



## Legislation Details (With Text)

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**Title:** Community Development Agency, Transportation Division, recommending the Board:  
1) Receive a presentation on Assembly Bill 2355 and Public Resources Code Section 42704.5 regarding the use of paving materials with recycled products;  
2) Authorize the Community Development Agency to comply with Public Resources Code Section 42704.5(b) to limit the use of recycled content to 15% in paving materials and 0% in shoulder backing; and  
3) Authorize the Community Development Agency Director, upon recommendation from Transportation staff, to approve an increase up to 25% recycled materials once current performance issues are resolved by the California Department of Transportation or when performing work on a State maintained road. (Est. Time: 30 Min.)

**FUNDING:** N/A

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. A - Presentation 11-15-16, 2. B - AB 2355 11-15-16, 3. C - PRC 42704.5 11-15-16, 4. D - Caltrans Memo 11-15-16, 5. Public Comment Rcvd 11-15-16 BOS 11-1516

Date	Ver.	Action By	Action	Result
11/15/2016	1	Board of Supervisors	Approved	Pass

Community Development Agency, Transportation Division, recommending the Board:  
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**FUNDING:** N/A

### DEPARTMENT RECOMMENDATION

Community Development Agency (CDA), Transportation Division (Transportation), recommending the Board:

1) Receive a presentation on Assembly Bill 2355 (AB 2355) and Public Resources Code Section 42704.5 regarding the use of paving materials with recycled products;  
2) Authorize the Community Development Agency to comply with Public Resources Code Section 42704.5(b) to limit the use of recycled content to 15% in paving materials and 0% in shoulder backing; and

3) Authorize the CDA Director, upon recommendation from Transportation staff, to approve an increase up to 25% recycled materials once current performance issues are resolved by the California Department of Transportation (Caltrans) or when performing work on a State maintained road.

## **DISCUSSION / BACKGROUND**

AB 2355 and Public Resources Code 42704.5 states:

By January 1, 2017, a local agency that has jurisdiction over a street or highway shall do either of the following:

- a) Adopt the standards developed by Caltrans pursuant to Section 42700 for recycled paving materials and for recycled base, subbase, and pervious backfill materials.
- b) Discuss at a regularly scheduled public hearing of the local agency's legislative or other governing body why the standards are not being adopted.

Transportation currently uses a modified Caltrans standard specification for paving materials. Transportation's current specifications for projects allow the use of recycled paving materials up to 15% in the roadway surface and do not allow the use of recycled materials in shoulder backing. Transportation modifies the Caltrans standard specifications which allow up to 25% recycled content and in some instances up to 40%. Transportation does not currently modify the Caltrans specifications for recycled content in base, subbase, and pervious backfill materials. Transportation has not experienced any problems with allowing recycled content into these materials.

A memorandum from Caltrans dated June 22, 2016 (Attachment D), discusses projects that have been seeing premature failures of the pavement that use over 15% recycled content in paving materials. This memorandum also states the use of recycled content greater than 15% will require further mix design testing in the form of blending charts to ensure "the ultimate asphalt binder stiffness is within the requirements for asphalt binder specified for the project." Using a recycled content greater than 15% on County roads will require additional costs for mix design testing that are not currently required with the use of 15% recycled content as well as potentially reducing the life expectancy of the road surface, requiring replacement or repairs earlier than expected. This is thought to be caused by excessive binder stiffness with the increased reclaimed asphalt pavement (RAP) content.

Transportation has been utilizing up to 15% recycled content in hot mix asphalt (HMA) for the last several years for projects all over the County, including Tahoe, and is confident in the performance and life expectancy of the final product. The following projects have all contained 15% RAP in the HMA:

- Bass Lake Road Overlay Project
- North Shingle Road Overlay Project
- Gold Hill Road Overlay Project
- Patterson Drive and Missouri Flat Road Overlays Project
- Green Valley Road at Weber Creek Bridge Replacement Project
- Silva Valley Interchange Project
- Cold Springs Road at Mount Shasta Lane Realignment Project
- Salmon Falls Road South of Glenesk Lane Realignment Project
- Sawmill Bike Path Bridge Deck Repair Project
- Pleasant Valley Road at Oak Hill Road Intersection Improvements Project
- U.S. Highway 50 HOV Lanes Phase 0 Project

- U.S. Highway 50 HOV Lanes Phase 1 Project
- U.S. Highway 50 HOV Lanes Phase 2A Project
- Missouri Flat Road Interchange Phase 1B
- Pleasant Valley Road at Patterson Drive Signalization Project

Transportation currently utilizes recycled rubber in asphalt concrete and chip seal in the appropriate projects. According to Caltrans, many other agencies such as the City of Los Angeles, San Jose, San Diego, and the County of San Diego currently require a minimum of 15% use of recycled materials.

Subject to the memorandum from Caltrans, Transportation requests the continued specification standard for projects to utilize up to 15% recycled paving materials until Caltrans and County expert staff determine that premature failures have been improved or if Caltrans requires the use of greater than 15% recycled content on State-maintained roads. At this time, a solution to early pavement failure with greater than 15% recycled content has not been declared.

### **ALTERNATIVES**

Reject Transportation's requests to cap the use of recycled paving materials at 15% and adopt Caltrans standards for the use of recycled materials.

### **OTHER DEPARTMENT / AGENCY INVOLVEMENT**

N/A

### **CAO RECOMMENDATION**

Approve the Department's recommendation.

### **FINANCIAL IMPACT**

The requested Board action has no associated direct fiscal impact or Net County Cost. Specific costs will be determined through Transportation projects that require the use of HMA and the various Capital Improvement Program funding sources that fund them.

### **CLERK OF THE BOARD FOLLOW UP ACTIONS**

N/A

### **STRATEGIC PLAN COMPONENT**

Infrastructure

### **CONTACT**

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