EL SOBRANTE LANDFILL
ADMINISTRATIVE REVIEW COMMITTEE MEETING

AGENDA

October 5, 2015
9:00 am
Location: Riverside County Department of Waste Resources
14310 Frederick Street
Moreno Valley, CA 92553

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

I. CALL TO ORDER AND INTRODUCTIONS

II. APPROVAL OF APRIL 23, 2015 MINUTES

III. DISCUSSION ITEMS
   A. Landfill Update
   B. 40 ft. Landfill Berm
   C. Off-Peak Waste Deliveries

IV. ACTION ITEMS
   A. 2014 El Sobrante Annual Report

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

VI. COMMENTS FROM COMMITTEE MEMBERS

VII. NEXT MEETING DATE

VIII. ADJOURNMENT
The following were present:

**MEMBERS** | **REPRESENTING** | **STAFF** | **REPRESENTING**
---|---|---|---
Kristi Lovelady | TLMA-Planning | Greg Reyes | Environmental Health-LEA
Alex Gann | Executive Office | Joe McCann | Waste Management Dept.

**INTERESTED PARTIES**

Miriam Cardenas | Waste Management, Inc.  
David Harich | Waste Management, Inc.  
Rob Mucha | El Sobrante Citizens Oversight Committee

**AGENDA ITEM I**

**CALL TO ORDER AND INTRODUCTIONS**

The meeting was called to order at 10:02 a.m. by Hans Kernkamp with self-introductions.

**AGENDA ITEM II**

**APPROVAL OF JANUARY 14, 2015 MINUTES**

Hans Kernkamp asked if there were any corrections, additions or deletions to the January 14, 2015 meeting minutes. Kristi Lovelady stated that page 2, item 4, last sentence should read: “…..when there is a federal permit or federal money”. Kristi Lovelady moved that the minutes be approved as corrected, seconded by Alex Gann, motion carried unanimously. The minutes were filed.

**AGENDA ITEM III**

**DISCUSSION ITEMS**

A. **Landfill Updates**

David Harich stated that the Regional Water Quality Control Board (CRWQCB) has approved Cell 11 and WMI plans to begin filling in that cell in late spring or early summer 2015.

David Harich said with regards to the long-term maintenance agreement to provide for construction, maintenance, and mitigation for all ponds at the El Sobrante Landfill, WMI is still waiting to hear back from the California Department of Fish and Wildlife.
Mr. Harrich said he did make contact with them to check on the status of the application for the permit, and was told that a new staff person would be handling their application and would get back to them in about three weeks.

B. Annual Report Flowchart Update

Ryan Ross reviewed the Annual Report Flowchart with the Committee and described the review schedule, leading up to submittal to the Board of Supervisors anticipated for July 2015. The ARC requested that staff revise the flowchart to clarify that the COC will meet to review the ARC approved Annual Report before it is sent to the Board of Supervisors.

C. Other

Hans Kernkamp stated that regarding the incinerator ash being taken to the El Sobrante Landfill, the Board of Supervisors recently approved the Fourth Amendment to the Second El Sobrante Landfill Agreement removing the exclusion of incinerator ash from the definition of non-hazardous solid waste. The amendment also requires an additional $2/ton import charge payment for this material retroactive to January 1, 2015. That money will go to the Transportation and Land Management Agency for future road improvements to Temescal Canyon Road.

David Harich added that the amendment requires that a sampling and analysis plan be submitted to the CRWQCB for approval, and that process is taking place now.

IV. ACTION ITEMS

A. 2014 Annual Status Report – Review and Comment

Ryan Ross stated that the 2014 Annual Status Report (consisting of three reports: Annual Monitoring Report, Condition of Approval Status Report, and Mitigation Monitoring Report) has been reviewed by staff. The Report was also sent to the LEA, CRWQCB, and SCAQMD for comments; none were received. Staff has commented throughout the document as noted.

Kristi Lovelady said she was interested in the Clean Money Program. Ryan Ross said at the El Sobrante Landfill Citizens Oversight Committee (COC) meetings they get detailed presentations from the Economic Development Agency on the cleanups. Miram Cardenas said local non-profit organizations have cleanups and earn $500. They are supposed to take place in El Cerrito and Temescal Valley; however, it has slowed down as it has been difficult to find areas that need to be cleaned up. Hans Kernkamp said the program is enhanced by all of the work that the County and WMI do in that area as well. The remaining balance in that fund is $65,000.

Ryan Ross said with regard to the Conditions of Approval staff did not have many comments.

Ryan Ross said throughout the Mitigation Monitoring Report staff has highlighted some issues. Mr. Ross reviewed the following specific issues and staff’s comments:
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 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.

Status: The landfill phasing has been restructured to increase the sight distance and minimize the potential for any visual impact of filling activities on surrounding neighbors. During periods of 2014, it was not feasible to provide complete visual screen of operations from all surrounding communities due to the location of active filling and the height of the landfill.

*Staff’s comment: The EIR stated that operations would occur behind a 40ft berm, out of the line of sight from communities west of I-15. This doesn’t appear to be the case. Please explain. Also, need to explain why it is not feasible to screen operations.*

Mr. Ross showed the Committee pictures of the landfill taken from communities west of the landfill. Landfill activity was clearly visible from these communities. David Harich stated he feels it is important to make a distinction between the mitigation measure and what was drafted in the update to the Final EIR. Ryan Ross said that while the 40ft berm is not a mitigation measure, staff would like a response from WMI as to why it is not feasible to screen operations.

The ARC recommended that staff continue to work with County Counsel to resolve the 40ft berm matter.

Hans Kernkamp said this issue will be on the next ARC agenda for discussion.

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

Status: The initial evaluation report was submitted with the 2004 Annual Report and is included in the appendix. 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 at that time.

*Staff’s comment:* USA Waste is continuing to test alternative fuel engines; however, results have been negative due to power/torque limitations. Newer engines are being tested in 2015, with test results available in early 2016.

Ryan Ross said staff would like for WMI to send their analysis to SCAQMD for their comments.

**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.**

Status: The blasting that occurred during Cell 11A construction was performed in compliance with all building code requirements. This measure will continue to be implemented at the El Sobrante Landfill when blasting is required for cell development.

*Staff’s comment:* Provide information regarding the blasting, more detail is needed in the responses to G-16, G-17, G-18, G-19, G-20, and G-21. All responses state: see G-15

**T-3 Transfer trucks hauling waste from out-of-County to El Sobrante that use State Route (SR) 91 shall travel to and from the landfill during off-peak hours for SR 91.**

Status: WMI has created a “Geo-fence” (GPS tracking tool) for WMI transfer trucks delivering waste to El Sobrante from Out-of-County origins. The geo-fence encompasses SR91 in Riverside County and is set to trigger for any WMI truck within that boundary during the peak hours of 7:30-8:30am and 4:30-5:30pm. During 2014, 39 WMI trucks were within the SR91 boundary during peak hour traffic. WMI will continue to provide new independent transfer truck operators notification regarding the peak hour restrictions via direct correspondence, as well as provide contractual obligations/restrictions for new waste delivery contracts.

*Staff’s comment:* While efforts appear to be reducing trips, WMI is not in compliance with this measure.

Kristi Lovelady said no matter how you look at it, 39 WMI trucks during 2014 on SR91 are still in violation of this mitigation measure. She stated that 40% of trucks going to the El Sobrante Landfill need to get a tracking mechanism in place, since 60% of the trucks are WMI trucks that do have a GPS tracking tool. Ms. Lovelady suggested making a GPS tracking tool part of the contract that WMI has with out-of-county transfer trucks delivering waste to the El Sobrante Landfill.

Hans Kernkamp said the staff is in the process of putting together a spreadsheet so that the County knows when these contracts come up. Mr. Kernkamp said that staff is looking to County Counsel for a remedy regarding this issue.
Kristi Lovelady suggested formally addressing this issue in a letter to WMI stating that they are not in compliance with this mitigation measure, even with the 60% that they do have control over.

Alex Gann asked if staff knows what the order of magnitude is of the amount of truck trips annually and what the 39 that are driven during those peak hours represent. Hans Kernkamp said you can look at the data and try to determine the level of significance. He said that is going to be important in the discussions on how this gets resolved. There are a certain amount of trucks that are going to get caught up in that traffic.

David Harich distributed a copy of WMI’s 2014 Geofence Summary (36 WMI trucks in violation) as well as a copy of their 2015 Geofence Summary to date. Mr. Harich explained the process of the GPS unit in the trucks. Hans Kernkamp stated that strict peak hour violations should also include Saturdays. Kristi Lovelady asked staff for a definition of peak hour.

Rob Mucha said while this mitigation measure specifically states SR91, on a contractual obligation it is actually all freeways. Mr. Mucha read section 8 Hours of Operation from the Second Amendment to the Second El Sobrante Landfill Agreement referencing the after-hours waste acceptance commitment language. Hans Kernkamp explained how that contract language doesn’t apply to the mitigation measure, as it allows for a remedy in the event the after-hours waste acceptance falls short of what was contemplated.

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.

Status: While semi-yearly monitoring of recorded sites within the landfill property has not occurred, based on the 2003 archaeological report prepared by RECON in 2003, there is no evidence of archaeological resources within the active landfill phases. However, Archaeological monitoring will be performed on a semi-annual basis. RECON was contracted in December of 2014 for monitoring services and the results of those services were submitted in a report on February 6, 2015.

Staff comments: WMI was out of compliance for 2014.

U-3 – Upon assignment of a numbered street address by the County, the project entrance shall be clearly marked with address numbers.

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 fascia of the administrative office(s).

Staff comments: There was an issue on mapping of the landfill. When you searched for the landfill address, it would take you to a residential address. WMI has worked with Google to correct that mapping and they have also installed more signage.

Hans Kernkamp asked WMI to bring pictures of the signs to the next COC meeting.
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 (Class II 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.

Status: In 2014, the ARC directed staff to review WMI’s compliance with this measure as it relates to a cut-off wall. Specifically, staff and County Counsel evaluated whether a cut-off wall is required pursuant to the environmental documents prepared under CEQA for the landfill. Staff and Counsel reviewed the Landfill Expansion EIR, 1994 Water Resources Technical Report, and other applicable documents, and determined that there are no specific requirements, conditions of approval, or mitigation measures that require the use of a cut-off wall. As such, the El Sobrante Landfill is in compliance with this mitigation measure.

Staff comments: County Counsel determined that a cut-off wall was not a requirement of this measure and WMI is in compliance. WMI addressed groundwater with subdrains. Staff has asked WMI for additional information or drawings on the subdrains.

U-1 – Wastewater shall go to the Lee Lake Treatment Facility, which makes water available for reuse.

Status: As of 2014, LLWD has not started construction of non-potable reservoir/supply or wastewater lines.

David Harich said that as far as the recycled water reservoir, they are working on that and intend to begin that project this year.

Ryan Ross said that additional reports in relation to the 2014 Annual Status Report have been requested from WMI and they should be provided to the COC at the next meeting. David Harich said some of those reports will not be available until June or July 2015.

Kristi Lovelady moved to accept staff’s comments on the Report, plus the discussion where WMD staff will go back and work with County Counsel on trying to capture information on the 40% of out of county waste haulers and look for a curative method to get them to the level where WMI drivers are and address the issue with respect to no vehicles during peak hours on the 91 freeway and also install Geofence to confirm they are in compliance with Measure T3, seconded by Alex Gann. Motion carried unanimously.
V. PUBLIC COMMENTS

Rob Mucha thanked staff and the ARC for their comments.

Mr. Mucha said with regards to the 40 foot berm, he would be surprised if there is some reason why it cannot be constructed to shield the sound, lighting, etc.

Ryan Ross requested that WMI provide staff a quarterly report with information on the 40% of trucks traveling on the 91 freeway. David Harich said that he receives the information via email, and will request that the raw data be forwarded to WMD staff. Ryan Ross will check with County Counsel to make sure it is “okay” to send out the information to the ARC and cc the COC chairperson.

VI. NEXT MEETING DATE

TBD (June/July)

VIII. ADJOURNMENT

The meeting was adjourned at 11:50 a.m.

HK/RR:fz

PD# 174271.v2
Introduction

The Riverside County Department of Waste Resources (RCDWR) is responsible for the monitoring and implementation of both the El Sobrante Landfill Mitigation Monitoring Plan (MMP), as well as the Second El Sobrante Landfill Agreement (Second Agreement), between the County of Riverside and USA Waste of California (USA Waste), a subsidiary of Waste Management Inc. (WMI). USA Waste/WMI is required to provide an annual report documenting their efforts in complying with the mitigation measures and conditions of approval, as identified in the MMP and Second Agreement.

The 2014 El Sobrante Landfill Annual Report consists of the following:

1) Annual Monitoring Report
   • Provides annual updates for the items listed on Exhibit “D” of the Second Agreement, which include, but are not limited to, topics such as in-County and out-of-County tonnage, complaints, pending litigation, hours of operation, and facility permits.

2) Conditions of Approval Status Report
   • Documents compliance with the Riverside County Board of Supervisors and Riverside County Transportation Department’s Conditions of Approval imposed on USA Waste/WMI during the 1998 landfill Expansion Project.

3) Mitigation Monitoring Program Status Report
   • Documents compliance with the mitigation measures adopted for the operation of the El Sobrante Landfill.

Review Process for 2014 Annual Report

In March 2015, USA Waste/WMI provided RCDWR with the initial draft of the Annual Report. Upon RCDWR and Local Enforcement Agency (LEA) review, the reports were presented to the ARC during the April 23, 2015 ARC meeting, and to the Citizens Oversight Committee (COC) during the May 14, 2015, COC meeting.

The ARC concurred with Staff comments and had the following additional comments:

Mitigation Measure A-6
   • Recommended Staff continue to work with County Counsel to resolve the ‘40ft Berm’ matter.

Mitigation Measure T-3
   • Requested that WMI include Saturdays when addressing strict peak hour violations.
   • Requested that Staff contact County Counsel to formally address T-3 compliance.
   • Requested that Staff review applicability of weekends when addressing peak hours.
   • Requested that Staff receive at least quarterly notification of GPS data from WMI, and if permissible, distribute to ARC and make publically available on RCDWRs website.
The COC concurred with ARC/Staff comments and had the following additional comments:

**Annual Monitoring Report**

Pg. 8- Revisit the tonnage projections for 2015. As written, WMI projects a 7% increase for in-county tonnage, and a 1.3% decrease for out of county tonnage.

**Conditions of Approval Report**

Transportation Department Condition 5b- Provide more details and discussion on the commercially reasonable efforts being made to schedule deliveries during off-peak hours. Vehicles should not be “discouraged” from traveling on SR91 during peak hours; rather, they should be prohibited. Revise to include stronger language.

**Mitigation Monitoring Report**

C-4: Clarify the statement, “…there is no evidence of archaeological resources within the active landfill phases.” There were a few sites identified in former active phases that were destroyed or could no longer be located. The statement is misleading and should be revised.

**Staff Recommendations**

Upon review of the revised reports, RCDWR offers the following comments/recommendations:

1. **2014 Annual Monitoring Report**
   
   All ARC, COC, and staff comments/edits were addressed. **Staff recommends approval.**

2. **2014 Conditions of Approval Status Report**
   
   All ARC, COC, and staff comments/edits were addressed. **Staff recommends approval.**

3. **2014 Mitigation Monitoring Program Status Report**
   
   With the exceptions of Mitigation Measures C-4 and T-1, semi-yearly monitoring of recorded cultural resources within the landfill property and delivery of out of county waste in transfer trucks, respectively, USA Waste has complied with the Project’s Conditions of Approval, and Mitigation Monitoring Program (MMP). USA Waste/WMI has submitted the required reports and documentation where applicable, to the agencies responsible for implementation/monitoring of the conditions and mitigation measures in accordance with the approved MMP. Mitigation Measure T-3 was determined to be in substantial compliance for 2014, as discussed below. **Staff recommends approval, noting the following:**

   **C-4 Out of Compliance**

   USA Waste contracted with RECON Environmental, Inc. in December 2014 to provide semi-yearly monitoring of recorded cultural resources within the landfill property. USA Waste shall begin monitoring and reporting as required, documenting compliance in future annual reports.
T-1 Out of Compliance

For 2014, out of county waste was delivered to the landfill in vehicles not classified as transfer trucks; however, the majority of these deliveries occurred in trucks that are similar in nature to a transfer truck, based on the load carrying capacity and length of the truck. As County scale house attendants have the authority to reject any deliveries not in compliance with this Mitigation Measure, USA Waste and the County are working cooperatively to identify the types of trucks that meet the definition of a transfer type truck, as well as providing notification to those companies using smaller trucks that clearly do not meet the intent of this measure. County staff operating the gate at the landfill has been instructed to educate drivers of smaller non-transfer type trucks delivering out of county waste about the restriction. If the same company attempts to deliver out of county waste in a non-transfer type truck, gate fee personnel are to turn away the vehicle and not allow them to deliver the waste.

T-3 Substantial Compliance

A detailed analysis of truck traffic data relating to Measure T-3 was performed by RCDWR, County Counsel, and USA Waste/WMI. The analysis assumed a conservative approach in assuming all trucks that potentially could use SR91 during the peak hours did so, thus representing a worst case scenario of eight (8) am peak hour trucks and three (3) pm peak hour trucks. The negligible trucks potentially traveling on SR91, along with the additional steps WMI has implemented to reduce peak hour trips (stronger contract language, outreach to vendors, enhanced GPS program, etc.), represents substantial compliance with the mitigation measure.

In addition to the internal T-3 analysis discussed above, RCDWR consulted with the Riverside County Transportation Department. The Transportation Department hired a third party traffic consultant to prepare a focused Traffic Report analyzing the worst case scenario identified for T-3. The Report is expected to be completed by late October and will be distributed to ARC members, as well as made available to the public on RCDWR’s webpage, upon completion.
2014 El Sobrante Landfill Annual Report

Annual Monitoring Report
Conditions of Approval Status Report
Mitigation Monitoring Program Status Report
Introduction

The El Sobrante Landfill Annual Monitoring Report (AMR) for the period covering January 1, 2014 through December 31, 2014 has been prepared by USA Waste of California (USA Waste), a subsidiary of Waste Management Inc. (WMI), for the County of Riverside in compliance with the Second El Sobrante Landfill Agreement (Second Agreement), inclusive of any Amendments. Exhibit “D” of the Second Agreement requires submission of the AMR (see attached). Section 13.2 of the Second Agreement requires submittal of the Mitigation Monitoring Program (MMP) reports to the Administrative Review Committee (ARC). In addition, the ARC can request additional information regarding USA Waste’s performance. The Riverside County Department of Waste Resources (RCDWR) (not the ARC) has requested that USA Waste prepare a third report, a Conditions of Approval (COA) report. RCDWR advised that all three reports form an Annual Status Report (ASR). In preparing the COA report, USA Waste noted that there was substantial overlap between the Conditions of Approval and Mitigation Measures, and that some of the Conditions of Approval address construction activities that were completed many years ago. As a result, preparation of a COA report in future years might not provide useful information to the ARC. The ASR is to be first reviewed by the County’s Administrative Review Committee (ARC), a committee comprised of representation from the County’s Planning Department, RCDWR, and Executive Office, and then submitted to the Citizen Oversight Committee (COC), a committee formed in 2003 pursuant to Condition of Approval No. 14.a. (Exhibit “F” of the Second Agreement). Condition of Approval No. 14.b. requires the COC to meet at least once annually to review the ASR, as submitted by the ARC.

Landfill History

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

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

- Adoption of Resolution No. 98-275, certifying the Environmental Impact Report (EIR), consisting of the Draft EIR (dated April 1994), the Final EIR (dated April 1996), and the Update to the Final EIR (dated July 1998).

- Adoption of Resolution No. 98-276, approving the El Sobrante Landfill Expansion Project and the Second El Sobrante Landfill Agreement, adopting Conditions of Approval and a Mitigation Monitoring Program (MMP) and making Findings of Fact.

The El Sobrante Landfill Expansion Project, for which the EIR (circulated under SCH No. 1990020076) was certified, included the following major elements:
- An increase in landfill disposal capacity to approximately 196.11 million cubic yards or approximately 109 million tons of municipal solid waste.
- An increase in the daily disposal capacity up to 10,000 tons.
- An increase in the landfill area to a total of 1,322 acres.
- An increase in the landfill footprint to 495 acres.
- An increase in the hours of operation, allowing 24-hour continuous operations, 7 days a week, for non-waste functions (i.e., application of daily cover, stockpiling of daily cover, site maintenance, grading, and vehicle maintenance) and allowing disposal operations from 4:00 AM to Midnight.

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

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

The Second Agreement has since been amended three times:

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

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

In addition to revising some definitions in the Second Agreement to maintain consistency with environmental documents, the Third Amendment, considered by the COC on November 26, 2012 and approved by the BOS on December 18, 2012, modified the hours allowed for existing and future excavation and liner construction activities in new landfill cells from 8:00 a.m. to 5:00 p.m., Monday through Saturday, to 7:00 a.m. to 10:00 p.m., Monday through Saturday, restricting the conveyor belt from being located within 295 feet of occupied residences and limiting hours for excavation and liner construction within 10 feet of the top of slope.
Overview of Calendar Year 2014

2014 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 November 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.

In April 2014, the landfill operator submitted an application package to the LEA for a Five Year Solid Waste Facility Permit Review. The LEA issued their Permit Review Report in September 2014 requesting submittal of a Permit Modification application package. The landfill operator is working with the Riverside County Waste Management Department as the lead agency for CEQA to develop environmental documentation in support of the application package. Once CEQA has been addressed, the application package will be submitted to the LEA.

In December of 2014, the landfill operator submitted an application package to the California Department of Fish and Wildlife (CDFW) for a Notification of Lake or Streambed Alteration Agreement (SAA). The SAA will authorize the landfill operator to perform long-term maintenance and construction activities on existing and planned sedimentation basins.

2014 Changes in Landfill Expansion Project Plan

In 2014, 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.

2014 Landfill Activities

In 2014, the active area for waste disposal operations continued to be in Phases 9B and 10. The following construction activities related to landfill gas (LFG) management occurred at the El Sobrante Landfill:

- Trenched six horizontal landfill gas (LFG) collectors
- Drilled eight vertical LFG extraction wells
- Installed five soil vapor extraction (SVE) wells to control and eliminate LFG migration
- Welded over a thousand liner feet of 2-in to 12-in high density polyethylene (HDPE) LFG and condensate conveyance piping.
- Installed various wellheads, stub-outs, tie-ins, and valves, including a 30-in gate valve for future LFG header tie-ins.

A new cell, Cell 11A, was constructed in 2014. It is approximately 20 acres and has about a 2 1/2 year life span. The cell bottom liner consists of the following:

- Sub drain system
- 1 foot thick clay layer
- 40mil geosynthetic
• Geocomposite clay layer
• 60 mil geosynthetic
• Leachate collection system
• 2 foot soil operations layer

The cell construction was completed in December and it is anticipated that waste filling will commence upon RWQCB approval some time in Spring of 2015.

In 2014, the following construction activities related to landfill groundwater monitoring network occurred at the El Sobrante Landfill:

- One groundwater monitoring well
- Two groundwater piezometers

2014 Days and Hours of Operation

In 2014, 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

2014 Disposal Volumes

During calendar year 2014, a total of 2,016,405 tons of municipal solid waste was disposed at the El Sobrante Landfill. Of this amount, 594,416 tons originated from Riverside County sources, and 1,421,989 tons originated from out-of-County sources. El Sobrante also received 134,071 tons of Alternative Daily Cover in the form of cement treated incinerator ash.

Based on 307 working days, an average of 6,568 (rounded to nearest whole number) tons of waste were received at the landfill on a daily basis in 2014.

Landfill Capacity Used in 2014 and Landfill’s Remaining Capacity at End of 2014

Landfill capacity is closely monitored at the El Sobrante Landfill to ensure that the landfill’s operational efficiency is meeting WMI and community expectations. On an annual basis, an aerial survey company flies the entire landfill, and aerial topographic maps are prepared to calculate the remaining airspace or capacity of the landfill by comparing the existing landfill topography to the expected final landfill topography. To evaluate the compaction efficiency or density of the waste material in the landfill, an Airspace Utilization Factor (AUF) is used. The AUF (tons of waste per cubic yard of landfill airspace) is recorded as the total waste disposed within a known volume of landfill airspace in a given period of time. The AUF takes into account such factors as the use of ADC and soil cover, waste settlement, and waste composition.
Using the AUF for 2014 operations (approximately 0.80 ton/cubic yard) and the amount of 2,106,405 tons of waste disposed in 2014, approximately 2,520,506 cubic yards of capacity were used in 2014. The 2013 AMR reported 176,848,527 cubic yards of air space remaining less the 2,520,506 cubic yards used in 2014 gives the landfill’s remaining airspace at the end of 2014 which is estimated to be approximately 174,328,021 cubic yards. Assuming 91 percent of this capacity is available for trash (approximately 158,638,499 cubic yards or 126,910,799 tons); the landfill continues to have in excess of 60 years of capacity at current tonnage rates.

**Origin of Non-County Waste Disposal Volume in 2014**

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 2014, non-county waste was primarily delivered to the El Sobrante Landfill from the facilities identified below. The LEA. inspects these facilities twice a year.

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

During calendar year 2014, the following out-of County communities delivered more than 1,000 tons of municipal solid waste to the El Sobrante Landfill:
For calendar year 2014, 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
- 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
- Glendora
- Grand Terrace
- Hawthorne
- Hermosa Beach
- Hesperia
- Highland
- Huntington Beach
- Inglewood
- Irvine
- Kern County
- La Habra Heights
- La Mirada
- Laguna Niguel
- Lake Forest
- Lakewood
- Lawndale
- Loma Linda
- Los Alamitos
- Malibu
- Maywood
- Monrovia
- Montebello
- Morongo Park
- 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. Truc
- Yorba Linda
- Yucaipa
- Yucca Valley
Projected Waste in 2015

In 2015, it is projected that there will be an approximately one percent increase in disposal tonnage, with total disposal tonnage expected to be in range of 2,036,000 tons. Of this amount, the in-County disposal tonnage for 2015 is projected to be approximately 600,000 tons, while out-of-County tonnage is expected to be in the range of 1,436,000 tons.

Closure/Post Closure Trust

No funds were withdrawn from the Closure/Post-Closure Trust for these activities during 2014, and at the end of the calendar year, the market value of the El Sobrante Landfill Trust was approximately $20,105,788.

Local Mitigation Trust Account

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

General Liability Insurance

The Certificate of Insurance is an attachment to the AMR.

Regulatory Agency Issues

During 2014, the El Sobrante Landfill was regularly inspected by regulatory agencies, which include the LEA, CalRecycle, the Regional Water Quality Control Board - Santa Ana Region (RWQCB-SAR), and the SCAQMD. The landfill did not have any unresolved compliance issues from these regulatory agencies at the end of 2014.

In 2014 there were four reportable methane gas exceedances in two perimeter gas probes on the north side of the landfill. El Sobrante installed additional gas extraction wells to resolve the gas exceedances. On December 29, 2014 the gas probes were re-monitored and the results indicated 0% methane in those probes.
A complaint was registered in April 2014 with LEA for lighting and odor, and another separate complaint was registered in later April 2014 for noise. Additionally, a complaint was registered with LEA in July 2014 for odor. The complaints were investigated and no Violations or Areas of Concern were issued or noted for any of the follow-up LEA inspections for above complaints received.

**Pending Litigation**

There is no pending litigation against the El Sobrante Landfill.
Transportation Department Conditions of Approval:

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

   **Status:**

   This Condition of Approval is substantially the same as Mitigation Measure T-4. A discussion of status will be provided in that portion of the 2014 Mitigation Monitoring Program Status Report.

2. Within 90 days of permit approval, the applicant shall pay a Traffic Signal Mitigation Fee in accordance with Riverside County Ordinance No. 748. Said fee shall be based upon industrial/per net acre. The project net acreage is 4.5 acres. The remaining acreage is not subject to mitigation at this time. (See Table 1 for estimated costs)

   **Status:**

   No activity in 2014. All plan check and mitigation fees were paid prior to road construction in 2003.

3. Within three (3) months after the Start Date, USA Waste shall commence construction of and diligently pursue the completion of the following road improvements:

   a. An additional lane in each direction on Temescal Canyon Road from I-15 Northbound on/off-ramps to the El Sobrante Access Road. The structural section of the additional lanes shall satisfy a Traffic Index of 11.5.

   **Status:**

   No activity in 2014, construction was completed in 2003.

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

   **Status:**

   No activity in 2014, construction was completed in 2003.

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

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

      Southbound: None

      Northbound: Extend existing right turn lane on Temescal Canyon Road

   **Status:**

   No activity in 2014, construction was completed in 2003
d. Improve the lower portion of the El Sobrante Access Road (from the intersection of Temescal Canyon Road to the cul-de-sac) so that it will meet a Traffic Index of 11.5, and so that it complies with Standard 106-B for improved drainage protection from the 100-year, 24-hour storm, or as approved by the Director of the County Transportation Department. The improvement of the lower portion of the Access Road shall be designed based on direction of the Riverside County Flood Control District and maximum water depth of 9 inches across the Access Road, generally as depicted in the attached exhibit - "Proposed Conceptual Access Road Improvements." Coldwater Wash Channel improvements and rock slope protection shall continue southeasterly from the access road along the entire length of Temescal Canyon Road to the Hydro- Conduit driveway as approved by the Transportation Department.

**Status:**

No activity in 2014, construction was completed in 2003

e. The applicant shall construct the following traffic signals (these signals are over and above the Traffic Signal Mitigation Fee payment made by the applicant pursuant to County Ordinance No. 748, and are not subject to credit or reimbursement):

Temescal Canyon Road (E/W) at:

i. El Sobrante Access Road.

ii. I-15 Northbound on/off ramps (as approved by Caltrans).

iii. I-15 Southbound on/off ramps (as approved by Caltrans).

**Status:**

No activity in 2014, construction was completed in 2003

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

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

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

   **Southbound:** One left turn lane on off-ramp.

   **Northbound:** An additional lane on on-ramp.

**Status:**

No activity in 2014, construction was completed in 2003
5. Within 90 days following the end of calendar year in which the total tonnage of waste landfilled at El Sobrante exceeds 1,440,000 tons, USA Waste shall establish and be responsible for a Development Monitoring Program which shall include the following:

   a. Consult with and obtain clearance from Caltrans District 8 and the South Coast Air Quality Management District to assure compliance and coordination with the Regional Mobility and Air Quality Management Plans.

   **Status:**

   No activity in 2014, plan submitted in 2003 and is included in the appendix.

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

   **Status:**

   The 2007 Second Amendment to the Second Agreement increased landfill operating hours to 24-hours, 6 days per week. This provided substantially increased opportunities for non-peak hour waste deliveries. Out of County customers are encouraged to make deliveries during nighttime hours, and this is included in customer contracts. USA Waste transfer stations, where transportation arrangements are under company control, make nighttime deliveries where commercially reasonable. With respect to peak hour trips on SR 91, please see discussion of Mitigation Measure T-3.

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

   **Status:**

   A new landfill cell was constructed in 2014 and Mitigation Measure T-4 was used to control traffic. All construction equipment and vehicles delivering materials to the site (both inbound and outbound) during construction were directed to use only that portion of Temescal Canyon Road between its intersection with I-15 and the landfill access road.
Riverside County Conditions of Approval:

1. USA WASTE OF CALIFORNIA, INC. ("USA WASTE") or its successor-in-interest shall defend, indemnify, and hold harmless the County of Riverside, its agents, officers, and employees from any claim, action, or proceeding against the County of Riverside or its agents, officers, or employees to attack, set aside, void or annul an approval of the County of Riverside, its advisory agencies, appeal boards or legislative body concerning Environmental Impact Report for the El Sobrante Landfill Expansion Project (State Clearinghouse No. 90020076) and the Second El Sobrante Landfill Agreement. The County of Riverside will promptly notify USA WASTE or its successor-in-interest of any such claim, action, or proceeding against the County of Riverside and will cooperate fully in the defense. If the County fails to promptly notify USA WASTE or its successor-in-interest of any such claim, action, or proceeding or fails to cooperate fully in the defense, USA WASTE or its successor- in-interest shall not, thereafter, be responsible to defend, indemnify, or hold harmless the County of Riverside.

Status:

No activity in 2014, no litigation was filed challenging the approval of the County or the EIR.

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

Status:

With the exceptions of Mitigation Measures C-4 and T-1, semi-yearly monitoring of recorded cultural resources within the landfill property and delivery of out of county waste in transfer trucks, respectively, USA Waste has complied with the Project’s Conditions of Approval, and Mitigation Monitoring Program (MMP).

To address Measure C-4, USA Waste contracted with RECON Environmental, Inc. in December 2014 to provide semi-yearly monitoring of recorded cultural resources within the landfill property.

For Measure T-1, out of county waste was delivered to the landfill in vehicles not classified as transfer trucks; however, the majority of these deliveries occurred in trucks that are similar in nature to a transfer truck, based on the load carrying capacity and length of the truck. As County scale house attendants have the authority to reject any deliveries not in compliance with this Mitigation Measure, USA Waste and the County are working cooperatively to identify the types of trucks that meet the definition of a transfer type truck, as well as providing notification to those companies using smaller trucks that clearly do not meet the intent of this measure. County staff operating the gate at the landfill have been instructed to educate drivers of smaller non-transfer type trucks delivering out of county waste about the restriction. If the same company attempts to deliver out of county waste in a non-transfer type truck, gate fee personnel are to turn away the vehicle and not allow them to deliver the waste.
3. USA WASTE or its successor-in-interest shall comply with the conditions set forth in the County Transportation Department letter, dated March 27, 1998, a copy of which is set forth as a portion of Exhibit "E" of the Agreement.

**Status:**

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

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

**Status:**

This Condition of Approval is the same as Mitigation Measure L-1. A discussion of status will be provided in that portion of the 2014 Mitigation Monitoring Program Status Report.

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

   a) Such material, design, system or action complies with all applicable Federal, State, and local regulations; and,

   b) Any Federal, State or local regulatory agency having jurisdiction has approved the use of the material, design, system or action for similar facilities (i.e., Class III landfills); and,

   c) The General Manager-Chief Engineer of the Riverside County Waste Management Department, with concurrence of the appropriate regulatory agency (ies), has determined that such material, design, system or action is technically equal, or superior to, those required in these conditions.

**Status:**

This Condition of Approval is the same as Mitigation Measure W-14. A discussion of status will be provided in that portion of the 2014 Mitigation Monitoring Program Status Report.

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

**Status:**

This Condition of Approval is the same as Mitigation Measure T-2. A discussion of status will be provided in that portion of the 2014 Mitigation Monitoring Program Status Report.
7. Out-of-County waste from Los Angeles County, Orange County, and San Diego County shall be transported to the El Sobrante Landfill by transfer trucks, and not packer trucks.

**Status:**

While packer trucks are not delivering waste from out-of-county accounts, and the majority of out of county waste was delivered in transfer tucks or equivalent, a portion of contracted out of county waste was delivered to the landfill in non-transfer like trucks in 2014. USA Waste is working with the County to identify the accounts that are not complying with the measure and providing notification to those companies. The RCDWR scale house attendants did not report any violations of this Mitigation Measure to USA Waste in 2014. RCDWR staff operating the gate at the landfill was instructed to educate drivers of non-transfer type trucks delivering out of county waste about the restriction. If the same company attempts to deliver out of county waste in a non-transfer type truck, gate fee personnel are to turn away the vehicle and not allow them to deliver the waste.

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

**Status:**

Except as noted below, all waste deliveries from San Bernardino County in 2014 were in transfer trucks. Minor amounts from public customers or small commercial haulers may enter from time to time, as allowed by the RCDWR scale attendants.

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

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

**Status:**

This Condition of Approval is the same as Mitigation Measure W-8. A discussion of status will be provided in that portion of the 2014 Mitigation Monitoring Program Status Report.
10. The final cover of the landfill shall conform to Subtitle D and CCR Title 23 and shall consist of a minimum of four (4) feet of vegetative layer, in accordance with the augmented cover described in the EIR (State Clearinghouse No. 90020076). Any change from the augmented cover shall require clearance from the Riverside County Waste Management Department, the California Integrated Waste Management Board, Regional Water Quality Control Board, the U.S. Fish and Wildlife Service, and the California Department of Fish and Game.

**Status:**

This Condition of Approval is the same as Mitigation Measure W-10. A discussion of status will be provided in that portion of the 2014 Mitigation Monitoring Program Status Report.

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

**Status:**

This Condition of Approval is the same as Mitigation Measure L-2. A discussion of status will be provided in that portion of the 2014 Mitigation Monitoring Program Status Report.

12. Prior to construction and construction/operation activities, the following pre-monitoring measures shall be implemented to avoid or lessen boundary concentrations of NO$_2$:

   a. Normal landfill operations and cell construction/closure activities shall be preplanned to avoid potentially adverse alignments (both horizontally and vertically) during anticipated periods of meteorological conditions that could result in the greatest property boundary concentration. During periods when both disposal and construction activities are occurring, downwind property line monitoring of NO$_2$ shall be implemented for wind and stability conditions which could result in the highest boundary concentrations.

**Status:**

This Condition of Approval is the same as Mitigation Measure AQ-11. A discussion of status will be provided in that portion of the 2014 Mitigation Monitoring Program Status Report.

13. During construction and construction/operation activities, the following post-monitoring measures shall be implemented to avoid or lessen boundary concentrations of NO$_2$:

   a. If monitoring determines that the 1-hour NO$_2$ standard (i.e., 470 ug/m$^3$) is being approached (i.e., within 95 percent of the standard or approximately 450 ug/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.
b. The waste placement and/or clay preparation areas shall be moved to a preplanned alternative working location to separate emissions from clay placement construction emissions.

c. Construction procedures shall be configured such that operations requiring heavy equipment do not occur simultaneously (e.g., clay placement and protective soil placement by scrapers will not be done during periods with adverse meteorological conditions).

d. Construction scheduling will be slowed to reduce daily equipment usage.

e. Hours of construction with designated pieces of equipment (e.g., scrapers) shall be constrained to occur outside of peak adverse meteorological conditions.

**Status:**

This Condition of Approval is the same as Mitigation Measure AQ-11. A discussion of status will be provided in that portion of the 2014 Mitigation Monitoring Program Status Report.

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

**Status**

This Condition of Approval is the same as Mitigation Measure L-3. A discussion of status will be provided in that portion of the 2014 Mitigation Monitoring Program Status Report.

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

**Status:**

This Condition of Approval is the same as Mitigation Measure L-4. A discussion of status will be provided in that portion of the 2014 Mitigation Monitoring Program Status Report.
15a. USA WASTE or its successor-in-interest shall deposit 50 cents per ton into a Third Party, Environmental Impairment Trust, which fund shall be established and maintained throughout the life of the project. Any balance in the existing fund contributed by USA WASTE or its successor-in-interest under the First El Sobrante Landfill Agreement, as amended, shall continue to accrue with deposits from all waste delivered to the site on or after the start date, including interest earnings on the funds, until the fund has reached a total of $2,000,000, at which time deposits may be discontinued until withdrawals cause the fund to fall below the $2,000,000 cap. The cap shall increase annually by 90% of the change in the Consumer Price Index (CPI) starting in the year 2002.

**Status:**

This Condition of Approval is the same as Mitigation Measure W-15. A discussion of status will be provided in that portion of the 2014 Mitigation Monitoring Program Status Report.

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

**Status:**

This Condition of Approval is the same as Mitigation Measure W-16. A discussion of status will be provided in that portion of the 2014 Mitigation Monitoring Program Status Report.

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

**Status:**

This Condition of Approval is the same as Mitigation Measure T-5. A discussion of status will be provided in that portion of the 2014 Mitigation Monitoring Program Status Report.

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

**Status:**

This Condition of Approval is substantially the same as Mitigation Measures A-6 and
N-7. A discussion of status will be provided in those portions of the 2014 Mitigation Monitoring Program Status Report.

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

**Status:**

This Condition of Approval is substantially the same as Mitigation Measure B-16. A discussion of status will be provided in that portion of the 2014 Mitigation Monitoring Program Status Report.

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

**Status:**

USA Waste has no such matters to report.

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

**Status:**

USA Waste has no such matters to report.
c. In the event any director, official or employee of USA WASTE or its successor-in-interest ever is convicted of a felony associated with the solid waste management business, said director, official or employee will be immediately terminated.

**Status:**

USA Waste has no such matters to report.

20a. Within three (3) years of the Start Date, USA WASTE or its successor-in-interest shall submit to the County of Riverside an evaluation of the technological and economical feasibility of using natural gas fuel or other alternative fuel in transfer trucks. The technological feasibility of the evaluation shall include review comments by the South Coast Air Quality Management District. The evaluation shall be subject to County approval. If the County finds that natural gas fuel or other alternative fuel in transfer trucks is technologically and economically feasible, USA WASTE or its successor-in-interest shall develop and implement a program to phase-in transfer trucks capable of using these fuels. The program shall be subject to County approval.

b. If the County concludes that transfer trucks capable of using alternative fuels are not technologically and economically feasible, USA WASTE or its successor-in-interest shall periodically re-evaluate the feasibility of using alternative fuels in transfer trucks. Such re-evaluations shall be at least every three (3) years. USA WASTE or its successor-in-interest shall, however, conduct such a re-evaluation anytime deemed appropriate by the County.

**Status:**

This Condition of Approval is the same as Mitigation Measure AQ-12. A discussion of status will be provided in that portion of the 2014 Mitigation Monitoring Program Status Report.

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

**Status:**


22. The Administrative Review Committee (formed pursuant to Section 13 of the Second EI Sobrante Landfill Agreement) shall have the following functions:

a. Review and approval of minor changes to the landfill site plan and/or project plan, which are exempt under the California Environmental Quality Act (CEQA). Changes to the landfill site plan and/or project plan that require revisions to the landfill’s operating permits or that require additional CEQA analysis must be reviewed and approved by the Board of Supervisors and the appropriate regulatory agencies.
b. Review Mitigation Monitoring Reports submitted by USA WASTE or its successor-in- interest.

c. Require USA WASTE or its successor-in-interest to submit additional information regarding performance at the landfill for review.

d. Solicit and consider input received from the Citizens Oversight Committee.

e. Solicit input from technical experts necessary to perform the review.

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

**Status:**

No minor changes to the landfill site plan were submitted to Administrative Review Committee (ARC) in 2014. In 2014/15, the ARC reviewed the 2013 Annual Status Reports, solicited comments from the COC, and the 2013 Annual Report was submitted to the Board of Supervisors in March 2015.

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

b. At a minimum, USA WASTE or its successor-in-interest shall inspect and remove litter and debris from these roadways on a weekly basis and within 48 hours upon receipt of notice or complaint.

**Status:**

This Condition of Approval is substantially the same as Mitigation Measure A-7. A discussion of status will be provided in that portion of the 2014 Mitigation Monitoring Program Status Report.
El Sobrante Landfill
2014 Mitigation Monitoring Program
Status Report

Prepared By:
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10910 Dawson Canyon Road
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Draft March 2015

Final September 2015
Aesthetics (A) Mitigation Measures

A-1

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

Status:

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

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. The Habitat Management Committee met in 2014 and voted unanimously to approve and concur that the Phase 8 berm has met all success criteria. Although this area has met all success criteria, it will continue to be periodically monitored and maintained as necessary.

While considering the 2012 Annual Monitoring Report in 2013, the Citizen Oversight Committee (COC) requested that the landfill operator consider waterering 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 for preparation of a non-binding technical Memorandum (included in appendix) 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. Dr. Arlee Montalvo further corroborated this in 2014. Dr. Montalvo, who is the Senior Plant Restoration Ecologist for the Riverside-Corona Resource Conservation District (RCRCD), examined the RSS sites to evaluate the slopes growth and to determine if irrigation would be advisable. Because seedlings from the hand seeding had sprouted, the sites were determined to be growing adequately considering the three years of drought. Irrigation was not recommended, as it would be detrimental to the long-term success of the RSS sites.

In 2014, the Phase 11 Berm was completed, and the additional 5 acres of the berm were hydroseeded with RSS in the fall. Cactus pads were planted on the Phase 10 berm and on the face of the Pond 4 detention basin. In addition, 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: RCDWR, LEA)

Status:

No new development activities took place nor was any new acreage disturbed within the landfill boundary during 2014 that had not already been disturbed in prior years.

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

A-3

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

Status:

No facilities or structures were installed or constructed at the landfill in 2014. The landfill owner/operator will continue to implement this measure for any and all future facilities, structures, and signage.

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:

All outdoor lighting, both permanent and portable, is shielded and directed toward the ground and/or working face in accordance with this mitigation measure. In 2014, a complaint was registered with the LEA regarding lighting. The LEA performed an
investigation and found that the site complied with this measure, and no violations were issued or noted by the LEA following their inspection of the portable lighting.

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:

During RCDWR and ARC review of the initial Annual Report submittal in March 2015 the following comment was raised: The EIR stated that operations would occur behind a 40ft berm, out of the line of sight from communities west of I-15. This doesn't appear to be the case. Please explain. Also, need to explain why it is not feasible to screen operations.

The 40-foot earthen berm is separate from the requirements in MM A-6 and a comprehensive explanation below will clarify that distinction. The feasibility of screening operations will be thoroughly explained as well.

1. 40-Foot Berm; EIR Discussion

The July 1998 Update to the Final EIR for the El Sobrante Landfill Expansion included a discussion regarding aesthetics. The discussion mentioned the construction of a 40-foot earthen berm along the western edge of the landfill footprint.

The 40-foot earthen berm discussed in the EIR Update was a pre-planned one-time measure, which was implemented.

- The discussion on p. 2-25 of the EIR Update describes the 40-foot earthen berm in the singular. The phrases used are “construction of a berm” and “[a]fter the berm is constructed”. (emphasis added)

- This berm was pre-planned as part of the landfill expansion and constructed by USA Waste along the western edge of the landfill footprint, and was called the “Phase 8 Berm”.

- The location of the Phase 8 berm was depicted in the Draft EIR along the western edge of the landfill footprint (Figure 3.3), and the top of the berm was to be the perimeter access road. The elevation of the perimeter access road was indicated. The Phase 8 berm was built to approximately the same elevation, and the top of the Phase 8 berm serves as the perimeter access road. See attached Figure 1 for a cross-section of the Phase 8 berm.

- There is nothing in the Update to suggest that a series of 40-foot earthen berms were required as filling continued over the course of years, or at any locations other then the western edge of the landfill footprint. Moreover, the typical landfill cross section shown in Figure 3.8 and section A-A’ on Figure 3.10 in the Draft EIR were not changed in the Update to reflect the addition of a series of earthen berms.
• Requiring successive 40-foot earthen berms on the outside slope of the fill area would have resulted in a major change to the Project Plan, including the Site Plan in Figure 3.3 of the Draft EIR, the Excavation and Materials Requirements shown in Table 3.2 of the Draft EIR, the landfill gas collection system in Figure 3.8, and the estimated life of site provided in the Draft EIR, triggering a new analysis of environmental impacts. The fact that the Update provided no new impacts analysis related to the 40-foot earthen berm indicates that the one-time Phase 8 berm was part of the project depicted in the Site Plan all along, for which impacts were analyzed.

• The discussion on p. 2-25 of the EIR Update clearly references a permanent structure. It uses the phrases “after the berm is constructed” and “what a viewer would see”. This is also apparent from Figure 2.6. Moreover, the Phase 8 Berm serves as a stability berm, making it a permanent installation.

• In contrast, MM A-6 describes “temporary earthen or landscape berms”. (emphasis added)

• The 40-foot berm was never a requirement of MM A-6, and they should be viewed separately. MM A-6 does not serve as a basis for requiring construction of the 40-foot berm, or any sequence of such permanent berms over time.
2. Temporary Screening Measures

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

Under CEQA and CEQA Guidelines, “feasible” means capable of being accomplished in a successful manner within a reasonable period, taking into account economic, environmental, legal, social and technological factors.

A. Earthen Berm
Use of an earthen berm to completely shield 2014 filling operations was not feasible.

1. Technological Factors

- Height of Landfill. Based on the Project Plan, the western portion of the landfill was constructed such that landfilling activity occurs partially below surrounding grade and partially above surrounding grade. During periods of 2014, active filling in this area occurred at an elevation above the surrounding grades making it visible to areas west of the I-15. The height of any individual waste cell is approximately 30 feet and the height of the tipping equipment fully extended (allowing waste to come out of the truck) is approximately 50 feet, thus requiring one or more 30-foot to 80-foot tall earthen berms, depending on how much activity would be shielded.

- Filling operations in 2014 occurred inside the western edge of the landfill footprint, and to the east of an area that is already at final grade and slopes, with final cover placed and the area revegetated to provide HCP habitat.

- As a result, the only option would have been to construct a temporary earthen berm along the western boundary of filling operations, at a sufficient height to completely shield anticipated filling operations. A hypothetical plan for installation of temporary earthen berms is attached as Figure 2.

- As filling operations approached the outside final slopes of the landfill, a temporary earthen berm installed between the working face and what the viewer would see west of the I-15 would have to have been removed in order to place waste out to the extent of the final landfill contours, thus exposing the working face to the viewer and hence re-triggering A-6. As a result, the temporary earthen berms in this location would have limited utility.

- The only way to avoid re-triggering MM A-6 would have been to leave the temporary earthen berms in place, making them permanent berms. This was not anticipated as part of the Project Plan, and is inconsistent with MM A-6, which specifies a temporary earthen berm.
2014
OUTSIDE SLOPE OF LANDFILL

FIGURE 2
2. Environmental Factors

- Temporary earthen berms at the western boundary for 2014 filling operations would have been on top of previous MSW placement and its associated landfill gas collection system. The weight of the earthen berm, which is greater than the weight of MSW, would press down on the gas collection system equipment and could cause significant if not irreparable damage. This could lead to increased emissions of landfill gas in violation of air quality requirements.

3. Economic Factors

- Soil to install the earthen berms would need to be imported, at a cost of approximately $6-10 MM. Construction cost for installation would be approximately $2-3 MM, and removal cost would be approximately $1-2 MM for. The total cost would be approximately $9-15 MM for the berms.

- However, as noted above, in order to provide complete shielding, it would have been necessary to leave the temporary earthen berms in place, making them permanent berms. However, that would have multiplied the soil cost since the soil from one berm from a completed cell could not have been reused. More importantly, it would have resulted in a loss of permitted disposal capacity. This alternative would have entailed an even greater cost, to both USA Waste and the County. The revenue loss to USA Waste would be approximately $18.5 MM for the berms, the loss in County Import Charges would be approximately $1.5 MM for the berms, and the loss of revenue to RCDWR would be approximately $5 MM for the berms.

4. Legal Factors

- Activities that would have disturbed the landfill gas collection system and resulted in greater landfill gas emissions could be considered a violation of the landfill’s air quality permit.

- Activities that deviated from the approved Site Plan could be considered a violation of the landfill’s Solid Waste Facility Permit.

B. Landscape Berm

Use of a landscape berm to completely shield 2014 filling operations was not feasible.

The first consideration is to define exactly what is meant by “landscape berm”. “Berm” is defined in the Oxford English Dictionary as including “a path or grass strip beside a road” or “an artificial ridge or embankment, e.g., as a defense against tanks.” There is no support for the concept that an earthen berm includes only the planting of trees or shrubs. Based on this definition, this discussion considers a landscape berm to be an earthen berm on which vegetation is planted. Given the requirements of the HCP, in this case the temporary landscape berm would have been vegetated with native Riversidian sage scrub.

Given the strong similarity between a temporary earthen berm and a temporary landscape berm, the discussion of feasibility set forth above applies equally here. Some other factors that
are unique to a landscape berm are discussed below.

1. Economic Factors
   - In addition to the cost of installing the underlying earthen berm, there would be an additional cost for installation of Riversidian sage scrub.

2. Legal Factors
   - To the extent the landscape berm is temporary and would be removed (however unlikely), removal of HCP habitat could be considered a violation of the landfill’s ESA permit.

C. Screening

Use of screening to completely shield 2014 filling operations was not feasible.

A. Technological Factors
   - Height of Landfill. Based on the Project Plan, the western portion of the landfill was constructed such that landfilling activity occurs partially below surrounding grade and partially above surrounding grade. During periods of 2014, active filling in this area occurred at an elevation above the surrounding grades making it visible to areas west of the I-15. The height of any individual waste cell is approximately 30 feet and the height of the tipping equipment fully extended (allowing waste to come out of the truck) is approximately 50 feet, thus requiring one or more 30-foot to 80-foot tall screens, depending on how much activity would be shielded.

   - A tall screen would have needed to be fabricated using a tightly-woven material in order to shield the view, which would have made it highly susceptible to being blown over or sustaining wind damage. The only way to successfully install a screen of that height would have been to use very substantial supports, likely telephone poles that are either driven into the ground or set in large concrete foundations.

   - In order to have completely shielded the locations of filling operations in 2014, the required drilling or foundations, would have needed to be placed just to the west of the filling area in the final cover/slope area. Drilling foundations into MSW would not have provided the required stability, since the MSW cannot be compacted as tightly as soil and is subject to decomposition and settlement. The only potentially suitable area would have been to the west of filling operations in an area that is already at final grade and slopes, final cover placed, and the area revegetated to provide HCP habitat. This area can be seen by reference to attached Figure 1. Drilling or placement of foundations would have impacted the integrity of the final cover, and its ability to minimize infiltration of water into the waste mass and control landfill gas emissions. Construction activities at this location would have disturbed the habitat created under the El Sobrante Habitat Conservation Plan (HCP).

B. Environmental Factors
   - The screen(s) would itself have an adverse aesthetic impact, as it would not have been
compatible with the surrounding landscape.

- Drilling or construction of foundations would have compromised the integrity of the final cover and its ability to minimize infiltration of water into the waste mass and landfill gas emissions.

- Construction activities at this location would also have disturbed the revegetated HCP habitat.

C. Economic Factors

- El Sobrante Landfill receives a significant amount of waste on a weekly basis. The working face advances at a rate of approximately 150 feet per week. This would have required both installing and removing a 30 to 80-foot, 150-foot long screen and screen supports on a regular basis, which would have been technically infeasible, would have had environmental impacts due to penetration of the final cover, would have provided ongoing impacts to the HCP habitat, and would have been exceptionally costly. The alternative would have been the installation of one very long 200-foot tall screen, which would have been technically infeasible due to impacts to the final cover and HCP habitat, would have been very costly, and would have had greater aesthetic impacts due to the larger size of the screen. And, since the mitigation measure provides solely for temporary measures, the screen(s) would have needed to be removed and reinstalled over a period of years whenever landfill operations would become visible.

D. Legal Factors

- Violation of Regulations and Permits. Activities that would have affected the integrity of the final cover could be considered a violation of the landfill’s Solid Waste Facility Permit, Waste Discharge Requirements, and air quality permit. Any disturbance of the HCP habitat could be considered a violation of the landfill’s ESA permit.

A-7

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

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

Status:

Litter control and removal is addressed in the Joint Technical Document (JTD), approved by the CIWMB. Consequently, it is closely monitored by the LEA. In 2014, USA Waste performed litter control, cleanup and inspection on these road segments in accordance with the schedule provided in the mitigation measure.
No violations were recorded during 2014 by the LEA for the landfill or for the landfill access road. Temescal Canyon Road, like many roads in Riverside County, has been the subject of illegal disposal activity. During negotiations with the BOS regarding the First Amendment to the Second Agreement, the landfill operator agreed to increase the scope of its off-site litter removal activities to better meet the needs of the community. Condition 23.a. of the approved Conditions of Approval (Exhibit “F” of the Second Amendment) was revised to read as follows:

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

Litter control and removal is an on-going task, and during 2014, El Sobrante Landfill continued to allot a minimum of 16 person-hours per week to the clean-up of litter and debris.

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

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

During 2014, the landfill operator continued to exceed the Spanish Hills and Dawson Canyon roll-off bin schedule and transported and disposed of trash contained within the two roll-off bins on a monthly basis.

USA Waste sponsors three sections along I-15 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[www.ecfr.gov]; California Code of Regulations [CCR], Title 17, “AB 32” [www.leginfo.ca.gov]; CCR, Title 27; and SCAQMD Rule 1150.1, as revised 1998, 2000, and 2011 [www.aqmd.gov], and better extraction technologies have been implemented (i.e., better flares, better understanding of collection efficiencies, enhanced monitoring systems, and development of economically-feasible LFG-to-energy facilities). Quarterly monitoring and reporting to the SCAQMD indicates that El Sobrante complies with these requirements and standards and the goal of AQ-1 without placing a landfill gas barrier in the intermediate cover and final cover system.

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

AQ-2
The following activities shall occur based on SCAQMD Rule 403 - Fugitive Dust:
- Emission controls necessary to assure that dust emissions are not visible beyond the landfill property boundary shall be implemented.
- New cell construction and cell closure activities shall not occur simultaneously.
- The Rule 403 Fugitive Dust Emissions Control Plan for the landfill, approved by SCAQMD in May 1993, shall be adhered to. The plan itemized various control strategies for dust emissions from earthmoving, unpaved road
travel, storage piles, vehicle track-out, and disturbed surface areas, including watering, chemical stabilizers, revegetation, and operational controls or shutdown for implementation during both normal and high wind conditions.

- Rule 403 Fugitive Dust Emissions Control Plan shall be revised on an annual basis. (Responsible Agencies: LEA, SCAQMD)

**Status:**

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

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

**Status:**

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

**AQ-4**

In the event monitoring indicates that permissible levels of PM$_{10}$ are being exceeded, some combination of the following dust control measures shall be implemented:

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

**Status:**

This mitigation measure has not been triggered, because PM$_{10}$ 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 PM$_{10}$ emissions from stationary sources shall be offset according to SCAQMD requirements for essential public services. (Responsible Agencies: SCAQMD)

**Status:**

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

AQ-6

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

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

**Status:**

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

AQ-7

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

**Status:**

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

AQ-8

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

**Status:**

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

AQ-9

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

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

**AQ-10**

The project shall comply with SCAQMD Rule 461, which establishes requirements for vapor control from the transfer of fuel from the fuel truck to vehicles. (Responsible Agencies: SCAQMD)

**Status:**

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

**AQ-11**

Prior to construction and construction/operation activities, the following premonitoring measures shall be implemented to avoid or lessen boundary concentrations of NO2:

- Normal landfill operations and cell construction/closure activities shall be preplanned to avoid potentially adverse alignments (both horizontally and vertically) during anticipated periods of meteorological conditions which could result in the greatest property boundary concentration.
- During periods when both disposal and construction activities are occurring, downwind property line monitoring of NO2 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 NO2:

- If monitoring determines that the 1-hour NO2 standard (i.e., 470 µg/m3) is being approached (i.e., within 95 percent of the standard or approximately 450 µg/m3), 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)
During 2014 construction activities, the landfill operator continued to implement a “CEQA Mitigation Monitoring Work plan for NOx,” which was prepared by SCS Engineers to incorporate these measures and submitted to the SCAQMD on January 27, 2003 (included in appendix).

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: RCDWR)

Status:

The initial evaluation report was submitted with the 2004 Annual Report and is included in the appendix. 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 at that time. USA Waste is continuing to test alternative fuel engines; however, results have been negative due to power/torque limitations. Newer engines are being tested in 2015, with test results available in early 2016 (see AQ-12 Update in Appendix).

AQ-13

The project shall provide the required emission reductions of NOx and ROG sufficient to cause no net increase of project emissions. (Responsible Agencies: SCAQMD, RCDWR)

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 (included in appendix). Based on the report’s results, it is forecast that there will be an emission reduction of 661.9 lbs/day for NOx and 8.8 lbs/day for ROG. These reductions are achieved by use of an ultra-low NOx flare and the use of transfer trucks in place of packer trucks. No emission offsets were 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: RCDWR)

Status:

Site Policies and Procedures have been amended 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, RCDWR)

Status:

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

In 2014, the remaining 5 acres of the Phase 11 Berm were completed and hydro seeded with RSS in the fall. Cactus pads were planted on the Phase 10 Berm and on the Pond 4 storm water detention basin face.

B-2

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

Status:

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

B-3

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

Dudleya salvaging and restoration is being performed by the Habitat Manager (Mariposa Biology), in accordance with the Dudleya Restoration Plan, prepared pursuant to the approved HCP. The goal of the HCP is to replace impacted Dudleya at a 1:1 ratio through salvage, propagation, and translocation, while at the same time controlling non-native plant species within the 15-acre Dudleya Restoration Area that was established in 2004. Through 2009, 15,210 plants had been salvaged from landfill phases prior to grading disturbance. Of the 15,210 plants salvaged, 7,760 plants survived to be planted within 67 test plots located in the Dudleya Restoration Area. Another 6,942 Dudleya plants were grown from seed and planted in the Dudleya Restoration Area. The survival rate of the 14,702 plants that were transplanted through 2009 in the test plots has been low due to factors such as herbivory and drought, decreasing from 318 plants in 2012 to 140 plants in 2013 after a second year of drought, which indicates that plants, while dying off, are not reproducing in the test plots. In December 2012, 7 rock outcrops were seeded with Many-stemmed Dudleya on rock outcrops that supported Dudleya lanceolata in the North and East Preserves to increase the number of Dudleya plants onsite for mitigation purposes. The rock outcrops were seeded again in the summer of 2014. In December 2014, 4 of the 7 outcrops had 251 Dudleya seedlings. To prevent further loss of plants in the restoration area after repeated drought years, adaptive management measures were implemented in 2013. Measures included the strategic placement of rocks to provide protection of the plants and the installation of temporary irrigation lines to water approximately 17 of the more successful test plots or test plots that can be watered without watering any natural rock outcrops. Watering to replace lack of rainwater occurred from November 2013 through February 2014. Water was not used in the fall of 2014 due to multiple rain events.

**B-4**

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

**Status:**

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

**B-5**

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

- Identification and assessment of sites and specific riparian mitigation measures along Temescal Wash.
- Enhancement of degraded areas within existing channels.
- Weed removal to improve existing riparian habitat.
- Potential purchase of offsite riparian habitat. (Responsible Agencies: USFWS, CDFG, ACOE, RWQCB, RCDWR)

**Status:**

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

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

**B-6**

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

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

**Status:**

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

**B-7**

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

**Status:**

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

**B-8**

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

**Status:**
Worker education for El Sobrante Landfill employees and contractor employees was conducted in 2014 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. In 2014, the Habitat Manager conducted worker education for the construction and landfill staff.

B-9

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

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

B-10

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

Status:

For calendar year 2014, approximately $2,228,117 was collected from out-of-county waste imports and conveyed to the Executive Office for MSHCP funding (as based on 1,485,411 tons of out-of-County waste in 2014 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: RCDWR)

Status:

The circumstances cited in this measure have not occurred.
B-12

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

Status:

All outdoor lighting, both permanent and portable, is shielded and directed toward the ground and/or working face in accordance with this mitigation measure. In 2014, a complaint was registered with the LEA regarding lighting. The LEA performed an investigation and found that the site was in compliance with this measure, and no violations were issued or noted by the LEA following their inspection of the portable lighting.

B-13

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

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

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

In 2008 and 2009, the number of cowbirds trapped remained significantly lower than previous years. As a result, the Habitat Management Committee (HMC) for the El Sobrante HCP mutually agreed in September 2009 to reduce cowbird trapping from every year to every other year, starting in 2012. The last cowbird-trapping program was conducted by TeraCor Resource Management during the California Gnatcatcher’s spring nesting season from March through June of 2012. 360 brown-headed cowbirds were caught in 4 maintained traps during this period. There was no observed evidence of parasitism of Gnatcatcher nests, and no cowbirds were detected in or near Gnatcatcher habitat areas. The cowbirds that were present were part of a mixed blackbird flock that winters at the landfill and feeds on the landfill. No cowbird trapping has been conducted since that time. In 2014, predator control measures, such as monitoring for the occurrence of Argentine ants and fire ants, were implemented. No pest problems were noted.

B-14

Brush clearing and habitat removal in each phase of landfill expansion will not be allowed to occur between February 1 and August 15, pursuant to the Multiple Species Habitat Conservation Plan for the El Sobrante Landfill and its Implementing Agreement, both dated July 2001, and any approved modifications or amendments thereto. (Responsible Agencies: USFWS, CDFG)
Status:
There was no brush clearing in 2014.

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: RCDWR)

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

B-16
USA Waste or its successor-in-interest shall continue to include the County in all aspects of future permitting processes involving USFWS, pursuant to Section 7 of the Endangered Species Act, CDFG, pursuant to Section 1603 of the California Fish and Game Code, ACOE 404 permitting, and RWQCB, pursuant to 401 Water Quality requirements and/or policies to protect wetlands. (Responsible Agencies: RCDWR)

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

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

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 2014, because no new landfill grading was performed in 2014. The last excavation occurred in 2011 in Phases 9B, 10, and 11, for which pre-impact archaeological surveys were conducted for Phases 8 and 9 by SOPA-certified archæologists with RECON in 2003. As shown in the original Cultural Reports completed for the Expansion EIR, no archaeological sites or resources were identified in Phase 10 and 11. 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. The area in the vicinity of these sites will be monitored by a SOPA certified archaeologist on a semi-annual basis while performing routine tasks outlined in mitigation measure C-4 below.

C-4

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

**Status:**

While semi-yearly monitoring of recorded sites within the landfill property has not occurred, based on the 2003 archaeological report prepared by RECON in 2003, there is no evidence of archaeological resources within the active landfill phases. However, Archaeological monitoring will be performed on a semi-annual basis. RECON was contracted in December of 2014 for monitoring services and the results of those services submitted in a report on February 6, 2015 (included in appendix).
C-5
Archaeological materials recovered during surface collections, subsurface excavations, and monitoring shall be curated in perpetuity at a regional repository approved by the County. Expenses for curation shall be borne by the project. (Responsible Agencies: RCPD)

Status:
No archaeological materials were identified or recovered in 2014 (the current expansion phases.). El Sobrante Landfill will comply with this mitigation measure if triggered.

C-6
While the archaeological sites that will be affected by the proposed project are not expected to include human remains or burial artifacts, should such items be discovered during subsurface testing or data recovery, or if such items are discovered at unknown sites during construction or operation of the proposed action, project-related earthmoving activities shall be redirected away from the area. A SOPA-certified archaeologist shall consult with the County and representatives of local Native American groups regarding removal and re-interment. (Responsible Agencies: RCPD)

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

C-7
The approved archaeological mitigation measures shall be affixed to all copies of the project grading plans. (Responsible Agencies: RCBSD)

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

Geology, Soils and Seismicity (G) Mitigation Measures

G-1
The landfill and associated structures shall be designed and constructed to withstand the expected ground motions and potential effects of seismic ground shaking. (Responsible Agencies: RCBSD, LEA, RWQCB, CIWMB)

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

G-2
Final exterior waste fill slopes shall not be steeper than 1.75:1 with a minimum of one 15-foot wide bench for every 50-feet of vertical height. (Responsible Agencies: LEA, RWQCB, CIWMB)

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

G-3
A slope or foundation stability report shall be prepared by a registered civil engineer or certified engineering geologist. The report must indicate at least a 1.5 factor of safety for the critical slope under dynamic conditions, or appropriate factor of safety in accordance with applicable regulations. (Responsible Agencies: LEA, RWQCB, CIWMB)

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

G-4
In lieu of achieving a 1.5 factor of safety under dynamic conditions, a more rigorous analytical method that provides a quantified estimate of the magnitude of movement may be employed. (Responsible Agencies: LEA, RWQCB, CIWMB)

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

G-5
Significant slopes (including cut, fill, and waste prism slopes greater than 20 feet high and steeper than 3:1) shall be designed to comply with RWQCB and CIWMB requirements for the identified maximum probable earthquake peak acceleration. (Responsible Agencies: LEA, RWQCB, CIWMB)

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

G-6
RWQCB and CIWMB requirements shall be complied with, and the final cover surface slopes shall be limited to 3:1, based on seismic considerations, with intermediate fill stage heights limited to 70 feet, with 15-foot wide benches to improve stability, unless subsequent analyses verify the acceptability of steeper slopes or greater fill heights. Under no circumstance, however, shall the final exterior waste fill slope be steeper than 1.75:1 (see G-2 above). (Responsible Agencies: LEA, RWQCB, CIWMB)

Status:
This mitigation measure is implemented as it is stated.

G-7
Slope buttresses shall be provided, if necessary, to increase slope stability and reduce deformations. (Responsible Agencies: LEA, RWQCB, CIWMB)

Status:
The need for a slope buttress or berm is based on an approved landfill cell design and corresponding slope stability analysis. This measure was implemented for the construction of the Phase 11 stability berm partially constructed in 2011 and completed in 2014.

G-8

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

Status:

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

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 2014, 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:

Blasting occurred in 2014 when geotechnical investigation revealed the need for minor blasting to occur as part of development of the subdrain system for the leachate collection and removal system (LCRS) in Phase 11A. 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 Department of Waste Resources, 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 the Phase 11A construction during 2014. This measure will continue to be implemented at the El Sobrante Landfill during cell construction when these conditions are encountered and will continue to comply with this mitigation measure.

**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, berms, 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 2011 beneath the Phase 11 stability berm that was completed in 2014.

**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:**

The blasting that occurred during Cell 11A construction was performed in compliance with all building code requirements. This measure will continue to be implemented at the El
Sobrante Landfill when blasting is required for cell development.

G-16
Only state-licensed blasters shall be used to design, supervise, and detonate explosives on the site. (Responsible Agencies: RCPD)

Status:
Precision Blasting Services, Inc., a fully licensed and permitted company, performed blasting operations at the landfill in 2014.

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

Status:
Seismic monitoring was identified in the Blasting Plan. The Blasting Plan is attached to the sample notification letter, and included in the Appendix.

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:
An Explosives Permit was obtained from the Riverside County Sheriff’s Department prior to blasting. A copy of the Permit is included in the Blasting Plan (see Appendix).

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

Status:
Not applicable for the 2014 blasting activity as there are no neighbors within 1,000 feet of the blasting areas.

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

Not applicable for the 2014 blasting activity as there were no residences or facilities located within 1,000 feet of the blasting areas.

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:

A notification letter was sent to residents within a one-half mile radius of the landfill operations. A sample of the notification letter is included in the Appendix.

G-24

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

Status:

No complaints were received as a result of the 2014 blasting operations.

Land Use and Land Use Plans (L) Mitigation Measures

L-1

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

Status:

While there have been changes over time to conceptual grades based on updated seismic stability analysis, the El Sobrante Landfill continues to be developed in overall accordance with the Expansion Project first approved by the BOS in 1998 and with its SWFP and corresponding JTD, last revised in 2009. There have also been changes over time to the conceptual limits of grading for the landfill expansion project, both onsite and offsite. In 2011, Pond 4 was relocated to primarily disturbed land purchased by USA Waste outside the original landfill boundary. In conformance with the Expansion Project, the development
of this ancillary facility and all future offsite grading will not exceed the approximately 11 acres of offsite grading assessed in the EIR. The relocation of Pond 4 resulted in a substantial reduction of impacts to RSS, a sensitive plant species, when compared to RSS impacts at the original (undisturbed) location. In addition, the relocation allowed for continued preservation of rock outcrops in the area of the original location, which serve as important habitat for sensitive plants and animals. The original location of Pond 4 will be conserved and managed as part of the El Sobrante Landfill Preserve.

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

Status:
Offsite grading, requiring offsite easements, was not conducted in 2014.

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

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

L-4
The Citizen Oversight Committee shall meet at least once annually to review the Annual Status Reports that will be submitted by an Administrative Review Committee which will include all reports and data that will be provided by USA Waste or its successor-in-interest and shall submit written comments on the project to the Board of Supervisors as they deem necessary. (Responsible Agencies: County Board of Supervisors)

Status:
The COC met in 2014 to review the Annual Status Reports.

Noise (N) Mitigation Measures

N-1
Excavation and liner construction of new landfill cells shall be limited to the hours of 7:00 a.m. to 10:00 p.m., Monday through Saturday, with the following restrictions:

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

**Status:**

All activities involving the use of the conveyor belt were completed in 2012. The conveyor belt system has been removed and is no longer in use. The excavation and liner construction activity for Cell 11A during 2014 was limited to the hours stipulated by this measure.

**N-2**

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

**Status:**

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

**N-3**

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

**Status:**

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

**N-4**

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

**Status:**

The blasting that occurred during 2014 cell construction conformed to this measure.

**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:**

The blasting that occurred during 2014 cell construction conformed to this measure.

**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. The blasting that occurred during 2014 cell construction conformed to this measure. A photo of an acoustic blanket in use is included in the appendix.
Wherever feasible, temporary earthen or landscape berms, or other structures or measures, shall be utilized to reduce potential noise impacts on surrounding homeowners from nighttime activities at the working face of El Sobrante. Any measures implemented for this purpose shall be subject to annual review by the Citizen Oversight Committee. (Responsible Agencies: LEA)

**Status:**

This mitigation measure is addressed to construction activities only. In 2014, construction occurred in Phase 11A. Prior landfilling activities shielded this phase to the west and the Phase 11 Berm shielded this phase to the south. As a result, no temporary measures to reduce potential noise impacts to surrounding homeowners were required. With respect to operations, even though not expressly addressed in the mitigation measure, the landfill phasing has been restructured to increase the distance and minimize the potential for any audible impact of filling activities on surrounding neighbors. During periods of 2014, when filling operations occurred at higher elevations on the western portion of the landfill footprint, it was not feasible to provide audible screening of operations from all surrounding communities due to the location of active filling and the height of the landfill. However, impacts on these communities from noise are significantly reduced due to their distance from the landfill. No noise complaints related to nighttime operations were received in 2014. According to the Supplemental EIR (certified by BOS in 2009) and the Addendum to the Final EIR (considered by BOS in 2012), no significant impacts relating to the landfill’s nighttime activities were identified.

Based on its review, RCDWR commented, requesting additional information as to how the height and location impact the ability to provide screening of operational noise, and why was temporary screening infeasible. The following discussion addresses those comments.

1. **Construction Noise**

MM N-7 only applies to nighttime construction activities, not nighttime operations.

- In accordance with Section IX.G.1 of the BOS CEQA Resolution (entitled “Construction Noise”), MM N-7 only applies during periods of nighttime construction to address “short-term noise impacts”.

- The CEQA Resolution discussion of noise from “operational activities at the working face”, at Section IX.G.2, expressly stated “no mitigation measures are required.” This makes it even clearer that MM N-7 was intended to apply only to construction activities.

- Construction activities in 2014 took place in Phase 11A. Prior landfilling activities shielded this phase to the west and the Phase 11 Berm shielded this phase to the south. These provided a noise barrier from surrounding homeowners that was more effective than any temporary measures that could have been implemented.

- All construction activities in 2014 took place in accordance with MM N-1, N-2 and N-5, as modified by Section 11.10(d) of the Second Agreement (Third Amendment).
expansion of construction hours from 7:00 am until 10:00 pm expressly contemplated evening construction.

- A few complaints were received for construction noise in 2014, but were related to construction noise within approved hours.

2. Operational Noise

Even if applicable, this requirement was not triggered in 2014.

- In 2014, filling activities occurred at higher elevations in the western portion of the landfill footprint. Given its height, this location does not provide any barriers to the transmission of noise, such as natural ridgelines. However, the nearest residents to the west are located approximately 1½ miles away with the I-15 freeway, a much more significant source of noise, between the residences and the landfill. No complaints related to nighttime operational noise were received in 2014, which is not surprising since the landfill does not produce noise levels that are significant and that contribute to existing background noise (i.e., I-15) affecting residences in the vicinity of the landfill.

Even if applicable, complete shielding of 2014 filling operations was not feasible.

- See feasibility discussion for MM A-6.

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 2014.

P-2

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

Status:

No paleontological resources were uncovered during excavation or earthmoving activities during 2014.
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: RCDWR, LEA)

Status:
USA Waste’s contracts for out-of-County waste include a requirement to comply with all applicable conditions of the Second Agreement. While the vast majority of contracted out-of-County waste was delivered by transfer trucks or equivalent trucks in 2014, a portion of contracted out-of-county waste was delivered in vehicles not meeting the intent of this mitigation measure. As RCDWR scale house attendants have the authority to reject any deliveries not in compliance with this Mitigation Measure, USA Waste and RCDWR are working cooperatively to identify those trucks that violate this mitigation measure. The RCDWR scale house attendants did not report any violations of this Mitigation Measure to USA Waste in 2014. Additionally, RCDWR scale attendants typically do not reject minor amounts of non-contracted out-of-county waste from public customers or small commercial haulers in order to prevent illegal dumping of those loads.
T-2
Transportation of out-of-County waste from areas other than Los Angeles County, Orange County, San Bernardino County, and San Diego County shall not be permitted without additional environmental review and approval. (Responsible Agencies: RCDWR, LEA)

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

T-3
Transfer trucks hauling waste from out-of-County to El Sobrante that use State Route (SR) 91 shall travel to and from the landfill during off-peak hours for SR 91. (Responsible Agencies: RCDWR, RCTD)

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

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

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

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

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

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

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

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

USA Waste’s trucks represent approximately 95% of all OOC trucks using SR 91. All of the transfer trucks from the Carson and South Gate Transfer stations are USA Waste owned and are installed with Geo-fence.

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

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

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

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

Based on its analysis, USA Waste concludes that peak hour trips on SR 91 number in the range of approximately 130-200 per year, which equates to far less than 1% of the overall OOC transfer truck traffic trips, and far less than 1% of OOC transfer truck trips using SR 91. Based on 306 working days per year, the peak hour trips on SR 91 would be approximately one every 1.5-2.3 working days.

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

RCDWR undertook a similar analysis but used different assumptions. RCDWR took a more conservative approach than USA Waste, assuming that every customer that could conceivably use SR 91 did so, and in addition that CLARTS used the SR 91 for all trips. Based on this analysis, RCDWR concluded that there were approximately 11 peak hour trips (8 in the a.m. and 3 in the p.m.) on SR 91 daily.

USA Waste believes that RCDWR’s estimate of peak hour trips very substantially overstates the actual number of peak hour trips and represents an extreme worst case.

Nonetheless, this type of extreme worst case analysis has value, in that should this level of trips not create a significant traffic impact on SR 91, there is high assurance that there would not be a significant impact now or in the future. Based on the average AADT peak hour trips of 16,421, estimated El Sobrante truck traffic would represent approximately 0.06% of overall peak hour traffic on SR 91.

T-4

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

Status:

El Sobrante Landfill requires all transfer trucks to utilize the designated route for deliveries of waste. USA Waste notified all out-of-county and in-county transfers stations that the designated route was I-15 to Temescal Canyon Road, then north on Temescal Canyon Road to Dawson Canyon Road. A sign has been installed at the intersection of Dawson Canyon Road and Temescal Canyon Road to clearly indicate to drivers leaving the landfill that no right turn is allowed and to indicate the landfill operator’s commitment to enforce this restriction. When a driver is observed not using the designated route, the management of the trucking company is notified of the violation, and a request is made to correct the behavior. The El Sobrante staff tracks violations, with repeated violations by a driver resulting in the driver being banned from using the El Sobrante facility.
T-5

Except for vehicles collecting waste in the immediate vicinity of El Sobrante, USA Waste’s or successor’s-in-interest collection vehicles delivering waste from in-County to be disposed at El Sobrante shall utilize only that portion of Temescal Canyon Road between its intersection with 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: RCDWR, RCTD)

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

Public Services and Utilities (U) Mitigation Measures

U-1
Access roads/streets shall be wide enough to accommodate movement and parking without hindering the flow of traffic. Roadway modifications shall be designed to provide smooth and orderly traffic flow and shall be well lighted. (Responsible Agencies: RCTD)

Status:
El Sobrante Landfill is in compliance with this mitigation measure.

U-2
Warning or caution signs shall be placed on Temescal Canyon Road and the El Sobrante access road to indicate the presence of slow-moving traffic/trucks. (Responsible Agencies: RCTD)

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

U-3
Upon assignment of a numbered street address by the County, the project entrance shall be clearly marked with address numbers. (Responsible Agencies: RCTD)

Status:
El Sobrante Landfill is in compliance with this mitigation measure. The landfill entrance is well marked by many signs and monumentation. Address numbers are now posted on the mailbox and are installed on the facia of the administrative office(s).
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 2014. 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.

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 2014. All new water mains and fire hydrants will be routed through the Fire Department as required.

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.

**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.

**Status:**
El Sobrante Landfill is in compliance with this mitigation measure.
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.

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.

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

**Status:**
El Sobrante Landfill is in compliance with this mitigation measure.

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

**Status:**
The active landfill requires potable, non-potable or reclaimed water, and wastewater handling in its operations. Potable water to the active landfill is currently provided by the City of Corona, non-potable or reclaimed water is provided by the 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.

As of 2014, LLWD has not started construction of non-potable reservoir/supply or wastewater lines. LLWD has indicated an anticipated start date for the pipeline and reservoir for late summer of 2015.
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 2014. This task is part of the supervisors’ regular responsibility and serves to facilitate compliance with this mitigation measure.

In 2014, there was one erosion event that occurred in the Phase B1/B2 closure, due to a late February rain event and was repaired the following week. It was reported to RWCQB in the April 2014 groundwater report.

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. There were two qualifying sampling events during 2014 per the requirements contained in the Industrial General Permit for Storm Water Discharges (Water Quality Order No. 97-03-DWQ). One event on February 28, 2014 produced samples for three discharge locations, which were sampled and reported in the 2014 annual storm water report (see FY13/14 Analytical Report in appendix). Another sample was collected on December 12, 2014, which will be reported in the upcoming 2015 report.

W-3

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

Status:

El Sobrante Landfill is in compliance with this mitigation measure. A new SWPPP was prepared in December 2014, by Golder Associates, Inc. Table 1 in the latest SWPPP includes a list of “best management practices” (BMPs) used at the El Sobrante Landfill (see appendix).
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 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 Zink Ultra Low Emissions flare station and a LFG-to-energy facility. LFG is combusted in the flare station and used as a fuel in the LFG-to-energy facility to generate electricity. The GCCS is continually adjusted to minimize LFG impacts to groundwater and fugitive LFG emissions from the landfill. 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 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. In 2014, a total of 6 additional horizontal wells and 13 vertical wells were tied into the GCCS (see Appendix for Exhibit).
W-10
The final cover of the landfill shall conform to Subtitle D and CCR Title 27, and shall consist of a minimum of four (4) feet of vegetative layer in accordance with the augmented cover described in the EIR (State Clearinghouse No. 90020076). Any change from the augmented cover shall require clearance from the RCDWR, the California Integrated Waste Management Board (CIWMB), Regional Water Quality Control Board (RWQCB), the U.S. Fish and Wildlife Service (USFWS), and the California Department of Fish and Game (CDFG). (Responsible Agencies: LEA, RWQCB)

Status:
El Sobrante Landfill is in compliance with this mitigation measure.

W-11
In accordance with applicable regulations, landfill gas shall be monitored at the landfill perimeter and in the vadose zone. (Responsible Agencies: LEA, RWQCB, SCAQMD)

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

In 2014 there were four reportable methane gas exceedances in two perimeter gas probes Probe GP2-A and GP3 on the north side of the landfill. El Sobrante installed additional gas extraction wells to resolve the gas exceedances. On December 29, 2014 the gas probes were re-monitored and the results indicated 0% methane in those probes. All reporting was done in accordance with applicable regulation.

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, one of which was installed in 2014 as part of the Phase 11A cell construction, and two ground water
piezometers, in compliance with CCR Title 27 and as approved by the RWQCB. One of these ground water monitoring wells has been dry since at least 2001 (MW-15). Quarterly monitoring reports are provided to the RWQCB, and copies are maintained on site. All monitoring activity in 2014 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 2014, 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 RCDWR, with concurrence of the appropriate regulatory agency(ies), has determined that such material, design, system or action is technically equal, or superior to, those required in these conditions. (Responsible Agencies: RCDWR, LEA, RWQCB)

Status:

In 2014, the ARC directed staff to review WMI's compliance with this measure as it relates to a cut-off wall. Specifically, staff and County Counsel (Counsel) evaluated whether a cut-off wall is required pursuant to the environmental documents prepared under CEQA for the landfill. Staff and Counsel reviewed the Landfill Expansion EIR, 1994 Water Resources Technical Report, and other applicable documents, and determined that there are no specific requirements, conditions of approval, or mitigation measures that require the use of a cut-off-wall. As such, the El Sobrante Landfill is in compliance with this mitigation measure.
USA Waste or its successor-in-interest shall deposit 50 cents per ton into a Third Party, Environmental Impairment Trust, which fund shall be established and maintained throughout the life of the project. Any balance in the existing fund contributed by USA Waste or its successor-in-interest under the First El Sobrante Landfill Agreement, as amended, shall continue to accrue with deposits from all waste delivered to the site on or after the start date, including interest earnings on the funds, until the fund has reached a total of $2,000,000, at which time deposits may be discontinued until withdrawals cause the fund to fall below the $2,000,000 cap. The cap shall increase annually by 90 percent of the change in the Consumer Price Index (CPI) starting in the year 2002. (Responsible Agencies: RCDWR)

**Status:**

The balance of the Environmental Impairment Trust at the end of 2014 was $3,041,132.07. El Sobrante Landfill is in compliance with this mitigation measure.

**W-16**

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

**Status:**

El Sobrante Landfill did not withdraw any funds from this Trust in 2014.