

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044
County Clerk
County of: Los Angeles

From: (Public Agency): City of San Marino
2200 HUNTINGTON DR
SAN MARINO, CA 91108
(Address)

Project Title: SOLID WASTE AND RECYCLING AGREEMENT

Project Applicant: CITY OF SAN MARINO

Project Location - Specific:
CITYWIDE



Project Location - City: San Marino Project Location - County: Los Angeles

Description of Nature, Purpose and Beneficiaries of Project:

AWARDING AN AGREEMENT TO VALLEY VISTA SERVICES, INC. FOR THE COLLECTION, TRANSPORTATION, PROCESSING AND DIVERSION OF MUNICIPAL SOLID WASTE, RECYCLABLE MATERIALS, FOOD SCRAPS, YARD TRIMMINGS, CONSTRUCTION AND DEMOLITION DEBRIS AND OTHER MATERIALS AND FOR THE COLLECTION, TRANSPORTATION AND DISPOSAL OF MUNICIPAL SOLID WASTE FOR A TEN (10) YEAR PERIOD BEGINNING MAY 31, 2025, AND TERMINATING JUNE 30, 2035

Name of Public Agency Approving Project: City of San Marino

Name of Person or Agency Carrying Out Project: Amber Shah, P.E.

Exempt Status: (check one):

- Ministerial (Sec. 21080(b)(1); 15268);
Declared Emergency (Sec. 21080(b)(3); 15269(a));
Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
[X] Categorical Exemption. State type and section number: Article 19 Sections 15301 and 15302
Statutory Exemptions. State code number:

Reasons why project is exempt:

THE PROPOSED ACTIVITY IS NOT A PROJECT SUBJECT TO CEQA BECAUSE IT DOESN'T MEET CEQA'S DEFINITION OF A PROJECT (SEE CEQA GUIDELINES SECTION 15378). MOST NOTABLY BECAUSE THE PROPOSED ACTIVITY DOES NOT HAVE THE POTENTIAL FOR RESULTING IN EITHER A DIRECT PHYSICAL CHANGE IN THE ENVIRONMENT, OR A REASONABLY FORESEEABLE INDIRECT PHYSICAL CHANGE IN THE ENVIRONMENT. THE SERVICES PROVIDED PURSUANT TO THE PROJECT WOULD BE IDENTICAL TO, OR SUBSTANTIALLY THE SAME AS, THE SERVICES PREVIOUSLY PROVIDED BY THE PREVIOUS SERVICE PROVIDER THROUGHOUT THE CITY. THE PROPOSED ACTIVITY WILL RESULT IN A CHANGE IN SOLID WASTE AND RECYCLING SERVICE PROVIDERS THAT WILL CONTINUE TO COLLECT AND PROCESS WASTE AND RECYCLABLES. PLEASE SEE ATTACHMENT 1 FOR FURTHER REASONS WHY THE PROJECT IS EXEMPT FROM CEQA.

Lead Agency
Contact Person: Amber Shah, P.E. Area Code/Telephone/Extension: 626-300-0787

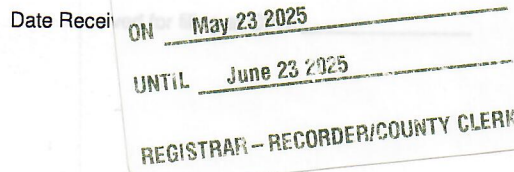
If filed by applicant:

- 1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: [Signature] Date: 5.23.25 Title: Parks & Public Works Director/City Engineer

Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.



The proposed action to award a solid waste services agreement (the "proposed activity") was reviewed in accordance with the California Environmental Quality Act (Public Resources Code §§ 21000, et seq., "CEQA") and the CEQA Guidelines (14 California Code of Regulations §§ 15000, et seq.).

1. The proposed activity is not a project subject to CEQA because it doesn't meet CEQA's definition of a project (see CEQA Guidelines Section 15378), most notably because the proposed activity does not have the potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment. The services provided pursuant to the Project would be identical to, or substantially the same as, the services previously provided by Athens throughout the City. The proposed activity will result in a change in solid waste and recycling service providers that will continue to collect and process waste and recyclables generated and disposed of in the same locations within the City and in the same manner as the previous service provider (Athens Services).

2. Assuming arguendo that the proposed activity is a "project" subject to CEQA, as discussed and demonstrated below it falls under several CEQA exemptions. The proposed activity is exempt pursuant to the categorical exemptions in CEQA Guidelines Section 15301 ("Existing Facilities") and CEQA Guidelines Section 15302 ("Replacement or Reconstruction") and also pursuant to the general, common-sense exemption in CEQA Guidelines Section 15061(b)(3):

- Class 1 Categorical Exemption for Minor Alteration to Existing Facilities – CEQA considers treatment of solid waste to be a utility (CEQA Guidelines Appendix G Checklist under Section XIX Utilities and Service Systems where solid waste is included under subsections (d) and (e)) and the example in Section 15301(b) explains that the existing facilities exemption covers minor alterations to existing public utility services. CEQA Guidelines § 15301 exempts "the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structure, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination." As noted above, the proposed activity will simply change the City's solid waste and recycling service provider and the new provider will continue to collect and process waste and recyclables generated and disposed of in the same locations within the City and in the same manner as the previous provider. Further, Valley Vista Services ("VVS") has indicated that all proposed collection and disposal facilities have adequate processing and/or disposal capacity for the waste and recyclables generated by the City of San Marino. No new facilities (including landfills, organics processing facilities, material recovery facilities (MRFs)), will be constructed or expanded by VVS as a result of entering into a solid waste services agreement with the City of San Marino. Therefore, the decision to approve the proposed activity involves the operation and use of existing facilities and equipment; it does not involve an expansion of use. Consequently, the Project is exempt from additional environmental review pursuant to CEQA Guidelines § 15301.
- Class 2 Categorical Exemption for Replacement of Existing Facilities – CEQA Guidelines Section 15302, including the example in subsection (c) for existing utility facilities, exempts "replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have

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substantially the same purpose and capacity as the structure replaced.” As noted above in the discussion regarding why the proposed activity falls under the Class I categorical exemption, the proposed activity does not entail any new or expanded structures but rather will simply change the City’s solid waste and recycling service provider who will continue to pick up waste from the same locations within the City and in generally the same manner as the previous provider. Therefore, the decision to approve the proposed activity involves the replacement of the City’s solid waste and recycling service provider and the activities the new provider will undertake will have substantially the same purpose and capacity as the activities of the previous provider. As such, the Project is exempt from additional environmental review pursuant to CEQA Guidelines § 15302.

- Common sense exemption – CEQA Guidelines Section 15061(b)(3) sets forth a ‘common sense exemption’ for projects that do not have the potential for causing a significant effect on the environment. VVS’s corporate yard and processing/transfer stations are approximately 10 miles further away from the City when compared to the relative location of the previous provider’s transfer/processing facility, which will result in a net increase in vehicle miles traveled by Compressed Natural Gas (CNG) Class 8 heavy duty refuse collection vehicles. However, this net increase in vehicle miles traveled, and resultant emissions, will result in the same or slightly less vehicle emissions when compared to the emissions from the previous provider by the following factors:
 - The previous service provider made use of light duty gas-powered trucks to collect residential containers and to bring them to the ‘mother trucks’ for consolidation. VVS is proposing to use either electric light-duty ‘burro’ trucks, electric golf carts, or workers on foot to bring residential carts to the curbside for collection. VVS is also proposing the use of an electric flat bed for bulky items and bin delivery. The previous service provider used a vehicle propelled by an internal combustion engine to provide these services. The use of EVs to gather the residential containers, as well as to collect bulky items/deliver bins, will result in fewer emissions.
 - Lastly, per the requirements of Senate Bill 1383, VVS has proposed the use of a facility to compost food scraps and yard trimmings collected from residential and commercial locations within the City. Currently, most food scraps generated by residential and commercial customers within the City are being landfilled. When food scraps are disposed of in a landfill where no oxygen exists, they breakdown anaerobically and generate methane gas, which has 84 times the atmospheric heat trapping capacity of carbon dioxide and is considered a ‘short-lived climate pollutant’ by CalRecycle and the California Air Resources Board (CARB) targeted for reduction by statute. Composting residential and commercial food scraps that are currently being disposed of in landfills will result in reductions in short-lived climate pollutants such as methane.
 - In summary, the collection and disposal systems proposed by Valley Vista Services include the collection of residential waste containers either by zero emission vehicle or by ‘foot’ that will eliminate emissions from gas vehicles used by the previous provider. Waste and recyclables will then be taken to a transfer station in the City of Industry which is slightly farther away from the City than the current facility utilized by the previous provider. However, based on the emission



reductions resultant from the use of electric vehicles and the composting of hundreds of tons of food scraps annually that are currently being landfilled, any net increase in additional emissions from Valley Vista's facility being farther away from the City will be negligible.

3. None of the exceptions to the Categorical Exemptions in CEQA Guidelines Section 15300.2 apply. One of the most commonly cited exceptions is the significant effect exception located in CEQA Guidelines Section 15300.2(c), however, that exception does not apply here as the proposed activity does not involve any unusual circumstances. Indeed, it is commonplace for cities and other municipalities to use an RFP process to identify/select and contract with new solid waste and recycling service providers. Because it is common for cities to switch solid waste and recycling service providers and because this exception requires both a potentially significant adverse environmental impact due to unusual circumstances, this exception does not apply here as there are no unusual circumstances.

