

## Five-Year CIWMP/RAIWMP Review Report Template

Public Resources Code (PRC) Sections 41770 and 41822, and Title 14, California Code of Regulations (CCR) Section 18788 require that each countywide or regional agency integrated waste management plan (CIWMP/RAIWMP), and the elements thereof, be reviewed, revised, if necessary, and submitted to the Department of Resources Recycling and Recovery (CalRecycle) every five years. This Five-Year CIWMP/RAIWMP Review Report template was developed in an effort to provide a cost-effective method to streamline the Five-Year CIWMP/RAIWMP review, reporting and approval process.

The purpose of this template is to document compliance with these regulatory review and reporting requirements. The county or regional agency may use this template as a tool in its review, including obtaining Local Task Force (LTF) comments, on areas of the CIWMP or RAIWMP that need revision, if any. It can also be finalized based on these comments and submitted to CalRecycle as the county or regional agency's Five-Year CIWMP or RAIWMP Review Report.

The [Five-Year CIWMP/RAIWMP Review Report Template Instructions](#) describe each section of this template and provide general guidelines with respect to preparing the report. Completed and signed reports should be submitted to the CalRecycle's Division of Local Assistance & Market Development (LAMD) at the address below. Please know that upon submittal, LAMD staff may request additional information if the details provided in this form are not clear or are not complete. Within 90 days of receiving a *complete* Five-Year CIWMP/RAIWMP Review Report, LAMD staff will review the request and prepare their findings for CalRecycle consideration for approval.

If you have any questions about the Five-Year CIWMP/RAIWMP Review process or how to complete this form, please contact your LAMD representative at (916) 341-6199. Mail completed and signed Five-Year CIWMP/RAIWMP Review Reports to:

Dept. of Resources Recycling & Recovery  
Local Assistance & Market Development, MS-25  
P. O. Box 4025  
Sacramento, CA 95812-4025

To edit & customized this form, the editing restrictions (filling in forms) must be disengaged. Select the Review tab, Protect Document, then Restrict Formatting and Editing (editing restrictions). There is no password (options). Please contact your LAMD representative at (916) 341-6199 with related questions..

**General Instructions** Please complete Sections 1 through 8, and all other applicable subsections.

SECTION 1.0 COUNTY OR REGIONAL AGENCY INFORMATION			
I certify that the information in this document is true and correct to the best of my knowledge, and that I am authorized to complete this report and request approval of the CIWMP or RAIWMP Five-Year Review Report on behalf of:			
County or Regional Agency Name Santa Clara County		County Santa Clara County	
Authorized Signature		Title Program Manager	
Type/Print Name of Person Signing Elizabeth Constantino	Date	Phone (408) 282-3165	
Person Completing This Form (please print or type) Clifton Chew	Title Management Analyst	Phone (408) 282-3167	
Mailing Address 1553 Berger Dr., Building #1, 2 <sup>nd</sup> Floor	City San Jose	State CA	Zip 95112
E-mail Address clifton.chew@aem.sccgov.org			

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## SECTION 2.0 BACKGROUND

This is the county's third Five-Year Review Report since the approval of the CIWMP or RAIWMP.

The following changes have occurred since the approval of the county's planning documents or the last Five-Year CIWMP or RAIWMP Review Report (whichever is most recent).

- |   |   |
|---|---|
| <input type="checkbox"/> Diversion goal reduction   | <input type="checkbox"/> New city (name(s) _____) |
| <input type="checkbox"/> New regional agency        | <input type="checkbox"/> Other _____              |
| <input type="checkbox"/> Changes to regional agency |   |

*Additional Information (optional):*

## SECTION 3.0 LOCAL TASK FORCE REVIEW

- a. In accordance with Title 14 CCR, Section 18788, the Local Task Force (LTF) reviewed each element and plan included in the CIWMP or RAIWMP and finalized its comments:

At the April 25, 2011 LTF meeting.  Electronically (fax, e-mail)  Other (Explain):  
\_\_\_\_\_

- b. The county received the written comments from the LTF on April 25, 2011.

- c. A copy of the LTF comments:

Is included as Appendix A.  
 Was submitted to CalRecycle on \_\_\_\_\_.

## SECTION 4.0 TITLE 14, CALIFORNIA CODE OF REGULATIONS SECTION 18788 (3) (A) THROUGH (H)

The subsections below address not only the areas of change specified in the regulations, but also provide specific analysis regarding the continued adequacy of the planning documents in light of those changes, including a determination regarding any need for a revision to one or more of the planning documents.

### Section 4.1 Changes in Demographics in the County or Regional Agency

When preparing the CIWMP or RAIWMP Review Report, the county or regional agency must address at least the changes in demographics. The following resources are provided to facilitate this analysis.

1. Demographic data, including population, taxable sales, employment, and consumer price index, are available at ( <http://www.calrecycle.ca.gov/LGCentral/Tools/DivMeasure/JuAdjFac.asp> ).
2. The [Demographic Research Unit](#) of the California Department of Finance is designated as the single official source of demographic data for State planning and budgeting (e.g., E-5 City/County Population and Housing Estimates under *reports and research papers*).
3. The Department of Finance's Demographic Research Unit also provides a list [State Census Data Center Network Regional Offices](#).

### Analysis

Upon review of demographic changes since 1990:<sup>1</sup>

- The demographic changes since the development of the CIWMP or RAIWMP do not warrant a revision to any of the countywide planning documents. Specifically, since 1990, the population of Santa Clara County has increased by nearly 400,000 or about 26% growth. Some jurisdictions like Los Altos (9%), Monte Sereno (12%), Campbell, Los Gatos, Mountain View (13%), Saratoga (14%) and Palo Alto (17%) did not experience as high a growth rate due to areas already developed and limited space. Cities like Morgan Hill (65%) and Gilroy (68%) experienced high growth with developing areas and room for growth. The Unincorporated area of the County has a negative growth rate due to annexations.
- These demographic changes since the development of the CIWMP or RAIWMP warrant a revision to one or more of the countywide planning documents. Specifically, \_\_\_\_\_. See the revision schedule in Section 7.

### Additional Analysis (optional):

The population growth in the County has been mitigated with the addition of numerous nondisposal facilities that have been added to the Nondisposal Facility Element over the past three years. Additionally, more and better curbside recycling programs and organics programs Countywide have seen diversion increase despite the population increase.

## **Section 4.2 Changes in Quantities of Waste within the County or Regional Agency; and Changes in Permitted Disposal Capacity and Waste Disposed in the County or Regional Agency**

A number of tools to facilitate the analysis and review of such changes in the waste stream are available from the following CalRecycle sources.

1. Various statewide, regional and local disposal reports are available at <http://www.calrecycle.ca.gov/LGCentral/Reports/DRS/Default.aspx>.

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<sup>1</sup> The year of the data included in the planning documents, which is generally 1990 or 1991.

- a. CalRecycle's [Disposal Reporting System](#) tracks and reports the annual estimates of the disposal amounts for jurisdictions in California; additional California solid waste [statistics](#) are also available.
  - b. CalRecycle's [Waste Flow by Destination or Origin](#) reports include solid waste disposal, export, and alternative daily cover. They show how much waste was produced within the boundaries of an individual city, or within all of the cities comprising a county or regional agency. These data also cover waste disposed at a particular facility, or at all of the facilities within county or regional agency.
3. The [Waste Characterization Database](#) provides estimates of the types and amounts of materials in the waste streams of individual California jurisdictions in 1999.
  4. CalRecycle's [Countywide, Regionwide, and Statewide Jurisdiction Diversion Progress Report](#) provides both summary and detailed information on compliance, diversion rates/50% equivalent per capita disposal target and rates, and waste diversion program implementation for all California jurisdictions. Diversion program implementation summaries are also available at <http://www.calrecycle.ca.gov/LGCentral/Tools/PARIS/jurpgmsu.asp> and <http://www.calrecycle.ca.gov/LGCentral/Reports/DiversionProgram/jurhist.aspx>.

Together, these reports help illustrate changes in the quantities of waste within the county or regional agency as well as in permitted disposal capacity. This information also summarizes each jurisdiction's progress in implementing the Source Reduction and Recycling Element (SRRE) and complying with the 50% diversion rate requirement (now calculated as 50% equivalent per capita disposal target), see [Per Capita Disposal and Goal Measurement \(2007 and Later\)](#) for details.

- The county or regional agency (if it includes the entire county) continues to have adequate disposal capacity (i.e., equal to or greater than 15 years).
- The county does not have 15 years remaining disposal capacity and the Siting Element does not provide a strategy<sup>2</sup> for obtaining 15 years remaining disposal capacity. Attached is a revision schedule for the Siting Element (Section 7).

### *Analysis*

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<sup>2</sup> Such a strategy includes a description of the diversion or export programs to be implemented to address the solid waste capacity needs. The description shall identify the existing solid waste disposal facilities, including those outside of the county or regional agency, that will be used to implement these programs. The description should address how the proposed programs shall provide the county or regional agency with sufficient disposal capacity to meet the required minimum of 15 years of combined permitted disposal capacity.

These changes in quantities of waste and changes in permitted disposal capacity since the development of the CIWMP or RAIWMP do not warrant a revision to any of the countywide planning documents. Specifically, the County continues to have greater than 15 years disposal capacity. The development, implementation and adoption of diversion programs (including many jurisdictions adopting zero waste plans) established by all jurisdictions help extend landfill capacity and will continue to do so as these programs and outreach help the community understand and buy into the zero waste concept and alternatives to landfilling waste.

These changes in quantities of waste and changes in permitted disposal capacity since the development of the CIWMP or RAIWMP warrant a revision to one or more of the countywide planning documents. Specifically, \_\_\_\_\_. The revision schedule(s) is included in Section 7.

*Additional Analysis (optional):*

**Section 4.3 Changes in Funding Source for Administration of the Siting Element (SE) and Summary Plan (SP)**

Since the approval of the CWIMP or the last Five--Year CIWMP or RAIWMP Review Report (whichever is most recent), the county has experienced the following significant changes in the funding of the SE or SP:

▪

*Analysis*

There have been no significant changes in funding source administration of the SE and SP or the changes that have occurred do not warrant a revision to any of the countywide planning documents. Specifically, funding is maintained through Solid Waste Planning Fee of \$0.78 per ton on waste that is actually landfilled.

These changes in funding source for the administration of the SE and SP warrant a revision to one or more of the countywide planning documents. Specifically, \_\_\_\_\_. See Section 7 for the revision schedule(s).

*Additional Analysis (optional):*

\_\_\_\_\_

#### Section 4.4 Changes in Administrative Responsibilities

The county has not experienced significant changes in the following administrative responsibilities since the approval of the CIWMP or the last Five--Year CIWMP or RAIWMP Review Report (whichever is most recent):

- \_\_\_\_\_

##### Analysis

- There have been no significant changes in administrative responsibilities or the changes in administrative responsibilities do not warrant a revision to any of the planning documents. Specifically, since the last Five--Year Report was submitted in 2006, no changes have occurred in the administration of the CIWMP. Each city and the County (for the unincorporated area) implements and oversees its own AB939 programs and the County oversees Countywide diversion programs.
- These changes in administrative responsibilities warrant a revision to one or more of the planning documents. Specifically, \_\_\_\_\_. See Section 7 for the revision schedule(s).

##### Additional Analysis (optional):

\_\_\_\_\_

#### Section 4.5 Programs that Were Scheduled to Be Implemented But Were Not

This section addresses programs that were scheduled to be implemented but were not, a statement as to why they were not implemented, the progress of programs that were implemented, a statement as to whether programs are meeting their goals, and if not what contingency measures are being enacted to ensure compliance with Public Resources Code section 41751.

##### 1. Progress of Program Implementation

###### a. SRRE and Household Hazardous Waste Element (HHWE)

- All program implementation information has been updated in the CalRecycle's electronic Annual Report (EAR), including the reason for not implementing specific programs, if applicable.
- All program implementation information has not been updated in EAR. Attachment \_\_\_\_\_ lists the SRRE and/or HHWE programs selected for implementation but which have not been implemented, including a statement as to why they were not implemented.

###### b. Nondisposal Facility Element (NDFE)

- There have been no changes in the use of nondisposal facilities (based on the current NDFEs and any amendments).

- Attachment \_\_\_\_\_ lists changes in the use of nondisposal facilities (based on the current NDFEs).
- c. Countywide Siting Element (SE)
- There have been no changes to the information provided in the current SE.
- Attachment \_\_\_\_\_ lists changes to the information provided in current the SE.
- d. Summary Plan
- There have been no changes to the information provided in the current SP.
- Attachment \_\_\_\_\_ lists changes to the information provided in current the SP.
2. Statement regarding whether Programs are Meeting their Goals
- The programs are meeting their goals.
- The programs are not meeting their goals. The discussion that follows in the analysis section below addresses the contingency measures that are being enacted to ensure compliance with [PRC Section 41751](#) (i.e., specific steps are being taken by local agencies, acting independently and in concert, to achieve the purposes of the California Integrated Waste Management Act of 1989) and whether the listed changes in program implementation necessitate a revision of one or more of the planning documents. \_\_\_\_\_

Analysis

- The aforementioned changes in program implementation do not warrant a revision to any of the planning documents. Specifically, existing SRRE and HHWE goals, policies and objectives remain consistent with requirements of the PRC. Existing and selected programs for each SRRE and HHWE are reviewed at least annually by local jurisdictions. Nearly all programs have been implemented countywide. The Planning Annual Report Information System (PARIS) reports for the County and each city are up to date. Although there have been some changes in program implementation, schedules, costs, and results, those changes are not significant.

Additionally, Pacheco Pass Landfill has closed and the Palo Alto Landfill is near closure. As a result of our diversion efforts and a down turn in the economy the landfill capacity in the County still remains greater than 15 years.

- Changes in program implementation warrant a revision to one or more of the planning documents. Specifically, \_\_\_\_\_. The revision schedule(s) is included in Section 7.

Additional Analysis (optional):

#### **Section 4.6 Changes in Available Markets for Recyclable Materials**

The county has experienced changes in the following available markets for recyclable materials since the approval of the CIWMP or the last Five-Year CIWMP or RAIWMP Review Report (whichever is most recent):

##### Analysis

- There are no significant changes in available markets for recycled materials to warrant a revision to any of the planning documents. Specifically, the markets listed in the previous Five-Year Report still exist and continue to serve all the jurisdictions within the County. Additionally, the CIWMB (CalRecycle) helped establish BayMax in 2000 as a local exchange market.
- Changes in available markets for recycled materials warrant a revision to one or more of the planning documents. Specifically, \_\_\_\_\_. The revision schedule(s) is included in Section 7.

Additional Analysis (optional):

#### **Section 4.7 Changes in the Implementation Schedule**

The following addresses changes to the county's implementation schedule that are not already addressed in Section 4.5 above.

##### Analysis

- There are no significant changes in the implementation schedule to warrant a revision to any of the planning documents. Specifically, all sixteen jurisdictions within Santa Clara County have implemented and continue to run multiple programs to maintain and increase diversion.
- Changes in the implementation schedule warrant a revision to one or more of the planning documents. Specifically, \_\_\_\_\_.

Additional Analysis (optional):

Note: Changes noted in sections 4.1 through 4.7 were considered for each jurisdiction in the county or regional agency with an explanation as to whether the change necessitates a revision to any of the jurisdictions' planning documents.

## **SECTION 5.0 OTHER ISSUES OR SUPPLEMENTARY INFORMATION (optional)**

The following addresses any other significant issues/changes in the county and whether these changes affect the adequacy of the CIWMP or RAIWMP such that a revision to one or more of the planning documents is needed.

### Analysis

#### **Funding for HHW Services**

The current AB 939 Fee of \$4.10 per ton generates approximately \$4.8 million in revenue in FY 2010. Approximately \$3.0 million of this revenue (\$2.60 per ton) fund Countywide HHW services. However, the HHW portion of the AB 939 Fee does not fund an optimum level of HHW services. Instead, it reflects the consensus of city representatives regarding an acceptable fee level. Cities desiring a higher level of service augment the funding provided by the AB 939 Fee.

#### **HHW Facilities**

From 2002 to 2006, the HHW Program operated three permanent facilities, located in the Cities of San Jose and Sunnyvale and in the unincorporated area. HHW collection events were held at these facilities and at temporary locations throughout the county. In November 2006, the facility located in San Jose lost its lease and terminated operations. To make up for collection events held at the San Jose facility, the HHW Program has been operating extra temporary collection events in San Jose while a new permanent location was found. Currently there are two permanent facilities. In FY 2010, the HHW Program held 60 events and served nearly 35,000 households.

The City of San Jose has secured a site to build and operate a replacement HHW facility on Las Plumas Avenue. The City is in the process of coordinating the construction and anticipates completion by the Fall of 2012. The County HHW Program will operate the facility and expand services to residents by providing significantly more operating days and hours to residents of all jurisdictions. Funding for services and capital infrastructure projects to accommodate HHW drop-off and collection events includes funding from the AB 939 Implementation Fee assessed by the County Board of Supervisors.

#### **Extended Producer Responsibility**

As a tool to combat increasing costs and the onslaught of hazardous products generated by residents, the County of Santa Clara's Board of Supervisors adopted a Resolution supporting Extended Producer Responsibility on May 22, 2007 to develop and support legislation to address product stewardship for hazardous products banned from the landfills.

The County of Santa Clara will work to establish and include pledges, policies, resolutions, ordinances and other appropriate mechanisms to demonstrate its support of, and educate the public about, Product Stewardship and Extended Producer Responsibility.

RWRC and Jurisdictional Activities

The Recycling and Waste Reduction Commission (LTF) has been working on progressive issues such as single use carry-out bag and expanded polystyrene food and beverage container bans. The Cities of Palo Alto and San Jose have already instituted a single use carry-out bag ban and several other cities and the County unincorporated area are in the process of drafting ordinances. The City of Palo Alto adopted a ban on expanded polystyrene take out containers for all restaurants in their city in April 2010 and the cities of Milpitas and San Jose hope to adopt bans this year as well.

**SECTION 6.0 ANNUAL REPORT REVIEW**

- The Annual Reports for each jurisdiction in the county have been reviewed, specifically those sections that address the adequacy of the CIWMP or RAIWMP elements. No jurisdictions reported the need to revise one or more of these planning documents.
  
- The Annual Reports for each jurisdiction in the county have been reviewed, specifically those sections that address the adequacy of the CIWMP or RAIWMP elements. The following jurisdictions reported the need to revise one or more of these planning documents, as listed.
  - \_\_\_\_\_

Analysis

The discussion below addresses the county's evaluation of the Annual Report data relating to planning document adequacy and includes determination regarding the need to revise one or more of these documents.

\_\_\_\_\_

**SECTION 7.0 REVISION SCHEDULE (if required)**

\_\_\_\_\_