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July 25, 2017

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

Agenda No. S-1
06/27/17

Re: **PROJECT NO. R2004-00559-(5)**
CONDITIONAL USE PERMIT NO. 2004-00042-(5)
OAK TREE PERMIT NO. 2015-00007-(5)
FIFTH SUPERVISORIAL DISTRICT/THREE-VOTE MATTER

Dear Supervisors:

Your Board previously conducted a duly-noticed public hearing regarding four appeals of Regional Planning Commission's approval of the above-referenced entitlements, which authorized the continued operation and expansion of a Class III Landfill, located at 29201 Henry Mayo Drive, in the unincorporated community of Castaic, subject to conditions of approval. At the conclusion of the hearing, your Board indicated an intent to deny the appeals and approve the permits and instructed our office to prepare findings and conditions for your consideration. Enclosed are findings and conditions for your consideration.

Very truly yours,

MARY C. WICKHAM
County Counsel

By

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APPROVED AND RELEASED:

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JJ:ph
Enclosures

c: Sachi A. Hamai, Chief Executive Office
Lori Glasgow, Executive Officer, Board of Supervisors
Richard J. Bruckner, Director, Department of Regional Planning

**FINDINGS OF THE BOARD OF SUPERVISORS
AND ORDER
PROJECT NO. R2004-00559-(5)
CONDITIONAL USE PERMIT NO. 2004-00042-(5)
OAK TREE PERMIT NO. 2015-00007-(5)**

1. The Los Angeles County ("County") Board of Supervisors ("Board") conducted a duly-noticed public hearing on June 27, 2017, in the matter of Project No. R2004-00559-(5), consisting of Conditional Use Permit No. 2004-00042-(5) ("CUP") and Oak Tree Permit No. 2015-00007-(5) ("OTP") (collectively the "Project Permits"). The County Regional Planning Commission ("Commission") previously conducted duly-noticed public hearing sessions on the Project Permits on March 1, 2017, and April 19, 2017.
2. The permittee, Chiquita Canyon, LLC ("permittee"), requests the CUP to continue the operation and expansion of a Class III Landfill ("Project") located at 29201 Henry Mayo Drive ("Project Site"), in the unincorporated community of Castaic, in the A-2-2 (Heavy Agricultural – Two Acre Minimum Required Lot Area) and A-2-5 (Heavy Agricultural – Five Acre Minimum Required Lot Area) Zones. A CUP is required in the A-2 Zone for land reclamation projects, pursuant to Los Angeles County Code ("County Code") Section 22.24.150.
3. The permittee also requested the OTP to remove four oak trees related to the landfill operation and expansion within the A-2-2 and A-2-5 Zones, pursuant to County Code Section 22.56.2060.
4. In its Project application, the permittee requested the following: lateral expansion of the existing waste footprint from 257 acres to 400 acres; increased maximum elevation from 1,430 feet to 1,573 feet; increased daily disposal limits from 6,000 tons per day of waste to 12,000 tons per day; new entrance and support facilities; possible development of a household hazardous waste facility; mixed organics processing/composting operation; permission to accept all nonhazardous waste permitted at a Class III solid waste disposal landfill, exclusive of sludge; continued operation of the landfill and landfill gas-to-energy facility ("LFGTE"); new design features; environmental monitoring; relocation of a portion of Southern California Edison's existing Saugus-Elizabeth Lake-Fillmore 66 kilovolt (kV) Subtransmission Line to accommodate landfill improvements; and removal of four oak trees.
5. The Project Site consists of approximately 639 acres, and includes Assessor's Parcel Nos. ("APN") 3271-002-011, 3271-002-013, 3271-002-019, 3271-002-036, 3271-002-039, and 3271-005-034. The irregularly-shaped Project Site contains the existing landfill operations and LFGTE. Most of the site is mountainous, with elevations ranging from approximately 950 feet above sea level near the south property line, to a high of approximately 1,640 feet near the north property line. The Project Site fronts State Highway 126, the portion known

as Henry Mayo Drive, on the south side. The intersection of Wolcott Way and Henry Mayo Drive forms the southeast corner of the Project Site.

6. The Project Site is located in the Newhall Zoned District. APNs 3271-002-036 and 3271-002-039, which include approximately 308 acres of the Project Site, are in the A-2-5 Zone. The remainder of the Project Site, which includes APNs 3271-002-011, 3271-002-013, 3271-002-019 and 3271-005-034, is in the A-2-2 Zone. These zones are divided by a diagonal line running from northeast to southwest, with the A-2-5 Zone located to the south and east of this line, and A-2-2 Zone located to the north and west.
7. The Project Site was zoned A-2-2 and A-2-5 by Ordinance No. 7486, effective April 3, 1959. A portion of the south part of the Project Site, corresponding to the current boundaries of APN 3271-002-036 and a small part of APN 3271-002-039, was changed to the M-1.5 (Restricted Heavy Manufacturing) Zone by Ordinance 91022, effective October 17, 1991. The M-1.5 Zone area was subsequently changed to M-1.5-DP (Restricted Heavy Manufacturing-Development Program) Zone. The M-1.5-DP Zone area was changed back to the A-2-5 Zone through Zone Change 2012-0055Z, effective December 27, 2012.
8. Lot Line Adjustment RLLA 201300007, as reflected by a certificate of compliance recorded on February 18, 2014, adjusted the land area owned by permittee from approximately 622 acres to 639 acres. The current Project Site is "parcel one" of RLLA 201300007.
9. The Project Site is located within the Castaic Area Community Standards District ("CSD"). The CSD contains restrictions on development within 50 feet of primary significant ridgelines and within 25 feet of secondary significant ridgelines. No grading or development is proposed within the protected areas of any significant ridgelines.
10. The Project Site is located within the Community Serving ("P-CS") land use category of the Santa Clarita Valley Area Plan ("Area Plan") Land Use Policy Map.
11. Surrounding Zoning within a 500-foot radius of the Project Site includes:

North:	A-2-2, M-1.5-DP, MPD-DP (Manufacturing-Industrial Planned Zone-Development Program);
South:	SP (Newhall Ranch Specific Plan-Commercial Retail/Office, Medium Residential land use categories);
East:	M-1.5-DP, M-1.5; and
West:	SP (Newhall Ranch Specific Plan-Business Park and Open Area land use categories), R-1 (Single-Family Residence).

12. Surrounding land uses within a 500-foot radius of the Project Site include:
- North: Vacant land, water tanks, light industrial uses;
 - South: Vacant land, agriculture uses;
 - East: Vacant land, post office distribution center, water tank; and
 - West: Vacant land, single-family residences.
13. The Project Site is currently accessible via Henry Mayo Drive to the south. Proposed new access will be from Wolcott Way at the southeast part of the lot, where Wolcott Way intersects with Franklin Parkway. The new entrance facilities will be approximately 500 feet north of Henry Mayo Drive.
14. The existing residential community of Val Verde is located to the northwest of the Project Site. The nearest residence is located on Roosevelt Avenue in the south part of Val Verde and is approximately 500 feet from the Project Site and approximately 1,100 feet from the developed area of the Project Site. Steep hillsides separate the Project Site from Val Verde.
15. A United States post office distribution facility is located immediately to the east of the Project Site. The nearest structure is approximately 150 feet from the Project Site, which is part of the post office facility. Other industrial uses at the Valencia Commerce Center are located to the east and north of the Project Site. Franklin Parkway connects the Valencia Commerce Center to Wolcott Way, off of which the new entrance facilities are proposed.
16. The Chiquita Canyon Landfill was first approved for a land reclamation project by the Commission on December 21, 1965, through Zone Exception Case ("ZEC") 7879. The Commission approved a related access road through ZEC 8040 on March 8, 1966, and allowed refuse disposal at the Project Site, in addition to the land reclamation project through ZEC 8191 on September 13, 1966. On March 2, 1977, the Commission approved CUP 1010 for continued operation and maintenance of a waste disposal facility and land reclamation project with appurtenant facilities. On November 24, 1982, the Commission approved CUP 1809 for expansion of the existing landfill with Class II and Class III disposal sites. The Board approved CUP 89-081 on May 20, 1997, for continued operation of a Class III landfill, after an appeal of the Commission's approval of CUP 89-081.
17. CUP 89-081 was scheduled to expire on November 24, 2019, or when the landfill reached a waste disposal limit of 23,000,000 tons, whichever occurred first. The permittee filed an application for the current CUP with the Department of Regional Planning ("Regional Planning") in 2004 to continue and expand the landfill use. Because environmental review of the application was still underway and the matter had not yet been set for a public hearing, and because the landfill was approaching the 23,000,000 tonnage limit, the permittee requested that the Director of Regional Planning ("Director") waive County Code Section 22.04.110 to allow the continued operation of the landfill during the CUP processing period,

to protect the health and safety of the County constituents. The Director granted the requested waiver on March 17, 2016, subject to interim operating conditions.

18. The interim operating conditions ensured that the permittee continue to comply with the CUP 89-081 conditions, with the exception of the 23,000,000 tonnage limit. Instead, the landfill, under the waiver, could not exceed the 29,400,000-ton-threshold analyzed in the Environmental Impact Report ("EIR") for CUP 89-081. The waiver allowed the landfill operations to continue on a temporary basis until the earlier of the following: (a) a final action is taken on the Project (withdrawal, approval, or denial); (b) July 31, 2017; or (c) revocation of the waiver by the Director. In June 2016, the landfill reached and exceeded the 23,000,000 tonnage limit, but it has continued to operate in accordance with the waiver, and associated conditions.
19. The site plan for the Project, which is dated May 2015, depicts the Project Site, which has an overall area of approximately 639 acres, located on the north side of Henry Mayo Drive, and fronting Wolcott Way and Franklin Parkway at the southeast part of the Project Site. New entrance facilities at Wolcott Way, which are a condition of this permit, include driveways, parking lots with a total of 32 parking spaces, scales and gatehouses, a queuing area, an administration building, and a mapped area for a potential household hazardous waste facility. The existing main driveway leads to and from the Main Canyon Landfill area. The new driveway from Wolcott Way will connect to the existing driveway. The Main Canyon Landfill area includes 188 acres of previously approved landfill area covering much of the western portion of the Project Site. The Main Canyon will include a lateral extension of 26.9 acres to the south and 115.8 acres to the north and east, for a total expansion area of approximately 143 acres. Two closed landfill areas, which will remain closed, are also depicted on the site plan, including the existing Primary Canyon Landfill, which covers 55 acres in the southerly part of the Project Site, and the Canyon "B" Landfill, which covers 14 acres near the eastern edge of the Project Site. The existing and proposed landfill areas will have a combined area of 400 acres.
20. In addition to the landfill areas, the Project Site plan depicts various infrastructure and improvements. A large storm water basin is located near the southwest corner of the Project Site. There is another storm water basin northeast of the Canyon "B" Landfill area, and six smaller storm water basins near the entrance facilities. The existing entrance facilities and office are located immediately east of the large storm water basin, near the southwest corner of the Project Site. These facilities will be removed, and there will no longer be access to the landfill directly from Henry Mayo Drive. The existing LFGTE facility is located to the east of the Main Canyon Landfill, near the center of the Project Site. Proposed borrow areas are shown to the east of the Primary Canyon Landfill and south of the Canyon "B" Landfill. Alternative facilities locations, which are support facilities for equipment storage and for maintenance purposes, are depicted to the east and west of the Main Landfill.

21. The total proposed landfill area of 400 acres represents 62.6 percent of the total 639-acre Project Site. Most of the remaining area will also undergo some form of development, including access roads, borrow areas, entrance facilities, future conversion technology set-aside area, storm water basins, graded areas, and other areas. The total potential impacted area covers 625.08 acres (97.8 percent), leaving 14.30 acres (2.2 percent) of the Project Site outside the limit of development.
22. The oak tree report submitted by the permittee, dated June 6, 2014, depicts four ordinance-size oak trees on the Project Site, each of which will be removed. Oak trees to be removed are Oak Tree Nos. 1, 2, 3, and 89. Oak Tree No. 1 is a Valley Oak (*Quercus lobata*) located near the south property line. The other three oak trees: Oak Tree Nos. 2, 3 and 89 are Coast Live Oaks (*Quercus agrifolia*). Oak Tree No. 2 is located near the existing entrance area, Oak Tree No. 3 is in the south expansion area of the Main Canyon Landfill, and Oak Tree No. 89 is adjacent to the new queuing area west of Wolcott Way. Oak Tree No. 89 has the largest trunk of the four oak trees, with a diameter of 18.5 inches, but it is identified in the oak tree report as in poor condition. The remaining three oak trees are rated as in good condition in the oak tree report. All four oak trees have multiple trunks.
23. An Environmental Impact Report ("EIR") was prepared for the Project, pursuant to the California Environmental Quality Act (Public Resources Code section 21000, et seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines for the County. A Draft EIR ("DEIR") and Partially Recirculated Draft EIR ("PRDEIR") were completed for the Project, and then a Final EIR. A Mitigation Monitoring and Reporting Program ("MMRP") has been prepared to mitigate Project impacts to geology and hydrology, surface water drainage, biological resources, cultural and paleontological resources, air quality, greenhouse gas emissions, and climate change. With implementation of mitigation measures, environmental impacts to the Project will be reduced to less than significant levels, except for impacts to air quality, greenhouse gas emissions, and climate change. As a result of those remaining significant unavoidable impacts, CEQA Findings of Fact and a Statement of Overriding Considerations ("CEQA Findings and SOC") have been prepared for the Project.
24. Over the course of proceedings for the CUP/OTP application, Regional Planning staff ("Staff") received approximately 2,000 letters, emails, and oral testimony from both proponents and opponents to the Project regarding the environmental review and the Project in general. Many of the commenters submitted multiple comments in writing and at hearings held regarding the environmental review. The most frequent concerns expressed by the public and by other agencies were potential impacts to public health, air quality, odors, traffic, environmental justice issues, biological resources, greenhouse gases, the CUP 89-081 conditions, and a 1997 agreement between the Val Verde community and the previous operator of Chiquita Canyon Landfill, property values, project alternatives, and water

quality. The Final EIR contains detailed topical responses to 34 of the most common topics and specific responses to each of the public comments. The Project conditions, an Implementation and Monitoring Program ("IMP"), and the MMRP include requirements that address community concerns.

25. The Commission held a duly-noticed public hearing on the Project on March 1, 2017, at Rancho Pico Junior High School in Stevenson Ranch. Staff from Regional Planning and the County Department of Public Works ("Public Works") gave a presentation regarding the Project. Staff summarized the history of the landfill facility, the conditions of CUP 89-081, and the landfill's operation, pursuant to the waiver for purposes of meeting the County's solid waste management needs. Staff summarized the various issues raised by opponents to the Project, and ultimately recommended that the Commission approve the CUP and OTP for the continued operation of the landfill and expansion of the existing waste footprint with conditions.
26. To minimize the impacts of the landfill on the surrounding communities, among other things, Staff recommended: (a) reduction in the tonnage limits of approximately two million tons per year from what the permittee requested; (b) approval of monthly and yearly tonnage limits, consistent with what was allowed under CUP 89-081, but with limits on beneficial use materials, which CUP 89-081 did not limit; (c) decreased hours of operation; and (d) addition of various fees to pay for programs that help achieve policy goals and mandates to reduce waste, as well as mitigate impacts to neighbors and communities surrounding the impactful landfill use.
27. The permittee's representatives testified in favor of the Project, but requested that the Project analyzed in the EIR be approved, rather than the Project as modified and recommended by Staff. Other supporters of the Project generally spoke of the economic benefit to the community, because the Project provides employment opportunities, and the permittee has acted as a local philanthropist and provided direct economic benefits to surrounding communities. They also stated that the Project provides important infrastructure to the County, keeping waste disposal costs lower for businesses and residents, and that the permittee has been a responsible operator. Those in opposition to the Project reinforced concerns voiced in the EIR comments.
28. Due to time limitations at the opening day of the Commission hearing, 41 people who registered to testify were unable to do so at that hearing session. The Commission also requested additional time to review supplemental materials that were submitted after the publication of the staff report. The Commission then continued the public hearing to April 19, 2017, to its regular downtown location, requested that a remote testimony location be available in the Santa Clarita area, and asked Staff to report back on several issues at the next hearing session, including: (a) commitments made to the community in 1997 regarding closure of the landfill; (b) information regarding Sunshine Canyon Landfill, and potential impacts to the solid waste management of the County if Sunshine Canyon

Landfill was to close; (c) the circumstances leading to the waiver issued by the Director in 2016; (d) schools in proximity to the landfill, and the impact of the landfill on the schools; (e) confirmation of the tonnage limits of the 1997 permit, and whether such permit included the proposed expansion area; (f) the County's zero waste goals; and (g) information about whether the Project Site has been in the continuous ownership of the permittee.

29. At the Commission's April 19, 2017 hearing session, Staff responded to the Commission's prior inquiries, members from the public opposed to the Project reiterated concerns raised throughout the process, and members from the public in support of the Project reiterated the benefits of the Project. The permittee, in its rebuttal, reiterated its prior request that the Commission approve the Project as requested by the permittee, rather than as recommended and conditioned by Staff. The Commission then discussed the issues and ultimately approved the Project, generally as recommended by Staff, but with several modifications to address issues raised in public testimony.
30. The permittee and four groups of Project opponents separately filed timely appeals of the Commission's approval of the Project to the Board. The permittee contended, among other things, that the fees imposed constituted an unlawful takings, that it should be allowed a higher tonnage intake, and that it needed greater flexibility in hours of operation. Project opponents that filed appeals alleging environmental and health concerns and EIR deficiencies are: the Santa Clarita Organization for Planning and the Environment ("SCOPE"), Citizens for Chiquita Canyon Landfill Compliance ("C4CCLC"), Val Verde Civic Association ("VVCA"), and the Sierra Club.
31. The Board held its duly-noticed public hearing on the appeals of the Commission decision on June 27, 2017. Regional Planning and Public Works staff gave a brief presentation concerning the Project. The permittee's representatives and Project proponents testified in favor of the Project. The permittee again asked the Board to modify the conditions, as approved by the Commission to reduce the fees, increase the tonnage allowances, and to increase hours of operation. Project opponents testified against the Project, and raised concerns similar to those raised before the Commission.
32. At the conclusion of the public's testimony, the Board closed the public hearing, certified the EIR, adopted the CEQA Findings and SOC and MMRP, and indicated its intent to deny the appeals. The Board instructed County Counsel to prepare final findings and conditions for the Board's consideration, which included modifications to the conditions that were approved by the Commission. The modifications requested by this Board addressed concerns about tonnage intake, air quality monitoring, parks and open space plans for closed portions of the landfill, and other mitigation fees and measures.

33. The Board finds that the Final EIR for the Project was prepared in accordance with CEQA, the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines of the County. The Board reviewed and considered the Final EIR, along with its associated MMRP and the CEQA Findings and SOC, and finds that it reflects the independent judgment of the Board. The CEQA Findings and SOC are incorporated herein by this reference, as if set forth in full.
34. The Board finds that the MMRP prepared in conjunction with the Final EIR, and consistent with the conclusions and recommendations of the Final EIR, identified in detail how compliance with its measures will mitigate or avoid potential adverse impacts to the environment by the Project. The MMRP and its requirements are incorporated into the conditions of approval for the Project.
35. The Board finds that after considering the Final EIR and the MMRP, together with any comments during the public review process, on the basis of the whole record before it, with the mitigation measures set forth and carried out through the MMRP, except for the environmental impacts set forth in the CEQA Findings and SOC, there is no substantial evidence that the Project would have a significant impact on the environment. The Board also finds, as set forth in the CEQA Findings and SOC, that the benefits and value of the Project outweigh the remaining significant unavoidable impacts of the Project, after all feasible mitigation has been implemented.
36. The Board finds that the Project is consistent with the development standards of the CSD in which the Project is located. The CSD restricts development within 50 feet of primary significant ridgelines and within 25 feet of secondary significant ridgelines. The primary significant ridgelines on the Project Site are located along or close to the northern and western property lines. Two short sections of secondary ridgelines are located in the southwest part of the Project Site. No grading or development is proposed within the protected areas of any significant ridgelines.
37. The Board finds that the Project conditions of approval, the IMP, and MMRP are designed to ensure that the landfill is operated in a way that avoids or mitigates potential nuisance, traffic and visual impacts to surrounding communities, including those within the CSD, and to ensure that the landfill operates safely and efficiently.
38. Project conditions require the permittee to pay fees that will be used to offset impacts to the County and its residents associated with operation of a landfill and disposal of waste, by funding programs and activities that enhance Countywide disposal capacity, mitigate landfill impacts in the unincorporated County areas, fund environmental, educational, and quality of life programs in unincorporated areas surrounding the landfill, and promote source reduction and recycling programs and the development of Conversion Technology facilities that benefit

the Santa Clarita Valley and the County, and assist the County with meeting its goals and requirements for waste diversion and organics recycling.

39. The Board finds the existing landfill use is consistent with the current zoning and land use category of the Project Site. It serves an important function as the second largest landfill in the County, and has been operating approximately 50 years. Its location behind mountains largely shields the operations from view from surrounding areas, and the permittee has managed the operations in a responsible manner. The Board also finds that the Project will help the County meet its future waste disposal capacity needs in a cost-effective manner, while adequately addressing the concerns raised in testimony by the public.
40. With the conditions, the Board finds that the permittee has in place adequate measures to respond to odor and air quality complaints. The permittee regularly exceeds State minimum standards and the normal recommended practices to cover trash and other areas of the landfill proactively to minimize odors from fresh trash.
41. The Board finds that the Project condition requiring the permittee to provide household hazardous waste ("HHW") collection services by funding 10 collection events per year in the Santa Clarita Valley, or funding five events per year and constructing and operating an HHW, will help protect the environment and the health and safety of residents near the landfill by providing residents with convenient, legal options for disposing of HHW and, thereby, discourage illicit disposal of HHW in the landfill.
42. The Board finds that conditions limiting the amount of material that the permittee may characterize as "beneficial use" are appropriate. Materials that are source-separated and diverted for use at the landfill for beneficial purposes are considered beneficial use and not solid waste. However, only those materials appropriate for the specific use and, in accordance with engineering, industry guidelines, or other standard practices in accordance with Title 14 California Code of Regulations section 20686, may be characterized as beneficial use. The Board finds that the conditions' limits on beneficial use materials are consistent with the amount that is appropriate for such uses.
43. The Board finds that the Project is consistent with the goals and policies of the Los Angeles County General Plan ("General Plan") and the Santa Clarita Valley Area Plan ("Area Plan"), a component of the General Plan.
44. As to the Area Plan, the Board finds that the Project complies with the following applicable Area Plan policies as follows:

Land Use Element Policy LU-9.1.3: "Protect major utility transmission corridors, pumping stations, reservoirs, booster stations, and other similar facilities from encroachment by incompatible uses, while allowing non-intrusive uses such as plant nurseries, greenbelts, and recreational trails." While a portion of SCE's

existing Saugus-Elizabeth Lake-Fillmore 66 kilovolt (kV) Subtransmission Line is proposed for relocation to accommodate landfill improvements, there will be no interruption in service and no interference with the transmission lines.

Land Use Element Policy LU-9.1.6: "Coordinate with appropriate agencies and organizations to ensure that landfill expansion needs are met while minimizing adverse impacts to Valley residents." The appropriate County departments and State agencies coordinated extensively in reviewing the proposed landfill expansion and in developing appropriate mitigation measures and conditions. Other organizations have been included in the environmental and permit consultation process, and their comments, as well as analyses of the potential adverse impacts of the Project to area residents, have been taken into consideration in this process.

45. In addition, the Board finds that the Project would help to meet the need for new landfill space, and to promote diversion of materials from landfills, as discussed in the Area Plan, and the County's Solid Waste Management Plan. Chiquita Canyon Landfill is the main landfill used by the City of Santa Clarita and the unincorporated areas of the Santa Clarita Valley. It is a vital component of the waste disposal infrastructure of the County and for the Santa Clarita Valley, and its continued operation and expansion will help to meet the need for landfill space, as described in the Area Plan.
46. In addition, the Board finds that the Project is consistent with the uses allowed in the Community Serving (P-CS) land use category of the Area Plan. This designation includes landfills among the allowable uses that are listed, subject to the underlying zoning designation requirements.
47. As to the General Plan, the Board finds that the Project complies with the following General Plan policies as follows:

General Plan Public Services and Facilities Element Policy PS/F 5.1: "Maintain an efficient, safe and responsive waste management system that reduces waste while protecting the health and safety of the public." Chiquita Canyon Landfill is an important part of the County's waste management system. Project conditions and mitigation measures are designed to ensure that the landfill is operated in a safe and efficient manner.

General Plan Public Services and Facilities Element Policy PS/F 5.2: "Ensure adequate disposal capacity by providing for environmentally sound and technically feasible development of solid waste management facilities, such as landfills and transfer/processing facilities." In 2015, the amount of waste disposed in or from the County was 9,721,311 tons. Chiquita Canyon Landfill accounted for 22.5 percent of the waste disposed in Class III landfills in the County, and 11.1 percent of the total solid waste for the County in 2015. Chiquita Canyon Landfill provides the County significant capacity to help meet its current waste disposal needs, and in meeting the projected needs, as anticipated

in the Integrated Waste Management Plan for Los Angeles County. The Project conditions, MMRP, and IMP provide requirements to ensure that the landfill implements recognized best practices and technological advancements in a way that is environmentally sound, while helping to meet the County's waste disposal capacity needs.

General Plan Public Services and Facilities Element Policy PS/F 5.4:

"Encourage solid waste management facilities that utilize conversion and other alternative technologies and waste to energy facilities." The Project includes continued operation of a LFGTE facility. The Project Site includes an existing 9.2 megawatt LFGTE plant operated by Ameresco Chiquita Energy, LLC. The LFGTE plant uses gases extracted from the landfill through an on-site gas collection system, and converts it into energy, which is delivered to the local electrical grid. It provides enough energy to power approximately 10,000 homes per year. An area of land on the Project Site has also been identified for a future conversion technology facility.

General Plan Public Services and Facilities Element Policy PS/F 5.5: "Reduce the County's waste stream by minimizing waste generation and enhancing diversion." The Project includes diversion of waste materials from disposal and puts them to beneficial use. Some examples of beneficial use materials diverted from the waste stream include: shredded tires, used to protect the methane gas pipeline system as trench backfill for the construction of the landfill gas collection system; and construction and demolition debris, including concrete and other materials used to build all-weather roads and other surfaces on the Project Site. The continuing operation of the existing LFGTE plant will provide power to the local electrical grid. These uses will provide benefits to the County as a whole and to the local community.

General Plan Public Services and Facilities Element Policy PS/F 5.6:

"Encourage the use and procurement of recyclable and biodegradable materials." In addition to the re-use of materials described above, the Project includes an organic waste composting facility. The composting facility would allow up to 560 tons per day of green waste, food waste, and other organic waste materials for composting. The organic material is to be processed on-site for distribution and use as mulch, biomass fuel and compost. Some of these materials would be used on the Project Site as beneficial use materials, and other materials would be available to customers who would use the materials off-site. The organic waste composting operation of the Project will provide an opportunity to recycle and beneficially use organic waste materials. Project conditions require its enclosure to minimize the potential for objectionable odors to adversely affect the community.

48. The Board finds that the proposed use is consistent with the A-2 zoning classification because land reclamation projects, such as a landfill, are permitted within this Zone with a CUP pursuant to County Code Section 22.24.150.

49. The Board finds that the Project satisfies the Conditional Use Permit Burden of Proof findings, required by County Code Section 22.56.040, as set forth in the Finding Nos. 50 to 52 below.
50. With the Project conditions, the Board finds that the Project will not adversely affect the health, peace, comfort, or welfare of persons residing and working in the surrounding area; will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the Project Site; and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety, and general welfare. The Project is an established use that has been a part of the community for decades and continues to provide a safe location for the disposal of waste for both the Santa Clarita Valley and the rest of the County. The Project is subject to close oversight and regulation by County and State agencies such as the County Department of Public Health, Public Works, and CalRecycle. It is subject to the Project conditions, an MMRP, and an IMP designed to avoid adverse impacts to the community and to the environment and to ensure effective and safe landfill operations.
51. The Board finds that the Project Site is adequate in size and shape to accommodate the yards, walls, fences, parking, landscaping, and other development features as is required to integrate the Project into the surrounding area. The Project Site is 639 acres, of which 400 acres is designated as landfill area, including areas that are permanently closed, and areas that will be converted to open space, as required by the conditions. There is ample room for parking, access, and all other facilities needed for the Project's operations.
52. The Project Site fronts State Highway 126, Franklin Parkway and Wolcott Way. Project conditions require closure of the existing entrance on Highway 126 and relocation of the entrance to Wolcott Way, within one year of the effective date of the CUP. The relocation of the entrance facility is necessary to accommodate the plan by the California Department of Transportation ("Caltrans") to widen SR 126 and accommodate the landfill's operations with the increased development and urbanization of the area. These right-of-way and street improvements required to satisfy the requirements of Public Works and Caltrans are described in detail in the conditions and are summarized in the Neighborhood Impact/Land Use Compatibility section of the EIR. The Board finds that closure of the old entrance, in conjunction with the new entrance facilities, will help alleviate many of the traffic issues in the area, improving traffic circulation in the area and avoiding queuing of trucks onto the highway. These traffic-related improvements, along with the required contribution to the Westside Bridge and Major Thoroughfare Construction Fee District, will adequately offset the Project's traffic impacts. Therefore, the Board finds that the Project Site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of vehicle traffic the landfill use would generate, and by other public or private service facilities as are required.

53. The Board finds that an OTP is required for the Project because of the four oak trees the permittee proposes to remove, pursuant to County Code Section 22.56.2060. The Board finds that the Project meets the Burden of Proof requirements for an oak tree permit listed in County Code Section 22.56.2100, as set forth in Finding Nos. 54 to 56 below.
54. Four oak trees are to be removed, which are the only known ordinance-sized oak trees on the Project Site. The Board finds that construction of the proposed use will be accomplished without endangering the health of any remaining trees on the Project Site that are subject to Part 16 of Title 22 of the County Code. Removal of the four trees is required, due to the location of the trees in areas needed for the new entrance facilities, landfill expansion area, and related grading. Project conditions will require planting eight mitigation oak trees on the Project Site, as required by the County Code. Any future impacts to oak trees and oak woodlands will not be allowed until an Oak Tree and Woodland Mitigation Plan has been approved by Regional Planning, in accordance with Mitigation Measure BR-15 of the MMRP, and the required mitigation measures must be implemented for any such impacts to ensure the protection of oak trees and oak woodlands.
55. The Board finds that the removal of the oak trees proposed will not result in soil erosion through the diversion or increased flow of surface waters, which cannot be satisfactorily mitigated. The Project Site grading shall be accomplished only after receiving a grading permit from Public Works. Such grading shall be done appropriately to avoid any erosion or increased runoff, unless adequately mitigated to the satisfaction of Public Works, and in compliance with the Project's MMRP mitigation measures, and with the applicable regulations, such as the Low Impact Development requirements. Related mitigation measures include a requirement to retain a qualified engineer to evaluate the Project Site's potential for debris flow, and to recommend design provisions for control and cleanup of debris flows; to perform design-level geotechnical investigations to identify areas of expansive or collapsible soils in relation to buildings or structures; to perform additional testing, if deemed necessary, by the Project geotechnical and civil engineers; and to retain a qualified engineer to evaluate the surface water drainage and to make recommendations with regard to drainage issues.
56. The Board finds that the removal of the oak trees proposed is necessary because continued existence at present locations frustrates the planned improvement and proposed use of the subject property to such an extent that placement of such trees precludes the reasonable and efficient use of such property for a use otherwise authorized, and that the condition of one of the oak trees proposed for removal is in poor condition. The oak tree removals are necessary due to their location near the new entrance facilities, landfill expansion area, and related grading. There is no feasible alternate entrance area or landfill expansion area. The Board finds that the removal of the oak trees proposed will not be contrary to or be in substantial conflict with the intent and purpose of the oak tree permit procedure. The oak tree removals are necessary to accomplish

the Project, and the mitigation trees will compensate for the loss of the trees to be removed.

57. The Board finds that the proposed Project complies with the Zoning Code, including setback requirements. The A-2 Zone requires minimum setbacks from adjacent properties or the street of 20 feet in front, five feet on the sides, and 15 feet in the rear, pursuant to County Code Sections 22.24.170 A and 22.20.120. The proposed structures, landfill expansion areas, and other uses on the Project Site are located well outside of the required setback areas, as shown on the Exhibit "A" site plan for the Project. The landfill expansion area is approximately 70 feet from the property line at the closest point, and proposed structures are at least 70 feet from property lines.
58. The Board finds that the amount of parking provided is adequate for the Project, and complies with the County Code for the uses on the Project Site. The amount of parking required for the administrative office building is one space per 400 square feet, pursuant to the requirement for business or professional offices in County Code Section 22.52.1100. Based on an area of approximately 4,800 square feet, at least 12 parking spaces are required for this building. Parking required for the adjacent household hazardous waste facility, should it be built, would be ten spaces, based on an area of approximately 2,500 square feet, and one required parking space per 250 square feet for general commercial uses, pursuant to Section 22.52.1100 of the County Code. The current Exhibit "A" site plan for the Project shows a total of 32 parking spaces provided for these two structures, which exceeds the minimum of 22 spaces required.
59. The Board finds that it is necessary to limit the term of the grant to 30 years, or when the disposal limit of 60 million tons is reached, or when the landfill reaches its Limits of Fill, as depicted on Exhibit "A" (Elevation 1,430 Feet Alternative), whichever occurs first. Periodic reviews are to be conducted every five years after approval, with possible additional periodic reviews at the discretion of the Director. The purpose of the periodic reviews is to consider new or changed circumstances, such as physical development near the Project Site, future waste disposal needs of the County and of the Santa Clarita Valley, improved technological innovations in environmental protection and control systems, and other best management practices that might significantly improve the operations of the facility, and to determine if any changes to the IMP are warranted, based on the changed circumstances.
60. At each of the periodic reviews, the permittee must submit a Permit Compliance Study, an updated Closure Plan, updated Post-Closure Maintenance Plan, and a comprehensive study to analyze the long-term solid waste disposal needs of the Santa Clarita Valley, as required by the Project conditions. After consultation with all applicable County departments, a report and recommendations must be prepared by Staff and presented to a Hearing Officer at a public hearing. Based on the report and public testimony, the Hearing Officer will determine whether modification of the IMP is warranted, and whether the operations comply with the

conditions and the IMP. The IMP may be modified, if needed, at the periodic reviews to ensure that the landfill will continue to operate in a safe and effective manner. The decision of the Hearing Officer, as a result of the periodic review, may be appealed to the Commission, whose decision shall be final.

61. The Board finds that it is necessary to designate the end use of the Project Site, as indicated in the EIR, to be a passive park, open space park, or other type of publicly accessible recreational use in accordance with the covenants, conditions, and restriction on the landfill, and that if requested by the County or other applicable governmental agency, the operator will offer to dedicate such park or area upon completion to an appropriate entity.
62. The Board also finds that it is necessary to require the permittee to prepare and submit to Regional Planning a Primary Canyon Passive Park/Open Space Implementation Plan to establish protocols for the study, design, construction, and operation for public access on the closed portion of the landfill (Primary Canyon).
63. The Board finds that the fees required in the Project conditions are necessary to offset the costs associated with Project mitigation, enforcement activities, studies, programs, community benefits, and other costs related to the Project.
64. The Board finds that the out-of-area fee included in the conditions was created for two primary reasons: to be used to encourage development of future alternatives to landfills; and, to serve as a disincentive to those who bring trash originating outside of the Santa Clarita Valley. This fee encourages preservation of landfill capacity for the Santa Clarita Valley, and assists in mitigating significant air quality impacts of the Project. The generated fee will be used to fund the following programs, with half of the total fee generated for each: (1) Landfill Mitigation Program; and (2) Alternative-to-Landfilling Technology Program. If the on-site Conversion Technology facility is developed, then the out-of-area fee shall be reduced by half, and, in such case, the entirety of the remaining fees would thereafter be directed to the Landfill Mitigation Program.
65. The Board finds that this Project is subject to the provisions of section 711.4 of the California Fish and Game Code and the regulations of the California Department of Fish and Wildlife.
66. The Board finds that, pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper, property posting, library posting, and Board website posting. All 67 neighboring property owners within 1,000 feet of the Project Site were notified by mail, as were the 23 people or groups on the courtesy list for the Newhall Zoned District, 69 additional people who requested notification concerning the Project, and all 694 households residing in Val Verde. Additionally, case materials were available on the Regional Planning website, Board website, and at the Castaic Library and Valencia Library.

67. The location of the documents and other materials constituting the record of proceedings upon which the Board's decision is based in this matter is 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 North Section, Department of Regional Planning.

BASED ON THE FOREGOING, THE BOARD OF SUPERVISORS CONCLUDES:

- A. The proposed use with the attached conditions will be consistent with the adopted General Plan and the Area Plan; will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area; will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the Project Site; and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety, or general welfare.
- B. The proposed Project 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 to integrate said use with the uses in the surrounding area, and is adequately served by highways or streets of sufficient width, and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.
- C. The proposed construction of the proposed use will be accomplished without endangering the health of the remaining oak trees, subject to Part 16 of Title 22 of the County Code, on the subject property; the removal of the oak trees proposed will not result in soil erosion through the diversion or increased flow of surface waters, which cannot be satisfactorily mitigated; removal of the oak trees is necessary, as continued existence at the present locations frustrates the planned improvement or proposed use of the subject property to such an extent that alternative development plans cannot achieve the same permitted density, or that the cost of such alternative would be prohibitive; and the removal of the oak trees proposed will not be contrary to or be in substantial conflict with the intent and purpose of the oak tree permit procedure.

THEREFORE, THE BOARD OF SUPERVISORS:

- 1. Certifies that the EIR for the Project was completed in compliance with CEQA and the State and County Guidelines related thereto; certifies that it independently reviewed and considered the information contained in the EIR, and that the EIR reflects the independent judgment and analysis of the Board as to the environmental consequences of the Project; indicates that it certified the EIR at the conclusion of its hearing on the Project and adopted the CEQA Findings and SOC, and MMRP, finding that pursuant to section 21081.6 of the California Public Resources Code, the MMRP is adequately designed to ensure

compliance with the mitigation measures during Project implementation, found that the unavoidable significant effects of the Project after said mitigation measures are described in those CEQA Findings and SOC; and determined that the remaining, unavoidable environmental effects of the Project have been reduced to an acceptable level and are outweighed by specific health and safety, social, economic, legal, and/or environmental benefits of the Project, as stated in the Findings and SOC; and

2. Denies the appeals and approves Conditional Use Permit No. 2004-00042-(5) and Oak Tree Permit No. 2015-00007-(5), subject to the attached conditions.