

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



ITEM
12.1
(ID # 5186)

MEETING DATE:

Tuesday, September 19, 2017

FROM : DEPARTMENT OF WASTE RESOURCES:

SUBJECT: DEPARTMENT OF WASTE RESOURCES: Adopt Resolution No. 2017-195, considering Addendum No.2 to the Previously Certified Initial Study/Mitigated Negative Declaration (SCH#2008121005) for the Lamb Canyon Landfill Solid Waste Facility Permit Revision Project, District 5. [\$0 - Department of Waste Resources Enterprise Funds]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Adopt Resolution No. 2017-195, considering Addendum No. 2 to the previously certified Initial Study/Mitigated Negative Declaration (IS/MND) (SCH# 2008121005) for the Lamb Canyon Landfill Solid Waste Facility Permit (SWFP) Revision Project, based on the findings incorporated in Addendum No. 2 concluding that the proposed modification to the SWFP, as identified in Joint Technical Document (JTD) No. 20, does not cause new significant environmental impacts or increase the severity of previously identified impacts in the IS/MND; and
2. Direct the Department of Waste Resources to file the attached Notice of Determination (NOD) with the County Clerk for posting within five days of approval by the Board.

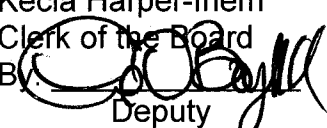
ACTION:


Hans Kemkamp, General Manager - Chief Engineer 9/5/2017

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Jeffries, Tavaglione, Washington, Perez and Ashley
Nays: None
Absent: None
Date: September 19, 2017
xc: Waste

Kecia Harper-Ihem
Clerk of the Board
B. 
Deputy

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

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$0	\$0	\$0	\$0
NET COUNTY COST	\$0	\$0	\$0	\$0
SOURCE OF FUNDS: Waste Resources Enterprise Funds			Budget Adjustment:	No
			For Fiscal Year:	17/18

C.E.O. RECOMMENDATION:

BACKGROUND:

Summary

The Lamb Canyon Landfill is an active and fully permitted Class III municipal solid waste facility, owned and operated by the Riverside County Department of Waste Resources (RCDWR). The landfill has been in operation since 1970 and operates under SWFP No. 33-AA-0007. The operation of the landfill is detailed in a Joint Technical Document (JTD). The RCDWR proposes to modify the landfill's SWFP to allow for the following operational and design changes, as identified in JTD No. 20: 1) increase the size of the total permitted disturbance area from the current 580.5 acres to 703.4 acres; 2) implement several drainage and access improvements throughout the site; 3) relocate the existing pilot composting operations; and 4) implement additional bird abatement control measures.

Solid Waste Facility Permits (SWFPs) are issued by local solid waste enforcement agencies (LEAs), with concurrence from the California Department of Resources, Recycling, and Recovery (CalRecycle). LEAs have the responsibility of enforcing State regulations related to solid waste. In Riverside County, the LEA is represented by the County Department of Environmental Health.

California Environmental Quality Act (CEQA)

Compliance with CEQA is required as part of the LEA review process for changes to SWFPs. As such, the RCDWR prepared Addendum No.2 (attached) to the previously certified IS/MND for the Lamb Canyon Landfill SWFP Revision Project. County Counsel reviewed the Addendum and concurred with RCDWRs determination that the proposed project would not result in new significant environmental effects or in a substantial increase in the severity of significant effects previously identified in the adopted IS/MND; therefore, an addendum is the appropriate CEQA document pursuant to State CEQA Guidelines section 15164.

Impact on Residents and Businesses

The proposed Project, which includes increasing the permitted disturbance acreage, would allow access to remote areas of the landfill's property for the purpose of continued maintenance, investigative field studies, biological surveys etc., as well as improve drainage facilities, and include alternative bird abatement measures to deter birds at the landfill. The Project would not result in new or increased environmental impacts and there is no increase in costs for residents and businesses associated with implementation of the proposed Project.

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Contract History and Price Reasonableness

Not Applicable

ATTACHMENTS:

Attachment A Resolution No. 2017-195

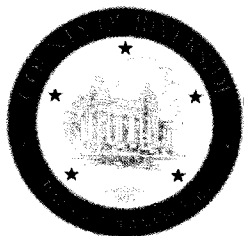
Attachment B Addendum No. 2 for EA/MND No. 39652

Attachment C Prior Board Approvals for EA/MND No. 39652

Attachment D Notice of Determination



Gregory V. Priarios, Director County Counsel 9/6/2017



MEMORANDUM

RIVERSIDE COUNTY COUNSEL

CONFIDENTIAL
ATTORNEY-CLIENT PRIVILEGE

DATE: September 6, 2017
TO: April Boydd, Deputy Clerk of the Board
FROM: Aaron C. Gettis, Deputy County Counsel
RE: MinuteTrak item #5186

Attached are the original signature documents signed by counsel for MinuteTrak item #5186.

Please let me know if you need anything else.

If you have any questions regarding this submission, you can call Stacey Kelley at #50211.

Thanks.

ACG:sk

Attachments

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3 **RESOLUTION NO. 2017-195**

4 **CONSIDERING ADDENDUM NO. 2 TO THE PREVIOUSLY CERTIFIED INITIAL**
5 **STUDY/MITIGATED NEGATIVE DECLARATION (IS/MND) (SCH#2008121005) FOR**
6 **THE LAMB CANYON LANDFILL SOLID WASTE FACILITY PERMIT REVISION**
7 **PROJECT**

8 **WHEREAS**, on March 17, 2009, the County of Riverside ("County"), as the lead
9 agency, adopted an IS/MND (SCH No. 2008121005) for the Lamb Canyon Landfill Solid Waste
10 Facility Permit ("SWFP") Revision Project in accordance with the California Environmental
11 Quality Act (Pub. Res. Code, § 21000 et seq. ["CEQA"]), and the implementing CEQA
12 Guidelines (14 Cal. Code Regs., § 15000 et seq.); and

13 **WHEREAS**, IS/MND (SCH No. 2008121005) for the Lamb Canyon Landfill Solid
14 Waste Facility Permit Revision Project described the current landfill operations as identified in
15 the Joint Technical Document ("JTD"), and evaluated: the final closure of the Phase I portion of
16 the landfill, increased diversion activities within the Waste Recycle Park (WRP), increased
17 maximum daily disposal capacity from 3,000 to 5,000 tons per day (tpd), enlarge the area
18 permitted for active landfill operations from 353.4 to 580.5 acres, and other operational and
19 administrative changes; and

20 **WHEREAS**, the Lamb Canyon Landfill operation is described in the JTD, and permitted
21 under SWFP 33-AA-0007, issued by the local solid waste enforcement agency (LEA), with
22 concurrence from the California Department of Resources, Recycling, and Recovery
23 (CalRecycle); and

24 **WHEREAS**, the Riverside County Department of Waste Resources ("RCDWR")
25 proposes to modify the SWFP and JTD for the Lamb Canyon landfill operation to allow for the
26 following minor technical operational and design changes: 1) increase the size of the total
27 permitted disturbance area from the current 580.5 acres to 703.4 acres; 2) implement several
28 drainage and access improvements throughout the site, including concrete drainage structures

FORM APPROVED COUNTY COUNSEL
BY:  9-6-17
DATE

1 and sedimentation basins; 3) relocate the existing food waste composting operation to a
2 disturbed/graded area within the landfill property; and 4) implement additional bird abatement
3 control measures as alternative methods to control/deter birds from the landfill's working face.

4 **WHEREAS**, pursuant to California Code of Regulations, Title 14 ("State CEQA
5 Guidelines"), Section 15164(a), a lead agency shall prepare an addendum to a previously
6 certified MND if some changes or additions are necessary to a project, but none of the conditions
7 described in State CEQA Guidelines section 15162 calling for the preparation of a subsequent
8 EIR, or negative declaration have occurred; and

9 **WHEREAS**, all the procedures of the California Environmental Quality Act ("CEQA")
10 and the Riverside County CEQA implementing procedures have been satisfied and Addendum
11 No. 2 is sufficiently detailed so that all the potentially significant effects of the Project have been
12 evaluated in accordance with CEQA and the County's implementing procedures; and

13 **WHEREAS**, in accordance with State CEQA Guidelines section 15164(c), addenda are
14 not circulated for public review; and

15 **WHEREAS**, the Riverside County Board of Supervisors fully considered IS/MND "EA
16 No. 39652" and Addendum No. 2 prior to making a decision on the Project; and

17 **BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED** by the Board of
18 Supervisors of the County of Riverside, in regular session assembled on September 19, 2017,
19 that:

20 A. The above recitations are true and constitute findings of the Board of Supervisors
21 with respect to the Project, Project changes, and Addendum No. 2.

22 B. The proposed changes to the JTD and SWFP are within the scope and nature of
23 the previously approved Project and therefore do not trigger further environmental
24 review; and

25 **BE IT FURTHER RESOLVED** by the Board of Supervisors that:

26 1. A subsequent Negative Declaration is not required under CEQA because all
27 potential new or more severe significant effects of the Project: (a) have been
28 adequately analyzed in the previously certified IS/MND for the Lamb Canyon

1 Landfill SWFP Revision Project (SCH No. 2008121005), as supplemented by the
2 Addendum No. 2 prepared in connection with the proposed Project, pursuant to
3 applicable legal standards; and (b) have been avoided or mitigated to the extent
4 feasible pursuant to the mitigation measures referenced in the certified IS/MND
5 for the Lamb Canyon Landfill SWFP Revision Project (SCH No. 2008121005).

- 6 2. On March 17, 2009, the Riverside County Board of Supervisors certified the
7 adequacy and completeness of IS/MND for the Lamb Canyon Landfill SWFP
8 Revision Project with its approval of the SWFP Revision Project.
- 9 3. The proposed Project reflects minor technical design and operational changes to
10 the project previously analyzed in IS/MND for the Lamb Canyon Landfill SWFP
11 Revision Project (SCH No. 2008121005), and is not deemed to be a separate
12 project under the California Environmental Quality Act.
- 13 4. The proposed Project does not constitute a substantial change to the operation of
14 the Lamb Canyon Landfill, which would require major revisions of IS/MND for
15 the Lamb Canyon Landfill SWFP Revision Project, due to the involvement of
16 new significant environmental effects or a substantial increase in the severity of
17 previously identified significant effects.
- 18 5. No substantial changes have occurred with respect to the circumstances under
19 which the Project will be undertaken which will require major modifications or
20 revisions of IS/MND for the Lamb Canyon Landfill SWFP Revision Project, due
21 to the involvement of new significant environmental effects or a substantial
22 increase in the severity of previously identified significant effects.
- 23 6. No new information of substantial importance which was not known and could
24 not have been known with the exercise of reasonable diligence at the time the
25 IS/MND for the Lamb Canyon Landfill SWFP Revision Project was certified as
26 complete, has become available which shows any of the following:
 - 27 (A) The Project will have one or more significant effects not discussed in
28 IS/MND for the Lamb Canyon Landfill SWFP Revision Project;

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- (B) Significant effects previously examined will be substantially more severe than shown in IS/MND for the Lamb Canyon Landfill SWFP Revision Project;
- (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measures or alternatives; or
- (D) Mitigation measures or alternatives which are considerably different from those analyzed in the IS/MND for the Lamb Canyon Landfill SWFP Revision Project would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measures or alternatives.

7. Based upon these findings, the Board of Supervisors hereby accepts the findings of Addendum No. 2 and determines that no subsequent or supplemental negative declaration is required or appropriate under Public Resources Code section 21166 and State CEQA Guidelines sections 15162, and therefore that Addendum No. 2 is appropriate under section 15164 in order to update the IS/MND for the Lamb Canyon Landfill SWFP Revision Project.

8. These factual findings are based upon the IS/MND for the Lamb Canyon Landfill SWFP Revision Project, Addendum No. 2, and the files and records maintained by the RCDWR with respect to this Project.

BE IT FURTHER RESOLVED by the Board of Supervisors that it has reviewed and considered Addendum No. 2 and the IS/MND for the Lamb Canyon Landfill SWFP Revision Project (SCH No. 2008121005) in evaluating the proposed Project, and that Addendum No. 2, and IS/MND for the Lamb Canyon Landfill SWFP Revision Project (SCH No. 2008121005) are incorporated herein by reference in their entirety.

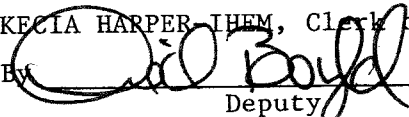
BE IT FURTHER RESOLVED by the Board of Supervisors that it **APPROVES** the proposed modifications to the Lamb Canyon Landfill SWFP and **ADOPTS** Addendum No. 2 to

1 the previously certified IS/MND for the Lamb Canyon Landfill SWFP Revision Project, based
2 on the findings incorporated in Addendum No. 2 concluding that the proposed modification to
3 the SWFP, as identified in JTD No. 20, does not cause new significant environmental impacts or
4 increase the severity of previously identified impacts in the IS/MND.

5 **BE IT FURTHER RESOLVED** by the Board of Supervisors that the custodians of the
6 documents upon which this decision is based are the Clerk of the Board of Supervisors and the
7 RCDWR and that such documents are located at 14310 Frederick Street, Moreno Valley,
8 California.

9 ROLL CALL:
10 Ayes: Jeffries, Tavaglione, Washington, Perez and Ashley
11 Nays: None
12 Absent: None

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14 The foregoing is certified to be a true copy of a resolution duly
adopted by said Board of Supervisors on the date therein set forth.

15 KECIA HARPER IHEM, Clerk of said Board
16 By  Deputy

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