

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

158



FROM: Waste Management Department

SUBMITTAL DATE:
June 11, 2007

SUBJECT: Coachella Valley Composting Facility - Solid Waste Facility Permit

RECOMMENDED MOTION:

1. **Approval** of the Solid Waste Facility Re-Permitting of the Coachella Valley Composting Facility.
2. **Adoption** of a Mitigated Negative Declaration for Environmental Assessment (EA) No. 40808, based upon the findings in the Initial Study and the conclusion that the proposed re-permitting of the Coachella Valley Composting Facility for a Solid Waste Facility Permit will not have a significant effect on the environment with the implementation of the proposed mitigation measures incorporated into the project.
3. **Adoption** of the Mitigation Monitoring Program for EA No. 40808.

BACKGROUND: The Coachella Valley Composting Facility (CVCF) is an existing greenwaste composting facility, which encompasses 35 acres in the southern portion of the 640 acres that comprise the Coachella Landfill property, located in eastern Coachella Valley, east of the City of Indio and immediately west of the northern limits of the City of Coachella. The CVCF, which is south of the 67-acre landfill disposal footprint and the 14.47-acre site of the Coachella Valley Transfer Station, is accessed from Interstate 10 at Dillon Road, north to Landfill Road, and one mile east to its own
(Cont'd)

Hans W. Kernkamp, General Manager-Chief Engineer

FINANCIAL DATA	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:	

SOURCE OF FUNDS:	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 BY: Alex Gann
Alex Gann

Policy
 Policy
 Consent
 Consent
 Dep't Recomm.:
 Per Exec. Ofc.:

Prev. Agn. Ref.: 10.2 (12/21/99); 12.3 (3/7/00); 12.2 (9/24/02) | District: 4 | Agenda Number:

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

12.3

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entrance. The 35-acre site, on which CVCF is located, is leased from the Riverside County Waste Management Department (RCWMD), as owner of the entire landfill property, pursuant to a lease agreement, approved by the Board of Supervisors (BOS) on December 21, 1999. The CVCF is operated in accordance with Standardized Permit No. 33-AA-0292, issued by the Local Enforcement Agency (LEA) of the Riverside County Environmental Health Department on June 23, 2000, which allows the facility to receive an average of 150 tons per day (tpd), a maximum of 250 tpd, and an annual maximum of 187,500 cubic yards or 75,000 tons of green waste materials to compost in windrows. No manure or sludge is permitted at the facility. In operation since 2000, the CVCF property is currently leased by Agri Service, Inc., who replaced Salado Creek Enterprises, LLC as operator in 2001. In 2003, State regulations changed, which specified that Compostable Materials Handling Operations, such as the CVCF, could no longer be operated with a Standardized Permit or Tiered Solid Waste Facility Permit (SWFP) and required that a Full SWFP be obtained.

PROJECT DESCRIPTION: The project is a proposal to obtain a Full SWFP to allow the continued operation of the CVCF, as required by State regulations, and to include the following changes:

- Replace Salado Creek Enterprises, LLC with Agri Service, Inc. as the operator of the CVCF.
- Set the daily permitted capacity for feedstock material from a maximum of 250 tpd, with an average of 150 tpd, to a maximum of 250 tpd, with no daily average tpd.
- Set the annual throughput capacity for feedstock material as 187,500 cubic yards or 75,000 tons, as currently allowed.
- Allow up to 10,000 tons per year (tpy) of food waste as a feedstock material, in addition to green waste material, not to exceed a combined volume of 250 tpd or 75,000 tpy.
- Allow the use of liquid grease-trap waste to supplement processed water usage, up to 12,500 gallons per day.
- Allow the method of composting to change from the Windrow Composting Method to the Grid Composting Method, whenever applicable.
- Add up to 8 new employees to the operations crew of the CVCF.
- Change the daily permitted traffic volume to 338 vehicles per day.

ENVIRONMENTAL ANALYSIS: Environmental Assessment (EA) No. 40808 was prepared by the RCWMD to evaluate the potential environmental impacts resulting from the proposed project and to identify appropriate mitigation measures to reduce or eliminate these impacts. The EA was prepared in conformance with the California Environmental Quality Act (CEQA), California Code of Regulations (CCR) Section 15000 et. seq., and the Riverside County Rules to Implement CEQA.

The EA identified that the project would have either "No Impact" or a "Less Than Significant Impact" in the areas of land use and planning, population and housing, seismicity/soil/slopes, biological resources, energy and mineral resources, utilities and service systems, aesthetics, cultural/paleontological resources, and recreation. The California Department of Fish and Game agreed with staff's conclusions that the proposed project will have no effect on fish and wildlife and issued a "No Effect Determination" to be filed and posted with the Notice of Determination. While the EA has identified that the proposed project has the potential to impact or be impacted in the areas of water quality, traffic, air quality, public health and safety, noise, and public services, each of these potential impacts can be fully mitigated to below a level of

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significance with implementation of the mitigation measures identified in the EA, as well as, the following additional measure:

W-7 Prior to implementing the proposed project and accepting food wastes as feedstock and grease trap liquid to supplement water usage, the composting facility owner/operator shall obtain all necessary approvals/permits, as may be required for the project, which may include a SWFP issued by the LEA, upon concurrence by the CIWMB, and a new Waste Discharge Order by the CRBRWQC Board.

These mitigation measures are incorporated in the Mitigation Monitoring Program for the EA. As a result, the RCWMD has prepared a Mitigated Negative Declaration (MND) for adoption by the Board, pursuant to Section 15063 of the CEQA Guidelines.

In accordance with CEQA, the Notice of Intent to Adopt a MND and EA were posted with the State Clearinghouse and the County Clerk and were transmitted to responsible agencies and interested parties (see attached Transmittal List) for a 30-day comment period that began on March 27, 2007 and ended on April 27, 2007. Public notices advertising the public comment period for the Notice of Intent and EA were also published in the *The Press-Enterprise* and *Desert Sun*. All documents could also be viewed on the Department's website at www.rivcom.org. Lastly, copies of the EA were made available to the public at the RCWMD, the Riverside County Clerk, the Coachella Branch Library, the Indio Branch Library, the Cathedral City Branch Library, and the La Quinta Branch Library.

During the comment period, the Department received the following nine (9) letters of comment, of which five (5) letters came from public agencies and four (4) from the development community (see attached): 1) California Integrated Waste Management Board; 2) City of Coachella; 3) City of Indio; 4) Public Utility Commission; 5) Riverside County Flood Control and Water Conservation District; 6) Terra Nova Planning & Research, Inc.; 7) Trinidad Consulting, Inc.; 8) PerrinBanks, LLC; and, 9) Dillon Lakes Estate. The RCWMD has reviewed the comments on the proposed MND and EA to determine if the comments would result in substantial revision, as defined in State *CEQA Guidelines* Section 15073.5. In staff's consideration, the comments do not warrant any revision of the MND. However, staff would note that the letters from the development community express opposition to the project, question the adequacy of the EA, recommend the preparation of an Environmental Impact Report, and state that the proposed project is incompatible with, and detrimental to the value of, future, planned residential projects. 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 comments about the project (see attached Responses to Comments). Staff continues to recommend that the Board of Supervisors adopt the MND on the basis that potential project impacts, as identified in the EA, can be avoided or fully mitigated as previously noted.

Consistency Finding with Riverside County General Plan, Zoning, Countywide Integrated Waste Management Plan (CIWMP) and Other Applicable Environmental Plans or Policies

According to the Riverside County General Plan, the project site is designated as "PF" (Public Facilities) on the Eastern Coachella Valley Area Plan- Land Use Map. 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 operation of the CVCF, which

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provides essential solid waste recycling services to cities and unincorporated communities in the Coachella Valley, is consistent with this land use designation and the County General Plan.

The Coachella Landfill property and the project site are zoned N-A (Natural Asset Areas). Per Section 18.2.a.b of Riverside County Land Use and Zoning Ordinance No. 348, "No federal, state, county, or city governmental project shall be subject to the provisions of this ordinance, including such projects operated by any combination of these agencies or by a private person for the benefit of any such government agency." The CVCF is operated by a private contractor under a lease agreement with RCWMD, which is a public agency, and serves the public need of green waste and, if approved, food waste diversion. Therefore, the proposed project is deemed a "public project" and is not subject to zoning requirements.

The project site is not located within any conservation area identified or proposed in the Recirculated Draft Coachella Valley Multiple Species Habitat Conservation Plan. In addition, the CVCF is an existing facility, and no new lateral expansion or construction will occur as a result of the proposed project that would cause any disturbance to native habitat.

The existing CVCF is consistent with the goals and policies of the CIWMP by recycling and reducing the amount of green waste pursuant to the current permit. The proposed project will continue to be consistent by recycling and reducing both green waste and food waste pursuant to the proposed Full SWFP. The recycling of green waste through composting is especially crucial in assisting the County and its cities in the Coachella Valley in complying with mandated diversion goals.

The CVCF is identified and described in the Riverside County Non-Disposal Facility Element (NDFE), an element of the CIWMP, which identifies and describes existing, proposed, and/or any proposed expansion of existing non-disposal facilities that will be utilized to implement the County's Source Reduction and Recycling Element. The proposed project to take both green waste and food waste as feedstock in the composting process provides additional outlets for these materials to be reduced and recycled and creates efficiency in the composting operation.