

**EL SOBRANTE LANDFILL  
ADMINISTRATIVE REVIEW COMMITTEE MEETING**

**AGENDA**

**May 11, 2016**

**10:00 a.m.**

**Location: Riverside County Department of Waste Resources  
14310 Frederick Street  
Moreno Valley, CA 92553**

In compliance with the Americans with Disabilities Act and Government Code Section 54954.2, if special assistance is needed to participate in a Committee meeting, please contact the Riverside County Department of Waste Resources at (951) 486-3200. Notification of at least 48 hours prior to meeting time will assist staff in assuring that reasonable arrangements can be made to provide accessibility at the meeting.

**I. CALL TO ORDER AND INTRODUCTIONS**

**II. APPROVAL OF October 5, 2015 MINUTES**

**III. DISCUSSION ITEMS**

**A. Landfill Update**

- a. Phase 12 Berm**
- b. Pond 1 Improvements**
- c. Resource Agency Permitting Update**
- d. Potential Maintenance Yard**
- e. JTD Addendum Update**
- f. General Site Operations**

**IV. ACTION ITEMS**

**A. Review of Draft 2015 El Sobrante Annual Report**

**V. PUBLIC COMMENTS** (Individuals desiring to speak to the Administrative Review Committee will be limited to a maximum of three minutes)

**VI. COMMENTS FROM COMMITTEE MEMBERS**

**VII. NEXT MEETING DATE**

**VIII. ADJOURNMENT**

**El Sobrante Landfill  
Administrative Review Committee  
Minutes  
October 5, 2015**

The following were present:

<b><u>MEMBERS</u></b>	<b><u>REPRESENTING</u></b>	<b><u>STAFF</u></b>	<b><u>REPRESENTING</u></b>
Kristi Lovelady	TLMA-Planning	Aaron Gettis	County Counsel
Alex Gann	Executive Office	Greg Reyes	Environmental Health-LEA
Hans Kernkamp	Dept. of Waste Resources	Joe McCann	Dept. of Waste Resources
		Ryan Ross	Dept. of Waste Resources
		Diane Sloan	Dept. of Waste Resources

**INTERESTED PARTIES**

Amie Kinne	El Sobrante Citizens Oversight Committee
Rob Mucha	El Sobrante Citizens Oversight Committee
Floyd Mohr	El Sobrante Citizens Oversight Committee
David Harich	USA Waste
Damon DeFrates	USA Waste
Miriam Cardenas	USA Waste
David Harich	USA Waste
Jerry Sincich	Temescal Valley
Jannlee Watson	We Are Temescal Valley
John Watson	We Are Temescal Valley

**AGENDA ITEM I  
CALL TO ORDER AND INTRODUCTIONS**

The meeting was called to order at 9:05 a.m. by Hans Kernkamp with self-introductions. Mr. Kernkamp stated that public comments will be heard as the item comes up on the agenda. There is also a public comment section under section VI on the agenda.

**AGENDA ITEM II  
APPROVAL OF April 23, 2015 MINUTES**

Hans Kernkamp asked if there were any corrections, additions or deletions to the April 23, 2015 meeting minutes. Kristi Lovelady moved that the minutes be approved as written, seconded by Alex Gann, motion carried unanimously. The minutes were filed.

## **AGENDA ITEM III DISCUSSION ITEMS**

### **A. Landfill Updates**

David Harich of USA Waste stated that the El Sobrante Landfill has a long-term maintenance agreement with the California Department of Fish and Wildlife (CDFW). The Streambed Alteration Agreement for various sedimentation basins within the landfill was recently approved by CDFW. Mr. Harich stated that a copy of the agreement will be made available for any interested party.

Mr. Harich stated that the new waste cell construction was completed and landfill operations in the cell began in June 2015. A permanent litter fence and deodorizer misting system was installed. The misting system typically runs from 8:00 a.m. to 5:00 p.m. A timer will be installed and a weather station will eventually be installed to monitor meteorological conditions. There have been several odor complaints. AQMD has been to the landfill to inspect the issues. There are no persisting odors at this time.

Mr. Harich reported on the 5-year permit revisions stated in the Joint Technical Document (JTD). The design of pond 6 will impact the limit of disturbance that is recorded in the Solid Waste Facilities Permit and USA Waste is in the process of resolving this matter. All LEA concerns will be addressed in one packet and will be incorporated into one revision and submitted for final approval. Greg Reyes reported that the revised packet will be subject to CEQA and ultimately go before the Riverside County Board of Supervisors for approval.

Mr. Harich reported that the Habitat Management Committee met in September 2015. A Least Bell's Vireo was found within the plan area and is being monitored.

There has been no response yet from CDFW or the U.S. Fish and Wildlife Service regarding the draft restrictive covenant submitted in June 2014 for the Contingency Parcel.

Hans Kernkamp inquired on the status of the ash acceptance plan. Mr. Harich reported that the plan was submitted to the Water Board last week and it was tentatively approved pending a review of the analysis of the ash and how it behaves within the waste prism. USA Waste submitted a program to the Water Board analyzing leachate and the impacts from the ash to the leachate for review and determination. The Water Board expressed concern regarding surface water runoff coming in contact with ash and rainwater infiltration into the waste mass prism. The USA Waste plan addressed erosion control measures. The concern with the infiltration was to show that ash is not considered a designated (not acceptable) waste. If the ash is used as an Alternative Daily Cover a plan must be in place for surface water management issues.

## **B. 40 Foot Berm**

Ryan Ross reported that at the last ARC meeting, the ARC requested that Staff meet with County Counsel regarding the 40-foot berm. The update to the final EIR identified that a 40-foot berm would be constructed so the residents living on the west side of the freeway would only see the 40-foot berm at any given time. Aaron Gettis from the Office of County Counsel reported that after examining the documents and CEQA administrative records, the 40-foot berm was a one-time requirement and was satisfied with the construction of the Phase 8 berm. The focus of Mitigation A-6 would continue to be applicable to the situation. Mr. Ross reported that USA Waste agreed to develop a visual screening plan compliant with A-6 when future cells face Temescal Valley communities. Possible screening options include temporary fencing, camouflage fencing or cutting cell height from 30 feet to 15 feet.

## **C. Off Peak Waste Deliveries**

Ryan Ross reported that the Second Amendment to the Second Landfill Agreement identifies that 2,400 tons (2,000 tons out-of-county and 400 tons in-county) of waste should be delivered during off-peak hours (9:00 p.m. to 5:00 a.m.). Due to COC concerns over the contract language and some initial disagreement on the interpretation of the language, Staff consulted with County Counsel. County Counsel determined that based on the language in the agreement, USA Waste is encouraged but not required to have 2,400 tons of waste delivered to the landfill during off peak hours and that the off-peak delivery language was a goal not a requirement. David Harich stated that in the first half of September 2015, approximately 2,398 tons was delivered during off-peak hours. The language also states that USA Waste should use commercially reasonable efforts to schedule off-peak deliveries. Hans Kernkamp requested that USA Waste report at the next COC meeting regarding the efforts that have been made to increase off peak hour delivery.

## **AGENDA ITEM IV ACTION ITEMS**

### **2014 El Sobrante Annual Report**

Ryan Ross reported that the draft 2014 Annual Report was presented to the ARC in April 2015 and the COC in May 2015. The report with ARC and COC comments was provided to USA Waste to prepare the final draft.

**2014 Monitoring Report**-The report was reviewed by staff and approval was recommended.

**2014 Conditions of Approval Report**-The report was reviewed by staff and approval was recommended with one change. In Condition of Approval 22(f), the report date erroneously read 2013. It was corrected to reflect 2014.

**2014 Mitigation Monitoring Report**-With the exceptions of C-4, Semi-Annual Monitoring of Cultural Resources, and T-1, Out of County Waste Delivery in Transfer

Trucks, Staff found that USA Waste was in compliance with Mitigation Measures. Staff and County Counsel found that T-3 was substantially compliant for 2014.

**Mitigation Measure C-4-** USA Waste hired a cultural firm in late 2014 that prepared a cultural resource assessment. In 2015 and moving forward, the cultural firm will monitor twice a year. David Harich reported that the first semiannual evaluation was completed in January 2015 and the second evaluation was completed in July 2015. There was no evidence of removal of archeological resources. There was some vehicle traffic reported in the area and the fencing was repaired along Calico Road to help prevent trespassing.

**Mitigation Measure T-1-** Staff is working with County Counsel to determine what trucks are acceptable and deemed appropriate under T-1. USA Waste is sending out notification letters to customers informing them of the regulations under T-1. County Gate Fee personnel are monitoring incoming trucks for compliance to T-1. Hans Kernkamp stated that there are always exceptions and challenges and it is an ongoing collaborative process to determine T-1 compliance guidelines. As it stands in 2014, Waste USA is non-compliant with T-1. Staff will inform USA Waste regarding T-1 non-compliant haulers entering the landfill.

**Mitigation Measure T-3-** Ryan Ross reported that an internal County review was conducted. The County Transportation Department was consulted and hired a third party consultant to evaluate the worst case scenario. The traffic consultant is preparing a report that looks at eight round trip trucks in the morning and three round trip trucks in the afternoon to determine the impact on the 91 freeway. Mr. Ross stated that the report will also establish a threshold number of allowable trucks to judge future reports against.

**T-3 Presentation-** Joe McCann presented a report based on every account entering the landfill between June 1, 2014 and May 31, 2015. There were a total of 77,042 trucks. The worst case scenario was calculated as eight trucks per day during the 7:30 a.m. to 8:30 a.m. peak hour and three trucks per day during the 4:30 p.m. to 5:30 p.m. peak hour on the 91 Freeway. The data was filtered by yes, no and maybe. Mr. Ross stated that all maybes were counted as a yes when calculating the worst case scenario. Hans Kernkamp stated that the only reliable data is based on arrival times at the landfill. Mr. Kernkamp stated and Aaron Gettis agreed that the actual number of trips likely falls somewhere in the middle of the worst case scenario and the estimated number reported by USA Waste. Mr. Gettis reported that mitigation measures are in place under CEQA for one reason only- to mitigate significant impacts. Mr. Gettis does not believe the determined number of trips would cause a level of service or delay significant impact on an already highly impacted roadway. Lead agencies are given wide discretion by the courts to make a determination and decisions based on substantial evidence.

The County will continue to work with USA Waste to reduce truck trips during peak hours. Kristi Lovelady stated that she is satisfied that the County has done as much as they can at this point and that they will continue to work at getting trucks off the road during peak hours. Mr. Kernkamp stated that a black and white determination of T-3 is not always required and that the lead agency has leniency to determine if the intention of the mitigation is met. Mr. Gettis stated that flexibility is built into CEQA. The standard to be met is substantial conformance to reduce the potential significant impact under CEQA.

Mr. Kernkamp stated that Measure T-3 was not developed based on mitigating an impact to the SR91, as none were identified; rather, it was more of a deal point that addressed the City of Corona's concerns about trucks exiting the freeway and using city streets

### **El Sobrante Annual Report Public Comments-**

Prior to leaving the meeting, Rob Mucha provided the ARC written comments discussing that the intent of Mitigation Measure T-3 has not been met and that there has been no substantial reduction during the peak hours. Mr. Mucha requested that the ARC find WMI in non-compliance with Mitigation Measure T-3. A copy of the comment letter is attached.

Janlee Watson expressed concern regarding USA Waste's compliance of T-3, off-peak waste delivery hours and construction of manufacturing pads at the landfill.

Amie Kinne expressed concern regarding T-3 inbound and outbound trucks during peak hours and T-1 truck compliance data.

Jerry Sincich expressed concern regarding an increase in vehicle window damage reports due to hauler trucks kicking up rocks on the 15 and 91 freeways.

Kristi Lovelady motioned to move approval with the caveat that T-3 is revisited at the next ARC meeting and that the findings of the third party consultant report are discussed, seconded by Hans Kernkamp. Motion carried unanimously.

### **Other**

### **PUBLIC COMMENTS**

Amie Kinne inquired what the correct name is when addressing USA Waste/WMI. David Harich stated that USA Waste is the correct name.

### **COMMITTEE COMMENTS**

Hans Kernkamp thanked Staff for all the hard work.

### **NEXT MEETING DATE**

TBD

### **ADJOURNMENT**

The meeting was adjourned at 10:30 a.m.

Rob Mucha comments to the 10/5/15 ARC meeting regarding T-3

Regarding the Department's report summarizing COC comments, I think it's germane to add that the COC voted unanimously in our last meeting that we believed WMI to *not* be in compliance with mitigation T-3 in 2014.

Regarding the mitigation itself, the Department's suggestion that eight trucks going over the 91/15 interchanges in the 1-hour morning peak hour is substantially in compliance is very concerning to me. The intent of mitigations matter. Mitigations are the promises to the community, citizens of the County, and Board in order to get collective buy-off on the contract. It's one thing to have the peak hours so narrowly interpreted to one hour each, which is not representative of our traffic situation, but to have out-of-county transfer trucks ignore the mitigation at a rate of approximately one every 7.5 minutes in the morning is unacceptable. Furthermore, based on the data I have been provided there appeared to be *no* substantial reduction during peak hours. Clearly that was not the intent of the T-3 mitigation, nor the newer contract clause which was supposed to push the majority of transfer truck traffic to night hours by "all reasonable efforts." We've repeatedly asked for any evidence that WMI attempted to meet this mitigation in 2014 and all we have ever been provided is one letter they sent once to *their* drivers in 2014. We were told that letters were not sent to the other transfer truck companies and that new contracts were signed in 2014 that did not include peak hour prevention language. Hopefully WMI will be compliant in 2015 but they certainly weren't in 2014.

Regarding the updated T-3 write-up, it doesn't appear to me that the suggestions made by the Department (nor COC) were incorporated to a large degree. The write-up also seems to try use 2015 events to make a case for 2014 compliance.

Traffic is a major issue in Riverside County and especially in our area. Unfortunately, the situation is expected to get worse over time as the County populace continues to grow. I don't know how many large truck companies have important commute hour avoidance mitigations and/or contract clauses – hopefully all of them in the future -- but to deem this lack of effort to be significantly in compliance in my opinion is truly counter to the intent of the mitigation and to the intent of annual reporting to the Board.

I am hopeful and confident that the ARC reiterates its previous finding of noncompliance of T-3 in 2014. Thank you for your consideration.

# **2015 El Sobrante Landfill Annual Report**

**Annual Monitoring Report**

**Conditions of Approval Status Report**

**Mitigation Monitoring Program Status Report**



# **El Sobrante Landfill Annual Monitoring Report**

**Reporting Period:  
January 1, 2015 through December 31, 2015**

**Prepared By:  
USA Waste of California, Inc.**

**March 2016**

## Introduction

The El Sobrante Landfill Annual Monitoring Report (AMR) for the period covering January 1, 2015 through December 31, 2015 has been prepared by USA Waste of California (USA Waste), a subsidiary of Waste Management Inc. (WMI), for the County of Riverside in compliance with the Second El Sobrante Landfill Agreement (Second Agreement), inclusive of any Amendments. Exhibit "D" of the Second Agreement requires submission of the AMR (see attached). Section 13.2 of the Second Agreement requires submittal of the Mitigation Monitoring Program (MMP) reports to the Administrative Review Committee (ARC). In addition, the ARC can request additional information regarding USA Waste's performance. The Riverside County Department of Waste Resources (RCDWR) (not the ARC) has requested that USA Waste prepare a third report, a Conditions of Approval (COA) report. RCDWR has advised that all three reports will form an Annual Status Report (ASR). In preparing the COA report, USA Waste noted that there was substantial overlap between the Conditions of Approval and Mitigation Measures, and that some of the Conditions of Approval address construction activities that were completed many years ago. As a result, preparation of a COA report in future years might not provide useful information to the ARC. The ASR is to be first reviewed by the County's Administrative Review Committee (ARC), a committee comprised of representation from the County's Planning Department, Waste Resources Department, and Executive Office, and then submitted to the Citizen Oversight Committee (COC), a committee formed in 2003 pursuant to Condition of Approval No. 14.a. (Exhibit "F" of the Second Agreement). Condition of Approval No. 14.b. requires the COC to meet at least once annually to review the ASR, as submitted by the ARC.

## Landfill History

The El Sobrante Landfill is an existing municipal solid waste landfill, located at 10910 Dawson Canyon Road, east of Interstate 15 and Temescal Canyon Road, approximately seven (7) miles southeast of the City of Corona in the Temescal Canyon area of unincorporated Riverside County. The landfill, which is owned and operated by USA Waste of California, started disposal operations in 1986. From 1986 to 1998, the landfill was operated pursuant to the original El Sobrante Landfill Agreement and its Amendments and one Addendum. On September 1, 1998, the Riverside County Board of Supervisors (BOS) approved the El Sobrante Landfill Expansion Project, a vertical and lateral expansion of the landfill, and entered into the Second Agreement, which became effective on September 17, 1998. The Second Agreement represents a public/private relationship between the owner/operator of the landfill and the County of Riverside and provides for the RCDWR to operate the landfill gate, to set the County rate for disposal at the gate with BOS approval, and to operate the Hazardous Waste Inspection Program.

The specific actions taken by the BOS on September 1, 1998 included the following:

- Adoption of Resolution No. 98-275, certifying the Environmental Impact Report (EIR), consisting of the Draft EIR (dated April 1994), the Final EIR (dated April 1996), and the Update to the Final EIR (dated July 1998).
- Adoption of Resolution No. 98-276, approving the El Sobrante Landfill Expansion Project and the Second El Sobrante Landfill Agreement, adopting Conditions of Approval and a Mitigation Monitoring Program (MMP) and making Findings of Fact.

The El Sobrante Landfill Expansion Project, for which the EIR (circulated under SCH No. 1990020076) was certified, included the following major elements:

- An increase in landfill disposal capacity to approximately 196.11 million cubic yards or

- approximately 109 million tons of municipal solid waste.
- An increase in the daily disposal capacity up to 10,000 tons.
  - An increase in the landfill area to a total of 1,322 acres.
  - An increase in the landfill footprint to 495 acres.
  - An increase in the hours of operation, allowing 24-hour continuous operations, 7 days a week, for non-waste functions (i.e., application of daily cover, stockpiling of daily cover, site maintenance, grading, and vehicle maintenance) and allowing disposal operations from 4:00 AM to Midnight.

Pursuant to the Second Agreement, the "Start Date" for the El Sobrante Landfill Expansion Project and the terms of the Second Agreement was the date upon which all necessary approvals and/or permits were obtained. The following were considered the final approval/permits needed to trigger the "Start Date":

- Issuance of Waste Discharge Requirements (WDRs) Order No. 01-53 from the Regional Water Quality Control Board (RWQCB), Santa Ana Region on July 21, 2001.
- Issuance of Solid Waste Facility Permit (SWFP) No. 33-AA-0217 from the Riverside County Environmental Health Department, Local Enforcement Agency (LEA) on August 6, 2001, following concurrence from the California Integrated Waste Management Board (CIWMB).

The Second Agreement has since been amended four times:

The First Amendment, approved by the BOS on July 1, 2003, amended the scope of the Expansion Project to allow the landfill operator to grind green waste for Alternative Daily Cover (ADC) and to add facilities to convert landfill gas to electricity.

The Second Amendment, approved by the BOS in March 2007, allowed USA Waste to pursue the necessary approvals/permits to again amend the scope of the Expansion Project. Subject to further environmental review in compliance with the California Environmental Quality Act (CEQA) and BOS approval, the Second Amendment allowed for acceptance of waste material for disposal over a continuous 24-hour period and for the maximum daily capacity of 10,000 tons to be changed to a weekly disposal capacity of 70,000 tons. On March 31, 2009, the BOS adopted Resolution No. 2009-093, approving the revision to the landfill's SWFP to allow the operational changes in the Second Amendment, certifying the Supplemental EIR (SCH #2007081054), and approving the corresponding MMP. The LEA later issued a revision to SWFP #33-AA-0217 on September 9, 2009, with concurrence from the CIWMB on August 18, 2009, which allowed for the operational changes in the Second Amendment (i.e., 70,000 tons per week, not exceeding 16,054 tons per day, and continuous 24-hour disposal) to be implemented on August 31, 2009.

In addition to revising some definitions in the Second Agreement to maintain consistency with environmental documents, the Third Amendment, considered by the COC on November 26, 2012 and approved by the BOS on December 18, 2012, modified the hours allowed for existing and future excavation and liner construction activities in new landfill cells from 8:00 a.m. to 5:00 p.m., Monday through Saturday, to 7:00 a.m. to 10:00 p.m., Monday through Saturday, restricting the conveyor belt from being located within 295 feet of occupied residences and limiting hours for excavation and liner construction within 10 feet of the top of slope.

The Fourth Amendment, approved by the BOS on March 24, 2015 amended the scope of the Expansion Project to set forth additional requirements for the receipt of cement treated non-hazardous incinerator ash, and modify the closure/post-closure financial assurance requirements.

## Overview of Calendar Year 2015

### 2015 Permits/Approvals

In April 2014, the landfill operator submitted an application package to the LEA for a Five Year Solid Waste Facility Permit Review. The LEA issued their Permit Review Report in September 2014 requesting submittal of a Permit Modification application package. The landfill operator is working with the Riverside County Department of Waste Resources as the lead agency for CEQA to develop environmental documentation in support of the application package. Once CEQA has been addressed, the application package will be submitted to the LEA. As of 2015, no new updates were available as to the status of the Five Year Review package.

In June of 2014, the landfill operator submitted a Waste Acceptance Program (WAP) for disposal or reuse of contaminated soils ~~package~~ to the Santa Ana Regional Water Quality Control Board (SARWQCB). The WAP was submitted to comply with Regional Board Order No. R8-2014-0006, which amended waste discharge requirements for specified active landfills within the Santa Ana Region. The SARWQCB approved the WAP on October 29, 2015 in its letter to the landfill operator, ~~and further copied the~~ The approved WAP ~~and its approval was provided~~ to RCDWR and the LEA.

In December of 2014, the landfill operator submitted an application package to the California Department of Fish and Wildlife (CDFW) for a Notification of Lake or Streambed Alteration Agreement (SAA). The CDFW authorized the SAA in September of 2015 that allows the landfill operator to perform long-term maintenance activities on sedimentation basins.

In February of 2015, the landfill operator received approval from the SARWQCB for the liner and leachate collection and removal system (LCRS) for the newly constructed Cell 11A.

### 2015 Changes in Landfill Expansion Project Plan

In 2015, the El Sobrante Landfill continued to be developed in overall accordance with the Expansion Project first approved by the BOS in 1998 and with its SWFP and corresponding Joint Technical Document (JTD), last revised in 2009.

### 2015 Landfill Activities

In 2015, the active area for waste disposal operations started the year along the top deck of the landfill and eventually transitioned to the newly constructed Phase 11A.

Improvements to the Gas Collection and Control System (GCCS) were installed in 2015 that included an extension of the southern header system to Phase 11A and a series of new landfill gas (LFG) wells and associated vacuum lines to improve gas collection efficiency. Details of these GCCS related construction activities are provided below.

- Drilled eighteen vertical LFG extraction wells
- Extended the 30-in HDPE LFG header line 1,200 feet towards Phase 11A
- Welded over a thousand linear feet of 2-in to 12-in high density polyethylene (HDPE) LFG and condensate conveyance piping.

- Installed various wellheads, stub-outs, tie-ins, and valves.

✘

### 2015 Days and Hours of Operation

In 2015, the El Sobrante Landfill received waste tonnage on 307 days. Excluding County holidays, the landfill was open six (6) days a week, Monday through Saturday, and closed on Sunday. The landfill, which has 24-hour disposal operations, was open from 4:00 AM on Monday to 6:00 PM on Saturday. The landfill was open to commercial haulers and the general public in accordance with the following schedule:

#### Days/Hours for Commercial Haulers

- Open six (6) days a week, Monday through Saturday
- Hours = 4:00 AM on Monday through 6:00 PM on Saturday

#### Days/Hours for General Public

- Open six (6) days a week, Monday through Saturday
- Hours = 6:00 AM through 6:00 PM daily

### 2015 Disposal Volumes

During calendar year 2015, a total of 2,309,434 tons of municipal solid waste was disposed at the El Sobrante Landfill. Of this amount, 717,804 tons originated from Riverside County sources, and 1,591,630 tons originated from out-of-County sources. El Sobrante received 128,994 tons of Alternative Daily Cover in the form of cement treated incinerator ash.

Based on 307 working days, an average of 7,522 (rounded to nearest whole number) tons of waste were received at the landfill on a daily basis in 2015.

### Landfill Capacity Used in 2015 and Landfill's Remaining Capacity at End of 2015

Landfill capacity is closely monitored at the El Sobrante Landfill to ensure that the landfill's operational efficiency is meeting WMI and community expectations. On an annual basis, an aerial survey company flies the entire landfill, and aerial topographic maps are prepared to calculate the remaining airspace or capacity of the landfill by comparing the existing landfill topography to the expected final landfill topography. To evaluate the compaction efficiency or density of the waste material in the landfill, an Airspace Utilization Factor (AUF) is used. The AUF (tons of waste per cubic yard of landfill airspace) is recorded as the total waste disposed within a known volume of landfill airspace in a given period of time. The AUF takes into account such factors as the use of ADC and soil cover, waste settlement, and waste composition.

Using the AUF for 2015 operations (approximately 0.92 ton/cubic yard) and the amount of 2,309,434 tons of waste disposed in 2015, approximately 2,510,250 cubic yards of capacity were used in 2015. The 2014 AMR reported 174,327,681 cubic yards of air space remaining less the 2,510,250 cubic yards used in 2015 gives the landfill's remaining airspace at the end of 2015 which is estimated to be approximately 171,817,434 cubic yards. Assuming 91 percent of this capacity is available for trash (approximately 156,363,862 cubic yards or 143,345,553 tons); the landfill continues to have in excess of 62 years of capacity at current tonnage rates.

**Comment [RCDWR1]:** The 2014 AMR reported 174,328,021 cubic yards.

**Comment [RCDWR2]:** Note: The Final 2014 AMR reported slightly more- 174,328,021 cubic yards.

Totals were adjusted accordingly.

### Origin of Non-County Waste Disposal Volume in 2015

Non-County waste received at the El Sobrante Landfill must be delivered in transfer trucks, or

transfer-like trucks to mitigate traffic impacts. A transfer-like truck is one that transports a volume of waste to the landfill similar in size and weight to a transfer truck. Two examples of a transfer-like trucks are the Heil Star System and the WMS Pod Trucks.

During 2015, non-county waste was primarily delivered to the El Sobrante Landfill from the facilities identified below. The LEA- inspects these facilities twice a year.

- Azusa Material Recovery Facility, Waste Transfer Station, Azusa, CA
- Carson Transfer Station, Carson, CA
- CLARTS (Central Los Angeles Recycling & Transfer Station), Los Angeles, CA
- Grand Central Recycling and Transfer Station, City of Industry, CA
- Palomar Transfer Station, Carlsbad, CA
- Southgate Transfer Station, Southgate, CA
- West Valley Transfer Station, Fontana, CA

During calendar year 2015, the following out-of-County communities delivered more than 1,000 tons of municipal solid waste to the El Sobrante Landfill:

**Comment [RCDWR3]:** is it the LEA or our Load Check program...or both?

**Comment [RCDWR4]:** fix the formatting ..the list should start below, rather than on the next page

- |                |                        |                           |
|----------------|------------------------|---------------------------|
| - Anaheim      | - Huntington Park      | - Pomona                  |
| - Arcadia      | - Industry             | - Rancho Cucamonga        |
| - Azusa        | - Irwindale            | - Rancho Palos Verdes     |
| - Baldwin Park | - La Puente            | - Redondo Beach           |
| - Bell Gardens | - La Verne             | - Rialto                  |
| - Carlsbad     | - Lomita               | - Rolling Hills Estate    |
| - Carson       | - Long Beach           | - San Bernardino (City)   |
| - Chino        | - Los Angeles (City)   | - San Bernardino (County) |
| - Claremont    | - Los Angeles (County) | - San Diego (City)        |
| - Colton       | - Lynwood              | - San Diego (County)      |
| - Commerce     | - Manhattan Beach      | - San Dimas               |
| - Compton      | - Montclair            | - Santa Clarita           |
| - Diamond Bar  | - Oceanside            | - South Gate              |
| - Duarte       | - Ontario              | - Torrance                |
| - El Monte     | - Orange (City)        | - Upland                  |
| - El Segundo   | - Palos Verdes Estate  | - Vernon                  |
| - Fontana      | - Pasadena             | - Walnut                  |
| - Gardena      | - Pechanga Tribal Land | - West Covina             |

For calendar year 2015, the El Sobrante Landfill also received miscellaneous volumes of municipal solid waste (10 tons to less than 1,000 tons) through transfer stations and through direct haul from private haulers from the following out-of-County communities:

- |                 |                    |                   |                      |
|-----------------|--------------------|-------------------|----------------------|
| - Adelanto      | - Del Mar          | - Lakewood        | - San Leandro        |
| - Agoura Hills  | - Downey           | - Lawndale        | - Santa Ana          |
| - Alhambra      | - El Cajon         | - Loma Linda      | - Santa Fe Springs   |
| - Apple Valley  | - Encinitas        | - Los Alamitos    | - Santa Monica       |
| - Arizona       | - Fullerton        | - Malibu          | - Sierra Madre       |
| - Artesia       | - Garden Grove     | - Maywood         | - Signal Hill        |
| - Barstow       | - Glendale         | - Monrovia        | - Soboba Tribe       |
| - Bell          | - Glendora         | - Montebello      | - Solana Beach       |
| - Bellflower    | - Grand Terrace    | - Monterey Park   | - South El Monte     |
| - Beverly Hills | - Hawthorne        | - Morongo Tribe   | - Temple City        |
| - Bradbury      | - Hermosa Beach    | - Needles         | - Tuolumne County    |
| - Brea          | - Hesperia         | - Nevada          | - Twenty-9 Palms     |
| - Burbank       | - Highland         | - Newport Beach   | - Victorville        |
| - Cerritos      | - Huntington Beach | - Norwalk         | - West Hollywood     |
| - Chino Hills   | - Inglewood        | - Orange (County) | - Westminster        |
| - Chula Vista   | - Irvine           | - Paramount       | - Whittier           |
| - Costa Mesa    | - Kern County      | - Pico Rivera     | - WM-North State Env |
| - Covina        | - La Habra Heights | - Placentia       | - WMIE-G.O.R. Truc   |
| - Cudahy        | - La Mirada        | - Redlands        | - Yorba Linda        |
| - Culver City   | - Laguna Niguel    | - Rosemead        | - Yucaipa            |
| -               | - Lake Forest      | - San Gabriel     | - Yucca Valley       |

Comment [RCDWR5]: ?

## Projected Waste in 2016

In 2016, it is projected that there will be no increase in disposal tonnage, with total disposal tonnage expected to be in the range of 2,300,000 tons. Of this amount, the in-County disposal tonnage for 2016 is projected to be approximately 700,000 tons, while out-of-County tonnage is expected to be in the range of 1,600,000 tons.

## Closure/Post Closure Trust

In March of 2015 the Fourth Amendment to the Second Agreement was formalized which in part authorized USA Waste to terminate the Closure/Post Closure Trust Fund as provided in Section 8.1.1 of the Second Agreement. A Substitute Surety Bond meeting the requirements of Title 27, California Code of Regulations, Section 22244 replaced the trust fund that meets the obligation to provide and maintain financial assurance for Closure/Post Closure maintenance.

## Local Mitigation Trust Account

The Local Mitigation Trust, created pursuant the Second Agreement with a deposit of \$150,000 by USA Waste, is for mitigation projects in the local areas surrounding the landfill as recommended by the COC. In 2004, the COC recommended that the entire Local Mitigation Fund be utilized for County efforts to cleanup illegal dumping in the Temescal Valley area along the I-15 corridor from El Cerrito Road south to Lake Street. The BOS approved the COC recommendation on October 19, 2004. At the end of 2008, approximately one-half of the Trust Account had been used in this effort. In 2009, working collaboratively with the County's Code Enforcement Department, the COC recommended that an allocation not to exceed \$10,000 be used toward implementing the Clean Money Youth-Based Fundraising Program in the First and Second Supervisorial Districts. The BOS approved this recommendation on September 1, 2009. At the end of January 2011, approximately \$1,500 remained of the budget allocated for the Clean Money Program and its cleanup events. In March of 2011, the Board of Supervisors approved, per the recommendation of the COC, an additional allocation of \$10,000 to this program. At the end of 2011, the Local Mitigation Trust Account had a balance of approximately \$72,000. In 2012, approximately \$4,000 of the budget allocated for the Clean Money Program was spent on cleanup events, leaving a balance of approximately \$68,000 remaining in the Local Mitigation Trust Account. In 2013, approximately \$2,500 of the budget allocated for the Program was spent on one cleanup event, leaving a remaining balance of approximately \$65,500. In 2014, according to the EDA, there were no clean money events. In 2015, there was one Clean Money event which used up \$1,000 of the budget. According to the EDA, all allocated funds for clean money events have been spent.

## General Liability Insurance

The Certificate of Insurance is an attachment to the AMR.

## Regulatory Agency Issues

During 2015, the El Sobrante Landfill was regularly inspected by regulatory agencies, which include the LEA, CalRecycle, the ~~Regional Water Quality Control Board - Santa Ana Region (RWQCB-SAR), SARWQCB~~, and the SCAQMD. The landfill did not have any unresolved compliance issues from these regulatory agencies at the end of 2015.

**Comment [RCDWR6]:** Please confirm this amount- based on the text:

In March 2011, Clean Money bal. \$11,500.  
In 2012, \$4,000 was spent (\$7,500 remaining)  
In 2013, \$2,500 was spent (\$5,000 remaining)  
In 2014, \$0 was spent. (\$5,000 remaining)  
In 2015, \$1,000 was spent (\$4,000 remaining)

The text states all clean money funds were spent.



**Pending Litigation**

There is no pending litigation against the El Sobrante Landfill.

**El Sobrante Landfill  
2015 Conditions of Approval  
Status Report**

**March 2016**

**Transportation Department Conditions of Approval:**

1. Upon permit approval, USA Waste shall immediately amend their operating plan to require all trucks hauling out of county imported waste to exclusively utilize the Temescal Canyon Road Interchange at 1-15 for access to and from the landfill site.

**Status:** This Condition of Approval is substantially the same as Mitigation Measure T-4. A discussion of status will be provided in that portion of the 2015 Mitigation Monitoring Program Status Report.

2. Within 90 days of permit approval, the applicant shall pay a Traffic Signal Mitigation Fee in accordance with Riverside County Ordinance No. 748. Said fee shall be based upon industrial/per net acre. The project net acreage is 4.5 acres. The remaining acreage is not subject to mitigation at this time.

**Status:**

No activity in 2015. All plan check and mitigation fees were paid prior to road construction in 2003.

3. Within three (3) months after the Start Date, USA Waste shall commence construction of and diligently pursue the completion of the following road improvements:
  - a. An additional lane in each direction on Temescal Canyon Road from I-15 Northbound on/off-ramps to the El Sobrante Access Road. The structural section of the additional lanes shall satisfy a Traffic Index of 11.5.

**Status:**

No activity in 2015, construction was completed in 2003.

- b. Eight-foot paved shoulder on the west side of Temescal Canyon Road adjacent to the intersection of Temescal Canyon Road and the El Sobrante Access Road.

**Status:**

No activity in 2015, construction was completed in 2003.

- c. Improvements of the intersection of Temescal Canyon Road/El Sobrante Access Road to provide the following intersection geometrics and any required widening:

Westbound: One right turn lane and one left turn lane on the El Sobrante Access Road. This improvement to be accomplished in conjunction with the improvements to the lower portion of the El Sobrante Access Road as required by Condition No. 3d.

Southbound: None

Northbound: Extend existing right turn lane on Temescal Canyon Road.

**Status:**

No activity in 2015, construction was completed in 2003

- d. Improve the lower portion of the El Sobrante Access Road (from the intersection of Temescal Canyon Road to the cul-de-sac) so that it will meet a Traffic Index of 11.5, and so that it complies with Standard 106-B for improved drainage protection from the 100-year, 24-hour storm, or as approved by the Director of the County Transportation Department. The improvement of the lower portion of the Access Road shall be designed based on direction of the Riverside County Flood Control District and maximum water depth of 9 inches across the Access Road, generally as depicted in the attached exhibit - "Proposed Conceptual Access Road Improvements." Coldwater Wash Channel improvements and rock slope protection shall continue southeasterly from the access road along the entire length of Temescal Canyon Road to the Hydro-Conduit driveway as approved by the Transportation Department.

**Status:**

No activity in 2015, construction was completed in 2003

- e. The applicant shall construct the following traffic signals (these signals are over and above the Traffic Signal Mitigation Fee payment made by the applicant pursuant to County Ordinance No. 748, and are not subject to credit or reimbursement):  
Temescal Canyon Road (E/W) at:
  - i. El Sobrante Access Road.
  - ii. I-15 Northbound on/off ramps (as approved by Caltrans).
  - iii. I-15 Southbound on/off ramps (as approved by Caltrans).

**Status:**

No activity in 2015, construction was completed in 2003

- 4. Within three (3) months after the Start Date, USA Waste or its successor-in-interest shall initiate construction and diligently pursue to completion the following road improvements at the intersections of Temescal Canyon Road with Southbound and Northbound 1-15 on/off ramps to provide the following intersection geometries, including any required widening or as approved by Caltrans and the Riverside County Transportation Department.

Eastbound: An additional through lane on Temescal Canyon Road between Southbound and Northbound on/off-ramps.

Westbound: An additional through lane on Temescal Canyon Road between Southbound and Northbound on/off-ramps, and one right turn lane from Temescal Canyon Road onto Northbound on-ramp.

Southbound: One left turn lane on off-ramp.

Northbound: An additional lane on on-ramp.

**Status:**

No activity in 2015, construction was completed in 2003

5. Within 90 days following the end of calendar year in which the total tonnage of waste landfilled at El Sobrante exceeds 1,440,000 tons, USA Waste shall establish and be responsible for a Development Monitoring Program which shall include the following:
  - a. Consult with and obtain clearance from Caltrans District 8 and the South Coast Air Quality Management District to assure compliance and coordination with the Regional Mobility and Air Quality Management Plans.

**Status:**

No activity in 2015, plan submitted in 2003- [\(see Appendix in 2014 Annual Report\)](#).

- b. ~~Develop a program to minimize~~ minimize in and outbound transfer trucks during peak hours.

**Status:**

The 2007 Second Amendment to the Second Agreement ~~revised Section 11.10(b) to require commercially reasonable efforts to schedule deliveries during off peak~~ increased landfill operating hours, and to establish goals to 24-hours, 6 days per week. This provided increased opportunities for tonnage of non-peak hour waste to be received during nighttime hours based on overall waste receipts. All deliveries from Waste Management companies have been notified on this matter and deliveries. Out of County customers are encouraged to deliver/make deliveries during nighttime hours. Third party waste agreements include a similar provision, where appropriate. In addition, an electric "geofence" has been established to track internal deliveries and all, and this is included in customer contracts. USA Waste transfer vehicles/stations, where transportation arrangements are discouraged from using SR91 during under company control, make nighttime deliveries where commercially reasonable. With respect to peak hour traffic as identified in the EIR, trips on SR 91, please see discussion of Mitigation Measure T-3.

- c. A construction traffic control plan for offsite, public roads shall be developed to control construction-related traffic impacts during periodic construction of landfill cells to reduce construction related traffic impacts to local residents and businesses.

**Status:**

No activity in 2015.

**Comment [RCDWR1]:** While a Development Monitoring Program may not be warranted (as discussed in the 2003 URS memo), in light of the traffic issues within the area at large, especially those raised by the COC, RCDWR recommends that WMI prepare a formal 'program' as a memo or report that documents the efforts and measures in place to minimize in and outbound truck trips during the peak hour.

Identifying the 2<sup>nd</sup> Agreement is a great example of a measure/requirement to minimize peak trips but it is not a program by itself...it is potentially just one part of a program.

**Riverside County Conditions of Approval:**

1. USA WASTE OF CALIFORNIA, INC. ("USA WASTE") or its successor-in-interest shall defend, indemnify, and hold harmless the County of Riverside, its agents, officers, and employees from any claim, action, or proceeding against the County of Riverside or its agents, officers, or employees to attack, set aside, void or annul an approval of the County of Riverside, its advisory agencies, appeal boards or legislative body concerning Environmental Impact Report for the El Sobrante Landfill Expansion Project (State Clearinghouse No. 90020076) and the Second El Sobrante Landfill Agreement. The County of Riverside will promptly notify USA WASTE or its successor-in-interest of any such claim, action, or proceeding against the County of Riverside and will cooperate fully in the defense. If the County fails to promptly

notify USA WASTE or its successor-in-interest of any such claim, action, or proceeding or fails to cooperate fully in the defense, USA WASTE or its successor-in-interest shall not, thereafter, be responsible to defend, indemnify, or hold harmless the County of Riverside.

**Status:**

No activity in 2015, no litigation was filed challenging the approval of the County or the EIR.

2. These Conditions and those mitigation measures outlined in the EIR shall be implemented and monitored in accordance with the MMP. USA WASTE or its successor-in-interest shall comply with the MMP.

**Status:**

USA Waste has submitted the required reports and documentation where applicable, to the agencies responsible for implementation/monitoring of the conditions and mitigation measures in accordance with the approved MMP.

3. USA WASTE or its successor-in-interest shall comply with the conditions set forth in the County Transportation Department letter, dated March 27, 1998, a copy of which is set forth as a portion of Exhibit "E" of the Agreement.

**Status:**

USA WASTE is in compliance with the County Transportation Department conditions identified in "Exhibit E" of the Agreement.

4. The development of the El Sobrante Landfill Expansion Project shall be in accordance with the mandatory requirements of all applicable Riverside County ordinances and shall conform substantially with the project description in the EIR (State Clearinghouse No. 90020076), as filed in the office of the Riverside County Waste Management Department.

**Status:**

This Condition of Approval is the same as Mitigation Measure L-1. A discussion of status will be provided in that portion of the 2015 Mitigation Monitoring Program Status Report.

5. Whenever a specified material, design, system or action is required by the project or any exhibit thereto, USA WASTE or its successor-in-interest may substitute such material, design, system or action, provided that:
  - a) Such material, design, system or action complies with all applicable Federal, State, and local regulations; and,
  - b) Any Federal, State or local regulatory agency having jurisdiction has approved the use of the material, design, system or action for similar facilities (i.e., Class III landfills); and,
  - c) The General Manager-Chief Engineer of the Riverside County Waste Management Department, with concurrence of the appropriate regulatory agency (ies), has determined that such material, design, system or action is technically equal, or superior to, those required in these conditions.

**Comment [RCDWR2]:** RCDWR will complete prior to preparation of the final report.

**Status:**

This Condition of Approval is the same as Mitigation Measure W-14. A discussion of status will be provided in that portion of the 2015 Mitigation Monitoring Program Status Report.

6. Transportation of out-of-County waste from areas other than Los Angeles County, Orange County, San Bernardino County, and San Diego County shall not be permitted without additional environmental review and approval.

**Status:**

This Condition of Approval is the same as Mitigation Measure T-2. A discussion of status will be provided in that portion of the 2015 Mitigation Monitoring Program Status Report.

7. Out-of-County waste from Los Angeles County, Orange County, and San Diego County shall be transported to the El Sobrante Landfill by transfer trucks, and not packer trucks.

**Status:**

This Condition of Approval is the same as Mitigation Measure T-1. A discussion of status will be provided in that portion of the 2015 Mitigation Monitoring Program Status Report.

8. Out-of-County waste from San Bernardino County may be transported to the El Sobrante Landfill by packer truck up until July 1, 2000, at which time the waste from San Bernardino County shall be transported by transfer trucks.

**Status:**

Except as noted below, all waste deliveries from San Bernardino County in 2015 were in transfer trucks. Minor amounts from public customers or small commercial haulers may enter from time to time, as allowed by the RCWMD scale attendants.

a. The liner system (inclusive of the bottom liner and the side slope liner) of the landfill shall exceed the requirements of Subtitle D and California Code of Regulations (CCR) Title 27 and shall be composed of the alternative bottom liner (identified as Alternative Bottom Liner B2) and the alternative side slope liner (identified as Side slope Liner Alternative S2), which are both described and evaluated in Evaluation of Liner System Alternatives, El Sobrante Landfill Expansion, Riverside County, California, prepared by GeoSyntec Consultants and dated February 1998.

b. If it is determined that this liner system alternative will not meet the requirements of the regulatory agencies, a substitute liner system must be approved by the regulatory agencies, and evidence of such a determination shall be forwarded to the El Sobrante Landfill Administrative Review Committee of Riverside County. In this event, the substitute liner system shall be composed of a bottom liner and side slope liner that are at least equal to Alternative Bottom Liner B2 and Side slope Liner Alternative S2, respectively, and must be approved by the Administrative Review Committee.

**Status:**

This Condition of Approval is the same as Mitigation Measure W-8. A discussion of status will be provided in that portion of the 2015 Mitigation Monitoring Program Status Report.

9. The final cover of the landfill shall conform to Subtitle D and CCR Title 23 and shall consist of a minimum of four (4) feet of vegetative layer, in accordance with the augmented cover described in the EIR (State Clearinghouse No. 90020076). Any change from the augmented cover shall require clearance from the Riverside County Waste Management Department, the California Integrated Waste Management Board, Regional Water Quality Control Board, the U.S. Fish and Wildlife Service, and the California Department of Fish and Game.

**Status:**

This Condition of Approval is the same as Mitigation Measure W-10. A discussion of status will be provided in that portion of the 2015 Mitigation Monitoring Program Status Report.

10. Prior to any offsite grading, USA WASTE or its successor-in-interest shall obtain and record appropriate offsite easements.

**Status:**

This Condition of Approval is the same as Mitigation Measure L-2. A discussion of status will be provided in that portion of the 2015 Mitigation Monitoring Program Status Report.

11. Prior to construction and construction/operation activities, the following pre-monitoring measures shall be implemented to avoid or lessen boundary concentrations of NO<sub>2</sub>:

- a. Normal landfill operations and cell construction/closure activities shall be preplanned to avoid potentially adverse alignments (both horizontally and vertically) during anticipated periods of meteorological conditions that could result in the greatest property boundary concentration.
- b. During periods when both disposal and construction activities are occurring, downwind property line monitoring of NO<sub>2</sub> shall be implemented for wind and stability conditions which could result in the highest boundary concentrations.

**Status:**

This Condition of Approval is the same as Mitigation Measure AQ-11. A discussion of status will be provided in that portion of the 2015 Mitigation Monitoring Program Status Report.

12. During construction and construction/operation activities, the following post-monitoring measures shall be implemented to avoid or lessen boundary concentrations of NO<sub>2</sub>:

- a. If monitoring determines that the 1-hour NO<sub>2</sub> standard (i.e., 470 ug/m<sup>3</sup>) is being approached (i.e., within 95 percent of the standard or approximately 450 ug/m<sup>3</sup>), construction or cell closure activities shall be curtailed until the appropriate tiered mitigation measures can be implemented, or until adverse meteorological conditions no longer exist.
- b. The waste placement and/or clay preparation areas shall be moved to a preplanned alternative working location to separate emissions from clay placement construction emissions.



- c. Construction procedures shall be configured such that operations requiring heavy equipment do not occur simultaneously (e.g., clay placement and protective soil placement) by scrapers will not be done during periods with adverse meteorological conditions).
- d. Construction scheduling will be slowed to reduce daily equipment usage.
- e. Hours of construction with designated pieces of equipment (e.g., scrapers) shall be constrained to occur outside of peak adverse meteorological conditions.

**Status:**

This Condition of Approval is the same as Mitigation Measure AQ-11. A discussion of status will be provided in that portion of the 2015 Mitigation Monitoring Program Status Report.

- 14a. A Citizen Oversight Committee shall be formed by the Board of Supervisors pursuant to Board Policy A-21 upon approval of the project. The Citizen Oversight Committee shall be composed of a total of five (5) members, whose term of service will be established upon formation of the Committee. Three (3) of the five (5) members will be appointed by the Supervisor of the district in which the landfill is located. Of these three (3), two (2) members must reside within a three (3) mile radius of the landfill property. One (1) member shall be a representative from a corporate operation within a three (3) mile radius of the landfill property. The remaining two (2) members will be appointed by the entire Board of Supervisors and shall be chosen at large to represent the affected communities of interest.

**Status**

This Condition of Approval is the same as Mitigation Measure L-3. A discussion of status will be provided in that portion of the 2015 Mitigation Monitoring Program Status Report.

- b. The Citizen Oversight Committee shall meet at least once annually to review the Annual Status Report submitted by the Administrative Review Committee, which will include all the reports and data that will be provided by USA WASTE or its successor-in-interest, and shall submit written comments on the project to the Board of Supervisors as they deem necessary.

**Status:**

This Condition of Approval is the same as Mitigation Measure L-4. A discussion of status will be provided in that portion of the 2015 Mitigation Monitoring Program Status Report.

- 15a. USA WASTE or its successor-in-interest shall deposit 50 cents per ton into a Third Party, Environmental Impairment Trust, which fund shall be established and maintained throughout the life of the project. Any balance in the existing fund contributed by USA WASTE or its successor-in-interest under the First El Sobrante Landfill Agreement, as amended, shall continue to accrue with deposits from all waste delivered to the site on or after the start date, including interest earnings on the funds, until the fund has reached a total of \$2,000,000, at which time deposits may be discontinued until withdrawals cause the fund to fall below the \$2,000,000 cap. The cap shall increase annually by 90% of the change in the Consumer Price Index (CPI) starting in the year 2002.

**Status:**

This Condition of Approval is the same as Mitigation Measure W-15. A discussion of status will be provided in that portion of the 2015 Mitigation Monitoring Program Status Report.

- b. Monies may be withdrawn from the Environmental Impairment Trust only for environmental remediation purposes with approval by USA WASTE or its successor-in-interest and the General Manager-Chief Engineer of the Riverside County Waste Management Department. The Trustee shall be required to report quarterly to the Department on all fund activity and balances.

**Status:**

This Condition of Approval is the same as Mitigation Measure W-16. A discussion of status will be provided in that portion of the 2015 Mitigation Monitoring Program Status Report.

16. Except for vehicles collecting waste in the immediate vicinity of the landfill, USA WASTE's or its successor's-in-interest collection vehicles delivering waste from in-County to be disposed at El Sobrante shall utilize only that portion of Temescal Canyon Road between its intersection with I-15 and the landfill access road for all trips (both inbound and outbound), except in the event of a closure of the on/off ramps at Temescal Canyon Road and I-15.

**Status:**

This Condition of Approval is the same as Mitigation Measure T-5. A discussion of status will be provided in that portion of the 2015 Mitigation Monitoring Program Status Report.

17. Wherever feasible, temporary earthen or landscape berms, or other structures or measures, shall be utilized to reduce potential noise and glare impacts on surrounding residents from nighttime activities at the working face of the landfill. Any measures implemented for this purpose shall be subject to annual review by the Citizen Oversight Committee.

**Status:**

This Condition of Approval is substantially the same as Mitigation Measures A-6 and N-7. A discussion of status will be provided in those portions of the 2015 Mitigation Monitoring Program Status Report.

18. USA WASTE or its successor-in-interest shall include the County in all aspects of the Section 7 Consultation and Streambed Alteration processes and shall work cooperatively with the County in developing the final agreement with the appropriate federal and state agencies that will allow a portion of the trust fund monies to be used to satisfy other County obligations or goals related to multi-species habitat acquisition and management.

**Status:**

This Condition of Approval is substantially the same as Mitigation Measure B-16. A discussion of status will be provided in that portion of the 2015 Mitigation Monitoring Program Status Report.

- 19a. In the event any official or employee for USA WASTE or its successor-in-interest or any environmental or design professional hired by USA WASTE or its successor-in-interest, is indicted by a grand jury, named as a defendant in a felony complaint filed in any court in the United States, or is otherwise alleged to have participated in any criminal activity directly or indirectly associated with the solid waste management business, activities or operations of USA WASTE or its successor-in-interest, USA WASTE or its successor-in-interest shall provide notice thereof to the County within 7 days of such indictment, complaint or allegation. Such notice shall contain a description of the indictment, complaint or allegation, as well as a copy of such indictment or complaint or other matters of public record related thereto. In addition to the foregoing, USA WASTE or its successor-in-interest shall provide the County with copies of any reports required to be prepared by USA WASTE or its successor-in-interest pursuant to federal securities laws, including quarterly and annual reports.

**Status:**

USA Waste has no such matters to report.

In the event any official or employee for USA WASTE or its successor-in-interest or any environmental or design professional hired by USA WASTE or its successor-in-interest, who has direct responsibility for any phase of the development or operations at El Sobrante Landfill, including but not by way of limitation, any similar personnel for USA WASTE or its successor-in-interest having a responsibility for transferring or delivering waste to the Project, is convicted, indicted by a Grand Jury, or named as a defendant in a felony complaint filed in the Superior Court or a complaint filed in Federal Court associated with conduct of doing business for USA WASTE or its successor-in-interest, this person shall upon written request from the County be immediately removed from any assignment whatsoever, directly associated with the development or operation of the El Sobrante Landfill during the pendency of trial and/or following conviction.

**Status:**

USA Waste has no such matters to report.

- b. In the event any director, official or employee of USA WASTE or its successor-in-interest ever is convicted of a felony associated with the solid waste management business, said director, official or employee will be immediately terminated.

**Status:**

USA Waste has no such matters to report.

- 20a. Within three (3) years of the Start Date, USA WASTE or its successor-in-interest shall submit to the County of Riverside an evaluation of the technological and economical feasibility of using natural gas fuel or other alternative fuel in transfer trucks. The technological feasibility of the evaluation shall include review comments by the South Coast Air Quality Management District. The evaluation shall be subject to County approval. If the County finds that natural gas fuel or other alternative fuel in transfer trucks is technologically and economically feasible, USA WASTE or its successor-in-interest shall develop and implement a program to phase-in transfer trucks capable of using these fuels. The program shall be subject to County approval.
- b. If the County concludes that transfer trucks capable of using alternative fuels are not technologically and economically feasible, USA WASTE or its successor-in-interest shall periodically re-evaluate the feasibility of using alternative fuels in transfer trucks. Such re-evaluations shall be at least every three (3) years. USA WASTE or its successor-in-interest shall, however, conduct such a re-evaluation anytime deemed appropriate by the County.

**Status:**

This Condition of Approval is the same as Mitigation Measure AQ-12. A discussion of status will be provided in that portion of the 2015 Mitigation Monitoring Program Status Report.

21. USA WASTE or its successor-in-interest shall consult with Caltrans regarding the length of the left turn lane on the southbound off ramp from 1-15 to Temescal Canyon Road. The length of the left turn lane shall be sufficient to assure that trucks in the left turn lane do not interfere with vehicles in the right turn lane of the off ramp.

**Status:**

No activity in 2015, road improvements completed in 2003.

22. The Administrative Review Committee (formed pursuant to Section 13 of the Second El Sobrante Landfill Agreement) shall have the following functions:
- a. Review and approval of minor changes to the landfill site plan and/or project plan, which are exempt under the California Environmental Quality Act (CEQA). Changes to the landfill site plan and/or project plan that require revisions to the landfill's operating permits or that require additional CEQA analysis must be reviewed and approved by the Board of Supervisors and the appropriate regulatory agencies.
  - b. Review Mitigation Monitoring Reports submitted by USA WASTE or its successor-in-interest.
  - c. Require USA WASTE or its successor-in-interest to submit additional information regarding performance at the landfill for review.

- d. Solicit and consider input received from the Citizens Oversight Committee.
- e. Solicit input from technical experts necessary to perform the review.
- f. Within 60 days of its annual meeting, the Administrative Review Committee will submit an annual report to the Board of Supervisors and the Citizens Oversight Committee regarding the conformance status of USA WASTE or its successor-in-interest with the conditions imposed on the project. A copy of the Annual Status Report is to be made available for public review at accessible locations.

**Status:**

No minor changes to the landfill site plan were submitted to Administrative Review Committee (ARC) in 2015. In 2015, the ARC reviewed the 2014 Annual Status Reports, solicited comments from the COC, and the report was filed by the BOS in December 2015.

- 23a. USA WASTE or its successor-in-interest shall be responsible for the control and cleanup of litter and debris from the landfill and/or waste-hauling vehicles along the landfill access road to its intersection with Temescal Canyon Road, along Temescal Canyon Road between the landfill access road and the intersection of Interstate 15 (I-15) and Temescal Canyon Road.
- b. At a minimum, USA WASTE or its successor-in-interest shall inspect and remove litter and debris from these roadways on a weekly basis and within 48 hours upon receipt of notice or complaint.

**Status:**

This Condition of Approval is substantially the same as Mitigation Measure A-7. A discussion of status will be provided in that portion of the 2015 Mitigation Monitoring Program Status Report.

# **El Sobrante Landfill 2015 Mitigation Monitoring Program Status Report**

**Prepared By:  
USA Waste of California, Inc.  
10910 Dawson Canyon Road  
Corona, CA 92883**

**March 2016**

**Report on Status of Mitigation Monitoring Program (MMP)**  
**(Adopted by Board of Supervisors on December 18, 2012)**

**Aesthetics (A) Mitigation Measures**

**A-1**

**To assure visual screening of landfill operations and facilities, a phased closure and restoration plan shall be implemented. The closure and restoration plan shall utilize Riversidian sage scrub consistent with native vegetation in nearby undisturbed areas of the Gavilan Hills to minimize visual impacts to surrounding views. (Responsible Agencies: USFWS, CDFG)**

**Status:**

The approved Habitat Conservation Plan (HCP) negotiated with the US Fish and Wildlife Service (USFWS) and California Department of Fish and Wildlife (CDFW, formerly CDFG) details a phased closure and restoration plan utilizing native species. Reports detailing compliance with the HCP, to include the Riversidian Sage Scrub (RSS) restoration plan, are prepared annually and are available upon request.

RSS restoration of more than 100 acres has taken place on closed landfill Phases A, B1, and B2, in addition to the berms for Phases 8, 10, and 11. The Phase 8 berm has met the RSS success criteria and is now classified as Self-sustaining RSS. RSS restoration sites are monitored and weeded regularly each year to control weeds and promote habitat for both plant and animal species. Monitoring results are submitted to the HMC on an annual basis. If it is determined by the Biological Monitor and the HMC that less than the required vegetation cover is present, the reasons for the low cover values will be evaluated (i.e., low rainfall, adverse soil conditions, or other factors that cannot be anticipated), and recommendations for remedial measures, if feasible, will be made (HCP, D-34).

In 2015 detailed plant species lists were made for each phase and berm site to assess growth conditions over time. Natural plant recruitment was good on each phase as was seedling shrub growth. The 2012 hand seeding of California Buckwheat and California Sagebrush produced thousands of small shrubs that were apparent in 2015.

**A-2**

**Development shall be phased such that only approximately 20 acres are disturbed at any one time. Riversidian sage scrub restoration activities shall be similarly phased. (Responsible Agencies: RCDWR, LEA)**

**Status:**

No new development activities took place nor was any new acreage disturbed within the landfill boundary during 2015 that had not already been disturbed in prior years.

Landfill development, along with closure and restoration, is phased to comply with this measure and is implemented in accordance with the Implementing Agreement, dated July 2001, for the approved HCP that was entered into by USFWS, CDFW, USA Waste, and Riverside County.

**A-3**

**Landfill-associated facilities and structure exteriors (including rooftops) and signage shall be of a color consistent with the surrounding area. (Responsible Agencies: RCBSD)**

**Status:**

In 2015, several directional signs were installed on Dawson Canyon Road and Park Canyon Drive. The signs on Dawson Canyon Road included "Landfill straight ahead" and "No right turn" onto Temescal Canyon Road. The signs on Park Canyon Road were "Wrong way" signs directing landfill bound traffic that had made a wrong turn to turn around. The landfill owner/operator will continue to implement this measure for any and all future facilities, structures, and signage.

**Comment [RCDWR1]:** Discuss that the color of the signs are consistent with the surrounding area-not bright flashing neon signs...

**A-4**

**A plan that assures the removal or approved use of landfill-associated facilities, structures, and signage shall be approved by the CIWMB, as part of the Post-closure Plan. (Responsible Agencies: LEA, CIWMB)**

**Status:**

The final post-closure plan will include this measure. At this time, the approved HCP contains the same requirement with a caveat to leave approved structures in place, if desired, for the ongoing monitoring and maintenance of the habitat preserve.

**A-5**

**Outdoor lighting associated with the access road, administration building, and scales shall be directed toward the ground and shall be shielded. Portable lighting used for landfill operations (i.e., working face of the landfill) shall be shielded and directed toward the working area. (Responsible Agencies: LEA)**

**Status:**

Outdoor lighting, both permanent and portable, is shielded and directed towards the ground and/or working face -while maintaining safe operations during the night hours. In 2015, there were a few complaints registered with the LEA regarding lighting. In all occasions, landfill staff assessed the lighting and made adjustments wherever feasible. In 2015, the LEA performed investigations on the portable lighting and found that the site complied with this measure. No violations were issued or noted by the LEA following their inspection of the portable lighting.

**A-6**

**Wherever feasible, temporary earthen or landscape berms, or other structures or measures, shall be utilized to provide visual screening of operations at the working face and to reduce potential glare impacts on surrounding residences from nighttime activities at the working face of El Sobrante. Any measures implemented for this purpose shall be subject to annual review by the Citizen Oversight Committee. (Responsible Agencies: LEA)**

**Status:**

The landfill phasing has been restructured to increase the sight distance and minimize the potential for any visual impact of filling activities on surrounding neighbors. During the first few months of 2015, it was not feasible to provide complete visual screening of operations from all



surrounding communities due to the location of active filling and the height of the landfill. However, impacts on these neighborhoods from night glare are significantly reduced due to their sight distance from the landfill, and because all outdoor lighting at the landfill, both permanent and portable, is shielded and directed toward the ground and/or working face.

Early in 2015, Cell 11A was approved for receipt of waste by the Santa Ana Regional Water Quality Control Board (SARWQCB). Waste disposal operations were moved into this cell which is surrounded by existing landfill and soil berms thus providing complete visual screening of operations at the working face.

Following detailed discussion between USA Waste and RCDWR, it was concluded that it would not be feasible to provide complete shielding of filling operations, in 2014/2015 or in the future. However, a series of measures could be taken in the future to provide partial shielding, including a reduced height of waste cells, placement of cover soil at locations to block visibility, or the use of modified litter fencing. USA Waste and RCDWR will coordinate to provide appropriate measures for future partial shielding.

**Comment [RCDWR2]:** Part of the discussion was that USA Waste would prepare a formal visual screening plan that captures the measures and options identified. Include this in your response and provide a timeline for drafting the Plan.

#### A-7

**A plan that assures the removal of litter associated with the proposed project shall be approved by the CIWMB prior to the issuance of a SWFP.**

**USA Waste or its successor-in-interest shall be responsible for the control and cleanup of litter and debris from the landfill and/or waste-hauling vehicles along the landfill access road to its intersection with Temescal Canyon Road, and along Temescal Canyon Road from the intersection with Interstate 15 (I-15) to the intersection with Weirick Road. At a minimum, USA Waste or its successor-in-interest shall inspect and remove litter and debris from these roadways on a weekly basis and within 48 hours upon receipt of notice of complaint. (Responsible Agencies: LEA, CIWMB)**

#### **Status:**

Litter control and removal is addressed in the Joint Technical Document (JTD), approved by the CIWMB. Consequently, it is closely monitored by the LEA. In 2015, USA Waste performed litter control, cleanup and inspection on these road segments in accordance with the schedule provided in the mitigation measure.

No violations were recorded during 2015 by the LEA for the landfill or for the landfill access road. Temescal Canyon Road, like many roads in Riverside County, has been the subject of illegal disposal activity. During negotiations with the BOS regarding the First Amendment to the Second Agreement, the landfill operator agreed to increase the scope of its off-site litter removal activities to better meet the needs of the community. Condition 23.a. of the approved Conditions of Approval (Exhibit "F" of the Second Amendment) was revised to read as follows:

- 23.a. USA Waste or its successor-in-interest shall be responsible for the control and cleanup of litter and debris from the landfill and/or waste-hauling vehicles along the landfill access road to its intersection with Temescal Canyon Road, and along Temescal Canyon Road from the intersection with Interstate 15 (I-15) to the intersection with Weirick Road.

Litter control and removal is an on-going task, and during 2015, El Sobrante Landfill continued to allot a minimum of 16 person-hours per week to the clean-up of litter and debris.

In addition, the First Amendment to the Second El Sobrante Landfill Agreement, approved on July 1, 2003, requires the following:

In order to provide more focused assistance with the problem of illegal dumping on private property, USA WASTE or its successor-in-interest will provide one roll-off bin per quarter in the Spanish Hills area and one roll-off bin per quarter in the Dawson Canyon area for private property owners in those areas. Costs associated with transportation and disposal of waste deposited in the bins will be borne by USA WASTE, with the understanding that the private property owners will bear the responsibility of depositing waste in the bins.

Formatted: Font: (Intl) +Body (Calibri)

During 2015, Waste Management continued to exceed the Spanish Hills and Dawson Canyon roll-off bin schedule and transported and disposed of trash contained within the two roll-off bins on a monthly basis.

Formatted: Indent: Left: 0.07", Space Before: 0 pt

USA Waste sponsors about 8 miles along I-15 through the Caltrans Adopt-a-Highway program. The El Sobrante Landfill recently changed its Adopt-a-Highway cleanup work from a bi-weekly practice to a weekly one to improve service quality along the I-15. El Sobrante will continue to clean the adopted sections of I-15 utilizing company resources.

Formatted: Indent: Left: 0.07", Space Before: 0 pt

## **Air Quality (AQ) Mitigation Measures**

### **AQ-1**

**The following activities shall occur based on SCAQMD Rule 1150.1 - Control of Gaseous Emissions from Active Landfills:**

- Landfill gas collection and thermal destruction systems shall be provided and operated.
- Landfill gas destruction system shall be constructed using best available control technology (BACT). Improved combustion technology (e.g., boiler) shall be installed at the time that the continued use of current technology flares would exceed SCAQMD standards for stationary sources. (Final EIR).
- A network of landfill gas monitoring probes shall be installed to identify potential areas of subsurface landfill gas migrations.
- The project includes a landfill gas barrier layer (i.e., 10- to 20-mil high-density polyethylene [HDPE] or polyvinyl chloride [PVC] sheeting) as part of the intermediate cover and final cover system. This gas barrier layer is not required by Subtitle D and would minimize excess air infiltration and fugitive landfill gas emissions, and would increase landfill gas collection efficiency.
- Monitoring of landfill gas concentrations at perimeter probes, gas collection system headers, landfill surface, and in ambient air downwind of the landfill shall be conducted in accordance with applicable regulations.
- Annual emissions testing of inlet and exhaust gases from the landfill gas destruction system shall be conducted to evaluate gas destruction efficiency.
- The gas collection system shall be adjusted and improved based on quarterly monitoring and annual stack testing results. (Responsible Agencies: LEA, SCAQMD)

### **Status:**

The purpose of mitigation measure AQ-1 is to minimize fugitive landfill gas (LFG)

emissions from the landfill, because methane produced in the landfill comprises approximately 50 percent of LFG and is a significant contributor to greenhouse gas (GHG). To minimize excess air infiltration and fugitive LFG emissions and to achieve greater gas collection efficiencies than were required by regulations in place at the time the Draft EIR (1994) and Final EIR (1996) were under review for the Expansion Project (specifically, Code of Federal Regulation [CFR], Title 40, Part 258, "Subtitle D" and SCAQMD Rule 1150.1, April 5, 1985 version), the mitigation measure was written to include a provision for a landfill gas barrier layer in the intermediate cover and final cover system, which was considered the best available control technology to reduce infiltration and emissions.

Since 1996, more stringent regulations governing the installation of LFG collection and control systems and LFG monitoring have been enacted (specifically, CFR, Title 40, Part 60, Subpart WWW ([www.ecfr.gov](http://www.ecfr.gov)); California Code of Regulations [CCR], Title 17, "AB 32" ([www.leginfo.ca.gov](http://www.leginfo.ca.gov)); CCR, Title 27; and SCAQMD Rule, 1150.1, as revised 1998, 2000, and 2011 ([www.aqmd.gov](http://www.aqmd.gov)), and better extraction technologies have been implemented (i.e., better flares, better understanding of collection efficiencies, enhanced monitoring systems, and development of economically-feasible LFG-to-energy facilities). Quarterly monitoring and reporting to the SCAQMD indicates that El Sobrante complies with these requirements and standards and the goal of AQ-1 without placing a landfill gas barrier in the intermediate cover and final cover system.

As allowed by Condition of Approval 5 of BOS-approved Conditions of Approval (Exhibit "F" of Second Agreement), the landfill operator may substitute specified materials, design, system or action as may be required by the project providing that such material, design, system or action complies with all applicable Federal, State, and local regulations and is approved by any Federal, State or local regulatory agency having jurisdiction and the General Manager of the Riverside County Department of Waste Resources (RCDWR). A third party technical report was prepared (included in appendix) that confirms the landfill's current LFG collection and control system is preferred over the installation of a LFG barrier.

## AQ-2

**The following activities shall occur based on SCAQMD Rule 403 - Fugitive Dust:**

- **Emission controls necessary to assure that dust emissions are not visible beyond the landfill property boundary shall be implemented.**
- **New cell construction and cell closure activities shall not occur simultaneously.**
- **The Rule 403 Fugitive Dust Emissions Control Plan for the landfill, approved by SCAQMD in May 1993, shall be adhered to. The plan itemized various control strategies for dust emissions from earthmoving, unpaved road travel, storage piles, vehicle track-out, and disturbed surface areas, including watering, chemical stabilizers, revegetation, and operational controls or shutdown for implementation during both normal and high wind conditions.**
- **Rule 403 Fugitive Dust Emissions Control Plan shall be revised on an annual basis. (Responsible Agencies: LEA, SCAQMD)**

### Status:

Dust control measures are being implemented in accordance with this mitigation measure and the landfill's SCAQMD-approved Rule 403 Fugitive Dust Control Plan. It should be noted, however, that subsequent to approval of the Expansion EIR, Rule 403 requirements changed, and the landfill operator is no longer required to revise the plan on an annual basis (~~[www.aqmd.gov](http://www.aqmd.gov)~~). (~~[www.aqmd.gov](http://www.aqmd.gov)~~). As allowed by Condition of Approval 5 of

Formatted: Condensed by 0.05 pt

Formatted: No underline, Underline color: Auto, Font color: Auto

Formatted: Condensed by 0.05 pt

Formatted: Condensed by 0.05 pt

Formatted: Condensed by 0.05 pt

Formatted: Condensed by 0.05 pt

Formatted: Condensed by 0.05 pt

Formatted: Condensed by 0.05 pt

Formatted: Condensed by 0.05 pt

Formatted: Condensed by 0.05 pt

Formatted: Condensed by 0.05 pt

Formatted: Condensed by 0.05 pt

Formatted: No underline, Underline color: Auto

BOS-approved Conditions of Approval (Exhibit "F" of Second Agreement), the Fugitive Dust Plan is updated or revised only as required by the SCAQMD.

#### **AQ-3**

**The following mitigation measures exceed current regulatory requirements and shall be incorporated by design, construction, and operation:**

- **PM<sub>10</sub> monitoring stations and an onsite meteorological station shall be installed and operated, as agreed in consultation with the SCAQMD.**
- **Where feasible, landfill roads shall be paved.**
- **Portions of paved roads abutting unpaved haul truck traffic areas shall be routinely swept and/or washed.**
- **Onsite vehicles shall be routinely maintained. (Responsible Agencies: LEA, SCAQMD)**

#### **Status:**

This mitigation measure is implemented on an ongoing basis. The site has installed a meteorological station and conducted PM<sub>10</sub> monitoring as part of construction activities. All paved surfaces are scheduled to be swept a minimum of once weekly, with supplemental sweepings added on a more frequent basis as dictated by weather conditions. All unpaved haul roads are watered as needed. All heavy equipment is maintained on a 250 operating hour interval, and all heavy trucks (e.g., roll-off trucks) undergo annual exhaust opacity testing as required by SCAQMD.

#### **AQ-4**

**In the event monitoring indicates that permissible levels of PM<sub>10</sub> are being exceeded, some combination of the following dust control measures shall be implemented:**

- **Washing of truck wheels.**
- **Routing paved access roads away from directions that result in property boundary impacts.**
- **Curtailing specific activities (e.g., new phase construction) when conditions are unfavorable for fugitive PM<sub>10</sub> control. (Responsible Agencies: LEA, SCAQMD)**

#### **Status:**

This mitigation measure has not been triggered, because PM<sub>10</sub> levels are not being exceeded.

#### **AQ-5**

**The following activities would occur based on SCAQMD Regulation XIII - New Source Review:**

- **Control devices for stationary emission sources shall be provided which satisfy BACT requirements.**
- **NO<sub>x</sub>, ROG, SO<sub>x</sub>, and PM<sub>10</sub> emissions from stationary sources shall be offset according to SCAQMD requirements for essential public services. (Responsible Agencies: SCAQMD)**

#### **Status:**

Landfill emissions are analyzed on an annual basis to ensure that the landfill is operating within permitted threshold limits. An annual emission report is submitted to SCAQMD and the RCDWR to ensure compliance with this mitigation measure. A copy of the annual emission report is on file and available at the offices of SCAQMD and Waste Management, Inc. [\(see Appendix\)](#)

#### **AQ-6**

**The following activity shall occur based on SCAQMD Regulation XIV - Toxics and Other Noncriteria Pollutants:**

- **Control devices for stationary emission sources shall be provided which assure that emissions of potentially carcinogenic and/or toxic compounds do not result in unacceptable health risks downwind of the landfill. (Responsible Agencies: SCAQMD)**

#### **Status:**

Landfill emissions from all sources are analyzed on an annual basis to ensure that the landfill is operating within permitted threshold limits. See Mitigation Measure AQ-5 above.

#### **AQ-7**

**Onsite vehicles shall be routinely maintained. (Responsible Agencies: SCAQMD)**

#### **Status:**

Routine maintenance of onsite vehicles and equipment is performed to ensure compliance with this mitigation measure.

#### **AQ-8**

**Heavy construction equipment shall use low sulfur fuel (<0.05 percent by weight) and shall be properly tuned and maintained to reduce emissions. (Responsible Agencies: SCAQMD)**

#### **Status:**

All diesel fuel used at the facility is low sulfur fuel with a sulfur content of less than 0.05% by weight, which is the only fuel available in California.

#### **AQ-9**

**Construction equipment shall be fitted with the most modern emission control devices. (Responsible Agencies: SCAQMD)**

#### **Status:**

All heavy equipment operated at the facility by USA Waste is fitted with the manufacturer's specified emission control devices for the period the equipment was manufactured. As equipment is routinely maintained, the most current available upgrades to the emission control systems are installed on the equipment in compliance with the California Air Resources Board (CARB) requirements.

#### **AQ-10**

**The project shall comply with SCAQMD Rule 461, which establishes requirements for vapor control from the transfer of fuel from the fuel truck to**

vehicles. (Responsible Agencies: SCAQMD)

**Status:**

This mitigation measure has not been triggered, because the requirements of Rule 461 only apply if stationary or mobile gasoline fuel tanks have a capacity of over 119 gallons. The rule is not applicable to diesel storage tanks.

Formatted: Font: Bold, Italic, Condensed by 0.05 pt

Formatted: Space Before: 0 pt

Formatted: Indent: Left: 0.07", Right: 0.08", Space Before: 0 pt

**AQ-11**

Prior to construction and construction/operation activities, the following premonitoring measures shall be implemented to avoid or lessen boundary concentrations of NO<sub>2</sub>:

- Normal landfill operations and cell construction/closure activities shall be preplanned to avoid potentially adverse alignments (both horizontally and vertically) during anticipated periods of meteorological conditions which could result in the greatest property boundary concentration.
- During periods when both disposal and construction activities are occurring, downwind property line monitoring of NO<sub>2</sub> shall be implemented for wind and stability conditions which could result in the highest boundary concentrations.

During construction and construction/operation activities, the following postmonitoring measures shall be implemented to avoid or lessen boundary concentrations of NO<sub>2</sub>:

- If monitoring determines that the 1-hour NO<sub>2</sub> standard (i.e., 470 µg/m<sup>3</sup>) is being approached (i.e., within 95 percent of the standard or approximately 450 µg /m<sup>3</sup>), construction or cell closure activities shall be curtailed until the appropriate tiered mitigation measures can be implemented, or until adverse meteorological conditions no longer exist.
- The waste placement and/or clay preparation areas shall be moved to a preplanned alternative working location to separate emissions from clay placement construction emissions.
- Construction procedures shall be configured such that operations requiring heavy equipment do not occur simultaneously (e.g., clay placement and protective soil placement by scrapers will not be done during periods with adverse meteorological conditions).
- Construction scheduling will be slowed to reduce daily equipment usage.
- Hours of construction with designated pieces of equipment (e.g., scrapers) shall be constrained to occur outside of peak adverse meteorological conditions. (Responsible Agencies: LEA, SCAQMD)

**Status:**

No construction activities took place during 2015

Formatted: Indent: Left: 0.07", Space Before: 0 pt

Formatted: Indent: Left: 0.07"

**AQ-12**

Within three years of start date [July 1, 2001], USA Waste or its successor-in-interest shall submit to the County of Riverside an evaluation of the technological and economical feasibility of using natural gas fuel or other alternative fuel in transfer trucks. The technological feasibility of the evaluation shall include review



## **Biological Resources (B) Mitigation Measures**

### **B-1**

**Development shall be phased so that the area to be disturbed shall be minimized. Restoration of previously disturbed areas shall be performed in accordance with the Multiple Species Habitat Conservation Plan for the El Sobrante Landfill and its Implementing Agreement, both dated July 2001, and any approved modifications or amendments thereto. (Responsible Agencies: USFWS, CDFG, ACOE, RWQCB, RCDWR)**

#### ***Status:***

Phased development, closure and restoration are being performed in accordance with the Implementing Agreement, dated July 2001, for the approved El Sobrante Landfill HCP that was entered into by USFWS, CDFW, USA Waste, and Riverside County. New cell development excavation continues to be minimized as much as operationally possible and monitored by biological consultants to ensure that appropriate preserve/excavated ratios are maintained. During 2003, the expansion phases were redesigned to facilitate expansion and soil stockpiling activities. A minor modification request was formally submitted to USFWS and CDFW in May 2004 to re-phase the grading plan, increasing the number of phases from 15 to 17.

In 2015, no new development occurred in the project expansion area or on the closed landfill slopes.

### **B-2**

**Areas within the landfill limits of disturbance shall be restored with Riversidian sage scrub in accordance with the Multiple Species Habitat Conservation Plan for the El Sobrante Landfill and its Implementing Agreement, both dated July 2001, and any approved modifications or amendments thereto. (Responsible Agencies: USFWS, CDFG, ACOE, RWQCB, RCDWR)**

#### ***Status:***

Refer to "Status" under Mitigation Measure B-1.

### **B-3**

**Dudleya salvaging and restoration shall be performed in accordance with the Multiple Agreement, both dated July 2001, and any approved modifications or amendments thereto. (Responsible Agencies: USFWS, CDFG, ACOE, RWQCB, RCDWR)**

#### ***Status:***

Dudleya salvaging and restoration is being performed by the Habitat Manager (Mariposa Biology), in accordance with the Dudleya Restoration Plan, prepared pursuant to the approved HCP. The goal of the HCP is to replace impacted Dudleya at a 1:1 ratio through salvage, propagation, and translocation, while at the same time controlling non-native plant species within the 15-acre Dudleya Restoration Area that was established in 2004. Through 2009, 15,210 plants had been salvaged from landfill phases prior to grading disturbance. Of the 15,210 plants salvaged, 7,760 plants survived to be planted within 67 test plots located in the Dudleya Restoration Area. Another 6,942 Dudleya plants were



grown from seed and planted in the Dudleya Restoration Area. The survival rate of the 14,702 plants that were transplanted through 2009 in the test plots has been low due to factors such as herbivory and drought, decreasing from 318 plants in 2012 to 140 plants in 2013 after a second year of drought, which indicates that plants, while dying off, are not reproducing in the test plots. In December 2012, 7 rock outcrops were seeded with Many-stemmed Dudleya on rock outcrops that supported Dudleya lanceolata in the North and East Preserves to increase the number of Dudleya plants onsite for mitigation purposes. The rock outcrops were seeded again in the summer of 2014. In December 2014, 4 of the 7 outcrops had 251 Dudleya seedlings. To prevent further loss of plants in the restoration area after repeated drought years, adaptive management measures were implemented in 2013. Measures included the strategic placement of rocks to provide protection of the plants and the installation of temporary irrigation lines to water approximately 17 of the more successful test plots or test plots that can be watered without watering any natural rock outcrops. Watering to replace lack of rainwater occurred from November 2013 through February 2014. Water was not used for the Dudleya rock outcrops in the fall of 2014 due to multiple rain events. An artificial rock outcrop was created and seeded.

In 2015, protective top screens were removed from active plots to allow for better weeding and counting of plants. No temporary irrigation was used, for although it increased the number of Many-stemmed Dudleya seedlings, it also increased the growth of weeds. Five of the seeded outcrops and the artificial rock outcrop produced hundreds of Dudleya seedlings that died back before blooming. The plot counts were similar to 2014 as drought conditions remained.

#### **B-4**

**Prior to disturbance to wetland/riparian areas, a wetland compensation and mitigation plan shall be developed in consultation with the ACOE, if a 404 Permit is required, the CDFG, pursuant to Section 1603 of the California Fish and Game Code, the RWQCB, pursuant to 401 Water Quality requirements and/or policies to protect wetlands, and the USFWS, if consultation is triggered pursuant to Section 7 of the Endangered Species Act. Mitigation of riparian habitats shall be targeted at a 3:1 ratio with compensation of 6.36 acres. Target mitigation of an additional 1.28 acres of riparian herb vegetation shall be at a 1:1 ratio. Final determination of mitigation ratios shall be made subsequent to onsite evaluation by the ACOE, CDFG, RWQCB, and/or USFWS and shall not be unreasonable or arbitrary. (Responsible Agencies: USFWS, CDFG, ACOE, RWQCB, RCDWR)**

#### **Status:**

From 2002, when construction of the landfill expansion project began, no wetland/riparian areas identified in the EIR have been impacted. This mitigation measure has not been triggered for any grading or construction related to the landfill and would not be triggered until the final phase of landfill development, Phase 15 (now Phase 17).

**Comment [RCDWR3]:** Need to identify the on-going permitting efforts with CDFW and USACE address potential impacts to riparian areas resulting from landfill/pond development.

#### **B-5**

**Activities to mitigate the disturbance to wetlands may include, but are not limited to:**

- **Identification and assessment of sites and specific riparian mitigation measures along Temescal Wash.**
- **Enhancement of degraded areas within existing channels.**
- **Weed removal to improve existing riparian habitat.**

- **Potential purchase of offsite riparian habitat. (Responsible Agencies: USFWS, CDFG, ACOE, RWQCB, RCDWR)**

**Status:**

Any wetland compensation plan developed in the future as a result of implementing Mitigation Measure B-4 will incorporate measures such as those noted in Mitigation Measure B-5.

In 2014, a drainage in the North Preserve was identified as a potential riparian mitigation for riparian habitat impacts associated with Phase 17 drainage. The drainage has cement pipes approximately every 10 meters that direct the water flow into an underground pipe system. Closing the pipe system would restore the hydrology of the drainage and allow for riparian restoration.

Formatted: Indent: Left: 0.07", Space Before: 0 pt

In 2015 CDFW issued a Long-term Maintenance Agreement for the routine clearing of landfill ponds. A Habitat Monitoring and Maintenance Plan (HMMP) was prepared for the restoration of a 1.5 acre portion of Olsen Creek and a tributary. As part of the implementation of the HMMP, 8 cement pipes in the tributary on RCHCA land were capped and the associated berms were broken up to allow surface water to flow again and enter the restoration site. Piles of dead wood were removed and most of the site was planted with riparian trees with upland shrubs.

Formatted: Indent: Left: 0.07"

**B-6**

**The purchase of offsite riparian/wetland habitat shall be incorporated into the mitigation plan in the event that the ACOE Section 404 permit and CDFG Section 1603 agreement process conclude that onsite enhancement and offsite mitigation along Temescal Wash could not provide sufficient compensation for disturbance to onsite riparian habitat. If this mitigation were implemented, surveys shall be conducted in coordination with USFWS and CDFG to identify offsite riparian habitat that would be suitable for purchase as mitigation for onsite habitat disturbance. Considerations shall include, but not be limited to:**

- **Proximity to landfill site.**
- **Similarity of adjacent habitat.**
- **Management plans.**
- **Comparability.**
- **Sustainability.**
- **Cost. (Responsible Agencies: USFWS, CDFG, ACOE)**

**Status:**

Any wetland compensation plan developed in the future because of implementing Mitigation Measure B-4 will be developed in negotiation with the resource agencies.

**B-7**

**Wetland/riparian habitat mitigation shall be implemented in accordance with all permits, approvals, and/or agreements as may be required by ACOE, CDFG, RWQCB, and/or USFWS. (Responsible Agencies: USFWS, CDFG, ACOE, RWQCB)**

**Status:**

Wetland/riparian habitat mitigation will be implemented in accordance with an approved plan and upon issuance of all approvals and/or permits from these resource agencies.

**B-8**

**Landfill personnel shall be instructed as to the requirement for and importance of restoration of completed areas of the site. (Responsible Agencies: USFWS, CDFG)**

**Status:**

El Sobrante Landfill management personnel and the habitat manager work closely together on issues related to the restored RSS on the closed landfill slopes, and as a result landfill personnel are aware of the importance of the restoration site. This importance of protecting the restoration sites is explained to landfill workers working near the restored RSS slopes and this promotes the protection of the restoration sites.

**B-9**

**Approximately 406 acres of undisturbed open space, upon which a Declaration of Conservation Covenants and Restrictions has been recorded in favor of CDFG and USFWS, shall be maintained and managed for the benefit of Covered Species, pursuant to federal and state incidental take permits and the *Multiple Species Habitat Conservation Plan for the El Sobrante Landfill* and its Implementing Agreement, both dated July 2001, and any approved modifications or amendments thereto. (Responsible Agencies: RCDWR)**

A restrictive covenant was placed over the approximately 406 acres of Undisturbed Open Space on the landfill property in favor of USFWS and CDFG. A Declaration of Conservation Covenants and Restrictions was recorded on August 7, 2002 (Instrument No. 434614). Another 292 acres were conveyed to the County in 2002, subject to a conservation easement granted in favor of the CDFG.

**B-10**

**Pursuant to Section 5 of the Agreement, USA Waste or its successor-in-interest shall pay the County a per ton charge for the deposit of Non-County waste at El Sobrante Landfill, \$1.50 of which shall be utilized for multi-species habitat acquisition and management, including planning and research activities, as provided in Section 10.7 of the Agreement and as approved by the Board of Supervisors on September 1, 1998. Monies to be utilized for multi-species purposes shall be deposited in a trust fund administered by the Executive Officer of the County. (Responsible Agencies: RCDWR)**

**Status:**

For calendar year 2015, approximately \$2,228,117,575.562 was collected from out-of-county waste imports and conveyed to the Executive Office for MSHCP funding ~~(as based on the out of County waste in 2015 at \$1.50/ton).~~ No portion of the out-of-County fee that is allocated for multi-species habitat acquisition and management is utilized to fund the El Sobrante Landfill HCP. The County maintains entire discretion over the trust fund, which is currently being utilized to fund a major portion of the Western Riverside County Multiple Species Habitat Conservation Plan. USA Waste (or its successors-in-interest) is entirely responsible for funding and carrying out its obligations under the approved HCP for the El Sobrante Landfill.

Formatted: Not Highlight  
Formatted: Font color: Black, Not Expanded by / Condensed by , Not Highlight

#### B-11

**In the unlikely event that out-of-County waste ceases to be disposed of at El Sobrante, use of the 60 million tons of air space currently allocated for out-of-County waste shall include the requirement for payment of \$1.00 per ton for multispecies habitat acquisition and management. (Responsible Agencies: RCDWR)**

#### **Status:**

The circumstances cited in this measure have not occurred.

#### B-12

**Lighting at the working face shall be downcast and shielded to minimize reflection, and shall be directed inward toward the landfill. (Responsible Agencies: RCDWR)**

#### **Status:**

All outdoor lighting, both permanent and portable, is shielded and directed toward the ground and/or working face in accordance with this mitigation measure. In 2015, there were a few complaints registered with the LEA regarding lighting. The LEA performed investigations for the complaints and found that the site complied with this measure, and no violations were issued or noted by the LEA following their inspection of the portable lighting.

#### B-13

**A predator monitoring and control plan shall be implemented in accordance with the *Multiple Species Habitat Conservation Plan for the El Sobrante Landfill* and its *Implementing Agreement*, both dated July 2001, and any approved modifications or amendments thereto. (Responsible Agencies: USFWS, CDFG)**

Wildlife control measures that include the following have been incorporated in the approved HCP and are being implemented by the Habitat Manager in accordance with the Implementing Agreement:

- Cowbird trapping to avoid parasitism during the breeding season of the California Gnatcatcher.
- Monitoring for the occurrence of Argentine ants and fire ants, and implementation of control measures that are based on methods prescribed by County and State agencies and approved by the Management Committee. Implementation of the measures must be consistent with the terms of the incidental take permits.
- Monitoring for the presence of domestic pets and feral cats, and implementation of trapping or other appropriate actions to limit the effects on these animals on Covered Species in Conserved Habitat and in undisturbed habitat in the Landfill Area.

In 2008 and 2009, the number of cowbirds trapped remained significantly lower than previous years. As a result, the Habitat Management Committee (HMC) for the El Sobrante HCP mutually agreed in September 2009 to reduce cowbird trapping from every year to every other year, starting in 2012. The last cowbird-trapping program was conducted by TeraCor Resource Management during the California Gnatcatcher's spring nesting season from March through June of 2012. 360 brown-headed cowbirds were caught in 4 maintained traps during this period. There was no observed evidence of parasitism of Gnatcatcher nests, and no cowbirds were detected in or near Gnatcatcher habitat areas. The cowbirds that were present were part of a mixed blackbird flock that winters at the landfill

Formatted: Condensed by 0.05 pt

Formatted: Heading 4, Right: 0", Space Before: 0 pt

Formatted: Heading 4, Justified, Space Before: 0 pt, Line spacing: single

and feeds on the landfill. No cowbird trapping has been conducted since that time. In 2015 a pair of Least Bell's Vireo (LBV), an endangered bird with a history of Cowbird parasitism, nested in the Plan Area. A pair of Cowbirds parasitized the nest. Cowbird eggs were removed by the Habitat Manager and one LBV fledged.

In 2015, predator control measures, such as monitoring for the occurrence of Argentine ants and fire ants, were implemented. No pest problems were noted.

#### **B-14**

**Brush clearing and habitat removal in each phase of landfill expansion will not be allowed to occur between February 1 and August 15, pursuant to the *Multiple Species Habitat Conservation Plan for the El Sobrante Landfill* and its Implementing Agreement, both dated July 2001, and any approved modifications or amendments thereto. (Responsible Agencies: USFWS, CDFG)**

**Status:**

There was no brush clearing in 2015.

#### **B-15**

**When the landfill expansion is complete (i.e., after closure of all phases and at the end of the postclosure monitoring maintenance period [currently a minimum of 30 years]), including all restoration activities in accordance with the *Multiple Species Habitat Conservation Plan for the El Sobrante Landfill* and its Implementing Agreement, both dated July 2001, and any approved modifications or amendments thereto, the area of onsite disturbance (approximately 645 acres) shall be kept in permanent conservation through a conservation easement in favor of the CDFG. In the event that CDFG revokes its acceptance of the conservations easement, the land shall be placed into conservation with the County, or other County-designated entity, such as Western Riverside County Regional Conservation Authority as approved by the US Fish and Wildlife Service and the El Sobrante habitat management committee. (Responsible Agencies: RCDWR)**

**Status:**

As noted, this mitigation measure will not be triggered until after the post-closure period of approximately 30 years beyond closure of all phases of the landfill expansion project.

#### **B-16**

**USA Waste or its successor-in-interest shall continue to include the County in all aspects of future permitting processes involving USFWS, pursuant to Section 7 of the Endangered Species Act, CDFG, pursuant to Section 1603 of the California Fish and Game Code, ACOE 404 permitting, and RWQCB, pursuant to 401 Water Quality requirements and/or policies to protect wetlands. (Responsible Agencies: RCDWR)**

**Status:**

As party to the Implementing Agreement for the approved HCP, the County of Riverside has been and will be included in all aspects of future permitting processes involving USFWS, CDFW, ACOE, and/or RWQCB.

In 2014, notifications were sent to CDFW for the clearing of Pond 3 and for the long-term maintenance of existing Ponds 1, 3, 4, and future Ponds 1A, 1B, 5, and 6. RWQCB staff visited the Pond 4 site. A meeting was held with ACOE to discuss permitting.

Comment [RCDWR4]: What was the outcome of the meeting?

In 2015 CDFW issued a Long-term Maintenance Agreement for the routine clearing of landfill ponds. A Habitat Monitoring and Maintenance Plan (HMMP) was prepared for the restoration of a 1.5 acre portion of Olsen Creek and a tributary. As part of the implementation of the HMMP, 8 cement pipes in the tributary on RCHCA land were capped and the associated berms were broken up to allow surface water to flow again and enter the restoration site. Piles of dead wood were removed and most of the site was planted with riparian trees with upland shrubs.

## Cultural Resources (C) Mitigation Measures

### C-1

**Prior to grading, a Society of Professional Archaeologists (SOPA)-certified archaeologist(s) shall be retained, at the expense of the project, to provide surface collection, mapping, and test excavations for identified archaeological sites. If the sites are determined to be important, the resources within these sites shall be either preserved or a data recovery excavation shall be conducted. (Responsible Agencies: RCPD)**

**Status:**

No pre-impact archaeological surveys were conducted in 2015, because no new landfill grading was performed in 2015.

### C-2

**In the event that additional archaeological sites are uncovered during initial grading, work shall be redirected and an archaeologist shall be retained at the expense of the project, to evaluate the importance of the site and, if necessary, shall develop and implement an appropriate data recovery program. The archaeologist shall be allowed to redirect grading in the area of exposed resources until inspection, evaluation, and recovery activities are completed. (Responsible Agencies: RCPD)**

**Status:**

No archaeological sites have been uncovered during any grading or excavation work in current phases. There was no evidence for a subsurface component.

### C-3

**Routine road or stormwater facilities, maintenance or other land-altering activities in the vicinity of sites shall be monitored by a SOPA-certified archaeologist to prevent inadvertent disturbance or loss of important resources. (Responsible Agencies: RCPD)**

**Status:**

Pre-impact archaeological surveys have been conducted by SOPA-certified archaeologists in order to identify previously recorded resources and to identify new resources in expansion areas prior to any disturbance activities. As noted under "Status" for Mitigation Measure C-1, no resources have been identified in currently active landfill phases. The area in the

vicinity of these sites will be monitored by a SOPA certified archeologist on a semi-annual basis while performing routine tasks outlined in mitigation measure C-4 below.

**C-4**

**The status of the sites shall be monitored on a semi-yearly basis to assure that incidental disturbance or recreational collection of resources has not occurred. (Responsible Agencies: RCPD)**

**Status:**

Based on the 2003 archaeological report prepared by RECON in 2003, there is no evidence of archaeological resources within the active landfill phases. However, Archaeological monitoring was performed on a semi-annual basis in 2015. RECON was contracted in December of 2014 for monitoring services and the results of those services submitted in reports on February 6, 2015 and August 10, 2015. (included in appendix).

**C-5**

**Archaeological materials recovered during surface collections, subsurface excavations, and monitoring shall be curated in perpetuity at a regional repository approved by the County. Expenses for curation shall be borne by the project. (Responsible Agencies: RCPD)**

**Status:**

No archaeological materials were identified or recovered in 2015 (the current expansion phases.). El Sobrante Landfill will comply with this mitigation measure if triggered.

**C-6**

**While the archaeological sites that will be affected by the proposed project are not expected to include human remains or burial artifacts, should such items be discovered during subsurface testing or data recovery, or if such items are discovered at unknown sites during construction or operation of the proposed action, project-related earthmoving activities shall be redirected away from the area. A SOPA-certified archaeologist shall consult with the County and representatives of local Native American groups regarding removal and re-interment. (Responsible Agencies: RCPD)**

**Status:**

No human remains or burial artifacts have been recovered during subsurface testing or during grading. Therefore, this mitigation measure has not been triggered. However, should human remains or burial artifacts be discovered, proper protocol procedures will be followed.

**C-7**

**The approved archaeological mitigation measures shall be affixed to all copies of the project grading plans. (Responsible Agencies: RCBSD)**

The approved archaeological mitigation measures will continue to be affixed to all future copies of project grading plans in accordance with this mitigation measure.

**Geology, Soils and Seismicity (G) Mitigation Measures**

#### **G-1**

**The landfill and associated structures shall be designed and constructed to withstand the expected ground motions and potential effects of seismic ground shaking. (Responsible Agencies: RCBSD, LEA, RWQCB, CIWMB)**

**Status:**

All cell designs are engineered based on seismic stability analyses and subject to review and approval of the RWQCB. Likewise, all building plans must comply with all applicable building standards and are submitted to Riverside County for review and permitting.

#### **G-2**

**Final exterior waste fill slopes shall not be steeper than 1.75:1 with a minimum of one 15- foot wide bench for every 50-feet of vertical height. (Responsible Agencies: LEA, RWQCB, CIWMB)**

**Status:**

All final exterior waste fill slopes are a more conservative 2.7:1 with benches every 50 vertical feet. Interim slopes are constructed at 3:1 per RWQCB guidelines.

#### **G-3**

**A slope or foundation stability report shall be prepared by a registered civil engineer or certified engineering geologist. The report must indicate at least a 1.5 factor of safety for the critical slope under dynamic conditions, or appropriate factor of safety in accordance with applicable regulations. (Responsible Agencies: LEA, RWQCB, CIWMB)**

**Status:**

All stability analyses are included in the Joint Technical Document (JTD) reviewed and approved by the RWQCB. The JTD, revised March 2009, incorporated an updated seismic stability analysis of the landfill's liner system.

#### **G-4**

**In lieu of achieving a 1.5 factor of safety under dynamic conditions, a more rigorous analytical method that provides a quantified estimate of the magnitude of movement may be employed. (Responsible Agencies: LEA, RWQCB, CIWMB)**

**Status:**

All stability critical structures within the footprint of the landfill are designed to the 1.5 factor of safety.

#### **G-5**

**Significant slopes (including cut, fill, and waste prism slopes greater than 20 feet high and steeper than 3:1) shall be designed to comply with RWQCB and CIWMB requirements for the identified maximum probable earthquake peak acceleration. (Responsible Agencies: LEA, RWQCB, CIWMB)**

All cut, fill, and waste slopes are designed by an engineering firm to comply with regulatory requirements.



**G-6**

RWQCB and CIWMB requirements shall be complied with, and the final cover surface slopes shall be limited to 3:1, based on seismic considerations, with intermediate fill stage heights limited to 70 feet, with 15-foot wide benches to improve stability, unless subsequent analyses verify the acceptability of steeper slopes or greater fill heights. Under no circumstance, however, shall the final exterior waste fill slope be steeper than 1.75:1 (see G-2 above). (Responsible Agencies: LEA, RWQCB, CIWMB)

**Status:**

This mitigation measure is implemented as it is stated.

**G-7**

Slope buttresses shall be provided, if necessary, to increase slope stability and reduce deformations. (Responsible Agencies: LEA, RWQCB, CIWMB)

**Status:**

The need for a slope buttress or berm is based on an approved landfill cell design and corresponding slope stability analysis. This measure will continue to be implemented for the construction of stability berms in the future. This mitigation measure was not triggered in 2015.

Formatted

**G-8**

Parameters developed by geosynthetic and geotechnical testing shall be included in the analysis of liner systems on side slopes. Residual strength values (i.e., after shearing) shall be used, unless control of peak strengths can be demonstrated. (Responsible Agencies: LEA, RWQCB, CIWMB)

**Status:**

Compliance with this mitigation measure is documented in the Construction Quality Assurance As-Built Reports for each specific landfill phase that is constructed.

Formatted

**G-9**

A post-earthquake inspection plan shall be submitted to the RWQCB and CIWMB, for approval which provides for detailed site inspection after an earthquake of magnitude (M)

5.0 or greater within 25 miles of the site to determine the integrity of landfill structures and systems. The plan shall identify appropriate measures which may be initiated to correct earthquake-related damage. Also, a routine inspection plan shall be developed and implemented by a registered certified engineer to examine slope conditions. (Responsible Agencies: LEA, RWQCB, CIWMB)

**Status:**

A post-earthquake and routine inspection plan was submitted to the RWQCB and CIWMB in 2008 and incorporated in the approved JTD, revised March 2009. The plan has been designed to include integrity inspections of structures, slopes and the landfill's integrated systems following an earthquake. In 2015, there were no earthquakes that triggered implementation of this mitigation measure. However, El Sobrante Landfill staff currently inspects slopes and structures for maintenance issues including signs of settlement and fissures on a weekly basis.

Formatted

**G-10**

If geotechnical investigations reveal the need for blasting for a specific landfill phase, a blasting study shall be conducted in compliance with County requirements. If such a study is necessary, it shall be conducted by a licensed engineer and submitted to the County Engineering Geologist for approval. (Responsible Agencies: RCPD)

**Status:**

No blasting occurred in 2015.

**G-11**

If isolated saturated bedrock conditions are encountered in cut slopes, appropriate drainage systems shall be installed. These systems could consist of weep systems, subdrain systems, or the flattening of excavated cut slopes to improve slope stability. (Responsible Agencies: LEA, RWQCB, CIWMB)

**Status:**

No installation of subdrains occurred in 2015. This measure will continue to be implemented at the El Sobrante Landfill during cell construction when these conditions are encountered and will continue to comply with this mitigation measure.

Formatted

**G-12**

Landfill liners shall be placed over the side slopes, and surface water runoff control systems (e.g., V-ditches at the top of slopes) shall be constructed to prevent uncontrolled flow down the face of the slopes. (Responsible Agencies: LEA, RWQCB, CIWMB)

**Status:**

El Sobrante has constructed and continuously maintains a surface drainage network system to prevent erosion over the slopes of the landfill, which consists of piping, v-ditches, berms, check dams, sand bags, and silt fences.

Formatted

**G-13**

Structural fills shall be built above ground water and compacted in place to a specific high relative density. (Responsible Agencies: LEA, RWQCB, CIWMB)

**Status:**

No structural fills were constructed in 2015.

**G-14**

Expansive index testing shall be performed to verify the suitability of native soils for fill materials. If testing indicates a potential for high expansiveness in the soil, such soils shall be either treated (e.g., mixed with non-expansive soils) or removed. (Responsible Agencies: LEA, RWQCB, CIWMB)

**Status:**

All fill materials have been tested prior to fill placement and documented in a Construction Quality Assurance As-Built Report submitted to the regulatory agencies.

Formatted

Formatted: Justified

**G-15**

**Blasting shall be conducted in compliance with local building code requirements to prevent damage to structures and new construction from shear waves generated during blasting. (Responsible Agencies: RCPD)**

**Status:**

No blasting occurred in 2015. This measure will continue to be implemented at the El Sobrante Landfill when blasting is required for cell development.

**G-16**

**Only state-licensed blasters shall be used to design, supervise, and detonate explosives on the site. (Responsible Agencies: RCPD)**

**Status:**

No blasting occurred in 2015.

**G-17**

**Seismic monitoring of each blast shall be conducted by an independent, qualified consultant. (Responsible Agencies: RCPD)**

**Status:**

No blasting occurred in 2015.

**G-18**

**There shall be no onsite storage of explosives. Explosives shall be transported to the site by the licensed blaster on an as-needed basis. (Responsible Agencies: RCPD)**

**Status:**

Explosives are not stored on the site of the landfill.

**G-19**

**USA Waste shall inform the Riverside County Sheriff's Department (Sheriff's Dept.) and the Riverside County Fire Department (Fire Dept.) prior to blasting. (Responsible Agencies: RCPD)**

**Status:**

No blasting occurred in 2015

**G-20**

**USA Waste shall notify neighbors within 1,000 feet of potential blasting areas prior to a blasting episode. (Responsible Agencies: RCPD)**

**Status:**

No blasting occurred in 2015.

**G-21**

**A record of each blast shall be retained for at least three years and shall be submitted to the County Building and Safety Department as requested by the Building and Safety Director. (Responsible Agencies: RCBS)**

**Status:**

Blasting records are kept by USA Waste as required, and are available upon request.

- Formatted: Condensed by 0.05 pt
- Formatted: Condensed by 0.05 pt
- Formatted: Condensed by 0.05 pt
- Formatted: Condensed by 0.05 pt
- Formatted: Condensed by 0.05 pt
- Formatted: Condensed by 0.05 pt
- Formatted: Condensed by 0.05 pt
- Formatted: Condensed by 0.05 pt
- Formatted: Condensed by 0.05 pt
- Formatted: Condensed by 0.05 pt
- Formatted: Condensed by 0.05 pt
- Formatted: Condensed by 0.05 pt
- Formatted: Condensed by 0.05 pt

**G-22**

Preblast inspections shall be made by a civil engineer licensed by the State of California of residences and facilities existing at the time of landfill permit approval and located within 1,000 feet of potential blasting areas. (Responsible Agencies: RCPD)

**Status:**

No blasting occurred in 2015.

Formatted: Font: Bold, (Intl) +Body (Calibri), Condensed by 0.05 pt

Formatted: Indent: Left: 0.07", Space Before: 0 pt

Formatted: Font: Bold, Italic, Condensed by 0.05 pt

Formatted: Indent: Left: 0.07", Space Before: 0 pt, Line spacing: single

**G-23**

A letter containing a general description of the blasting operations and precautions, including the blast-warning whistle signals that are required by the State of California Construction Safety orders, shall be sent to residents within a one-half mile radius of the landfill operations by USA Waste in accordance with applicable regulations. (Responsible Agencies: RCPD)

**Status:**

No blasting occurred in 2015.

**G-24**

Blasting complaints, if any, shall be recorded by USA Waste as to complainant, address, data, time, nature of the complaint, name of the person receiving the complaint, and the complaint investigation conducted. Complaint records shall be made available to the County Engineering Geologist, Planning Department, and Building and Safety Department. (Responsible Agencies: RCPD, RCBSD, LEA)

**Status:**

No blasting occurred in 2015.

**Land Use and Land Use Plans (L) Mitigation Measures**

**L-1**

The development of El Sobrante Landfill Expansion shall be in accordance with the mandatory requirements of all applicable County ordinances and shall conform substantially with the project description in the EIR (State Clearinghouse No. 90020076), as filed in the office of the RCDWR. (Responsible Agencies: RCDWR, RCPD)

**Status:**

While there have been changes over time to conceptual grades based on updated seismic stability analysis, the El Sobrante Landfill continues to be developed in overall accordance with the Expansion Project first approved by the BOS in 1998 and with its SWFP and corresponding JTD, last revised in 2009. There have also been changes over time to the conceptual limits of grading for the landfill expansion project, both onsite and offsite. In 2011, Pond 4 was relocated to primarily disturbed land purchased by USA Waste outside the original landfill boundary. In conformance with the Expansion Project, the development of this ancillary facility and all future offsite grading will not exceed the approximately 11 acres

of offsite grading assessed in the EIR. The relocation of Pond 4 resulted in a substantial reduction of impacts to RSS, a sensitive plant species, when compared to RSS impacts at the original (undisturbed) location. In addition, the relocation allowed for continued preservation of rock outcrops in the area of the original location, which serve as important habitat for sensitive plants and animals. The original location of Pond 4 will be conserved and managed as part of the El Sobrante Landfill Preserve.

A revision to the grading limits was proposed in 2015 ~~and a CEQA addendum is in preparation, as part of the forthcoming JTD Amendment. The proposed changes are undergoing CEQA review.~~ This revision reduced the overall landfill footprint and incorporates Ponds 3 and 4 into the landfill limits.

#### **L-2**

**Prior to any offsite grading, USA Waste or its successor-in-interest shall obtain and record appropriate offsite easements. (Responsible Agencies: RCDWR)**

**Status:**

Offsite grading, requiring offsite easements, was not conducted in 2015.

#### **L-3**

**A Citizen Oversight Committee shall be formed by the Board of Supervisors upon approval of the project. The Citizen Oversight Committee shall be composed of a total of five (5) members, whose term of service will be established upon formation of the committee. Three (3) of the five (5) members will be appointed by the Supervisor of the district in which the landfill is located. Of these three (3), two (2) members must reside within a three (3) mile radius of the landfill property. One (1) member shall be a representative from a corporate operation within a three (3) mile radius of the landfill property. The remaining two (2) members will be appointed by the entire Board of Supervisors and shall be chosen at large to represent the affected communities of interest. (Responsible Agencies: County Board of Supervisors)**

**Status:**

The Citizen Oversight Committee (COC) was formed by the BOS in 2003 and meets throughout the year as needed to discuss issues related to the use of the Mitigation Trust, illegal dumping and programs, and landfill operations.

#### **L-4**

**The Citizen Oversight Committee shall meet at least once annually to review the Annual Status Reports that will be submitted by an Administrative Review Committee which will include all reports and data that will be provided by USA Waste or its successor-in-interest and shall submit written comments on the project to the Board of Supervisors as they deem necessary. (Responsible Agencies: County Board of Supervisors)**

**Status:**

The COC met in 2015 to review the Annual Status Reports.

### **Noise (N) Mitigation Measures**

**N-1**

**Excavation and liner construction of new landfill cells shall be limited to the hours of 7:00 a.m. to 10:00 p.m., Monday through Saturday, with the following restrictions:**

- a) **The conveyor belt system shall not be located less than 295 feet from occupied residences; and,**
- b) **Excavation and liner construction of new cells within 10 feet of the top of slope shall be limited to the hours of 7:00 a.m. to 6:00 p.m., Monday through Saturday. (Responsible Agencies: LEA)**

**Status:**

All activities involving the use of the conveyor belt were completed in 2012. The conveyor belt system has been removed and is no longer in use. No new landfill cell development occurred in 2015.

**N-2**

**Landfill equipment working on the outside slopes of the landfill shall be limited to the hours of 8:00 a.m. to 5:00 p.m. (Responsible Agencies: LEA)**

***Status:***

In compliance with this mitigation measure, El Sobrante Landfill limits its hours when working on outside slopes with landfill equipment.

**N-3**

**Construction equipment shall use industrial-grade mufflers to reduce noise emission. (Responsible Agencies: LEA)**

***Status:***

Only construction equipment with industrial-grade mufflers to reduce noise emission will be utilized at the landfill.

**N-4**

**Blasting shall be postponed during temperature inversions and unfavorable wind conditions (wind blowing toward residences). (Responsible Agencies: RCPD)**

***Status:***

No blasting occurred in 2015.

**N-5**

**Drilling and blasting shall be conducted between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, and will not occur on federal, state, and local holidays. (Responsible Agencies: RCPD)**

***Status:***

No blasting occurred in 2015.

**N-6**

Formatted: Condensed by 0.05 pt

Formatted: Condensed by 0.05 pt

Formatted: Condensed by 0.05 pt

Formatted: Condensed by 0.05 pt

Formatted: Condensed by 0.05 pt

Formatted: Condensed by 0.05 pt

Formatted: Condensed by 0.05 pt

Formatted: Condensed by 0.05 pt

Formatted: Condensed by 0.05 pt

Formatted: Condensed by 0.05 pt

Formatted: Condensed by 0.05 pt

**Acoustic blankets shall be used around drilling operations to reduce potential drilling noise. (Responsible Agencies: RCPD)**

**Status:**

This mitigation measure requires that acoustic blankets be used when drilling associated with blasting occurs. No blasting occurred in 2015.

**N-7**

**Wherever feasible, temporary earthen or landscape berms, or other structures or measures, shall be utilized to reduce potential noise impacts on surrounding homeowners from nighttime activities at the working face of El Sobrante. Any measures implemented for this purpose shall be subject to annual review by the Citizen Oversight Committee. (Responsible Agencies: LEA)**

**Status:**

This mitigation measure is addressed to construction activities only. No construction activities occurred in 2015. With respect to operations, even though not expressly addressed in the mitigation measure, the landfill phasing has been restructured to increase the distance and minimize the potential for any audible impact of filling activities on surrounding neighbors. During periods of 2015, when filling operations occurred at higher elevations on the western portion of the landfill footprint, it was not feasible to provide audible screening of operations from all surrounding communities due to the location of active filling and the height of the landfill. However, impacts on these communities from noise are significantly reduced due to their distance from the landfill. No noise complaints related to nighttime operations were received in 2015. According to the Supplemental EIR (certified by BOS in 2009) and the Addendum to the Final EIR (considered by BOS in 2012), no significant impacts relating to the landfill's nighttime activities were identified.

Formatted: Condensed by 0.05 pt

Formatted: Body Text, Indent: Left: 0"

Formatted: Condensed by 0.05 pt

~~Based on its 2014 review, RCDWR requested additional information as to how the height and location of fill impacted the operator's ability to provide screening of operational noise and as to why temporary screening was infeasible. The following information provides information in response to RCDWR's comments.~~

~~Operational Noise~~

~~Even if applicable, this requirement was not triggered in 2015.~~

- ~~In 2015, filling activities occurred at higher elevations in the western portion of the landfill footprint. Given its height, this location does not provide any barriers to the transmission of noise, such as natural ridgelines. However, the nearest residents to the west are located approximately 1½ miles away with the I-15 freeway, a much more significant source of noise, between the residences and the landfill. No complaints related to nighttime operational noise were received in 2015, which is not surprising since the landfill does not produce noise levels that are significant and that contribute to existing background noise (i.e., I-15) affecting residences in the vicinity of the landfill.~~
- Early in 2015, Cell 11A was approved for receipt of waste by the Santa Ana Regional Water Quality Control Board (SARWQCB). Waste disposal operations were moved into this cell which is surrounded by existing landfill and soil berms thus providing complete noise screening

Formatted: Condensed by 0.05 pt

Formatted: Indent: Left: 0.06", No bullets or numbering

of operations at the working face.

## Paleontological Resources (P) Mitigation Measures

### P-1

A qualified paleontologist shall be retained, at the expense of the project, to monitor ongoing grading or other extensive activities in the Silverado Canyon and Lake Mathews formations. The monitoring program shall reflect the County's intent to research, recover, and preserve significant paleontological resources. (Responsible Agencies: RCPD)

#### Status:

El Sobrante Landfill has maintained compliance with this mitigation measure since the 1998 approval of the Expansion Project by the Riverside County BOS by retaining a qualified paleontologist to monitor any excavation activities within the Silverado Canyon or Lake Mathews formations. No excavations in these formations were conducted in 2015.

### P-2

In the event that significant paleontological resources are uncovered during excavation, earthmoving and/or grading, work shall be redirected from the area until an appropriate data recovery program can be developed and implemented. (Responsible Agencies: RCPD)

#### Status:

No paleontological resources were uncovered during excavation or earthmoving activities during 2015.

### P-3

Recovered fossils shall be cleaned, cataloged, and identified to the lowest taxon possible. A report containing monitoring results, including an itemized list of fossils, shall be submitted to the County. A copy shall accompany the fossils to an appropriate repository. (Responsible Agencies: RCPD)

#### Status:

Since no significant paleontological resources have been uncovered, this mitigation measure has not been triggered.

### P-4

Collected fossils shall be curated at a public institution with an educational/research interest in the material. The expenses shall be borne by the project. (Responsible Agencies: RCPD)

#### Status:

Since no significant paleontological resources have been uncovered, this mitigation measure has not been triggered.

Formatted: Space Before: 0 pt

Formatted: Font: Arial, 11 pt, Condensed by 0.05 pt

Formatted: Body Text 3, Indent: Left: 0.06", Right: 0", Space Before: 0 pt, Don't adjust space between Latin and Asian text, Don't adjust space between Asian text and numbers

Formatted: Condensed by 0.05 pt

Formatted: Condensed by 0.05 pt

Formatted: Condensed by 0.05 pt

Formatted: Condensed by 0.05 pt

Formatted: Condensed by 0.05 pt

Formatted: Condensed by 0.05 pt

Formatted: Condensed by 0.05 pt

Formatted: Condensed by 0.05 pt

Formatted: Condensed by 0.05 pt

Formatted: Condensed by 0.05 pt

Formatted: Condensed by 0.05 pt

Formatted: Condensed by 0.05 pt

Formatted: Condensed by 0.05 pt

Formatted: Condensed by 0.05 pt

Formatted: Condensed by 0.05 pt

Formatted: Condensed by 0.05 pt

Formatted: Condensed by 0.05 pt

Formatted: Condensed by 0.05 pt

Formatted: Condensed by 0.05 pt

Formatted: Condensed by 0.05 pt

Formatted: Condensed by 0.05 pt

Formatted: Condensed by 0.05 pt

Formatted: Condensed by 0.05 pt

Formatted: Condensed by 0.05 pt

Formatted: Condensed by 0.05 pt

Formatted: Condensed by 0.05 pt



P-5

The approved paleontological mitigation measures shall be affixed to all copies of the project grading plans. (Responsible Agencies: RCBSD)

**Status:**

The approved paleontological mitigation measures will continue to be affixed to all future copies of project grading plans in accordance with this mitigation measure.

Formatted

### Traffic and Circulation (T) Mitigation Measures

T-1

Out-of-County waste from Los Angeles County, Orange County, San Bernardino County, and San Diego County shall be transported to El Sobrante by transfer trucks. (Responsible Agencies: RCDWR, LEA)

**Status:**

El Sobrante Landfill has maintained substantial compliance with this mitigation measure with the cooperation of the Riverside County Department of Waste Resources, who monitors and provides waste origin data. USA Waste's contracts for out of County waste include a requirement to comply with all applicable conditions of the Second Agreement. The RCDWR scale house attendants have the authority to reject any deliveries not in compliance with this Mitigation Measure. The RCDWR scale house attendants reported a few violations of this Condition of Approval/Mitigation Measure to USA Waste in 2015, and as such, RCDWR and USA Waste met in 2015 and formally agreed on the variety of specific types of trucks that define "transfer trucks".

Formatted

Minor amounts of non-contracted waste from public customers or small commercial haulers may enter from time to time, as allowed by the RCDWR scale attendants

Formatted

T-2

Transportation of out-of-County waste from areas other than Los Angeles County, Orange County, San Bernardino County, and San Diego County shall not be permitted without additional environmental review and approval. (Responsible Agencies: RCDWR, LEA)

**Status:**

USA Waste has not contracted for the receipt of waste from counties other than the ones listed in this Condition of Approval. As the operator of the landfill scale house, RCDWR allows out of County waste to enter the landfill and is the entity responsible for jurisdictional reporting. In conversations with Riverside County staff, it is the understanding of USA Waste that it is the policy of Riverside County to allow incidental volumes of waste from any jurisdiction to be disposed of at a County facility to avoid or minimize illegal dumping.

Formatted: Right: 0.08", Space Before: 6.2 pt

Formatted

T-3

Transfer trucks hauling waste from out-of-County to El Sobrante that use State Route (SR) 91 shall travel to and from the landfill during off-peak hours for SR 91.

**(Responsible Agencies: RCDWR, RCTD)**

**Status:**

The 1996 Final EIR and 2009 Supplemental EIR for the landfill project found no significant traffic impact on SR 91 at any number of transfer truck trips. However, USA Waste agreed to a mitigation measure to avoid the use of SR 91 in Riverside County during peak hours.

Formatted: Condensed by 0.05 pt

It is not feasible to guarantee that transfer trucks (trucks) will never use SR 91 in Riverside County during peak hours, especially when traffic conditions can cause unexpected delays (i.e., accidents, breakdowns, lane closures, weather-related incidents, construction, etc.) Regardless, USA Waste has implemented measures to ensure that significant impacts from Out-of-County (OOC) truck operations during peak hours on the SR 91 in Riverside County do not occur.

Formatted

This includes implementing 24-hour operations, including a prohibition in customer contracts, and periodic notification to both USA Waste facilities and non-USA Waste OOC facilities to utilize off-peak hours. Furthermore, extensive residential growth has occurred since the expansion EIR was prepared, leading to greater traffic congestion on both SR 91 and I-15. As a direct consequence, truck operators have been forced to adjust their travel to avoid peak commute times as a prudent business practice.

Formatted

Riverside County Department of Waste Resources (RCDWR), RCDWR, which controls and operates the El Sobrante Landfill scale house and system, monitors and tracks, and provides official records for all inbound trucks entering El Sobrante. It is important to emphasize that the scale house data only reflects inbound trucks, yet the actual number of truck trips are both inbound and outbound and therefore double what is reported by the scales.

Formatted

An accounting for USA Waste and other facility OOC trucks potentially using SR 91 during peak hours has been historically performed by evaluating RCDWR scale house records showing the time the truck entered the scales. While this accounting shows when a truck is at the scales, it fails to determine which USA Waste and other facility OOC trucks actually use SR 91. Therefore, in 2014 USA Waste implemented a "Geo-fence" (a GPS tracking tool) for all USA Waste owned trucks from its OOC origins in Los Angeles County traveling to and from El Sobrante on the SR 91. The Geo-fence encompasses SR 91 in Riverside County and is set to trigger for any USA Waste truck within that boundary at any time of day, and regardless of direction. This system is highly effective in determining peak hour truck trips on SR 91. USA Waste also controls under transportation contract, but does not own, some transfer trucks that deliver waste to El Sobrante. Those transfer trucks are not installed with Geo-fence, but in those cases transfer trucks do not utilize SR 91 except for a small number of trips from the USA Waste Orange Transfer Station.

Formatted: Font: 11 pt, Condensed by 0.05 pt

Formatted: Font color: Auto

There are other transfer trucks delivering waste to El Sobrante under disposal contracts but are not controlled under transportation contracts. They are considered as other OOC facility trucks. In May 2015, these other OOC facilities were contacted via telephone to eliminate those that do not use SR 91.

Comment [RCDWR5]: Does not prove trucks avoided SR 91.

Overall, there are six facilities delivering waste to El Sobrante that potentially use the SR 91 at any time of the day. In addition, there are likely some small customers, such as demolition contractors, that could potentially use SR 91 at any time of the day.

Formatted: Font color: Auto

Follow up investigation by RCDWR raised some concerns as to whether the City of Los Angeles CLARTS facility was utilizing SR 91 for deliveries. USA Waste was able to obtain confirmation that transfer trucks to and from CLARTS were routed on the SR 60/I-15 and did not utilize SR 91.

**Comment [RCDWR6]:** Does not prove trucks avoided SR 91.

As such, it was determined that USA Waste's trucks represent approximately 95% of all OOC trucks using SR 91. All of the transfer trucks from the Carson and South Gate Transfer stations are USA Waste owned and are installed with Geo-fence.

**Comment [RCDWR7]:** Per the response, six (6) facilities could potentially use SR91 but only two (2) have GPS- why?

With this information, USA Waste calculated truck trips on SR 91 during peak hours were compared to the total OOC truck traffic at all times of the day, and OOC truck traffic on the SR 91 at all times of the day. This information was compiled using 2014-2015 peak hour truck trip data for the USA Waste and other OOC facilities discussed above.

Based on the County analysis, approximately 25% of truck trips that could have used SR91 were equipped with GPS (Carson and Southgate). That leaves 75% of trips that could have potentially used SR91 without GPS.

The calculations were based partly on hard data from USA Waste's Geo-fence, and partly on extrapolations made for third party OOC transfer truck trips based on RCDWR scale house information for the other OOC facilities that use SR 91. For those other OOC facilities, it was assumed that all of these transfer trucks utilized SR 91 during peak hours where the actual time the truck weighed in at the scale was in or near peak hours. This assumption was conservative, and very likely overstates the amount of other facility OOC transfer truck traffic on SR 91 during peak hours.

To illustrate this, USA Waste compared scale house times with its Geo-fence data for USA Waste owned transfer trucks, and found that there was not a strong correlation between peak hour scale house times and the use of SR 91 during peak hours. This is completely understandable from a human perspective; the last thing professional truck drivers need or want is to sit in congested traffic. They may alter their routes or simply use that period as their break time. This assumption makes the calculations a conservative estimate.

The calculations may also be viewed as conservative because it did not consider that all third party contracts require avoidance of peak hours on SR 91. In addition, USA Waste has made efforts over the past few years to expressly state this requirement in customer contracts, for both other OOC facilities and small customers. Therefore, it is expected that the other OOC facility customers would abide by this requirement and avoid usage of SR 91 during peak hours.

Based on its analysis, in 2015 USA Waste concluded that peak hour trips on SR 91 number in the range of approximately 130-200 per year, which equates to far less than 1% of the overall OOC transfer truck traffic trips, and far less than 1% of OOC transfer truck trips using SR 91. Based on 306-307 working days per year, the peak hour trips on SR 91 would be approximately one every 1.5-2.34 working days.

In order to compare those trips with overall peak hour traffic on SR 91, USA Waste consulted Caltrans (2014), Traffic Volumes on the California State Highway System. The Average Annual Daily Trips (AADT) for peak hours were averaged for each monitoring station on SR 91 starting with Green River Drive and ending at Main Street in Corona. The average was 16,421 peak hour trips daily. —As a result, anticipated El Sobrante truck traffic represented approximately 0.002%-0.004% of overall peak hour traffic on SR 91.

RCDWR undertook a similar analysis in 2015 but used different assumptions. RCDWR took a

more conservative approach than USA Waste, assuming that every customer that could conceivably use SR 91 did so, and in addition, that CLARTS used the SR 91 for all trips during the peak hour periods. Based on this analysis, the RCDWR, using a conservative estimate, concluded that ~~in a worse case scenario,~~ there were approximately 4412 peak hour trips on SR 91 daily, 89 in the AM peak and 3 in the PM peak.

USA Waste believes that RCDWR's estimate of peak hour trips substantially overstates the actual number of peak hour trips and represents a worst-case scenario.

Nonetheless, this type of worst-case analysis has value, in that should this level of trips not create a significant traffic impact on SR 91, there is high assurance that there would not be a significant impact now or in the future. Based on the average AADT peak hour trips of 16,421, estimated El Sobrante truck traffic of 4412 daily trips would represent approximately 0.0607% of overall peak hour traffic on SR 91.

Based on the worst case assumptions made by RCDWR, the Riverside County Transportation Department undertook a study to evaluate impacts (both pre and post SR 91 construction) and concluded that those assumed trip levels would not result in a significant adverse impact to SR 91. The study and Addendum (Ramp Analysis) is included ~~as an appendix in the Appendix.~~

USA Waste has continued efforts to reduce peak hour trips on SR 91 in 2015. It has sent a reminder notification to all USA Waste facilities and other facilities, and has worked to strengthen contract provisions where the opportunity arises. In addition, USA Waste's Geo-fence has indicated 20 peak hour trips on SR 91 by USA Waste-owned vehicles during 2015, which is a substantial reduction from the 60 trips indicated by Geo-fence for calendar year 2014.

#### T-4

**Vehicles delivering waste from out-of-County to be disposed at El Sobrante shall utilize on all trips (both inbound and outbound) only that portion of Temescal Canyon Road between its intersection with 1-15 and the landfill access road, except in the event of a closure of the on- and/or offramps at Temescal Canyon Road and 1-15. (Responsible Agencies: RCDWR, RCTD)**

#### **Status:**

El Sobrante Landfill requires all transfer trucks to utilize the designated route for deliveries of waste. USA Waste notified all out-of-county and in-county transfers stations that the designated route was I-15 to Temescal Canyon Road, then north on Temescal Canyon Road to Dawson Canyon Road. A sign has been installed at the intersection of Dawson Canyon Road and Temescal Canyon Road to clearly indicate to drivers leaving the landfill that no right turn is allowed and to indicate the landfill operator's commitment to enforce this restriction. When a driver is observed not using the designated route, the management of the trucking company is notified of the violation, and a request is made to correct the behavior. The El Sobrante staff tracks violations, with repeated violations by a driver resulting in the driver being banned from using the El Sobrante facility.

#### T-5

**Except for vehicles collecting waste in the immediate vicinity of El Sobrante, USA Waste's or successor's-in-interest collection vehicles delivering waste from in-County**

to be disposed at El Sobrante shall utilize only that portion of Temescal Canyon Road between its intersection with 1-15 and the landfill access road for all trips (both inbound and outbound), except in the event of a closure of the on-and/or off-ramps at Temescal Canyon Road and I-15. (Responsible Agencies: RCDWR, RCTD)

**Status:**

The landfill operator has implemented this mitigation measure similarly to Mitigation Measure T-4. A sign has been installed at the intersection of Dawson Canyon Road and Temescal Canyon Road to clearly indicate to drivers leaving the landfill that no right turn is allowed and to indicate the landfill operator's commitment to enforce this restriction. When a driver is observed not using the designated route, WMI hauling operations are notified of the violation and a request is made to correct the behavior. The El Sobrante staff tracks violations, with repeat violations by a driver resulting in the driver being banned from using the El Sobrante facility.

**Public Services and Utilities (U) Mitigation Measures**

**U-1**

Access roads/streets shall be wide enough to accommodate movement and parking without hindering the flow of traffic. Roadway modifications shall be designed to provide smooth and orderly traffic flow and shall be well lighted. (Responsible Agencies: RCTD)

**Status:**

El Sobrante Landfill is in compliance with this mitigation measure.

**U-2**

Warning or caution signs shall be placed on Temescal Canyon Road and the El Sobrante access road to indicate the presence of slow-moving traffic/trucks. (Responsible Agencies: RCTD)

**Status:**

El Sobrante Landfill has placed multiple speed limit and caution signs at strategic points along the access route to the landfill to indicate the presence of slow-moving traffic in compliance with this mitigation measure.

**U-3**

Upon assignment of a numbered street address by the County, the project entrance shall be clearly marked with address numbers. (Responsible Agencies: RCTD)

**Status:**

El Sobrante Landfill is in compliance with this mitigation measure. The landfill entrance is well marked by many signs and monumentation. Address numbers are posted on the mailbox at the project entrance.

**U-4**

Buildings shall be constructed with fire retardant roofing material as approved by the County Fire Department. (Responsible Agencies: RCBSD)

**Status:**

Comment [RCDWR8]: Does the bridge permitting issue have anything to do with the address issue?

No new building applications were submitted in 2015. All new building applications for permanent structures will be routed through the Fire Department as required by the standard building permit process and this mitigation measure.

Formatted

#### U-5

**Water mains and fire hydrants providing required fire flows shall be constructed subject to approval by the County Fire Department. (Responsible Agencies: RCFD)**

**Status:**

No new water service applications were submitted in 2015. All new water mains and fire hydrants will be routed through the Fire Department as required.

Formatted

#### U-6

**Prior to approval of any development plan for lands adjacent to open space areas, a fire protection/revegetation management plan shall be submitted to the Riverside County Fire Department for review and comment. (Responsible Agencies: RCFD)**

**Status:**

El Sobrante Landfill developed and submitted a fire management plan to the Fire Department in 2003. This plan is implemented pursuant to El Sobrante HCP and Implementing Agreement and monitored by the Habitat Manager. Construction of two additional water storage tanks (140K gallon and 40K gallon) and pump upgrades were completed in 2007 to increase the water supply at El Sobrante for potential fire mitigation. The Fire Department has received a dedicated hook-up to each of the new tanks.

Formatted

#### U-7

**Landfill equipment operators, waste transfer vehicle drivers, and landfill personnel assigned to nighttime operations shall have appropriate training for night operation of heavy equipment. (Responsible Agencies: LEA)**

**Status:**

El Sobrante Landfill equipment operators assigned to night operations receive weekly training on safety within the landfill, inclusive of maintaining proper lighting while operating in other than daylight conditions. All operator training is documented, with records maintained on site.

Formatted

#### U-8

**Portable lights shall be used at the working face to provide a safe working environment during nighttime operations. (Responsible Agencies: LEA)**

**Status:**

El Sobrante Landfill is in compliance with this mitigation measure.

#### U-9

**The landfill access road and onsite roads to the working face shall be equipped with reflectors, reflective cones, reflective barriers and signs. (Responsible Agencies: LEA)**

**Status:**

El Sobrante Landfill is in compliance with this mitigation measure.

**U-10**

**Public access to the landfill shall be restricted to the hours of 6:00 a.m. to 6:00 p.m. (Responsible Agencies: LEA)**

**Status:**

El Sobrante Landfill is in compliance with this mitigation measure.

**U-11**

**Installation of low flow toilets, faucets, and showers. (Responsible Agencies: RCBSD)**

**Status:**

El Sobrante Landfill is in compliance with this mitigation measure.

**U-12**

**Wastewater shall go to the Lee Lake Treatment Facility, which makes water available for reuse. (Responsible Agencies: RCDWR, RCEHA)**

**Status:**

The active landfill requires potable, non-potable or reclaimed water, and wastewater handling in its operations. Potable water to the active landfill is currently provided by the City of Corona, non-potable or reclaimed water is provided by the Temescal Valley Water District (TVWD), and wastewater generated at the landfill is currently handled onsite, with gray water from restroom facilities routed into an onsite septic system approved by Riverside County and leachate and condensate collected for dust control purposes via a LCRS, pursuant to approvals from the RWQCB.

In order for wastewater from the landfill to go to the Treatment Facility to ensure that the landfill does not exceed its onsite capacity and allow for its reuse, as well as to consolidate services under one purveyor, the landfill property had to be annexed into the service area of the TVWD, which is the only purveyor able to meet the entire needs of the landfill for not only wastewater collection, treatment, and reuse/disposal, but also for potable and non-potable water. Applications for an annexation and Sphere of Influence (SOI) amendment were filed with the Riverside County Local Agency Formation Commission (LAFCO) in late summer 2010. On March 24, 2011, the LAFCO Board approved the annexation and SOI amendment. LAFCO's Notice of Results, including signed resolutions, were filed with and recorded by the State Board of Equalization in May and June of 2011, finalizing the decision.

As of 2015, TVWD has not started construction of wastewater lines, however did start construction of a new non-potable reservoir/supply.

**Water Resources (W) Mitigation Measures**

**W-1**

**Drainage structures, such as the perimeter drainage channels, sedimentation basins, leachate evaporation ponds, stormwater retention basins, and collection pipes and ditches, shall be inspected and maintained on a regular basis. (Responsible Agencies: RCFCD, RWQCB, LEA)**

**Status:**

Formatted: Space Before: 0 pt

Formatted: Space Before: 0 pt

At a minimum, El Sobrante Landfill supervisors inspect and maintain all drainage structures (including ditches, sedimentation basins/storm water retention basins and drainage piping) within the site on a monthly basis. Routine maintenance and cleaning of drainage structures was completed in 2015. This task is part of the supervisors' regular responsibility and serves to facilitate compliance with this mitigation measure. In 2015, the July 20 inspection identified one area near the scale house that experienced a wash out from a nearby upstream slope because storm water inundated the nearest catch basins. The catch basins were immediately cleared of sediment and debris.

Formatted: Condensed by 0.05 pt

Formatted

Formatted: Indent: Left: 0.06"

#### W-2

**Regular monitoring (and possibly testing) of perimeter drainage channels and retention ponds shall be completed to assure that discharged stormwater does not contain contaminants from the landfill. (Responsible Agencies: RCFCD, RWQCB)**

Formatted: Indent: Left: 0.06"

#### Status:

El Sobrante Landfill employs a dedicated environmental engineer and retains consulting specialists to provide testing and monitoring of all drainage components within the landfill as required by State and Local regulatory agencies. There was one qualifying sampling event during 2015 per the requirements contained in the Industrial General Permit for Storm Water Discharges (Water Quality Order No.2014-0057-DWQ). One event on September 15, 2015 produced samples for two discharge locations, which will be reported in the upcoming 2016 report. See appendix for the 2015 Annual Drainage System Maintenance Report.

Formatted

Comment [RCDWR9]: Were any samples outside of holding times? If so, please explain why and any remedies.

Formatted

#### W-3

**A Stormwater Pollution Prevention Plan (SWPPP) shall be prepared. It shall include a Spill Prevention and Response Plan and a monitoring plan. The facility shall implement "best management practices" as required by NPDES. (Responsible Agencies: RWQCB)**

#### Status:

El Sobrante Landfill is in compliance with this mitigation measure. A new revised SWPPP was prepared in December 2014/2015, by Golder Associates, Inc. Table 13 in the latest SWPPP includes a ~~list~~summary of "best management practices" (BMPs) used at the El Sobrante Landfill (see appendix).

Formatted

#### W-4

**Leachate shall be collected by the leachate collection and removal system (LCRS) installed at the base of each landfill cell. Such leachate shall be sampled regularly and, if necessary, treated prior to use for dust control on lined areas of the landfill. (Responsible Agencies: LEA, RWQCB, CIWMB)**

#### Status:

El Sobrante Landfill has received approval from the RWQCB to utilize leachate collected via the LCRS for dust control on lined portions of the landfill based upon testing results, as directed by the RWQCB staff. LCRS information is reported annually in the fall and winter semi-annual groundwater report to satisfy the requirements of the RWQCB, as specified in the landfill's Waste Discharge Requirements (WDR), dated April 22, 2011. According to the Fall 2014-Winter 2015 Semi-Annual Groundwater Monitoring Report and Annual Reporting Requirements, prepared by SCS Engineers and dated April 29, 2015, the LCRS recovered

Formatted



leachate from four (4) LCRS locations in the landfill. From April 2014 to March 2015, a total of approximately 961,434 gallons 434 gallons of leachate were collected and used for dust control. The leachate control systems are inspected weekly, and annual leachate samples were collected on October 22, 2014 and December 4, 2014. The use of leachate, as approved by the RWQCB, as the responsible agency, is in compliance with this mitigation measure. Data was collected in late 2015 and results will be reported in the April 2016 Ground Water report.

Formatted

**W-5**

**Stormwater runoff that falls on the active working face of the landfill shall be diverted to a collection sump and reused for dust control on lined areas of the landfill. The sump for stormwater runoff from the active working face shall be designed to hold the runoff from the 100-year, 24-hour storm. (Responsible Agencies: LEA, RWQCB, CIWMB)**

**Status:**

El Sobrante Landfill is in compliance with this mitigation measure. A berm is constructed at the toe of the active face to collect contact water that may come into contact with refuse and prevent co-mingling with storm water. This condition rarely occurs due the predominately dry conditions at El Sobrante.

Formatted

**W-6**

**Drainage improvements shall be designed and constructed to provide all-weather access to the landfill. (Responsible Agencies: RCTD, RCFCD)**

Formatted: Justified

**Status:**

El Sobrante Landfill is in compliance with this mitigation measure.

**W-7**

**To reduce the quantity of water used, the following measures shall be implemented:**

- Low-flow plumbing fixtures shall be installed for onsite facilities.
- Washwater for cleaning equipment at the operations and maintenance center shall be collected and recycled, and reused for washing or dust control.
- Stormwater that falls on the active working face of the landfill shall be collected and used for dust control. (Responsible Agencies: RCBSD)

**Status:**

El Sobrante Landfill is in compliance with this mitigation measure.

**W-8**

**The liner system for the expansion of El Sobrante shall meet the following requirements:**

- The liner system (inclusive of the bottom liner and the sideslope liner) of the landfill shall exceed the requirements of Subtitle D and California Code of Regulations (CCR) Title 27 and shall be composed of the alternative bottom liner (identified as Alternative Bottom Liner B2) and the alternative sideslope liner (identified as Sideslope Liner Alternative S2), which are both described and evaluated in Evaluation of Liner System Alternatives, El Sobrante Landfill Expansion, Riverside County, California, prepared by GeoSyntec

Consultants and dated February 1998.

- If it is determined that this liner system will not meet the requirements of the regulatory agencies, a substitute liner system must be approved by the regulatory agencies, and evidence of such a determination shall be forwarded to the El Sobrante Landfill Administrative Review Committee of Riverside County. In this event, the substitute liner system shall be composed of a bottom liner and a sideslope liner that are at least equal to Alternative Bottom Liner B2 and Sideslope Liner Alternative S2, respectively, and must be approved by the Administrative Review Committee. (Responsible Agencies: LEA, RWQCB, CIWMB)

**Status:**

El Sobrante Landfill is in compliance with this mitigation measure.

**W-9**

Landfill gas collectors shall be placed as compacted lifts of waste are finished. Once sufficient waste has been placed above the collectors to prevent air intrusion, the collectors shall be used for active landfill gas extraction. (Responsible Agencies: LEA, RWQCB, CIWMB, SCAQMD)

**Status:**

A LFG Collection and Control System (GCCS) has been in operation at the El Sobrante Landfill since 1993. The GCCS currently consists of approximately 180 vertical and horizontal extraction wells that are placed under vacuum via a piping network that extracts the LFG from the waste mass and conveys the LFG to both a Zink Ultra Low Emissions flare station and a LFG-to-energy facility. LFG is combusted in the flare station and used as a fuel in the LFG-to-energy facility to generate electricity. The GCCS is continually adjusted to minimize LFG impacts to groundwater and fugitive LFG emissions from the landfill. In 2015, USA Waste installed 18 vertical wells along the top deck to collect LFG from the recently placed lift of waste and to replace older extraction wells to improve collection efficiently. A 30-in header pipe was also extended into Phase 11A for future GCCS expansion.

Formatted

**W-10**

The final cover of the landfill shall conform to Subtitle D and CCR Title 27, and shall consist of a minimum of four (4) feet of vegetative layer in accordance with the augmented cover described in the EIR (State Clearinghouse No. 90020076). Any change from the augmented cover shall require clearance from the RCDWR, the California Integrated Waste Management Board (CIWMB), Regional Water Quality Control Board (RWQCB), the U.S. Fish and Wildlife Service (USFWS), and the California Department of Fish and Game (CDFG). (Responsible Agencies: LEA, RWQCB)

**Status:**

El Sobrante Landfill is in compliance with this mitigation measure.

**W-11**

In accordance with applicable regulations, landfill gas shall be monitored at the landfill perimeter and in the vadose zone. (Responsible Agencies: LEA, RWQCB, SCAQMD)

Formatted: Expanded by 1.05 pt  
Formatted: Body Text, Space Before: 0 pt, Line spacing: single

**Status:**

El Sobrante Landfill has sixteen (16) permanent perimeter gas probes (GP) with multiple completions in its approved monitoring network. The probes are monitored and reported in accordance with applicable regulations to ensure that landfill gas does not migrate off the landfill site. All 16 probes are spaced no more than 1,000 feet apart around the perimeter of the landfill in static locations. The probes are routinely tested and monitored on a quarterly basis by landfill staff and reported to the LEA. The LEA may also perform its own testing of random probes during their regular monthly inspections of the landfill and/or may monitor landfill staff's quarterly testing of the probes. If excess levels are detected during quarterly monitoring, regulations require that the LEA be immediately notified by the landfill operator and that each immediate notification be followed up with a letter from the landfill within 7 days. Whenever excess levels are detected, the site immediately takes all steps necessary to reduce methane levels and to protect public health and safety and the environment.

Formatted

In 2015 there were no reportable methane gas exceedances in any of the perimeter gas probes.

Formatted: Not Strikethrough, Condensed by 0.05 pt

**W-12**

"Point of compliance" ground water monitoring wells, as required by CCR Title 27, shall be installed along the downgradient perimeter of the landfill footprint, pursuant to a monitoring plan approved by the RWQCB. These wells shall be sampled on a quarterly basis beginning one year prior to landfilling each respective cell, and will provide a secondary warning of a leak in the liner system. (Responsible Agencies: LEA, RWQCB)

**Status:**

El Sobrante Landfill has implemented a "point of compliance" ground water monitoring program consisting of seventeen (17) ground water monitoring wells and two ground water piezometers, in compliance with CCR Title 27 and as approved by the RWQCB. One of these ground water monitoring wells has been dry since at least 2001 (MW-15). Quarterly monitoring reports are provided to the RWQCB, and copies are maintained on site. All monitoring activity in 2015 was in compliance with RWQCB requirements.

Formatted

**W-13**

If leachate or landfill gas generated by the landfill expansion were determined to be a potential risk to ground water, a corrective action plan shall be developed and implemented in conjunction with the RWQCB as required by CCR Title 27. (Responsible Agencies: LEA, RWQCB, SCAQMD)

**Status:**

In 2015, there was no determination that leachate or landfill gas generated by the landfill posed any risk to ground water, and a corrective action plan has not been developed nor implemented. Prior to approval of the landfill expansion project in 1998, a corrective action plan was implemented in 1996 for apparent landfill gas impacts to ground water from the original landfill footprint. This plan was developed and implemented in conjunction with the RWQCB. On June 4, 2003, the RWQCB gave El Sobrante permission to turn off the ground water remediation system as the impacts appeared to have been mitigated. Monitoring continues to this day and in the event that impacts appear to return, El Sobrante Landfill will reinstitute the mitigation measures.

Formatted

**W-14**

Whenever a specified material, design, system or action is required by the project or any exhibit thereto, USA Waste or its successor-in-interest may substitute such material, design, system or action, provided that:

- Such material, design, system or action complies with applicable Federal, State, and local regulations; and,
- Any Federal, State or local regulatory agency having jurisdiction has approved the use of the material, design, system or action for similar facilities (i.e., Class III landfills); and,
- The General Manager - Chief Engineer of the RCDWR, with concurrence of the appropriate regulatory agency(ies), has determined that such material, design, system or action is technically equal, or superior to, those required in these conditions. (Responsible Agencies: RCDWR, LEA, RWQCB)

**Status:**

The El Sobrante Landfill is in compliance with this mitigation measure.

**W-15**

USA Waste or its successor-in-interest shall deposit 50 cents per ton into a Third Party, Environmental Impairment Trust, which fund shall be established and maintained throughout the life of the project. Any balance in the existing fund contributed by USA Waste or its successor-in-interest under the First El Sobrante Landfill Agreement, as amended, shall continue to accrue with deposits from all waste delivered to the site on or after the start date, including interest earnings on the funds, until the fund has reached a total of \$2,000,000, at which time deposits may be discontinued until withdrawals cause the fund to fall below the \$2,000,000 cap. The cap shall increase annually by 90 percent of the change in the Consumer Price Index (CPI) starting in the year 2002. (Responsible Agencies: RCDWR)

**Status:**

The balance of the Environmental Impairment Trust at the end of 2015 was \$3,065,799.77. El Sobrante Landfill is in compliance with this mitigation measure.

**W-16**

Monies may be withdrawn from the Environmental Impairment Trust only for environmental remediation purposes with approval by USA Waste or its successor-in-interest and the General Manager - Chief Engineer of the RCDWR. The Trustee shall be required to report quarterly to the Department on all fund activity and balances. (Responsible Agencies: RCDWR)

**Status:**

El Sobrante Landfill did not withdraw any funds from this Trust in 2015.

- Formatted: Condensed by 0.05 pt
- Formatted: Condensed by 0.05 pt
- Formatted: Condensed by 0.05 pt
- Formatted: Condensed by 0.05 pt
- Formatted: Justified
- Formatted: Condensed by 0.05 pt
- Formatted: Condensed by 0.05 pt
- Formatted: Condensed by 0.05 pt
- Formatted: Condensed by 0.05 pt
- Formatted: Condensed by 0.05 pt
- Formatted: Condensed by 0.05 pt
- Formatted: Condensed by 0.05 pt
- Formatted: Condensed by 0.05 pt
- Formatted: Condensed by 0.05 pt
- Formatted: Condensed by 0.05 pt
- Formatted: Condensed by 0.05 pt
- Formatted: Condensed by 0.05 pt
- Formatted: Condensed by 0.05 pt
- Formatted: Indent: Left: 0.06"