessment (HRA), use of a Best Available Control Technology (BACT) or obtain Emission Reduction Credits (ERCs) or offsets.

California state law requires air districts to adopt ERC banking programs. Air districts are responsible for tracking the price paid (in dollars per ton), the pollutant traded, the amount traded, and the year of the transaction. Districts are required to provide this information to CARB annually, and CARB compiles the information from all air districts to assemble a statewide report. The purchase of ERCs may be a significant investment for a proposed composting activity, hence the use of a BACT system such as an ASP composting system may reduce the ERCs required by the air district.

Kern County Public Works paid \$7.2 million for ERCs in the SJVAPCD and was fortunate to receive a \$10 million CalRecycle grant to off-set those ERC costs. An EAN green waste facility being proposed in San Joaquin County was stalled out after ERC cost of \$3 million was required. New facilities in the SJVAPCD being permitted are facing the ERCs requirements. Without grant funding in the future, new composting facilities in the SJVAPCD will not go forth. The Program EIR should evaluate the impacts of ERCs on permitting composting facilities while the baseline conditions of landfilling to composting shows such a significant net benefit.

Alternative Analysis and Market Off-Take Options

Program EIRs require an alternatives analysis. Under the California Environmental Quality Act (CEQA), a Program EIR must evaluate a reasonable range of alternatives to the project, or to the program as a whole, that could feasibly attain most of the basic objectives while reducing environmental impacts. The following analysis should be included in this Program EIR.

1. Anaerobic digestion (AD) of green waste is a viable alternative. There have been numerous claims comparing AD to composting which should be evaluated.
2. The landfilling of green waste is a legal alternative and should be evaluated as a baseline condition, as mentioned already in this letter.
3. Title 27 allows processed green waste to be used as Alternative Daily Cover (ADC) at landfills and it is still a common practice. The Program EIR should evaluate this alternative and its environmental impacts.
4. The illegal dumping of unprocessed green waste is an alternative now being regulated by CalRecycle. While this alternative is illegal, it still occurs and has been a common practice due to lack of enforcement. The industry is highly supportive of the recently adopted CalRecycle land application regulations but this practice should be evaluated as it continues, and the environmental impacts of that activity should be included.

The preferred Off-Take program is using compost on productive agricultural lands and the natural and working lands of California at a proper agronomic rate, where the carbon sequestering potential and co-benefits should be fully evaluated. A discussion of developing carbon offsets with high integrity, nature-based, voluntary carbon credits should be evaluated.

There is an alternative occurring today where landfills use compost as ADC that should be evaluated:

1. Title 27 allows compost products to be used as ADC and is still a common practice. The Program EIR should evaluate this alternative off-take market to analyze the loss of soil carbon sequestering and nutrients.

Edgar & Associates has permitted dozens of these EAN facilities throughout the state and bring over 30 years of experience when commenting on this Program EIR. Our comments reflect the operational and business realities of the compost industry. We had hoped that CalRecycle would have held a stakeholder workshop on these issues before releasing the RFP for Program EIRs services to develop the Scope of Work. Being locked into to a current contract and not evaluating the options and alternatives presented in this letter would be a missed opportunity and not follow the legislative intent of SB 1046 (Laird, 2024).

The legislative intent of this Program EIR is to streamline the permitting process for small and medium compostable material handling facilities or operations in the state that accept agricultural, food, and green materials. The Program EIR shall streamline the process with which jurisdictions can develop and site those facilities or operations to ensure organic material in the state is processed to its highest and best use, and our comments reflect the state of the industry that need to be considered to fulfill the legislative intent of SB 1046 (Laird, 2024).

Please contact me with any questions at (916) 444-5345.



Evan W.R. Edgar
Engineer

August 21, 2026

Department of Resources Recycling and Recovery (CalRecycle)
Waste Permitting, Compliance, & Mitigation Division
Permitting and Assistance Branch
Attn: Jeffery Esquivel
1001 I Street, MS#10A
Sacramento, CA 95814

Submitted electronically to: Permittrainingassistance@calrecycle.ca.gov

RE: Comments on the Notice of Small and Medium Composting Facilities Program EIR

Dear Jeffery Esquivel and the CalRecycle Permitting and Assistance Team:

Thank you for the opportunity to submit written comments on the scope and content of the Program Environmental Impact Report (PEIR) that CalRecycle is preparing pursuant to the California Environmental Quality Act (CEQA) for small and medium compostable materials handling operations and facilities under SB 1046. Fibershed appreciates CalRecycle's efforts to expand and streamline California's composting infrastructure in support of the organic waste diversion goals established under SB 1383, and we submit these comments to ensure that the scope of the PEIR fully accounts for natural fiber textiles as a compostable organic material stream.

Fibershed is a California nonprofit organization with a Producer Program membership of over 200 fiber farmers, ranchers, processors, and manufacturers across California working to strengthen regional textile economies that improve ecosystem and community health. Fibershed is cultivating model systems in which non-toxic, biodegradable natural fiber products can safely return to our ecosystems and farmlands after a long and useful life. As part of this work, Fibershed operates a natural fiber post-industrial waste compost demonstration site at the Fibershed Learning Center, where we are actively researching and demonstrating the composting of natural fiber textile waste streams — an operation directly relevant to the facility types and material streams this PEIR is intended to evaluate.

The Fibershed Learning Center is located in Point Reyes Station, California. It includes a full demonstration of soil-to-soil textile systems including textile composting of post industrial factory floor 'waste' from a California based brand known as Harvest and Mill. The company diverts waste from landfill to our composting demonstration site. Approximately 30% of the carbon in the compost is derived from textile scraps from undyed, 100% cotton material. The compost is used annually for increasing nutrient availability in our natural dye row crop farm.

Fibershed also represents natural fiber producers and advocates in California's textile policy landscape, including in an ex-officio capacity on the governing board of the Producer Responsibility Organization (PRO) established under SB 707, the Responsible Textile Recovery

Act. This dual vantage point, as both a composting practitioner and a participant in California's textile extended producer responsibility (EPR) program, is the basis for the comments below.

1. Natural Fiber Textiles Are Already Defined as Organic Waste Under SB 1383 But Facilities Are Not Yet Equipped to Accept Them

Natural fiber textiles — including wool, cotton, hemp, flax, and other plant- and animal-based fibers processed without persistent synthetic finishes — are compostable organic material.^{1 2 3} SB 1383's implementing regulations recognize textiles as compostable in Title 14 Section 18982(a)(46), where the definition of "organic waste" explicitly includes "organic textiles and carpets" alongside food waste, green material, and other feedstocks.

CalRecycle's own SB 1383 FAQ website guidance confirms that a gap already exists in practice. Textiles and carpets are permitted in the blue and gray containers under specified conditions (Sections 18984.1 and 18984.2), and CalRecycle has separately allowed textiles to be placed in the green (organics) container as well — not because processing facilities are equipped to accept them, but because stakeholders requested this flexibility during informal rulemaking workshops, and CalRecycle stated it was "not aware of any compelling reason to prohibit" it. In that same guidance, CalRecycle acknowledges that "textiles and carpets are not normally accepted by organic waste recycling facilities, such as composting or in-vessel facilities, that usually accept materials collected in green containers." In other words, current regulation permits textiles to enter the organics collection stream with no corresponding requirement, standard, or infrastructure ensuring they can actually be composted once they arrive.

Fibershed submits that there are, in fact, several compelling reasons not to allow undifferentiated textiles into the green container, and we urge CalRecycle to evaluate them as part of this PEIR's environmental analysis:

- **Contamination of finished compost.** Synthetic fibers and synthetic-natural blends do not break down under typical composting timeframes and conditions and instead persist as visible plastic contamination in finished compost, risking failure of California's compost contamination and quality standards.
- **Microplastic and microfiber shedding.** Processing (shredding, turning) of synthetic and blended textiles releases microfibers that cannot be fully filtered from finished compost, creating a direct pathway for microplastic contamination of the farmland and soils where that compost is later applied.
- **Chemical contamination.** Dyes, flame retardants, and synthetic finishes (including PFAS-based treatments) on non-compostable or improperly screened textiles can leach

¹ Li, L., Frey, M.W., & Browning, K.J. (2010). Biodegradability study on cotton and polyester fabrics. *Journal of Engineered Fibers and Fabrics*, 5. <https://doi.org/10.1177/155892501000500406>

² Alwala, W., Perju, A., Schwarz, M., Bonhotal, J., Pires, S., Ankeny, M., Daystar, J., and Frey, M. (2024). The compostability of denim fabrics dyed with various indigos. *BioResources*, 19(2), 2685-2700. <https://doi.org/10.15376/biores.19.2.2685-2700>

³ Fibershed, "Closing the Loop: Can Compostable Textiles Help Lead Us Into the Future?" (July 3, 2024), <https://fibershed.org/2024/07/03/closing-the-loop-can-compostable-textiles-help-lead-us-into-the-future/>

into compost and subsequently into soil, water, and food systems when that compost is applied to agricultural land.

- **Physical contamination and equipment risk.** Non-fiber components common even on natural fiber garments — zippers, buttons, elastic, synthetic thread — create physical contamination in finished compost and can damage or jam grinding, screening, and turning equipment not designed to process woven textile material, creating operational and worker-safety hazards.
- **Risk to compost markets and to SB 1383's own diversion goals.** If unscreened textiles degrade the quality of finished compost, facilities may reject or divert contaminated loads to landfill, working directly against the disposal-reduction goals SB 1383 itself was enacted to achieve.

These reasons are precisely why acceptance criteria are necessary rather than optional (see Section 3 below). We do not support banning textiles from the green container outright, as we agree with CalRecycle that organic natural fiber textiles belong in the organics stream. However we do support requiring acceptance criteria, so that only qualifying, appropriately screened natural fiber textiles are accepted, rather than any textile material regardless of composition. Closing that gap between what current regulation allows into the green container and what facilities can actually process safely is the unresolved problem this PEIR has the opportunity to address.

2. This PEIR Should Be Explicitly Scoped in Coordination with SB 707 Implementation

CalRecycle is simultaneously developing regulations and overseeing implementation of SB 707, the country's first textile producer responsibility program. Pursuant to 42984.6(b)(2)(I), SB 707 explicitly requires the PRO's Needs Assessment to evaluate actions and investments needed to support composting access and infrastructure, and requires the PRO's Producer Responsibility Plan to address compostability as a design challenge for covered products (42984.10(n)). These provisions can only be meaningful in practice if the physical composting infrastructure needed to receive natural fiber textiles at end-of-life actually exists, is permitted, and is sited appropriately across the state.

If this PEIR is scoped without regard to SB 707, California risks a sequencing failure: the PRO's Needs Assessment and Plan will be required to identify composting as an end-of-life pathway for natural fiber textiles, while the underlying facility-siting and environmental review framework governing that infrastructure, the subject of this PEIR, will have been developed without ever having considered textiles as a material stream. We request that CalRecycle coordinate the scoping of this PEIR with its SB 707 program staff to ensure the two regulatory efforts are aligned rather than developed in silos.

3. Requested Scope Items

We respectfully request that the PEIR's scope of analysis include the following:

- Evaluation of natural fiber textiles (pre-consumer/post-industrial and post-consumer) as a distinct organic material stream within the environmental setting and material characterization sections of the PEIR, including expected feedstock volumes and decomposition timeframes relative to other feedstocks already contemplated by the PEIR.
- Development of clear feedstock acceptance criteria distinguishing genuinely compostable organic natural fiber textiles from non-compostable or contaminating textile waste, since not all textiles are compostable. These criteria should address: fiber composition (e.g., minimum percentage natural fiber content and exclusion of synthetic blends); dyes and finishes (exclusion of PFAS and other persistent synthetic treatments); and non-fiber components (trims, hardware, elastic, and other attachments that must be removed prior to composting). We encourage CalRecycle to reference or adapt existing compostability standards in developing this screening framework, so that facilities have a clear, consistent basis for determining which textile materials they can accept without compromising compost quality or facility performance standards.
- Consideration of small-scale and pilot/demonstration composting operations as a facility type and operational model within the range of alternatives and facility types the PEIR analyzes. Small to medium sized composting sites, including demonstration sites like Fibershed's Learning Center, are where much of the practical knowledge about textile compostability, processing requirements, and environmental performance is currently being generated, and we believe this experience should directly inform the PEIR's analysis.

We urge CalRecycle to treat this PEIR as an opportunity to proactively plan for this need now, rather than retrofitting the regulatory framework later.

Fibershed appreciates CalRecycle's work to expand small and medium composting infrastructure in California and welcomes the opportunity to serve as a resource on natural fiber textile compostability, drawing on our direct operational experience at the Fibershed Learning Center. We would welcome the opportunity to discuss these comments further and please do not hesitate to contact us with any questions.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Alex Farah', with a stylized, cursive script.

Alexandra Farah, Advocacy Manager
Fibershed

From: [Wendy Ring](#)
To: [Permit Training & Assistance](#)
Subject: Small and medium composting facilities EIR Comment
Date: Monday, August 3, 2026 8:12:07 PM
Attachments: [State ag compost req examples .docx](#)

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

REMOVE BARRIERS FOR FARMERS TO COMPOST FOOD SCRAPS

None of the cities in our county who are supposed to comply with SB 1383 are doing so because we have no composting facility. Our jurisdictions don't want to run one and no local business people are interested. We have many local farmers and dairies who are willing and have the capacity to incorporate community food scraps into their composting, but CalRecycle will not allow this at a scale worth their time and money without complex and expensive permitting.

These farmers also need compost, and the state needs farmers to apply compost to meet our natural lands climate action goals, but importing it from facilities several counties away is too expensive. Many local farmers I've talked to want to be good stewards of their soil and don't trust the quality of compost from industrial facilities. They would have more trust in compost they made themselves and would be more likely to apply compost they were paid to make instead of compost they had to pay for. Residents would also likely be more careful about contamination when their organics are going to local farms. CalRecycle should eliminate the road blocks so that farmers can serve their communities by composting all their organics.

CalRecycle should look at states which allow small and agricultural composters to compost food scraps and assess whether this has adverse environmental impacts. If not, then CA should extend the same status that it allows for agricultural composters composting "vegetative" organic material to farmers and small composters who compost food scraps as well. I have attached a list of states which have waiver and registration only provisions for on farm composting which includes food scraps, including their limits and conditions.

Another thing to evaluate is whether training and support can reduce environmental impacts is needed to foster small scale composting and who should provide oversight for on-farm operations. Some states do this through their agriculture departments rather than solid waste agencies.

Thanks for the opportunity to comment,

Wendy Ring

Many of the states with exemptions or registration/notification categories for agricultural composting have limits based on cubic yards of off farm feedstock received, instead of total cubic yards onsite.

3 Examples of state language using off farm feedstock limits:

Rhode Island

A composting operation, when located on an agricultural unit, which, in addition to agricultural by-products, utilizes one or more of the following materials, must be registered.... and follow commonly accepted best management practices. Note: See § 3.5(E) of this Part for additional clarification and requirements.

1. Leaf and yard waste generated off the agricultural unit
2. Wood wastes, including brush, stumps, lumber ends and trimmings, wood pallets, bark, wood chips, shavings, slash and other clean wood, provided that it is not mixed with other solid wastes, for processing. Wood containing or likely to contain asbestos, glues, or chemical preservatives such as creosote, pentachlorophenol, paints, stains or other coatings shall not be considered wood wastes under these Rules and Regulations and is prohibited from being processed;
3. Clean paper, newspaper or cardboard;
4. Clean shells and bones;
5. Non-agricultural sources of manures and animal bedding materials such as zoo waste;
6. **Not more than ten tons per day of compostable material composed of generator pre-sorted produce, and/or generator pre-sorted vegetative residues from food or beverage processing** that consists solely of materials from plants, (e.g., husks, leaves, skins, sediments and roots) and other plant by-products from fruit or vegetable canning, freezing or preserving operations;
7. **Not more than one ton per day of pre-sorted kitchen, restaurant and source separated institutional or municipal food by-products;** and/or, 8. Not more than one half ton per day of unprocessed meat and fish wastes.

https://risos-apa-production-public.s3.amazonaws.com/DEM/REG_9932_20180806195253.pdf

The Iowa Administrative Code's Chapter 567, Environmental Protection Commission, Subchapter [105.5\(1\)](#), "Organic Materials Composting Facilities"

Yard waste and food residuals may be received from off premises at a total rate of two tons or less per week for composting with agricultural waste. Any clean wood waste may be used as a bulking agent. The two tons per week combined weight limit does not apply to bulking agent.

New York 6 CRR-NY 361-3.2

Registration only category for small facilities or ag operations

(2) A composting facility that accepts no more than 5,000 cubic yards or 2,500 wet tons, whichever is less, of SSO per year, provided that no more than 800 cubic yards are accepted in any month.

[https://govt.westlaw.com/nycrr/Document/IId4d62f22dfe911e7aa6b9b71698a280b?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=\(sc.Default\)](https://govt.westlaw.com/nycrr/Document/IId4d62f22dfe911e7aa6b9b71698a280b?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=(sc.Default))

I only found one state with onsite volume limits that didn't count stored finished compost. Iowa (above) excludes wood chips commonly used as a bulking agent. I couldn't find any that excluded curing compost.

Wisconsin

LIMITED EXEMPTION FOR FARM CROP RESIDUE OR MANURE COMPOSTING FACILITIES. Facilities for on site composting of farm crop residue or manure, except deer or elk manure, directly from agricultural operations are exempt from the requirements of s. NR 502.04 (2) to (6), locational criteria, plan of operation submittal, licensing and all other requirements of this chapter, provided all of the following requirements are met:

(a) The performance standards in s. NR 502.04 (1).

(b) The facility is operated in a nuisance-free and environmentally sound manner.

(c) All the farm crop residue and manure composted are generated from agricultural operations either under common ownership, common management or located adjacent to each other, and the composting occurs on the property of one of these agricultural operations.

(d) The compost is utilized for agricultural landspreading, at the same farm or at another farm, in accordance with s. NR 518.04 (1) (b) or (i).

(e) Source-separated compostable material other than farm crop residue and manure may be accepted from off site for use in the composting process if the following requirements are met:

1. The locational criteria in sub. (8), unless the offsite material consists exclusively of yard material, clean chipped wood, or both.

2. The minimum operational and design standards in subs. (10) and (11).

3. The recordkeeping requirements of sub. (15) (a) 3. and the discharge inspection requirements in sub. (15) (a)

4.

4. The combined volume of farm crop residue, farm animal manure, and source-separated compostable material on site at one time may not exceed 10,000 cubic yards, including collected raw materials and compost being processed but excluding finished compost. The volume of food residual inputs to the composting process may not exceed 25 percent of the total combined volume of raw material inputs

“Finished compost” means compost that has been processed sufficiently to meet the maturity and stability criteria in Table 2 of s. NR 502.12, and that is ready and suitable for sale, distribution or use.

LIMITED EXEMPTION FOR SOURCE-SEPARATED COMPOSTABLE MATERIAL COMPOSTING FACILITIES OF 5,000 CUBIC YARDS OR LESS. **Facilities for composting source-separated compostable material that exceed 50 cubic yards but do not exceed 5,000 cubic yards at one time, including raw materials and compost being processed, but excluding finished compost,** are exempt from the requirements in s. NR 502.04 (3) (c), (4), and (5) and subs. (12) and (14), and the monitoring requirements of sub. (15) (a) 1. and 2., provided all of the following requirements are met:

With regard to replacing the permitting requirement in SB 279 with a requirement that CalRecycle add a streamlined category for agricultural composting to the 2027 report on streamlining small and medium facility permitting, which it is already mandated to produce:

Maine took a 2 step approach.

<https://www.mainelegislature.org/ros/LOM/lom123rd/RESOLVE139.asp>

Chapter 139

S.P. 176 - L.D. 564

Resolve, To Streamline the Regulation of Agricultural Composters

Preamble. Whereas, the Legislature recognizes the benefits of agricultural composting operations to the environment, farms and rural economies; and

Whereas, the Department of Agriculture, Food and Rural Resources and the Department of Environmental Protection share an interest in encouraging the development of geographically dispersed agricultural composting operations; now, therefore, be it

Sec. 1. Department of Environmental Protection directed to revise rules. Resolved: That the Commissioner of Environmental Protection shall revise the Department of Environment Protection's rules pertaining to the licensing of solid waste processing facilities to clearly differentiate licensing requirements for agricultural composting operations from requirements for operations that compost municipal sludge, septage, industrial sludge or other materials with a higher risk of contamination. For the purposes of this resolve, "agricultural composting operation" means composting that takes place on a farm and uses only animal manure, animal carcasses and offal, fish waste, leaves, wood chips, animal bedding and other vegetative waste, produce and other vegetable and food waste. The Commissioner of Environmental Protection, in consultation with the Commissioner of Agriculture, Food and Rural Resources, shall review and revise the tiers that determine volumes of materials that may be composted at an agricultural composting operation without triggering the requirement for a waste facilities license from the Department of Environmental Protection; and be it further

Sec. 2. Department of Agriculture, Food and Rural Resources to establish components of a compost management plan. Resolved: That the Commissioner of Agriculture, Food and Rural Resources, working with the Department of Environmental Protection, shall develop necessary components of a compost management plan for agricultural composting operations. The purpose of a plan is to demonstrate that the facility is designed to prevent the discharge of pollutants, control leachates, minimize odors and the dispersion of disease vectors and ensure a stable, high-quality end product. A compost management plan must be specific to the proposed compost site and the farm's available land base for the operation. The 2 departments shall provide technical assistance in the development of a compost management plan to persons proposing to establish or expand an agricultural composting operation; and be it further

Sec. 3. Commissioners to report to the Joint Standing Committee on Agriculture, Conservation and Forestry and the Joint Standing Committee on Natural Resources. Resolved: That, no later than December 3, 2007, the Commissioner of Agriculture, Food and Rural Resources and the

Commissioner of Environmental Protection shall report to the Joint Standing Committee on Agriculture, Conservation and Forestry and the Joint Standing Committee on Natural Resources on the status of the rules revision required under section 1, and a description of elements to be included in a compost management plan for agricultural composting operations under section 2. The commissioners shall report on any other activities initiated or materials produced to provide guidance to farmers considering developing or expanding an agricultural composting operation. The commissioners shall articulate in their report agreement on jurisdictional boundaries relating to oversight of agricultural composting operations, unresolved issues and recommendations to further the goal of encouraging appropriate siting, design and operation of agricultural composting operations; and be it further

Sec. 4. Authority to submit legislation. Resolved: That the Joint Standing Committee on Agriculture, Conservation and Forestry may submit legislation pertaining to the regulation of agricultural composting operations to the Second Regular Session of the 123rd Legislature.

Result: a subsequent bill exempted ag composting from solid waste permitting and put it under dept of agriculture.

Date: August 17, 2026 Project Number: 1235.03.55
To: Jeffery Esquivel, CalRecycle
From: Chris Mundhenk and Cody Boazman
Subject: Statewide Small-Medium Composting Facilities and Operations EIR Scoping Meeting #1 Transcript

The following presents a transcript of the first of two scoping meetings conducted for the Small and Medium Composting Facilities and Operations EIR. The meetings were held virtually on Zoom. In attendance on behalf of the project team were Jeffery Esquivel (California Department of Resources Recovery and Recycling [CalRecycle]), Martin Perez (CalRecycle), Lea Gibson (CalRecycle), and Chris Mundhenk (NCE). The transcript was conducted by Zoom and then proofed by Cody Boazman of NCE.

The transcript includes both the presentation by Chris Mundhenk (NCE) and CalRecycle staff with public comments received following the presentation.

Presentation

Chris Mundhenk: Good afternoon, everyone. I see some folks are still trickling in.

Welcome to the first of two scoping meetings for small and medium composting Facilities and Operations Program, EIR. We'll get started in just a minute. I believe we had just over 30 folks register for this, so we'll wait for a few more to join in. Okay, great. Well, seeing that we've got about 19 folks in the room, we'll go ahead and get started.

As I mentioned, welcome to the first of two scoping meetings, both being hosted today, for the small and medium composting Facilities and Operations Program EIR. This first scoping meeting is intended for agency representatives to come in. We will also have a secondary scoping meeting at 6 o'clock that is intended for more members of the public and other interested parties.

As part of the second scoping meeting, we will actually be providing interpretation services. We don't have that feature turned on for this meeting, but we will be able to provide a transcript of this if you do want one following the meeting. In addition, here is a bit of legalese and disclaimer about the information that we are presenting here.

Again, this is a scoping meeting. Certain things may get refined as we move into the EIR itself. But with that, we are going to go through several items today. First, we'll go a little bit through introductions. I'll let you know who I am. We also have some CalRecycle folks on the call who'll introduce themselves. We'll also provide an overview of the law that is actually requiring this EIR to be prepared, as well as the purpose that it is intended to achieve.

A little bit about the CEQA process and schedule for this project, and additionally, some information about how to provide comments, and then we will actually open it up for any verbal comments that you may have.

I did want to note, since we just did mention public comments, we will have a couple of different ways within this meeting that you can provide comments.

300 E. 2nd Street, Suite 1210
Reno, NV 89501
(775) 329-4955

We will be allowing folks to provide verbal comments at the end of the meeting, so if you would like to provide a verbal comment, you can even raise your hand right now. When we get to that part of the meeting, we will go through, kind of in sequential order and unmute those folks so that they can provide those comments. If you prefer to just write your comments in as part of this meeting, you can use the chat box to provide that.

Please do make sure that you don't respond to anyone else's comment. We would like individuals to have their comments stand as they are. You can voice an agreement to it, but please do not argue with other commenters, not that you would, but just let their comments be, and you can provide your own. And with that, I am gonna let CalRecycle staff who are in the room introduce themselves. Martin, would you like to go first?

Martin Perez: Sure, thanks, Chris. Martin Perez, I'm the Manager of the Training and Assistance Section.

Jeffery Esquivel: Hi everybody, my name is Jeffery Esquivel, I'm Senior Environmental Scientist and the project lead on this. I'll Go ahead and pass it back to you, Chris.

Chris Mundhenk: Okay, and lastly, my name is Chris Mundhenk. I'm a CEQA practitioner, been doing a lot of EIRs, including a lot on composting facilities. So we will be assisting CalRecycle with preparation of the EIR, including this very interesting schedule that this EIR is on, and we'll get into that in just a little bit.

So again, the meeting purpose, we are intending to provide an overview of the project as it currently stands, and what we will be evaluating under CEQA, also outlining a little bit about the CEQA process. And then the most important part of this meeting is actually to solicit comments from you as representatives of public agencies.

And then also later, from interested members of the public regarding what should be in the EIR, what we should be evaluating, that includes your experience, your understanding, and your knowledge of these types of physical environmental impacts.

So with that, a little bit about why we're actually preparing this EIR. So as many of you know, in 2016, SB 1383 was passed, and set certain statewide organic waste reduction goals. There was an EIR that was prepared alongside that legislation in, I believe it was 2019. That EIR actually was completed. That EIR actually addressed large composting facilities, not so much the smaller ones that we're intending, but as CalRecycle has gone through and been tracking progress towards achieving the organic waste reduction goals for the state, there has been a need identified for additional, and potentially smaller and medium composting facilities, statewide, especially within some rural and sub... suburban areas of the state.

So then, what followed that was a study was conducted in early 2024 called the Small and Medium Composting Facilities Permitting Study, that is available on CalRecycle's website. And it identified that small and medium composting facilities have been approached in a variety of different ways in terms of the CEQA document that they do use, some using Notice of Exemption, some using NEGDEX, a lot of it depending on the local agency's determination as to what document they feel is appropriate and that sometimes that could cause some issues later on with permitting, including with CalRecycle. As well as some regulatory agencies. So then, SB 1046 was passed, and it's a very brief piece of legislation if you viewed it. That basically states that CalRecycle, by the end of 2026, is required to prepare an EIR that will provide a streamlining and consistent tool for the development and operation of small and medium composting facilities and operations.

The law did actually define what it considers to be a small composting facility and a medium composting facility. It's basically the first bullet of each of these, basically that a small composting facility is a facility that has up to 5,000 cubic yards of material within it at any one time, whereas a medium composting facility can be between 5,000 and 12,500 cubic yards of material at one time. I know that within the NOP, it did list tonnage throughput

for small and medium facilities, this comparison, or this relation to the cubic yards of material at one time, was based on a lot of professional experience, as well as what was in the permitting study that was done in 2024, although I will note that the law really only stated the cubic yards of material at one time that would be provided in-site.

I did want to note, and this is kind of going into what will be the reasonably foreseeable condition that we're going to be evaluating in the EIR for the number of these facilities that could be developed statewide. Since 2021, there have been 10 small and 18 medium facilities permitted by CalRecycle. I will note that within the different regulatory tiers that CalRecycle has, most of them do fall within the notification tier, whereas a few of them do fall within the registration tier.

Okay, in terms of CEQA, on its face, CEQA is intended to be an objective conservation piece of legislation that it requires public agencies like CalRecycle to evaluate potential physical environmental impacts of a project where they have discretion or where they're required by law, such as SB 1046. CEQA is intended to inform decision makers, also, potentially to help, responsible agencies, to make their own determinations about those potential physical environmental impacts, as it relates to their decisions, also to involve the public in the decision-making and planning process. And also, when we're talking about what actually goes into the analysis of the EIRs, or the environmental documents to identify and incorporate feasible means of reducing impacts, either through the incorporation of mitigation measures, project design, or project alternatives.

So where we are, the notes preparation was actually issued on July 22nd, for public review. That public review period will actually end on August 21st, 2026. It will be followed very shortly, by issuance of the draft EIR. As I mentioned, the law actually says that we have to be done with this EIR in 2026. So you will see the draft EIR hitting the streets in October of this year, and then followed shortly by the final EIR and NOD in December. This is a fairly tight timeline, but I did want to make note that any comments that we do receive as part of the scoping meeting and the scoping meeting later today, we will be reflecting those as appropriate in the analysis of the draft EIR.

The EIR, in terms of what we're going to be covering, is going to be largely full scope. We're going to be looking at the majority of issue areas identified in Appendix G of the CEQA checklist. There are a couple that we are not anticipating needing to get into a lot of detail, those being population and housing, as well as recreation. We will discuss and present evidence as to why these are not necessary to be evaluated, within the Intro to the Analysis chapter of the EIR. But for these other issue areas, and I won't list them all out, we are going to be going into, kind of an individual section analysis for each, using the Appendix G questions in the back of the CEQA guidelines. We will also be presenting, as required for EIRs, a cumulative impacts analysis, as well as an evaluation of alternatives for any significant impacts. Within the context of other CEQA considerations, there will be a chapter that also addresses growth-inducing impacts, and significant irreversible environmental changes.

And with that, I did want to note how folks can provide comment. You can either mail comments directly to Jeffery at 1001 I Street, or we are accepting comments verbally to permit trainingassistance@calrecycle.ca.gov.

To ensure that we do get an accurate record of all the comments, please do use either one of these methods. I know that we all have individual emails, but this will help us make sure that we have an accurate record of the entire, comments that have been received.

So with that, and I'm not seeing any raised hands in chat, if you would like to provide a verbal comment, or some input on what should be, evaluated in the EIR, please feel free to raise your hands at this time, or you can, again, use the chat box if you so desire.

And with that, I'll give folks who may want to provide comment a bit to do so. Okay. If there are no comments, I will thank you for participating. But I will hang on for a little bit to see if there are any comments that strike people, including if you would like me to go back into any of the slides in this presentation, I'm more than happy to do so.

Public Comments

Chris Mundhenk: I did see one comment pop up in the chat. Jeffery, did you want to... Read that one.

Jeffery Esquivel: Yes, so it looks like we have a question from Clark Williams. How will this project impact dairies, and how do you anticipate the project impacting dairies?

Chris Mundhenk: And it looks like we also have a second comment that's very, very similar to that.

Jeffery Esquivel: Yes, the other comment here, do you have an idea if, how, this will affect agricultural lands or dairies?

Chris Mundhenk: Sure, and what I will note, and I did not mention this in a prior slide, this is a statewide EIR, so we're not providing specific sites within which these can occur. It is possible that facilities may be located near or within properties associated with dairies. I think that's part of the scope of what we're looking at. But again, this is going to be a programmatic tool that then local agencies would be able to use to potentially develop, say, a within-the-scope determination, and not have to do a further CEQA document at that point. But we will look at that as part of the EIR that we're preparing. Two good questions.

Alright, well, we will hang out, I think, at least for the next 5 minutes, and, if any other comments do strike you, please do feel free to either raise your hand or type them into the chat. Insofar as it would fall within one of the regulatory tiers for CalRecycle, yes, we would, potentially look at a need to evaluate composting within properties otherwise associated with dairies.

Jeffery Esquivel: And just to add, there was another follow-up to the question was, it sounds like you stated composting on dairies is in the scope of work. That was... you just answered that. Thank you, Chris.

Chris Mundhenk: Here, just for context, since we do have a little bit of time before we...conclude, I will go back to... A little bit about what these facilities are, as written into SB 1046.

Jeffery Esquivel: Okay, it looks like we had another question come in. Will the permitted volume of material increase for the small and medium facilities to meet these goals?

Chris Mundhenk: I think that's something, and I'm not sure I fully understand the question there, Jane. The limits as established within...The legislation are essentially the cubic yards of material to be on-site at one time.

So within that, those won't be moving as they're established by the legislation. But if you're referring to the throughput. That is referred to. That is just a benchmark, that was kind of established by which they're approximate. We do understand that feedstocks are different. And so that's an approximate benchmark where we're trying to say what the throughput of a small facility may be. That's not a requirement.

And I did notice, we did have a couple of people kind of join a little bit later. I did want to note we did run through the presentation already, it was... it was rather brief. There will be another one, between 6 and 7.30. If you would like to join that, you can also register for that.

Jeffery Esquivel: Okay, looks like we had another question come in, To clarify, it sounds like operations in the small composting facility category would also fall within the limits of SB279. So...they would be exempt, question mark.

Chris Mundhenk: That is something we'll take a look at. Appreciate that comment, Dana. I don't have that information at my fingertips at this point, but we will make sure to provide that clarification in the EIR.

Jeffery Esquivel: And it looks like there was a follow-up to a question saying thank you, and just wondering about the overlap of the two.

Chris Mundhenk: Okay, great. Well, with that, it is 3.20. Seeing as we don't have any raised hands, I realize this was probably a shorter meeting than many folks were envisioning. But we do appreciate your time today. This is a valuable part of the CEQA process. And again, if you would like to provide comments, following this meeting, I am just putting back up on the screen the two methods that you can use to provide comments, either via email or regular mail.

And with that, thank you for your time.

Date: August 17, 2026 Project Number: 1235.03.55
To: Jeffery Esquivel, CalRecycle
From: Chris Mundhenk and Cody Boazman
Subject: Statewide Small-Medium Composting Facilities and Operations EIR Scoping Meeting #2 Transcript

The following presents a transcript of the second of two scoping meetings conducted for the Small and Medium Composting Facilities and Operations EIR. The meetings were held virtually on Zoom. In attendance on behalf of the project team were Jeffery Esquivel (California Department of Resources Recovery and Recycling [CalRecycle]), Martin Perez (CalRecycle), Lea Gibson (CalRecycle), and Chris Mundhenk (NCE). The transcript was conducted by Zoom and then proofed by Cody Boazman of NCE.

The transcript includes both the presentation by Chris Mundhenk (NCE) and CalRecycle staff with public comments received following the presentation.

Presentation

Chris Mundhenk: Good evening, everyone. Welcome to our second part of the scoping meeting day for the small and medium composting Facilities and Operations Program EIR. We're going to give folks a few more minutes to log in. So bear with us, we'll probably get started at 6:02.

Okay, great, some more people are streaming in.

Alright, for those who just joined, we will get started in just a minute. We're just leaving a little time for some folks to continue to log in. Okay, with that, we'll go ahead and get started. So welcome, everyone, to our second part of, the Scoping Meeting for the Small and Medium Composting Facilities and Operations Program EIR. We really appreciate you being involved in the public process that we're undergoing here.

I will get into a little bit about what's on the agenda today, and also a little bit about the scope of the EIR that we're going to be preparing, and as well as the advanced schedule that we're going to be moving forward with. But first, a little bit of a disclaimer this is really just to lay the scene. We are at the beginning of the CEQA process here, and so a lot of the information that we're going to be sharing is still evolving as we're helping to determine what the program will look like. There will also be some pieces in terms of best management practices and mitigation measures that will continue to develop as we move forward through this process.

But as part of tonight's meeting we will go through some quick introductions. We have some CalRecycle staff, in the meeting room. We'll go a little bit over the meeting purpose, then a little bit into SB 1046, which is kind of the legislation that's really driving the need to prepare this EIR, as well as the purpose of the EIR.

And then into a bit about the CEQA process, where we are in the schedule, where we're going to be before the end of the year, how you can provide comments, and then we'll actually open it up for you to provide any verbal or written comments as part of this meeting, should you so desire.

A little bit about Zoom, if you would like to provide a verbal comment, you can actually raise your hand now. We will not unmute you until we get to the end of it. But you can also write your comments in the chat, if you so desire, and one of us will read them aloud. And yeah, we really appreciate you being part of this. So with that, let the CalRecycle staff introduce themselves. Martin, would you like to go first?

Martin Perez: Sure. Thanks, Chris. Martin Perez, I'm the manager of the Training and Assistance Section in CalRecycle's Waste Permitting Compliance, and Mitigation Division.

Jeffery Esquivel: Hello, everybody. My name is Jeffery Esquivel, and I'm the Senior Environmental Scientist and the project lead on this. I'll pass it back to you, Chris.

Chris Mundhenk: Alright, thank you. And hi, everyone. I didn't introduce myself before. Chris Mundhenk, I'm a principal and the project manager for preparation of this EIR and going to be helping CalRecycle sort of develop this, and hopefully get through this process before the end of the year.

And so with that, today we're going to be going a little bit through what the project actually is that we're going to be evaluating under CEQA, why we're actually doing it, outlining a bit about the CEQA process, and then again, turning it over and trying to really solicit comments that will help us shape what the scope of the environmental analysis should be.

So first and foremost, in terms of what we're doing here, and why we're preparing an EIR for this. So way back when, in 2016, a decade ago, SB 1383 established statewide goals for organic waste reduction across the state. EIR was then prepared in 2019, addressing some of the regulations associated with or the implementing regulations associated with SB1383. That EIR actually addressed the development of large composting facilities. As CalRecycle has continued to track progress towards the statewide goals of organic waste reduction, there is an identified need for additional composting facility capacity.

And then in 2024, a group of individuals with CalRecycle undertook a permitting study. That kind of evaluated how small and medium composting facilities were being permitted, and identified that, especially when it came to CEQA, there were, it wasn't always done consistently, and that it could be confusing, and especially when it got to permitting later on, that could cause complications and delays. So then, in September of 2024, legislation was passed that directed CalRecycle to prepare an EIR that will provide a consistent and efficient tool for the development of these small and medium composting facilities. And if you're wondering what the legislation actually says, qualifies as a small and a medium composting facility.

It's actually the first two, or the first bullet under each one of these subheadings. So a small composting facility within the legislation is defined as a facility that can have up to 5,000 cubic yards of material on-site at one time. Medium composting facility being a facility that can have up to 12,500 cubic yards of material at one time.

Based on information that was in the permitting study that was done, we've also identified a rough throughput, that is associated with this, this kind of cubic yard limit, being, for small facilities, about 10,000 tons per year, and for medium composting facilities being approximately 25,000 tons per year. I will note that based on these parameters, since 2021, CalRecycle has actually permitted 10 small and 18 medium facilities across the state.

And we're actually using, kind of, those numbers and some of the other data that CalRecycle has to develop what the program may actually look like, what that reasonably foreseeable condition will be.

And so that is actually what we're going to be evaluating within CEQA. So CEQA, on its face, is a conservation piece of legislation intended to allow for informed decision making. So it requires the lead agency, in this case

CalRecycle, to evaluate the potential physical environmental impacts of a project where they have discretion, or where it's required by law, which is what is happening in this case with SB 1046.

So we are intending with the preparation of this EIR to help inform decision makers about the physical environmental effects of this this program, this direction, through the legislation. Tonight is an example of how we're involving and trying to solicit public participation throughout this process.

And also, as part of the EIR, we're going to be identifying and incorporating feasible means of reducing environmental impacts, be that through best management practices or mitigation measures, and we're also going to be looking at alternatives, within the context of the EIR.

Okay, gonna take a quick breath right there. In terms of the process that we're in right now, the Notice of Preparation was issued on July 22nd for a 30-day public review period that ends on August 21st.

We're going to be following that up pretty quickly, with a draft EIR intended to be issued in October of this year. That will then go out for a 45-day public review period. So you'll again have the chance to, once we've actually completed all the analysis on what this program may look like, you'll have a chance again for 45 days to review the analysis that we've prepared and provide additional comment.

Following that, we'll prepare written responses to any comments received, and then prepare the final EIR, which will include a mitigation monitoring and reporting program. The formal response to comments, and then we'll also prepare a notice of determination, assuming that all is well with the EIR at that point. The EIR itself, based on what's written in the NOP and kind of the preliminary analysis that we've done so far, is actually going to be a largely full-scope EIR. It's largely going to use most of the issue areas listed in the back of Appendix G of the CEQA guidelines.

I won't list out everything that's shown here, but we are not going to be presenting detailed analysis of potential impacts related to population housing and recreation, as this is intended to accommodate and remove organics from the existing and projected waste stream that is occurring within the state. Other sections that will be included as part of the EIR, we will have a cumulative impact section. We will evaluate potential alternatives related to any significant environmental impacts that are identified. And then also, within the context of other CEQA findings that are required, we will evaluate growth-inducing impacts and significant environmental, or significant irreversible environmental changes.

Okay. I did want to note, two ways that you can provide comments outside of this meeting. So if you leave this meeting and you think of something that you would like to offer up then, you can either send a formal letter to Jeffery, to Jeffery's Attention at CalRecycle at 1001 I Street, or you can actually send an email to permittrainingassistance@calrecycle.ca.gov.

We'd ask that following this meeting, you use one of those two pathways, or both, if you so desire, but that those are the appropriate ways that we can make sure that we account for all the comments that have been received.

I do notice that there is one hand up, that's great. If folks other folks would like to provide comments, now is the time to raise your hand, or you can, again, provide a written comment in the chat, and Jeffery or I will read that aloud. So seeing, firsthand, I will actually go ahead and unmute, or I guess it's already done. Evan, if you would like to go ahead and present your comment, please feel free.

Public Comments

Evan Edgar: Thank you, Chris. Evan Edgar live from Santa Barbara today. I have, 5 major areas, so, but I don't want to, you know, throughout discussion tonight, but I kick off the first couple, and then I can see timing, but I do like to circle back to get all my 5 topics in.

Chris Mundhenk: Okay.

Evan Edgar: The first topic is, you know, this is a great program, EIR. Glad you're doing it. We're on behalf of the California Compost Coalition and Edgar Associates. It was really needed when the program EIR, was done for anaerobic digestion in 2010. It really was positive for the AD industry. And this is needed for small and medium.

But you kind of inferred that the pro... for the SB1383 was for large facilities, and it wasn't... really wasn't. It was for, 1383 as a whole, and I tried to make that one a program EIR for large-scale CASP commercial facilities, and I couldn't get there, and I went to attend all the meetings back during the 1383, so I just want to make sure that in your presentation, it talked... alluded to the fact that the 1383 EIR covered large facilities, but it did not cover it to what was really needed for a covered area static pile. So I think that's still needed, and so I don't want it to be misconstrued that large compost facilities are already covered by a program EIR. They are not.

I want to talk about the design of the tons. Usually with EIRs, we design for peaks, not for averages. And, you know, I've done a lot of project EIRs, and they were always peak, peak, peak, and the salt waste facilities permit by CalRecycle is about peak tons, and you have to look at that as your evaluation. What I've seen at these EA notification facilities, and I've permitted a lot of them. And that, where you have a 25,000 ton per year average, the peak could be as high as 50, 50, 55,000 to 60,000 tons per year, and I got case studies where, in practice, that is occurring today. So I would hate to have this evaluated on an average of 25,000 tons per year, where I know that, that each facility is being judged upon as peak capacity, so I would... I would like to suggest that the tons per day for a medium facility could be up to 60,000 tons per year, which kind of matches, shipping and grinding facilities are at 200 tons a day.

And they're co-located sometimes with compost to make the feedstock. So it kind of fits into that model. So I just want to make sure that upon evaluation of the, volatile Organic Compounds and Air Quality section, that we're evaluating up to 60,000 tons per year, as opposed to an average of 25,000 tons per year.

Chris Mundhenk: Okay, thank you.

Evan Edgar: I'll leave it there.

Chris Mundhenk: If you would like to keep going, no one else has raised their hand just yet.

Evan Edgar: Okay? Okay. That's number one, that was number two. Number three is feedstocks. And I'm only talking about the medium volume, not saying anything about small volume, so all my comments are directed at medium volume only, so not to... to be very clear, it doesn't roll over elsewhere.

With regards to feedstocks, we know at 12,500 cubic yards of EA notification, there is no food waste. Zero food waste is green waste, agricultural waste, and additives. So, as we evaluate the feedstock types that go into a medium volume facility, there is no food waste. And it's... so that's important, because it's green waste only, and there's different agricultural waste. And there's a lot of additives, and one additive I'd like to add to this discussion is biochar. What we're seeing with biochar, we're doing many research studies, is that biochar at, you know, up to 10%, 5-10% biochar can reduce VOC emissions by 33%, and reduced odors by a lot. So, as a... and it's great for the off-take agreement for, carbon sequestering into the natural working lands of California. So,

hopefully we can, evaluate the impacts of biochar. It's a growing market. It's, a lot of available biochar from the ag sector and forest sector and urban sector is available for, for, for, composting, and it's a great fit in order to, add as a feedstock, but do not look at food waste, because food waste, you can't use food waste. So there's no reason to evaluate food waste for, for a medium volume facility, but definitely we should include biochar.

Chris Mundhenk: Okay. Thank you.

Evan Edgar: As part of that, there's different models. You can do, pre-process the feedstock off-site, so it's very common that the feedstock is... goes through a MRF first. And it's cleaned up, load checked, size, and then the feedstock is feedstock ready. So Greenway is feedstock ready, it goes out to a ranch. You know, a lot of this is agricultural composting. If you look at the EA notification tier at CalRecycle on the Swiss list, most of those are in agricultural areas, and so... and a lot of them that comes in feedstock-ready, where the pre-processing and the storage up to, you know, is off-site, and it comes in, and is put right into the, right into the windrow.

And then after... then after, composting, it's not stored there, it's taken out to the ranch to stage at different areas on a ranch in order to do... do carbon farming. So... so the... the model is that what should be evaluated is when things are pre-processed off-site, feedstock ready, and then it's taken to an off-site, place on a ranch, so that model allows you to go 60,000 tons per year. You know, when you have it pre-processed off-site and then you have storage of the Title 14 pathogen reduced compost on the backside, you can move that along quickly. So that's how 60,000 tons per year can fit into a 12,500 cubic yard model, because of that pre-processing and off-site agreement allows that to happen, so I think that's important to evaluate, when it comes in pre-process, as opposed to the small, the medium volume compost facilities, you know, grinding on-site, bringing in traffic. It's such a mess. So, a lot of times, the ranchers, and I represent a lot of ranchers... let me put my, cowboy hat on here.

I'm on a roadshow right now doing carbon farming in Santa Barbara and Kern County and Tulare, where we go out to the ranch, we don't want salt fall, we want things pre-processed, so that model is working great for the ranches of California in order to, get up to 60,000 tons per year through an EA notification with green waste, ag waste, and biochar in the future.

Chris Mundhenk: Okay, great. Thank you. And... I think that was 4 points, you said you had 5?

Evan Edgar: Yeah, well, I got... those three was bundled in the tons and feed socks. Number 4... well, let me go with number 5 then again. Number 5 is off-take agreements. I think what really needs to be evaluated. People have misconstrued about what is compost for carbon farming with productive ag land, and what is just land application of mulches that aren't composted, that people who are at chip and grinding facilities don't compost, they land apply. So under your alternative analysis, like any program ER has to look at, the alternative analysis should really talk about that, about the, land application of materials, for the... what is truly carbon farming with Title 14 compost with agronomic rate on productive agricultural lands, where actually, you know, people are... have strict protocols to get carbon credits. So the future of medium-volume compost facilities to make them cost-effective, affordable, because there's not enough money in the system, is to get voluntary carbon credits to help fund all this. So, so there's some strict protocols when you do compost use for carbon farming, as opposed to the bad things in Upper Valley, Upper Desert, what's going on at LA, people just dumping raw green waste, calling it carbon farming or something. So, I think that under alternative analysis, the bad of what's going on should be discussed, and how CalRecycle just passed some really good land application regulations to give the LA some tools to minimize that, but I think that's important to discuss under your alternative analysis, coupled with no ADC.

There's some people who, think they're making compost, or clean up a remediated sites. I know CalRecycle funded different Cleanups of illegal dumping and stuff, and they use, screens to go to landfills ADC and trying to get recycling credits, and I... about a year ago, I piped up the... don't do that, CalRecycle, you know better. You know, you shouldn't be trying to use, screened or, compost for ADC, and actually, in Title 27.

Actually finished compost is allowed, unfortunately, but this is, you know, a greenhouse gas program, so should people use Title 14 compost as ADC, that should be the greenhouse gas impacts to that, because it's still going in footprint and landfill, and there's still some activity left. That needs to be discussed. So, the off-take agreements, should have some type of limited... what is allowed by Title 27 should be evaluated, because some people are making compost just for ADC, and that is so wrong. But if Title 27 allows that to happen.

They shouldn't get, you know, unfortunately, but they shouldn't get recycling credit. Well, they... I don't know how that works exactly nowadays. I think it's off the books, but that discussion is very credible to have as part of this program, EIR.

Chris Mundhenk: Great. Thank you very much, Evan. I appreciate the comments.

Evan Edgar: I got my last one. I got my final one.

Chris Mundhenk: Sorry.

Evan Edgar: So, my final list has to do with essential public service and admission reduction credits. The HDR and Edgar Associates worked on this, worked on September 10th, 2024, and I... I looked inside of there, and there's a lot of great technical information, and did get a nice discussion about emission reduction credits.

Which is very deafening, even to medium-volume compost facilities. I had one in San Joaquin County that, in San Joaquin Valley APCD, we got... we had to kill the project because ERCs would have been about \$3 million.

On a commercial compost facility's large scale, Kern County Public Works paid \$7.2 million for ERCs, and in the San Joaquin Valley APCD, you know, \$175,000, and that's what the heartbeat of agriculture, the market, is in. The Central Valley, and they were stuck with the San Joaquin Valley APCD, you know, killing projects because of ERCs. So what... what LA... what South Coast AQMT... AQMD has commented upon, and the California Compost Coalition supported, is calling compost facilities at essential public service.

And that discussion has not happened. I tried to make it happen before, many times at CalRecycle and at CARB, but now's the opportunity in order to talk about, about making this a central public service, have a robust discussion, because it is you know, by all means, and we can follow the lead of South Coast AQMD as a thought leader here, and sending a benchmark on, is having central public service, so we don't have these ERCs, because as you know, doing CEQA, Chris, we worked on projects together over the years up in that, on a, on a, project level, a compost facility looks great from baseline. It's unbelievable how it looks on baseline, but we also know that when you apply for an ATC, it's a new source, and we're at ground zero.

And that doesn't jive when you just do this great work on a project EIR to how compost looks great, and then you turn around as ATC as if you're the bad guy, because you're doing the right thing. So, I think that's another robust discussion about how, following the South Coast AQMD lead to make that a statewide policy, the California Compost Coalition, on several occasions, tried to pass a bill in the legislature about that, and we get turned around, we just need more data.

I think that this program, EIR, is a great opportunity to show the benefits of these facilities, medium size, when you go out to agriculture, especially with carbon farming and carbon credits, the use of biochar for mitigation,

it's really a great opportunity, it's very timely. So, all these great points I point out today can really you know, take, green waste to EA notification to a whole new level.

I'm looking forward to the process. We'll be fully engaged, and those are my, five primary topics for the night.

Chris Mundhenk: Great. Thank you, Evan. I appreciate all the comments. I'll go ahead and, re-mute you, and... if you could... okay, your hand did lower. Thank you very much for those. Jeffery, it looks like we did get one other comment in the chat.

Martin Perez: I'll go ahead and read that out. First comment here... Excluded activities are already defined and have a threshold of 200 cubic yards and up to 500 cubic yards if owned by a public agency. So the definition of a small composting facility should be clarified to apply only to facilities more than the exemption limit, and up to 5,000 cubic yards. And as such, EIRs would not be necessary below 200 to 500 cubic yard threshold.

Chris Mundhenk: Thank you for that comment, Kourtney, and this comment actually did come up in our prior session as well. Although not listed in the NOP, we are planning on providing that distinction. About kind of the SB279 limits, and what falls under an excluded, notification tier.

Martin Perez: And next question here, can you please flip... flip back through the slides about the contents of the EIRs?

Chris Mundhenk: And I did that. I saw that comment ahead of time, so I went back to it. Well, great. Well... Not seeing any other hands up, we'll hold for about the next 3 minutes to see if anyone would like to offer up additional comments, or either verbally or in writing, but we do really thank you for your time this evening. This is valuable information for us to consider as we move forward with preparing the draft EIR. Oh, Evan, I see your hand raised again, and then we'll turn to Alexandra, so go right ahead.

Evan Edgar: For some reason, you guys split... I understand you had an earlier meeting I tried to sign up for and it was... and it's only for regulatory agencies, probably, responsible agencies, and it wasn't for stakeholders. I just don't understand why we need to be divided and conquered. You know, we should be able to hear the comments from state agencies as well. I don't know why I was excluded. And I would love to hear what they said. If you can recap any key comments from that earlier meeting that you found important that wasn't part of your presentation, if any, I would appreciate it, but in the future, it'd be nice to combine responsible agencies with stakeholders in the same room in the future.

Chris Mundhenk: Understood. And we'll take that into advisement. I will tell you the primary comment that did kind of come through in that prior meeting, was related to the SB279 distinction, and whether we would provide that clarification in the EIR. Alright. And then if we can...

Alexandra Farah: Hi there.

Chris Mundhenk: Go right ahead, Alexandra.

Alexandra Farah: Can you hear me? Okay. My name's Alex Farah, and I'm calling in, representing Fibershed, a nonprofit based out of Northern California, and we work to try and ensure more soil-to-soil systems and bioregional design in terms of our textiles and fibers.

And I was curious, I loved what Evan was saying about, the pre-processing, sorting through MRFs, then heading off to the ranch for further processing. I know that CalRecycle, under 1383 included the provision of allowing textiles, in the green containers, and...with SB707 coming through on the recovery of textiles, composting is considered an approved disposal for textiles in the state of California.

So I think I just... I want to make the most effective comment letter I can, and I'm curious where that might fall under the EIR issue areas, to advocate for at this time.

Chris Mundhenk: Sure, I mean, that would be a consideration, I believe, as part of the feedstocks that could be included within the composting facilities, but that is a great comment, and we will consider that as we move forward.

Alexandra Farah: Okay, thank you so much.

Chris Mundhenk: Okay. Well, seeing no other comments, again, we really appreciate your time this evening. Thank you for the valuable comments. And we look forward to...continued comments coming in through August 21st. And we hope you all have a great evening. Thank you very much.