I. CALL TO ORDER and INTRODUCTIONS

II. DISCUSSION ITEMS

A. Administrative Review Committee
   1. Purpose

B. Landfill Update
   1. Phase 11 Construction
   2. Landfill Resource Agency Permitting
      a. Ponds 3 & 4
      b. On-site drainages
   3. Contingency Parcel Deed Restriction
   4. 5 Year Permit Review/JTD Amendments
   5. City of Norco Manure-to-Energy Plant

C. Treated Incinerator Ash

D. Disposal of NonHazardous-NonDesignated Contaminated Soils

III. ACTION ITEMS

A. 2013 Annual Report
   1. ARC Comments

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

V. COMMENTS FROM COMMITTEE MEMBERS

VI. NEXT MEETING DATE

VII. ADJOURNMENT
DISCUSSION ITEMS

II.A. Administrative Review Committee – Role and Responsibilities
ARC Annual Report Review Flow Chart

II.B.2.a. Ponds # 3 & 4

II.D Amendment to WDR re: Disposal of NonHazardous-NonDesignated Contaminated Soils
Administrative Review Committee (ARC)
Members: Hans Kernkamp (Waste), Kristi Lovelady (Planning), Alex Gann (EO)

   a. Solicit and consider input received from the Citizens Oversight Committee (COC).
   b. Solicit input from technical experts necessary to perform the review.
   c. Submit an annual report to the Board of Supervisors (BOS) and the COC regarding the conformance status of USA WASTE or its successor-in-interest with the conditions imposed on the project.

2) Review for approval all minor project changes or revisions (CEQA exempt) that materially depart from the construction or operation as evaluated in the project’s EIR.
   a. USA Waste (WMI) must submit their proposal in writing in sufficient detail to the Waste Management General Manager - Chief Engineer, who will in turn distribute the proposal to the other members of the ARC. The committee has no more than 60 days to object to the proposed changes. USA Waste can appeal the ARC’s decision to the Board of Supervisors.

General El Sobrante Landfill Development Process:
1) If a site plan is submitted that involves structures and electrical, a permit or permits are required from County Building and Safety.

2) For a grading project, no grading permit is required under Ordinance 457, since it is a refuse disposal site controlled by other regulations.

3) Land-use entitlements, such as a Plot Plan or Conditional Use Permit, relating to the operation of the landfill, are not required, as the landfill represents a public-private project under Ordinance 348. As such, El Sobrante Landfill projects (expansions, agreements, amendments, etc.) and their associated CEQA documents are brought directly to the BOS for consideration.

4) For fuel tanks, clearance or a permit is required from the County Fire Department.

5) Changes to the landfill site plan\(^1\) and/or project plan\(^2\) that require revisions to the landfill’s operating permits or that require additional CEQA analysis must be reviewed and approved by the BOS and the appropriate regulatory agencies.

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\(^1\) “Landfill Site Plan” and “Site Plan” means the Site Plan for the expanded Landfill as set forth in the Environmental Impact Report.

\(^2\) “Project Plan” means the plans for the proposed construction and utilization of the expanded Landfill as contemplated by the Landfill Site Plan as described in the EIR. “Project Plan” includes the plans for the proposed construction of the structures, improvements and facilities on the Property which are complementary and/or necessary for Landfill operations.
El Sobrante Landfill Annual Report Review Process

USA Waste:
1. Prepares Annual Monitoring Report;
2. Mitigation Monitoring Program Status Report

RCWMD Staff:
1. Incorporates ARC Comments into Reports.

Administrative Review Committee (ARC):
Review/Comment on Reports:
1. Annual Monitoring Report;
2. Mitigation Monitoring Program Status Report;

RCWMD Staff:
1. Place on Agenda for COC Meeting.

ARC:
1) Considers COC input;
2) Approves ARC Annual Report.

COC:
1) Provide Input on Reports.

USA Waste:
1. Responds to ARC Comments.

RCWMD Staff:
1) Incorporates ADA Reviews into Reports.

To Board of Supervisors

Receive and File

COC:
1. Review Annual Report;
2. Prepare Written Comments to BOS, if necessary.

Prepared by RCWMD July 2014
STATE OF CALIFORNIA
REGIONAL WATER QUALITY CONTROL BOARD
SANTA ANA REGION

April 25, 2014

STAFF REPORT

ITEM: *9

Amendment to Waste Discharge Requirements for Active Class III Landfills Within Santa Ana Region for Acceptance of Nonhazardous/ Non-designated Contaminated Soils for Disposal or Beneficial Reuse, Order No. R8-2014-0006

DISCUSSION:

Soils contaminated with moderate concentrations of total petroleum hydrocarbons, volatile organic compounds, semi-volatile organic compounds, organochlorine pesticides, polychlorinated biphenyls, and California Administrative Manual (CAM) metals, are wastes as defined in California Water Code (CWC) §13050 and are required to be regulated under waste discharge requirements pursuant to CWC §13263(a). The discharge of such wastes to land could affect the quality of the waters of the State if not properly managed.

Land disposal of contaminated soils to properly engineered and managed MSW landfills is an efficient and economical means of controlling the effects of such discharge of waste. The threat to waters of the State is thereby eliminated or reduced to non-significant levels.

Each year Regional Board receives a large number of requests for the disposal of contaminated soils at municipal solid waste (MSW or Class III) landfills. For each such request, the Regional Board has to determine the concentration of the significant constituents of concern in the waste, the regulatory limits, if any, for the constituents, and the potential impact on the waters of the State from the disposal of these wastes. Such requests are anticipated to continue and far exceed the capacity of the Regional Board to review and consider waste discharge requirements (WDRs) for each applicant in a timely manner. Active MSW landfills in the Region are regulated pursuant to individual WDRs to receive municipal solid waste (Table 1). Such WDRs generally do not include requirements for the disposal or beneficial reuse of contaminated soils. Hence, there is a need for amendment of the existing active MSW landfill WDRs to accommodate disposal or beneficial reuse of these wastes in a manner not to adversely impact water quality.

This Order sets forth acceptance criteria to ensure that discharge of such wastes to municipal solid waste landfills does not adversely affect the quality of waters of the State.

RECOMMENDATION:

Adopt Order No. R8-2014-0006 as presented.
## Table 1
List of Active Landfills within Santa Ana Region

<table>
<thead>
<tr>
<th>Site Name and existing WDRs</th>
<th>Site Address</th>
<th>Owner / Operator</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lamb Canyon Landfill Order No. R8-2013-0003</td>
<td>16411 Lamb Canyon Road Beaumont, CA</td>
<td>Riverside County Waste Management Department 14310 Frederick Street Moreno Valley, CA 92553</td>
</tr>
<tr>
<td>Badilands Landfill Order Nos. 91-105, 98-99, R8-2002-0085, R8-2006-0053, &amp; R8-2010-0051</td>
<td>31125 Ironwood Avenue Moreno Valley, CA 92553</td>
<td>Riverside County Waste Management Department 14310 Frederick Street Moreno Valley, CA 92553</td>
</tr>
<tr>
<td>Olinda Alpha Landfill Order No. R8-2010-0006</td>
<td>1942 North Valencia Avenue Brea, CA 92823</td>
<td>Orange County Waste &amp; Recycling 300 N. Flower Street, Suite 400 Santa Ana, CA 92703</td>
</tr>
<tr>
<td>Mid-Valley Landfill Order Nos. 98-095, 98-99</td>
<td>2390 Alder Avenue Rialto, CA 92377</td>
<td>San Bernardino County 222 West Hospitality Lane 2nd Floor San Bernardino, CA 92415</td>
</tr>
<tr>
<td>FRB Landfill Order Nos. R8-2010-0017</td>
<td>11002 Bee Canyon Access Road Irvine, CA 92618</td>
<td>Orange County Waste &amp; Recycling 300 N. Flower Street, Suite 400 Santa Ana, CA 92703</td>
</tr>
<tr>
<td>Colton Landfill Order Nos. 91-039 &amp; 98-99</td>
<td>850 Tropico Rancho Road Colton, CA 92408</td>
<td>San Bernardino County 222 West Hospitality Lane 2nd Floor San Bernardino, CA 92415</td>
</tr>
<tr>
<td>San Timoteo Landfill Order Nos. 78-151 &amp; 98-99</td>
<td>31 Refuse Road Redlands, CA 92373</td>
<td>San Bernardino County 222 West Hospitality Lane 2nd Floor San Bernardino, CA 92415</td>
</tr>
<tr>
<td>California Street Landfill Order Nos. R8-2004-008 &amp; R8-2008-0094</td>
<td>2151 Nevada Street Redlands, CA 92373</td>
<td>City of Redlands Quality of Life Department 35 Cajon Street Redlands, CA 92373</td>
</tr>
<tr>
<td>El Sobrante Landfill Order No. R8-2011-0014</td>
<td>10910 Dawson Canyon Road Corona, CA 92883</td>
<td>Waste Management Inc. P.O. Box 77908 Corona, CA 92877</td>
</tr>
</tbody>
</table>
The draft Order has been sent to the following entities for review and comments.

Leslie Graves, SWRCB, (lgraves@waterboards.ca.gov)
Ed Pert, State Department of Fish and Game (epert@dfg.ca.gov)
Eileen Sheehan, USEPA, Region 9 (sheehan.eileen@epa.gov)
Jeff Arbour, OCW&R (jeff.arbourg@ocwr.ocgov.com)
Warisa Niizawa, OCW&R (Warisa.Niizawa@ocwr.ocgov.com)
John Tzeng, OCW&R (johntzeng@ocwr.ocgov.com)
Jeff Arbour, OCW&R (jeff.arbourg@ocwr.ocgov.com)
Kathryn Cross, OC LEA (kcross@ochca.com)
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Sharon Bishop, SBCSWMD, (sharon.bishop@dpw.sbcounty.gov)
Michael Wetzel, San Bernardino County LEA (Michael.Wetzel@dph.sbcounty.gov)
Jon Reid, SBC LEA (jreid@dph.sbcounty.gov)
Greg Reyes, Riverside County LEA (qreyes@rivcocha.org)
Mandy Gaito, Riverside County LEA (mgaito@co.riverside.ca.us)
Mike Williams, WM (MWilli13@wm.com)
Cody Cowgil, WM (ccowgil@wm.com)
Mike Carpenter, WM (mike.carpenter@wm.com)
Fred Cardenas, City of Redlands (fcardenas@cityofredlands.org)
Daniel Garcia, City of Redlands (dgarcia@cityofredlands.org)
Dawn Plantz, CalRecycle (Dawn.Plantz@CalRecycle.ca.gov)
Angela Basquez, CalRecycle (Angela.Basquez@CalRecycle.ca.gov)
Dianne Ohiosumua, CalRecycle (Dianne.Ohiosumua@CalRecycle.ca.gov)
The California Regional Water Quality Control Board, Santa Ana Region (hereinafter Regional Board) finds that:

1. Regulations governing nonhazardous solid waste landfills are included in the California Code of Regulations, Title 27, Division 2, Subdivision 1, and Consolidated Regulations for Treatment, Storage, Processing, or Disposal of Solid Waste (Title 27).

2. Nonhazardous solid wastes mean "all putrescible and non-putrescible solid, semi-solid, and liquid wastes, including garbage, trash, refuse, paper, rubbish, ashes, industrial wastes, demolition and construction wastes, abandoned vehicles and parts thereof, discarded home and industrial appliances, manure, vegetable or animal solid and semi-solid wastes and other discarded wastes (whether of solid or semi-solid consistency); provided that such wastes do not contain wastes which must be managed as hazardous wastes, or wastes which contain soluble pollutants in concentrations which exceed applicable water quality objectives, or could cause degradation of waters of the state (i.e. designated waste).”

3. Soils contaminated with moderate concentrations of total petroleum hydrocarbons (TPH), volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs), organochlorine pesticides, polychlorinated biphenyls (PCBs), and California Administrative Manual (CAM) metals, are wastes as defined in California Water Code (CWC) §13050 and are required to be regulated under waste discharge requirements pursuant to CWC §13263(a). The discharge of such wastes to land could affect the quality of the waters of the State if not properly managed. This Order sets forth requirements to ensure that discharge of such wastes to municipal solid waste (MSW or Class III) landfills does not affect the quality of waters of the State.

4. Land disposal of contaminated soils to properly engineered and managed MSW landfills is an efficient and economical means of controlling the effects of such discharge of waste. The threat to waters of the State is thereby eliminated or reduced to non-significant levels.

5. Active MSW landfills in the Santa Ana Region (Table 1) are currently regulated under waste discharge requirements (WDRs) issued at various times to accept municipal solid waste. Such WDRs generally do not include requirements for the disposal or reuse of contaminated soils. Routinely landfill operators are required to develop and implement "load-checking programs" to limit unacceptable wastes from being discharged. Due to the nature of contaminated soils, the waste constituents in the soils cannot readily be detected through

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1 California Code of Regulations, Title 27, §20220(a)
2 TPH for full chain of hydrocarbons reported as C4-C12, C13-C22, and C23+ ranges
load-checking programs. Thus, routine load-checking programs implemented through individual WDRs for operating Class III landfills in the Region are not adequate to regulate the discharge of contaminated soils. This Order amends the existing WDRs for the following landfills to facilitate acceptance of contaminated soils and to provide acceptance criteria for such soils.

Table 1. List of Active Landfills within Santa Ana Region

<table>
<thead>
<tr>
<th>Landfill Name</th>
<th>Existing WDRs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lamb Canyon Landfill</td>
<td>Order No. R8-2013-0003</td>
</tr>
<tr>
<td>Badlands Landfill</td>
<td>Order No. 91-105</td>
</tr>
<tr>
<td>Olinda Alpha Landfill</td>
<td>Order No. R8-2010-0006</td>
</tr>
<tr>
<td>Mid-Valley Landfill</td>
<td>Order No. 98-095</td>
</tr>
<tr>
<td>FRB Landfill</td>
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<td>El Sobrante Landfill</td>
<td>Order No. R8-2011-0014</td>
</tr>
</tbody>
</table>

6. Each year Regional Board receives a large number of requests for the disposal of contaminated soils at MSW landfills. For each such request, the Regional Board has to determine the concentration of the significant constituents of concern in the waste, the regulatory limits, if any, for the constituents, and the potential impact on the waters of the State from the disposal of these wastes. Such requests are anticipated to continue and far exceed the capacity of the Regional Board to review and consider WDRs for each applicant in a timely manner. Hence, there is a need for amendment of the existing active MSW landfill WDRs to accommodate disposal or reuse of these wastes in a manner not to adversely impact water quality.

7. Increasingly, the contaminated soil generators or the landfill operators request for reuse of the contaminated soils at the MSW facilities. More specifically, for use as alternative daily cover.

8. Water quality protection requirements for cover materials at Class III landfills are contained in Title 27, §20705(e) as follows:
Limitations on Cover Materials - Except for reusable covers that are never incorporated into the landfill, daily and intermediate cover shall only consist of materials:

a. Match landfill classification - which meets the classification criteria for wastes that can be discharged to that landfill. Therefore, a material that would be classified as a designated waste cannot be utilized for daily or intermediate cover at a Class III landfill unless that material is approved for discharge (as a waste) to that landfill pursuant to Title 27, §20200(a)(1); and

b. Composition - whose constituents (other than water) and foreseeable breakdown byproducts, under the chemical (including biochemical) and temperature conditions which it is likely to encounter within the landfill, either:

i. for non-composite lined portions of the landfill, are mobilizable only at concentrations which would not adversely affect beneficial uses of waters of the State, in the event of a release; or

ii. for composite-lined portions of the landfill, are listed as constituents of concern in the landfill's water quality protection standard, created pursuant to Title 27 §20395.

9. The Regional Board recognizes the benefits of recycling and reuse of waste materials consistent with AB 939 and Title 27. This Order is not intended to, and does not conflict with AB 939.

10. Pursuant to Title 27, §20686, beneficial reuse of solid wastes at MSW landfills shall include, but not be limited to, the following: alternative daily cover, alternative intermediate cover, final cover foundation layer, liner operations layer, leachate and landfill gas collection system, construction fill, road base, wet weather operation pads and access roads, and soil amendments for erosion control and landscaping. This Order specifies criteria for reuse of various waste materials at MSW landfills.

11. The alternative daily cover materials, as well as any other wastes that meet the requirements in Title 27, §20690(b) for use as alternative daily cover, with mobilizable constituents are subject to the requirements of this Order.

12. These WDRs shall not be interpreted or applied in a manner that alters or supersedes any existing restrictions or working arrangements relating to cleanup cases regulated by any federal, state or local government agencies.

13. This Order does not authorize the discharge of waste in violation of applicable state or federal laws and regulations, including air quality laws, nor exempts any Dischargers from applicable regulations set forth by other regulatory agencies.

14. This Order is neither intended to regulate the transport of contaminated soils to treatment facilities, the land-treatment of contaminated soils, or the discharge of soils to inert landfills, nor does it regulate the reuse of contaminated soils at site cleanup projects overseen by the Regional Board. These activities are regulated either by individual WDRs, cleanup and abatement orders, or other general WDRs adopted by the Regional Board.

15. The adoption of this amendment to active landfill WDRs for disposal of contaminated soils, and reuse of these soils, would assist in:
Order No. R8-2014-0006
Amending WDRs for Active MSW Landfills in Santa Ana Region

4 of 12

a. Protecting groundwater and surface waters of the State from pollution.
b. Simplifying and expediting the process for disposal of contaminated soils at landfills.
c. Reducing Regional Board staff time preparing individual WDRs or review of each request for coverage under general WDRs.
d. Providing consistency for disposal or reuse of nonhazardous contaminated soils at active MSW landfills in the Santa Ana Region.

16. A Water Quality Control Plan for the Santa Ana River Basin (Basin Plan) became effective on January 24, 1995. The Basin Plan and its subsequent amendments specify beneficial uses and water quality objectives for waters in the Santa Ana Region. The requirements specified in this Order are necessary to protect the water quality objectives and the beneficial uses.

17. Existing and potential beneficial uses of groundwater and surface waters within the Santa Ana Region are specified, by water body, in Table 3-1 of the Basin Plan. Groundwater and surface waters that do not have beneficial uses designated in Table 3-1 of the Basin Plan have the same beneficial uses as the streams, lakes or reservoirs to which they are tributary or the groundwater management zones to which they are tributary.

18. This Order establishes minimum standards for disposal or reuse of contaminated soils at active MSW landfills. In the event of an inconsistency between the provisions of this Order and the Basin Plan, the more protective water quality provision shall prevail.

19. This Order does not preempt or supersede the authority of municipalities, flood control agencies, or other federal, state or local agencies to prohibit, restrict, or control discharges of waste subject to their jurisdiction.

20. This amendment is to accommodate proper disposal of slightly contaminated soils at the existing MSW landfills within the Region. This action is likely to reduce the illegal disposal of contaminated soils within the Region, thereby protecting the environment. This amendment only applies to existing MSW facilities and is exempt from provisions of the California Environmental Quality Act (Public Resources Code, §21000, et seq.) in accordance with Title 14, California Code of Regulations, Chapter 3, §15301.

21. The issuance of this Order establishing WDRs for the landfilling and reuse of contaminated soils is consistent with Santa Ana Region’s goal to provide water resources protection, enhancement, and restoration, while balancing economic and environmental impacts as stated in the Strategic Plan of the State Water Resources Control Board and the Regional Boards, and in conformance with the Porter-Cologne Water Quality Control Act (CWC, §13000, et seq.). The purpose of this Order is to develop consistent acceptance criteria for nonhazardous/non-designated contaminated soils at active landfills in the Region.

22. The Regional Board has notified interested agencies, the landfill owners, and all currently known interested parties of its intent to adopt amended WDRs for acceptance of contaminated soils at active MSW landfills.

23. The Regional Board, in a public meeting, heard and considered all comments pertaining to the adoption of this amended WDRs for disposal or reuse of the contaminated soils at active MSW landfills.
IT IS HEREBY ORDERED that the waste discharge requirements for the active municipal solid waste landfills in the Santa Ana Region, listed in Table 1, be amended to include the following requirements to allow acceptance of contaminated soils:

A. APPLICABILITY

1. This Order sets forth requirements for disposal or reuse of non-designated / nonhazardous contaminated soils at active class III landfills in Santa Ana Region.

2. Contaminated soil concentration limits are established in part C of this Order and may vary for each landfill based on the existing environmental control systems (composite liners, leachate collection and removal system, etc.), landfilling operations (i.e., best management practices, BMPs), and hydrogeologic setting.

B. PROHIBITIONS

1. The disposal of contaminated soils or onsite use of contaminated soils at active Class III landfills, except in compliance with this Order, is prohibited.

2. Contaminated soils that are deemed to be hazardous waste, as defined in Article 11, Title 22 of California Code of Regulations (Title 22), shall not be discharged at Class III landfills in the Region.

3. Contaminated soils that are deemed to be designated waste, as defined in §13173 of CWC, shall not be discharged at Class III landfills in the Region.

4. Since 1987, it has been illegal in California to dispose of used oil or waste oil in sewers, drainage systems, surface water, groundwater, water courses, marine waters, municipal waste, onto land, or by domestic incineration. Soils contaminated with used oil that do not meet the requirements of this Order are prohibited for disposal at MSW landfills in the Region.

5. The disposal or reuse of contaminated soils at Class III landfills in the Region shall not violate requirements set forth by other regulatory agencies.

6. The discharge of waste shall not:

   a. Cause groundwater or surface waters to exceed the water quality objectives as established in the Basin Plan or other applicable State Water Board Water Quality Control Plans, or to cause surface water to exceed applicable California Toxic Rule or National Toxic Rule water quality criteria;
   b. Cause pollution, contamination, or nuisance, or adversely affect beneficial uses of ground or surface waters as established in the Basin Plan;
   c. Cause the occurrence of coliform or pathogenic organisms in groundwater;
   d. Cause the occurrence of objectionable tastes and odors in groundwater;
   e. Cause waters pumped from a groundwater basin to foam;
   f. Cause the presence of toxic materials in groundwater; or
   g. Cause the pH of groundwater to fall below 6.0, or rise above 9.0.

7. Odors, vectors, and other nuisances originating from contaminated soils waste beyond
the limits of the landfill are prohibited.

8. The discharge of contaminated soils to surface drainage courses is prohibited.


C. CONTAMINATED SOILS ACCEPTANCE CRITERIA

A landfill operator who accepts contaminated soils at an active MSW landfill shall develop a Waste Acceptance Program, for approval by the Executive Officer, to comply with disposal requirements of the Order, as discussed below. The Waste Acceptance Program should identify personnel responsible for implementing the Program, procedures for approving soil profiling information including testing procedures for waste constituents accepted at the landfill, site-specific threshold levels for all appropriate wastes accepted for disposal or reuse, and any other relevant technical information. The Waste Acceptance Program shall be submitted to the Executive Officer for approval at least 30 days prior to acceptance of any wastes under this Order.

1. UNRESTRICTED ONSITE USE OF CONTAMINATED SOILS:

Clean and slightly contaminated soils, for which waste concentrations do not exceed the following threshold criteria may be disposed of, or used onsite, at any portion of an active MSW landfill without restriction.

a. For petroleum hydrocarbon contaminated soils, the threshold concentration is an average total petroleum hydrocarbon (TPH) concentration of 50 mg/kg in the gasoline range (C₄-C₁₂), or an average concentration of 100 mg/kg in the diesel range (C₁₃-C₂₂), or an average concentration of 1000 mg/kg in heavy oil range (C₂₃+) hydrocarbons. The TPH for full chain of hydrocarbons (gasoline, Diesel, and heavy oils) cannot exceed 1000 mg/kg.

b. Threshold concentration levels for constituents other than petroleum hydrocarbons require to be profiled to comply with disposal requirements of this Order and includes:

i. Soils with an average, contaminant-specific concentration that does not exceed a Preliminary Remediation Goal (PRG)³ for residential sites established by the U.S. Environmental Protection Agency (USEPA).

ii. In absence of PRG limits, soils with an average, contaminant-specific concentration that does not exceed a California Human Health Screening Level (CHHSL)⁴ for residential sites established by the California Environmental Protection Agency (Cal-EPA).

iii. Soils for which a PRG or CHHSL has not been established, an average

³ USEPA Region 9 PRG table is located at http://www.epa.gov/region9/superfund/prg/files/04prgtable.pdf
⁴ CALEPA CHHSL can be located at http://www.calepa.ca.gov/brownfields/documents/2005/chhslguide.pdf
contaminant-specific concentration shall not exceed, on a per weight basis\(^5\) 10 times the maximum contaminant level (MCL) established by the USEPA or the State of California Department of Public Health.

iv. Constituents that are naturally occurring in soils may exceed the threshold concentration levels provided in Section C.1.b (e.g., metals). Average concentrations shall be considered for these naturally occurring constituents in the Region. A demonstration must be made that they are naturally occurring and that these levels will not result in exceedances of water quality standards in surface or groundwater surrounding the landfill.

2. CRITERIA FOR DISPOSAL OF CONTAMINATED SOILS TO UNLINED LANDFILLS:

Limits for disposal of contaminated soils to unlined, or unlined portions, of MSW landfills in the Region:

a. Soils contaminated with an average concentration higher than 500 mg/kg in the C\(_4\)-C\(_{12}\) carbon-chain range, or 5,000 mg/kg in the C\(_{13}\)-C\(_{22}\) carbon-chain range, or an average TPH concentration higher than 50,000 mg/kg, shall not be disposed of at unlined, or unlined portions of, MSW landfills.

b. Soils with an average, contaminant-specific concentration that does not exceed a PRG for industrial sites established by the USEPA.

c. In absence of PRG limits, soils with an average, contaminant-specific concentration that does not exceed a CHHSL for industrial sites established by the Cal-EPA.

d. Soils contaminated with VOCs, SVOCs, organochlorine pesticides, PCBs, or CAM metals shall not be disposed of at unlined, or unlined portions, of MSW landfills if the contaminant exceeds 100 times an established MCL, on a per-weight basis. An exception is the disposal limit of 50 mg/kg for PCBs, which has been established under 40 CFR §761.61(a)(5)(v)(A)(1).

3. CRITERIA FOR DISPOSAL OF CONTAMINATED SOILS TO LINED LANDFILLS:

Soils contaminated with TPH, VOCs, SVOCs, organochlorine pesticides, PCBs, or CAM metals at concentrations greater than concentrations established for unlined landfills in provision C.2, above, but lower than the concentration listed in C.4 below, may be disposed of at a lined, or lined portion, of a Class III landfill in this Region if the corresponding discharger determines, pursuant to approval by the Executive Officer, that the contaminated soils are not classified as designated waste. To satisfy this requirement, a discharger shall develop waste acceptance criteria, consistent with The Designated Level Methodology for Waste Classification and Cleanup Level Determination\(^6\) or alternative methodology approved by the Executive Officer. Factors to be considered in developing waste acceptance criteria include:

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\(^5\) For example, soil results reported in mg/Kg should be compared to an MCL in mg/L.

\(^6\) A report developed by the staff of the Central Valley Regional Water Boards staff presenting a waste classification system from a water quality perspective. Reference information can be found at http://www.swrcb.ca.gov/rwqcb5/plans_policies/guidance/dlm.pdf.
a. Water quality objectives – Consistent with the Basin Plan’s municipal and domestic supply beneficial use for groundwater resources in the Region, the Discharge shall use the most stringent Basin Plan objectives, as the water quality objective;

b. A calculated leakage flow rate based on landfill-specific design criteria;

c. A calculated groundwater flow rate based on landfill-specific hydro-geologic conditions;

d. Equilibrium partitioning of waste constituents between leachate and soils; and

e. Equilibrium partitioning of waste constituents between leachate and groundwater with consideration for dilution attenuation.

4. Soils contaminated with an average concentration higher than 1,000 mg/kg in the C4-C12 carbon-chain range, or 10,000 mg/kg in the C13-C22 carbon-chain range, or an average TPH concentration higher than 75,000 mg/kg, shall not be discharged at any Class III landfill in the Region.

5. Contaminated soil sampling frequencies are listed in Table 2 below:

<table>
<thead>
<tr>
<th>CUBIC YARDS OF SOIL</th>
<th>NO. OF SAMPLES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 100*</td>
<td>2</td>
</tr>
<tr>
<td>101 to 500</td>
<td>4</td>
</tr>
<tr>
<td>501 to 2500</td>
<td>6</td>
</tr>
<tr>
<td>For each 500 CY greater than 2500**</td>
<td>1 additional sample</td>
</tr>
</tbody>
</table>

* For quantities less than 20 CYs, no sampling is required.
** For quantities greater than 20,000 CYs, an alternative sampling frequency may be considered.

D. BEST MANAGEMENT PRACTICES APPLICABLE TO ONSITE USE OF CONTAMINATED SOILS

1. All soils accepted for beneficial reuse at the MSW landfill shall meet the acceptance criteria specified in provision C.2 and C.3 of this Order for unlined and lined landfills, respectively.

2. The MSW landfill operator shall ensure that waste constituents are not mobilized from any contaminated soils used onsite as part of environmental control systems at concentrations which would adversely affect beneficial uses of waters of the State. All surface runoff and erosion controls systems shall be consistent with the requirements specified in the State’s General Industrial Storm water Permit, Order No. 97-003-DWQ, and any subsequent revisions thereto. The MSW landfill operator shall review its Storm Water Pollution Prevention Plan (SWPPP) to determine the need for any revisions specifically to address contaminants in the wastes accepted under this Order and any
foresightable breakdown products of the waste constituents. Any required revisions to the SWPPP should be completed 30 days prior to acceptance of any wastes under this Order.

3. The SWPPP shall include, but not be limited to:

   a. Procedures for limiting the use of contaminated soils during periods of wet weather so that the contribution of waste constituents and foresightable breakdown byproducts to surface water runoff is minimized.

   b. Drainage diversion structures to control surface water run-on and run-off to limit interaction with wastes exposed in landfill working areas.

   c. Drainage retention facilities to capture, or control, surface waters to minimize storm water run-off from the site.

E. REPORTING REQUIREMENTS

1. In accordance with regulations in §3890 et seq. of Title 23, and of Title 27, adopted by the State Water Resources Control Board (State Water Board) in September 2004 regarding electronic submittal of information (ESI), Dischargers shall submit all monitoring reports required under this Order or site-specific WDRs, electronically to the State Water Board GeoTracker system. Dischargers are subject to any future revision to ESI requirements.

2. Dischargers shall include all activities related to contaminated soils accepted under this Order in the corresponding annual summary reports, submitted pursuant to the monitoring and reporting program in accordance with the site-specific WDRs for the corresponding landfill. The report shall include a summary of the types, volumes, and disposal or onsite use for all wastes accepted pursuant to requirements of this Order. The report shall also compile all waste profiling information utilized by the Discharger in accordance with the Waste Acceptance Program requirements, including all sampling, the date of sampling, place where samples were collected, and time of sampling or measurement; individual(s) who did the sampling or measurement; the date(s) analyses were done; and analytical techniques or methods used to profile contaminated soils or wastes and the analytical results.

3. Dischargers shall submit all surface water test results for parameters listed in Table 3 in the corresponding annual summary reports pursuant to the monitoring and reporting program in site-specific WDRs for the corresponding landfill. Routine submittal of the surface water test results does not release Dischargers from summary annual reporting requirements of the General Industrial Stormwater Permit. Dischargers shall submit a summary of all benchmark exceedances.

4. Dischargers shall furnish, within a reasonable time, any information which the Executive Officer may require to determine whether cause exists for modifying, revoking and reissuing, or terminating coverage under this Order.

5. Where a Discharger becomes aware of a failure to submit any relevant facts in a report to the Regional Board, the Discharger shall promptly submit such facts or information.
6. Dischargers shall report any noncompliance with this Order. Any such information shall be provided verbally within 24 hours from the time the Discharger becomes aware of the circumstances. A written submission shall also be provided within seven days of the time the Discharger becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected; the anticipated time it is expected to continue, and steps taken or planned to reduce, eliminate, or prevent recurrence of the noncompliance. The Executive Officer may waive or modify the written report requirement on a case-by-case basis if the oral report has been received within 24 hours.

7. All applications, reports, or information required by the Executive Officer shall be signed and certified as follows:

a. Signing agent.

i. For a corporation - by a principal executive officer of at least the level of vice-president.

ii. For a partnership or sole proprietorship - by a general partner or the proprietor, respectively.

iii. For a municipality, state, federal or other public agency - by either a principal executive officer or ranking elected official.

iv. For a military installation - by the base commander or the person with overall responsibility for environmental matters in that branch of the military.

b. All other reports required by this Order and other information required by the Executive Officer shall be signed by a person designated in part (a) of this provision, or by a duly authorized representative of that person. An individual is a duly authorized representative only if:

i. The authorization is made in writing by a person described in part (a) of this provision;

ii. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity; and

iii. The written authorization is submitted to the Executive Officer.

c. Any person signing a document under this section shall make the following certification:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment."

F. PROVISIONS

Provisions in this Order supersede those in any site-specific Order issued by the Regional Board that relate to contaminated soil disposal or reuse requirements.
G. NOTIFICATIONS

1. The CWC provides that any person who violates any WDRs issued, reissued, or amended by the Regional Board is subject to administrative civil liability in accordance with CWC §13350 and/or §13385 of up to $10,000 per day of violation or $10 per gallon discharged depending on the nature of the violation.

2. CWC §13268 provides that any person failing or refusing to furnish technical or monitoring program reports, as required under this Order, or falsifying any information provided in the monitoring reports is guilty of a misdemeanor and may be subject to administrative civil liability of up to $1,000 per day of violation.

3. The disposal of contaminated soils may also be subject to regulations of CalRecycle, the California Department of Toxic Substances Control, and the South Coast Air Quality Management District.

4. The Regional Board may reopen this Order at its discretion, including assuring consistency with the State Water Board's general industrial storm water permit, and revisions thereto.

I, Kurt V. Berchtold, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Santa Ana Region, on April 25, 2014.

Kurt V. Berchtold
Executive Officer
TABLE 3: STORMWATER BENCHMARK VALUES
(Adopted from Table B of the U.S. Environmental Protection Agency multi-sector NPDES permit)

<table>
<thead>
<tr>
<th>Parameter</th>
<th>Benchmark Value</th>
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<tr>
<td>Biochemical Oxygen Demand (5)</td>
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<tr>
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<td>Total Suspended Solids</td>
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<td>Nitrate + Nitrite Nitrogen</td>
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ACTIONITEMS

III.A. 2013 Annual Monitoring Report

Mitigation Monitoring Program Status Report
El Sobrante Landfill
Annual Monitoring Report

Reporting Period:
January 1, 2013 through December 31, 2013

Prepared By:
USA Waste of California, Inc.

May 2014
Introduction

The El Sobrante Landfill Annual Monitoring Report (AMR) for the period covering January 1, 2013 through December 31, 2013 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. Provision 13.2 Exhibit “D” of the Second Agreement requires USA Waste to annually submit the AMR (see attached). This report, on its compliance, combined with the El Sobrante Landfill Second Agreement by providing information identified in Exhibit “D” El Sobrante Landfill Annual Mitigation Monitoring Program (MMP) reports, and Conditions of Approval (COA) report forms the Annual Status Report (see attached ASR). The AMR 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 Management 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 AMR as submitted by the ARC.

Landfill History

The El Sobrante Landfill is an existing municipal solid waste landfill, located at 10910 Dawson Canyon Road, easterly 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, 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 County’s Waste Management Department 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.

Comment [RCWMD1]: Section 13.2 addresses mitigation monitoring program reports and does not reference Appendix D.

Comment [RCWMD2]: The ARC reviews the “Annual Status Report” (ASR) which is composed of the AMR, MMP report, & COA report. The ASR is then submitted to the COC for comment.
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 three times:

1. 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.

2. The Second Amendment, approved by the BOS in March 2007, allowed for 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.

3. 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.
Overview of Calendar Year 2013

2013 Permits/Approvals

In 2013, the landfill operator applied for a revised Title V operating permit from the South Coast Air Quality Management District (SCAQMD). The Title V permit, which was issued in January 2014, applies to facilities that have the potential to emit any criteria pollutant or hazardous air pollutant at levels equal to or greater than established emission thresholds for the South Coast air basin.

2013 Changes in Landfill Expansion Project Plan

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.

2013 Landfill Activities

In 2013, the active area for waste disposal operations continued to be in Phases 9B and 10, and the following construction activities related to landfill gas (LFG) management occurred at the El Sobrante Landfill:

- Trenching of three (3) new horizontal gas collection wells
- Relocation and installation of approximately 1,600 linear feet (LF) of above-grade 12-inch High Density Polyethylene (HDPE) header piping
- Excavation and relocation of approximately 100 LF of below-grade 30-inch HDPE header piping
- Installation of approximately 1,080 LF of below-grade 30-inch HDPE piping
- Installation of various wellheads, stub-outs, tie-ins, and valves
- Construction of road crossings

In addition, an existing 10,000 gallon Underground Storage Tank was removed in 2013 (replaced with a 20,000 gallon Above-Ground Storage Tank in 2014).

2013 Days and Hours of Operation

In 2013, 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

[Comment [RCWMD3]: Need to discuss construction of Pond 4 outside of the landfill property line.]

[Comment [GR4]: Note should be that in 2013 it was identified that pond a was on WMI property but outside the CEQA footprint and will be addressed through the ARC.]

[Comment [RCWMD5]: Any Phase 11 construction activities- berm, liner, LCRS, etc. Any sedimentation pond construction/improvements?]
2013 Disposal Volumes

During calendar year 2013, a total of approximately 1,962,124.94 tons of municipal solid waste was disposed at the El Sobrante Landfill. Of this amount, approximately 685,610.65 tons originated from Riverside County sources, and approximately 1,276,514.29 tons originated from out-of-County sources. While no processed green waste was used as alternative daily cover (ADC) at the landfill, and no green waste was reused or recycled, a total of 21,294,83368.12 tons of cement-treated incinerator ash from Southeast Resource Recovery Facility (SERRF) were received in November and October through December and used as ADC, as well as 54.32 tons from the Commerce Refuse to Energy Facility (CREF) in October. Based on 307 working days, an average of 6,391 (rounded to nearest whole number) tons of waste were received at the landfill on a daily basis in 2013.

Landfill Capacity Used in 2013 and Landfill’s Remaining Capacity at End of 2013

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, the entire landfill is flown by an aerial survey company, 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 2013 operations (approximately 0.962 ton/cubic yard) and the amount of 1,962,125 tons of waste disposed in 2013, approximately 2,039,631 cubic yards of capacity were used in 2013. The landfill’s remaining airspace at the end of 2013 is estimated to be approximately 176,848,527 cubic yards, in excess of 170,000,000 remaining tons. Assuming 91 percent of this capacity is available for trash (approximately 160,932,160 cubic yards or 154,816,738 tons), the landfill continues to have in excess of 55 years of capacity at current tonnage projections.

Origin of Non-County Waste Disposal Volume in 2013

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 truck are the Heil Star System and the WMS Pod Trucks. 

During 2013, non-county waste was delivered to the El Sobrante Landfill from the following primary locations: 

- 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 

Comment [GR6]: New heading to focus on contract issues. 
Comment [RCWMD7]: Needs more discussion on the negotiations regarding incinerator ash as a prohibited waste stream per the 2nd Agreement. 
Comment [GR8]: Note about twice yearly inspections by Riverside County LEA per contract.
During calendar year 2013, the following out-of County communities delivered more than 1,000 tons of municipal solid waste to the El Sobrante Landfill:

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

For calendar year 2013, 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
- Agoura Hills
- Alhambra
- Apple Valley
- Arizona
- Artesia
- Barstow
- Bell
- Bellflower
- Beverly Hills
- Bradbury
- Brea
- Burbank
- Cerritos
- Chino Hills
- Chula Vista
- Costa Mesa
- Covina
- Cudahy
- Culver City
- Del Mar
- Downey
- El Cajon
- Encinitas
- Garden Grove
- Glendale
- Glendora
- Grand Terrace
- Hawthorne
- Hermosa Beach
- Hesperia
- Highland
- Huntington Beach
- Irvine
- Kern County
- La Habra Heights
- La Mirada
- Laguna Niguel
- Lake Forest
- Lakewood
- Lawndale
- Loma Linda
- Los Alamitos
- Malibu
- Maywood
- Monrovia
- Montebello
- Monterey Park
- Morongo Tribe
- Needles
- Nevada
- Newport Beach
- Norwalk
- Orange (County)
- Paramount
- Pico Rivera
- Placentia
- Redlands
- Rosemead
- San Gabriel
- San Leandro
- Santa Ana
- Santa Fe Springs
- Santa Monica
- Sierra Madre
- Signal Hill
- Soboba Tribe
- Solana Beach
- South El Monte
- Temple City
- Tuolumne County
- Twenty-9 Palms
- Victorville
- West Hollywood
- Westminster
- Whittier
- WM-North State Env
- WMIE-G.O.R. Truck
- Yorba Linda
- Yucaipa
- Yucca Valley

Projected Waste in 2014

In 2014, it is projected that there will be an approximately 5.75 percent increase in disposal tonnage, with total disposal tonnage expected to be in range of 2,075,000 tons. Of this amount, the in-County disposal tonnage for 2014 is projected to be approximately 765,000 tons, while out-of-County tonnage is expected to be in the range of 1,310,000 tons.
Closure/Post Closure Trust

No funds were withdrawn from the Closure/Post-Closure Trust for these activities during 2013, and at the end of the calendar year, the market value of the El Sobrante Landfill Trust was approximately $19,891,931.

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.

General Liability Insurance

The Certificate of Insurance is an attachment to the AMR.

Regulatory Agency Issues

During 2013, the El Sobrante Landfill was regularly inspected by regulatory agencies, and the landfill does not have any unresolved compliance issues from the regulatory agencies, which include the LEA, CalRecycle, the Regional Water Quality Control Board - Santa Ana Region (RWQCB-SAR), and the SCAQMD. There were also no public complaints registered with the LEA for lighting, noise, or odor.

Pending Litigation

There is no pending litigation against the El Sobrante Landfill.
EXHIBIT “D”
EL SOBRANTE LANDFILL
ANNUAL MONITORING REPORT

1. Date of Report: Reporting Period:
2. Permits obtained, extended or modified:
3. Tons of Waste placed in Landfill during reporting period:
4. Cubic yards of material placed in Landfill during the reporting period:
5. Changes in Project Plan during reporting period:
6. Amount of County Waste received during reporting period:
7. Amount of Non-County Waste received during reporting period:
8. Average daily rate of tonnage during reporting period:
9. Average daily tonnage as of last thirty (30) days of reporting period:
10. Current hours of operation:
11. Current State requirement for trust balance:
12. Current State requirement for contributions to Closure/Post-Closure trust:
13. Amount contributed to State Closure/Post-Closure trust during reporting period:
14. Amount withdrawn from Closure-Post-Closure trust during reporting period:
15. Sources of Non-County Waste during reporting period:
16. Sources of Non-County Waste during last thirty (30) days of reporting period:
17. Estimated maximum tons per day of Non-County Waste to be received during next reporting period:
18. Estimated tons per day of County Waste to be received during next reporting period:
19. Amount contributed to Road Improvement Trust during reporting period:
20. Insurance carrier for comprehensive general liability policy: (Attach certificate)
21. List any unresolved complaints from:
   (a) LEA;
   (b) California Integrated Waste Management Board;
   (c) RWQCB-SAR;
   (d) SCAQMD.
22. List any pending litigation involving the Landfill:
CERTIFICATE OF LIABILITY INSURANCE

1/1/2015

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy/ies must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
LOCKTON COMPANIES
5847 SAN FELIPE, SUITE 320
HOUSTON TX 77057
866-260-3538

CONTACT NAME:
PHONE (Fax No.): 866-260-3538
E-MAIL ADDRESS: 

INSURER(S) AFFORDING COVERAGE
insurer A: ACE American Insurance Company
22667

INSURED
WASTE MANAGEMENT HOLDINGS, INC. & ALL AFFILIATED RELATED & SUBSIDIARY COMPANIES INCLUDING:
EL SOBRANTE LANDFILL
10910 DWAYNE CANYON ROAD
CORONA CA 92883

CERTIFICATE NUMBER: 10564019

CERTIFICATE OF INSURANCE

1/1/2015

This is to certify that the policies of insurance listed below have been issued to the insured named above for the policy period indicated. notwithstanding any requirement, term or condition of any contract or other document with respect to which this policy may be issued or may pertain, the insurance afforded by the policies described herein is subject to all the terms. exclusions and conditions of such policies. limits shown may have been reduced by paid claims.

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DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

BLANKET WAIVER OF SUBROGATION IS GRANTED IN FAVOR OF CERTIFICATE HOLDER ON ALL POLICIES WHERE AND TO THE EXTENT REQUIRED BY WRITTEN CONTRACT WHERE PERMISSIBLE BY LAW. CERTIFICATE HOLDER IS NAMED AS AN ADDITIONAL INSURED (EXCEPT FOR WORKERS' COMP) WHERE AND TO THE EXTENT REQUIRED BY WRITTEN CONTRACT.

CERTIFICATE HOLDER
10564019
COUNTY OF RIVERSIDE
RIVERSIDE COUNTY WASTE RESOURCES
MANAGEMENT DISTRICT
14310 FREDERICK STREET
MORENO VALLEY CA 92553

CANCELLATION
See Attachment

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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ACORD 25 (2014/01) The ACORD name and logo are registered marks of ACORD
This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

Name of Person or Organization: COUNTY OF RIVERSIDE AND RIVERSIDE COUNTY WASTE RESOURCES MANAGEMENT DISTRICT

(If no entry appears above, information required to complete this endorsement would be shown in the Declarations as applicable to this endorsement.)

WHO IS AN INSURED (Section II) is amended to include as an insured the person or organization shown in the Schedule, but only with respect to liability arising out of "your work" for that insured by or for you.
El Sobrante Landfill
2013 Mitigation Monitoring Program Status Report

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

July 2014

Report on Status of Mitigation Monitoring Program (MMP)
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 Game and Fish (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. In 2004, RSS restoration was completed on approximately 7 acres comprising the Phase 8 berm. Construction within the RSS Phase A Partial Final Closure area began in 2006 and was completed in early 2007. By spring of 2008, revegetation on the Phase A slopes had been successful, with excellent seed germination, native species diversity, and reaching approximately 50 percent native cover in most slope areas. In November of 2009, two (2) acres of Phase A slopes, where erosion had occurred during winter 2008, were supplemented with a native hydroseed mix. To increase plant species diversity, a 1.5-acre portion of a Phase A slope was planted with seeds of California Sagebrush and California Buckwheat in 2011. Prickly-pear cactus pads were also planted to replace dead cactus.

Closure within the RSS Phase B1 Partial Final Closure area began in 2008. Upon completion of closure in the fall of 2009, restoration of approximately 18 acres of RSS Phase B slopes occurred from October until early November 2009. Restoration activities included the creation of cactus patches, creation of rock and brush piles for reptile habitat, and the application of a hydroseed mix of native RSS.

In the fall of 2011, the same RSS hydroseed mix was reapplied to the slope of the Phase 10 berm, where a storm washout occurred in December 2010, and was applied to the Pond 4 exterior slopes and a 0.5-acre portion of a Phase 11 slope.

In 2012, 36 acres of outside slopes within Phases 3-5, 7 and 8 (RSS Phase B2 Partial Final Closure area) were closed and then hydroseeded with a RSS seed mix in the latter part of the year. Three rock outcrops and 12 large piles of branches were added to attract wildlife. Weed management and qualitative monitoring also occurred within all other restored areas on a monthly basis in 2012.

In 2013, the Biological Monitor (Mariposa Biology) for the landfill determined that the RSS restoration area on the Phase 8 berm met the RSS self-sustaining criteria per the approved HCP. As a consequence, only annual plants, and not the shrub cover, were counted. A monitoring report was prepared for the Habitat Management Committee (HMC) seeking concurrence that the Phase 8 berm restoration area meets the success criteria.

Restoration activities that occurred in 2013 included the following: 1) Hand-seeding of California Buckwheat seeds, California Sagebrush seeds, and mycorrhizal fungi in all areas of Phases A and B1, except the Phase 8 berm and those areas that were given supplemental hydroseeding in December 2012; 2) Planting of approximately 500 cactus pads within sparse areas of Phases A and B1; and, 3) Planting of approximately 3,000 cactus pads in Phase B-2 on the west- and south-facing slopes to create Cactus Wren habitat. Plant germination within
the Phase B-2 area has been good on the north slope but slow on the south slope due to low rainfall.

While considering the 2012 Annual Monitoring Report in 2013, the Citizen Oversight Committee (COC) requested that the landfill operator consider watering restoration areas as a method to accelerate plant growth. In addition, as identified in the staff report to the County Board of Supervisors for the 2012 Annual Report, County staff contracted with a qualified biologist to prepare a non-binding technical Memorandum (see attached) to evaluate supplemental irrigation for restoration projects in southwest Riverside County. Although the Memorandum advocates for supplemental irrigation systems, pursuant to the approved HCP, irrigation is not applied, because it is preferable that seeds germinate and grow under natural conditions of wet and dry cycles, and because “increased weed growth and imbalances in soil microorganisms (most notably decreases in beneficial mycorrhizal fungi) often result” (HCP, page D-7). Non-watering serves to make restoration more self-sustaining in the long term.

In 2013, restoration sites continued to be monitored monthly and weeded as often as necessary 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).

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: RCWMD, LEA)

Status:

Landfill development, along with closure and restoration, has been phased to comply with this measure and are being 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. During 2003, the expansion phases were redesigned to facilitate expansion and soil stockpiling activities and to minimize disturbance. A minor modification request was formally submitted to the USFWS and CDFW in May 2004 to re-phase the grading plan, increasing the number of phases from 15 to 17. Approximately 7 acres of the Phase 8 berm were revegetated in 2004. Another 22 acres of phases 1 and 6 were closed and revegetated in 2007, and an additional 18 acres were closed and restored starting at the end of 2008 and ending in early November 2009. In 2012, 36 acres of outside slopes within Phases 3-5, 7 and 8 were closed and then hydroseeded with a RSS seed mix in the latter part of the year. No other areas of the landfill have been closed and restored since 2012. No additional disturbance within the landfill footprint is anticipated within the next four to five years based on forecasted disposal volume.

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:

No facilities, structures, or signage were installed or constructed at the landfill in 2013. The landfill owner/operator will continue to implement this measure for any and all future facilities, structures, and signage.

Comment [RCWMD1]: Any work completed in 2013 for the phase 11 expansion, including the Phase 11 berm? Was Pond 4 constructed in part of 2013? If so, please identify.

Comment [RCWMD2]: Did the reveg/restoration activities occur at one time? If applicable, discuss 2013 RSS seeding on phase 10/11 berms, pond 4 outside slopes, etc.

Comment [RCWMD3]: Discuss 20,000 gal above ground fuel tank.
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:**
This mitigation measure is implemented on an ongoing basis. If the landfill operator was to receive a complaint about temporary lighting through feedback from the Riverside County Department of Environmental Health, Local Enforcement Agency (LEA), the light locations and angles would be adjusted. **No formal complaints regarding night lighting were raised in 2013.**

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 visual impact of filling activities for surrounding neighbors. During periods of 2013, the location of active filling could not be feasibly screened from some neighborhoods west of Interstate 15 due to the height of the landfill. However, the sight distance is such that night glare impacts were not an issue.

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 removal is an on-going task and is monitored by the LEA. No violations or areas-of-concerns were recorded during 2013 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.

During 2013, El Sobrante Landfill continued to allot a minimum of 16 man-hours per week to the clean-up of litter and debris along the landfill access road to its intersection with Temescal Canyon Road and along Temescal Canyon Road from the intersection with I-15 to the intersection with Weirick Road.

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.

During 2013, the landfill operator continued to transport and dispose of trash contained within the two roll-off bins located in the Spanish Hills and Dawson Canyon areas on an “as needed” basis monitored by surrounding neighbors, or on an average of once every 45 days.

For I-15, USA Waste sponsors three sections of the interstate through the CalTrans Adopt-a-Highway program. El Sobrante will continue to clean the adopted sections of I-15 utilizing company resources.

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; California Code of Regulations [CCR], Title 17, “AB 32”; CCR, Title 27; and SCAQMD Rule 1150.1, as revised 1998, 2000, and 2011), 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 is in compliance 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. (Note: A third party technical report is being prepared in 2014 to confirm that 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. As allowed by Condition of Approval 5 of 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:

- PM₁₀ 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 PM₁₀ monitoring as part of construction activities. All paved surfaces are scheduled to be swept a minimum of once weekly, with supplemental cleanings added on a more frequent basis as dictated by weather conditions. All unpaved haul roads are watered as needed and the dust suppressant, magnesium chloride, is used periodically during the summer months. 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 PM₁₀ 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 PM₁₀ control. *(Responsible Agencies: LEA, SCAQMD)*

**Status:**
This mitigation measure has not been triggered, because PM₁₀ 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.
- NOx, ROG, SOx, and PM₁₀ 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 to ensure compliance with this mitigation measure.

AQ-6

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

*[Comment [RCWMD11]: Include report in the appendix.]*
- 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. An annual emission report is submitted to SCAQMD to ensure compliance with this mitigation measure.

**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.

**AQ-11**

Prior to construction and construction/operation activities, the following premonitoring measures shall be implemented to avoid or lessen boundary concentrations of \( \text{NO}_2 \):

- Normal landfill operations and cell construction/closure activities shall be preplanned to avoid potentially adverse alignments (both horizontally and vertically), and

- 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.

**Comment [RCWMD12]:** Include report in the appendix. Is this the same report submitted for AQ13 compliance?

**Comment [RCWMD13]:** Does the 20,000 gal stationary fuel tank installed fall under this rule?
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\textsubscript{2} 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\textsubscript{2}:

- If monitoring determines that the 1-hour NO\textsubscript{2} standard (i.e., 470 \text{µg/m}^3) is being approached (i.e., within 95 percent of the standard or approximately 450 \text{µg/m}^3), 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:

During construction activities, the landfill operator continues to implement a “CEQA Mitigation Monitoring Workplan for NO\textsubscript{2},” which was prepared by SCS Engineers to incorporate these measures and submitted to the SCAQMD on January 27, 2003.

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 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. 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 reevaluate the feasibility of using alternative fuels in transfer trucks. Such reevaluations shall be at least every three (3) years. USA Waste or its successor-in-interest shall, however, conduct such a reevaluation anytime deemed appropriate by County.

(Responsible Agencies: RCWMD)

Status:

The initial evaluation report was submitted with the 2004 Annual Report. The report indicated that alternatively fueled engines with sufficient power ratings for a transfer truck application were not available at that time. The insufficient power issue in a transfer truck application was not overcome in continuing studies through 2009, making it infeasible for USA Waste to implement this requirement in 2010. In 2011, USA Waste purchased nine (9) Compressed Natural Gas-fueled tractors for use in transfer truck applications performed in California operations. Due to
production delays, delivery was postponed to early 2012. Field testing of these tractors to evaluate the feasibility of this alternative began in spring 2012 and continued in 2013. To date, these units have not demonstrated adequate reliability, and engine improvements and other options continue to be examined. A determination to abandon or to pursue this alternative has currently been delayed pending the results of a manufacturing analysis in 2014.

**AQ-13**

The project shall provide the required emission reductions of NO\textsubscript{x} and ROG sufficient to cause no net increase of project emissions. ([Responsible Agencies: SCAQMD, RCWMD])

**Status:**

The “Annual 2014 Mitigation Monitoring Program Status Report, Air Quality Mitigation Measure AQ-13, El Sobrante Landfill, Corona, California”, prepared by SCS Engineers and dated September 27, 2013, provides both a summary of the site’s emission inventory for stationary, mobile, and construction sources and a summary of the emission increases, or reductions, from the various site emission sources from the baseline year of 2001 to the 2014 projected emissions. Based on the report’s results, it is forecast that there will be an emission reduction of 661.9 lbs/day for NO\textsubscript{x} and 8.8 lbs/day for ROG. These reductions are achieved by use of an ultra-low NO\textsubscript{x} flare and the use of transfer trucks in place of packer trucks. No emission offsets are required for 2014, and the project is in compliance with this mitigation measure.

**AQ-14**

USA Waste shall amend its Policies and Procedures Manual at the landfill to require that heavy construction and operating equipment at the landfill shall not idle for longer than 15 minutes. ([Responsible Agencies: RCWMD])

**Status:**

Site Policies and Procedures have been revised to enforce the “no idle longer than 15 minutes” mitigation measure. To support compliance with this requirement, the landfill operator chose to install exterior indicator lights beginning in 2008 to show machine idle time-outs. At the end of 2010, 6 pieces of equipment had been installed with exterior lights: 1 of 2 loaders, all 3 tippers, and 2 of 4 compactors. In 2011, the landfill operator installed “auto shut-down” systems on 2 additional pieces of equipment (1 compactor and 1 dozer). Also it was discovered that the idle auto shut-down configuration was not adaptable to the Volvo engines in the haul trucks and excavators. Only 1 of the remaining 2 dozers was fitted in 2012 since the remaining dozer was scheduled to be replaced in 2013 with a new unit incorporating a factory auto-idle-shutdown system. Idle auto shut-down systems will not be installed on any remaining equipment due to their lack of adaptability and/or low use, but on occasions when this equipment is in use, the landfill operator will continue to enforce the “no idle longer than 15 minutes” mitigation measure.

**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, RCWMD])

**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, CDFWCDFG, 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 2004, RSS restoration was completed on approximately 7 acres comprising the Phase 8 berm. Construction within the RSS Phase A Partial Final Closure area began in 2006 and was completed in early 2007. By spring of 2009, revegetation on the Phase A slopes had been successful, with excellent seed germination, native species diversity, and reaching approximately 50 percent native cover in most slope areas. In November of 2009, two (2) acres of Phase A slopes, where erosion had occurred during winter 2008, were supplemented with a native hydroseed mix. To increase plant species diversity, a 1.5-acre portion of a Phase A slope was planted with seeds of California Sagebrush and California Buckwheat in 2011. Prickly-pear cactus pads were also planted to replace dead cactus.

Closure within the RSS Phase B1 Partial Final Closure area began in 2008. Upon completion of closure in the fall of 2009, restoration of approximately 18 acres of RSS Phase B slopes occurred from October until early November 2009. Restoration activities included the creation of cactus patches, creation of rock and brush piles for reptile habitat, and the application of a hydroseed mix of native RSS.

In the fall of 2011, the same RSS hydroseed mix was reapplied to the slope of the Phase 10 berm, where a storm washout occurred in December 2010, and was applied to a 0.5-acre portion of a Phase 11 slope.

In 2012, 36 acres of outside slopes within Phases 3-5, 7 and 8 (RSS Phase B2 Partial Final Closure area) were closed and then hydroseeded with a RSS seed mix in the latter part of the year. Large rock outcrops and brush piles were added to attract wildlife. In 2013, 3,000 cactus pads were planted in 6 cactus patches. Weed management and qualitative monitoring also occurred within all other restored areas on a monthly basis in 2012.

No other areas of the landfill have been closed and restored since 2012. In 2013, the Biological Monitor (Mariposa Biology) for the landfill determined that the RSS restoration area on the Phase 8 berm met the RSS self-sustaining criteria per the approved HCP. A monitoring report was prepared for the Habitat Management Committee (HMC) seeking concurrence that the Phase 8 berm restoration area meets the success criteria.

In 2013, restoration sites continued to be monitored monthly and weeded as often as necessary to control weeds and promote habitat for both plant and animal species.

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, RCWMD)

Status:
Refer to “Status” under Mitigation Measure B-1.

B-3

Dudleya salvaging and restoration 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, RCWMD)
**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, a total of 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. While this seeding did not produce any Many-stemmed Dudley plants, it is intended that this practice will still be pursued in the future during normal rainfall years. 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 began in November 2013.

**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, RCWMD)

**Status:**

From 2002, when construction of the landfill expansion project began, through the end of 2013, it has been the understanding of the landfill owner/operator that this mitigation measure has not been triggered for any grading or construction related to the landfill and will not be triggered until the final phase of landfill development, Phase 15 (now Phase 17). USA Waste is currently working with the resource agencies to resolve potential violations resulting from the construction of Ponds 3 and 4, as well as impacts to on-site drainages. USA Waste will continue to work cooperatively with the resource agencies and provide updates to the County, ARC, and the COC. The reasons for this understanding are in part based on the following: 1) the amount of acreage to mitigate potential impacts to wetland/riparian habitat as denoted in this mitigation measure corresponds to habitat acreage that was identified in the EIR as being located in Phase 15; 2) the Environmental Assessment (EA) prepared by USFWS in 2001 to implement the landfill’s HCP specifically states that if an ACOE permit is required, the application and mitigation plan would be prepared prior to Expansion Phase 15; 3) during consultation with CDFG on the landfill’s HCP, CDFG did not require a Streambed Alteration Agreement (SAA) in addition to its Section 2081 permit, since impacts to their jurisdiction would not occur until 2026; 4) in October 2001, the landfill received both a Letter of Understanding from USFWS and CDFG and a letter from the County of Riverside that the landfill had received all necessary permits to...
expand the landfill; and 5) the County of Riverside has consistently concurred since submittal of
the first Annual Report in 2003 through the 2012 Annual Report submitted in 2013 that the
landfill was in compliance with this mitigation measure.

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. \textbf{(Responsible Agencies: USFWS, CDFG, ACOE, RWQCB, RCWMD)}

\textbf{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.

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. \textbf{(Responsible Agencies: USFWS, CDFG, ACOE)}

\textbf{Status:}
Any wetland compensation plan developed in the future as a result 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. \textbf{(Responsible Agencies: USFWS, CDFG, ACOE, RWQCB)}

\textbf{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. \textbf{(Responsible Agencies: USFWS, CDFG)}
Status:
Worker education for El Sobrante Landfill employees and contractor employees was conducted in 2013 by El Sobrante supervisory staff as needed. This is an ongoing requirement. Restored and undisturbed habitat is also closely monitored by the Habitat Manager to ensure that impacts from landfill activity do not occur.

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: RCWMD)

Status:
As of the end of 2013, a restrictive covenant had been placed over 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: RCWMD)

Status:
For calendar year 2013, approximately $1,914,771 was collected from out-of-county waste imports and conveyed to the Executive Office for MSHCP funding (as based on 1,276,514 tons of out-of-County waste in 2013 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.

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: RCWMD)

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: RCWMD)

Status:
Mobile light plants are utilized as needed within the working face area to assure safe nighttime working conditions. All light sources are monitored by site supervisors to assure units are properly shielded and directed to avoid night glare impacts to the surrounding community. In 2013, no formal complaints were received by LEA regarding night lighting utilized at the El Sobrante Landfill.

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)

Status:
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. A total of 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 and feeds on the landfill. In 2013, no cowbird trapping was conducted.

Other predator control measures implemented in 2013 included the continued monitoring for the occurrence of Argentine ants and fire ants, and the extermination of rats infesting the office area by a professional exterminator.

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:**

In 2013, pre-impact surveys were not required, because no activities associated with brush clearing and habitat removal occurred at the landfill site. A total of 17 HCP-Covered Species were observed and mapped during monthly monitoring. There were incidental sightings of nocturnal mammals, but no trapping was performed. Mapping focused on the California Gnatcatcher and Bell’s Sage Sparrow in 2013.

**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 conservation 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: RCWMD)*

**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: RCWMD)*
Status:

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

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 2013, because no new landfill grading was performed in 2013. The last excavation occurred in 2011 in Phases 9B, 10, and 11, for which pre-impact archaeological surveys were conducted within these areas by SOPA-certified archeologists with RECON in 2003. Due to the lack of any evidence of any archaeological resources, RECON did not recommend any further archaeological work within these areas, and no data was recorded with the local data repository.

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.

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:

The Habitat Manager monitors all activity on the landfill site on an ongoing basis.

Comment [RCWMD25]: Make sure the County (RCWMD) is included in any site meetings with resource agencies relating to the current investigations into permitting processes.

Comment [RCWMD26]: Are the semi-annual reports being submitted to the Planning Department?
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 have been identified or recovered in 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)

Status:
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 2.5:1 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)

Status:
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. No new landfill cells were designed in 2013. The construction of a perimeter stability berm at the eastern limit of Phase 10 in 2010-11 was the last time this measure was implemented.
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.

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 2013, 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.

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 at the landfill site in 2013. The last blasting occurred in 2011 when geotechnical investigation revealed the need for minor blasting to occur as part of cell development of the subdrain system for the leachate collection and removal system (LCRS) in Phases 9B/10. El Sobrante complied with this mitigation measure at that time by submitting approved design plans for the LCRS to the County Engineering Geologist, who with concurrence from the Riverside County Waste Management Department, determined that a blasting study was not necessary.

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:**
Subdrain systems were installed in Phase 8 when these conditions were encountered. During the construction of cell 9A, this subdrain was extended. In 2010, the stability berm in Phase 10 was constructed with canyon subdrains. In 2011, subdrain systems were installed during cell liner construction on approximately 26.4 acres within Phases 9B and 10. This measure will
continue to be implemented at the El Sobrante Landfill during cell construction when these conditions are encountered and will continue to be in compliance with this mitigation measure.

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 v-ditches, check dams, sand bags, and silt fences.

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:
A canyon subdrain system was installed in 2010 beneath the Phase 10 stability berm constructed during 2010 and 2011.

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.

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 2013. This measure will 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:
See G-15.

G-17
Seismic monitoring of each blast shall be conducted by an independent, qualified consultant. (Responsible Agencies: RCPD)
Status:
See G-15.

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:
See G-15.

G-20
USA Waste shall notify neighbors within 1,000 feet of potential blasting areas prior to a blasting episode. (Responsible Agencies: RCPD)

Status:
See G-15.

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: RCBSD)

Status:
See G-15.

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:
See G-15.

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:
See G-15.
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:
See G-15.

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 RCWMD. (Responsible Agencies: RCWMD, 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.

L-2
Prior to any offsite grading, USA Waste or its successor-in-interest shall obtain and record appropriate offsite easements. (Responsible Agencies: RCWMD)

Status:
Offsite grading, requiring offsite easements, was not conducted in 2013.

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. The COC held three (3) meetings in 2013. Key issues discussed by the COC were: 1) the ongoing status of the Clean Money Youth-Based Fundraising Program implemented in the First and Second Supervisorial Districts, 2) Election of a Chairperson and Vice Chairperson, and, 3) El Sobrante Landfill activities, including the 2012 El Sobrante Landfill Annual Report.
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-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 on October 23, 2013, November 20, 2013, and December 11, 2013 to review the 2012 El Sobrante Landfill Annual Report.

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:
Mitigation Measure N-1 was revised to read as stated above by the BOS on December 18, 2012 when the Board approved the Third Amendment to the Second Agreement, considered an Addendum to the El Sobrante Landfill Final EIR, and adopted a revised MMP. All activities involving excavation and liner construction of new landfill cells, including use of the conveyor belt, were completed in 2012. This mitigation measure was not triggered in 2013.

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:
El Sobrante Landfill will adhere to this mitigation measure when triggered.

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 was conducted in 2013.

Comment [RCWMD28]: Is WMI in compliance with this measure? If so, please state.
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 drilling or blasting was conducted in 2013.

N-6
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. Since blasting did not occur in 2013, this mitigation measure was not triggered.

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 was not implemented in 2013. Except as limited by Noise Mitigation Measures N-1, N-2, and N-5, noise studies prepared for the Supplemental EIR (certified by BOS in 2009) and for the Addendum to the Final EIR (considered by BOS in 2012) found that the landfill's nighttime activities do not exceed thresholds established in the Riverside County Noise Ordinance No. 847 and the Noise Element of the County’s General Plan. Even though the El Sobrante Landfill, as a public project, is exempt from the noise thresholds established by the Noise Ordinance, the landfill has operated in compliance with the County’s Noise Ordinance threshold limits.

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 2013.

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

Comment [RCWMD29]: Need to discuss why earthen or landscaped berms or other structures/measures were not feasible to implement. While discussing noise thresholds lends support as to why it is not necessary, the measure is not tied to an exceedance of a threshold, rather, “wherever feasible” is the key term you need to address. If earthen or landscaped berms or other structures/measures are infeasible, then state as such. This response should read that these measures are infeasible due to X, Y, and Z, as well as unnecessary due to not exceeding noise standards, etc.
data recovery program can be developed and implemented. (Responsible Agencies: RCPD)

Status:
No excavation, earthmoving and/or grading work was performed in 2013.

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.

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.

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: RCWMD, LEA)

Status:
El Sobrante Landfill has maintained compliance with this mitigation measure with the cooperation of the Riverside County Waste Management Department, who monitors and provides waste origin data. All contracted out-of-County waste was delivered by transfer trucks or equivalent trucks in 2013.

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: RCWMD, LEA)
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: RCWMD, RCTD]

Status:
Mitigation measures are implemented to reduce significant impacts to “less than significant” impacts. In this case, Mitigation Measure T-3 was added without any known or perceived impacts. In addition, mitigation measures are intended to be feasible. It is not feasible to guarantee that transfer trucks never use SR 91 during peak hours, especially when peak hours can vary and traffic conditions can cause unexpected delays (i.e., accidents, breakdowns, lane closures, weather-related incidents, construction, etc.). Regardless, the landfill has implemented measures to ensure that measurable impacts on peak hour traffic on the SR 91 do not occur. This includes implementing 24-hour operations and notification to company and independent transfer truck operators to utilize off-peak hours. While transfer trucks hauling waste from out-of-County using SR 91 represent an insignificant contribution to traffic levels on this roadway, extensive residential growth since the expansion EIR was prepared has led to even greater significant traffic congestion on both SR 91 and Interstate 15 (I-15). As a direct consequence, transfer truck operators have been forced to adjust their travel to avoid peak daytime and early evening commute times as a cost-saving measure.

In 2004, the landfill operator performed a traffic study to determine if landfill traffic impacted local peak hour traffic on the I-15 as a way of determining compliance with this mitigation measure. This study determined that three (3) peak hours occurred on I-15: 7:00 a.m. to 8:00 a.m., 11:00 a.m. to 12:00 noon, and 5:00 p.m. to 6:00 p.m. The study concluded that less than 10 percent of truck traffic during these hours could be attributed to all trash trucks traveling to and from El Sobrante and that less than 1 percent of total vehicle traffic could be attributed to El Sobrante. Based on the peak hours of 8 a.m. to 9 a.m. and 4 p.m. to 5 p.m. for local intersections, as defined by the traffic study prepared for the Supplemental EIR in 2008 and based on hourly data from the landfill in 2013, more than 91 percent of all out-of-County waste was delivered during off-peak hours for SR 91, with 24.1 percent of out-of-County waste delivered between 9 p.m. and 5 a.m.; an increase of 28.2 percent from 2012. In examining the average number of out-of-County transfer trucks entering the landfill on an hourly basis in 2012 and in 2013 and using the peak hours of 7 a.m. to 9 a.m. and 4 p.m. to 6 p.m. in the local area of I-15, with no consideration as to the origin of these transfer trucks and whether these transfer trucks actually utilized SR 91, there has been a 21.8 percent decrease in out-of-County transfer trucks in 2013 during these more conservative peak hours, primarily during morning peak hours. The morning peak, as opposed to the afternoon peak, represents 73.2 percent of all out-of-County transfer trucks entering the landfill during these peak hours.

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: RCWMD, RCTD]

Status:
El Sobrante Landfill requires all transfer trucks to utilize the designated route for deliveries of waste. 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. In 2013, no violations were noted.

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 I-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: RCWMD, 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. No repeat violations were noted for local haulers in 2013.

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 now posted on the mailbox and are installed on the facia of the administrative office(s).
U-4
Buildings shall be constructed with fire retardant roofing material as approved by the County Fire Department. *(Responsible Agencies: RCBSD)*

*Status:*
No new building applications were submitted in 2013. 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.

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 2013. All new water mains and fire hydrants will be routed through the Fire Department as required.

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.

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.

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: RCWMD, 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 Lake Elsinore Water District, 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 Lee Lake 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 Lee Lake Water District (LLWD), 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.

While LLWD reviewed the infrastructure needed to make various connections to their system possible, little progress had been made to connect the landfill to LLWD. However, LLWD staff was directed to prepare a letter of intent to initiate a discussion to install a reclaimed water reservoir and distribution lines on El Sobrante Landfill property. LLWD has indefinitely delayed the start of construction of non-potable reservoir/supply lines.

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:**

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 2013 with no unusual incidents or issues. This task is part of the supervisors’ regular responsibility and serves to facilitate compliance with this mitigation measure.

**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)*

**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. Based on 2013 monitoring reports, which are maintained on site, discharged stormwater did not contain contaminants.

**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. The SWPPP was first prepared December 7, 2001, updated November 29, 2010, and updated again on April 20, 2012. Table 1 in the latest SWPPP includes a list of “best management practices” (BMPs) used at the El Sobrante Landfill.

**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 July 20, 2001. According to the Fall 2013-Winter 2014 Semi-Annual Groundwater Monitoring Report and Annual Reporting Requirements, prepared by SCS Engineers and dated April 28, 2014, the LCRS recovered leachate from 4 LCRS locations in the landfill. From April 2013 to March 2014, a total of 216,642 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 17, 2013. The use of leachate, as approved by the RWQCB, as the responsible agency, is in compliance with this mitigation measure.

**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 is done prior to the rainy season every year and maintained throughout the rainy season. This condition rarely occurs due to the predominately dry conditions at El Sobrante.

W-6

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

**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 170 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 ZinkUltra 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. While El Sobrante principally relies on sufficient LFG extraction from the vertical well field to maintain compliance, the horizontal collectors are used as a compliance measure to collect any newly generated gas and prevent free-venting from the working face. Due to the generally arid climate of the area and the young age of the waste, the horizontal collectors do not collect a significant quantity of landfill gas from the landfill. No horizontal wells have been added to the GCCS since before 2005, but in 2013, a total of 6 horizontal wells were tied into the GCCS in Phases 9B/10; 3 were trenched in 2012 and 3 in 2013.
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 RCWMD, 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)

Status:
El Sobrante Landfill has seventeen (17) perimeter gas probes (GP) with multiple completions, of which 16 were active in 2013. The probes are monitored and reported in accordance with applicable regulations to ensure that landfill gas does not migrate off the landfill site. All 17 probes are spaced at 1,000 feet 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.

In 2013, there were no reportable excess levels of gas.

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, of which 16 were active in 2013, in compliance with CCR Title 27 and as approved by the RWQCB. Quarterly monitoring reports are provided to the RWQCB, and copies are maintained on site. All monitoring activity in 2013 was in compliance with RWQCB requirements.

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 2013, 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 re-institute the mitigation measures.

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 RCWMD, 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: RCWMD, LEA, RWQCB)

Status:
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: RCWMD)

Status:
The balance of the Environmental Impairment Trust at the end of 2013 was $4,011,148.83. 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 RCWMD. The Trustee shall be required to report quarterly to the Department on all fund activity and balances. (Responsible Agencies: RCWMD)
**Status:**
El Sobrante Landfill did not withdraw any funds from this Trust in 2013.
MEMORANDUM

DATE: May 14, 2014

TO: Ryan Ross  
Principal Planner  
Riverside County Waste Management

FROM: Harry Sandoval  
Ecological Resource Specialist  
Riverside County Planning Department - Environmental Programs Division

RE: Use of Irrigation for Vegetation Restoration Projects

Introduction

The use of supplemental irrigation can be beneficial and is often necessary to successfully restore native vegetation in the arid climate of Riverside County and surrounding areas of Southern California. Supplemental irrigation is commonly used to carry out successful re-vegetation and restoration projects involving native vegetation throughout Southern California. Studies conducted on Coastal Sage Scrub species in Orange County, California have determined that the careful use of supplemental irrigation does aid in the establishment of plants by promoting root growth. Establishing an efficient root system will aid plants in dealing with natural periods of drought common in Riverside County as well as increasing foliar density.

Once successfully established, native plants may not benefit greatly from supplemental irrigation and therefore it is not advised to provide supplemental irrigation for a period of more than two years following installation. Supplemental irrigation after establishment of a native plant may alter root characteristics, leading to dependence on artificial water supplies which may make the plant vulnerable during periods of low precipitation. Supplemental irrigation on established plant communities may lead to a greater amount of above ground plant growth, which would reduce visual impacts on the restoration area but may lead to failure of the restoration project in the future.

It is advised that supplemental irrigation be employed for establishment of native plant species utilized in restoration projects within Riverside County when it is anticipated that an adequate amount of precipitation will not be available. Climatic events, such as the predicted El Niño condition, forecasted to occur in 2014 may negate the need for supplemental irrigation. When relying upon a climatic event such as El Niño, restoration activities must be carefully planned in order to take advantage of the potential benefits of the forecasted climatic event. Consideration of water availability, soil moisture retention, and time necessary for the planted species to successfully establish must be considered when planning to take advantage of a precipitation-rich climatic event.
In order to avoid the undesired effects associated with supplemental irrigation, the irrigation system or methods used should be carefully planned and executed. Micro irrigation systems with flows that can be controlled are well suited for vegetation restoration projects. Micro irrigation systems disperse water in a localized area, limiting irrigation of unwanted areas and promoting root growth by allowing water to penetrate deeper into the ground. Overhead irrigation systems are best suited for providing water over a large area or areas with slopes. Overhead systems have been utilized to successfully germinate Coastal Sage Scrub species from seed in various locations throughout Southern California. An aggressive non-native monitoring and eradication plan should be in place when utilizing an overhead irrigation system as water from this type of system will be deposited over a broader spectrum than a micro irrigation system, thus providing more opportunities for non-native establishment.

A well designed and operated supplemental irrigation system will have no negative effects on native plants that are utilizing mycorrhizal fungi. Mycorrhizal fungi creates a mutualistic relationship with plants that essentially increases the surface area of a plant’s root system, which in turn aids in the uptake of water. The use of mycorrhizal fungi does reduce the amount of water necessary, but does not eliminate the need for water. Oversaturation or mechanical disturbance of mycorrhizal fungi hyphae would be detrimental to the symbiotic mechanisms associated with plants and mycorrhizal fungi. Supplemental irrigation systems should be designed, operated, and maintained in a manner that will provide sufficient water without compromising plant root systems.

An efficient supplemental irrigation system when properly employed will aid in the establishment of native plants and the reduction of negative visual impacts to an area by increasing foliar density. The lack of any significant precipitation in Riverside County warrants the use of supplemental irrigation systems when carrying out vegetation restoration projects.

If you have any questions, please contact me directly at (951) 955-6441 or via email at hsandova@rctima.org.