



DEAN EFSTATHIOU
CHAIRMAN

LOS ANGELES COUNTY
SOLID WASTE MANAGEMENT COMMITTEE/
INTEGRATED WASTE MANAGEMENT TASK FORCE
900 SOUTH FREMONT AVENUE, ALHAMBRA, CALIFORNIA 91803-1331
P.O. BOX 1460, ALHAMBRA, CALIFORNIA 91802-1460
www.lacountyiswmtf.org

June 30, 2008

Mr. Dave Hauser
General Manager
Browning-Ferris Industries
14747 San Fernando Road
Sylmar, CA 91342-1091

Dear Mr. Hauser:

FINDING OF CONFORMANCE—SUNSHINE CANYON LANDFILL (CITY/COUNTY PROJECT)

On May 21, 2008, this office received a Finding of Conformance application for the proposed Sunshine Canyon Landfill (City/County Project) from Browning-Ferris Industries of California, Inc. (BFI). We reviewed the document in accordance with the requirements of Chapter 10 of the Los Angeles County Countywide Siting Element (approved by the California Integrated Waste Management Board on June 23, 1999), and the Los Angeles County Solid Waste Management Committee/Integrated Waste Management Task Force guidelines which were discussed during consideration of the Sunshine Canyon Landfill-County Project. Based on staff's review of the application, the application has been deemed incomplete for the following reasons:

1. BFI must provide evidence that it has obtained approval from the Los Angeles County Department of Public Works for a combined "City/County Project" Fill Sequencing Plan for that portion within the County's jurisdiction.
2. BFI must provide evidence that it has obtained Los Angeles City's approval/determination to proceed to Phase II of the City Landfill.

Mr. Dave Hauser
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3. In Section 5, Waste Material to be Handled, BFI stated that "Consistent with its Waste Discharge Requirements, Sunshine Canyon Landfill accepts contaminated soils for disposal or use as daily cover in lined areas of the site." However, the use of contaminated soil for daily cover is prohibited by the City and County's Land Use Permits

We anticipate scheduling your request for the July 2008 Task Force agenda. We request that you provide the above information prior to July 7, 2008, in order for staff to finalize the staff report and submit to the Task Force for consideration at its July 17, 2008 meeting.

If you have any questions, please contact Mr. Martins Aiyetiwa of this office at (626) 458-3553, Monday through Thursday, 7 a.m. to 5:30 p.m.

Sincerely,

DEAN EFSTATHIOU, Chairman
Los Angeles County Solid Waste Management Committee/Integrated Waste Management Task Force



FRED M. RUBIN
Assistant Deputy Director
Los Angeles County Department of Public Works

LL:cw

P:\Sec\FOC Application Combined Landfill_pa.doc

Enc.

cc: Each Member of the Los Angeles County Solid Waste Management Committee/Integrated Waste Management Task Force

COMPANY NAME _____
 ADDRESS _____
 PHONE NUMBER _____
 CONTACT PERSON _____

LOS ANGELES COUNTY SOLID WASTE MANAGEMENT COMMITTEE/
 INTEGRATED WASTE MANAGEMENT TASK FORCE
 BIENNIAL SOLID WASTE MONITORING AND REPORTING FORM

NUMBER OF OPERATING DAYS/WEEK _____
 REPORTING PERIOD (WEEK/MONTH/YRS.) _____

CATEGORY	MATERIAL TYPE	QUANTITY (TONS)				
		RESIDENTIAL	COMMERCIAL	INDUSTRIAL	OTHER	TOTAL
PAPER	CORRUGATED CONTAINERS					
	MIXED PAPER					
	NEWSPAPER					
	HIGH GRADE LEDGER					
	OTHER PAPER					
PLASTICS	HIGH-DENSITY POLYETHYLENE (HDPE)					
	POLYETHYLENE TEREPHTHALATE (PET)					
	FILM PLASTICS					
	OTHER PLASTICS					
GLASS	REFILLABLE BEVERAGE GLASS					
	CALIFORNIA REDEMPTION VALUE GLASS					
	OTHER RECYCLABLE GLASS					
	OTHER NON-RECYCLABLE GLASS					
METALS	ALUMINUM CANS					
	BI-METAL CONTAINERS AND TIN CANS					
	FERROUS METALS					
	NON-FERROUS METALS INCL. ALUMINUM					
	WHITE GOODS					
YARD WASTE	LEAVES, GRASS, PRUNINGS					
OTHER ORGANICS	FOOD WASTES					
	TIRES & RUBBER PRODUCTS					
	WOOD WASTES					
	AGRICULTURAL CROP RESIDUES					
	MANURE					
	TEXTILES & LEATHER					
OTHER WASTE	INERT SOLIDS (CONCRETE, BRICK, SAND)					
	HOUSEHOLD HAZARDOUS WASTES					
SPECIAL WASTE	ASH					
	SEWAGE SLUDGE					
	INDUSTRIAL SLUDGE					
	ASBESTOS					
	AUTO SHREDDER WASTE					
	AUTO BODIES					
	OTHER SPECIFIC WASTES					
TOTAL						

Via E-mail and U.S. Mail

July 3, 2008

Mr. Fred Rubin
Los Angeles County Department of Public Works
Environmental Programs Division
900 South Fremont Avenue, Annex 3rd Floor
Alhambra, CA 91803-1331

RE: Response to June 30, 2008 Letter regarding Finding of Conformance

Dear Fred:

We received your letter dated June 30, 2008. In your letter, you indicated that you had received our May 21, 2008, Finding of Conformance Application, reviewed it and had determined that it was incomplete for three reasons. We would like to address each of those concerns in this letter, so we can stay on schedule for Task Force consideration on July 17, 2008.

Issue #1 – BFI must provide evidence that it has obtained approval from the Los Angeles County Department of Public Works for a combined “City/County Project” Fill Sequencing Plan for that portion within the County’s jurisdiction.

BFI Response: As I mentioned in our meeting on July 1, 2008, we submitted our combined City/County Joint Technical Document (JTD) to all agencies in early January 2008. Included within that JTD was a narrative and applicable drawings which outline the fill-sequencing plan for the combined landfill unit. In letters, dated May 6th and May 14th, I requested DPW’s review and approval of that fill-sequencing plan, and at the request of DPW, included Table 1, labeled “Diminishing Landfill Capacity Phase Construction”. Table 1 shows the landfill construction and usage over a ten-year period. This morning, I had our engineering firm, BAS forward via e-mail the fill-sequencing documents, including capacity and airspace calculations, from the approved JTD to Martin Aiyetiwa. For your ease of reference, attached to this e-mail is a pdf of all of those documents.

Issue #2 – BFI must provide evidence that it has obtained Los Angeles City’s approval/determination to proceed to Phase II of the City Landfill.

BFI Response: We do not believe that we need City approval to commence joint landfill operations at this time. Our position is supported by a November 13, 2003 letter from City of Los Angeles Planning Department (a copy of which is attached). The City's letter states, among other things, that "with the City's approval of a fill design, the County CUP Condition 10.b was satisfied." (Letter at p. 2.) The letter goes on to say that:

The "phasing" provisions do not require a City-only landfill in the first five years of operation (i.e., Phase I), and *they do not call for the completion of Phase I before the joint City/County landfill can be developed* (i.e., Phase II). *The only purpose of "phasing" was to establish time periods (five-year intervals) within which the City would conduct comprehensive reviews to ensure that development and operation of the landfill within City territory was being carried out in compliance with the terms of the [Q] Conditions and the MMRP.* As illustrated by [Q] Conditions B.2.d.2 and B.2.d.3, "phasing" allows the City to monitor and periodically review landfill development within its own territory and to implement "corrective measures," as necessary and appropriate, at specified times during the landfill development process.

Ongoing development and operation of the Combined City/County Landfill will be subject to further discretionary approvals by the City, the County, and various regulatory agencies. *However, the overall "fill design" that was contemplated in County CUP Conditions 10.5 and 10.d has been approved, as provided by the City Zone Change, the General Plan Amendment, and the certified SEIR.* (Letter at p. 2. Underlining from original; Emphasis in italics.)

Issue #3 – In Section 5, Waste Material to be Handled, BFI stated that "Consistent with its Waste Discharge Requirements, Sunshine Canyon Landfill accepts contaminated soils for disposal or use as daily cover in lined areas of the site." However, the use of contaminated soil for daily cover is prohibited by the City and County's Land Use Permits.

BFI Response: We agree with your comment and have attached a revised replacement "Page 2" for insertion into the Finding of Conformance Application document.

Thank you for the opportunity to respond to your concerns. We would hope that these responses are sufficient to keep us on the Task Force Agenda for July 17, 2008.

Please feel free to call me at 818-833-6511, with any concerns or questions.

Sincerely,

David J. Hauser
General Manager

CC: Martin Aiyetiwa, County DPW
Carlos Ruiz, County DPW
Larry Hafetz, County Counsel
Michael Moore, County Counsel
Sorin Alexanian, County Planning
Maria Masis, County Planning
Gerry Villalobos, County DPH
Lari Sheehan, County CEO's Office
Burt Kumagawa, County CEO's Office
Tom Bruen, Esq
Tony Pelletier, Allied Waste
Greg Loughnane, Allied Waste

DEPARTMENT OF
CITY PLANNING
200 N. SPRING STREET, ROOM 525
LOS ANGELES, CA 90012-4801
AND
6262 VAN NUYS BLVD., SUITE 351
VAN NUYS, CA 91401
CITY PLANNING COMMISSION

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THOMAS E. SCHIFF
GABRIELE WILLIAMS
COMMISSION EXECUTIVE ASSISTANT
(213) 978-1247

CITY OF LOS ANGELES CALIFORNIA



JAMES K. HAHN
MAYOR

EXECUTIVE OFFICES

CON HOWE
DIRECTOR
(213) 978-1271
FRANKLIN P. EBERHARD
DEPUTY DIRECTOR
(213) 978-1273
GORDON B. HAMILTON
DEPUTY DIRECTOR
(213) 978-1272
ROBERT H. SUTTON
DEPUTY DIRECTOR
(213) 978-1274
FAX: (213) 978-1275
INFORMATION
(213) 978-1270
(818) 374-5050
www.lacity.org/PLN

November 13, 2003

Ms. Shari Afshari
Assistant Deputy Director
Environmental Programs Division
County of Los Angeles Department of Public Works
900 South Fremont Avenue
Alhambra, California 91803-2331

Dear Ms. Afshari:

**RE: SUNSHINE CANYON LANDFILL CITY OF LOS ANGELES ZONE CHANGE ORDINANCE
NO. 172,933**

This letter responds to your October 9, 2003 correspondence regarding City Ordinance No. 172,933 (the 1999 "Zone Change" for the Sunshine Canyon Landfill) in relation to Conditional Use Permit No. 86-312-(5), which was issued by the County of Los Angeles in 1993 (the "CUP") for the extension of landfilling into the County area of Sunshine Canyon.

Background

The relationship between the City Zone Change and the County CUP is set forth in the County CUP Conditions 10.b and 10.d. Under the County CUP, the County authorized BFI to develop a joint City/County landfill partly within unincorporated County territory (designated by Exhibit A (Alternate) in Condition 10.b), upon the condition that BFI diligently pursue authorization from the City to expand landfilling back into City territory, resulting in at least 20 million tons of capacity in the City. Under Condition 10.d, if the City refused to authorize such an expansion, waste transported in City-operated trucks would be excluded from the County Landfill.

In December 1999, the City granted approval for BFI to extend the landfill into the City. The City approved an amendment to the Granada Hills-Knollwood Community Plan (the "General Plan Amendment") and a Zone Change, Ordinance No. 172,933, which contained [Q] Qualified Conditions of Approval (the "[Q] Conditions").

In the Zone Change [Q] Conditions the City approved a "fill design" that overlays County territory designated by Exhibit A in Condition 10.b and allows in excess of 20 million tons of waste capacity in City territory, as called for in County CUP Condition 10.d. The City-approved fill design is described in [Q] Condition B.2, as follows:

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"The Combined City/County Landfill approved herein shall result in one landfill . . . 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."

With the City's 1999 approval of a fill design, the County CUP Condition 10.b was satisfied. The City approval built in some degree of control over landfill development and operation within its jurisdiction by adopting the [Q] Conditions and a Mitigation and Monitoring Reporting Program ("MMRP").

In response to your questions concern the "phasing" provisions of the [Q] Conditions, it is important to note that the phasing provisions only apply to the use of land within the City's jurisdiction. References to "City Landfill" and "Combined City/County Landfill" in [Q] Condition B.2.d are intended to ensure that the City can maintain some control over landfill development and operations that occur within City territory.

The "phasing" provisions do not require a City-only landfill in the first five years of operation (i.e., Phase I), and they do not call for the completion of Phase I before the joint City/County landfill can be developed (i.e., Phase II). The only purpose of "phasing" was to establish time periods (five-year intervals) within which the City would conduct comprehensive reviews to ensure that development and operation of the landfill within City territory was being carried out in compliance with the terms of the [Q] Conditions and the MMRP. As illustrated by [Q] Conditions B.2.d.2 and B.2.d.3, "phasing" allows the City to monitor and periodically review landfill development within its own territory and to implement "corrective measures," as necessary and appropriate, at specified times during the landfill development process:

Ongoing development and operation of the Combined City/County Landfill will be subject to further discretionary approvals by the City, the County, and various regulatory agencies. However, the overall "fill design" that was contemplated in County CUP Conditions 10.b and 10.d has been approved, as provided by the City Zone Change, the General Plan Amendment, and the certified SEIR.

Responses

In light of this relationship between the City Zone Change and the County CUP, more specific responses to your questions are provided below:

1. ***Whether the City approval, as stated in "Q" condition item B.2.d, includes provisions that would allow development and/or operation of Phase II of the project (combined City/County landfill) before completion of the initial five years of operation of Phase I of the City Landfill and/or without satisfactory completion of all requirements associated with Phase I.***

Compliance with the "phasing" provisions of [Q] Condition B.2.d is a continuous and ongoing process. The nature of that ongoing process is identified in several provisions of the City Zone Change. For instance, Condition B.2.d.2.aa provides that Phase II may commence after at least

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four years of landfill operation under Phase I. Moreover, Condition B.2.d.2.gg (Phase II) and Condition B.2.d.3.ee (Phase III) state, in part:

"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. ... [T]he City's review for compliance shall be carried out on an ongoing basis including annual reports"

The reference to "City Landfill" in [Q] Condition B.2.d.1 does not require a City-only landfill design for the first five years of operation which must be approved before the Combined City/County landfill design can be implemented. The City's [Q] Conditions contemplate that landfill development and operation would also occur within County territory during the first five years of operation as needed to complete the City-authorized fill design. The following illustrate this point:

First, [Q] Condition B.2.d.1 provides that the initial five years of operation shall not exceed 16 million tons (3.2 million tons per year). That amount can only be reached with a joint City/County landfill operation exceeding 10,000 tons per day, since there are about 312 operating days in a year. If the first phase of landfilling were to be limited to a City-only landfill, the landfill would be limited to an average disposal rate of 5,000 tons per day, the annual disposal volume would be approximately 1.56 million tons, with a total of 7.80 million tons in the first five years – less than half of the 16 million tons contemplated by the City for Phase I.

Secondly, [Q] Condition B.2.d.1 refers to Exhibit Nos. E-4C and E-4D as a conceptual development sequence for Phase I. From an engineering perspective, the fill elevations within City territory for Phase I that are depicted in those exhibits can only be achieved by development in County territory as well (i.e., portions of the 42-acre bridge area). That engineering reality is further illustrated in Figures 2.5-3 through 2.5-5 of the SEIR. The SEIR describes the need to use County territory to develop the City-authorized fill design, as follows:

"In order to facilitate the design of the City/County Landfill, an area of approximately 42 acres within the jurisdiction of the County of Los Angeles (County) would be developed. This acreage would be engineered to ultimately connect, both vertically and horizontally, to the proposed landfill in the City and the existing operational County Landfill (landfill footprint of +/- 215 acres)." (6/98 Final SEIR, p. 1-1.)

While landfilling within City territory during the first five years was contemplated, as depicted in Exhibits E-4C and E-4D, the City did not require that all disposal operations during Phase I be conducted entirely within the City area of Sunshine Canyon. [Q] Condition B.4 states that the maximum or emergency tonnage intake rates "allow the permittee to adjust disposal between the City and County."

As noted earlier, the purpose of the "phasing" in [Q] Condition B.2.d was to establish a compliance review and condition-refinement process to be followed throughout the development and operation of the Sunshine Canyon Landfill. The "phasing" does not establish separate landfills; it just sets forth a periodic review process and opportunity for the City to take corrective measures for landfilling activities within City territory.

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2. *Whether the Director of Planning's determination of compliance with specified requirements as stated in "Q" condition item B.2.d.2 is a ministerial permit approval action or a discretionary approval action of the City of Los Angeles.*

While "ministerial" in nature, the Director's determination of compliance with the [Q] Conditions is not a "permit approval." The Director's determination does not require BFI to engage in further environmental review or obtain further City "entitlements" for landfill design.

The City, through its Technical Advisory Committee ("TAC") for the Landfill will continue to exercise judgment and discretion in reviewing compliance with the [Q] Conditions and MMRP to determine whether corrective measures are needed for ongoing development and operation of the Landfill within the City's jurisdiction. The Director's determination of compliance under Condition B.2.d.2 is nothing like the major discretionary approvals that were called for in CUP Conditions 10.b and 10.d and were granted by the City (i.e., the City Zone Change and the General Plan Amendment).

The City Planning Director's determination of compliance under [Q] Condition B.2.d generally focuses on matters that are ministerial. The Director reviews whether: (1) landfilling operations have been carried out for at least four years; (2) BFI has obtained required permits and entered required agreements; (3) required closure construction has been completed for the inactive landfill areas in City territory; (4) annual reports have been timely submitted; and (5) air quality, oak tree and alternative fuel mitigation steps have been taken.

3. *Considering that the City-approved Zone Change Ordinance No. 172,933 provides for development and operation of the City landfill in phases and the qualified condition for a determination of the Director of City Planning, as stated in "Q" condition item B.2.d*

- a. *what is the design that is currently authorized by the City for development and/or operation and,*
- b. *what is the currently-authorized sequence of development from the sequences shown in Exhibit Nos. E-4B, E-4C, and E-4D*

The "design" authorized by the City is the Combined City/County Landfill, as provided in the City Zone Change, the General Plan Amendment, and the certified SEIR. As stated above, the City-approved fill design is set forth in the [Q] Condition B.2, as follows:

"The Combined City/County Landfill approved herein shall result in one landfill . . . 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."

The authorized sequence of development pursuant to [Q] Condition B.2.d.1 provides that the first five years of landfilling within City territory is to proceed in accordance with the [Q] Conditions and the MMRP. It makes reference to Exhibits E-4C and E-4D, which was a contemplated sequence of landfill development. As explained above, the sectional depiction of landfill development in Exhibit E-4D (sequences A, B, and C) is the same sequencing concept that was provided in SEIR

Ms. Shari Afshari
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Figure 2.5-5. Notably, Figures 2.5-3 through 2.5-5 are utilized in the SEIR to illustrate that, from an engineering perspective, the City-approved Combined City/County Landfill design requires the use of both City and County territory.

It must be emphasized that the City-approved fill design for the Combined City/County Landfill does not require a particularized "sequence of development" within City territory. Exhibits E-4B through E-4D and Figures 2.5-3 through 2.5-5 provide a conceptual sequencing that was prepared to facilitate the coordinated efforts by City and County agencies to develop and operate the Combined City/County Landfill pursuant to the terms of a Joint Powers Agreement or similar agreement.

Please contact Larry Friedman at (213) 978-1225 if you have any questions regarding this response.

Very truly yours,

Con Howe
Director of Planning



ROBERT H. SUTTON
Deputy Director, Planning

CH:RHS:LF:lf

cc: Hon. Greig Smith, Councilmember, 12th District
Gideon Kracov, Deputy City Attorney
Wayne Tsuda, Environmental Affairs Department
David Edwards, Browning-Ferris Industries, Inc.
John C. Funk - Weston, Benshoof, Rochefort, Rubalcava, MacCuish, LLP

4. Project Design Capacity

The total design capacity of the City/County Landfill is estimated to be 141.2 million cubic yards, of which approximately 50.7 million cubic yards is presently permitted in the existing City and County landfills. Thus, approval of the City/County Landfill will add approximately 90.5 million cubic yards of permitted capacity to the facility. The total estimated amount of solid waste to be disposed in the City/County Landfill is approximately 91.1 million tons.

5. Waste Material to be Handled

The waste types received at SCL consist of non-hazardous residential, commercial, and inert/exempt waste classified in accordance with 27 CCR, Sections 20220 and 20230, defining Class III and inert wastes. The municipal solid waste categories are described as follows:

- Mixed Municipal Solid Wastes (including commercial and residential waste);
- Non-hazardous industrial wastes (except those having high liquid content [>50 percent liquid by weight]); and
- Construction/Demolition wastes that may be disposed of or are beneficially used and not disposed in the landfill; and
- Green Wastes that are beneficially used and not disposed in the landfill.

Typical residential non-hazardous solid waste includes, but is not limited to, household refuse, tree and lawn clippings, leaves and brush, scrap lumber and metal, appliances, furniture, wood chips, plastic containers, newspapers, cardboard and glass containers. Commercial and industrial waste typically includes, but is not limited to, food wastes, paper, corrugated cardboard, plastic, rubber, glass, mixtures of concrete, asphalt, wood, steel, brick and block.

Universal wastes (fluorescent lamps, CRTs, instruments that contain mercury, batteries, and electronics) are prohibited for disposal at the site. SCL also does not landfill compostable material (other than incidental compostable material mixed with other landfilled loads) as defined in 14 CCR, Section 17850 as "any organic material that when accumulated will become active compost as defined in 14 CCR, Section 17852(a)(I)" nor does SCL accept biosolids, untreated medical waste or asbestos wastes.

The site may accept up to 6,600 tons per week of total exempt clean soil and waste for beneficial use (e.g., asphalt rubble and processed green material).



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



June 24, 2008

Bruce W. McClendon FAICP
Director of Planning

Mr. Dave Hauser, General Manager
Browning-Ferris Industries
Sunshine Canyon Landfill
14747 San Fernando Road
Sylmar, CA 91342

**SUBJECT: COMPLIANCE WITH CONDITIONAL USE PERMIT 00-194-(5)
PRIOR TO OPERATION OF JOINT CITY/COUNTY LANDFILL**

Dear Mr. Hauser,

This letter sets forth the explicit conditions that Browning-Ferris Industries ("BFI") must satisfy under conditional use permit 00-194-(5) and associated Implementation and Monitoring Program (collectively "CUP") prior to commencing operations of the "City/County Project", which includes a joint City/County landfill crossing the jurisdictional boundary of the County and the City of Los Angeles ("Joint Landfill"). This letter further sets forth the status of each of these conditions as of the date of this letter.

Due to the recent approval by the California Integrated Waste Management Board of a Solid Waste Facilities Permit for the Joint Landfill, the County is anticipating entering into Tolling Agreement with BFI which would, among other things, require that the County and BFI confer in good faith to resolve all outstanding CUP compliance issues.

Please note that this letter addresses only those conditions in the CUP that explicitly require compliance prior to the operation of the Joint Landfill. It does not address the status of any of the other conditions in the CUP which require ongoing compliance irrespective of whether BFI is operating in a joint capacity.

Based on the Department of Regional Planning's ("DRP's") review of these conditions, as well as its consultation with the Department of Public Works, DRP has determined that, prior to operation of the Joint Landfill, BFI must satisfy the following CUP conditions. The status of compliance for each condition is noted:

- **Condition 6** -- BFI must obtain a Finding of Conformance from the Los Angeles County Solid Waste Management Committee/Integrated Waste Management Task Force.

Status: On May 21, 2008, BFI submitted a Finding of Conformance application to Public Works (which serves as staff to the County's Integrated Waste Management Task Force) for processing. Staff's review shows the application is incomplete and will provide comments to BFI by June 26, 2008.

- **Condition 18 (part 1)** -- BFI must obtain approval from Public Works for a combined "City/County Project" Fill Sequencing Plan for that portion within the County's jurisdiction.

Status: Although Public Works is working with BFI to revise fill sequencing plans for the County-side only Landfill "County Project", BFI will need to submit specific fill sequencing plans for the combined "City/County Project".

- **Condition 18 (part 2)** -- BFI must obtain Los Angeles City's approval determination to proceed to Phase II of the City Landfill.

Status: BFI has not provided evidence of the City's approval.

- **Condition 40** -- BFI must complete or guarantee to complete all testing and remedial actions required by the Regional Water Quality Control Board to detect, prevent, and/or correct groundwater contamination with notice to Public Works.

Status: On August 27, 2007, BFI submitted a Combined Groundwater and Waste Disposal Monitoring Report to the RWQCB. BFI must provide evidence to Public Works from the RWQCB of satisfactory completion of the remedial action.

- **Condition 57** -- BFI must install the traffic improvements outlined in the Supplemental Traffic Data Information report to the satisfaction of the City Department of Transportation and Caltrans.

Status: BFI provided information in the Landfill's 2007 Annual Report indicating its compliance with this requirement. Public Works is currently awaiting City's confirmation that this requirement has been completed.

- **Condition 58** -- BFI is required to pay the California Department of Transportation an amount not to exceed \$422,183 for freeway transportation improvements near the landfill site.

Status: BFI indicates it has satisfied this condition. Public Works is currently awaiting Caltrans confirmation that this requirement has been completed.

- **Condition 59** -- BFI must install traffic signs along San Fernando Road acceptable to the City Department of Transportation to warn of possible heavy truck traffic near the Landfill's entrance. BFI must ensure that the bicycle lane is not adversely impacted.

Status: BFI provided information in the Landfill's 2007 Annual Report indicating its compliance with this requirement. Public Works is currently awaiting City's confirmation that this requirement has been completed.

- **Condition 60** -- BFI must install street lights along the Landfill's frontage on San Fernando Road to the satisfaction of the City Bureau of Street Lighting.

Status: BFI provided information in the Landfill's 2007 Annual Report indicating its compliance with this requirement. Public Works is currently awaiting City's confirmation that this requirement has been completed.

- **Condition 64** -- BFI must enter into a revenue allocation agreement with the City and County.

Status: County Staff is working with the City and BFI on a draft revenue allocation agreement. It's anticipated that the Los Angeles City Council and the County Board of Supervisors will consider the agreement in late August 2008.

- **Part I of The Implementation and Monitoring Program** -- BFI is required to install survey monuments around the perimeter of the Joint Landfill before commencing operations in the Joint Landfill.

Status: BFI has not satisfied this condition.

- **Part XII of The Implementation and Monitoring Program** -- BFI must obtain a determination of compliance with all RCUP requirements from the County's Technical Advisory Committee to ensure the Landfill is in compliance with all conditions of the RCUP.

Status: BFI will need to submit documentation to the County's Technical Advisory Committee requesting a determination of compliance with all CUP conditions for operating the "County Project" and the proposed "City/County Project", respectively. The request must be supported with evidence of compliance. Regional Planning anticipates convening a Technical Advisory Committee meeting in July 2008 to consider the 2007 Annual Report and other CUP related issues.

Please note that operating a Joint Landfill prior to fulfillment of these conditions will be a violation of the CUP and will be subject to enforcement actions. Our primary objective is to ensure that the County's conditions are met prior to the operation of the Joint Landfill. We are available to meet with you as soon as possible to discuss these outstanding CUP requirements.

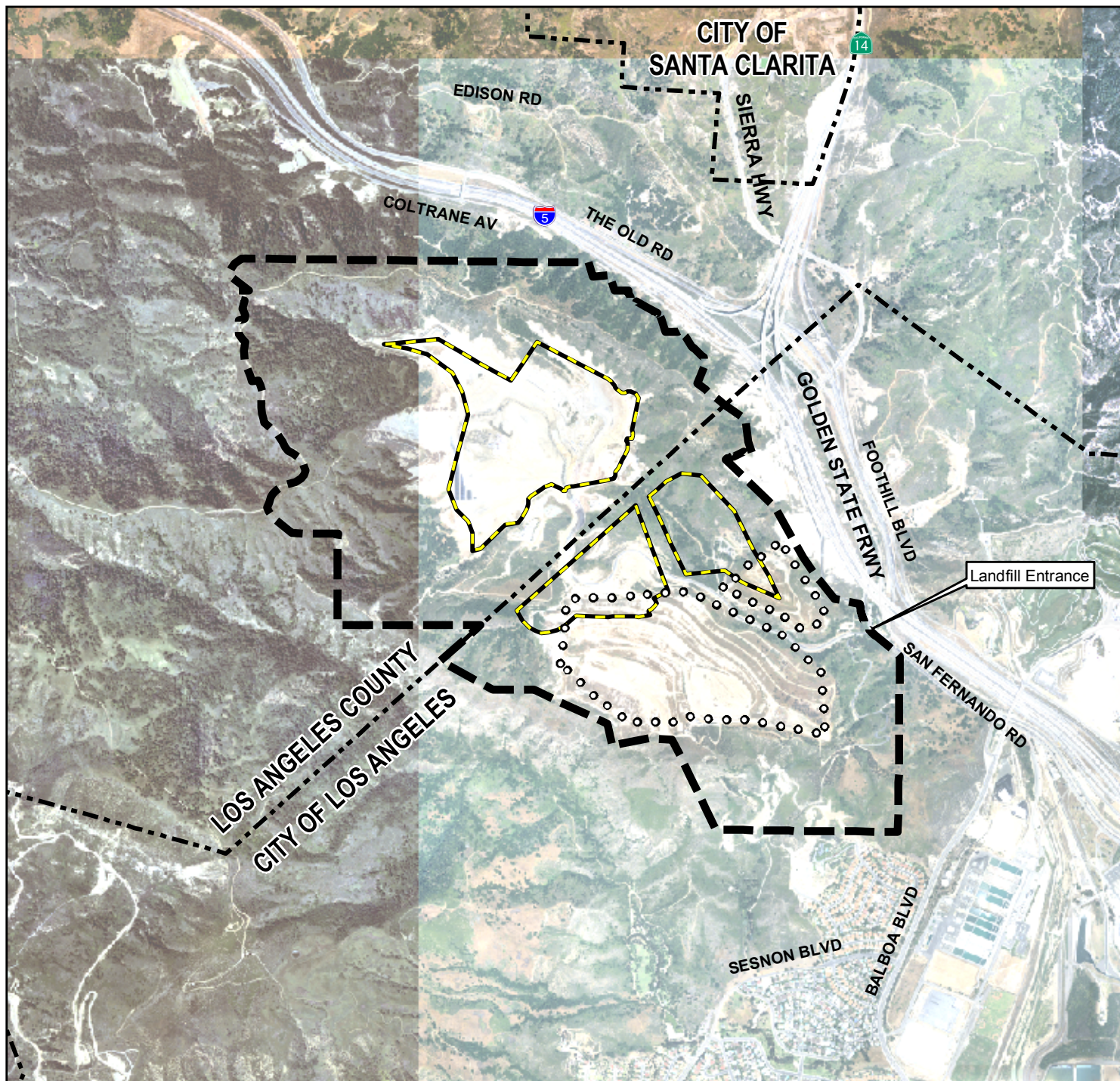
If you have any questions regarding this matter, please feel free to contact me at (213) 974-6441, or Maria Masis at (213) 974-6435. Please be advised that our offices are open 7:30 a.m. to 6 p.m. Monday through Thursday. We are closed on Fridays.

Sincerely,

A handwritten signature in black ink, appearing to read 'Sorin Alexanian', with a long horizontal line extending to the right.

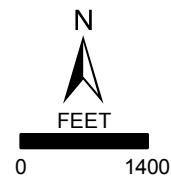
Sorin Alexanian
Acting Deputy Director

c: Department of Public Works, Martins Aiyetiwa
Department of Public Health/LEA, Ken Murray
County Counsel, Lawrence Hafetz



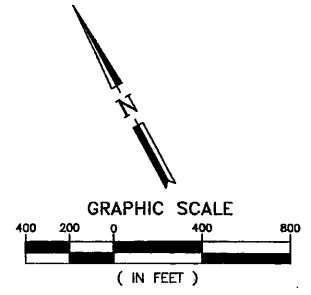
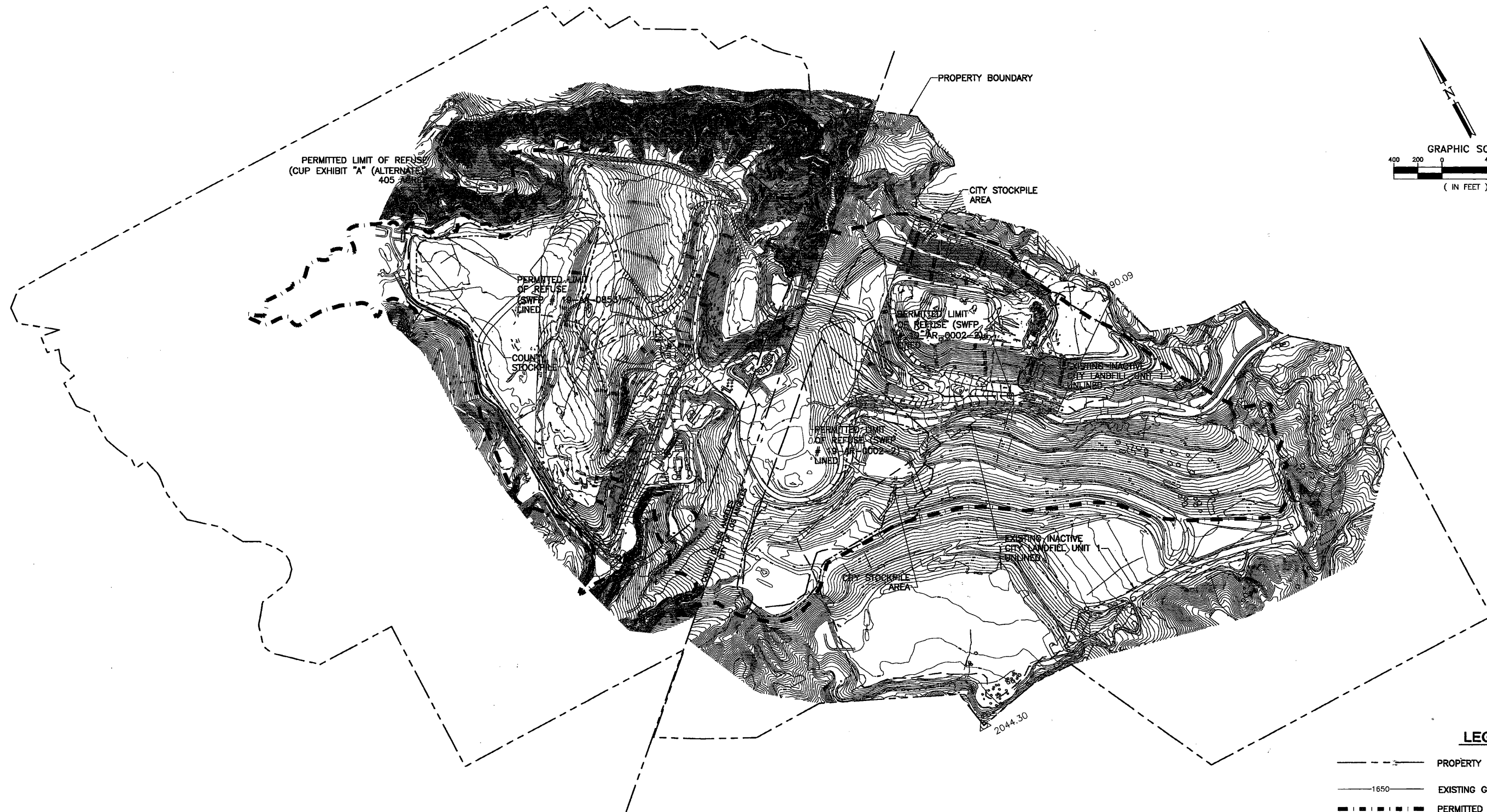
LEGEND

- | | |
|---|--|
|  Property Boundary |  Existing Disposal Area |
|  Closed Disposal Area |  City Limits |



SUNSHINE CANYON LANDFILL

This map is for planning purposes only. Los Angeles County expressly disclaims any liability for any inaccuracies which may be present in this map.



- LEGEND**
- PROPERTY BOUNDARY
 - 1650--- EXISTING GRADE CONTOUR
 - - - - - PERMITTED LIMIT OF REFUSE (CUP EXHIBIT A-2)
 - PERMITTED LIMIT OF REFUSE (SWFP)
 - UNIT 1 OF CITY LANDFILL
 - △ SA SURVEY MONUMENT
 - EXISTING STOCKPILE

DRAWING 1

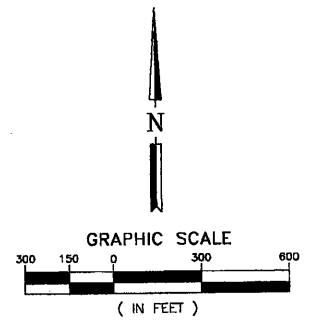
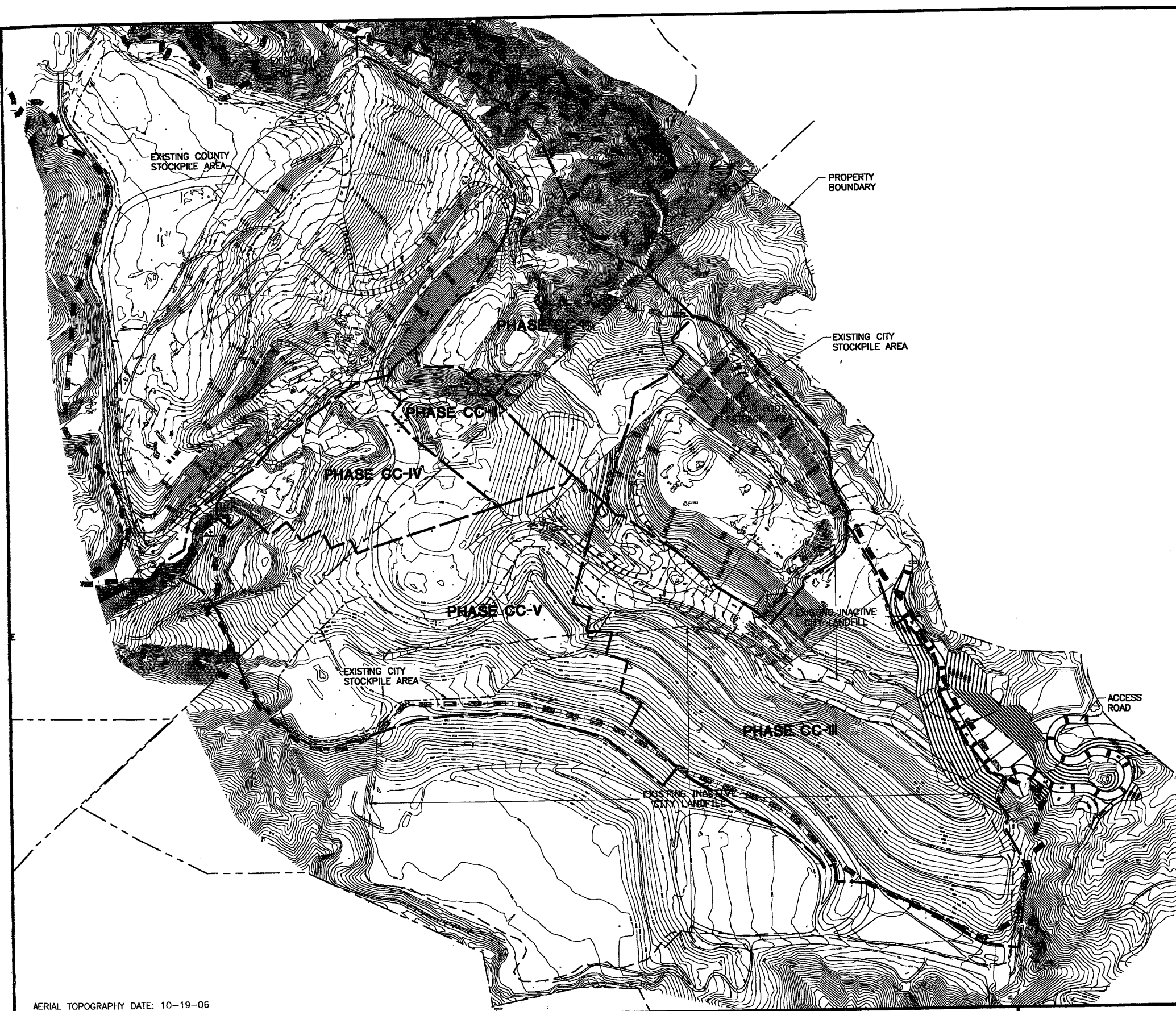
AERIAL TOPOGRAPHY DATED AS 10-19-06

NO.	REVISION DESCRIPTION	BY:

BAS
BRYAN A. STIRRAI & ASSOCIATES
CONSULTING CIVIL & ENVIRONMENTAL ENGINEERS
1360 E. VALLEY VISTA DRIVE
DIAMOND BAR, CALIFORNIA 91765
(909) 860-7777

SUNSHINE CANYON LANDFILL JTD 2007 EXISTING SITE PLAN		
DESIGNED BY : R.M.G./J.M.B.	SCALE : AS SHOWN	
DRAWN BY : C.A.L.	DATE : 2-2008	FILE NO.: 02269DB.DWG
CHECKED BY : P.W.	DATE : 2-2008	
APPROVED BY :	DATE : 2-2008	

FOR PERMITTING PURPOSES ONLY NOT FOR CONSTRUCTION



LEGEND

- APPROXIMATE PROPERTY BOUNDARY
- APPROXIMATE LIMIT OF REFUSE
- 1650--- EXISTING GRADE CONTOUR
- 1500--- FINISHED GRADE CONTOUR
- LINER PHASE LIMIT
- ■ ■ ■ ■ PERMITTED LIMIT OF REFUSE (CUP EXHIBIT A-2)
- EXISTING STOCKPILE

NOTE:
EXISTING STOCKPILES SHOWN WILL CONTINUE TO BE USED DURING FUTURE PHASES. ADDITIONAL STOCKPILING OF SUBSEQUENT CELL EXCAVATIONS WILL BE PLACED ON NEW FILL AREAS AS THEY ARE DEVELOPED WITH A HEIGHT NOT TO EXCEED FINAL GRADES.

ACCESS ROAD:
EXCAVATION: 50,000 CY
FILL: 760,000 CY

DRAWING 2

AERIAL TOPOGRAPHY DATE: 10-19-06

NO.	REVISION DESCRIPTION	BY:

BAS
BRYAN A. STIRRAT & ASSOCIATES
CONSULTING CIVIL & ENVIRONMENTAL ENGINEERS
1360 E. VALLEY VISTA DRIVE
DIAMOND BAR, CALIFORNIA 91765
(909) 860-7777

SUNSHINE CANYON LANDFILL JTD 2007 PROPOSED PHASING PLAN		
DESIGNED BY : R.M.G./J.M.B.	SCALE : AS SHOWN	
DRAWN BY : C.A.L.	DATE : 2-2008	FILE NO.: 172963DB.DWG
CHECKED BY : P.W.	DATE : 2-2008	
APPROVED BY :	DATE : 2-2008	



MINUTES OF THE BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

Sachi A. Hamai, Executive Officer-
Clerk of the Board of Supervisors
383 Kenneth Hahn Hall of Administration
Los Angeles, California 90012

At its meeting held February 6, 2007 the Board took the following action:

25

The following item was called up for consideration:

County Counsel's recommendation to indicate that the Board has read and considered the Final Environmental Impact Report, Supplemental Environmental Impact Report and Addendum prepared for the project; certify 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; adopt findings and conditions approving Conditional Use Permit Case No. 00-194-(5), to authorize the continued operation of the Sunshine Canyon Landfill, a Class III non-hazardous solid waste landfill facility, and modifications to previously approved Conditional Use Permit Case No. 86-312-(5), to increase daily solid waste intake from 6,000 tons per day to 12,100 tons per day increasing the weekly intake from 36,000 to 66,000 tons and increase the working face area from two to three acres for a total of approximately 10 acres; and to update conditions associated with the permit for consistency with conditions approved by the City of Los Angeles, located at 14747 San Fernando Road, Newhall Zoned District, applied for by Dave Edwards on behalf of Browning Ferris Industries, Inc.

Dave Edwards, representing Browning Ferris Industries, Inc., Nicole Bernson representing Los Angeles City Councilman Greig Smith, Michael Tou representing Congressman Brad Sherman, Jan Chatten-Brown representing the North Valley Coalition and others addressed the Board.

After discussion, Supervisor Antonovich made a motion, seconded by Supervisor Yaroslavsky, that the Board deny the attached findings, conditions and order relating to Conditional Use Permit Case No. 00-194-(5), Newhall Zoned District, applied for by David Edwards on behalf of Browning Ferris Industries, Inc. Said motion failed to carry by the following vote: Ayes: Supervisors Antonovich and Yaroslavsky; Noes: Supervisors Molina, Burke and Knabe.

(Continued on Page 2)

After further discussion, Supervisor Molina made an amendment, seconded by Supervisor Burke, and unanimously carried, to add additional language to the Implementation and Monitoring Program, Part XII, Subsection E, to read as follows:

- 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.

On motion of Supervisor Burke, seconded by Supervisor Molina, duly carried by the following vote: Ayes: Supervisors Molina, Burke and Knabe; Noes: Supervisors Antonovich and Yaroslavsky, the Board took the following actions:

1. Considered the Final Environmental Impact Report, Supplemental Environmental Impact Report and Addendum prepared for the project; certified 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 approved the Addendum; and

(Continued on Page 3)

25 (Continued)

2. Adopted the attached findings and conditions and order approving Conditional Use Permit Case No. 00-194-(5), with the following additional language added to the Implementation and Monitoring Program, Part XII, Subsection 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.

04020607_25

Attachment

Copies distributed:

Each Supervisor
County Counsel
Director of Planning
Director of Public Works
Dave Edwards
Nicole Bernson
Michael Tou
Jan Chatten-Brown



MINUTES OF THE BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

Sachi A. Hamai, Executive Officer-
Clerk of the Board of Supervisors
383 Kenneth Hahn Hall of Administration
Los Angeles, California 90012

County Counsel
Acting Director of Planning

At its meeting held June 7, 2006, the Board took the following action:

68

At the time and place regularly set, notice having been duly given, the following item was called up:

De novo hearing on Conditional Use Permit Case No. 00-194-(5), and Addendum to Final Environmental Impact Report and Final Subsequent Environmental Impact Report, to authorize the continued operation of the Sunshine Canyon Landfill, a Class III non-hazardous solid waste landfill facility, and modifications to previously approved Conditional Use Permit Case No. 86-312-(5), to increase daily solid waste intake from 6,000 tons per day to 12,100 tons per day increasing the weekly intake from 36,000 to 66,000 tons and increase the working face area from two to three acres for a total of approximately 10 acres; and to update conditions associated with the permit for consistency with conditions approved by the City of Los Angeles, located at 14747 San Fernando Road, Newhall Zoned District, applied for by Dave Edwards on behalf of Browning Ferris Industries, Inc., as further described in the attached letter dated December 21, 2005, from the Director of Planning. (Appeal from Regional Planning Commission's denial)

All persons wishing to testify were sworn in by the Executive Officer of the Board. Frank Meneses and Maria Masis, representing the Department of Regional Planning testified. Opportunity was given for interested persons to address the Board. David Edwards, representing Browning Ferris Industries, Inc., Juan Noguez, Mayor of the City of Huntington Park, Gregory Nordback, Councilmember of the City of Whittier, Michael Tou, representing Congressman Brad Sherman, Wayde Hunter, representing the North Valley Coalition, Dr. Wayne Aller, representing Sunshine Canyon Landfill, and others addressed the Board. Written correspondence was presented.

(Continued on Page 2)

The following statement was entered into the record for Supervisor Antonovich:

“Residents in Granada Hills have suffered with the adverse impacts of living adjacent to the Sunshine Canyon Landfill for decades. Impacts associated with truck traffic, debris blowing into their neighborhoods, fumes, and other adverse impacts are well-documented in the public record. Concerns amongst my constituents about cancer rates and property values are understandable.

“There is broad opposition above and beyond local residents represented by the North Valley Coalition. This includes environmental groups, organized labor, elected officials, and many others.

“On a regional basis there is a question of fairness in terms of where trash is disposed. There is a high likelihood that trash generated in Los Angeles County will be disposed of in a landfill in the Fifth District. The Fifth District is host to several landfills in addition to Sunshine Canyon. These include Chiquita Canyon Landfill in Santa Clarita, Lancaster Landfill and Palmdale Landfill in the Antelope Valley, and smaller facilities such as Scholl Canyon in Glendale. While I recognize that Puente Hills is the largest landfill in the County, the intake at Puente Hills is less than the combined intake at all of the landfills in the Fifth District.

“The County’s General Plan specifically states that ‘the regional need should not outweigh the impact on the community.’ The Regional Planning Commission conducted five separate public hearings. The Commission heard extensive public testimony and reviewed volumes of information, and concluded that the requested Conditional Use Permit does not meet the stated criteria in the County’s General Plan. The Commission findings identify concerns both about the lack of a closure date and traffic impacts that have not been mitigated to acceptable levels. The Commission concluded that the applicant had not met the Burden of Proof. Today’s testimony does not present any additional information demonstrating that the Burden of Proof has been met.”

(Continued on Page 3)

Therefore, Supervisor Antonovich made a motion, seconded by Supervisor Yaroslavsky, that the Board:

1. Close the public hearing;
2. Signify its intent to affirm the decision of the Regional Planning Commission denying Conditional Use Permit Case No. 00-194-(5);
and
3. Instruct County Counsel to draft findings for denial.

Said motion failed to carry by the following vote: Ayes: Supervisors Yaroslavsky and Antonovich; Noes: Supervisors Molina, Burke and Knabe.

Supervisor Knabe made a motion for the Board to close the public hearing; and indicate its intent to approve Conditional Use Permit Case No. 00-194-(5), which replaces current Conditional Use Permit No. 86-312-(5) based on the Regional Planning Commission's recommended conditions, with the following revised closure language to be added to draft Condition 13:

- Assuming that a joint City/County landfill has become operational and the applicant has not otherwise exhausted the available landfill capacity as set forth in the permit, during the year following the 30th anniversary of this grant, the Board of Supervisors shall authorize a study to determine the remaining capacity authorized by this permit for the landfill. Premised upon the study's findings the Board of Supervisors will establish a date certain for the termination of the receipt of solid waste at the landfill. In no event shall that date exceed the 40th year of this grant.

After discussion, Supervisor Burke offered a suggestion that Supervisor Knabe's recommendation be amended to authorize a study during the year following the 25th anniversary of the grant, and in no event should the closure that date exceed the 30th year from the date of the grant. Supervisor Knabe accepted Supervisor Burke's amendment.

(Continued on Page 4)

The following statement was entered into the record for Supervisor Antonovich:

“Residents of Granada Hills have suffered with the adverse impacts of living adjacent to the Sunshine Canyon Landfill for decades. Impacts associated with truck traffic, debris blowing into their neighborhoods, fumes, and other adverse impacts are well-documented in the public record. Concerns amongst my constituents about cancer rates and property values are understandable.

“Perhaps no question is more important than that of a closure date. The County permit for the Puente Hills Landfill requires closure in 2013. The County permit for the Chiquita Canyon Landfill requires closure in 2019. Given projections by the Department of Public Works concerning when Sunshine Canyon will reach capacity, the Board should adopt a closure date of 20 years from the date of our final Board action.

“Additionally, portions of the Landfill are within the jurisdiction of the City of Los Angeles. Some residents are concerned about discrepancies between City and County conditions of approval. There is a simple solution: the condition that would result in greater protection for the surrounding community should apply. The operator is now accepting trash in the City portion of the Landfill and is complying with City regulations. The operator has complied with County regulations for years and is not objecting to the proposed conditions recommended by County staff. The operator can and should comply with the strictest conditions, regardless of whether the operator is working on one or the other side of a political boundary. Again, the primary obligation of this Board is to provide the greatest protection for the surrounding community.

“It is essential that we adopt a closure date and address potential discrepancies with City conditions. Additional recommended changes to conditions should also be included to further protect local residents living near the Landfill.”

(Continued on Page 5)

Therefore, Supervisor Antonovich offered a suggestion that Supervisor Knabe's recommendation be amended to stipulate a 20 year closure date of 2026; and direct County Counsel to incorporate the following further revisions into the draft conditions of approval for the Sunshine Canyon Landfill as follows:

- Require double liners.
- Revise Condition 35 to require, at a minimum, a double liner for the County side of the Landfill, consistent with the requirements of the Los Angeles Regional Water Quality Control Board. Any existing requirements, as well as future requirements that may be imposed by the Regional Water Quality Control Board on the City side of the Landfill relative to a liner or liners, shall be implemented and installed on the County side of the Landfill. Nothing in this condition shall preclude a liner or liners that are more protective than that required for the City portion of the Landfill, if so required by the Water Quality Control Board.
- Add a new condition to read: "Wherever there is a discrepancy between conditions in County Conditional Use Permit No. 00-194-(5) and City of Los Angeles City Ordinance 172933 (or its successors or equivalent discretionary land-use approval), the condition that would result in greater protection for the surrounding community shall apply. If, following approval, the County Local Enforcement Agency (LEA) determines that there are remaining discrepancies between City and County conditions that will cause operational or oversight difficulties, those discrepancies shall be resolved through the required JPA between the City and County. All discrepancies identified at any time during the life of the grant, including all post-closure activities, shall be resolved in favor of the condition that the County LEA determines offers the greater protection to the community." Staff shall be directed to incorporate into the final conditions, specifically, the stricter City conditions relative to alternate fuel requirements, hours of operation, the Community Protection Program relative to public notice and emergency hot-lines, and prohibiting intake of certain specified cover materials.
- Revise any and all conditions, where appropriate, to conform to the new definition of "Closure Date."

(Continued on Page 6)

- Revise the conditions to prohibit the Director of Public Works or any other County employee from authorizing any activity that would in any way constitute an extension of the Closure Date.
- Revise the definition of “Landfill” in Condition 1 to clarify that the operator may not stockpile dirt above final elevations.
- Revise Conditions 11 and 12 to require that the operator correct all violations as soon as possible, in a time and manner determined by the Acting Director of Planning, but in no instance longer than 30 days.
- Revise the definition of “Landfill” in Condition 1 to clarify that the operator may not stockpile dirt above final elevations.
- Revise Condition 17-c to restrict overages to no more than 313 days during the term of the permit.
- Revise Conditions 54, 56 and 57 to require that these public improvements shall be installed to the satisfaction of the Director of Public Works.
- Revise Condition 62 to indicate that funds for planning studies and implementation shall be determined by the Acting Director of Planning and the Fifth Supervisorial District.
- Add a new condition requiring the operator to comply with all future applicable State laws concerning post-closure of landfills.
- Add a new condition to require video monitoring at the working face and at vehicle inspection locations, and to maintain video records for a period of not less than one year.

After discussion, there was a division of the question of Supervisor Antonovich’s amendment to Supervisor Knabe’s recommendation, to address his request to establish a 20 year closure date of 2026.

On motion of Supervisor Antonovich, seconded by Supervisor Yaroslavsky, said motion to establish 20 year closure date of 2026, failed to carry by the following vote: Ayes: Supervisors Yaroslavsky and Antonovich; Noes: Supervisors Molina, Burke and Knabe.

(Continued on Page 7)

Supervisor Yaroslavsky offered a suggestion, seconded by Supervisor Antonovich, that Supervisor Knabe's aforementioned recommendation be amended to authorize a study at 20 years with a closure date of 25 years. Said motion failed to carry by the following vote: Ayes: Supervisors Yaroslavsky and Antonovich; Noes: Supervisors Molina, Burke and Knabe.

Supervisor Knabe called for the question on his aforementioned recommendation as amended by Supervisor Burke.

On motion of Supervisor Knabe, with Supervisor Burke's suggested revision, seconded by Supervisor Burke, duly carried by the following vote: Ayes: Supervisors Molina, Burke and Knabe; Noes: Supervisors Yaroslavsky and Antonovich, the Board approved the following revised closure language to be added to draft Condition 13 as follows:

- Assuming that a joint City/County landfill has become operational and the applicant has not otherwise exhausted the available landfill capacity as set forth in the permit, during the year following the 25th anniversary of this grant, the Board of Supervisors shall authorize a study to determine the remaining capacity authorized by this permit for the landfill. Premised upon the study's findings the Board of Supervisors will establish a date certain for the termination of the receipt of solid waste at the landfill. In no event shall that date exceed the 30th year of this grant.

Supervisor Antonovich made a motion, seconded by Supervisor Yaroslavsky, to amend Supervisor Knabe's recommendation, to add a provision to the modified Conditional Use Permit to require the operation of alternative-fuel trucks at the entire landfill, consistent with alternative-fuel truck operation requirements that are applicable to the City's side of the landfill. Said motion was duly carried by the following vote: Ayes: Supervisors Molina, Burke, Yaroslavsky; Knabe and Antonovich; Noes: None.

In addition, Supervisor Antonovich offered a suggestion that Supervisor Knabe's recommendation be amended to direct County Counsel to incorporate the following revisions to the conditions of approval for the Sunshine Canyon Landfill. Supervisor Knabe accepted Supervisor Antonovich's amendment:

1. Require a liner of equal or better effectiveness as that required by the Regional Water Quality Control Board on the City portion of the landfill.

(Continued on Page 8)

2. Revise the conditions so that wherever there is a discrepancy between conditions in County Conditional Use Permit No. 00-194-(5) and City of Los Angeles City Ordinance 172933 (or its successors or equivalent discretionary land-use approval), the condition that would result in greater protection for the surrounding community shall apply.
3. Instruct the Acting Director of Planning to review whether the operator should be required to increase the radius of windblown trash removal up to a 1.5 mile radius and make a recommendation regarding an appropriate condition.
4. Revise Condition 17-c to restrict overages to no more than 313 days during the term of the permit, except overages which occur as the result of a declared disaster or national emergency shall not count toward the 313 day limit.

Therefore, on motion of Supervisor Knabe, seconded by Supervisor Burke, duly carried by the following vote: Ayes: Supervisors Molina, Burke and Knabe; Noes: Supervisors Yaroslavsky and Antonovich, the Board closed the hearing; indicated its intent to approve Conditional Use Permit Case No. 00-194-(5), which replaces current Conditional Use Permit Case No. 86-312-(5), as recommended by the Regional Planning Commission; and directed County Counsel to prepare the necessary findings and conditions, with the following revised conditions:

1. Revise Condition 13 to add language the following language:

Assuming that a joint City/County landfill has become operational and the applicant has not otherwise exhausted the available landfill capacity as set forth in the permit, during the year following the 25 anniversary of this grant, the Board of Supervisors shall authorize a study to determine the remaining capacity authorized by this permit for the landfill. Premised upon the study's findings the Board of Supervisors will establish a date certain for the termination of the receipt of solid waste at the landfill. In no event shall that date exceed the 30th anniversary of this grant.

2. Require a liner of equal or better effectiveness as that required by the Regional Water Quality Control Board on the City portion of the landfill.

(Continued on Page 9)

3. Revise the conditions so that wherever there is a discrepancy between conditions in County Conditional Use Permit No. 00-194-(5) and City of Los Angeles City Ordinance 172933 (or its successors or equivalent discretionary land-use approval), the condition that would result in greater protection for the surrounding community shall apply.
4. Instruct the Acting Director of Planning to review whether the operator should be required to increase the radius of windblown trash removal up to a 1.5 mile radius and make a recommendation regarding an appropriate condition.
5. Revise Condition 17-c to restrict overages to no more than 313 days during the term of the permit, except overages required as a result of a declared disaster or national emergency shall not count toward the 313 day limit.

By unanimous vote, the Board directed County Counsel to include a provision that would require the operation of alternative-fuel trucks at the entire landfill, consistent with alternative-fuel truck operation requirements that are currently applicable to the City of Los Angeles side of the landfill.

04060706_68

Attachments

Copies distributed:

Each Supervisor
Director of Public Works
Browning Ferris Industries, Inc.
David Edwards
Juan Noguez
Gregory Nordback
Michael Tou
Wayne Hunter
Dr. Wayne Aller



COUNTY OF LOS ANGELES
OFFICE OF THE COUNTY COUNSEL

648 KENNETH HAHN HALL OF ADMINISTRATION
500 WEST TEMPLE STREET
LOS ANGELES, CALIFORNIA 90012-2713

RAYMOND G. FORTNER, JR.
County Counsel

January 29, 2007

TELEPHONE
(213) 974-1887
FACSIMILE
(213) 687-7337
TDD
(213) 633-0901

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).

The Honorable Board of Supervisors

January 29, 2007

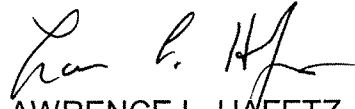
Page 2

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.

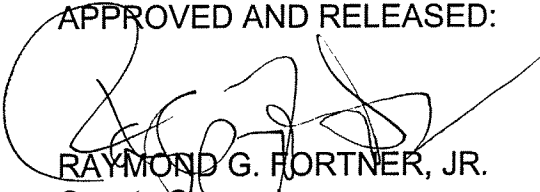
The enclosed findings and conditions are now presented to your Board for your consideration and possible adoption. The Department of Regional Planning will be providing the final environmental documentation to your Board under separate cover.

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

- 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, 13th 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.

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.

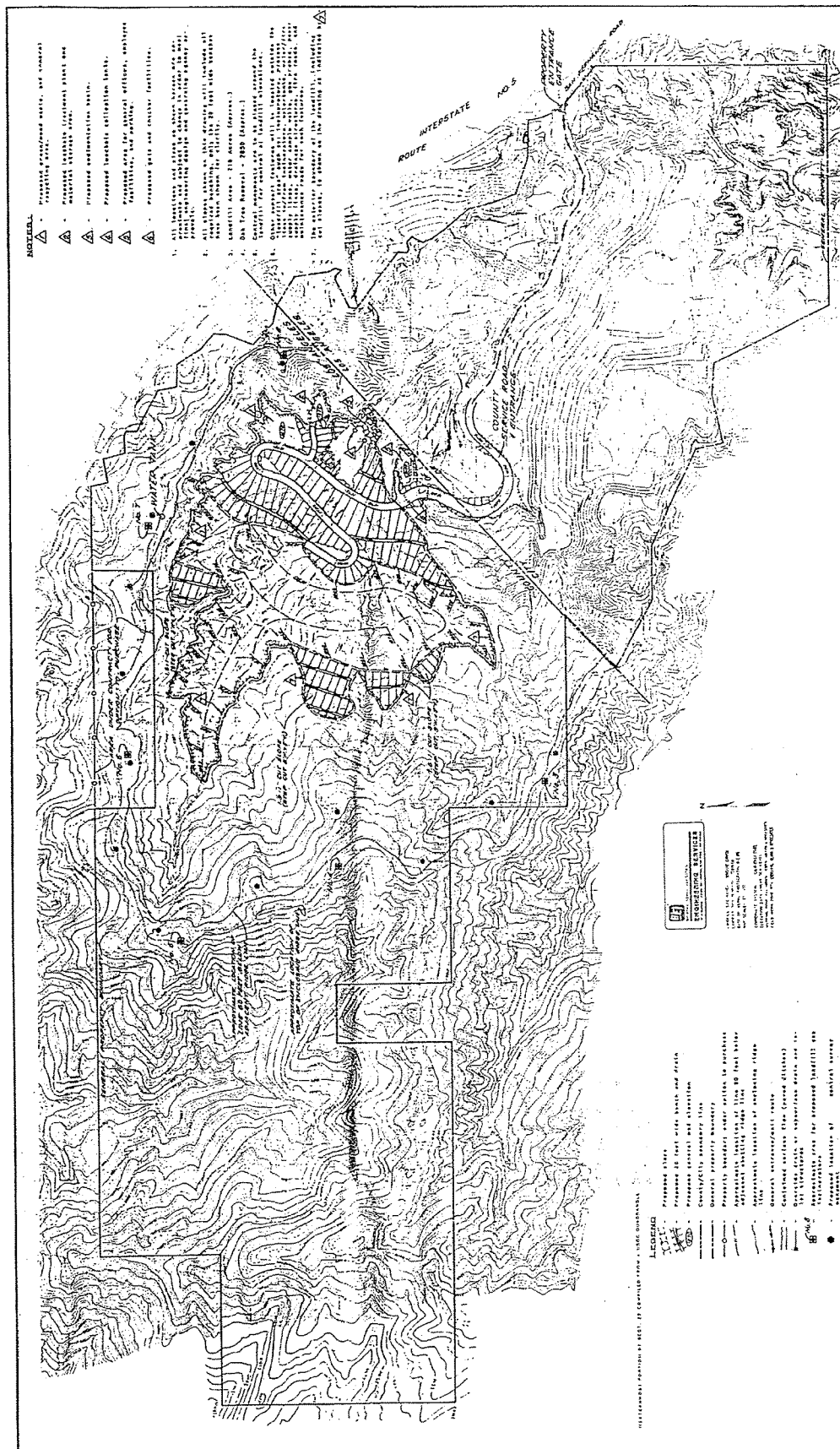


EXHIBIT "A"

As Approved Richard Fager

BFI

Sunshine Canyon Landfill

Suriname Canyon Landfill
Replacement Conditional Use Permit 00-194--(5)

Exhibit A-1

1/9/07

**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 County¹ 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 elevation 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.

¹ 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.

- 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.

DEC 13 1999

LOS ANGELES, COUNTY CLERK

NOTICE OF
DETERMINATION(Article V, Section 7; Article VI, Section 11
City CEQA Guidelines)

Public Resources Code Section 21152(a) requires local agencies to submit this information to the County Clerk. The filing of the notice starts a 30-day statute of limitations on court challenges to the approval of the project pursuant to Public Resources Code Section 21167. Failure to file the notice results in the statute of limitations being extended to 180 days.

LEAD CITY AGENCY AND ADDRESS

City of Los Angeles Planning Department
221 South Figueroa Street, Room 310
Los Angeles, CA 90012

COUNCIL DISTRICT

Council District No. 12
Granada Hills-Knollwood
Community Plan

PROJECT TITLE (Including Its Common Name, If Any)
Sunshine Canyon Landfill Expansion

CASE NO. 98-0184(ZC/GPA)(MPR)
Council File No. 99-1119

PROJECT DESCRIPTION AND LOCATION: PROJECT DESCRIPTION: (See attached)

LOCATION: An approximately 494-acre portion of Sunshine Canyon, located at 14747 San Fernando Road, in the City of Los Angeles. **Added Area:** A 5-acre, landlocked parcel (Tract 9673) located on the northeast side of Sunshine Canyon Landfill, westerly of the Golden State (I-5) Freeway, and southerly of the Antelope Valley (SR 14) Freeway interchange.

CONTACT PERSON
R. Nicolas Brown, AICP

STATE CLEARING HOUSE NUMBER
92041053

TELEPHONE NUMBER
(213) 485-7868

This is to advise that on December 8, 1999 the City Council and on December 9, 1999 the Mayor of the City of Los Angeles approved the above described project and has made the following determinations:

SIGNIFICANT
EFFECT

- ☒ X Project will have a significant effect on the environment.
☐ Project will not have a significant effect on the environment.

MITIGATION
MEASURES

- ☒ X Mitigation measures were made a condition of project approval.
☐ Mitigation measures were not made a condition of project approval.

OVERRIDING
CONSIDERATION

- ☒ X Statement of Overriding Considerations was adopted.
☐ Statement of Overriding Considerations was not adopted.
☐ Statement of Overriding Considerations was not required.

ENVIRONMENTAL
IMPACT REPORT

- ☒ X An Environmental Impact Report was prepared for project and may be examined at the Office of the City Clerk.*
☐ An Environmental Impact Report was not prepared for the project.

NEGATIVE
DECLARATION

- ☐ A Negative Declaration or Mitigated Negative Declaration was prepared for the project and may be examined at the Office of the City Clerk*
☒ X A Negative Declaration or Mitigated Negative Declaration was not prepared for the project.

SIGNATURE



TITLE

City Planner, Hearing Examiner

DATE OF PREPARATION
December 13, 1999

DISTRIBUTION:

Part 1 - County Clerk
Part 2 - City Clerk
Part 3 - Agency Record
Part 4 - Resp. State Agency (if any)

* OFFICE OF THE CITY CLERK

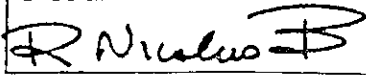
Room 607, City Hall
200 N. Main Street
Los Angeles, CA 90012

00001

ATTACHMENT

Development, operation, maintenance and monitoring of a Class III, non-hazardous solid waste landfill on a 494-acre site in Sunshine Canyon, including a scale house, scale facilities, administrative offices, a caretaker facility, a lunchroom/locker storage facility, maintenance and control buildings, a leachate treatment plant and storage tanks, surface drainage systems, water storage tanks, gas monitoring stations, gas flare station and other ancillary uses. Approximately 100 acres, south of the operational landfill is proposed as a natural buffer. The footprint of the proposed landfill within the City would consist of approximately 194 acres and would provide an estimated net airspace disposal capacity of 55 million tons when connected with the proposed extension of the existing County Landfill (the "City/County Landfill"). The joint operation of the City/County Landfill would allow for a total average waste intake of 11,000 tons per day (tpd) (5,000 tpd in the City in addition to the currently authorized 6,000 tpd in the County), with a daily maximum of 12,100 tons. This total includes an average of 1,100 tpd of inert waste or peak volume disposed waste.

* * *

SIGNATURE 	TITLE City Planner, Hearing Examiner	DATE OF PREPARATION December 13, 1999
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DEC 13 1999

CERTIFICATE OF FEE EXEMPTION

LOS ANGELES, COUNTY CLERK

De Minimis Impact Finding

PROJECT TITLE (INCLUDING ITS COMMON NAME, IF ANY)

Final SEIR 91-0377(ZC/GPA)

Sunshine Canyon Landfill Expansion

STATE CLEARING HOUSE NUMBER

92041053

PROJECT DESCRIPTION: (See attached)

PROJECT ADDRESS: An approximately 494-acre portion of Sunshine Canyon, located at 14747 San Fernando Road, in the City of Los Angeles. Added Area: A 5-acre, landlocked parcel (Tract 9673) located on the northeast side of Sunshine Canyon Landfill, westerly of the Golden State (I-5) Freeway, and southerly of the Antelope Valley (SR 14) Freeway interchange.

COUNTY OF LOS ANGELES

APPLICANT NAME AND ADDRESS

Browning-Ferris Industries of California, Inc.
14747 San Fernando Road, in the City of Los Angeles.

FINDINGS OF EXEMPTIONS

Based on the Initial Study prepared by the City Planning Department and all evidence in the record, on December 13, 1999 it is determined that the subject project which is located in Los Angeles County, WILL NOT have an adverse impact on wildlife resources or their habitat as defined by Fish and Game Code Section 711.2 of the Fish and Game Code, Because

- ☐ The Initial Study prepared for the project identified no potential adverse impact on fish or wildlife resources as far as earth, air, water, plant life, animal life, or risk of upset are concerned.
- ☒ Measures are required as part of this approval which will mitigate the above mentioned impacts, to a level of insignificance.
- ☐ The project site, as well the surrounding area (is presently) (was) developed with residential structures and does not provide a natural habitat for either fish or wildlife.

CERTIFICATION

I hereby certify that the Los Angeles Planning Department has made the above findings of fact and that based upon the initial study and hearing record the project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.

CHIEF PLANNING OFFICIAL

Con Howe

SIGNATURE



DATE OF PREPARATION

December 13, 1999

PRINT NAME

R. Nicolas Brown, AICP

LEAD CITY AGENCY

LOS ANGELES CITY PLANNING DEPARTMENT, 221 SOUTH FIGUEROA STREET, ROOM 310, LOS ANGELES, CA 90012
COUNTY OF LOS ANGELES

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ATTACHMENT

Development, operation, maintenance and monitoring of a Class III, non-hazardous solid waste landfill on a 494-acre site in Sunshine Canyon, including a scale house, scale facilities, administrative offices, a caretaker facility, a lunchroom/locker storage facility, maintenance and control buildings, a leachate treatment plant and storage tanks, surface drainage systems, water storage tanks, gas monitoring stations, gas flare station and other ancillary uses. Approximately 100 acres, south of the operational landfill is proposed as a natural buffer. The footprint of the proposed landfill within the City would consist of approximately 194 acres and would provide an estimated net airspace disposal capacity of 55 million tons when connected with the proposed extension of the existing County Landfill (the "City/County Landfill"). The joint operation of the City/County Landfill would allow for a total average waste intake of 11,000 tons per day (tpd) (5,000 tpd in the City in addition to the currently authorized 6,000 tpd in the County), with a daily maximum of 12,100 tons. This total includes an average of 1,100 tpd of inert waste or peak volume disposed waste.

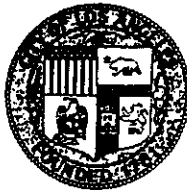
* * *

SIGNATURE <i>R. Nunez B</i>	TITLE City Planner, Hearing Examiner	DATE OF PREPARATION December 13, 1999
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J. MICHAEL CAREY
City Clerk

CITY OF LOS ANGELES
CALIFORNIA



RICHARD J. RIORDAN
MAYOR

Office of the
CITY CLERK
Council and Public Services
Room 615, City Hall
Los Angeles, CA 90012
Council File Information - (213) 485-5703
General Information - (213) 485-5705

When making inquiries
relative to this matter
refer to File No.

99-1119

CD 12

December 13, 1999

Council Member Bernson
Council Member Hernandez
Director of Planning
Planning Department
Community Planning Section
cc: GIS Section-Fae Tsukamoto
221 N. Figueroa St, Room 900
Department of Building & Safety,
c/o Zoning Coordinator
Department of Water & Power
City Attorney,
Attn: Claudia Culling
Bureau of Sanitation,
Attn: Drew Sones

Council Member Miscikowski
Planning Commission
Advisory Agency
Bureau of Engineering,
Development Services Division
Attn: Glenn Hirano
Department of Transportation,
Traffic/Planning Sections
Bureau of Street Lighting,
"B" Permit Section
Chief Legislative Analyst
Environmental Affairs Department
Fire Department

SEE ATTACHED SHEET FOR FURTHER NOTIFICATIONS

RE: GENERAL PLAN AMENDMENTS FOR THE SUNSHINE CANYON LANDFILL LOCATED AT
14747 SAN FERNANDO ROAD IN THE GRANADA HILLS-KNOLLWOOD COMMUNITY PLAN
AREA

At the meeting of the Council held October 26, 1999, the following
action was taken:

Attached report adopted.....	X
" amending motions adopted.....	10-26-99 & 11-17-99
Resolution adopted.....	X
Ordinance adopted.....	12-8-99
To the Mayor FORTHWITH.....	X
Ordinance Number.....	172933
Posted date.....	12-13-99
Effective date.....	1-22-00
Mayor approved.....	12-10-99
Findings adopted.....	X
EIR certified.....	X

City Clerk
dng

00005



Dee Allen
Environmental Affairs Department

Royoll Brown
2153 Aroma Dr.
West Covina, CA 91791

Nicole Bott
6911 Sedan Avenue
West Hills, CA 91307

Rev. Zedar E. Broadous
12040 Foothill blvd., #116
Pacoima, CA 91342

Sophia Chiu
11601 Ruffer Ave.
Granada Hills, CA 91344

Martin T. Czerniak
Norcal/Southern California Div.
222 W. Hospitality Lane
San Bernardino, CA 92408

Richard A. Daniels
430645 Monterey Ave., Ste. A
Palm Dessert, CA 92260

Mary Edwards
17219 Orozco St.
Granada Hills, CA 92260

Joe Edmiston
5750 Ramirez Canyon Rd.
Malibu, CA 90265

Barbara Fine
1614 Benedict Canyon Drive
Beverly Hills, CA 90210

Chris Funk
444 S. Flower St., 43rd Floor
Los Angeles, CA 90071

Sid Gold
16973 Stardust
Granada Hills, CA 91344

Jeff Goodman
12228 Woodley Ave.
Granada Hills, CA 91344

Joseph Giardiello
10727 White Oak #124
Granada Hills, CA 91344

Alan Heslop
1420 Sitka Ct.
Claremont, CA 91711

Ronny L. Herman
20121 Ventura Blvd., #203
Woodland Hills, CA 91364

John Hendricks
RSNPA
17619 Rinaldi St.
Granada Hills, CA 91344

Wayde Hunter
12354 El Oro Way
Granada Hills, CA 91344

Barbara Iversen
17357 Cagney St.
Granada Hills, CA 91344

Miriam Jaffe
6150 Van Nuys Blvd., #305
Van Nuys, CA 91401

Rick Johnson
16315 Knollwood Dr.
Granada Hills, CA 91344

Frank Korfum
P.O. Box 531182
Los Angeles, CA 90053

Ann Kinzle
18645 Sherman Way, #105
Reseda, CA 91335

Lillian Kawasaki
Environmental Affairs Dept.

Ralph Kroy
12901 Titian Ave.
Granada Hills, CA 91344

Jeffrey Lambert
City of Santa Clarita
23920 Valencia Jvd.
Santa Clarita, CA 91355

Bill Lillenberg
17531 Doric St.
Granada Hills, CA 91344

Marsha McLean
P.O. Box 220748
Santa Clarita, CA 91322

Robert G. Meyler
16929 Encino Hills Dr.
Encino, CA 91436

Francis Navicras
13046 Jolette Ave.
Granada Hills, CA 91344-1070

Bill Piazza
1449 S. San Pedro St.
Los Angeles, CA 90015

Dutch C. Ross III
2600 Industry Way
Lynwood, CA 90262

Tom Soule
12520 Magnolia Bl., #212
No. Hollywood, CA 91607

Laura W. Smith
17430 Horace
Granada Hills, CA 91344

Esther Simmons
13222 Whistler Lane
Granada Hills, CA 91344

Terry Tamminen
11777 San Vicente, #555
Los Angeles, CA 90049

Daniel Tempeus
14747 San Fernando Rd.
Sylmar, CA 91342

Wayne Tsuda
201 N. Figueroa
Los Angeles, CA 90012

Michael S. Woodward
555 S. Flower St., 23rd Floor
Los Angeles, CA 90071

Ed Yole
17245 Orozco St.
Granada Hills, CA 91344

Anne Ziliak
17124 Lisette St.
Granada Hills, CA 91344

Evelyn Parker
17412 Hiawatha St.
Granada Hills, CA 91344-6044

Armond Gregoryona
12348 El Oro Way
Granada Hills, CA 91344

Marsha McLean
24519 Breckenridge Place
Newhall, CA 91321

Richard A. Daniels
Eagle Mountain Landfill & Recycling Ctr.
P.O. Box 8
Desert Center, CA 92239

Assembly California Legislature
Thomas McClintock
10727 White Oak, Ste. 124
Granada Hills, CA 91344

Assembly California Legislature
Robert M. Hertzberg
6150 Van Nuys Blvd., Ste. 305
Van Nuys, CA 91401

Cecelia Rodriguez
11813 Peoria St.
Sun Valley, CA 91352

TO THE COUNCIL OF THE
CITY OF LOS ANGELES

Your PLANNING AND LAND USE MANAGEMENT Committee
reports as follows: MAJORITY REPORT

	<u>Yes</u>	<u>No</u>
Public Comments	<u>XX</u>	<u> </u>

ENVIRONMENTAL IMPACT REPORT, STATEMENT OF OVERRIDING CONSIDERATIONS, MITIGATION MONITORING AND REPORTING PROGRAM and PLANNING AND LAND USE MANAGEMENT COMMITTEE MAJORITY REPORT (Miscikowski-Hernandez) and ORDINANCES relative to General Plan Amendments for the Sunshine Canyon Land fill located at 14747 San Fernando Road in the Granada Hills-Knollwood Community Plan Area.

1. CERTIFY that the Final Subsequent Environmental Impact Report (FSEIR No. 91-0377-ZC/GPA; State Clearing House No. 92041053) including the Addendum dated February 5, 1999 for the Added Area, has been completed in compliance with the California Environmental Quality Act, the State Guidelines and the City Guidelines and that the City Council has reviewed the information contained therein and considered it along with other factors related to this project; that this determination reflects the independent judgment of the lead agency City of Los Angeles; and that the documents constituting the record of proceedings in this matter are located in Council File 99-1119 in the custody of the City Clerk and in the files of the Department of City Planning in the custody of the Environmental Review Section; and ADOPT the Final Subsequent Environmental Impact Report.
2. ADOPT FINDINGS made pursuant to and in accordance with Section 21081 of the Public Resources Code and the Statement of Overriding Considerations prepared by the City Planning Department.
3. ADOPT FINDINGS of the City Planning Commission as the Findings of Council.
4. ADOPT accompanying RESOLUTION as recommended by the Mayor, the City Planning Commission, the Director of Planning and the General Plan Advisory Board, APPROVING the proposed Plan Amendment from Open Space to Heavy Industrial for an approximate 394 acres portion of the Sunshine Canyon Landfill and an "Added Area" consisting of an approximate 5-acre landlocked parcel (Tract 9673 located on the northeast side of Sunshine Canyon Landfill westerly of the Golden State (I-5) Freeway and southerly of the Antelope Valley (SR 14) Freeway interchange, within the Granada Hills-Knollwood Community Plan Area.
5. PRESENT and ADOPT accompanying ORDINANCE, approved by the

Planning Commission, changing the zone from A1-1-K-O to [T][Q]M3-1-0 on an approximate 394 acre portion of the Sunshine Canyon Landfill, subject to Conditions, as modified to as indicated in the attached Environmental Affairs and Bureau of Sanitation transmittals dated August 10, 1999, and as further modified to require the applicant to provide, within three years, a total of 1,000 replacement trees at the project site. There is no zone change proposed for the "Added Area" which will remain in the A1-1-K-O zone classification.)

CPC 98-0184(ZC/GPA) (MPR)

Said rezoning shall be subject to the [Q] Qualified classification zone limitations as shown on the sheets attached to the Committee report.

6. REMOVE (T) Tentative classification as described in detail on the sheet(s) attached to this Committee report.
7. INSTRUCT the City Planning Department to update the General Plan and appropriate maps pursuant to this action.
8. REQUEST that the City Attorney:
 - A. Report to Council relative to the legal feasibility of enacting a tipping fee for refuse disposal at Sunshine Canyon to serve as an environmental impact mitigation measure for actions such as the purchase of additional open space land in conjunction with the Santa Monica Mountain Conservancy.
 - B. In conjunction with the Planning Department:
 - i. Prepare the necessary condition(s) to effectuate a Sunshine Canyon waste disposal tipping fee, if appropriate.
 - ii. Determine whether the City can require the project proponent to install on-site cameras with Internet access viewing to assist City staff and the public monitor landfill operations; and prepare the necessary condition(s) if appropriate.
9. DIRECT the Chief Legislative Analyst to report to Council relative to negotiations with the County of Los Angeles regarding the establishment of a Joint Powers Agreement, assurances that conditions will be consistently devised and enforced, and that the City will receive a reasonable apportionment of landfill revenues to pay for associated mitigation and enforcement activities.
10. SUBMITS WITHOUT RECOMMENDATION accompanying draft Planning Department report relative to acceptable (T) and (Q) conditions and mitigation monitoring and reporting program

as substantially proposed by the North Valley Coalition.

11. ADVISE the applicant that pursuant to California State Public Resources Code 21081.6 and CEQA Guidelines 150919(d), as amending by the City of Los Angeles Policy Memorandum No. 91-1, June 1992, the City will monitor or require evidence that any mitigation conditions are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring.
12. NOT PRESENT and ORDER FILED ordinance dated February 25, 1999.

(Public Hearing Scheduled in Council September 28, 1999)

Fiscal Impact Statements: The Planning Department reports that the Department of City Planning has a full cost recovery contract with the applicant of the subject planning case. Therefore, there is no negative impact to the General Funds. The Bureau of Sanitation states that approval of the project may allow the City to continue to dispose of its refuse in the Sunshine Canyon Landfill under the same contract price with the CPI escalation for a significant term of 15-20 years or more. The increase in disposal fees would be strictly limited to CPI and population factors. Approval of the proposed project would eliminate the capital cost of developing a new transfer station in the San Fernando Valley. (The capital cost of a transfer station in the valley is estimated at \$10,000,000).

Summary:

At their meeting held May 4, 1999, the Planning Commission approved plan amendments from "open space" to "heavy industrial" and a zone change from A1-1-K-0 to [T][Q]M3-1-0 on an approximate 394 acre portion of the Sunshine Canyon Landfill and a five-acre added area to permit landfill activities in the City portion of property located at 14747 San Fernando Road. The Commission took other effectuating actions relative to environmental regulations, mitigation, monitoring and reporting, and related matters. The project proponent endeavors to develop a solid waste landfill at this location which is located within the jurisdictions of the City and the County of Los Angeles. There is no zone change proposed for the "added area" which will remain in the A1-1-K-0 zone classification. The project site is primarily disturbed due to extensive landfilling operations that have taken place during a 30-year period.

In the Commission's accompanying findings, the Planning Department reports that an amendment to the General Plan changed the designation on the subject site from "minimum" residential to privately owned "open space" in order to preserve natural resources and the natural environment. In addition, the Department states that residential development was unlikely to occur within the next twenty years due to landfill closure and

post-closure activities. The plan allows solid waste disposal in the desirable open space designation. The Citywide General Plan Framework Element provides a comprehensive long-range growth strategy. Included therein are statements regarding the public service infrastructure necessary to support the City's population and economy. It is noted that landfill "capacity must be provided for the waste collected by both City agencies and private collection companies. The plan notes that other disposal methods do not appear feasible due to implementation, environmental, or financial reasons. The remaining policy option, local disposal, states that the City shall work with the County of Los Angeles, other jurisdictions, and private companies to identify and secure additional disposal capacity in or outside the County. Even with successful diversion and recycling programs, the City needs more disposal capacity.

Sunshine Canyon is an 1100-acre site owned by BFI. The City's landfill ceased operation in 1991. The County commenced disposal operations in August 1996. Given current disposal rates, landfill capacity could be exhausted in 2006. The Planning Department goes on to state that operating a landfill within the City would provide adequate infrastructure and a long-term solution to the City's diminishing disposal capacity. Such an operation would also reduce environmental impacts such as emissions and the use of energy and natural resources associated with transporting waste to remote facilities. Environmental protection and control systems for the project meet or exceed all Federal, State, and local requirements. Operational conditions will be more restrictive than those employed during the prior operated City landfill. The Conditions are tailored to the specific issues of the site and drafted to ensure that development proceeds in an attractive, orderly, and harmonious fashion and in conformance with the General Plan.

The Planning Department further reports that the combined development of land within the jurisdictions of the City and County would result in one landfill footprint being constructed in Sunshine Canyon. The landfill footprint would encompass 451 acres and would result in an increased net waste disposal capacity of 90 million tons; 55 in the City, and 35 in the County. A combined City/County development would provide approximately 26 years of disposal capacity. The Department anticipates that concurrent with project approval, the City and County will enter into an agreement to exercise authority over the entire project site. Such an agreement would authorize the joint development and operation of a single landfill located within both jurisdictions. The Planning Department goes on to state that the City has determined the project's environmental effects will not be significant, or if significant, mitigated.

In discussing alternatives, the Planning Department states that if this project is not developed, the County landfill could be expanded within the upper reaches of Sunshine Canyon, resulting in the loss of 3,200 Oak trees and 75 big-cone Douglass fir trees. The "no project alternative" would not effectively and

Commission recommends denial of the proposed land use ordinance, the decision is final. After the Planning Commission has made its report and recommendation for approval, or after the time for it to act has expired, the Council may consider the matter. (Added by Ord. No. 173,754, Eff. 3/5/01.)

3. Procedure for Applications. Once a complete application is received, as determined by the Director, the Commission shall hold a public hearing or direct a Hearing Officer to hold the hearing. If a Hearing Officer holds the public hearing, he or she shall make a recommendation for action on the application. That recommendation shall then be heard by the Planning Commission, which may hold a public hearing and shall make a report and recommendation regarding the relation of the proposed land use ordinance to the General Plan and whether adoption of the proposed land use ordinance will be in conformity with public necessity, convenience, general welfare and good zoning practice.

After the Planning Commission has made its report and recommendation, or after the time for it to act has expired, the Council may consider the matter. If the Planning Commission recommends disapproval, that action is final unless the applicant timely files an appeal pursuant to Subsection D below.

(Added by Ord. No. 173,754, Eff. 3/5/01.)

4. Notice. Notice of the time, place and purpose of the public hearing shall be given in the following manner for land use ordinances proposed by applications or initiations:

(a) By at least one publication in a newspaper of general circulation in the City, designated for that purpose by the City Clerk, not less than 24 days prior to the date of the hearing.

(b) By mailing written notice at least 24 days prior to the date of the hearing, to the applicant, to the owner or owners of the property involved and to the owners of all property within and outside the City that is within 500 feet of the area proposed to be changed as shown upon the records of the City Clerk or the records of the County Assessor. Written notice shall also be mailed to residential, commercial and industrial occupants of all property within 500 feet of the exterior boundaries of the property involved. This requirement can be met by mailing the notice to "occupant." If this notice provision will not result in notice being given to at least 20 different owners of at least 20 different parcels of property other than the subject property, then the 500-foot radius for notification shall be increased in increments of 50 feet until the required number of persons, and parcels of property are encompassed within the expanded area. Notification shall then be given to all property owners and occupants within that area.

(c) If there is an applicant, by the applicant posting notice of the public hearing in a conspicuous place on the property involved at least ten days prior to the date of the public hearing. If a hearing officer is designated to conduct the public hearing then the applicant, in addition to posting notice of the public hearing, shall also post notice of the initial Commission meeting on the matter. This notice shall be posted in a conspicuous place on the property involved at least ten days prior to the date of the meeting.

(Added by Ord. No. 173,754, Eff. 3/5/01.)

efficiently use land that is primarily disturbed to years of landfilling activities. This alternative would not provide cost effective refuse disposal for the City and would result in diminished economic revenues to the City in the form of tipping fees and business license taxes. Other waste management strategies and technologies are not considered viable as stand-alone alternatives to this project.

The project has numerous conditions on use, restricting hours and days of operation, prohibiting waste originating from outside the County of Los Angeles and forms of waste such incinerator ash, sludge, radioactive or hazardous material, waste disposal intake rate, and measures to control dust emissions.

At meetings held August 10 and 17, 1999, the Planning and Land Use Management Committee considered the transmittal from the Mayor and Director of Planning relative to the recommendations of the City Planning Commission in approving the proposed Plan Amendment from Open Space to Heavy Industrial for the Sunshine Canyon Landfill and the "added area" consisting of an approximate 5-acre landlocked parcel. At the August 10, 1999 Committee meeting, representatives of the Planning and Environmental Affairs Departments and the Bureau of Sanitation were present to discuss the proposed expansion of BFI's landfill in Sunshine Canyon. Sanitation's representative submitted three additional conditions for consideration by the Committee: a requirement for the landfill operator to annually report on the feasibility of beneficial uses of landfill gas collected at the site, that alternative fuel vehicles be considered for landfill maintenance, and lastly, that the landfill operator conduct a study on the quality of surface waters released from the southeastern boundary of the landfill. Sanitation's representative stated that despite the success of the City's recycling program, the Sunshine Canyon landfill disposal option is still needed. The Environmental Affairs Department representative discussed the City's role as a Local Enforcement Agency should the landfill be approved.

An extensive public comment period followed. Representatives of the project proponent and members of the public who support the project stated that claims regarding potential environmental impacts relating to the operation of the landfill in the County never materialized. The operator has been responsive to changing weather conditions to properly maintain the facility and has had open communications with the public. The landfill will employ a state of the art liner and drainage system and will have no impact on the City's water supply. Leachate and natural gas will be collected and recycled. The landfill was not adversely affected by the 1971 or 1994 earthquakes. Ultimate landfill closure will involve extensive re-vegetation. All environmental impacts, except air quality concerns can be mitigated. Proponents further discussed the economic benefit of the landfill, noting it is a cost-effective alternative to remote disposal alternatives.

Opponents of the project stated their concerns relative to the

operation of the landfill as a nuisance to local residents and as a potential hazard to the City's water supply. Residents recited an extensive history of landfill operation violations including exceeding height restrictions, non-compliance with conditions, damaging federal wetlands, and failing to complete the restoration of damaged vegetation. A representative of Economic Resources Corporation, a community and employment development interest, stated that BFI has failed to adhere to its contractual obligations to provide a 5% equity in the operation of local transfer stations. Finally, members of the public stated their concerns regarding increased traffic and suggested mitigation measures such as using landfill revenue for the acquisition of park space and open space in the Santa Monica Mountains.

The Planning and Land Use Management Committee discussed the matter further with representatives of the Planning Department. The Committee continued the matter for one week, pending the Department's review and analysis of Conditions of Operation proposed by the North Valley Coalition. Councilmembers Hernandez and Miscikowski approved the additional conditions submitted by the Environmental Affairs Department and the Bureau of Sanitation. Councilmember Miscikowski also requested that the City Attorney be prepared to discuss the legal feasibility of imposing a tipping fee as an environmental mitigation measure and that the CLA work with the County of Los Angeles to ensure that the City receive an equitable share of landfill revenues. Councilmember Bernson stated his opposition to the landfill. The Councilmember stated that the City has not fully explored the feasibility of waste to energy technology. The Councilmember stated that landfilling is an archaic waste management strategy. Waste conversion would also reduce the City's recycling costs by \$50 million per year.

At its meeting held August 17, 1999, the Planning and Land Use Management Committee considered a draft report from the Planning Department relative to the North Valley Coalition's Conditions of Operation. In its report, the Department discusses the modified conditions and notes whether each is acceptable or non-acceptable. In total, any recommended changes would not be significant enough to require the recirculation of another EIR. Councilmember Hernandez stated that the report was submitted late. Neither the Councilmember nor his staff was able to review it. Councilmember Miscikowski stated that additional analysis was needed and directed the Planning Department to report to Council with clarifications regarding the acceptable and non-acceptable conditions, and their impacts on the project and landfill operation revenue. The Committee also discussed the use of green waste as an acceptable landfill cover, hours of operation, and the queuing and the preparation of refuse collection and landfill maintenance vehicles. The Committee also requested additional information from staff regarding the impact of the additional conditions on the City's refuse collection and landfill disposal activities, and recommendations for a Citizen Advisory Committee (CAC) to monitor the landfill. Councilmember Bernson stated that the CAC should be comprised of residents who

live within one mile of the landfill and include representatives of the DWP and the Water District.

A public comment period followed. Project opponents stated that BFI has historically not cooperated with its neighbors. To protect residents and to ensure that the landfill operation is adhering to conditions, a local resident recommended that cameras be installed within the landfill.

In their Majority Report, Councilmembers Miscikowski and Hernandez recommended that Council approve the Commission's actions to expand the landfill's operation in Sunshine Canyon, as modified to include additional recommendations from the Environmental Affairs Department and the Bureau of Sanitation, and as further modified to require that the landfill replace 1,000 within the first three years of the agreement. The Committee also requested additional reports regarding the legal feasibility of requiring, as a condition, that cameras be installed within the landfill to monitor its operation and whether the City can collection a tipping fee for the purpose of acquiring and preserving open spaces. The Councilmembers also directed Planning Department staff to report back on the impact of the modified conditions on the City's refuse collection program. Mr. Hernandez did not take a position on the Planning Department's report relative to the North Valley Coalition's modified conditions. Ms. Miscikowski approved the Department's report, requesting that additional information and clarifications be submitted to Council.

Respectfully submitted,

PLANNING AND LAND USE MANAGEMENT COMMITTEE

Cindy Miscikowski

JAW:ys

Enc: CPC 98-0184 (ZC/GPA) (MPR)
CD 12

Attachments: Resolution SEP 28 1999 - CONTINUED TO OCT 26, 1999
Plan Amendment Map
Plan "Q" & "T" Conditions

Note: (Notice has been published not less than 10 days prior to the public hearing date pursuant to Section 11.5.6 B and D of the Municipal Code).

Rep. Read 3 Findings
ADOPTED

00014

#991119

ORD.
ADOPTED

OCT 26 1999
EIR *Corrected*
LOS ANGELES CITY COUNCIL

Ord OVER ONE WEEK TO NOV 2, 1999

DEC 08, 1999

NOV 02 1999 - *Ord* OVER ONE WEEK TO NOV 9, 1999

NOV 09 1999 - *Ord* OVER ONE WEEK TO NOV 17, 1999

NOV 17 1999 - **ORD** *AS AMENDED*
Continued DEC 8, 1999

Forthwith to the Mayor

18

MOTION

There has been much discussion and concern about the expansion of the Sunshine Canyon Landfill. Concerns have been voiced about potential water contamination, potential air pollution problems, property value loss, and unidentified health impacts. The landfill operators continually state there are no problems. However, claims that "no problems exist" have been heard many times, in many communities, which turn out to be false.


With the recently released State of California report that there may be cancer clusters around two local schools resulting from nearby landfills, and combined with the reasonable fears in the communities of Granada Hills, Sylmar and Northridge, it is not unreasonable for the City of Los Angeles to ask for guarantees.

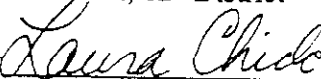
I THEREFORE MOVE that the City of Los Angeles require of the operators of the Sunshine Canyon Landfill to post a sufficient bond to indemnify the City of Los Angeles against any future claims for damages resulting from water contamination, air contamination, health impacts, or loss of property value, during the operation and twenty-five years after closure of the Sunshine Canyon Landfill.

Moved by


HAL BERNSON

Councilman, 12th District


Seconded by



MO.
ADOPTED

NOV 17 1999

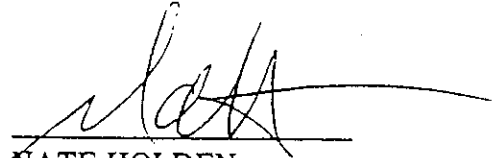
LOS ANGELES CITY COUNCIL

ITEM 8 B

MOTION

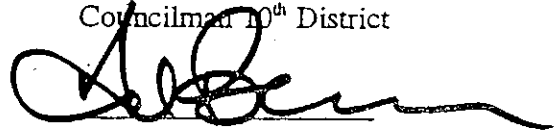
I MOVE that the matter of Sunshine Canyon Landfill, Item 8 on today's Council Agenda (CF 99-1119) BE AMENDED, to require the permittee to install video monitoring equipment at the site to ensure compliance with conditions of operation; and to impose a ten year cap on the operations of this landfill under the current action.

PRESENTED BY:


NATE HOLDEN

Councilman 10th District

SECONDED BY:



Mo.
ADOPTED
NOV 17 1999
LOS ANGELES CITY COUNCIL

November 17, 1999

ak

00016

MOTION

10 A

To protect the citizens from the impacts of major traffic congestion forecast in the EIR table 4.13-5 to be 68,320 trips per day in the future, a new traffic light is needed.

I move that the majority report on the Sunshine Canyon Landfill expansion, Case CPC 98-0184 (ZC/GPA)(MPR) covenants to add [Q] Condition # . San Fernando Road at the base of the I-5 offramp. Install a new traffic control light.

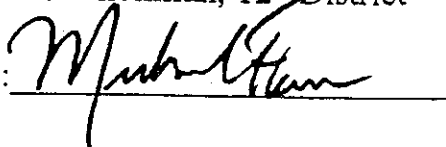
Moved by:



HAL BERNSON

Councilman, 12th District

Second by:



**MOTION
ADOPTED**

OCT 26 1999

Los Angeles City Council



MOTION

I THEREFORE MOVE, that an independent contractor paid by the applicant will, prior to the start of construction conduct additional testing of landfill gas, dust, and diesel particles at Van Gogh Elementary School, model emissions projected with the implementation of the landfill, and 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 Air Quality Management District (SCAQMD), and the Technical Advisory Committee (TAC).


PRESENTED BY: 

SECONDED BY: 

**MOTION
ADOPTED**

OCT 26 1999

Los Angeles City Council


October 26, 1999

00018

MOTION

WHEREAS, the Planning Department's Report "A" to the City Council as part of the Majority Report has incorporated the Planning Commission's Findings and included several Amendments to [T] and [Q] Conditions as set forth in the committee report; and

WHEREAS, while in the PLUM Committee, additional modifications and amendments were discussed relative to acceptable [T] and [Q] conditions and the Mitigation Monitoring and Reporting Program changes; and

WHEREAS, the Planning Department Report "B" relative to these acceptable changes to [T] and [Q] conditions and the Mitigation Monitoring and Reporting Program has further researched and analyzed these changes; and

WHEREAS, these changes in Report "B" include expanded language for the Community Advisory Committee, more restrictive project descriptions, formation of a City Technical Advisory Committee, use of independent consultants and clarification and refinements of language proposed by staff to enhance the regulations and enforcement of the proposed project which are consistent with the intent and purposes of the City Planning Commission and PLUM's majority action; and


WHEREAS, Report "D" included a condition for the use of the future low emission air quality mitigation measures; and

WHEREAS, the Planning Department memo of October 22, 1999 is an addendum and/or technical corrections to the [T] and [Q] conditions and Mitigation Monitoring and Report Program in Reports "A", "B", "C", and "D"; and

WHEREAS, it is important to the City to have these additional controls and refined conditions of approval as part of this project.

I THEREFORE MOVE that the Majority Report, Item 10 B on the Tuesday, October 26, 1999 Council Agenda, be amended to include the acceptable changes to the [T] and [Q] conditions as set forth in the Planning Department's Report "B" as amendments to the accompanying ordinance. Additionally, the changes on the Mitigation Monitoring and Reporting Program shall be incorporated in that document.

FURTHER, that the Planning Department be instructed to incorporate the modifications to [Q] condition C.10.d of Report "D".

 FURTHER, that the Planning Department Addendum and/or Corrections to the [T] and [Q] conditions dated October 22, 1999 be incorporated into the Planning Department's Reports "A", "B", "C" and "D".


FURTHER, that the Planning Department be instructed to prepare the Amended Ordinance including the [T] and [Q] conditions above, and including supplemental Findings for these changes.

**MOTION
ADOPTED**

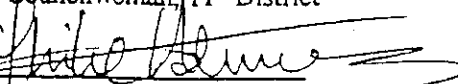
OCT 26 1999

Los Angeles City Council
October 26, 1999

Presented By:


CINDY MISKOWSKI
Councilwoman, 11th District

Seconded By:


MIKE HERNANDEZ
Councilman, 1st District

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.

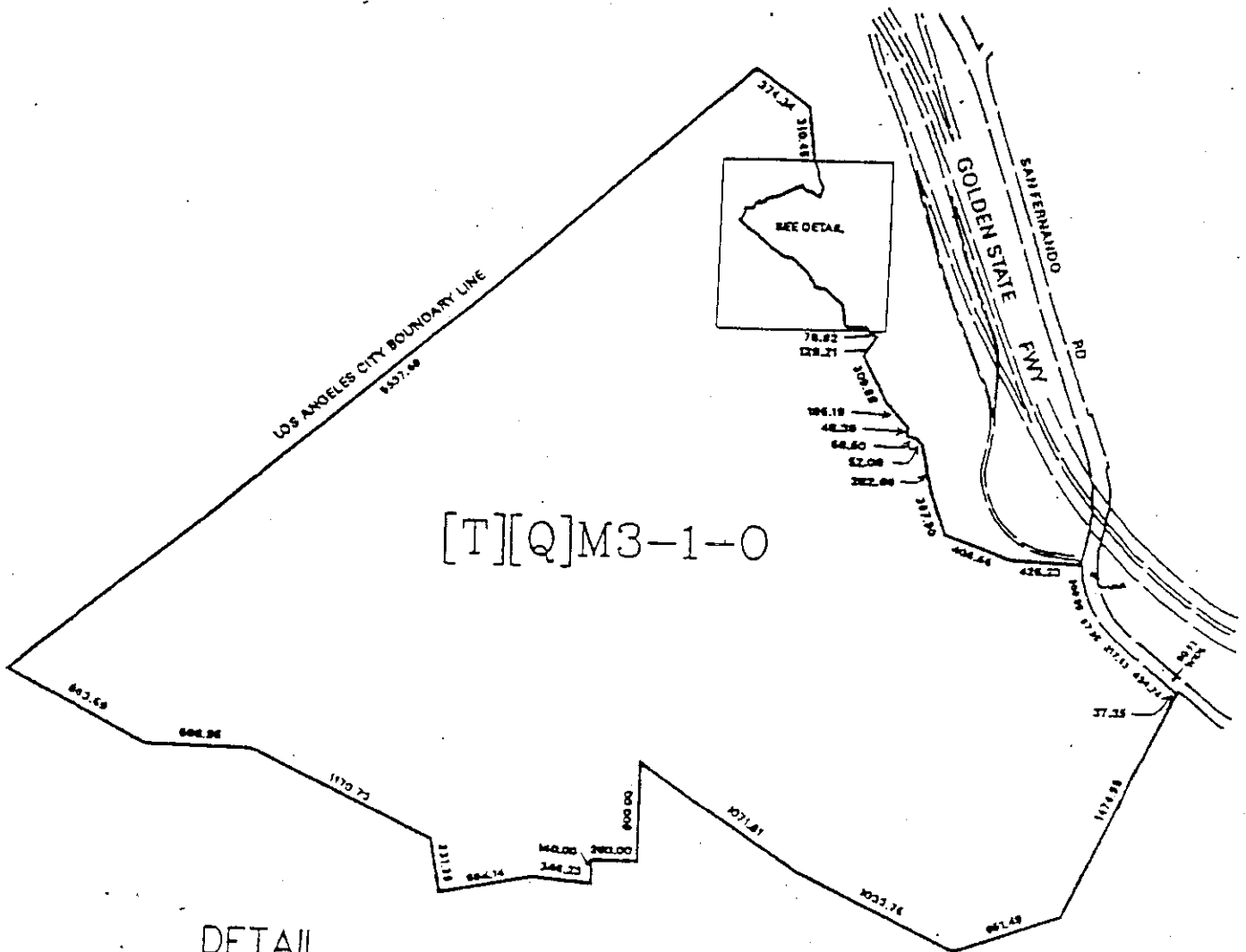
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ORDINANCE NO. 172933

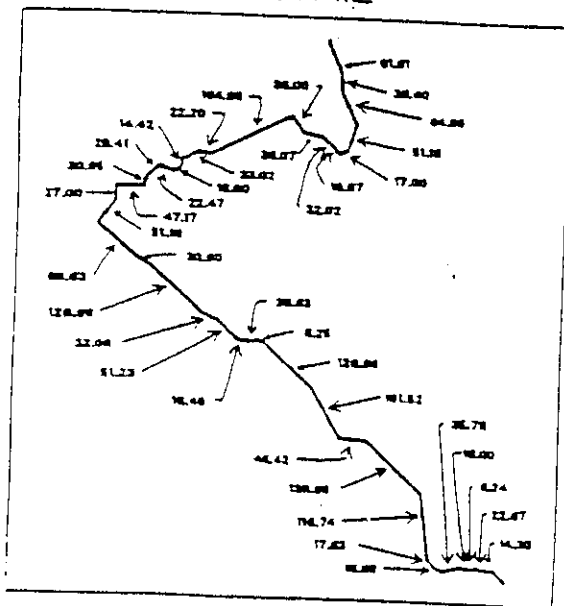
An ordinance amending Section 12.04 of the Los Angeles Municipal Code by amending the zoning map.

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:



DETAIL



↑
NOT TO SCALE

C.M. 2318129, 2318133	
C.M. 2288129, 2288133	CPC 98-0184 ZC

RAJ/

00024

05/04/

[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;

00025

- 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 1st 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 (Attachment A-5) 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 10th 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 in 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 (Attachment A-5) 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 off 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.

- a. 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.
- b. 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.
- c. 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.

- a. 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. 3. 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 DEC 08 1999.

J. MICHAEL CAREY, City Clerk

DEC 10 1999
Approved [redacted]

By Konrad Carter
Deputy

By [Signature]
Mayor
CM

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

[Signature]
Director of Planning

By _____
City Attorney

File No. 99-1119

posting

00050

Proposed Uses within the Project Site and Operational County Landfill

Legend

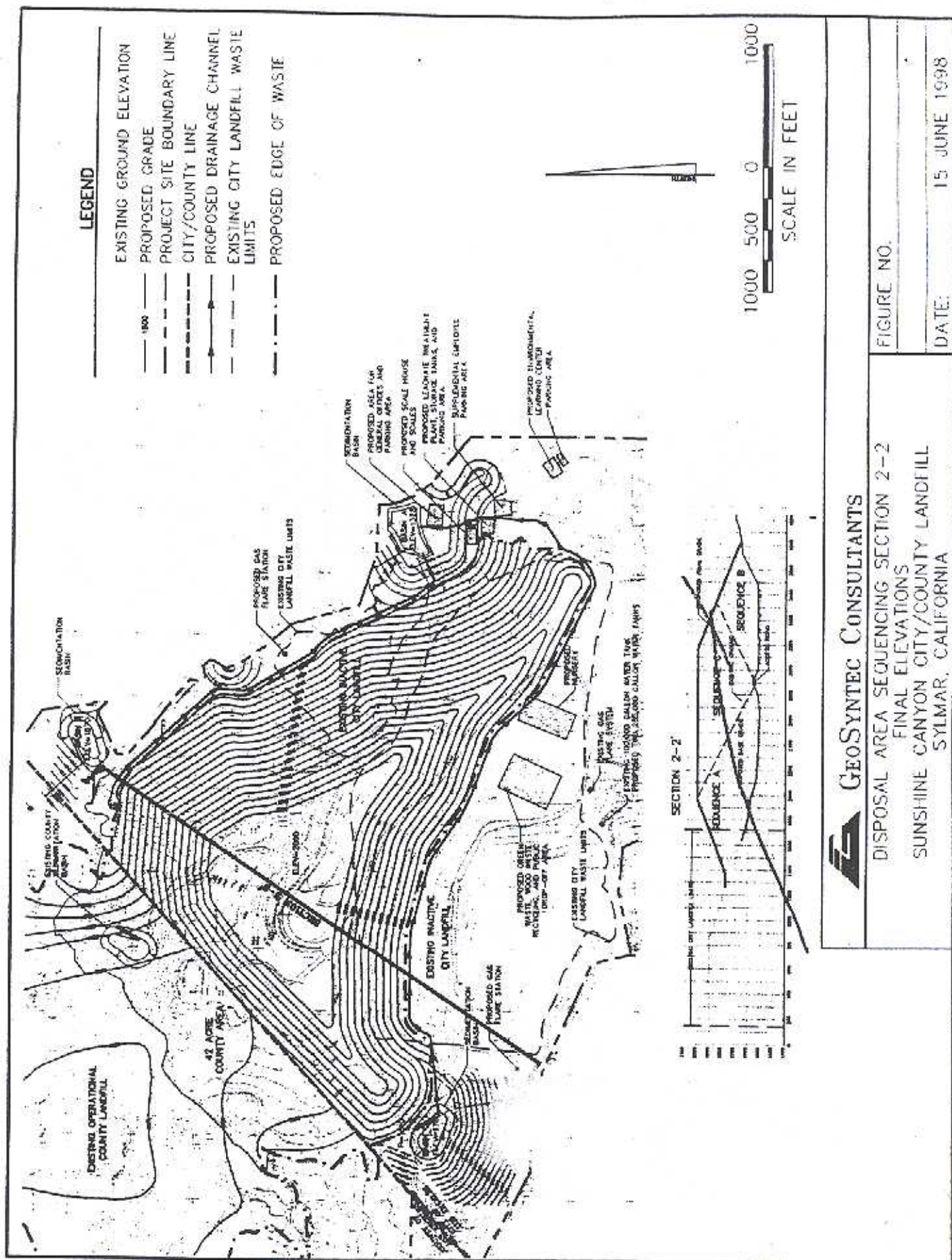
- Project Site Boundary
- County of Los Angeles Boundary
- Existing Inactive Landfill (1.11 acre)
- Proposed Landfill Footprint (184 acre)
- Proposed Landfill Area (424 acre)
- Proposed Ancillary Facilities/Area in City

NOTE:
Operational County Landfill Footprint is 4215 acres.

Source: Inland Aerial Surveys, Inc.
UltraSystems Environmental Incorporated



Aerial photograph taken August 3, 1996



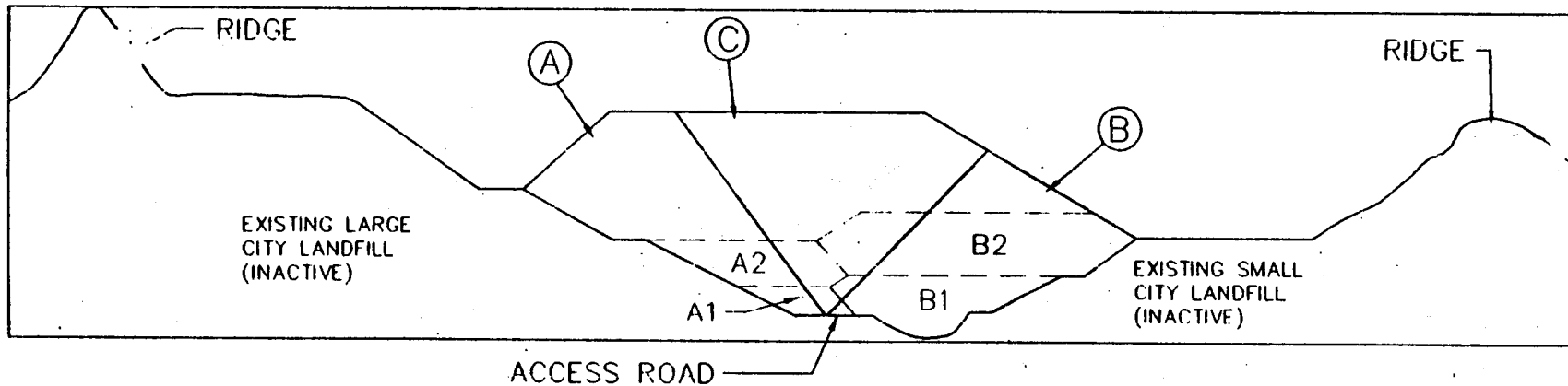


INITIAL DEVELOPMENT AREA
SUNSHINE CANYON CITY/COUNTY LANDFILL
SILMAR, CALIFORNIA

DATE: 23 FEBRUARY 1999

SECTION 1-1'

NOT TO SCALE



LEGEND

- Ⓐ DEVELOPMENT SEQUENCE
- A1 CONCEPTUAL WASTE DEVELOPMENT INCREMENT



GeoSYNTEC CONSULTANTS

SEQUENCED DEVELOPMENT
SUNSHINE CANYON CITY/COUNTY LANDFILL
SYLMAR, CALIFORNIA

FIGURE NO.

DATE: 23 FEBRUARY 1999

**LOS ANGELES COUNTY INTEGRATED WASTE MANAGEMENT TASK FORCE
COUNTYWIDE SITING ELEMENT FACILITY SITING CRITERIA
EVALUATION FORM**

Facility Name Sunshine Canyon Landfill City/County Project

Location 14747 San Fernando Road, Sylmar California 91342

SITING FACTORS	GENERAL CRITERIA	COMPLIANCE		COMMENTS, IF ANY
		YES	NO	
A. PROTECT THE RESIDENTS				
• Proximity to populations	Facility must be in conformance with local land use and zoning requirements of a county or city planning agency.	X		<p>Complies with the County of Los Angeles Zoning Plan requirements. Landfill operations are permitted use in this zone provided a Conditional use Permit is issued. Property is zoned A-2-2 (Heavy Agriculture-Two acre minimum lot sizes). The County has issued a CUP 86-312-(5) on November 18, 1993.</p> <p>The City of Los Angeles amended the Los Angeles General Plan to designate the City Landfill site as "Heavy Industrial" and change its zone to "M3-1" on December 9, 1998. General Plan Consistency as mandated by PRC 50000 was established by the City by approval of the General Plan Amendment and zone change. The Zoning Ordinance No. 172933 was approved by the City Council on December 8 1999, and approved by the City Mayor on December 9, 1999.</p>
	Construction of buildings or structures on or within 1,000 feet of a land disposal facility must contain a natural or manmade protective system.	X		<p>Will comply with Section 110 of the building code requirement of the County of Los Angeles. There are no residential building structures within 1,000 feet of the Limits of Fill.</p> <p>Furthermore, the City of Los Angeles requires maintenance of a 100-acre buffer zone in the southern part of the landfill property to protect the closest residential community.</p> <p>Los Angeles City Zoning Ordinance Condition B.2.b.</p>
B. ENSURE THE STRUCTURAL STABILITY AND SAFETY OF THE FACILITY				
• Flood hazard areas	Disposal facilities must comply with requirements of the Federal Clean Water Act, as amended and local Stormwater/Urban Runoff requirements.	X		<p>Will comply with the grading requirement of the County and City of Los Angeles, NPDES requirement of the County of Los Angeles and the Stormwater Pollution Prevention Plan of the State Water Resources Control Board.</p> <p>County's CUP Condition 42 and City Zoning Ordinance Condition C.4.</p>

**LOS ANGELES COUNTY INTEGRATED WASTE MANAGEMENT TASK FORCE
COUNTYWIDE SITING ELEMENT FACILITY SITING CRITERIA
EVALUATION FORM**

SITING FACTORS	GENERAL CRITERIA	COMPLIANCE		COMMENTS, IF ANY
		YES	NO	
	Land Disposal Facilities must be designed, constructed, operated, and maintained to prevent inundation or washout due to floods with a 100-year return period.	X		<p>The site is located in an area categorized by FEMA as "Zone C" with moderate or minimal flood hazard. The site lies entirely outside the area classified by FEMA as the 100-year floodplain.</p> <p>Will comply with the Stormwater requirement of the California Regional Water Quality Control Board and the grading requirement of the County and City of Los Angeles.</p> <p>County's CUP Condition 37, 38, and 42 and City Zoning Ordinance Condition C.4.</p>
• Areas subject to tsunamis, seiches, and storm surges	Disposal facilities should avoid areas subject to such events unless designed, constructed, operated, and maintained to preclude failure to such events.	X		Due to its inland location and elevation, the facility is not subject to these coastal phenomena.
• Proximity to active or potentially active faults/seismic	All facilities are to be designed and constructed in accordance with the local building code.	X		Will comply with the building code requirement of the County and City of Los Angeles and Mitigation Monitoring and Reporting Summary (MMRS) Mitigation Measures Nos. 1.
	New or expansion of Class III landfill is prohibited on a known Holocene Fault.	X		<p>Not Applicable.</p> <p>The closest active Holocene fault is the San Fernando-Sierra Madre Fault, located 3.0 miles from the landfill site.</p>
• Slope stability	Facilities should have engineered design safety features to assure structural stability.	X		Will comply with the MMRS Mitigation Measures Nos. 1, grading requirement of the County and City of Los Angeles, the California Integrated Waste Management Board, and the Waste Discharge Requirements of the CRWQCB-LA Region.
• Subsidence/liquefaction	All facilities should avoid locating in areas subject to such change unless designed, constructed, and maintained to preclude failure as a result of such change.	X		<p>Not Applicable.</p> <p>The site is underlain by the Towsley Formation, a geologic structure of interbedded sandstone with subordinate amounts of siltstone, mudstone and conglomerates. Landfill liner systems will be founded on this formation, which is solid bedrock and therefore not subject to subsidence or liquefaction.</p>
• Dam failure inundation areas	Facilities should be located outside dam failure inundation areas.	X		<p>Not Applicable.</p> <p>There is no dam located upslope from the facility site or on any adjacent stream.</p>

**LOS ANGELES COUNTY INTEGRATED WASTE MANAGEMENT TASK FORCE
COUNTYWIDE SITING ELEMENT FACILITY SITING CRITERIA
EVALUATION FORM**

SITING FACTORS	GENERAL CRITERIA	COMPLIANCE		COMMENTS, IF ANY
		YES	NO	
C. PROTECT SURFACE WATER				
• Aqueducts and reservoirs	New and existing Class III landfills should be fitted with subsurface barriers, as well as, precipitation and drainage control facilities.	X		Will comply with the MMRS Mitigation Measures Nos. 2, the grading requirement of the County and City of Los Angeles, drainage requirement of the County of Los Angeles, and the Waste Discharge Requirements of the CRWQCB-LA Region.
• Discharge of treated effluent	Facilities should be located in areas with adequate sewer capacity to accommodate the expected wastewater discharge. On site treatment should be considered if no sewers are available.	X		Will comply with the MMRS Mitigation Measures Nos. 2, the industrial waste discharge permit requirement of the County of Los Angeles and the Waste Containment/Waste Discharge Requirements of the CRWQCB-LA Region
	Facilities discharging into streams or into the ocean, directly or via storm drains, will require National Pollutant Discharge Elimination System Permits issued by the Regional Water Quality Control Board.	X		Will comply with the MMRS Mitigation Measures Nos. 2, the grading requirement of the County and City of Los Angeles, drainage and Industrial Waste Discharge requirement of the County of Los Angeles, and the Waste Discharge Requirements of the CRWQCB-LA Region.
D. PROTECT GROUNDWATER				
• Proximity to supply wells and well fields	Facilities must meet State of California's geologic setting criteria for ensuring no impairment of beneficial uses of surface water or of groundwater beneath or adjacent to the landfill.	X		Not applicable. There are no groundwater extraction wells known to be in use within a one-mile radius of the facility site. Will comply with the MMRS Mitigation Measures Nos. 3, and the Waste Containment/Waste Discharge Requirements of the CRWQCB-LA Region.
• Depth to groundwater	All containment structures must be capable of withstanding hydraulic pressure gradients to prevent failure due to settlement, compression, or uplift.	X		Will comply with the MMRS Mitigation Measures Nos. 3, the grading requirement of the County and City of Los Angeles, drainage requirement of the County of Los Angeles, and the Waste Containment/Waste Discharge Requirements of the CRWQCB-LA Region.
	Class III landfills should be fitted with containment structures that meet specified Federal and State permeability standards. Facility to be fitted with groundwater collection system and leachate collection and removal systems.	X		Will comply with the MMRS Mitigation Measures Nos. 3, the grading requirement of the County and City of Los Angeles, drainage requirement of the County of Los Angeles, and the Waste Discharge Requirements of the CRWQCB-LA Region.
• Groundwater monitoring reliability	Facilities must comply with the California RWQCB permit requirements for groundwater monitoring.	X		Will comply with the Waste Discharge Requirements of the CRWQCB-LA Region.

**LOS ANGELES COUNTY INTEGRATED WASTE MANAGEMENT TASK FORCE
COUNTYWIDE SITING ELEMENT FACILITY SITING CRITERIA
EVALUATION FORM**

SITING FACTORS	GENERAL CRITERIA	COMPLIANCE		COMMENTS, IF ANY
		YES	NO	
• Major aquifer recharge areas	Facilities must meet State of California's minimum requirements for ensuring no impairment of beneficial use of surface water or groundwater beneath or adjacent to landfill.	X		Will comply with the Waste Discharge Requirements of the CRWQCB-LA Region.
• Permeability of surficial materials	Class III landfills should be underlain by a composite liner, consisting of lower clay liner and upper synthetic membrane, and which is of sufficient thickness to prevent vertical movement of fluids including waste and leachate.	X		Will comply with the MMRS Mitigation Measures Nos. 2 and the Waste Discharge Requirements of the CRWQCB-LA Region.
• Existing groundwater quality	Facility should meet California Water Quality Control Board's minimum water quality protection standards and criteria.	X		Will comply with the MMRS Mitigation Measures Nos. 3 and the Waste Discharge Requirements of the CRWQCB-LA Region.
E. PROTECT AIR QUALITY				
• Prevention of significant deterioration (PSD) areas	Facilities located in regions which are classified under PSD regulation as major stationary sources will be required to submit to preconstruction review and apply the Best Available Control Technology.	X		Will comply with the MMRS Mitigation Measures Nos. 6, the County of Los Angeles CUP 00-194-(5), City Zoning Ordinance Condition C.10, and the requirements of the SCAQMD.
• Non-attainment areas	Facilities with air emissions located in non-attainment areas and emitting air contaminants in excess of established limits will require preconstruction review under New Source Review requirements and the obtaining of a Permit to Construct and a Permit to Operate from the South Coast Air Quality Management District.	X		Will comply with the MMRS Mitigation Measures Nos. 6, the County of Los Angeles CUP 00-194-(5), City Zoning Ordinance Condition C.10, and the requirements of the SCAQMD.
• Landfill surface emissions	Class III land disposal facilities are subject to SCAQMD rules and regulations which includes installation of a landfill gas control system and perimeter monitoring probes, as well as, implementation of a monitoring program to ensure that landfill gas emissions do not exceed specified SCAQMD standards.	X		Will comply with the MMRS Mitigation Measures Nos. 6, the County of Los Angeles CUP 00-194-(5), City Zoning Ordinance Condition C.10, and the requirements of the SCAQMD.

**LOS ANGELES COUNTY INTEGRATED WASTE MANAGEMENT TASK FORCE
COUNTYWIDE SITING ELEMENT FACILITY SITING CRITERIA
EVALUATION FORM**

SITING FACTORS	GENERAL CRITERIA	COMPLIANCE		COMMENTS, IF ANY
		YES	NO	
F. PROTECTION OF ENVIRONMENTALLY SENSITIVE AREAS				
• Wetlands	Land disposal facilities should be located outside wetlands areas.	X		<p>Portions of the facility are located in wetland areas, except that City/County Project will not impact any wetland areas. However, will comply with the County of Los Angeles Oak Tree Permit 86-312-(5) Condition 38, City Zoning Ordinance Condition C.9, and MMRS Mitigation Measures No. 1 and 4. Portions of the streambed and wetland area in the canyon bottom will be graded and filled in accordance with the MMRS.</p> <p>As a mitigation, BFI will provide resources for an established mitigation bank or participate in established programs to improve existing wetlands by the removal of invasive exotic plants.</p>
• Proximity to habitats of threatened and endangered species	A facility should not locate in habitats of threatened or endangered species unless the local land use authority makes a determination that a proposed facility is compatible with the surrounding resources and does not pose a substantial threat to the resource.	X		<p>This is an expansion of an existing active Class III landfill. Complies with the County of Los Angeles Zoning Plan requirements. Landfill operations are permitted use in this zone provided a Conditional use Permit is issued. Property is zoned A-2-2. The County has issued a CUP 86-312-(5) on November 18, 1993.</p> <p>In addition, 24 biological surveys conducted at the site between 1978 and 1996 identified several sensitive plant and animal species, but not threatened or endangered species.</p>
• Agricultural lands	A facility located in areas zoned for agricultural uses must obtain a local land use permit from the local jurisdiction.	X		<p>This is an expansion of an existing active Class III landfill. Complies with the County of Los Angeles Zoning Plan requirements. Landfill operations are permitted use in this zone provided a Conditional use Permit is issued. Property is zoned A-2-2. The County has issued a CUP 86-312-(5) on November 18, 1993.</p>
• Natural, recreational, cultural, and aesthetic resources	Facilities should avoid locating in these areas unless the applicant can demonstrate that a facility is compatible with the land use in the area.	X		<p>This is an expansion of an existing active Class III landfill. Complies with the County of Los Angeles Zoning Plan requirements. Landfill operations are permitted use in this zone provided a Conditional use Permit is issued. Property is zoned A-2-2. The County has issued a CUP 86-312-(5) on November 18, 1993.</p>

**LOS ANGELES COUNTY INTEGRATED WASTE MANAGEMENT TASK FORCE
COUNTYWIDE SITING ELEMENT FACILITY SITING CRITERIA
EVALUATION FORM**

SITING FACTORS	GENERAL CRITERIA	COMPLIANCE		COMMENTS, IF ANY
		YES	NO	
• Significant ecological areas	Location of a proposed facility must abide by Federal and State regulations regarding unique or protected species and their habitat.	X		This is an expansion of an existing active Class III landfill. Complies with the County of Los Angeles Zoning Plan requirements. Landfill operations are permitted use in this zone provided a Conditional use Permit is issued. Property is zoned A-2-2. The County has issued a CUP 86-312-(5) on November 18, 1993.
G. ENSURE SAFE TRANSPORTATION OF SOLID WASTE				
• Proximity to areas of waste generation	Facilities should be centrally located near watershed areas to minimize potential impacts associated with greater travel distances.	X		The site is located at the edge of the San Fernando Valley, readily accessible to the major population centers of Los Angeles County.
	Alternate transportation, by rail, may be evaluated in regard to specific sites to be located at distant areas from the watershed.	X		Not Applicable.
• Distance from major route	Distance traveled on minor roads should be kept to a minimum.	X		The San Fernando Road entrance to the site is less than one mile from interchanges with the I-5 and 14 Freeways north and south of the site.
• Structures and properties fronting minor routes	Facilities should be located such that any minor routes from the major route to the facility are used by trucks, and the number of nonindustrial structures is minimal.	X		San Fernando Road, properly considered a major route, fronts only industrial facilities along the segment used for landfill traffic accessing the I-5 and 14 Freeways.
• Highway accident rate	The minimum time path from major watershed areas to a facility should follow highways with low to moderate average annual daily traffic and accident rates.	X		The major transportation corridors are Freeways I-5, I-405, I-210, and SR14, which are maintained by the State of California to carry high traffic volumes with the lowest possible accident rates.
• Capacity vs. average Annual Daily Traffic (AADT) of access roads	The changes in the ratio capacity to AADT should be negligible after calculating the number of trucks on the major and minor routes expected to service the facility.	X		This is an existing active Class III landfill. Complies with the County of Los Angeles Zoning Plan requirements. Landfill operations are permitted use in this zone provided a Conditional use Permit is issued. Property is zoned A-2-2. The County has issued a CUP 86-312-(5) on November 18, 1993.

**LOS ANGELES COUNTY INTEGRATED WASTE MANAGEMENT TASK FORCE
COUNTYWIDE SITING ELEMENT FACILITY SITING CRITERIA
EVALUATION FORM**

SITING FACTORS	GENERAL CRITERIA	COMPLIANCE		COMMENTS, IF ANY
		YES	NO	
H. PROTECT THE SOCIAL AND ECONOMIC DEVELOPMENT GOALS OF THE COMMUNITY				
• Consistency with General Plan	The proposed facility must be consistent with the County or City General Plan. Also, it must be in conformance with the Countywide Siting Element of the County of Los Angeles, by obtaining FOC granted by Los Angeles County Solid Waste Management Committee/ Integrated Waste Management Task Force.	X		<p>General Plan consistency determination was approved for the project by the Board of Supervisors on February 19, 1991 (Sub-Plan Amendment 86-312-(5) and Compound Plan Amendment 90-2-(5)). This determination is consistent with Section 50000.5 of the California Public Resources Code.</p> <p>On May 19, 2008, the Task Force issued an FOC for the Sunshine Canyon Landfill, Phase V and the top deck of the Exhibit "A-1" Fill Design—County Project.</p> <p>The City of Los Angeles amended the Los Angeles General Plan to designate the Sunshine Canyon City Landfill site as "Heavy Industrial" and change its zone to "M3-1" on December 9, 1998. General Plan Consistency as mandated by PRC 50000 was established by the City of Los Angeles by approval of the General Plan Amendment and zone change.</p> <p>On April 17, 2003, the Task Force issued an FOC for the portion of Sunshine Canyon Landfill (Unit 2) in the City of Los Angeles.</p>

Linda Lee
Reviewer

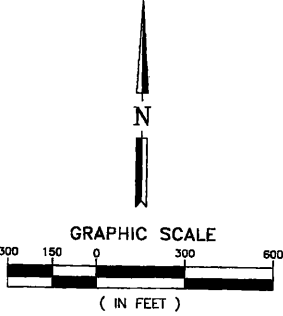
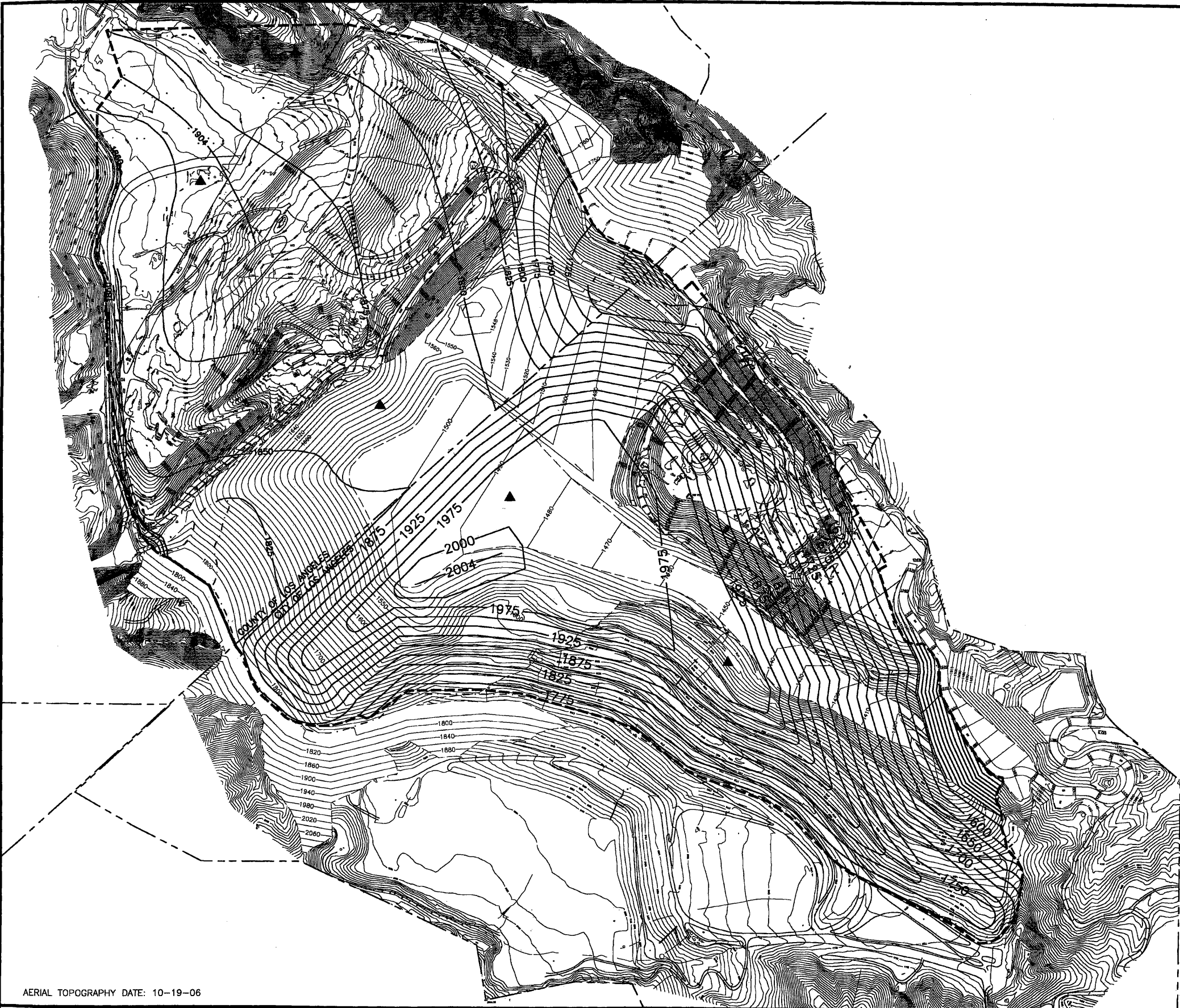
Principal Civil Engineering Assistant
Title

July 10, 2008
Date

(626)458-6973
Telephone

LL:

P:\eppub\ENGPLAN\Linda\SCL\Task Force\City County FOC\Attachment F Siting Criteria Checklist.doc



LEGEND

- APPROXIMATE PROPERTY BOUNDARY
- LIMIT OF REFUSE
- 1650--- EXISTING GRADE CONTOUR
- 1500--- FINISHED GRADE CONTOUR
- TOP OR TOE OF SLOPE
- ▲ SETTLEMENT MONUMENT

AERIAL TOPOGRAPHY DATE: 10-19-06

DRAWING 3

NO.	REVISION DESCRIPTION	BY:

BAS
BRYAN A. STIRRAAT & ASSOCIATES
CONSULTING CIVIL & ENVIRONMENTAL ENGINEERS
1360 E. VALLEY VISTA DRIVE
DIAMOND BAR, CALIFORNIA 91765
(909) 860-7777

**SUNSHINE CANYON LANDFILL JTD 2007
FINAL GRADING PLAN**

DESIGNED BY : R.M.G./J.M.B.	SCALE : AS SHOWN
DRAWN BY : C.A.L.	DATE : 2-2008
CHECKED BY : P.W.	DATE : 2-2008
APPROVED BY :	DATE : 2-2008

FOR PERMITTING PURPOSES ONLY NOT FOR CONSTRUCTION

LITTER CONTROL PROGRAM

Sunshine Canyon landfill is operated in a manner which strives to minimize the possibility of stray litter escaping from the Landfill area. BFI will use the most effective available technology and methodology to prevent litter which enters the Extension site in the form of waste escaping from the area. BFI will close the Landfill to incoming waste during high wind conditions if, despite the application of the most effective available technology, litter cannot be confined to the Landfill property.

BFI's on-site litter control program will conform to the requirements of the County Department of Public Works and the Department of Health Services (the Local enforcement Agency), and will, at a minimum, incorporate the following elements:

- 1: Landfill personnel will continuously patrol the access road to the scales from the time the Landfill opens to the time it closes;
- 2: Improperly covered or contained loads which may result in a significant release of litter will be immediately detained and the condition corrected. If the condition cannot be practicably corrected, the load will be conducted under escort to the working face of the Landfill. The vehicle tarping requirements under Sections 23114 and 23115 of the California Vehicle code will be enforced;
- 3: Any debris found on or along the entrance or the working face access roads will be promptly removed;
- 4: the operating areas of the Landfill will be located in wind-shielded portion of the Landfill during windy periods;
- 5: BFI will install litter fences in the operating areas of the Landfill, as deemed necessary by the Local Enforcement Agency; and
- 6: BFI will, to the satisfaction of the Director of Public Works and the Local enforcement Agency, maintain programs aimed to control the discharge and recovery of litter from uncovered or improperly covered or contained loads traveling to the Landfill including the following:

An effective tarping program which will include signs at the entrance at that the scale station stating that all loads coming to the Landfill shall be properly covered or contained, and vehicles that violate such measures will be subject to fines that will progressively increase to the point of denial of access to the Landfill.

The litter mitigation measures as required in the Final Environmental Impact Report Mitigation Monitoring Summary, Project No. 86312-(5), Sunshine Canyon Landfill Extension, February 1991, are incorporated herein by reference.

BROWNING-FERRIS INDUSTRIES
SUNSHINE CANYON LANDFILL
LITTER CONTROL PROGRAM

The Sunshine Canyon Landfill is operated in a manner which strives to minimize the possibility of stray litter either being blown out of the landfill during heavy winds or falling out of waste hauling trucks using the facility. A litter control program has been established to ensure effective preventative and response measures to effectively maintain this operation objective.

Vehicle Tarping

Vehicle tarping requirements at Sunshine Canyon Landfill are in accordance with Sections 23114 and 23115 of the Vehicle Code of the State of California.

Section 23114:

No vehicle shall be driven or moved on any highway unless the vehicle is so constructed, covered, or loaded as to prevent any of its contents or load other than clear water or feathers from live birds from dropping, shifting, leaking, blowing, spilling, or otherwise escaping therefrom.

Section 23115:

No vehicle loaded with garbage, swill, cans, bottles, wastepaper, ashes, refuse, trash, or rubbish, or any other noisesome, nauseous, or offensive matter, or anything being transported to a dump site for disposal shall be driven or moved upon any highway unless the load is totally

covered in a manner which will prevent the load or any part of the load from spilling or falling upon the highway. This section does not prohibit a rubbish vehicle from being without cover while in the process of acquiring its load in circumstances wherein no law, administrative regulation, or local ordinance requires such cover.

Private vehicles driven by occasional users of the landfill are considered the most likely offenders of vehicle tarping requirements and are the most difficult to control. Each driver is informed of the requirements for covered loads and asked to have his next load covered. Regular users of the landfill who repeatedly violate this requirement will not be allowed to dispose of their loads.

Landfill Litter Control

The landfill operator will designate a remote disposal area for use during heavy wind conditions. Controlled placement of waste materials in a wind-shielded area will control off-site migration of stray wind-blown litter. Litter and debris is also contained within the landfill properties by litter fences located along the perimeter of the landfill, as well as portable fences placed adjacent to the daily operating area. A major portion of the landfill is in remote and low portions of Sunshine Canyon which minimizes high wind conditions within the operating area.

Litter Cleanup Program

On a once a week basis, or more frequently if needed, the landfill operator mobilizes cleanup crews to provide litter control pick-up service in O'Melveny Park, along Balboa Boulevard and San Fernando Road and in other areas in proximity to the landfill. On a daily basis, a BFI employee inspects the surrounding area to assess whether

a more frequent clean-up is required. This program is provided to clean up any stray litter or debris which may have dropped in the surrounding area, whether or not its source is related to the landfill operations.

The landfill is equipped with a radio dispatch system which is utilized by the site operator to quickly engage crews to respond to litter complaints and other complaints from the surrounding neighborhoods. Stray litter or debris should be reported to the Sunshine Canyon Landfill office at (818)362-1567.

MONTHLY
DISPOSAL QUANTITY REPORTING
FOR USE BY LANDFILL OWNERS/OPERATORS
ORIGIN SURVEY

Reporting Month and Year: _____

Facility Name: _____ Facility SWIS No.: _____ Facility Address: _____

Facility Contact Person (print): _____ Signature: _____ Phone No.: _____ - _____ - _____

Frequency of Survey (Check one only): ☐ Daily ☐ Continuous ☐ Other (attach explanation)

Methods used to determine jurisdiction of origin:

☐ origin obtained from hauling company records ☐ origin obtained from other facility operators ☐ origin obtained from haulers at gatehouse ☐ other _____

Total Tonnage of waste landfilled in the month as reported to the California Board of Equalization: _____ tons

Estimated in-place density _____ lbs/yd³ and Waste-to-cover ratio _____ OR Airspace utilization factor _____

NAME OF JURISDICTION OF WASTE ORIGIN AND TONNAGE

C=City U=County Unincorporated Area (Indicate one)

[illegible]

Notes:

1. This form should be used by all landfill owners/operators operating in Los Angeles County.
2. No later than two and a half months after the end of each calendar quarter, the landfill owner/operator shall complete this form for each month in the quarter and forward them to the Los Angeles County Department of Public Works, Environmental Programs Division, PO Box 1460, Alhambra, CA 91802-1460. 1-800-320-1771
3. A copy of this form and all data used to complete this form must be retained by the landfill owner/operator for a period of three years and must be made available for review upon request during business hours.
- "Disaster" means waste generated from a natural catastrophe such as an earthquake, fire, flood, landslide, or volcanic eruption, or, regardless of cause, any explosion, fire, or flood [Section 17210.1(c) in Title 14 of California Code of Regulations].
- "Designated" means non-hazardous waste that consists of, or contains, pollutants that, under ambient environmental conditions at a waste management unit, could be released in concentrations exceeding applicable water quality objectives or that could reasonably be expected to affect beneficial uses of the waters of the state as contained in the appropriate state water quality control plan [Section 13173 of California Water Code].