

November 15, 2022

MOTION BY SUPERVISOR SHEILA KUEHL

Consideration of a Proposed Anaerobic Digestion Facility at the Calabasas Landfill

California is experiencing the effects of climate change and recognizes that solid waste disposal creates greenhouse gas (“GHG”) emissions, which exacerbates the climate crisis. This led the State to pass Senate Bill 1383 (2016, Lara, SB 1383) which set ambitious goals to reduce GHG emissions by diverting 75 percent of organic waste from landfills and recovering 20 percent of edible food that would otherwise be disposed, by 2025.

To help meet organic waste reduction and GHG reduction emissions goals, this Board recently adopted the Los Angeles County Zero Waste Plan (“Zero Waste Plan”), which aligns closely with other County adopted plans such as the Los Angeles County General Plan and Our County Sustainability Plan. The Zero Waste Plan includes a variety of strategies for managing organic waste including planning for adequate organic waste processing infrastructure within the County to meet the requirements of SB 1383.

As a regional leader in infrastructure development, the County has a role to help ensure sufficient organic waste processing capacity Countywide. In September 2021, Public Works submitted a report to the Board which summarized the need for Countywide organic waste processing facilities, preliminary feasibility results for locating needed facilities at existing County waste management properties, and a recommendation to further explore development of an

MOTION

SOLIS _____

KUEHL _____

HAHN _____

BARGER _____

MITCHELL _____

anaerobic digestion facility ("AD facility") to process organic waste adjacent to the Calabasas Landfill.

In alignment with the report, Public Works issued a Request for Proposals ("RFP") on June 9, 2022, to identify a private partner to design, build, own, and operate a proposed AD facility adjacent to the Calabasas Landfill. The evaluation committee reviewed and ranked the proposals, based on resources, experience, performance, reliability, and other factors, leading to the selection of Anaergia Technologies, LLC ("Anaergia") as the most qualified.

Should an AD facility be recommended for development at a future date, the County is committed to working closely with local stakeholders throughout its development in a transparent process that includes robust community engagement.

I, THEREFORE, MOVE that the Board of Supervisors:

1. Find that the approval of the proposed actions is not subject to the California Environmental Quality Act ("CEQA") because it is excluded from the definition of a project pursuant to section 21065 of the California Public Resources Code and section 15378(b) of the State CEQA Guidelines because the proposed action is excluded from the definition of a project and is organizational or administrative activity of government that will not result in direct or indirect physical changes in the environment. Should there be a recommendation in the future to approve an AD facility at a future date, the County would comply with CEQA, as necessary prior to approval;
2. Authorize the Director of Public Works, or his designee, to enter into an Exclusive

Negotiating Agreement (“ENA”) with Anaergia, during which time the parties would negotiate a proposed ground lease and base operating agreement, and return to the Board for approval of the ground lease and base agreement should the ENA negotiations be successful; and

3. Authorize Public Works in coordination with the Chief Executive Office to develop a proposal for establishing a Community Advisory Committee (“CAC”) to provide input and feedback on the proposed AD facility and report back to the Board within 120 days.