FORM APPROVED COUNTY COUNSEL 2/24/16 DATE
BY: GREGORY P. PRIAMOS

Departmental Concurrence

814

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

FROM: Department of Waste Resources

SUBMITTAL DATE:
February 19, 2016

SUBJECT: Application for Purchase and Land Lease Agreement between United States, Department of the Interior, Bureau of Land Management and the County of Riverside, on behalf of the Department of Waste Resources – Desert Center Landfill, 4/4 [$320.00 –Department of Waste Resources Enterprise Funds], CEQA Exempt

RECOMMENDED MOTION: That the Board of Supervisors:

1. **Authorize** the General Manager-Chief Engineer of the Department of Waste Resources to submit an application for a Land Lease Agreement with the United States, Department of the Interior, Bureau of Land Management (BLM) for the Desert Center Landfill site; and,
2. **Authorize** the General Manager-Chief Engineer of the Department of Waste Resources to submit an application for the purchase of the Desert Center Landfill site from the United States, Department of the Interior, Bureau of Land Management (BLM) for; and,
3. **Find** that the Project is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15301, Existing Facilities and Section 15061(b)(3) (General Rule for Exemption); and, (continued)

Hans Kernkamp
General Manager-Chief Engineer

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	$ 320	$ 0	$ 320	$ 0	Consent ☐ Policy ☐
NET COUNTY COST	$ 0	$ 0	$ 0	$ 0	

SOURCE OF FUNDS: Waste Resources Enterprise Fund

Budget Adjustment: N/A

For Fiscal Year: 2015/16

C.E.O. RECOMMENDATION:

APPROVE

BY: Steven C. Horn

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Jeffries, seconded by Supervisor Ashley and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes:	Jeffries, Tavaglione, Washington, Benoit and Ashley
Nays:	None
Absent:	None
Date:	March 8, 2016
xc:	Waste

Kecia Harper-Ihem
Clerk of the Board
By: Deputy

☐ Positions Added ☐ Change Order
☐ A-30 ☐ 4/5 Vote

Prev. Agn. Ref.: 12.2 (12/09/14) | **District:** 4/4 | **Agenda Number:**

12-1

RECOMMENDED MOTION (continued)

4. **Approve** the attached Recreation and Public Purpose Lease between BLM and the County of Riverside, on behalf of the Department of Waste Resources; and,
5. **Authorize** the General Manager-Chief Engineer of the Department of Waste Resources to execute the approved Recreation and Public Purpose Lease on behalf of the County.

BACKGROUND:
Summary

The Department of Waste Resources (Department) has been and is currently operating the Desert Center Landfill within 160 acres owned by the BLM under Recreation and Public Purposes (R&PP) Lease S-5340. Currently, the landfill is open two days a year and activities occur on approximately 32 acres of the 160-acre leased land. In 1995, the Department initiated the land patent process with the BLM to obtain ownership of the Desert Center Landfill site. At this time, BLM is reviewing the proposed conveyance and the land patent conveyance process is ongoing. The Department is working with BLM to facilitate the process. As part of the conveyance process, BLM requested that the Department completes an *Application for Land for Recreation of Public Purposes,* identifying that we intend to purchase the Desert Center Landfill site. In addition to pursuing the conveyance, BLM has informed the Department that Lease S-5340 will need to be in force during the conveyance process; therefore, the Department desires to extend the land lease for an additional year to continue landfill operations at the site. The 160-acre land is leased at a yearly rate of $2 per acre, for a total of $320 annually. The lease rate for the new term period of Lease S-5340 is expected to remain the same. As part of the R&PP application, the Department must provide a copy of the authority for filing and executing a lease. The R&PP lease form attached hereto is substantially in the final form with only particular details of the location and term that may need to be completed. Once BLM receives proof of the Board of Supervisor's approval, BLM will submit a completed Lease with the terms described herein for execution by the General Manager-Chief Engineer, as the County's authorized delegate.

The Lease has been reviewed and determined to be categorically exempt from CEQA under CEQA Guidelines Section 15301, Class 1 - Existing Facilities and Section 15061(b)(3) (General Rule for Exemption). The Project (the Lease) involves an extension of a lease where an existing public facility is currently operational with little or no expansion of approved uses.

Impact on Citizens and Businesses
This action will ensure continuous landfill operations at the Desert Center Landfill, thereby allowing the Department to continue to provide an essential public service to local residents.

Attachments:

1) Application for Land for Recreation of Public Purposes with Attachments (Lease)
2) Application for Land for Recreation of Public Purposes with Attachments (Purchase)
3) Recreation or Public Purposes Lease Form

Application for Land for Recreation or Public Purposes - Lease

NOTICES

The Privacy Act of 1974 and the regulation in 43 CFR 2.48 (d) require that you be furnished the following information in connection with information required by this application.
AUTHORITY: 43 U.S.C. 869 et seq.; 43 CFR Part 2740
PRINCIPAL PURPOSE: The information is to be used to process your application.
ROUTINE USES: In accordance with the System of Records titled, "Land and Minerals Authorization Tracking System—Interior, LLM-32," disclosure outside the Department of the Interior may be made: (1) To appropriate Federal agencies when concurrence or supporting information is required prior to granting or acquiring a right or interest in lands or resources, (2) To Federal, State, or local agencies or a member of the general public in response to a specific request for pertinent information, (3) To the U.S. Department of Justice or in a proceeding before a court or adjudicative body when (a) the United States, the Department of the Interior, a component of the Department, or when represented by the government, an employee of the Department is a party to litigation or anticipated litigation or has an interest in such litigation, and (b) the Department of the Interior determines that the disclosure is relevant or necessary to the litigation and is compatible with the purpose for which the records were compiled, (4) To an appropriate Federal, State, local, or foreign agency responsible for investigating, prosecuting, enforcing, or implementing a statute, regulation, rule, or order, where the disclosing agency becomes aware of an indication of a violation or potential violation of civil or criminal law or regulation, (5) To a member of Congress or a Congressional staff member from the record of an individual in response to an inquiry made at the request of that individual, (6) To the Department of the Treasury to effect payment to Federal, State, and local government agencies, nongovernmental organizations, and individuals, and (7) To individuals involved in responding to a breach of Federal data. The BLM will only disclose this information in accordance with the Freedom of Information Act, the Privacy Act, and the provision in 43 CFR 2.56(c).

The Paperwork Reduction Act of 1995 requires us to inform you that:
BLM collects this information to process your request for Federal lands under the provisions of June 14, 1926 (43 U.S.C. 869 as amended), Recreation and Public Purposes Act.
Information will be used to illustrate whether the applicant meets requirements of regulations found in 43 CFR Subpart 2740.
BLM would like you to know that you do not have to respond to this or any other Federal agency-sponsored information collection unless it displays a currently valid OMB control number.
EFFECT OF NOT PROVIDING INFORMATION: Disclosure of the information is necessary for processing of the application. If all the information is not provided, the application may result in delay or preclude the BLM's acceptance of your form.

BURDEN HOURS STATEMENT: Public reporting burden for this form is estimated at 40 hours per response, including the time for reviewing instructions, gathering, and maintaining data and completing and reviewing the form. Direct comments regarding the burden estimate or any other aspect of this form to the U.S. Department of the Interior, Bureau of Land Management (1004-0012), Bureau Information Collection Clearance Officer (WO-630), 1849 C Street, N.W., Mail Stop 401 LS, Washington, D.C. 20240.

8. Are all activities, facilities, services, financial aid, or other benefits as a result of your proposed development provided without regard to race, color, religion, national origin, sex, or age? X Yes No *(If "no," describe the situation or activity and your plans for achieving compliance.)*

9. Are all activities, facilities, and services constructed or provided as a result of your proposed development accessible to and usable by persons with disabilities? X Yes No *(If "no," describe the situation or activity and the reasons for nonaccessibility).*

Applicant's Signature	Date

Title 18 U.S.C. Section 1001 and Title 43 U.S.C. Section 1212, make it a crime for any person knowingly and willfully to make to any department or agency of the United States any false, fictitious, or fraudulent statements or representation as to any matter within its jurisdiction.

GENERAL INSTRUCTIONS

1. Type or print plainly in ink.
2. Submit application and related plans to the BLM District or Resource Area Office in which the land is located.
3. Study controlling regulations in 43 CFR 2740 *(Sales)* and 43 CFR 2912 *(Leases).*
4. If applicant is non-governmental association or corporation, attach a copy of your charter, articles of incorporation or other creating authority. If this information has been previously filed with any BLM office, refer to previous filing by date, place, and case serial number.
5. If applicant is non-governmental association or corporation, attach a copy of your authority to operate in the State where the lands applied for are located. If previously filed with any BLM office, refer to previous filing by date, place, and case serial number.

SPECIFIC INSTRUCTIONS
(Items not listed are self-explanatory)

Item

2. If land is surveyed, give complete legal description. If land is unsurveyed, description should be by metes and bounds connected, if feasible, by course and distance with a corner of public land survey. If possible, approximate legal subdivisions of unsurveyed lands should be stated. Acreage applied for must not exceed that specified by regulations.

3a. Generally, title to lands will not be granted upon initial approval of an application. In order to assure proper development or use plans, the general practice will be to issue a lease or lease with option to purchase after development is essentially completed. In any case, term of lease may not exceed 20 years for non-profit organizations or 25 years for governmental agencies, instrumentalities or political subdivisions.

4. Leases and patents under this act are conditioned upon continuing public enjoyment of the purposes for which the land is classified. The plan of development, use, and maintenance must show, at a minimum:
   a. A need for proposed development by citing population trends, shortage of facilities in area, etc.
   b. That the land will benefit an existing or definitely proposed public project authorized by proper authority.
   c. Type and general location of all proposed improvements, including public access *(roads, trails, etc.).* This showing may take the form of inventory lists, maps, plats, drawings, or blueprints in any combination available and necessary to describe the finished project. Site designs should be provided for intensive use sites and general information about improvements existing or planned on lands within the overall project.
   d. An estimate of the construction costs, how the proposed project will be financed, including a list of financial sources, and an estimated timetable for actual construction of all improvements and facilities.
   e. A plan of management to include operating rules, proposed source and disposition of revenues arising from the proposed operation, personnel requirements, etc.
   f. A specific maintenance plan to include, for example, sewage and garbage disposal, road maintenance, upkeep and repair of grounds and physical facilities, etc.
   g. Applications for solid waste disposal sites must comply with guidelines established by the Environmental Protection Agency (40 CFR 258) and must include a detailed physical description of the site including a map, description of ground water situation, soil characteristics and management plan.

6. This may consist of a copy of a delegation of authority, resolution or other evidence of authority from the governing board of the applicant's organization, copy of the by-laws of the organization, or the like.

(Continued page 3)

Form 2740-1
(January 2013)

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

APPLICATION FOR LAND FOR RECREATION OR PUBLIC PURPOSES

(Act of June 14, 1926, as amended; 43 U.S.C. 869; 869-4)

FORM APPROVED
OMB NO. 1004-0012
Expires: December 31, 2015

Date	Serial Number (BLM use only)
3/8/16	

Home phone *(include area code)*: N/A

1a. Applicant's name	b. Address *(include zip code)*	Business phone *(include area code)*
Riverside County Department of Waste Resources	**14310 Frederick Street, Moreno Valley, 92553**	**951-486-3200**

2. Give legal description of lands applied for *(include metes and bounds description, if necessary)*

SUBDIVISION	SECTION	TOWNSHIP	RANGE	MERIDIAN
E1/2 SE 1/4	**33**	**4S**	**15E**	**San Bernardino**
W1/2 SW 1/4	**34**	**4S**	**15E**	**San Bernardino**

County of **Riverside** | State of **California** | Containing *(acres)* **160**

3a. This application is for: X Lease | Purchase *(If lease, indicate year)* *1 year lease*

b. Proposed use is: Public Recreation | X Other Public Purposes

4. Describe the proposed use of the land. The description must specifically identify an established or definitely proposed project. Attach a detailed plan and schedule for development, a management plan which includes a description of how any revenues will be used, and any known environmental or cultural concerns specific to the land.

The land has been used as a landfill since 1975. The site is currently open to the public two days per year for free disposal of self-haul refuse from local residents; therefore, no revenue is generated from the landfill operation. For information on site history, operation, and environmental/cultural topics, please see the attached Desert Center Landfill-Land Transfer Audit Report (Report).

5. If applicant is State or Political subdivision thereof, cite your statutory or other authority to hold land for these purposes.

Riverside County (County) is organized as a General Law County under the provision of the California Government Code Title 3 commencing with 23000. The Riverside County Department of Waste Resources, a County Department, is responsible for the protection of the general public health and welfare by efficient management of Riverside County's solid waste system.

6. Attach a copy of your authority for filing this application and to perform all acts incident thereto.

7. If land described in this application has not been classified for recreation and/or public purposes pursuant to the Recreation and Public Purposes Act, consider this application as a petition for such classification.

(Continued on page 2)

DESERT CENTER LANDFILL

LAND TRANSFER AUDIT

By

Bureau of Land Management
And
Riverside County Waste Management Department

April 2012

Doc#28147v5

EXECUTIVE SUMMARY

The Desert Center Landfill began operation subsequent to a Waste Discharge Requirement (Order 75-65) issued by the Colorado Regional Water Quality Control Board (CRWQCB) in November 1975[1]. The landfill is operated as a non-hazardous sanitary landfill (Class III Municipal Solid Waste Landfill) on a land lease from the Bureau of Land Management (BLM), dated April 1, 1975, in accordance with the Recreation & Public Purposes (R&PP) Act. From the start, the landfill has been leased and operated by the County of Riverside, and the current landfill operator is the Riverside County Waste Management Department (Department).

The Desert Center Landfill property on lease occupies approximately 160 acres. The Landfill is expected to terminate operation by the end of 2087, and thereafter, it will be subject to closure, in accordance with the requirements of Subtitle D of the Code of Federal Regulations (CFR) and Titles 27 of the California Code of Regulations (CCR)[2].

It has been determined that the landfill properly received, handled, and disposed of municipal solid waste over the last 3 decades of operation. The LTA concludes that the current operation of the landfill will not result in hazardous conditions that would prevent the conveyance of the property to the Riverside County Waste Management Department.

1 Final SWAT Report for the Eagle Mountain Landfill, Riverside County, California by Ron Barto Groundwater Consultants, dated November 1990.

2 Desert Center Sanitary Landfill Preliminary Closure Plan, February 2012.

1.0 INTRODUCTION

The Desert Center Landfill property is owned by the United States Department of Interior, Bureau of Land Management (BLM) and currently operated by the Riverside County Waste Management Department (Department) under conditions of patent issued by the U.S. Secretary of the Interior. The purpose of the Land Transfer Audit is to determine whether or not the Desert Center Landfill has been in compliance with applicable Federal and State regulations for consideration of a transfer of property ownership from the BLM to the Department.

The Desert Center Landfill is located north of the town of Desert Center at 17991 Kaiser Road (refer to Figure 1, VICINITY MAP). The site is located in the East ½ Southeast ¼ Section 33, and the West ½ Southwest ¼ Section 34, Township 4 South, Range 15 East, San Bernardino Base & Meridian.

The Desert Center Landfill property encompasses approximately160 acres of land leased from and administered by the BLM under the Recreation and Public Purposes (R&PP) Act. The landfill-related activities encompass 20 acres, of which 7 acres are used for refuse burial (refer to Figure 2, SITE MAP). The landfill is expected to be closed in-place in ***2087***. Financial assurances for closure of the landfill have been established through Resolution No. 90-493, approved by the Riverside County Board of Supervisors on August 20, 1990, which establishes an escrow account in a separate enterprise fund. Financial assurances for post-closure maintenance of the County landfills have been established through Resolution No. 94-8, approved by the Riverside County Board of Supervisors on September 21, 1994.

In accordance with 43 Code of Federal Regulation (CFR), Part 2743, R&PP Act, a Land Transfer Audit (LTA) is required for the application for a transfer of ownership or patent of the landfill property. The LTA will investigate the Desert Center Landfill property to decide whether hazardous substances exist on the site. If the investigation reveals that the current landfill has resulted in hazardous conditions that may threaten human health and the environment, the BLM may not convey the property ownership to the Department. Therefore, the purpose of this LTA is to determine the Desert Center Landfill operation's degree of compliance with applicable federal and state regulations. The LTA is based on the review of available records for the landfill operation at the Department and the Local Enforcement Agency (LEA) of the Riverside County Environmental Health Department.

2.0 LANDFILL HISTORY

2.1 History of Owners, Lessees, and Landfill Operators

In the early 1970's, the County of Riverside (County), in response to serving the disposal needs of the Desert Center community and the pending 1975 closure of the old Eagle Mountain Landfill, filed an R&PP lease application for a proposed landfill on the Desert Center property. On April 1, 1975, the BLM issued a 20 year R&PP lease to the County to use its property in Desert Center, in portions of Sections 33 and 34, T4S, R15E, SBM, as a sanitary landfill. The R&PP lease expired in March 1995, and a new lease (BLM serial no. S-5340) was issued on May 25, 1995 for continued use of the property as a sanitary landfill.

The Desert Center Landfill is permitted by the LEA, with concurrence of the California Department of Resources Recycling and Recovery (CalRecycle), as a Class III sanitary landfill under Solid Waste Facility Permit (SWFP) No. 33-AA-0016. The Waste Discharge Requirements (Order 75-65) for the landfill was issued by CRWQCB in November 1975, and the landfill became fully operational in 1976. From the opening of the landfill to 1986, operation of the Desert Center Landfill was overseen by the Waste Management Division of the Riverside County Roads Department. In 1986, the Riverside County Waste Management Department (Department) was formed and became fully responsible of the landfill operations. In July 1994, the Riverside County Waste Resources Management District (District) was formed to replace the Department. In 1998, the District was dissolved, once again becoming the Riverside County Waste Management Department. The Department is currently pursuing the acquisition of the Desert Center Landfill property.

2.2 History of Site Operations

2.2.1 Landfill Classifications and Permitted Waste Types

In 1975, the Desert Center Landfill was initially classified by the State of California as a Class II-2 Sanitary Landfill. Under this classification, the landfill was permitted to accept non-hazardous solid waste, which included all putrescible and non-putrescible solids, semi-solid, and liquid wastes, including garbage, trash, refuse, paper, rubbish, ashes, demolition and construction waste, industrial wastes, abandoned vehicles and parts thereof, manure, vegetable or animal solid and semi-solid wastes, and septic and grease wastes. The landfill was fully operational in 1976 with closure of the old Eagle Mountain landfill.

The Desert Center landfill was reclassified as a Class III Sanitary Landfill in 1984, under the revised Subchapter 15 of Title 23 of the California Code of Regulation (CCR). Currently received at the site are residential, mixed municipal, agricultural, and construction/demolition waste, small amounts of dead animals (with prior notification), and empty pesticide containers that are triple-rinsed and punctured prior to disposal. No hazardous or designated wastes are allowed for disposal at the site.

Special waste, such as dead animals and contaminated soils at acceptable levels, may be accepted at the landfill. Notification by animal control officers is required prior to delivery of dead animals. Acceptance of special waste is considered on a case-by-case basis and is subject to prior approval by the Colorado Region Water Quality Control Board (CRWQCB) and the LEA. If accepted, special waste is normally separately handled and buried from the regular refuse.

2.2.2 Method of Landfill Operation

The "Area Method of Landfilling" is used at the Desert Center Landfill, whereby refuse is confined in an active face and compacted in layers into a daily cell, a collection of which is then combined into progressing terraces (lifts), until the grades defined by the site grading plan are established. A refuse cell is required by federal and State law to be covered with a minimum of six (6) inches of soil, or an approved alternative cover, on a daily basis, while a developing terrace is required to have its permanent slopes covered with twelve (12) inches of soil, or an approve alternative material, to form an intermediate cover for the landfill unit.

Until July 3, 1997, the Desert Center Landfill was unmanned and opened to the public 24 hours a day, seven days a week. Prior to this time, aerial flight analysis estimated that the site received approximately 7 tons of refuse per day. After July 3, 1997, the site was manned and equipped with a mobile fee booth, a gate, and a scale. Also, portions of the landfill were fenced to prevent illegal vehicular access to the site. Operation hours were established, initially, from 8:00 a.m. to 4:30 p.m., on Thursdays and Saturdays. The site operation schedule was changed again on July 25, 1998, reducing operations to one day per week, on Thursdays, from 8:00 a.m. to 4:30 p.m. On April 10, 2001, the Riverside County Board of Supervisors approved a further reduction of operation hours of the Desert Center Landfill, beginning July 1, 2001. To date, the site is opened to the public two days per year for free disposal of self-haul bulky wastes from the area. The two annual days of operation are the first Thursday of February and the first Thursday of August.

2.2.3 Solid Waste Handling

Incoming waste loads are identified by refuse type at the gate located at the entrance of the landfill. Haulers are directed to the working face by use of properly placed traffic control signs, where unloading of the waste occurs. After unloading is completed, the equipment operator blends waste into the fill face with a dozer. Special waste, such as, dead animals, are buried immediately in a separate area.

2.2.4 Hazardous Waste Handling

Hazardous waste has never been permitted at the Desert Center Landfill. However, household hazardous waste (HHW) may be inadvertently mixed with the refuse and brought to the landfill. A load checking program has been implemented at the Desert Center Landfill since 1991 to allow for hazardous waste to be screened out prior to landfilling.

Hazardous Waste Inspection Program (Formerly, Load Checking Program)

The Hazardous Waste Inspection Program has the following objectives:

- To minimize or eliminate hazardous and other prohibited waste received at the landfill.
- To identify hazardous waste, including HHW and other prohibited waste, and require generators or haulers of the waste to assume responsibility for its proper disposal.
- To properly manage identified hazardous waste, whose generators or haulers cannot be identified.
- To increase the awareness of the landfill users and the public on the proper disposal of hazardous waste, Universal Waste, and special handling waste.

Waste inspection is performed on both annual operating days at the Desert Center Landfill. Standard waste inspection procedures consist of initial screening of waste loads at the fee collection booth area, where the gate-fee personnel visually inspect un-compacted and uncovered loads. If any prohibited waste is observed by the gate-fee personnel, the vehicle will be denied entry. On the working face of the landfill, trained equipment operators and traffic directors (Landfill Safety Monitors) visually monitor the waste being unloaded for hazardous waste and other prohibited waste. If hazardous waste or other prohibited waste is identified, these materials are returned to the hauler.

Hazardous Waste Inspectors, trained in accordance with the requirements of CCR, Title 27, §20610 and 20870 (a) 3, perform more in-depth inspection of randomly selected waste loads by sifting through the waste materials carefully to detect commingled prohibited waste. Any hazardous waste or other prohibited waste identified is returned to the hauler. Residents are provided with information on the County's HHW collection programs for proper disposal of HHW. All waste loads rejected containing hazardous waste or other prohibited waste, are documented on inspection forms with the following information:

- Type of the hazardous waste
- Amount of the hazardous waste
- Name of the hauler who brought in the hazardous waste
- Name of the generator of the hazardous waste
- Date, time and the landfill site, at which the rejection occurred

Hazardous waste that is identified after the hauler has left the landfill site is transported to the Central Accumulation Facility (CAF) at the Lamb Canyon Landfill on the same day it is recovered during load checking at Desert Center. Extremely hazardous wastes identified after the haulers are gone are handled by the Department's contracted hazardous materials hauler under the guidance of the Hazardous Materials Branch of the County Environmental Health Department.

Since a load checking program for hazardous waste at the Desert Center Landfill was not in place prior to 1991, and since not every load of waste is checked for hazardous materials, it is expected that some HHW may have been disposed of at the Desert Center Landfill. HHW constitutes approximately 0.5% of the waste that is disposed in the landfills.

2.2.5 Salvaging

The public and employees are prohibited from salvaging at the Desert Center Landfill. Salvaging for recycling materials is not currently practiced at the site.

2.2.6 Site Capacity

The total site acreage is 160 acres. The fill area completed as of October 9, 1993 encompasses approximately 7 acres. Landfilling or refuse burial will not take place outside of the established October 9, 1993 footprint. As indicated in the Joint Technical Document prepared in February 2012, the total capacity of the site was projected to be approximately 58,351 tons.

2.2.7 Controlled Access to the Landfill Site

The landfill entrance is secured with a lockable steel beam gate. Authorized vehicular access to the site from Landfill Road is allowed only during the operating hours. Signs are posted at the entrance warning users that scavenging, open burning, and dumping of toxic chemicals, explosives, or other hazardous materials are prohibited. In addition, adequate natural terrain barriers, such as mounds of rocks, dirt, and drainage channels, provide control against illegal or unauthorized entry.

2.2.8 Litter Control

Wind is the primary cause of litter problems on and around a landfill site. Prevailing wind speed in the landfill region averages 7 mph 85% of the time, exceeding 25 miles per hour only 3% of the time. Litter fences are installed downwind of the working face to help control any wind-blown litter. Additionally, a litter control crew is scheduled to work at the landfill on each of the 2 annual operating days of the landfill to pick up loose litter along the access road, around the active cell, and in the natural area surrounding the landfill. In conclusion, litter control is not problematic at this landfill, given its small size, limited operation hours, and the effective mitigation measures implemented during its operation.

3.0 ENVIRONMENTAL SETTING OF THE LANDFILL SITE

3.1 Site Location

The Desert Center Landfill property is located in unincorporated Riverside County. The site address is 17991 Kaiser Road, Desert Center, CA. This address is located in the E½, SE¼, Section 33, and the W½, SW¼, Section 34, T4S, R15E, SBB&M, at a latitude of 33.80°N and longitude of 115.40°W. The landfill site includes assessor's parcels 807-160-007 and 807-171-003. It is located approximately 4 miles north of the City of Desert Center, with access from Kaiser Road.

3.2 Site Physiography

3.2.1 Existing On-Site Conditions

The Desert Center Landfill site can be described as ±32 acres of disturbed open space with ±128 acres of undisturbed desert land.

3.2.2 Surrounding Land Uses

The prominent land use in the vicinity of the Desert Center Landfill is open space and vacant land.

3.2.3 Land Use Designation

The landfill property falls within the boundaries of the BLM's California Desert Conservation Area Plan, which designates the site as "BLM Moderate". These lands are managed in a controlled balance between higher intensity use and protection. A wide variety of uses, such as mining, livestock grazing, recreation, energy, and utility development are allowed. Any damage caused by permitted uses must be mitigated. The "BLM Moderate" designation does not require an amendment to the conservation plan when it is transferred from the federal government to State or local government. According to the 2003 Riverside County General Plan (General Plan), Figure LU-1, Land Use, the Desert Center Landfill site is designated "Community Development", which allows "Public Facility" uses. A "Public Facility" land use is designated to "provide essential support services to the County. These include airports, landfills, flood control facilities, utilities, schools, and other such facilities."

3.3 Site Geology

3.3.1 Seismic Faulting

No known faults traverse the Desert Center site. The nearest fault is a questionable east-west fault (Quaternary) concealed by the alluvium approximately one quarter of a mile to the south. No evidence of this fault was observed, and the nearest exposure is in the bedrock hills seven to eight miles west of the property. The nearest significant active fault is the San Andreas Fault Zone approximately 32 miles southwest of the landfill. Ground rupture is not likely due to absence of faults on the site.

The landfill site is not located within any Alquist-Priolo Earthquake Fault Zone or any Fault Zones categories, as indicated in Figure S-2, Earthquake Fault Study Zones, of the General Plan.

3.3.2 Liquefaction, Landslide, and Rock Falling

In Figure S-3, Generalized Liquefaction, the Desert Center site is indicated to fall within an area containing susceptible sediments but no groundwater data, and considered to be moderately susceptible to liquefaction. In Figure S-4, Earthquake-Induced Slope Instability Map, part of the Desert Center site is shown to be low to moderately susceptible to earthquake-induced landslide.

3.3.3 Soils

Soil types present on the Desert Center Landfill site consist of Pleistocene nonmarine, Alluvium and Dense Sand, i.e., sands and silty sands derived from the igneous rock in the area. As indicated in Figure S-7, Documented Subsidence Areas, of the General Plan, the site is designated as a "Subsidence Area," indicating a possibility for sudden sinking or gradual downward settling of soil and other surface material with little or no horizontal motion.

3.4 Surface Water & Groundwater Resources

3.4.1 Surface Water

The nearest surface water body to the landfill site is the Colorado River Aqueduct, located approximately 3 miles west. The Colorado River Aqueduct skirts Joshua Tree National Park and flows into Coachella Valley.

The Salton Sea is located more than 40 miles southwest of the landfill. The Desert Center Landfill site is not located within an existing Flood Hazard or Dam Failure Inundation Zone, according to Figures S-9 and S-10 of the General Plan. There are no known wetlands within the landfill property.

3.4.2 On-site Hydrology

Annual precipitation in the Desert Center region averages at 2.5 inches[3]. Water erosion of the landfill surface is generally not a significant issue. It is the Department's goal to prevent water ponding and reduce erosion by both design and site maintenance.

The landfill site is designed to quickly route surface drainage away from the landfill areas. Sheet flow is used to minimize erosion by reducing long reaches of flow using a landfill design with a minimal top deck slope and splitting the flow as much as possible, thus reducing the resultant flow rate and velocity. The intermediate cover of the landfill is graded to drain nuisance sheet flow.

Off-site runoff courses through a natural channel to the north of the landfill. The watershed to the west of the landfill encompasses 21 square miles. The runoff due to a 100-year frequency storm was calculated to peak at 5,250 cfs for a 3-hour storm. The site is nearly covered by braided channels, and sheet flow during above-average rains is likely to inundate much of the site. Off-site run-on drainage enters a natural channel to the north of the landfill and from there is directed around the fill area to prevent contact with the landfill, thereby limiting runoff to that of precipitation occurring within the site boundaries.

3.4.3 Groundwater

The Desert Center Landfill is located within the Chuckwalla Valley Groundwater Basin within the Colorado River Basin. The Chuckwalla Valley Groundwater Basin covers approximately 940 square miles (California Dept of Water Resources, DWR, 2004).

Water-bearing units include Pliocene to Quaternary age continental deposits divided into Quaternary alluvium, the Pinto Formation and the Bouse Formation. The maximum thickness of these deposits is about 1,200 feet, and the average specific yield of the upper 500 feet of unconsolidated sediment is estimated to be 10 percent (DWR 1979). Faults are likely in some parts of the basin; however, no barriers are known to inhibit groundwater flow (DWR 1963; 1979).

The basin is recharged by subsurface inflow from the Pinto Valley and Cadiz Valley Groundwater Basins, and by percolation of runoff from the surrounding mountains and precipitation to the valley floor. Groundwater levels are stable in the basin, with groundwater moving in the northeast direction. Elevation of groundwater underneath the site averages approximately 474 feet MSL, with a depth of 230 to 260 feet, as measured by three onsite monitoring wells.

3.5 Air Quality

3.5.1 Regional Climate and Air Pollution

The Desert Center Landfill is located in the Mojave Desert Air Basin (MDAB). The MDAB is comprised of 21,000 square miles encompassing the eastern portion of Riverside County as well as portions of Los Angeles, Kern and San Bernardino Counties. Desert Center is located in the portion

3. Final SWAT For The Eagle Mountain Landfill, Riverside County, California, by Ron Barto Groundwater Consultants, dated November 1990.

of the MDAB which is under the jurisdiction of the South Coast Air Quality Management District (SCAQMD).

The climate in the MDAB is characterized by heat and dryness. Average monthly temperatures at nearby Eagle Mountain range from over 64°F in January to about 105°F in July. Westerly winds predominate in the general project area. The relative humidity in summer is very low, averaging 30-50% in early morning and 10-20% in the late afternoon. During the hottest part of the day, relative humidity can be below 10%.

3.5.2 Pollution Sources

The nearest urban areas to the Desert Center Landfill are the Cities of Indio and Coachella, located approximately 60 miles to the west, and the City of Blythe, located 50 miles to the east. In between these urban areas is a vast span of desert with scattered agricultural, utilities, mining and residential uses. Therefore, unlike the metropolitan areas of Los Angeles and Western Riverside County, mobile sources are not the primary sources of air pollution in this region. Instead, winds, agricultural tilling, and travel upon unpaved surfaces and inter-basin transport of air pollutants are the major causes of air pollutants in the project region.

3.5.3 Existing Air Quality

Under California standards, the MDAB is a non-attainment area for both Ozone and Particulate Matter smaller than 10 micrometers (PM_{10}), but the basin is an unclassified/attainment area under federal air quality standards for all air pollutants (Desert Center Landfill Repermitting Environmental Assessment No. 37549, 2000). According to the baseline air quality information published by the California Air Resources Board, the state standard for Ozone was exceeded 26 days in 2010 and 2009, and 29 days in 2008 (California Air Resources Board, 2012). Air quality monitoring for Ozone was conducted at the monitoring station in Joshua Tree National Park.

Existing and probable future levels of air quality around the Desert Center Landfill area can be best inferred from ambient air quality measurements conducted by the South Coast Air Quality Management Department (SCAQMD) at the Joshua Tree air quality monitoring station. These two pollutants are the cause of the main air pollution problems in the MDAB.

1. Photochemical smog (ozone) levels continue to exceed standards by a wide margin in most desert communities of the basin. While the magnitude of smog events has varied from year to year, the peak ozone levels have remained fairly constant. Variable weather patterns and continued Riverside County growth have offset air quality improvement in desert communities, but ozone concentrations generally have remained below the first stage smog episode levels of 0.20 parts per million (ppm) as an hourly average.

2. Levels of primary automotive (un-reacted) exhaust such as carbon monoxide and nitrogen oxides do not typically exceed standards because nocturnal drainage off the mountains is clean, and local development is not sufficiently intensive to allow for a significant pollution accumulation. Since CO and NO_X levels in areas of heavier traffic concentration in Palm Springs are low, they are expected to be even lower at Desert Center where the project is located. The margin of safety

between baseline vehicular pollution levels and the applicable standard is thus expected to be relatively large at any receptors near the landfill site.

3. Dust levels periodically exceed the state standard, but only a few measurements in excess of the national particulate standard have been recorded at the closest air monitoring station, located approximately 60 miles northwest at Twentynine Palms. Levels recorded for PM_{10} at Twentynine Palms exceeded state standards on 27 days in 2009. Landfill-related emissions of PM_{10} exceed SCAQMD thresholds but are mitigated below the level of significance through the implementation of watering and maintenance of speed limits at or below 15 mph on the site (Desert Center Landfill Repermitting Environmental Assessment No. 37549, 2000).

4.0 ENVIRONMENTAL COMPLIANCE EVALUATION

4.1 Overview

This section discusses the environmental compliance of the current landfill operation and future closure. The discussion is based on the LEA inspection records and monitoring records of the Department pertaining to the statutory criteria for landfill design and construction, landfill operation, and environmental monitoring.

According to the operational records for the Desert Center Landfill, violations of the State Minimum Standards for Solid Waste Handling and Disposal pertaining to environmental protection and public health & safety were cited by the LEA only once during their monthly inspections over the previous 10 year period. The violation was related to soil erosion that was caused by flash flood generating thunderstorms that occurred in the area in September 2011. This violation will not result in long-term adverse effects on the natural environment and resources and public health and safety. Moreover, the violation is not chronic in nature. The Desert Center Landfill has never been placed on the Inventory of Solid Waste Facilities Which Violate State Minimum Standards (Inventory) by the CalRecycle due to these violations.

4.2 Landfill Operation

4.2.1 Drainage/Erosion/Ponding

Criteria:

- Section 20820 of Title 27, CCR states that:

  (a) The drainage system shall be designed and maintained to:

  (1) ensure integrity of roads, structures, and gas monitoring and control systems;

  (2) prevent safety hazards; and

  (3) prevent exposure of waste.

- Section 20650 of Title 27, CCR, states that:

Covered surfaces of the disposal area shall be graded to promote lateral runoff of precipitation and to prevent ponding. Grades shall be established of sufficient slopes to account for future settlement of the fill surface. Other effective maintenance methods may be allowed by the Enforcement Agency.

Compliance Status:

LEA inspection records show that there are no recurrent drainage and erosion problems associated with the current landfill operation. For this reason, the Desert Center Landfill has never been placed on the Inventory by CalRecycle for violations of the drainage and erosion criteria. Past drainage and erosion problems at the Desert Center Landfill were mainly incidental in nature, and the Department has been responsible in correcting these problems in a timely manner, in compliance with the abatement orders of the regulatory agencies.

Past and Current Erosion Controls:

Due to the dry arid desert climate of the region, surface erosion is not a significant recurrent problem at the landfill site. Therefore, permanent erosion control structures are not in use at the Desert Center Landfill for the current operation. Erosion control is primarily achieved by grading the landfill to provide positive drainage down gentle slopes (3:1) in order to regulate the velocity of rainfall runoff. The intermediate cover of the landfill is graded to prevent water ponding and to reduce erosion by both design and site maintenance. The top deck is graded to generally drain toward a common low point, located in the middle of the north-facing slope. Berms have been installed at the top of embankments to prevent water from sheeting over the top.

Using a combination of berms and graded swales, surface drainage from the seven (7) acre landfill unit is diverted to a natural drainage channel located directly north of the landfill. This natural drainage channel is approximately 500 feet wide and up to 8 feet deep "dry wash" and conveys off-site run-on drainage flows reaching as high as 5,250 cfs from a 100-year, 3-hour storm at the landfill site.

As mentioned before, soil erosion is not a significant problem at the landfill site. The current moderate erosion control measures have proven adequate. In the event of erosion, re-grading of the landfill surface will be performed to correct the problem.

Permanent Erosion Controls:

After the landfill is closed, long-term erosion controls will have to be provided by the Department. The Preliminary Closure and Post-Closure Maintenance Plans for the landfill have evaluated the potential for surface erosion and recommended control measures to ensure long-term protection of the landfill site and surrounding lands from soil erosion.

The proposed grading and on-site drainage improvements for the landfill will be designed to provide positive drainage, while minimizing the potential for erosion. The final contours will be developed so that slopes of at least three percent for the top deck of the landfill are maintained, limiting future maintenance of the site necessitated by settlement. Erosion of the final cover slopes will be prevented by the possible application of greenwaste material and installation of interceptor berms.

Run-off will be collected and directed to a down-drain and conveyed to a natural drainage course. Since the height of the fill will be limited to less than 50 feet, no benches are anticipated for the side slopes.

Post-closure maintenance tasks would include:

- Monitoring of the final cover system for soil erosion and differential settlement.
- Timely implementation of appropriate corrective actions following identification of erosion problems on the final cover system.
- Regular inspections of the landfill cover and a special examination of the cover after any major rain storm in the Desert Center Valley.
- Timely repair of failed slope(s) identified during a special examination of the landfill cover after a major rain storm.
- Regular inspections of the drainage facilities and special examination after any major rain storm or earthquake in the Desert Center Valley.
- Removal of blockages and debris from drainage ditches and downdrains prior to the onset of the raining season.
- Repair of cracks and breaks in the asphalt and concrete drainage structures.

In conclusion, on-site soil erosion due to surface run-off will be controlled and is not expected to produce a significant impact on the integrity of the landfill surface. Post-closure maintenance of the landfill will provide long-term insurance against soil erosion on the landfill site.

4.2.2 Litter Control

Criterion:

- Section 20830 of Title 27, CCR, states that:

  Litter shall be controlled, routinely collected and disposed of properly. Windblown materials shall be controlled to prevent injury to the public and personnel. Controls shall prevent the accumulation, or off-site migration, of litter in quantities that create a nuisance or cause other problems.

Compliance Status:

Given the operating schedule of only two days per year at the Desert Center Landfill, there are little litter control issues.

Long-Term Litter Control:

After closure of the landfill, the Desert Center Landfill continues to pose no litter control issues.

4.2.3 Cover and Vector/Birds

Criteria:

- Section 20680 of Title 27, CCR, states that:

  (a) Except as provided in ¶ (b), and (f) and Section 20690, the owners or operators of all municipal solid waste landfill units shall cover disposed solid waste with a minimum of six inches of compacted earthen material at the end of each operating day, or at more frequent intervals if necessary, to control vectors, fires, odors, blowing litter, and scavenging. For the purposes of this section, the operating day shall be defined as the hours of operation specified in the solid waste facility permit, and may extend for more than 24 hours if operations are continuous.

  (b) The EA, with concurrence by the CIWMB, may grant a temporary waiver from the requirements of (a) if the owner or operator demonstrates that there are extreme seasonal climatic conditions that make meeting such requirements impractical.

  (c) Earthen material or alternative cover materials of alternative thickness shall be placed over all surfaces of disposed solid waste for other than municipal solid waste landfill units, as required by the EA to control vectors, fires, odors, blowing litter, and scavenging without presenting a threat to human health and the environment.

- Section 20810 of Title 27, CCR, states that:

  The operator shall take adequate steps to control or prevent the propagation, harborage or attraction of flies, rodents, or other vectors and to minimize bird problems.

Compliance Status:

Given the operating schedule of only two days per year at the Desert Center Landfill, there are little cover or vector control issues.

Long-term Cover and Vector/Birds Problem:

After closure of the landfill, the Desert Center Landfill will continue to pose no cover or vector control issues.

4.3 Environmental Monitoring

4.3.1 Groundwater Quality

A total of three (3) groundwater monitoring wells were installed on the Desert Center Landfill site in 1990. Please refer to the Groundwater Monitoring Well Locations and Groundwater Contour Map to view the monitoring well locations in relation to the landfill waste. Groundwater monitoring and reporting is completed in accordance with CCR, Title 27, Subchapter 3 and Waste Discharge Requirements and Monitoring and Reporting Program (WDR) Order No. 01-139, which was issued

by the California Regional Water Quality Control Board, Colorado River Basin Region (CRWQCB). Groundwater samples are collected quarterly from all monitoring wells. The groundwater samples are analyzed by a California Department of Public Health certified laboratory to assess the water quality. The results of the quarterly sampling are reported to the CRWQCB on a semi-annual basis.

During the Third Quarter 2000 sampling, volatile organic compounds (VOCs) were detected in all three wells on the Desert Center site. On October 20, 2000, the Department submitted a notice of initial indication of release at the site. The Department performed a retest at the three wells on October 24, 2000 and submitted the results to the CRWQCB on November 13, 2000. The Department performed the required Constituents of Concern (COC) on November 21, 2000 and submitted the laboratory results to CRWQCB on December 12, 2000.

On May 30, 2001, the Department submitted JTD Addendum No. 1, which included an evaluation monitoring program (EMP) workplan, to the CRWQCB. The CRWQCB issued Cleanup and Abatement Order (CAO) No. 01-104 on June 6, 2001. As mandated in the CAO, the Department had previously submitted the EMP workplan to the CRWQCB, including specific actions to be taken to delineate the contaminant plume, if any, and provide data for outlining a Corrective Action Program (CAP). As required in the EMP workplan, the Department sent the findings of the EMP to the CRWQCB on December 31, 2002 for review and approval. On February 2, 2003, the Department submitted an updated Engineering Feasibility Study to the CRWQCB. On August 4, 2003, the Department submitted a progress report to the CRWQCB detailing the progress made regarding compliance and remediation efforts at the site as a result of CAO No. 01-104. The Department submitted final recommendations for establishing a CAP at the site to the CRWQCB on December 16, 2003, as required by CAO 01-104. On June 30, 2004, the Department submitted a progress report, which detailed the progress made regarding compliance and remediation efforts at the site since the August 4, 2003 progress report. In a letter dated July 9, 2004, the CRWQCB concurred with the Department's recommendation of monitored natural attenuation and continued groundwater and gas probe monitoring as the most appropriate and cost-effective correction action measure for the site. As specified in the CRWQCB letter and WDR No. 01-139, the Department has continued to submit the groundwater and gas data to the CRWQCB in the Semi-Annual Groundwater and General Site Monitoring Reports.

The most recently reported groundwater quality data, from Fourth Quarter 2011, continues to indicate that select VOCs are detected at low levels in the groundwater monitoring wells. The detected VOC concentrations are less than applicable California drinking water standards, referred to as maximum contaminant levels. The VOC concentrations are stable or have a decreasing concentration trend.

Long-Term Groundwater Quality Protection:

If the landfill should be closed in-place, a final cover will be constructed for protection of the landfill from infiltration of precipitation. However, the same cover will increase the trapping of landfill gas within the landfill, thus causing more landfill gas to migrate downward to the groundwater. Consequently, the potential for greater groundwater contamination by the landfill gas may increase. The following mitigation measures are necessary:

- The Department will continue the current quarterly groundwater monitoring program. Although regular groundwater quality monitoring testing is not a mitigation measure, it is a means to alert the operator of the development of an impact or verify the results of a corrective action program to remedy groundwater contamination. Groundwater monitoring and reporting procedures will continue to be completed in accordance with CCR, Title 27, Chapter 3 and WDR No. 01-139.

4.3.2 Air Quality

The generation of landfill gases (mainly methane gas) from the decomposition of buried organic matter is one of the ongoing environmental concerns of a landfill. Landfill gases generated from within a landfill can migrate both upward to the surface and laterally to the surrounding areas of the landfill, and eventually escape into the atmosphere. Migrating methane gas exceeding the State standard of 5% of volume of the Lower Esxplosive Limit or the surface emission limit of 500 parts per million may adversely impact public health and safety. In addition, 40 CFR 257.8(a)(1) and 27 CCR Article 6, Section 20909.5(a)(1) require the owners or operators to ensure that the concentration of methane gas generated by the facility does not exceed 25 percent (1.25 ppm) of the lower explosive limit for methane in facility structures.

The Desert Center Landfill received SCAQMD Rule 1150.1 Compliance Plan exemptions in 1989 and 1998. SCAQMD Rule 1150.1 Compliance Plan was submitted to SCAQMD on May 1, 2011 in response to the April 1, 2011 revised Rule 1150.1 regulations. The 2011 submitted Compliance Plan included essentially the same exemptions granted in the 1989 and 1998 Compliance Plans. The SCAQMD allows for the implementation of the existing exemptions until the 2011 submitted Compliance Plan is reviewed by them, at which time the SCAQMD will make a final determination of the exemptions. While the landfill is not required by SCAQMD to install a landfill gas collection and disposal system, the Department is required to perform monitoring of landfill gas (LFG). Four types of LFG monitoring are conducted: Annual Instantaneous Surface Monitoring (ISM), Quarterly gas migration sampling, Annual Integrated Surface Sampling (ISS), and Annual Ambient Air Sampling (AAS).

Instantaneous surface monitoring measures methane emissions at the surface of the landfill using an organic vapor analyzer. The surface of the landfill is traversed in a predetermined pattern, with the traverse lines approximately 250 feet apart. Methane emissions are measured from up to 3 inches above the ground surface at intervals up to 250 feet, and from any breaches in the landfill cover such as shrinkage cracks and erosion channels. Readings over 25 ppm are flagged for action, and the site operator is notified of remedial measures taken.

Gas migration sampling evaluates the subsurface migration of gas by measuring methane and oxygen in eight probes in four bore holes around the landfill. Probes are monitored for total organic carbon, which is measured as methane, and for oxygen concentrations. Probes with methane concentrations measured at 5% by volume or greater are sampled for laboratory analysis. Probe samples are analyzed for Rule 1150.1 Core Group compounds (excluding Hydrogen Sulphide). Integrated surface sampling (ISS) and ambient air sampling (AAS) are required annually by the 1150.1 Compliance Plan.

Fugitive dust emission and equipment exhaust emissions during the 2 annual operating days are considered insignificant.

In the 2011 Quarterly Rule 1150.1 Monitoring Reports, ISM, ISS, AAS, and gas migration sampling was conducted. Results from the testing indicated levels were below Rule 1150.1 thresholds.

4.3.3 Landfill Leachate

No leachate is expected to be handled at this site, and no leachate control system is proposed or in place. The formation of leachate is affected by many factors, namely, the arid climate, diversion of run-on drainage around the landfill, regulation of on-site drainage, and placement of daily and intermediate landfill covers of compacted dirt. Should leachate be identified as a potential problem in the future, the Department would work with the CRWQCB to design a reasonable and practical solution to treating and disposing the leachate. Three groundwater monitoring wells have been constructed at the site. Quarterly monitoring of the groundwater monitoring wells is currently performed to assist in the detection of contamination. Additionally, Department staff conducts monthly visual site inspections for signs of leachate and submits their findings to the CRWQCB.

5.0 FINDINGS AND CONCLUSION

5.1 Findings

1. The Desert Center Landfill site is a federal property administered by the Bureau of Land Management and currently leased to Riverside County for use as a Class III Sanitary Landfill. Riverside County Waste Management Department is the operator of the landfill. The landfill is currently opened to the public only 2 times a year.

2. Only non-hazardous municipal solid waste is permitted to be disposed of at the landfill. A Hazardous Waste Inspection Program is in place to prevent or minimize inadvertent disposal of household hazardous waste commingled with the refuse by means of random inspection of waste loads prior to burial.

3. The landfill site is located in a remote, arid desert region of the Chuckwalla Valley in Riverside County.

4. The landfill is not near any major surface water bodies, flood plain, or dam inundation area. Therefore, the landfill operation is not anticipated to pose a significant threat to surface water quality.

5. Existing air quality in the region occasionally exceeds the State standards for fugitive dust/PM_{10}. However, the Desert Center Landfill does not contribute to these air quality problems, due to its severely limited schedule of operation.

6. Depth of groundwater underneath the site ranges from as shallow as 230 feet to 260 feet. A leachate problem has not been attributed to the Desert Center Landfill. Although the landfill has not been found to produce leachate, groundwater contamination in the landfill's vicinity has been identified.

7. The Colorado Regional Water Quality Control Board has concurred and permitted that monitored natural attenuation and continued groundwater and gas probe monitoring are the most appropriate and cost-effective correction action measure for the landfill's groundwater issue. As a result, the Department is required to submit groundwater and gas data to the CRWQCB in Semi-Annual Groundwater and General Site Monitoring Reports.

8. Odors have never been a problem of the Desert Center Landfill.

9. Review of past operational records show that the current landfill operation has been cited for violating the State Minimum Standards only once during the previous ten year period. This violation was related to erosion control and was not considered a chronic problem caused by the design and/or operation of the landfill. The Department notified the LEA about this issue and immediately corrected the problem. The Desert Center Landfill has never been placed on the Inventory of Solid Waste Facilities Which Violate State Minimum Standards by CalRecycle.

10. The landfill site contains no wetlands or sensitive habitats and other sensitive biological resources; however, the desert tortoise (*Gopherus agassizii*) is known to be present. The Department will continue to implement the following mitigation measures for desert tortoise:

    - Confinement of landfilling operations to currently active and disturbed portions of the landfill;
    - Intermediate cover to help control raven populations;
    - Posting of "No Tresspass" signs on the perimeter of the landfill property;
    - Speed limit signs and signs depicting desert tortoise; and
    - Desert tortoise awareness training for all landfill employees

5.2 Conclusion

Based on this Land Transfer Audit, it can be concluded that neither the operation of the Desert Center Landfill nor the closure of the landfill would produce or result in hazardous conditions that would prevent the conveyance or patent of the 32-acre landfill area from the federal government to the Riverside County Waste Management Department and the return of the remainder 128-acre property to the federal government.

6.0 BUREAU OF LAND MANAGEMENT RECOMMENDATION

It is the recommendation of John Kalish, Field Manager for the Palm Springs-South Coast Field Office, of the Bureau of Land Management of the Department of Interior of the United States, that subject 32-acre property be patented to the Riverside County Waste Management Department as soon as possible.

Application for Land for Recreation or Public Purposes - Purchase

Form 2740-1
(January 2013)

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

APPLICATION FOR LAND FOR RECREATION OR PUBLIC PURPOSES

(Act of June 14, 1926, as amended; 43 U.S.C. 869; 869-4)

FORM APPROVED
OMB NO. 1004-0012
Expires: December 31, 2015

Date	Serial Number (BLM use only)
3/8/16	

Home phone *(include area code)*: N/A

1a. Applicant's name	b. Address *(include zip code)*	Business phone *(include area code)*
Riverside County Department of Waste Resources	**14310 Frederick Street, Moreno Valley, 92553**	**951-486-3200**

2. Give legal description of lands applied for *(include metes and bounds description, if necessary)*

SUBDIVISION	SECTION	TOWNSHIP	RANGE	MERIDIAN
E1/2 SE 1/4	**33**	**4S**	**15E**	**San Bernardino**
W1/2 SW 1/4	**34**	**4S**	**15E**	**San Bernardino**

County of **Riverside** | State of **California** | Containing *(acres)* **160**

3a. This application is for: Lease **X** Purchase *(If lease, indicate year)*

b. Proposed use is Public Recreation **X** Other Public Purposes

4. Describe the proposed use of the land. The description must specifically identify an established or definitely proposed project. Attach a detailed plan and schedule for development, a management plan which includes a description of how any revenues will be used, and any known environmental or cultural concerns specific to the land.

The land has been used as a landfill since 1975. The site is currently open to the public two days per year for free disposal of self-haul refuse from local residents; therefore, no revenue is generated from the landfill operation. For information on site history, operation, and environmental/cultural topics, please see the attached Desert Center Landfill-Land Transfer Audit Report (Report).

5. If applicant is State or Political subdivision thereof, cite your statutory or other authority to hold land for these purposes.

Riverside County (County) is organized as a General Law County under the provision of the California Government Code Title 3 commencing with 23000. The Riverside County Department of Waste Resources, a County Department, is responsible for the protection of the general public health and welfare by efficient management of Riverside County's solid waste system.

6. Attach a copy of your authority for filing this application and to perform all acts incident thereto.

7. If land described in this application has not been classified for recreation and/or public purposes pursuant to the Recreation and Public Purposes Act, consider this application as a petition for such classification.

(Continued on page 2)

8. Are all activities, facilities, services, financial aid, or other benefits as a result of your proposed development provided without regard to race, color, religion, national origin, sex, or age? X Yes No *(If "no," describe the situation or activity and your plans for achieving compliance.)*

9. Are all activities, facilities, and services constructed or provided as a result of your proposed development accessible to and usable by persons with disabilities? X Yes No *(If "no," describe the situation or activity and the reasons for nonaccessibility).*

Applicant's Signature	Date

Title 18 U.S.C. Section 1001 and Title 43 U.S.C. Section 1212, make it a crime for any person knowingly and willfully to make to any department or agency of the United States any false, fictitious, or fraudulent statements or representation as to any matter within its jurisdiction.

GENERAL INSTRUCTIONS

1. Type or print plainly in ink.
2. Submit application and related plans to the BLM District or Resource Area Office in which the land is located.
3. Study controlling regulations in 43 CFR 2740 *(Sales)* and 43 CFR 2912 *(Leases).*
4. If applicant is non-governmental association or corporation, attach a copy of your charter, articles of incorporation or other creating authority. If this information has been previously filed with any BLM office, refer to previous filing by date, place, and case serial number.
5. If applicant is non-governmental association or corporation, attach a copy of your authority to operate in the State where the lands applied for are located. If previously filed with any BLM office, refer to previous filing by date, place, and case serial number.

SPECIFIC INSTRUCTIONS

(Items not listed are self-explanatory)

Item

2. If land is surveyed, give complete legal description. If land is unsurveyed, description should be by metes and bounds connected, if feasible, by course and distance with a corner of public land survey. If possible, approximate legal subdivisions of unsurveyed lands should be stated. Acreage applied for must not exceed that specified by regulations.

3a. Generally, title to lands will not be granted upon initial approval of an application. In order to assure proper development or use plans, the general practice will be to issue a lease or lease with option to purchase after development is essentially completed. In any case, term of lease may not exceed 20 years for non-profit organizations or 25 years for governmental agencies, instrumentalities or political subdivisions.

4. Leases and patents under this act are conditioned upon continuing public enjoyment of the purposes for which the land is classified. The plan of development, use, and maintenance must show, at a minimum:

   a. A need for proposed development by citing population trends, shortage of facilities in area, etc.

   b. That the land will benefit an existing or definitely proposed public project authorized by proper authority.

   c. Type and general location of all proposed improvements, including public access *(roads, trails, etc.).* This showing may take the form of inventory lists, maps, plats, drawings, or blueprints in any combination available and necessary to describe the finished project. Site designs should be provided for intensive use sites and general information about improvements existing or planned on lands within the overall project.

   d. An estimate of the construction costs, how the proposed project will be financed, including a list of financial sources, and an estimated timetable for actual construction of all improvements and facilities.

   e. A plan of management to include operating rules, proposed source and disposition of revenues arising from the proposed operation, personnel requirements, etc.

   f. A specific maintenance plan to include, for example, sewage and garbage disposal, road maintenance, upkeep and repair of grounds and physical facilities, etc.

   g. Applications for solid waste disposal sites must comply with guidelines established by the Environmental Protection Agency (40 CFR 258) and must include a detailed physical description of the site including a map, description of ground water situation, soil characteristics and management plan.

6. This may consist of a copy of a delegation of authority, resolution or other evidence of authority from the governing board of the applicant's organization, copy of the by-laws of the organization, or the like.

(Continued page 3)

NOTICES

The Privacy Act of 1974 and the regulation in 43 CFR 2.48 (d) require that you be furnished the following information in connection with information required by this application.
AUTHORITY: 43 U.S.C. 869 et seq.; 43 CFR Part 2740
PRINCIPAL PURPOSE: The information is to be used to process your application.
ROUTINE USES: In accordance with the System of Records titled, "Land and Minerals Authorization Tracking System—Interior, LLM-32," disclosure outside the Department of the Interior may be made: (1) To appropriate Federal agencies when concurrence or supporting information is required prior to granting or acquiring a right or interest in lands or resources, (2) To Federal, State, or local agencies or a member of the general public in response to a specific request for pertinent information, (3) To the U.S. Department of Justice or in a proceeding before a court or adjudicative body when (a) the United States, the Department of the Interior, a component of the Department, or when represented by the government, an employee of the Department is a party to litigation or anticipated litigation or has an interest in such litigation, and (b) the Department of the Interior determines that the disclosure is relevant or necessary to the litigation and is compatible with the purpose for which the records were compiled, (4) To an appropriate Federal, State, local, or foreign agency responsible for investigating, prosecuting, enforcing, or implementing a statute, regulation, rule, or order, where the disclosing agency becomes aware of an indication of a violation or potential violation of civil or criminal law or regulation, (5) To a member of Congress or a Congressional staff member from the record of an individual in response to an inquiry made at the request of that individual, (6) To the Department of the Treasury to effect payment to Federal, State, and local government agencies, nongovernmental organizations, and individuals, and (7) To individuals involved in responding to a breach of Federal data. The BLM will only disclose this information in accordance with the Freedom of Information Act, the Privacy Act, and the provision in 43 CFR 2.56(c).

The Paperwork Reduction Act of 1995 requires us to inform you that:
BLM collects this information to process your request for Federal lands under the provisions of June 14, 1926 (43 U.S.C. 869 as amended), Recreation and Public Purposes Act.
Information will be used to illustrate whether the applicant meets requirements of regulations found in 43 CFR Subpart 2740.
BLM would like you to know that you do not have to respond to this or any other Federal agency-sponsored information collection unless it displays a currently valid OMB control number.
EFFECT OF NOT PROVIDING INFORMATION: Disclosure of the information is necessary for processing of the application. If all the information is not provided, the application may result in delay or preclude the BLM's acceptance of your form.

BURDEN HOURS STATEMENT: Public reporting burden for this form is estimated at 40 hours per response, including the time for reviewing instructions, gathering, and maintaining data and completing and reviewing the form. Direct comments regarding the burden estimate or any other aspect of this form to the U.S. Department of the Interior, Bureau of Land Management (1004-0012), Bureau Information Collection Clearance Officer (WO-630), 1849 C Street, N.W., Mail Stop 401 LS, Washington, D.C. 20240.

DESERT CENTER LANDFILL

LAND TRANSFER AUDIT

By

Bureau of Land Management
And
Riverside County Waste Management Department

April 2012

Doc#28147v5

EXECUTIVE SUMMARY

The Desert Center Landfill began operation subsequent to a Waste Discharge Requirement (Order 75-65) issued by the Colorado Regional Water Quality Control Board (CRWQCB) in November 1975[1]. The landfill is operated as a non-hazardous sanitary landfill (Class III Municipal Solid Waste Landfill) on a land lease from the Bureau of Land Management (BLM), dated April 1, 1975, in accordance with the Recreation & Public Purposes (R&PP) Act. From the start, the landfill has been leased and operated by the County of Riverside, and the current landfill operator is the Riverside County Waste Management Department (Department).

The Desert Center Landfill property on lease occupies approximately 160 acres. The Landfill is expected to terminate operation by the end of 2087, and thereafter, it will be subject to closure, in accordance with the requirements of Subtitle D of the Code of Federal Regulations (CFR) and Titles 27 of the California Code of Regulations (CCR)[2].

It has been determined that the landfill properly received, handled, and disposed of municipal solid waste over the last 3 decades of operation. The LTA concludes that the current operation of the landfill will not result in hazardous conditions that would prevent the conveyance of the property to the Riverside County Waste Management Department.

1 Final SWAT Report for the Eagle Mountain Landfill, Riverside County, California by Ron Barto Groundwater Consultants, dated November 1990.

2 Desert Center Sanitary Landfill Preliminary Closure Plan, February 2012.

1.0 INTRODUCTION

The Desert Center Landfill property is owned by the United States Department of Interior, Bureau of Land Management (BLM) and currently operated by the Riverside County Waste Management Department (Department) under conditions of patent issued by the U.S. Secretary of the Interior. The purpose of the Land Transfer Audit is to determine whether or not the Desert Center Landfill has been in compliance with applicable Federal and State regulations for consideration of a transfer of property ownership from the BLM to the Department.

The Desert Center Landfill is located north of the town of Desert Center at 17991 Kaiser Road (refer to Figure 1, VICINITY MAP). The site is located in the East ½ Southeast ¼ Section 33, and the West ½ Southwest ¼ Section 34, Township 4 South, Range 15 East, San Bernardino Base & Meridian.

The Desert Center Landfill property encompasses approximately160 acres of land leased from and administered by the BLM under the Recreation and Public Purposes (R&PP) Act. The landfill-related activities encompass 20 acres, of which 7 acres are used for refuse burial (refer to Figure 2, SITE MAP). The landfill is expected to be closed in-place in ***2087***. Financial assurances for closure of the landfill have been established through Resolution No. 90-493, approved by the Riverside County Board of Supervisors on August 20, 1990, which establishes an escrow account in a separate enterprise fund. Financial assurances for post-closure maintenance of the County landfills have been established through Resolution No. 94-8, approved by the Riverside County Board of Supervisors on September 21, 1994.

In accordance with 43 Code of Federal Regulation (CFR), Part 2743, R&PP Act, a Land Transfer Audit (LTA) is required for the application for a transfer of ownership or patent of the landfill property. The LTA will investigate the Desert Center Landfill property to decide whether hazardous substances exist on the site. If the investigation reveals that the current landfill has resulted in hazardous conditions that may threaten human health and the environment, the BLM may not convey the property ownership to the Department. Therefore, the purpose of this LTA is to determine the Desert Center Landfill operation's degree of compliance with applicable federal and state regulations. The LTA is based on the review of available records for the landfill operation at the Department and the Local Enforcement Agency (LEA) of the Riverside County Environmental Health Department.

2.0 LANDFILL HISTORY

2.1 History of Owners, Lessees, and Landfill Operators

In the early 1970's, the County of Riverside (County), in response to serving the disposal needs of the Desert Center community and the pending 1975 closure of the old Eagle Mountain Landfill, filed an R&PP lease application for a proposed landfill on the Desert Center property. On April 1, 1975, the BLM issued a 20 year R&PP lease to the County to use its property in Desert Center, in portions of Sections 33 and 34, T4S, R15E, SBM, as a sanitary landfill. The R&PP lease expired in March 1995, and a new lease (BLM serial no. S-5340) was issued on May 25, 1995 for continued use of the property as a sanitary landfill.

The Desert Center Landfill is permitted by the LEA, with concurrence of the California Department of Resources Recycling and Recovery (CalRecycle), as a Class III sanitary landfill under Solid Waste Facility Permit (SWFP) No. 33-AA-0016. The Waste Discharge Requirements (Order 75-65) for the landfill was issued by CRWQCB in November 1975, and the landfill became fully operational in 1976. From the opening of the landfill to 1986, operation of the Desert Center Landfill was overseen by the Waste Management Division of the Riverside County Roads Department. In 1986, the Riverside County Waste Management Department (Department) was formed and became fully responsible of the landfill operations. In July 1994, the Riverside County Waste Resources Management District (District) was formed to replace the Department. In 1998, the District was dissolved, once again becoming the Riverside County Waste Management Department. The Department is currently pursuing the acquisition of the Desert Center Landfill property.

2.2 History of Site Operations

2.2.1 Landfill Classifications and Permitted Waste Types

In 1975, the Desert Center Landfill was initially classified by the State of California as a Class II-2 Sanitary Landfill. Under this classification, the landfill was permitted to accept non-hazardous solid waste, which included all putrescible and non-putrescible solids, semi-solid, and liquid wastes, including garbage, trash, refuse, paper, rubbish, ashes, demolition and construction waste, industrial wastes, abandoned vehicles and parts thereof, manure, vegetable or animal solid and semi-solid wastes, and septic and grease wastes. The landfill was fully operational in 1976 with closure of the old Eagle Mountain landfill.

The Desert Center landfill was reclassified as a Class III Sanitary Landfill in 1984, under the revised Subchapter 15 of Title 23 of the California Code of Regulation (CCR). Currently received at the site are residential, mixed municipal, agricultural, and construction/demolition waste, small amounts of dead animals (with prior notification), and empty pesticide containers that are triple-rinsed and punctured prior to disposal. No hazardous or designated wastes are allowed for disposal at the site.

Special waste, such as dead animals and contaminated soils at acceptable levels, may be accepted at the landfill. Notification by animal control officers is required prior to delivery of dead animals. Acceptance of special waste is considered on a case-by-case basis and is subject to prior approval by the Colorado Region Water Quality Control Board (CRWQCB) and the LEA. If accepted, special waste is normally separately handled and buried from the regular refuse.

2.2.2 Method of Landfill Operation

The "Area Method of Landfilling" is used at the Desert Center Landfill, whereby refuse is confined in an active face and compacted in layers into a daily cell, a collection of which is then combined into progressing terraces (lifts), until the grades defined by the site grading plan are established. A refuse cell is required by federal and State law to be covered with a minimum of six (6) inches of soil, or an approved alternative cover, on a daily basis, while a developing terrace is required to have its permanent slopes covered with twelve (12) inches of soil, or an approve alternative material, to form an intermediate cover for the landfill unit.

Until July 3, 1997, the Desert Center Landfill was unmanned and opened to the public 24 hours a day, seven days a week. Prior to this time, aerial flight analysis estimated that the site received approximately 7 tons of refuse per day. After July 3, 1997, the site was manned and equipped with a mobile fee booth, a gate, and a scale. Also, portions of the landfill were fenced to prevent illegal vehicular access to the site. Operation hours were established, initially, from 8:00 a.m. to 4:30 p.m., on Thursdays and Saturdays. The site operation schedule was changed again on July 25, 1998, reducing operations to one day per week, on Thursdays, from 8:00 a.m. to 4:30 p.m. On April 10, 2001, the Riverside County Board of Supervisors approved a further reduction of operation hours of the Desert Center Landfill, beginning July 1, 2001. To date, the site is opened to the public two days per year for free disposal of self-haul bulky wastes from the area. The two annual days of operation are the first Thursday of February and the first Thursday of August.

2.2.3 Solid Waste Handling

Incoming waste loads are identified by refuse type at the gate located at the entrance of the landfill. Haulers are directed to the working face by use of properly placed traffic control signs, where unloading of the waste occurs. After unloading is completed, the equipment operator blends waste into the fill face with a dozer. Special waste, such as, dead animals, are buried immediately in a separate area.

2.2.4 Hazardous Waste Handling

Hazardous waste has never been permitted at the Desert Center Landfill. However, household hazardous waste (HHW) may be inadvertently mixed with the refuse and brought to the landfill. A load checking program has been implemented at the Desert Center Landfill since 1991 to allow for hazardous waste to be screened out prior to landfilling.

Hazardous Waste Inspection Program (Formerly, Load Checking Program)

The Hazardous Waste Inspection Program has the following objectives:

- To minimize or eliminate hazardous and other prohibited waste received at the landfill.
- To identify hazardous waste, including HHW and other prohibited waste, and require generators or haulers of the waste to assume responsibility for its proper disposal.
- To properly manage identified hazardous waste, whose generators or haulers cannot be identified.
- To increase the awareness of the landfill users and the public on the proper disposal of hazardous waste, Universal Waste, and special handling waste.

Waste inspection is performed on both annual operating days at the Desert Center Landfill. Standard waste inspection procedures consist of initial screening of waste loads at the fee collection booth area, where the gate-fee personnel visually inspect un-compacted and uncovered loads. If any prohibited waste is observed by the gate-fee personnel, the vehicle will be denied entry. On the working face of the landfill, trained equipment operators and traffic directors (Landfill Safety Monitors) visually monitor the waste being unloaded for hazardous waste and other prohibited waste. If hazardous waste or other prohibited waste is identified, these materials are returned to the hauler.

Hazardous Waste Inspectors, trained in accordance with the requirements of CCR, Title 27, §20610 and 20870 (a) 3, perform more in-depth inspection of randomly selected waste loads by sifting through the waste materials carefully to detect commingled prohibited waste. Any hazardous waste or other prohibited waste identified is returned to the hauler. Residents are provided with information on the County's HHW collection programs for proper disposal of HHW. All waste loads rejected containing hazardous waste or other prohibited waste, are documented on inspection forms with the following information:

- Type of the hazardous waste
- Amount of the hazardous waste
- Name of the hauler who brought in the hazardous waste
- Name of the generator of the hazardous waste
- Date, time and the landfill site, at which the rejection occurred

Hazardous waste that is identified after the hauler has left the landfill site is transported to the Central Accumulation Facility (CAF) at the Lamb Canyon Landfill on the same day it is recovered during load checking at Desert Center. Extremely hazardous wastes identified after the haulers are gone are handled by the Department's contracted hazardous materials hauler under the guidance of the Hazardous Materials Branch of the County Environmental Health Department.

Since a load checking program for hazardous waste at the Desert Center Landfill was not in place prior to 1991, and since not every load of waste is checked for hazardous materials, it is expected that some HHW may have been disposed of at the Desert Center Landfill. HHW constitutes approximately 0.5% of the waste that is disposed in the landfills.

2.2.5 Salvaging

The public and employees are prohibited from salvaging at the Desert Center Landfill. Salvaging for recycling materials is not currently practiced at the site.

2.2.6 Site Capacity

The total site acreage is 160 acres. The fill area completed as of October 9, 1993 encompasses approximately 7 acres. Landfilling or refuse burial will not take place outside of the established October 9, 1993 footprint. As indicated in the Joint Technical Document prepared in February 2012, the total capacity of the site was projected to be approximately 58,351 tons.

2.2.7 Controlled Access to the Landfill Site

The landfill entrance is secured with a lockable steel beam gate. Authorized vehicular access to the site from Landfill Road is allowed only during the operating hours. Signs are posted at the entrance warning users that scavenging, open burning, and dumping of toxic chemicals, explosives, or other hazardous materials are prohibited. In addition, adequate natural terrain barriers, such as mounds of rocks, dirt, and drainage channels, provide control against illegal or unauthorized entry.

2.2.8 Litter Control

Wind is the primary cause of litter problems on and around a landfill site. Prevailing wind speed in the landfill region averages 7 mph 85% of the time, exceeding 25 miles per hour only 3% of the time. Litter fences are installed downwind of the working face to help control any wind-blown litter. Additionally, a litter control crew is scheduled to work at the landfill on each of the 2 annual operating days of the landfill to pick up loose litter along the access road, around the active cell, and in the natural area surrounding the landfill. In conclusion, litter control is not problematic at this landfill, given its small size, limited operation hours, and the effective mitigation measures implemented during its operation.

3.0 ENVIRONMENTAL SETTING OF THE LANDFILL SITE

3.1 Site Location

The Desert Center Landfill property is located in unincorporated Riverside County. The site address is 17991 Kaiser Road, Desert Center, CA. This address is located in the E½, SE¼, Section 33, and the W½, SW¼, Section 34, T4S, R15E, SBB&M, at a latitude of 33.80°N and longitude of 115.40°W. The landfill site includes assessor's parcels 807-160-007 and 807-171-003. It is located approximately 4 miles north of the City of Desert Center, with access from Kaiser Road.

3.2 Site Physiography

3.2.1 Existing On-Site Conditions

The Desert Center Landfill site can be described as ±32 acres of disturbed open space with ±128 acres of undisturbed desert land.

3.2.2 Surrounding Land Uses

The prominent land use in the vicinity of the Desert Center Landfill is open space and vacant land.

3.2.3 Land Use Designation

The landfill property falls within the boundaries of the BLM's California Desert Conservation Area Plan, which designates the site as "BLM Moderate". These lands are managed in a controlled balance between higher intensity use and protection. A wide variety of uses, such as mining, livestock grazing, recreation, energy, and utility development are allowed. Any damage caused by permitted uses must be mitigated. The "BLM Moderate" designation does not require an amendment to the conservation plan when it is transferred from the federal government to State or local government. According to the 2003 Riverside County General Plan (General Plan), Figure LU-1, Land Use, the Desert Center Landfill site is designated "Community Development", which allows "Public Facility" uses. A "Public Facility" land use is designated to "provide essential support services to the County. These include airports, landfills, flood control facilities, utilities, schools, and other such facilities."

3.3 Site Geology

3.3.1 Seismic Faulting

No known faults traverse the Desert Center site. The nearest fault is a questionable east-west fault (Quaternary) concealed by the alluvium approximately one quarter of a mile to the south. No evidence of this fault was observed, and the nearest exposure is in the bedrock hills seven to eight miles west of the property. The nearest significant active fault is the San Andreas Fault Zone approximately 32 miles southwest of the landfill. Ground rupture is not likely due to absence of faults on the site.

The landfill site is not located within any Alquist-Priolo Earthquake Fault Zone or any Fault Zones categories, as indicated in Figure S-2, Earthquake Fault Study Zones, of the General Plan.

3.3.2 Liquefaction, Landslide, and Rock Falling

In Figure S-3, Generalized Liquefaction, the Desert Center site is indicated to fall within an area containing susceptible sediments but no groundwater data, and considered to be moderately susceptible to liquefaction. In Figure S-4, Earthquake-Induced Slope Instability Map, part of the Desert Center site is shown to be low to moderately susceptible to earthquake-induced landslide.

3.3.3 Soils

Soil types present on the Desert Center Landfill site consist of Pleistocene nonmarine, Alluvium and Dense Sand, i.e., sands and silty sands derived from the igneous rock in the area. As indicated in Figure S-7, Documented Subsidence Areas, of the General Plan, the site is designated as a "Subsidence Area," indicating a possibility for sudden sinking or gradual downward settling of soil and other surface material with little or no horizontal motion.

3.4 Surface Water & Groundwater Resources

3.4.1 Surface Water

The nearest surface water body to the landfill site is the Colorado River Aqueduct, located approximately 3 miles west. The Colorado River Aqueduct skirts Joshua Tree National Park and flows into Coachella Valley.

The Salton Sea is located more than 40 miles southwest of the landfill. The Desert Center Landfill site is not located within an existing Flood Hazard or Dam Failure Inundation Zone, according to Figures S-9 and S-10 of the General Plan. There are no known wetlands within the landfill property.

3.4.2 On-site Hydrology

Annual precipitation in the Desert Center region averages at 2.5 inches[3]. Water erosion of the landfill surface is generally not a significant issue. It is the Department's goal to prevent water ponding and reduce erosion by both design and site maintenance.

The landfill site is designed to quickly route surface drainage away from the landfill areas. Sheet flow is used to minimize erosion by reducing long reaches of flow using a landfill design with a minimal top deck slope and splitting the flow as much as possible, thus reducing the resultant flow rate and velocity. The intermediate cover of the landfill is graded to drain nuisance sheet flow.

Off-site runoff courses through a natural channel to the north of the landfill. The watershed to the west of the landfill encompasses 21 square miles. The runoff due to a 100-year frequency storm was calculated to peak at 5,250 cfs for a 3-hour storm. The site is nearly covered by braided channels, and sheet flow during above-average rains is likely to inundate much of the site. Off-site run-on drainage enters a natural channel to the north of the landfill and from there is directed around the fill area to prevent contact with the landfill, thereby limiting runoff to that of precipitation occurring within the site boundaries.

3.4.3 Groundwater

The Desert Center Landfill is located within the Chuckwalla Valley Groundwater Basin within the Colorado River Basin. The Chuckwalla Valley Groundwater Basin covers approximately 940 square miles (California Dept of Water Resources, DWR, 2004).

Water-bearing units include Pliocene to Quaternary age continental deposits divided into Quaternary alluvium, the Pinto Formation and the Bouse Formation. The maximum thickness of these deposits is about 1,200 feet, and the average specific yield of the upper 500 feet of unconsolidated sediment is estimated to be 10 percent (DWR 1979). Faults are likely in some parts of the basin; however, no barriers are known to inhibit groundwater flow (DWR 1963; 1979).

The basin is recharged by subsurface inflow from the Pinto Valley and Cadiz Valley Groundwater Basins, and by percolation of runoff from the surrounding mountains and precipitation to the valley floor. Groundwater levels are stable in the basin, with groundwater moving in the northeast direction. Elevation of groundwater underneath the site averages approximately 474 feet MSL, with a depth of 230 to 260 feet, as measured by three onsite monitoring wells.

3.5 Air Quality

3.5.1 Regional Climate and Air Pollution

The Desert Center Landfill is located in the Mojave Desert Air Basin (MDAB). The MDAB is comprised of 21,000 square miles encompassing the eastern portion of Riverside County as well as portions of Los Angeles, Kern and San Bernardino Counties. Desert Center is located in the portion

3. Final SWAT For The Eagle Mountain Landfill, Riverside County, California, by Ron Barto Groundwater Consultants, dated November 1990.

of the MDAB which is under the jurisdiction of the South Coast Air Quality Management District (SCAQMD).

The climate in the MDAB is characterized by heat and dryness. Average monthly temperatures at nearby Eagle Mountain range from over 64°F in January to about 105°F in July. Westerly winds predominate in the general project area. The relative humidity in summer is very low, averaging 30-50% in early morning and 10-20% in the late afternoon. During the hottest part of the day, relative humidity can be below 10%.

3.5.2 Pollution Sources

The nearest urban areas to the Desert Center Landfill are the Cities of Indio and Coachella, located approximately 60 miles to the west, and the City of Blythe, located 50 miles to the east. In between these urban areas is a vast span of desert with scattered agricultural, utilities, mining and residential uses. Therefore, unlike the metropolitan areas of Los Angeles and Western Riverside County, mobile sources are not the primary sources of air pollution in this region. Instead, winds, agricultural tilling, and travel upon unpaved surfaces and inter-basin transport of air pollutants are the major causes of air pollutants in the project region.

3.5.3 Existing Air Quality

Under California standards, the MDAB is a non-attainment area for both Ozone and Particulate Matter smaller than 10 micrometers (PM_{10}), but the basin is an unclassified/attainment area under federal air quality standards for all air pollutants (Desert Center Landfill Repermitting Environmental Assessment No. 37549, 2000). According to the baseline air quality information published by the California Air Resources Board, the state standard for Ozone was exceeded 26 days in 2010 and 2009, and 29 days in 2008 (California Air Resources Board, 2012). Air quality monitoring for Ozone was conducted at the monitoring station in Joshua Tree National Park.

Existing and probable future levels of air quality around the Desert Center Landfill area can be best inferred from ambient air quality measurements conducted by the South Coast Air Quality Management Department (SCAQMD) at the Joshua Tree air quality monitoring station. These two pollutants are the cause of the main air pollution problems in the MDAB.

1. Photochemical smog (ozone) levels continue to exceed standards by a wide margin in most desert communities of the basin. While the magnitude of smog events has varied from year to year, the peak ozone levels have remained fairly constant. Variable weather patterns and continued Riverside County growth have offset air quality improvement in desert communities, but ozone concentrations generally have remained below the first stage smog episode levels of 0.20 parts per million (ppm) as an hourly average.

2. Levels of primary automotive (un-reacted) exhaust such as carbon monoxide and nitrogen oxides do not typically exceed standards because nocturnal drainage off the mountains is clean, and local development is not sufficiently intensive to allow for a significant pollution accumulation. Since CO and NO_X levels in areas of heavier traffic concentration in Palm Springs are low, they are expected to be even lower at Desert Center where the project is located. The margin of safety

between baseline vehicular pollution levels and the applicable standard is thus expected to be relatively large at any receptors near the landfill site.

3. Dust levels periodically exceed the state standard, but only a few measurements in excess of the national particulate standard have been recorded at the closest air monitoring station, located approximately 60 miles northwest at Twentynine Palms. Levels recorded for PM_{10} at Twentynine Palms exceeded state standards on 27 days in 2009. Landfill-related emissions of PM_{10} exceed SCAQMD thresholds but are mitigated below the level of significance through the implementation of watering and maintenance of speed limits at or below 15 mph on the site (Desert Center Landfill Repermitting Environmental Assessment No. 37549, 2000).

4.0 ENVIRONMENTAL COMPLIANCE EVALUATION

4.1 Overview

This section discusses the environmental compliance of the current landfill operation and future closure. The discussion is based on the LEA inspection records and monitoring records of the Department pertaining to the statutory criteria for landfill design and construction, landfill operation, and environmental monitoring.

According to the operational records for the Desert Center Landfill, violations of the State Minimum Standards for Solid Waste Handling and Disposal pertaining to environmental protection and public health & safety were cited by the LEA only once during their monthly inspections over the previous 10 year period. The violation was related to soil erosion that was caused by flash flood generating thunderstorms that occurred in the area in September 2011. This violation will not result in long-term adverse effects on the natural environment and resources and public health and safety. Moreover, the violation is not chronic in nature. The Desert Center Landfill has never been placed on the Inventory of Solid Waste Facilities Which Violate State Minimum Standards (Inventory) by the CalRecycle due to these violations.

4.2 Landfill Operation

4.2.1 Drainage/Erosion/Ponding

Criteria:

- Section 20820 of Title 27, CCR states that:

  (a) The drainage system shall be designed and maintained to:

  (1) ensure integrity of roads, structures, and gas monitoring and control systems;

  (2) prevent safety hazards; and

  (3) prevent exposure of waste.

- Section 20650 of Title 27, CCR, states that:

Covered surfaces of the disposal area shall be graded to promote lateral runoff of precipitation and to prevent ponding. Grades shall be established of sufficient slopes to account for future settlement of the fill surface. Other effective maintenance methods may be allowed by the Enforcement Agency.

Compliance Status:

LEA inspection records show that there are no recurrent drainage and erosion problems associated with the current landfill operation. For this reason, the Desert Center Landfill has never been placed on the Inventory by CalRecycle for violations of the drainage and erosion criteria. Past drainage and erosion problems at the Desert Center Landfill were mainly incidental in nature, and the Department has been responsible in correcting these problems in a timely manner, in compliance with the abatement orders of the regulatory agencies.

Past and Current Erosion Controls:

Due to the dry arid desert climate of the region, surface erosion is not a significant recurrent problem at the landfill site. Therefore, permanent erosion control structures are not in use at the Desert Center Landfill for the current operation. Erosion control is primarily achieved by grading the landfill to provide positive drainage down gentle slopes (3:1) in order to regulate the velocity of rainfall runoff. The intermediate cover of the landfill is graded to prevent water ponding and to reduce erosion by both design and site maintenance. The top deck is graded to generally drain toward a common low point, located in the middle of the north-facing slope. Berms have been installed at the top of embankments to prevent water from sheeting over the top.

Using a combination of berms and graded swales, surface drainage from the seven (7) acre landfill unit is diverted to a natural drainage channel located directly north of the landfill. This natural drainage channel is approximately 500 feet wide and up to 8 feet deep "dry wash" and conveys off-site run-on drainage flows reaching as high as 5,250 cfs from a 100-year, 3-hour storm at the landfill site.

As mentioned before, soil erosion is not a significant problem at the landfill site. The current moderate erosion control measures have proven adequate. In the event of erosion, re-grading of the landfill surface will be performed to correct the problem.

Permanent Erosion Controls:

After the landfill is closed, long-term erosion controls will have to be provided by the Department. The Preliminary Closure and Post-Closure Maintenance Plans for the landfill have evaluated the potential for surface erosion and recommended control measures to ensure long-term protection of the landfill site and surrounding lands from soil erosion.

The proposed grading and on-site drainage improvements for the landfill will be designed to provide positive drainage, while minimizing the potential for erosion. The final contours will be developed so that slopes of at least three percent for the top deck of the landfill are maintained, limiting future maintenance of the site necessitated by settlement. Erosion of the final cover slopes will be prevented by the possible application of greenwaste material and installation of interceptor berms.

Run-off will be collected and directed to a down-drain and conveyed to a natural drainage course. Since the height of the fill will be limited to less than 50 feet, no benches are anticipated for the side slopes.

Post-closure maintenance tasks would include:

- Monitoring of the final cover system for soil erosion and differential settlement.
- Timely implementation of appropriate corrective actions following identification of erosion problems on the final cover system.
- Regular inspections of the landfill cover and a special examination of the cover after any major rain storm in the Desert Center Valley.
- Timely repair of failed slope(s) identified during a special examination of the landfill cover after a major rain storm.
- Regular inspections of the drainage facilities and special examination after any major rain storm or earthquake in the Desert Center Valley.
- Removal of blockages and debris from drainage ditches and downdrains prior to the onset of the raining season.
- Repair of cracks and breaks in the asphalt and concrete drainage structures.

In conclusion, on-site soil erosion due to surface run-off will be controlled and is not expected to produce a significant impact on the integrity of the landfill surface. Post-closure maintenance of the landfill will provide long-term insurance against soil erosion on the landfill site.

4.2.2 Litter Control

Criterion:

- Section 20830 of Title 27, CCR, states that:

  Litter shall be controlled, routinely collected and disposed of properly. Windblown materials shall be controlled to prevent injury to the public and personnel. Controls shall prevent the accumulation, or off-site migration, of litter in quantities that create a nuisance or cause other problems.

Compliance Status:

Given the operating schedule of only two days per year at the Desert Center Landfill, there are little litter control issues.

Long-Term Litter Control:

After closure of the landfill, the Desert Center Landfill continues to pose no litter control issues.

4.2.3 Cover and Vector/Birds

Criteria:

- Section 20680 of Title 27, CCR, states that:

  (a) Except as provided in ¶ (b), and (f) and Section 20690, the owners or operators of all municipal solid waste landfill units shall cover disposed solid waste with a minimum of six inches of compacted earthen material at the end of each operating day, or at more frequent intervals if necessary, to control vectors, fires, odors, blowing litter, and scavenging. For the purposes of this section, the operating day shall be defined as the hours of operation specified in the solid waste facility permit, and may extend for more than 24 hours if operations are continuous.

  (b) The EA, with concurrence by the CIWMB, may grant a temporary waiver from the requirements of (a) if the owner or operator demonstrates that there are extreme seasonal climatic conditions that make meeting such requirements impractical.

  (c) Earthen material or alternative cover materials of alternative thickness shall be placed over all surfaces of disposed solid waste for other than municipal solid waste landfill units, as required by the EA to control vectors, fires, odors, blowing litter, and scavenging without presenting a threat to human health and the environment.

- Section 20810 of Title 27, CCR, states that:

  The operator shall take adequate steps to control or prevent the propagation, harborage or attraction of flies, rodents, or other vectors and to minimize bird problems.

Compliance Status:

Given the operating schedule of only two days per year at the Desert Center Landfill, there are little cover or vector control issues.

Long-term Cover and Vector/Birds Problem:

After closure of the landfill, the Desert Center Landfill will continue to pose no cover or vector control issues.

4.3 Environmental Monitoring

4.3.1 Groundwater Quality

A total of three (3) groundwater monitoring wells were installed on the Desert Center Landfill site in 1990. Please refer to the Groundwater Monitoring Well Locations and Groundwater Contour Map to view the monitoring well locations in relation to the landfill waste. Groundwater monitoring and reporting is completed in accordance with CCR, Title 27, Subchapter 3 and Waste Discharge Requirements and Monitoring and Reporting Program (WDR) Order No. 01-139, which was issued

by the California Regional Water Quality Control Board, Colorado River Basin Region (CRWQCB). Groundwater samples are collected quarterly from all monitoring wells. The groundwater samples are analyzed by a California Department of Public Health certified laboratory to assess the water quality. The results of the quarterly sampling are reported to the CRWQCB on a semi-annual basis.

During the Third Quarter 2000 sampling, volatile organic compounds (VOCs) were detected in all three wells on the Desert Center site. On October 20, 2000, the Department submitted a notice of initial indication of release at the site. The Department performed a retest at the three wells on October 24, 2000 and submitted the results to the CRWQCB on November 13, 2000. The Department performed the required Constituents of Concern (COC) on November 21, 2000 and submitted the laboratory results to CRWQCB on December 12, 2000.

On May 30, 2001, the Department submitted JTD Addendum No. 1, which included an evaluation monitoring program (EMP) workplan, to the CRWQCB. The CRWQCB issued Cleanup and Abatement Order (CAO) No. 01-104 on June 6, 2001. As mandated in the CAO, the Department had previously submitted the EMP workplan to the CRWQCB, including specific actions to be taken to delineate the contaminant plume, if any, and provide data for outlining a Corrective Action Program (CAP). As required in the EMP workplan, the Department sent the findings of the EMP to the CRWQCB on December 31, 2002 for review and approval. On February 2, 2003, the Department submitted an updated Engineering Feasibility Study to the CRWQCB. On August 4, 2003, the Department submitted a progress report to the CRWQCB detailing the progress made regarding compliance and remediation efforts at the site as a result of CAO No. 01-104. The Department submitted final recommendations for establishing a CAP at the site to the CRWQCB on December 16, 2003, as required by CAO 01-104. On June 30, 2004, the Department submitted a progress report, which detailed the progress made regarding compliance and remediation efforts at the site since the August 4, 2003 progress report. In a letter dated July 9, 2004, the CRWQCB concurred with the Department's recommendation of monitored natural attenuation and continued groundwater and gas probe monitoring as the most appropriate and cost-effective correction action measure for the site. As specified in the CRWQCB letter and WDR No. 01-139, the Department has continued to submit the groundwater and gas data to the CRWQCB in the Semi-Annual Groundwater and General Site Monitoring Reports.

The most recently reported groundwater quality data, from Fourth Quarter 2011, continues to indicate that select VOCs are detected at low levels in the groundwater monitoring wells. The detected VOC concentrations are less than applicable California drinking water standards, referred to as maximum contaminant levels. The VOC concentrations are stable or have a decreasing concentration trend.

Long-Term Groundwater Quality Protection:

If the landfill should be closed in-place, a final cover will be constructed for protection of the landfill from infiltration of precipitation. However, the same cover will increase the trapping of landfill gas within the landfill, thus causing more landfill gas to migrate downward to the groundwater. Consequently, the potential for greater groundwater contamination by the landfill gas may increase. The following mitigation measures are necessary:

- The Department will continue the current quarterly groundwater monitoring program. Although regular groundwater quality monitoring testing is not a mitigation measure, it is a means to alert the operator of the development of an impact or verify the results of a corrective action program to remedy groundwater contamination. Groundwater monitoring and reporting procedures will continue to be completed in accordance with CCR, Title 27, Chapter 3 and WDR No. 01-139.

4.3.2 Air Quality

The generation of landfill gases (mainly methane gas) from the decomposition of buried organic matter is one of the ongoing environmental concerns of a landfill. Landfill gases generated from within a landfill can migrate both upward to the surface and laterally to the surrounding areas of the landfill, and eventually escape into the atmosphere. Migrating methane gas exceeding the State standard of 5% of volume of the Lower Esxplosive Limit or the surface emission limit of 500 parts per million may adversely impact public health and safety. In addition, 40 CFR 257.8(a)(1) and 27 CCR Article 6, Section 20909.5(a)(1) require the owners or operators to ensure that the concentration of methane gas generated by the facility does not exceed 25 percent (1.25 ppm) of the lower explosive limit for methane in facility structures.

The Desert Center Landfill received SCAQMD Rule 1150.1 Compliance Plan exemptions in 1989 and 1998. SCAQMD Rule 1150.1 Compliance Plan was submitted to SCAQMD on May 1, 2011 in response to the April 1, 2011 revised Rule 1150.1 regulations. The 2011 submitted Compliance Plan included essentially the same exemptions granted in the 1989 and 1998 Compliance Plans. The SCAQMD allows for the implementation of the existing exemptions until the 2011 submitted Compliance Plan is reviewed by them, at which time the SCAQMD will make a final determination of the exemptions. While the landfill is not required by SCAQMD to install a landfill gas collection and disposal system, the Department is required to perform monitoring of landfill gas (LFG). Four types of LFG monitoring are conducted: Annual Instantaneous Surface Monitoring (ISM), Quarterly gas migration sampling, Annual Integrated Surface Sampling (ISS), and Annual Ambient Air Sampling (AAS).

Instantaneous surface monitoring measures methane emissions at the surface of the landfill using an organic vapor analyzer. The surface of the landfill is traversed in a predetermined pattern, with the traverse lines approximately 250 feet apart. Methane emissions are measured from up to 3 inches above the ground surface at intervals up to 250 feet, and from any breaches in the landfill cover such as shrinkage cracks and erosion channels. Readings over 25 ppm are flagged for action, and the site operator is notified of remedial measures taken.

Gas migration sampling evaluates the subsurface migration of gas by measuring methane and oxygen in eight probes in four bore holes around the landfill. Probes are monitored for total organic carbon, which is measured as methane, and for oxygen concentrations. Probes with methane concentrations measured at 5% by volume or greater are sampled for laboratory analysis. Probe samples are analyzed for Rule 1150.1 Core Group compounds (excluding Hydrogen Sulphide). Integrated surface sampling (ISS) and ambient air sampling (AAS) are required annually by the 1150.1 Compliance Plan.

Fugitive dust emission and equipment exhaust emissions during the 2 annual operating days are considered insignificant.

In the 2011 Quarterly Rule 1150.1 Monitoring Reports, ISM, ISS, AAS, and gas migration sampling was conducted. Results from the testing indicated levels were below Rule 1150.1 thresholds.

4.3.3 Landfill Leachate

No leachate is expected to be handled at this site, and no leachate control system is proposed or in place. The formation of leachate is affected by many factors, namely, the arid climate, diversion of run-on drainage around the landfill, regulation of on-site drainage, and placement of daily and intermediate landfill covers of compacted dirt. Should leachate be identified as a potential problem in the future, the Department would work with the CRWQCB to design a reasonable and practical solution to treating and disposing the leachate. Three groundwater monitoring wells have been constructed at the site. Quarterly monitoring of the groundwater monitoring wells is currently performed to assist in the detection of contamination. Additionally, Department staff conducts monthly visual site inspections for signs of leachate and submits their findings to the CRWQCB.

5.0 FINDINGS AND CONCLUSION

5.1 Findings

1. The Desert Center Landfill site is a federal property administered by the Bureau of Land Management and currently leased to Riverside County for use as a Class III Sanitary Landfill. Riverside County Waste Management Department is the operator of the landfill. The landfill is currently opened to the public only 2 times a year.

2. Only non-hazardous municipal solid waste is permitted to be disposed of at the landfill. A Hazardous Waste Inspection Program is in place to prevent or minimize inadvertent disposal of household hazardous waste commingled with the refuse by means of random inspection of waste loads prior to burial.

3. The landfill site is located in a remote, arid desert region of the Chuckwalla Valley in Riverside County.

4. The landfill is not near any major surface water bodies, flood plain, or dam inundation area. Therefore, the landfill operation is not anticipated to pose a significant threat to surface water quality.

5. Existing air quality in the region occasionally exceeds the State standards for fugitive dust/PM_{10}. However, the Desert Center Landfill does not contribute to these air quality problems, due to its severely limited schedule of operation.

6. Depth of groundwater underneath the site ranges from as shallow as 230 feet to 260 feet. A leachate problem has not been attributed to the Desert Center Landfill. Although the landfill has not been found to produce leachate, groundwater contamination in the landfill's vicinity has been identified.

7. The Colorado Regional Water Quality Control Board has concurred and permitted that monitored natural attenuation and continued groundwater and gas probe monitoring are the most appropriate and cost-effective correction action measure for the landfill's groundwater issue. As a result, the Department is required to submit groundwater and gas data to the CRWQCB in Semi-Annual Groundwater and General Site Monitoring Reports.

8. Odors have never been a problem of the Desert Center Landfill.

9. Review of past operational records show that the current landfill operation has been cited for violating the State Minimum Standards only once during the previous ten year period. This violation was related to erosion control and was not considered a chronic problem caused by the design and/or operation of the landfill. The Department notified the LEA about this issue and immediately corrected the problem. The Desert Center Landfill has never been placed on the Inventory of Solid Waste Facilities Which Violate State Minimum Standards by CalRecycle.

10. The landfill site contains no wetlands or sensitive habitats and other sensitive biological resources; however, the desert tortoise (*Gopherus agassizii*) is known to be present. The Department will continue to implement the following mitigation measures for desert tortoise:

    - Confinement of landfilling operations to currently active and disturbed portions of the landfill;
    - Intermediate cover to help control raven populations;
    - Posting of "No Tresspass" signs on the perimeter of the landfill property;
    - Speed limit signs and signs depicting desert tortoise; and
    - Desert tortoise awareness training for all landfill employees

5.2 Conclusion

Based on this Land Transfer Audit, it can be concluded that neither the operation of the Desert Center Landfill nor the closure of the landfill would produce or result in hazardous conditions that would prevent the conveyance or patent of the 32-acre landfill area from the federal government to the Riverside County Waste Management Department and the return of the remainder 128-acre property to the federal government.

6.0 BUREAU OF LAND MANAGEMENT RECOMMENDATION

It is the recommendation of John Kalish, Field Manager for the Palm Springs-South Coast Field Office, of the Bureau of Land Management of the Department of Interior of the United States, that subject 32-acre property be patented to the Riverside County Waste Management Department as soon as possible.

Land Lease Agreement

Form 2912-1
(May 2001)

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

Serial Number

RECREATION OR PUBLIC PURPOSES LEASE

Act of June 14,1926, as amended (43 U.S.C. 869 *et. seq.*)

This lease entered into on this day of , 20 , by the United States of America, the lessor, through the authorized officer of the Bureau of Land Management, and

, hereinafter called the lessee, pursuant and subject to the terms and provisions of the Recreation and Public Purposes Act and to all reasonable regulations of the Secretary of the Interior now or hereafter in force when not inconsistent with any express and specific provisions herein, which are made a part hereof,

WITNESSETH:

Sec. 1. The lessor, in consideration of the rents to be paid and the conditions to be observed as hereinafter set forth, does hereby grant and lease to the lessee the right and privilege of using for the purposes hereinafter set forth in the following-described lands:

containing acres, together with the right to construct and maintain thereon all buildings or other improvements necessary for such use for a period of years, the rental to be $ per annum. If, at the expiration date of the lease the authorized officer shall determine that the lease may be renewed, the lessee herein will be accorded the privilege of renewal upon such terms as may be fixed by the lessor. The lessee may use the premises for

Sec. 2. There are reserved to the United States all mineral deposits in said lands, together with the right to mine and remove the same under applicable laws and regulations to be established by the Secretary of the Interior.

Sec. 3. The lessor reserves the right of entry, or use, by

(a) any authorized person, upon the leased area and into the buildings constructed thereon for the purpose of inspection;

(b) Federal agents and game wardens upon the leased area on official business;

(c) the United States, its permittees and licensees, to mine and remove the mineral deposits referred to in Sec. 2, above.

Sec. 4. In consideration of the foregoing, the lessee hereby agrees:

(a) To improve and manage the leased area in accordance with the plan of development and management designated as

and approved by an authorized officer on
or any modification thereof hereinafter approved by an authorized officer, and to maintain all improvements, during the term of this lease, in a reasonably good state of repair.

(b) To pay the lessor the annual rental above set forth in advance during the continuance of this lease.

(Continued on page 2)

(c) Not to allow the use of the lands for unlawful purposes or for any purpose not specified in this lease unless consented to under its terms: not to prohibit or restrict, directly or indirectly, or permit its agents, employees, contractors *(including, without limitation, lessees, sublessees, and permittees),* to prohibit or restrict the use of any part of the leased premises or any of the facilities thereon by any person because of such person's race, creed, color, sex, or national origin.

(d) Not to assign this lease or to change the use of the land without first receiving the consent of the authorized officer of the Bureau of Land Management.

(e) That this lease may be terminated after due notice to the lessee upon a finding by the authorized officer that the lessee had failed to comply with the terms of the lease; or has failed to use the leased lands for the purposes specified in this lease for a period of consecutive years; or that all or part of the lands is being devoted to some other use not consented to by the authorized officer; or that the lessee has not complied with his development and management plans referred to in subsection 4(a).

(f) That upon the termination of this lease by expiration, surrender, or cancellation thereof, the lessee, shall surrender possession of the premises to the United States in good condition and shall comply with such provisions and conditions respecting the removal of the improvements of and equipment on the property as may be made by an authorized officer.

(g) To take such reasonable steps as may be needed to protect the surface of the leased area and the natural resources and improvements thereon.

(h) Not to cut timber on the leased area without prior permission of, or in violation of the provisions and conditions made by an authorized officer.

(i) That nothing contained in this lease shall restrict the acquisition, granting, or use of permits or rights-of-way under existing laws by an authorized Federal officer.

Sec. 5. *Equal Opportunity Clause.* Lessee will comply with all provisions of Executive Order No. 11246 of September 24, 1965, as amended, and the rules, regulations, and relevant orders of the Secretary of Labor. Neither lessee nor lessee's subcontractors shall maintain segregated facilities.

Sec. 6. *Equal Access Clause.* Lessee shall comply with all provisions of the American Disabilities Act of July 26, 1990 the Architectural Barriers Act of 1968 and Section 504 of the Rehabilitation Act of 1973, as amended. These Acts require that programs and public facilities constructed or renovated he accessible to and usable by persons with disabilitics.

Sec. 7. The lessee may surrender this lease or any part thereof by filing a written relinquishment in the appropriate BLM office. The relinquishment shall be subject to the payment of all accrued rentals and to the continued obligation of the lessee to place the lands in condition for relinquishment in accordance with the applicable lease terms in subsections 4(f) and 4(g) and the appropriate regulations.

Sec. 8. The lessee further agrees to comply with and be bound by those additional terms and conditions identified as

and which are made a part hereof.

Sec. 9. No Member of, or Delegate to, the Congress, or Resident Commissioner, after his election or appointment, and either before or after he has qualified, and during his continuance in office, and no officer, agent, or employee of the Department of the Interior, except as otherwise provided in 43 CFR, Part 7, shall be admitted to any share or part of this lease, or derive any benefit that may arise there from, and the provisions of Title 18 U.S.C. Sections 431—433, relating to contracts, enter into and form a part of this lease, so far as the same may be applicable.

FOR EXECUTION BY LESSEE

IN WITNESS WHEREOF:

(Signature of Lessee's Authorized Officer)

(Signature of Witness)

(Date)

THE UNITED STATES OF AMERICA

By _____
(Authorized Officer)

(Title)

(Date)

This form does not constitute an information collection as defined by 44 U.S.C. 3502 and therefore does not require OMB approval.

FORM APPROVED COUNTY COUNSEL
BY: Synthia M Gunzel 2-24-16
SYNTHIA M. GUNZEL DATE