



COUNTY OF LOS ANGELES
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MARY C. WICKHAM
Interim County Counsel

August 4, 2015

Matthew Rodriguez
Secretary for Environmental Protection
California Environmental Protection Agency
1001 I Street
Sacramento, California 95814

**Re: Complaint under California Government Code Section 11135
by Santa Clarita Organization for Planning and the
Environment, et al.**

Dear Secretary Rodriguez:

The County of Los Angeles ("County") received the "Complaint under California Government Code section 11135" submitted by the Santa Clarita Organization for Planning and the Environment ("SCOPE") and others (collectively, "petitioners").¹ Petitioners appear to have submitted the complaint to the California Environmental Protection Agency ("CalEPA"), the California Department of Resources Recycling and Recovery ("CalRecycle"), and the California Air Resources Board ("CARB"). We also received your letter dated June 22, 2015, acknowledging receipt of SCOPE's complaint.

Generally, petitioners allege the County unlawfully discriminated against residents in the unincorporated County community of Val Verde in the processing of a conditional use permit application, and the preparation of an associated draft environmental impact report, filed by the privately owned and operated Chiquita Canyon Landfill. The conditional use permit application seeks to continue existing landfill operations.

We understand your agency is conducting a preliminary review of the complaint to determine what next steps, if any, are required pursuant to Government Code section 11135 (hereinafter, "section 11135") and the implementing regulations. We write to provide you with important information to assist in your agency's preliminary review. Based on the information in this letter,

¹ Although the County received the complaint itself, the County did not receive any attachments to the complaint.

we request that your agency decline to find the complaint raises any reasonable cause that the County has violated section 11135.

The Chiquita Canyon Landfill Master Plan Revision project.

The Chiquita Canyon Landfill is an existing Class III (municipal solid waste) facility located in northwestern unincorporated County near the City of Santa Clarita, just west of the Interstate 5 and State Route 126 junction. The site is 639 acres, with an existing permitted waste footprint of approximately 257 acres.

The landfill commenced operations in or about 1972 and has operated since then under a series of zoning entitlements. The County approved a conditional use permit authorizing the landfill operations in 1982, and again in 1997. The conditional use permit issued in 1997 provides for landfill closure in 2019, but also states that the landfill operator is not prohibited from applying for new permits to expand the landfill or to modify existing conditions of approval. (Attachment A, 1997 Conditional Use Permit, Condition No. 9c.)

The landfill is currently owned and operated by Chiquita Canyon, LLC ("Chiquita"), a private company. In or about 2004, Chiquita applied with the County Department of Regional Planning for a new conditional use permit to authorize, among other things, continued operation of the landfill beyond 2019, an extended waste footprint of approximately 143 acres, a new site entrance and support facilities, raising the maximum elevation of the landfill, and an increase in disposal rate and volume (collectively, "Project"). Chiquita describes the Project as the "Chiquita Canyon Landfill Master Plan Revision," and the project number assigned by the Department of Regional Planning is R2004-00559-(5).

Pursuant to the California Environmental Quality Act (CEQA), on July 10, 2014, the County published a draft environmental impact report for the Project. The County twice continued the comment period on the draft environmental impact report. As a result, the comment period remained open for 105 days, 60 days longer than CEQA requires. (See CEQA Guidelines § 15105(a).) The draft environmental impact report and related Project documents can be accessed at http://planning.lacounty.gov/case/view/project_no_r2004_00559_5_conditional_use_permit_2004_00042_chiquita_canyon_/.

Discretion whether to certify the environmental impact report and approve or deny the Project is vested in the County Regional Planning Commission, which must hold a public hearing on the Project. (County Code §§ 22.04.060, 22.56.070.) The Planning Commission's decision may be appealed to the County Board of Supervisors. (County Code § 22.60.210.)

No hearing before the Planning Commission has been scheduled at this time. Neither the Planning Commission nor the Board of Supervisors has taken any action to approve or deny the Project.

A County hearing examiner conducted a hearing on the draft environmental impact report on July 31, 2014, at the Castaic Sports Complex Gymnasium, located at 31320 North Castaic Road, Castaic, California 91384. The hearing examiner took testimony from the public regarding the draft environmental impact report and other aspects of the Project. A Spanish translator was provided at the hearing, and the translator was utilized by one of the 28 persons who testified at the hearing. (Attachment B, Excerpts from Hearing Examiner Transcript.) The hearing examiner will provide a report of testimony received to the Planning Commission prior to the Planning Commission's hearing on the Project. (County Code § 22.60.040.B.) The hearing examiner process is in addition to, not in lieu of, a hearing before the Planning Commission. (County Code § 22.60.190.C.)

Summary of the complaint.

Petitioners allege the County's processing of the conditional use permit application for the Project, and the preparation of the associated draft environmental impact report pursuant to CEQA, are discriminatory:

This is a civil rights complaint ... under Section 11135 of the California Government Code against the County of Los Angeles for discriminating on the basis of race in the denial of opportunities to participate, refusal to provide alternative communication services, non-enforcement of mitigations and environmental laws intended to lessen the adverse environmental impacts to the minority population in Val Verde, California, CDP, and denial of a timely public hearing in the approval process of the Chiquita Canyon Landfill Master Plan Revisions [R2004-00559-(5)] through the use of flawed, defective and racially discriminatory procedures and permit process. (Complaint, at 1:1-27.)

Petitioners specifically allege:

- the draft environmental impact report for the Project draws incorrect conclusions and is based on flawed studies and analysis (Complaint, at 2:14-18; 15:10-12; 19:13-16; 20:13-15);

- the County did not accurately describe the community of Val Verde as a "sensitive population" under CEQA (Complaint, at 23:16-25:8);
- the County improperly relied on CEQA technical studies and documentation provided by Chiquita's consultants (Complaint, at 22:1-4; 31:16-19);
- the County has pre-determined the approval of the Project because other projects have relied on the landfill's expanded capacity during the CEQA processes for those other projects (Complaint, at 22:13-19);
- the County failed to translate public notifications and the draft environmental impact report into Spanish and failed to grant an extension of the CEQA comment period on the draft environmental impact report to allow Spanish speakers to participate and obtain alternative communication services (Complaint, at 15:12-15; 26:13-27:14);
- the County denied requests from the public for a hearing on the draft environmental impact report (Complaint, at 9:18-20; 19:9-13; 27:15-28:9);
- the County, through the community advisory committee, failed to implement the conditional use permit with respect to ambient air quality monitoring within Val Verde and ignored and rebutted grievances made by members of the community (Complaint, at 14:4-13; 17:1-16);
- the County is violating an agreement with the community not to process the Project application (Complaint, at 15:16-16:18);
- the County issued a notice of violation to the landfill for the unauthorized acceptance of "sludge," but failed to notify the community or CalRecycle of the notice of violation (Complaint, at 28:11-29:16);
- the landfill operator has engaged in racist and deceptive business practices (Complaint, at 29:18-30:22); and

- County representatives observed an agreement between the landfill operator and the Castaic Area Town Council through which the landfill operator would commit certain funds to the Castaic area in exchange for a non-opposition agreement from the Town Council (Complaint, at 31:1-33:2).

Petitioners further allege the "Cal EPA, CalRecycle and the California Air Resources Board [are] responsible parties since these agencies are grantors of funding to Los Angeles County and are responsible for oversight, violations and permits for operations of the Chiquita Canyon Landfill Facility. Including [*sic*] but not limited to data collections, waste disposal and methane collection systems." (Complaint, at 1:27-2:3.) Petitioners also allege the County is a recipient of State funding, although the complaint does not provide any details other than citing to generalized figures from the County 2014-15 budget. (Complaint, at 6:5-8.)

As more fully described herein, petitioners' allegations are without merit, both procedurally and substantively. First, petitioners have not identified any "program or activity" under section 11135. Second, the allegations are not well founded in fact.

The County's processing of a conditional use permit application and associated CEQA review is not a "program or activity" under section 11135.

Section 11135(a) provides:

No person in the State of California shall, on the basis of race, national origin, ethnic group identification, religion, age, sex, sexual orientation, color, genetic information, or disability, be unlawfully denied full and equal access to the benefits of, or be unlawfully subjected to discrimination under, any *program or activity that is conducted, operated, or administered by the state or by any state agency, is funded directly by the state, or receives any financial assistance from the state.*" (Emphasis added.)

To show unlawful discrimination under section 11135, petitioners are required to show that the purportedly discriminatory "program or activity ... is funded directly by the state, or receives any financial assistance from the state." (*Comunidad en Accion v. Los Angeles City Council*, 219 Cal. App. 4th 1116, 1122 (2013) ("*Comunidad*").)

Petitioners have identified no "program or activity" under section 11135.

The County is authorized under State law to adopt and administer zoning laws, ordinances, rules, and regulations. (Government Code § 65800.) In granting counties such authority, the Legislature declared its "intention to provide only a minimum of limitation in order that counties and cities may exercise the maximum degree of control over local zoning matters." (Id. § 65800.)

Pursuant to this broad grant of authority, the County enacted its zoning ordinance, codified at Title 22 of the Los Angeles County Code. (County Code §§ 22.04.010, 22.04.020.) The zoning ordinance provides for the approval of conditional use permits. (County Code § 22.56.010.) In accordance with the provisions of the zoning ordinance (County Code § 22.56.020), in or about 2004, an application for a new conditional use permit was filed to continue and expand operations at the landfill site. The County is presently processing that conditional use permit application in accordance with the provisions of its zoning ordinance.

In addition, discretionary projects, including the issuance of a conditional use permit, are subject to environmental review pursuant to CEQA. (Public Resources Code § 21080.) In accordance with CEQA, the County is conducting environmental review of the Project and has published a draft environmental impact report analyzing the potential significant environmental effects of the Project.

The processing of the conditional use permit application and the associated CEQA review are not "programs or activities" under section 11135. This very issue already has been decided by the Second District Court of Appeal in the *Comunidad* case.

In *Comunidad*, petitioners challenged under section 11135 the City of Los Angeles' certification of an environmental impact report for and approval of a landfill located within the city's Sun Valley community. Petitioners claimed the approval of the landfill pursuant to the city's local planning authority was a "program or activity" under section 11135 because the city's local enforcement agency charged with landfill monitoring and compliance received State funds and was subject to the control of CalRecycle. After a detailed analysis, the court concluded that the city's approval of the landfill pursuant to its local land use authority was not a "program or activity" under section 11135. (*Comunidad*, 219 Cal. App. 4th at 1128.)

The *Comunidad* case is important here for two reasons.

First, the court recognized the separateness of the city's planning and land use functions, on the one hand, and the city's local enforcement agency, on the other hand. While the local enforcement agency may be a "program or activity" for the purposes of section 11135, the city's planning and land use function (i.e., the issuance of appropriate permits for the *siting* of a landfill) was not. The fact that the local enforcement agency was housed within a city department and staffed with city employees did not render the city's planning and land use function a "program or activity." (*Id.* at 1124.)

Second, the court rejected reading section 11135 as applying to a city's independent programs and activities merely because they were associated, intertwined, or interrelated with State or State-funded programs or activities. (*Id.* at 1129.)

Here, the Project's draft environmental impact report identifies the Department of Regional Planning as "the lead agency for the CEQA process[.]" (Draft Environmental Impact Report, at ES-1.) Petitioners do not allege – nor can they demonstrate – that any entity other than the Department of Regional Planning is currently responsible for the processing of the conditional use permit application and the associated CEQA document. As such, petitioners are challenging a purely local planning and land use function exercised by the County pursuant to a statutory scheme granting the County "the maximum degree of control over local zoning matters." (Government Code § 65800.) For the reasons explained in *Comunidad*, section 11135 simply does not apply.

Petitioners make two arguments why the County's land use and planning functions nevertheless should be subject to section 11135. Neither is valid.

First, petitioners allege the CalEPA, CalRecycle, and CARB are "grantors of funding to Los Angeles County and are responsible for oversight, violations and permits for operations of the Chiquita Canyon Landfill Facility." (Complaint, at 2:1-3.) Petitioners provide no facts – and we are aware of none – showing these agencies provide funding to the County Regional Planning Department in the exercise of its authority to consider conditional use permit applications and conduct CEQA review for such applications.

Second, petitioners claim the County as a whole receives State funding, pointing to generalized figures from the County's 2014-15 budget. *Comunidad* rejected such a broad interpretation of section 11135, which would create a "program or activity" out of every city and county which receives a dollar of State funding. (*Comunidad*, 219 Cal. App. 4th at 1129.)

Because petitioners have not identified a "program or activity" under section 11135, the County requests your agency decline to take further action on the complaint.

Petitioners have not demonstrated "reasonable cause" to believe the County violated section 11135.

Putting aside the fact that petitioners have not identified a "program or activity" under section 11135, petitioners' allegations lack substance and fail to warrant further action by your agency.

State agencies are charged with investigating complaints under section 11135, but that obligation commences only upon a showing of "reasonable cause" that a violation has occurred. (Government Code § 11136; Cal. Code of Regulations, tit. 22, § 98342.) The California Health and Human Services Agency (through the former California Department of Alcohol and Drug Programs) has defined "reasonable cause" in a similar context to mean "the basis is such that the state of facts would lead a person of ordinary care and prudence to believe and conscientiously entertain honest and strong suspicion that a violation has occurred or is occurring." (Cal. Code of Regulations, tit. 9, § 10890(c).)

The complaint falls well short of providing a "strong suspicion" that the County has violated section 11135 in its processing of the Project.

First, petitioners contend the County's draft environmental impact report contains flawed analysis and technical data.² (Complaint, at 2:14-18; 15:10-12; 19:13-16; 20:13-15). Petitioners then conclude *ipso facto* that the purportedly flawed analysis and data constitute discrimination under section 11135 because the Project is located in a predominately Latino area. However, petitioners do not identify any purportedly flawed analysis or data, and do not lay out the evidence the County relied on and explain why the analysis or data is flawed. This is

² We note also that petitioners' land use and CEQA-related claims are not yet ripe. The County has not yet taken any action on the Project application or the draft environmental impact report, and neither the Planning Commission nor the Board of Supervisors has held a public hearing on the Project. At this point, the County could deny the Project, revise the draft environmental impact report, or approve a modified version of the Project. Such actions could obviate petitioners' requests for relief in the complaint.

petitioners' minimum burden under CEQA. (*Defend the Bay v. City of Irvine*, 119 Cal. App. 4th 1261, 1265-66 (2004) ("an appellant challenging an [environmental impact report] for insufficient evidence must lay out the evidence favorable to the other side and show why it is lacking. Failure to do so is fatal.").)

The mere fact that petitioners claim some data or information is inaccurate or that a study is flawed, without further detail, is not sufficient to raise a "strong suspicion" of impropriety, and does not constitute reasonable cause to infer a violation of section 11135.

While petitioners do identify *additional* studies they want included in the draft environmental impact report, a lead agency is not required to perform every study requested, so long as its conclusions are based on substantial evidence. (*Assoc. of Irrigated Residents v. County of Madera*, 107 Cal. App. 4th 1383, 1396 (2003) (lead agency need not conduct every test recommended by petitioners or members of the public).) Petitioners make no attempt to describe how the studies relied upon by the County are insufficient.

Second, petitioners allege the County did not accurately describe the community of Val Verde as a "sensitive population" under CEQA. (Complaint, at 23:16-25:12). Petitioners acknowledge the County relied on recent U.S. census data from 2010, but would prefer that the County used different data. Again, the County need not utilize a particular dataset simply because a project opponent requests it. The County is entitled to rely on its own expertise to select the data on which to base its CEQA determinations. (*Assoc. of Irrigated Residents*, 107 Cal. App. 4th at 1396.) Petitioners do not show how the U.S. census data relied on by the County is inaccurate or misleading.

Petitioners also claim the County misleadingly uses "county-wide statistics" to define the areas affected by the Project. (Complaint, at 25:10-12.) Petitioners appear to understand the draft environmental impact report as ignoring the population data in Val Verde and only focusing on County-wide data. Petitioners misread the draft environmental impact report, which *compares* the population characteristics of the Val Verde community *against* County-wide census data to determine whether the Project will result in an impact to a minority population that is "meaningfully greater [proportionately] than that in the general [County-wide] population." (Draft Environmental Impact Report, Page 16-7.) This comparison demonstrated that the proportion of minority residents in Val Verde is consistent with – in fact, less than – the proportion of minority residents County-wide. (Draft Environmental Impact Report, Page 16-7.) There is no violation of CEQA here, and no reasonable cause to infer a violation of section 11135.

Third, petitioners claim the County improperly relied on technical studies provided by Chiquita's consultants. (Complaint, at 22:1-4; 31-16-19.) Although this is factually incorrect (the Project consultant is under contract with the County as well as Chiquita), the County is nevertheless entitled under CEQA to rely on studies prepared by a project applicant. (CEQA Guidelines § 15084(d)(3) (in preparing a draft environmental impact report, a lead agency may "[a]ccept[] a draft prepared by the applicant, a consultant retained by the applicant, or any other person.").)

Fourth, petitioners falsely claim the County "has placed pressure on its internal departments and department personnel" to approve the Project because other projects are purportedly relying on expanded capacity at the Chiquita Canyon Landfill. (Complaint, at 22:13-19.) However, *the three project examples provided by petitioners are not County projects*. The City of Los Angeles is the lead agency for the LAX Specific Plan Amendment Study and the Boyle Heights Mixed Use Commercial Project, and the City of Pasadena is the lead agency for the 100 West Walnut Project. Petitioners are hard-pressed to connect the dots between *other agencies'* CEQA conclusions and a violation *by the County* of section 11135.

Fifth, petitioners claim the County has discriminated against the residents of Val Verde by failing to translate public notifications and the draft environmental impact report into Spanish. (Complaint, at 4:21; 15:12-15; 26:13-27:14.) There is no requirement under CEQA to translate environmental impact reports and highly technical scientific studies and appendices, at significant cost to project applicants and lead agencies. In fact, in September 2014, Governor Brown *vetoed* Assembly Bill 543 (Campos), which would have required lead agencies to translate certain CEQA notices. Petitioners are essentially asking for an implied CEQA translation requirement under section 11135, even though the Governor recently vetoed a bill which would have expressly provided such a requirement.

Moreover, despite the absence of any requirements to do so, the County routinely translates CEQA hearing notices into Spanish, and did so for this Project. (Attachment C, Notice of Hearing Examiner's July 2014 hearing and CEQA comment period extensions, published in the Spanish-language newspaper *La Opinion*). The County also provided a Spanish-language translator during the hearing examiner's hearing. (Attachment B, Excerpts of Hearing Examiner Transcript.)

Petitioners also complain that the County did not extend the CEQA comment period to allow for translation of portions of the draft environmental

impact report into Spanish. (Complaint, at 4:25-5:2.) Petitioners omit the important fact that the County *twice extended the comment period*, which remained open for 105 days, 60 days longer than required by CEQA.

Sixth, petitioners allege the County denied requests for a hearing before the Planning Commission on the draft environmental impact report. (Complaint, at 9:18-20; 19:9-13; 27:15-28:9.) As explained in detail above, the County held a public hearing before the hearing examiner on the Project within the nearby Castaic community, and a Spanish translator was provided and utilized by one commenter. (Attachment B, Excerpts of Hearing Examiner Transcript.) The purpose of the hearing examiner hearing is to offer community members an additional opportunity to provide comments on the draft environmental impact report.

The Planning Commission will also conduct a public hearing to consider the Project and the associated environmental documentation. If petitioners or any other person are dissatisfied with the Planning Commission's decision on the Project, they can appeal the decision to the Board of Supervisors. This is the procedure set forth in the County's zoning ordinance, and the County is following that procedure. (County Code §§ 22.60.200, 22.60.210.) Simply because petitioners want more or different hearings than the County Code provides does not constitute "reasonable cause" to find a violation of section 11135.

Seventh, petitioners argue that the County, through the community advisory committee, ignored resident complaints and failed to implement the 1997 conditional use permit by not providing ambient air quality monitoring within Val Verde. (Complaint, at 14:4-13; 17:1-16.) Notably, petitioners' allegations are unsupported by specific facts which would allow the County to fully investigate and respond to the allegations.

Nevertheless, upon receipt of petitioners' complaint, the County conducted an investigation into this matter, which is ongoing. With respect to air quality monitoring, the 1997 conditional use permit requires the landfill operator to purchase a maximum of five combustible gas monitors and an organic vapor analyzer. The purpose of requiring the monitors and analyzer is to detect levels of methane gas. The landfill operator is required to provide the monitors and analyzer to the community advisory committee, and the committee is responsible for placing the monitors in locations of concern to the community and for maintaining the monitors. (Attachment A, 1997 Conditional Use Permit, Condition No. 34.)

According to the landfill operator, the committee placed the monitors initially and collected multiple years of data. The monitors at some point were lost, and the committee purchased replacement monitors recently, which are currently in operation.

It is also important to emphasize that, although the County's Fifth District Supervisor's office nominates members to serve on the community advisory committee, the committee is not a County agency or a governmental entity. It is a private organization created to serve as a liaison between the landfill and the community, and to provide the community an additional means of communication with the County Department of Regional Planning. The committee also is not a "program or activity" under section 11135 which receives funding or financial assistance from the State.

Eighth, petitioners imply the County is violating an "in force contract" with the Val Verde community by processing the Project application for expanded landfill capacity. (Complaint, at 15:16-16:18.) According to petitioners, the County is contractually bound to close the landfill in 2019. Petitioners are mistaken.

A copy of the contract petitioners refer to is attached to this letter as Attachment D. The parties to the contract are identified as the Val Verde Civic Association, the Newhall Land and Farming Company, and Laidlaw Waste Systems (Chiquita), Inc. The County is *not* a party to the agreement, nor do private agreements bind the County's exercise of its police power.

It should be noted also that the agreement was not designed as a stand-alone contract. Instead, the agreement requested that the Board of Supervisors add certain conditions of approval to the 1997 conditional use permit. Ultimately, the Board of Supervisors did incorporate conditions from the agreement into the 1997 conditional use permit. However, condition number 9c of the permit provides:

Nothing in Condition 9b or elsewhere in these conditions shall be construed to prohibit the permittee from applying for new permits to expand the landfill or to otherwise modify the conditions of this grant. (Attachment A, 1997 Conditional Use Permit, Condition No. 9c.)

Further, as part of its approval findings for the 1997 conditional use permit, the Board of Supervisors found that "[a]dditional capacity may be approved in the future, if the demand for in-County fill capacity continues as now projected." (Attachment A, 1997 Conditional Use Permit, Finding No. 22.)

In short, petitioners have not identified any violation by the County of any "in force contract," and have not raised any inference that the County violated section 11135 by accepting and processing the landfill's conditional use permit application.

Ninth, petitioners allege that the County violated section 11135 because it issued a notice of violation to the landfill for the unauthorized acceptance of "sludge," but failed to notify the community or CalRecycle of the notice of violation. (Complaint, at 28:11-29:16.) In August 2012, the Department of Regional Planning issued a notice of violation to the then-operator of the landfill for violating condition number 9(a) of the 1997 conditional use permit, which prohibited the acceptance of certain liquid waste. (Attachment E, Notice of Violation.) Petitioners identify no law or regulation by which the County was required to notify the general public or State agencies of the violation of the conditional use permit. Not only is it unclear from the complaint how the issuance of the notice of violation constitutes a violation of section 11135, petitioners' allegations are made well beyond the one-year time period for filing a complaint under section 11135. (Cal. Code of Regulations, tit. 22, § 98344.)

Tenth, petitioners allege the landfill operator has engaged in racist and deceptive business practices. (Complaint, at 29:18-30:22.) The landfill is privately owned and operated by Chiquita. Petitioners' allegations against Chiquita do not involve or relate to the County's processing of the Project insofar as section 11135 is concerned.

The County has contacted Chiquita regarding the allegations in the complaint. Chiquita denies that any resident was required to sign a support card to participate in the quarterly community event where area residents are allowed to dispose trash at the landfill free-of-charge. In any event, the County has not received from Chiquita any of the support cards described in the complaint, and such support cards have not factored into the County's processing of the conditional use permit application.

Eleventh, petitioners allege County representatives observed an agreement between the landfill operator and the Castaic Area Town Council through which the landfill operator agreed to commit certain funds to the Castaic area in exchange for a "non-opposition" agreement from the Town Council. (Complaint, at 31:1-33:2). The Castaic Area Town Council is not a County agency or governmental entity. It is a private association similar to a homeowners association. An agreement between the Town Council and Chiquita is a private agreement and does not bind the County. The fact that a County employee may have witnessed the making of a private agreement between the Town Council and

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Chiquita does not mean the County participated in, sanctioned, or approved such an agreement.

Moreover, the "non-opposition" agreement described in the complaint is common practice among community and environmental groups who wish to ensure changes to a particular project. Per such agreements, an organization or association agrees not to oppose a project in exchange for concessions from the project proponent. These are private agreements and do not bind the County or affect the County's discretion when considering the project. In fact, the "in force contract" between the Val Verde Community Association, Newhall Land and Farming Company, and Laidlaw Waste Systems, Inc., which petitioners seek to enforce via their complaint, appears to be a similar type of non-opposition agreement.

Conclusion.

For all the reasons described in detail herein, we ask that your agency decline to take further action on the complaint. The complaint identifies no "program or activity" under section 11135, and in any event does not raise reasonable cause to infer a violation of section 11135.


Although we have made every effort to respond to petitioners' myriad allegations raised in the complaint, to the extent that this letter does not address an allegation, that allegation is expressly denied.

Should you have any questions concerning this matter, please contact Deputy County Counsel Joseph M. Nicchitta at (213) 974-1924.

Very truly yours,

MARY C. WICKHAM
Interim County Counsel

By



JOSEPH M. NICCHITTA
Deputy County Counsel
Property Division

JMN:ph

Attachments

Matthew Rodriguez
August 4, 2015
Page 15

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Chief Counsel
California Air Resources Board

Margret J. Kim, Esq.
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California Air Resources Board

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Noe Rico

Theresa Martinez

ATTACHMENT A

→ Dept. of Regional Planning
To Frank Meneses



MINUTES OF THE BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

Joanne Sturges, Executive Officer
Clerk of the Board of Supervisors
383 Kenneth Hahn Hall of Administration
Los Angeles, California 90012

Director of Planning



At its meeting held May 20, 1997, the Board took the following action:

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The following item was called up for consideration:

County Counsel's recommendation to certify Final Environmental Impact Report, adopt Statement of Overriding Considerations, Environmental Findings and Mitigation Monitoring Program; and adopt findings, conditions and order approving Conditional Use Permit Case No. 89-081-(5), relating to the authorization and the continued operation and expansion of the Chiquita Canyon Landfill located at 29201 Henry Mayo Dr., Newhall Zoned District, applied for by Rodney Walter for Laidlaw Waste Systems.

Barbara Wampole, Lewis Berti, Allan Cameron, Patricia Schifferle, Ruth Griffin and Lewis Berti addressed the Board.

After discussion, on motion of Supervisor Antonovich, seconded by Supervisor Knabe, unanimously carried, the Board took the following actions:

- a. Certified the Final Environmental Impact Report;
- b. Adopted the Statement of Overriding Considerations and Mitigation Monitoring Program; and

(Continued on Page 2)

Syn. 73 (Continued)

- c. Adopted the attached findings, conditions and order approving Conditional Use Permit Case No. 89-081-(5), Newhall Zoned District, applied for by Rodney Walter for Laidlaw Waste Systems.

052097.73

Attachments

Copies distributed:

Each Supervisor
County Counsel
Director of Internal Services
Director of Public Works
Laidlaw Waste Systems
Jose Luis Vega
Edwin Dunn
George Carvalho
Clean Water Action
United Water Conservation Dist.
Barbara Wampole
Lewis Berti
Allan Cameron
Patricia Schifferle
Ruth Griffin
Lewis Berti



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DE WITT W. CLINTON, COUNTY COUNSEL

May 9, 1997

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Syn. No. 11
2/25/97

Honorable Board of Supervisors
383 Kenneth Hahn Hall of Administration
Los Angeles, California 90012

Re: **Conditional Use Permit Number 89-081(5)**
Fifth Supervisorial District / 3-vote Matter

Dear Supervisors:

Your Board recently conducted a hearing on an appeal relating to the approval of the above-entitled zoning permit which proposes the expansion of the Chiquita Canyon Landfill in the Newhall Zoned District.

At the conclusion of the hearing, you rendered a preliminary order to approve the permit as revised with revised conditions and instructed us to prepare findings and conditions for approval. Such findings and conditions are attached hereto.

Very truly yours,

DE WITT W. CLINTON
County Counsel

By *Richard D. Weiss*
RICHARD D. WEISS
Principal Deputy County Counsel

APPROVED AND RELEASED:

[Signature]
DE WITT W. CLINTON
County Counsel

A:\CUP89081.LTR

**FINDINGS OF THE BOARD OF SUPERVISORS
AND ORDER
CONDITIONAL USE PERMIT NUMBER 89-081(5)**

1. The Chiquita Canyon landfill is an existing Class III waste disposal facility located on the north side of State Route 126 westerly of Interstate 5, in the vicinity of the community of Val Verde. The landfill is operated by Laidlaw Waste Systems on land leased from the Newhall Land and Farming Company. The landfill commenced operation in 1972. Laidlaw acquired its interest in the facility in 1986.
2. The Chiquita Canyon facility has operated under a series of zoning entitlements. The most recent of these is Conditional Use Permit 1809-(5), approved November 24, 1982. This permit expires on November 24, 1997. However, the operator estimates that at the current intake rate, about 25 months of disposal capacity (1,090,000 tons) would remain in the approved landfill design at the time of permit expiration on November 24, 1997.
3. Conditional Use Permit 1809-(5) allows waste to be accepted at Chiquita Canyon 24 hours per day, 7 days per week. Use during night time hours is limited to commercial and public waste haulers and a maximum of 15 trucks. There is no maximum daily waste intake specified in the use permit. However, the Solid Waste Facility Permit (issued by the County Department of Health Services) limits waste to 5,000 tons per day. The waste received at the landfill includes sewage sludge which is currently disposed of in the landfill. The landfill has in the past received waste at its 5,000 tons per day limit, but recently has operated at a much lower rate. Laidlaw reports that in 1994, the facility received an average of approximately 1,720 tons per day.
4. Conditional Use Permit 1809-(5) authorized the fill to rise to an elevation of 1,220 feet above sea level.
5. The applicant initially proposed to continue operation of the landfill beyond 1997 by expanding the fill capacity by approximately 29.4 million tons of waste. The maximum elevation of fill would increase to 1,430 feet above sea level (210 feet

above the current limit). Filling would occur over lined portions of the existing landfill and in adjacent areas to the east and west which have not previously been part of the fill areas. The applicant further proposed that the maximum daily waste intake be increased to 10,000 tons per day. Access would continue to be from the existing entrance on State Route 126, although modifications to the entrance would be made to accommodate the increased waste flow. At 10,000 tons per day, the landfill expansion would have a service life of about 8 years, beginning in 1997. By comparison, at 5,000 tons per day, the expansion would have capacity for 16 years of waste disposal, and at the current level of waste intake, 50 years of capacity.

6. The applicant also requested authorization to conduct composting operations at the landfill. The compost would consist of shredded green waste. Waste water biosolids (e.g., sludge or sludge components) will be prohibited. The conditions of approval for this permit, as granted, provide that a maximum of 560 tons per day may be composted. The composting may be by an open, "windrow system" or an "in-vessel system".
7. The applicant further proposed to establish a materials recovery facility (MRF) and recyclable household hazardous waste facility on a site adjacent to the east side of the landfill. The MRF would handle up to 500 tons per day of source separated material and the recyclable household hazardous waste facility would handle small quantities of household hazardous waste that can be recycled. No commercial hazardous waste would be accepted. These facilities would be accessed via Wolcott Way, an entrance road to the Valencia Commerce Center.
8. The bulk of the subject property is zoned A-2-2 and A-2-5 (Heavy Agriculture-Two and Five Acre Minimum parcel sizes). The balance of the property, primarily the easterly portion to be occupied by the MRF, is zoned M-1.5 DP (Restricted Heavy Manufacturing-Development Program). The requested uses may be sited within these zones with a Conditional Use Permit. No other zoning entitlements are required.
9. Approval of a conditional use permit is dependent (among other things) upon a finding of conformance with the general plan. Other required findings relate to: compatibility of the proposed use with adjacent property; adequacy of the site for

the intended use; and availability of adequate access and utilities. The applicant's written burden of proof relative to these factors, dated July 27, 1995, was received and reviewed by the Planning Commission and the Board of Supervisors. The factors are further addressed in the environmental impact report for the project which is discussed in more detail, below.

10. The Solid Waste Management Plan, contained in the Public Facilities Element of the County General Plan, depicts the Chiquita Canyon Landfill as an existing facility with capacity which will be filled by the year 2000. Such depiction is not, however, a determinant of plan consistency. That plan provides that in considering a waste disposal facility the Board of Supervisors shall be guided by the expertise of agencies such as the County Departments of Public Works and Health Services and the State Regional Water Quality Control Board and the Air Quality Management District. "The criteria to be applied by the [Regional Planning] Commission in considering an application include the regional and local need for the specific waste disposal facility as well as the potential impacts the use will have on the community. These impacts include but are not limited to noise, odor, visual, circulation/traffic, air and water quality, seismic safety and safety. Regional need should not outweigh the impact on the community. Potential hazards should be given greater consideration than the regional need".
11. The bulk of the subject property is classified "Hillside Management" in the Santa Clarita Valley Areawide General Plan. Hillside Management is a rural designation applicable generally to steeply sloping terrain. A small portion of the property at its northeast corner is classified "Open Space" and another portion in the southeast area of the property is designated "Industry". The "Open Space" classified area was formerly owned by the Federal Government and was assigned the open space designation for that reason. The property has since been exchanged in a land transfer and is in private ownership. Because the property is now privately held, it should be treated as non-urban (rural) under the criteria of the Santa Clarita Area Plan.
12. The Santa Clarita Valley Areawide Plan provides that, subject to restrictions "to minimize environmental disruption and the loss of scenic and open space uses...", waste disposal facilities that require canyon locations as a buffer to urban uses may be sited within non-urban hillside management areas.

The applicable restrictions are as follows:

The proposed use should be located and designed so as not to conflict with established or planned community land use and circulation patterns. Whenever necessary, the proposed land use should be located and designed so as to provide an appropriate land buffer between potentially disruptive, polluting and/or hazardous uses and surrounding lands.

The proposed use shall be located in areas deemed suitable from an ecologic, geologic, and topographic standpoint. The design must minimize the environmental and geologic impacts of the project and preclude ground-water contamination.

Access, egress, and onsite parking should be provided in a manner that maximizes safety and minimizes adverse impacts on surrounding land use patterns. Convenient all weather access will be required for fire fighting purposes.

The design and location of the project should ensure that the transport of toxic, explosive, or otherwise hazardous substances will avoid existing or planned residential communities. Building and site design of any potentially volatile or otherwise hazardous land use should consider as its prime objective the health, safety, and welfare of the community in which it is situated or to which it is proximate.

The proposed site should be appropriately landscaped, fenced, and screened to minimize the visual impact on surrounding and overlooking residences. Particular consideration shall be given to noise, odor, lights, and traffic impacts on neighboring development.

In identified hazard areas, the design of proposed developments should include use of appropriate hazard mitigating or avoidance measures. Such hazards include fire and flooding.

13. The portion of the property classified "Industry" is, generally, the location of the proposed MRF. SR-126 (the main access route to the landfill) is classified as a

scenic drive and is proposed for further study as a "First Priority" scenic route. SR-126 is classified as a major highway on the County Highway Plan. Santa Clarita Valley Areawide Plan policies suggest that SR-126 may be reclassified in the future as an expressway.

14. Under the California Integrated Waste Management Act, the County is required to prepare and adopt a Countywide Integrated Waste Management Plan, including a siting element providing for at least 15 years of waste disposal capacity. The County Department of Public Works is currently preparing the plan, including assessments of the need for and availability of landfill space. The Department of Public Works projects that even with full realization of waste reduction and recycling goals and maximum expansion/utilization of existing landfills, the County's landfill disposal capacity will eventually decline to the point it will be inadequate to meet the County's daily waste disposal need. The actual time of need for additional capacity will depend upon a number of variables, in particular the final closure dates of certain major landfill facilities in Los Angeles County.
15. The County's current landfill policies date to adoption of its Solid Waste Management Action Plan on April 5, 1988, by the Board of Supervisors. Action 7 of the plan provided in part: "Support the revision of all existing permits at the Azusa Western, Chiquita Canyon, North Valley (Sunshine Canyon), Puente Hills and Scholl Canyon Landfills to provide for the maximum, technically and environmentally feasible expansion of these sites..."
16. Val Verde, a community predominately of single family homes on small lots, lies to the northwest of the landfill site. To the east is a developing commercial and industrial park, currently containing a Post Office facility and one light industrial occupancy. The land to the immediate north, west and south of the landfill is undeveloped and/or devoted to agricultural use.
17. The undeveloped lands to the west, east and south of the landfill are owned by the Newhall Land and Farming Company, which is also the owner of the landfill property.

18. A Draft Environmental Impact Report (DEIR) was prepared and circulated for agency and public review. Extensive comments on the DEIR were received from both the public and government agencies, including the Departments of Public Works and Health Services, the Regional Water Quality Control Board, the Air Quality Management District and other State and County agencies having responsibility for permitting of waste disposal and processing facilities.
19. Following completion of the written comment period and public hearings on the DEIR, a final environmental impact report was prepared. The final environmental impact report consists of the DEIR and appendices, dated May 1995 and the Final Environmental Impact Report, including responses to comments, dated August 1996, and Part VI to the Final Environmental Impact Report, entitled "Summary and Overview of Board of Supervisors' Project Modifications", dated May 1997 (collectively referred to hereafter as the FEIR). The FEIR contains a detailed description of the project and documents the project's potential impacts and the proposed measures which could be undertaken to mitigate such impacts. The environmental findings, prepared in connection with the FEIR which are contained in the "Findings of Fact and Statement of Overriding Considerations Regarding The Final Environmental Impact Report, Chiquita Canyon Landfill Expansion/Closure And Resource Recovery Facilities", which document is on file at the Department of Regional Planning, are incorporated herein by reference, as if set forth in full. A Mitigation Monitoring Program consistent with the conclusions and recommendations of the FEIR has been prepared and its requirements have been incorporated into the conditions of approval for this project. The Board of Supervisors has independently reviewed and considered the FEIR and it reflects the independent judgment of the County as to the potential environmental impacts of the project.
20. The FEIR includes analysis for Traffic/Access, Biota, Geotechnical Hazard, Cultural Resources, Flood Hazard/Hydrology, Surface Water and Groundwater Quality, Air Quality, Odor and Other Nuisance, Visual Quality/Landform Alteration, Noise, Sewage Disposal, Utilities, Fire Hazard and Public Health environmental factors. The FEIR concludes that even with available mitigations, significant residual impacts would occur in the areas of air quality and landform alteration. Specifically:

Operational emissions of ozone precursors (NOx and ROC) and PM10 (fine dust) would exceed South Coast Air Quality Management District thresholds of significance and nuisance odors may potentially result from composting;

Construction emissions of NOx would exceed South Coast Air Quality Management District thresholds of significance during construction periods;

There would be a permanent change in landform due to the landfill and recycling facility development.

Accordingly, in compliance with State CEQA Guideline Section 15093, the Board of Supervisors has adopted a Statement of Overriding Considerations for the project. The Statement of Overriding Considerations, as contained in the "Findings of Fact and Statement of Overriding Considerations Regarding The Final Environmental Impact Report, Chiquita Canyon Landfill Expansion/Closure And Resource Recovery Facilities" is incorporated herein by this reference as if set forth in full. As stated in the Statement of Overriding Considerations, the Board finds that the remaining impacts on air quality and landform alteration have been reduced to the extent feasible and that the benefits of the project outweigh these unavoidable adverse impacts. Such unavoidable adverse impacts are determined to be acceptable based upon the overriding considerations set forth in the Statement of Overriding Considerations.

21. Conditions necessary to implement the mitigation measures and programs identified in the Mitigation Monitoring Program for the FEIR have been imposed as conditions of the grant of this conditional use permit.
22. After assessing the available alternatives as discussed in the FEIR and described at the public hearing and after considering the version of the project approved by the Regional Planning Commission, the Board finds that it should grant authorization for a maximum waste disposal rate of 5,000 tons per day average and for an additional seven (7) years to the life of the new permit and five (5) million tons of capacity beyond the version approved by the Commission

(for a total life of 22 years and a maximum capacity of 23 million tons). Such additional life and tonnage is justified not only by additional significant mitigation measures and the funding of a Val Verde Community Benefits Fund set forth in an agreement between the applicant and the Val Verde Civic Association, all of which have been incorporated into the conditions of grant for the landfill expansion, but also by the County's need for additional solid waste disposal capacity in order to meet the requirements of AB 939 to provide for at least 15 years of waste disposal capacity. In that regard, the Board notes that at the maximum 5,000 ton per day rate of fill, the 18.2 million ton capacity recommended by the Commission would have a life of 10 years whereas the 23 million ton capacity authorized by the Board would have a life of almost 15 years at the maximum 5,000 ton per day rate. Additional capacity may be approved in the future, if the demand for in-County fill capacity continues as now projected.

23. Based upon the FEIR, with reasonable care and due diligence in the regulation and operation of the landfill, hazard to the neighboring community and public services will not occur. Approval of the landfill expansion in increments will serve to assure that the landfill will be operated in compliance with the conditions of grant and that any warranted changes in conditions can be made, if necessary, in connection with future applications for expansion.
24. The Board finds that the proposed MRF should be authorized for a 30 year term of grant. The proposed site of this facility is within a developing business park and the nature of operation and its planned appearance is such that it will be fully compatible with other contemplated uses. The facility also has the potential to provide a necessary service in assisting to achieve waste diversion and recycling goals. A fixed term of grant is, however, appropriate to enable adjustments in the grant which may become necessary due to future changes in circumstances.
25. The Board, like the Planning Commission, does not find it appropriate to require that the MRF be constructed and operated as a condition of entitlement to expand the landfill. However, the applicant's offer of such a facility was a significant factor in the Board's decision to authorize the continued operation of the landfill. The Board therefore expects the applicant-permittee to exercise good faith and due diligence in working to establish the facility. In that regard,

the Board has required in the conditions of approval for this project that the permittee perform an economic viability and marketing study on an annual basis to assess opportunities to implement the MRF in an expeditious manner.

26. The applicant's submitted plans, copies of which are on file, verify that there is adequate area at the landfill and materials recovery site for necessary ancillary facilities, including recycling areas and employee parking.
27. The traffic, access and utility services for the project are addressed in detail in the FEIR and attached environmental findings. The proposed MRF site, which as noted in Finding 13, above, is classified "Industry" on the Santa Clarita General Plan, is also designated "urban expansion" on the Development Policy Map of the County General Plan. As such, development of the site with an urban use is subject to a finding of conformance with Development Monitoring System (DMS) criteria. Development of the MRF site and adjacent area were previously found to be in conformance with DMS criteria in connection with approval of the Valencia Commerce Center in Conditional Use Permit 87-360-(5), the findings for which are on file at the Department of Regional Planning and are incorporated herein by reference. An urban services analysis and environmental assessment specific to the proposed MRF were included in the project FEIR for Conditional Use Permit 89-081-(5). Findings with respect to the economic, social and environmental DMS factors for the MRF are contained in the environmental findings referenced in finding number 19, above. The conditions of grant for the MRF will require that the MRF development comply with all infrastructure and design specifications of Conditional Use Permit 87-360-(5).
28. A portion of the burden of proof for a conditional use permit is that "... the requested use at the location proposed will not ... be materially detrimental to the ... valuation of property of other persons located in the vicinity of the site". Opponents of the landfill have maintained that extension of the landfill as proposed would significantly diminish the value of property within adjacent residential areas. Studies on this subject have been commissioned by the applicant and presented to the Board of Supervisors. The Board determines that the preponderance of evidence does not support a finding that the project, as approved, would be materially detrimental.

29. The Board determines that it is important to the County's adopted Solid Waste Management Action Plan and the County's proposed Countywide Integrated Waste Management Plan, and to the ability of the County to meet the requirements of AB 939 by providing for at least 15 years of waste disposal capacity, that the Chiquita Canyon facility be continued as provided in this Conditional Use Permit 89-081-(5). Therefore, in the conditions of approval for the landfill expansion, the Board of Supervisors has provided that, in the event the operator is precluded from utilizing Conditional Use Permit 89-081-(5) as a result of a lawsuit, the operator may continue to operate the existing landfill under existing Conditional Use Permit 1809-(5) beyond the November 24, 1997 expiration date applicable thereto, subject to all other conditions and limitations set forth in Conditional Use Permit 1809-(5), until completion of the latest-approved fill design on file for Conditional Use Permit 1809-(5), or November 24, 2000, or until such lawsuit is resolved allowing the operator to continue the landfill under Conditional Use Permit 89-081-(5), whichever occurs first.
30. The Board of Supervisors has heard and considered the input of the Regional Planning Commission, staff, other local and state agencies and members of the public with respect to the best means of implementing the various objectives of the General Plan at the subject property.

BASED ON THE FOREGOING, THE BOARD OF SUPERVISORS CONCLUDES:

- A. The use as modified and conditioned is consistent with the adopted general plan.
- B. As modified and with the attached restrictions and conditions, the requested use will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area and will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.
- C. The site is adequate in size and shape to accommodate the development features prescribed in the Zoning Ordinance and otherwise required to

integrate the use requested with the uses in the surrounding area.

- D. The site has adequate traffic access and is adequately served by other public or private facilities which it requires.

THEREFORE, THE BOARD OF SUPERVISORS approves the Final Environmental Impact Report prepared for the project and certifies that it has reviewed and considered the information contained therein; certifies that the Final Environmental Impact Report has been completed in compliance with the California Environmental Quality Act and the State and County Guidelines relating thereto and reflects the independent judgment of the Board of Supervisors as to the environmental consequences of the project; determines that the conditions of approval and mitigation measures discussed in the Final Environmental Impact Report and the conditions of project approval are the only mitigation measures for the project which are feasible; determines that the remaining unavoidable environmental effects of the project have been reduced to the extent possible and to an acceptable level and are outweighed by specific social, economic and environmental benefits of the project; adopts the Statement of Overriding Considerations prepared for the project; adopts the Mitigation Monitoring Program for the project; and, approves this conditional use permit, subject to the attached conditions.

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**CONDITIONS FOR APPROVAL
CONDITIONAL USE PERMIT NUMBER 89-081(5)**

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or other entity making use of this grant.
2. This grant shall not be effective for any purpose until the permittee and the owner of the property involved (if other than the permittee) have filed at the office of the Department of Regional Planning their affidavit stating that they are aware of, and agree to accept, all of the conditions of this grant.
3. The permittee shall defend, indemnify and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009 or other applicable time period. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall cooperate fully in the defense. If the County fails to promptly notify the permittee of any claim, action, or proceeding, or if the County fails to cooperate fully in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.

In the event that any claim, action or proceeding as described above is filed against the County, the permittee shall within ten days of the filing pay the Department of Regional Planning an initial deposit of \$5,000, from which the actual costs shall be billed and deducted for the purpose of defraying the expense involved in the department's cooperation in the defense, including, but not limited to, depositions, testimony and other assistance to the permittee or the permittee's counsel. The permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deposited.

- a. If during the litigation process the actual costs incurred decrease the account to less than \$1,000, an amount necessary to restore the balance to \$5,000. There is no limit to the number of supplemental deposits that

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may be required before completion of the litigation.

- b. At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.

The costs for collection and duplication of records shall be paid by the permittee according to the provisions of Section 2.170.010 of the County Code.

- 4. Attached to these conditions is a Monitoring Program which is incorporated into these conditions by reference. The permittee shall fully perform each action required of the permittee by the monitoring program as if it were specifically set forth in these conditions.
- 5. This grant, as it applies to the approved landfill expansion described in Condition 9, will terminate upon the completion of the approved fill design, as shown on Exhibit "A," or on November 24, 2019, whichever occurs first. Should this grant as it applies to the landfill expansion terminate without new or additional permits having been granted, no further waste shall be accepted for disposal. However, the permittee is authorized to continue such facilities in operation as are necessary to complete mitigation measures required by this grant, for closure or post-closure maintenance required by federal, state and local agencies, or for operation of the materials recovery facility described in Condition 10, the recyclable household hazardous waste facility described in Condition 11 and the composting facility described in Condition 12. All facilities not required for mitigation, closure or post-closure maintenance or such recycling facilities shall be removed unless they are of a type permitted as a matter of course by the zoning regulations then in effect.

This grant as it applies to the materials recovery facility described in Condition 10, the recyclable household hazardous waste facility described in Condition 11 and the composting facilities described in Condition 12 shall terminate on November 24, 2027. Use of the property thereafter shall be in accord with the regulations then in effect.

- 6. If any provision of this grant that is challenged by the permittee is held or declared to be invalid, the permit shall be void and the privileges granted

hereunder shall lapse.

7. The subject property shall be developed, maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance or other regulation applicable to any development or activity on the subject property, including but not limited to those permits, if any, issued by the following agencies:
 - a. The Local Enforcement Agency and the California Integrated Waste Management Board;
 - b. The California Regional Water Quality Control Board, Los Angeles Region;
 - c. The South Coast Air Quality Management District;
 - d. The California Department of Fish and Game;
 - e. The California Environmental Protection Agency;
 - f. The California Department of Transportation;
 - g. The U.S. Army Corps of Engineers.

Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions.

8. Notice is hereby given that any person intentionally violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission or a hearing officer may, after conducting a public hearing, revoke or modify this grant if the Commission or hearing officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public health or safety or so as to be a nuisance.
9. This grant allows the establishment and operation of a Class III landfill, together with certain ancillary and related activities as enumerated herein, subject to the

following restrictions as to use:

- a. Liquid or hazardous waste or radioactive waste/material shall not be accepted. Should such prohibited waste be nevertheless received at the landfill, it shall be handled and disposed of as provided in Condition 26. The term "liquid waste" as used herein includes non-hazardous sludges meeting the requirements contained in Title 23, Chapter 15 of the California Code of Regulations for disposal in a Class III landfill. The landfill shall not accept sludge or sludge components at any time.
- b. No portion of the expanded landfill may extend above the plane or outside of the surface area of the fill design as shown on the approved site plan, attached as Exhibit A.

As used in this Condition 9b "landfill" refers to the portion of the subject property in which waste is to be permanently placed and then buried under daily and interim cover material but excludes adjacent cut slopes, temporary storage areas, and any materials recovery facility, composting facility, recyclable household hazardous waste facility, and ancillary facilities authorized by this grant. Allowance for settlement of fill shall not be made in determining compliance with this Condition 9b.

The existing viewshed from Chiquito Canyon Road as presented pictorially to the Board of Supervisors on 2/25/97 shall be protected for the life of the project. The dip in the natural ridgeline along the western boundary shall be maintained or enhanced. Any structure placed on the landfill site, including but not limited to temporary storage areas, any materials recovery facility, composting facility or any other ancillary facilities that may be visible from Chiquito Canyon Road shall be designed to be harmonious with the natural topography and viewshed and shall be reviewed by the Community Advisory Committee.

The landfill operator and the Community Advisory Committee shall work together to prepare a tree planting and maintenance plan for the entire western boundary of the site. The objectives of the plan are to screen landfill operations, enhance the viewshed, establish the minimum number

and type of trees to do this and to provide adequate access to monitoring wells. Trees may be planted on slopes on either side of the ridgeline provided the above objectives are met and such planting is practical.

- c. Nothing in Condition 9b or elsewhere in these conditions shall be construed to prohibit the permittee from applying for new permits to expand the landfill or to otherwise modify the conditions of this grant.
- d. The net tonnage placed in the landfill shall not exceed 30,000 tons per week (5,000 tons per day average based upon 6 working days per week).
- e. The net tonnage of waste placed in the landfill on any given day shall not exceed 6,000 tons.
- f. Net tonnage shall not include:
 - Clean dirt or other approved materials used for daily cover, to cover and prepare interim and final fill slopes, or for other construction purposes; and
 - Waste processed and put to a beneficial use on the landfill or separated or otherwise diverted from the waste stream and exported from the landfill for the purpose of recycling or reuse, in accord with the restrictions of Condition 9j and the agreement entered into pursuant to Part II of the attached monitoring program, and including waste handled through any materials recovery facility, household hazardous waste facility or composting facility within the restrictions set forth in Conditions 10, 11, and 12.
- g. The Board of Supervisors may increase the net tonnage allowed by Conditions 9d and 9e to 49,000 tons per week and 7,700 tons maximum per day if the Board of Supervisors, upon the joint recommendation of the Local Enforcement Agency and the Director of Public Works, determines that an increase is necessary to appropriately manage the overall County waste stream for the protection of the public health and safety. Not more than 355 days of overages may be given over the life of this grant.

Nothing in this condition shall permit the maximum landfill capacity of 23 million tons to be increased.

- h. Operating hours may be 24 hours per day, 7 days per week, except that, other than as provided in Condition 20i, the landfill shall not accept refuse for disposal from 5:00 p.m. on Saturdays through 4:00 a.m. on Mondays. Maintenance activities may occur during these times.
- i. The permittee shall operate the landfill in a manner which maximizes the amount of waste which can be placed within the available approved volume, including but not limited to the following:
 - Investigate and implement, as appropriate, methods of diverting or reducing high volume-low density materials which are not capable of being readily compacted;
 - Investigate and implement, as permitted by the appropriate regulatory agencies, methods to reduce the volume of daily cover required; and
 - Utilize waste materials received and processed at the landfill, such as shredded green waste, as a supplement to daily, intermediate and final cover, to the extent deemed technically feasible and acceptable by regulatory agencies.
- j. Notwithstanding any other provision of this grant, the permittee shall not knowingly impede or prevent the attainment of waste diversion objectives of City and County Source Reduction and Recycling Elements and the County Integrated Waste Management Plan adopted pursuant to Division 30 of the Public Resources Code.
- k. Business signs are allowed as permitted in Zone C-1.
- l. Nothing in this Condition 9 or elsewhere in these conditions of grant shall be construed to require the permittee to engage in any act which is in violation of any state or federal regulation.

- m. The County reserves the right to exercise its police power to protect the public health, safety and general welfare by managing the county-wide waste stream, including such activities as the setting of appropriate taxes or fees.
 - n. The daily waste limits specified in this Condition 9 may be varied with the approval of the Local Enforcement Agency (LEA) to respond to a declared emergency.
10. This grant allows the establishment and operation of a materials recovery facility, subject to the following restrictions as to use:
- a. The facility shall be no larger than 60,000 square feet in size, and shall be designed to accommodate no more than 500 tons per day of materials.
 - b. Nothing in this Condition 10 or elsewhere in these conditions shall be construed to prohibit the permittee from applying for new permits to expand the materials recovery facility or to otherwise modify the conditions of this grant.
 - c. Nothing in this Condition 10 or elsewhere in these conditions shall be construed to require the permittee to engage in any act which is in violation of any state or federal regulation.
 - d. Operating hours may be 24 hours per day, 7 days per week, for purposes of processing materials, operating equipment, and/or maintaining the facility.
 - e. The delivery of material to the materials recovery facility by all but commercial and municipal entities shall not occur outside the hours of 6:00 a.m. to 8:00 p.m., 7 days per week.
 - f. Vehicles removing recyclable materials from the materials recovery facility may access the facility 24 hours per day, 7 days per week.
 - g. Site development shall substantially conform to Exhibit "A", any

requirements of Conditional Use permit 87-360 (on file at the Department of Regional Planning) not in conflict with the provisions of this grant, and the mitigations listed in the visual impact section of the environmental impact report for this Conditional Use Permit 89-081-(5).

11. This grant allows the establishment and operation of a recyclable household hazardous waste facility, subject to the following restrictions as to use:
 - a. The facility may be used by the general public to drop off recyclable household hazardous wastes, including, but not limited to, used motor oil, used latex paints, used anti-freeze, and used batteries. The facility is not to be used for general use by commercial or industrial entities.
 - b. The facility shall be no larger than 2,100 square feet in size, exclusive of ingress and egress.
 - c. Nothing in this Condition 11 or elsewhere in these conditions shall be construed to prohibit the permittee from applying for new permits to expand the recyclable household hazardous waste facility or to otherwise modify the conditions of grant.
 - d. Recyclable materials shall not be collected in quantities or stored for periods which would cause the need for a hazardous waste facilities permit unless such permit has already been obtained.
 - e. Nothing in this Condition 11 or elsewhere in these conditions shall be construed to require the permittee to engage in any act which is in violation of any state or federal regulation.
 - f. Operating hours may be 24 hours per day, 7 days per week, for purposes of processing materials, operating equipment, and/or maintaining the facility.
 - g. The delivery of material to the recyclable household hazardous waste facility by members of the general public shall not occur outside the hours of 6:00 a.m. to 8:00 p.m., 7 days per week.

- h. The facility shall be staffed continuously during operating hours by an individual trained in hazardous materials management.
 - i. Site development shall substantially conform to Exhibit "A", any requirements of Conditional Use Permit 87-360 not in conflict with the provisions of this grant, and the mitigations listed in the visual impact section of the mitigation monitoring summary reference in the mitigation monitoring program for this Conditional Use Permit 89-081-(5).
- 12. This grant allows the establishment and operation of a composting facility, using either windrow or in-vessel technology, together with certain ancillary and related activities as enumerated herein, subject to the following restrictions as to use:
 - a. The facility may be used to receive, process and compost green waste and to store and distribute finished mulch, biomass fuel and compost.
 - b. The facility shall consist of a receiving and processing area no more than 4 acres in size, a composting area no more than 30 acres in size, and a storage and distribution area no more than 7 acres in size.
 - c. Nothing in this Condition 12 or elsewhere in these conditions shall be construed to prohibit the permittee from applying for new permits to expand the composting facility or to otherwise modify the conditions of grant.
 - d. The composting operation shall receive no more than 560 tons per day of green waste and no wastewater biosolids (e.g., sludge or sludge components).
 - e. Nothing in this Condition 12 or elsewhere in these conditions shall be construed to require the permittee to engage in any act which is in violation of any state or federal regulation.
 - f. Operating hours may be 24 hours per day, 7 days per week.

- g. Access by customers for purposes of removing finished mulch, biomass fuel and compost shall not occur outside the hours of 6:00 a.m. to 8:00 p.m., 7 days per week.
 - h. All windrow areas shall be located on existing compacted landfill areas meeting all requirements of regulatory agencies for such use.
 - i. The permittee shall comply with all rules for odor abatement and prevention of the South Coast Air Quality Management District and the County Department of Health Services (LEA). The permittee shall not allow odors to become a nuisance in adjacent residential areas. In the event odors become a nuisance in adjacent residential areas, permittee shall take all necessary steps to abate that nuisance. If the permittee, despite the application of the best available technology and methodology, cannot abate nuisance odors resulting from composting, the permittee shall terminate such operations.
13. The subject property may be used for the following ancillary facilities or activities:
- Offices, employee facilities, and truck and equipment storage and maintenance facilities related directly to the landfill, the materials recovery facility, the composting facility, the recyclable household hazardous waste facility and/or other waste handling and processing operations allowed under this grant; but excluding offices and other facilities related to any unrelated enterprises operated by the permittee or others;
 - Leachate collection and processing facilities;
 - Facilities necessary for the collection, disposal, utilization and distribution of landfill gases as required and/or approved by the South Coast Air Quality Management District; and
 - Facilities necessary for fire protection and similar purposes.

14. If the landfill regularly meets its weekly and/or daily maximum limit, as set forth in Condition 9d and 9e, the permittee shall implement a program to avert wasted trips to the landfill and illegal disposal, which program shall include:
 - a. Scheduling of regular users, such as commercial and municipal haulers, to prevent them from arriving at the landfill and being diverted to other landfills; and
 - b. Reservation of capacity for small commercial and private users, unless an alternate landfill located within 15 miles of the permittee's landfill is available to accept such users.
15. The permittee shall implement programs if necessary to discourage trucking of partially filled loads to the landfill by commercial and municipal haulers. The permittee shall also take such measures as are necessary to prevent queuing of trucks waiting to enter the landfill on State Route 126.
16. The permittee shall install and/or pay for traffic improvements as set forth below, to the extent deemed warranted by the County's Department of Public Works and the California Department of Transportation. As used in this condition, "warranted" means justified on the basis of established standards of the County, the California Department of Transportation and/or by accepted traffic engineering practice. Improvements may include, as determined by the County and the California Department of Transportation:
 - a. Installation of advance entrance signs on State Route 126 on both sides of the landfill entrance notifying motorists of the approaching entrance and of the exclusive left-turn and right-turn lanes for landfill traffic;
 - b. Installation of a second incoming truck scale at the landfill entrance before acceptance of waste in the landfill expansion area or as otherwise directed by the Local Enforcement Agency. In the event the permittee or the Local Enforcement Agency determines that an additional truck scale is necessary before acceptance of waste in the expansion area, the permittee shall install a temporary truck scale as soon as reasonably feasible. Any such temporary scale shall be replaced by a permanent

truck scale upon completion of any necessary permitting and construction;

- c. Coordination with the California Department of Transportation on its State Route 126 widening project to provide for a left-turn and acceleration/deceleration lane in the center of State Route 126 near the landfill entrance;
 - d. Installation of a traffic control signal at the entrance of the landfill as may be required based on a warrant analysis approved by the California Department of Transportation;
 - e. As required to serve the materials recovery facility, improve Wolcott Way from State Route 126 to the materials recovery facility site and the site frontage to the satisfaction of the Director of Public Works; and
 - f. Permittee's financial contribution toward the installation of a traffic control signal at the intersection of State Route 126 and Interstate 5, as may be required by a warrant analysis approved by the California Department of Transportation. Permittee's contribution shall be based on permittee's facilities' traffic impacts as a percentage of total traffic at this intersection.
17. Except as otherwise provided in this condition, the final landfill surface shall be concurrently reclaimed and revegetated as described in the Revegetation and Erosion Control Program (Oasis Associates, Inc. March, 1995) developed for the landfill expansion.

If the Local Enforcement Agency determines either (1) that a different design or plan would better protect the public health and safety and would enable revegetation of the final landfill surface as well as or better than the Revegetation and Erosion Control Program, and/or (2) that a change is dictated by revisions to the minimum standards adopted by the California Integrated Waste Management Board, and as a result the Local Enforcement Agency directs the implementation of a different design and/or plan, then the permittee shall not be bound by the provisions of this condition.

18. A temporary vegetation cover shall be established on all slopes and other areas that are to remain inactive for a period longer than 180 days.

The permittee shall employ expert assistance to carry out this condition. Soil sampling and laboratory analysis shall be conducted before revegetation to identify chemical or physical soil properties that may adversely affect plant growth and establishment. Soil amendments and fertilizer recommendations shall be applied and plant materials selected as indicated by the tests. To the extent possible, plant types shall blend with species indigenous to the area and be drought tolerant and shall be capable of rapid establishment. For specific requirements, see the Revegetation and Erosion Control Program (Oasis Associates, Inc., March 1995).

19. The permittee shall utilize the most effective available technology and methodology to avert fugitive dust emissions which may be a nuisance or hazard in adjacent populated locations or which may cause significant damage to wildland resources. In addition to the revegetation measures required in Conditions 17 and 18 and listed in the mitigation monitoring summary, the permittee shall comply with the regulations approved by the Local Enforcement Agency and the rules for dust abatement and prevention of the South Coast Air Quality Management District.

20. The permittee shall employ the most effective available technology and methodology to prevent litter which enters the area under the permittee's control in the form of waste from escaping the area. The permittee's on-site litter control program shall include, unless otherwise provided by the Local Enforcement Agency, the following:

- a. Landfill personnel shall regularly patrol the access road from the scales to the working face from the time it opens to the time it closes in the evening;
- b. Improperly covered or contained loads which may result in a significant release of litter shall be immediately stopped and the condition corrected, if practicable, before the load proceeds to the working face. If correction cannot be made, the load shall be transported under escort to the working

face.

- c. All debris found on or along the entrance and working face access roads shall be immediately removed;
- d. Operating areas shall be located in wind shielded portions of the landfill during windy periods;
- e. The landfill operator shall install and maintain temporary litter fences in operating areas and in those areas along the property perimeter that are regularly littered due to the location of the operating area, time of year, and climatic conditions. The landfill operator and the Community Advisory Committee shall work together to identify littered areas in need of fencing.
- f. The permittee shall require open-bed trucks exiting the landfill either to be swept clean of loose debris or to be covered so as to minimize the possibility of litter escaping onto State Route 126.
- g. The landfill operator shall install speed bumps on landfill property in paved areas along the route of trucks leaving the landfill. The purpose of the speed bumps is to knock out dirt and debris accumulated in wheel wells before trucks leave the site.
- h. Landfill personnel shall police Chiquito Canyon Road from SR 126 to the entrance to Val Verde at Rancho Atilos and the surrounding area within 100 feet of the centerline of the road or to any existing fence on private property for the purpose of locating and cleaning up litter in this area. Litter pickup shall be a minimum of one time per month and may be increased, upon agreement between the landfill operator and the Community Advisory Committee, to maintain a litter free environment.
- i. The landfill operator shall provide four free quarterly clean-up days to residents of Val Verde, showing proper identification and proof of residence at the landfill entrance. These days may be Sundays. The operator shall further reimburse the Community Advisory Committee for

the cost of providing two rolloff bins in Val Verde on each clean-up day. The operator and Committee may jointly change this program if they mutually determine alternatives to the above can further assist the community.

21. The permittee shall, to the satisfaction of the Director of Public Works and the Local Enforcement Agency, maintain programs aimed at controlling the discharge and recovery of litter from uncovered or improperly covered or contained loads traveling to the landfill.

The measures shall include an effective tarping program, which if necessary in the estimation of the Director of Public Works and the Local Enforcement Agency, shall provide for mandatory sale of tarps to violators and/or punitive fees and exclusion from the landfill of repeated violators.

22. The permittee shall post a sign at the entry gate at State Route 126 which indicates the following:
 - a. The telephone number by which persons may on a 24-hour basis contact the permittee to register complaints and/or comments regarding landfill operations;
 - b. The telephone number of the Local Enforcement Agency and the hours when the number is manned; and
 - c. The telephone number of the enforcement offices of the South Coast Air Quality Management District and the hours when the number is manned.
23. The permittee shall at all times during operating hours maintain adequate staff to promptly respond to litter and other complaints from the surrounding neighborhood. The permittee shall have bilingual (Spanish/English) employees available during business hours. The permittee shall arrange to have Spanish speaking operators available for messages 24 hours per day.
24. Except as otherwise provided in this condition, areas outside of and above the cut and fill shown on Exhibit A (including borrow areas) shall not be graded or

similarly disturbed to create the landfill areas approved in Condition 9b or new soil stockpile areas or disturbed areas for construction staging not shown on Exhibit A. The Director of Public Works may approve additional grading if the Director determines, based upon engineering studies provided by the permittee and independently evaluated by the Director, that such additional grading or disturbance is necessary for slope stability or drainage purposes or for soil stockpiling or construction staging. Such a determination shall be documented as provided in Part I of the attached monitoring program.

In the case of soil stockpiling and staging areas not shown on Exhibit "A" or located within the approved fill area, the permittee shall submit a letter from a qualified biologist certifying that the affected area is not a location of biological sensitivity as identified in the project environmental impact report. No approval shall be granted under this condition which will result in expanding the area or height of fill or in lowering or significantly modifying any of the ridgelines surrounding the landfill.

Nothing in this condition shall be construed as prohibiting the installation of water tanks, access roads, flares, or similar facilities or mitigation programs required by this grant or by permits issued by other public agencies.

25. The permittee shall implement a program to identify and conserve any significant archaeological or paleontological materials which may be present in accord with this condition. If any evidence of such materials is discovered during earth moving activities, landfill operations shall cease in that immediate area and said area shall be preserved until a qualified archaeologist or paleontologist has made a determination as to the significance of the site or findings. Any significant archaeological or paleontological resources shall be recovered, to the extent practicable, before resuming activities in that area of the landfill.
26. The permittee shall implement a comprehensive waste load checking program designed to exclude disposal of liquid and hazardous wastes and radioactive material at the landfill, which program shall comply with the requirements of this condition and Part III of the attached monitoring program and any additional requirements of the Local Enforcement Agency, the California Environmental Protection Agency, the Regional Water Quality Control Board, and the California

Integrated Waste Management Board.

Restrictions on disposal of radioactive material and hazardous and liquid wastes and the procedures for proper disposal at other appropriately classified disposal sites or waste processing facilities shall be provided to waste haulers on a routine basis. Notices shall also be posted at prominent locations at the landfill to inform waste haulers of the rules governing the disposal of liquid and hazardous waste, and radioactive material.

In the event that material known or suspected to be hazardous waste or radioactive material is discovered at the landfill, the permittee's agent shall:

- a. If the vehicle that delivered the waste is still present, attempt to identify the driver and obtain his driver's license number and vehicle's license number;
- b. Immediately make all required notifications to State and County agencies; and
- c. If possession of the material is not immediately taken by a public official, store the material at a site developed in accord with the regulations of the California Environmental Protection Agency and the Regional Water Quality Control Board until disposed of in accord with applicable State and Federal Regulations.

The permittee shall also provide effective vector control measures as directed by the County Department of Health Services.

Nothing in this condition shall be construed to permit the maintenance of a hazardous waste disposal facility at the landfill.

27. The permittee shall contact the Department of Public Works to determine whether an Industrial Waste Disposal Permit is required. No activity for which a permit is required shall be initiated on the subject property before a permit is obtained and any required facilities are installed. The permittee shall keep any required permits in full force and effect and shall fully comply with any

requirements thereof.

28. The permittee shall install drainage structures and comply with all other drainage requirements of the Department of Public Works and any additional requirements of the Regional Water Quality Control Board and any other regulatory agency with appropriate jurisdiction. Except as specifically otherwise provided by the Department of Public Works, all drainage structures, including sedimentation basins, shall be designed and constructed so as to accommodate run-off from a capital storm.

The landfill and drainage structures shall in all cases be designed so as to cause surface water to be diverted away from disposal areas.

The permittee shall further comply with all grading requirements of the Department of Public Works and County Ordinance.

29. The permittee shall install and maintain containment (liner) systems and leachate collection and removal systems as approved and required by the Regional Water Quality Control Board.
30. The permittee shall install and test ground water monitoring wells as required by the Regional Water Quality Control Board and shall promptly undertake any action directed by the Regional Water Quality Control Board to correct or prevent contamination which may affect ground water quality or water conveyance or storage facilities. Any testing or remedial actions deemed necessary by the Regional Water Quality Control Board to correct or prevent contamination or to determine the existence of any contamination from the existing landfill operated by the permittee which, in the opinion of the Regional Water Quality Control Board, should be completed or guaranteed before commencement of landfill expansion shall be completed or guaranteed by the permittee before commencement of the expansion to the satisfaction of the Regional Water Quality Control Board.
31. The permittee shall maintain on-site fire response capabilities, construct access roads, provide water tanks, water mains, fire hydrants and fire flows and perform brush clearance to the satisfaction of the County Forester and Fire Warden.

32. All on-site fuel storage tanks shall be installed and necessary containment and air quality controls provided in accord with the requirements of the County Forester and Fire Warden, the County Department of Public Works, the Regional Water Quality Control Board, and the South Coast Air Quality Management District.
33. The permittee shall take all necessary measures to ensure that noise emissions from the on-site facilities at any residential receptor are within the limits of the County Noise Ordinance, as contained in Title 12 of the County Code.
34. Unless otherwise authorized by the South Coast Air Quality Management District, the permittee shall install and maintain a best available control technology landfill gas collection system in compliance with the requirements of the South Coast Air Quality Management District. The permittee shall also control the lateral migration of gases to the satisfaction of the Department of Public Works, the Local Enforcement Agency, the California Integrated Waste Management Board and the South Coast Air Quality Management District, as applicable. The permittee shall use his best efforts to maximize landfill gas collection consistent with applicable government regulations. The permittee shall use the best available technology when installing and maintaining landfill gas collection systems. Permittee shall purchase a maximum of five combustible gas monitors, at least one of which is able to be used outdoors, an organic vapor analyzer, similar to the monitors used in structures at the Chiquita Canyon Landfill, and provide same to the Community Advisory Committee for placement in locations of concern to the community, as determined by the Committee. These monitors are designed to detect and provide warning in the event of a build-up of methane gas. The Committee shall be responsible for locating, monitoring and maintaining such monitors. In the event such monitors indicate discernible levels of methane gas, the Committee and the landfill operator shall jointly investigate the situation and if it is determined that the landfill is the cause of such methane gas build-up, the landfill operator will take corrective action. The permittee shall work with the Citizens Advisory Committee in understanding the requirements of Rule 1150.1 governing the control of gaseous emissions from active landfills. The permittee shall forward copies of any notices or reports filed with or received from the regulatory agency or agencies responsible for oversight.

35. Landfill gas flares shall be below the adjacent ridges and the flames shall be totally contained within the stack, unless otherwise required by the South Coast Air Quality Management District. Flame arresters shall be provided to the satisfaction of the County Forester and Fire Warden.
36. The permittee shall adopt and implement operational practices to mitigate vehicular and other air quality impacts as required by the South Coast Air Quality Management District.
37. The permittee shall operate the on-site facilities in a manner which conserves water, including but not limited to the following:
 - a. The permittee shall investigate the feasibility of treating collected leachate on-site for reuse in the landfill and shall, if feasible and approved by the appropriate agencies, implement a program to utilize such water;
 - b. Soil sealant, pavement and other control measures shall be used wherever possible in preference to water for dust control; and
 - c. Drought-tolerant plants shall be used to the extent possible to revegetate.
38. The permittee shall comply with any applicable provisions of Sections 1601-1603 of the California Fish and Game Code and Section 404 of the Clean Water Act before alteration of drainage courses and shall mitigate any disturbed wetland habitat or jurisdictional habitat to the satisfaction of the California Department of Fish and Game and/or the United States Army Corps of Engineers, as applicable.
39. To the extent permitted by law, the Local Enforcement Agency shall have the authority to order the immediate cessation of landfilling or other activities at the site if it determines that the health, safety and/or welfare of the inhabitants of the County of Los Angeles so requires. Such cessation shall continue until such time as the Local Enforcement Agency determines that the conditions leading to the cessation have been eliminated or reduced to a level which no longer poses an unacceptable threat to such health, safety and/or welfare.

40. In order to undertake and administer planning studies for unincorporated communities in the vicinity of the landfill, the permittee shall pay to the Department of Regional Planning \$75,000 on July 1, 1998, \$75,000 on July 1, 1999, and \$100,000 on July 1, 2000. In order to provide funding for community planning needs as identified by such planning studies, the permittee shall pay to the Department of Regional Planning \$30,000 per annum commencing July 1, 2001 and continuing each July 1 for the life of this grant applicable to the landfill. The funds received shall be placed in an interest bearing trust account until used for the specified purposes.

41. The permittee shall pay to the County of Los Angeles a fee equal to ten percent (10%) of the sum of the following:

- The net tipping fees collected at the landfill (excluding any tipping fees received for waste processed at the materials recovery, recyclable household hazardous waste and composting facilities approved in Conditions 10, 11 and 12), the net tipping fee being the total collected less any other fees or taxes imposed by any federal, state or local agency and included in the fee charged at the landfill entrance;
- Gas to energy or direct gas sale revenues, less any federal, state or local fees or taxes included in such revenues.

Should the County impose a business tax on landfill revenues, the amount received from the permittee shall be credited against the fees required by this Condition 41.

42. As agreed, the permittee shall make a good faith effort to establish and maintain, based on, among other things, economic viability, the materials recovery and recyclable household hazardous waste facilities approved in Conditions 10 and 11. The permittee shall perform an economic viability and marketing study on an annual basis to assess opportunities to implement a materials recovery facility in an expeditious manner. Nothing in this condition shall mandate the permittee to implement a materials recovery facility.

43. The permittee shall present its Emergency Response Plan to the Community

Advisory Committee and develop an additional component with the Committee for emergency notification to the Val Verde community. The landfill operator shall bear the reasonable costs, if any, of plan implementation.

44. Permittee shall comply with the Statement of Agreements and Understandings it entered into with certain community representatives on February 21 and 24, 1997, as that agreement has been amended and as it may be amended according to its terms. County enforcement of this condition shall be limited to a revocation or modification proceeding under County Code Section 22.56.1780 et seq., which may be commenced only in the event that a court or other decision maker of competent jurisdiction determines that the Permittee has breached its obligations under the Statement of Agreements and Understandings.
45. The permittee shall purchase translation equipment as specified by the Val Verde Civic Association for a one time cost not to exceed \$8,000, by or before the first Val Verde Community Benefits Fund payment is made in accordance with the Statement of Agreements and Understandings referenced in condition no. 44, above.
46. The maximum total capacity of the landfill shall be 23 million tons. Landfill closure shall occur when this capacity is reached or by November 24, 2019, whichever occurs first.
47. In the event that the permittee is precluded from utilizing this grant as a result of a lawsuit, the permittee may continue to operate the existing landfill under CUP 1809-(5) beyond the November 24, 1997 expiration date applicable thereto, subject to all other conditions and limitations set forth in CUP 1809-(5), until completion of the fill design shown on the latest approved Exhibit A on file with CUP 1809-(5), or November 24, 2000, or resolution of the lawsuit challenging the grant of this CUP 89 081-(5), whichever occurs first.

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4/29/97

MONITORING PROGRAM

PROJECT NO. 89-081
THE CHIQUITA CANYON LANDFILL EXPANSION
(State Clearinghouse No. 92071053)
An Attachment to the Conditions of Grant for
Conditional Use Permit 89081-(5)

DEFINITIONS. Unless otherwise apparent from the context, the term "Condition(s)" shall refer to a condition or conditions of Conditional Use Permit No. 89081-(5), also referred to herein as the "grant", and "project" shall refer to the overall landfill expansion and the addition of a materials recovery facility, a recyclable household hazardous waste facility, a composting facility, and/or any ancillary facilities approved by said use permit. The term "permittee" shall be as defined in Condition 1 of the permit. The term "Local Enforcement Agency" shall refer to the entity or entities [currently the Los Angeles County Department of Health Services] designated pursuant to the provisions of Division 30 of the Public Resources Code to permit and inspect solid waste disposal facilities and to enforce state and local regulations and permits; provided, however, that should at any time the function of Local Enforcement Agency be assigned to an entity which is not designated by the Board of Supervisors, any functions assigned to the Local Enforcement Agency through the monitoring program and the conditions of grant which are not by law the prerogative of the Local Enforcement Agency shall be delegated by the Board of Supervisors to an entity of its selection.

PURPOSE. This monitoring program is intended to ensure compliance with the conditions of grant and other mitigations as set forth in the final environmental impact report for the project, in accord with the provisions of Section 21081.6 of the Public Resources Code, and to complement the enforcement and monitoring programs routinely administered by County agencies, including the Local Enforcement Agency, and by public agencies other than the County of Los Angeles. Such other agencies include the California Integrated Waste Management Board, the California Regional Water Quality Control Board, Los Angeles Region, the State Water Resources Control Board, the South Coast Air Quality Management District, and the California Department of Fish and Game.

The overall responsibilities of the monitoring agencies are more specifically described in the document entitled "Mitigation Monitoring Summary - Chiquita Canyon Landfill Expansion/Closure and Resource Recovery Facilities Project" contained in Appendix "A" of the final environmental impact report for the project.

GENERAL OBLIGATION. The landfill operator shall comply with all mitigation measures identified in the Final Environmental Impact Report for this project or with any substitute measures that may be imposed in the future by the Department of Regional Planning or the agencies listed in Condition 7 to reflect changed laws or regulations. The landfill operator shall also comply with all project features identified in the Final Environmental Impact Report for this project that are designed to prevent or reduce potential environmental impacts of the project or with any substitute features that may be authorized in the future by the Department of Regional Planning or the agencies listed in Condition 7 to reflect changed laws or regulations. The Department of Regional Planning shall have the power to enforce this obligation.

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PART I — LANDFILL ELEVATIONS. The following measures shall be carried out to monitor compliance with Conditions 9.b, and 24 which set limits upon the height of fill and disturbance to adjacent areas.

- A. Other than as needed to establish on-site access roads, before commencing expansion of the landfill beyond the limits established by Conditional Use Permit 1809-5 the permittee shall install permanent survey monuments around the perimeter of the approved fill area as depicted on Exhibit A (referenced in Condition 9b) at points where they will not be subject to disturbance by landfill development.

The spacing, location and characteristics of the monuments shall be as specified by the Department of Public Works. The monuments shall be inspected by the Department of Public Works after installation and an as installed plan, approved by the Department of Public Works, shall be provided to the Local Enforcement Agency.

Not less than 60 nor more than 90 days before the due date for the Biennial Report required in Part VII, the permittee shall cause a licensed surveyor or registered civil engineer to conduct a survey of the landfill elevations and to submit the results to the Department of Public Works for approval. Such a survey shall also take place within 60 days after the occurrence of any earthquake of magnitude Richter 5.0 or greater having an epicenter within 20 miles of the landfill, and upon the completion of the final fill.

The Department of Public Works may also conduct or order such on-site surveys as it deems necessary or as requested by the Local Enforcement Agency and shall promptly report any apparent violation revealed by a survey to the Department of Regional Planning and the Local Enforcement Agency.

- B. Should the Director of Public Works approve grading or other disturbance to areas outside the cut and fill limits shown on Exhibit "A" pursuant to the provisions of Condition 24, the Director shall refer a copy of such authorization to the Department of Regional Planning and the Local Enforcement Agency.

PART II — WASTE PLAN CONFORMANCE. The provisions of this part are intended to insure compliance with the provisions of Conditions 9d-9j and conformity of landfill operations with city and county plans adopted pursuant to Division 30 of the State Public Resources Code.

- A. Before November 24, 1997, the permittee shall enter into an agreement with the County of Los Angeles providing for:
1. Controlling and accounting (as further provided in Part II B) for waste entering and (in the form of recycled or diverted material) leaving the landfill, in accord

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with plans adopted by cities and the County pursuant to Division 30 of the Public Resources Code.

2. The implementation and enforcement of programs intended to maximize utilization of the available fill capacity, as set forth in Condition 9i.
3. The implementation of waste diversion and recycling programs in accord with the applicable city and county plans.

The agreement required in this Part II A, or any portion thereof, may be waived if the Local Enforcement Agency, the Director of Public Works and the County Counsel, jointly, determine that such provisions may be incorporated in the solid waste facilities permit for the landfill.

Should all or parts of any applicable city and County plans not be adopted before the expansion of the landfill, an interim agreement may be entered into pending adoption of the plans.

The agreement required by this Part II A shall include provision for amendment as necessary to maintain conformity with applicable city and County plans. Copies of the initial agreement and any amendments shall be referred to the Departments of Public Works and Regional Planning, the Local Enforcement Agency, and to each city within the County of Los Angeles which has adopted plans and is a significant disposer of waste to the landfill.

- B. The agreement required in Part II A shall provide that the permittee shall maintain scales to verify the weight of waste received, diverted and recycled. The agreement shall also provide that the permittee shall, as set forth in the agreement, maintain records necessary to document tonnage and compliance with waste restrictions imposed pursuant to the conditions of grant and the agreement together with such additional records concerning the composition and origin of waste that are needed to develop city and County waste management plans.

The agreement may provide, subject to the availability of appropriate hardware and software, for electronic recording devices to document weights and other records.

All records shall be available at the landfill for inspection by the Local Enforcement Agency and authorized representatives of the Departments of Public Works and Regional Planning and the Treasurer and Tax Collector during normal business hours and shall be routinely forwarded to such agencies as may be provided in the agreement and in the agreement adopted pursuant to Part II.

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PART III — HAZARDOUS WASTE EXCLUSION. This part incorporates the program to be implemented by the permittee and the Local Enforcement Agency, and which was designed to exclude liquid, radioactive and hazardous wastes from the landfill in accordance with the provisions of Conditions 9a and 26.

- A. The permittee shall maintain a comprehensive waste load checking program, which shall include the following:
1. All waste hauling vehicles shall be screened at the scales with a radiation detector device, acceptable to the Local Enforcement Agency, for the presence of radioactive materials;
 2. The scale operator shall question each incoming driver as to the nature of the load. Sensors capable of detecting volatile organic compounds, acceptable to the Local Enforcement Agency, shall be installed and used as directed by the Local Enforcement Agency;
 3. The load checker shall inspect for contamination all large loads of soil brought into the landfill from points not known to be free of contamination. For purposes of this paragraph, "contamination" shall mean any substances contained in such soil that are not approved to be in such soil pursuant to the Special Waste Acceptance Program;
 4. The dumping area shall be monitored for hazardous and liquid waste and radioactive waste or materials. This monitoring shall be accomplished by equipment operators and spotters who have been trained in a monitoring program approved by the Local Enforcement Agency;
 5. Manual inspection of randomly selected refuse loads shall be conducted. The frequency of inspections shall be as determined by the Local Enforcement Agency. The checking program shall be conducted by personnel trained in accordance with a program approved by the Local Enforcement Agency; and
 6. If on the basis of monitoring of the dumping area and of random inspections the Local Enforcement Agency determines that significant amounts of hazardous, liquid or radioactive waste or material may be entering the landfill, the Local Enforcement Agency may direct an expanded inspection program, including additional, unannounced manual inspections.

PART IV — MITIGATION AGREEMENT. Before November 24, 1997, the permittee shall enter into an agreement with the County providing for indemnification of the County for any

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damages to public property which may result from landfill operations and for any expenses which may be incurred by the County in performing any on-site or off-site remedial work which may be necessitated by the permittee's failure to operate or maintain the landfill at an acceptable level or the permittee's failure to perform in a timely manner. The performance areas covered shall include, but not be limited to, landscaping, litter and dust control, noise control, vector control and maintenance of slopes and drainage structures. The standard for operation and maintenance shall be as established by the provisions of this grant and by accepted industry practice.

To secure performance on the agreement, the permittee shall tender to the County a certificate of deposit, letter of credit or other security acceptable to the County in the amount of one million dollars (\$1,000,000). The security shall be in addition to all other security required by federal, state and local regulations and permits, including other performance security required by this permit and State landfill closure regulations. Upon termination of the grant applicable to the landfill the security shall be released and returned to the permittee.

PART V — HORTICULTURAL MONITORING. This part is intended to promote compliance with the provisions of Conditions 17 and 18 concerning on-site planting and maintenance.

- A. The permittee shall, before commencing expansion of the landfill beyond the limits established by Conditional Use Permit 1809-5, retain the services of a consulting horticulturalist or landscape architect to supervise the on-site slope planting required as a condition of grant and this monitoring program. The permittee's selection shall be approved by the Local Enforcement Agency with the advise of the Staff Biologist, Department of Regional Planning.

The consulting horticulturalist or landscape architect shall be a person who by education, training, experience and professional standing, as evidenced by appropriate licensing, registration and/or academic standing in the field of horticulture, is qualified to carry out the specific requirements of the position.

- B. Should at any time during the life of the grant plus any additional required maintenance period the initially-selected consultant terminate employment, a replacement shall be retained and approved as provided in Part V A.
- C. The permittee shall make and maintain records to track fill areas in accordance with Regional Water Quality Control Board requirements. These records shall be used to indicate areas transferred to an inactive status and therefore potentially subject to being vegetated as provided in Condition 18. The permittee shall make copies of such records

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available to the consulting horticulturalist or landscape architect and the Local Enforcement Agency on a routine basis and to other regulatory agencies upon request.

PART VI — RECYCLING AND ANCILLARY FACILITIES. This part is intended to provide a means to enforce compliance with Conditions 10,11,12 and 13 concerning the provision of recycling and ancillary facilities at the landfill, and to verify that such facilities are consistent with other conditions of the grant and the monitoring program and with the provisions of the County Zoning Ordinance.

Before obtaining building permits for any of the recycling or ancillary structures to be provided at the site, the permittee shall submit to the Director of Planning a specific site plan for such structures. The plan shall be in sufficient detail to establish compliance with the conditions of the grant and with the standards of the County Zoning Ordinance, including the provisions of said ordinance relating to the provision and development of parking, as set forth in Part 11, Chapter 52, Title 22 of the County Code.

If approved, the Director shall forward copies of the plans to the Department of Public Works and the Local Enforcement Agency.

PART VII — MONITORING REPORTS. This part is intended to provide for a means of continuing oversight of landfill operations as a supplement to the routine enforcement activities of the various regulatory agencies having control over the development, operation and maintenance of the landfill.

A. The permittee shall prepare and submit biennial monitoring reports to the Regional Planning Commission, the first such report being due December 1, 1999 and subsequent reports being due December 1, every other year until closure of the landfill. At least 60 days before the due date, draft copies of the report shall be submitted to the following for review and comment:

1. The Local Enforcement Agency;
2. The Director of Public Works;
3. The Los Angeles County Forester and Fire Warden;
4. The California Regional Water Quality Control Board, Los Angeles Region;
5. The South Coast Air Quality Management District; and

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6. The Community Advisory Committee, required pursuant to Part VIII of this monitoring program.

Each referral shall include a request that comments be sent to the Regional Planning Commission in care of the Director of Planning on or before the due date of the report. The permittee shall provide documentation of each referral to the Director of Planning in a form acceptable to the Director.

- B. Except as otherwise provided in this Part VII B, each monitoring report shall contain the following:
 1. A cumulative total of all waste deposited in the landfill and the percent of total available volume consumed;
 2. A copy (which may be reduced and simplified to fit the report format) of the most recent approved landfill survey—(as required in Part I A of the monitoring program) showing the height and extent of fill;
 3. The achieved ratio of weight to volume of waste placed in the landfill and a comparison of that ratio with the ratio achieved at comparable landfills and an explanation of any significant deviation;
 4. A summary of the rates of waste received, recycled or otherwise diverted at the landfill since November 24, 1997 or the last report, as applicable, in sufficient detail to explain significant changes and variations over time and an explanation of any significant variation or changes;
 5. A summary of measures undertaken by the permittee to divert and recycle material at the landfill and to establish and maintain the materials recovery and household hazardous waste facilities approved in Conditions 10 and 11, and how such measures interact with waste management plans adopted by cities and the County and the overall effectiveness of such measures in achieving the intent of the grant and the waste management plans;
 6. A summary of the number and character of litter, fugitive dust and odor complaints received in the reporting period, the disposition of such complaints, and any new or additional measures which have been undertaken to abate or address future complaints;

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7. A detailed accounting of any citations for violations received from any regulatory agency in connection with operation of the landfill (including those for litter, odor or fugitive dust) and the disposition of the citations;
8. A report prepared by the horticultural monitor on interim and final fill revegetation, including an assessment of the success of such revegetation and any additional measures necessary or proposed to effect successful revegetation; and
9. A summary of compliance with the individual mitigation measures set forth in the mitigation monitoring summary and the conditions of grant; one time measures documented in a monitoring report need not be documented in subsequent reports.

Upon receipt of the report and agency comments, the Commission may request that the permittee submit such additional information as it deems necessary to carry out the purposes of this Part VII.

The Community Advisory Committee shall receive a copy of the completed report and agency comments upon submittal to the Regional Planning Commission. All reports in this section will be forwarded to the Community Advisory Committee within 5 working days of being made available to the Permittee.

The permittee and its technical staff shall be available to present the findings and implications of the report at no cost, in a timely manner, to the Community Advisory Committee upon request.

- C. Nothing in this Part VII shall be construed to in any way limit the authority of the Commission or the Board of Supervisors to initiate any proceeding to revoke or modify the grant as provided in Condition 8 and Part 13, Chapter 56, of Title 22 of the County Code.

PART VIII — COMMUNITY ADVISORY COMMITTEE. The Board of Supervisors shall appoint a Community Advisory Committee to serve as a liaison between the permittee and the community and as a means for the community to communicate with the Regional Planning Commission and other regulatory agencies on an ongoing basis regarding issues involved in the development and operation of the on-site facilities. The committee shall be comprised of a majority of persons who reside in Val Verde. The supervisor in whose district the site is located shall appoint a representative from such district to serve as coordinator for the Committee and shall nominate Committee members.

Upon appointment of the Committee by the Board of Supervisors, the permittee shall do the following:

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1. Provide qualified personnel to regularly attend Committee meetings;
2. Provide reasonable access to the site and information concerning site operations necessary for the committee to perform the committee's functions; and
3. Provide funding, not to exceed \$20,000 per annum, for the committee to retain independent consultants; provided that any consultant retained shall have appropriate qualifications for the work for which the consultant was retained and have no conflict of interest with the permittee or any committee member.

PART IX — COMPENSATION. The permittee shall compensate the Department of Public Works and the Department of Regional Planning for expenses incurred in the administration of this monitoring program and grant not otherwise covered by permit fees. Such compensation shall be computed on the basis of actual hours expended multiplied by the most current applicable hourly rate approved by the auditor controller that is available at the time that the expenses are incurred.

The permittee shall similarly compensate the Local Enforcement Agency for any extraordinary expense incurred in the administration of this monitoring program and grant not covered by fees paid for normal administration of the solid waste facility permit.

At the time of submission of the affidavit referred to in Condition 2 of the grant, the permittee shall deposit with the County of Los Angeles the sum of \$10,000. The deposit shall be placed in a performance fund which shall be used exclusively to compensate the Department of Regional Planning for the actual cost of expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of grant.

Rev. 5-8-97

**FINAL MITIGATION MONITORING SUMMARY
CHIUQUITA CANYON LANDFILL EXPANSION/
CLOSURE AND RESOURCE RECOVERY FACILITIES (BOARD MODIFIED)
A PORTION OF THE FINAL MITIGATION MONITORING PROGRAM
For Conditional Use Permit 89-081-(5)
County of Los Angeles**

FEIR Issue and Mitigation Measures(s)	Timing	Monitoring Action Indicating Compliance with Mitigation
TRAFFIC/ACCESS		
<ul style="list-style-type: none"> • The landfill operator will install a traffic control signal at the landfill entrance intersection with SR-126 in accordance with Caltrans signalization standards. 	<p>At the time a traffic signal is warranted or as otherwise directed by the California Department of Transportation.</p>	<p>Landfill operator will maintain regular contact and coordinate with Caltrans.</p>
<ul style="list-style-type: none"> • A second truck scale will be installed at the landfill entrance. Design and installation of the second truck scale will be coordinated with the County of Los Angeles Department of Public Works. 	<p>Prior to acceptance of waste in the landfill expansion area or as otherwise directed by the LEA.</p>	<p>Landfill operator will submit truck scale/entrance design review and approval by Caltrans staff and installation of second truck scale.</p>
<ul style="list-style-type: none"> • The landfill operator will coordinate with Caltrans regarding roadway design features near the entrance of the landfill. The design should provide a left-turn out lane in the center of SR-126 with enough distance for acceleration/deceleration. 	<p>Prior to SR-126 widening to four lanes.</p>	<p>Landfill operator will maintain regular contact and coordinate with Caltrans.</p>
<ul style="list-style-type: none"> • Advance entrance signs will be installed on SR-126 on both sides of the facility entrance to advise all motorists of the approaching landfill driveway. The signage will be installed in accordance with Caltrans standards. The signage program will include identification of the exclusive left-and right-turn lanes available to access landfill. 	<p>As directed by Caltrans.</p>	<p>Issuance of signage permit by Caltrans.</p>

-
- * All measures also to be covered in biennial report required by Part VII of the Mitigation Monitoring Program.
- ** In addition to the agencies listed, all measures subject to review by the Community Advisory Committee.
-

FEIR Issue and Mitigation Measures(s)	Timing	Monitoring Action Indicating Compliance with Mitigation*
<p>TRAFFIC/ACCESS (Continued)</p> <ul style="list-style-type: none"> The landfill operator shall contribute a proportionate share of funding for the installation of a traffic control signal at the SR-126 and the I-5 northbound name intersection. 	<p>At the time a traffic signal is warranted or otherwise directed by the California Department of Transportation.</p>	<p>Landfill operator will maintain regular contact and coordinate with Caltrans.</p>
<p>BIOTA</p>		
<ul style="list-style-type: none"> For disturbances to "waters of the U.S.", the landfill operator will abide by the regulatory requirements of the Army Corps of Engineers (ACOE) Section 404 and California Department of Fish and Game Streambed Alteration Agreement conditions. Staging areas for heavy equipment and stockpiling (in areas other than those identified on Exhibit A) of excavated soil will not occur in areas with biological sensitivity. 	<p>Prior to disturbance of "waters of the U.S." (See Figure 4.B-2 of the Draft EIR).</p> <p>Identification prior to commencement of landfill construction involving creation of stockpile or staging areas outside of areas approved for disturbance.</p>	<p>Issuance of Nationwide #26 Permit and Section 1601 Streambed Alteration Agreement</p> <p>Identification of stockpile and staging areas on construction plans. Consultation with a qualified biologist to confirm that biologically sensitive areas will not be disturbed during cell construction. A letter of confirmation from biologist will be submitted to the County with required plans.</p>
<ul style="list-style-type: none"> Revegetation of final cover will be implemented in accordance with applicable regulatory requirements using native plant species. Revegetation plan will establish clear and measurable performance standards to ensure successful revegetation is achieved. An irrigation and non-natives control program will be implemented. 	<p>Prior to submittal of final Closure Plan and during the closure-post-closure maintenance period.</p>	<p>Retention of a qualified biologist or specialist in revegetation by landfill operator for design and implementation of revegetation plan.</p>
<p>* All measures also to be covered in biennial report required by Part VII of the Mitigation Monitoring Program.</p> <p>** In addition to the agencies listed, all measures subject to review by the Community Advisory Committee.</p>		

FEIR Issue and Mitigation Measures(s)	Timing	Monitoring Action Indic Compliance with Mitiga
BIOTA (Continued)		<p>Regular monitoring of revegetation effort on final through semi-annual site by qualified biologist or specialist for 1 year after installation until revegetation performance standards are successfully achieved.</p> <p>Submittal of biennial monitoring reports by qualified specialist, Dept. of Regional Planning</p>
GEOTECHNICAL HAZARD		
<ul style="list-style-type: none"> • A geotechnical evaluation will be conducted for slide areas in the northwestern portion of the site (Fill Module 2/Excavation Cell 1). Should it be determined that portion of the landslide mass would not be incorporated into project grading, an evaluation will be conducted on the static and pseudostatic stability of the remaining slide mass. Based on the results of the stability analysis, it may be necessary to remove the slide masses or construct either a permanent or temporary stability fill or buttress. 	<p>Prior to commencement of grading in Excavation Cell 1.</p>	<p>Retention of certified engineering geologist and/or registered engineer by landfill operator for preparation of report. Approval of report by qualified County staff.</p>
<ul style="list-style-type: none"> • A geotechnical evaluation will be performed to evaluate potential seismic effects characteristics and condition of subsurface earth materials on the MRF/HHWF site and will outline foundation design and construction methods applicable to site-specific conditions for major onsite structures. Recommendations provided by the geotechnical consultant will be incorporated into final design of building and construction plans. 	<p>Prior to issuance of building and grading permits.</p>	<p>Retention of a certified engineering geologist, registered civil engineer or qualified geotechnical consultant by landfill operator to perform study. Submittal and approval of building and construction plans by County staff.</p>

- * All measures also to be covered in biennial report required by Part VII of the Mitigation Monitoring Program.
- ** In addition to the agencies listed, all measures subject to review by the Community Advisory Committee.

FEIR Issue and Mitigation Measures(s)	Timing	Monitoring Action Indicating Compliance with Mitigation*
CULTURAL RESOURCES		
<ul style="list-style-type: none"> In the event during earthwork and site grading, that previously obscured or buried cultural or paleontological resources are exposed, the landfill operator will cease operations in that particular location and will contact a qualified archaeologist or paleontologist who will reexamine the location and assess any resources found to be present. 	Once resources are identified and prior to continuation of excavation, cell construction and development.	Retention of a qualified expert to the landfill operator to conduct site significance testing and data recovery program.
FLOOD HAZARD HYDROLOGY		
Design of drainage facilities at the MRF will be compatible with drainage facility design for the adjacent Valencia Commerce Center and County Hydrology Manual. A drainage study will be conducted by the permittee demonstrating that runoff volumes generated by the proposed MRF/IIIWF will be accommodated.	Prior to issuance of building permit for MRF.	Completion of drainage study, in accordance with L.A. County District Flood Control Manual, and approval of final drainage plans.
WATER QUALITY		
Ground-water		
<ul style="list-style-type: none"> Water-level data from all wells will be utilized to assess ground-water gradients in the vicinity of the waste management units (WMU). This data would be reviewed by Laidlaw and the RWQCB and the need for revising the monitoring program will be evaluated. 	Upon completion of well installation and commencement of ground-water monitoring program.	Review and approval of project's design, Report of Waste Discharge and issuance of Waste Discharge Requirements.
<ul style="list-style-type: none"> Point of compliance monitoring well DW-20 will be positioned to minimize the distance between well and waste management unit boundaries. 	Two years prior to commencing fill operations in Fill Module 6/Excavation Cell 3.	Review and approval of project's design, Report of Waste Discharge and issuance of Waste Discharge Requirements.
<p>* All measures also to be covered in biennial report required by Part VII of the Mitigation Monitoring Program.</p> <p>** In addition to the agencies listed, all measures subject to review by the Community Advisory Committee.</p>		

FEIR Issue and Mitigation Measures(s)	Timing	Monitoring Action In Compliance with Mit
AIR QUALITY		
To reduce impacts of NO _x emission during construction (i.e. liners, final covers, MRF/HHWF, LCRS) the landfill operator will:	Prior to and during construction activities.	Monitoring and inspection of landfill operations by
<ul style="list-style-type: none"> • Suspend construction equipment operations during Stage 2 and 3 smog alerts; • Prevent trucks from idling longer than 2 minutes (whenever feasible); and • Reduce idling times and prevent excessive use of construction equipment. 		

* All measures also to be covered in biennial report required by Part VII of the Mitigation Monitoring Program.
 ** In addition to the agencies listed, all measures subject to review by the Community Advisory Committee.

FEIR Issue and Mitigation Measures(s)	Timing	Monitoring Action Indicating Compliance with Mitigation*
AIR QUALITY (Continued)		
<p>To minimize emission rates of PM₁₀, regular watering of exposed dirt surfaces will continue to be conducted by the landfill operator. Further measures will be implemented on a daily basis:</p> <ul style="list-style-type: none"> ● On-site traffic management; ● Proper maintenance of engine-powered equipment; ● Routing vehicles along the most direct routes; ● Use of electrically-powered equipment to the extent feasible; ● Enforcement of a 10 mph speed limit; ● Pave permanent on-site haul roads, to the extent feasible; ● Surface temporary unpaved roads with low-dust courses of materials; ● Water roads 4 to 7 times daily; ● Water active sites of soil disturbance 4 to 7 times daily; ● Use of soil stabilizers to areas with long-term exposure of disturbed or unvegetated surfaces (e.g., stockpiles); ● All trucks hauling dirt, sand, or other loose materials will be covered or will maintain at least two feet of free board in accordance with the requirements of CVC Section 23114; ● Construction access roads will be paved at least 100 feet onto the site from the main road. 	Throughout landfill operations.	Monitoring and inspections of site operations by LEA and SCAQMD.
<p>* All measures also to be covered in biennial report required by Part VII of the Mitigation Monitoring Program.</p> <p>** In addition to the agencies listed, all measures subject to review by the Community Advisory Committee.</p>		

FEIR Issue and Mitigation Measures(s)	Timing	Monitoring Action and Compliance with Mitigation
VISUAL		
The MRF final design will incorporate the following measures:		
• Variable slope ratios will be utilized on all manufactured slopes over 30 feet in vertical height as permitted by geotechnical investigation.	Prior to receipt of grading permit.	Review and approval of plans or construction drawings.
• Contour grading will be employed to blend the manufactured slopes with adjacent hillsides to simulate a natural appearance.	Prior to receipt of grading permit.	Review and approval of plans or construction drawings.
• All structures will be painted in warm tone colors and/or cool range gray tones.	Prior to issuance of occupancy permit.	Review and approval of building/site plans.
• Ventilation equipment will be situated away from tops of structures or concealed using roof-top treatments or vegetated soil berms at entrance to MRF.	Prior to issuance of occupancy permit.	Review and approval of plans.
• Exterior lighting will be directed downward and shielded to prevent excessive glare or light spillage onto adjacent areas.	Prior to issuance of occupancy permit.	Review and approval of plans and onsite inspection.
• Revegetation of all manufactured slopes in excess of 5 feet in height will be conducted in accordance with erosion control recommendations.	Prior to issuance of occupancy permit.	Retention of a qualified biologist or specialist with demonstrated knowledge in revegetation landfill/MRF operator to revegetation plans.
• Landscaping will be installed around outer perimeter of employee parking area to screen parking from views along SR-126.	Prior to issuance of occupancy permit.	Retention of landscape architect by landfill/MRF operator to prepare landscape plan in accordance with County requirements. Review and approval of landscape plan.

- * All measures also to be covered in biennial report required by Part VII of the Mitigation Monitoring Program.
- ** In addition to the agencies listed, all measures subject to review by the Community Advisory Committee.

FEIR Issue and Mitigation Measures(s)	Timing	Monitoring Action Indicating Compliance with Mitigation*
VISUAL (Continued)		
<ul style="list-style-type: none"> • MRF structure will be compatible with the design guidelines for the Valencia Commerce Center development, to extent feasible. 	Prior to issuance of occupancy permit.	Review and approval of grading and building plans verifying consistency with design guidelines.

* All measures also to be covered in biennial report required by Part VII of the Mitigation Monitoring Program.
 ** In addition to the agencies listed, all measures subject to review by the Community Advisory Committee.

ATTACHMENT B

MEETING OF LOS ANGELES COUNTY
DEPARTMENT OF REGIONAL PLANNING
THURSDAY, JULY 31, 2014
31320 NORTH CASTAIC ROAD
CASTAIC, CALIFORNIA 91384

REPORTED BY: HOLLAND COURT REPORTERS
HEATHERLYNN GONZALEZ P.O. BOX 801343
CSR #13646 SANTA CLARITA, CA 91380

1 Thursday, JULY 31, 2014; CASTAIC, CALIFORNIA
2 6:01 p.m.
3 -oOo-
4 MS. NATOLI: It is Thursday, July 31, 2014, and
5 the Hearing Examiner Meeting is called to order.
6 At this time, please rise and join me in the
7 Pledge of Allegiance.
8 (Pledge of Allegiance.)
9 MS. NATOLI: Thank you. You may be seated.
10 I am Gina Natoli. I am the hearing examiner for
11 tonight's meeting. As the hearing examiner, I will be the
12 hearing examiner on all of the agenda items here tonight.
13 A few administrative items first. Please turn
14 off or silence all communication devices. Also, anyone
15 who wishes to speak must fill out a speaker card. If
16 you'd like to be called for tonight's proceeding, they are
17 available in the back of the room.
18 There are established time limits for testimony
19 on hearing examining agenda items. The applicant will
20 have 15 minutes. And, depending on the number of
21 speakers, we can have a maximum of three minutes of
22 comments from the public. There will be no ceding of
23 time.
24 Anyone wishing to testify today on any agenda
25 item that includes public comment must fill out a speaker

1 card, and please submit it to Liz Contreras in the back of
2 the room.
3 The general procedure for tonight's hearing will
4 be as follows: First, staff will make a brief
5 presentation, and then the applicant will make a
6 presentation. There will be a Power Point associated with
7 the applicant's presentation, and that will be shown on
8 the wall; so if you want to move forward to see that Power
9 Point a little better, please feel free to.
10 Per County Code, the hearing officer makes no
11 decisions. This Draft Environmental Impact Report will
12 not be approved or certified or decided on tonight. The
13 hearing examiner administers the meeting, takes testimony,
14 and then provides a report to the Regional Planning
15 commissioner on the testimony that's been submitted at
16 this time.
17 Per the public hearing notice for this meeting,
18 this public hearing is to take testimony on the draft EIR
19 for the Chiquita Canyon Landfill Master Plan. We are not
20 taking testimony on the project itself. That will come at
21 the Regional Planning Commission Hearing, at a date that
22 will be decided at a future date.
23 Now, if you would like to be on the mailing list
24 to be notified so when the Regional Planning Commission
25 Hearing is scheduled, after tonight's meeting, please see

1 Ms. Chi, who's the planner for the project, and she'll
2 take your information and put your name and contact
3 information on the contact list.
4 Now, if you intend to testify on any agenda item
5 -- again, that includes the public comment period --
6 please stand at this time to be sworn in. Even if you're
7 not sure, you think you might testify. You don't need to
8 testify if you're sworn in. But at this time, please
9 stand to be sworn in.
10 Do each of you swear or affirm under penalty of
11 perjury that the testimony you may give in this matter now
12 pending before the hearing examiner shall be the truth the
13 whole truth and nothing but the truth?
14 AUDIENCE: I do.
15 MS. NATOLI: Please, be seated. Thank you.
16 Now, moving on to Item 2. Project Number
17 R2004-00559-(5). A request to modify the master plan for
18 the Chiquita Canyon landfill.
19 Ms. Chi, please proceed.
20 MS. CHI: Good afternoon, Madam Hearing Officer.
21 My name is Iris Chi. The presentation we have for you
22 tonight is the Draft EIR for the Chiquita Canyon landfill
23 located in an unincorporated are of the Santa Clarita
24 Valley, within the Castaic Community Center. The property
25 site is located at 29201 Henry Mayo Drive, approximately 8

1 miles west of the 5 Freeway and State Route 126, and 33
2 miles north from Los Angeles.

3 The subject site is zoned 82 Heavy Commercial
4 and the Santa Clarita Valley area Planning Commission
5 (inaudible).

6 The Applicant, Chiquita Canyon Landfill, is
7 requesting a conditional-use permit for the continued
8 needs and expansion of an existing Class III landfill.

9 Landfills are allowed to expand under conditional
10 use permits. The County has determined that environmental
11 impact report is required for the project, and part of the
12 purpose of tonight's hearing is to gather testimony on the
13 draft EIR which was released for public review on July 10,
14 2013. And the original review period was to end on August
15 24th, 2014.

16 A time extension was approved by the Department
17 of Regional Planning, and the public review committee will
18 now extend to September 23, 2014.

19 The existing and proposed land use is a Class III
20 landfill surrounding a land use of agriculture land,
21 single-family residences, and industrial.

22 The proposed project will be to continue
23 operation of the existing Class III landfill. The project
24 includes a lateral extension of 1043 acres and increased
25 lateral expansion of 1,573 feet.

1 The daily receivable tonnage will increase from
2 6,000 to 12,000 tons. The permitted maximum local tonnage
3 will increase from 30,000 to 60,000 tons.

4 A new entranceway and support buildings will be
5 constructed. A new Household Hazardous Waste Facility
6 will be built onsite. Mixed organic composting will be an
7 accessory use. (Inaudible.)

8 A Southern California Edison transmission line
9 will be relocated to provide space for the new entrance.

10 The draft EIR has looked at the following: Land
11 use, geology and hydrology, surface water drainage, water
12 quality, biological resources, cultural and
13 paleontological resources, traffic and transportation, air
14 quality, greenhouse gas emissions, and climate change,
15 noise, public services and utilities, visual resources,
16 and environmental justice and socio-economics.

17 The draft EIR concluded that there are
18 significant and unavoidable impacts regarding air quality
19 and traffic and transportation in that region. Mitigation
20 measures recommended for geology and hydrology, surface
21 water drainage, biological resources, cultural resources,
22 greenhouse gas emissions, and climate change will reduce
23 those factors.

24 At tonight's hearing, testimony will be heard on
25 the project and draft EIR throughout the comment period

1 which will end on September 23, 2014, and will be
2 responded to in the final EIR. The final EIR staff
3 analysis and recommendation will go to the Regional
4 Planning Commission and Hearing. The commission can
5 certify or reject the EIR and project.

6 This concludes my presentation.

7 **MS. NATOLI:** Thank you very much.

8 At this time, I would like to ask the applicant
9 to come forward and make a presentation.

10 For everyone's information, the meeting tonight
11 and this hearing is being recorded by a court reporter.

12 **We also have a translator for available for Spanish.** So
13 with both of those pieces of information, I would ask that
14 you keep in mind we have a court reporter who's trying to
15 listen in a room with lots of echoes. We may have a
16 little trouble hearing. Try not to speak too quickly.

17 **As for the applicant, also, if you would keep in**
18 **mind that there may be a Spanish translation and also the**
19 **court reporter trying to get everything down, just keep**
20 **that in mind.**

21 Thank you. Please proceed.

22 **MS. EELLS:** Thank you, Madam Hearing Examiner.
23 And good evening everyone. My name is Brenda Eells. I'm
24 with CH2M Hill. We are the consulting firm that was hired
25 to prepare the ground development and land report for the

1 Chiquita Canyon Master Plan Review.

2 I'm going to take just a few minutes this evening
3 to talk about Chiquita Canyon, to talk about what is
4 actually being proposed, and what is described in the
5 draft EIR, and briefly describe some of the potential
6 significant issues discussed in the Draft EIR.

7 Most of you probably know where Chiquita Canyon
8 is located. It is located just north of SR126, about
9 three miles west of I-5. It is located to the east of
10 Chiquita Canyon Road. It's southeast of the community of
11 Val Verde, and to the north and east are a commerce center
12 and the (inaudible).

13 Just a brief history of Chiquita Canyon Landfill.
14 It's been in operation for over 40 years. The landfill
15 serves the Santa Clarita Valley and community. As I just
16 mentioned earlier, it's a landfill that takes trash from
17 households, primarily. No hazardous waste is exposed in
18 the landfill.

19 Chiquita Canyon receives most of its waste from
20 large transfer vehicles. That means that the smaller
21 trash trucks that you see driving around your
22 neighborhoods go to a different location initially where
23 trash is sorted, placed on the transfer trucks, and then
24 hauled to Chiquita Canyon Landfill. That means fewer
25 trucks going to the landfill. Fewer trucks means less air

1 landfill. I know they're trying real hard to do things
2 correctly, but I'm really concerned about the health of my
3 family and my kids and stuff like that.

4 Some of the things that are happening is we have
5 proof that they've taken in sludge. And under the
6 contract, they're not able to take in sludge. That's a
7 violation of the contract. I guess there was, you know --
8 nothing was ever done to the landfill as far as a fine or
9 a fee or anything. It seems like it just has gone away.
10 It was extremely difficult for us to find out any
11 information about it. They continue to deny that they
12 even took in sludge.

13 And so my -- my concern is there just for the
14 health of my family and the odors I'm smelling, which
15 recently -- since the expansion has come up, I've had
16 numerous residents come down to my house and smelling
17 continually what I'm dealing with.

18 One of the interesting things is some friends
19 that live farther up and they, literally, within a half
20 hour of arriving at my house, have said that they're
21 nauseous and sick to their stomach and head hurts. To me,
22 it was a normal day. It wasn't even one of the bad days.

23 So my concern is that I'm willing to look at this
24 stuff as bad. So I'm very much against, you know, the
25 expanding landfill. I'd like to see it close by November

1 24, 2014, as in the original contract.

2 MS. NATOLI: Thank you.

3 Ma'am, please proceed.

4 AUDIENCE SPEAKER: Hello. My name is
5 Cynthia Kimura from Val Verde. We already have one of the
6 largest landfills in the country. If you double the
7 footprint, we will have the equivalent of two of the
8 largest landfills in the country.

9 We were promised the landfill would close in
10 2019. Now another expansion is being proposed again.
11 When will this end? An additional 21 years is a long
12 time.

13 This "good neighbor" took in sludge. This is
14 forbidden by the agreement. Another incident happened
15 where a recycling company dumped hazardous materials in
16 the landfill.

17 Both times, there was no fine or penalty. I'd
18 like to know what will there be in addition to "I'm
19 sorry"? If they accept sludge or other potentially
20 hazardous materials knowingly or unknowingly, what will be
21 the recourse? Will samples be taken from soil,
22 groundwater, or air? How about will the community be
23 informed?

24 We would like to make all the findings public.

25 We need to be informed. With both of these incidents, we

1 were not informed. Residents had to find this information
2 themselves.

3 Also, the landfill's proposed expansion is going
4 to be 13 stories higher. What will the additional impact
5 for the community be? Additional odors and dust? Trash
6 and sludge over the ridge line?

7 Also, if the hillsides come down through acts of
8 nature or man, (inaudible). What will be the
9 environmental impact? How will the landfill know what
10 parts are leaking? How will the residents be informed of
11 the leaks and when the liners leak?

12 I think these are basically my concerns.

13 MS. NATOLI: Thank you very much.

14 MR. McCARTHY: And next we have Emma Johanna
15 Brown. Humberto Paniagua. Emma Brown? Did she leave?

16 MS. NATOLI: Emma Brown?

17 We -- we need a translator. And the translator
18 is ready to go. Please, sir, please proceed.

19 AUDIENCE SPEAKER: (Through interpreter) my name
20 is Humberto --

21 MS. NATOLI: We can't hear you.

22 (Brief interruption.)

23 MS. NATOLI: Just so you know, it's very
24 difficult to keep testimony during a translation to three
25 minutes because there's too much stop for back and forth.

1 Are you ready?

2 AUDIENCE SPEAKER: (Through interpreter) good
3 afternoon, my name is Humberto.

4 MS. RUIZ: You need to come out here.

5 MS. NATOLI: In case you hadn't noticed, what
6 Rosie says goes.

7 MS. NATOLI: Okay. Let's try it now.

8 Please begin again.

9 AUDIENCE SPEAKER: My name is Humberto. And I'm
10 a resident. I want to speak directly.

11 MS. RUIZ: Anna, can you also translate that
12 you're going to be translating? We'll work with it.

13 MS. NATOLI: Okay. I'm sorry.

14 AUDIENCE SPEAKER: (Through interpreter) what I
15 was saying is that I'm against the expansion.

16 And you were saying that you were controlling the
17 gasses and water. As -- as a matter of fact, I have a
18 very serious problems with this. I have a backyard and I
19 have roaches, I have squirrels, I have all kinds of pests.

20 And about two years ago, this -- underneath the
21 house, because they have the lining there, and they broke
22 the pipes because there are so many animals. And the
23 pipes that were broken, and they have to be repaired. I
24 have to pay, like, 1,800 so they can be repaired. And we
25 are always dealing with this issue of why do we have so

1 many animals and why we have so much clouds. We have to
2 keep the windows closed.

3 The noise -- the noise is also a great deal of
4 problems. I don't have the operating right now, but at
5 5:00 o'clock in the morning, it seems like you can hear
6 the noise of the machinery.

7 And I don't know -- I'm not certain if they're
8 dumping trash right now, but I live on top of the hill,
9 and from the top of the hill, there is a lot of noise and
10 pollution. And I'm not sure if there's a lot of wind
11 that's picking up all the dust and the noise or the odors
12 but that's what's happening.

13 And that's -- that is what I really have on my
14 mind. A lot -- way too much time of dealing with this.
15 And this is all my comments. Thank you so much.

16 MS. NATOLI: Gracias.

17 MR. McCARTHY: Darcy Stinson and Erica Larson.

18 MS. NATOLI: Please, go ahead, sir.

19 AUDIENCE SPEAKER: My name is Darcy Stinson. I'm
20 a resident of Val Verde. I live on Lincoln Avenue.

21 I have been complaining about the landfill, oh,
22 forever. I moved in in 2008. I have heard many, many
23 many excuses about why it smells. I've had the AQMD out
24 to my house confirming that it smells.

25 Today, we were at a neighbor's house that -- and

1 we had two LA County Animal Control employees for, you
2 know -- there was a complaint for odor is what the animal
3 control said that they were going to be out there for, and
4 this neighbor has a ranch. And so there was a couple
5 residents. And a few residents with him with these two
6 officers.

7 We went by the horses and cows and everything and
8 they said that, you know, the smell wasn't that bad.
9 And we got up towards the back where there isn't animals,
10 and we were all hit with an odor. Two officers from LA
11 County Animal Control called AQMD today and reported they
12 smelled methane gas and other odors and trash.

13 And this is coming over the -- from over the --
14 over the edge. Over the ridge line. So I ask -- I want
15 to ask, you know, the County, and everybody, actually,
16 that of all these odors that we have, if -- if they're
17 supposed to fix them, why, since I moved in in 2008, am I
18 still dealing with it now? If it's part of the contract
19 or whatever 20, you know, fix the issue, why is it still
20 here now?

21 I mean, we're at the CAC meeting. I was told
22 that they're allowed 6,000 tons as of right now, but they
23 barely take in 3,000. So if you increase it to 12,000,
24 what about me? I mean, I've been inviting people to come
25 to my house, live with me.

1 You know, I deal with this constantly. And I --
2 I just get -- you know. I'm just -- nobody seems to care.
3 Or if they care, to me it looks like greed. You know, I
4 -- if the odors weren't there and the health issues that
5 usually come with odors, I wouldn't have an issue. If
6 they can fix the odor issue and they can make it so I'm
7 not smelling -- you know, I'm not completely against.

8 And the reason why, I just -- it's -- it's --
9 I've had to alter my lifestyle because of it. My
10 daughter, my -- and a lot of the community knows this. My
11 daughter, my wife, and I go to bed super late at night.

12 MS. NATOLI: I need for you to wrap up.

13 AUDIENCE SPEAKER: We wake up early in the
14 morning. And we do this so we don't have to smell the
15 landfill. Why should I alter my life -- and other
16 residents of Val Verde, why should we all have to alter
17 our lives to benefit somebody else's pocket?

18 And that's what I have to say.

19 MS. NATOLI: Thank you, sir.

20 MR. McCARTHY: And we have Jeremiah Dockrey and
21 Steve Lee.

22 MS. NATOLI: We may be having a technical
23 difficulty with the timer; so hold on for a second.

24 AUDIENCE SPEAKER: Can I ask you a quick
25 question?

1 MS. NATOLI: You can always ask.

2 AUDIENCE SPEAKER: Erica Larson, she got called
3 up right before --

4 MS. NATOLI: We'll get to you right after these
5 two.

6 AUDIENCE SPEAKER: Okay. I'll --

7 MS. NATOLI: And you are?

8 AUDIENCE SPEAKER: Erica Larson.

9 MS. NATOLI: That's okay. We'll get to you.

10 AUDIENCE SPEAKER: My name is Jeremiah Dockray,
11 and I have a few things to say about the landfill,
12 obviously.

13 First, for those lack of sufficient mitigation
14 for catastrophic geological soil failure? This is from
15 the geology and mineralogy section of the draft report.
16 It says much of the precipitation at CCL, because of the
17 steep terrain, surface water tends to be directed to the
18 south and east of the site by the steep ridge lines at the
19 site. 3,000 feet away from the site boundary is
20 seasonally dry and flows to the south to the Santa Clara
21 River.

22 Past performance of the landfills ability to
23 withstand a harsh amount of rainfall has been poor. The
24 grading stabilization of the west boundary is of major
25 concern as it collapsed in 1982, and was described to the

1 Hopefully, it's not going to be handled this way for
2 Newhall Ranch. But it's very concerning to us that the
3 commissioners will not actually read the transcripts.

4 They have a tremendous amount of reading to do
5 already, and it's important for them to be able to hear
6 the public, to be able to hear the community come and say,
7 you know, "We have smells," and to see body language, and
8 make their judgments accordingly.

9 They didn't do that for the Disney project. And
10 I think that that was a real failure in that process.

11 And I understand that the County is trying to
12 streamline and trying to make it convenient. But when we
13 have Hasley Canyon people out here, you can have three
14 commissioners. You have a majority of the commissioners.
15 And then they can actually hear and see the public.

16 So I would like, again, to register my concern
17 that we don't even have the commissioner that is
18 representing this area here at this hearing. And that I
19 don't know how we are ensuring that the public is actually
20 being heard by the commission who are, in fact, the
21 decision makers.

22 Again, I really appreciate your time. I
23 appreciate the staff coming out here. I understand it's a
24 hearing officer -- I don't know what your proper title is.
25 Coming out -- coming all the way from the west side. But

CERTIFICATE

1
2
3 I, Heatherlynn Gonzalez, a Certified Shorthand
4 Reporter for the State of California, License Number
5 13646, do hereby attest that:

6 The preceding is a true and accurate
7 transcription to the best of my ability of the meeting of
8 the organization named herein;

9 The meeting was taken down in shorthand and
10 transcribed into English under my supervision and
11 authority;

12 I have no interest, financial or otherwise, in
13 any of the parties, issues, or individuals who are
14 involved in this organization.

15 Attested to on this _____ day of _____,
16 2014.

17
18
19 CERTIFIED SHORTHAND REPORTER
20 FOR THE STATE OF CALIFORNIA
21
22
23
24
25

1 you are not the decision makers. And I think that this
2 process is really flawed in that communities should be
3 heard by the people who will be voting on the project.

4 Thank you so much.

5 MS. NATOLI: Thank you very much. All right. We
6 have no more public comment forms.

7 With that, the hearing examiner meeting for July
8 31, 2014, is adjourned.

9 Thank you.

10 (The meeting was adjourned at 8:18 p.m.)
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ATTACHMENT C

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I am a citizen of the United States and a resident of the county aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the printer of La Opinión a newspaper of general circulation, printed and published daily in the city of Los Angeles, County of Los Angeles, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Los Angeles, State of California, under the date of July 28, 1969, Case Number: 950176; that the notice, of which the annexed is a printed copy, has been published in each regular and not in any supplement thereof on the following dates, to-wit:

July 2

all in the year 20 14

I certified (or declare) under penalty of perjury that the foregoing is true and correct.

Dated at Los Angeles, California, this

2 day of July, 20 14

Rosa Berumen

This sp

Proof o

AVISO DE AUDIENCIA PÚBLICA EXAMINADORA
AVISO DE TERMINACIÓN Y
DISPONIBILIDAD ANTE-
PROYECTO DE INFORME
DE IMPACTO AMBIENTAL
PARA REVISIÓN DEL PLAN
MAESTRO DE RELLENO
SANITARIO CHIQUITA
CANYON
PROYECTO NO.:
R2004-00559(5)
PERMISO DE USO
CONDICIONAL NO.:
200400042
EVALUACIÓN AMBIENTAL
NO. 200400039
CENTRO DE
INFORMACIÓN ESTATAL
2005081071

El Departamento de Planificación Regional del Condado de Los Angeles, actuando como "Organismo Principal" bajo las y Directrices Ambientales del Condado, Capítulo III, Sección 304, ha presentado un "Aviso de Terminación y Disponibilidad" de un Anteproyecto de Reporte de Impacto

Ambiental ("DEIR", por sus siglas en inglés) para el Proyecto. Este documento ha sido preparado de acuerdo con, y de conformidad con la Ley de Calidad Ambiental de California (CEQA, por sus siglas en inglés), enmendada; Secciones del Código de Recursos Públicos 21000 y siguientes; y las "Directrices para la Aplicación de las Directrices de la Ley de Calidad Ambiental de California" (Directrices CEQA del Estado), Código de Regulaciones de California, Título 14, Capítulo 3, Secciones 15000 y siguientes, (incluyendo la Sección 15160).

Periodo de Revisión Pública
El periodo formal de revisión pública para el DEIR será desde el 10 de julio de 2014 hasta el 24 de agosto de 2014 (45 días). Todos los comentarios recibidos antes del cierre del periodo de revisión pública serán considerados en el EIR Final.

UBICACIÓN DEL SITIO
El Relleno Sanitario Chiquita Canyon (CCL) es una instalación Clase III (residuos sólidos urbanos) existente que se encuentra en la parte noroeste del área no incorporada del Condado de Los Angeles, cerca de la Ciudad de Santa Clarita, justo al oeste del cruce de la Interstatal 5 (I-5) y la Ruta Estatal 126 (SR-126) (ver más abajo). El sitio es de un total de 639 acres, con una huella de residuos permitidos existente de aproximadamente 257 acres, aunque no todas las 257 acres han sido desarrolladas.

PROYECTO PROPUESTO
Las operaciones del relleno sanitario en CCL fue primero permitido por el Condado de Los Angeles bajo el Permiso de Uso Condicional (CUP, por sus siglas en inglés) No. 1809-S, emitido el 24 de noviembre de 1982, que expiro en noviembre de 1997. El CUP actual No. 89-051 (S), que fue aprobado en 1997, es para el área de relleno sanitario autorizado de 257 acres y una eliminación máxima diaria permitida de 6,000 toneladas por día. La fecha de cierre del CUP actual es 2019, pero basado sobre los límites de tonelaje del CUP actual, de la fecha de cierre proyectada es entre 2015 y 2019. Waste Connections ha solicitado un nuevo CUP para implementar la Revisión del Plan Maestro de CCL.

El Proyecto Propuesto incluye los siguientes elementos: desarrollo de una nueva entrada e instalaciones de apoyo; mejor utilización de la capacidad de eliminación potencial del relleno sanitario a través de la extensión lateral de la huella de residuos existente y el aumento de la elevación máxima;

aumento de los límites de eliminación diarios; aceptación de todos los residuos no peligrosos permitidos en un relleno sanitario de eliminación de residuos sólidos de Clase III; operación continuada de el relleno sanitario; nuevas características de diseño; vigilancia del medio ambiente; desarrollo de una instalación de Desechos Peligrosos Domésticos (HHWF, por sus siglas en inglés); operación de composta de orgánicos mixtos; y retirada de tierras para tecnología de conversión futura potencial. Además el Proyecto Propuesto incluye la reubicación de una parte de la Línea de Subtransmisión de 66 kilovoltios (kV) Saugus-Elizabeth Lake-Fillmore de Southern California Edison (SCE) existente con el fin de dar cabida a mejoras del relleno sanitario.

RESUMEN DE EFECTOS AMBIENTALES SIGNIFICATIVOS
El siguiente es un resumen de los impactos asociados con el Proyecto Propuesto determinados en el DEIR a ser significativos e inevitables: 1. Calidad del Aire - El DEIR determinó que las acumulaciones de 24 horas de PM10 anual y PM2.5 24-excederían sus respectivos umbrales previstos en el escenario del Proyecto durante 2 años de proyectos modelados, principalmente debido al polvo suscitado de viajes en las carreteras pavimentadas en el sitio. Esto determinó que la mitigación necesaria para reducir este impacto (riego continuo de los caminos pavimentados en el sitio) no sería factible debido a las preocupaciones sobre la disponibilidad del agua.

2. Tráfico/Transportación - El DEIR determinó que el Proyecto Propuesto tendrá un impacto significativo temporal en la intersección de Commerce Center Drive y SR-126 basado en las directrices del programa de Gestión del Embotellamiento del Condado de Los Angeles. El impacto de tráfico potencial del Proyecto fue medido como el efecto del Proyecto sobre las condiciones de operación del tráfico, expresadas en términos del nivel del servicio (LOS, por sus siglas en inglés). LOS es una medida cualitativa usada para describir la condición del flujo de tráfico, que van desde condiciones excelentes en LOS A, a las condiciones de sobrecarga en LOS F. La intersección de Commerce Center Drive y SR-126 estará en obras de construcción como parte del proyecto de mejoras de Commerce Center Drive/SR-126. El proyecto de mejoras de

Commerce Center Drive/SR-126 está previsto a ser completado en 2018. Al finalizar, las mejoras planeadas en esta intersección restituirán las operaciones a LOS D o mejor durante ambas horas pico. Por lo tanto, no se requiere mitigación del proyecto CCL ya que las medidas de mitigación durante las condiciones de construcción pudieran interferir con la preparación planeada del proyecto de mejoras de Commerce Center Drive/SR-126.

Audiencia Examinadora AUDIENCIA
Una audiencia pública sobre el DEIR ha sido programada ante el Examinador de la Audiencia del Departamento de Planificación Regional del Condado de Los Angeles el 31 de julio de 2014, comenzando a las 8:00 p.m. y termina después del último testigo o a las 10:00 p.m., lo que ocurra primero, en el Castale Sports Complex- Gymnasium, ubicado en 31320 North Castale Road, Castale, California, 91384, (861) 775-8865.
Audiencia Pública
Una audiencia pública sobre el Proyecto propuesto y el DEIR será programada antes de la Comisión de Planificación Regional de Los Angeles en una hora y fecha determinada en la Sala de Audiencias de la Comisión de Planificación Regional (ter Piso, Sala 150), 320 West Temple Street, Los Angeles, CA 90012.
UBICACIONES DE REVISIÓN
Para garantizar el acceso público al DEIR, las copias del documento están disponibles para revisión en las siguientes bibliotecas del Condado:

- Biblioteca Pública Valencia 23743 Valencia Boulevard Santa Clarita, CA 91355
- Biblioteca Old Town Newhall 24500 Main Street Santa Clarita, CA 91321

Una copia del DEIR también estará disponible para revisión pública de lunes a jueves, de 7:30 a.m. a 5:30 p.m. en:

Sección Norte de Permisos de Zonificación del Departamento de Planificación Regional del Condado de Los Angeles, Sala 1348 320 West Temple Street Los Angeles, CA 90012

Una versión electrónica del DEIR está también disponible en el sitio web del Departamento en <http://planning.lacounty.gov/case> escribiendo el número del proyecto R2004-00559(5) en la Ventana de Búsqueda del Archivo del Caso.

Por favor envíe sus comentarios escritos sobre el DEIR a Iris Chi del Departamento de Planificación Regional en

la dirección ante Usted también puede enviar sus comentarios por fax al 626-0434, o por correo electrónico a ichiplanning@lacounty.gov. Si tiene alguna pregunta, por favor llame al (213) 974-6444; necesita más información por favor llame al (213) 974-6466, 7/2/14 CNS-2639606# LA OPINIÓN



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August 6

all in the year 20 14

I certified (or declare) under penalty of perjury that the foregoing is true and correct.

Dated at Los Angeles, California, this

6 day of August, 20 14

Rosa Beumen

This space is for the County Clerk's filing Stamp

AVISO DE PRÓRROGA
PARA COMENTARIOS DEL
PÚBLICO SOBRE EL
PROYECTO DE INFORME
DE IMPACTO AMBIENTAL
PARA LA REVISIÓN DEL

PLAN MAESTRO DE CHILQUITO CANYON LANDFILL
PROYECTO NO.:
R2004-00559(5)
PERMISO DE USO
CONDICIONAL NO.:
200400042

EVALUACIÓN AMBIENTAL
NO. 200400039
CENTRO DE
INTERCAMBIO DE
INFORMACIÓN ESTATAL
NÚMERO 2005081071

La parte demandante, Chilquito Canyon Landfill, LLC, está proponiendo la ampliación del vertedero Clase III existente en la Zona A-2-2 (Agricultura Pesada- Área de Lote Mínimo Requerido Dos Acres). El Proyecto Propuesto incluye los siguientes elementos: desarrollo de una nueva entrada e instalaciones de apoyo; mejor utilización de la capacidad de eliminación potencial del vertedero a través de una extensión lateral de la huella de residuos existente y un incremento de la elevación máxima; incremento de los límites de eliminación diarios; aceptación de todos los residuos no peligrosos permitidos en el vertedero de eliminación de residuos sólidos Clase III; funcionamiento continuo del vertedero; nuevas características de diseño; vigilancia del medio ambiente; desarrollo de una Planta de Desechos Peligrosos del Hogar (HHWF, por sus siglas en inglés); operación de composta de orgánicos mixtos; y retiro de tierras para tecnología de conversión futura. Además, el Proyecto Propuesto incluye la reubicación de una parte de una Línea de Sub-transmisión de 66 kilovoltios (kV) Saugus-Ellzabeth Lake-Fillmore de Southern California Edison (SCE) existente con el fin de dar cabida a las mejoras del vertedero.

PELIGRO DE REVISIÓN PÚBLICA
El período previo de revelación pública fue del 10 de julio de 2014 al 24 de agosto de 2014 (45 días). El período de revelación pública ahora se ampliará hasta el 23 de septiembre de 2014. La audiencia del Examinador de Audiencia se celebró el 31 de julio de 2014, en el Castaic Sport Complex - Gimnasio. No habrá otra audiencia del Examinador de Audiencia celebrada en relación con la DEIR. Todos los comentarios recibidos al concluir el plazo del período de revisión pública serán considerados en el EIR Final.

UBICACIÓN DEL SITIO
Chilquito Canyon Landfill (CCL) es una instalación Clase III existente (residuos sólidos municipales) ubicada en la parte noroeste no incorporada del Condado de Los Angeles cerca de la Ciudad de Santa Clarita, justo al oeste de la intersección de la Interestatal 5 (I-5) y la Ruta Estatal 126 (SR-126). El sitio es un total de 639 acres, con una huella de residuos permitidos existente de aproximadamente 257 acres, aunque no todos los 257 acres han sido desarrollados.

RESUMEN DE IMPACTOS AMBIENTALES SIGNIFICATIVOS
El siguiente es un resumen de los impactos asociados con el Proyecto Propuesto determinado en la DEIR a ser significativos e inevitables:

1. Calidad del Aire- La DEIR determinó que las concentraciones acumuladas de PM10 anuales y PM2.5 de 24 horas excederían sus respectivos límites bajo el escenario del Proyecto acumulado durante 2 años de proyectos ejemplificados, principalmente debido al polvo suelto de viajes sobre carreteras pavimentadas en el sitio. Esto determinó que la mitigación necesitada para reducir este impacto fuese continuo de caminos pavimentados en el sitio no sería factible debido a las preocupaciones sobre la disponibilidad del agua.

2. Tráfico/Transportación- La DEIR determinó que el Proyecto Propuesto tendría un impacto significativo temporal en la Intersección de Commerce Center Drive y SR-126 basado en las directrices del Programa de Gestión del Embotellamiento del Condado de Los Angeles. El impacto de tráfico potencial del Proyecto fue medido como el efecto del Proyecto sobre las condiciones de operación de tráfico, expresadas en términos

tion:

del nivel de servicio (LOS, por sus siglas en inglés). LOS es una medida cualitativa utilizada para describir la condición del flujo de tráfico, que van desde las excelentes condiciones en LOS A, a las condiciones de sobrecarga en LOS F. La Intersección de Commerce Center Drive y SR-126 estará bajo construcción en 2015 como parte del Proyecto de mejoras Commerce Center Drive/SR-126. El Proyecto de mejoras Commerce Center Drive/SR-126 está previsto que sea completado en 2018. Concluidas las mejoras planeadas en esta intersección volverán las operaciones para LOS D o mejor durante ambas horas pico. Por lo tanto, no es requerida la mitigación del Proyecto CCL ya que las medidas de mitigación durante las condiciones de construcción interferirán con la preparación planeada del Proyecto de mejoras Commerce Center Drive/SR-126.

AUDIENCIA PÚBLICA
Una audiencia pública sobre el Proyecto Propuesto y la DEIR será programada antes de la Comisión de Planificación Regional del Condado de Los Angeles en la fecha y hora determinada en la Sala de Audiencias de la Comisión de Planificación Regional (1er Piso, Sala 150), 320 West Temple Street, Los Angeles, CA 90012.

UBICACIONES DE REVISIÓN
Para garantizar el acceso del público a la DEIR, copias del documento están disponibles para revisión en las siguientes bibliotecas del Condado: Biblioteca de Castaic 27955 Sloan Canyon Road Castaic, CA 91384 Biblioteca Pública de Valencia 23743 Valencia Boulevard Santa Clarita, CA 91355 Biblioteca de Old Town Newhall 24500 Main Street

Santa Clarita, CA 91321. Una copia de la DEIR estará también disponible para revisión pública de lunes a jueves, de 7:30 a.m. a 5:30 p.m. en el Condado de Los Angeles Departamento de Planificación Regional Permisos de Zonificación Sección Norte, Despacho 1348 320 West Temple Street Los Angeles, CA 90012. Una versión electrónica de la DEIR está también disponible en el sitio web del Departamento en <http://planning.lacounty.gov/case> escribiendo el número de Proyecto R2004-00559(5) en la Ventana de Búsqueda de Archivo del Caso.

Por favor, envíe sus comentarios escritos sobre la DEIR a Iris Chel del Departamento de Planificación Regional en la dirección antes mencionada. Usted también puede enviar sus comentarios escritos por fax al (213) 896-0434, o por correo electrónico a ichel@planning.lacounty.gov. Si tiene usted alguna pregunta, por favor llame al (213) 974-6443. Si necesita más información por favor llame al (213) 974-6468.

8/6/14
CNS-20515579
LA OPINION

del nivel de servicio (LOS, por sus siglas en inglés). LOS es una medida cualitativa utilizada para describir la condición del flujo de tráfico, que van desde las excelentes condiciones en LOS A, a las condiciones de sobrecarga en LOS F. La Intersección de Commerce Center Drive y SR-126 estará bajo construcción en 2015 como parte del Proyecto de mejoras Commerce Center Drive/SR-126. El Proyecto de mejoras Commerce Center Drive/SR-126 está previsto que sea completado en 2018. Concluidas las mejoras planeadas en esta intersección volverán las operaciones para LOS D o mejor durante ambas horas pico. Por lo tanto, no es requerida la mitigación del Proyecto CCL ya que las medidas de mitigación durante las condiciones de construcción interferirán con la preparación planeada del Proyecto de mejoras Commerce Center Drive/SR-126.

AUDIENCIA PÚBLICA
Una audiencia pública sobre el Proyecto Propuesto y la DEIR será programada antes de la Comisión de Planificación Regional del Condado de Los Angeles en la fecha y hora determinada en la Sala de Audiencias de la Comisión de Planificación Regional (1er Piso, Sala 150), 320 West Temple Street, Los Angeles, CA 90012.

UBICACIONES DE REVISIÓN
Para garantizar el acceso del público a la DEIR, copias del documento están disponibles para revisión en las siguientes bibliotecas del Condado: Biblioteca de Castaic 27955 Sloan Canyon Road Castaic, CA 91384 Biblioteca Pública de Valencia 23743 Valencia Boulevard Santa Clarita, CA 91355 Biblioteca de Old Town Newhall 24500 Main Street

Santa Clarita, CA 91321. Una copia de la DEIR estará también disponible para revisión pública de lunes a jueves, de 7:30 a.m. a 5:30 p.m. en el Condado de Los Angeles Departamento de Planificación Regional Permisos de Zonificación Sección Norte, Despacho 1348 320 West Temple Street Los Angeles, CA 90012. Una versión electrónica de la DEIR está también disponible en el sitio web del Departamento en <http://planning.lacounty.gov/case> escribiendo el número de Proyecto R2004-00559(5) en la Ventana de Búsqueda de Archivo del Caso.

Por favor, envíe sus comentarios escritos sobre la DEIR a Iris Chel del Departamento de Planificación Regional en la dirección antes mencionada. Usted también puede enviar sus comentarios escritos por fax al (213) 896-0434, o por correo electrónico a ichel@planning.lacounty.gov. Si tiene usted alguna pregunta, por favor llame al (213) 974-6443. Si necesita más información por favor llame al (213) 974-6468.

8/6/14
CNS-20515579
LA OPINION



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STATE OF CALIFORNIA

I am a citizen of the United States and a resident of the county aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the printer of La Opinión a newspaper of general circulation, printed and published daily in the city of Los Angeles, County of Los Angeles, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Los Angeles, State of California, under the date of July 28, 1969, Case Number: 950176; that the notice, of which the annexed is a printed copy, has been published in each regular and not in any supplement thereof on the following dates, to-wit:

September 20

all in the year 20 14

I certified (or declare) under penalty of perjury that the foregoing is true and correct.

Dated at Los Angeles, California, this

23 day of Sept, 20 14

Rosa Borrero

Signature

Noticias Legales

PERMISO DE USO
CONDICIONAL NO.
200400042
EVALUACIÓN AMBIENTAL
NO. 200400039
CENTRO DE
INTERCAMBIO DE
INFORMACIÓN ESTATAL
NÚMERO 2005051071

La parte demandante, Chiquita Canyon Landfill, LLC, está proponiendo la ampliación del vertedero Clase III existente en la Zona A-2-2 (Agricultura Pasada- Área de Lote Mínimo Requerido Dos Acres). El Proyecto Propuesto incluye los siguientes elementos: desarrollo de una nueva entrada e instalaciones de apoyo; mejor utilización de la capacidad de eliminación potencial del vertedero a través de una extensión lateral de la huella de residuos existente y un incremento de la elevación máxima; incremento de los límites de eliminación diarios; aceptación de todos los residuos no peligrosos permitidos en el vertedero de eliminación de residuos sólidos Clase III; funcionamiento continuo del vertedero; nuevos características de diseño; vigilancia del medio ambiente; desarrollo de una Planta de Desechos Peligrosos del Hogar (HHWF, por sus siglas en inglés); operación de composta de orgánicos mixtos; y retiro de tierras para tecnología de conversión potencial futura. Además, el Proyecto Propuesto incluye la reubicación de una parte de una Línea de Sub-transmisión de 68 kV (voltage) (Sauge-Elizabeth Lake-Fillmore de Southern California Edison (SCE) existente con el fin de dar cabida a las mejoras del vertedero.

Período de Revisión Pública
El período previo de revisión pública fue del 10 de julio de 2014 al 23 de septiembre de 2014 (75 días). El período de revisión pública ahora se extenderá al 23 de octubre de 2014. La audiencia del Examinador de Audiencia se celebró el 31 de julio de 2014, en el Castaic Sport Complex Gimnasio. No habrá otra audiencia del Examinador de Audiencia celebrada en relación con la DEIR. Todos los comentarios recibidos al concluir el plazo del período de revisión pública serán considerados en el EIR Final.

UBICACIÓN DEL SITIO
Chiquita Canyon Landfill (CCL) es una instalación Clase III existente (residuos sólidos municipales) ubicada en la parte noroeste no incorporada del Condado de Los Angeles cerca de la Ciudad de Santa Clarita, justo al oeste de la intersección de la Interestatal 5 (I-5) y la Ruta Estatal 126 (SR-126). El sitio es un total de 639 acres, con una huella de residuos permitidos existente de aproximadamente 257 acres, aunque no todos los 257 acres han sido desarrollados.

RESUMEN DE IMPACTOS AMBIENTALES SIGNIFICATIVOS

El siguiente es un resumen de los impactos asociados con el Proyecto Propuesto determinado en la DEIR a ser significativos e inevitables:

1. Calidad del Aire- La DEIR determinó que las concentraciones acumuladas de PM10 anuales y PM2.5 de 24 horas excederían sus

Noticias Legales

respectivos límites bajo el escenario del Proyecto acumulado durante 2 años de proyectos ejemplificados, principalmente debido al polvo suelto de viajes sobre carreteras pavimentadas en el sitio. Esto determinó que la mitigación necesitada para reducir este impacto (riego continuo de caminos o pavimentos en el sitio) no sería factible debido a las preocupaciones sobre la disponibilidad del agua.

2. Tráfico/transportación- La DEIR determinó que el Proyecto Propuesto tendría un impacto significativo temporal en la intersección de Commerce Center Drive y SR-126 basado en las directrices del Programa de Gestión del Embotellamiento del Condado de Los Angeles. El impacto de tráfico potencial del Proyecto fue medido como el efecto del Proyecto sobre las condiciones de operación de tráfico, expresadas en términos del nivel de servicio (LOS, por sus siglas en inglés). LOS es una medida cualitativa utilizada para describir la condición del flujo de tráfico, que varía desde las excelentes condiciones en LOS A, a las condiciones de sobrecarga en LOS F. La intersección de Commerce Center Drive y SR-126 estará bajo construcción en 2015 como parte del Proyecto de mejoras Commerce Center Drive/SR-126. El proyecto de mejoras Commerce Center Drive/SR-126 está previsto que sea completado en 2018.

UBICACIONES DE REVISIÓN

Para garantizar el acceso del público a la DEIR, copias del documento están disponibles para revisión en las siguientes bibliotecas del Condado: Biblioteca Castaic 27955 Sloan Canyon Road Castaic, CA 91384 Biblioteca Pública de Valencia 23743 Valencia Boulevard Santa Clarita, CA 91355 Biblioteca Old Town Newhall 24500 Main Street Santa Clarita, CA 91321 Una copia de la DEIR estará también disponible para revisión pública de lunes a jueves, de 7:30 a.m. a 5:30 p.m. en: Departamento de Planificación Regional del Condado de Los

Noticias Legales

Concluidas las mejoras planeadas en esta intersección volverán las operaciones para LOS D o mejor durante ambas horas pico. Por lo tanto, no es requerida la mitigación del Proyecto CCL ya que las medidas de mitigación durante las condiciones de construcción interferirían con la preparación planeada del proyecto de mejoras Commerce Center Drive/SR-126.

Audiencia Pública

Una audiencia pública sobre el proyecto propuesto y la DEIR será programada delante de la Comisión de Planificación Regional del Condado de Los Angeles en la fecha y hora determinada en la Sala de Audiencias de la Comisión de Planificación Regional (ter Piso, Sala 150), 320 West Temple Street, Los Angeles, CA 90012.

Noticias Legales

Angela
Permisos de Zonificación Sección Norte, Despacho 1348
320 West Temple Street Los Angeles, CA 90012
Una versión electrónica de la DEIR está también disponible en el sitio web del Departamento en <http://planning.lacounty.gov/casa> escribiendo el número de proyecto #2004-00559-15) en la Ventana de Búsqueda de Archivo de Caso. Por favor, envíe sus comentarios escritos sobre la DEIR a Iris Chid del Departamento de Planificación Regional en la dirección antes mencionada. Usted también puede enviar sus comentarios escritos por fax al (213) 826-0434, o por correo electrónico a ichid@planning.lacounty.gov. Si tiene usted alguna pregunta, por favor llame al (213) 974-8443. Si necesita más información por favor llame al (213) 974-8468. 9/20/14 C45-36634169 LA OPINION

Place Clipping
of notice
**SECURELY IN
THIS SPACE**



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ATTACHMENT D

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**CHIQUITA CANYON LANDFILL EXPANSION
AND RELATED FACILITIES PROJECT 89-081**

STATEMENT OF AGREEMENTS AND UNDERSTANDINGS BY AND BETWEEN

**NEWHALL LAND AND FARMING CO
LAIDLAW WASTE SYSTEMS (CHIQUITA), INC.
VAL VERDE CIVIC ASSOCIATION**

1. Laidlaw agrees to add the name of a contact person, phone number, physical and electronic addresses, and the contact person's supervisor to each entity identified in the February 1997 document entitled:

"Regulatory Process for the Permitting of the Landfill expansion and Material Recovery Facilities and a Description of the General Regulatory Oversight Environment During Normal Operations"
2. All parties agree to review and approve the attached list of approved possible expenditures of the annual Community Benefit Fund (Attachment A). The parties agree Val Verde Civic Association shall accept and spend the funds within its existing 501C3 designation amended to include a representative from Laidlaw, Newhall Land and Farming Co., and the County of Los Angeles Fifth District Supervisor's Office.
3. Laidlaw agrees to participate in good faith, on a regular basis, with the Community Advisory Committee and to assist wherever possible in furthering communication between the community of Val Verde and the landfill, including information sharing, education, understanding of landfill operations, and response to calls. Laidlaw further agrees to forward all notices and reports from or to its regulatory agencies to the Community Advisory Committee within five business days of receipt of transmittal.
4. Val Verde Civic Association agrees to attend the Board of Supervisors hearing on February 25, 1997, and give oral and written testimony that their concerns have been satisfied.
5. Val Verde Civic Association agrees to oppose any action by any party to deny CUP 89-081-(5) during the appeals process and subsequent regulatory approval process. The parties agree the Val Verde Civic Association is solely responsible for defining how its opposition takes place. Val Verde Civic Association further agrees to support the continuation of operations of existing CUP 1809-5 should this become necessary because the permittee is precluded from operating under proposed CUP 89-081 as a result of a lawsuit.
6. The parties agree community benefit funds shall be dispersed according to the attached Payment Schedule (Attachment B).

7. All conditions of CUP 89-081 (5) shall remain as approved by the Regional Planning Commission except as noted in Attachment C, Proposed Modification for Board of Supervisors' Anticipated Action 2/25/97.
8. Val Verde Civic Association agrees no funds received at any time as a result of approval of CUP 89-081 shall be used in any manner against the good name or activities of The Newhall Land and Farming Co. and its subsidiaries, the landfill operator, and/or landowner, in any way.
9. Val Verde Civic Association agrees to accept the Memorandum of Understanding between Laidlaw and the United Water Conservation District as mitigation of water issues, Laidlaw agrees to provide the Community Advisory Committee with any and all reports, data, and information provided to the District from the landfill and/or provided by the District to the landfill. *within 5 working days.*
10. Laidlaw and Newhall Land and Farming Co. agree to legally bind all successors in interest in all conditions of approval of CUP 89-081 (5) and all agreements between the parties. Val Verde Civic Association agrees to execute the legal documents needed to accomplish this and any other documents needed for the fulfillment of these agreements and understandings.
11. If any term or provision of this Statement of Agreements and Understandings ("Agreement") is determined to be invalid or unenforceable, the remaining terms and provisions shall not be affected thereby and shall remain in full force and effect to the maximum extent permitted by law.
12. If any party to this Agreement is a corporation, trust, general or limited partnership, or community organization, each individual executing this Agreement on behalf of such entity represents and warrants that he or she is duly authorized to execute and deliver this Agreement on behalf of said entity.

Dated: February 21, 1997

LAIDLAW WASTE SYSTEMS (CHIQUITA), INC.

By: Rodney W. Walter II

Printed Name: RODNEY W. WALTER II

Title: GENERAL MANAGER

Dated: February 21, 1997

NEWHALL LAND AND FARMING CO.

By: Gary M. Cusumano

Printed Name: GARY M. CUSUMANO

Title: President

Dated: February 24 1997

VAL VERDE CIVIC ASSOCIATION

By: [Signature]
Printed Name: RICH P. GRIFFIN
Title: PRESIDENT

Dated: February 24 1997

CITIZENS AGAINST CHIQUITA

By: [Signature]
Printed Name: MERRY FARMER
Title: CHAIRPERSON

[Handwritten signature]

ATTACHMENT A
VAL VERDE
COMMUNITY BENEFITS FUNDS

LIST OF PERMITTED EXPENDITURES

A. General Community Welfare

1. Increase opportunities for the children, ^{adults and seniors} and youth of the community

- Examples:
- a. Bi-lingual education
 - b. Headstart type programs
 - c. Computer training
 - d. Literacy skills enhancement
 - e. Increased library services
 - f. Equipment for above

2. Increase access to health services

- Examples:
- a. Increased availability of Sam Dixon clinic services
 - b. Indigent care programs
 - c. Teen pregnancy programs
 - d. Transportation to medical services

3. Promote programs and activities for youth and "at risk" youth

- Examples:
- a. Youth sports, such as Midnight Basketball
 - b. Youth education
 - c. Job skills training
 - d. Participation in Sheriff's "at risk" programs

B. Capital Investment Programs

1. Aesthetic improvements

- Examples:
- a. Rehabilitation of existing publicly owned or non-profit organization owned buildings
 - b. Construction of new community buildings such as library, senior center
 - c. Maintenance of buildings
 - d. LANDSCAPING

C. Administration

1. Costs associated with gathering community input on level of expenditures and furthering understanding in the community of the Community Benefit Fund

Examples: a. Advertising and convening public meetings or forums
b. Translation services
c. Recordation of input

2. Costs associated with accountability of funds received and funds spent

Examples: a. Audits
b. Production of annual financial statement
c. Tax filings

3. Leveraging of funds

Examples: a. Matching grant programs
b. Public/private partnerships

4. Technical consultant assistance to address items A, B and C above

Examples: a. Completion of administrative functions above
b. Contract compliance for community welfare programs

The parties agree any expansion or addition of items to this list requires written approval of the Newhall Land and Farming Co., the landfill operator, the landfill owner, and the Val Verde Civic Association.

Dated: February 21, 1997

LIDLAW WASTE SYSTEMS (CHIQUITA), INC.

By: Rodney W. Walter II
Printed Name: RODNEY W. WALTER II
Title: GENERAL MANAGER

Dated: February 21, 1997

NEWHALL LAND AND FARMING CO..

By: Gary M. Cusumano
Printed Name: GARY M. CUSUMANO
Title: President

Dated: February 24, 1997

VAL VERDE CIVIC ASSOCIATION.

By: Ruth P. Griffin
Printed Name: RUTH P. GRIFFIN
Title: President

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Dated: February 22, 1997

CITIZENS AGAINST CHIQUITA

By: Merry Farmer
Printed Name: MERRY FARMER
Title: CHAIRPERSON

[Handwritten signatures and initials]

ATTACHMENT B

VAL VERDE COMMUNITY BENEFITS FUND PAYMENT SCHEDULE

CALENDAR YEAR	250,000 TONS OR MORE		LESS THAN 250,000 TONS	
	OWNER	OPERATOR	OWNER	OPERATOR
Year 1	\$125,000	\$125,000	\$12,500	\$12,500
Year 2	127,500	127,500	12,750	12,750
Year 3	130,050	130,050	13,005	13,005
Year 4	132,651	132,651	13,265	13,265
Year 5	135,304	135,304	13,530	13,530
Year 6	138,010	138,010	13,801	13,801
Year 7	140,770	140,770	14,077	14,077
Year 8	143,586	143,586	14,359	14,359
Year 9	146,457	146,457	14,646	14,646
Year 10	149,387	149,387	14,939	14,939
Year 11	152,374	152,374	15,237	15,237
Year 12	155,422	155,422	15,542	15,542
Year 13	158,530	158,530	15,853	15,853
Year 14	161,701	161,701	16,170	16,170
Year 15	164,935	164,935	16,493	16,493
Year 16	168,234	168,234	16,823	16,823
Year 17	171,598	171,598	17,160	17,160
Year 18	175,030	175,030	17,503	17,503
Year 19	178,531	178,531	17,853	17,853
Year 20	182,101	182,101	18,210	18,210
Year 21	185,743	185,743	18,574	18,574
Year 22	189,458	189,458	18,946	18,946

Notes: 1. Actual payment to be determined according to the actual tonnage landfilled during the previous calendar year.

2. The Year 1 payment may be pro-rated so as to have all remaining payments paid on the calendar year.

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ATTACHMENT C

CHIQUITA CANYON LANDFILL EXPANSION
AND RELATED FACILITIES, PROJECT #89-081
(STATE CLEARINGHOUSE NO. 92071053)

PROPOSED MODIFICATIONS TO CUP 89 081-(5)
CONDITIONS OF APPROVAL AND MONITORING PROGRAM

REGIONAL PLANNING COMMISSION ACTION 9/11/96
BOARD OF SUPERVISORS ANTICIPATED ACTION 2/25/97

Pgs. 1 & 2, Conditions of Project Approval Condition for Use Permit 89-081-(5), #5 is modified as follows:

5. Delete November 24, 2012
 Add November 24, 2019

Page 3, Condition #9 is modified as follows:

- 9a. Add The Landfill shall not accept sludge or sludge components at any time.
- 9b. Add The existing viewshed from Chiquito Canyon Road as presented pictorially to the Board of Supervisors on 2/25/97 shall be protected for the life of the project. The dip in the natural ridgeline along the western boundary shall be maintained or enhanced. Any structure placed on the landfill site, including but not limited to temporary storage areas, any materials recovery facility, composting facility or any other ancillary facilities that may be visible from Chiquito Canyon Road shall be designed to be harmonious with the natural topography and viewshed and shall be reviewed by the Community Advisory Committee.
- Add The landfill operator and the Community Advisory Committee shall work together to prepare a tree planting and maintenance plan for the entire western boundary of the site. The objectives of the plan are to screen landfill operations, enhance the viewshed, establish the minimum number and type of trees necessary to do this and to provide adequate access to monitoring wells. Trees may be planted on slopes on either side of the ridgeline provided the above objectives are met and such planting is practical.
- 9d. Delete 35,000 tons per week and 7 working days
- Add 30,000 tons per week and 6 working days

[Handwritten signatures and initials]

**CHIQUITA CANYON LANDFILL EXPANSION
AND RELATED FACILITIES, PROJECT #89-081
(STATE CLEARINGHOUSE NO. 92071053)**

**PROPOSED MODIFICATIONS TO CUP 89 081-(5)
CONDITIONS OF APPROVAL AND MONITORING PROGRAM**

- 9g. Add Nothing in this condition shall permit the maximum landfill capacity of 23 million tons to be increased.
- 9h. Delete sentence as written.
- Add "The landfill shall not accept refuse for disposal from 5:00 p.m. on Saturdays through 4:00 a.m. on Mondays. Maintenance activities may occur during these times."

Page 6, Condition #12 is modified as follows:

- 12a. Second line, the word "biosolids" is deleted.

Page 7, Condition #12 is modified as follows:

12d is deleted and replaced by:

- 12d. The composting operation shall receive no more than 560 tons per day of green waste and no waste water biosolids (e.g., sludge or sludge components).

Page 9, Condition #20 is modified as follows:

20e is deleted and replaced by:

- 20e. The landfill operator shall install and maintain temporary litter fences in operating areas and in those areas along the property perimeter that are regularly littered due to the location of the operating area, time of year, and climatic conditions. The landfill operator and the Community Advisory Committee shall work together to identify littered areas in need of fencing.
- Add 20g. The landfill operator shall install speed bumps on landfill property in paved areas along the route of trucks leaving the landfill. The purpose of the speed bumps is to knock out dirt and debris accumulated in wheel wells before trucks leave the site.

CHIQUITA CANYON LANDFILL EXPANSION
AND RELATED FACILITIES, PROJECT #89-081
(STATE CLEARINGHOUSE NO. 92071053)

PROPOSED MODIFICATIONS TO CUP 89 081-(5)
CONDITIONS OF APPROVAL AND MONITORING PROGRAM

Add 20h. Landfill personnel shall police Chiquito Canyon Road from SR 126 to the entrance to Val Verde at Rancho Avilos and the surrounding area within 100 feet of the centerline of the road or to any existing fence on private property for the purpose of locating and cleaning up litter in this area. Litter pickup shall be a minimum of one time per month and may be increased, upon agreement between the landfill operator and the Community Advisory Committee, to maintain a litter free environment.

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Add 20i. The landfill operator shall provide four free quarterly clean-up days to residents of Val Verde, showing proper identification and proof of residence at the landfill. These days may be Sundays. The operator shall further reimburse the Community Advisory Committee for the cost of providing two rolloff bins in Val Verde on each clean-up day. The operator and Committee may jointly change this program if they mutually determine alternatives to the above can further assist the community.

Page 11, Condition #23 is modified to:

Add The permittee shall have bilingual (Spanish/English) employees available during business hours. The permittee shall arrange to have Spanish speaking operators available for messages 24 hours per day.

Page 13, Condition #34 is modified to:

Add The permittee shall use his best efforts to maximize landfill gas collection consistent with applicable government regulations. The permittee shall use the best available technology when installing and maintaining landfill gas collection systems.

Add Permittee shall purchase a maximum of five combustible gas monitors, at least one of which is able to be used outdoors, an organic vapor analyzer, similar to the monitors used in structures at the Chiquita Canyon Landfill, and provide same to the Community Advisory Committee for placement in locations of concern to the community, as determined by the Committee. These monitors are designed to detect and provide warning in the event of a build-up of methane gas. The Committee shall be responsible for locating, monitoring and maintaining such monitors. In the event such monitors indicate discernible levels of methane gas, the Committee and the landfill operator shall jointly investigate the situation and if it is determined that the

CHIQUITA CANYON LANDFILL EXPANSION
AND RELATED FACILITIES, PROJECT #89-081
(STATE CLEARINGHOUSE NO. 92071053)

PROPOSED MODIFICATIONS TO CUP 89 081-(5)
CONDITIONS OF APPROVAL AND MONITORING PROGRAM

landfill is the cause of such methane gas build-up, the landfill operator will take corrective action.

- Add The permittee shall work with the Citizens Advisory Committee in understanding the requirements of Rule 1150.1 governing the control of gaseous emissions from active landfills. The permittee shall forward copies of any notices or reports filed with or received from the regulatory agency or agencies responsible for oversight.

Page 15, Condition #42

- Add The permittee shall perform an economic viability and marketing study on an annual basis to assess opportunities to implement a materials recovery facility in an expeditious manner. *NOTHING IN THIS CONDITION SHALL MANDATE THE PERMITTEE TO IMPLEMENT A MATERIALS RECOVERY FACILITY*

Page 15, New Condition #43:

- Add The permittee shall present its Emergency Response Plan to the Community Advisory Committee and develop an additional component with the Committee for emergency notification to the Val Verde community. The landfill operator shall bear the reasonable costs, if any, of plan implementation.

New Condition #44

- Add The permittee and the land owner shall establish an ongoing Val Verde Community Benefits Fund for the life of the project as follows:

The minimum funding provided during any annual period when the landfill has accepted less than 250,000 tons of waste for disposal in the previous calendar year shall be \$12,500 from the owner and \$12,500 from the operator. If the landfill is accepting waste for disposal during any annual period and accepted 250,000 tons of waste for disposal or more in the previous calendar year, the funding to be paid for that annual period will be \$125,000 from the owner and \$125,000 from the operator. The funding amount shall be adjusted 2% per year.

AS DIRECTED BY THE COUNTY
THIS CONDITION #44 MAY BE
MORE APPROPRIATE IN THE
STATEMENT OF AGREEMENTS
AS ITEM # 13

**CHIQUITA CANYON LANDFILL EXPANSION
AND RELATED FACILITIES, PROJECT #89-081
(STATE CLEARINGHOUSE NO. 92071053)**

PROPOSED MODIFICATIONS TO CUP 89 081-(5)

CONDITIONS OF APPROVAL AND MONITORING PROGRAM

The commencement date for provision of funds shall be the later of (1) January 1, 1998 or (2) the date upon which all of the County approvals and the subsequent approvals are complete and effective and no appeals, litigation or other challenges to such approvals are pending or permitted pursuant to applicable statutes of limitation.

The payment for the first year may be pro-rated so as to have all subsequent payments made on a calendar year basis.

New Condition #45:

- Add The permittee shall purchase translation equipment as specified by the Val Verde Civic Association for a one time cost not to exceed \$8,000, by or before the first payment is made in Condition #44.

New Condition #46

- Add The maximum total capacity of the landfill shall be 23 million tons. Landfill closure shall occur when this capacity is reached or by November 24, 2019, whichever occurs first.

New Condition #47

- Add In the event that permittee is precluded from utilizing this grant as a result of a lawsuit, permittee may continue to operate the existing landfill under CUP 1809-(5) beyond the November 24, 1997 expiration date applicable to, and subject to all other conditions and limitations set forth in CUP 1809-(5) until completion of the design shown on the latest approved Exhibit A on file with CUP 1809-(5) or November 24, 2000, or until lawsuit resolution granting this CUP 89 081-(5), which ever occurs first.


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CHIQUITA CANYON LANDFILL EXPANSION
AND RELATED FACILITIES, PROJECT #89-081
(STATE CLEARINGHOUSE NO. 92071053)

PROPOSED MODIFICATIONS TO CUP 89 081-(5)
CONDITIONS OF APPROVAL AND MONITORING PROGRAM

MONITORING PROGRAM MODIFICATIONS

Page 2, Attachment to Conditions, Monitoring Program, Part I Landfill Elevations, A, third line,
shall be modified to read as follows:

"... the permittee shall install *permanent* survey monuments ..."

Pages 7 and 8, Attachment to Conditions, Part VII, Monitoring Reports, shall be modified as
follows:

Add The Community Advisory Committee shall receive a copy of the completed report
and agency comments upon submittal to the Regional Planning Commission. *all reports*
will be forwarded to the Community Advisory Com.
The permittee and its technical staff shall be available to present the findings and *within*
implications of the report at no cost, in a timely manner, to the Community Advisory *5 min*
Committee upon request. *your doc*
PP

Page 9 - Attachment to Conditions, Part VIII, Community Advisory Committee, shall be modified
as follows:

Add "The committee shall be comprised of a majority of persons who reside in
Val Verde.

Delete "persons who reside in the vicinity of the site."

Page 9, Part VIII, #3

Delete \$11,000 per annum

Add \$20,000 per annum

ATTACHMENT D

ELECTION REQUIREMENTS FOR THE COMMUNITY BENEFITS FUNDING COMMITTEE

Section 1. The First Election of Voting Members

- a. The Executive Committee of the Val Verde Civic Association (the "Association") shall coordinate and call the first election for the five Voting Members of the Community Benefits Funding Committee (the "Committee") in strict compliance with the requirements of this Attachment D.
- b. The first election must occur by September 30, 1997, and the Voting Members elected at that election shall take their positions immediately.
- c. At the first election, all five Voting Members will be elected. The three highest vote getters will be designated as holding the "odd year" positions with those positions becoming open for new elections in 1999 and in every odd-numbered year thereafter. The other two Voting Members will be designated as holding the "even year" positions with those positions becoming open for new elections in 1998 and in every even-numbered year thereafter.
- d. The election procedural duties given by this Attachment D to the Committee's Voting Members (as set forth in Section 3 below) shall be exercised, for the first election only, by the Executive Committee of the Association with assistance from the Non-Voting Member designated by the Los Angeles County Supervisor for the district that includes the Chiquita Canyon Landfill.

Section 2. Subsequent Elections of Voting Members

After the first election of the Voting Members, the Committee shall coordinate and call all future elections of its Voting Members, which elections must occur during the months of October or November each year. All subsequently elected Voting Members shall take their positions effective as of December 1 following their election.

Section 3. Conduct of Elections

The five Voting Members will be elected by an open, inclusive, annual, privately-run election process, as set forth below.

- a. A notice of election providing the date, time, purpose, and location of the election must be published not less than three weeks nor more than eight weeks before the date of the election in two community newspapers selected by the Voting Members and serving the Val Verde community, one of which

must be an English-language newspaper and one of which must be a Spanish-language newspaper. For the first election, notice must be published in The Signal and La Opinion.

- b. A bilingual (English and Spanish) notice of the election must be posted in a prominent location in the community of Val Verde at least three weeks before the election and must remain posted continuously until the election. In the event of any vandalism defacing or removing the posted election notice, notice shall be replaced or repaired as soon as reasonably possible and the act of vandalism shall not prevent the election from occurring as scheduled.
- c. The election shall take place within the community of Val Verde if reasonably practicable or, if no venue within Val Verde is reasonably available, as close to Val Verde as is practicable.
- d. The election shall be held from 7:00 a.m. to 7:00 p.m., and shall be held on a Tuesday, Wednesday, or Thursday, but not on any legal holiday.
- e. All persons registered to vote in the community of Val Verde, County of Los Angeles, whose primary residence is in the community of Val Verde and who attend the election in person shall be eligible to vote for the Voting Member positions being elected at that election.
- f. Any person registered to vote in the community of Val Verde, County of Los Angeles, and whose primary residence is in the community of Val Verde shall be eligible to be nominated as a candidate for any Voting Member position. If any person serves two consecutive terms as a Voting Member, then such person shall not be eligible to serve as a Voting Member for at least one year.
- g. Candidates wishing to run for the Voting Member openings shall obtain an application from the Committee in advance of the election. Bilingual notice of the availability of the applications shall be posted on the community bulletin board at Val Verde Park at least two months in advance of the election. The completed applications must be returned to the Committee at least 30 days prior to the election. The application must include the signatures of five qualified voters, in addition to the candidate, supporting the candidate's nomination.
- h. Election shall be by secret ballot and each eligible resident shall be entitled to cast one vote for each position open, and the highest eligible vote-getters shall be elected.

- i. In the event of an exact tie, the then-current Voting Members, including the outgoing Voting Members, shall break the tie by selecting one of the tied voters to fill the position.

Section 4. Definition of Community of Val Verde

For purposes of this Attachment D, the "community of Val Verde" shall mean that portion of Los Angeles County, State of California, described as follows:

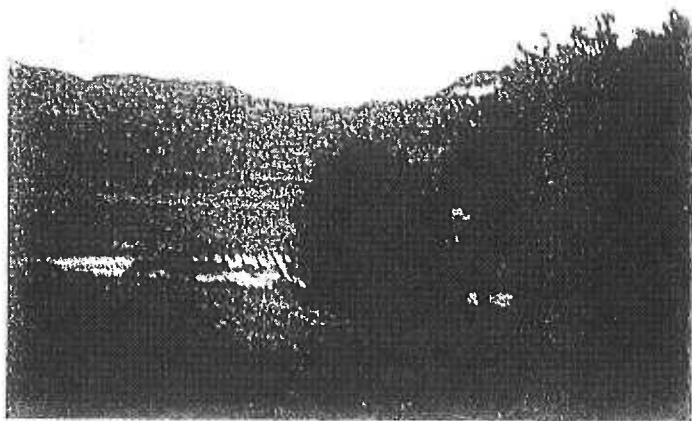
From the Val Verde, California, U.S.G.S. 7.5 minute series topographic map (photorevised 1988):

The northeast quarter of Section 8, all of Section 9, and the west half of Section 10, all of Township 4 North, Range 17 West, S.B.M.

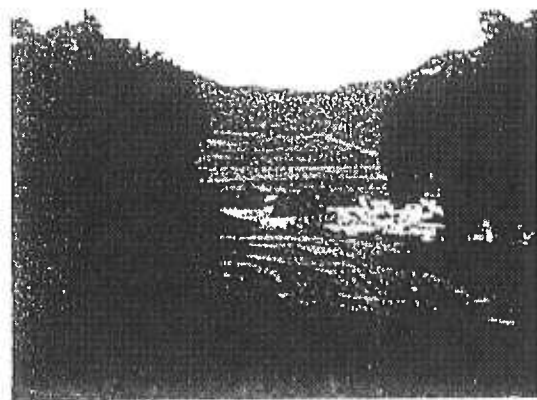
EXCEPTING THEREFROM the southwest quarter of said Section 9 and the north half of the northwest quarter of Section 10.

Notwithstanding the foregoing description, the following addresses shall be deemed to be within the community of Val Verde:

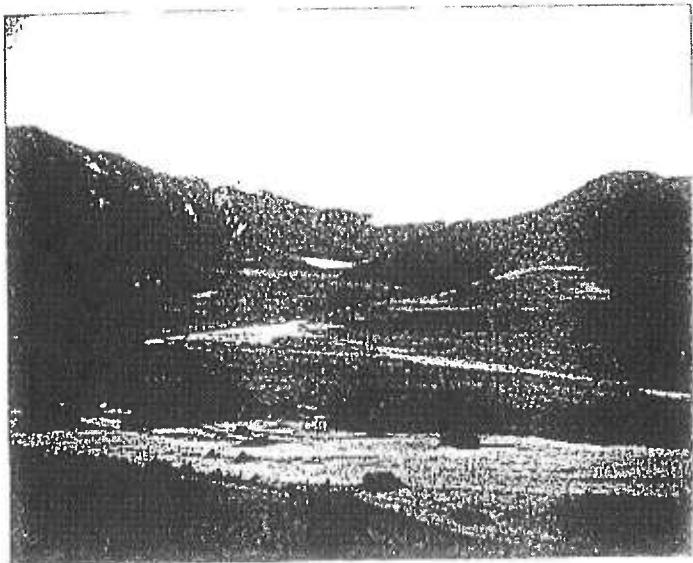
- a. 29050 Elk Street;
- b. 29053 Coolidge Avenue;
- c. 31513 San Martinez Road; and
- d. 31510 San Martinez Road.



2-14-97



2-

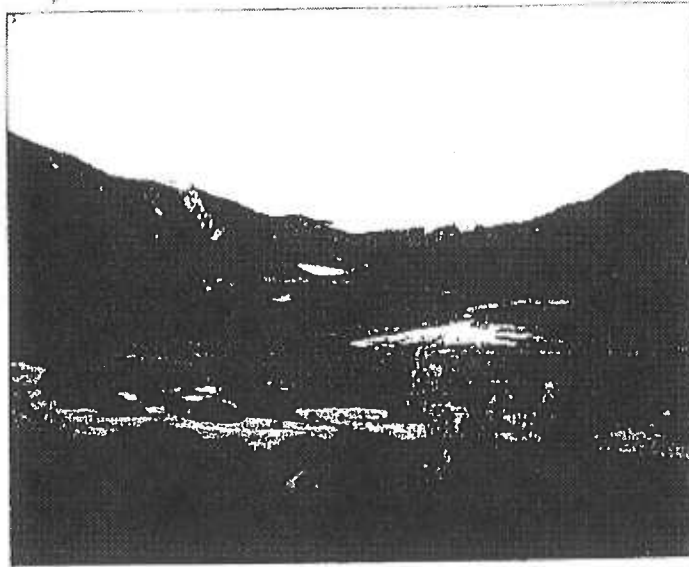


2-14-97



2

my 8/17 Ruo



2-14-97

App
my
Row
Hill

ATTACHMENT E



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

August 28, 2012

NOTICE OF VIOLATION

Chiquita Canyon LLC
Attn: Steve Cassulo
29201 Henry Mayo Drive
Castaic, CA 91384

RFS No.: 12-0020858/EF121840

Permit No.: RCUP 89081

Dear Mr. Cassulo:

An inspection was conducted at 29201 Henry Mayo Drive, in unincorporated Castaic, CA to determine compliance with Conditions No. 9 and 12(d) of Conditional Use Permit (CUP) 89081. Violations were noticed. Please note Condition Nos. 4, 8, 9(a), 12(d), and 26 of the CUP, a copy of which is attached.

It has been confirmed that the residual solids accepted by the Chiquita Canyon Landfill are considered sludge. Condition No. 9(a) of CUP 89081 states that: the term liquid waste as used herein includes non-hazardous sludges meeting the requirements contained in Title 23, Chapter 1 of the California Code of Regulations for disposal in a Class III landfill. The landfill shall not accept sludge or sludge components at any time.

Please note California Code of Regulations, Title 23, Chapter 15, Division 3, Section 2601 which states that: "Sludge" means residual solids and semi-solids from the treatment of water, wastewater, and other liquids. As you can see, solids or semi-solids from the treatment of water are defined as sludge by the California Code of Regulations.

Chiquita Canyon is hereby required to cease all intake of any form of sludge, or drinking water treatment solids, which is classified as sludge from the City of Santa Barbara's Cater Water Treatment Plant or any other jurisdiction.

Additionally, the acceptance and/or use of sludge or sludge components in conjunction with the composting operation is further prohibited as described in condition 12(d).

Please note condition no. 4, which incorporates the Monitoring Program into the conditions of CUP 89081 and requires the permittee to fully comply with each action set forth in the Monitoring Program.

Further note condition no. 26, which requires the operator to report the sources and quantities of materials received at the landfill, including documentation of any sludge received, in the Biennial Monitoring Report as required in Part VII, Subsection B.9 of the Monitoring Program.

Additionally, we request that information showing whether sludge was or was not received also be reflected in the monthly disposal quantity report, Form 13, to be submitted to the County Department of Public Works, under the category of "Designated" waste (see attached).

We also wish to advise you that Condition No. 8 indicates the consequences of non-compliance, and how this could affect your current permit and/or any pending/future permits.

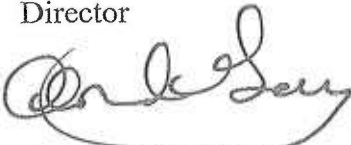
We request your cooperation in complying with the requirements of CUP 89081 and Title 22 of the Los Angeles County Zoning Code. If actions towards compliance with your existing CUP are not taken immediately, you may face potential revocation proceedings and/or criminal prosecution. Conviction can result in a penalty of up to six months in jail and/or a one thousand dollar fine, each day in violation constituting a separate offense. **In addition to criminal prosecution, you may be subject to a noncompliance fee of \$691.00 and the imposition of further administrative and collection fees totaling approximately \$2,419.00.**

Consider this an order to comply with the above noted conditions upon receipt of this letter. Failure to comply as requested will cause this matter to be referred to the District Attorney with the request that a criminal complaint be filed and/or referred to the Regional Planning Commission for consideration.

Any inquiry regarding this matter may be addressed to the Department of Regional Planning, 320 W. Temple Street, Los Angeles, CA 90012, Attention: Zoning Enforcement. To speak directly with the investigator, Martin Gies, please call (213) 974-6453 before 10:00 a.m. Monday through Thursday. Our offices are closed on Fridays.

Sincerely,

DEPARTMENT OF REGIONAL PLANNING
Richard J. Bruckner
Director



Oscar A. Gomez
Supervising Regional Planner
Zoning Enforcement North

Attachments: CUP 89081
Monitoring Program
Form 13

Cc: Department of Public Works (Linda Lee Miller)