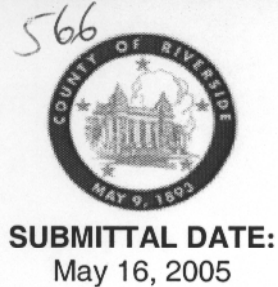


**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



**FROM:** Waste Management Department

**SUBJECT:** Solid Waste Facility Permit Revision for the Badlands Landfill

**RECOMMENDED MOTION:**

1. Approval of the Solid Waste Facility Permit Revision for the Badlands Landfill.
2. Adoption of a Mitigated Negative Declaration for Environmental Assessment No. 39813, based upon the findings in the Initial Study and the conclusion that the proposed revision to the Badlands Landfill's Solid Waste Facility Permit will not have a significant effect on the environment with the implementation of proposed mitigation measures incorporated into the project.
3. Adoption of the Mitigation Monitoring Program for EA No. 39813.

**BACKGROUND:** The project is a proposal to revise the Solid Waste Facility Permit of the Badlands Landfill, which is located in western Riverside County at 31125 Ironwood Avenue, north of Highway 60, east of Theodore Street, and adjacent to the northeast boundary of the City of Moreno Valley. The landfill, which is a municipal solid waste (MSW) disposal facility that has been in operation since 1966, is owned and operated by the Riverside County Waste Management Department (RCWMD). *Cont'd*

Departmental Concurrence

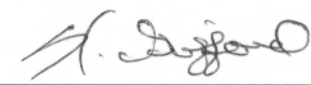
  
Hans W. Kernkamp, General Manager-Chief Engineer

<b>FINANCIAL DATA</b>	Current F.Y. Total Cost:	\$ 0	In Current Year Budget:	N/A
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	N/A
	Annual Net County Cost:	\$ 0	For Fiscal Year:	

<b>SOURCE OF FUNDS:</b> Costs to implement expansion project will be identified upon subsequent consideration by the Board of Supervisors of related construction contract(s).	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

**C.E.O. RECOMMENDATION:**

**APPROVE**



County Executive Office Signature

Dept't Recomm.:  Consent  Policy  Policy

Per Exec. Ofc.:  Consent  Policy

Prev. Agn. Ref.: \_\_\_\_\_ District: 5 Agenda Number: \_\_\_\_\_

**ATTACHMENTS FILED  
WITH THE CLERK OF THE BOARD**

12.4

The Badlands Landfill is currently operating under Solid Waste Facility Permit (SWFP) No. 33-AA-0006/98-01, issued by the Local Enforcement Agency (LEA) of the Riverside County Environmental Health Department on June 30, 1998. The 1998 SWFP covers the entire landfill property of approximately 1,093.2 acres, allows the receipt of a maximum volume of 4,000 tons of refuse per day during daylight hours between 6:00 a.m. and 8:00 p.m., and authorizes daily landfill operation to occur within an approximately 190-acre area, of which 150 acres are for refuse disposal and 40 acres cover material stockpiling.

The Badlands Landfill's service area is generally considered to include the City of Moreno Valley and surrounding cities and unincorporated communities. Since closure of the Edom Hill Landfill in December 2004, the Badlands Landfill has also been receiving a portion of the Coachella Valley wastestream.

Ancillary facilities at the landfill site currently include, but are not limited to, access roads, truck scales, a fee collection booth, a mechanics pad, a designated metallic recycling area, fuel storage, an office building, a box car, a gas to energy conversion facility, and a temporary hazardous waste storage area.

### **PROJECT DESCRIPTION:**

The proposed project will result in the following revisions to the Badlands Landfill SWFP and improvements at the landfill site:

- 1) Change the permitted hours of operation from 6:00 AM to 8:00 PM (daylight hours only) to 5:00 AM to 8:00 PM daily;
- 2) Increase the total permitted traffic volume from 514 vehicles per day to 612 vehicles per day (to correct error on face of current SWFP);
- 3) Increase the total landfill property acreage from 1,093.2 acres to 1,168.3 acres;
- 4) Decrease the permitted landfill area from 1,093.2 acres to 246 acres, which will represent the total area of the landfill, ancillary facilities, and associated activities;
- 5) Increase the maximum depth of the current 150-acre landfill disposal area from 240 feet to 275 feet, increasing the design capacity from 27,959,140 cubic yards to 30,386,322 cubic yards;
- 6) Change the estimated closure date of the landfill from 2018 to 2016;
- 7) Construct a permanent sedimentation basin to replace a temporary basin;
- 8) Construct a drainage diversion facility; and
- 9) Construct in phases a waste diversion/recycling park.

The expanded hours of operation will enable the landfill to better accommodate transfer truck deliveries of waste from the Robert A. Nelson Materials Recovery Facility/Transfer Station, the Perris Transfer Station, the Edom Hill Transfer Station (Coachella Valley), and the Coachella Valley Transfer Station (Coachella Valley). The revised SWFP will correct an existing error on the permitted maximum volume of landfill daily traffic, will redefine the landfill operation area on the basis of acreage needed for landfill operations, instead of property ownership acreage, and will incorporate the 69.5 acres the RCWMD acquired to the west of the original 1,093.2-acre landfill property. The acquired property will primarily serve to provide a land use buffer from the active landfill disposal footprint and secondarily accommodate a phased development of the waste diversion/recycling park on a 5-acre disturbed area along the landfill access road, Ironwood Avenue. The construction of a permanent sedimentation basin and establishment of a drainage diversion facility are needed to ensure protection of surface water quality from soil erosion at the landfill site, as per the requirement of the Santa Ana River Regional Water Quality Control Board.

### **ENVIRONMENTAL ANALYSIS:**

Environmental Assessment (EA) No. 39813 was prepared by the RCWMD to evaluate potential impacts associated with the proposed revision to the Badlands Landfill's SWFP, in accordance with the California Environmental Quality Act (CEQA) Guidelines (Section 15000 *et seq.*) and the Rules for Riverside County

Implementing the California Environmental Quality Act. Based on the EA, potential impacts may occur in the following areas analyzed in the EA: 1) Seismicity/Soil/Slopes; 2) Water; 3) Transportation/Circulation; 4) Air Quality; 5) Biological Resources; 6) Public Health and Safety; 7) Noise; 8) Public Services; and, 9) Cultural/Paleontological Resources. Each of the potential impacts, however, can be avoided or fully mitigated to below a level of significance with implementation of the mitigation measures identified in the EA. A Mitigation Monitoring Program (MMP) for the Badlands Landfill permit revision project, which requires adoption by the Board of Supervisors, has been prepared to incorporate these mitigation measures (see attached). Pursuant to CEQA (*CEQA Guidelines Section 15063*), a Mitigated Negative Declaration, documenting this finding that the project will not have any significant impacts, has also been prepared for adoption by the Board.

In accordance with CEQA, the Notice of Intent to Adopt a Mitigated Negative Declaration and EA No. 39813 were posted with the State Clearinghouse and the County Clerk and were transmitted to responsible agencies and interested parties for comment for a period that by regulation could not be less than 30 days (see attached Transmittal List). A public notice advertising the public comment period for the Notice of Intent and EA was also published in *The Press-Enterprise*. All documents could also be viewed on the Department's website ([www.rivcowm.org](http://www.rivcowm.org)). Lastly, copies of the Mitigated Negative Declaration and EA were made available to the public at the Riverside County Waste Management Department, the Moreno Valley City Library, the Banning Public Library, the Beaumont Library District, the Calimesa Public Library, the City of Perris Public Library, and the City of Riverside Main Library.

During the comment period for the EA that officially began on April 8, 2005 and ended on May 9, 2005, and as of the writing of this Form 11, the Department received a total of eight (8) letters of comment from the following sources (see attached Letters of Comment): 1) *California Integrate Waste Management Board*; 2) *Santa Ana Regional Water Quality Control Board*; 3) *Department of Parks and Recreation*; 4) *Southern California Association of Governments*; 5) *Fish and Wildlife Service*; 6) *Native American Heritage Commission*; 7) *Riverside County Transportation Commission*; and, 8) *Riverside County Flood Control and Water Conservation District*.

The Waste Management Department has reviewed the comments on the proposed Mitigated Negative Declaration to determine if the comments would result in a substantial revision of the Mitigated Negative Declaration, as defined in State *CEQA Guidelines* Section 15073.5. While *CEQA Guidelines* do not require the Lead Agency to prepare written responses of comment on the Negative Declaration, the RCWMD has prepared responses to all but U.S. Fish and Wildlife Service and Riverside County Flood Control, who did not have any comment (see attached Responses to Comment). While in staff's consideration, the comments do not warrant revision of the Mitigated Negative Declaration, staff would note for the Board that the letter from U.S. Fish and Wildlife Service raises issue primarily with the proposed waste diversion/recycling park, which, if developed in the next 2 to 4 years, will be located on approximately 5 acres within the only portion of the landfill property (69.7 acres) that is located within Criteria Area of the Multiple Species Habitat Conservation Plan for Western Riverside County (MSHCP), raising the issue of consistency with the MSHCP. The RCWMD is obligated both as a "Permittee" under the MSHCP and through the proposed Mitigation Monitoring Program to perform certain endemic plant species surveys and Burrowing Owl surveys prior to developing these 5 acres. The RCWMD has specified through mitigation measures that if any surveys identify sensitive species or habitats within this area, the RCWMD will be required to prepare a mitigation program that will require concurrence and approval by the appropriate agencies. Development in this area will not proceed without the necessary authorizations. The proposed project will also be subject to Joint Project Review.

Staff continues to recommend that the Board of Supervisors adopt the Mitigated Negative Declaration on the basis that potential project impacts, as identified in the EA, can be avoided or fully mitigated as previously noted through implementation of the Mitigation Monitoring Program.

#### **CONSISTENCY WITH GENERAL PLAN, ZONING, AND OTHER APPLICABLE ENVIRONMENTAL PLANS OR POLICIES**

The Badlands Landfill falls under the Community Development Foundation Component, which is one of the five Foundation Components used as land use designations in the newly adopted County General Plan. Specifically, the landfill site is designated as a "Public Facility" under the Community Development Foundation Component, which allows land uses that are to provide essential services to the County. The Public Facility Area Plan Land Use Designation policies specifically allow landfill operations and call for protection of landfills from encroachment of incompatible land uses.

The Badlands Landfill is a public facility, which provides the essential solid waste disposal capacity to the County and its cities. It is predominately surrounded by open space, which is compatible with the landfill. Therefore, the Badlands Landfill is consistent with the objectives and policies of the General Plan and its components. The proposed revisions to the current SWFP for the Badlands Landfill will maintain the public facility status of the landfill property. Therefore, the project is consistent with the General Plan land use designation.

The landfill site and majority of the surrounding vacant property are zoned W-2, or Controlled Development. Per Riverside County Land Use and Zoning Ordinance No. 348, the W-2 zoning classification identifies "Disposal Service Operations" as being conditionally permitted within this zone. In addition, since the RCWMD is a public agency and the project proponent, the proposed project is deemed a "public project" under the provisions of Section 18.2.a.b.(1) of this ordinance, which states, in part, that "no federal, state, county or city governmental project shall be subject to the provisions of this ordinance." However, the County is in the process of developing a Zoning Consistency Program, whereby the current County Land Use and Zoning Ordinance No. 348 will be restructured to effectively implement the new General Plan land use policies. During the interim period, an interim Zoning Consistency Matrix is being used to determine the level of consistency between the General Plan land use designation and current zoning. According to the Zoning Consistency Matrix, the current W-2 zoning for the Badlands Landfill site is "conditionally consistent" with the General Plan land use designation of "Public Facility," or PF.

The revision to the SWFP for the Badlands Landfill is also consistent with the goals and policies of the Countywide Integrated Waste Management Plan (CIWMP). The landfill, which is identified and described as an active landfill in the Summary Element, the Facility Capacity Component of the Source Reduction and Recycling Element, and the Countywide Siting Element of the CIWMP, enables Riverside County to provide for the long term waste disposal needs of its residents and helps protect the public health and safety of residents by providing for the safe disposal of non-hazardous solid waste. In addition, the RCWMD currently operates a metallic recycling program, and if a waste diversion/recycling park is developed, these activities, along with the Waste Inspection Program, which ensures that hazardous waste and household hazardous waste are not disposed, serve to promote the benefits of recycling and reuse. All these efforts will serve to preserve landfill capacity and assist the jurisdictions the landfill serves in meeting mandated diversion goals.