

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

540



FROM: Waste Management Department

SUBMITTAL DATE:
December 21, 2007

SUBJECT: Memorandum of Understanding among the City of Beaumont, the County of Riverside and the Preserve, LLC – Lamb Canyon Sanitary Landfill

RECOMMENDED MOTION: That the Board of Supervisors:

1. Designate the preferred CEQA site as shown in Exhibit "C" of the "Memorandum of Understanding among the City of Beaumont, the County of Riverside and The Preserve, LLC"; and
2. Approve the "Memorandum of Understanding among the City of Beaumont, the County of Riverside and The Preserve, LLC", and authorize the Chairman to execute it on behalf of the Board.

BACKGROUND: Ongoing growth pressures from both the County and cities within the County have highlighted the need to protect future disposal capacity at a key regional public facility, the Lamb Canyon Sanitary Landfill. Ultimately, the provision of environmentally sound disposal services at this critical regional facility protects the health and safety of County and city residents. (continued)

Hans W. Kernkamp, General Manager-Chief Engineer

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 2,000,000.00	In Current Year Budget:	Yes
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	No
	Annual Net County Cost:	\$ 0	For Fiscal Year:	2007/2008

SOURCE OF FUNDS: Waste Management Enterprise Fund	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION:

APPROVE

BY: Michael R. Shetler
Michael R. Shetler

for Alex GANN

County Executive Office Signature

FORM APPROVED COUNTY COUNSEL
 BY: KATHERINE A. LIND 12/21/07 DATE
 6Departmental Concurrence

Consent Policy
 Consent Policy

Dept's Recomm.:
 Per Exec. Ofc.:

Prev. Agn. Ref.: District: 5th Agenda Number:

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

12.2

BACKGROUND Cont'd: For many years, the Department has planned for future expansions at the Lamb Canyon Sanitary Landfill to maximize disposal capacity and minimize impacts through optimized grading plans. To fully realize those plans, certain private, offsite lands need to be acquired due to the configuration of surrounding canyons and their associated drainages. These lands are currently zoned residential in the City's General Plan and the current owner, The Preserve, LLC, has submitted a land-use entitlement application with the City of Beaumont for a residential development called "Legacy Highlands".

As proposed, the Legacy Highlands project's proximity to the landfill potentially creates impacts that could adversely affect the County's ability to operate this critical component of the County's waste system, and also impede or prevent its contemplated future expansion. Should the City successfully annex the development lands as it desires to do in the near future, the County would have even less ability to control the destiny of a major regional public facility. The MOU before the Board today sets out a framework of cooperation between the parties and requires that the Preserve dedicate a portion of the development to the City (approximately 389 acres) to be sold to the County for an estimated \$2,000,000 (the actual price to be determined by a revised appraisal). Of the 389 acres, 319 would be designated as open space (Exhibit B) which, along with the provisions of the MOU, mitigates the significant land use consistency and compatibility issues between the Legacy Highlands project, the Lamb Canyon landfill and potential future expansions at the landfill. The remaining 70 acres, together with acreage from the existing landfill as shown in Exhibit "C" of the MOU, are being designated by the Board's action as a preferred site for potential future expansion of the landfill, subject to and contingent upon future environmental review pursuant to the California Environmental Quality Act (CEQA), before any formal decision is made regarding uses or facilities at this site.

The actions by the Board to designate the preferred CEQA site and approve the MOU are exempt from CEQA, pursuant to CEQA Guidelines sections 15004, subd. (b)(2)(a), 15061, subd. (b)(3), 15262, 15313, 15317, and 15325. A Notice of Exemption to this effect has been prepared and will be filed with the County Clerk upon approval by the Board.

HWK:jrm
PD#58874-v4