



Office of the Town Manager

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October 7, 2020

Honorable Mark Magit
Presiding Judge
Superior Court of California
Mono County
PO Box 1037
Mammoth Lakes, CA 93546

RE: Town of Mammoth Lakes response to the Final Report of the 2019-20 Grand Jury

Honorable Judge Magit,

I am pleased to provide responses to the Final Report of the 2019-20 Grand Jury and to the specific findings and recommendations related to the Grand Jury's Continuity Committee Solid Waste Report and Emergency Preparedness Final Report.

Continuity Committee Solid Waste Report

Findings and Responses

F1: The 18-19 Solid Waste Committee recommended that TOML view the Mammoth Disposal transfer station as phase one of the solid waste plan with phase two being a larger site which could accommodate the processing of industrial waste, green waste and other programs which can be used to reduce landfill usage and reduce costs.

In their response to the 18-19 Grand Jury report, TOML agreed with the recommendation and stated that the new agreement would include construction of a new transfer facility and clean Material Recovery Facility (MRF) sized to accommodate the projected solid waste needs of TOML as well as Mono County. Participation in the use of the facility by Mono County would be an option as the County works to finalize their overall system changes in response to the landfill closure. The new agreement will also require Mammoth Disposal to procure long-hauling agreements outside of the County to dispose of solid waste once Benton Crossing Landfill has closed. TOML also stated that a public outreach plan to ensure the public has sufficient time and information to plan for the closure and changes in services and cost. Development of other sites and facilities can be determined once the agreement with Mammoth Disposal is in place.

As of this writing TOML and Mammoth Disposal have extended the current agreement three times. The latest extension of the contract will expire December 30, 2020. TOML has stated that

they are waiting to have a proper rate analysis study completed before terms of a new contract can be discussed.

F1 Response: *The information stated in F1 is generally correct. The Town adopted a 20-year Franchise Agreement with Mammoth Disposal on September 2, 2020, which went into effect on October 1, 2020. Mammoth Disposal is moving forward with its plans to redevelop its existing transfer station site to construct a larger facility. The new facility will be operable prior to the closure of Benton Crossing Landfill. Mammoth Disposal will continue to work closely with the Town to determine the best way to handle larger items including industrial waste, green waste and other programs that can be used to reduce landfill usage and reduce costs, which may include the acquisition of additional land for processing of these items. However, there is no intent by the Town or Mammoth Disposal to build an additional solid waste processing facility other than the new transfer station and MRF that will be at the existing transfer station site.*

Regarding closure of the Benton Crossing Landfill, as the closure date gets closer and changes to service are expected to occur as a result, Mammoth Disposal will work closely with the Town to determine the best ways to provide outreach to its customers within the Town.

F2: The 18-19 Grand Jury recommended that TOML and Mono County partner to make necessary improvements to the Pumice Valley site so it could be a viable location for a biomass reactor, associated waste programs, and recycling operations. Timeline: Completed no later than January 1, 2023.

TOML responded to the 18-19 Report that a biomass facility will not be a condition of the Agreement, but the Agreement will allow for diversion of certain types of waste to such a facility should it be developed in the future. Impacts to the residents of Mammoth Lakes and Mono County will be better known once the Agreement is in place. Mono County had some questions about the economic, political, and environmental ramifications of a biomass reactor.

Mono County's response to the 18-19 Grand Jury also cited the need for further analysis and a better understanding of what the upcoming solid waste program will look like in Mammoth Lakes and Mono County overall.

TOML and Mono County agreed that while Pumice Valley was under consideration for such a site, it was not the only site under consideration.

F2 Response: *The information stated in F2 is correct. The Town continues to explore the possibility and feasibility of a biomass facility, including the possible use of the Pumice Valley site for such a facility. The Town has also reached out to LADWP to consider the purchase of additional land adjacent to Pumice Valley to assist with biomass feedstock management and processing. The site could also provide space for larger item recycling services and solar power. A Request for Proposals (RFP) to enter into a public-private agreement for a biomass facility was prepared, and two responses received. The Town is in negotiations with the top ranked respondent.*

F3: The 18-19 Grand Jury recommended that TOML and Mono County develop a plan for complying with the amounts of recycling and organic waste going to landfills in the likely event that State of California rural exemptions are changed by July 1 , 2020.

Mono County informed the 19-20 Grand Jury that they have applied for an extension of the low population waiver of mandates concerning organic waste and methane emissions in SB1383. No changes to rural exemptions were being considered during the comment period. The waiver would expire in 2025, or later if the State were to meet organic waste reduction targets. Mono County will also be applying for an Elevation Waiver under section 18984.13(d) which is applicable indefinitely.

In addition, Mono County has taken significant steps in improving capacity and efficiency of processing green material, more specifically, wood material. Wood material can be processed into several beneficial products including biomass feedstock, alternative cover, mulch, and erosion control media. Specialized equipment has been acquired and implemented. Additionally, Benton Crossing Landfill has implemented a composting pilot program. Testing is under way to identify an appropriate recipe of ingredients based on incoming waste streams.

Mono County further stated that they are actively involved in regional efforts to address green waste diversion. Collaboration and planning on upcoming forest health improvement and water quality projects include entities such as the Town of Mammoth Lakes, Sierra Institute, Inyo-Mono Integrated Regional Water Management Program, Eastern California Water Association, Plumas Corporation, Inyo National Forest and CalTrout. Mono County has agreed to allow siting of TOML's proposed biomass infrastructure at Pumice Valley Landfill and assisted with production of the Town's RFP (request for proposal) for equipment and technology which would remove organic material from the waste stream and out of landfills which may be used in the production of valuable products such as biochar, energy, compost, or similar type products.

F3 Response: *The Town and Mammoth Disposal will continue to comply with all applicable legal mandates regarding recycling and diversion of waste. Please note response F2 Response provided above.*

Recommendations and Responses

R1: The Grand Jury recommends TOML continue to make progress in planning and researching innovative solid waste solutions which will benefit residents and the environment after the Benton Crossing Landfill closure and beyond. The delay in coming to a beneficial agreement with Mammoth Disposal is concerning but understandable considering what is at stake and recent difficult circumstances.

R2: The Grand Jury recommends that Mono County continue to move forward with planning for the Benton Crossing Landfill closure. We also recommend they continue to collaborate with other regional entities as they develop the infrastructure and expertise needed for Mono County to successfully move to a future transition without Benton Crossing Landfill.

R1 and R2 Response: *As stated above, the Town adopted a 20-year Franchise Agreement with Mammoth Disposal on September 2, 2020, which went into effect on October 1, 2020. Additionally, the Town continues to explore the possibility and feasibility of a biomass facility. The Town will continue to work with Mono County as appropriate regarding a successful transition after the closure of Benton Crossing Landfill.*

Emergency Preparedness Final Report

Findings and Recommendations

F1: The radio system currently being used by MLFD and much of Mono County is fast becoming obsolete and unreliable. The TOML, Mono County, and other agencies within the County have begun the process of upgrading internal communications. They also have a unique opportunity to participate in the “FirstNet” nationwide communications system, they have been asked to participate in a pilot project which would bring this system to Mono County to provide a proof of concept.

R1: The Grand Jury recommends that Mono County and the TOML continue to support Mono County’s participation in the FirstNet communications system and/or any appropriate improvements to the system as resources allow. The Grand Jury further recommends that these improvements be made within the scope of a unified plan for the entire County.

F1 and R1 Response: *The Town is currently in discussions with Mono County and Mammoth Lakes Fire District regarding upgrade of the existing radio system. These discussions include the possibility of utilizing FirstNet as well as several other systems. The three agencies are working to determine the most technologically and financially feasible system for our area that meets the needs of our emergency responders.*

F2: MLFD, Mammoth Lakes Fire Safe Council, and other agencies throughout the County are making good progress in wildfire mitigation efforts.

R2: The Grand Jury recommends that Mono County and the TOML continue to support wildfire mitigation efforts in the areas surrounding Mammoth Lakes and in the County as a whole.

F2 and R2 Response: *The Town will continue to support wildfire mitigation efforts in Mammoth Lakes and the areas surrounding Mammoth Lakes and Mono County whenever appropriate and applicable.*

Some additional resources that you may wish to review should you choose to continue to evaluate Emergency Preparedness in the future include:

- Town of Mammoth Lakes Municipal Code Chapter 2.48 – Emergency Services (https://library.municode.com/ca/mammoth_lakes/_codes/code_of_ordinances?nodeId=TI2ADPE_CH2.48EMSE)
- Mono County and Town of Mammoth Lakes Multi-Jurisdictional Hazard Mitigation Plan – May 2019

- Town of Mammoth Lakes Emergency Operations Plan (Adopted on 8/16/17 by Resolution No. 2017-71)

I would like to thank the Grand Jury for their efforts and for the service they provide our community. Their efforts add to the overall improvement and transparency of local government and provide an important oversight function for our residents. Thank you also to the Court for the assistance and guidance that is provided to Grand Jury.

Sincerely,



Bill Sauser
Mayor

cc: Town Council
Town Manager
Town Clerk
Town Attorney