

# **APPENDIX C**

## **LAND USE APPROVALS**

**Amended Zone Change Ordinance CPC 98-0184(ZC/GPA)(MPR)**

**County Conditional Use Permit No. 00194-(5)**

# CITY OF LOS ANGELES

CALIFORNIA



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December 3, 1999

Honorable City Council  
City of Los Angeles  
Room 615, City Hall  
MAIL STOP: 160

Case No. CPC 98-0184(ZC/GPA)(MPR)  
Council File No. 99-1119  
Council District No. 12  
Granada Hills-Knollwood Community Plan

Dear Honorable Members:

**AMENDED ZONE CHANGE ORDINANCE ON AN APPROXIMATELY 394 ACRES PORTION OF SUNSHINE CANYON LANDFILL FROM A1-I-K-O TO [T][Q]M3-1-O WITHIN THE GRANADA HILLS-KNOLLWOOD COMMUNITY PLAN.**

The attached amended ordinance, as requested by City Council, modifies the ordinance approved by the City Planning Commission on February 25, 1999. The attached amended ordinance provides clarity, additional protection for the community, and enhanced regulations which are consistent with the Planning Commission actions. Several of the amendments include establishing a City Technical Advisory Committee, a citizens advisory committee, the ability to have independent consultants to assist in the monitoring of conditions and environmental mitigation measures, and phasing out of diesel vehicles.

Pursuant to Section 97.8 of the City Charter, I have reviewed the Council's actions and City Planning Commission's action relative to City Plan Case No. 98-0184(ZC/GPA)(MPR). On behalf of the Commission, I ADOPT their findings and the attached Supplemental Findings, APPROVE this attached ordinance, and RECOMMEND its adoption by the City Council insofar as it conforms to the latest action of the Planning Commission on this matter.

Pursuant to Rule No. 38, transmitted herewith, is the revised ordinance for appropriate action by the City Council.

Very truly yours,

CON HOWE  
Director of Planning

*AS*  
ROBERT H. SUTTON  
Deputy Director  
Community Planning Bureau

CH:RHS:mb

Attachment Nos.:

- A-1 City Planning Commission Findings (*Attached to Case File*)
- A-2 Supplemental Findings (Related to City Council Motions)
- A-3 [T] Conditions, Ordinance and Map
- A-4 Typical Cross-Section of Final Slope
- A-5 Mitigation Monitoring and Report Program (Revised)

A-1

City Planning Commission Findings  
*(Attached to Case File)*

Supplemental Findings  
(Related to City Council Motions)

**SUPPLEMENTAL FINDINGS  
REGARDING CHANGED CONDITIONS AND  
MITIGATION MEASURES**

**[T] Conditions**

[T] Condition 5.j.2. Reservation of capacity for small commercial and private users, unless an alternate landfill or transfer station is located within ~~12~~ 5 miles of the applicant's landfill is available to accept such users.

*Finding: This condition was modified in response to a concern raised by the North Valley Coalition. The modification from 12 miles to 5 miles is consistent with the County CUP/MMRP. It ensures that the operator is not able to turn "small commercial and private users" away. Once Bradley landfill closes, the next closest would be Chiquita Canyon landfill in northern Santa Clarita. Also, reserving such capacity may reduce illegal dumping in the local areas.*

[T] Condition 5.k San Fernando Road at the base of the Golden State Freeway (I-5) off-ramp. Prior to operating under the subject approval, install a new traffic control light on San Fernando Road at the base of the Golden State Freeway (I-5) off-ramp within the existing right-of-way, to the satisfaction of the California Department of Transportation (Caltrans), City of Los Angeles Department of Transportation (LADOT), and City Bureau of Engineering. Also, the permittee/operator shall contribute to the design, construction, and operation of the Northeast Valley ATSAC system for this intersection.

*Finding: (As directed by Motion 10A of City Council) Even though not called for in the Project SEIR, this condition is intended to improve the integration of traffic exiting the I-5 freeway with the flow of traffic along San Fernando Road at peak periods, if deemed necessary and appropriate by LADOT and Caltrans.*

**[Q] Conditions**

[Q] Condition A.2: Approval verification and submittal. Copies of any approvals, guarantees or verification of consultations, reviews or approvals, plans, etc., as may be required by the subject conditions, shall be provided to the Planning Department and the Local Enforcement Agency (LEA) for placement in the subject file.

*Finding: (As requested by the North Valley Coalition.) The modification ensures that the Local Enforcement Agency is kept aware of all pertinent matters.*

[Q] Condition A.3.a: Independent Consultant or Independent Expert. Reference to "Independent Consultant or Independent Expert" cited in the [Q] Conditions and Mitigation Measures is defined as follows: The hiring of specific specialists by the City to oversee and monitor compliance with the conditions of approval and mitigation measures. Such person or firm shall report directly to the Director of Planning.

*Finding: This condition was modified in response to the North Valley Coalition's request for the City to hire independent consultants. The modification, when applied to sections the [T] and [Q] Conditions and Mitigation Monitoring Program, allows the City to hire independent consultants to evaluate compliance with the conditions and mitigation measures pursuant to the requirements of AB3180 (i.e., mitigation monitoring), to hire a consultant for periodic air quality tests, and to hire a consultant on an as needed basis to assist the City. Independent consultants will enhance the expertise and resources of the City and ensure full compliance of the project with the approvals.*

[Q] **Condition A.4.b:** Failure of the permittee to cease any development or activity that is not in full compliance shall be a violation of these conditions, as noted in Condition No. D.

*Finding: This condition was modified in response to the North Valley Coalition's request. The modification refers to L.A.M.C. Section 12.27.1 on Administrative Nuisance Abatement to provide additional notice to the applicant and/or permittee of the consequences of non-compliance with the conditions of approval and the mitigation measures.*

[Q] **Condition A.6:** Annual Reports. The permittee shall submit annual reports to Department of City Planning for placement in the case file, to the Technical Advisory Committee (TAC) for annual review, to the Citizens Advisory Committee, to a local library, and reports shall be posted on a web-site provided by the operator. The reports shall include, but not be limited to, Hotline/Emergency Log summaries, daily and maximum tonnage figures specifying the amount of waste and inert material, readings and analysis of the effectiveness of landfill gas monitoring activities, including the amount of gas currently generated, noise measures, discussion on litter prevention, revegetation status, detailed monitoring report of tree planting, archaeological report, list of citations and overall compliance with the conditions of the subject approval.

The first report shall be due June 1<sup>st</sup> of the first year of operation and every year thereafter until closure. At least 60 days prior to the due date, draft copies of the report shall be submitted to the City and County Local Enforcement Agencies, South Coast Air Quality Management District, Los Angeles Regional Water Quality Control Board, City Planning Department, California Waste Integrated Waste Management Board, and Citizen Advisory Committee. Comments of these agencies shall be attached to the Annual Report.

The TAC shall transmit its comments and the Annual Report to the City Planning Director for consideration by the City Planning Commission.

*Finding: This condition was modified in response to the North Valley Coalition's request. The modifications establish a procedure for the preparation of an annual report and its dissemination to the Citizen Advisory Committee, the Technical Advisory Committee (TAC), libraries, an Internet web-site, and relevant departments and agencies for their review and comment. Similar to the City's Development Agreements, the City Planning Commission will review and consider the Annual Report at a public hearing.*

[Q] **Condition A.7:** Revised Mitigation Monitoring and Reporting Program (MMRP). The permittee shall submit a revised Mitigation Monitoring and Reporting Program ("MMRP") satisfactory to the Department of City Planning that incorporates all mitigation measures required in the Final SEIR (State Clearinghouse Mitigation Measure No. 92041053) ~~as amended by this~~

action as adopted by the City Council. The Applicant shall also identify mitigation monitor(s) who will provide annual status reports as noted above and in the MMRP, beginning immediately at commencement of the operation ~~until five years after commencement of Phase II of the operation~~ until post-closure. The list shall be updated annually in the Annual Report. The mitigation monitor(s) shall be identified as to their areas of responsibility, and phase of intervention (pre-construction, construction, operation, closure, and post-closure) to ensure continued implementation and adequacy of the mitigation measures.

Until a joint powers agreement is in place between the City and County, the City Local Enforcement Agency (LEA) shall be the LEA, and a ~~third party~~ independent mitigation agency consultant under the direct control of the City Technical Advisory Committee shall be employed at the applicant's expense, to monitor such mitigation measures, which are beyond the scope of the State regulations, and which the LEA does not have the resources to monitor.

*Finding: This condition was modified in response to the North Valley Coalition's request. The modification clarifies that the revised MMRP shall incorporate changes made by the City Council in its final action. The condition also requires an annual update of the list of monitors and enforcers in the MMRP, which will ensure effective monitoring of compliance by the City. The strikeout of "third party" is consistent with the definition of "Independent Consultant or Independent Expert".*

[Q] **Condition A.8.a:** Performance bonds, letters of credit, corporate guarantees or similar form of security, as approved by the City Attorney, stating the amount, duration, and supervisory agency shall be established provided. Prior to commencing construction of the landfill, a bond or such similar form of security in the minimum amount of \$3,000,000 shall be provided to the Director of Planning to finance litter, traffic, and community protection program mitigation measures. Upon making a finding, that the applicant/operator has not complied with the required mitigation measures not responded to by the permittee in a timely and reasonable manner, the Director of Planning may utilize the security to implement mitigation measures.

*Finding: The modifications to the condition adds clarity and require a finding to be made by the Director of Planning in order to utilize the required security. Making a finding enhances the integrity of the review process by ensuring an orderly analysis and principled decision.*

[Q] **Condition A.8.b: Indemnity.** The applicant/operator shall post a sufficient bond, as approved by the City Attorney, to indemnify and hold harmless the City of Los Angeles, its agents, officers, and employees from any claim action for damages resulting from water contamination, air contamination, heath impacts, or loss of property value during the landfill operation, closure, and post-closure of the City Landfill.

*Finding: The FEIR mitigated all impacts to a level of insignificance except Air Quality. Notwithstanding the results of the FEIR, this condition was added in light of the recently released State of California report that there may be cancer clusters around two local schools resulting from nearby landfills and due to concerns of the communities of Granada Hills-Knollwood, Sylmar, and Northridge regarding the heath and environmental impacts of landfills.*

[Q] Condition A.9: Agreements. To provide for the allocation of fees and if necessary, joint operations, monitoring, and enforcement of the landfill, the permittee shall submit to the Planning Department one or more all agreements entered into with between the City and County of Los Angeles whether by Memorandum of Understanding, Development Agreement, Joint Powers Agreement, or other instrument related, but not limited to the following (These agreements cannot amend the [Q] conditions or any mitigation measures adopted by the City, except as otherwise provided by under "e" and "f" below, but may provide for their implementation or operation):

*Finding: This condition was modified in response to the North Valley Coalition's request. The modifications clarify that the agreements, if they are necessary, are to provide for the allocation of fees and coordinating enforcement between the City and County. The Joint Powers Agreement has the ability to modify the mitigation measures to the extent allowed by law. It is foreseeable that changes may be necessary to establish consistency between City and County mitigation measures for the combined operation of a City and County landfill. The modifications identify the process for changing the conditions of approval and mitigations measures. Any change must be consistent with the City Planning Commission's actions, necessary in order to carry out the intent of City Council in adopting the limitation or mitigation measure, result in no more than a de minimis effect on adjacent property, and not result in any impacts not evaluated and mitigated in the Final Subsequent Environmental Impact Report. (Refer to [Q] Condition A.9.e and A.9.f for the specific language of those provisions.)*

*The change also reflects a minor language change in order to integrate changes made by City Council. The change is within the intent and purposes of the City Planning Commission's and City Council's actions.)*

[Q] Condition A.9.a: Upon the operation of the Combined City/County Landfill, the City Local Enforcement Agency proposes to be designated in any Joint Powers Agreement to serve as the lead agency and single point-of-contact for coordinating all permitting, inspection, closure supervision, and enforcement activity at the City Landfill. The actual responsibilities of which shall be delineated in the Joint Power Agreement or other appropriate instrument.

*Finding: The condition ensures that the City Local Enforcement Agency retains its authority, as prescribed by state laws or City regulations, over the City portion of the Combined City/County Landfill.*

[Q] Condition A.9.a.1) and A.9.a.2):

a. City Landfill or Combined City/County Landfill

1) City Landfill. Prior to the operation of the Combined City/County landfill, the City Local Enforcement Agency shall be designated to serve as the lead agency and single point-of-contact for coordinating all permitting, inspection, closure supervision, and enforcement activity at the City Landfill.

2) Combined City/County Landfill. Upon the operation of the Combined City/County Landfill, the City Local Enforcement Agency proposes to be designated in any Joint

Powers Agreement to serve as the lead agency and single point-of-contact for coordinating all permitting and enforcement activity at the City Landfill. The actual responsibilities of which shall be delineated in the Joint Power Agreement or other appropriate instrument.

*Finding: This condition was modified in response to the Local Enforcement Agency's request to clarify agreements to be provided including a Joint Powers Agreement (JPA), the City's LEA taking the lead agency role to coordinate City enforcement activities, and responsibilities delineated in the JPA. The modifications clarify that the Joint Powers Agreement may determine the degree of coordination between the City and County. However, the City's Local Enforcement Agency shall maintain its ability to permit and enforce regulations in the City portion of the Combined City/County Landfill.*

**[Q] Condition A.9.b:** Establishing City/County rights to use the landfill and/or related capacity allocations. There shall be a restriction on the approval of any further expansion of landfilling beyond the limits of the Combined City/County Landfill approved herein as set forth in Condition B.2 and as may be agreed upon in the Joint Powers Agreement. Pending the establishment of a Joint Powers Agreement that may include such restriction, the permittee shall not seek approval for any additional expansion in the City and County.

*Finding: This condition was modified in response to the Eleventh District Council Office's concern that the City should encourage protection of the upper reaches of the County portion of Sunshine Canyon. The modifications clarify that prior to the Joint Powers Agreement, the permittee shall not apply for any additional expansion into the upper reaches of the County Landfill. The Joint Powers Agreement, by bilateral agreement, will determine the degree of protection of the County's upper reaches. The intent is to protect the oak trees and other biota in the upper reaches of the County portion of Sunshine Canyon until both jurisdictions have bilaterally considered the issue.*

*The condition also reflects a minor language change in order to integrate changes made by City Council. The change is within the intent and purposes of the City Planning Commission's and City Council's actions.*

**[Q] Condition A.9.c:** Tipping charges Franchise fee, Gas-to-energy or direct gas sales, or other fee and bond or security arrangements with the City.

*Finding: The modification is consistent with the type of financial agreement allowed by law, as noted by the City Attorney.*

**[Q] Condition A.9.e:** Evidence of completion of the approved closure construction in the areas where new waste will overlie portions of the inactive landfill and compliance with the Closure Plan for the Inactive City Landfill shall be provided to the Local Enforcement Agency and approved before landfill operations are allowed to commence within such areas.

Amendments to City Council instructions (i.e., [T] Conditions) or clarification of [Q] Conditions, as a result of the Joint Powers Agreement or other need or requirement, shall comply with Section 12.32.M of the Los Angeles Municipal Code.

*Finding: The ~~strikeout~~ language was added to [Q] Condition B.2.d.1) aa (Phase I). Refer to [Q] Condition A.9 above for the Finding related to the underline.*

[Q] Condition A.9.f: Amendments to the Mitigation Monitoring and Reporting Program, as a result of the Joint Powers Agreement, may be modified at the time of City Council's adoption of the Joint Powers Agreement.

*Finding: Refer to [Q] Condition A.9 above for the Finding related to the underline. The condition also reflects a minor language change in order to integrate changes made by City Council. The change is within the intent and purposes of the City Planning Commission's and City Council's actions.*

[Q] Condition A.10: The permittee shall provide fees as determined by the Director of Planning to pay for the mitigation monitoring, enforcement program and related personnel costs incurred by the Technical Advisory Committee and individual departments. Such costs may include activities relating to inspection, permitting, and enforcement of the landfill, closure activities, coordination of mitigation monitoring, administrative support, technical studies, and other efforts as may be required, including the hiring of independent consultants to assist the Technical Advisory Committee. This shall also include funds for staff to ensure compliance.

*Finding: This condition was modified in response to the Local Enforcement Agency's and City Planning Department's requests to provide for funding by the operator to be allocated for the necessary costs involved for monitoring, enforcement, and personnel costs for the Technical Advisory Committee and other departments, and for the hiring of independent consultants.*

*The condition also reflects a minor language change in order to integrate changes made by City Council. The change is within the intent and purposes of the City Planning Commission's and City Council's actions.*

[Q] Condition B.2: Approval. The subject approval is for the development, operation, maintenance and monitoring of a Class III, non-hazardous solid waste "~~Immediate~~ Combined City/County Landfill", that may be designed to share environmental control systems (e.g. landfill liner, leachate collection, and removal system, landfill gas extraction and flaring system), with shared use of the access road, scales, administrative offices, and other ancillary uses. The Combined City/County Landfill approved herein shall result in one landfill footprint being constructed in Sunshine Canyon ultimately encompassing approximately 451 acres, with an estimated net disposal capacity of 90 million tons. This landfill footprint shall not exceed approximately 194 acres located in the City, with an estimated net disposal capacity of 55 million tons, the currently operational 215-acre County Landfill, with an estimated net disposal capacity of 17 million tons, and a connecting area of approximately 42 acres in the County, with an estimated disposal capacity of 18 million tons. No further expansion of the landfill footprint of the Combined City/County Landfill is authorized by this approval.

*Finding: (Relates to Eleventh District Council Office's concern that the City should encourage protection of the upper reaches of the County portion of Sunshine Canyon.) The condition, in conjunction with [Q] Condition No. A.9.b, specifies the limits of the landfill's approvals in terms of area and capacity and ensures the landfill will not expand either in the*

*City or County beyond the current approvals. The intent is to protect the oak trees and other biota in the upper reaches of the County portion of Sunshine Canyon.*

[Q] **Condition B.2.d.1):** Phase I. Phase I of the City Landfill shall consist of the initial five years of operation and shall not exceed 16 million tons in accordance with the conditions of approval set forth herein. (Refer to Exhibit Nos. E-4C-D)

aa. Evidence of completion of the approved closure construction in the areas where new waste will overlie portions of the inactive landfill and compliance with the Closure Plan for the Inactive City Landfill shall be provided to the Local Enforcement Agency approved before landfill operations are allowed to commence with such areas.

*Finding: The modification clarifies the condition by referencing the City Landfill. The initial period of five years, as approved by Commission, will operate in conjunction with other modifications that require an annual review. Also, the modification clarifies that landfilling over the inactive landfill shall not occur until the Closure Plan is approved by the Local Enforcement Agency.*

[Q] **Condition B.2.d.2):** Phase II. Phase II shall consist of the remaining operation of the ultimate City/County Landfill, which provides an estimated net disposal capacity of 55 million tons in the City Landfill and 90 million tons in the Combined City/County Landfill, with a maximum vertical height of the landfill footprint at build out which would result in final fill elevation (at its top deck areas) of 2,000 feet M.S.L., as shown in Exhibit Nos. E-4B and E-4C, in accordance with applicable requirements of all permitting agencies and such corrective measures as may be imposed pursuant to the Joint Powers Agreement, established pursuant to Condition No. A.9, following a review by the Director of Planning, with the assistance of the Local Enforcement Agency Technical Advisory Committee, of the project's operational history under Phase I and the Director's determination that there has been compliance with the following:

*Finding: The modification from "Local Enforcement Agency" to "Technical Advisory Committee" is consistent with the intent of the ordinance and functions of the TAC.*

[Q] **Condition B.2.d.2) ff:** Compliance with Condition No. C.10.a and C.10.b.

*Finding: The modification requires the tree buffer to be planted within a sufficient amount of time before the beginning of Phase II. This will ensure a mature growth of trees prior to landfilling activities near the residential community to the south.*

[Q] **Condition B.2.d.2)gg:** The City's review for compliance hereunder proceeding to Phase II shall begin no later than the ~~end of the fourth~~ beginning of the third quarter of the third year of the City landfill operation and shall be concluded within six months. ~~And~~ Any corrective measures deemed necessary shall be formulated and imposed within the following six-month period; however, except as provided in Condition Nos. A.4.c and D, there shall be no interruption of service during the establishment and implementation of any corrective measures deemed necessary by the TAC or caused by delays in the City's review. In addition, the City's review for compliance shall be carried out on an ongoing basis including annual reports provided by the permittee and evaluated by the Technical Advisory Committee and submitted to the City Planning Commission.

*Finding: Refer to the Finding above, relating to [Q] Condition B.2.d.1). The condition also reflects a minor language change in order to integrate changes made by City Council. The change is within the intent and purposes of the City Planning Commission's and City Council's actions.*

New [Q] Condition B.2.d.2)hh: Phase II shall not proceed beyond the 10<sup>th</sup> year of the landfill operation approved under the subject action without compliance with the review under Phase III (10 Year Phase Review).

*Finding: Refer to New [Q] Condition B.2.d.3), below.*

New [Q] Condition B.2.d.3): Phase III (10 Year Phase Review) . Phase III of the Landfill may occur following review by the Director of Planning of the operational history with the assistance of the Technical Advisory Committee, Independent Consultants, and/or Local Enforcement Agency. The Director's determination shall consider compliance with the following:

- aa. Compliance with the conditions of the subject approval;
- bb. Compliance with all appropriate permits and agreements from the City of Los Angeles and Los Angeles County for operation of the City/County operation as stated in Condition No. A.9;
- cc. Evidence of completion of the approved closure construction in the areas where new waste will overlie portions of the inactive landfill and compliance with the Closure Plan, as determined by the Local Enforcement Agency, for the Inactive City Landfill;
- dd. Submittal of annual reports in a timely manner;
- ee. The City's review for proceeding to Phase III shall begin no later than the beginning of the third quarter of the ninth year of the City landfill operation and shall be concluded within six months. Any corrective measures deemed necessary shall be formulated and imposed within the following six-month period; however, except as provided in Condition Nos. A.4.c and D, there shall be no interruption of service during the establishment and implementation of any corrective measures deemed necessary by the TAC or caused by delays in the City's review. In addition, the City's review for compliance shall be carried out on an ongoing basis including annual reports provided by the permittee and evaluated by the Technical Advisory Committee and submitted to the City Planning Commission; and
- ff. The Director of Planning's results of the review shall be submitted to and considered by the City Planning Commission utilizing the procedure under Section 12.32.C.1 of the Los Angeles Municipal Code or subsequent amendments thereto.

*Finding: The conditions were added to establish a ten year review to ensure the applicant's/operator's compliance with the conditions of approval, to comprehensively evaluate the success in mitigating the impacts, and to provide a noticed hearing process for public participation.*

[Q] Condition B.2.e: The permittee shall not operate a landfill in the area which is the subject of this rezoning until the open space which was identified as a mitigation measure in the County FEIR (including East Canyon and Bee Canyon) is open and accessible to the public, as determined by the Director of Planning (except on the lands where the County has not completed its eminent domain and the 100-acre "working" buffer area south of the City Landfill).

*Finding: In the FEIR, approximately 1,100 acres of open space was recommended to mitigate the loss of open space caused by the City/County landfill. Furthermore, the County conditional use permit required the dedication of the said open space. The replacement open space would result in approximately 490 acres in Bee Canyon adjoining the City's O'Melveny Park that directly benefits access to open space for residents closest to the landfill, approximately 426 acres in East Canyon, and additional acres of the Sunshine Canyon landfill perimeter that will be used to link the Rim of the Valley Trail and provide access to the dedicated open space area. The condition ensures that the open space is dedicated prior to commencement of landfilling in the City. It implements the Community Plan objective to "encourage open space for recreation uses and promote the preservation of views, natural character, and topography of mountainous parts of the Community for the enjoyment of both local residents and persons throughout the Los Angeles region."*

[Q] Condition B.3.b: Refuse may be accepted at the landfill scales between the hours of 6:00 a.m. (scales open) through 6:00 p.m. (scales close), Monday through Friday, and 7:00 a.m. to 2:00 p.m. on Saturday, except as needed to accommodate City post-holiday disposal requirements. The landfill entrance gate at San Fernando Road will open at 5:00 a.m. on weekdays and 6:00 a.m. on Saturdays, except as needed to accommodate City post-holiday disposal requirements, to allow the onsite queuing of vehicles. Further, refuse or dirt may be accepted at other times, if upon notification that the Local Enforcement Agency determines that extended hours are necessary to handle emergency disposal for the preservation of the public health and safety;

*Finding: (The change reflects a minor language change in order to integrate changes made by City Council. The change is within the intent and purposes of the City Planning Commission's and City Council's actions.)*

[Q] Condition B.3.d: Equipment maintenance shall be limited to the hours of 4:00 a.m. through 9:00 p.m., Monday through Saturday, except for equipment repairs. No diesel vehicle shall be started before 5:00 a.m.

*Finding: The modification is consistent with PLUM's instructions to not allow the operation of any diesel vehicles before 5 a.m. due to concerns regarding noise.*

[Q] Condition B. 3.e: Environmental Mitigation and emergency operations which cannot be accomplished during the hours stated above may be performed at any time in compliance with 3c and shall be noted in the Annual Report.

*Finding: Due to the modification of Condition B.3.d., this modification clarifies that some mitigation and emergency operations can be performed at other times, however, the time when they were performed shall be noted in the Annual Report.*

[Q] **Condition B.4.a and B.4.b: Intake Rate.** The ~~average, maximum, or emergency tonnage rates~~ allow the permittee to adjust disposal between the City and County, but cannot exceed the maximum permitted for the City, County, or Combined City/County Landfill, except as provided in Condition B.4.c, below:

- a. ~~Net tonnage. The average net tonnage placed in the Combined City/County Landfill shall not exceed an average intake rate of 11,000 tons of Class III Waste, as defined below, on any given day in either jurisdiction (based on an average intake rate of 5,000 tons per day in the City and the currently authorized average intake rate of 6,000 tons per day in the County) with a maximum weekly capacity of 66,000 tons of Class III Waste ("Class III Waste" is nonhazardous solid waste as defined in CCR Title 27, Section 20220(a), except as restricted herein), based upon 6 working days per week.~~

City Landfill Maximum Waste Intake Rate. Prior to the operation of the Combined City/County Landfill, the maximum intake rate for waste placed in the City Landfill shall not exceed 5,500 tons on any given day with a maximum weekly capacity of 30,000 tons of Class III Waste ("Class III Waste" is nonhazardous solid waste as defined in CCR Title 27, Section 20220(a), except as restricted herein) and a maximum weekly capacity of 3,000 tons of inert/exempt materials, as defined below, based upon 6 working days per week.

- b. Combined City/County Landfill Maximum Waste Intake Rate. The maximum intake rate for tonnage of waste placed in the Combined City/County Landfill shall not exceed 12,100 tons on any given day in either jurisdiction (based on the maximum intake rate of 5,500 tons per day in the City and the currently authorized maximum intake rate of 6,600 tons per day in the County) with a maximum weekly capacity of 66,000 tons of Class III Waste ("Class III Waste" is nonhazardous solid waste as defined in CCR Title 27, Section 20220(a), except as restricted herein) and a maximum weekly capacity of 6,600 tons of inert/exempt materials, as defined below, based upon 6 working days per week.

*Finding: This condition was modified in response to the Local Enforcement Agency's and Planning staff's decision to clarify language regarding two different intake rates. The modifications provide maximum waste intake rate limits for City-only areas (5,500 tons per day with a maximum of 30,000 tons per week of Class II waste and 3,000 tons per week of inert/exempt materials) pending commencement of combined City/County landfill operations.*

[Q] **Condition B.5.c: Restrictions on disposal of Unacceptable Waste and the procedures for proper disposal at other appropriately classified disposal sites for waste processing facilities shall be provided to waste haulers on a routine basis. Notices printed in English and Spanish shall also be posted at prominent locations at the landfill to inform waste haulers of the rules governing the disposal of Unacceptable Waste, and that anyone negligently or intentionally bringing in any Unacceptable Waste shall be prosecuted under the fullest extent of the law.**

*Finding: The modifications ensure notices are displayed in Spanish and that haulers are aware that if they knowingly bring in Unacceptable Waste they will be prosecuted. This ensures that Unacceptable Waste coming into the landfill would be minimized or eliminated.*

[Q] Condition B.5.c.3): If possession of the material is not immediately taken by a public official, store the material at a site developed in accordance with the regulations of the State Department of Health Services, State Department of Toxic and Substance Control if the waste is hazardous, extremely hazardous or acutely hazardous, and the Regional Water Quality Control Board until disposed of in accordance with applicable State and Federal regulations.

*Finding: (Relates to North Valley Coalitions ("NVC") request.) The modification specifies which agencies shall be contacted regarding Unacceptable Waste.*

[Q] Condition B.5.c.4): Maintain a Manifest of Unacceptable Waste to be made part of the Annual Report. Certain information must be provided, including:

- aa. A description, nature, and quantity of waste;
- bb. Name and address of the known source;
- cc. The amount of waste involved;
- dd. Specific handling procedures used; and,
- ee. Certification of the accuracy of the information in the manifest.

*Finding: The new condition furthers implementation of [Q] Condition B.5.c.3) to require information on unacceptable waste received to be maintained and made part of the annual report.*

[Q] Condition B.6.a: Waste Diversion. As provided in the agreement entered into pursuant to Condition No. A.9, the permittee shall not negligently or intentionally deposit waste into the landfill which is required to be diverted or recycled in accordance with City and County Source Reduction and Recycling Elements, the County Integrated Waste Management Plan adopted pursuant to Division 30 of the Public Resources Code, City Reduction and Recycling Plans, or the more restrictive policy.

*Finding: This condition was modified in response to a concern raised by the Planning Department staff to ensure that the landfill will be in compliance with the City's or County's most restrictive waste diversion policies for reducing, reusing, and recycling that furthers the intent of AB939.*

[Q] Condition B.7.d: The Local Enforcement Agency shall be the City's representative in all discussions, plans and communications between the landfill operator and the closure and financial assurance staff of the California Integrated Waste Management Board.

*Finding: The condition is to assure that the City is party to the timely and proper closure of the landfill.*

[Q] Condition C.2.a: Preparation and distribution of a quarterly newsletter to all parties on the Interested Parties List established for the City Planning Commission February 25, 1999 meeting, to others who request to be added to the list, to a local library, and posted on a web site. The quarterly newsletter shall include a summary of Hotline/Emergency Log activity of the period as well as progress report which summarizes the Annual Report as required by Condition No. A.6. on the landfill operation. The Hotline, web site, and 24-hour emergency phone numbers shall be publicized in each issue of the newsletter.

*Finding: This condition was modified in response to the North Valley Coalition's request to ensure a wider dissemination of information to the community through a quarterly semi-annual newsletter and an annual report. The expanded distribution list provides greater access to the information. The requirement for an Internet web site was added, as an increasingly used information source, since more information can be provided on it.*

[Q] Condition C.2.d: ~~The permittee shall at all times between the hours of 6:00 a.m. and 9:00 p.m., Monday through Saturday,~~ maintain adequate staff to promptly respond to and correct dust, litter and other complaints from the surrounding neighborhood.

~~At all other times,~~ The permittee shall maintain on-site at least one person who is qualified to assess the need for remedial action and is authorized to summon the resources to perform any necessary remedial action. The personnel assigned shall be provided with the means to be continuously in response to the telephone number posted at the entry gate.

*Finding: This condition was modified in response to the North Valley Coalition's request that there will be a responsible person to respond to problems. The modification expands the responsibilities of the operator to ensure staff is available 24-hours day to respond to and assess the need for remedial action to dust, litter and other neighborhood complaints.*

[Q] Condition C.2.e: The permittee shall fund 50 percent of cost of at least thirteen (13) hazardous waste roundups, to occur every other year during the operational life of the landfill, for the area consisting of Granada Hills-Knollwood District Plan, Chatsworth-Porter Ranch Plans, Northridge Community Plan, Mission Hills-Panorama-Sepulveda Plans, and Arleta-Pacoima Plans provided that the City Council authorizes such roundups and the balance of the required funding is provided by the City and/or other public agencies. The roundups shall be publicized in the newsletter and on the web site.

*Finding: This condition was modified in response to the North Valley Coalition's request to have a roundup program similar to that required by the County CUP. The proposed project is a Class III nonhazardous solid waste landfill facility which does not accept hazardous, acutely hazardous radioactive, infectious medical, or liquid wastes. However, these materials can be improperly disposed of in the residential solid waste stream by an uninformed public. Household hazardous waste ("HHW") includes materials such as paints, stains, thinners, varnishes, glues, lighter fluid, kerosene, rug/upholstery cleaners, pesticides (house and garden), herbicides (garden), bleaches, drain looseners, aerosol cans, pool acid, oven cleaners, toilet bowl cleaners, auto/furniture polish, latex and oil-based paint, used motor oil, used oil filters, antifreeze, and car and household batteries.*

*As required by one of the mitigation measures, the permittee will implement a hazardous waste load-checking program similar to that currently required for the County landfill. Also, the new condition above requires the permittee to assist the City in hazardous waste roundups to minimize the potential for household hazardous waste in the landfill which could increase the risk-of-upset (e.g. impact the landfill liner, landfill gas recovery system or leachate treatment).*

[Q] Condition C.3.a: The permittee shall not engage in any excavation or other operation during high wind conditions (as defined in Mitigation Measure No. 21 as related to construction), or when

such conditions may reasonably be expected, that would result in significant emissions of fugitive dust which cannot be confined to the area under the permittee's control.

*Finding: (The change reflects a minor language change in order to integrate changes made by City Council. The change is within the intent and purposes of the City Planning Commission's and City Council's actions.)*

[Q] **Condition C.3.b:** The working face area shall not exceed approximately 10 acres in the Combined City/County landfill, 3 to 5 acres in the City Landfill when not operating as a combined landfill, or as determined by the Local Enforcement Agency to better protect the public health and safety, and, At times of the year when high wind conditions may be expected, the working face shall be located within areas of minimal wind exposure or may be closed, if so determined by the Local Enforcement Agency.

*Finding: This condition was modified in response to the North Valley Coalition's and the Local Enforcement Agency's requests. The modifications would ensure that the LEA has the ability to regulate the size of the working face when high wind conditions occur or to protect public health and safety.*

[Q] **Condition C.3.c:** Except on rainy days, daily cover shall be moistened with water to retard erosion, and a soil sealant shall also be used to supplement water for dust control and to retard erosion when wind conditions dictate.

*Finding: This condition was modified in response to the North Valley Coalition's request. The modification clarifies that daily cover does not require watering or the application of soil sealant on rainy days but when the wind conditions dictate. Also, water may be the primary method of dust suppression and soil sealant shall supplement the use of water.*

[Q] **Condition 3. m:** The permittee shall install and maintain devices to monitor wind speed and direction, as specified by the South Coast Air Quality Management District, and shall retain qualified personnel to read and interpret the data, to obtain or utilize information on predicted wind conditions and to assist in the planning of operations at the landfill. This data shall be included in the annual report prepared by the permittee.

*Finding: This condition was modified in response to the North Valley Coalition's request. The modification ensures that information relevant to the operation and mitigation of impacts is provided in the annual report.*

[Q] **Condition C.6.f:** The permittee shall, to the satisfaction of the Planning Department maintain programs aimed at controlling the discharge and recovery of litter from uncovered or improperly covered or contained loads traveling to the landfill along the principal north and south access arteries: from the Roxford/Interstate 5 Freeway exit along old Sepulveda Boulevard and San Fernando Road to the landfill entrance, from the Balboa Boulevard off ramp along San Fernando Road to the landfill entrance, along Foothill Boulevard from Balboa to Yarnell Street and along Balboa south to Woodlev Avenue.

The measures shall include an effective tarping program, which if necessary in the estimation of the Local Enforcement Agency, shall provide for mandatory sale of tarps to violators and/or exclusion

from the landfill of repeated violators. Also, a message shall placed on the facility public telephone stating the requirement to tarp loads.

*Finding: This condition was modified in response to the North Valley Coalition's request. The modification provides for additional monitoring and enforcement for litter clean-up efforts in nearby areas. Other areas, such as the area south to Midwood, are too far from the landfill and the litter could be attributed to other sources. Eliminating the language "mandatory" ensures that the LEA is acting within its scope of authority. (The change reflects a minor language change in order to integrate changes made by City Council. The change is within the intent and purposes of the City Planning Commission's and City Council's actions.)*

[Q] **Condition C.8.d:** The applicant shall employ expert assistance to carry out this condition, including qualified biologist. Soil sampling and laboratory analysis shall be conducted on all areas before revegetation to identify chemical or physical soil properties that may adversely affect plant growth and establishment. Soil amendments and fertilizer recommendations shall be applied and plant materials selected based upon the above-referenced testing procedures and results. To the extent possible, as determined by the LEA Planning Department, plant types shall blend with species indigenous to the area and be drought tolerant and shall be capable of rapid establishment.

*Finding: (The change reflects a minor language change in order to integrate changes made by City Council. The change is within the intent and purposes of the City Planning Commission's and City Council's actions.) Eliminating the language "mandatory" ensures that the LEA is acting within its scope of authority.*

[Q] **Condition C.8.e:** Typical cross-section of the Final Landfill Cover shall be applied in lifts similar to Attachment A-4 or as deemed necessary by the Local Enforcement Agency in the closure plan.

*Finding: The condition is recommended for consistency with the County Conditional Use Permit approval and to provide sufficient areas for revegetation of the final slopes*

[Q] **Condition C.9:** Riparian/Wetland habitat. The permittee shall replace disturbed riparian and wetland habitat to the satisfaction of the California Department of Fish and Game and the U.S. Army Corps of Engineers in accordance with plans approved before commencement of landfill development. Replacement habitat shall be provided on a 2:1 ratio through a program of tree planting streamzone stabilization, stream enlargement and/or streamzone rehabilitation in degraded drainage channels. The program shall also provide mitigation sufficient to prevent any net loss of wetland. Any replacement shall be located in the San Fernando Valley. Preference shall be given to habitat mitigation in the immediate vicinity of the landfill or an urbanized area whereby providing outdoor experience and education within proximity of a larger population. Final site selection and the review of detailed engineering plans and working drawings shall be coordinated among the responsible agencies.

*Finding: The modification ensures that wetlands are also replaced similar as in the County CUP.*

[Q] Condition C.10.a: Air Quality:

Establishment of an Independent Air Quality Consultant. An independent air quality consultant, selected by the Director of Planning, shall conduct at least four random tests of landfill dust and diesel particulates around the perimeter of the landfill property, with special attention given to the area south of the landfill above the residential community, each year of operation to determine if such results are consistent with the FSEIR modeling.

The costs for the tests shall be borne by the permittee. The reports shall be provided to the Director of Planning and the permittee within 15 calendar days after completion of the tests. If any of the measurements are found by the consultant to exceed the results of the FSEIR modeling, the permittee shall submit a corrective action plan to the Director of Planning within 15 calendar days after receipt of the report from the consultant. The corrective action plan shall specify a schedule for remedial action as soon as reasonably practical.

The Director of Planning shall approve or disapprove the corrective action plan within 15 calendar days of receipt of the plan. If the Director of Planning approves the corrective action plan, or if the applicant otherwise fails to submit a corrective action plan to the satisfaction of the Director of Planning, then the Director of Planning may determine if he or she will require the permittee to implement additional measures to reduce the air quality impacts, such as by additional paving of unpaved roads, additional watering and application of soil sealant, relocating of the working face to designated locations during windy conditions, monitoring at sensitive sites throughout the community, or mandatory closures during extreme wind.

The permittee may appeal the Director's action pursuant to procedures in 12.24.G of the Los Angeles Municipal Code. The Director of Planning, with the advise of the TAC, may reduce the frequency or discontinue the testing if found that such tests are not valid or useful.

The independent air quality consultant will also, prior to the start of construction conduct additional testing of landfill gas, dust, and diesel particulates at Van Gogh Elementary School, and model emissions projected with the implementation of the landfill, and shall conduct onsite monitoring once the landfill is open. The testing protocol, results and mitigations, if necessary, will be evaluated and approved by the South Coast Management District (SCAQMD) and the Technical Advisory Committee.

*Finding: The FSEIR modeling and additional analysis conducted in response to the Los Angeles Unified School District's concerns regarding potential PM10 and diesel impacts showed no significant impact to Van Gogh Elementary School. The school is more than one mile from the edge of the landfill footprint, and there is a 100-acre buffer zone recently planted with over 10,000 trees between the landfill footprint and the school. In addition, condition C.10.b.1. requires the planting of an additional 1,000 trees south of the landfill above the residential community as a buffer to further minimize dust and emissions to the south of the site. Notwithstanding the fact that impacts at Van Gogh Elementary School were not found to be substantial, in an effort to provide additional assurances to the community, the condition will provide a means to verify the FSEIR modeling results and to test the "on-site tree mitigation buffer" to confirm that landfill operations, as mitigated, will not have a significant impact at the school. (Also, Refer to the finding below under new [Q] Condition C.10.b.1)*

[Q] Condition C.10.b.1):

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To	JIM AMBROSIO	From	JIM ANDRUKAS		
Co./Dept.		Co.			
Phone #		Phone #			
Fax	(818) 504-3089	Fax #			

On-Site Tree Mitigation Buffer. Or permittee shall begin to plant a tree height that decreases the particulate a mitigation buffer shall be south of mitigation measure shall be evaluated

by its ability to minimize dust and emissions. it shall be measured by the testing required in Condition No. C.10.a, and results of the tests may result in terminating the testing.

*Finding: This condition and C.10.a were added in response to the North Valley Coalition's and the Local Enforcement Agency's request. The NVC's and the LEA's requests were to establish mitigation measures specific to Van Gogh Elementary School. [Q] Condition C.10.a addresses Van Gogh School as well as all sensitive receptors in the community by focusing on the potential impacts as measured around the project site, not just from several isolated locations in the community. Condition C.10.a enables a verification of the FSEIR model and testing of the "On-site Tree Mitigation Buffer" to determine their success in evaluating and mitigating the potential operational air quality impacts of the project.*

[Q] Condition C.10.b.2): Off-site Tree Mitigation. The landfill operator shall provide a total of 1,000 trees over the initial three years of operation to the City of Los Angeles for planting in the North Valley area. Trees shall not be less than eight feet in height, not less than two inches in trunk diameter, and with not less than five foot spread except for oak trees which shall not be less than six feet in height, not less than one inch in trunk diameter measured one foot above ground. Further all trees shall be in a healthy growing condition. Root bound trees are not acceptable. The variety and placement of trees shall be subject to approval by the Department of Public Works' Street Tree Division. The Technical Advisory Committee shall administer the distribution of trees.

*Finding: This condition was in response to the Local Enforcement Agency's request presented to the PLUM Committee. The size of the trees was changed to be consistent with City Planning Commission's standards for the replacement of significant desirable trees. The modifications take into account the specific growth pattern of oak trees which are the major primary trees grown at the operator's on-site nursery.*

[Q] Condition 10.c: The operator shall submit, as part of its annual report, an evaluation of the feasibility of beneficial reuses of the landfill gas collected at the site such as landfill-gas-to-energy.

*Finding: The condition will enable the City to annually evaluate the economic and technological feasibility of creating landfill-gas-to-energy.*

[Q] Condition C.10.d: The applicant/operator shall either purchase or investigate the purchase of non-diesel, alternative fuel vehicles and equipment, as follows:

- 1) Upon commencement of operation of the landfill, all light-duty vehicles operated at the site shall be alternative fuel vehicles.
- 2) Within the first year of operation, ten alternative fuel refuse collection trucks or transfer trucks shall be purchased by the applicant/operator and put into operation at

the landfill.

- 3) Within three years of the date that the Technical Advisory Committee determines that the technology and economics are feasible, and thereafter, operation of all transfer trucks entering the landfill shall be non-diesel alternative fueled vehicles.
- 4) Within three years of the date that the Technical Advisory Committee determines that the technology and economics are feasible, all transfer and collection trucks owned and leased by the applicant/operator and used at the landfill shall be non-diesel alternative fueled vehicles.
- 5) Within six years of the date that the Technical Advisory Committee determines that technology and economics are feasible, seventy-five percent (75%) of all trips (by trucks which have a capacity of nine tons or greater) entering the landfill, shall be made by non-diesel alternative fueled vehicles.
- 6) Within one year of operation, the applicant/operator shall design and begin implementation of at least one heavy-duty alternative fuel off-road equipment pilot program.
- 7) With the assistance of the South Coast Air Quality Management District and the Department of Environmental Affairs, the applicant/operator shall use its best efforts to participate in the Arco Clean Diesel Demonstration Program with one or more pieces of off-road heavy-duty equipment.
- 8) The applicant/operator shall submit, as part of its annual report to the Technical Advisory Committee, an ongoing evaluation of compliance with 1 - 7 above. Technical or economic infeasibility shall be the sole bases on which the operator may appeal the requirements established by this condition, [Q] C.10.d, pursuant to procedures in 12.24 G of the L.A.M.C.

*Finding: Studies have shown that diesel emissions are responsible for 70% of the air toxics. The SFEIR anticipates that all trucks transporting waste to the landfill will use diesel fuel. It further states that after all proposed mitigation measures are implemented, net unmitigated adverse air quality impacts resulting from diesel-fueled vehicles using the landfill will remain as a result of the project. The proposed condition will reduce the number of diesel-powered trucks utilizing the landfill and require that some construction equipment be converted to alternative fueled vehicles. Reducing the number of diesel-fueled vehicles will provide additional measures to mitigate the significant air quality impacts that will be generated by the project. It is a reasonable condition to impose because alternative fueled trucks are being phased in as it becomes technically feasible to do so. In addition, various sources exist to fund the incremental costs associated with this requirement.*

**[Q] Condition C 10.e:** The permittee shall provide access to back-up generator(s) for emergency use in case of prolonged power outage to prevent the migration/emission of landfill gas, unless otherwise prohibited by AOMD due to air quality concerns.

*Finding: This condition was modified in response to the Bureau of Sanitation request. Any disruption to landfill gas (LFG) collection systems should be remedied immediately as was the case with the 1994 Northridge earthquake, when power to the LFG extraction system was restored within two days. There are two LFG collection systems operating on independent power sources. The LFG system on the City side is powered by LADWP, and the County system is powered by Southern California Edison. It is unlikely that both of these sources would be out for an extended period of time. However, the additional expense to the permittee to provide a back-up generator is offset by the extent of the potential nuisance and danger to the community upon its failure and additional protection this back-up system will provide to the community. The purpose of the condition is to mitigate potential odor caused by the migration of methane gas due to a prolonged loss of power to the landfill environmental systems.*

**[Q] Condition 11: Storm Water. The operator shall provide a copy of the LARWOCB required quarterly testing on surface water quality samples to the Department of Public Works Storm Water Management Division for review.**

*Findings: While the operator is governed directly by the Los Angeles Regional Water Quality Control Board, providing similar reports to the Department of Public Works would provide the Department with additional understanding of storm water management in the City.*

**[Q] Condition 12: Technical Advisory Committee. An ad hoc committee of City Departments chaired by the Director of Planning or Designee shall be established for the purpose of reviewing, coordinating, and certifying satisfactory completion of plans, permits and agreements required and/or authorized by the subject approval including the [T] and [Q] Conditions and Mitigation Monitoring and Reporting Program (MMRP) before commencing work or opening of the landfill and during its operation.**

a. Composition. The committee shall be composed of representative(s) of the following City Departments, and other City Departments on as-need basis:

Local Enforcement Agency  
Department of City Planning  
Department of Building and Safety  
Department of Public Works, Bureau of Sanitation  
Department of Public Works, Bureau of Engineering  
Department of Recreation and Parks  
Office of the Chief Legislative Analyst  
Office of the City Attorney (Environmental/Land Use Section)  
Department of General Services, Fleet Services

b. Meetings/Purposes. The Technical Advisory Committee shall meet at least twice a year. It shall carry out the purposes of the subject approval and ensure compliance with the approvals and regulations of state and federal agencies involved in regulating and permitting of the landfill.  
Upon the operator's application for compliance to the conditions of approval, the Technical Advisory Committee shall meet to determine if all requirements precedent

to commencement of development of the landfill (excepting final approval of plans, permits and agreements) have been met. If the Technical Advisory Committee so determines, it shall certify completion.

Upon application for the landfilling permit, the Technical Advisory Committee shall meet to determine that all requirements precedent to opening the landfill (excepting final approval of plans, permits and agreements) have been met. If the Committee so determines, it shall certify completion of said requirements, recommend approval of permits, and notify appropriate agencies of such requirements.

Each year, the Technical Advisory Committee shall meet to review the annual report submitted by the operator as required by Condition No. A.6 and certify that all requirements of the approval are being met. Further, the TAC shall consider the phasing in of [O] Condition No. C.10.d. based on economic and technical feasibility, the feasibility of air quality testing at Van Gogh, and the feasibility of video cameras used at the site.

The TAC shall review specific conditions of approval and mitigation measures as requested by the CAC.

- c. Contract for Mitigation Monitoring. Prior to the issuance of any building permits, an RFP or RFO shall be prepared for an independent consultant contracted to monitor the [T] and [O] Conditions and mitigation measures imposed by this action. The contract shall require that the consultant prepare and submit semi-annual reports as outlined in the conditions. A copy of the contract shall be provided to the City Planning Department for inclusion in the subject case file.

Prior to the issuance of a certificate of occupancy for the facility, an independent consultant shall be contracted to monitor the [T] and [O] Conditions and mitigation measures imposed by this action for a minimum of five (5) years.

- d. Access to Site and Information. The permittee/operator shall provide to the Technical Advisory Committee and its independent consultants, access to all areas of the site during normal hours of operation and shall respond to all information requests from the TAC in a timely manner regarding compliance with [T] and [O] Conditions and the Mitigation Monitoring and Reporting Program.

*Finding: The review, approval, and continuous monitoring of a landfill is a complex process that involves several State and regional agencies and City departments. This condition establishes an ad hoc Technical Advisory Committee (TAC) composed of representatives from the following City departments: LEA, Planning, Building and Safety, Public Works (Sanitation and Engineering), Recreation and Parks, CLA, City Attorney, and General Services to review and certify compliance with applicable requirements precedent to developing and opening the landfill, review the operator's annual reports, and review conditions of approval and mitigation measures; requires hiring of an independent consultant to monitor condition compliance for a minimum of 5 years and report to the TAC; and requires the operator to cooperate regarding access to the site and information requested. Establishing a City TAC will ensure efficient and timely monitoring of*

*compliance with the conditions of approval and Mitigation Monitoring and Reporting Program (MMRP), as well as, coordination and communication between pertinent key City Departments. Further, an Ad Hoc committee can provide the necessary oversight and sharing of expert resources.*

**[Q] Condition C.13:** Community Advisory Committee (CAC). The local Council Office shall appoint a Community Advisory Committee to serve as a liaison between the permittee and the community and as a means for the community to communicate with the Technical Advisory Committee and regulatory agencies on an ongoing basis regarding issues involved in the development and operation of the landfill. The CAC shall be composed of persons who reside in the vicinity of the landfill and are nominated by recognized community and neighborhood associations. The Councilperson in whose district the landfill is located and the Councilperson from the district(s) most nearly adjacent to the landfill shall appoint a representative.

**a. Appointments and Terms of Service.**

1) **Term of Membership.** Members of the CAC shall serve for a term of four years, except that as provided below. Members of the CAC whose terms have expired shall stay on the CAC until their replacements are approved.

2) **Appointment of Members.** To the maximum extent feasible, members shall be appointed as follows:

aa. Twenty-five percent (25%) of the members shall have an initial appointment of an one-year term.

bb. Twenty-five percent (25%) of the members shall have an initial appointment of a two-year term.

cc. Twenty-five percent (25%) of the members shall have an initial appointment of a three-year term.

dd. Twenty-five percent (25%) of the members shall be at large selected by a majority and shall have initial appointment of a four year term.

ee. Appointees serve at the pleasure of the appointing authority and the appointment may be rescinded at any time prior to the expiration of a member's term.

3) **Vacancies.** In the event of a vacancy occurring during the term of a member of the CAC member, the same body or official, or their successors, who appointed such member shall make an interim appointment of a person to complete the unexpired term of such member.

4) **Expiration of Term.** Upon expiration of a term for any CAC member, the appointment for the next succeeding term shall be made by the same body or official, or their successors, who made the previous appointment. No CAC member shall serve more than two consecutive four-year terms.

- b. Upon appointment of the CAC by the Council person(s), the permittee shall do the following:
- 1) Provide qualified personnel to regularly attend CAC meetings;
  - 2) Provide reasonable access to the landfill site and information concerning landfill operations necessary for the committee to perform the committee's functions; and
  - 3) Provide accommodations for CAC meetings.
- c. The City CAC may request the TAC to review specific conditions of approval and mitigation measures.
- d. Upon the establishing of a Joint Powers Agreement or other coordinating instrument with Los Angeles County for the operation of a combined landfill, as noted in Condition No. A.9, the City and County CACs shall be merged as determined by the Joint Powers Agreement or coordinating instrument.

*Finding: This condition establishes a Community Advisory Committee (CAC) composed of community members living in the vicinity of the landfill appointed by the Councilpersons from the local and most nearby adjacent Council districts to the landfill to serve as a liaison between the operator and the community and as a means of communicating with the TAC on an ongoing basis regarding the monitoring and enforcement of conditions. The City CAC and existing County CAC would be merged as determined by the JPA. The provision for a CAC is consistent with the procedures established for other citizen committees in the City. The CAC would be composed of community members living in the vicinity of the landfill. The formation of such a committee ensures community participation and the rights of the members to be informed on all actions taken by the TAC and the landfill operator. It also allows the Committee to play an active role in assisting in the enforcement of conditions and reporting any violations, so that they can be corrected.*

**[Q] Condition C.14:** The permittee/operator shall install video monitoring equipment at the site to ensure compliance with the conditions of operation. The Technical Advisory Committee and its independent consultant(s) shall have access to the video tapes for one year after such recordings are made.

*Finding:* This condition is added to help ensure compliance with the conditions of approval.

## SUPPLEMENTAL FINDINGS RELATING TO REVISED MITIGATION MEASURES

Subsequent to circulation of the Draft SEIR, a number of mitigation measures contained in the SEIR have been revised per direction of the City Council. These changes were made to provide clarification and enhancement to the measures rather than to diminish their effectiveness. The following discussion outlines the reasons why these changes do not warrant re-circulation of the Draft EIR.

The *Guidelines for the Implementation of the California Environmental Quality Act* (State CEQA Guidelines), contained in Chapter 3 of the California Code of Regulations (CCR) includes a discussion regarding "Re-circulation of an EIR Prior to Certification." Specifically § 15088.5 (a) states "A lead agency is required to re-circulate an EIR when significant new information is added to the EIR after public notice is given of the availability of the draft EIR for public review under Section 15087, but before certification." This section further states "New information added to an EIR is not 'significant' unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect that the project's proponents have declined to implement. 'Significant new information' requiring re-circulation include, for example:

- (1) A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.
- (2) A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.
- (3) A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the environmental impacts of the project, but the project's proponents decline to adopt it.
- (4) The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

Since these changes merely clarify or amplify the existing mitigation measures and do not introduce new measures that would result in additional environmental impacts, re-circulation of the draft SEIR is not necessary. The decision not to re-circulate the SEIR is supported by substantial evidence in the administrative record. Each of the changes to mitigation measures are discussed below, along with the reasons why they do not constitute "significant new information" requiring re-circulation.

**Mitigation Measure No. 18:** Survey monuments shall be installed around the perimeters of the outer fill areas at points where they would not be subject to disturbance by landfill development and marking the 500 foot setback from the more restrictive zone. The exact spacing, location, and characteristics of the survey monuments shall be submitted to and approved by the City Local Enforcement Agency (LEA).

*Finding:* This mitigation measure was modified in response to the North Valley Coalition's request. The modification ensures that the 500-foot wide buffer that surrounds the property

*is clearly marked. This change clarifies and enhances the measure and does not introduce significant new information or result in a new significant environmental impact requiring re-circulation of the draft SEIR.*

**Mitigation Measure No. 33:** If an odor problem should develop, appropriate control measures shall be implemented. These measures include the application of additional dirt daily cover material or more frequent application of the cover material to seal the landfill surface, or adjustments to the wells, equipment, and operation of the LAG collection and recovery system.

*Finding: The modification ensures that additional dirt as a daily cover will be applied if there an odor problem develops. This change clarifies and enhances the measure and does not introduce significant new information or result in a new significant environmental impact requiring re-circulation of the draft SEIR.*

**Mitigation Measure No. 34(a):** Sample Probe Installation: One monitoring probe per 1,000 or as identified by South Coast Air Quality Management District and/or Local Enforcement Agency in the landfill expansion and one probe per 650 feet or as identified by South Coast Air Quality Management District and/or Local Enforcement Agency in the City Inactive landfill along the of landfill perimeter, or which ever is more restrictive, shall be installed to identify potential areas of subsurface LAG landfill gas ("LFG") migration. These probes shall be monitored to ensure that large quantities of LFG beyond regulatory standards do not vent offsite through subsurface soils.

*Finding: This mitigation measure was modified in response to the North Valley Coalition's request. Landfill gas probes are installed along the landfill perimeter pursuant to SCAQMD, state and federal regulations. The modifications to the language meet the current standards for an active and inactive landfill and allow the appropriate regulating agency to be more restrictive in order to identify potential areas of subsurface landfill gas migration. These changes enhance and provide more restrictive language to an existing measure and does not introduce significant new information or result in a new significant environmental impact requiring re-circulation of the draft SEIR.*

**Mitigation Measure No. 35:** Landfill gas flares shall be below the adjacent ridges (unless otherwise required by the South Coast Air Quality District.) Flaring systems shall be sited as required by the SCAQMD and constructed using BACT. The flames shall be totally contained within the stack. Flame arresters shall be provided to the satisfaction of the City Building and Safety Department. To the extent technically and economically feasible, gas recovered at the landfill site shall be converted to energy or developed for other beneficial uses rather than flared.

*Finding: The modification is consistent with the County condition and protects the viewshed from the neighboring community. These changes enhance and provide more restrictive language to an existing measure in the County Condition Use Permit and part of the County FEIR and does not introduce significant new information or results.*

**Mitigation Measure No. 46:** A preventive maintenance program would be implemented by the project proponent, including inspection of facility equipment, systems, and storm water management devices to detect conditions that may cause breakdowns or failures resulting in discharge of materials into storm water. This program applies to the onsite drainage ditches; rip-rap; berms and dikes; dust control; silt fences; diversion grading; and pavement surfaces. Each system and piece of stationary

equipment would be inspected monthly. Procedures for inspection would vary, due to the piece of equipment or system. However, the major elements of the inspection program would include checking for cracks or structural failures, inspecting parts or pieces of equipment non-function, checking for the degradation or deterioration of operating units, and investigating the need for cleaning or emptying units. A summary report of these monitoring results and the corrective actions taken will be disseminated in each newsletter with a more detailed report on the web site and in the annual report.

*Finding: This mitigation measure was modified in response to the North Valley Coalition's request. Monitoring results are reported to the LARWQCB per the required NPDES Permit. A report of these monitoring results and corrective actions will be disseminated for public review. Also, refer to [Q] Condition No's. A.6 (Annual Reports) and C.2.a (Community Protection Program). These changes simply provide for the public to be given results of monitoring results of storm water management devices and does not introduce significant new information or result in a new significant environmental impact requiring re-circulation of the draft SEIR.*

**Mitigation Measure No. 50:** The LCRS shall be installed at the base and side slopes of the landfill. This system shall be designed and installed to collect generated leachate for disposal consistent with LARWQCB requirements. The collection system shall consist of a filter rock blanket embedded with a system of collection pipes or a geosynthetic alternative that collects and transports the fluid to a holding tank. In accordance with RCRA, Subtitle D, 40 CFR, Part 258, the collection systems shall be designed to limit the hydraulic head on the liner to less than 12 inches. Collection pipes shall be sized and spaced to reduce the hydraulic head in the leachate collection system as specified in the WDRS. Leachate shall be recovered and treated onsite. The treated leachate shall be sampled on a regular basis prior to discharge from the holding tank in accordance with the WDRs to determine to affirm suitability for reuse onsite, per LARWQCB requirements. Summary results of this sampling shall be disseminated in the newsletter with more detailed reporting on the web site and in the Annual Report.

*Finding: This mitigation measure was modified in response to the North Valley Coalition's request. Waste Discharge Requirements (WDRs) are the mechanism for liquid detection. As quoted on page 4-124 of the Draft SEIR, "WDRs for active landfills must include mandatory detection and evaluation monitoring programs and prescribed corrective actions for potential leakage." Results of the sampling will be disseminated in the Annual Report, quarterly newsletter, and on the web site. These changes enhance an existing measure and do not introduce significant new information or result in a new significant environmental impact requiring re-circulation of the draft SEIR.*

**Mitigation Measure No. 53:** The existing groundwater monitoring wells located within the City portion of Sunshine Canyon shall continue to be monitored during the development of the proposed project. The monitoring system may be revised as construction progresses in the areas where wells are located as approved by the LARWQCB. Summary of the quarterly water monitoring reports shall be disseminated in the newsletter with more detailed reporting on the web site and in the Annual Report.

*Finding: This mitigation measure was modified in response to the North Valley Coalition's request. The modifications ensure that the community will be informed of any water*

*problems and does not introduce significant new information or result in a new significant environmental impact requiring re-circulation of the draft SEIR.*

**Mitigation Measure No. 59:** Underground diesel fuel storage tanks will be installed, monitored and inspected in compliance with CCR Title 23, Division 3, Chapters 16 and 17 and City of Los Angeles Municipal Code Sections 57.31.34 through 57.39.18. Underground tanks would be double-walled and have sufficient secondary containment and a leak interception and detection system to prevent fluid migration.

*Finding: The modification ensures that all fuel storage tanks are installed, monitored, and inspected in a similar manner. These changes enhance and provide more restrictive language to an existing measure and does not introduce significant new information or results.*

**Mitigation Measure No. 89:** Notices shall be posted in English and Spanish at prominent locations onsite to notify waste haulers about hazardous waste policies of the landfill operator and to inform haulers that hazardous waste cannot be disposed of at the facility. Signage shall help inform waste haulers of the rules and regulations governing the disposal of hazardous waste, and that anyone negligently or intentionally bringing in hazardous waste shall be prosecuted to the full extent of the law.

*Finding: This mitigation measure was modified in response to the North Valley Coalition's request. The modification ensures that restrictions on disposal are also displayed for Spanish only speakers and also that haulers are aware that if they negligently or intentionally bring in unacceptable waste they will be prosecuted. This added condition helps to ensure that unacceptable waste coming into the landfill would be minimized or eliminated. It does not introduce significant new information or result in a new significant environmental impact requiring re-circulation of the draft SEIR.*

**Mitigation Measure No. 91:** The landfill operator shall implement a hazardous waste load-checking program. This program shall include inspecting random loads for hazardous wastes in a segregated area of the landfill, and landfill employees shall scan waste materials as they are being unloaded at the active working face. Hazardous waste load checks at the proposed City/County Landfill will be 1.5 load checks per 1,000 tons of solid waste received at the landfill for the first year of operation. However, after the first year of operation, BFI may request that the City LLA decrease the required load checking frequency to one load check per 1,000 tons of waste received at the City/County Landfill.] Twelve unannounced intensive manual inspections of refuse loads shall be conducted over twelve month periods by trained site personnel (subject to verification by the Local Enforcement Agency and under the provisions of the hazardous waste load checking program approved by the Local Enforcement Agency). These inspections shall be conducted in each 12-month period.

*Finding: This mitigation measure was modified in response to the North Valley Coalition's request. The modification establishes a program requiring 12 unannounced intensive manual inspections of refuse loads under the hazardous waste load checking program, consistent with the County Landfill Conditional Use Permit. It will supplement existing measures and inspections at the landfill and ensure that adequate measures are being taken to keep hazardous waste out of the landfill. It does not introduce significant new information*

or result in a new significant environmental impact requiring re-circulation of the draft SEIR.

**Mitigation Measure No. 95:** Full-time inspectors shall be present at all times when waste is being received and covered, employed for inspection of waste materials. Full time inspectors shall be deemed by the City to be qualified through training and experience to perform assigned duties.

*Finding:* This mitigation measure was modified in response to the North Valley Coalition's request. The modifications clarify that a trained "spotter" is present at the working face, to prevent unacceptable waste from being deposited and does not introduce significant new information or result in a new significant environmental impact requiring re-circulation of the draft SEIR.

**Mitigation Measure No. 103:** Salvaged materials generated onsite or imported shall be placed away from storage areas, other activity areas, and limited to a volume approved by the City LEA, local land use authority, or other approval agencies, minimizing the harborage or attraction of flies, rodents, or other vectors, and the creation of nuisances. There shall be no scavenging activities at the landfill.

*Finding:* This mitigation measure was modified in response to the North Valley Coalition's request. The modification clarifies that there will be no scavenging at the landfill. The definitions of "salvaging" and "scavenging", are contained in CCR Title 27 Section 21064. "Salvaging" which is allowed by the landfill means the controlled removal of waste material for utilization. "Scavenging" which is not allowed by the landfill means the uncontrolled and/or unauthorized removal of solid waste materials, or recyclable material at a solid waste facility. This change enhances and clarifies an existing measure and does not introduce significant new information or result in a new significant environmental impact requiring re-circulation of the draft SEIR.

**Mitigation Measure No. 106:** The landfill shall be operated to minimize litter generation through implementation of the following measures: compaction of waste at the working face (i.e., 1,400 pounds of compaction per cubic yard); waste materials covered with at least 6 inches of clean, compacted soil or approved alternative daily cover (green waste shall not be allowed as alternative daily cover, if the SCAQMD determines that it is causing odor problems) by the end of the working day; and maintenance of the active working face areas as small as safely possible given the type and quantity of landfill equipment. The use of greenwaste is subject to the following: (1) stockpiling of greenwaste shall not occur within the 500-foot M3 buffer; (2) when stockpiled, greenwaste shall be turned regularly to prevent anaerobic conversion; and (3) if a greenwaste odor problem occurs, such waste shall immediately be disposed of in the landfill with an appropriate daily cover that would not magnify the odor problem.

*Finding:* This mitigation measure was modified in response to the North Valley Coalition's request. The intent of the modifications are to ensure that greenwaste, which under some circumstances can cause or contribute to odor, is used in a manner that does not create an odor problem. These changes enhance and clarify an existing measure and does not introduce significant new information or result in a new significant environmental impact requiring re-circulation of the draft SEIR.

**Mitigation Measure No. 107:** Litter and debris shall be contained within the landfill property boundaries by the use of secondary litter fences (located along the outside perimeter of the landfill) and by portable litter fences placed adjacent to the active working face areas. Fences outside of the landfill perimeter may be visible to the surrounding community. Further, the fences and adjacent areas will be cleaned regularly to keep refuse to a minimum.

*Finding: This mitigation measure was modified in response to the North Valley Coalition's request. The modification ensures that the community will be free of litter and debris. However, the fences at the perimeter of the property may be visible to the community and does not introduce significant new information or result in a new significant environmental impact requiring re-circulation of the draft SEIR.*

**Mitigation Measure No. 108:** The landfill operator shall inform owners of registered vehicles, by signage, and through a recorded phone message to comply with vehicle tarping requirements under §23114 and 23115 of the California Vehicle Code or face a fine assessed by the operator. The W waste haulers who repeatedly violate this code shall not be allowed to dispose of their waste loads at the facility or shall be fined until corrective measures are taken.

*Finding: This mitigation measure was modified in response to the North Valley Coalition's request. The modification ensures that through a recorded phone message and an assessment of a fine, vehicle tarping would be encouraged. Staff's recommendation is for this nominal fee to go the operating fund of the permittee. The use of a recorded phone/message is required to inform haulers about the tarping requirements. This change enhances an existing measure to provide further incentive for compliance and does not introduce significant new information or result in a new significant environmental impact requiring re-circulation of the draft SEIR. This change enhances and clarifies an existing measure and does not introduce significant new information or result in a new significant environmental impact requiring re-circulation of the draft SEIR.*

**Mitigation Measure No. 109:** On a once-a-week basis and as needed, the landfill operator shall mobilize cleanup crews to provide litter pickup services within the O'Melveny Park area, along Balboa Boulevard and San Fernando Road, and in other residential areas located in proximity to the landfill, that may be affected by offsite litter migration. On a daily basis, the cleanup crews shall inspect the surrounding area to assess if more frequent cleanups are required. Fences outside of the landfill perimeter may be visible to the surrounding community.

*Finding: This mitigation measure was modified in response to the North Valley Coalition's request. The modifications ensure that litter pickup is done when it is needed. However, to help contain the litter and debris within the landfill and keep the community litter free, the landfill's secondary fences may be visible to the community. The fences at the working face are the primary litter catchers.*

**Mitigation Measure No. 110:** Landfill employees shall watch for any illegal dumping activities on or around the project site. The landfill litter control crew shall provide cleanup service for areas surrounding within one mile of the project site. The phone number where this service will be requested will be provided in the quarterly newsletter and on the web site.

*Finding: This mitigation measure was modified in response to the North Valley Coalition's*

request. The modifications to the conditions set a definable distance standard for the area under the operator's responsibility. Disseminating the phone number in the quarterly newsletter will notify interested parties of the operator's service to discourage and mitigate illegal dumping. These changes enhance and clarify an existing measure and do not introduce significant new information or result in a new significant environmental impact requiring re-circulation of the draft SEIR.

**Mitigation Measure No. 126:** All landfill equipment shall be properly maintained and operated to minimize the health and safety impacts on landfill personnel and the public. Standby equipment including water trucks shall be made available during periods of vehicle maintenance or breakdown.

*Finding:* This mitigation measure was modified in response to the North Valley Coalition's request. The modification ensures that water trucks will be available at all times to mitigate dust impacts by watering the roads and disturbed areas of the landfill. This change enhances and clarifies an existing measure and does not introduce significant new information or result in a new significant environmental impact requiring re-circulation of the draft SEIR.

**Mitigation Measure No. 130:** Risks associated with the gas collection and flaring system shall be mitigated through use of flexible piping, flame arrestors, sensors, and automatic shutoff controls. ~~Numerous~~ Any new flare stations shall have safety shutdown devices ~~have been~~ designed and installed into the flare station, including a telephone auto-dialer, to provide emergency notification. All gas extraction equipment, including gas condensate and propane tanks, shall be adequately secured to prevent damage during a seismic event. Inspections of the gas collection and flaring system shall be performed after ground shaking from an earthquake, and necessary action shall be taken to correct any potential problems. All condensate treatment that takes place on site shall observe the 500 foot setback from the M3 property line.

*Finding:* This mitigation measure was modified in response to the North Valley Coalition's request. The modification increases the shutdown safety standards for new flare stations, require backup generators and ensures that condensate treatment, as an industrial use, shall only occur within inner M3 area. NVC's request for back-up generators has been addressed by [Q] Condition No. C.10.e. These changes enhance and clarify an existing measure and do not introduce significant new information or result in a new significant environmental impact requiring re-circulation of the draft SEIR.

[T] Conditions, Ordinance and Map



**CONDITIONS FOR CLEARANCE OF PERMANENT [T]  
CLASSIFICATION RELATING TO  
THE PROPOSED PROJECT**

Provision of the following will clear the conditions for the Permanent Classification or by posting of guarantees satisfactory to the City Engineer to assure the following without expense to the City of Los Angeles, with copies of any approvals or guarantees provided to the Planning Department for attachment to the subject City Plan Case file.

Covenant. Prior to the issuance of any permits relative to this matter, an agreement covenanting with the City to comply with all the information contained in these conditions shall be recorded by the property owners in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent owners, lessees, heirs or assigns. Furthermore, the agreement shall be submitted to the Planning Department for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be given to the City Planning Department for attachment to the subject file.

1. Construct, as necessary, sewer facilities to the satisfaction of the City Engineer.
2. Construct, as necessary, drainage facilities to the satisfaction of the City Engineer.
3. Prepare a parking area and driveway plan to the satisfaction of the appropriate District Office of the Bureau of Engineering and the Department of Transportation.
4. Prepare a plot plan to the satisfaction of the Fire Department.
5. Provide street dedications, improvements, or suitable guarantees to the satisfaction of the City Engineer and include the following:
  - a. Roxford Street at the I-5 Freeway, (SB ramp). Prior to operating under the subject approval, restripe westbound approach on Roxford Street to provide dual left-turn lanes and one through lane. (MMRP Mitigation Measure No. 136.)
  - b. Roxford Street at the Encinitas/I-5 Freeway (NB ramp). Prior to operating under the subject approval, restripe northbound approach on Encinitas Avenue to provide left-turn lane, shared through/left-turn lane, and shared through/ right-turn lane. (MMRP Mitigation Measure No. 137.)
  - c. Prior to operating under the subject approval, contribute, in a "fair share" amount as determined by the Los Angeles Department of Transportation, to the design, construction, and operation of the Northeast Valley Automated Traffic Surveillance and Control (ATSAC) system for these intersections. The current cost of ATSAC for the Northeast Valley System is \$79,000 per intersection. The contribution to ATSAC should be made prior to the start of construction for this ATSAC system, which is scheduled for the year 2003. (MMRP Mitigation Measure No. 139.)

- d. San Fernando Road at Sierra Highway Restripe northbound approach on San Fernando Road. Prior to operating under the subject approval, provide a shared through/ right-turn lane and exclusive right-turn lane and restripe the westbound approach of Sierra Highway for a 12-foot-wide curb lane. (MMRP Mitigation Measure No. 140.)
- e. San Fernando Road at Project Driveway. Prior to operating under the subject approval, install a new traffic signal at San Fernando Road/Project Driveway and widen and restripe the northbound approach of San Fernando Road at Project Driveway to provide a left-turn lane and through lane. Also contribute to the design, construction, and operation of the Northeast Valley ATSAC system for this intersection. The current cost of ATSAC for the Northeast Valley System is \$79,000 per intersection. The contribution to ATSAC would be completed prior to the start of construction for this ATSAC system, which is scheduled for the year 2003. (MMRP Mitigation Measure No. 141.)
- f. The required street improvements and signal modifications as set forth above shall be guaranteed prior to operating under the subject approval, through the approval process of the Bureau of Engineering, Department of Public Works, and the encroachment permit process of Caltrans (where applicable). Construction of the improvements to the satisfaction of LADOT, the Bureau of Engineering, and Caltrans (where applicable) must be completed before issuance of any certificate of occupancy. Prior to setting the bond amount, the Bureau of Engineering shall require that the developer's engineer or contractor contact LADOT's B-Permit Coordinator to arrange a pre-design meeting to finalize the proposed geometric and traffic signal designs for the project. (MMRP Mitigation Measure Mitigation Measure No. 142.)
- g. Parking and Safety Concerns. Prior to operating under the subject approval, install a new traffic signal at San Fernando Road/Project Driveway and widen and restripe the northbound approach of San Fernando Road at Project Driveway to provide a left-turn lane and through lane. Also contribute to the design, construction, and operation of the Northeast Valley ATSAC system for this intersection. The current cost of ATSAC for the Northeast Valley System is \$79,000 per intersection. The contribution to ATSAC would be completed prior to the start of construction for this ATSAC system, which is scheduled for the year 2003. (MMRP Mitigation Measure No. 143).
- h. Bicycle Routes. Mitigation measures 5i thru 5K and 6 are to address any potential localized impact along the San Fernando Road bicycle lane from increased truck traffic at or near the project site.
- i. Signs acceptable to the City shall be posted at or near the entrance to the landfill facility. These signs shall caution the public that heavy truck traffic exists in the area (MMRP Mitigation Measure No. 144.)

- j. Divert Trips. If the landfill regularly meets its weekly and/or daily maximum limit, the permittee shall implement a program to avert wasted trips to the landfill and illegal disposal. The program shall include:
    - 1) Scheduling of regular users, such as commercial and municipal haulers, to avoid them from arriving at the landfill and being diverted to other landfills;
    - 2) Reservation of capacity for small commercial and private users, unless an alternate landfill or transfer station located within 5 miles of the applicant's landfill is available to accept such users.
  - k. San Fernando Road at the base of the Golden State Freeway (I-5) off-ramp. Prior to operating under the subject approval, install a new traffic control light on San Fernando Road at the base of the Golden State Freeway (I-5) off-ramp within the existing right-of-way, to the satisfaction of the California Department of Transportation (Caltrans), City of Los Angeles Department of Transportation (LADOT), and City Bureau of Engineering. Also, the permittee/operator shall contribute to the design, construction, and operation of the Northeast Valley ATSAC system for this intersection.
6. Install street lights along the property's frontage on San Fernando Road to the satisfaction of the Bureau of Street Lighting.

ORDINANCE NO. \_\_\_\_\_

An ordinance amending Section 12.04 of the Los Angeles Municipal Code by amending the zoning map.

THE PEOPLE OF THE CITY OF LOS ANGELES DO ORDAIN AS FOLLOWS:

Section 1. Section 12.04 of the Los Angeles Municipal Code is hereby amended by changing the zones and zone boundaries shown upon a portion of the zone map attached thereto and made a part of Article 2, Chapter 1. of the Los Angeles Municipal Code, so that such portion of the zoning map shall be as follows:

## [Q] QUALIFIED CONDITIONS OF APPROVAL

Sec. 2 Pursuant to Section 12.32-K of the Los Angeles Municipal Code, the following limitations are hereby imposed upon the use of that property shown in Section 1 hereof which is subject to the Permanent [Q] Qualified Classification.

### A. Administrative

1. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assigns. The agreement must be submitted to the Planning Department for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Planning Department.
2. **Approval verification and submittal.** Copies of any approvals, guarantees or verification of consultations, reviews or approvals, plans, etc., as may be required by the subject conditions, shall be provided to the Planning Department and the Local Enforcement Agency (LEA) for placement in the subject file.
3. **Definition.** Any agency, public official, or legislation referenced in these conditions shall include agencies, public officials, legislation or their successors, designees or amendments to any legislation. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or other entity making use of this approval.
  - a. **Independent Consultant or Independent Expert.** Reference to "Independent Consultant or Independent Expert" cited in the [Q] Conditions and Mitigation Measures is defined as follows: The hiring of specific specialists by the City to oversee and monitor compliance with the conditions of approval and mitigation measures. Such person or firm shall report directly to the Director of Planning.
4. **Enforcement.**
  - a. Compliance with these [Q] conditions and the intent of these conditions shall be to the satisfaction of the Planning Department and any other designated agency, or the agency's successor in accordance with any stated laws or regulations, or any amendments thereto and the operational agreement provided for in Condition No. A.9, including but not limited to, those permits issued by the following agencies:
    - 1) The Local Enforcement Agency (i.e., Los Angeles City Environmental Affairs Department and/or Organization/Committee designated under a joint powers agreement or other instrument) and the California Integrated Waste Management Board;



- 2) The Los Angeles Regional Water Quality Control Board;
  - 3) The South Coast Air Quality Management District;
  - 4) The California Department of Fish and Game;
  - 5) The U.S. Army Corps of Engineers; and
  - 6) The State Department of Health Services.
- b. Failure of the permittee to cease any development or activity that is not in full compliance shall be a violation of these conditions, as noted in Condition No. D.
- c. To the extent permitted by Public Resources Code Section 45005, the Local Enforcement Agency shall have the authority to order the immediate cessation of landfilling or other activities at the site, if it determines that the inhabitants of the City are under imminent and substantial risk to health, safety, or welfare. Such cessation shall continue until such time as the Local Enforcement Agency determines that the conditions leading to the cessation have been eliminated or reduced to a level which no longer poses an unacceptable threat to such health, safety, or welfare.
5. Plan. The subject property shall be developed substantially in conformance with Exhibit No. E-4B-D, attached to City Plan Case No. 98-0184(ZC/GPA)(MPR), and subject to the conditions of approval contained herein. Upon review of the Local Enforcement Agency and approval of the Planning Department, minor deviations from the conditions may be allowed in order to comply with provisions of the Municipal Code and the intent of the subject permit authorization.
6. Annual Reports. The permittee shall submit annual reports to Department of City Planning for placement in the case file, to the Technical Advisory Committee (TAC) for annual review, to the Citizens Advisory Committee, to a local library, and reports shall be posted on a web-site provided by the operator. The reports shall include, but not be limited to, Hotline/Emergency Log summaries, daily and maximum tonnage figures specifying the amount of waste and inert material, readings and analysis of the effectiveness of landfill gas monitoring activities; including the amount of gas currently generated, noise measures, discussion on litter prevention, revegetation status, detailed monitoring report of tree planting, archaeological report, list of citations and overall compliance with the conditions of the subject approval.

The first report shall be due June 1<sup>st</sup> of the first year of operation and every year thereafter until closure. At least 60 days prior to the due date, draft copies of the report shall be submitted to the City and County Local Enforcement Agencies, South Coast Air Quality Management District, Los Angeles Regional Water Quality Control Board, City Planning Department, California Waste Integrated Waste

Management Board, and Citizen Advisory Committee. Comments of these agencies shall be attached to the Annual Report.

The TAC shall transmit its comments and the Annual Report to the City Planning Director for consideration by the City Planning Commission.

7. Revised Mitigation Monitoring and Reporting Program (MMRP). The permittee shall submit a revised Mitigation Monitoring and Reporting Program ("MMRP") satisfactory to the Department of City Planning that incorporates all mitigation measures required in the Final SEIR (State Clearinghouse Mitigation Measure No. 92041053) as adopted by the City Council. The Applicant shall also identify mitigation monitor(s) who will provide annual status reports as noted above and in the MMRP, beginning immediately at commencement of the operation until post-closure. The list shall be updated annually in the Annual Report. The mitigation monitor(s) shall be identified as to their areas of responsibility, and phase of intervention (pre-construction, construction, operation, closure, and post-closure) to ensure continued implementation and adequacy of the mitigation measures.

Until a joint powers agreement is in place between the City and County, the City Local Enforcement Agency (LEA) shall be the LEA, and an independent mitigation consultant under the direct control of the Technical Advisory Committee shall be employed at the applicant's expense, to monitor such mitigation measures, which are beyond the scope of the State regulations, and which the LEA does not have the resources to monitor.

Mitigation Monitoring and Reporting Program. Attached to these conditions is a Mitigation Monitoring and Reporting Program (Exhibit No. E-9) which is hereby incorporated into these conditions. The permittee shall fully perform each action required of the program as if it were specifically set forth in these conditions.

8. Bonds.

- a. Performance bonds, letters of credit, corporate guarantees or similar form of security, as approved by the City Attorney, stating the amount, duration, and supervisory agency shall be provided. Prior to commencing construction of the landfill, a bond or similar form of security in the minimum amount of \$3,000,000 shall be provided to the Director of Planning to finance litter, traffic, and community protection program mitigation measures. Upon making a finding, that the applicant/operator has not complied with the required mitigation measures in a timely and reasonable manner, the Director of Planning may utilize the security to implement mitigation measures.
- b. Indemnity. The applicant/operator shall post a sufficient bond, as approved by the City Attorney, to indemnify and hold harmless the City of Los Angeles, its agents, officers, and employees from any claim action for damages resulting from water contamination, air contamination, health

impacts, or loss of property value during the landfill operation, closure, and post-closure of the City Landfill.

9. Agreements. To provide for the allocation of fees and if necessary, joint operations, monitoring, and enforcement of the landfill, the permittee shall submit to the Planning Department all agreements entered into between the City and County of Los Angeles whether by Memorandum of Understanding, Development Agreement, Joint Powers Agreement, or other instrument related, but not limited to the following (These agreements cannot amend the [Q] conditions or any mitigation measures adopted by the City, except as otherwise provided under "e" and "f" below, but may provide for their implementation or operation):

- a. Joint Powers Agreement, including agreements to and by all parties for items requiring collaboration on permitting, inspection, and enforcement for the Combined City/County Landfill.

Upon the operation of the Combined City/County Landfill, the City Local Enforcement Agency proposes to be designated in any Joint Powers Agreement to serve as the lead agency and single point-of-contact for coordinating all permitting, inspection, closure supervision, and enforcement activity at the City Landfill. The actual responsibilities of which shall be delineated in the Joint Power Agreement or other appropriate instrument.

- 1) City Landfill or Combined City/County Landfill

City Landfill. Prior to the operation of the Combined City/County landfill, the City Local Enforcement Agency shall be designated to serve as the lead agency and single point-of-contact for coordinating all permitting, inspection, closure supervision, and enforcement activity at the City Landfill.

- 2) Combined City/County Landfill. Upon the operation of the Combined City/County Landfill, the City Local Enforcement Agency proposes to be designated in any Joint Powers Agreement to serve as the lead agency and single point-of-contact for coordinating all permitting and enforcement activity at the City Landfill. The actual responsibilities of which shall be delineated in the Joint Power Agreement or other appropriate instrument.

- b. Establishing City/County rights to use the landfill and/or related capacity allocations. There shall be a restriction on the approval of any further expansion of landfilling beyond the limits of the Combined City/County Landfill approved herein as set forth in Condition B.2 and as may be agreed upon in the Joint Powers Agreement. Pending the establishment of a Joint Powers Agreement that may include such restriction, the permittee shall not seek approval for any additional expansion in the City and County.

- c. Franchise fee, Gas-to-energy or direct gas sales, or other fee and bond or security arrangements with the City.
  - d. Environmental Education or Community Amenities Programs.
  - e. Amendments to City Council instructions (i.e., [T] Conditions) or clarification of [Q] Conditions, as a result of the Joint Powers Agreement or other need or requirement, shall comply with Section 12.32.M of the Los Angeles Municipal Code.
  - f. Amendments to the Mitigation Monitoring and Reporting Program, as a result of the Joint Powers Agreement, may be modified at the time of City Council's adoption of the Joint Powers Agreement.
10. The permittee shall provide fees as determined by the Director of Planning to pay for the mitigation monitoring, enforcement program and related personnel costs incurred by the Technical Advisory Committee and individual departments. Such costs may include activities relating to inspection, permitting, and enforcement of the landfill, closure activities, coordination of mitigation monitoring, administrative support, technical studies, and other efforts as may be required, including the hiring of independent consultants to assist the Technical Advisory Committee. This shall also include funds for staff to ensure compliance.

B. Conditions on Use.

1. Limitation/Prohibition on Uses: Permitted uses are the approved landfill footprint, ancillary, closure, post-closure, and existing uses. Prohibited uses are other industrial and commercial uses permitted in the M3 zone classification which are not listed in the subject approval and fully described below. No waste shall be accepted for disposal in the landfill originating from outside of Los Angeles County.
2. Approval. The subject approval is for the development, operation, maintenance and monitoring of a Class III, non-hazardous solid waste "Combined City/County Landfill", that may be designed to share environmental control systems (e.g. landfill liner, leachate collection, and removal system, landfill gas extraction and flaring system), with shared use of the access road, scales, administrative offices, and other ancillary uses. The Combined City/County Landfill approved herein shall result in one landfill footprint being constructed in Sunshine Canyon ultimately encompassing approximately 451 acres, with an estimated net disposal capacity of 90 million tons. This landfill footprint shall not exceed approximately 194 acres located in the City, with an estimated net disposal capacity of 55 million tons, the currently operational 215-acre County Landfill, with an estimated net disposal capacity of 17 million tons and a connecting area of approximately 42 acres in the County, with an estimated disposal capacity of 18 million tons. No further expansion of the landfill footprint of the Combined City/County Landfill is authorized by this approval.
  - a. As used in this condition, "landfill" refers to the portion of the subject

property in which waste is to be permanently placed and then buried under daily and interim cover material, but excludes adjacent cut-slopes, temporary storage areas and ancillary facilities authorized by this action. The restrictions of this condition do not apply to final cover, which may be added pursuant to closure plans. Allowance for settlement of fill shall not be made in determining compliance with this condition.

- b. Landfill footprint. The footprint of the landfill within the City shall not exceed approximately 194 acres, which will provide an estimated net airspace disposal capacity of 55 million tons in the City. The City Landfill footprint shall be set back 500-feet from any more restrictive zone.
- c. Ancillary Uses and Facilities. The subject property may only be used for the following ancillary uses and facilities. These ancillary uses and facilities described in the July 1997 Draft Subsequent EIR, pages 2-38 through 2-43, and may be located on the applicant's property generally in conformance with the diagram attached as Exhibit E-4, and during the life of the landfill, may be moved or relocated following commencement of landfilling operations as necessary to accommodate development of the ultimate landfill footprint.
  - 1) Access roadway;
  - 2) Administrative offices and employee facilities related directly to the landfill and waste handling and processing operations allowed under this approval, but excluding offices and other facilities related to any other enterprises operated by the applicant or others;
  - 3) Caretaker's residences or mobile homes;
  - 4) Environmental learning center;
  - 5) Scale house, check-in and general maintenance areas;
  - 6) Plant materials center (i.e., nursery facility);
  - 7) Facilities necessary for the environmental protection and control systems/features, including flaring stations, leachate treatment, storage tanks, sedimentation basins, drainage devices, water storage tanks and optional tanks;
  - 8) Leachate collection and processing facilities;
  - 9) Facilities necessary for the collection, disposal, utilization and distribution of landfill gases as required and/or approved by the South Coast Air Quality Management District;
  - 10) Facilities necessary for the maintenance of machinery and equipment

employed at the landfill, excluding equipment or machinery utilized by the applicant in other enterprises, including refuse collection:

- 11) Closure and post-closure activities of the existing inactive and proposed City Landfill; and
- 12) Open Space uses, such as recreational, wildlife habitat or corridor, or scenic parkland.

d. Phasing. The approval for landfilling is permitted in two phases. For each phase, the permittee shall provide proof of compliance with the conditions of approval, facility plans, including pre-disposal topography of the site, the facility boundary of the site (clearly illustrating parcels owned by the operator and/or any parcels leased), the total permitted acreage of the site, the acreage of the disposal area, the filling sequencing and excavation plans, the extent of any M3 buffer zones between the disposal area and permitted property boundaries provided by the facility layout, and the vertical limits of the site. The Local Enforcement Agency and Planning Department shall coordinate review of the plans.

- 1) Phase I. Phase I of the City Landfill shall consist of the initial five years of operation and shall not exceed 16 million tons in accordance with the conditions of approval set forth herein. (Refer to Exhibit Nos. E-4C-D)

- aa. Evidence of completion of the approved closure construction in the areas where new waste will overlie portions of the inactive landfill and compliance with the Closure Plan for the Inactive City Landfill shall be provided to the Local Enforcement Agency and approved before landfill operations are allowed to commence within such areas.

- 2) Phase II. Phase II shall consist of the remaining operation of the ultimate City/County Landfill, which provides an estimated net disposal capacity of 55 million tons in the City Landfill and 90 million tons in the Combined City/County Landfill, with a maximum vertical height of the landfill footprint at build out which would result in final fill elevation (at its top deck areas) of 2,000 feet M.S.L., as shown in Exhibit Nos. E-4B and E-4C, in accordance with applicable requirements of all permitting agencies and such corrective measures as may be imposed pursuant to the Joint Powers Agreement, established pursuant to Condition No. A.9, following a review by the Director of Planning, with the assistance of the Technical Advisory Committee, of the project's operational history under Phase I and the Director's determination that there has been compliance with the following:

- aa. At least four years of landfill operation under Phase I;
- bb. Compliance with the conditions of the subject approval;
- cc. Obtain all appropriate permits and agreements from the City of Los Angeles and Los Angeles County for operation of the City/County operation as stated in Condition No. A.9;
- dd. Evidence of completion of the approved closure construction in the areas where new waste will overlie portions of the inactive landfill and compliance with the Closure Plan, as determined by the Local Enforcement Agency, for the Inactive City Landfill;
- ee. Submittal of annual reports in a timely manner; and
- ff. Compliance with Condition No. C.10.a and C.10.b.
- gg. The City's review for proceeding to Phase II shall begin no later than the beginning of the third quarter of the third year of the City landfill operation and shall be concluded within six months. Any corrective measures deemed necessary shall be formulated and imposed within the following six-month period; however, except as provided in Condition Nos. A.4.c and D, there shall be no interruption of service during the establishment and implementation of any corrective measures deemed necessary by the TAC or caused by delays in the City's review. In addition, the City's review for compliance shall be carried out on an ongoing basis including annual reports provided by the permittee and evaluated by the Technical Advisory Committee and submitted to the City Planning Commission.
- hh. Phase II shall not proceed beyond the 10<sup>th</sup> year of the operation without compliance with the review under Phase III (10 Year Phase Review).

3) Phase III (10 Year Phase Review). Phase III of the Landfill may occur following review by the Director of Planning of the operational history with the assistance of the Technical Advisory Committee, Independent Consultants, and/or Local Enforcement Agency. The Director's determination shall consider compliance with the following:

- aa. Compliance with the conditions of the subject approval;

- bb. Compliance with all appropriate permits and agreements from the City of Los Angeles and Los Angeles County for operation of the City/County operation as stated in Condition No. A.9;
  - cc. Evidence of completion of the approved closure construction in the areas where new waste will overlie portions of the inactive landfill and compliance with the Closure Plan, as determined by the Local Enforcement Agency, for the Inactive City Landfill;
  - dd. Submittal of annual reports in a timely manner;
  - ee. The City's review for proceeding to Phase III shall begin no later than the beginning of the third quarter of the ninth year of the City landfill operation and shall be concluded within six months. Any corrective measures deemed necessary shall be formulated and imposed within the following six-month period; however, except as provided in Condition Nos. A.4.c and D, there shall be no interruption of service during the establishment and implementation of any corrective measures deemed necessary by the TAC or caused by delays in the City's review. In addition, the City's review for compliance shall be carried out on an ongoing basis including annual reports provided by the permittee and evaluated by the Technical Advisory Committee and submitted to the City Planning Commission; and
  - ff. The Director of Planning's results of the review shall be submitted to and considered by the City Planning Commission utilizing the procedure under Section 12.32.C.1 of the Los Angeles Municipal Code or subsequent amendments thereto.
- e. The permittee shall not operate a landfill in the area which is the subject of this rezoning until the open space which was identified as a mitigation measure in the County FEIR (including East Canyon and Bee Canyon) is open and accessible to the public, as determined by the Director of Planning (except on the lands where the County has not completed its eminent domain and the 100-acre "working" buffer area south of the City Landfill).
3. Hours of Operation. The hours of operation for landfill activities shall be as follows:
- a. The landfill shall be closed on Sunday;
  - b. Refuse may be accepted at the landfill scales between the hours of 6:00 a.m.

(scales open) through 6:00 p.m. (scales close), Monday through Friday, and 7:00 a.m. to 2:00 p.m. on Saturday, except as needed to accommodate City post-holiday disposal requirements. The landfill entrance gate at San Fernando Road will open at 5:00 a.m. on weekdays and 6:00 a.m. on Saturdays, except as needed to accommodate City post-holiday disposal requirements, to allow the onsite queuing of vehicles. Further, refuse or dirt may be accepted at other times, upon notification that the Local Enforcement Agency determines that extended hours are necessary to handle emergency disposal for the preservation of the public health and safety:

- c. Landfill operations, such as site preparation and maintenance, the application of cover, and waste processing, but excepting activities such as gas control which require continuous operation, shall be conducted between the hours of 6:00 a.m. and 9:00 p.m., Monday through Saturday;
  - d. Equipment maintenance shall be limited to the hours of 4:00 a.m. through 9:00 p.m., Monday through Saturday, except for equipment repairs. No diesel vehicle shall be started before 5:00 a.m.
  - e. Environmental mitigation and emergency operations which cannot be accomplished during the hours stated above may be performed at any time and shall be noted in the Annual Report.
4. Intake Rate. The maximum or emergency tonnage rates allow the permittee to adjust disposal between the City and County, but cannot exceed the maximum permitted for the City, County, or Combined City/County Landfill, except as provided in Condition B.4.c; below:
- a. City Landfill Maximum Waste Intake Rate. Prior to the operation of the Combined City/County Landfill, the maximum intake rate for waste placed in the City Landfill shall not exceed 5,500 tons on any given day with a maximum weekly capacity of 30,000 tons of Class III Waste ("Class III Waste" is nonhazardous solid waste as defined in CCR Title 27, Section 20220(a), except as restricted herein) and a maximum weekly capacity of 3,000 tons of inert/exempt materials, as defined below, based upon 6 working days per week.
  - b. Combined City/County Landfill Maximum Waste Intake Rate. The maximum intake rate for waste placed in the Combined City/County Landfill shall not exceed 12,100 tons on any given day in either jurisdiction (based on the maximum intake rate of 5,500 tons per day in the City and the currently authorized maximum intake rate of 6,600 tons per day in the County), with a maximum weekly capacity of 66,000 tons of Class III Waste ("Class III Waste" is nonhazardous solid waste as defined in CCR Title 27, Section 20220(a), except as restricted herein) and a maximum weekly capacity of 6,600 tons of inert/exempt materials, as defined below, based upon 6 working

days per week.

c. Emergency, as defined in CCR Title 14, Division 7, Chapter 3, Article 3 (Emergency Waiver of Standards). The City Council or Mayor may increase the maximum tonnage allowed upon the joint recommendations of the Local Enforcement Agency, Department of Public Work, Bureau of Sanitation, and Planning Department, if there is a declared emergency and if it is determined that an increase is necessary to appropriately manage the City's waste stream for the protection of the public health and safety.

d. Inert/Exempt Materials include:

1) Clean dirt imported to cover and prepare interim and final fill slopes for planting;

2) Waste processed and put to a beneficial use on the landfill or separated or otherwise diverted from the waste stream and exported from the landfill for the purpose of recycling (e.g., green waste, wood waste, asphalt, concrete and dirt), in accordance with the restrictions of Condition No. B.6 and the provisions entered into pursuant to Condition No. A.9.

5. Prohibited Waste.

a. Incinerator ash, sludge, radioactive material, hazardous waste, and medical waste as defined in Section 25023.2 of the California Health & Safety Code shall not be accepted. Should such waste be nevertheless received at the landfill, it shall be handled and disposed of as provided in Condition No. B.5.c below.

b. The permittee shall implement a comprehensive waste load checking program to exclude disposal of Unacceptable Waste, which complies with the requirements of the subject condition, the Mitigation Monitoring and Reporting Program, additional requirements of the Local Enforcement Agency, the State Department of Health Services, and the Regional Water Quality Control Board.

c. Restrictions on disposal of Unacceptable Waste and the procedures for proper disposal at other appropriately classified disposal sites for waste processing facilities shall be provided to waste haulers on a routine basis. Notices printed in English and Spanish shall also be posted at prominent locations at the landfill to inform waste haulers of the rules governing the disposal of Unacceptable Waste, and that anyone negligently or intentionally bringing any Unacceptable Waste shall be prosecuted under the fullest extent of the law.

In the event that material known or suspected to be Unacceptable Waste is discovered at the landfill, the permittee shall:

- 1) If the vehicle that delivered the waste is still present, detain the driver and obtain his drivers' license and vehicle license number;
  - 2) Immediately make all required notifications to City, State, and County agencies;
  - 3) If possession of the material is not immediately taken by a public official, store the material at a site developed in accordance with the regulations of the State Department of Health Services, State Department of Toxic and Substance Control if the waste is hazardous, extremely hazardous or acutely hazardous, and the Regional Water Quality Control Board until disposed of in accordance with applicable State and Federal regulations.
  - 4) Maintain a Manifest of Unacceptable Waste to be made part of the Annual Report. Certain information must be provided, including:
    - aa. A description, nature, and quantity of waste;
    - bb. Name and address of the known source;
    - cc. The amount of waste involved;
    - dd. Specific handling procedures used; and,
    - ee. Certification of the accuracy of the information in the manifest.
- d. Nothing in this condition shall be construed to permit the creation or use of a hazardous waste disposal facility at the landfill.
6. Waste Diversion.
- a. As provided in the agreement entered into pursuant to Condition No. A.9, the permittee shall not negligently or intentionally deposit waste into the landfill which is required to be diverted or recycled in accordance with City and County Source Reduction and Recycling Elements, the County Integrated Waste Management Plan adopted pursuant to Division 30 of the Public Resources Code, City Reduction and Recycling Plans, or the more restrictive policy.
  - b. The permittee shall maintain on-site waste diversion and recycling facilities consistent in scope and purpose with the agreement entered into pursuant to Condition No. A.9.
7. Ceased Operation.
- a. Landfilling operations consisting of the collection and disposal of waste shall

terminate upon completion of the approved City fill design, as conceptually shown on Exhibit E-4B, and as further described in Condition No. B.2.d.2. Upon the completion of the fill design, no further waste shall be accepted for filling or processing. However, the applicant is authorized to continue such facilities in operation as are necessary to complete mitigation measures required by this approval or for closure or post closure maintenance required by federal, state and local agencies. All facilities not required for mitigation, closure or post closure maintenance shall be removed unless they are of a type permitted by the zoning regulations then in effect.

- b. Upon cessation of waste disposal operations, the permitted uses are limited to closure, post-closure, and open space.
- c. Upon completion of the post-closure period, the property owner shall contact the City Department of Recreation and Parks and the Santa Monica Mountains Conservancy for their consideration of the site as parkland.
- d. The Local Enforcement Agency shall be the City's representative in all discussions, plans and communications between the landfill operator and the closure and financial assurance staff of the California Integrated Waste Management Board.

C. Conditions on Development, Design, and Operation.

1. The Mitigation Monitoring and Reporting Program (Exhibit No. E-9) is hereby incorporated into these conditions. The permittee shall fully perform each action required of the program as if it were specifically set forth in these conditions.
2. Community Protection Program. A community protection program shall be established that includes the following:
  - a. Preparation and distribution of a quarterly newsletter to all parties on the Interested Parties List established for the City Planning Commission February 25, 1999 meeting, to others who request to be added to the list, to a local library, and posted on a web site. The quarterly newsletter shall include a summary of Hotline/Emergency Log activity of the period as well as progress report which summarizes the Annual Report as required by Condition No. A.6. The Hotline, web site, and 24-hour emergency phone numbers shall be publicized in each issue of the newsletter.
  - b. The permittee shall maintain a Hotline/Emergency Log which shall record complaints as well as follow-up actions.
  - c. The permittee shall post a sign at the entry gate at San Fernando Road which indicates the following:

- 1) The telephone number by which persons may on a 24-hour basis contact the permittee to register complaints regarding landfill operations.
  - 2) The telephone number of the Local Enforcement Agency and the hours when the number is manned.
  - 3) The telephone number of the enforcement offices of the South Coast Air Quality Management District and the hours when the number is manned.
- d. The permittee shall at all times, Monday through Saturday, maintain adequate staff to promptly respond to and correct dust, litter and other complaints from the surrounding neighborhood.

The permittee shall maintain at least one person who is qualified to assess the need for remedial action and is authorized to summon the resources to perform any necessary remedial action. The personnel assigned shall be provided with the means to be continuously in response to the telephone number posted at the entry gate.

- e. The permittee shall fund 50 percent of cost of at least thirteen (13) hazardous waste roundups, to occur every other year during the operational life of the landfill, for the areas covered by Granada Hills-Knollwood District Plan, Chatsworth-Porter Ranch Plans, Northridge Community Plan, Mission Hills-Panorama-Sepulveda Plans, and Arleta-Pacoima Plans, provided that the City Council authorizes such roundups and the balance of the required funding is provided by the City and/or other public agencies. The roundups shall be publicized in the newsletter and on the web site.

3. Fugitive Dust. The permittee shall utilize the most effective available technology and methodology to avert fugitive dust emissions which may be a nuisance or hazard in adjacent populated or recreational areas or cause significant damage to wildland resources. In addition to the revegetation measures required in the Mitigation Monitoring and Reporting Program, the program shall include the following:

- a. The permittee shall not engage in any excavation or other operation during high wind conditions (as defined in Mitigation Measure No. 21 as related to construction), or when such conditions may reasonably be expected, that would result in significant emissions of fugitive dust which cannot be confined to the area under the permittee's control.
- b. The working face area shall not exceed approximately 10 acres in the Combined City/County Landfill, 3 to 5 acres in the City Landfill when not operating as a combined landfill, or as determined by the Local Enforcement Agency to better protect the public health and safety. At times of the year

when high wind conditions may be expected, the working face shall be located within areas of minimal wind exposure or may be closed, if so determined by the Local Enforcement Agency.

- c. Except on rainy day, daily cover shall be moistened with water to retard erosion, and a soil sealant shall also be used to supplement water for dust control and to retard erosion when wind conditions dictate.
- d. Except during rainy conditions, any active area or active cover soil stockpile shall be moistened with water on a daily basis unless wind conditions dictate otherwise, in which case soil sealant shall be used in addition to water. Material cut from one portion of the site shall be used as a cover material in an adjacent area, to the extent feasible, to reduce the transport distance.
- e. If necessary, before each day when the landfill will be closed to refuse receipt, the permittee shall apply soil sealant to any previously active dirt area which has not already been sealed or revegetated.
- f. Inactive areas of exposed dirt that have been sealed shall be regularly monitored to determine the need for additional sealing and to prevent unauthorized access that might disturb the sealant, and if additional treatment is required, it shall be promptly applied to assure full control of the soil particles.
- g. All access roads to permanent facilities, excepting those infrequently used, shall be paved.
- h. The access roads extended to new fill areas shall be surfaced with recycled asphalt, aggregate materials, or soil stabilization products to minimize the length of untreated dirt.
- i. All paved roads in regular use shall be regularly cleansed to remove dirt left by trucks and other vehicles.
- j. Except during rainy conditions, all dirt roads in regular use shall be watered at least once daily on operating days and more often as needed or otherwise treated to control dust emissions.
- k. Loads capable of producing significant dust shall be watered during the dumping process, if such a practice is deemed acceptable to the Regional Water Quality Control Board.
- l. The permittee shall maintain water tanks and piping capable of supplying at least one full day's maximum water usage to the fill areas for dust control, which capacity shall be in addition to any fire flow requirements.

- m. The permittee shall install and maintain devices to monitor wind speed and direction, as specified by the South Coast Air Quality Management District, and shall retain qualified personnel to read and interpret the data, to obtain or utilize information on predicted wind conditions and to assist in the planning of operations at the landfill. This data shall be included in the annual report prepared by the permittee.
4. Grading. Except as otherwise provided in this condition, areas outside of and above the cut and fill shown on Exhibit Nos. E-4B-D or revised approved exhibit, shall not be graded or similarly disturbed. The Department of Building and Safety, in consultation with the Planning Department, may approve additional grading, if determined, based upon engineering studies provided by the permittee and independently evaluated by these Departments, that such additional grading or disturbance is necessary for slope stability or drainage purposes. Such a determination shall be documented and provided in the annual reports as part of the attached monitoring program.

No approval shall be granted under this condition which will result in expanding the area or height of fill or in lowering or significantly modifying any of the ridgelines surrounding the landfill.

Nothing in this condition shall be construed as prohibiting the installation of water tanks, access roads, flares, or similar facilities or mitigation programs required by this action or by permits issued by other public agencies.

5. Graffiti removal and deterrence on building and structures in public view. The property owners and all successors shall acknowledge the applicability of the graffiti removal and deterrence requirements pursuant to Municipal Code Sections 91.8101-F, 91.8904.1 and 91.1707-E relative to the subject project, particularly with regard to the following:
- a. The first nine feet of exterior walls and doors, measured from grade, and all of any walls enclosing the property shall be built and maintained with a graffiti resistant finish consisting of either a hard, smooth, impermeable surface such as ceramic tile, baked enamel or a renewable coating of an approved, anti-graffiti material or a combination of both pursuant to Section 91.1707-E;
  - b. The period for compliance with a graffiti removal order issued by the Building and Safety Department is 15 days following which period with failure to perform, the City or its contractor is empowered to enter the property to remove such graffiti with costs accruing to the property owner (91.8904.1);
  - c. The period for compliance with a subsequent order for a subsequent occurrence is three days (91.8904.1); and.

- d. In addition to a,b, and c above, exterior walls of new buildings of other than glass may be covered with clinging vine and screened by oleander trees or similar vegetation capable of covering or screening entire walls up to the height of at least 9 feet, excluding windows and signs.
6. Litter. The permittee shall employ the most effective available technology and methodology to prevent litter which enters the area under the permittee's control in the form of waste from escaping the area. Notwithstanding other provisions of this condition or of this action, the permittee shall close the landfill to incoming waste during high wind conditions if, despite the application of the most effective available technology and methodology, litter cannot be confined to the area of the permittee's control. The permittee's on-site litter control program shall include, unless otherwise provided by the City Planning Department, the following:
- a. Landfill personnel shall continuously patrol the access road to the scales from the time it opens to the time it closes in the evening.
  - b. Improperly covered or contained loads which may result in a significant release of litter shall be immediately detained and the condition corrected, if practicable, before the load proceeds to the working face. If correction cannot be made, the load shall be conducted under escort to the working face.
  - c. All debris found on or along the entrance and working face access roads shall be immediately removed.
  - d. Operating areas shall be located in wind shielded portions of the landfill during windy periods.
  - e. The permittee now uses a primary litter fence at a height of eight feet at the working face, and a four-foot secondary fence behind the primary fence, depending on wind conditions. The permittee shall continue to use such fences and additional control systems as necessary to control litter. On windy days and when the fences are not sufficient, the working face shall be moved up against a slope so that debris can be more easily contained.
  - f. The permittee shall, to the satisfaction of the Planning Department, maintain programs aimed at controlling the discharge and recovery of litter from uncovered or improperly covered or contained loads traveling to the landfill along the principal north and south access arteries: from the Roxford/Interstate 5 Freeway exit along Old Sepulveda Boulevard and San Fernando Road to the landfill entrance; and from the Balboa off ramp along San Fernando Road to the landfill entrance, from the Balboa Boulevard ramp along San Fernando Road to the landfill entrance, along Foothill Boulevard from Balboa to Yarnell Street and along Balboa south to Woodley Avenue.

✓ The measures shall include an effective tarping program, which if necessary in the estimation of the Local Enforcement Agency, shall provide for sale of tarps to violators and/or exclusion from the landfill of repeated violators. Also, a message shall be placed on the facility public telephone stating the requirement to tarp loads.

7. Oak trees.

- b. Except where necessary to carry out testing required to obtain permits, no oak trees shall be removed within the City until the permittee has obtained all permits necessary from appropriate City agencies to begin initial site development.
- c. Except for initial site clearance and as necessary for slope stability, cover stockpile, drainage, flare installation or fire suppression or other ancillary facilities, oak trees and other native vegetation more than 50 feet above the working elevation of the landfill shall not be removed.
- d. These conditions are intended to control the rate of oak tree removal and shall not be construed to allow the disturbance of areas not authorized for disturbance pursuant the approved conditions.

8. Revegetation. The project proponent shall submit a revegetation plan consistent with the MMRP:

- a. Final cut slopes shall not exceed an overall incline of 1.5:1.
- b. If the Local Enforcement Agency determines that a different design or plan would better protect the public health and safety and would enable revegetation of the final slopes as well or better than the design or plan described in Exhibit No. 4.B-D, and/or a change is dictated by revisions to the minimum standards adopted by the California Integrated Waste Management Board, and the LEA, therefore, directs the implementation of a different design and/or plan, the applicant shall not be bound by the provisions of this condition; provided, however, that the maximum elevations and area of fill may not exceed those permitted in Condition No. B.2.d.
- c. A temporary hydroseed vegetation cover shall be established on all cut slopes and other areas outside the landfill that are to remain inactive for a period longer than 180 days.
- d. The applicant shall employ expert assistance to carry out this condition, including qualified biologist. Soil sampling and laboratory analysis shall be conducted on all areas before revegetation to identify chemical or physical soil properties that may adversely affect plant growth and establishment. Soil amendments and fertilizer recommendations shall be applied and plant

materials selected based upon the above-referenced testing procedures and results. To the extent possible, as determined by the Planning Department, plant types shall blend with species indigenous to the area and be drought tolerant and shall be capable of rapid establishment.

- e. Typical cross-section of the Final Landfill Cover shall be applied in lifts similar to Attachment A-4 or as deemed necessary by the Local Enforcement Agency in the closure plan.
9. Riparian/Wetland habitat. The permittee shall replace disturbed riparian and wetland habitat to the satisfaction of the California Department of Fish and Game and the U.S. Army Corps of Engineers in accordance with plans approved before commencement of landfill development. Replacement habitat shall be provided on a 2:1 ratio through a program of tree planting streamzone stabilization, stream enlargement and/or streamzone rehabilitation in degraded drainage channels. The program shall also provide mitigation sufficient to prevent any net loss of wetland. Any replacement site shall be located in the San Fernando Valley. Preference shall be given to habitat mitigation in the immediate vicinity of the landfill or an urbanized area whereby providing outdoor experience and education within proximity of a larger population. Final site selection and the review of detailed engineering plans and working drawings shall be coordinated among the responsible agencies.
10. Air Quality.

- b. Establishment of an Independent Air Quality Consultant. An independent air quality consultant, selected by the Director of Planning, shall conduct at least four random tests of landfill dust and diesel particulates around the perimeter of the landfill property, with special attention given to the area south of the landfill above the residential community, each year of operation to determine if such results are consistent with the FSEIR modeling.

The costs for the tests shall be borne by the permittee. The reports shall be provided to the Director of Planning and the permittee within 15 calendar days after completion of the tests. If any of the measurements are found by the consultant to exceed the results of the FSEIR modeling, the permittee shall submit a corrective action plan to the Director of Planning within 15 calendar days after receipt of the report from the consultant. The corrective action plan shall specify a schedule for remedial action as soon as reasonably practical.

The Director of Planning shall approve or disapprove the corrective action plan within 15 calendar days of receipt of the plan. If the Director of Planning approves the corrective action plan, or if the applicant otherwise fails to submit a corrective action plan to the satisfaction of the Director of Planning, then the Director of Planning may determine if he or she will require the permittee to implement additional measures to reduce the air quality impacts,

such as by additional paving of unpaved roads, additional watering and application of soil sealant, relocating of the working face to designated locations during windy conditions, monitoring at sensitive sites throughout the community, or mandatory closures during extreme wind.

The permittee may appeal the Director's action pursuant to procedures in 12.24.G of the Los Angeles Municipal Code. The Director of Planning, with the advice of the TAC, may reduce the frequency or discontinue the testing if found that such tests are not valid or useful.

The independent air quality consultant will also, prior to the start of construction conduct additional testing of landfill gas, dust, and diesel particulates at Van Gogh Elementary School, and model emissions projected with the implementation of the landfill, and shall conduct onsite monitoring once the landfill is open. The testing protocol, results and mitigations, if necessary, will be evaluated and approved by the South Coast Management District (SCAQMD) and the Technical Advisory Committee.

b. On-site and Off-site Tree Mitigation

- 1) On-Site Tree Mitigation Buffer. One year after the start of the operation in the City Landfill, the permittee shall begin to plant a tree buffer in a density (i.e., approximately 1,000 trees) and at a height that decreases the particulate and emissions from the landfill. The location of the on-site tree mitigation buffer shall be south of the landfill above the residential community. Success of the mitigation measure shall be evaluated by its ability to minimize dust and emissions south of the site, as measured by the testing required in Condition No. C.10.a, and results of the tests may result in terminating the testing.
- 2) Off-site Tree Mitigation. The landfill operator shall provide a total of 1,000 trees over the initial three years of operation to the City of Los Angeles for planting in the North Valley area. Trees shall not be less than eight feet in height, not less than two inches in trunk diameter, and with not less than five foot spread except for oak trees which shall not be less than six feet in height, not less than one inch in trunk diameter measured one foot above ground. Further, all trees shall be in a healthy growing condition. Root bound trees are not acceptable. The variety and placement of trees shall be subject to approval by the Department of Public Works' Street Tree Division. The Technical Advisory Committee shall administer the distribution of trees.

- c. The operator shall submit, as part of its annual report, an evaluation of the feasibility of beneficial reuses of the landfill gas collected at the site such as landfill-gas-to-energy.
- d. The applicant/operator shall either purchase or investigate the purchase of non-diesel, alternative fuel vehicles and equipment, as follows:
- 1) Upon commencement of operation of the landfill, all light-duty vehicles operated at the site shall be alternative fuel vehicles.
  - 2) Within the first year of operation, ten alternative fuel refuse collection trucks or transfer trucks shall be purchased by the applicant/operator and put into operation at the landfill.
  - 3) Within three years of the date that the Technical Advisory Committee determines that the technology and economics are feasible, and thereafter, operation of all transfer trucks entering the landfill shall be non-diesel alternative fueled vehicles.
  - 4) Within three years of the date that the Technical Advisory Committee determines that the technology and economics are feasible, all transfer and collection trucks owned and leased by the applicant/operator and used at the landfill shall be non-diesel alternative fueled vehicles.
  - 5) Within six years of the date that the Technical Advisory Committee determines that technology and economics are feasible, seventy-five percent (75%) of all trips (by trucks which have a capacity of nine tons or greater) entering the landfill, shall be made by non-diesel alternative fueled vehicles.
  - 6) Within one year of operation, the applicant/operator shall design and begin implementation of at least one heavy-duty alternative fuel off-road equipment pilot program.
  - 7) With the assistance of the South Coast Air Quality Management District and the Department of Environmental Affairs, the applicant/operator shall use its best efforts to participate in the Arco Clean Diesel Demonstration Program with one or more pieces of off-road heavy-duty equipment.
  - 8) The applicant/operator shall submit, as part of its annual report to the Technical Advisory Committee, an ongoing evaluation of compliance with 1 - 7 above. Technical or economic infeasibility shall be the sole

bases on which the operator may appeal the requirements established by this condition, [Q] C.10.d, pursuant to procedures in 12.24 G of the L.A.M.C.

- e. The permittee shall provide access to back-up generator(s) for emergency use in case of prolonged power outage to prevent the migration/emission of landfill gas, unless otherwise prohibited by AQMD due to air quality concerns.
11. Storm Water. The operator shall provide a copy of the LARWQCB required quarterly testing on surface water quality samples to the Department of Public Works Storm Water Management Division for review.
12. Technical Advisory Committee. An ad hoc committee of City Departments chaired by the Director of Planning or Designee shall be established for the purpose of reviewing, coordinating, and certifying satisfactory completion of plans, permits and agreements required and/or authorized by the subject approval including the [T] and [Q] Conditions and Mitigation Monitoring and Reporting Program (MMRP) before commencing work or opening of the landfill and during its operation.
- a. Composition. The committee shall be composed of representative(s) of the following City Departments, and other City Departments on as-need basis:
    - Local Enforcement Agency
    - Department of City Planning
    - Department of Building and Safety
    - Department of Public Works, Bureau of Sanitation
    - Department of Public Works, Bureau of Engineering
    - Department of Recreation and Parks
    - Office of the Chief Legislative Analyst
    - Office of the City Attorney (Environmental/Land Use Sections)
    - Department of General Services, Fleet Services
  - b. Meetings/Purposes. The Technical Advisory Committee shall meet at least twice a year. It shall carry out the purposes of the subject approval and ensure compliance with the approvals and regulations of state and federal agencies involved in regulating and permitting of the landfill.

Upon the operator's application for compliance to the conditions of approval, the Technical Advisory Committee shall meet to determine if all requirements precedent to commencement of development of the landfill (excepting final approval of plans, permits and agreements) have been met. If the Technical Advisory Committee so determines, it shall certify completion.

Upon application for the landfilling permit, the Technical Advisory Committee shall meet to determine that all requirements precedent to opening the landfill (excepting final approval of plans, permits and agreements) have been met. If the Committee so determines, it shall certify completion of said requirements, recommend approval of permits, and notify appropriate agencies of such requirements.

Each year, the Technical Advisory Committee shall meet to review the annual report submitted by the operator as required by Condition No. A.6 and certify that all requirements of the approval are being met. Further, the TAC shall consider the phasing in of [Q] Condition No. C.10.d. based on economic and technical feasibility, the feasibility of air quality testing at Van Gogh, and the feasibility of video cameras used at the site.

The TAC shall review specific conditions of approval and mitigation measures as requested by the CAC.

- c. **Contract for Mitigation Monitoring.** Prior to the issuance of any building permits, an RFP or RFQ shall be prepared for an independent consultant contracted to monitor the [T] and [Q] Conditions and mitigation measures imposed by this action. The contract shall require that the consultant prepare and submit semi-annual reports as outlined in the conditions. A copy of the contract shall be provided to the City Planning Department for inclusion in the subject case file.

Prior to the issuance of a certificate of occupancy for the facility, an independent consultant shall be contracted to monitor the [T] and [Q] Conditions and mitigation measures imposed by this action for a minimum of five (5) years.

- d. **Access to Site and Information.** The permittee/operator shall provide to the Technical Advisory Committee and its independent consultant(s), access to all areas of the site during normal hours of operation and shall respond to all information requests from the TAC in a timely manner regarding compliance with [T] and [Q] Conditions and the Mitigation Monitoring and Reporting Program.
13. **Community Advisory Committee (CAC).** The local Council Office shall appoint a Community Advisory Committee to serve as a liaison between the permittee and the community and as a means for the community to communicate with the Technical Advisory Committee and regulatory agencies on an ongoing basis regarding issues involved in the development and operation of the landfill. The CAC shall be composed of persons who reside in the vicinity of the landfill and are nominated by recognized community and neighborhood associations. The Councilperson in whose

district the landfill is located and the Councilperson from the district(s) most nearly adjacent to the landfill shall appoint a representative.

a. **Appointments and Terms of Service.**

- 1) **Term of Membership.** Members of the CAC shall serve for a term of four years, except that as provided below. Members of the CAC whose terms have expired shall stay on the CAC until their replacements are approved.
- 2) **Appointment of Members.** To the maximum extent feasible, members shall be appointed as follows:
  - aa. Twenty-five percent (25%) of the members shall have an initial appointment of an one-year term.
  - bb. Twenty-five percent (25%) of the members shall have an initial appointment of a two-year term.
  - cc. Twenty-five percent (25%) of the members shall have an initial appointment of a three-year term.
  - dd. Twenty-five percent (25%) of the members shall be at large selected by a majority and shall have initial appointment of a four-year term.
  - ee. Appointees serve at the pleasure of the appointing authority and the appointment may be rescinded at any time prior to the expiration of a member's term.
- 3) **Vacancies.** In the event of a vacancy occurring during the term of a member of the CAC member, the same body or official, or their successors, who appointed such member shall make an interim appointment of a person to complete the unexpired term of such member.
- 4) **Expiration of Term.** Upon expiration of a term for any CAC member, the appointment for the next succeeding term shall be made by the same body or official, or their successors, who made the previous appointment. No CAC member shall serve more than two consecutive four-year terms.

- b. Upon appointment of the CAC by the Council person(s), the permittee shall do the following:

- 1) Provide qualified personnel to regularly attend CAC meetings;
  - 2) Provide reasonable access to the landfill site and information concerning landfill operations necessary for the committee to perform the committee's functions; and
  - 3) Provide accommodations for CAC meetings.
- c. The City CAC may request the TAC to review specific conditions of approval and mitigation measures.
- d. Upon the establishing of a Joint Powers Agreement or other coordinating instrument with Los Angeles County for the operation of a combined landfill, as noted in Condition No. A.9, the City and County CACs shall be merged as determined by the Joint Powers Agreement or coordinating instrument.
14. The permittee/operator shall install video monitoring equipment at the site to ensure compliance with the conditions of operation. The Technical Advisory Committee and its independent consultant(s) shall have access to the video tapes for one year after such recordings are made.
- D. Notice. Notice is hereby given that pursuant to the Section 12.27.1 (Administrative Nuisance Abatement), the City Planning Commission or Zoning Administrator, after conducting a public hearing, may revoke or modify this approval, if the Commission or Zoning Administrator find that these conditions have been violated or that this approval has been exercised so as to be detrimental to the public health or safety or so as to be a nuisance.

Sec. . . The City Clerk shall certify to the passage of this ordinance and cause the same to be published by posting for ten days in three public places in the City of Los Angeles, to wit: one copy on the bulletin board located at the Main Street entrance to the City Hall of the City of Los Angeles; one copy on the bulletin board located at the ground level at the Los Angeles Street entrance to the Los Angeles Police Department in the City; and one copy on the bulletin board located at the Temple Street entrance to the Hall of Records in the City.

I hereby certify that the foregoing ordinance was passed by the Council of the City of Los Angeles, at its meeting of \_\_\_\_\_

J. MICHAEL CAREY, City Clerk

By \_\_\_\_\_  
Deputy

Approved \_\_\_\_\_

By \_\_\_\_\_  
Mayor

Approved as to Form and Legality

Pursuant to Sec. 97.8 of the City Charter, approval of this ordinance recommended for the City Planning Commission.....

\_\_\_\_\_  
JAMES K. HAHN, City Attorney

See attached report  
*John Howe*  
\_\_\_\_\_  
Director of Planning

By \_\_\_\_\_  
City Attorney

File No. \_\_\_\_\_

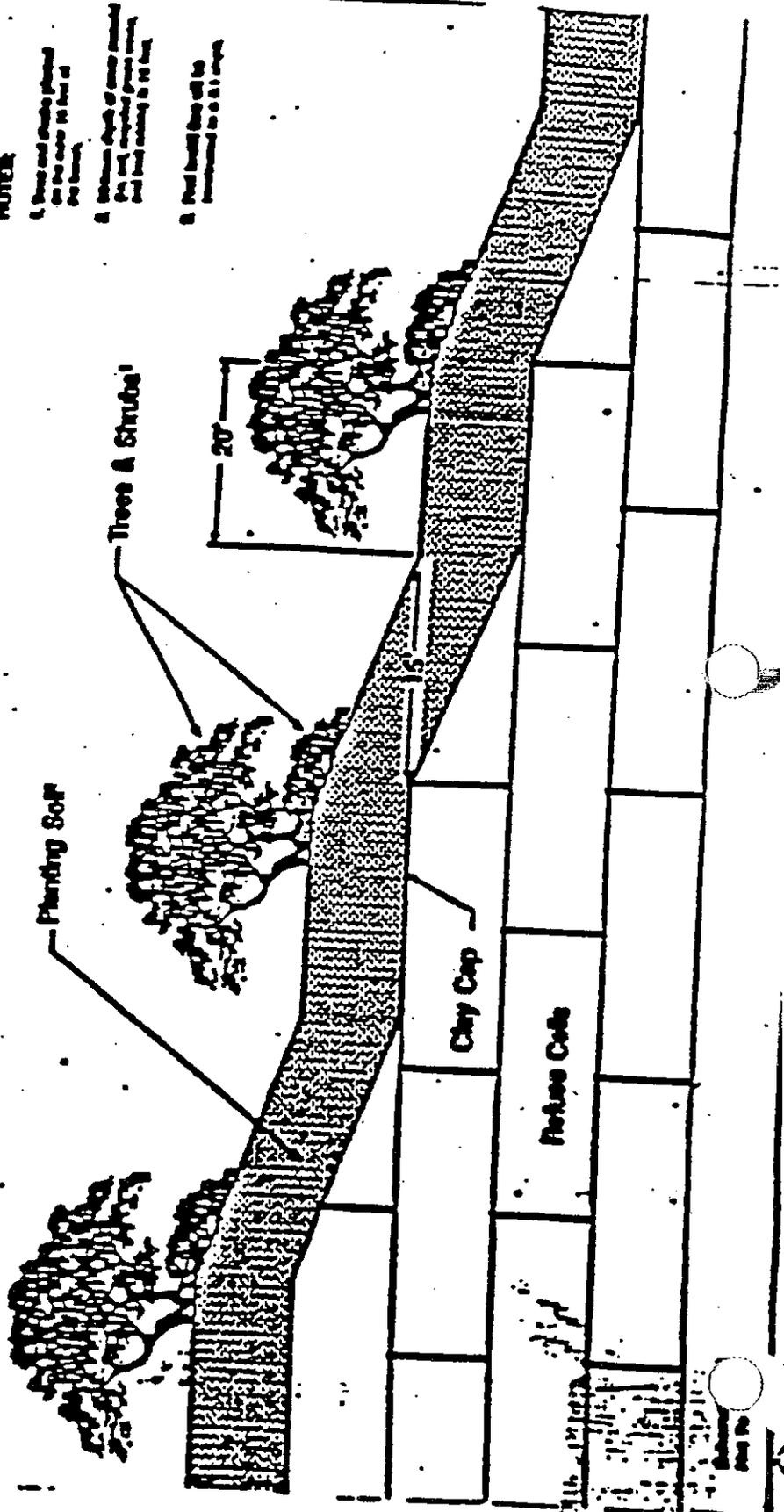
posting4



A-4  
Typical Cross-Section of Final Slope

**NOTE:**

- 1. Trees and shrubs planted in the center of the lot at 10 foot intervals.
- 2. Minimum depth of water table is 10 feet, maximum depth is 15 feet, and water table is 10 feet.
- 3. Soil bearing capacity is 2.0 tons per square foot.



Mitigation Monitoring and Reporting Program  
(Revised)



**MITIGATION REPORTING AND MONITORING PROGRAM (MRMP)  
SUNSHINE CANYON LANDFILL - CITY OF LOS ANGELES  
INCORPORATED AS CONDITIONS OF APPROVAL PURSUANT TO [Q] CONDITION NO. A.7**

(Based on Table 7.4-1 (Revised 2/11/99, 10/20/99, 10/26/99) Final SEIR 91-0377-ZC/GPA)

Mitigation Measures	Mitigation Compliance Responsibility	Monitoring Phase	Monitoring Agency/Enforcement Agency
<p><b>1 EARTH RESOURCES</b></p> <p><b>1.1 Grading Activities</b></p> <p>All grading activities shall be performed in accordance with the provisions of Division 70 of the City of Los Angeles Building Regulations, CCR Title 14, and with the rules and regulations as established by the City Department of Building and Safety.</p> <p>Areas outside of and above the cut and fill as shown on the conceptual grading plan shall not be graded, except for the development of ancillary facilities or other related improvements. Additional grading may be necessary for slope stability or drainage purposes. Prior to undertaking any grading activities, the Department of Building and Safety shall be notified and approve any additional grading based on engineering studies (in accordance with CCR Title 14) provided by the project proponent and independently evaluated by the Department of Building and Safety.</p> <p>During excavation, any unsuitable material encountered below the base grade for the landfill, including alluvium, organic material, and landslide debris, shall be removed. Engineered compacted fill shall be placed in those areas to restore the base grade for liner system construction. Excess material not used immediately for cover material shall be stockpiled onsite for future use. The unsuitable material shall be excavated, a portion at a time, as the working area of the landfill progresses to avoid opening large sections of potentially unstable material. A buffer area (i.e., 50-100 horizontal feet or as deemed appropriate to maintain safe working conditions) shall be used between the active cells receiving waste and areas under excavation. In accordance with CCR Title 14 a certified engineering geologist shall delineate the limits of the unsuitable material and associated "backcuts" to facilitate removals during excavation. Removal shall not occur during the rainy season (October 1 - April 30) or when the ground is saturated unless performed under the direction and specifications of a certified engineering geologist.</p> <p>Grading that allows for construction of ancillary facilities outside of the landfill footprint or that has the potential to impact property beyond the boundary of the landfill shall be approved by the Department of Building and Safety.</p> <p>All grading activities shall be in compliance with specific requirements provided in a comprehensive geotechnical report prepared specifically for the proposed project, including provisions for excavation approved by the Department of Building and Safety, City Engineer, City LEA and other Responsible Agencies.</p> <p>Revegetation and erosion control procedures on all exposed slopes shall be implemented. The erosion controls to be implemented at the site shall include soil stabilization measures and revegetation in accordance with the approved revegetation</p>	<p>Project Proponent</p> <p>Project Proponent</p> <p>Project Proponent</p> <p>Project Proponent</p> <p>Project Proponent</p> <p>Project Proponent</p>	<p>Throughout landfill operations and on an on-going basis.</p>	<p>Monitoring Agency: LARWQCB, CIWMB, City LEA, City B&amp;S, and City DOE Enforcement Agency: LARWQCB, CIWMB, City B&amp;S, City LEA, and City DOE</p> <p>Monitoring Agency: LARWQCB, CIWMB, City LEA, and City B&amp;S Enforcement Agency: LARWQCB, CIWMB, City B&amp;S, City LEA, and City DOE</p> <p>Monitoring Agency: LARWQCB, CIWMB, City LEA, City B&amp;S, and City DOE Enforcement Agency: LARWQCB, CIWMB, City B&amp;S, City LEA, and City DOE</p> <p>Monitoring Agency: LARWQCB, CIWMB, and City B&amp;S Enforcement Agency: LARWQCB, CIWMB, and City B&amp;S</p> <p>Monitoring Agency: LARWQCB, CIWMB, and City B&amp;S Enforcement Agency: LARWQCB, CIWMB, and City B&amp;S</p> <p>Monitoring Agency: LARWQCB, CIWMB, City LEA, City B&amp;S, and City DOE Enforcement Agency: LARWQCB, CIWMB, City LEA, and City DOE</p> <p>Monitoring Agency: LARWQCB, CIWMB, and City B&amp;S Enforcement Agency: LARWQCB, CIWMB, and City B&amp;S</p>

Mitigation Measures	Mitigation Compliance Responsibility	Monitoring Phase	Monitoring Agency/Enforcement Agency
<p>Mitigation Measures</p> <p>plan as approved by the City Building and Safety Department. Interceptor ditches shall be designed to divert storm runoff to a sedimentation basin.</p> <p>Prior to the initiation of grading activities, the project proponent shall undertake, if necessary, reabandonment procedures as required by the California Department of Conservation, Division of Oil, Gas, and Geothermal Resources.</p>	Project Proponent	Throughout landfill operations and on an on-going basis.	LEA, and City B&S  Monitoring Agency: California Dept. of Conservation Enforcement Agency: California Dept. of Conservation
<p><b>Geologic Hazards - Mudflow and Landslide (including lithologic history)</b></p> <p>When excavating for the landfill operation, if a landslide is encountered, all material constituting that landslide shall be removed. Excess landslide material not used immediately for cover material shall be stockpiled onsite for future use. If necessary, the landslide area shall be excavated a portion at a time to avoid opening large sections of potentially unstable material. A buffer area shall be maintained between the active landfill cells receiving waste and areas under excavation to remove overburden soils, landslide debris, and weathered bedrock. A qualified geologist shall delineate the limits of the landslide during excavation. Landslide removal shall not commence when the ground is saturated, unless removed under the direction and specifications of a certified engineering geologist.</p>	Project Proponent	Throughout landfill operations and on an on-going basis.	Monitoring Agency: LARWQCB, CIWMB, City B&S, and City BOE Enforcement Agency: LARWQCB, CIWMB, City B&S, and City BOE
<p>Areas of excavation and areas of loose soil (i.e., around haul roads, etc.) shall be stabilized to prevent erosion before the onset of the rainy season.</p>	Project Proponent	Throughout landfill operations and on an on-going basis.	Monitoring Agency: LARWQCB, CIWMB, City LEA, City B&S, and City BOE Enforcement Agency: LARWQCB, CIWMB, City LEA, City B&S, and City BOE
<p><b>Geologic Hazards - Subsidence</b></p> <p>to Section 4.1.2, Geologic Hazards - Mudflow and Landslide.</p>			
<p><b>Geologic Hazards - Seismicity</b></p> <p>The landfill facility shall be designed and constructed to meet CCR, Title 14, Division 7, Chapter 3, Article 7-8, § 17777 (Final Site Face) and CCR, Title 23, Division 3, Chapter 15, Article 4, § 2347 (Seismic Design) requirements "to withstand the maximum probable earthquake without damage to the foundations or to the structures which control leachate, surface drainage, erosion, or gas." Design consideration shall include strong ground shaking and secondary ground rupture. In addition, the project proponent shall comply with RCRA, Subtitle D, 40 CFR Part 258, Subpart B, § 258.13 (Fault Areas) which states "new municipal solid waste landfill units and lateral expansions shall not be located within 200 feet (60 meters) of a fault that has had displacement in Holocene time . . ." The landfill design and seismic analysis will be reviewed by the RWQCB.</p>	Project Proponent	Prior to commencement of landfill development.	Monitoring Agency: LARWQCB, CIWMB, City LEA, City B&S, and City BOE Enforcement Agency: LARWQCB, CIWMB, City B&S, City LEA, and City BOE
<p>An operations checklist shall be used by a registered engineering geologist for surveys following all earthquake events measuring 5.0 on the Richter Scale or greater near the project site. A comparison of operating parameters and site conditions before and after major earthquake events shall be made to verify that systems are operational as designed. Final designs for major engineered structures shall be based on the results of the detailed stability analyses of potential seismic events.</p>	Project Proponent	After earthquake events of 5.0 magnitude or greater.	Monitoring Agency: SCAQMD, LARWQCB, CIWMB, City B&S, and City BOE Enforcement Agency: SCAQMD, LARWQCB, CIWMB, City B&S, and City BOE
<p><b>5 Geologic Hazards - Liquefaction</b></p> <p>Alluvium in the canyon bottoms beneath the footprint of the waste containment system and beneath ancillary structures shall be excavated and, if necessary, replaced with compacted structural fill during construction. A qualified geologist shall be onsite during construction activities to observe removal and replacement of alluvium and</p>	Project Proponent	Prior to commencement of landfill development.	Monitoring Agency: LARWQCB, CIWMB, City B&S, and City BOE Enforcement Agency: LARWQCB, CIWMB, City B&S, and City BOE

Mitigation Measures	Mitigation Compliance Responsibility	Monitoring Phase	Monitoring Agency/Enforcement Agency
<p>verify that all alluvium within the landfill footprint has been removed prior to placement of any compacted fill or construction of any containment system elements.</p>	Project Proponent	Prior to commencement of landfill development.	Monitoring Agency: LARWQCB, CIWMB, City B&S, and City BOE Enforcement Agency: LARWQCB, CIWMB, City B&S, and City BOE
<p>3. The landfill facility shall be designed and constructed in accordance with RCRA, Subtitle D, 40 CFR, Part 258, Subpart D, § 258.14 (Unstable Areas) so that there would be no liquefaction related impacts.</p>	Project Proponent	Prior to commencement of landfill development.	Monitoring Agency: LARWQCB, CIWMB, City B&S, and City BOE Enforcement Agency: LARWQCB, CIWMB, City B&S, and City BOE
<p>4. The landfill facility shall be designed and constructed in accordance with CCR, Title 23, Division 3, Chapter 15, Article 3, § 2530(d) (Classification and Siting Criteria), which requires that "all containment structures at waste management units shall have a foundation or base capable of providing support for the structures and capable of withstanding hydraulic pressure gradients to prevent failure due to settlement, compression, or uplift as certified by a registered civil engineer or certified engineering geologist."</p>	Project Proponent	Prior to commencement of landfill development.	Monitoring Agency: LARWQCB, CIWMB, City B&S, and City BOE Enforcement Agency: LARWQCB, CIWMB, City B&S, and City BOE
<p>4.1.6 Geologic Hazards - Slope Stability</p>			
<p>15. Final maximum refuse slope gradient at the site shall be no steeper than 2H:1V (horizontal to vertical) for the landfill.</p>	Project Proponent	Prior to commencement of landfill development.	Monitoring Agency: LARWQCB, CIWMB, City B&S, and City BOE Enforcement Agency: LARWQCB, CIWMB, City B&S, and City BOE
<p>16. Final cut and fill slopes shall have an overall slope gradient no steeper than 1.5H:1V.</p>	Project Proponent	Prior to commencement of landfill development.	Monitoring Agency: LARWQCB, CIWMB, City B&S, and City BOE Enforcement Agency: LARWQCB, CIWMB, City B&S, and City BOE
<p>17. Final slopes shall be engineered to have a static factor of safety of at least 1.5.</p>	Project Proponent	Prior to commencement of landfill development.	Monitoring Agency: LARWQCB, CIWMB, City B&S, and City BOE Enforcement Agency: LARWQCB, CIWMB, City B&S, and City BOE
<p>18. Survey monuments shall be installed around the perimeters of the outer fill areas at points where they would not be subject to disturbance by landfill development and marking the 500 foot setback from the more restrictive zone. The exact spacing, location, and characteristics of the survey monuments shall be submitted to and approved by the City Local Enforcement Agency (LEA).</p>	Project Proponent	Prior to commencement of landfill development.	Monitoring Agency: LARWQCB, CIWMB, City B&S, and City BOE Enforcement Agency: LARWQCB, CIWMB, City B&S, and City BOE
<p>4.2 AIR QUALITY</p>			
<p>4.2.1 Existing Conditions</p>			
<p>Refer to Section 4.2.11, Construction, within this table.</p>			
<p>4.2.2 California's SCAB Regional Climatic Characteristics</p>			
<p>Refer to Section 4.2.11, Construction, within this table.</p>			
<p>4.2.3 Criteria Air Pollutants</p>			
<p>Refer to Section 4.2.11, Construction, within this table.</p>			
<p>4.2.4 Ambient Air Quality Standards and Annual Statistics</p>			
<p>Refer to Section 4.2.11, Construction, within this table.</p>			
<p>4.2.5 Air Quality Management Plan</p>			

Mitigation Measures	Mitigation Compliance Responsibility	Monitoring Phase	Monitoring Agency/Enforcement Agency
Refer to Section 4.2.11, Construction, within this table.			
<b>1.2.6 Proposed Project Overview</b>			
Refer to Section 4.2.11, Construction, within this table.			
<b>1.2.7 Site Preparation/Construction Phase</b>			
Refer to Section 4.2.11, Construction, within this table.			
<b>4.2.8 Air Quality Operational Phase (Long-Term)</b>			
No mitigation measures would be required.			
<b>4.2.9 Health Risk Analysis</b>			
Refer to Section 4.2.12, Operations, within this table.			
<b>4.2.10 Project Consistency with Applicable Plans</b>			
Refer to Section 4.2.12, Operations, within this table.			
<b>4.2.11 Construction</b>			
<p>19. The following mitigation measures will reduce emissions to the maximum extent reasonably feasible.</p> <ul style="list-style-type: none"> <li>a. The project proponent will maintain equipment in tune per manufacturer's specifications.</li> <li>b. The project proponent will use catalytic converters on gasoline-powered equipment.</li> <li>c. The project proponent will retard diesel engine injection timing by 2 degrees.</li> <li>d. High-pressure fuel injectors will be installed.</li> <li>e. Heavy equipment will use reformulated, low-emission diesel fuel.</li> <li>f. The project proponent will substitute electric and gasoline-powered equipment for diesel-powered equipment where feasible.</li> <li>g. Where applicable, equipment will not be left idling for prolonged periods.</li> <li>h. The project proponent will curtail (cease or reduce) construction during periods of high ambient pollutant concentrations (i.e., Stage II smog alerts).</li> </ul>	Project Proponent	During project construction.	Monitoring Agency: City B&S Enforcement Agency: City B&S
<p>20. Daily watering of active construction areas, active soil stockpiles, and all traveled unpaved roads shall be performed to minimize dust lofting from construction disturbances. Construction areas will also receive a soil stabilization (sealant) product if they are to be left unattended for periods in excess of 5 days and control is required.</p>	Project Proponent	During project construction.	Monitoring Agency: SCAQMD Enforcement Agency: SCAQMD
<p>21. Wind speed shall be continually monitored using onsite anemometers. Excavation within construction areas shall be halted when the 15-minute average wind speed exceeds 15 mph or when the instantaneous wind speed exceeds 25 mph.</p>	Project Proponent	During project construction.	Monitoring Agency: SCAQMD Enforcement Agency: SCAQMD
<p>22. Graded areas shall be watered as necessary to reduce dust emissions.</p>	Project Proponent	During project construction.	Monitoring Agency: SCAQMD and City LEA Enforcement Agency: SCAQMD
<p>23. Disturbed areas shall be revegetated with an interim ground cover as specified in the proposed revegetation program. Excavation will proceed in a manner to reduce the amount of graded areas at any given time.</p>	Project Proponent	During project construction.	Monitoring Agency: SCAQMD Enforcement Agency: SCAQMD

Mitigation Measures	Mitigation Compliance Responsibility	Monitoring Phase	Monitoring Agency/Enforcement Agency
<p>2.12 Operations</p> <p><u>Construction Equipment</u></p> <p>a. The project proponent will maintain equipment in tune per manufacturer's specifications.</p> <p>b. The project proponent will use catalytic converters on gasoline-powered equipment.</p> <p>c. The project proponent will retard diesel engine injection timing by 2 degrees.</p> <p>d. High-pressure fuel injectors will be installed.</p> <p>e. Heavy equipment will use reformulated, low-emission diesel fuel.</p> <p>f. The project proponent will substitute electric and gasoline-powered equipment for diesel-powered equipment where feasible.</p> <p>g. Where applicable, equipment will not be left idling for prolonged periods.</p> <p>h. The project proponent will curtail (cease or reduce) construction during periods of high ambient pollutant concentrations (i.e., Stage II smog alerts).</p>	Project Proponent	Throughout landfill operations.	Monitoring Agency: City B&S Enforcement Agency: City B&S
<p>3. <u>Refuse Trucks</u></p> <p>The following measures will be applied to the project proponent's operated trucks that utilize the project site.</p> <p>a. Refuse trucks shall be maintained in proper tune. Trucks observed to emit excessive amounts of smoke (particulate matter) shall either be tuned up or repaired, as applicable.</p> <p>b. Where applicable, high-pressure fuel injector nozzles shall be used, and diesel engine timing shall be retarded by 2 degrees.</p> <p>c. Using a progressive fee schedule, the project proponent shall encourage trucks to carry full loads.</p> <p>d. The project proponent shall encourage trucking to be performed during off-peak hours. This shall be accomplished through coordination of deliveries with the transfer stations that supply refuse, restrictions in the hours of operation, and/or a fee schedule that penalizes haul trucks arriving during peak congestion periods. This will reduce emissions by increasing truck speeds and eliminating prolonged idling in traffic.</p> <p>e. When operating onsite, trucks shall not be left idling for periods in excess of 5 minutes.</p> <p>f. Private owner-operators shall be warned that, if their trucks emit excessive amounts of smoke as determined by scale house workers, they will not be allowed future access to the landfill facility.</p>	Project Proponent	Throughout landfill operations.	Monitoring Agency: City B&S Enforcement Agency: City B&S
<p>4. <u>Truck Travel and Fugitive Dust Emissions</u></p> <p>a. To minimize fugitive dust emissions, the access roadways shall be paved, as necessary, and haul roads to the working face areas shall be hard packed and or covered with a crushed stone layer. Paved and/or crushed stone roadways shall extend up to new active fill areas as development of the landfill progresses.</p> <p>b. Curbs and gutters shall be used. At least twice daily watering or wet sweeping of paved roads to remove windblown surface dust shall occur. AP-42 assigns a control efficiency of 50 percent for twice weekly cleaning of industrial paved</p>	Project Proponent	Throughout landfill operations.	Monitoring Agency: SCAQMD Enforcement Agency: SCAQMD

Mitigation Measures	Mitigation Compliance Responsibility	Monitoring Phase	Monitoring Agency/Enforcement Agency
roads. With twice daily cleaning, a control efficiency in excess of 90 percent is predicted.			
c. For unpaved clay roads, mitigation shall include an SCAQMD-approved chemical dust suppressant with a manufacturer's demonstrated control efficiency in excess of 90 percent shall be regularly applied to inactive areas, during windy periods. Note that this control efficiency is less than (i.e., more conservative than) the 95-percent value used at the El Sobrante Landfill. ( <i>Draft South Coast Air Quality Management District Consultation No. 4, Work in Progress Air Quality Analysis Refinements, El Sobrante Landfill Expansion, TRC Environmental Solutions, Inc., May 2, 1997</i> ).	Project Proponent	Throughout landfill operations.	Monitoring Agency: SCAQMD Enforcement Agency: SCAQMD
d. For unpaved crushed stone covered roads, mitigation shall include the use of a crushed stone topcoat in addition to the regular application of a SCAQMD-approved chemical dust suppressant and subsequent watering, a control efficiency in excess of 95 percent is predicted.	Project Proponent	Throughout landfill operations.	Monitoring Agency: Project Site Manager and SCAQMD, Enforcement Agency: SCAQMD and
<u>Heavy Equipment Operations</u>			
a. Operations shall be restricted to encompass no more than a 10-acre active working face area.	Project Proponent	Throughout landfill operations.	Monitoring Agency: SCAQMD Enforcement Agency: SCAQMD
b. The disturbed area (subject to the surface erosion) shall be reduced from 40 acres to 20 acres when operations occur south of the smaller former filling area of the existing inactive City Landfill.	Project Proponent	Throughout landfill operations.	Monitoring Agency: SCAQMD Enforcement Agency: SCAQMD
<u>Site Erosion</u>			
a. To the extent technically feasible, material excavated from one portion of the project site shall be used as daily cover material in an adjacent area to minimize travel distances for such cover material.	Project Proponent	Throughout landfill operations.	Monitoring Agency: SCAQMD Enforcement Agency: SCAQMD
b. Subject to approval by the California Integrated Waste Management Board (CIWMB), filling in each active area shall be prolonged through the utilization of a 20-foot maximum cell height. This would reduce the area of excavation and minimize the disturbances to the landfill, thereby providing an effective control of fugitive dust.	Project Proponent	Throughout landfill operations.	Monitoring Agency: CIWMB and City LEA Enforcement Agency: CIWMB and City LEA
c. A temporary vegetation cover shall be established on all slopes that are to remain inactive for a period longer than 180 days.	Project Proponent	Throughout landfill operations.	Monitoring Agency: SCAQMD Enforcement Agency: SCAQMD
d. An SCAQMD approved soil stabilization (sealant) product shall be used to retard soil erosion and enhance revegetation. Soil sealant shall be applied when necessary to selected working areas of the landfill. The sealant will also be used as a binder or tackifier to hold seed during revegetation, mulch, and fertilizers in-place until grasses become established and stabilize on the landfill surface.	Project Proponent	Throughout landfill operations.	Monitoring Agency: SCAQMD Enforcement Agency: SCAQMD
<u>1.13 Odor Impacts</u>			
The natural biological processes that generate odors in a landfill through anaerobic decomposition cannot be prevented or avoided. However, the LFGs shall be prevented from escaping to the atmosphere through the use of control measures. These measures include using daily and intermediate cover material over deposited wastes, filling any surface cracks with clean dirt as necessary, and extracting LFG through the use of an LFG collection and recovery system and destroying collected gases by combustion.	Project Proponent	Throughout landfill operations.	Monitoring Agency: SCAQMD and City LEA Enforcement Agency: SCAQMD and City LEA

Mitigation Measures	Mitigation Compliance Responsibility	Monitoring Phase	Monitoring Agency/Enforcement Agency
<p>30. Operational techniques shall be utilized to control odor sources at the landfill. The size of the working face shall be limited so that the area of waste exposed to the atmosphere is kept to a minimum.</p>	Project Proponent	Throughout landfill operations.	<p>Monitoring Agency: SCAQMD and City LEA Enforcement Agency: SCAQMD and City LEA</p>
<p>31. Solid waste shall be compacted within 1 hour of its arrival at the working face.</p>	Project Proponent	Throughout landfill operations.	<p>Monitoring Agency: City LEA Enforcement Agency: City LEA</p>
<p>32. The LFG collection and recovery system shall be installed in phases as each portion of the landfill site is filled. The final system shall contain a network of gas extraction wells, collection system piping, and flaring facilities. Because the LFG generation begins at lower levels of volume and increases during the landfill site life, the gas will be flared initially until sufficient quantities are available for processing into electricity.</p>	Project Proponent	Throughout landfill operations.	<p>Monitoring Agency: SCAQMD and City LEA Enforcement Agency: SCAQMD and City LEA</p>
<p>33. If an odor problem should develop, appropriate control measures shall be implemented. These measures include the application of additional dirt daily cover material or more frequent application of the cover material to seal the landfill surface, or adjustments to the wells, equipment, and operation of the LFG collection and recovery system.</p>	Project Proponent	Throughout landfill operations.	<p>Monitoring Agency: SCAQMD, and City LEA Enforcement Agency: SCAQMD and City LEA.</p>
<p>34. To ensure that odors are kept to a minimum, the following odor/LFG monitoring program shall be implemented for the proposed landfill project. The monitoring program shall comply with the requirements of SCAQMD Rule 1150.1 and include:</p>	Project Proponent	Throughout landfill operations.	<p>Monitoring Agency: SCAQMD, and City LEA Enforcement Agency: SCAQMD and City LEA</p>
<p>a. <u>Sample Probe Installation:</u> One monitoring probe per 1,000 feet or as identified by South Coast Air Quality Management District (SCAQMD) and/or Local Enforcement Agency (LEA) in the landfill expansion, and one probe per 650 feet or as identified by SCAQMD and/or LEA in the City Inactive landfill along the landfill perimeter, or which ever is more restrictive shall be installed to identify potential areas of subsurface landfill gas (LFG) migration. These probes shall be monitored to ensure that quantities of LFG beyond regulatory standards do not vent offsite through subsurface soils.</p> <p>b. <u>Integrated Landfill Surface Sampling:</u> The landfill surface shall be monitored to ensure that the average concentration of total organic compounds over the landfill surface does not exceed SCAQMD's standard of 50 ppm.</p> <p>c. <u>Ambient Air Samples:</u> 24-hour integrated gas samples and required meteorological data shall be taken to assess any impact the landfill is having on the ambient air quality at the landfill perimeter.</p> <p>d. <u>Instantaneous Landfill Surface Monitoring:</u> Spot checks on the landfill surface shall be made to determine the maximum concentration of total organic compounds measured as methane, measured at any one point on the surface of the landfill does not exceed the SCAQMD's standard of 500 ppm.</p> <p>e. <u>Regular Monitoring and Annual Testing:</u> LFG concentrations at perimeter probes, gas collection system headers, the landfill surface, and in ambient air downwind of the landfill shall be monitored once per month or less frequently (but no less than quarterly) as required by the SCAQMD. The LFG collection system shall be adjusted and improved based on quarterly monitoring data and annual stack testing results.</p>	Project Proponent	Throughout landfill operations.	<p>Monitoring Agency: SCAQMD, and City B&amp;S Enforcement Agency: SCAQMD and City B&amp;S</p>
<p>35. Landfill gas flares shall be below the adjacent ridges (unless otherwise required by the South-Coast Air Quality District). Flaring systems shall be sited as required by the SCAQMD and constructed using BACT. The flames shall be totally contained within the stack. Flame arresters shall be provided to the satisfaction of the City Building and Safety Department. To the extent technically and economically feasible, gas recovered at the landfill site shall be converted to energy or developed for other beneficial uses rather than flared.</p>	Project Proponent	Throughout landfill operations.	<p>Monitoring Agency: SCAQMD, and City B&amp;S Enforcement Agency: SCAQMD and City B&amp;S</p>

Mitigation Measures	Mitigation Compliance Responsibility	Monitoring Phase	Monitoring Agency/Enforcement Agency
<p><b>SURFACE AND GROUNDWATER</b></p> <p><b>1 Surface Water</b></p> <p>To ensure that infiltration of surface water into the closed landfill cells is minimized, surface runoff shall be intercepted and diverted around the landfill. The method of diversion used at the project site shall include the use of lined interceptor ditches placed along the edges of the landfill areas. This system of ditches shall flow into monitored sedimentation basins. After sediment content has been reduced, surface waters shall flow into the existing flood control channel directly east of the project site entrance.</p>	Project Proponent	Prior to commencement of landfill development.	Monitoring Agency: LARWQCB, CIWMB, City LEA, City B&S, and City BOE Enforcement Agency: LARWQCB, CIWMB, City LEA, City B&S, and City BOE
As development of the site proceeds, surface drainage systems shall be maintained so that surface runoff is diverted away from working slopes and isolated from landfilled refuse. Onsite drainage channels would be designed per CCR, Title 23, Division 3, Chapter 15, Article 3, § 2533(C), and County of Los Angeles Public Works Department, Flood Control Division requirements.	Project Proponent	Prior to commencement of landfill development.	Monitoring Agency: LARWQCB, CIWMB, City LEA, and City BOE Enforcement Agency: LARWQCB, CIWMB, City LEA, and City BOE
Permanent bench drainage ditches shall be installed when final cover is placed on completed portions of the landfill. These ditches shall be lined. Temporary unlined drainage facilities consisting of diversion ditches (V-ditches) where necessary shall directly intercept natural surface runoff. Any intermittent channel flow in the existing canyon bottom shall be captured, channelized, and conveyed into Sedimentation Basin A. Diversion ditches shall convey surface runoff from the undisturbed areas to the permanent perimeter ditches for safe transport around the landfill footprint. Surface covers of various types, from mulches to vegetation, shall be used to retard erosion from areas of disturbance. In addition, areas of disturbance shall be kept at a minimum during active filling operations.	Project Proponent	Throughout landfill operations.	Monitoring Agency: LARWQCB, CIWMB, City LEA, and City BOE Enforcement Agency: LARWQCB, CIWMB, City LEA, and City BOE
As filling operations progress upward in elevation and laterally across the canyon, both permanent and temporary drainage facilities shall be used to provide appropriate drainage protection. The lower elevation portions of the landfill working face shall be placed under final cover as soon as final grade is attained, and bench ditches shall be installed that will connect to adjacent, permanent perimeter ditches. These ditches shall connect directly to the temporary diversion drainage ditches that will protect the active landfill areas from natural surface runoff.	Project Proponent	Throughout landfill operations.	Monitoring Agency: LARWQCB, CIWMB, City LEA, and City BOE Enforcement Agency: LARWQCB, CIWMB, City LEA, and City BOE
In order to monitor the effectiveness of those measures designed to prevent pollution from entering the offsite stormwater system, the project proponent shall be required to apply for coverage under the SWRCB's General Construction Activities Stormwater Permit Programs.	Project Proponent	Throughout landfill operations.	Monitoring Agency: LARWQCB, CIWMB, and City BOE Enforcement Agency: LARWQCB, CIWMB, and City BOE
The surface water collection system shall be designed to collect runoff and collect/retain suspended solids. Water leaving the sedimentation basins shall be monitored in accordance with NPDES requirements.	Project Proponent	Throughout landfill operations.	Monitoring Agency: LARWQCB, CIWMB, and City BOE Enforcement Agency: LARWQCB, CIWMB, and City BOE
Surface water quality shall be monitored by collecting water samples from the sedimentation basins to ensure that water quality protection standards (contaminant levels) as determined for the site by the LARWQCB are not exceeded.	Project Proponent	Throughout landfill operations.	Monitoring Agency: LARWQCB, CIWMB, and City BOE Enforcement Agency: LARWQCB, CIWMB, and City BOE
Sediment shall be cleaned out of the sedimentation basins after every significant storm.	Project Proponent	Throughout landfill operations.	Monitoring Agency: LARWQCB, CIWMB, City LEA, and City BOE Enforcement Agency: LARWQCB, CIWMB, City LEA, and City BOE

Mitigation Measures	Mitigation Compliance Responsibility	Monitoring Phase	Monitoring Agency/Enforcement Agency
<p>The final landfill cover shall be compacted and graded with a minimum 3-percent gradient to preclude percolation of rainwater and direct surface water runoff away from the landfilled refuse and into drains that ultimately discharge into the monitored sedimentation basins.</p>	Project Proponent	Throughout landfill operations and on an on-going basis.	<p>and City BOE</p> <p>Monitoring Agency: LARWQCB, CIWMB, City LEA, and City BOE</p> <p>Enforcement Agency: LARWQCB, CIWMB, City LEA, and City BOE.</p>
<p>An erosion control plan would be implemented by the project proponent to prevent stormwater pollution from construction activity. Construction materials, equipments and vehicles would be stored or parked in areas protected from stormwater runoff.</p> <p>Construction material loading and unloading would be in designated areas to minimize any washout due to stormwater runoff. Pre-construction controls would be implemented to include the use of a sandbagging system, including sandbag check dams and sandbag desilting basins, which would be used to limit runoff velocities and minimize sediment in stormwater runoff.</p>	Project Proponent	Throughout landfill operations and on an on-going basis.	<p>Monitoring Agency: LARWQCB, CIWMB, City LEA, and City BOE</p> <p>Enforcement Agency: LARWQCB, CIWMB and City BOE.</p>
<p>A preventive maintenance program would be implemented by the project proponent, including inspection of facility equipment, systems, and stormwater management devices to detect conditions that may cause breakdowns or failures resulting in discharge of materials into stormwater. This program applies to the onsite drainage ditches; rip-rap; berms and dikes; dust control; silt fences; diversion grading; and pavement surfaces. Each system and piece of stationary equipment would be inspected monthly. Procedures for inspection would vary, due to the piece of equipment or system. However, the major elements of the inspection program would include checking for cracks or structural failures, inspecting parts or pieces of equipment nonfunctioning, checking for the degradation or deterioration of operating units, and investigating the need for cleaning or emptying units. A summary report of these monitoring results and the corrective actions taken will be disseminated in each newsletter with a more detailed report on the web site and in the annual report.</p>	Project Proponent	Throughout landfill operations and on an on-going basis.	<p>Monitoring Agency: LARWQCB, CIWMB, and City BOE</p> <p>Enforcement Agency: LARWQCB, CIWMB, and City BOE.</p>
<p>1.2 Groundwater</p>	Project Proponent	Prior to commencement of landfill development.	<p>Monitoring Agency: LARWQCB, CIWMB, and City LEA</p> <p>Enforcement Agency: LARWQCB</p>
<p>In compliance with the Resource Conservation and Recovery Act (RCRA), Subtitle D, 40 CFR, Part 258, Subpart D, § 258.40 (Design Criteria), the proposed City/County Landfill shall install a composite liner system consisting of two components: (1) the upper component shall consist of a minimum 30-mil flexible membrane liner (FML) and (2) the lower component shall consist of a low-permeability soil layer equivalent to at least a 2-foot layer of compacted low-permeability soil with a hydraulic conductivity of no more than <math>1 \times 10^{-7}</math> centimeters per second. If an FML component consisting of high-density polyethylene is utilized, it shall be at least 60 mils thick. If a thinner soil barrier layer of lower permeability is utilized, it shall have equal or superior containment capability. The FML component shall be installed in direct and uniform contact with the underlying low-permeability soil component. In addition, the landfill shall have a LCRS that shall consist of either a granular layer 1-foot minimum in thickness or a geosynthetic alternative with an equivalent flow capacity, and a minimum 2-foot thick protective soil cover over which refuse will be placed. There shall also be a protective toe berm at the landfill terminus.</p>	Project Proponent	Prior to commencement of landfill development.	<p>Monitoring Agency: LARWQCB, CIWMB, and City LEA</p> <p>Enforcement Agency: LARWQCB</p>

Mitigation Measures	Mitigation Compliance Responsibility	Monitoring Phase	Monitoring Agency/Enforcement Agency
<p>proved by the LARWQCB prior to construction.</p> <p>areas of natural groundwater seepage shall be intercepted by the installation of a bi-grade gravel drainage blanket. A series of underdrains shall be placed in areas where seeps and springs have been identified, and they shall collect and convey any water from these sources to the sedimentation basin. In the event any chemical constituents are in the seep water, the seep waters will be sampled, analyzed, collected, and then sent either to the onsite leachate treatment facility or offsite for proper treatment and disposal. The nature and the source of the seep would be investigated including additional sampling and laboratory testing.</p>	Project Proponent	Prior to commencement of landfill development.	<p>Monitoring Agency: LARWQCB, CIWMB, and City LEA</p> <p>Enforcement Agency: LARWQCB</p>
<p>The LCRS shall be installed at the base and side slopes of the landfill. This system shall be designed and installed to collect generated leachate for disposal consistent with LARWQCB requirements. The collection system shall consist of a filter rock blanket embedded with a system of collection pipes or a geosynthetic alternative that collects and transports the fluid to a holding tank. In accordance with RCRA, Subtitle C, 40 CFR, Part 258, the collection systems shall be designed to limit the hydraulic head on the liner to less than 12 inches. Collection pipes shall be sized and spaced to reduce the hydraulic head in the leachate collection system as specified in WDRs. Leachate shall be recovered and treated onsite. The treated leachate shall be sampled prior to discharge from the holding tank in accordance with the WDRs to determine suitability for reuse onsite per LARWQCB requirements. Summary results of this sampling shall be disseminated in the newsletter with more detailed reporting on the web site and in the Annual Report.</p>	Project Proponent	Prior to commencement of landfill development.	<p>Monitoring Agency: LARWQCB, CIWMB, and City LEA</p> <p>Enforcement Agency: LARWQCB</p>
<p>The LCRS shall be designed and installed in accordance with CCR, Title 23, Division 3, Chapter 5, Article 4, § 2543 (Leachate Collection and Removal Systems), which requires that the LCRS be designed, constructed, maintained, and operated in a manner that collects and removes twice the maximum anticipated daily volume of leachate from the waste management unit.</p>	Project Proponent	Prior to commencement of landfill development.	<p>Monitoring Agency: LARWQCB, CIWMB, and City LEA</p> <p>Enforcement Agency: LARWQCB</p>
<p>A gas collection layer shall be placed beneath the liner system where it overlies the existing inactive landfill to mitigate the potential for LFG migration.</p> <p>The existing groundwater monitoring wells located within the City portion of Sunshine Canyon shall continue to be monitored during the development of the proposed project. The monitoring system may be revised as construction progresses in the areas where wells are located as approved by the LARWQCB. Summary of the quarterly water monitoring reports shall be disseminated in the newsletter with more detailed reporting on the web site and in the Annual Report.</p>	Project Proponent	Prior to commencement of landfill development and throughout landfill operations.	<p>Monitoring Agency: SCAQMD, LARWQCB, CIWMB, and City LEA</p> <p>Enforcement Agency: SCAQMD and LARWQCB</p>
<p>A preliminary closure/postclosure plan shall be provided as part of the operating permit for the landfill. Closure regulations are contained in the CCR, Title 23, Division 3, Chapter 15, Article 8 (Closure and Postclosure Maintenance), § 2580 General Closure Requirements) et seq. Completion of landfilling operations will occur once final approved elevations are reached.</p>	Project Proponent	Prior to commencement of landfill development and throughout landfill operations.	<p>Monitoring Agency: LARWQCB, CIWMB, and City LEA</p> <p>Enforcement Agency: LARWQCB, CIWMB, and City LEA</p>
<p>The design, operation, and final closure of the landfill project shall be monitored by the City LEA, CIWMB, and LARWQCB to ensure that the landfill will not create significant environmental impacts to local or regional water supplies.</p>	Project Proponent	Prior to commencement of landfill development and throughout landfill operations.	<p>Monitoring Agency: LARWQCB, CIWMB, and City LEA</p> <p>Enforcement Agency: LARWQCB, CIWMB, and City LEA</p>

Mitigation Measures	Mitigation Compliance Responsibility	Monitoring Phase	Monitoring Agency/Enforcement Agency
56. Application of daily, intermediate, and final covers in accordance with applicable regulatory requirements shall aid to restrict leachate formation by inhibiting the infiltration of water into the landfill waste prism.	Project Proponent	Prior to commencement of landfill development and throughout landfill operations.	Monitoring Agency: LARWQCB, CIWMB, and City LEA Enforcement Agency: LARWQCB, CIWMB, and City LEA
57. Dust control water shall be applied to wet only the upper soil surface.	Project Proponent	Throughout landfill operations.	Monitoring Agency: LARWQCB, CIWMB, and City LEA Enforcement Agency: LARWQCB, CIWMB, and City LEA
58. The project shall be operated as a Class III landfill and shall not accept hazardous materials or liquid waste. Further restrictions will be identified in the future WDRs required prior to project development.	Project Proponent	Throughout landfill operations.	Monitoring Agency: LARWQCB, CIWMB, and City LEA Enforcement Agency: LARWQCB, CIWMB, and City LEA
59. Underground fuel storage tanks will be installed, monitored and inspected in compliance with CCR Title 23, Division 3, Chapters 16 and 17 and City of Los Angeles Municipal Code Sections 57.31.34 through 57.39.18. Underground tanks would be double-walled and have sufficient secondary containment and a leak interception and detection system to prevent fluid migration.		Throughout landfill operations.	Monitoring Agency: LAFD Enforcement Agency: LAFD
4.3.3 Flood Hazard/ Mudflow Hazard Refer to Section 4.3.1, Surface Water within this table.			
4.4 BIOLOGICAL RESOURCES			
4.4.1 Vegetation and Wildlife Habitat <u>Venturan Coastal Sage Scrub</u>	Project Proponent	Throughout landfill operations and on an on-going basis.	Monitoring Agency: City Planning Dept. Enforcement Agency: City Planning Dept.
60. A detailed conceptual mitigation plan shall be prepared by the project proponent and contain specific information on planting, maintenance, and monitoring. A revegetation plan, that includes Coastal sage scrub restoration can feasibly occur onsite. The implementation of this plan will provide onsite mitigation greater than 1:1 to offset the loss of coastal sage scrub. 61. Surface soils and seed source will be gathered from areas of the project site and spread within onsite mitigation areas.	Project Proponent	Throughout landfill operations and on an on-going basis.	Monitoring Agency: City Planning Dept. Enforcement Agency: USFWS and City Planning Dept.
<u>Slender Mariposa Lily</u> 62. A conceptual mitigation plan for transplanting relocated lilies shall be developed by consulting biologists. That plan shall describe transplantation techniques, monitoring, and provide data required by Responsible Agencies during a 5-year monitoring period.	Project Proponent	Throughout landfill operations and on an on-going basis.	Monitoring Agency: City Planning Dept. Enforcement Agency: USFWS and City Planning Dept.
<u>San Diego Horned Lizard</u> 63. Impacts on the San Diego horned lizard can be mitigated to a level of less than significant by restoring coastal sage scrub habitat. This will create a temporal loss of the species, but the population should recover following restoration of this habitat. Topsoils should be selected that are friable to suit lizard habitat requirements.	Project Proponent	Throughout landfill operations and on an on-going basis.	Monitoring Agency: City Planning Dept. Enforcement Agency: USFWS and City Planning Dept.
<u>California Gnatcatcher</u> 64. Surveys shall be conducted for California gnatcatchers prior to onsite grading to determine the status of this species within development areas. Surveys shall be	Project Proponent	Prior to onsite construction grading.	Monitoring Agency: City Planning Dept. Enforcement Agency: USFWS and City Planning Dept.

Mitigation Measures	Mitigation Compliance Responsibility	Monitoring Phase	Monitoring Agency/Enforcement Agency
<p>conducted in accordance with USFWS protocol, and if present, a Section 10(a) permit from USFWS would be obtained by the project proponent. If grading activities occur during the nesting season (i.e., March through July), a federally permitted biologist will survey areas of project development to determine if the species is present. If California gnatcatchers are present, onsite grading activities shall cease until USFWS officials are notified. Either additional coastal sage scrub restoration or the purchase of suitable offsite habitat will be required, if California gnatcatchers are found onsite.</p>			
<p><u>Bell's Vireo</u> Surveys shall be conducted for least Bell's vireo prior to onsite grading to determine the status of this species within development areas. Surveys shall be conducted in all areas of potential habitat. If this species is present onsite, a Section 10(a) permit from USFWS would be obtained by the project proponent. If grading activities occur during the nesting season (i.e., April through July), a biologist will survey areas of project development to determine if the species is present. If present, onsite grading activities shall cease until USFWS officials are notified.</p>	Project Proponent	Prior to onsite construction grading.	Monitoring Agency: City Planning Dept. Enforcement Agency: USFWS and City Planning Dept.
<p><u>Western Burrowing Owl</u> Preconstruction surveys shall be conducted by a consulting biologist at least 30 days prior to project grading to determine if the species is within the project site. If surveys indicate the presence of western burrowing owls, a relocation program shall be implemented.</p>	Project Proponent	Prior to onsite construction grading.	Monitoring Agency: City Planning Dept. Enforcement Agency: USFWS and City Planning Dept.
<p><u>Golden Plover</u> To prevent the loss of an active migratory bird nest, vegetation shall not be cleared during the breeding season (i.e., March 15 to August 1). If vegetation clearing needs to occur, surveys shall be conducted by biologists to determine active migratory bird nests. All active migratory bird nests shall be protected until the young become independent.</p>	Project Proponent	Prior to onsite construction grading.	Monitoring Agency: City Planning Dept. Enforcement Agency: USFWS and City Planning Dept.
<p><u>For Nests</u> If habitat removal is proposed during the raptor breeding season (i.e., March to July), a survey shall be conducted for active nesting areas. If active nests are found, no construction activity shall take place within 500 feet of an active nest, until the young have fledged. The 500-foot perimeter around each active nest shall be fenced. Trees containing nests shall only be removed during the non-breeding season.</p>	Project Proponent	Prior to onsite construction grading.	Monitoring Agency: City Planning Dept. Enforcement Agency: USFWS and City Planning Dept.
<p><u>Wetlands and Riparian Habitat</u> Potential candidate mitigation sites have been identified by the project proponent in conjunction with resource agencies for consideration to compensate for impacts on riparian and wetland resources as a result of project development. These sites include Bull Creek, Bee Canyon and East Canyon, which are located proximate to the project site. Prior to the development of any detailed mitigation plans and drawings, the final selection will be determined cooperatively by the CDFG, Corps, SWRCB, and other regulatory agencies in conjunction with the City and project proponent.</p>	Project Proponent	Throughout landfill operations.	Monitoring Agency: USFWS, CDFG, and City Planning Dept. Enforcement Agency: USFWS, CDFG, and City Planning Dept.
<p><u>Wetland Credits</u> The project proponent shall acquire wetland credits to compensate for impacts on wetlands and riparian habitat. The credits shall be acquired from the City of San Diego and the project proponent.</p>	Project Proponent	Prior to commencement of landfill operations.	Monitoring Agency: USFWS, CDFG, and City Planning Dept.

Mitigation Measures	Mitigation Compliance Responsibility	Monitoring Phase	Monitoring Agency/Enforcement Agency
<p>If a potential candidate site is unavailable, the project proponent would purchase wetland credit through an established mitigation bank. The project proponent would be required to pay an amount established by the mitigation bank developer (i.e., public, non-profit, or private entity) as compensatory mitigation.</p> <p><i>Ending of an Invasive Species Eradication Program</i></p> <p>Under the direction of the Corps, the project proponent would seek authorization under Regional General Permit No. 41, which would allow the mechanized removal of invasive, exotic plants (e.g., giant reeds [<i>Arundo donax</i>] and salt cedar [<i>Tamarix</i> spp.]) from waters of the U.S., including wetlands within the jurisdiction of the Los Angeles District of the Corps.</p>	Project Proponent	Prior to commencement of landfill development.	Enforcement Agency: USFWS, CDFG, and City Planning Dept. Monitoring Agency: USFWS, CDFG, and City Planning Dept. Enforcement Agency: USFWS, CDFG, and City Planning Dept.
<p><b>4.3 Native and Nonnative Tree Resources</b></p> <p>Native tree species shall be replaced at a 2:1 (replacement:removal) ratio, consisting of 15-gallon or 5:1 3-gallon container trees. Mitigation trees shall be planted prior to impacted trees being removed, thus allowing trees to grow to specimen size in the field. A specimen-size tree shall be defined as a 15-gallon tree with a minimum trunk caliper of 1 inch measured 1 foot above ground. All mitigation trees shall be specimen size within 1 year after tree removal.</p>	Project Proponent	Throughout landfill operations.	Monitoring Agency: City Planning Dept. Enforcement Agency: City Planning Dept.
<p>Nonnative tree species shall be replaced at a 2:1 ratio, consisting of 3-gallon Coast live oak trees. A total of 100 24-inch box and 25 36-inch box size Coast live oak trees shall be planted in areas identified by the City. These trees shall be natural in form. The total mitigation tree count obtained using the 5:1 replacement ratio, shall be reduced by 125 trees to account for the inclusion of these larger trees.</p>	Project Proponent	Throughout landfill operations.	Monitoring Agency: City Planning Dept. Enforcement Agency: City Planning Dept.
<p>Mitigation tree planting shall occur within the 100± acre open space buffer area located south of the existing inactive landfill. Appropriate planting locations shall be selected within the buffer area based on soil type, steepness of the slope, and aspect (i.e., location and/or direction of the sun).</p>	Project Proponent	Throughout landfill operations.	Monitoring Agency: City Planning Dept. Enforcement Agency: City Planning Dept.
<p>Prior to tree planting, the mitigation site shall be prepped to create an environment favorable for native and nonnative tree growth and survival. The initial step in tree planting is to clear away unwanted grass, weeds, or brush. A minimum 3-foot radius of vegetation shall be cleared around the planting location. All planting holes shall be dug to a minimum depth of 24 inches. If soil conditions cannot accommodate the minimum depth, planting holes shall be relocated to a more suitable location. Trees will be spaced 15 to 20 feet in a random, nongeometric pattern. Row or grid spacing will be avoided to provide a natural look to the mitigation planting.</p>	Project Proponent	Throughout landfill operations.	Monitoring Agency: City Planning Dept. Enforcement Agency: City Planning Dept.
<p>A poultry wire screen with 1-inch-diameter holes shall be installed around the outside wall of the tree planting hole and folded closed on the bottom. The screen shall extend downward to enclose the root ball of the tree that will protrude 1 foot above final grade.</p>	Project Proponent	Throughout landfill operations.	Monitoring Agency: City Planning Dept. Enforcement Agency: City Planning Dept.
<p>Backfill material shall be used for planting material and shall consist of loose friable soil. The planting shall be backfilled to a depth that allows the root crown of the plant to be even with or slightly higher than the surrounding grade. All planting locations shall be preirrigated to ensure that moisture levels are at or near capacity.</p>	Project Proponent	Throughout landfill operations.	Monitoring Agency: City Planning Dept. Enforcement Agency: City Planning Dept.
<p>Prior to tree planting, all containers shall be thoroughly soaked. Once at the mitigation site, trees shall not be removed from their containers until all site preparation work has been completed. The wire cage shall be installed around the planting hole, and backfill</p>	Project Proponent	Throughout landfill operations.	Monitoring Agency: City Planning Dept. Enforcement Agency: City Planning Dept.

Mitigation Measures	Mitigation Compliance Responsibility	Monitoring Phase	Monitoring Agency/Enforcement Agency
<p>material shall be filled to one-half the depth of the root wad. A 27-gram Agriform fertilizer tablet shall be placed approximately 1 inch from the root wad. Backfilled soil shall be tamped and soaked to remove any air pockets.</p>			
<p>Following tree planting, the area shall be mulched with either wood chip or recycled green waste. The mulch shall be applied in an even layer approximately 6 inches or more in thickness.</p>	Project Proponent	Throughout landfill operations.	Monitoring Agency: City Planning Dept. Enforcement Agency: City Planning Dept.
<p>Drip irrigation shall be provided for all planted trees to ensure adequate growth and allow year-round planting. The irrigation system shall include a liquid fertilizer injection system to maintain optimum plant health and growth.</p>	Project Proponent	Throughout landfill operations.	Monitoring Agency: City Planning Dept. Enforcement Agency: City Planning Dept.
<p>The irrigation system shall utilize plastic polyvinyl chloride piping as its main supply lines. Distribution lines shall consist of 1/2-inch-diameter polyethylene drip tubing. Water shall be delivered to the plants via conventional drip spot emitters. Vortex emitters rated at 1 to 3 gallons per hour shall be used for the emitters. All irrigation water shall be filtered through a "Y" filter containing a 150 mesh screen. The irrigation systems shall be controlled automatically with remote battery-powered controllers and electrical irrigation valves. Watering frequency and duration shall be adjusted as necessary, depending on soil condition, weather, and plant requirements. To assure successful establishment and survival of the mitigation trees, a 3-year monitoring and maintenance program shall be implemented. Each year the mitigation planting shall be monitored for growth and survival.</p>	Project Proponent	Throughout landfill operations.	Monitoring Agency: City Planning Dept. Enforcement Agency: City Planning Dept.
<p>An annual monitoring report shall be prepared and submitted to the City Department of Public Works, Street Tree Division by the project proponent. This report shall detail the growth and survival record for each mitigation tree planted. The report will provide an accounting of the number of trees required for mitigation versus the number of qualifying trees planted. Maintenance recommendations will be included in the annual report.</p>	Project Proponent		
<p><b>NOISE</b> Construction Noise Impacts Active land uses would not be impacted by project construction; therefore, no mitigation measures would be required.</p>			
<p><b>Operational Noise Impacts</b> Landfilling operations shall be limited to the hours of 6:00 a.m. to 6:00 p.m., Monday through Friday, and from 7:00 a.m. to 2:00 p.m. on Saturday. However, the landfill entrance gate shall be open to waste-hauling vehicles at 5:00 a.m., Monday through Friday, and at 7:00 a.m. on Saturday to provide for truck and vehicle queuing. Because of the proximity of the landfill site to residential areas, citizens, small commercial, and private users of the landfill shall be encouraged by the project proponent (e.g., onsite signage, flyers, mailers) to use alternate routes (other than Balboa Boulevard).</p>	Project Proponent	Throughout landfill operations.	Monitoring Agency: City Planning Dept. and City LIA Enforcement Agency: City Planning Dept. and City B&S.
<p>All landfill equipment shall be equipped with air flow silencers on intake systems and low-noise mufflers on exhaust systems that shall be properly maintained.</p>	Project Proponent	Throughout landfill operations.	Monitoring Agency: City Planning Dept. Enforcement Agency: City Planning Dept.
<p><b>LIGHT AND GLARE</b> All lighting shall be shielded and directed onto the site. No floodlighting shall be located that can be directly by adjacent residents, motorists on adjacent public</p>	Project Proponent	Throughout landfill operations.	Monitoring Agency: City Planning Dept. Enforcement Agency: City Planning Dept.

Mitigation Measures	Mitigation Compliance Responsibility	Monitoring Phase	Monitoring Agency/Enforcement Agency
streets or highways, or pilots within the "airport approach zone." This condition shall not preclude the installation of low-level security lighting.			
<b>LAND USE</b>			
1. Community Plan and Zoning Designations			
Maintain and enhance the 100± acre open space buffer area in the southern portion of the site by implementing revegetation programs in conjunction with onsite programs	Project Proponent	Throughout landfill operations.	Monitoring Agency: City Planning Dept. Enforcement Agency: City Planning Dept.
1.2 General Plan Elements			
mitigation measures would be required.			
7.3 Regional, State and Federal Plans			
mitigation measures would be required.			
7.4 Other Landfill and Transfer Station Facilities			
mitigation measures would be required.			
8. NATURAL RESOURCES			
refer to Section 4.9.6, Risk of Explosion for a discussion of potential re-abandonment mitigation measures.			
9. RISK OF UPSET			
9.1 Hazardous Materials			
7. The landfill shall be operated as a Class III landfill; no liquid, hazardous, radioactive material, or infectious medical wastes will be accepted.	Project Proponent	Throughout landfill operations.	Monitoring Agency: CIWMB, LARWQCB, and City LEA Enforcement Agency: CIWMB and City LEA
8. Haulers disposing of drums (i.e., 55-gallon) shall have drums triple-rinsed with tops and bottoms removed prior to acceptance.	Project Proponent	Throughout landfill operations.	Monitoring Agency: DTSC and City LEA Enforcement Agency: DTSC and City LEA
9. Notices shall be posted in English and Spanish at prominent locations onsite to notify waste haulers about hazardous waste policies of the landfill operator and to inform haulers that hazardous waste cannot be disposed of at the facility. Signage shall help inform waste haulers of the rules and regulations governing the disposal of hazardous waste, and that anyone negligently or intentionally bringing in hazardous waste shall be prosecuted to the full extent of the law.	Project Proponent	Throughout landfill operations.	Monitoring Agency: CIWMB, and City LEA Enforcement Agency: CIWMB and City LEA
10. A refuse inspection program that includes direct visual inspection, remote television monitors to inspect incoming rolloff-type loads and open-top vehicles, and radiation detecting devices shall be implemented by the landfill operator to prohibit the illegal dumping or disposal of liquids and hazardous wastes at the landfill.	Project Proponent	Throughout landfill operations.	Monitoring Agency: SCAQMD, CIWMB, and City LEA Enforcement Agency: SCAQMD, CIWMB, and City LEA
11. The landfill operator shall implement a hazardous waste load-checking program. This program shall include inspecting random loads for hazardous wastes in a segregated area of the landfill, and landfill employees shall scan waste materials as they are being unloaded at the active working face. Hazardous waste load checks at the proposed City/County Landfill will be 1.5 load checks per 1,000 tons of solid waste received at the landfill. Twelve unannounced intensive manual inspections of refuse loads shall be conducted over twelve month periods by trained site personnel (subject to verification by the Local Enforcement Agency and under the provisions of the hazardous waste load checking program approved by the Local Enforcement Agency). These	Project Proponent	Throughout landfill operations.	Monitoring Agency: LARWQCB, CIWMB, and City LEA Enforcement Agency: CIWMB and City LEA

Mitigation Measures	Mitigation Compliance Responsibility	Monitoring Phase	Monitoring Agency/Enforcement Agency
<p>inspections shall be conducted in each 12-month period.</p>			
<p>If hazardous waste materials are discovered, emergency response shall include worker identification and notification procedures, cordoning off the area, and notifying Cal-EPA, DTSC. Once hazardous waste is identified, the material shall be removed, containerized, and temporarily stored onsite, if safe to handle. In the unlikely event that acutely hazardous material is discovered, the immediate area will be evacuated, and a qualified hazardous waste hauler shall be contacted for immediate collection and disposal of the material at a permitted Class I hazardous waste landfill. After any such incident, all necessary reports shall be completed and filed by the landfill operator with the following agencies: City of Los Angeles Police Department, County of Los Angeles Office of the District Attorney, Environmental Crimes Unit, City of Los Angeles Fire Department, City of Los Angeles Department of Environmental Affairs, and the LARWQCB.</p>	Project Proponent	Throughout landfill operations.	<p>Monitoring Agency: DTSC, CIWMB, LAPD, and City LEA  Enforcement Agency: CIWMB and City LEA</p>
<p>Landfill employee training programs on hazardous waste detection shall be conducted. These programs shall be presented during preemployment and for subsequent annual review for all employees.</p>	Project Proponent	Throughout landfill operations.	<p>Monitoring Agency: DTSC, CIWMB, and City LEA  Enforcement Agency: CIWMB and City LEA</p>
<p>The spill response program shall be part of required training for all facility employees. In the event of a spill, containment is paramount. All landfill employees shall be trained to use dirt and/or other absorbent materials to pick up and/or contain small spills of oils, solvents, and/or other materials that may be harmful to the public, facility workers, or the environment. Training in the use of personal protective equipment, fire extinguishing aids (e.g. hoses or extinguishers), and spill containment/mitigation (e.g. absorbents) shall be provided.</p>	Project Proponent	Throughout landfill operations.	<p>Monitoring Agency: LARWQCB, CIWMB, and City LEA  Enforcement Agency: LARWQCB, CIWMB, and City LEA</p>
<p>Full-time inspectors shall be present at all times when waste is being received and covered onsite for inspection of waste materials. Full-time inspectors shall be deemed by the City to be qualified through training and experience to perform assigned duties.</p>	Project Proponent	Throughout landfill operations.	<p>Monitoring Agency: CIWMB, and City LEA  Enforcement Agency: CIWMB and City LEA</p>
<p><b>2 Vectors</b></p> <p>The landfill operator shall monitor the site on a regular basis for vector activity. In addition, the site shall be inspected by the City LEA on a regular schedule. Corrective measures shall be immediately taken should a vector problem be detected.</p>	Project Proponent	Throughout landfill operations.	<p>Monitoring Agency: CIWMB and City LEA  Enforcement Agency: CIWMB and City LEA</p>
<p>Vectors (bird activity) shall be effectively eliminated by stringing wire or monofilament line (15 to 20 pound test) above the active landfill working areas at intervals of 100 to 150 feet, or by other approved means. This disrupts the birds' circling patterns to the extent that they do not attempt to land or congregate to feed on the refuse.</p>	Project Proponent	Throughout landfill operations.	<p>Monitoring Agency: CIWMB and City LEA  Enforcement Agency: CIWMB and City LEA</p>
<p>Flies shall be controlled at the project site by a trap-and-destroy program. The use of sprays shall be avoided to the fullest extent possible.</p>	Project Proponent	Throughout landfill operations.	<p>Monitoring Agency: CIWMB and City LEA  Enforcement Agency: CIWMB and City LEA</p>
<p>Rodent-related problems shall be controlled by operational techniques that are in accordance with recommendations from the City LEA and the Cal-EPA.</p>	Project Proponent	Throughout landfill operations.	<p>Monitoring Agency: CIWMB and City LEA  Enforcement Agency: CIWMB and City LEA</p>
<p>Operational techniques shall be utilized to limit vector activity, including compacting waste at the landfill active working face, properly applying cover material; keeping the active working face as small as safely possible given the type and number of landfill equipment, properly grading interim fill surfaces and final fill slopes, and eliminating ponding areas at the project site.</p>	Project Proponent	Throughout landfill operations.	<p>Monitoring Agency: CIWMB and City LEA  Enforcement Agency: CIWMB and City LEA</p>
<p>All equipment shall be in good condition and cleaned in a frequency and manner so as</p>	Project	Throughout landfill operations.	<p>Monitoring Agency: CIWMB and City LEA</p>

Mitigation Measures	Mitigation Compliance Responsibility	Monitoring Phase	Monitoring Agency/Enforcement Agency
to prevent the propagation or attraction of flies, rodents, or other vectors, and the creation of nuisances.	Proponent		Enforcement Agency: CIWMB and City LEA
102. Items used at the landfill facility that could attract vectors (e.g., food, seed, office supplies, etc.) shall be stored in closed containers and/or within an enclosed structure. These containers shall be inspected regularly and shall be disposed of if they appear to be an attraction to any vectors.	Project Proponent	Throughout landfill operations.	Monitoring Agency: CIWMB and City LEA Enforcement Agency: CIWMB and City LEA
103. Salvaged materials generated onsite or imported shall be placed away from storage areas, other activity areas, and limited to a volume approved by the City LEA, local land use authority, or other approval agencies, minimizing the harborage or attraction of flies, rodents, or other vectors, and the creation of nuisances. There shall be no scavenging activities at the landfill.	Project Proponent	Throughout landfill operations.	Monitoring Agency: CIWMB and City LEA Enforcement Agency: CIWMB and City LEA
104. All buildings, paved areas, landscaped areas, and perimeter areas shall be inspected regularly for signs of vectors. Any building openings, ground holes, and deficiencies shall be repaired as they are discovered during routine inspections to prevent the intrusion of any ground vectors.	Project Proponent	Throughout landfill operations.	Monitoring Agency: CIWMB and City LEA Enforcement Agency: CIWMB and City LEA
105. In the event that vectors may occur onsite, appropriate measures shall be implemented (e.g., the use of a professional exterminator).	Project Proponent	Throughout landfill operations.	Monitoring Agency: CIWMB and City LEA Enforcement Agency: CIWMB and City LEA
4.9.3 Litter			
106. The landfill site shall be operated to minimize litter generation through implementation of the following measures: compaction of waste at the working face (i.e., 1,400 pounds of compaction per cubic yard); waste materials covered with at least 6 inches of clean, compacted soil or approved alternative daily cover (green waste shall not be allowed as alternative daily cover, if the SCAQMD determines that it is causing odor problems) by the end of the working day; and maintenance of the active working face areas as small as safely possible given the type and quantity of landfill equipment. The use of green waste is subject to the following: (1) stockpiling of green waste shall not occur within the 500-foot M3 buffer; (2) when stockpiled, green waste shall be turned regularly to prevent anaerobic conversion; and (3) if a green waste odor problem occurs, such waste shall immediately be disposed of in the landfill with an appropriate daily cover that would not magnify the odor problem.	Project Proponent	Throughout landfill operations.	Monitoring Agency: CIWMB and City LEA Enforcement Agency: CIWMB and City LEA
107. Litter and debris shall be contained within the landfill property boundaries by the use of secondary litter fences (located along the outside perimeter of the landfill) and by portable litter fences placed adjacent to the active working face areas. Fences outside of the landfill perimeter may be visible to the surrounding community. Further, the fences and adjacent areas will be cleaned regularly to keep refuse to a minimum.	Project Proponent	Throughout landfill operations.	Monitoring Agency: CIWMB and City LEA Enforcement Agency: CIWMB and City LEA
108. The landfill operator shall inform owners of registered vehicles, by signage, and through a recorded phone message to comply with vehicle tarping requirements under § 23114 and 23115 of the California Vehicle Code or face a fine assessed by the operator. Waste haulers who repeatedly violate this code shall not be allowed to dispose of their waste loads at the facility.	Project Proponent	Throughout landfill operations.	Monitoring Agency: CIWMB and City LEA Enforcement Agency: CIWMB and City LEA
109. On-a-once-a-week basis, or as needed, the landfill operator shall mobilize cleanup crews to provide litter pickup services within the O'Melveny Park area, along Barbou Boulevard and San Fernando Road, and in other residential areas located in proximity to the landfill, that may be affected by offsite litter migration. On a daily basis, the cleanup crews shall inspect the surrounding area to assess if more frequent cleanups are required. Fences outside of the landfill perimeter may be visible to the surrounding	Project Proponent	Throughout landfill operations.	Monitoring Agency: City Planning Dept Enforcement Agency: City Planning Dept.

Mitigation Measures	Mitigation Compliance Responsibility	Monitoring Phase	Monitoring Agency/Enforcement Agency
<p>community.</p> <p>Landfill employees shall watch for any illegal dumping activities on or around the project site. The landfill litter control crew shall provide cleanup service for areas within one mile of the project site. The phone number where this service will be requested will be provided in the quarterly newsletter and on the web site.</p>	Project Proponent	Throughout landfill operations.	Monitoring Agency: CIWMB and City LEA Enforcement Agency: CIWMB
<p>The administrative offices shall be equipped with a radio dispatch system that can quickly engage crews to respond to perceived litter complaints in the surrounding neighborhoods.</p>	Project Proponent	Throughout landfill operations.	Monitoring Agency: CIWMB and City LEA Enforcement Agency: CIWMB
<p>The City LEA shall inspect the landfill on a regular basis, at which time the effectiveness of the litter control program shall be documented and any necessary improvements shall be made, including:</p> <ol style="list-style-type: none"> <li>Landfill personnel shall continuously patrol the access road to the scales from the time the landfill opens until the time of closure in the evening.</li> <li>Improperly covered or contained loads that may result in a significant release of litter shall be immediately detained and the condition corrected, if practical, before the load proceeds to the active working face areas. If correction cannot be made, the load shall be conducted under escort to the working face.</li> <li>All debris found on or along the landfill entrance and working face access roads shall be immediately removed.</li> <li>Operating areas shall be located in wind-shielded portions of the landfill during windy periods.</li> <li>Litter fences shall be installed in operating active working face areas, as deemed necessary by the LEA.</li> </ol>	Project Proponent	Throughout landfill operations.	Monitoring Agency: CIWMB and City LEA Enforcement Agency: CIWMB and City LEA
<p><b>Employee Safety and Site Security</b></p> <p>The landfill operator shall implement an IIP program in compliance with CCR, Title 8, § 3203, designed to protect employees from work-related hazards associated with operation of the landfill site. Unsafe or unhealthful work conditions, practices, or procedures shall be immediately corrected by the landfill operator.</p>	Project Proponent	Throughout landfill operations.	Monitoring Agency: CIWMB, Cal/OSHA, and City LEA Enforcement Agency: CIWMB and Cal/OSHA
<p>Each supervisor or manager shall conduct regular periodic inspections to identify less-than-adequate or unsafe working conditions, improper or unsafe work practices, or repairs or corrective measures using a "safety inspection report" form. Additional inspections shall be accomplished whenever new processes, procedures, substances, or equipment are introduced into the workplace or when a supervisor becomes aware of a new, potential, or previously unrecognized hazard.</p>	Project Proponent	Throughout landfill operations.	Monitoring Agency: CIWMB, Cal/OSHA, and City LEA Enforcement Agency: CIWMB and Cal/OSHA
<p>Appropriate inspection checklists shall be developed, used, and maintained to accurately reflect various exposures in different work areas. Daily observation of the workplace environment by employees, supervisors, managers, and the safety director shall occur. Discrepancies shall be reported. Records of inspections, deficiencies, and corrective measures shall be maintained in the safety/maintenance offices.</p>	Project Proponent	Throughout landfill operations.	Monitoring Agency: CIWMB, Cal/OSHA, and City LEA Enforcement Agency: CIWMB and Cal/OSHA
<p>If a problem or discrepancy is identified, an inspection report shall be prepared. The report shall identify the priority assigned to each discrepancy, as follows: Priority One, resolve the problem immediately; Priority Two, resolve the problem by the end of the working day; Priority Three, resolve the problem within 48 to 72 hours; and Priority Four, resolve the problem within 1 week as soon as the part(s) and/or materials are available. Unsafe practices shall be interrupted immediately by the observing supervisor. Appropriate training shall be implemented. If the unsafe practice</p>	Project Proponent	Throughout landfill operations.	Monitoring Agency: CIWMB, Cal/OSHA, and City LEA Enforcement Agency: CIWMB and Cal/OSHA

Mitigation Measures	Mitigation Compliance Responsibility	Monitoring Phase	Monitoring Agency/Enforcement Agency
<p>continues, progressive discipline shall be employed.</p> <p>Communication of safety and health methods to employees shall include verbal communication with employees at quarterly safety meetings; small group meetings conducted by first-line supervisors with their respective employee groups that shall be weekly "fatigue," "toolbox," or operations and safety meetings; written safety and health issues posted on employee bulletin boards; safety posters; suggestion boxes for employees to anonymously utilize; and action by management to evaluate and implement the pertinent employee safety suggestions.</p>	Project Proponent	Throughout landfill operations.	Monitoring Agency: CIWMB, Cal/OSHA, and City LEA Enforcement Agency: CIWMB and Cal/OSHA
<p>Accident/injury reports, inspections, and findings, including corrections and training records, shall be kept for 3 years. The OSHA Log 200 shall be retained by the landfill operator for a period of 5 years. Medical records for those employees involved in handling of hazardous wastes shall be maintained for a period of 30 years after employment termination.</p>	Project Proponent	Throughout landfill operations.	Monitoring Agency: CIWMB, Cal/OSHA, and City LEA Enforcement Agency: CIWMB and Cal/OSHA
<p>First-aid kits shall be located in dispatch, maintenance, scale houses, and corporate administrative offices, in addition to all supervisor vehicles. These kits shall contain "Band-Aids," bandages, sprays, miscellaneous ointments, and minor treatment supplies. These supplies are intended for treatment of small or nonserious cuts, burns, scrapes, etc. Injuries requiring medical attention shall be treated at the Holy Cross Medical Center. This hospital shall also provide ambulance service.</p>	Project Proponent	Throughout landfill operations.	Monitoring Agency: CIWMB, Cal/OSHA, and City LEA Enforcement Agency: CIWMB and Cal/OSHA
<p>The landfill operator shall implement an emergency action plan in compliance with CCR, Title 8, § 3220. This plan shall designate emergency escape routes and procedures, rescue and medical duties, methods for reporting fires and other emergencies; and names of persons and departments to contact during an emergency.</p>	Project Proponent	Throughout landfill operations.	Monitoring Agency: CIWMB, Cal/OSHA, LAFD and City LEA Enforcement Agency: CIWMB, Cal/OSHA, and LAFD
<p>The landfill operator shall implement a fire prevention plan in compliance with CCR, Title 8, § 3221. Components of this written fire prevention plan shall include potential fire hazards and their proper handling and storage procedures; potential ignition sources (i.e., welding or smoking), their control procedures, and the type of fire protection equipment or systems that can control a fire involving them; names or regular job titles of those responsible for maintenance of equipment and systems installed to prevent or control ignitions or fires; and names or regular job titles of those responsible for the control of accumulation of flammable or combustible waste materials.</p>	Project Proponent	Throughout landfill operations.	Monitoring Agency: CIWMB, Cal/OSHA, LAFD and City LEA Enforcement Agency: CIWMB, Cal/OSHA, and LAFD
<p>In compliance with CCR, Title 8, § 3314, lockout/blockout procedures shall be implemented at the proposed project. Machinery or equipment capable of movement shall be stopped and the power source deenergized or disengaged; if necessary, the movable parts shall be mechanically blocked or locked out to prevent inadvertent movement during cleaning, servicing, or adjusting operations. If the machinery or equipment must be capable of movement during this period in order to perform the specific task, the designated station manager or supervisor shall minimize the hazard of movement by providing and requiring the use of extension tools or other methods to protect employees from injury. Prime movers, equipment, or power-driven machines equipped with lockable controls or readily adaptable to lockable controls shall be locked out or positively sealed in the "off" position during repair work and setting-up operations. The operator shall provide a sufficient number of accident prevention signs or tags and padlocks, seals or other similarly effective means to safely conduct repairs.</p>	Project Proponent	Throughout landfill operations.	Monitoring Agency: CIWMB, Cal/OSHA, and City LEA Enforcement Agency: CIWMB and Cal/OSHA
<p>3. Personal protective equipment shall be provided to all operations employees and will include hard hats, heavy gloves, ear plugs, dust masks, safety boots, goggles, and</p>	Project Proponent	Throughout landfill operations.	Monitoring Agency: CIWMB and Cal/OSHA, and City LEA

Mitigation Measures	Mitigation Compliance Responsibility	Monitoring Phase	Monitoring Agency/Enforcement Agency
<p>safety vests.</p>			<p>Enforcement Agency: CIWMB, CalOESHA, and City LEA</p>
<p>The landfill operator shall comply with all applicable safety ordinances contained in the City of Los Angeles Municipal Code.</p>	Project Proponent	Throughout landfill operations.	<p>Monitoring Agency: City B&amp;S, LAPD, and City LEA Enforcement Agency: City B&amp;S, LAPD, and City LEA</p>
<p>The landfill operator shall maintain perimeter fencing in and around the site in accordance with CCR, Title 14, § 17658 to discourage illegal entry to the landfill. Where existing topography conditions create an effective barrier, no perimeter fencing shall be installed. Entrance and access gates shall remain locked when the landfill facility is not in operation. All existing perimeter fencing shall be inspected on a routine basis by the landfill operator, and necessary repairs shall be made to ensure a continued deterrent for unauthorized entry to the project site. Additionally, the landfill operator shall maintain posted "no trespassing" signage at the exterior perimeter fencing nearest the project site entrance.</p>	Project Proponent	Throughout landfill operations.	<p>Monitoring Agency: City B&amp;S, LAPD, and City LEA Enforcement Agency: City B&amp;S, LAPD, and City LEA</p>
<p>All landfill equipment shall be properly maintained and operated to minimize the health and safety impacts on landfill personnel and the public. Standby equipment including water trucks shall be made available during periods of vehicle maintenance or breakdown.</p>	Project Proponent	Throughout landfill operations.	<p>Monitoring Agency: SCAQMD, CIWMB, and City LEA Enforcement Agency: SCAQMD, CIWMB, and City LEA</p>
<p><b>Human Health</b> A citizen's advisory committee shall be established, if deemed necessary by the City Council or Planning Commission through a project condition, to address area resident health concerns about the existing inactive and proposed City/County Landfill Project. The committee's mandate shall include discussions with appropriate technical experts and regulatory agencies responsible for the on- and offsite monitoring activities at the project site. The advisory committee would be responsible for presenting information, and discussions of these regulatory agency members back to area residents through planned informational meetings.</p>	Project Proponent	Throughout landfill operations.	<p>Monitoring Agency: City Planning Dept. Enforcement Agency: City Planning Dept.</p>
<p><b>Risk of Explosion</b> <u>Fill Gas and Collection System</u> Onsite structures shall be continuously monitored for the presence of unsafe levels of methane gas.</p>	Project Proponent	Throughout landfill operations.	<p>Monitoring Agency: CIWMB, SCAQMD, LAPD, and City LEA Enforcement Agency: CIWMB, SCAQMD, LAPD, and City LEA</p>
<p>If necessary, the landfill operator shall install electrical (e.g., battery backup) combustible gas detectors in habitable structures. Employees shall be trained in all applicable safety requirements to prevent any upset conditions from occurring.</p>	Project Proponent	Throughout landfill operations.	<p>Monitoring Agency: CIWMB, SCAQMD, and City LEA Enforcement Agency: CIWMB, SCAQMD, and City LEA</p>
<p>Risks associated with the gas collection and flaring system shall be mitigated through use of flexible piping, flame arrestors, sensors, and automatic shutoff controls. Any new flare stations shall have safety shutdown devices designed and installed into the flare station, including a telephone auto-dialer, to provide emergency notification. All gas extraction equipment, including gas condensate and propane tanks, shall be adequately secured to prevent damage during a seismic event. Inspections of the gas collection and flaring system shall be performed after ground shaking from an earthquake, and necessary action shall be taken to correct any potential problems. All condensate treatment that takes place on site shall observe the 500 foot setback from the M3 property line.</p>	Project Proponent	Throughout landfill operations.	<p>Monitoring Agency: CIWMB, SCAQMD, and City LEA Enforcement Agency: CIWMB and SCAQMD</p>

Mitigation Measures	Mitigation Compliance Responsibility	Monitoring Phase	Monitoring Agency/Enforcement Agency
<p><u>Isolated Well Sites</u></p> <p>Equipment operators involved in excavation shall be made cognizant of the potential presence of existing unrecorded, subsurface wellheads. If a wellhead (or other unidentifiable obstruction) is encountered during construction all excavation activities shall cease. The area will be cordoned off, and the landfill supervisor shall be called to determine whether the obstruction is an abandoned wellhead.</p>	Project Proponent	Throughout landfill operations.	Monitoring Agency: SCAQMD Enforcement Agency: SCAQMD
<p>A portable explosive gas detection device shall be utilized to determine whether the obstruction is a wellhead that may be leaking natural gas. If this is the case, all personnel shall be evacuated within a 500-foot radius and a representative from the California Department of Conservation, Division of Oil, Gas, and Geothermal Resources shall be notified. Excavation activities shall cease until further instruction from Division of Oil, Gas, and Geothermal Resources is received. If gas is not detected, a backhoe or similar type of equipment shall be brought in to further expose the obstruction. If necessary, proper abandonment procedures will be utilized following Division of Oil, Gas, and Geothermal Resources protocol.</p>	Project Proponent	Throughout landfill operations.	Monitoring Agency: Cal. Dept. of Conservation, Division of Oil, Gas, and Geothermal Resources SCAQMD Enforcement Agency: SCAQMD
<p><u>Trenches and Excavations</u></p> <p>A portable explosive gas detection device shall be utilized in trenches and excavations to determine the presence of methane gases. If unsafe concentrations of gas exist, all employees would be immediately removed from the area of unsafe gas concentration. The safety monitor would be responsible for ensuring that appropriate worker safety equipment is operable, as well as worker education and instruction correctly implemented, to prevent the potential for methane gas explosions.</p>	Project Proponent	Throughout landfill operations.	Monitoring Agency: Cal. Dept. of Oil and Gas, SCAQMD and City LEA Enforcement Agency: SCAQMD and Cal/OSHA
<p><b>7 Airport Safety (Bird Strikes)</b></p> <p>In accordance with CCR § 17258.10 and 40 CFR Section 258.10, the project proponent will notify Whiteman Air Park and the FAA of the proposed project and projected startup date.</p>	Project Proponent	Before project construction.	Monitoring Agency: City LEA and FAA Enforcement Agency: City LEA and FAA
<p><b>8 Electromagnetic Fields</b></p> <p>Mitigation measures would be required.</p>			
<p><b>9 POPULATION</b></p> <p>Mitigation measures would be required.</p>			
<p><b>10 HOUSING</b></p> <p>Mitigation measures would be required.</p>			
<p><b>12 RIGHT-OF-WAY AND ACCESS</b></p> <p>Mitigation measures would be required.</p>			
<p><b>13 TRANSPORTATION AND CIRCULATION</b></p> <p><b>13.1 Traffic</b></p> <p>For those intersections where project-related traffic volumes are expected to create poor operating conditions and/or significantly impact the operating conditions of the study area intersections, mitigation is designed to improve and/or change the existing intersection geometry, thereby, increasing existing intersection capacity. Capacity improvements shall include roadway widening, roadway resurfacing, reconfiguring</p>	Project Proponent	Prior to commencement of landfill development.	Monitoring Agency: LADOT Enforcement Agency: LADOT

Mitigation Measures	Mitigation Compliance Responsibility	Monitoring Phase	Monitoring Agency/Enforcement Agency
<p>roadways, or providing additional lanes to various approaches of a key intersection.</p> <p><u>Roxford Street at the I-5 Freeway, (SB ramp)</u> Restripe westbound approach on Roxford Street to provide dual left-turn lanes and one through lane.</p> <p><u>Roxford Street at the Encinitas/I-5 Freeway (NB ramp)</u> Restripe northbound approach on Encinitas Avenue to provide left-turn lane, shared through/left-turn lane, and shared through/right-turn lane.</p> <p><u>San Fernando Road at Balboa Boulevard</u> This key intersection features two through lanes in each direction on San Fernando Road and two northbound approach lanes, striped as an exclusive left-turn lane and an option left-right turn lane, are provided on Balboa Connector. A separate westbound left-turn lane as well as protected left-turn phasing is provided. Existing pavement widths and physical constraints (i.e., hillside encroachment) do not allow for any physical improvements, such as providing an exclusive eastbound right-turn lane on San Fernando Road for heavy existing and anticipated right-turn volumes.</p> <p>Contribute to the design, construction, and operation of the Northeast Valley Automated Traffic Surveillance and Control (ATSAC) system for this intersection. The current cost of ATSAC for the Northeast Valley System is \$79,000 per intersection. The contribution to ATSAC shall be made prior to the start of construction for this ATSAC system, which is scheduled for the year 2003.</p> <p><u>San Fernando Road at Sierra Highway</u> Restripe northbound approach on San Fernando Road to provide a shared through/right turn lane and exclusive right-turn lane and restripe the westbound approach of Sierra Highway for a 12-foot-wide curb lane.</p> <p><u>San Fernando Road at Project Driveway</u> Install a new traffic signal at San Fernando Road/Project Driveway and widen and restripe the northbound approach of San Fernando Road at Project Driveway to provide a left-turn lane and through lane. Also contribute to the design, construction, and operation of the Northeast Valley ATSAC system for this intersection. The current cost of ATSAC for the Northeast Valley System is \$79,000 per intersection. The contribution to ATSAC shall be completed prior to the start of construction for this ATSAC system, which is scheduled for the year 2003.</p> <p>The required street improvements and signal modifications shall be guaranteed before the issuance of any building permit for this project through the B-permit process of the Bureau of Engineering, Department of Public Works, and the encroachment permit process of Caltrans (where applicable). Construction of the improvements to the satisfaction of LADOT, the Bureau of Engineering, and Caltrans (where applicable) must be completed before issuance of any certificate of occupancy. Prior to setting the bond amount, the Bureau of Engineering shall require that the developer's engineer or contractor contact LADOT's B-Permit Coordinator, telephone (213) 580-5336, to arrange a pre-design meeting to finalize the proposed geometric and traffic signal designs for the project.</p>			

Mitigation Measures	Mitigation Compliance Responsibility	Monitoring Phase	Monitoring Agency/Enforcement Agency
13.2 Los Angeles County Congestion Management Program mitigation measures would be required.			
13.3 Construction-Related Traffic mitigation measures would be required.			
13.4 Parking and Safety Concerns 13. Prior to issuance of any certificate of occupancy for the project, install a new traffic signal at San Fernando Road/Project Drive and widen and resurface the northbound approach of San Fernando Road at Project Drive to provide a left-turn lane and through lane. Also contribute to the design, construction, and operation of the Northeast Valley ATSSAC system for this intersection. The current cost of ATSSAC for the Northeast Valley ATSSAC system is \$79,000 per intersection. The contribution to ATSSAC would be completed prior to the start of construction for this ATSSAC system, which is scheduled for the year 2003.	Project Proponent	Prior to commencement of landfill development.	Monitoring Agency: LADOT Enforcement Agency: LADOT
13.5 Access Road in Sunshine Canyon mitigation measures would be required.			
13.6 Public Transportation mitigation measures would be required.			
13.7 Light Rail mitigation measures would be required.			
13.8 Bicycle Routes 44. The following mitigation measure is proposed by the project proponent to address any potential localized impact along the San Fernando Road bicycle lane from increased truck traffic at or near the project site: Signs acceptable to the City shall be posted at or near the entrance to the landfill facility. These signs shall caution the public that heavy truck traffic exists in the area.	Project Proponent	Prior to commencement of landfill development.	Monitoring Agency: LADOT Enforcement Agency: LADOT
1.14 PUBLIC SERVICES 1.14.1 Fire and Emergency Medical Services	Project Proponent	Throughout landfill operations.	Monitoring Agency: CIWMB, LAFD, and City LIA Enforcement Agency: CIWMB, LAFD, and City LIA
145. Onsite water trucks shall provide sufficient water storage and pumping capabilities to extinguish fires. Tracked dozers and scrapers shall be utilized to smother any onsite fires. Easily accessible soil stockpile areas for daily cover shall be used by landfill personnel to smother onsite fires.	Project Proponent	Throughout landfill operations.	Monitoring Agency: CIWMB, LAFD, and City LIA Enforcement Agency: CIWMB and LAFD
146. Definitive plans and specifications shall be submitted to the LAFD and requirements for necessary permits satisfied prior to commencement of landfill development.	Project Proponent	Throughout landfill operations.	Monitoring Agency: CIWMB, LAFD, and City LIA Enforcement Agency: CIWMB, LAFD, and City LIA
147. The project proponent shall maintain and expand existing onsite fire response capabilities by using heavy operating equipment and readily available fire-extinguishing equipment. A 200-foot long, 1 1/2-inch-diameter fire hose shall be available on water trucks for firefighting at the landfill working face area. If necessary, earth moving equipment shall be used to control fires by smothering fires with dirt.	Project Proponent	Throughout landfill operations.	Monitoring Agency: CIWMB, LAFD, and City LIA Enforcement Agency: CIWMB, LAFD, and City LIA
148. Hydrants shall be installed in conformance with LAFD requirements and Los Angeles City Fire Code § 57.09.06.	Project Proponent	Throughout landfill operations.	Monitoring Agency: CIWMB, LAFD, and City LIA Enforcement Agency: CIWMB and LAFD

Mitigation Measures	Mitigation Compliance Responsibility	Monitoring Phase	Monitoring Agency/Enforcement Agency
New construction and placement of water tanks, water mains, and fire hydrants shall be completed prior to landfilling operations and shall meet final fire flow requirements determined by the LAFD.	Project Proponent	Throughout landfill operations.	Monitoring Agency: CIWMB, LAFD, and City IEA Enforcement Agency: CIWMB and LAFD
The project proponent shall maintain brush clearance within 100 feet of landfill operations and structures as specified in the Los Angeles City Fire Code § 57.21.07 and 57.25.01. Fire-resistant native plants shall be maintained free of combustible litter (i.e., partly decayed/organic matter). These plants shall be used without restriction within this brush clearance zone.	Project Proponent	Throughout landfill operations.	Monitoring Agency: CIWMB, LAFD, and City IEA Enforcement Agency: CIWMB and LAFD
Fire breaks, roads, and fire trails shall be maintained by the project proponent in accordance with the Los Angeles City Fire Code § 57.09.04 and 57.25.03.	Project Proponent	Throughout landfill operations.	Monitoring Agency: CIWMB and LAFD Enforcement Agency: CIWMB and LAFD
No building or portion of a building shall be constructed more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.	Project Proponent	Throughout landfill operations.	Monitoring Agency: CIWMB, LAFD, City BOE, and City B&S Enforcement Agency: CIWMB, LAFD, City BOE, and City B&S
Any person owning or having control of any facility, structure, or group of structures on the premises shall provide and maintain LAFD access.	Project Proponent	Throughout landfill operations.	Monitoring Agency: CIWMB, LAFD, City BOE, and City B&S Enforcement Agency: CIWMB, LAFD, City BOE, and City B&S
Access for LAFD apparatus and personnel to and into all structures shall be required.	Project Proponent	Throughout landfill operations.	Monitoring Agency: CIWMB, LAFD, City BOE, and City B&S Enforcement Agency: LAFD, City BOE, and City B&S
Construction of the realigned access roadway shall not exceed 15 percent in grade. An access road shall be constructed and maintained around the working area of the landfill for emergency access for fire fighting equipment.	Project Proponent	Throughout landfill operations.	Monitoring Agency: CIWMB, City BOE, City B&S, and City IEA Enforcement Agency: CIWMB, City BOE, City B&S
The project proponent shall temporarily close the landfill if a fire of regional significance is located near the project area and poses an imminent threat to the safety of landfill employees.	Project Proponent	Throughout landfill operations.	Monitoring Agency: CIWMB, LAFD, and City IEA Enforcement Agency: CIWMB, LAFD, and City IEA
A detailed fire response plan shall be prepared by the project proponent that incorporates LAFD requirements.	Project Proponent	Throughout landfill operations.	Monitoring Agency: CIWMB, LAFD, and City IEA Enforcement Agency: CIWMB and LAFD
Fire extinguishers shall be maintained in all heavy equipment, onsite work vehicles, and all structures as required by the Los Angeles LAFD.	Project Proponent	Throughout landfill operations.	Monitoring Agency: CIWMB, LAFD, and City IEA Enforcement Agency: CIWMB and LAFD
Signs shall be posted onsite and in a manner approved by the City Fire Chief prohibiting open burning within the project area, as specified under City of Los Angeles Fire Code, § 57.25.02.	Project Proponent	Throughout landfill operations.	Monitoring Agency: CIWMB, LAFD, and City IEA Enforcement Agency: CIWMB and LAFD
All internal combustion engines used in landfilling operations shall be equipped with spark arresters.	Project Proponent	Throughout landfill operations.	Monitoring Agency: CIWMB and LAFD Enforcement Agency: CIWMB and LAFD
Landfill equipment shall be cleaned regularly to reduce the potential for equipment fires.	Project Proponent	Throughout landfill operations.	Monitoring Agency: CIWMB, LAFD, and City IEA Enforcement Agency: CIWMB, LAFD, and City IEA
Vehicle and mechanical inspections shall be performed on a regular basis, and focus on the electrical system, hydraulic, and fuel lines.	Project Proponent	Throughout landfill operations.	Monitoring Agency: CIWMB and LAFD Enforcement Agency: CIWMB and LAFD
The project proponent shall provide fire control in compliance with CCR, Title 14, Division 7, Chapter 7.6, § 17741 (Burning Wastes). If burning waste is received at the land it shall be deposited in a safe, isolated area of the landfill	Project Proponent	Throughout landfill operations.	Monitoring Agency: CIWMB, LAFD, and City IEA Enforcement Agency: CIWMB, LAFD, and City IEA

Mitigation Measures	Mitigation Compliance Responsibility	Monitoring Phase	Monitoring Agency/Enforcement Agency
<p>and extinguished. If burning waste has been deposited at the working face area, it shall immediately be excavated, spread, and extinguished.</p> <p>14. In the event the project proponent detects settlement or venting of smoke, the City LEA shall be contacted. The project proponent under the direction of the City LEA shall undertake appropriate measures to identify the location of the subsurface fire and implement the appropriate fire control techniques to assure the fire has been extinguished.</p>	Project Proponent	Throughout landfill operations.	Monitoring Agency: CIWMB, LAIFD, and City LEA Enforcement Agency: CIWMB, LAIFD, and City LEA
<p>14.2 Police</p> <p>no mitigation measures would be required.</p>			
<p>14.3 Schools</p> <p>15. Prior to the issuance of an occupancy permit, the project proponent shall submit proof to the City's Department of Building and Safety that all applicable school impact fees have been paid.</p>	Project Proponent	Prior to landfill development.	Monitoring Agency: LAUSD Enforcement Agency: LAUSD
<p>14.4 Parks and Recreational Resources</p> <p>no significant impact on park and recreational resources are anticipated, and no mitigation measures are required. Refer to the following mitigation measures included within this Draft EIR: Section 4.2.11, Air Quality-Construction; Section 4.2.12, Air Quality-Operations; Section 4.9.3, Litter; and Section 4.18, Aesthetics/Views.</p>			
<p>14.5 Hiking and Equestrian Trails</p> <p>no significant environmental impact on hiking and equestrian trails is anticipated; therefore, no mitigation measures are required. Refer to the following mitigation measures included within this Draft SEIR: Section 4.2.11, Air Quality-Construction; Section 4.2.12, Air Quality-Operations; Section 4.9.3, Litter; and Section 4.18, Aesthetics/Views.</p>			
<p>14.6 Libraries</p> <p>The topical issue of libraries was determined not to be significant in the Initial Study and Checklist dated July 25, 1991.</p>			
<p>14.15 ENERGY CONSERVATION</p> <p>There will not be any significant impacts on energy resources as a result of project development; therefore, no mitigation measures are required. Specific energy conservation mitigation measures for the proposed implementation and development of onsite buildings and ancillary facilities are provided in Section 4.16.1, Electricity.</p>			
<p>14.16 UTILITIES</p> <p>14.16.1 Electricity</p> <p>166. The project proponent shall incorporate measures that will exceed minimum efficiency standards for Title 24 of the CCR.</p>	Project Proponent	Before project occupancy of the buildings.	Monitoring Agency: City B&S and DWP Enforcement Agency: City B&S and DWP
<p>167. Built-in appliances, refrigerators, and air conditioning equipment shall exceed the minimum efficiency standards for Title 24 of the CCR.</p>	Project Proponent	Before project occupancy of the buildings.	Monitoring Agency: City B&S and DWP Enforcement Agency: City B&S and DWP
<p>168. Buildings shall be well sealed to prevent outside air from infiltrating and increasing interior air conditioning and space heating loads. A performance check of the installed</p>	Project Proponent	Before project occupancy of the buildings.	Monitoring Agency: City B&S and DWP Enforcement Agency: City B&S and DWP

Mitigation Measures	Mitigation Compliance Responsibility	Monitoring Phase	Monitoring Agency/Enforcement Agency
<p>air conditioning and space heating systems shall be completed by the project proponent prior to the issuance of the certificate of occupancy to ensure the system properly operates.</p>			
<p>9. Thermal insulation that exceeds requirements established by the CCR shall be installed in walls and ceilings.</p>	Project Proponent	Before project occupancy of the buildings.	Monitoring Agency: City B&S and DWP Enforcement Agency: City B&S and DWP
<p>0. Window systems shall be designed to reduce thermal gain and loss, thus reducing cooling loads during warm weather and heating loads during cool weather.</p>	Project Proponent	Before project occupancy of the buildings.	Monitoring Agency: City B&S and DWP Enforcement Agency: City B&S and DWP
<p>1. Heat-reflective draperies shall be installed on appropriate exposures.</p>	Project Proponent	Before project occupancy of the buildings.	Monitoring Agency: City B&S and DWP Enforcement Agency: City B&S and DWP
<p>2. Fluorescent and high-intensity-discharge lamps, which give the highest light output per watt of electricity consumed, shall be installed wherever possible, including all parking lot and site lighting to reduce electricity consumption.</p>	Project Proponent	Before project occupancy of the buildings.	Monitoring Agency: City B&S and DWP Enforcement Agency: City B&S and DWP
<p>3. Occupant-controlled light switches and thermostats shall be installed to permit individual adjustment of lighting, heating, and cooling to avoid unnecessary energy consumption.</p>	Project Proponent	Before project occupancy of the buildings.	Monitoring Agency: City B&S and DWP Enforcement Agency: City B&S and DWP
<p>4. Time-controlled interior and exterior public area lighting limited to that necessary for safety and security shall be installed.</p>	Project Proponent	Before project occupancy of the buildings.	Monitoring Agency: City B&S and DWP Enforcement Agency: City B&S and DWP
<p>16.2 Natural Gas o mitigation measures would be required.</p>			
<p>16.3 Communication Systems o mitigation measures would be required.</p>			
<p>16.4 Water</p>			
<p>15. The project proponent shall coordinate with DWP in advance to efficiently obtain potable water for delivery to the construction site and to meet any restrictions imposed.</p>	Project Proponent	Throughout landfill operations.	Monitoring Agency: DWP Enforcement Agency: DWP
<p>16. When reclaimed water lines are extended into the project area, and if economically feasible, reclaimed water would be utilized onsite for irrigation and dust suppression. Prior to the submittal of design plans to the City's Building and Safety Department, the project proponent shall investigate the possibility of utilizing reclaimed water at the project site.</p>	Project Proponent	Throughout landfill operations.	Monitoring Agency: DWP Enforcement Agency: DWP
<p>17. During the site life of the landfill and ancillary facilities, the landfill operator shall effectively utilize water conservation measures at the project site. These measures shall include the following: The project proponent shall install an efficient drip irrigation system that minimizes runoff and evaporation, and provides water distribution in an efficient manner. A dust suppression additive shall be utilized onsite to minimize water usage. Green waste/wood waste (after grinding) will be used onsite as mulch material for revegetation purposes. Mulch shall be applied on the top layers of revegetation areas to improve the water-holding capacity of the soil. Onsite revegetation shall include the use of water-conserving plant materials to the greatest extent possible.</p>	Project Proponent	Throughout landfill operations.	Monitoring Agency: DWP Enforcement Agency: DWP

Mitigation Measures	Mitigation Compliance Responsibility	Monitoring Phase	Monitoring Agency/Enforcement Agency
<p>1.16.5 Sewers</p> <p>No mitigation measures would be required.</p>			
<p>1.16.6 Stormwater Drainage</p> <p>No mitigation measures would be required.</p>			
<p>4.16.7 Solid Waste</p> <p>No mitigation measures would be required.</p>			
<p>4.17 SAFETY</p> <p>Refer to Section 4.9.4, Employee Safety and Site Security, within this table.</p>			
<p>4.18 AESTHETICS/VIEWS</p> <p>178. The maximum permitted elevations for the landfill shall not be allowed to be exceeded at any time during landfill development and shall be verified through survey control points.</p>	Project Proponent	Throughout landfill operations.	Monitoring Agency: CIWMB and City LEA Enforcement Agency: CIWMB and City LEA
<p>179. The cover-material excavation areas shall be confined as much as possible to areas that will later be landfilled.</p>	Project Proponent	Throughout landfill operations.	Monitoring Agency: CIWMB and City LEA Enforcement Agency: CIWMB and City LEA
<p>180. As part of revegetation efforts for the landfill, the upper ridges of the canyon shall be planted with native species (both trees and shrubs) to supplement existing vegetation on the ridgelines and reestablish naturally bare areas.</p>	Project Proponent	Throughout landfill operations.	Monitoring Agency: CIWMB and City Planning Dept. Enforcement Agency: CIWMB and City Planning Dept
<p>181. The final cover of landfilled areas shall be landscaped with a ground cover mix and plant species that are compatible with the immediate area and shall be maintained in a natural setting until it is converted to its final use.</p>	Project Proponent	Throughout landfill operations.	Monitoring Agency: CIWMB, City Planning Dept., and City LEA Enforcement Agency: CIWMB and City Planning Dept.
<p>182. The 100± acre open space buffer zone on the southern boundary of the project site shall continue to be maintained and enhanced with both native and nonnative vegetation.</p>	Project Proponent	Throughout landfill operations.	Monitoring Agency: CIWMB and City Planning Dept. Enforcement Agency: CIWMB and City Planning Dept
<p>4.19 CULTURAL/SCIENTIFIC RESOURCES</p> <p>4.19.1 Archaeological</p>			
<p>183. Prior to the commencement of initial earth excavation, specific sections of the project area shall be resurveyed as a precautionary measure to minimize potential loss of undiscovered archaeological resources. Specific areas within the project site to be resurveyed shall be determined by the intended cut-and-fill areas proposed for landfill development. As new areas for excavation are identified, an evaluation of those areas shall be made based on the prior survey results and consultation with appropriate technical specialists. Factors to be considered for delineation of areas to be resurveyed will be known site selection factors associated with aboriginal groups suspected of having inhabited the general area. These factors include proximity to water, the type of vegetation (e.g., food source, shelter, and fuel), and the topography (e.g., slope and aspect).</p>	Project Proponent	Prior to landfill construction and excavation.	Monitoring Agency: City Planning Dept. Enforcement Agency: City Planning Dept.
<p>184. An archaeologist shall be present onsite during major infrastructure work which requires significant surface disturbance.</p>	Project Proponent	Prior to landfill construction and excavation.	Monitoring Agency: City Planning Dept Enforcement Agency: City Planning Dept.
<p>185. The landfill operator shall instruct landfill equipment operators how to identify archaeological resources and upon discovery of such findings immediately report the location of the site to their supervisor. If any evidence of aboriginal habitation is</p>	Project Proponent	Prior to landfill construction and excavation.	Monitoring Agency: City Planning Dept Enforcement Agency: City Planning Dept

Mitigation Measures	Mitigation Compliance Responsibility	Monitoring Phase	Monitoring Agency/Enforcement Agency
<p>iscovered during earthmoving activities, landfill operations will cease in that particular location until a qualified archaeologist has made a determination as to the significance of the site or findings. Any significant archaeological resources shall be recovered to the extent practicable prior to resuming activities in that area of the landfill.</p>			
<p>Archaeological resources recovered during surface collection, subsurface excavations, and monitoring, with related records, notes, and technical reports shall be curated at a regional repository approved by the City.</p>	Project Proponent	Prior to landfill construction and excavation.	Monitoring Agency: City Planning Dept. Enforcement Agency: City Planning Dept.
<p><b>Paleontological Resources</b></p> <p>Prior to the commencement of initial earth excavation, specific sections of the City/County Landfill Project area shall be resurveyed as a precautionary measure to minimize potential loss of undiscovered paleontological resources. Specific sections of the project area to be resurveyed shall be as determined by the intended cut-and-fill areas proposed for landfill development. As new areas for excavation are identified by the project proponent, an evaluation of those areas shall be made based on the prior survey results and consultation with appropriate technical specialists.</p>	Project Proponent	Prior to landfill construction and excavation.	Monitoring Agency: City Planning Dept. Enforcement Agency: City Planning Dept.
<p>A paleontologist shall be onsite during major infrastructure work that requires significant excavation. In the event that paleontological resources are discovered during grading or excavation, the paleontologist shall be allowed to redirect grading away from the area of exposed fossils to allow sufficient time for inspection, evaluation, and recovery.</p>	Project Proponent	Prior to landfill construction and excavation.	Monitoring Agency: City Planning Dept. Enforcement Agency: City Planning Dept.
<p>The landfill operator shall instruct landfill equipment operators how to identify paleontological resources and upon discovery of such findings immediately report the location of the site to their supervisor. If any evidence of paleontological resources is discovered during earthmoving activities, landfill operations shall cease in that particular location until a qualified paleontologist has made a determination as to the significance of the findings.</p>	Project Proponent	Prior to landfill construction and excavation.	Monitoring Agency: City Planning Dept. Enforcement Agency: City Planning Dept.
<p>Any significant paleontological resources shall be recovered to the extent practicable. Due to the potential for rapid deterioration of exposed surface fossils, preservation by avoidance is not an appropriate measure. When fossils cannot be removed immediately, the site shall be stabilized to prevent further deterioration prior to data recovery or the fossil location as directed by a professional paleontologist.</p>	Project Proponent	Prior to landfill construction and excavation.	Monitoring Agency: City Planning Dept. Enforcement Agency: City Planning Dept.
<p>The paleontologist shall be retained to perform inspection of the excavation and salvage exposed fossils. Collected fossils shall be curated at a public institution with an educational/research interest in the material. Any curatorial expenses shall be borne by the landfill operator.</p>	Project Proponent	Prior to landfill construction and excavation.	Monitoring Agency: City Planning Dept. Enforcement Agency: City Planning Dept.
<p><b>3 Historical</b></p> <p>significant impacts on historical resources were identified; therefore, no mitigation measures are proposed.</p>			

**CONDITIONAL USE PERMIT (CUP)**

**COUNTY EXTENSION  
(CUP # 00-194-(5))**



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County Counsel

January 29, 2007

Agenda No. 68  
06/07/06

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, California 90012

**Re: CONDITIONAL USE PERMIT NUMBER 00-194-(5)  
FIFTH SUPERVISORIAL DISTRICT/THREE-VOTE MATTER**

Dear Supervisors:

Your Board previously conducted a public hearing on the appeal by Browning-Ferris Industries ("BFI") of the Regional Planning Commission's ("Commission") denial of the above-referenced conditional use permit ("CUP"). The requested CUP would modify the previously approved County conditional use permit for BFI's operation of the Sunshine Canyon Landfill.

The Sunshine Canyon Landfill is located in both the County and the City of Los Angeles ("City"), and BFI has also obtained entitlements from the City to conduct landfill operations in the City. The requested CUP will generally harmonize the respective City and County permits, and will also authorize BFI to operate an anticipated combined City/County landfill in the future.

At the conclusion of your hearing, your Board indicated its intent to grant BFI's appeal and approve the new CUP, subject to revised conditions, and instructed us to prepare the appropriate findings and conditions for approval. Your Board instructed that revised conditions be prepared which address: 1) a closure date for the Landfill; 2) the use of alternative fuel trucks at the landfill; 3) requirements for the landfill liner; 4) limitations on the number of days that waste overages are allowed; and 4) the required radius for BFI to remove wind-blown trash (which is based upon the results of an analysis that your Board directed the Department of Regional Planning to undertake).

HOA.411231.3

The Honorable Board of Supervisors

January 29, 2007

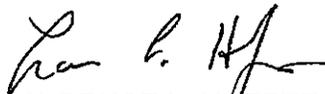
Page 2

Your Board also directed that the proposed project conditions be revised to incorporate provisions from the City permit for Sunshine Canyon where such provisions are more restrictive and would result in greater protection for the surrounding community. The enclosure to this letter discusses the manner in which County staff's proposed conditions have been modified and new conditions added in order to implement this "more restrictive condition" requirement.

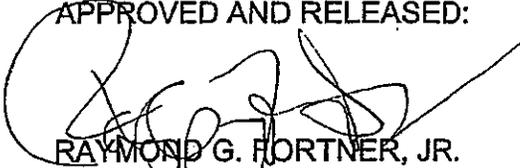
The enclosed findings and conditions are now presented to your Board for your consideration and possible adoption. The Department of Regional Planning will be providing the final environmental documentation to your Board under separate cover.

Very truly yours,

RAYMOND G. FORTNER, JR.  
County Counsel

By   
LAWRENCE L. HAFETZ  
Principal Deputy County Counsel  
Property Division

APPROVED AND RELEASED:

  
RAYMOND G. FORTNER, JR.  
County Counsel

LLH:di

Enclosures

## ATTACHMENT

In accordance with your Board's motion, the proposed conditions for Conditional Use Permit Number 00-194-(5) include the following revised/new provisions derived from the City of Los Angeles permit for the Sunshine Canyon Landfill based upon a determination by staff from the Departments of Regional Planning and Public Works, that such provisions would result in greater protection to the surrounding community than provisions originally proposed by County staff.

1. Condition No. 1LL - Definition of "Landfill" (revised). To be consistent with the City permit, the definition of "Landfill" in the County permit has been modified to prohibit the allowance of settlement to determine the final elevations or contours of the Landfill;
2. Condition No. 17(E) (new). Consistent with the City permit, a condition has been added to the County permit to require BFI to contact the Department of Parks and the Santa Monica Mountains Conservancy at the end of the post-closure maintenance period to determine if either agency would be interested in accepting the Landfill for parkland purposes;
3. Condition No. 19 (revised). Regarding possible expansion efforts by BFI, the first paragraph of Condition No. 19 originally provided that the conditions of approval do not prohibit BFI from applying for any new permit to expand the Facility or otherwise modify the conditions of the grant. To be consistent with the City permit, that provision has been deleted and replaced with a provision prohibiting BFI from seeking approval of any additional expansion of the Landfill in the County pending the establishment of a joint powers agreement with the City to operate the Landfill;
4. Condition No. 23(D) (revised). Regarding waste usage, County staff originally proposed requiring BFI to use all waste received and processed at the Landfill as an alternative to daily intermediate and final cover to the extent technically feasible. To be consistent with the City permit, this requirement has been revised to prohibit BFI from using contaminated soil or other specified materials for alternative cover material;
5. Condition No. 29 (revised). Regarding hours of operation, County staff originally proposed allowing the Landfill to conduct site preparation and maintenance activities one hour before the Landfill scales open at 6:00 a.m. The City permit does not allow these activities before the scales open. Accordingly, this allowance has been removed from the County permit;
6. Condition No. 49 (revised). Regarding community complaints, County staff originally proposed requiring BFI to maintain on-site staff to respond to community complaints. To be consistent with the City permit, this condition has been enhanced to also require BFI to maintain a hotline/emergency log to record these complaints and to record BFI's response;

7. Condition No. 78 (new). Consistent with the City permit, a condition has been added to the County permit to prohibit BFI from accepting waste that originates outside of Los Angeles County;
8. Condition No. 79 (new). Consistent with the City permit, a condition has been added to the County permit to require BFI to prepare and distribute a quarterly newsletter to interested parties addressing various activities at the Landfill for the quarter. In addition, this new condition requires BFI to notify all parties, including the Community Advisory Committee and the Granada Hills North Neighborhood Council, of all operational changes at the Landfill that were not fully evaluated in the environmental documentation for the project, and to allow these parties to comment on and request hearings regarding these operational changes;
9. Condition No. 80 (new). Consistent with the City permit, a condition has been added to the County permit to require BFI to remove graffiti at the Landfill and to establish a graffiti deterrent program;
10. Condition No. 81 (new). Consistent with the City permit, a condition has been added to the County permit to require BFI to conduct air quality monitoring at the Landfill and to retain an independent air quality consultant for that purpose. If the consultant's test results show that the air quality near the Landfill is inconsistent with the supporting environmental documentation for the City project, BFI will be required to develop a corrective action plan to reduce air quality impacts at the Landfill;
11. Condition No. 82 (new). Consistent with the City permit, a condition has been added to the County permit to require BFI to install video monitoring equipment at the Landfill to monitor the Landfill's operations and to ensure compliance with the permit conditions;
12. Condition No. 84 (new). Consistent with the City permit, a condition has been added to the County permit to require BFI to provide a back-up generator at the Landfill for emergency use in case of prolonged power outages at the Landfill; and
13. Part XII(E) of the Implementation and Monitoring Program ("IMP") (new). Consistent with the City permit, a condition has been added to the IMP to require the Technical Advisory Committee, at BFI's expense, to retain an independent consultant for at least five years to monitor BFI's compliance with the conditions and mitigation measures of the grant.

**FINDINGS OF THE BOARD OF SUPERVISORS  
AND ORDER  
CONDITIONAL USE PERMIT NUMBER 00-194-(5)**

1. The Los Angeles County ("County") Board of Supervisors ("Board") conducted a duly-noticed public hearing on proposed Conditional Use Permit 00-194-(5) ("Replacement CUP") on June 7, 2006. The hearing was an appeal by the applicant, Browning-Ferris Industries of California, Inc. ("BFI"), pursuant to Section 22.60.200, et seq., of the Los Angeles County Code ("County Code"), to challenge the December 21, 2005, final action of the Los Angeles County Regional Planning Commission ("Commission") which denied the Replacement CUP. The Commission's public hearing, continued over several dates, was held on December 1, 2004, January 12, 2005, April 6, 2005, August 10, 2005, and November 3, 2005. The Commission also conducted a site visit of the subject property on March 28, 2005.
2. The applicant is requesting the Replacement CUP to modify and supersede previously approved Conditional Use Permit 86-312-(5) ("Original CUP"), described further below, which authorized the operation of the Sunshine Canyon Landfill, a Class III (non-hazardous) solid waste landfill ("Landfill"). The Landfill crosses the jurisdictional boundary of the County and the City of Los Angeles ("City"). The applicant is the owner/operator of the Landfill.
3. The subject property is located adjacent to and southwest of the interchange between the Golden State ("I-5 Freeway") and Antelope Valley ("14 Freeway") Freeways, near the communities of Sylmar and Granada Hills in the Newhall Zoned District.
4. The overall area of the site is approximately 1,036 acres, approximately 542 acres of which are in unincorporated County territory, and approximately 494 acres of which are in the City.
5. The site is characterized by hilly terrain. The property takes access from San Fernando Road in the City. A paved driveway leads from a gated entry to the Landfill scale house and scales, and then to its administrative facilities and a caretaker house, all located in the County. As Landfill operations proceed, the administrative facilities, caretaker house, and scale house and scales will be relocated to the southeast of the property on the City side of the site, and the driveway will be realigned accordingly.
6. The subject property is zoned A-2-2 (Heavy Agricultural-Two-acre Required Area).
7. The surrounding properties are zoned as follows:  
  
North:           A-2;  
  
South:           [T] [Q] M3-1-0 (Heavy Industrial);

East: A-2; and

West: A-2.

8. Pursuant to the Original CUP, the subject property was developed as an operating Class III (non-hazardous) landfill.
9. The Landfill's surrounding land uses consist of:
  - North: Open Space and the I-5 Freeway;
  - South: Open Space (Bee Canyon - containing 490 acres of permanent open space), gas storage fields, O'Melveny Park, the City landfill, and a 100-acre buffer area, beyond which are single-family homes in Granada Hills;
  - East: City portion of the Landfill and the I-5 and 14 Freeways; and
  - West: Open Space (East Canyon - 426 acres of permanent open space).
10. In 1986, the applicant applied for its original entitlements to operate the Landfill in the County. At the time, landfill operations were occurring on the City side of the site, and the applicant sought to extend landfill capability into County unincorporated territory. Landfill operations in the City ceased in 1991 and were reactivated pursuant to certain City entitlements in 1999, discussed below.
11. The County entitlements requested in 1986 were the Original CUP, Oak Tree Permit 86-312-(5), Compound Plan Amendment 90-2-(5), and Sub-Plan Amendment 86-312-(5).
12. On February 19, 1991, the Board certified the project's Final Environmental Impact Report ("FEIR") pursuant to the California Environmental Quality Act ("CEQA"), and approved the Original CUP, Oak Tree Permit, Compound Plan Amendment, and Sub-Plan Amendment. Following the County approvals, the North Valley Coalition of Concerned Citizens, the community group representing several communities surrounding the Landfill ("North Valley Coalition"), and the City filed a lawsuit challenging the County approvals on CEQA grounds. On April 22, 1992, the County approvals were ordered vacated by the Los Angeles Superior Court pursuant to a Peremptory Writ of Mandate. In response to the Writ, the County prepared an Additional Environmental Analysis to supplement the FEIR. On November 30, 1993, with the additional environmental documentation, the Board re-certified the FEIR, and re-certified and re-approved the project and all of its entitlements.
13. The FEIR addressed the Landfill's environmental impacts with a combined waste capacity of 215 million tons in the County and the City. However, the County approvals authorized significantly less landfill capacity, discussed in paragraphs 15 and 16, below.

14. The County approvals indicated that the Board contemplated the eventual development of a combined City/County landfill, discussed in paragraphs 16 and 17, below. In the approvals, the Board directed the applicant to pursue City land use entitlements for such development.
15. The Original CUP authorized the development of a 215-acre Landfill footprint, with an estimated net airspace waste capacity of 16.9 million tons. The approved average daily waste intake was 6,000 tons, resulting in an approved average weekly waste intake of 36,000 tons based on a six-day week. The 16.9-million ton design was shown on the approved site plan marked Exhibit A.
16. In addition to approving a 16.9-million ton design, the Board also approved an alternate design, shown on the site plan marked Exhibit A Alternate. Exhibit A Alternate depicted a combined City/County landfill, with an estimated waste capacity of 35 million tons on the County side, and a combined waste capacity of 100 million tons. The development of the combined City/County landfill was contingent on the applicant obtaining appropriate entitlements from the City.
17. In connection with the anticipated combined City/County landfill, the Board imposed Condition 10(b) in the Original CUP. Condition 10(b) required the applicant to diligently seek entitlements from the City to allow landfill operations in the City consistent with Exhibit A Alternate. If these City approvals were obtained, Condition 10(b) established the parameters that would allow the applicant to increase its waste capacity on the County side by approximately 18 million tons through the development of a 42-acre "bridge area" adjacent to the City/County boundary without further amendment to the Original CUP. Under Condition 10(b), the applicant could use this bridge area only "as necessary to complete the City authorized design," as set forth in the City entitlements. The applicant had no authorization to use the bridge area unless the terms of Condition 10(b) were satisfied.
18. As of the date of the Replacement CUP application, no agreement between the County and the applicant had been reached regarding whether Condition 10(b) had been satisfied. As a result, the applicant has not been authorized to use the bridge area described in the Original CUP. The Replacement CUP, however, supersedes the Original CUP, and Condition 18 in the Replacement CUP governs the use of the bridge area in a manner consistent with the new permit.
19. The Oak Tree Permit approved with the original County approvals authorized the removal of an estimated 2,850 oak trees from the subject site to allow extension of the Landfill into County area. The conditions of approval included requirements for the replacement of the removed oak trees, protection of the remaining oak trees, and the establishment of a program to enhance regional oak tree resources in the area. The Replacement CUP has no effect on the original Oak Tree Permit approval.

20. The Compound Plan Amendment and Area Plan Amendment approved with the original County approvals were amendments to the County General Plan and the Santa Clarita Valley Area Plan ("Area Plan") regarding Significant Ecological Areas ("SEAs"). The subject property on the County side was located entirely within an SEA and the General Plan and Area Plan prohibited landfills in an SEA. Accordingly, the Board amended the County General Development Policy Map, the Land Use Policy Map, the Special Management Areas Map, and the Santa Clarita Valley Area Map to exclude the subject site from an SEA. The subject site was re-designated Non-Urban Hillside on the General Development Policy Map, Rural ("Non-Urban") on the Land Use Policy Map, Hillside Management on the Special Management Areas Map, and Hillside Management on the Santa Clarita Valley Area Map. The Board also re-designated the site as a planned landfill extension on the Solid Waste Management Plan Map. The Board found that removal of the landfill site from the SEA, which comprised approximately 2.5 percent of the SEA area, would not substantially inhibit gene flow or wildlife movement in the area. Moreover, the action was found to promote the public interest by avoiding any impending waste disposal crisis in the County.
21. The Original CUP findings indicated that the Landfill would have a number of ancillary facilities, including, but not limited to, offices, employee wash rooms, parking facilities, and a caretaker residence. The findings also showed intended ancillary uses at the site, including, but not limited to, waste diversion operations, gas and leachate collection, and water and waste recycling.
22. Among other requirements, the original County approvals required the applicant to: (1) dedicate 426 acres in East Canyon, just west of Sunshine Canyon, to the Mountains Recreation and Conservation Authority ("MRCA") as permanent open space; (2) acquire and transfer 490 acres of Bee Canyon, south of Sunshine Canyon, to the MRCA as permanent open space; and (3) dedicate 81 acres around the Landfill perimeter within East, Bee, and Weldon Canyons to the MRCA for public use and hiking trails. These requirements were necessary to ensure the Landfill's compatibility with the surrounding land uses.
23. In 1991, as contemplated in the County approvals, the applicant applied to the City for entitlements to develop the City portion of the combined City/County landfill. The entitlements included a general plan amendment and a zone change under the City zoning ordinance. With respect to CEQA, although the County FEIR had already analyzed the combined City/County landfill's environmental impacts, the City determined that a subsequent EIR ("SEIR") was needed due to differences in the design and operation of the Landfill since the certification of the County FEIR. Accordingly, an SEIR was prepared. Among other things, the SEIR responded to several hundred comments concerning the project.
24. In December 1999, after nine public hearings before various City planning bodies, the City certified the SEIR, approved the project, and authorized the applicant to extend the Landfill into City territory. In so doing, the City adopted the SEIR's conclusion that all impacts of the project, except regional cumulative air quality

impacts, were insignificant after appropriate mitigation measures were implemented. The City found that the project's air quality impacts could not be feasibly mitigated below the level of significance, and thereby adopted a statement of overriding considerations in compliance with CEQA.

25. The City approvals authorized the development of a City landfill, with an approximate 194-acre footprint on the City side and an estimated net waste capacity of 55 million tons.
26. The City approvals also contemplated the development of a future joint City/County Landfill and estimated that the joint operation would have a total net waste capacity of approximately 90 million tons. This capacity included an approximate 18 million ton capacity in the 42-acre bridge area and a 17 million ton capacity on the County side of the Landfill. In the event a City/County Landfill was implemented, the City approvals required the City and County to enter into a joint agreement to determine remaining City and County Landfill capacity at the time joint operations commence in order to provide for the allocation of Landfill tonnage and the related waste disposal fee revenue between the County and City and, if necessary, a separate agreement for the joint oversight of Landfill operations.
27. Although the City approvals contemplated an eventual joint operation, they also recognized that such an operation was uncertain because additional County approvals would be necessary. Accordingly, the City approvals included certain conditions that would apply if the Landfill's operations remained separate in the City and County on separate working face areas. In the event of separate operations, the City approvals allowed for an average daily waste capacity of 5,000 tons on the City side, with a maximum daily capacity of 5,500 tons. In addition, the working face area was restricted to five acres.
28. In August 1996, pursuant to the County's original approvals, the Landfill commenced operations on the County side with an approved daily intake of 6,600 tons of solid waste. In July 2005, pursuant to the City approvals, the Landfill commenced operations on the City side with an approved daily intake of 5,500 tons of solid waste. As of July 2005, the Landfill has been operating as two separate operations.
29. In September 2000, the applicant applied for the Replacement CUP to modify certain aspects of the Original CUP, to harmonize the waste capacity rates between the City and County approvals, and to resolve inconsistencies between the two approvals. The applicant maintains that the Replacement CUP will provide an efficient, cost effective joint City/County Landfill. The applicant's requested modification seeks to:
  - A. Increase the waste capacity on the County side of the Landfill from 6,000 tons to 12,100 tons daily, and correspondingly, from 36,000 tons to 66,000 tons weekly. This increased capacity reflects the aggregate sum of waste allowed under both the County and City approvals and allows the

applicant to dispose the combined amount anywhere within the Landfill footprint irrespective of jurisdiction;

- B. Increase the total working face area for the Landfill;
  - C. Impose new conditions consistent with the City approvals to reduce environmental impacts and operating hours of the Landfill;
  - D. Eliminate requirements of the Original CUP that have produced no benefit, such as the requirement to water the Landfill surfaces on rainy days; and
  - E. Modify the conditions to authorize extended Landfill operating hours and increased capacity for unusual circumstances, such as emergencies.
30. In addition to the applicant's proposed modifications, County staff, including the Los Angeles County Departments of Regional Planning ("Department"), Public Works and Health Services (collectively, "County Staff"), recommended certain updates to the permit to address several solid waste management issues.
31. In processing the Replacement CUP, County Staff determined that, for CEQA purposes, the proposed permit modifications required preparation of an addendum to the previously certified County FEIR and City SEIR ("Addendum") and an Addendum was thereby prepared.
32. The Commission held a duly noticed public hearing, continued over several dates, to consider the Replacement CUP. The hearing was held on December 1, 2004, January 12, 2005, April 6, 2005, August 10, 2005, and November 3, 2005. The January 12, 2005, continued public hearing was held in the community at Granada Hills High School. For the initial hearing date, hearing notices were sent to property owners within a 1000-foot radius of the Landfill, to 39 interested community groups, and to 24 government agencies. The Commission also conducted a site visit of the Landfill on March 28, 2005. The legally required advertising for the public hearing was published in the Los Angeles Daily News. Case materials were made available in a number of libraries, including the Valencia, Newhall, Canyon Country, San Fernando, Granada Hills, Sylmar, Northridge, and Los Angeles Central libraries.
33. At the hearing, the Commission received extensive correspondence and heard extensive testimony in favor of and against the Replacement CUP. Local residents and the North Valley Coalition raised significant concerns regarding the project, asserting the following: (1) the Landfill should have a definite closure date and/or a maximum tonnage capacity rather than having design contours to define capacity; (2) the proposed conditions are inadequate to assure adequate funding for the Landfill's post-closure maintenance activities; (3) the Landfill should use alternative fuel vehicles for all light duty vehicle operations at the Landfill; (4) the permit should require certain community protection programs, including an emergency hotline; (5) the permit should require the applicant to fund traffic mitigation measures to enhance traffic flow around the facility because of the alleged traffic problems in the

area; (6) the penalty provisions in the permit for non-compliance should be enhanced; and (7) if a combined City/County landfill is developed, for any matter that has a separate but different requirement in the respective City and County permits, the County should require that the more restrictive condition apply to the combined Landfill.

34. Proponents of the Replacement CUP, including the applicant, testified that the combined City/County operation would: (1) allow for needed disposal capacity in the region in light of the current daily waste export of 8,000 tons to other counties; (2) provide a single area to off-load trash, rather than two areas, thereby reducing the amount of equipment and associated emissions on-site; (3) provide a more efficient operation of the Landfill, thus keeping disposal costs down for County residents and businesses; and (4) reduce long truck trips to the facility, thus improving traffic and regional air quality. Proponents also asserted that the applicant has been a good corporate citizen and has operated the Landfill in an environmentally sound manner.
35. At the November 3, 2005 continued public hearing, the Commission closed the public hearing and continued the matter to November 21, 2005, for voting purposes. On November 21, 2005, after deliberation, the Commission indicated its intent to deny the Replacement CUP. On December 21, 2005, the Commission took final action to deny the permit.
36. The Commission found there was a regional need for the Landfill, but also found that the traffic impacts from the Landfill's operation had not been mitigated to acceptable levels. Moreover, the Commission found that the Landfill created significant negative impacts to the community because it lacked a specific closure date and a specific maximum tonnage capacity. Without these restrictions, the Commission found that the Landfill's estimated 90 million ton capacity could be exceeded due to waste compaction rates. This could result in an extended life for the Landfill.
37. Based on these findings, the Commission found that the Replacement CUP failed to serve the community's needs and was inconsistent with the Los Angeles County General Plan, specifically, the provision in the General Plan that states: "The criteria to be applied by the Regional Planning Commission in considering an application [for a waste facility] include the regional and local need for the specific waste facility as well as the potential impacts the use will have on the community. Regional need should not outweigh the impact on the community and potential hazards should be given greater consideration than the regional need."
38. The applicant appealed the Commission decision to the Board pursuant to Section 22.60.200, et seq., of the County Code. Notice of the Board's public hearing was provided pursuant to Section 22.60.240(B) of the County Code. On June 7, 2006, the Board held a public hearing on the appeal pursuant to Section 22.60.240(D) of the County Code.

39. Substantial written and oral testimony were provided to the Board both in favor of and against the Commission action. The written and oral testimony were substantially similar to the testimony provided to the Commission at its extensive public hearing.
40. At the Board hearing, Department staff testified that at the time the Original CUP was approved in 1993, the Board indicated an intent to maximize and conserve landfill capacity at the site because of concerns of an impending landfill shortage in the County. Department staff also noted that the Original CUP contemplated an eventual joint City/County landfill that generally would be consistent with the contour design shown in the 1993 FEIR. This contour design provided a landfill capacity of 215 million tons crossing the City/County boundary. Further, Department staff noted that the Original CUP allowed the applicant to automatically use the bridge area after obtaining certain approvals from the City.
41. Like at the Commission, the applicant testified to the Board that the Replacement CUP would provide a single, more efficient Landfill, as compared to having two separate landfills in the City and County. The applicant further indicated that it had obtained all necessary City approvals for City operations and that it had begun operating in the City in July 2005. The applicant maintained that the Replacement CUP would provide the County \$65 million in new fees to assist the local community in environmental programs, recycling and alternative technology development, traffic improvements, and other community programs. The applicant stressed that the Replacement CUP would not increase the waste intake at the facility, and would not cause any environmental impacts not previously considered and mitigated in the County FEIR and City SEIR.
42. Several community groups, businesses, business groups, and elected officials testified in support of the Replacement CUP, including the Mayor of Huntington Park, a City of Whittier council member, the Los Angeles Area Chamber of Commerce, the Valley Industry and Commerce Association, and the Central City Association of Los Angeles.
43. Opponents at the Board hearing included a representative of Congressman Brad Sherman, the North Valley Coalition, the Sunshine Canyon Citizens Advisory Committee, the Sierra Club, the Granada Hills North Neighborhood Council, the International Brotherhood of Teamsters, and several environmental advocates. The concerns raised by the opponents were substantially similar to those raised at the Commission. At least one opponent also raised a concern regarding wind-blown trash. According to this opponent, trash commonly blows from the applicant's trucks onto the freeway and nearby roads and therefore the applicant should be required to remove all wind-blown trash within a two-mile radius of the Landfill.
44. After deliberation, the Board closed the public hearing and indicated its intent to uphold the applicant's appeal, overturn the Commission action, and approve the Replacement CUP. The Replacement CUP would be subject to the conditions

proposed by County Staff during the Commission hearing, subject to revised conditions requested by the Board, discussed in paragraph 47, below.

45. The Board found that there is a need for landfill capacity in the region and that the Landfill is adequately served by existing highways, streets, and public and private utilities to service the Landfill operations and to carry the type and volume of traffic the Landfill will generate. The Board also found that the Addendum was prepared in compliance with CEQA and that the Addendum, in conjunction with the 1993 County FEIR and 1999 City SEIR, adequately addresses the environmental impacts of the Replacement CUP, as set forth in more detail in the Addendum's Findings of Fact and Statement of Overriding Considerations ("CEQA Findings"), dated November 2006, which CEQA Findings are incorporated herein by this reference.
46. The Board made the following additional findings: (1) the Landfill is adequate in size and shape to integrate its use with the surrounding land uses; (2) the combined City/County landfill is consistent with the County General Plan in that its location is in an area designated for a solid waste facility; (3) the Landfill's traffic impacts are located primarily in the City and have previously been found to be adequately mitigated; and (4) the Addendum, in conjunction with the FEIR and SEIR, is the appropriate environmental document for CEQA purposes.
47. The Board action amended the conditions previously proposed by County Staff and ordered County Staff to incorporate the amended conditions into the final conditions of approval. The amended conditions required the following additional restrictions to the permit:
  - A. Landfill Closure. If the joint City/County Landfill becomes operational and the applicant has not otherwise exhausted its available landfill capacity, within six months of the 25th anniversary of this grant, the Board will authorize a study to determine the Landfill's remaining capacity. Based on the study, the Board will establish a date certain for the closure of the Landfill, but in no event shall that date exceed 30 years from the approval date of the Replacement CUP;
  - B. Alternative-Fuel Trucks. The applicant shall be required to adopt an alternative-fuel truck program for the Landfill consistent with the City's alternative-fuel truck requirement;
  - C. Liners. The applicant shall be required to use a liner of equal or better effectiveness to the one required by the Regional Water Quality Board on the City side of the Landfill;
  - D. Waste Overages. The number of daily capacity overages at the Landfill shall be restricted to 313 days per year, excluding overages due to a declared disaster or national emergency; and

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- E. Wind-blown Trash Removal. The Director of the Department shall review whether the applicant should be required to remove all wind-blown trash within a 1.5 mile radius of the site, and make a recommendation in that regard; and
- F. Strictest Condition Requirement. If a discrepancy arises between a City condition and a County condition regarding Landfill operations, the applicant shall be required to incorporate into the County permit the condition that results in the greater protection to the surrounding community;
48. The final conditions attached to these findings include the new restrictions based on the Board amendment. Moreover, as directed under paragraph 47(F) above, on or about December 18, 2006, the Department submitted a memorandum to the Board indicating that trash removal within a 1.5 mile radius of the site was a reasonable requirement. Accordingly, this requirement has been included in the attached final conditions.
49. The documents and other materials constituting the record of proceedings upon which the Board's decision is based in this matter are located at the Los Angeles County Department of Regional Planning, 13<sup>th</sup> Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits Section, Los Angeles County Department of Regional Planning.

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**BASED ON THE FOREGOING, THE BOARD OF SUPERVISORS CONCLUDES THAT:**

1. The Replacement CUP is consistent with the County General Plan;
2. The requested use at the proposed location will not adversely affect the health, peace, comfort, and welfare of persons residing and working in the surrounding area, will not be materially detrimental to the use, enjoyment, and valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety, and general welfare of the citizens of the County;
3. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping, and other development features prescribed in Title 22 of the County Code, or as is otherwise required in order to integrate said use with the uses in the surrounding area; and
4. The proposed site is adequately served: (1) by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and (2) by other public or private service facilities as are required.

**THEREFORE, THE BOARD OF SUPERVISORS:**

1. Indicates that is has read and considered the FEIR, SEIR, and Addendum prepared for the project; certifies that the Addendum has been completed in compliance with the California Environmental Quality Act, and the State and County Guidelines related thereto; and reflects the independent judgment of the Board; and
2. Approves Conditional Use Permit 00-194-(5) subject to in the attached conditions.

**CONDITIONS OF APPROVAL**  
**CONDITIONAL USE PERMIT NUMBER 00-194-(5)**

1. Definitions: Unless otherwise apparent from the context, the following definitions shall apply to these Conditions of Approval ("Conditions"), and to the attached Implementation and Monitoring Program ("IMP"), adopted concurrently with this grant:
  - A. "Ancillary Facilities" shall mean the facilities authorized by this grant that are directly related to the operation and maintenance of the Landfill, and shall not include the facilities related to any other enterprise operated by the Permittee or any other person or entity.
  - B. "Approval Date" shall mean the date of the Board's approval of this grant.
  - C. "Board" shall mean the Los Angeles County Board of Supervisors.
  - D. "Beneficial Use Materials" shall mean: (1) Solid Waste that has been source-separated or otherwise processed and put to a beneficial use at the Facility, or separated or otherwise diverted from the waste stream and exported from the Facility, for purposes of recycling, and shall include, but not be limited to, green waste, wood waste, asphalt, concrete, or dirt; or (2) Clean Dirt imported to cover and prepare interim and final fill slopes for planting and for berms, provided that such importation of Clean Dirt has been shown to be necessary and has been authorized by the Department of Public Works.
  - E. "Bridge Area" shall mean the portion of the Landfill within the jurisdiction of the County which, subject to the provisions of this grant, is authorized for landfilling beyond the Limits of Fill depicted on Exhibit "A-1" for the County Project, but not beyond the Limits of Fill depicted on Exhibit "A-2" for the City/County Project.
  - F. "Caltrans" shall mean the State of California Department of Transportation.
  - G. "CAO" shall mean the Los Angeles County Chief Administrative Office.
  - H. "City" shall mean the City of Los Angeles.
  - I. "City Ordinance" shall mean City Ordinance No. 172933.
  - J. "City Project" shall mean the activities of the Landfill and ancillary facilities and activities within the jurisdiction of the City, as approved by the City through the City Ordinance, and limited to the area depicted "Initial Development Area" on Exhibit "E-4C" of said City Ordinance, and as generally referred to in said Ordinance as Phase I.

- K. "City/County Project" shall mean the activities of the combined City/County landfill conducted in either or both the City and County jurisdictions, the ultimate development of which is depicted on Exhibit "A-2" of this grant and on Exhibit "E-4B" of the City Ordinance (the portion of said Exhibit covering the City jurisdiction only), and which is generally referred to in the City Ordinance as Phase II and Phase III. The City/County Project includes the combined City/County landfill, its Ancillary Facilities and activities within the County's jurisdiction as approved by this grant, and the combined City/County landfill, ancillary facilities and activities within the City's jurisdiction as approved by the City Ordinance, including, but not limited to, waste diversion facilities, offices and other employee facilities, a leachate treatment facility, material storage areas, and Closure and Post-Closure Maintenance activities.
- L. "CIWMB" shall mean the California Integrated Waste Management Board.
- M. "Class III (non-hazardous) Landfill" shall mean a disposal facility that accepts Solid Waste for land disposal pursuant to applicable federal and state laws and regulations.
- N. "Clean Dirt" shall mean uncontaminated soil used for coverage of the Landfill face, buttressing the Landfill and the construction of access roads, berms, and other beneficial uses at the Facility.
- O. "Closure" shall mean the process during which the Facility, or portion thereof, is no longer receiving Solid Waste and/or Beneficial Use Materials for disposal or processing and is undergoing all operations necessary to prepare the Facility, or portion thereof, for Post-Closure Maintenance in accordance with an approved plan for Closure or partial final closure. Said plans shall be approved by the TAC, as defined in this grant.
- P. "Closure Date" shall mean "Termination Date," as defined in this grant.
- Q. "Commission" shall mean the Los Angeles County Regional Planning Commission.
- R. "Conversion Technologies" shall mean the various state-of-the-art technologies capable of converting post-recycled or residual Solid Waste into useful products, green fuels, and renewable energy through non-combustion thermal, chemical, or biological processes.
- S. "County" shall mean the County of Los Angeles.
- T. "County Code" shall mean the Los Angeles County Code.

- U. County Local Enforcement Agency ("County LEA") shall mean the entity or entities (currently the Los Angeles County Department of Public Health) designated by the Board pursuant to the provisions of Division 30 of the California Public Resources Code to permit and inspect Solid Waste disposal facilities and to enforce State regulations and permits governing these facilities; provided, however, that should the State assign the function of the LEA to any entity other than a Board-designated entity, the duties and responsibilities of the County LEA assigned through this grant which are above and beyond the LEA's function as assigned by the State shall be performed by DPH-SWMP.
- V. "County Project" shall mean the activities of the Landfill within the area depicted on Exhibit "A-1," and other activities as approved by this grant, which are conducted entirely within the County's jurisdiction. The County Project includes the Landfill and its Ancillary Facilities and activities as described in Condition 2, including, but not limited to, waste diversion facilities, offices and other employee facilities, a leachate treatment facility, Environmental Protection and Control Systems, material storage areas, and Closure and Post-Closure Maintenance activities. The County Project includes activities conducted within the County's jurisdiction prior to the commencement of the City-approved Phase II, as well as activities conducted within the County's jurisdiction in the event that the City's approval of Phase II or Phase III expires or terminates. County Project does not include activities conducted within the County's jurisdiction as part of the City/County Project.
- W. "Department" shall mean the Los Angeles County Department of Regional Planning.
- X. "Department of Parks" shall mean the Los Angeles County Department of Parks and Recreation.
- Y. "Department of Public Works" shall mean the Los Angeles County Department of Public Works.
- Z. "Disposal" shall mean the final disposition of Solid Waste onto land, into the atmosphere, or into the waters of the State of California. Disposal includes the management of Solid Waste through the Landfill process at the Facility.
- AA. "Disposal Area" shall mean the "Landfill" as defined in this grant.
- BB. "DPH-SWMP" shall mean the Los Angeles County Department of Public Health-Solid Waste Management Program.
- CC. "Effective Date" shall mean the date of the Permittee's acceptance of this grant pursuant to Condition No. 3.

- DD. "Electronic Waste" shall mean all discarded consumer or business electronic equipment or devices. Electronic waste includes materials specified in the California Code of Regulations, Title 22, Division 4.5, Chapter 23, Article 1 (commencing with section 66273.3), and any amendments thereto.
- EE. "Environmental Protection and Control Systems" shall mean any surface water and ground water-quality monitoring/control systems, landfill gas monitoring/control systems, landscaping and irrigation systems, drainage and grading facilities, Closure activities, Post-Closure Maintenance activities, foreseeable corrective actions, and other routine operation or maintenance facilities or activities.
- FF. "Exempt Material" shall mean "Beneficial Use Materials," as defined in this grant.
- GG. "Facility" shall mean the entirety of the subject property, including all areas where Landfill and non-Landfill activities occur.
- HH. "Final Cover" shall mean the cover material required for Closure of the Landfill and all Post-Closure Maintenance required by this grant.
- II. "Footprint" shall mean the horizontal boundaries of the Landfill at ground level, as depicted on the attached Exhibit "A-1" for the County Project, and Exhibit "A-2" for the City/County Project.
- JJ. "Garbage" shall mean "Solid Waste," as defined in this grant.
- KK. "Inert Debris" shall mean Solid Waste and/or recyclable materials that are source-separated or separated for recycling, reuse, or resale that do not contain: (1) hazardous waste, as defined in California Code of Regulations, Title 22, section 66261.3; or (2) soluble pollutants at concentrations in excess of state water quality objectives; and (3) do not contain significant quantities of decomposable waste. Inert Debris shall not contain more than one percent (by weight) putrescible wastes. Inert Debris may be commingled with rock and/or soil.
- LL. "Landfill" shall mean the portion of the subject property where Solid Waste is to be permanently placed, compacted, and then buried under daily, interim and Final Cover, all pursuant to applicable requirements of federal, state, and local laws and regulations. No portion of the Landfill shall extend beyond the "Limits of Fill," as defined in this grant, and no allowance for settlement of fill shall be used in determining the final elevations or design contours of the Landfill. "Landfill" does not include adjacent cut slopes, temporary storage areas, final cover, and Ancillary Facilities authorized by this grant.

- MM. "Limits of Fill" shall mean the horizontal boundaries and vertical boundaries (as identified by contours) of the Landfill, as depicted on the attached Exhibit "A-1" for the County Project, and the attached Exhibit "A-2" for the City/County Project.
- NN. "Materials Recovery Facility" shall mean a facility that separates solid waste into recyclable materials and residual waste.
- OO. "Permittee" shall mean the applicant and any other person, corporation, or entity making use of this grant.
- PP. "Post-Closure Maintenance" shall mean the activities undertaken at the Facility after the Closure Date to maintain the integrity of the Environmental Protection and Control Systems and the Landfill containment features, and to monitor compliance with applicable performance standards to protect public health, safety, and the environment. The containment features, whether natural or artificially designed and installed, shall be used to prevent and/or restrict the release of waste constituents onto land, into the atmosphere, and/or into the waters of the State of California, including waste constituents mobilized as a component of leachate or landfill gas.
- QQ. "Post-Closure Maintenance Period" shall mean the period after Closure of the Landfill when the Solid Waste disposed of during the Landfill's operation could still pose a threat to public health, safety, or the environment.
- RR. "Post-Closure Maintenance Plan" shall mean the preliminary, partially final, or final plan or plans, as applicable, approved by the TAC for implementation of all Post-Closure Maintenance at the Facility.
- SS. "Refuse" shall have the same meaning as "Solid Waste," as defined in this grant.
- TT. "Residual Waste" shall mean the waste remaining after removal of recyclable material from the Solid Waste stream.
- UU. "Rubbish" shall have the same meaning as "Solid Waste," as defined in this grant.
- VV. "RWQCB" shall mean the Regional Water Quality Control Board, Los Angeles Region.
- WW. "Site Plan" shall mean the plan depicting all or a portion of the subject property, including any Ancillary Facilities approved by the Director of the Department. "Site Plan" shall include what is referred to in this grant as Exhibit "A-1" or Exhibit "A-2," as applicable.

- XX. "Solid Waste" shall mean all putrescible and non-putrescible solid and semi-solid wastes, such as Garbage, Rubbish, paper, ashes, industrial wastes, demolition and construction wastes, abandoned vehicles and parts thereof, discarded home and industrial appliances, manure, vegetable or animal solid and semi-solid wastes, and other discarded solid and semi-solid wastes. "Solid Waste" excludes materials or substances having commercial value which may be salvaged for reuse, recycling, or resale. Solid Waste includes Residual Waste received from any source.
- YY. "SWFP" shall mean a Solid Waste Facilities Permit.
- ZZ. "SCAQMD" shall mean the South Coast Air Quality Management District.
- AAA. "Stockpile Area" shall have the same meaning as "Temporary Storage Area," as defined in this grant.
- BBB. "Stockpile" shall mean temporarily stored materials.
- CCC. "TAC" shall mean the Los Angeles County Technical Advisory Committee established pursuant to Part XII of the IMP.
- DDD. "Temporary Storage Area" shall mean an area of the Landfill where certain materials, approved by the Director of Public Works, may be placed for storage for up to 180 calendar days, unless a longer period is approved by the Director of Public Works, so long as such temporary storage does not constitute Disposal, as defined in this grant. No putrescible materials, except Inert Debris, shall be placed in a Temporary Storage Area for more than seven calendar days.
- EEE. "Termination Date" shall mean the date upon which the Facility shall cease receiving Solid Waste and/or Beneficial Use Materials for disposal or processing.
- FFF. "Trash" shall have the same meaning as "Solid Waste," as defined in this grant.
- GGG. "Working Face" shall mean the working surface of the Landfill upon which Solid Waste is deposited during the Landfill operation prior to the placement of cover material.

Unless otherwise expressly provided in this grant, applicable federal, state, or local definitions shall apply to the terms used in this grant. Also, whenever a definition or other provision of this grant refers to a particular statute, code, regulation, ordinance, or other regulatory enactment, that definition or other provision shall include, for the life of this grant, any amendments made to the pertinent statute, code, regulation, ordinance, or other regulatory enactment.

2. This grant shall supersede Conditional Use Permit ("CUP") 86-312-(5) and shall authorize the continued operation of a Class III (non-hazardous) landfill on the subject property, but shall have no effect on Oak Tree Permit 86-312-(5). This grant shall also authorize the following Ancillary Facilities and activities at the Facility, as shown on the most currently approved Site Plan, subject to the conditions of this grant:
- A. Office and employee facilities directly related to the Landfill, excluding offices or other facilities related to any other enterprise operated by the Permittee or other person or entity employed by the Permittee or acting on its behalf;
  - B. Waste handling and processing operations;
  - C. A caretaker residence or mobile home;
  - D. Leachate collection, treatment, and processing facilities;
  - E. Facilities necessary for the collection, utilization, and distribution of Landfill gases, as required and/or approved by the Department of Public Works, the County LEA, or the SCAQMD;
  - F. Facilities necessary for the maintenance of machinery and equipment used at the Landfill, excluding Refuse collection equipment and vehicles, and equipment or machinery used by the Permittee in other enterprises;
  - G. On-site waste diversion and recycling activities consistent in scale and purpose with the agreement entered into pursuant to Condition No. 25 of this grant;
  - H. Facilities necessary for Environmental Protection and Control Systems, including flare stations, storage tanks, sedimentation basins, and drainage devices; and
  - I. Storage of bins utilized for Landfill activities.

Revised site plans consistent with the intent of this grant and the scope of the supporting environmental documentation may be submitted to the Director of the Department for approval, with copies filed with the Director of Public Works and the County LEA, except as otherwise provided in Condition No. 35. There shall be no revisions to Exhibit "A-1" or Exhibit "A-2," and no Site Plan shall be approved that will change the Limits of Fill.

3. This grant shall not be effective for any purpose until the Permittee, and the owner of the subject property if other than the Permittee, shall file at the office of the Department their affidavit stating that they are aware of, and agree to comply with, all of the conditions of this grant, and have paid all fees and provided all deposits and security required by the conditions of this grant, including Condition

Nos. 11, 15, and 72. Notwithstanding Condition No. 9 of this grant, the filing of such affidavit constitutes a waiver of the Permittee's right to challenge any provision of this grant.

4. The Permittee shall fully perform each action required of the Permittee under the IMP and the Mitigation Monitoring and Reporting Summary attached to the supporting environmental documentation for this project, which actions are incorporated into these conditions by reference.
5. This grant shall expire unless it is used within one year from the date that the Board approves this grant. Prior to the use of this grant, the Permittee shall comply with Part II of the IMP and with Condition Nos. 6 and 26. The Permittee may request a one-year extension to use this grant if compliance with these conditions cannot otherwise be fulfilled. A Hearing Officer may extend such time for a period not to exceed one year, provided an application with the appropriate fee requesting such extension is filed with the Department prior to such expiration date.
6. Prior to the operation of the City/County Project, the Permittee shall obtain from the Los Angeles County Solid Waste Management Committee/Integrated Waste Management Task Force a "Finding of Conformance" determination that the proposed project and its expansions are consistent with the Los Angeles County Countywide Siting Element.
7. The subject property shall be developed, maintained, and operated in full compliance with the conditions of this grant to the satisfaction of the Director of the Department, and in full compliance with all statutes, ordinances, or other regulations applicable to any development or activity on the subject property. The Permittee shall also comply with all permits, approvals, or findings issued by other government agencies or departments, including, but not limited to, the permits, approvals, or findings issued by:
  - A. The County LEA and the CIWMB;
  - B. The RWQCB;
  - C. The SCAQMD;
  - D. The California Department of Fish and Game;
  - E. The United States Army Corps of Engineers; and
  - F. The California Department of Health Services.
8. Upon the Effective Date, the Permittee shall cease all development and other activities that are not in full compliance with Condition No. 7, and the failure to do so shall be a violation of this grant. The Permittee shall keep all required permits in full force and effect and shall fully comply with all requirements thereof.

Failure of the Permittee to provide any information requested by County staff regarding any such required permit shall constitute a violation of this grant and shall be subject to any and all penalties described in Condition No. 11.

9. It is hereby declared to be the intent of this grant that if any provision of this grant is held or declared to be invalid, the permit shall be void, and the privileges granted hereunder shall lapse.
10. To the extent permitted by law, the County LEA shall have the authority to order the immediate cessation of landfill operations or other activities at the Facility if the County LEA determines that such cessation is necessary for the health, safety, and/or welfare of the County's residents. Such cessation shall continue until such time as the County LEA determines that the conditions leading to the cessation have been eliminated or reduced to such a level that there no longer exists an unacceptable threat to the health, safety, and/or welfare of the County's residents.
11. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Commission or a Hearing Officer may, after conducting a public hearing in accordance with Section 22.56.1780, et seq., of the County Code, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to public health or safety, or so as to be a nuisance.

In addition to, or in lieu of, the provisions just described, the Permittee shall be subject to a penalty for violating any provision of this grant in an amount determined by the Director of the Department not to exceed \$1,000 per day per violation. For this purpose, the Permittee shall deposit the sum of \$30,000 in an interest-bearing trust fund with the Department prior to the Effective Date to establish a draw-down account. The Permittee shall be sent a written notice of any such violation with the associated penalty, and if the noticed violation has not been remedied within 30 days from the date of the notice to the satisfaction of the Director of the Department, the stated penalty, in the written notice shall be deducted from the draw-down account. If the stated violation is corrected within 30 days from the date of the notice, no amount shall be deducted from the draw-down account. Notwithstanding the previous sentence, if the stated violation is corrected within 30 days from the date of the notice but said violation recurs any time within a six-month period, the stated penalty will be automatically deducted from the draw-down account upon such recurrence and the Permittee will be notified of such deduction. If the deposit is ever depleted by 50 percent of the initial deposit amount (\$15,000), the Permittee shall deposit additional funds sufficient to bring the balance up to the amount of the initial deposit (\$30,000) within 10 business days of notification of the depletion. There shall be no limit to the number of supplemental deposits that may be required during the life of this grant.

If the Permittee is dissatisfied with any notice of violation as described in the preceding paragraph, the Permittee may appeal the notice of violation to a Hearing Officer pursuant to Section 22.60.390(C)(1) of the County Code within 15 days of receipt by the Permittee of the notice of violation. The Hearing Officer shall consider such appeal and shall take one of the following actions regarding the appeal:

- A. Affirm the notice of violation;
- B. Refer the matter back to the Director for further review with or without instructions; or
- C. Set the matter for public hearing before the Hearing Officer pursuant to Section 22.60.170, et seq., of the County Code, where applicable.

The decision of the Hearing Officer on the appeal under (A) (where no public hearing is held) and (C) (after the public hearing is held) shall be final and shall not be subject to further administrative appeal. If the Hearing Officer refers the matter back to the Director under (B), once the Director reconsiders the matter and renders a new decision, the appellate process described in the preceding paragraph shall apply to the new decision.

- 12. Nothing in these conditions shall be construed to require the Permittee to engage in any act that is in violation of any state or federal statute or regulation.
- 13. The Permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, annul, or seek damages or compensation in connection with this permit approval and/or the conditions of this permit approval, which action is brought within the applicable time period of section 65009 of the Government Code or other applicable limitation period. The County shall notify the Permittee of any claim, action, or proceeding, and the County shall reasonably cooperate in the defense.
- 14. The Permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding for damages resulting from water, air or soil contamination, health impacts or loss of property value during the operation, Closure and Post-Closure Maintenance of the County Project or the City/County Project, as the case may be.
- 15. Prior to the Effective Date, and thereafter on an annual basis, the Permittee shall provide evidence of insurance coverage to the Department of Public Works that meets County requirements as required and approved by the CAO and that satisfies all the requirements set forth in this Condition No. 15. Such coverage shall be maintained throughout the term of this grant and until such time as all Post-Closure Maintenance requirements are met by the Permittee and certified by the appropriate local, state and federal agencies. Such insurance coverage

shall include, but not be limited to, the following: general liability, automobile liability and pollution liability, clean-up cost insurance coverage, and an endorsement for "Sudden and Accidental" contamination or pollution. Such coverage shall be in an amount sufficient to meet all applicable state and federal requirements, with no special limitations.

16. In order to ensure that there will be sufficient funds at Closure to provide for the continued payment of insurance premiums for the period described in Condition Nos. 15 and 32 of this grant, within 60 months prior to the anticipated Closure Date, and annually thereafter, the Permittee shall provide financial assurance satisfactory to the CAO and the Department of Public Works showing its ability to maintain all insurance coverage and indemnification requirements of Condition Nos. 13, 14, and 15 of this grant. Such financial assurance shall be in the form of a trust fund or other financial instrument acceptable to the County.

#### **TERMINATION REQUIREMENTS**

17. The Facility shall be subject to the following termination requirements:
  - A. In the event the City/County Project becomes operational, this grant shall terminate either on the date that the Landfill reaches its Limits of Fill for the City/County Project, or 30 years from the Approval Date, whichever occurs first. At least six (6) months prior to the 25th anniversary of the Approval Date, if the Permittee has not exhausted the available Landfill capacity within the Limits of Fill depicted on Exhibit "A-2," the Permittee shall conduct a study to determine the remaining capacity of the Landfill. The study shall be submitted to the TAC for its independent review and upon its review, the TAC shall report to the Board its finding regarding the remaining capacity of the Landfill as authorized by this grant. Upon consideration of the TAC's finding, the Board shall establish a certain Termination Date for the Landfill, but in no event shall the Termination Date be a date that is later than 30 years after the Approval Date;
  - B. In the event the City/County Project does not become operational, the Termination date of this grant shall be the date that the Landfill reaches the Limits of Fill for the County Project, as that date is set forth in the Closure and Post-Closure Maintenance Plans in effect at that time.
  - C. Upon the Termination Date, either when operating as a County Project or as a City/County Project, as the case may be, the Facility shall no longer receive Solid Waste and/or Beneficial Use Materials for disposal or processing; however, the Permittee shall be authorized to continue operation of any and all facilities of the Landfill as are necessary to complete: (1) the mitigation measures required by this grant; (2) the Closure and Post-Closure Maintenance required by federal, state, and local agencies; and (3) all monitoring and maintenance of the

Environmental Protection and Control Systems required by Condition No. 32. No later than six months after the Termination Date, all Landfill facilities not required for the just-mentioned functions shall be removed from the subject property unless they are allowed as a matter of right by the zoning regulations then in effect;

- D. In the event the Permittee enters into a joint powers agreement ("JPA") or similar agreement for the operation of the City/County Project, as required by the City under Condition No. A.9 of the City Ordinance, the Permittee shall agree, at a minimum, to incorporate the Termination Date provisions in subsection A of this Condition 17 into the JPA or similar agreement; and
- E. Upon completion of the Post-Closure Maintenance Period, the Permittee shall contact the Department of Parks and the Santa Monica Mountains Conservancy to determine if either agency would be interested in accepting the Landfill for parkland purposes.

#### **USE OF COMBINED SITE AND BRIDGE AREA**

18. The purpose of this Condition No. 18 is to establish a framework to: (1) provide for landfill capacity in both the City and the County portions of the Landfill, insofar as that capacity is environmentally and economically appropriate and technically feasible; (2) make the landfill capacity available on an equitable basis to incorporated and unincorporated jurisdictions in the County; and (3) conserve, and if possible, prevent, destruction of oak trees and other significant ecological resources within the unincorporated County. The County believes that this purpose may be accomplished by requiring the Permittee to diligently pursue its entitlements from the City to allow substantial fill on the City side of the Landfill and, to the extent good engineering practice would allow, by encouraging the Permittee to maximize landfill operations on the City side of the Landfill.

The County acknowledges that the Permittee has obtained a SWFP from the City and all other permits and approvals necessary to operate the City Project. During the first five years of the City Project, landfill operations within the City are limited to the geographical area identified as Phase I of the City Project, as specified in Condition No. B.2.d of the City Ordinance ("Phase I").

Accordingly, pursuant to this grant, the Permittee shall diligently pursue a SWFP and all other permits and approvals necessary to develop and operate the City/County Project. If the approval of the City Project is invalidated by a court or is modified by the City to allow for a fill area that does not overlay the project area shown on Exhibit "A-2," or if a SWFP or other necessary approval for Phase II of the City Landfill, as specified in Condition No. B.2.d of the City Ordinance ("Phase II"), is denied, no portion of the County Project may thereafter extend beyond the Limits of Fill as shown on Exhibit "A-1" or the portions of the "Bridge Area" that may have been authorized by the County during the City Project. On

the date that any of these events occur, the Termination Date provisions in Condition Nos. 17(B) and 17(C) shall apply.

During the term of this grant, fill sequencing plans for landfill operations within the County's jurisdiction shall be first approved by the Director of Public Works to ensure consistency with the purpose of this Condition No. 18.

Prior to commencement of the operation of the City/County Project, no portion of the Landfill may extend beyond the Limits of Fill as shown on Exhibit "A-1," except that during the City Project, the Landfill may extend into the Bridge Area subject to the following limitations: (1) the Permittee shall not accept waste into the Bridge Area until a fill sequencing plan is approved by the Director of Public Works; (2) at least 50 percent of the cumulative total waste accepted by both the City Project and County Project measured on an annual basis shall be deposited on the City side; (3) the horizontal extension of the Bridge Area shall be restricted to an area not to exceed 20 acres; and (4) the Permittee has shown to the satisfaction of the Director of Public Works that (1) through (3) in this subsection have been met, and that landfill operations in the Bridge Area are necessary for the efficient operation of the eventual City/County Project.

Upon commencement of the operation of the City/County Project, the Limits of Fill shown on Exhibit "A-2" shall constitute the boundaries of the Landfill.

19. Pending the establishment of a JPA or similar agreement, as described in Condition No. 17(D), the Permittee shall not seek approval for any additional expansion in the County.

If the City denies the Permittee's request to complete any of the phasing designs specified in the City approval granted in the City Ordinance Condition No. B.2.d, the Permittee shall thereafter exclude all Solid Waste collected within the corporate limits of the City and transported in trucks under contract with the City from any portion of the Landfill within County territory. This exclusion shall continue in full force and effect until the County terminates the exclusion.

The Permittee shall notify the County at least 60 days prior to the adoption of any amendment to the City Ordinance or other agreement or instrument between the Permittee and the City that may impact the disposal capacity of the County Project or the City/County Project, or any condition of this grant. Copies of such amendment, agreement, or instrument shall be provided to the Los Angeles County Counsel, the Directors of the Department and the Department of Public Works, and to the County LEA.

20. The Permittee shall submit to all interested County departments and agencies, including County Counsel, the Department of Public Works, the Department, and the County LEA, copies of all agreements entered into between or among the Permittee, the City, and/or the County, including, but not limited to, any

memorandum of understanding ("MOU"), development agreement, JPA, or other instrument that:

- A. Establishes a joint powers authority or other entity or arrangement that requires collaboration between the parties on the permitting, operation, inspection, and enforcement of the City/County Project. The County LEA proposes to be designated as the lead agency in any JPA or similar agreement for the City/County Project for all SWFP activities and the single point of contact for coordinating all permitting, inspections and enforcement activities at the Facility. The actual responsibility for these functions shall be as set forth in the JPA or similar agreement;
- B. Establishes the City's and County's respective rights to use the Facility and/or establishes the allocation of Landfill capacity or disposal fees between the City and County;
- C. Establishes franchise fees, Landfill gas revenues, or other fees payable to the City, or bond and/or security arrangements with the City;
- D. Establishes an environmental education or community amenities program;
- E. Amends the City's approval of the Facility in connection with either the City Project or the City/County Project; or
- F. Amends the City's Mitigation Reporting and Monitoring Program for the Facility.

In addition to any other penalty provided by this grant or by law, the failure of the Permittee to comply with this Condition No. 20 shall result in any and all penalties described in Condition No. 11.

#### **LANDFILL CAPACITY**

21. The maximum tonnage capacity to be received by the Landfill shall be as follows:

A. The City/County Project:

##### Weekly Tonnage Capacity

- i. Subject to the daily tonnage limit set forth in subsection II below, when operating as a City/County Project, the amount of Solid Waste that may be disposed of in the Landfill shall not exceed 66,000 tons per week, and the amount of Inert Debris and Beneficial Use Materials deposited shall not exceed 6,600 tons per week, for an overall total of all materials of 72,600 tons.

Daily Tonnage Capacity

- II. When operating as a City/County Project, the daily tonnage capacity of all materials received by the Landfill collectively in both jurisdictions, as described in subsection I above, shall not exceed 12,100 tons on any given day, six working days per week (based on the permitted maximum intake rate of 5,500 tons per day in the City and the permitted maximum intake rate of 6,600 tons per day in the County). The Permittee may allocate that total between the jurisdictions as it deems appropriate.

B. The County Project:

Weekly Tonnage Capacity

- I. Subject to the daily tonnage limit set forth in subsection II below, when operating as a County Project, the amount of Solid Waste that may be deposited in the Landfill for disposal shall not exceed 36,000 tons per week, and the amount of Inert Debris and Beneficial Use Materials deposited shall not exceed 3,600 tons per week, for an overall total of 39,600 tons per week.

Daily Tonnage Capacity

- II. When operating as a County Project, the daily tonnage capacity of all materials received by the Landfill, as described in subsection I above on the County side, shall not exceed 7,200 tons per day; provided, however, that the amount of Solid Waste disposed of in the Landfill on the County side shall not exceed 6,600 tons per day.

- C. The Board may increase the maximum amounts of daily and weekly tonnage allowed by this Condition No. 21 if, upon the joint recommendation of the County LEA and the Department of Public Works, the Board determines that an increase is necessary to appropriately manage the overall County waste stream for the protection of public health and safety, or if there has been a declared disaster or national emergency. Notwithstanding the preceding sentence, there shall not be allowed more than 313 total days during the life of this grant where the maximum tonnage amount exceeds the limits set forth in subsections (A) or (B) of this Condition No. 21, where applicable, excluding any days where the tonnage capacity was exceeded due to a declared disaster or national emergency.

- 22. Within 90 days of the Effective Date, or a longer period if approved by the Director of Public Works, the Permittee shall adopt appropriate measures to ensure that the method to determine the amount of tonnage disposal on the County side of the Landfill is accurate. These measures shall include, but not be

limited to: 1) requiring all solid waste haulers and other customers of the Permittee to submit accurate waste origin data; 2) implementing a system to verify the accuracy of the data submitted; 3) implementing a system to verify that Solid Waste reported as having originated in County unincorporated area actually has such origination; (4) adopting education and outreach programs for solid waste haulers and other customers of the Permittee regarding the need for accurate waste origin data; and 5) imposing penalties on solid waste haulers and other customers of the Permittee for non-cooperation with these measures, or for repeatedly providing false information regarding waste origin data to the Permittee. The waste origin verification and reporting program developed by the Permittee shall be approved by the Director of Public Works, and the Permittee shall submit the data from this program on a semi-monthly basis to the Department of Public Works for review. Based on the initial results from this program, the Director of Public Works may require the Permittee to modify the program or to develop or implement additional monitoring or enforcement programs to ensure that the intent of this Condition No. 22 is satisfied.

23. The Permittee shall operate the Facility in a manner that maximizes the amount of Solid Waste that can be disposed of in the Landfill, by, at a minimum:
- A. Implementing waste compaction methods to equal or exceed the compaction rates of comparable landfills in Los Angeles County as determined by the Department of Public Works;
  - B. Investigating the methods of diverting or reducing intake of high volume, low-density materials which are incapable of being readily compacted, to the extent determined appropriate by the Department of Public Works;
  - C. Investigating methods to reduce the volume of daily cover required at the Landfill as allowed by the appropriate regulatory agencies;
  - D. Utilizing waste materials received and processed at the Facility, such as shredded green waste, as an alternative to daily, intermediate, and final cover, to the extent such usage is deemed technically feasible and proper by the appropriate regulatory agencies. Notwithstanding the preceding sentence, automobile shredder waste, contaminated soil, cement kiln dust, dredge spoils, foundry sands, processed exploration waste, production waste, construction and demolition waste, shredded tires, and foam shall not be used as daily, intermediate, or final cover at the Landfill;
  - E. Recycling or otherwise diverting all Clean Dirt from disposal materials received at the Facility from off-site sources. No Clean Dirt from any source shall be disposed of at the Landfill without the prior approval from the Department of Public Works; and
  - F. Utilizing on-site Clean Dirt, whenever possible, instead of imported dirt, for daily, intermediate or final cover.

24. Notwithstanding any other provision of this grant, the Permittee shall not negligently or intentionally deposit Solid Waste into the Landfill which is required to be diverted or recycled under the City's and County's Source Reduction and Recycling Elements of the Countywide Integrated Waste Management Plan, adopted pursuant to Division 30 of the California Public Resources Code, and/or the Waste Plan Conformance Agreement, approved by the Board on June 26, 1996, between the County and Permittee pursuant to CUP 86-312-(5), as these documents and agreements may be amended.
25. Within 90 days of the Effective Date, and thereafter as is necessary, the Waste Plan Conformance Agreement referred to in Condition No. 24 shall be amended to be consistent with applicable City and County waste management plans. The Director of Public Works shall be authorized to execute all amendments to the Waste Plan Conformance Agreement on behalf of the County. The Agreement shall continue to provide for: (1) the control of and accounting for the Solid Waste entering into and, for recycled or diverted material, leaving the Landfill; (2) the implementation and enforcement of programs intended to maximize the utilization of available fill capacity as set forth in Condition No. 23; and (3) the implementation of waste diversion and recycling programs on- and off-site in accordance with applicable City and County waste management plans.
26. Prior to using this grant, the Permittee shall submit for review and approval by the Department of Public Works a plan which establishes a program to prevent unnecessary truck trips and illegal waste disposal at the Landfill. The program shall include, but not be limited to, the following elements:
- A. A plan to schedule regular Landfill users, such as commercial and municipal haulers, to avoid having these users arrive at the Facility and be diverted to other landfills; and
  - B. A plan to reserve Landfill capacity for small commercial and private users.
27. The Permittee shall charge its customers higher tipping fees for delivering partial truck loads to the Facility, and for delivering trucks to the Facility during peak commuting hours. Notwithstanding the preceding sentence, in lieu of charging higher tipping fees, the Permittee may implement some other program, as approved by the Department of Public Works, to discourage this type of activity by its customers.
28. The following types of waste shall constitute prohibited waste and shall not be received nor disposed of at the Facility: incinerator ash; sludge; radioactive material; hazardous waste, as defined in Title 22, section 66261.3 of the California Code of Regulations; medical waste, as defined in section 117690 of the California Health & Safety Code; liquid waste, as defined in Title 27, section 20164 of the California Code of Regulations; waste that contains soluble pollutants in concentrations that exceed applicable water quality objectives; and waste which can cause degradation of waters in the State, as determined by the

RWQCB. The Permittee shall implement a comprehensive Waste Load Checking Program, approved by DPH-SWMP (the County LEA as of the Effective Date), to preclude disposal of prohibited waste at the Landfill. The program shall comply with this Condition No. 28, Part IV of the IMP, and any other requirements of the County LEA, the State Department of Health Services, the State Department of Toxic Substances Control, and the RWQCB.

The DPH-SWMP shall maintain at least one full-time inspector at the County Project at all times when waste is received and processed, and shall carry out all inspection duties set forth in the SWFP. In the event that the City/County Project becomes operational, the inspector shall continue such duties under any ultimate City/County LEA agreement that is entered into for the City/County Project. The Permittee shall compensate the DPH-SWMP for any personnel, transportation, equipment, and facility costs incurred in administering the provisions of this Condition No. 28 that are not covered by the fees paid for administration of the SWFP for the Landfill.

Notices regarding the disposal restrictions of prohibited waste at the Landfill and the procedures for dealing with prohibited waste shall be provided to waste haulers on a routine basis. These notices shall be printed in English and Spanish and shall be posted at prominent locations at the Facility and shall inform waste haulers that anyone intentionally or negligently bringing prohibited waste to the Landfill shall be prosecuted to the fullest extent allowed by law.

In the event that material suspected or known to be prohibited waste is discovered at the Facility, the Permittee shall:

- A. Detain the driver and obtain his/her driver's license and vehicle license number if the vehicle that delivered the waste is still on-site;
- B. Immediately notify all appropriate state and County agencies, as required by federal, state, and local law, and implementing regulations;
- C. If possession of the material is not immediately removed by a public official, store the material at an appropriate site designated by the State Department of Health Services and the RWQCB until it is disposed of in accordance with applicable state regulations;
- D. Maintain a manifest of the prohibited waste to be part of the Permittee's annual report required under the IMP, and to include, at a minimum, the following information:
  - I. A description, nature, and quantity of the prohibited waste;
  - II. The name and address of the source of the prohibited waste, if known;

- III. The quantity of total prohibited waste involved;
- IV. The specific handling procedures used; and
- V. A certification of the authenticity of the information provided.

Nothing in this Condition No. 28 shall be construed to permit the Permittee to operate the Facility in any way so as to constitute a Hazardous Waste Disposal Facility, as defined under state law.

### **OPERATING HOURS**

29. The Facility shall be subject to the following operating hours:

The Facility may receive Solid Waste and Beneficial Use Materials only between the hours of 6:00 a.m. (scales open) to 6:00 p.m., Monday through Friday, and 7:00 a.m. to 2:00 p.m. on Saturday, except that Saturday hours may be extended until 6:00 p.m. if necessary to accommodate post-holiday disposal requirements, where there was limited or no trash pick-up on the holiday. The Landfill entrance gate at San Fernando Road may open at 5:00 a.m., Monday through Friday, and 6:00 a.m. on Saturday, except that the entrance gate may open earlier if necessary to allow on-site queuing of vehicles to accommodate post-holiday disposal requirements, where there was limited or no trash pick-up on the holiday. Notwithstanding the forgoing, Solid Waste and Beneficial Use Materials may be received at other times than those just described, except on Sundays, if the County LEA determines that extended hours are necessary for the preservation of public health and safety;

The Facility shall be closed on Sunday;

Facility operations, such as site preparation and maintenance activities, waste processing and the application of cover, may be conducted only between the hours of 6.00 a.m. and 9:00 p.m., Monday through Saturday. This operating restriction shall not apply to Facility activities that require continuous operation, such as gas control;

Equipment maintenance activities at the Landfill may be conducted only between the hours of 4:00 a.m. and 9:00 p.m., Monday through Saturday.

No diesel vehicle shall be started at the Facility before 5:00 a.m.; and

Notwithstanding anything to the contrary in this Condition No. 29, emergency operations, mitigation measures necessary to avoid negative environmental impacts, and equipment repairs, which cannot be accomplished within the hours set forth in this Condition, may occur at any time if approved by the County LEA.

30. The Permittee shall at all times, Monday through Saturday, maintain adequate on-site staff, with appropriate training and experience for the operation of the Facility. The staff's qualifications and level of experience shall be subject to approval of the County LEA, which may, in its discretion, establish minimum training requirements for designated positions at the Facility. All on-site staff shall be familiar with the conditions of this grant.
31. The Permittee shall post a sign at the entrance gate to the Landfill on San Fernando Road providing the following information:
  - A. The telephone number to contact the Permittee on a 24-hour basis to register complaints regarding the Facility's operations. Said telephone number shall be published in the local telephone directory;
  - B. The telephone number of the County LEA and the hours that the County LEA office is staffed; and
  - C. The telephone number of SCAQMD's enforcement offices and the hours that the SCAQMD offices are staffed.
32. The Permittee shall monitor and maintain the Facility's Environmental Protection and Control Systems in perpetuity, or until such time as the Director of Public Works determines that the routine maintenance and foreseeable corrective action that may be necessary during and after the Post-Closure Maintenance Period has been fully satisfied, and the Solid Waste disposed of in the Landfill no longer constitutes a threat to public health and safety, or to the environment.
33. To ensure that the Permittee has sufficient funds for the Landfill's Closure and/or the Post-Closure Maintenance, within 60 months prior to the anticipated Closure Date, and annually thereafter, the Permittee shall provide financial assurance satisfactory to the CAO and the Director of Public Works that it is financially able to carry out these functions. Such financial assurance shall be in the form of a trust fund or other financial instrument acceptable to the CAO and the Director of Public Works.
34. The County reserves the right to exercise its police power to protect the public health, safety, and general welfare of County residents by managing the County-wide waste stream, including regulating tipping fees and similar Facility rates, fees, or charges.
35. Except as otherwise provided in this Condition No. 35, areas outside of the Limits of Fill shall not be graded or similarly disturbed to create additional Landfill area, except that additional grading may be approved by the Director of Public Works if the Director determines, based on engineering studies provided by the Permittee and independently evaluated by the Director, that such additional grading or disturbance is necessary for slope stability or drainage purposes. Such a

determination by the Director shall be documented in accordance with Part I of the IMP, and the Permittee shall submit a revised site plan for review and approval by the Director of Public Works to show the additional grading and/or disturbance. A copy of the approved revised site plan shall be filed with the Director of the Department and the County LEA. Revisions to Exhibit "A-1" or Exhibit "A-2" shall not be authorized, and no site plan revision shall be approved, that in any way modifies the Limits of Fill.

For purposes of this Condition No. 35, prior to approving any excavation of more than five acres containing significant stands of oak and/or Douglas fir trees, the Director of Public Works shall confer with the Los Angeles County Forester and Fire Warden.

Nothing in this Condition No. 35 shall be construed as prohibiting the installation of water tanks, access roads, flares, or other similar facilities at the Facility, or implementing any mitigation program, required by this grant or by any other permit issued by a public agency in connection with the Landfill.

36. Notwithstanding anything to the contrary in this grant, no approval shall be granted to the Permittee that will modify the authorized Limits of Fill or that will lower or significantly modify any of the ridgelines surrounding the Landfill.
37. The Permittee shall comply with all grading requirements of the Department of Public Works and the County Code. In addition, the Permittee shall obtain prior approval from the Department of Public Works for all grading within the County's jurisdiction that is outside the Landfill footprint and all grading within the Landfill footprint that could impact off-site property, including, but not limited to, grading in connection with cell development, stockpiling, or excavation for borrow and cover materials.
38. The Permittee shall install appropriate drainage structures at the Facility to comply with all drainage requirements of the Department of Public Works, the RWQCB, and any other appropriate regulatory agency. Except as otherwise specifically provided by the Department of Public Works, all drainage structures, including sedimentation basins, shall be designed and constructed to meet all applicable drainage and grading requirements of the Department of Public Works, and all design and construction plans for these structures must have prior approval from the Department of Public Works. In all cases, the Landfill and its drainage structures shall be designed so as to cause surface water to be diverted away from disposal areas. All design modifications must have the prior approval from the Department of Public Works.
39. The Permittee shall install and maintain containment (liner) systems and leachate collection and removal systems as required by the RWQCB. The design of landfill liners in the County portion of the Landfill shall be as approved by the RWQCB and shall be of equal or better effectiveness to the design of landfill liners approved by the RWQCB for the City side of the Landfill.

40. The Permittee shall install and test any and all groundwater monitoring wells that are required by the RWQCB and shall promptly undertake any action directed by the RWQCB to prevent or correct potential or actual contamination that may affect groundwater quality, or water conveyance or water storage facilities. For purposes of this Condition No. 40, water storage facilities include the Metropolitan Water District Balboa Inlet Tunnel, the City Aqueduct, and Van Norman Reservoir. Prior to the commencement of the City/County Project, all testing and remedial actions required by the RWQCB to detect, prevent, and/or correct groundwater contamination shall be completed or guaranteed to be completed to the satisfaction of the RWQCB with notice to the Department of Public Works.
41. The Permittee shall operate the Facility so as to conserve water by, at a minimum, adopting the following measures:
- A. Ensuring that all water wells used for the Landfill shall draw from the Sunshine Canyon Watershed, if such usage is approved by the appropriate agencies;
  - B. Investigating the feasibility of treating collected leachate on-site for reuse in the Landfill and, if feasible and the appropriate agencies approve, implementing a program to use such water;
  - C. Using soil sealant, pavement, and/or other control measures for dust control wherever possible, in preference to water; and
  - D. Using drought-tolerant plants to re-vegetate the Landfill slopes and other disturbed areas to the extent feasible, as determined by the Director of the Department. Plant types shall blend with species indigenous to the area and shall be capable of rapid growth.
42. The Permittee shall develop and obtain approval from the Department of Public Works for a Standard Urban Storm Water Mitigation Plan for the Landfill's activities, unless the Department of Public Works determines that such plan is unnecessary.
43. The Permittee shall be prohibited from initiating any activity for which an Industrial Waste Disposal Permit and/or Underground Storage Tanks Permit is required at the Facility before the required or revised permit is obtained from the Department of Public Works. The activities covered by this Condition No. 43 include, but are not limited to, the installation, modification, or removal of any underground storage tank and/or industrial waste control facility. For purposes of this Condition No. 43, an industrial waste control facility includes its permanent structures for treating post-development storm water runoff.
44. The Permittee shall comply with the following cover and re-vegetation requirements at the Landfill:

- A. The Permittee shall apply a temporary hydroseed vegetation cover on any slope or other Landfill area that is projected to be inactive for a period greater than 180 days, as set forth in the IMP. The Permittee shall promptly notify the County LEA and the Department of Public Works of any such slope or area;
- B. Prior to disposing of any Solid Waste within 10 feet of the boundary of the Limits of Fill, the Permittee shall submit to the County LEA and the Director of the Department for review and approval an interim reclamation and re-vegetation plan, which plan shall include the timing of the proposed work;
- C. No final cut slopes shall be steeper than 1.5:1 (horizontal to vertical ratio, excluding benches), and all final cut slopes shall be approved by the Department of Public Works in accordance with said Department's grading requirements;
- D. Except as otherwise provided in this Condition No. 44, all final fill slopes shall be reclaimed and re-vegetated in lifts substantially in conformance with Figure 5, "Typical Cross-Section Final Landfill Cover and Re-vegetation Plan," Page 39, Final Environmental Impact Report ("FEIR"), Volume A, Responses to Comments (dated July 13, 1990), which figure is attached as Exhibit "B" to the Responses to Comments, and also as described in the "Sunshine Canyon Landfill Extension Re-vegetation/Closure Plan," FEIR, Volume A, Responses to Comments, Appendix 3, which figure and plan are attached as Exhibit "C";
- E. Notwithstanding the foregoing, the Permittee shall not be bound by the previous provisions of this Condition No. 44, but instead by the requirements of the County LEA, so long as the Limits of Fill are not exceeded, if in consultation with the Department of Public Works, the County LEA determines that a different re-vegetation design or plan: (1) would better protect public health and safety; (2) would enable re-vegetation of the final slopes at least as well as shown in Exhibit "B" described in subsection D, above; and/or (3) would be required because the minimum standards adopted by the CIWMB have been amended.
- F. The Permittee shall employ an expert or experts, including an independent, qualified biologist, to satisfy this Condition No. 44. Soil sampling and laboratory analysis shall be conducted in all areas that are required to be re-vegetated before any re-vegetation occurs to identify chemical or physical soil properties that may adversely affect plant growth or establishment. Soil amendments and fertilizer recommendations shall be applied and plant materials selected, based on the above-referenced testing procedures and results. To the extent possible, plant types shall blend with species indigenous to the area, be drought tolerant, and be

capable of rapid growth. The selected plants shall not include non-indigenous species that are likely to be invasive of adjacent natural areas.

45. The Permittee shall adopt a fugitive dust program that uses the most effective available methods and technology to avert fugitive dust emissions. In addition to the re-vegetation measures in Condition No. 44, the program shall include, at a minimum, a requirement that:
- A. The Permittee shall not engage in any excavation or other Landfill activity during high wind conditions, or when high wind conditions are reasonably expected to occur, where such excavation or operation will result in significant emissions of fugitive dust affecting areas not under the Permittee's control;
  - B. The Working Face areas of the Landfill shall be limited to small contained areas not exceeding: (1) an aggregate of 10 acres when the Facility is operating as the City/County Project; (2) an aggregate of three to five acres when the Facility is operating as the County Project; or (3) a smaller area if it is determined by the County LEA that such a smaller Working Face area will better protect public health and safety. During periods of the year when high wind conditions may be expected, the Working Face areas shall each be located in an area of minimal wind exposure, or be closed, if closure is deemed necessary by the County LEA. Non-Working Face areas shall be confined to sites of less than five acres each;
  - C. Except when there is sufficient rain or moisture to prevent dust, daily cover shall be watered, and when conditions dictate for dust control to retard erosion, soil sealant shall be used in addition to water;
  - D. Except when there is sufficient rain or moisture to prevent dust, all active Working Face and soil Stockpile areas shall be watered daily, unless wind conditions dictate otherwise, whereby soil sealant shall be used in addition to water. To the extent feasible, and as determined appropriate by the Director of Public Works to reduce the transport distance of soil, cover material for one portion of the Facility shall be obtained from soil excavated from an adjacent area;
  - E. If determined necessary by the County LEA, the Permittee shall, on any day preceding a day when the Facility is closed to Solid Waste receipt, apply soil sealant to any previously active Working Face or soil stockpile area that has not already been sealed or re-vegetated;
  - F. Inactive areas of exposed dirt that have been sealed shall be regularly monitored to determine the need for additional sealing and to prevent unauthorized access that might disturb the sealant. If additional sealing treatment is required, the Permittee shall promptly apply such treatment to assure full control of the soil particles;

- G. All primary access roads to any permanent facility and Working Face areas in the Landfill shall be paved;
- H. To minimize the length of dirt roads, paved access roads to fill areas shall be extended as new fill areas are opened. Winter deck access roads shall be paved or surfaced with recycled asphalt, aggregate materials, or soil stabilization products to minimize the quantity of untreated dirt;
- I. All paved roads in regular use shall be regularly cleaned to remove dirt left by trucks or other vehicles;
- J. Except when there is sufficient rain or moisture to prevent dust, all dirt roads in regular use shall be watered at least once daily on operating days and more often if required by the County LEA or the Director of Public Works, or otherwise treated to control dust emissions;
- K. Loads of Solid Waste capable of producing significant dust shall be watered during the landfill process. If such practice is deemed unacceptable to the RWQCB, the Permittee shall develop alternative methods to minimize dust generation during the landfill process and obtain approval of the method from the Director of Public Works within 90 days of the Effective Date.
- L. In addition to any fire flow requirements of the County Forester and Fire Warden, the Permittee shall maintain sufficient water tanks and piping on-site to supply a minimum of at least one full day's maximum water usage by gravity, as determined by the County LEA, to the active Working Face areas for dust control;
- M. The Permittee shall install and maintain devices on-site, as approved by the SCAQMD, to monitor wind speed and direction, and shall retain qualified personnel who can read and interpret data from these devices, can obtain and use information on predicted wind conditions, and can assist in the Facility's operations related to this information; and
- N. The Permittee shall submit a quarterly report to the Director of Public Works identifying: (1) all fugitive dust and odor complaints from local residents that the Permittee has received for that quarter regarding the Landfill; (2) all notices of violation issued by the SCAQMD or the County LEA; and (3) all measures undertaken by the Permittee to address these complaints and/or correct the violations. The Director of Public Works and the DPH-SWMP shall each have the authority to require the Permittee to implement additional corrective measures for complaints of this nature when such measures are deemed necessary to protect public health and safety.

46. The Permittee shall adopt a program that uses the most effective available methods and technology to prevent waste that has entered an area under the Permittee's control from escaping the area in the form of litter. Notwithstanding any other provision of this Condition 46, or of this grant, the Permittee shall cease accepting incoming waste during high wind conditions if, despite the methods and technology used, waste cannot be confined to areas under the Permittee's control.

The Permittee's litter control program shall include the following requirements, unless the County LEA requires otherwise:

- A. Facility personnel shall continuously patrol the access road to the Landfill scales during the Landfill's hours of operation and remove any litter found during the patrol;
  - B. Loads of Solid Waste that are improperly covered or contained and which may create significant litter shall be immediately detained, and if practicable, correctly covered or contained prior to proceeding to the Working Face. If such a remedial measure cannot be taken, the load shall proceed to the Working Face under escort;
  - C. All debris found on or along the entrance to the Landfill and/or Working Face access roads shall be immediately removed; and
  - D. At every active Working Face area, the Permittee shall install a primary portable litter fence eight feet in height, and also a secondary fence four feet in height behind the primary fence when wind conditions dictate the need for a secondary fence. The Permittee shall employ any and all additional measures as necessary to control litter. On windy days, and when the fences are not sufficient, the Working Face shall be located within areas of minimal wind exposure or shall be closed, if so required by the County LEA. The County LEA may require additional measures deemed necessary to effectively control litter.
47. Within 90 days of the Effective Date, the Permittee shall develop best available methods and/or procedures to prevent vehicles from leaving the Facility carrying dirt and/or debris that may be dislodged onto local streets and highways.
48. In addition to the requirements described in Condition Nos. 46 and 47, the Permittee shall develop and maintain a litter control and recovery program to the satisfaction of the Director of Public Works and the County LEA designed to control the discharge and recovery of off-site litter from uncovered or improperly covered or contained loads traveling to the Facility or otherwise emanating from the Landfill, including conducting regular inspections of the surrounding neighborhoods and recreational parks within a 1.5-mile radius of the property boundary of the combined City and County Landfill. Based upon the inspection, the Permittee shall collect and remove all wind-blown trash or litter encountered

in the neighborhoods and recreational parks within that radius. The Permittee shall maintain a log of the inspections, provide the log upon request to the County LEA, and include a copy of the log in the annual report required pursuant to Part X of the IMP.

49. The Permittee shall at all times, 24 hours a day, Monday through Saturday, maintain adequate staff on-site to promptly respond to complaints from the surrounding neighborhood regarding dust, litter, or other operational issues. In addition, the Permittee shall maintain a hotline/emergency log at the Facility which shall record all complaints received regarding Landfill operations, the Permittee's follow-up action to the complaints, and their final resolution.
50. The Permittee shall at all times, 24 hours a day, seven days a week, maintain at least one staff person on-site, with sufficient expertise to assess the need for remedial action regarding complaints or operation-related accidents, and with the requisite authority and means to assemble the necessary resources to take such remedial action. The individual must be able to be reached on a continuous basis through the telephone number posted at the Landfill entry gate.
51. As required by the SCAQMD, the Permittee shall adopt and implement operational practices to mitigate air quality impacts including vehicular air quality impacts at the Landfill.
52. To the extent technically and economically feasible, the Permittee shall use Landfill gas for energy generation at the Facility or other beneficial uses, rather than flaring, and shall obtain all applicable local, state, and/or federal approvals for any such use. Notwithstanding the forgoing, the Permittee shall be exempt from this Condition No. 52 if, as a part of its annual report required by Part X of the IMP, the Permittee determines that any such activity or project is infeasible, which determination shall be subject to the review and approval of the Director of Public Works.

The Permittee shall also install and maintain a landfill gas collection system complying with SCAQMD requirements, which uses best available control technology to control the lateral migration of gases to the satisfaction of the Director of Public Works, County LEA, and SCAQMD.

In addition to the other requirements of this Condition No. 52, Landfill gas flares shall be installed below the adjacent interior ridges of the site, unless otherwise required by the SCAQMD, and the flames shall be totally contained within the stacks. Flame arrestors shall be provided to the satisfaction of the County Forester and Fire Warden.

53. The Permittee shall take all necessary measures to ensure that noise emissions from the Facility at all residential receptors are within the acceptable limits of the Los Angeles County Noise Ordinance, as contained in Chapter 12.08 of the County Code.

54. For fire protection purposes, the Permittee shall maintain on-site fire response capabilities, construct access roads, perform brush clearance, and provide water tanks, water mains, fire hydrants, and fire flows, all to the satisfaction of the County Forester and Fire Warden.
55. All on-site fuel storage tanks shall be installed and necessary containment and air quality controls for the tanks provided, in accordance with the requirements of the County Forester and Fire Warden, the Department of Public Works, the RWCQB, and the SCAQMD.
56. The Permittee shall implement effective vector control measures at the Facility, as directed by the County LEA.
57. Prior to operating the Landfill as a City/County Project, the Permittee shall install the required traffic improvements outlined in the Supplemental Traffic Data Information report dated June 28, 2004 ("Traffic Report") in the supporting environmental documentation for this project and on file at the Department, to the satisfaction of the City Department of Transportation and Caltrans, at the following intersections:
  - A. San Fernando Road at Sierra Highway;
  - B. San Fernando Road at the Facility's entrance;
  - C. San Fernando Road at Balboa Boulevard;
  - D. Roxford Street at the I-5 Southbound On/Off Ramps;
  - E. Roxford Street at the I-5 Northbound Off Ramp; and
  - F. Roxford Street at the I-5 Northbound Off Ramp/Encinitas Avenue.
58. Prior to operating the Landfill as a City/County Project, the Permittee shall pay Caltrans an amount not to exceed \$422,183 for the freeway transportation improvements outlined in the Traffic Report. The cost of any other project-related mitigation within Caltrans' jurisdiction shall be counted towards this financial obligation.
59. Prior to operating the Landfill as a City/County Project, the Permittee shall install traffic signs along San Fernando Road acceptable to the City Department of Transportation to warn of possible heavy truck traffic near the Facility's entrance. In addition, the Permittee shall ensure to the fullest extent possible that the bicycle lane along San Fernando Road is not adversely impacted by the increased truck traffic at or near the Facility.
60. Prior to operating the Landfill as a City/County Project, the Permittee shall install street lights along the Landfill's frontage of San Fernando Road to the satisfaction of the City Bureau of Street Lighting.

61. The Department of Public Works, the County LEA, and the Community Advisory Committee shall monitor the performance of the conditions of this grant designed to minimize truck traffic. In the event such measures are found to be inadequate, such entity or entities shall notify the Director of the Department and describe the inadequacy of the conditions. Based on this notice, the Director of the Department may, pursuant to the modification procedures of the County Code for conditional use permits, recommend to the Commission that this grant be modified to add measures to ensure the adequacy of these traffic-related conditions.
62. The Permittee shall develop and implement a program to identify and conserve all significant archaeological and paleontological materials found on-site pursuant to Part VII of the IMP. If the Permittee finds any evidence of aboriginal habitation or fossils during earthmoving activities, Landfill operations shall immediately cease in that immediate area, and the evidence and area shall be preserved until a qualified archaeologist or paleontologist, as appropriate, makes a determination as to the significance of the evidence. If the determination indicates that the archaeological or paleontological resources are significant, the resources shall be recovered to the extent practicable prior to resuming Landfill operations in that immediate area of the Landfill.
63. The Permittee shall work with the California Department of Fish and Game, the United States Army Corps of Engineers, and the City of Pasadena to monitor the approved and implemented wetlands and riparian habitat restoration project (Lower Arroyo Seco Restoration Project, Corps File Number 94-00124-AOA, California Department of Fish and Game Streambed Alteration Agreement Number 5-445-91), as required by the requirements of that project until the project is accepted by the City of Pasadena.

**PERMITTEE FEES (CONDITIONS 64 THROUGH 72)**

The requirement that the Permittee pay the fees set forth in Condition Nos. 64 through 72, inclusive, shall not begin until the Effective Date. Prior to that date, any and all fees required by CUP 86-312-(5) shall remain in full force and effect. The following fees are cumulative and are in addition to any other fee or payment required by this grant.

64. The Permittee shall pay an annual fee to the County equal to 10 percent of the sum of the following, net any amount the Permittee pays to the County pursuant to Section 4.63, et seq., of the County Code:
- A. The net tipping fees collected at the Facility for the County Project, or when operating as the City/County Project, the fees allocated to the County pursuant to any revenue allocation agreement between the City and County, as described below in this Condition No. 64. For purposes of this Condition No. 64, "net tipping fee" shall mean the total fees collected, less any fees or taxes imposed by a federal, state, or local agency that is

included in the fee charged by the Permittee at the Facility entrance, except that any franchise fee or enforcement fee imposed by the City shall be included in the amount of the net tipping fee. "Total fees collected" shall be calculated as the total gross receipts collected by the Permittee;

- B. The revenue generated from the sale of Landfill gas at the Facility, less any federal, state, or local fees or taxes included in such revenue, except that any franchise fee or enforcement fee imposed by the City shall be included in such revenue; and
- C. The Revenue generated by any other activity at the Facility, less any federal, state, or local fees or taxes included in such revenue, except that any franchise fee or enforcement fee imposed by the City shall be included in such revenue.

Prior to operating as a City/County Project, the Permittee shall enter into a revenue allocation agreement with the City and County, which shall be approved and executed by all three parties, and which shall, at a minimum, establish the allocation of Landfill disposal fees between the City and County. The Board shall be the party that may execute this agreement on behalf of the County.

- 65. The Permittee shall pay on a monthly basis to the Department of Public Works a fee of 25 cents per ton of Solid Waste disposed of at the County Project, or in the County portion of the City/County Project, as the case may be. This fee shall be used for the implementation and enhancement of waste diversion programs in County unincorporated areas.
- 66. By March 31 of each year, the Permittee shall pay to the Department of Parks an annual fee of 50 cents per ton of Refuse disposed of within the County Project, or within the County portion of the City/County Project, as the case may be. This annual payment shall be deposited into an interest bearing trust fund established to provide for the development of natural habitat and parkland within the County. No monies from this trust fund shall be used for projects or programs that benefit areas outside the communities surrounding the Landfill. The Department of Parks shall administer the trust fund, and all monies in the trust fund, including accrued interest, shall be spent by the Department of Parks in the manner determined and directed by the 5th Supervisorial District.
- 67. By March 31 of each year, the Permittee shall pay to the Department of Public Works an annual fee of 50 cents per ton of Refuse disposed of within the County Project, or within the County portion of the City/County Project, as the case may be. This annual payment shall be deposited by the Director of Public Works into an interest bearing trust fund established to provide funding for transportation improvements in the areas surrounding the Landfill. The Department of Public Works shall administer this trust fund, and all monies in the trust fund, including accrued interest, shall be spent by the Department of Public Works in the manner determined and directed by the Fifth Supervisorial District.

68. By January 10 of each year, the Permittee shall pay to the Director of the Department an annual fee of \$81,000 to be used to finance planning studies, including, but not limited to, studies related to Significant Ecological Areas ("SEA's") in the area surrounding the Landfill, and neighborhood planning studies for surrounding neighborhoods, as determined by the Director of the Department. This annual payment shall be held in an interest-bearing account, and shall be combined with any remaining funds from CUP 86-312 collected for SEA planning studies.
69. Pursuant to Goal 2.4.2 of the Los Angeles County Countywide Siting Element adopted by the Board in 1997, and the Board's policy adopted on July 27, 1999 to promote the development of alternatives to landfill and incineration processes, the Permittee shall contribute \$200,000 annually, not to exceed \$2,000,000 for the life of this grant, to an alternative technology development fund, which fund shall be an interest bearing account established and maintained by the Director of Public Works. This fund shall be used to research, promote, and develop the alternative technologies that are most appropriate for Southern California from an environmental and economic perspective. The determination of appropriate alternative technologies shall be made by the Director of Public Works together with the Los Angeles County Solid Waste Management Committee/Integrated Waste Management Task Force ("Task Force"); the determination regarding use of the fund shall be made by the Director of Public Works after consultation with the Task Force. Within six months after the Effective Date, the Permittee shall deposit its first \$200,000 payment required by this Condition, and thereafter annually by April 1. The Alternative Technology Subcommittee of the Task Force shall include a representative of the Permittee and the North Valley Coalition of Concerned Citizens.
70. For the life of this grant, the Permittee shall make a monthly payment of \$1 per ton of Solid Waste disposed of at the Landfill to an interest-bearing community benefit and environmental education trust fund, created and maintained by the Director of the Department. This fund shall be used to fund environmental, educational, and quality of life programs in the unincorporated surrounding communities, and to fund regional public facilities that serve these communities. All monies in the fund shall be spent by the Director of the Department in the manner determined and directed by the Fifth Supervisorial District.
71. During Phase I of the City Project, the Permittee shall fund five (5) collection events per year to be held by the Director of Public Works for the collection of household hazardous waste and Electronic Waste, including discarded computers. After Phase I is complete, the Permittee shall fund 11 such collection events annually. The cost of each event shall be the lesser of: (1) \$100,000, adjusted annually for any increase in the Consumer Price Index (CPI) for all urban consumers in the Los Angeles, Anaheim, and Riverside areas, as published by the United States Government Bureau of Labor Statistics; or (2) the average cost for such events over the preceding 12 months, as determined by the Director of Public Works. The Permittee shall make semi-annual payments

for these events, on April 1 and October 1 of each year, to the Director of Public Works, which payment shall cover the cost of all collection events for the preceding six month period.

72. The Permittee shall deposit the sum of \$50,000 with the Department to establish a draw-down account, from which actual costs will be billed and deducted for the purpose of defraying the expenses involved in the Department's review and verification of any and all information contained in the required reports of this grant, and any other activity of the Department to ensure that the conditions of this grant are satisfied, including, but not limited to, carrying out the following activities: enforcement, permitting, inspections, coordination of mitigation monitoring, providing administrative support in the oversight and enforcement of these conditions, performing technical studies, and hiring independent consultants for any of these purposes. If the actual costs incurred pursuant to this Condition No. 72 have reached 80 percent of the amount of the initial deposit (\$40,000), and the Permittee has been so notified, the Permittee shall deposit supplemental funds to bring the balance up to the amount of the initial deposit (\$50,000) within 10 business days of such notification. There is no limit to the number of supplemental deposits that may be required during the life of this grant. At the sole discretion of the Permittee, the Permittee may deposit an initial or supplemental amount that exceeds the minimum amounts required by this Condition No. 72.
73. The Permittee shall support legislation and regulations that will promote the development of Conversion Technologies. Such legislation and regulations should, at a minimum:
  - A. Provide economic incentives for the development of Conversion Technologies;
  - B. Remove from the definition of transformation under section 40201 of the California Public Resources Code any technologies and/or processes categorized as Conversion Technologies;
  - C. Provide full diversion credit for waste managed by these Conversion Technologies towards the State's waste reduction mandates; and/or
  - D. Remove any unnecessary regulatory hurdles that impede such development.
74. The approval of this grant in no way supersedes or affects the terms and conditions of Oak Tree Permit No. 86-312-(5), and the Permittee shall continue to comply with all such terms and conditions.
75. The Permittee shall continue working with the waste industry, in concert with cities, the County, and other stakeholders in the industry, to seek amendment of existing laws and regulations to require that compliance with the State's waste

reduction mandates be measured by diversion program implementation as opposed to disposal quantity measurement, and to further require the State-mandated Disposal Reporting System to be used solely to identify waste generation and disposal trends.

76. The Permittee shall implement a vehicle tarping program at the Facility, as approved by the Director of Public Works, to discourage untarped vehicles from using the Facility. All vehicles loaded with Solid Waste or any other material that creates the potential for litter shall, to the greatest extent possible, be tarped when entering and leaving the Facility, and no such vehicle shall be allowed to enter the Facility until the driver has been informed of the tarping requirements and has been asked to have his/her load covered. In addition to any other penalty set forth in this grant, repeat violators of this Condition No. 76 shall be subject to the penalties described in the vehicle tarping program and may be permanently prohibited from using the Facility.
77. The Permittee shall be subject to the following requirements regarding non-diesel, alternative fuel vehicles and equipment:
  - A. Upon the Effective Date, all light-duty vehicles operating at the Facility shall be alternative fuel vehicles, to the extent deemed technologically and economically feasible by the TAC;
  - B. Within the first year after the Effective Date, the Permittee shall purchase, and put into operation, 10 alternative fuel Refuse collection trucks or transfer trucks at the Facility, to the extent deemed technologically and economically feasible by the TAC;
  - C. Within the first year after the Effective Date, the Permittee shall prepare and submit an alternative fuel vehicle report to the TAC for review and approval. The report shall contain information on available alternative fuel technologies and their economic feasibility, as well as other information deemed necessary by the TAC to determine the feasible use of alternative fuels at the Facility;
  - D. Within the first year after the Effective Date, the Permittee shall design and implement at least one heavy-duty, alternative fuel off-road equipment pilot program, to the extent deemed technologically and economically feasible by the TAC;
  - E. Within three years after the TAC determines that non-diesel, alternative fuel vehicles are technologically and economically feasible:
    1. The Permittee shall require all transfer trucks entering the Facility to be non-diesel alternative fuel vehicles; and

2. All transfer trucks and collection trucks owned or leased by the Permittee and used at the Facility shall be non-diesel alternative fuel vehicles;
  - F. Within six years after the TAC determines the appropriate technological and economic feasibility, 75 percent of all of truck trips entering the Landfill, with a Solid Waste capacity of at least nine tons, shall be made by non-diesel alternative fuel vehicles;
  - G. With the assistance of the SCAQMD and the DPH-LEA, the Permittee shall use its best efforts to participate in a clean fuel demonstration program with one or more types of off-road heavy-duty equipment; and
  - H. As part of its annual report to the TAC required by the IMP, the Permittee shall submit an ongoing evaluation of its compliance with each component of this Condition No. 77. The Permittee may appeal the requirements of this Condition No. 77 to the Director of the Department in accordance with the procedure described in Condition No. 11 for the appeal of a notice of violation, but only on the bases of whether a particular alternative fuel is technologically or economically feasible.
78. The Permittee shall not receive any Solid Waste for disposal in the Landfill originating outside of Los Angeles County;
  79. The Permittee shall prepare and distribute to all interested persons and parties, as shown on the interested parties list used by the Department for this matter, and to any other person requesting to be added to the list, a quarterly newsletter providing the Facility's website and its 24-hour emergency telephone numbers, and also providing the following information for the quarter: (1) "What is New" at the Facility; (2) the regulatory and permitting activities at the Facility; (3) the hotline/emergency log for the period; and (4) a summary of any and all progress reports and/or annual reports required by this grant. The newsletter shall be posted on the Facility's website and distributed to at least one local library. In addition, the Permittee shall notify the Community Advisory Committee, as described in Part IX of the IMP, the Granada Hills North Neighborhood Council, and any other interested community group in the immediate vicinity of the Facility, of any operational change at the Facility that was not fully analyzed in the supporting environmental documentation for this project, and the Permittee shall provide such entities or groups an adequate opportunity to comment on and, if necessary, to request hearings and CEQA findings for, these operational changes.
  80. The Permittee shall remove all graffiti in public view on buildings and structures at the Facility within 48 hours of its placement. The Permittee shall also establish and maintain a graffiti deterrent program approved by the DPH-LEA and submitted to the Graffiti Abatement Section of the Department of Public Works.

81. The Permittee shall conduct air quality monitoring at the Facility and its surrounding areas. In addition, an independent air quality consultant selected by the TAC shall conduct at least four random tests per year of Landfill dust and diesel particulates surrounding the perimeter of the Facility to determine whether air quality near the Landfill is consistent with the supporting environmental documentation for the City Project (i.e., the City's Final Supplemental Environmental Impact Report or "FSEIR"). The consultant review shall place added emphasis on the area south of the Landfill above the nearby residential community. The cost of the consultant and the tests shall be borne entirely by the Permittee. The consultant report shall be provided to the Director of the Department, the TAC and the Permittee within 15 calendar days after completion of the tests.

If any of the test results are inconsistent with the FSEIR as described in the consultant report, the Permittee shall submit a corrective action plan to the TAC within 15 days after receipt of the report to set forth a schedule for remedial action. The TAC shall consider the corrective action plan within 30 calendar days of its receipt and provide notice to the Permittee if such plan has been approved. If the TAC does not approve the corrective action plan, the Director of the Department may impose additional or different measures to reduce air quality impacts at the Facility. These additional measures may include requirements that the Permittee: (1) pave additional unpaved roads at the Facility; (2) water and apply soil sealant to additional Working Face areas; (3) relocate Working Face areas to designated locations during windy conditions; (4) monitor sensitive sites throughout the community; and/or (5) close the Facility during extreme wind conditions. The Permittee may appeal the Director's decision in accordance with the appeal provisions in Condition 11 for an appeal of a notice of violation.

The Director of the Department, with the advice of the TAC, may reduce the frequency of the consultant testing, or discontinue it altogether, if the Director finds that the test results are invalid or lack beneficial value.

In addition to the consultant's other duties under this Condition No. 81, within one year after the Effective Date, the consultant shall conduct testing of landfill gas, dust, and diesel particulates at Van Gogh Elementary School, and based on these results, shall project emissions for the development of the Landfill, and shall conduct on-site monitoring of these emissions consistent with SCAQMD rules and regulations. The test results and mitigations measures, if any, shall be submitted to SCAQMD and the TAC for evaluation and approval.

Notwithstanding the above, the TAC may rely upon the information and reports developed in compliance with the City's air quality requirements of Condition C.10.a of the City Ordinance, provided that such information and reports and their background data and analysis are deemed acceptable by the TAC to satisfy the intent of this Condition No. 81.

82. Within 90 days after the Effective Date, the Permittee shall install video monitoring equipment at the Facility to monitor Landfill operations at each Working Face area and at other critical locations to ensure compliance with the conditions of this grant. Copies of the video tapes shall be provided to DPH-LEA and the TAC upon request, and shall be kept and maintained at the Facility for one year after taping, unless the DPH-LEA determines, at its sole discretion, that the video tapes should be kept for a longer period to protect public health, safety, or the environment.
83. The Permittee shall provide access to a back-up generator for emergency use in case of a prolonged power outage at the Facility to prevent the migration/emission of Landfill gas, unless such a use is otherwise prohibited by SCAQMD due to air quality concerns.





**IMPLEMENTATION AND MONITORING PROGRAM  
PROJECT NUMBER 00-194-(5)  
SUNSHINE CANYON LANDFILL EXPANSION  
Attachment to the Conditions of Grant for  
Conditional Use Permit Number 00-194-(5)**

**PURPOSE.** This implementation and monitoring program ("IMP") is intended to implement and ensure compliance with the conditions of this grant and to complement the enforcement and monitoring programs routinely administered by County<sup>1</sup> agencies and non-county public agencies.

**PART I - LANDFILL ELEVATIONS.** The following measures shall be carried out to monitor compliance with Conditions Nos. 2, 7, 17, 18, 23, 32, 35, and 36 of this grant, which establish the Limits of Fill.

- A. Before commencing expansion of the Landfill beyond the limits established by Conditional Use Permit 86-312-(5), the Permittee shall install survey monuments around the perimeter of the Landfill, as depicted on Exhibit "A-1" and Exhibit "A-2," and as established by the limits of Condition No. 18.

The specific spacing, location, and characteristics of the survey monuments shall be as specified by the Director of Public Works and shall be at points where they will not be subject to disturbance of Landfill development.

The survey monuments shall be inspected and approved by the Director of Public Works after installation, and the "as installed" plan shall be provided to DPH-SWMP and to the Director of the Department.

Not less than 60 nor more than 90 days before the deadline for the annual monitoring report required by Part X of this IMP, the Permittee shall cause a licensed surveyor or registered civil engineer to conduct a survey of the Landfill's elevations and submit the results to the Director of Public Works for approval. Additional election surveys shall also be conducted by either of these professionals under the following circumstances: 1) in the event of an earthquake of magnitude (Richter) 5.0 or greater in the vicinity of the Facility; 2) as directed by the Director of Public Works or the DPH-SWMP; or 3) upon completion of the Landfill's final fill design.

The Director of Public Works may also conduct or order on-site surveys as he or she deems necessary and shall promptly report any apparent violation revealed by the survey to the Director of the Department and the DPH-SWMP.

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<sup>1</sup> Unless otherwise defined in this IMP, defined terms herein shall have the same meaning as in the Conditions of Approval for this grant.

- B. If the Director of Public Works approves grading or other disturbance in areas outside the Limits of Fill shown on Exhibit "A-1" and/or Exhibit "A-2" pursuant to Condition No. 35 of this grant, the Director shall refer a copy of such approval to the Director of the Department and the DPH-SWMP.

**PART II – WASTE PLAN CONFORMANCE.** The provisions of this Part II are intended to ensure compliance with the provisions of Condition Nos. 21, 22, 23, 24 and 25 of this grant, and to conform Landfill operations with the Los Angeles County Countywide Integrated Waste Management Plan adopted pursuant to Division 30 of the Public Resources Code.

- A. The Permittee shall ensure the proper installation and maintenance of scales to verify the weight of Solid Waste received, disposed of, used for Beneficial Use Materials at the Facility, and/or otherwise diverted and sent off-site for further handling and/or processing. The Permittee shall maintain records necessary to document the following: (1) the aforementioned weights; (2) compliance with waste restrictions imposed pursuant to the conditions of this grant; and (3) the fees charged for disposal at the Facility.
- B. All records shall be available for inspection by the DPH-SWMP, the Department of Public Works, the Department, and the Treasurer and Tax Collector during normal business hours, and shall be forwarded to such agencies upon request.

**PART III – WASTE ORIGIN DATA ACCURACY.** The provisions of this Part III are intended to ensure compliance with the provisions of Condition 22 of this grant. The Permittee shall adopt measures at the Facility to ensure the accuracy of the Solid Waste quantity allocated to County unincorporated areas. These measures shall apply to those customers of the Permittee who identify the source or origin of all or a portion of their waste loads as County unincorporated area, and shall become effective within 90 days after the Effective Date. Under these measures:

- A. The Permittee shall require written and verifiable documentation on source jurisdiction(s) and site address(es) where the Solid Waste is generated for loads from waste hauling industry customers ("Direct Haul Loads"), and written and verifiable documentation on source jurisdiction(s) for loads from transfer/processing facilities ("Transfer/Processing Loads"), the documentation of which shall be in a form developed by the Department of Public Works and distributed by the Permittee to its customers;
- B. The Permittee shall exempt from such documentation all customers tendering a minimum load, defined as a load having a net weight of less than one ton. However, such customers shall continue to verbally state the source of their loads;

- C. The Permittee shall investigate and verify the accuracy of all documentation provided for Direct Haul Loads;
- D. The Permittee shall forward all documentation for Transfer/Processing Loads to the Department of Public Works for review and verification;
- E. The Permittee shall forward all documentation for Direct Haul Loads from Solid Waste enterprises/waste haulers owned and operated by the Permittee or its subsidiaries to the Department of Public Works for review and verification;
- F. The Permittee shall impose a fee in an amount to be formulated by the Permittee in consultation with the Department of Public Works on Direct Haul Loads and self-haul loads that are tendered at the Facility without the required written documentation. The fee shall be non-refundable and shall offset the Permittee's cost to track non-complying loads and to follow-up with the customers involved;
- G. If the Director of Public Works determines that a Solid Waste enterprise, waste hauler, and/or Transfer/Processing operator has failed to substantiate the origin of the Solid Waste that was reported to have originated in County unincorporated area, the Director shall notify and direct the Permittee to impose a non-refundable penalty of \$5.00 per ton, based on all Solid Waste tonnage allocated to the County unincorporated area by the solid waste enterprise, waste hauler, or Transfer/Processing operator for that reporting period, which reporting period shall not exceed one month. The Permittee shall be responsible for collecting the fine and submitting it to the Department of Public Works within 60 days following such notification. The fines received by the Department of Public Works shall offset the cost of administering the waste origin verification program and of implementing other programs to mitigate the damages the County incurred under the California Integrated Waste Management Act of 1989, as amended, from such misallocation;
- H. Unless otherwise approved by the Director of Public Works, the Permittee shall suspend the disposal privileges of customers who fail to provide the written documentation required by this Part III within 14 calendar days following the tendering of an applicable load at the Facility, or of those customers who provide false, misleading, or inaccurate written documentation. Each suspension shall last up to 60 days;
- I. The Permittee shall extend the suspension period set forth above and shall possibly terminate the customer's disposal privileges for Transfer/Processing operators or waste haulers that repeatedly fail to substantiate the origin of their waste loads as required in this Part III, or who fail to pay the required penalties; and

- J. The Permittee shall provide a procedure for its customers to appeal the suspension to the Permittee, the Director of Public Works, or their designees, pursuant to this Part III and for immediate reinstatement of such privileges if the appeal is successful; and
- K. If the Permittee or the Director of Public Works determines that the origin of a waste load has been incorrectly reported, the Permittee shall correct the data submitted to the disposal reporting system to ensure its accuracy.

Prior to the implementation of the above measures, the Permittee shall, subject to the approval of the Director of Public Works, develop a waste origin verification and reporting program to include, but not be limited to, an outreach program to educate all customers of the Facility regarding the need to provide waste origin information, the requirements of the measures adopted pursuant to this Part III, and an explanation of the consequences for failure to comply with the measures. After the effective date of the adopted measures, the Permittee shall provide a 90-day grace period to its customers prior to taking any enforcement action to provide time for customer education on these measures. Based on the initial results obtained from the verification and reporting program, these measures may be amended or modified by the Director of Public Works. The Director of Public Works shall have the discretion to terminate the verification and reporting program at any time.

Twice monthly, the Permittee shall submit the results of the verification and reporting program to the Director of Public Works, along with any other written documentation on the waste load transactions at the Facility.

PART IV – HAZARDOUS WASTE EXCLUSION. This Part IV ensures compliance with Condition No. 28 of this grant regarding the exclusion of liquid, radioactive and hazardous waste from the Facility.

The Permittee shall maintain a comprehensive waste load checking program which shall require that:

- A. All waste hauling vehicles shall be screened at the scales with a radiation detector device, acceptable to the DPH-SWMP, for the presence of radioactive materials;
- B. Sensors capable of detecting volatile organic compounds acceptable to the DPH-SWMP shall be available at the Facility and used as directed by the DPH-SWMP;
- C. The scale operator shall question all drivers of suspect loads as to the source and nature of the loads, and shall inspect for contamination all large loads of earth brought into the Facility from areas not known to be free of contamination;

- D. The Landfill's Working Face areas shall be continuously inspected for hazardous and liquid waste, medical waste, and radioactive waste/materials. This inspection shall be accomplished by equipment operators and spotters who have been trained through an inspection program approved by the DPH-SWMP;
- E. Unless otherwise specified by DPH-SWMP, the Permittee shall conduct at least six manual inspections of randomly selected incoming Refuse loads each operating day, for a minimum of 36 inspections per week. In addition, the Permittee shall conduct a series of twelve, intensive unannounced manual inspections of Refuse loads over a twelve-month period during the life of this grant; and
- F. If on the basis of above-described inspections, the DPH-SWMP determines that significant amounts of prohibited waste are entering the Facility, the DPH-SWMP may require an expanded inspection program, which may include additional, unannounced manual inspections.

**PART V – INDEMNIFICATION AGREEMENT.** Prior to the Effective Date, the Permittee shall enter into an agreement with the County indemnifying the County for any damages to public property which may result from Landfill operations and for any expenses which may be incurred by the County in performing any on- and/or off-site remedial work necessitated by the Permittee's failure to operate or maintain the Facility at a level acceptable to the Director of Public Works or the County LEA, or for the Permittee's failure to perform any of this work in a timely manner. The work covered by this indemnification shall include, but not be limited to, work related to the Environmental Protection and Control Systems, litter and dust control, noise control, vector control, and maintenance of slopes. The standards for operation and maintenance shall be as established by the provisions of this grant and all applicable laws and implementing regulations.

To secure performance of the agreement, the Permittee shall tender to the Director of Public Works a letter of credit or other security acceptable to the County in the amount of \$10 million.

The security shall be in addition to any and all other security required by federal, state and local law, regulations and permits, including the security requirements of this grant and of the State landfill closure regulations.

**PART VI - BIOLOGICAL/HORTICULTURAL MONITORING.** This Part VI is intended to promote compliance with the provisions of Condition Nos. 44 and 45 of this grant concerning on-site planting, revegetation, and maintenance.

- A. Before using this grant, the Permittee shall retain a horticulture/forester consultant to supervise the on- and off-site slope planting and oak tree mitigation programs required by this grant and this IMP. The consultant shall be approved by the County Forester.

This consultant shall have the requisite education, training, experience, and professional standing to carry out the specific requirements of the position, as evidenced by appropriate licensing, registration and/or academic standing in the field of horticulture/forestry.

- B. In addition to the horticulture/forester consultant, prior to using this grant, the Permittee shall retain the services of a biology consultant, whose duties shall include: (a) the periodic review of any updated listings of threatened and endangered species contained in the Federal Register for purposes of determining whether species existing at the Facility have been re-classified with a "Category 1" status; and (b) participating in the revegetation program adopted for the Landfill.

This consultant shall have the requisite education, training, experience and professional standing to carry out the specific requirements of the position, as evidenced by appropriate licensing, registration and/or academic standing in the field of biology.

- C. If any retained consultant pursuant to this Part VI terminates employment at any time during the life of this grant, including during the Post Closure Maintenance Period, a replacement consultant shall be retained and approved as provided in this Part.

The Permittee shall create and maintain adequate records to track fill areas in accordance with the California Regional Water Quality Control Board requirements. These records shall indicate fill areas transferred to an inactive status which are potentially subject to the vegetation requirements in Condition Nos. 44 and 45. The Permittee shall make copies of such records available to the horticulture/forester consultant, the County LEA, the County Forester and other interested regulatory agencies, when a Landfill area becomes inactive.

PART VII – ARCHEOLOGICAL/PALEONTOLOGICAL MONITORING. The Permittee shall implement the monitoring program described in this Part VII to conserve archaeological and paleontological resources as required by Condition No. 62 of this grant.

- A. Before commencing grading activities in previously undisturbed areas, the Permittee shall nominate to the Director of the Department, both a certified archaeologist and a qualified paleontologist from the Society of Professional Archaeologists which the Permittee intends to retain to perform the monitoring and conservation work required by this Part VII and Condition No. 62 of this grant. If approved by the Director of the Department, the archaeologist and paleontologist shall both submit a letter to the Director stating that he/she has been retained to perform or supervise the work described herein, and that he/she agrees to report any failure of compliance with this grant or this Part VII to the Director.

- B. The archaeologist and the paleontologist shall each submit a written report to the Permittee to be included in the Permittee's annual monitoring report required by Part X of this IMP for as long as on-site excavation activity continues at the Facility, or upon the respective expert's termination of employment, in which case the report shall be submitted to the Director of the Department.
- C. If either the archaeologist or paleontologist terminates employment before completion of the excavation work associated with the Facility, a replacement expert shall be selected, approved, retained and certified as described in this Part VII.

PART VIII – ANCILLARY FACILITIES. This Part VIII is intended to enhance compliance with Condition No. 2 of this grant concerning the Ancillary Facilities at the Facility, and to verify that such Ancillary Facilities are consistent with the other conditions of this grant and with the provisions of Title 22 of the Los Angeles County Code ("County Zoning Ordinance").

Before commencing development or obtaining a building permit for any Ancillary Facility, the Permittee shall submit to the Director of the Department a site plan for such Ancillary Facility. The plan shall be in sufficient detail to establish compliance with the conditions of this grant and with the standards of the County Zoning Ordinance, including the provisions relating to the development and maintenance of parking, screening and signs, as set forth in Chapter 52 of the County Zoning Ordinance.

PART IX – COMMUNITY ADVISORY COMMITTEE. The Community Advisory Committee ("CAC"), appointed by the Board, shall continue to serve as a liaison between the Permittee and the community, and as a conduit for the community to communicate with the Commission and other regulatory agencies on an ongoing basis regarding issues involving the development and operation of the Facility. The CAC shall be composed of persons who reside in the vicinity of the Facility and who are recommended by recognized community and neighborhood associations. The respective Board members in whose district the Facility is located, and whose district the Facility is most nearly adjacent (i.e., the Third and Fifth Supervisorial Districts), shall each appoint a representative to serve as coordinators for the CAC and shall nominate committee members.

For the life of this grant, the Permittee shall continue to do the following regarding the CAC:

- A. Provide qualified personnel to regularly attend CAC meetings;
- B. Provide the CAC reasonable access to the Facility and information concerning Landfill operations necessary for the CAC to perform its functions;

- C. Provide accommodations for CAC meetings; and
- D. Provide funding, not to exceed \$20,000 per annum, for the CAC to retain independent consultants for CAC-related matters; provided that all consultants shall have the requisite education, training, and experience to undertake the work and shall have no conflict of interest with the Permittee or any member of the CAC.

The CAC shall be provided access to all reports submitted by the Permittee to any and all regulatory agencies required under this grant, including the annual monitoring report required by Part X of this IMP. The Permittee shall also consult the CAC on planning matters that could affect the physical development or future use of the Facility.

**PART X – MONITORING REPORTS.** This Part X is intended to enhance the continuing oversight of Landfill operations and to supplement the routine enforcement activities of the various regulatory agencies having jurisdiction over the development, operation, and maintenance of the Facility.

- A. By June 1 of each year until the Landfill's Closure, the Permittee shall prepare and submit annual monitoring reports to the Commission. At least 60 days prior to that date, draft copies of the report shall be submitted to the following entities for review and comment:
  - 1. DPH-SWMP;
  - 2. Director of the Department;
  - 3. Director of Public Works;
  - 4. Los Angeles County Forester and Fire Warden;
  - 5. Regional Water Quality Control Board-Los Angeles Region;
  - 6. South Coast Air Quality Management District;
  - 7. County Museum of Natural History; and
  - 8. Community Advisory Committee;

The draft submittal to the above-referenced entities shall include a request that comments be sent to the Permittee within 30 days of receipt of the draft report, but no later than 15 days prior to the deadline for the final report. The Permittee shall provide documentation to the Director of the Department that the draft reports have been submitted to these entities.

The Permittee shall respond to each comment received by these entities and shall include every comment and response with the final report submitted to the Commission and the Technical Advisory Committee, as described in Part XII of this IMP. A copy of the final report shall be provided to the local county library and posted on the Permittee's website.

Upon receipt of the monitoring report, the Commission may request the Permittee to submit additional information as it deems necessary to carry out the purposes of this IMP.

- B. Each monitoring report shall contain, at a minimum, the following:
1. A cumulative total of all Solid Waste disposed of at the Landfill (i.e. City, County, and/or combined City/County portions), the percent of total available capacity used, the remaining disposal capacity in volume and in tons, and a detailed site map/plan showing the sequence of Landfill operations;
  2. A copy (which may be reduced and simplified to fit the report format) of the most recent approved Landfill survey (as required in Part I of this IMP) showing the Limits of the Fill and the height and extent of the current fill;
  3. The achieved ratio of weight to volume of Solid Waste disposed of at the Landfill and a comparison of that ratio with the ratio achieved at comparable landfills in the County, with an explanation of any significant deviation;
  4. A summary of the rates (quantity per month) of Solid Waste received, disposed of, used for Beneficial Use Materials at the Facility, and/or otherwise diverted and/or sent off-site for further handling/processing, for the period established by the Director of Public Works, or from the last monitoring report, in sufficient detail to explain significant changes and variations of the rates over time;
  5. A summary of the measures taken by the Permittee to divert and recycle materials at the Facility, how the measures compare with waste management plans adopted by the County and various cities, and the overall effectiveness of such measures in achieving the intent of this grant and the County's waste management plans;
  6. A summary of the number and character of litter, noise, fugitive dust, and odor complaints received in the reporting period, the disposition of such complaints, and any new or additional measures taken to address or avoid future complaints;

7. A detailed accounting of any and all citations the Facility received from any regulatory agency for violations in operating the Facility (including violations related to litter, odor, fugitive dust, noise, Landfill gas, or other Environmental Protection and Control Systems), the disposition of the citations, and the penalties assessed and fees paid;
  8. A report on all interim and final fill revegetation, including an assessment of the success of such revegetation and any additional measures necessary or proposed to effect successful revegetation;
  9. The archaeological and paleontological reports required in Part VII;
  10. A summary of the measures taken by the Permittee to promote and implement alternative technologies most appropriate for Southern California from an environmental and economic perspective, as required by Condition Nos. 69 and 73 of this grant;
  11. A summary of the measures taken by the Permittee to develop transportation improvements in the surrounding areas of the Facility, as required by Condition Nos. 57 and 67 of this grant;
  12. A summary of the measures taken by the Permittee to minimize truck traffic at the Facility as required by Condition Nos. 26, 27, 57, 59, 60, 61 of this grant; and
  13. A summary of the measures taken by the Permittee to utilize Landfill gas to generate energy at the Facility as required by Condition No. 52 of this grant.
- C. Nothing in this Part X shall be construed in any way to limit the authority of a Hearing Officer, the Commission, or the Board to initiate any proceeding to revoke or modify this grant as provided in Condition No. 11 of this grant or under Part 13, Chapter 56, of the County Zoning Ordinance.

**PART XI – COMPENSATION.** The Permittee shall compensate all involved County departments for the expenses incurred in the administration of this grant, including the administration of this IMP and the Mitigation Monitoring and Reporting Summary ("MMRS") in the project's supporting environmental documentation, not otherwise covered by the fees paid for administration of the SWFP for the Facility. Such compensation shall be computed using the actual hours expended multiplied by the most current applicable hourly rates available at the time that the expenses are incurred, as approved by the County Auditor-Controller. The expenses of the DPH-SWMP shall include its personnel, equipment, and transportation costs.

**PART XII – TECHNICAL ADVISORY COMMITTEE ("TAC")**. An ad hoc committee of County departments, chaired by the Director of the Department or his/her designee, shall be established for the purpose of reviewing, coordinating, and certifying the satisfactory implementation and/or completion of the plans, permits, and/or agreements required and/or authorized by this grant, including the implementation and/or completion of the Conditions of Approval, this IMP, and the MMRS.

- A. **Composition**. The TAC shall be composed of representative(s) of the following County departments, and other County departments on an as-needed basis:
1. DPH/County LEA;
  2. The Department;
  3. The Department of Public Works; and
  4. The Forester and Fire Warden;
- B. **Meeting/Purposes**. The TAC shall meet at least twice a year to ensure the purposes of the conditions of this grant are satisfied and to ensure compliance with the approvals and regulations of State and Federal agencies that regulate and permit the Facility. One of TAC's annual meetings shall be conducted to review the annual report submitted by the Permittee as required by Part X of this IMP and to certify that all requirements of the conditions of this grant have been met as reflected in the annual report. The TAC shall review specific requests from the CAC regarding compliance with this grant.

In addition to any other TAC requirement of this Part XII, the TAC, upon application of the Permittee, shall determine compliance with this grant: 1) within six months after the Effective Date; 2) prior to the Permittee's development of the City/County Project (excluding final approval of plans, permits and agreements); and/or 3) prior to the Permittee's commencement of the Closure process. The TAC shall meet for this purpose and if all of the conditions and requirements of this grant have been met for purposes of commencing any of these phases of the project, the TAC shall certify compliance.

- C. **Access to the Facility and Information**. The Permittee shall provide access to the TAC and its independent consultant(s) to all areas of the Facility during normal hours of operation and shall respond to all information requests from the TAC in a timely manner as specified by the TAC regarding compliance with the conditions of this grant and the MMRS.

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- D. The Permittee may appeal an adverse determination of the TAC to the Director of the Department, whose decision shall be final.
- E. Upon the effective date of this grant, the TAC shall retain the services of an independent consultant to monitor any and/or all of the Conditions and mitigation measures of this grant for a minimum of five years. After the commencement of City/County Project operations, it is anticipated that a single independent consultant, jointly chosen by the County and City, will monitor the conditions and mitigation measures of this grant and the City Ordinance, pursuant to a Joint LEA Agreement. However, if a single consultant is not retained for the City/County Project, or the City/County Project does not go forward, the Director of the Department, upon recommendation by the TAC, may continue to retain such services of an independent County consultant as necessary throughout the life of this grant. The Permittee shall pay all costs for the independent consultant within 30 days of receiving the invoice for the consultant's services.