

## Frequently Asked Questions (FAQ)

### Implementation of Measure E: Green Energy Initiative

February 6, 2012

#### *Measure E*

**1. Q: What does Measure E do?**

A: Measure E undedicates a 10-acre parcel of land in Byxbee Park to be used for the exclusive purpose of building an Energy/Compost facility.

**2. Q: How long does the land remain undedicated:**

A: The 10-acre parcel must remain undedicated for a minimum of 10 years.

**3. Q: Can Council take any action during the 10 year period to re-dedicate the 10-acre site as parkland?**

A: No, only the voters can change the terms of Measure E during the 10 year period.

**4. Q: If an Energy/Compost site is not constructed on the 10-Acre Site by Year 10, does the Site automatically revert to parkland?**

A: No, Measure E provides that Council may re-dedicate the site as parkland after Year 10, but the land does not automatically revert to parkland in Year 10.

**5. Q: What type of Energy/Compost facility can be located on the 10-acre site?**

A: The measure provides that the site can be used for “converting yard trimmings, food waste, other municipal organics and/or sewage sludge from the regional wastewater treatment plant by biological and/or other environmentally equally protective technology.”

**6. Q: Is windrow composting a biological conversion process?**

A: Aerobic composting is a biological conversion technology. “Windrow composting” generally means a form of aerobic composting where air emissions are not controlled.

**7. Q: Does the Energy/Compost operation on the 10-acre site need to be enclosed?**

A: Not expressly. However, Measure E does require the operation to “include all feasible methods for mitigating any significant environmental impacts identified during environmental review, including visual, sound and odor.”

**8. Q: Does Measure E require the City to explore and/or construct an Energy/Compost facility on the 10-acre site?**

A: No.

**9. Q: What uses are allowed on the 10-acre site while the City is exploring the feasibility of an Energy/Compost facility?**

A: The only use allowed on the site is an Energy/Compost facility. The land must remain unused (i.e. fallow) if no such facility is constructed.

**10. Q: Before an Energy/Compost facility is constructed, what type of environmental review is required?**

A. The placement of an Energy/Compost site on the property would require compliance with the California Environmental Quality Act. The type and scope of the project dictates the level of environmental review.

### **Existing Windrow Compost Operation**

**11. Q: Where is the current windrow compost site located?**

A: The current site occupies approximately 7.5 acres on the Southwestern section of Phase IIC of the Palo Alto landfill. It is not within the Measure E designated 10 acre site.

**12. Q: Is the windrow compost operation still open?**

A: Yes, the landfill has continued to accept yard trimmings from the contract hauler (residential curbside collection), City crews, and City tree trimming contractors so that finished compost could be produced and added to clean soil to produce a vegetative soil layer.

**13. Q: Why does the windrow composting operation need to be closed at its current site?**

A: The current operation is located on top of Phase IIC. In order to cap Phase IIC, the composting operation must be moved.

**14. Q: Can the windrow composting facility be moved permanently to another location on the landfill?**

A: Any new permanent use on the landfill must be consistent with park use and the Byxbee Park Master Plan. It may be possible to move it to the Measure E 10 acre site. This would have to be explored.

**15. Q: What regulatory approvals are required to allow the existing compost facility to temporarily stay on the landfill for an extended time?**

A: At a minimum, approval from the California Regional Water Quality Control Board (RWQCB), the California Department of Resources Recycling and Recovery (CalRecycle), and the County of Santa Clara, Department of Environmental Health (Local Enforcement Agency or “LEA”). Consultation with the State Lands Commission may also be required.

**16. Q: If the compost operation temporarily stays on the landfill must it continue to pay rent?**

A: This is a policy question for the City Council. The City’s existing policy is to require Enterprise funds to pay rent for use of General Fund property; however, this policy can be waived by the Council.

**Landfill Operations**

**17. Q: How big is the landfill?**

A: The Palo Alto Landfill is comprised of 126-acres and is divided into four Phases – I, IIA, IIB, and IIC

**18. Q: Has any portion of the landfill been converted to parkland?**

A: Yes, 72 acres to date has been opened to parkland. Phase I (29 acres) was capped, and converted to parkland in 1992. A 43 acre section of the capped Phases IIA and IIB was opened to the public in 2011. Approximately 3 acres of Phase IIB is being used to stockpile a vegetative soil mixture.

**19. Q: Is the landfill currently accepting refuse?**

A: No, the last remaining section of Phase IIC reached capacity in July 2011 and the landfill has officially stopped accepting any more refuse.

**20. Q: Has the City started capping Phase IIC of the landfill?**

A: The landfill has begun performing preparation tasks for the final closure. Clean soils are being accepted in order to bring settled areas of Phase IIC up to the final design grades and to install a foundation layer under the final cap. Clean soils have also been accepted, screened, mixed with compost and stockpiled as the vegetative soil layer that will be placed over the final cap. The vegetative soil is being partially stockpiled on a 3 acre section of Phase IIB as well as on Phase IIC. The City has not begun to construct the cap itself on Area IIC.