

ATTACHMENT 1

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**GAIL FARBER
CHAIR**

**LOS ANGELES COUNTY
SOLID WASTE MANAGEMENT COMMITTEE/
INTEGRATED WASTE MANAGEMENT TASK FORCE
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March 25, 2010

Mr. Richard J. Bruckner
Planning Director
County of Los Angeles
Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012-3208

Dear Mr. Bruckner:

**REVEGETATION AND ENFORCEMENT
CONDITIONAL USE PERMIT NO. 00-194-(5)
SUNSHINE CANYON CITY/COUNTY PROJECT**

On behalf of the Los Angeles County Solid Waste Management Committee/Integrated Waste Management Task Force (Task Force), I would like to thank Ms. Maria Masis and Mr. Jeff Juarez of your office for attending the March 18, 2010, meeting of the Task Force and responding to the Task Force's concerns regarding Browning-Ferris Industries' (BFI) revegetation efforts at the Sunshine Canyon Landfill.

The Task Force is responsible for coordinating the development of all major solid waste planning documents for the County of Los Angeles and the 88 cities in the Los Angeles County pursuant to Chapter 3.67 of the Los Angeles County Code and the California Integrated Waste Management Act of 1989 (Assembly Bill 939, as amended). Consistent with these responsibilities, and to ensure a coordinated and environmentally-sound solid waste management system in Los Angeles County, the Task Force also addresses issues such as the effectiveness of solid waste management operations and community concerns. Members of the Task Force include representatives of the League of California Cities-Los Angeles County Division, County of Los Angeles Board of Supervisors, City of Los Angeles, waste management industry, environmental groups, the public, and a number of other governmental agencies.

Regarding revegetation efforts at the Sunshine Canyon Landfill, Task Force members raised grave concerns over the overall lack of success thus far in revegetating cut slopes and other permanent slopes on the County side; the adequacy of current oversight in enforcing the County's land use permit conditions; the extent to which the

lack of vegetation may be contributing to increasing odor problems; and the necessity to clarify responsibilities among the various County agencies.

To address these concerns the Task Force respectfully requests that responses be provided by Regional Planning to the following questions and comments regarding revegetation efforts, and enforcement roles and responsibilities.

1. Revegetation Requirements

The Task Force would like to express disappointment over the lack of progress in revegetating the landfill, and the lengthy time period this issue has remained unresolved. Definitive methodologies could be drawn based on the findings of vegetation studies conducted as part of the California Environmental Quality Act and Conditional Use Permit (CUP) processes. The County's portion of the landfill has been operating since 1996, yet revegetation of the final slopes is still inadequate. The two CUPs approved by the County of Los Angeles for the County portion of the landfill contain specific revegetation requirements for the cut slopes and other permanent slopes. BFI's efforts thus far have been ineffective and have only yielded more experiments and difficulties rather than consistent and satisfactory vegetation growth.

- a) Pursuant to Condition No. 44 of Sunshine Canyon Landfill's CUP No. 00-194-(5), BFI is required to comply with specific revegetation requirements. Please identify each of the requirements and describe the corresponding status of BFI's compliance.
- b) Various agencies have been designated to monitor BFI's compliance with Condition No. 44. Based on discussions at the Task Force's March 18, 2010, meeting, we request to be provided with a clarification as to each agency's responsibility for oversight and/or enforcement.
- c) The Task Force requests that Regional Planning require BFI to submit a work plan including specific deadlines and methodologies to achieve reliable plant growth and potential penalties associated with any failure to comply pursuant to Condition No. 11 of CUP No. 00-194-(5).
- d) Considering that container plants have proven to be successful at other landfills, including Puente Hills and Spadra Landfills, the Task Force recommends Regional Planning to require BFI's commitment to consult with the County Sanitation Districts of Los Angeles County and other landfill operators regarding their methods on successful revegetation.

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Based on its findings, BFI needs to formulate a plan to incorporate proven methods as early as the end of this year.


2. CUP Enforcement

To facilitate enforcement operations more effectively and to clear any confusion regarding responsibilities, please identify each County agency responsible for overseeing or enforcing the applicable CUP No. 00-194-(5) conditions and their respective roles and purviews. Please also address whether or not there is a full-time or part-time inspector enforcing the CUP conditions, and if not, the method by which the conditions are currently being enforced.

The Task Force recognizes that landfills and other solid waste facilities, such as Sunshine Canyon, are necessary to meet the solid waste management needs of residents and businesses countywide, provided these facilities are technically feasible and environmentally sound. Nevertheless, it is incumbent that all agencies in charge of overseeing the facilities' operations ensure that all their respective permit conditions are being complied with.

The Task Force respectfully requests that your written response be provided in a timely manner prior to its April 15, 2010, meeting. If you have any questions, please contact Mr. Mike Mohajer of the Task Force at (909) 592-1147.

Sincerely,



Margaret Clark, Vice-Chair
Los Angeles County Solid Waste Management Committee/
Integrated Waste management Task Force and
Mayor, City of Rosemead

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cc: Los Angeles County Department of Public Health (Angelo Bellomo, Cindy Chen)
County of Los Angeles Department of Public Works (Pat Proano)
Sunshine Canyon LEA (Cindy Chen)
Each Member of the Los Angeles County Integrated Waste
Management Task Force and Facilities and Plan Review Subcommittee