

SULTAN CITY COUNCIL AGENDA ITEM COVER SHEET

ITEM NO: D-2

DATE: June 28, 2007

SUBJECT: Snohomish County Solid Waste - Green Waste Recycling Proposal

CONTACT PERSON: Deborah Knight, City Administrator

ISSUE:

The issue before the City Council is to review a proposal by Snohomish County Solid Waste to temporarily or permanently use the City's property, adjacent to the Sultan Transfer Station, as a drop off site for yard waste recycling. See attached maps of the proposed sites.

The alternatives for the City are to:

1. Do not support the use of City property for yard waste recycling and seek other alternative sites such as a proposed site in Gold Bar or other properties adjacent to the Sultan transfer station.
2. Support a pilot project and lease the City's property to the County for a defined period of time.
3. Support a long-term lease of the City's property to the County.
4. Sell the City's property to the County
5. Exchange the City's property for a County property – one proposal is to exchange the City's property for a parcel of County property on 124th Avenue that used to be the County gravel pit. A level one environmental assessment has been done on the property. A decision by the Council to exchange properties would include a "due diligence" study.

STAFF RECOMMENDATION:

Review the proposal to use the City property adjacent to the Sultan Transfer Station as a collection site for yard waste recycling. Discuss pros and cons of each alternative and direct staff.

COUNCIL SUBCOMMITTEE:

The City Council subcommittee reviewed the issue at its May 17, 2007 meeting and directed staff to bring the issue to the full Council for discussion.

SUMMARY:

Burn Ban

Effective January 1, 2007 Sultan residents may no longer burn outdoor yard waste under a burn ban law that was approved as a part of Washington's Clean Air Act in 1991 (Attachment 2). The options for residents are to compost, chip, use curb side pick up, haul to yard waste disposal stations, or dispose of their yard waste on community clean up day.

Enforcement of the state law is the responsibility of the Clean Air Agency. Outdoor burning is still allowed with a permit from the Fire Department within counties including Snohomish County. Sultan residents found in violation of the law can be issued a citation by the Puget Sound Clean Air Agency. The Fire Department receives outdoor burning complaints. They have been working with residents to voluntarily comply with the law.

Hauling five yards of solid waste to the transfer station costs residents about \$84. The Fire District has been working with Snohomish County Solid Waste and the Puget Sound Clean Air Agency to implement alternatives to burning. The proposal is to provide a yard waste recycling drop off site that would be more cost effective for Sultan residents and residents of surrounding cities in the Sky Valley.

Yard Waste Recycling Drop-off Sites

City Owned Property - One possible drop off site is the City owned property adjacent to the transfer station. This property is the number one alternative since it would require the least amount of initial investment to get started. Staff at the current Sultan transfer station could manage the site from the existing facility. This eliminates the need to hire additional staff. Also, Sultan residents and others are already familiar with the Sultan Transfer Station location which provides some convenience to the "customer".

The site is currently a park property and is used by baseball and soccer teams for practice. Previous Councils have identified the site as a possible Public Works Shop. There are plans to expand the cemetery onto the site at sometime in the future.

The issue for the Council is whether to temporarily or permanently accommodate a yard waste drop off site on the property. This decision could affect the City's future plans for the site.

Other properties adjacent to the existing transfer - There are other sites under consideration including the Fire District Property to the north and private property to the east of the existing transfer station. Although these properties are adjacent to the transfer station they are not within viewing distance of the current transfer station. This means that additional staff would have to be hired to be on-site.

County Owned Properties - The County owned gravel pit on 124th Avenue just south of the City limits could also be used. However, property owners in the area are planning to build new housing developments so there might be a conflict of use. Snohomish County Solid Waste also owns a site in Gold Bar on the south side of the river.

Private Property – Koenig Mill has agreed to recycle yard waste. The Mill property could be used as a drop off site. However, Koenig Mill would need to hire additional staff to manage the site.

The Council should discuss all the site alternatives pros and cons with the other parties before determining whether the Sultan property meets a defined set of site selection criteria.

FISCAL IMPACT:

Project Funding

As reported in the April 30, Everett Herald (Attachment 5), Snohomish County plans to spend up to \$50,000 this year to create a system in Sultan to let people recycle yard waste into topsoil.

Sultan is eligible for state grants to provide alternatives to backyard burning of organic materials. The State Legislature included \$2,000,000 in this year's capital budget for grants to local governments.

Priority for these grants will be given to: 1) Urban growth areas of less than 5,000 people affected by the ban; 2) Projects that develop infrastructure for an on-going program; 3) projects that coordinate regionally.

The Council may want to discuss working with the Fire District, County and Puget Sound Clean Air Agency to identify possible grant eligible projects.

ANALYSIS:

This is the start of discussion on how best to handle yard waste now that the burn ban is in effect. There is a proposal to recycle yard waste at a site adjacent to the Sultan Transfer Station. The City owned property is one alternative.

The State legislature approved \$75,000 this year for the Department of Ecology to convene a work group with representatives of affected stakeholders to find solutions for

yard waste recycling for smaller cities. Chief Halverson is thinking of participating in the work group "listening sessions" for communities such as Sultan who are impacted by the ban. The work group recommendations must be completed by December 31, 2007.

There are still a number of issues that must be resolved before collection and recycling can take place.

1. How to encourage people to recycle yard waste?

Chief Halverson has proposed a number of incentives to encourage people to recycle yard waste such as discount coupons for disposing of yard waste at the drop off site.

There may be City residents who will need to change their long-time habit of burning yard waste. A burn ban is particularly difficult for property owners who have large properties within the City limits. Remember, the ban does not affect residents in unincorporated Snohomish County.

2. Where to collect and store the material before transporting it for recycling?

Chief Halverson along with Snohomish County and Puget Sound Air Quality have identified a number of potential sites. They would like to keep the site as close to Sultan as possible. There is a sense that the further people have to drive to reach the drop off site the less likely they are to recycle their yard waste.

3. How to ensure the collection site doesn't become a dump for non-yard waste materials?

The best way to ensure that collection site doesn't become a dump for non-yard waste materials is to staff the site during operating hours and secure the site after hours. Snohomish County Waste requires at least two operators be on duty at the site. Koenig Mills would require at least one operator at the site.

Locating the site within viewing distance of the existing Sultan Transfer Station would eliminate the need to hire additional staff.

4. Will this be a pilot project? If so, how long will it last and how will we measure success?

If the City Council approves using City property, this question would need to be resolved during the lease negotiations. City staff recommend that any pilot project include measurable performance standards and at least quarterly reporting. The project should be reviewed at least annually. A pilot project should not last more than three years.

5. What if a pilot project is not successful?

If a pilot project is not successful the parties would need to come back together and discuss other alternatives.

6. What if a pilot project is successful?

If the program is successful it might be possible to transfer yard waste recycling to a private enterprise. There are a number of businesses such as Pacific Topsoil that profitably recycle yard waste.

RECOMMENDED ACTION:

Review the proposal to use the City property adjacent to the Sultan Transfer Station as a collection site for yard waste recycling. Discuss pros and cons of each alternative and direct staff.

ATTACHMENTS:

1. Maps
 2. 2007 Outdoor Burning Ban
 3. April 27, 2007 Letter on Residential Yard Waste Burning
 4. Everett Herald news article March 5, 2007
 5. Everett Herald news article April 30, 2007
-

COUNCIL ACTION:

DATE:



Frequently Asked Questions about 2007 Outdoor Burning Ban

From Ecology's Air Quality Program

Let's Clear the Air about Outdoor Burning Changes

Q: What is outdoor burning?

A: Outdoor burning is burning of household yard waste, such as leaves, grass, brush and other yard trimmings. It is also burning to clear land of trees, stumps, shrubbery, or other natural vegetation.

Q: What is going to change in 2007?

A: Before 2007, outdoor burning was banned only in urban growth areas for cities with more than 5,000 people. Starting January 1, 2007, outdoor burning will be banned in all urban growth areas* (see below) in Washington.

Q: Are garbage burning and burn barrels banned?

A: Garbage burning and burn barrels are illegal everywhere in Washington, and have been for many years.

Q: *What is an urban growth area?

A: "Urban growth area" is a term used by cities and counties to define where home and business development is allowed. More development is allowed inside an urban growth area. For example, four houses per acre might be allowed in the urban growth area, while only one house per five acres might be allowed outside the area.

Q: How will I know if I'm in an urban growth area?

A: To find out if you live in an urban growth area, call your local planning department. Maps of urban growth areas around the state are also on Ecology's web site at:
<http://www.ecy.wa.gov/programs/air/aginfo/ugamaps.htm> .

Q: If I'm not in an urban growth area, can I still burn?

A: Each area has its own rules. Check with your local building department or county planning department to learn what is allowed in your area. All burning requires a permit.

Q: If I can't burn, what should I do with all my yard waste?

A: Call your local solid waste department to find out what options are available to you. Instead of burning, you could:

- Compost
- Chip
- Use curbside pickup
- Haul to yard waste disposal stations
- Hold community-wide or neighborhood cleanup days

Q: What if my community doesn't have any alternatives to burning?

A: Call your solid waste department to find out where you can take your yard waste until other options are available. Your local planning or solid waste department can apply to Ecology for a Coordinated Prevention Grant (CPG) to buy chippers, help haul yard waste, or pay for other alternatives. This money is a one-time grant to help communities start alternatives to burning. In the long-term, communities are responsible to pay for their own programs.

Q: Why can't I burn?

A: The Washington State Legislature passed a law in 1991 banning outdoor burning. Garbage burning and burn barrels have been illegal everywhere in Washington since 2000.

Q: What's wrong with burning?

A: Outdoor burning can harm health, the environment, and property:

- Burning pollutes the air, causing serious health problems. The smoke from burning leaves, grass, brush, and tree needles can cause asthma, emphysema, bronchitis, and lung cancer. Children, the elderly, and those with breathing problems are most harmed by poor air quality.
- Burning also pollutes our water and soil. Smoke particles fall into our water and on our soil.
- Backyard fires can destroy property. Backyard fires that get out of control set off most of the wildfires caused by people. You can be held responsible for the cost of putting out your out-of-control fire, which can be very expensive.

Q: What happens if I keep burning?

A: You can be fined up to \$10,000 per day for each violation. You can also be held responsible for the cost of putting out the fire. This can cost thousands of dollars.

Q: If the law was passed in 1991, why am I just now hearing about it?

A: Lawmakers voted to phase in the ban on residential outdoor burning to give communities more time to develop alternatives to burning. The ban was originally set to take effect statewide in 2001. It took effect only in communities with 5,000 or more people in 2001. In 1998, the Legislature delayed the ban for smaller communities until January 1, 2007, to give them even more time to prepare.

Q: If I live in a small town, is smoke really a problem?

A: Smoke causes the same health problems no matter where you live. Sources of smoke may be different from place to place. Smoke can affect the lungs, sting the eyes, and worsen heart and lung disease.

Q: Doesn't smoke just blow away?

A: Sometimes it does. It depends on weather and geography. For example, if you live in a valley, smoke settles after sunset when cool air drops down from higher elevations. This cool, dense air carries smoke from outdoor fires and woodstoves, and accumulates near the valley bottom. Although some smoke may escape through valley openings or gaps and spread to another area, most of the smoke remains trapped until the sun has warmed the ground. Then, the warm air rises and may carry the smoke out of the valley.

In the winter, the days rarely warm up enough to carry away the smoke, and more smoke gets added each day. Even on summer nights, smoke can reach unhealthy levels before being cleared out the following day.

Q: What kinds of burning are still allowed?

A: Farm and orchard burning (with a permit) and campfires are still allowed. The U.S. Forest Service is still allowed to do forest burning.

Q: Why are farm and orchard burning still allowed?

A: The Legislature decided to allow farm and orchard burning under certain conditions. Ecology issues burn permits to farmers and orchardists based on the reason for burning, the weather conditions, and the effects of the smoke on nearby people. Ecology gives advance notice about when burns will happen.

Q: Why is forest burning still allowed?

A: Forest burning is allowed because it helps keep our forests healthy. However, it is done under strict guidelines. The Washington State Department of Natural Resources issues permits for U.S. Forest Service burns. They work together using weather information to make good burning decisions.

Q: Who should I call if someone is burning and they're not supposed to?

A: Call the number listed for your county, below and on the following page:

<u>County</u>	<u>Call</u>
Adams	Department of Ecology, 1-866-211-6284
Asotin	Department of Ecology, 1-866-211-6284
Benton	Benton Clean Air Authority, 509-943-3396
Chelan	Department of Ecology, 1-866-211-6284
Clallam	Olympic Region Clean Air Agency, 1-800-422-5623
Clark	Southwest Clean Air Agency, 1-800-633-0709
Columbia	Department of Ecology, 1-866-211-6284
Cowlitz	Southwest Clean Air Agency, 1-800-633-0709
Douglas	Department of Ecology, 1-866-211-6284
Ferry	Department of Ecology, 1-866-211-6284
Franklin	Department of Ecology, 1-866-211-6284
Garfield	Department of Ecology, 1-866-211-6284
Grant	Department of Ecology, 1-866-211-6284
Grays Harbor	Olympic Region Clean Air Agency, 1-800-422-5623
Island	Northwest Clean Air Agency, 1-800-622-4627
Jefferson	Olympic Region Clean Air Agency, 1-800-422-5623
King	Puget Sound Clean Air Agency, 1-800-552-3565
Kitsap	Puget Sound Clean Air Agency, 1-800-552-3565
Kittitas	Department of Ecology, 1-866-211-6284
Klickitat	Department of Ecology, 1-866-211-6284
Lincoln	Department of Ecology, 1-866-211-6284
Lewis	Southwest Clean Air Agency, 1-800-633-0709
Mason	Olympic Region Clean Air Agency, 1-800-422-5623
Okanogan	Department of Ecology, 1-866-211-6284

<u>County</u>	<u>Call</u>
Pacific	Olympic Region Clean Air Agency, 1-800-422-5623
Pierce	Puget Sound Clean Air Agency, 1-800-552-3565
Pend Oreille	Department of Ecology, 1-866-211-6284
San Juan	Department of Ecology, 1-866-211-6284
Skagit	Northwest Clean Air Agency, 1-800-622-4627
Skamania	Southwest Clean Air Agency, 1-800-633-0709
Snohomish	Puget Sound Clean Air Agency, 1-800-552-3565
Spokane	Spokane County Air Pollution Control Authority, 509-477-4727
Stevens	Department of Ecology, 1-866-211-6284
Thurston	Olympic Region Clean Air Agency, 1-800-422-5623
Walla Walla	Department of Ecology, 1-866-211-6284
Wahkiakum	Southwest Clean Air Agency, 1-800-633-0709
Whatcom	Northwest Clean Air Agency, 1-800-622-4627
Whitman	Department of Ecology, 1-866-211-6284
Yakima	Yakima Regional Clean Air Authority, 509-834-2050

On Indian reservations, call the Environmental Protection Agency, 1-800-424-4EPA

If you are having trouble breathing or if smoke from an outdoor burn is getting into your house, call 911 for immediate help.

More information is on Ecology's web site at:

http://www.ecy.wa.gov/programs/air/outdoor_woodsmoke/residentialburn.htm.

If you need this publication in another format, please call Tami Dahlgren at (360) 407-6800. Persons with hearing loss can call 711 for Washington Relay Service. Persons with a speech disability can call 877-833-6341.



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Chief,
Fri

—Deborah

TO: Elected Officials from Cities Under 5,000
FR: Dave Williams, AWC Municipal Policy Associate
RE: Residential Yard Waste Burning
DATE: April 27, 2007

One of AWC's legislative priorities this session was seeking relief for fully-planning GMA cities under 5,000 in population from the January 1, 2007 ban on residential yard waste burning.

That priority became a bill, SSB 6081, that would have allowed residents in cities under 2500 in most GMA-planning counties to burn after adoption of a local ordinance and only until July 1, 2008. SSB 6081 failed to pass the Legislature. AWC and bill advocates were unable to convince members of the House majority to pass the bill before various cut-off points in the process. Late in the session it appeared that we had a "deal" to move the bill forward; but we could not make it happen.

However, we were successful in getting legislators in both chambers, as well as the Department of Ecology, to acknowledge that the current law (which allows burning in some places and not others) may not make "perfect" sense. With the leadership and persistence of Sen. Linda Evans Parlette (R-Wenatchee), the following provisions were included in the state's Capital Budget:

- Up to \$2,000,000 for grants to local governments to provide alternatives to backyard burning of organic materials. Priority for these grants will be given to: (a) Urban growth areas of less than 5,000 people affected by the January 1, 2007, ban on outdoor burning; (b) projects that develop infrastructure for an on-going program; and (c) projects that coordinate regionally.
- Up to \$75,000 for the Department of Ecology (Ecology) to convene a work group with representatives of affected stakeholders to assess opportunities, other than burning, to manage vegetative solid waste and recommend best management practices, consistent with good solid waste management practices, that work for smaller communities. Ecology is required to provide the recommendations to affected cities and to the appropriate standing committees of the Legislature. The work group recommendations must be completed by December 31, 2007.

AWC will work with Ecology to organize this work group and, as a first step, we are jointly planning on holding one or more "listening sessions" for communities impacted by the ban.

We are disappointed that legislation did not pass. However, we very much appreciate budget provisions noted above.

AWC would also like to thank all the support and encouragement provided by interested cities. More work is ahead and we will communicate with impacted cities as the work group prepares to convene.

For more information, please contact either me or Tim Gugerty at AWC at 1-800-562-8981.

Attachment 3-1

Published: Monday, March 5, 2007

County wants fields, lights and sidewalks

It's proposing \$5.5 million over two years for community projects.

By Jeff Switzer

Herald Writer

EVERETT - Snohomish County officials are looking at shelling out \$5.5 million in the next two years on special community projects and programs, including new sports fields and sidewalks.

County Executive Aaron Reardon sent a spending plan to the County Council last week. To launch the program, Reardon is asking for about \$900,000 in projects and new employees this year.

The program helps whittle down the deficit in public facilities such as sidewalks and intersection improvements, Reardon said.

"We'll be working with the community to set priorities in neighborhoods," Reardon said.

County Council chairman Dave Gossett said the council set aside \$2 million a year for the program.

"I'm glad the executive has chosen to support the council's idea," County Council Chairman Dave Gossett said. "This originated with something we asked him to do. We'll go from here."

As part of the 2007 budget, the County Council requested that Reardon draft a spending plan for neighborhood projects by March 1.

Reardon said his proposal was not in response to the County Council budget requirement.

Instead, it is a continuation of sidewalk, park and transportation projects he introduced last year called the Community Infrastructure Development Initiative.

Gossett chafed.

"I think it's unfortunate he didn't give credit to the council in identifying this as something the council asked him to bring forward," Gossett said.

Regardless, county officials are proposing to identify and build new sidewalks and sports fields, better intersections and street lighting, and introduce rural yard waste recycling to cut down on pollution from burn piles.

Some of the projects rely on neighborhoods and community groups paying a share of the costs with money, labor or land, Reardon said.

Reardon proposed hiring a new team of eight county employees to coordinate and design projects.

A handful of demonstration projects would be built this year under the plan, with many more promised next year.

"While some of the elements are good, it's very staff heavy," Gossett said. "One-third of the money will be spent hiring new staff. It's more important to actually build something, and put every possible dime into infrastructure."

County real estate excise taxes collected when property is bought and sold would pay for almost all of the proposed spending this year and next.

About \$163,000 would come from county road taxes and solid waste fees.

"We'll schedule this for review looking at the approach he's outlined, the funding and staffing, and move forward from there," Gossett said.

Proposals include:

- \$1.3 million toward school safety projects, starting with Chain Lake Elementary School in Monroe;
- \$1.3 million toward intersection safety improvements;
- \$810,000 in grant funds for sports fields;
- \$648,000 for intersection improvements for pedestrians with disabilities;
- \$264,000 in protective flood fencing on the Skykomish River and elsewhere;
- \$572,000 toward missing sidewalk links for parks, senior centers and other sites;
- \$141,000 toward speed bumps and traffic circles in neighborhoods;
- \$310,000 toward landscaping for unattractive storm-water retention ponds;
- \$100,000 to recycle yard waste in the rural areas of Sultan Fire District 5; and
- \$63,000 toward street lighting on arterials.

Reporter Jeff Switzer: 425-339-3452 or jswitzer@heraldnet.com.

Local News

Published: Monday, April 30, 2007

Sultan becomes a test bed

Program aims to trade yard-waste burning habit for recycling

By Yoshiaki Nohara

Herald Writer

SULTAN - The days of burning your own yard waste are coming to an end.

That's what some hope, anyway.

Snohomish County plans to spend up to \$50,000 this year to create a new system in Sultan to let people recycle yard waste into topsoil instead of taking a match to it.

The change is needed because areas that once used to be rural farmland are seeing suburbs rise up on neighboring land.

"It's a health hazard," said Jim Nolan, director of compliance for the state's Puget Sound Clean Air Agency.

More people in town means they are living closer to each other.

Smoke from the long-held practice of burning branches, brush and leaves can aggravate lung problems such as asthma and emphysema.

While state law bans the practice in Sultan and the surrounding area, neither the Sultan Police Department nor Fire District 5 enforces the ordinance. That's the job of the clean air agency, which only has two inspectors in the county.

Officials have yet to hammer out details of the pilot program, but they hope it works in Sultan so they can try it in other rural areas, said Steve Goldstein, of the county's solid waste division.

The idea involves considering creating a site near the city where people can bring yard waste and have it turned into topsoil at local compost businesses.

The county would charge people a dumping fee.

"We believe if people are given an opportunity, they will use it," District 5 Fire Chief Merlin Halverson said. "It has to be convenient and inexpensive."

Many people don't know that burning yard waste, something they may have done for years, is illegal.

That causes a problem in Sultan, a growing city of 4,440 people, Halverson said.

Developers have built new houses on small parcels of land in town, Halverson said. People who live in those houses often complain about the smoke from burning yard waste.

When they see smoke rising in their neighborhood, they call the fire district, Halverson said.

"The Catch 22 is that the fire district is not a regulatory agency," Halverson said.

The fire district of six full-time and 30 volunteer firefighters often receives several calls a week about burning yard waste, though it doesn't deal with air pollution issues, he said.

"To be honest with you, we've got plenty of angry people about this," he said.

Currently, people can haul their yard waste to a county solid-waste drop box.

But dumping 5 cubic yards of solid waste costs \$84.

Halverson believes most people would prefer burning yard waste, which costs nothing.

The price to charge for composting the yard waste is a big consideration for those trying to come up with the plan.

"That's the biggest hurdle we will encounter," Nolan said.

Reporter Yoshiaki Nohara: 425-339-3029 or yohara@heraldnet.com.