

PROJECT REPORT

**TO: ENVIRONMENTAL EVALUATION
COMMITTEE**

AGENDA DATE: April 15, 2021

FROM: PLANNING & DEVELOPMENT SERVICES

AGENDA TIME 1:30 PM/ No. 1

PROJECT TYPE: CUP #19-0016 Imperial Landfill, Inc. SUPERVISORY DISTRICT #5
044-030-006-000 &
LOCATION: 104 E. Robinson Rd., APN: 044-030-024-000
Imperial, CA PARCEL SIZE: +/- 337 acres

GENERAL PLAN (existing) Special Purpose Facility GENERAL PLAN (proposed) N/A

ZONE (existing) GS (Government / Special) ZONE (proposed) N/A

GENERAL PLAN FINDINGS CONSISTENT INCONSISTENT MAY BE/FINDINGS

PLANNING COMMISSION DECISION: HEARING DATE: _____

APPROVED DENIED OTHER

PLANNING DIRECTORS DECISION: HEARING DATE: _____

APPROVED DENIED OTHER

ENVIROMENTAL EVALUATION COMMITTEE DECISION: HEARING DATE: 04/15/2021

INITIAL STUDY: 19-0019

NEGATIVE DECLARATION MITIGATED NEG. DECLARATION EIR

DEPARTMENTAL REPORTS / APPROVALS:

PUBLIC WORKS	<input type="checkbox"/>	NONE	<input checked="" type="checkbox"/>	ATTACHED
AG	<input type="checkbox"/>	NONE	<input checked="" type="checkbox"/>	ATTACHED
APCD	<input type="checkbox"/>	NONE	<input checked="" type="checkbox"/>	ATTACHED
E.H.S.	<input type="checkbox"/>	NONE	<input checked="" type="checkbox"/>	ATTACHED
FIRE / OES	<input checked="" type="checkbox"/>	NONE	<input type="checkbox"/>	ATTACHED
SHERIFF.	<input checked="" type="checkbox"/>	NONE	<input type="checkbox"/>	ATTACHED
OTHER		<u>Caltrans, Quechan Indian Tribe, CRBRQCB</u>		

REQUESTED ACTION:

(See Attached)

Planning & Development Services

801 MAIN ST., EL CENTRO, CA 92243 442-265-1736

(Jim Minnick, Director)

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- NEGATIVE DECLARATION**
- MITIGATED NEGATIVE DECLARATION**

*Initial Study & Environmental Analysis
For:*

**Conditional Use Permit #19-0016
Initial Study #19-0019
Imperial Landfill, Inc.**



Prepared By:

COUNTY OF IMPERIAL
Planning & Development Services Department
801 Main Street
El Centro, CA 92243
(442) 265-1736
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(April 2021)

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SECTION 1 INTRODUCTION

A. PURPOSE

This document is a policy-level, project level Initial Study for evaluation of potential environmental impacts resulting with the proposed Conditional Use Permit #19-0016, where the intent of the project is to amend existing Conditional Use Permit #07-0027 to allow for out of county waste to be deposited at the landfill (Refer to Exhibit "A" & "B").

B. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) REQUIREMENTS AND THE IMPERIAL COUNTY'S GUIDELINES FOR IMPLEMENTING CEQA

As defined by Section 15063 of the State California Environmental Quality Act (CEQA) Guidelines and Section 7 of the County's "CEQA Regulations Guidelines for the Implementation of CEQA, as amended", an **Initial Study** is prepared primarily to provide the Lead Agency with information to use as the basis for determining whether an Environmental Impact Report (EIR), Negative Declaration, or Mitigated Negative Declaration would be appropriate for providing the necessary environmental documentation and clearance for any proposed project.

According to Section 15065, an **EIR** is deemed appropriate for a particular proposal if the following conditions occur:

- The proposal has the potential to substantially degrade quality of the environment.
- The proposal has the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.
- The proposal has possible environmental effects that are individually limited but cumulatively considerable.
- The proposal could cause direct or indirect adverse effects on human beings.

According to Section 15070(a), a **Negative Declaration** is deemed appropriate if the proposal would not result in any significant effect on the environment.

According to Section 15070(b), a **Mitigated Negative Declaration** is deemed appropriate if it is determined that though a proposal could result in a significant effect, mitigation measures are available to reduce these significant effects to insignificant levels.

This Initial Study has determined that the proposed applications will not result in any potentially significant environmental impacts and therefore, a Negative Declaration is deemed as the appropriate document to provide necessary environmental evaluations and clearance as identified hereinafter.

This Initial Study and Mitigated Negative Declaration are prepared in conformance with the California Environmental Quality Act of 1970, as amended (Public Resources Code, Section 21000 et. seq.); Section 15070 of the State & County of Imperial's Guidelines for Implementation of the California Environmental Quality Act of 1970, as amended (California Code of Regulations, Title 14, Chapter 3, Section 15000, et. seq.); applicable requirements of the County of Imperial; and the regulations, requirements, and procedures of any other responsible public agency or an agency with jurisdiction by law.

Pursuant to the County of Imperial Guidelines for Implementing CEQA, depending on the project scope, the County

of Imperial Board of Supervisors, Planning Commission and/or Planning Director is designated the Lead Agency, in accordance with Section 15050 of the CEQA Guidelines. The Lead Agency is the public agency which has the principal responsibility for approving the necessary environmental clearances and analyses for any project in the County.

C. INTENDED USES OF INITIAL STUDY AND NEGATIVE DECLARATION

This Initial Study and Mitigated Negative Declaration are informational documents which are intended to inform County of Imperial decision makers, other responsible or interested agencies, and the general public of potential environmental effects of the proposed applications. The environmental review process has been established to enable public agencies to evaluate environmental consequences and to examine and implement methods of eliminating or reducing any potentially adverse impacts. While CEQA requires that consideration be given to avoiding environmental damage, the Lead Agency and other responsible public agencies must balance adverse environmental effects against other public objectives, including economic and social goals.

The Initial Study and Mitigated Negative Declaration, prepared for the project will be circulated for a period of 20 days (*30-days if submitted to the State Clearinghouse for a project of area-wide significance*) for public and agency review and comments. At the conclusion, if comments are received, the County Planning & Development Services Department will prepare a document entitled "Responses to Comments" which will be forwarded to any commenting entity and be made part of the record within 10-days of any project consideration.

D. CONTENTS OF INITIAL STUDY & NEGATIVE DECLARATION

This Initial Study is organized to facilitate a basic understanding of the existing setting and environmental implications of the proposed applications.

SECTION 1

I. INTRODUCTION presents an introduction to the entire report. This section discusses the environmental process, scope of environmental review, and incorporation by reference documents.

SECTION 2

II. ENVIRONMENTAL CHECKLIST FORM contains the County's Environmental Checklist Form. The checklist form presents results of the environmental evaluation for the proposed applications and those issue areas that would have either a significant impact, potentially significant impact, or no impact.

PROJECT SUMMARY, LOCATION AND ENVIRONMENTAL SETTINGS describes the proposed project entitlements and required applications. A description of discretionary approvals and permits required for project implementation is also included. It also identifies the location of the project and a general description of the surrounding environmental settings.

ENVIRONMENTAL ANALYSIS evaluates each response provided in the environmental checklist form. Each response checked in the checklist form is discussed and supported with sufficient data and analysis as necessary. As appropriate, each response discussion describes and identifies specific impacts anticipated with project implementation.

SECTION 3

III. MANDATORY FINDINGS presents Mandatory Findings of Significance in accordance with Section 15065 of the CEQA Guidelines.

IV. PERSONS AND ORGANIZATIONS CONSULTED identifies those persons consulted and involved in preparation of this Initial Study and Negative Declaration.

V. REFERENCES lists bibliographical materials used in preparation of this document.

VI. NEGATIVE DECLARATION – COUNTY OF IMPERIAL

VII. FINDINGS

SECTION 4

VIII. RESPONSE TO COMMENTS (IF ANY)

IX. MITIGATION MONITORING & REPORTING PROGRAM (MMRP) (IF ANY)

E. SCOPE OF ENVIRONMENTAL ANALYSIS

For evaluation of environmental impacts, each question from the Environmental Checklist Form is summarized and responses are provided according to the analysis undertaken as part of the Initial Study. Impacts and effects will be evaluated and quantified, when appropriate. To each question, there are four possible responses, including:

1. **No Impact:** A “No Impact” response is adequately supported if the impact simply does not apply to the proposed applications.
2. **Less Than Significant Impact:** The proposed applications will have the potential to impact the environment. These impacts, however, will be less than significant; no additional analysis is required.
3. **Less Than Significant With Mitigation Incorporated:** This applies where incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact”.
4. **Potentially Significant Impact:** The proposed applications could have impacts that are considered significant. Additional analyses and possibly an EIR could be required to identify mitigation measures that could reduce these impacts to less than significant levels.

F. POLICY-LEVEL or PROJECT LEVEL ENVIRONMENTAL ANALYSIS

This Initial Study and Mitigated Negative Declaration will be conducted under a policy-level, project level analysis. Regarding mitigation measures, it is not the intent of this document to “overlap” or restate conditions of approval that are commonly established for future known projects or the proposed applications. Additionally, those other standard requirements and regulations that any development must comply with, that are outside the County’s jurisdiction, are also not considered mitigation measures and therefore, will not be identified in this document.

G. TIERED DOCUMENTS AND INCORPORATION BY REFERENCE

Information, findings, and conclusions contained in this document are based on incorporation by reference of tiered documentation, which are discussed in the following section.

1. Tiered Documents

As permitted in Section 15152(a) of the CEQA Guidelines, information and discussions from other documents can be included into this document. Tiering is defined as follows:

“Tiering refers to using the analysis of general matters contained in a broader EIR (such as the one prepared for a general plan or policy statement) with later EIRs and negative declarations on narrower projects; incorporating by reference the general discussions from the broader EIR; and concentrating the later EIR or negative declaration solely on the issues specific to the later project.”

Tiering also allows this document to comply with Section 15152(b) of the CEQA Guidelines, which discourages redundant analyses, as follows:

“Agencies are encouraged to tier the environmental analyses which they prepare for separate but related projects including the general plans, zoning changes, and development projects. This approach can eliminate repetitive discussion of the same issues and focus the later EIR or negative declaration on the actual issues ripe for decision at each level of environmental review. Tiering is appropriate when the sequence of analysis is from an EIR prepared for a general plan, policy or program to an EIR or negative declaration for another plan, policy, or program of lesser scope, or to a site-specific EIR or negative declaration.”

Further, Section 15152(d) of the CEQA Guidelines states:

“Where an EIR has been prepared and certified for a program, plan, policy, or ordinance consistent with the requirements of this section, any lead agency for a later project pursuant to or consistent with the program, plan, policy, or ordinance should limit the EIR or negative declaration on the later project to effects which:

- (1) Were not examined as significant effects on the environment in the prior EIR; or
- (2) Are susceptible to substantial reduction or avoidance by the choice of specific revisions in the project, by the imposition of conditions, or other means.”

2. **Incorporation By Reference**

Incorporation by reference is a procedure for reducing the size of EIRs/MND and is most appropriate for including long, descriptive, or technical materials that provide general background information, but do not contribute directly to the specific analysis of the project itself. This procedure is particularly useful when an EIR or Negative Declaration relies on a broadly-drafted EIR for its evaluation of cumulative impacts of related projects (*Las Virgenes Homeowners Federation v. County of Los Angeles* [1986, 177 Ca.3d 300]). If an EIR or Negative Declaration relies on information from a supporting study that is available to the public, the EIR or Negative Declaration cannot be deemed unsupported by evidence or analysis (*San Francisco Ecology Center v. City and County of San Francisco* [1975, 48 Ca.3d 584, 595]). This document incorporates by reference appropriate information from the “Final Environmental Impact Report and Environmental Assessment for the “County of Imperial General Plan EIR” prepared by Brian F. Mooney Associates in 1993 and updates.

When an EIR or Negative Declaration incorporates a document by reference, the incorporation must comply with Section 15150 of the CEQA Guidelines as follows:

- The incorporated document must be available to the public or be a matter of public record (CEQA Guidelines Section 15150[a]). The General Plan EIR and updates are available, along with this document, at the County of Imperial Planning & Development Services Department, 801 Main Street, El Centro, CA 92243 Ph. (760) 482-4236.
- This document must be available for inspection by the public at an office of the lead agency (CEQA Guidelines Section 15150[b]). These documents are available at the County of Imperial Planning & Development Services Department, 801 Main Street, El Centro, CA 92243 Ph. (760) 482-4236.

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- These documents must summarize the portion of the document being incorporated by reference or briefly describe information that cannot be summarized. Furthermore, these documents must describe the relationship between the incorporated information and the analysis in the tiered documents (CEQA Guidelines Section 15150[c]). As discussed above, the tiered EIRs address the entire project site and provide background and inventory information and data which apply to the project site. Incorporated information and/or data will be cited in the appropriate sections.
 - These documents must include the State identification number of the incorporated documents (CEQA Guidelines Section 15150[d]). The State Clearinghouse Number for the County of Imperial General Plan EIR is SCH #93011023.
 - The material to be incorporated in this document will include general background information (CEQA Guidelines Section 15150[f]). This has been previously discussed in this document.

II. Environmental Checklist

1. **Project Title:** Conditional Use Permit #19-0016 for Imperial Landfill, Inc. (Initial Study #19-0019)
2. **Lead Agency:** Imperial County Planning & Development Services Department
3. **Contact person and phone number:** Mariela Moran, Planner II, (442) 265-1736, ext. 1747
4. **Address:** 801 Main Street, El Centro CA, 92243
5. **E-mail:** marielamorán@co.imperial.ca.us
6. **Project location:** The project site is located at 104 E. Robinson Rd., Imperial CA, with Assessor's Parcel Number(s) 044-030-006 and 044-030-024.
7. **Project sponsor's name and address:** Imperial Landfill, Inc., 104 E. Robinson Road, Imperial CA 92251
8. **General Plan designation:** Special Purpose Facility
9. **Zoning:** GS (Government/Special)
10. **Description of project:** Applicant has requested to Amend Conditional Use Permit #07-0027 for the Allied Imperial Landfill to allow for Municipal Solid Waste (MSW) to be deposited at the landfill that originates from outside of Imperial County. The existing Allied Imperial Landfill is a Class III landfill that accepts nonhazardous municipal solid waste. The CUP Amendment request specifically is a change to condition 3.1.1. This condition restricts acceptance of waste to that which originates within the County of Imperial with exception of 136 tons per month originating from Borrego Springs. The proposed CUP Amendment would be to modify this condition to allow for waste to be accepted from locations outside of the County of Imperial.

The proposed CUP Amendment would allow up to 1,200 tons per day from locations in San Diego, Los Angeles, San Bernardino and Riverside counties (outside of Imperial County). The total tons per day for all waste would not exceed the current maximum tons as per contained in Condition 1.1.1 of CUP #07-0027 or the Final EIR for CUP #07-0027, nor would it exceed the maximum of 1,700 tons per day as allowed through the approved Solid Waste Facility Permit 13-AA-0019. Any increase of total tonnage per day beyond 1,700 tons per day would require an amendment to the Solid Waste Facility Permit 13-AA-0019. There are no other changes to the CUP or operations of the landfill being proposed.

11. **Surrounding land uses and setting:** The project site is bounded by agricultural uses and rural development to the south, and agricultural uses to the north, east and west. Adjacent roads are Dogwood Road to the west, east Robinson Road to the south. The project site is located approximately 1.1 miles to east of the City of Imperial. There are a total of 5 residences located within 1,000 feet of the existing landfill site, (two residences within 750 feet on Trentham Road, two residences 50 feet and 80 feet south of Robinson Road and one residence approximately 500 feet to the northeast on a private road adjacent to Rose Canal).
12. **Other public agencies whose approval is required** (e.g., permits, financing approval, or participation agreement.): Planning Commission and Board of Supervisors.
13. **Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentially, etc.?** An AB52 letter was sent out to the Quechan Indian Tribe for a 30 day consultation period for review and comment. No comments have been received at this time.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

<input type="checkbox"/>	Aesthetics	<input type="checkbox"/>	Agriculture and Forestry Resources	<input type="checkbox"/>	Air Quality
<input type="checkbox"/>	Biological Resources	<input type="checkbox"/>	Cultural Resources	<input type="checkbox"/>	Energy
<input type="checkbox"/>	Geology /Soils	<input type="checkbox"/>	Greenhouse Gas Emissions	<input type="checkbox"/>	Hazards & Hazardous Materials
<input type="checkbox"/>	Hydrology / Water Quality	<input type="checkbox"/>	Land Use / Planning	<input type="checkbox"/>	Mineral Resources
<input type="checkbox"/>	Noise	<input type="checkbox"/>	Population / Housing	<input type="checkbox"/>	Public Services
<input type="checkbox"/>	Recreation	<input type="checkbox"/>	Transportation	<input type="checkbox"/>	Tribal Cultural Resources
<input type="checkbox"/>	Utilities/Service Systems	<input type="checkbox"/>	Wildfire	<input type="checkbox"/>	Mandatory Findings of Significance

ENVIRONMENTAL EVALUATION COMMITTEE (EEC) DETERMINATION

After Review of the Initial Study, the Environmental Evaluation Committee has:

Found that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

Found that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

Found that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

Found that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

Found that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE DE MINIMIS IMPACT FINDING: Yes No

<u>EEC VOTES</u>	<u>YES</u>	<u>NO</u>	<u>ABSENT</u>
PUBLIC WORKS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ENVIRONMENTAL HEALTH SVCS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
OFFICE EMERGENCY SERVICES	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
APCD	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
AG	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SHERIFF DEPARTMENT	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ICPDS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

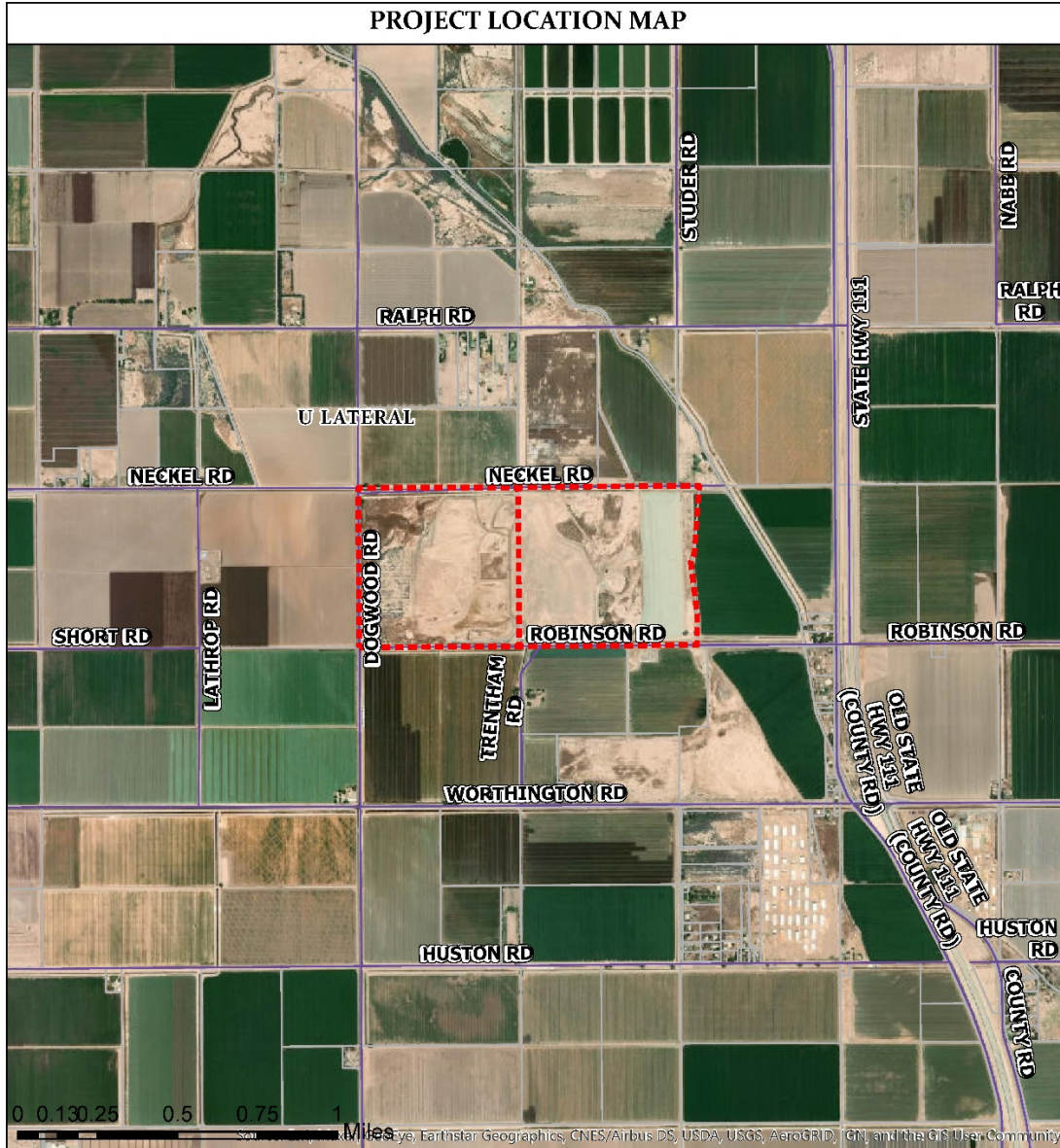
Jim Minnick, Director of Planning/EEC Chairman

Date:

PROJECT SUMMARY

- A. Project Location:** The project site is located at 104 E. Robinson Rd., Imperial CA, with Assessor's Parcel Number(s) 044-030-006 and 044-030-024.
- B. Project Summary:** Applicant has requested to Amend Conditional Use Permit #07-0027 for the Allied Imperial Landfill to allow for Municipal Solid Waste (MSW) to be deposited at the landfill that originates from outside of Imperial County. The proposed CUP Amendment would allow up to 1,200 tons per day from locations in San Diego, Los Angeles, San Bernardino and Riverside counties (outside of Imperial County). The total tons per day for all waste would not exceed the current maximum tons as per contained in Condition 1.1.1 of CUP #07-0027 or the Final EIR for CUP #07-0027, nor would it exceed the maximum of 1,700 tons per day as allowed through the approved Solid Waste Facility Permit 13-AA-0019.
- C. Environmental Setting:** The project site is bounded by agricultural fields and there are 5 residences located within 1000 feet of the existing landfill. Neckel Road and Date Canal are located to the north, Dogwood Road to the west and E. Robinson Road to the south.
- D. Analysis:** Conditional Use Permit for Assessor Parcel Number(s) 044-030-006 and 044-030-024 is for the proposed amendment to CUP #07-0027. Pursuant to Section 90520.02 (I), a solid waste landfill facility is a permitted use with an approved Conditional Use Permit. Per CUP #07-0027 Condition of Approval 1.23 Amendments states: "...All amendments shall be processed in accordance with applicable state and local requirements, including any required environmental review, notice and hearing...". Therefore, the proposed project could be considered in compliance since a Conditional Use Permit was submitted for a major amendment to existing CUP #07-0027.
- E. General Plan Consistency:** The Imperial County General Plan Element identifies the Imperial Republic Acquisitions as a Solid Disposal Land fill, which operates a private Class III waste disposal facility in the unincorporated area northwest of the City of Imperial, therefore, the proposed project could be considered consistent with the Imperial County General Plan.

Exhibit "A" Vicinity Map

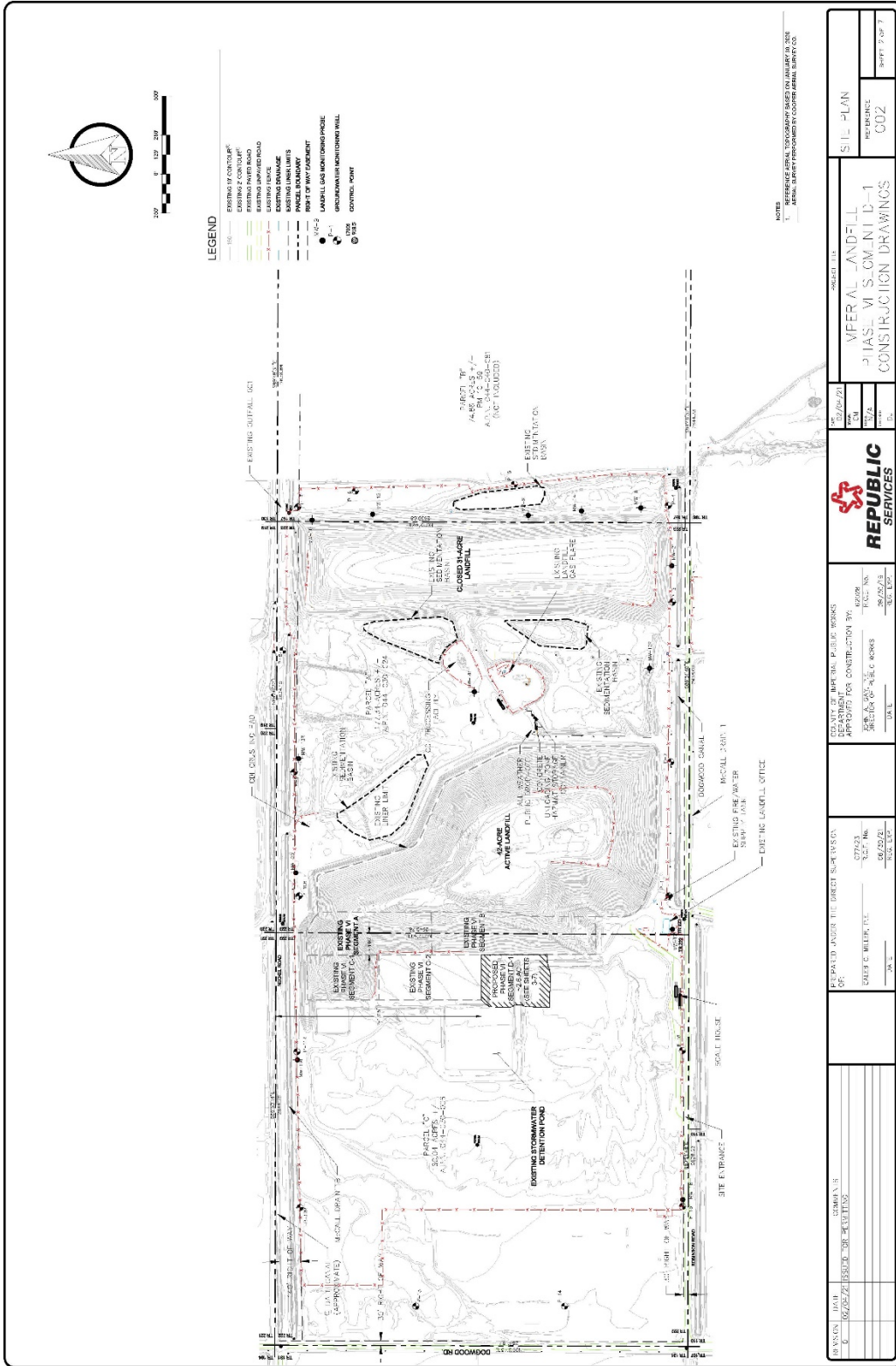


IMPERIAL LANDFILL INC.
 CUP# 19-0016
 APN 044-030-006 AND
 044-030-024-000

 PROJECT LOCATION



Exhibit "B" Site Plan



EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses," as described in (5) below, may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
 - a) the significance criteria or threshold, if any, used to evaluate each question; and
 - b) the mitigation measure identified, if any, to reduce the impact to less than significance

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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I. AESTHETICS

Except as provided in Public Resources Code Section 21099, would the project:

- a) Have a substantial adverse effect on a scenic vista or scenic highway?
a) According to the Imperial County General Plan, Circulation and Scenic Highways Element¹, the project site is not located on or near the scenic vista or scenic highway or eligible for future Scenic Highway Designation in reference to Highway 111. Accordingly, implementation of the proposed project would not appear to have additional adverse effect on the scenic vista as there already is an existing landfill operating from the project site; less than significant impacts are expected.
- b) Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?
b) There are no scenic resources such as trees, rock outcroppings or historic buildings surrounding the project site; therefore, no impacts are expected.
- c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surrounding? (Public views are those that are experienced from publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?
c) The proposed project will not further degrade the existing visual character or quality of public views of the site and its surrounding as the existing use will remain; therefore, less than significant impacts are expected.
- d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?
d) The proposed project is not expected to create an additional source of light or glare, as the existing use would remain. Therefore, less than significant impacts are expected.

II. AGRICULTURE AND FOREST RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. --Would the project:

- a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?
a) According to the California Department of Conservation Farmland Mapping and Monitoring Program (2016)², the project site's Farmland Type is designated as "Urban and Built-Up Land", therefore, impacts related to convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), to non-agricultural use is considered less than significant.
- b) Conflict with existing zoning for agricultural use, or a Williamson Act Contract?
b) The project site is not under the Williamson Act contract; therefore, no impacts are expected.
- c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined

¹ Imperial County General Plan, Circulation and Scenic Highways Element.

² California Department of Conservation, 2016. Farmland Mapping and Monitoring Program Map.

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
by Government Code Section 51104(g)?				
c) The proposed project is located within existing built-up area that will not conflict with existing zoning or cause rezoning of forest land, timberland or timberland zoned Timberland Production. Therefore, no impacts are expected.				
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) As previously stated, the proposed project is located within existing and build-up area that will not result in the loss of forest land or conversion of forest land to non-forest use; therefore, no impacts would occur.				
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) As mentioned under item a) above, the proposed project is located in developed land and would not appear to effect the surrounding farm land, as the existing use will continue. Any impact to farmland would appear to be less than significant.				

iii. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to the following determinations. Would the Project:

- a) Conflict with or obstruct implementation of the applicable air quality plan?

Existing CUP #07-0027 for the Imperial Landfill was previously evaluated under the December 2009 Draft Environmental Impact Report (Draft EIR), which was approved in 2010 by the Imperial County Board of Supervisors³. According to the LSA Draft Air Quality Analysis for the Allied Imperial Landfill Amendment⁴ to CUP 07-0027, the Landfill is currently permitted to accept 1,700 tons per day of waste generated within Imperial County and the proposed project would allow the Landfill to accept up to 1,200 tons per day of waste generated outside Imperial County, within Los Angeles or San Diego Counties. The proposed project will not exceed the existing limit of 1,700 tons per day. Per LSA the Air Analysis evaluated the potential change in air quality and greenhouse emissions associated with the off-site waste hauling as the EIR for CUP #07-0027 assumed that all traffic associated with the Allied Imperial Landfill was limited to within the boundaries of Imperial County with the exception of 136 tons per day from Borrego Springs. The proposed 1,200 tons would equate to 54 trucks per day and a distance of 105 miles in order to determine the net increase in emissions associated with the project was assumed according to the proposed project's Transportation Impact Analysis⁵.

The Air Analysis determined that project would contribute to the previously identified significant criteria air pollutant impacts, however, the proposed project would not result in new or significantly worsening air quality impact; project emissions individually are not expected to exceed the latest significance threshold established by the ICAPCD. Less than significant impacts are expected.

- b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

b) According to the LSA Memorandum, the Draft EIR identified mitigations to reduce operational PM emissions from on-site equipment, fugitive dust, and to off-set NOx emissions from off-site trucks.

As shown in the Air Quality Analysis, maximum daily criteria air pollutant emissions are identified in Table below, it includes the total net increase in emissions associated with the proposed project when summed with the estimated future emissions associated with the Landfill.

³ Final Environmental Impact Report for CUP #07-0027 Imperial Landfill Plan.

⁴ LSA Draft Air Quality Analysis for the Allied Imperial Landfill Amendment to CUP 07-0027.

⁵ Transportation Impact Analysis dated September 8, 2020, prepared by Linscott Law & Greenspan Engineers

Potentially Significant Impact (PSI) Potentially Significant Unless Mitigation Incorporated (PSUMI) Less Than Significant Impact (LTSI) No Impact (NI)

Project Operation Emissions

	CO	NO _x	ROG	SO _x	PM ₁₀	PM _{2.5}
Project Mobile Source Emissions (pounds/day) ¹	4.0	38.8	0.9	0.2	0.7	0.7
ICAPCD Significance Criteria (pounds/day)	550	137	137	150	150	550
Exceed? (yes/no)	No	No	No	No	No	No
Total Net Increase (2038 Proposed Action minus 2011 Baseline, plus project emissions) Mobile Source Emissions (pounds/day)	66.0	22.8	1.2	0.3	481.7	66.7

Source: LSA, 2020 and Imperial County, 2009. (Table 4.2.11 of Draft EIR)

¹ Assumes 54 trucks traveling 105 miles per day

ICAPCD = Imperial County Air Pollution Control District

CO = carbon monoxide

NO_x = oxides of nitrogen

PM₁₀ = particulate matter less than 10 microns in size

PM_{2.5} = particulate matter less than 2.5 microns in size

ROG = reactive organic gases

SO_x = oxides of sulfur

The Air Quality Analysis concluded that the proposed project would contribute to the existing previously identified significant criteria air pollutant impacts identified for NO_x, PM₁₀, and PM_{2.5} emissions. However, the project would not result in new or significantly worsening air quality impacts. Additionally, the cumulative project emissions, when considered with the previously implemented mitigations for CUP 07-0027, would not result in new or worsening significant emissions of criteria air pollutant emissions. Therefore, less than significant impacts are expected.

c) Expose sensitive receptors to substantial pollutants concentrations?

c) There are 5 residences located within 1000 feet from the project site; however, as state above under item a), the proposed project would not result in new or significantly worsening air quality impacts. Less than significant impacts are expected.

d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people)?

d) As mentioned above under item b), the LSA Draft Air Quality Analysis results showed that the proposed project would not result in a substantial change in emissions when compared to those shown in Draft EIR. Less than significant impacts are expected.

IV. BIOLOGICAL RESOURCES *Would the project:*

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

a) The Imperial Landfill FEIR included mitigations to native birds and the burrowing owl related to construction activities and habitat loss, however the proposed project does not anticipate the expansion of the existing landfill or physical alterations. Therefore, any impacts are considered less than significant, and no mitigations would be implemented.

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

b) According to the Imperial County General Plan's Conservation and Open Space Element⁶, the project site is not located within a sensitive or riparian habitat, nor within a sensitive natural community. Less than significant impacts are expected to occur regarding adverse effects on the above habitats.

c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

⁶ Imperial County General Plan, Conservation and Open Space Element, 2016.

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
c) The proposed project is not located near a protected wetland, therefore, is not expected substantial adverse effect on state or federally protected wetlands. Less than significant impacts are expected.				
d) Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? d) The project site is not located on or near a body of water and no fish or wildlife species are expected to be affected by the proposed project. No impacts are expected.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinance protecting biological resource, such as a tree preservation policy or ordinance? e) The proposed project does not conflict with any local policies or ordinances protecting biological resources on the site. Less than significant impacts are expected.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? f) The proposed project does not conflict with a Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. Therefore, no impacts are expected.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

V. **CULTURAL RESOURCES** *Would the project:*

a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5? a) According to the Imperial Landfill FEIR, no historical resources have been previously identified pursuant to §15064.5. Additionally, it is not expected that the proposed project would have substantial adverse change in the significance of a historical resource pursuant to §15064.5. Less than significant impacts are anticipated.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? b) According to the Imperial Landfill FEIR previously unidentified archaeological resources may be encountered during construction excavation or grading activities and mitigations to be implemented; however it is not anticipated that the proposed project would have a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5 as the proposed project does not anticipate an expansion of the existing landfill or a physical alteration. Impacts are considered less than significant.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside of dedicated cemeteries? c) The proposed project does not anticipate grading or new construction; therefore, it is not expected to disturb any human remains, including those interred outside of dedicated cemeteries. Any impacts are expected to be less than significant.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

VI. **ENERGY** *Would the project:*

a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? a) The proposed project is not expected to result in potential significant environment impact due to wasteful, inefficient, or unnecessary consumption of energy resource; therefore, no impacts are expected.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? (b) The proposed project does not appear to conflict or obstruct a state or local plan for renewal energy or energy efficiency. Therefore, no impacts are expected.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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VII. **GEOLOGY AND SOILS** *Would the project:*

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Directly or indirectly cause potential substantial adverse effects, including risk of loss, injury, or death involving: | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| a) The proposed project does not appear to directly or indirectly cause potential adverse effects, including risk of loss, injury, or death; therefore, less than significant impacts are expected. | | | | |
| 1) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 1) According to the Imperial Landfill FEIR the Imperial Fault is located in close proximity to the existing landfill and therefore, there is a potential of seismic hazards within the property in similitude with the surroundings; however the proposed project does not involves a new construction or an expansion of the existing facility or a proposal that would change the existing risks due to a rupture of a known earthquake fault. Therefore, less than significant impacts are anticipated. | | | | |
| 2) Strong Seismic ground shaking? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2) As commented above under item 1), the proposed project does not includes new structures; however ground shaking is expected to occur being that the project site is located with close proximity to the Imperial Fault. Since there are not new structures being proposed less than significant impacts are anticipated. | | | | |
| 3) Seismic-related ground failure, including liquefaction and seiche/tsunami? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 3) According to the Imperial Landfill FEIR, seismic related ground failures include liquefaction as possible seismic hazards in the project site, however it is not expected that the proposed project would have a substantial adverse effect of the existing site conditions. Any impacts are considered less than significant. | | | | |
| 4) Landslides? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4) According to the Imperial Landfill FEIR, seismic related ground failures include landslide as possible seismic hazards in the project site, however it is not expected that the proposed project would have a substantial adverse effect of the existing site conditions. Any impacts are considered less than significant. | | | | |
| b) Result in substantial soil erosion or the loss of topsoil? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) The proposed project is not expected to result in substantial soil erosion or the loss of topsoil, therefore, no impacts are expected. | | | | |
| c) Be located on a geologic unit or soil that is unstable or that would become unstable as a result of the project, and potentially result in on- or off-site landslides, lateral spreading, subsidence, liquefaction or collapse? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) The project site is not expected to result in a unit that would become unstable as a result of the proposed project; therefore, less than significant impacts are expected. | | | | |
| d) Be located on expansive soil, as defined in the latest Uniform Building Code, creating substantial direct or indirect risk to life or property? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) The project site currently operates an existing landfill and it is not expected that the proposed project would create a substantial direct or indirect risk to life or property as an impact deriving from expansive soils. Therefore, no impacts are expected. | | | | |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) No additional septic tanks or other alternative waste water disposal systems are proposed as part of the proposed project; therefore, impacts are considered less than significant. | | | | |

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? f) The proposed project is not expected to directly or indirectly destroy any unique paleontological resources. Impacts are considered less than significant.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

VIII. **GREENHOUSE GAS EMISSION** *Would the project:*

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?
a) According to the LSA Draft Air Quality Analysis the proposed project emissions individually would not exceed the latest significant thresholds established by the ICAPCD. Impacts are considered less than significant. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with an applicable plan or policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?
b) Pursuant to the LSA Draft Air Quality Analysis the maximum annual green house gas emissions associated with the project would range from 2,343 to 1,680 MT CO2e per year and would cease in 2038 when landfill operations are complete. This emission according to the Air Quality Analysis would not result in a significant amount of greenhouse gas emissions or conflict with a plan adopted for the purpose of reducing greenhouse gas emissions; therefore, any impact would be less than significant. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

IX. **HAZARDS AND HAZARDOUS MATERIALS** *Would the project:*

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?
a) The project proposes is not expected to create a significant hazard to the public or environment through the routine transport, use or disposal of hazardous materials as no hazardous material are proposed. Impacts are considered less than significant. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?
b) The proposed project does not include the handing of hazardous materials, therefore, it is not expected to create a significant hazard to the public or environment through reasonable foreseeable upset and accident conditions involving the release of hazardous material into the environment. Less than significant impacts are expected. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?
c) As mentioned above under item a), the proposed project does not include hazardous materials in its scope of work nor is located within one-quarter miles of an existing or proposed school; therefore, impacts are considered less than significant. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Be located on a site, which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?
d) The project site is not located on a list of hazardous material sites pursuant to Government Code Section 65962.5. Additionally, California Department of Toxic Substances Control website ⁷ was access on March 23, 2021 for corroboration. Therefore, no impacts are expected. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

⁷ California Department of Toxic Substances Control - <https://www.envirostor.dtsc.ca.gov/public/search?basic=True>

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
project area? e) The project site is not located near by public airports or public use airport per the Airport Land Use Compatibility Plan (Figure 1A) ⁸ . The closest airport is the Imperial County Airport, located approximately 2.4 miles west of the proposed project. No Impacts are anticipated.				
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? f) The proposed project is not expected to interfere with an adopted emergency response plan or emergency evacuation plan. Therefore, less than significant impacts are expected.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires? g) The proposed project site is not expected to expose people or structures to a significant risk of loss, injury or death involving wildland fires, therefore, any impact are considered less than significant.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

X. **HYDROLOGY AND WATER QUALITY** *Would the project:*

a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality? a) The proposed project is not expected to violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality. Additionally, per Colorado River Basin Regional Water Quality Control Board comment letter dated September 16, 2019, the Regional Water Board finds CUP/IS to be technically adequate in meeting the requirements of the Title 27 of the California Code of Regulations and concurs with the proposed amendment to CUP #07-0027. Any impact is considered less than significant.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin? b) The proposed project does not require the usage of groundwater or would interfere substantially with groundwater recharge. No impacts are expected.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: (i) result in substantial erosion or siltation on- or off-site; (i) The proposed project is located in an existing landfill and is not expected to substantially alter the existing drainage patterns on site, as no expansion, grading or proposed structures are proposed. Impacts are expected to be less than significant.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite; (ii) As commented above under item i), the proposed project does not includes the physical alteration of the site, therefore, it is not expected to substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite. No impacts are anticipated.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or; (iii) The proposed project is not expected to create or contribute runoff water, which would exceed the capacity of existing stormwater drainage system or provide substantial additional source of polluted runoff as no physical alterations to the site are proposed. No impacts are expected.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

⁸ Imperial County Airport Land Use Compatibility Plan, 1996.

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
(iv) impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(iv) The project site is located on Zone X, which is "Area of Minimal Flood Hazard" under FEMA Flood Map 060065 0825B ; therefore, less than significant impacts are expected.				
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) The proposed project site is not located within a Tsunami Inundation Area for Emergency Planning per the California Emergency Management Agency and the Department of Conservation⁹. No impacts are anticipated.				
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) The proposed project does not appear to conflict or obstruct implementation of a water quality control plan or a sustainable groundwater management plan. No impact are anticipated.				

XI. **LAND USE AND PLANNING** *Would the project:*

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Physically divide an established community? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| a) The proposed project is located in an existing landfill and no change to the existing use is proposed; therefore, no impacts are expected. | | | | |
| b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) The proposed project is not expected to conflict with the County's General Plan or Land Use Ordinance as an Amendment to the existing Conditional Use Permit #07-0027 is requested thru a new CUP application. Therefore, impacts are expected to be less than significant. | | | | |

XII. **MINERAL RESOURCES** *Would the project:*

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| a) The project site is not located in an area classified to be a regionally important mineral resource per the California Department of Conservation- Mineral Land Classification¹⁰, additionally, no proposed physical changes to the existing site are proposed nor changes to the existing use. Therefore, no impacts are anticipated. | | | | |
| b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) According to the Imperial County General Plan, Conservation and Open Space Element- Figure 8- Existing Mineral Resources, the project site is not located within an area known to be classified as regionally important mineral resources. Therefore it is not expected that the proposed project would result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan. Therefore, no impacts are expected. | | | | |

XIII. **NOISE** *Would the project result in:*

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| a) The existing Imperial landfill Final EIR includes Noise Mitigations that would continue to be applied to the landfill; however | | | | |

⁹ Department of Conservation Tsunami Inundation Maps - <http://maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=tsunami>

¹⁰ California Department of Conservation - <https://maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=mlc>

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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the proposed project does not anticipate a generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project as the existing mitigations would continue to apply to the site. Therefore, impacts are expected to be less than significant.

- b) Generation of excessive groundborne vibration or groundborne noise levels?
b) The proposed project is not expected to generate excessive groundborne vibration or groundborne noise levels as the CUP 07-0027 noise mitigation would continue to apply. Any impacts are considered less than significant.
- c) For a project located within the vicinity of a private airstrip or an airport land use plan or where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?
c) The project site is not located within the vicinity of a private airstrip or an airport land use plan nor is located within two miles of a public airport or public use airport. No impacts are expected.

XIV. **POPULATION AND HOUSING** *Would the project:*

- a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and business) or indirectly (for example, through extension of roads or other infrastructure)?
a) The proposed project does not include any residential projects or a change to the existing use. Therefore, no impacts are expected.
- b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?
b) The proposed project is not expected to displace a substantial numbers of existing people or housing and would not necessitate the construction of replacement housing elsewhere. No impacts are expected.

XV. **PUBLIC SERVICES**

- a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:
a) The proposed project is not expected to result adverse physical impacts associated with any new or altered governmental facilities or require the need for new or altered governmental facilities as the existing use will continue to remain. Impacts are expected to be less than significant.
- 1) Fire Protection?
1) The proposed project is not expected to create a substantial adverse impact to fire protection. Impacts are expected to be less than significant.
- 2) Police Protection?
2) The proposed project is not expected to create a substantial adverse impact to police protection. Impacts are expected to be less than significant.
- 3) Schools?
3) The proposed project is not expected an increment in population that would require the construction of new educational facilities; therefore no impacts are anticipated.
- 4) Parks?
4) The proposed project would not result in a substantial adverse physical impacts to existing parks. No impacts are anticipated.

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
5) Other Public Facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5) The proposed project would not result in an increment of the demand for other public facilities services. Therefore, no impacts are expected related to the constructions of new public facilities.				

XVI. RECREATION

- a) Would the project increase the use of the existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?
- | | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
- a) The proposed project does not propose new residential housing or an activity that would generate the increment of recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. Therefore, no impacts are expected.
- b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse effect on the environment?
- | | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
- b) The proposed project does not include recreational facilities or require the construction or expansion of recreational facilities; therefore, no adverse effect on the environment is anticipated. No impacts are expected.

XVII. TRANSPORTATION *Would the project:*

- a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?
- | | | | |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
- a) A Transportation Impact Analysis dated September 8, 2020 was prepared by Linscott Law & Greenspan Engineers, for the proposed project CUP Amendment, the analysis is included under attachment of this document. Two alternative were evaluated, one assuming 100% of Project traffic to/from Los Angeles, the other assuming 100% of Project traffic to/from San Diego. The Analysis indicated that no significant LOS impacts would occur with the approval and operation of the proposed CUP Amendment.

Additionally, the project received two comment letters from Public Agencies, Imperial County Public Works comment letter dated August 30, 2019 requesting as a CUP condition of approval sufficient right of way be provided on Dogwood Road to meet Prime Arterial classification; and a letter from Caltrans dated December 28, 2020, requesting clarification and additional information on how the impacts to State Facilities will be addressed and for a previous reviewed environmental document for the Allied Imperial Landfill on Caltrans letter (2010). Applicant responded Caltrans on letter dated February 5, 2021 stating that Caltrans comment letter dated February 9, 2010 was addressed as part of the FEIR for the landfill expansion that was approved in October 2010 and that the tonnage amounts and traffic impacts as a part of the proposed CUP to allow for out of county waste remains far below the levels that would require mitigation affecting Caltrans roadway jurisdiction. No further comments from Caltrans were received. Therefore, impacts are considered less than significant.

- b) Would the project conflict or be inconsistent with the CEQA Guidelines section 15064.3, subdivision (b)?
- | | | | |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
- b) According to the Transportation Impact Analysis the proposed project would not result in an increase in the number of vehicles that would enter the landfill per day. The proposed project would, however, allow up to 1,200 tons per day of waste from locations outside the County to be transported to the landfill. The proposed 1,200 tons would equate to 54 trucks per day.

The Imperial County has not adopted yet the vehicle miles traveled (VMT) as the measurement for assessing transportation impacts, and as mentioned under item a) above, no significant LOS impacts would occur with the approval and operation of the proposed CUP Amendment and LOS in the study area (both intersections and segments) is classified as LOS C or better according to the Transportation Impact Analysis, and no LOS-related mitigation measures are required. Therefore, impacts are considered less than significant.

- c) Substantially increases hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
- | | | | |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|-------------------------------------|--------------------------|

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
--------------------------------------	--	-------------------------------------	----------------

c) The proposed project does not have design features that would increase hazards or incompatible uses. Less than significant impacts are expected.

d) Result in inadequate emergency access?

d) The proposed project will not result in inadequate emergency access; therefore less than significant impacts are anticipated.

XVIII. **TRIBAL CULTURAL RESOURCES**

a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place or object with cultural value to a California Native American tribe, and that is:

a) Consultation with appropriate tribes with the potential for interest in the region as stated in Assembly Bill 52 was performed by Imperial County. An email dated February 22, 2021 was received from the Quechan Historic Preservation Officer stating that they did not have comments for the proposed project; additionally, the proposed project does not anticipate physical changes to the existing landfill facilities, therefore less than significant are anticipated.

(i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as define in Public Resources Code Section 5020.1(k), or

(i) The proposed site is not listed under the California Historical Resources in County of Imperial¹¹ and does not appear to be eligible under Public Resources Code Section 21074 or 5020.1 (k). Therefore, impacts are considered less than significant.

(ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth is subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American Tribe.

(ii) As mentioned above under item a), the proposed project does not involve a physical alteration of the existing landfill facility, and no substantial evidence on the project site has been found to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. Therefore, impacts are considered less than significant.

XIX. **UTILITIES AND SERVICE SYSTEMS** *Would the project:*

a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction of which could cause significant environmental effects?

a) The proposed project does not include any physical alteration of the existing facility, and it is not expected to require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction of which could cause significant environmental effects. Additionally, a letter received from the Colorado River Basin Regional Water Quality Control Board dated September 16, 2019 concurred with the proposed Amendment to CUP #07-0027. Impacts are considered less than significant.

b) Have sufficient water supplies available to serve the project from existing and reasonably foreseeable future development

¹¹ Office of Historic Preservation <http://ohp.parks.ca.gov/ListedResources/?view=county&criteria=13>

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
during normal, dry and multiple dry years? b) The proposed project does not anticipate an increase in the current water demand, therefore, it is expected to have sufficient water supplies available to serve the project from existing and reasonably foreseeable future development during normal, dry and multiple dry years. Impacts are expected to be less than significant.				
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? c) The proposed project does not anticipate an expansion to the current septic system; therefore, no impacts are expected.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals? d) The proposed project will not increase the existing permitted municipal solid waste tonnage accepted for disposal at the landfill, therefore, it is not expected to generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals. Less than significant impacts are anticipated.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste? e) The existing Landfill operates under Conditional Use Permit (CUP) #07-0027, Solid Waste Facility Permit (SWFP) #13-AA-0019, Waste Discharge Requirements (WDRs) #R7-2005-0093 and R7-2011-0040 and Air Pollution Control District Permit to Operate #2625B-2 and 3888A. The proposed amendment to the existing CUP would not increase the existing permitted accepted tonnage for disposal at the landfill, and will be require to continue complying with federal, state, and local management and reduction statutes and regulations related to solid waste.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Additionally, per Imperial County Division of Environmental Health letter dated December 30, 2020, the Division requests that the applicant submit a Joint Technical Document Amendment application to their office at least 180 days prior to the start of accepting out of county waste, assuming CUP #19-0016 amendment approval, comment was acknowledge by the applicant. Impacts are considered less than significant.				

XX. **WILDFIRE**

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the Project:

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Substantially impair an adopted emergency response plan or emergency evacuation plan?
a) The proposed project is not located in or near state responsibility areas or lands classified as very high fire hazard severity zones and will continue its current use as a landfill and therefore, it is not expected to substantially impair any adopted emergency response plan or emergency evacuation plan. Therefore, any impacts would be considered less than significant. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?
b) The proposed project is not expected to exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. Impacts are considered less than significant. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?
c) The proposed project would not expand its current operations, therefore, it is not expected to require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment. Therefore, any impacts are considered less than significant. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) The proposed project is expected to expose people or structures to significant risks by flooding or landslips as a result of runoff, post-fire slope instability or drainage changes as the proposed project does not involve the expansion of the current operations; therefore, no impact is expected.				

Note: Authority cited: Sections 21083 and 21083.05, Public Resources Code. Reference: Section 65088.4, Gov. Code; Sections 21080(c), 21080.1, 21080.3, 21083, 21083.05, 21083.3, 21093, 21094, 21095, and 21151, Public Resources Code; Sundstrom v. County of Mendocino, (1988) 202 Cal.App.3d 296; Leonoff v. Monterey Board of Supervisors, (1990) 222 Cal.App.3d 1337; Eureka Citizens for Responsible Govt. v. City of Eureka (2007) 147 Cal.App.4th 357; Protect the Historic Amador Waterways v. Amador Water Agency (2004) 116 Cal.App.4th at 1109; San Franciscans Upholding the Downtown Plan v. City and County of San Francisco (2002) 102 Cal.App.4th 656.

Revised 2009- CEQA
 Revised 2011- ICPDS
 Revised 2016 – ICPDS
 Revised 2017 – ICPDS
 Revised 2019 – ICPDS

SECTION 3
III. MANDATORY FINDINGS OF SIGNIFICANCE

The following are Mandatory Findings of Significance in accordance with Section 15065 of the CEQA Guidelines.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|--------------------------|
| <p>a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, eliminate tribal cultural resources or eliminate important examples of the major periods of California history or prehistory?</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <p>b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <p>c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

IV. PERSONS AND ORGANIZATIONS CONSULTED

This section identifies those persons who prepared or contributed to preparation of this document. This section is prepared in accordance with Section 15129 of the CEQA Guidelines.

A. COUNTY OF IMPERIAL

- Jim Minnick, Director of Planning & Development Services
- Michael Abraham, AICP, Assistant Director of Planning & Development Services
- Mariela Moran, Project Planner II
- Imperial County Air Pollution Control District
- Ag Commissioner
- Imperial County Public Works Department
- Imperial County Department of Environmental Health

B. OTHER AGENCIES/ORGANIZATIONS

- Caltrans
- Colorado River Basin Regional Water Quality Control Board

(Written or oral comments received on the checklist prior to circulation)

V. REFERENCES

1. Imperial County General Plan, Circulation and Scenic Highways Element, 2008.
[http://www.icpds.com/CMS/Media/Circulation-Scenic-Highway-Element-\(2008\).pdf](http://www.icpds.com/CMS/Media/Circulation-Scenic-Highway-Element-(2008).pdf).
2. California Department of Conservation, 2016. Farmland Mapping and Monitoring Program Map.
3. Imperial County, 2010. Final Environmental Impact Report (FEIR) for CUP #07-0027 Imperial Landfill Plan.
4. LSA, 2020. Draft Air Quality Analysis - Allied Imperial Landfill Amendment to CUP 07-0027.
5. Linscott Law & Greenspan Engineers, 2020. Transportation Impact Analysis – Allied Imperial Landfill.
6. Imperial County General Plan, Conservation and Open Space Element, 2016. -
<https://www.icpds.com/assets/planning/conservation-open-space-element-2016.pdf>
7. California Department of Toxic Substances Control -
<https://www.envirostor.dtsc.ca.gov/public/search?basic=True>
8. Imperial County Airport Land Use Compatibility Plan, 1996. -
<https://www.icpds.com/assets/hearings/airport-land-use-commission/aluc-compatibility-plan-1996-part-1.pdf>.
9. Department of Conservation Tsunami Inundation Maps -
<http://maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=tsunami>
10. California Department of Conservation -
<https://maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=mlc>
11. Office of Historic Preservation -
<http://ohp.parks.ca.gov/ListedResources/?view=county&criteria=13>

VI. NEGATIVE DECLARATION – County of Imperial

The following Negative Declaration is being circulated for public review in accordance with the California Environmental Quality Act Section 21091 and 21092 of the Public Resources Code.

Project Name: Conditional Use Permit #19-0016 / Initial Study #19-0019

Project Applicant: Imperial Landfill, Inc.

Project Location: 104 E. Robinson Rd., Imperial CA

Description of Project:

Applicant has requested to Amend Conditional Use Permit #07-0027 for the Allied Imperial Landfill to allow for Municipal Solid Waste (MSW) to be deposited at the landfill that originates from outside of Imperial County. The existing Allied Imperial Landfill is a Class III landfill that accepts nonhazardous municipal solid waste. The CUP Amendment request specifically is a change to condition 3.1.1. This condition restricts acceptance of waste to that which originates within the County of Imperial with exception of 136 tons per month originating from Borrego Springs. The proposed CUP Amendment would be to modify this condition to allow for waste to be accepted from locations outside of the County of Imperial.

The proposed CUP Amendment would allow up to 1,200 tons per day from locations in San Diego, Los Angeles, San Bernardino and Riverside counties (outside of Imperial County). The total tons per day for all waste would not exceed the current maximum tons as per contained in Condition 1.1.1 of CUP #07-0027 or the Final EIR for CUP #07-0027, nor would it exceed the maximum of 1,700 tons per day as allowed through the approved Solid Waste Facility Permit 13-AA-0019. Any increase of total tonnage per day beyond 1,700 tons per day would require an amendment to the Solid Waste Facility Permit 13-AA-0019. There are no other changes to the CUP or operations of the landfill being proposed.

VII. FINDINGS

This is to advise that the County of Imperial, acting as the lead agency, has conducted an Initial Study to determine if the project may have a significant effect on the environmental and is proposing this Negative Declaration based upon the following findings:

The Initial Study shows that there is no substantial evidence that the project may have a significant effect on the environment and a MITIGATED NEGATIVE DECLARATION will be prepared.

The Initial Study identifies potentially significant effects but:

- (1) Proposals made or agreed to by the applicant before this proposed Mitigated Negative Declaration was released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur.
- (2) There is no substantial evidence before the agency that the project may have a significant effect on the environment.
- (3) Mitigation measures are required to ensure all potentially significant impacts are reduced to levels of insignificance.

A NEGATIVE DECLARATION will be prepared.

If adopted, the Negative Declaration means that an Environmental Impact Report will not be required. Reasons to support this finding are included in the attached Initial Study. The project file and all related documents are available for review at the County of Imperial, Planning & Development Services Department, 801 Main Street, El Centro, CA 92243 (442) 265-1736.

NOTICE

The public is invited to comment on the proposed Negative Declaration during the review period.

Date of Determination Jim Minnick, Director of Planning & Development Services

The Applicant hereby acknowledges and accepts the results of the Environmental Evaluation Committee (EEC) and hereby agrees to implement all Mitigation Measures, if applicable, as outlined in the MMRP.

Applicant Signature

Date

SECTION 4

VIII. RESPONSE TO COMMENTS

(ATTACH DOCUMENTS, IF ANY, HERE)

IX. MITIGATION MONITORING & REPORTING PROGRAM (MMRP)

(ATTACH DOCUMENTS, IF ANY, HERE)

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February 5, 2021

Ms. Mariela Moran
Imperial County Planning and Development Services
801 Main Street
El Centro, CA 92243

SUBJECT: CUP 19-0016 – Imperial Landfill - Out of County Waste – Response to Comments

Ms. Moran,

Thank for the opportunity to respond to the comments from Caltrans dated December 28, 2020 and from the County of Imperial Public Health Department dated December 30, 2020. This letter is in response to those comments. The comments will be repeated below with a direct **Response** to each comment.

Caltrans

“Caltrans has previously reviewed environmental documents for the Allied Imperial Landfill located near ST-111 and E. Robinson Road. Attached please find a copy of Caltrans (2010) comment letter.”

Response: The Caltrans “comment letter” dated February 9, 2010 was addressed as a part of the FEIR for the landfill expansion that was approved in October of 2010. Please see attached response to comments as provided in the FEIR. Additionally, the tonnage amounts and traffic impacts as a part of the proposed CUP to allow for out of county waste remains far below the levels that would require mitigation affecting Caltrans roadway jurisdiction.

“Please provide clarification and additional information on how the impact to State Facilities will be addressed.”

Response: The mitigation measures in the FEIR are required to be met. For traffic impacts to SR-111 (Impact TR-7 and Impact TR-14), Mitigation Measure TR-4 (attached) requires the fair share payment for improvements. However, this does not occur until 818 trucks per day are coming into the landfill.

The current Solid Waste Facilities Permit allows up to 400 trucks per day. It is not anticipated that the landfill will be receiving in excess of 818 trucks for many years. The FEIR mitigation measures are very clear as to when the measure must be met, and the current proposal does not create impacts beyond those analyzed in the FEIR.

The actual construction of the improvements will occur at some future date through the normal notification, improvement plan preparation and construction protocols between the County of Imperial and Caltrans. This effort is beyond the control of the Imperial Landfill.

Additionally, the traffic impact analysis that was prepared for CUP 19-0016 (Traffic Impact Analysis – Dated September 20, 2020) determined that the impacts to Caltrans facilities were less than significant and do not require additional mitigation measures beyond those identified in the FEIR.

“Any work performed within Caltrans’ Right-of-Way (R/W) will require discretionary review and approval by Caltrans and an encroachment permit will be required for any work within the Caltrans’ R/R prior to construction.”

Response: The comment is acknowledged by the applicant/owner - Imperial Landfill, Inc. It should also be noted that the applicant/owner is not required to construct any improvements within the Caltrans R/W because MM TR-4 that addresses Impact TR-7 and TR-14 is for the fair share payment for the improvements identified in the mitigation measure.

County of Imperial Public Health Department

“At this moment, the Division requests that the applicant submit a Joint Technical Document Amendment application to our office at least 180 days prior to the start of accepting out of county waste, assuming CUP#19-0016-amendment approval. DEH reserves the right to provide additional comments as deemed necessary.”

Response: It is acknowledged by the applicant/owner that a JTD Amendment will be necessary. We will be commencing with the amendment documents and appropriate submittal to the LEA.

Conclusion

Based on the comments provided by Caltrans dated December 28, 2020, the FEIR approved in October 2010, and the responses provided above, we firmly believe that the issues raised by Caltrans have been fully addressed. It must be emphasized that the FEIR prepared for the expansion of the landfill fully addressed impacts to Caltrans facilities and the appropriate

mitigation measures have been identified AND approved by the Board of Supervisors. No significant impacts are realized until 818 trucks are allowed to enter the landfill. The current SWFP allows up to 400 trucks per day and there is no current proposal to change the SWFP beyond this current threshold. Additionally, the Traffic Impact Analysis dated September 8, 2020 stated that there are no significant impacts to Caltrans facilities with the proposed change to the CUP to allow for the specified tons per day for out of county waste.

Regarding the comment by the Public Health Department, we acknowledge the request and will be preparing the requisite JTD Amendment documents.

Therefore, we believe this letter provides the necessary response and clarification for the Imperial County Planning and Development Services to respond to Caltrans demonstrating that their concerns have been acknowledged and addressed.

At this point, we feel that all environmental issues have been addressed and it would be appropriate to complete the Initial Study and move forward to the Environmental Evaluation Committee as soon as possible.

If you have any questions or comments, please feel free to reach out to me.

Sincerely,



L. Stan Weiler, AICP
President, HWL

cc. Michael Abraham, ICPDS
Peter Sterenberg, Imperial Landfill, Inc.
Michael Darnell, Imperial Landfill, Inc.
Steven Hall, Imperial Landfill, Inc.

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION AND HIGHWAYS ADMINISTRATION
 DEPARTMENT OF TRANSPORTATION
 DISTRICT 11 DIVISION
 4600 TAYLOR STREET, M.S. 240
 SAN DIEGO, CA 92110
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PLANNING & DEVELOPMENT SERVICES

11-IMP-111
PM 13:58

Draft EIR
Imperial Landfill Expansion
SCH 2007121049

Comment Letter E
ADDITIONAL INFORMATION



For your power
is energy efficient

February 9, 2010
 Mr. Richard Cabanilla
 Imperial County
 Planning and Development Services
 801 Main Street
 El Centro, CA 92243

Dear Mr. Cabanilla:

The California Department of Transportation (Caltrans) appreciates the opportunity to review the Draft Environmental Impact Report (EIR) for the Imperial Landfill Expansion Project, located east of State Route 86 (SR-86), west of State Route 111 (SR-111), and north of Worthington Road. Caltrans has the following comments:

- Caltrans previously commented on the Notice of Preparation (NOP) for the Draft EIR (letter date: December 31, 2007).
- The Draft EIR states that "SR-86 (N. Imperial Avenue) is classified as a minor arterial" (page 4.11-2). The 2008 Imperial County Circulation Element Plan classifies SR-86 through the project study area (Keystone Rd/Imperial Ave segment) as a "State Highway." (Figure 1 and Table 3)
- To clarify, SR-86 through the project study area is classified as an expressway with access control in various segments.
- The Draft EIR Executive Summary states that "Project implementation would result in significant direct impacts on... traffic." (page ES-2). The included traffic impact report proposes the following mitigation as part of the project's significant impacts for Year 2038: "SR-111/Worthington Road Intersection - Construct an additional northbound left-turn lane. This mitigation is needed once total daily traffic volumes at the site driveway reach 3,785 ADT and the corresponding daily gate deliveries for solid waste trucks reach 818." (Appendix H page 66)

However, mitigation measure MM TR-4 calls for "the fair share payment for the construction of an additional northbound left-turn lane at the intersection of SR-111 and Worthington Road ... [based on] landfill traffic in the Year 2038 + Project condition and ... regional non-project traffic from identified cumulative projects..." (Draft EIR page 4.11-34). The traffic

¹Caltrans improves mobility across California.

E-1

E-2

Response to Comment E-1

Section 4.11 Traffic and Circulation has been updated to describe the correct roadway classifications.

Response to Comment E-2

The Executive summary and Section 4.11 have been updated to clarify the Proposed Action would not cause a direct impact to traffic, but it would contribute to a cumulative traffic impact. Because the Proposed Action would not cause a direct impact, to SR-111 ILJ is not required to fund 100% the traffic mitigation measures along that roadway. The required fair share payment for the SR-111 intersection remains accurate, and was not updated.

Response to Comment E-3

As described in Comment D-2, ILI would not be required to construct any improvements along SR-111 (ILI will be required to pay a 3% fair share portion of the County's eventual improvements). Therefore, the issue of encroachment permits is not relevant.

Mr. Richard Cabanilla
February 9, 2010
Page 2

impact report explains that "Based on a meeting with the County of Imperial, it was decided the following improvements be based on a fair share contribution." (Appendix H page 67)
With the impact to the SR-111/Washington Road intersection being Direct, and not Cumulative, the project should be responsible for actual construction, not fair share, of the improvement once the trigger is reached.

E-2
cont

- Any work performed within Caltrans right-of-way (R/W) will require discretionary review and approval by Caltrans. Furthermore, the applicant's environmental documentation must include such work in their project description and indicate that an encroachment permit will be needed.

E-3

If you have any questions, please contact Cornery Cepeda at (619) 688-6968.

Sincerely,



JACOB ARMSTRONG, Chief
Development Review Branch

"Caltrans improves mobility across California"

Imperial County

Impact	Mitigation Measure	Schedule for Implementation	Monitoring Responsibility	Compliance Monitoring and Reporting						
				Shown on Plans		Installed on Site		Frequency of:		
				Req'd	Verified Date/Init	Req'd	Verified Date/Init	Monitor ⁽¹⁾	Report ⁽²⁾	
Year 2038 + Project condition, and the delay would increase by more than 2 seconds as compared to the Year 2038 Baseline condition.		Facilities Permit	of Imperial							
Impact TR-7: SR-111 at Worthington Road. The LOS would degrade to LOS D under the Year 2038 + Project condition, and the delay would increase by more than 2 seconds as compared to the Year 2038 Baseline condition.	MM TR-4: Fair Share Funding for Northbound Left-Turn Lane Addition at SR-111 and Worthington Road Mitigation includes the fair share payment for the construction of an additional northbound left-turn lane at the intersection of SR-111 and Worthington Road. This mitigation would be triggered upon issuance of a future SWFP that approves the combined daily gate deliveries (municipal solid waste, CDI, green waste, plus household hazardous waste) exceeding 818 trucks per day. ILLI will notify the County within 30 days after issuance of that SWFP, to advise them the mitigation trigger value has been reached. ILLI will then make a payment to the County of Imperial for its fair share (3%) of funding for the project. Calculations of fair share contribution are presented in Appendix H.	After issuance of Solid Waste Facilities Permit	Project proponent and County of Imperial				B		a	
Impact TR-8: Dogwood Road between Robinson Road and Worthington Road. LOS at the roadway segment would degrade to LOS F under the Year 2038 + Project condition, and the V/C ratio would increase by 0.157 compared to the Year 2038	Impact TR-8 would be mitigated by MM TR-1.	After issuance of Solid Waste Facilities Permit	Project proponent and County of Imperial					B	a	

⁽¹⁾ Monitoring Frequency: A – Prior to Construction; B – Throughout Construction; C – On Completion; D – Operating; E – On Violation

⁽²⁾ Reporting Frequency: a – Once, On Completion; b – On Violation; c – Ongoing

ATTACHEMENT "A"
CUP APPLICATION AND SUPPORTING
DOCUMENTATION

Allied Imperial Landfill
CUP 19-0016
Amendment to CUP 07-0027

Original: August 15, 2019

Revised: October 21, 2020

PROJECT DESCRIPTION

PREPARED FOR:



**REPUBLIC
SERVICES**

IMPERIAL LANDFILL, INC.
104 EAST ROBINSON ROAD
IMPERIAL, CA 92251

CONTACT: STEVEN HALL – 760.353.1100

PREPARED BY:



**HOWES | WEILER | LANDY
PLANNING & ENGINEERING**

HOWES WEILER LANDY – PLANNING AND ENGINEERING
2888 LOKER AVENUE EAST, SUITE 217
CARLSBAD, CA, 92010

CONTACT: STAN WEILER – 760.929.2288 EXT. 402

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**REPUBLIC SERVICES
IMPERIAL LANDFILL, INC.
ALLIED IMPERIAL LANDFILL**

PROJECT DESCRIPTION

1.0 INTRODUCTION

The Allied Imperial Landfill is owned and operated by Imperial Landfill, Inc., a wholly owned subsidiary of Republic Services, Inc. The site is commonly referred to as the Allied Imperial Landfill (AIL). The existing Allied Imperial Landfill is a fully permitted Class III landfill that accepts nonhazardous municipal solid waste. The approximately 337-acre site is located in the unincorporated south-central portion of Imperial County north of the City of El Centro and east of the City of Imperial at 104 East Robinson Road. Landfilling operations are currently conducted in an 89-acre area currently allocated for landfill operations under CUP 07-0027. A 31-acre cell that has been filled to capacity has been closed and is located east of the current landfilling operations. Any reference or use of Allied Imperial Landfill in this document is considered to be the same as Imperial Landfill, Inc.

Imperial Landfill, Inc. (ILI) is applying to the County of Imperial for a Conditional Use Permit Amendment to change condition 3.1.1 to allow for the landfill to accept waste from outside of the County of Imperial. The intent of the amendment is to allow the opportunity for the landfill to bid upon and accept waste that would be more economically viable and environmentally superior to having waste transported to disposal areas further distances away. Under the premise of economic viability, the only way that the additional waste will be deposited at the Allied Imperial Landfill is if the overall distance to transport waste is decreased. Based upon the review by County Staff of the project previous Project Description dated August 15, 2019 and further comments received from the Imperial County Air Pollution Control District (ICAPCD), the primary assumptions used in the supplemental traffic and air quality analysis were revised to take into consideration the truck traffic and air quality impacts created once the trucks entered Imperial County from both Highway 86 in the north and Interstate 8 from the west.

This Project Description was prepared to provide the intent of the proposed change to the condition and to demonstrate that there will be no changes to the landfill facility and its operations as a result of the request for out of county waste. This Description can also be used to assist the County in evaluating the potential environmental impacts of the request to accept out of county waste. Based on the information provided, the air quality and transportation reports that were prepared for the request, and the economics of waste delivery, the CUP Amendment proposed will not have additional significant environmental impacts.

1.1 OBJECTIVES

Imperial landfill, Inc. is proposing to meet a number of objectives, which include the following:

- Make more effective use of a site already permitted for landfilling by allowing out of county waste to help augment the current low-level waste volumes.
- Provide a convenient, economical, centralized location for solid waste disposal that is located in south-central Imperial County, and thus avoid generation of pollutants required to transport wastes to a more remote location for disposal.
- Reduce potential impacts from waste that goes through Imperial County and is deposited in Arizona.

1.2 PROPOSED CHANGES

The landfill is proposing to continue conducting the same operations as currently being performed except that waste from outside of Imperial County would be permitted to be deposited at the Imperial Landfill.

Proposed change to Condition 3.1.1 is as follows:

3.1.1 Permittee ~~shall not be allowed to~~ accept waste from outside the County of Imperial ~~except for including~~ approximately 136 tons per month based on an annual average of out-of-county Municipal Solid Waste ~~solely from the Borrego Springs area and up to 1,200 tons per day maximum for the San Diego, Los Angeles, San Bernardino, or Riverside areas~~ in a manner approved by Imperial County. ~~This limited~~The total amount of waste permitted from within Imperial County and from areas Borrego Springs outside of Imperial County area amount shall not exceed ~~one percent (1%) of the landfill's annual volume, nor shall it increase~~ the Maximum Daily Municipal Solid Waste volumes pursuant to: General Condition 1.1.1, the SWFP and/or the FEIR, whichever is less.

The CUP Amendment would allow for the following:

- The proposed CUP Amendment would allow up to 1,200 tons per day from locations in San Diego, Los Angeles, San Bernardino and Riverside counties (outside Imperial County). The total tons per day for all waste would not exceed the current maximum tons per day as contained in Condition 1.1.1 of CUP 07-0027 or the Final EIR for CUP 07-0027, nor would it exceed the maximum of 1,700 tons per day as allowed through the approved Solid Waste Facility Permit 13-AA-0019. Any increase of total tonnage per day beyond 1,700 tons per day would require an amendment to the Solid Facility Waste Permit (SWFP) 13-AA-0019. It is not anticipated that there will be a need to amend the SWFP in the near future.

The proposed CUP Amendment is to only allow additional waste from outside Imperial County. There are no other changes to the CUP, or the operations of the landfill being proposed. It is also worth noting that the anticipated waste to be deposited at the Allied Imperial landfill is waste that would likely be deposited at landfills requiring transport through Imperial Valley or to landfills that are further in distance than the Imperial Landfill from the point of origination.

- Currently, the Allied Imperial Landfill covers 337 acres which includes 31 acres of the closed portion of the landfill, 71 acres identified as “Remainder Area”, and the allowed active use areas consisting of the landfilling operation, the office and maintenance facilities, the scale house, the public drop off and the CDI area. **There are no proposed changes to the currently permitted use areas.**
- Currently, the landfill is permitted to receive a maximum of 1,700 tons per day of municipal solid waste, greenwaste and CDI and 400 vehicles per day pursuant to Solid Waste Facility permit 13-AA-0019. In order to meet the future growth needs of Imperial County, the approved Landfill Plan under CUP 07-0027 would allow for daily maximums of 1,800 tons per day and 475 vehicles per day beginning in 2013 and annually thereafter by a 3% increase per year for a total maximum of 3,882 tons per day. As of today, the CUP would allow up to 2,280 tons per day. **There are no proposed changes to the currently permitted waste volumes.**
- Currently, the landfill has a permitted maximum elevation of 1,055 feet (55 feet above MSL) and 130 feet above surrounding grade. **There are no proposed changes to the maximum permitted height of the landfill.**
- Currently, the landfill is permitted to receive 136 tons per day from Borrego Springs as well as from maquiladoras pursuant to the former NAFTA requirements. **There are no proposed changes to the currently allowed maximum tons per day from Borrego Springs.**

Further, the 1,200 tons per day amount was selected based on the current Solid Waste Facility Permit (SWFP) maximum level of waste allowed at 1,700 ton per day and the current sustained level of waste that has been entering the landfill which is roughly 400 tons per day. Since the landfill is permitted to accept up to 1,700 tons per day and there is a sustained level of 400 tons per day entering the landfill, there is a remainder of 1,300 tons per day that is permitted to enter the landfill that is not being utilized. Selecting a 1,200 tons per day limit for out of county waste (including waste from Borrego Springs) would provide a 100 ton per day buffer to account for variations in tonnage received. The 1,200 tons per day from outside the county would typically come from short term special projects and adjustments to those daily tonnage amounts could be lowered if necessary, to ensure that local waste deposits would take priority.

As mentioned, the current SWFP allows up to a maximum of 1,700 tons per day and this is 580 tons less than the 2,280 ton per day that the CUP currently allows. Additionally, there is no intention to revise the SWFP with this proposed CUP Amendment request for out of county waste. If it is determined to revise the SWFP, the request must still be less than the maximum allowed pursuant to the 3% annual allowed increase as specified in the CUP. Mitigation measures have already been incorporated into the CUP to address impacts created with increases to daily tonnage.

A certified Environmental Impact Report (EIR) was completed for the existing landfill, which includes a comprehensive Mitigation Monitoring and Reporting Program (MMRP) that contains monitoring, control, and/or reporting requirements in the areas of vectors, litter, dust, seismic impact, leachate,

erosion, water quality, landfill gas, landform alteration, odor, owl habitat protection, fire, worker safety, and fuel storage. The landfill operates under several permits and related documents, including an approved Joint Technical Document (JTD) which details the manner in which the landfill is required to operate. Note that in the remainder of this document, where applicable, information which already exists in reports, studies, and other materials related to the landfill is summarized briefly and referenced, rather than repeated at length and in full.

2.0 DESCRIPTION OF DESIGN CHANGES

Proposed design changes at the landfill are summarized below in Table 1 and discussed in detail in the remainder of this section. The detailed design and construction of the proposed project will be conducted in accordance with the requirements of Title 27 CCR and Subtitle D (40 CFR 258 via SWRCB Resolution 93-62), and appropriate citations are provided in Table 1.

**TABLE 1
SUMMARY OF PROPOSED DESIGN CHANGES
AND TECHNICAL REGULATORY CITATIONS**

DESIGN PARAMETER	EXISTING	PROPOSED/(regulatory citation)
Total Permitted Disposal Area	161 Acres Total 89 Acres Disposal 71 Acres Remainder	NO CHANGE REQUESTED
Remaining Life ¹	~ 62 Years	UPDATED - NO CHANGE REQUESTED
Remaining Capacity ¹	~ 13,521,003 Cubic Yards	UPDATED - NO CHANGE REQUESTED
Maximum Daily Volumes	CUP 07-0027 = 3,882 TPD WDID = 1,740 TPD	NO CHANGE REQUESTED NO CHANGE REQUESTED
Out of County Waste Permitted	136 tons per day from Borrego Springs only.	Up to 1,200 tons per day maximum from locations as far away as Los Angeles County or San Diego County. If from Riverside or San Bernardino County, same highway system will be used as from Los Angeles.
Maximum Elevation	55 Above Mean Sea Level 130 Feet Above Surrounding Grade	NO CHANGE REQUESTED NO CHANGE REQUESTED
Liner System	Subtitle D, Title 27 Composite (27 CCR 20310, 20320, 20323, 30324, 20330, 20370; SWRCB Resn. 93-62 IIIA; 40 CFR 258.40)	NO CHANGE REQUESTED
Leachate Management	Leachate Collection and Recovery System Provided (27 CCR 20340; SWRCB Resn. 93 62 IIIB; 40 CFR 258.40)	NO CHANGE REQUESTED
Groundwater Quality Monitoring	Perimeter System Provided (27 CCR 20415; 40 CFR 258.51 and 258.53)	NO CHANGE REQUESTED
Landfill Gas Management	Collection System Provided, and Monitoring Conducted (27 CCR 20919, 20920, 20937)	NO CHANGE REQUESTED

1. Remaining life and capacity for the existing landfill is based on approximations by Imperial Landfill, Inc. Remaining life for the landfill is based on the 2021 Aerial Budget Model.

2.1 GENERAL DESIGN PARAMETERS (NO CHANGE)

The design parameters that were approved for CUP 07-0027 are not proposed to be changed.

2.2 TOTAL DISPOSAL AREA, CAPACITY, AND REMAINING LIFE (NO CHANGE)

The existing, operating disposal area is 89 acres in size. There is no change proposed to the size of the landfill.

Currently, the existing 89-acre disposal cell has approximately 13,521,003 cubic yards of volume remaining, which equates to approximately 62 more years of operations before the cell is filled to capacity. The anticipated number of years of remaining landfill life has increased due to the high amount of recycling that has occurred and is anticipated to occur in the future.

2.3 MAXIMUM ELEVATION (NO CHANGE)

The existing landfill has a maximum permitted elevation of 1,055 feet (55 feet Above Mean Sea Level, or "AMSL"), which places it approximately 130 feet above the surrounding grade. The proposed CUP Amendment does not propose any changes to the landfill elevation.

2.4 LINER SYSTEM (NO CHANGE)

The existing disposal area is a lined unit that was constructed in accordance with plans which were approved by the CIWMB, LEA and RWQCB. In general, the existing liner design can be summarized as follows, beginning at the bottom of the liner system: 1) compacted subgrade, 2) geogrid, 3) two feet of compacted, low permeability clay, 4) 60-mil high density polyethylene (HDPE) liner, 5) a geocomposite LCRS drainage layer, and 6) a two-foot soil protective layer. This liner system has performed well in ensuring that no releases occur, as evidenced by the results of the routine groundwater monitoring conducted at the landfill. **There are no changes proposed for the liner system.**

2.5 LEACHATE MANAGEMENT (NO CHANGE)

The posed CUP Amendment will not affect the current leachate management system.

The existing 89-acre disposal area is equipped with a LCRS consisting of a network of 4-inch perforated piping installed in a bed of drain rock located immediately above the liner system and leading to collection sumps. This LCRS has performed well in ensuring that any leachate produced is collected and removed, as evidenced by the results of the system's routine inspections, and the groundwater monitoring conducted at the landfill.

As documented in annual reports to RWQCB, the existing, lined landfill area generates either little or no leachate. Based on laboratory analytical results on leachate generated to date, leachate has been shown to be viable for use in dust control in accordance with the approved Dust Control Plan, so no leachate disposal permit has been needed or obtained from any local POTW.

2.6 GROUNDWATER QUALITY MONITORING (NO CHANGE)

The groundwater quality monitoring system will not change.

Upgradient and downgradient groundwater monitoring of the existing disposal cells is currently provided and will continue to be utilized. The groundwater monitoring system will be installed prior to the new disposal cells accepting waste, and after receiving RWQCB and LEA approval.

The monitoring well network is monitored semiannually in accordance with the provisions specified in AIL's WDRs, and results to date have indicated no releases from the landfill to groundwater.

2.7 LANDFILL GAS MANAGEMENT (NO CHANGE)

The landfill gas (LFG) management will not change.

The existing, operating disposal cell and the closed, non-operating disposal cell are equipped with a perimeter LFG monitoring system located along the site's boundaries, and four semi-permanent probes (BHP11 - BHP14) located along the site's western boundary. These four locations will be abandoned, and additional locations will be established along the perimeter of the new cell area at the required spacing. The number of monitoring locations will be determined later but will not be less than the four that will be abandoned. Quarterly landfill gas monitoring is performed at the 14 current locations and within several landfill buildings in accordance with ILI's approved Landfill Gas Monitoring Plan, and results to date have indicated very low to nonexistent levels of landfill gas present in the monitoring probes.

The closed, non-operating disposal cell is equipped with an LFG collection system, which consists of a network of vertical landfill gas extraction wells that feed an automated blower/flare station. The operating portion of the landfill will be fitted with a similar LFG collection system as it fills nearer to capacity and approaches closure, and as described Section 3.6.1 of the Closure Plan for the 42-acre disposal cell (Section 9.0, Reference 8). The proposed new cell development would be equipped with a similar LFG collection system as it approached capacity, and the system would be designed, installed, and operated in accordance with CIWMB, LEA, RWQCB, and APCD requirements.

It is worth noting that if the Landfill Plan were not proposed, and the additional disposal capacity were not approved, the future waste generated within Imperial County would be disposed of elsewhere, producing LFG in that location instead of the Landfill Plan location.

3.0 DESCRIPTION OF OPERATIONS AND PROPOSED OPERATIONAL CHANGES

There are no changes proposed to the current operations of the landfill.

Current operations conducted at the landfill are provided in this section. Table 2 provides a summary comparison between existing and proposed conditions. Continued operation of the landfill will be conducted in accordance with the requirements of Title 27 CCR and Subtitle D (40 CFR 258 via SWRCB Resolution 93-62), and the appropriate citations provided in Table 2.

**TABLE 2
SUMMARY OF PROPOSED OPERATIONAL CHANGES
AND OPERATIONAL REGULATORY CITATIONS**

OPERATING PARAMETER	EXISTING	PROPOSED/(regulatory citation)
Maximum Tons Per Day	1,700 ¹	NO CHANGE REQUESTED
Traffic Volume (vehicles per day)	400	400
Type of Operations	MSW Disposal Greenwaste Shredding CDI Processing	NO CHANGE REQUESTED
Operating Days	7 Days a Week	NO CHANGE REQUESTED
Operating Hours	4:30 AM to 7:00 PM	NO CHANGE REQUESTED
Personnel	Typically, 14	NO CHANGE REQUESTED
Equipment	Landfill: 13 CDI: 7	NO CHANGE REQUESTED NO CHANGE REQUESTED
Approved Daily Cover Materials	Soil, Tarp, Shredded Greenwaste Final approval of ash and all ADCs approved by Title 27 requested. (27 CCR 20680, 21600(b)(6)(A and B))	NO CHANGE REQUESTED
Intermediate Cover	Soil (27 CCR 20700, 20705, 21090)	NO CHANGE REQUESTED
Final Cover	Approved Evapotranspirative Soil Cover and Rock Armor	NO CHANGE REQUESTED (27 CCR 20310, 20320, 20323, 20324, 20370, 21090; 40 CFR 258.60)
Soil Borrow Sources	Combination of Onsite and Permitted Offsite	NO CHANGE REQUESTED
Scale House Location	Approximate Center of Existing Site	NO CHANGE REQUESTED
1. 1,700 TPD maximum per SWFP. CUP allows 3% annual increase beginning 2013 above 1,800 TPD.		

3.1 TYPE OF OPERATIONS (NO CHANGE)

No change is proposed for the continued operations of the landfill.

Currently, landfill operations include disposal of municipal solid waste, shredding of greenwaste, and processing of construction, demolition, and inert debris (CDI). These operations are described in detail in Section 5.0 of AIL's JTD, as well as its CDI Processing Operations Plans (Section 9.0, References 3, 4, and 5), and include detailed discussions of:

- Refuse Unloading and Disposal
- Spreading and Compaction of Waste
- Inclement Weather Operations
- Daily, Intermediate, and Final Cover Placement
- Greenwaste Processing and Recycling
- CDI Processing.

3.2 OPERATING DAYS AND HOURS (NO CHANGE)

No change to the operating days and hours is being proposed.

The operating hours are from 4:30 AM to 7:00 PM, Monday through Saturday for all operations and waste acceptance, and allow facility operation to continue two hours beyond that time to ensure adequate time for daily cover application. The landfill would continue to remain closed to the public on Sunday, although limited commercial disposal is allowed on Sundays as needed.

3.3 TONNAGE AND TRAFFIC (NO CHANGE)

There are no changes proposed for the total daily tonnage and total vehicles permitted to enter the landfill.

Currently, the landfill is limited to 1,700 tons per day and 400 vehicles pursuant to the SWFP, and 1,800 tons per day and 475 vehicles per day maximum pursuant to CUP 07-0027 with no additional mitigation measure being required within these limits.

The landfill is proposing pursuant to this CUP Amendment to be allowed to accept out of county waste. This would allow the landfill to accept waste typically from large clean up jobs outside the county, but still located closer to the AIL than any alternative disposal site. Many of these clean up jobs are already transporting waste through the county to landfills in Arizona or further distances away. Regardless, there are no additional vehicles proposed to enter the landfill beyond the number of vehicles currently permitted via the current SWFP or the current CUP.

3.4 DISPOSAL OPERATIONS (NO CHANGE)

No changes in disposal operations are being proposed other than the allowance for waste from outside the county.

Disposal operations are described in detail in AIL's JTD. A brief summary description is provided below.

Nonhazardous solid waste is accepted at the landfill as defined by Title 27 CCR solid waste regulations and AIL's SWFP and WDRs, and includes, but is not necessarily limited to, residential and commercial waste, nonhazardous industrial waste, construction and demolition debris, inert debris, sewage sludge, inert solid fill, ash, non-friable asbestos and greenwaste. Household hazardous materials that are not accepted at the facility, but are occasionally commingled with other waste, are separated and managed in accordance with AIL's approved Waste Acceptance Plan

Waste brought in by commercial and industrial haulers will be unloaded at the working face of the landfill, and a compactor is used to push, spread, and compact the waste in layers. At the end of each working day, the waste will be covered with a minimum of six inches of soil or an approved alternative daily cover (ADC). The JTD provides detailed requirements for inclement weather operations.

3.5 PERSONNEL (NO CHANGE)

No change to personnel is proposed.

AIL's operational and compliance history has shown that the current staffing level at the landfill is adequate to conduct daily operations and site maintenance in a responsible manner. AIL's JTD discusses landfill personnel and staffing topics in detail.

Landfill operations personnel are responsible for a variety of activities including disposal activities at the site, compacting and covering waste, hauling and stockpiling cover material, preparing fill area grades, controlling dust, constructing surface water drainage control facilities, directing traffic, and controlling litter. Personnel receive regular training in these and other areas.

Landfill administration and engineering/environmental staff are responsible for a variety of activities including review of personnel and equipment needs, handling public inquiries and complaints, establishing landfill operating and design criteria, evaluating topographic data, monitoring operations, ensuring permit and general environmental compliance, and coordinating and interfacing with regulatory agencies, in addition to managing the business aspects of landfill operations.

Personnel levels are not typically limited by permit conditions. Rather, it is essential to provide enough trained personnel to conduct operations in a safe, responsible manner, and in accordance with all permit requirements. In order to continue responsible operations under the proposed Landfill Plan project, AIL is estimating that the required level of personnel will increase from a typical level of 9 employees to 14 employees.

3.6 EQUIPMENT (NO CHANGE)

No change in the equipment levels is being proposed.

The JTD describes the equipment utilized to adequately conduct landfill operations.

3.7 COVER (NO CHANGE)

No change to the daily cover is proposed.

Currently, as described in the JTD and in compliance with the Solid Waste Facility Permit, Waste Discharge Requirements and the relevant portions of Title 27 CCR, the existing landfill may utilize soil, a geomembrane tarp, or greenwaste for daily cover. The landfill proposes to continue to meet daily cover needs as currently utilized.

The JTD sets forth the requirements for intermediate cover design and placement. No changes are posed in the area, with offsite soils being required to meet these needs in the future.

The JTD and Final Closure Plan set for the requirements for the design and placement of the evapotranspirative or "ET" final cover for the currently operating lined disposal cell. No changes are proposed.

3.8 PROCESSING OF GREENWASTE (NO CHANGE)

No change in the greenwaste (or "processed green material") processing methods currently utilized are being proposed.

Greenwaste processing assists local communities in meeting their AB 939 diversion goals, and those operations are described in detail in the JTD. In summary, shredded greenwaste may be utilized as alternative daily cover (ADC) on the landfill. In order to remove any undesirable contamination from the greenwaste and size it appropriately for use as cover material, the greenwaste is first cleaned and shredded prior to being utilized as ADC.

3.9 CONSTRUCTION, DEMOLITION, AND INERT (CDI) DEBRIS PROCESSING (NO CHANGE)

No change to CDI processing is being proposed.

CDI processing assists local communities in meeting their AB 939 diversion goals and is currently approved at a level of 350 tons per day (average basis), as described in detail in the JTD and its Large Volume CDI Processing Operations Plan. These large volume CDI operations will be conducted in general as follows:

CDI materials are brought into the facility, weighed, unloaded, and spread out onto a pad using a loader or excavator. The loader or excavator then segregates the larger items. The smaller materials are then sorted by passing them over a screen or trommel to remove fines, and then sent down a processing line where the remainder of the material is sorted by hand into approximately six categories of materials which are stockpiled before being transported offsite for recycling and reuse, with some components (likely "fines") potentially being utilized as ADC in the future, after

obtaining appropriate approval under the requirements of Title 27 CCR. Additionally, larger-sized wood, concrete, and/or asphalt is segregated and ground and/or chipped for use as landscaping material, aggregate, clean fill, biomass, or similar useful material.

Maximizing the rate of processing CDI materials generated within Imperial County will help increase the life span of the proposed expanded landfill by salvaging materials for recycling and/or reuse which would otherwise be disposed of as waste.

3.10 OFFSITE BORROW SOURCES (NO CHANGE)

No changes are proposed for offsite borrow sources.

Currently, due to an onsite soil deficit for the existing landfill, offsite borrow sources are likely to be utilized in conjunction with onsite soils and ADC to meet the soil and daily cover needs at the existing landfill, and this will continue to be the case for the landfill throughout its anticipated life span.

The EIR for CUP 07-0027 identified three potential locations for off-site borrow sources. Two potential areas north of the landfill and one area south of the landfill. Those potential location will not change as a part of this CUP Amendment.

4.0 EXISTING FACILITY PERMITS

The permits under which the landfill operates are listed below.

- **Solid Waste Facility Permit No. 13-AA-0019 issued by the Imperial County Public Health Services, Division of Environmental Health Services acting as the Local Enforcement Agency (LEA) for the Department of Resources Recycling and Recovery (CalRecycle).**
- **Conditional Use Permit (CUP 07-0027) Issued by the Imperial County Planning & Development Services Department, as recorded November 8, 2010. The CUP was issued after completion of a certified Environmental Impact Report (EIR) for the existing landfill, consisting of a Final EIR (SCH No. 2007121049)**
- **Air Pollution Control District Permit - As required, in March 2016, ILI submitted a renewal application for its Title V Permit No. 2625-V and the APCD is processing its application.**
- **Waste Discharge Requirements by Order Nos. R7-2013-0013 combined with Orders R7-2011-0040 and R7-2005-0093, issued by the California Regional Water Quality Control Board, Colorado River Basin Region.**
- **General Permit CAS000001 to discharge stormwater runoff associated with industrial activity under the National Pollution Discharge Elimination System Program (NPDES).**
- **Imperial Irrigation District (water rights, multiple Contract Account Nos.).**

Application to amend, revise, or renew these permits as appropriate for the continued operation of the landfill will be made by ILI at the appropriate time. Future construction and operation of the landfill will continue to meet all the required permits and their relevant requirements.

5.0 RELEVANT AGENCIES

The following agencies are responsible for review, evaluation and approval of the revision/update to the SWFP and CUP:

- **Imperial County Environmental Health & Consumer Protection Services, the Local Enforcement Agency (LEA):** Responsible for issuing and enforcing the SWFP Permit for the facility.
- **California Integrated Waste Management Board (CIWMB):** In cooperation with the LEA, responsible for issuing and enforcing the SWFP Permit for the facility.
- **California Regional Water Quality Control Board (RWQCB), Colorado River Basin Region:** Responsible for issuing and enforcing the WDRs for the facility.
- **Imperial County Air Pollution Control District:** Responsible for issuing and enforcing the "Authority to Construct and Permit to Operate" for air discharges at the facility.
- **Imperial County Planning & Development Services Department:** Responsible for issuing and enforcing the CUP for the facility, which addresses issues including conformance to local ordinances, assurance that the provisions of the SWFP are consistent with local planning and zoning, and assurance that the project has conformed to the requirements of CEQA.
- **Imperial Irrigation District:** Responsible for issuing and monitoring water rights associated with the parcel upon which the proposed project will be constructed.
- **Federal Aviation Administration:** Responsible for evaluation of proposed project's impact, if any, on aviation safety (primarily through review of Form 7460-1, to be submitted by ALL).

6.0 SITE DESCRIPTION

6.1 LOCATION (NO CHANGE)

No change to the location parameters.

The current facility is located at 104 East Robinson Road, within the unincorporated south-central portion of Imperial County north of the cities of El Centro and Imperial. The location is further defined as being in Section 9 and 10, T15S, R14E of the San Bernardino Baseline and Meridian (El Centro 7.5' Quadrangle). The landfill has been in continuous operation since the mid-1960's and accepts only nonhazardous solid waste in accordance with waste classification in the California Code of Regulations (CCR) Title 27.

6.2 SURROUNDING LAND USE (NO CHANGE)

No change to the surrounding land use designations as a part of the proposed request.

Surrounding land use can be summarized as including agricultural operations, soil borrow operations, fallow land, and rural residential development. These uses are consistent with much of Imperial County. As also discussed in the JTD, there are a total of five residences located within 1,000 feet of the existing landfill site, (two residences within 750 feet on Trentham Road, two residences 50 and 80 south of Robinson Road and one residence approximately 500 feet to the northeast on a private road adjacent to Rose Canal). There are 17 residences within one-half mile of the proposed Landfill Plan project, and 54 residences within one mile.

7.0 DESCRIPTION OF REGIONAL AND SITE CONDITIONS

7.1 DRAINAGE AND EROSION CONTROL (NO CHANGE)

No change to the drainage or erosion control measures.

Drainage and erosion control are provided as required for the existing landfill and will not change pursuant to the CUP Amendment request.

The JTD describes in detail how the current landfill is designed to provide safe and efficient control of drainage and erosion control in accordance with all relevant permit and regulatory requirements. Through the future development of a revised SWFP with the LEA and revised and/or additional WDRs with the RWQCB, similar techniques and requirements for control of these parameters continue to be implemented at the landfill. Current measures at the existing site can be summarized as follows:

The landfill surface drainage control features are designed and constructed to consider a 24-hour, 100-year storm event. The final surface of the closed 31-acre portion of the landfill is sloped to prevent ponding and promote lateral run-off of stormwater to the adjacent sedimentation basin, and the final surface of the combined operating 42-acre portion and 89-acre new cell will be constructed in a similar manner. Any stormwater falling into the new cell that infiltrates through the waste will be collected by the leachate collection and recovery system. The only water near the landfill is in the irrigation and drain canals located immediately to the north and south. These structures are well below the landfill in elevation, and the existing and proposed landfills themselves are well above the natural surrounding grade, so no potential exists for run-on of stormwater.

Detention and sedimentation basins currently exist in the central and eastern portions of the site for collection of stormwater runoff. The eastern-most basin discharges stormwater from the site to McCall Drain 1B in accordance with the landfill WDRs, although due to the prevailing hot, dry climate, such discharge seldom occurs. Additional details of the site's surface water drainage controls are contained in the Stormwater Pollution Prevention Plan of the JTD.

7.2 GEOLOGY AND SEISMICITY (NO CHANGE)

No change to the geology and seismicity as a part of this CUP Amendment.

Local and regional geology and seismicity are discussed and evaluated in detail in the certified EIR previously prepared for the existing landfill. Geology and seismicity have also been investigated and described in great detail for the existing landfill in the JTD, as well as references in the EIR. Topics of discussion include faulting, slope stability, liquefaction potential, groundwater flow, and regional geology. A summary of available information is provided below.

The Imperial Valley is also referred to as the Salton Trough, a large structural depression/basin at the boundary of the Pacific and North American lithospheric plates. Active fault zones occur in the Valley, and seismic activity occurs frequently in the Imperial Valley, but not at perceptible levels. Periodically, earthquakes occur that are large enough to be felt.

7.3 HYDROGEOLOGY (NO CHANGE)

No change to hydrogeology as a part of this CUP Amendment.

Site groundwater and drainage and erosion control are discussed in detail in JTD.

7.4 LANDFILL GAS (NO CHANGE)

No change to the landfill gas (LFG) as a part of this CUP Amendment.

Landfill gas is discussed in detail in the JTD.

7.5 STORMWATER MONITORING (NO CHANGE)

No change to stormwater monitoring as a part of this CUP Amendment.

The landfill is subject to stormwater monitoring requirements included in WDRs issued by the RWQCB prior to the new disposal cell accepting waste.

Stormwater monitoring of the existing landfill is discussed in detail in the JTD, and in the Stormwater Pollution Prevention Plan, which is reviewed and revised as required. Stormwater monitoring results to date have not indicated evidence of landfill impacts to the surface water.

7.6 LITTER CONTROL (NO CHANGE)

No change to litter control methods as a part of this CUP Amendment.

The allowance for out of county waste will not affect litter control effectiveness. Windblown litter is controlled on the existing landfill site in accordance with the detailed requirements discussed in the JTD. A combination of portable litter collection fences and litter collection patrols effectively control litter.

7.7 SITE UTILITIES (NO CHANGE)

No change to site utilities are proposed as a part of this CUP Amendment.

An adequate supply of water is available at the existing landfill site for dust control and equipment wash down. Water is provided by the Imperial Irrigation District through the All-American Canal and distributed to the landfill through a number of feeder canals. These utilities are anticipated to be capable of providing for the needs of the proposed Landfill Plan.

Permanent sanitary facilities for site personnel are available at the existing landfill site.

8.0 ENVIRONMENTAL FACTORS

8.1 LANDFORM ALTERATION/VISUAL RESOURCES (NO CHANGE)

No change to the landform or visual resources are a part of this CUP Amendment.

The project site is located within the south-central portion of the Imperial Valley, which is broad and flat and gently slopes to the northeast. In the vicinity of the project site, the topography is virtually flat except along the eastern boundary of the site, where vertical movement of the Imperial Fault has produced a scarp which is approximately 10 to 15 feet above the surrounding area.

The landfill itself presents the greatest elevation difference in the area. The top of the existing, closed 31-acre disposal cell is approximately 605 feet above the surrounding grade, and the top of the existing operating area is permitted up to a height of 130 feet above the surround grade when filled to capacity. The exterior slopes of the landfill are linear and have a smooth appearance with little to no vegetation. Woody vegetation within existing setback areas along the south and east portions of the site provide a visual transition between the valley floor and landfill side slopes.

8.2 AGRICULTURE RESOURCES (NO CHANGE)

No change to the agricultural resources is proposed as a part of the CUP Amendment.

Because agriculture is an important economic activity of Imperial County, the County's General Plan expresses a major concern for the loss of important farmland to urban and other uses. As referenced in the existing FEIR, only a small portion of the existing landfill area may have been farmed at some time in the past, but it is not currently. Highly alkaline soils may have been at least part of the reason that farming practices were abandoned long ago.

8.3 AIR QUALITY AND TRAFFIC IMPACTS

8.3.1 GENERAL

The Southeast Desert Air Basin includes the hottest and driest parts of California, with a climate characterized by hot, dry summers and relatively mild winters. The average minimum and maximum temperatures (occurring in January and July) in the City of Imperial are 42 degrees and 106 degrees Fahrenheit, respectively. Rainfall is generally received from July to March with average seasonal rainfall being approximately 2.75 inches. Wind in the area is predominately from the south and west.

Agricultural activity in the Imperial Valley tends to raise the local humidity. During the summer months humidity is very low, from 30 to 50 percent in the morning to 10 to 20 percent in the late afternoon. However, humidity below 10 percent is common during extremely hot weather. These conditions present intense solar radiation in the form of photochemical smog (ozone).

Traffic entering the current landfill site generates particulate emissions resulting from travel over the site's internal unpaved roads, which are watered regularly in compliance with the approved Dust Control Plan, and PM10 emissions are monitored and reported as required by the ICAPCD permit.

Based on the comments received from the Imperial County Air Pollution Control District (ICAPCD) and County Staff, a revised Air Quality Analysis dated May 5, 2020 was prepared. In order to provide a more concise and acceptable analysis, the CUP applicant (Republic Services, Inc.) decided to hire a different air quality expert. LSA was selected to perform the revised air quality analysis. With their close attention to detail and interaction with the ICAPCD, LSA was able to provide an analysis that met the needs of the ICAPCD and the ICAPCD appears to be satisfied with the results of the analysis. Provided with this project description is the air quality analysis and the email response from the ICAPCD indicated their acceptance.

8.3.2 EQUIPMENT EMISSIONS (NO CHANGE)

No changes are proposed for on-site equipment as a part of this CUP Amendment.

The FEIR assesses and supports the use of 13 pieces of equipment for landfill operations, and 7 pieces of equipment for large volume CDI processing.

Equipment utilized at the landfill is discussed in detail in the JTD in the CDI Processing Operations Plan.

8.4 BIOLOGICAL RESOURCES (NO CHANGE)

No changes to the biological resources are proposed as a part of this CUP Amendment.

The FIER conducted a thorough analysis of the biological impacts of the landfill operation. Mitigation measures were incorporated and followed through the continued operations of the landfill. Each new cell segment is required to conduct a biological survey prior to the issuance of grading permits. The proposed CUP Amendment will not change the mitigation measures or protocols currently being implemented.

8.5 CULTURAL AND PALEONTOLOGICAL RESOURCES (NO CHANGE)

No changes to the cultural and paleontological resources are proposed as a part of this CUP Amendment.

The FIER conducted a thorough analysis of the cultural and paleontological impacts of the landfill operation. Mitigation measures were incorporated and followed through the continued operations of the landfill. Each new cell segment is required to conduct a cultural and paleontological survey prior to the issuance of grading permits. The proposed CUP Amendment will not change the mitigation measures or protocols currently being implemented.

8.6 GEOLOGY AND SOILS (NO CHANGE)

No changes to the geology and soils are proposed as a part of this CUP Amendment.

The FIER conducted a thorough analysis of the geology and soils impacts of the landfill operation. The proposed CUP Amendment will not change any mitigation measures or protocols currently being implemented.

8.7 HAZARDS AND HAZARDOUS MATERIALS (NO CHANGE)

No change to hazards and hazardous materials are proposed as a part of this CUP Amendment.

As a Class III landfill, AIL currently accepts residential, commercial, industrial, agricultural, construction, demolition and other nonhazardous wastes, as well as greenwaste and CDI. No hazardous, explosive, or toxic substances are accepted for disposal. The proposed CUP Amendment will maintain this Class III designation.

8.7.1 WASTE SCREENING PRIOR TO ACCEPTANCE (NO CHANGE)

No change to waste screening protocols are proposed as a part of this CUP Amendment.

The landfill is currently utilizing an LEA-approved Waste Acceptance Plan which includes a load checking program to screen for hazardous materials (i.e., hazardous, unacceptable, and prohibited waste). If hazardous substances are found within the loaded vehicles, they are turned away from the landfill and the load is rejected. Additional load checking is conducted at the working face as loads are unloaded. Load checkers and equipment operators are trained and instructed to observe the waste and identify hazardous materials before they are compacted and covered. If observed, the materials are categorized and segregated from the tipping area. Once segregated from the tipping area, the materials are stored in a hazardous materials storage shed for a period not to exceed 90 days and transported to an approved and permitted Treatment, Storage, and Disposal Facility (TSDF) for disposal. These practices are discussed in detail in the JTD and will continue to be maintained.

8.7.2 LANDFILL GAS (NO CHANGE)

No change to landfill gas is proposed as a part of this CUP Amendment.

Landfill gas is discussed further in Section 2.7 of this Project Description.

8.7.3 FIRES (NO CHANGE)

No change to fire preventions measures or requirements are proposed as a part of this CUP Amendment.

The site is highly disturbed with no vegetation occurring near the working face. There is a potential for surface fires as hot or smoldering loads delivered to the site may ignite combustible waste. However, surface fires can be contained by site personnel with use of the onsite water truck and earthmoving equipment. Site personnel can call for immediate assistance as the nearest fire station is only three miles away.

These fire hazards are mitigated by the landfill Emergency Response Plan and the proposed CUP Amendment will not alter existing procedures.

8.7.4 SENSITIVE RECEPTORS (NO CHANGE)

No change to sensitive receptors is proposed as a part of this CUP Amendment.

There are no schools within the vicinity of the site, and the current landfill operations does not have any impacts on the local school system.

8.7.5 AIRPORTS AND EMERGENCY RESPONSE PLAN (NO CHANGE)

No change to the airport and emergency response plan is proposed as a part of this CUP Amendment.

The closest airfield is the Imperial County Airport located approximately three miles southwest of the existing landfill and proposed Landfill Plan project site. Also near the site are the Dovehill Airstrip and the El Centro Naval Air Station, located approximately 4.5 miles south and 7.7 miles west/southwest of the site, respectively. The existing landfill is not within the normal approach and departure patterns of these airports or any other airport.

8.7.6 OTHER HAZARDS (NO CHANGE)

No change to other hazards is proposed as a part of this CUP Amendment.

Employees at the existing landfill may potentially be exposed to small amounts of illegally disposed hazardous wastes, sharp objects within the waste stream, and prolonged exposure to dust, odors and noise levels. Additionally, a slight potential risk for fuel release exists at the site, although on-site fuels are limited to diesel which is stored in an above-ground, self-contained, vaulted tank.

These hazards are mitigated to a minimal level through effective supervision, safe work practices, and routine training in those practices, and this will remain the case for the proposed project.

8.8 HYDROLOGY AND WATER QUALITY (NO CHANGE)

No change to hydrology and water quality is proposed as a part of this CUP Amendment.

Hydrology and water quality are discussed in Section 7.3 of this Project Description.

8.9 LAND USE AND PLANNING (NO CHANGE)

No change to land use and planning is proposed as a part of this CUP Amendment.

The existing landfill is located on 337 acres in the unincorporated south-central portion of Imperial County approximately two miles north of the City of El Centro, seven miles south of the City of Brawley, one mile east of the City of Imperial, and roughly one half mile west of Highway 111. The existing site is bounded by Neckel Road on the north, 160 acres of vacant land to the west, Robinson road on the south and approximately 140 acres of vacant land to the east before Highway 111.

The General Plan land use designation for the existing landfill area is SPF (Special Purpose Facility). The existing site also has a zoning designation of G/S (Government/Special Public Zone). In accordance with the Imperial County General Plan, landfill operations are only conditionally allowed within SPF General Plan land use designation and subject to the approval of a Conditional Use Permit. The existing facility currently maintains a valid Conditional Use Permit (CUP 07-0027, recorded November 8, 2010).

8.10 MINERAL RESOURCES (NO CHANGE)

No change to mineral resources is proposed as a part of this CUP Amendment.

The existing landfill site is not in a mineral resource area designated by the Division of Mines and Geology and no significant resource is known to exist onsite.

8.11 NOISE (NO CHANGE)

The proposed CUP Amendment will not result in any change related to noise.

The existing landfill has been in operation since mid-1960's, is considered part of the existing acoustic environment, and is located in a relatively low background noise setting, as is the proposed new development area of the Landfill Plan. The land surrounding the existing site and proposed Landfill Plan site is generally flat, with an elevation varying between 75 and 85 feet below mean sea level.

The existing site is permitted to receive up to a maximum of 475 vehicles per day pursuant to CUP 07-0027 and 400 vehicles per day pursuant to the SWFP. The proposed CUP Amendment does not propose to change the number of vehicles entering the landfill site.

The landfill currently operates a shredder in the east-central portion of the site to process green waste to use as ADC, and also conducts CDI processing in this same general location. These operations and equipment will remain at least 750 feet from the site boundaries (or behind approved screening/noise attenuation berms), in order to attenuate noise, as required by various landfill permits, and the JTD.

8.12 POPULATION AND HOUSING (NO CHANGE)

The proposed CUP Amendment will not result in any change related to population and housing.

As discussed in the FEIR, the operation of the existing landfill has no direct impact on population, housing or demographics of the area. The landfill is located in an area zoned Heavy Agriculture, and the area surrounding the site is zoned General Agriculture. No incompatible land use is directly affected by the landfill operation.

8.13 PUBLIC SERVICES (NO CHANGE)

The proposed CUP Amendment will not result in any change related to public services.

During the processing of CUP 07-0027 and the associated EIR, potential impact on public services was evaluated in detail, and not found to be significant. Public services which were evaluated are listed below, along with a brief summary discussion:

A. Fire Protection: The fire hazard potential at a landfill consists of structure fire, fire at the working face of the landfill, and ignition of accidentally released landfill gas. The operational procedures and mitigation measures in place at the facility have reduced the fire hazard potential. Fire protection is provided by onsite personnel with the use of onsite equipment. The Imperial County Fire Department is also available to provide fire protection.

B. Police Protection: Disposal operations at the landfill have not historically required police protection services, and the landfill implements security measures that would continue.

C. Schools: The existing landfill has no significant impact on the local school system.

D. Parks/Related Facilities: The existing landfill has no significant impact on the local parks system.

E. Public Facilities Maintenance: The landfill is a facility that primarily serves the waste disposal needs of Calxico, Imperial, Calipatria, Holtville, El Centro, and portions of the unincorporated areas of Imperial County. The landfill provides an essential public service and will continue meet the local needs. Although the CUP Amendment proposes to allow up to 1,200 tons per day, this amount does not exceed the currently permitted thresholds for acceptance. ILI will ensure that the local needs are always met before allow waste from outside the county to be deposited.

8.14 TRAFFIC

The proposed CUP Amendment does not increase the number of vehicles per day allowed to enter the landfill. The proposed CUP amendment proposes to allow up to 1,200 tons per day of waste from locations outside of the County of Imperial to be transported to the landfill. The proposed 1,200 tons per day would equate to 54 transfer trucks that would be using the same roadway system in close proximity to the landfill as analyzed in the existing FEIR for CUP 07-0027. A supplemental analysis was prepared to analyze the impacts of the 54 transfer trucks utilizing roadways further from the landfill within the County of Imperial. The results of the analysis are that no significant impacts to roadways will result from the 1,200 tons per day being transported from outside Imperial County.

Please see the “Transportation Impact Analysis – Allied Imperial Landfill” as prepared by Linscott Law and Greenspan dated September 8, 2020. This updated TIA changed some of the primary assumptions as contained in the previous prepared TIA dated July 26, 2019. Also, it should be noted that Linscott Law and Greenspan prepared the TIA contained in the FEIR for CUP 07-0027.

8.15 UTILITIES AND SERVICE SYSTEMS (NO CHANGE)

The proposed CUP Amendment will have no effect on public utility or infrastructure including power, natural gas, communication systems, water, sewer, or storm drainages.

END OF PROJECT DESCRIPTION

CONDITIONAL USE PERMIT

I.C. PLANNING & DEVELOPMENT SERVICES DEPT.
801 Main Street, El Centro, CA 92243 (760) 482-4236

- APPLICANT MUST COMPLETE ALL NUMBERED (black) SPACES - Please type or print -

1. PROPERTY OWNER'S NAME Imperial Landfill, Inc. Contact: Peter Sterenberg	EMAIL ADDRESS psterenberg@republicservices.com	
2. MAILING ADDRESS (Street / P O Box, City, State) 104 E. Robinson Road, Imperial, CA	ZIP CODE 92251	PHONE NUMBER 760.353.1100
3. APPLICANT'S NAME Allied Imperial Landfill Contact: Steven Hall	EMAIL ADDRESS Shall5@republicservices.com	
4. MAILING ADDRESS (Street / P O Box, City, State) 104 E. Robinson Road, Imperial, CA	ZIP CODE 92551	PHONE NUMBER 760.353.1100
4. ENGINEER'S NAME N/A	CA. LICENSE NO. N/A	EMAIL ADDRESS N/A
5. MAILING ADDRESS (Street / P O Box, City, State) N/A	ZIP CODE N/A	PHONE NUMBER N/A
6. ASSESSOR'S PARCEL NO. 044-030-06 and 044-030-24	SIZE OF PROPERTY (in acres or square foot) 337 Acres Total	ZONING (existing) G/S
7. PROPERTY (site) ADDRESS 104 E. Robinson Road, Imperial, CA 92551		
8. GENERAL LOCATION (i.e. city, town, cross street) East of Dogwood Road and North of Robinson Road, East of the City of Imperial		
9. LEGAL DESCRIPTION Tract 222, Section 9, Township 15 South, Range 14 East, S.B.M., in an unincorporated area of the County of Imperial, CA		

PLEASE PROVIDE CLEAR & CONCISE INFORMATION (ATTACH SEPARATE SHEET IF NEEDED)

10. DESCRIBE PROPOSED USE OF PROPERTY (list and describe in detail)	The request is for an amendment to the existing Conditional Use Permit # 0027-07 to allow for out of county waste to be deposited at the landfill.
11. DESCRIBE CURRENT USE OF PROPERTY	MSW Landfill
12. DESCRIBE PROPOSED SEWER SYSTEM	Existing - No Change Proposed
13. DESCRIBE PROPOSED WATER SYSTEM	Existing - No Change Proposed
14. DESCRIBE PROPOSED FIRE PROTECTION SYSTEM	Existing - No Change Proposed
15. IS PROPOSED USE A BUSINESS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	IF YES, HOW MANY EMPLOYEES WILL BE AT THIS SITE? 14 +/-

I / WE THE LEGAL OWNER (S) OF THE ABOVE PROPERTY CERTIFY THAT THE INFORMATION SHOWN OR STATED HEREIN IS TRUE AND CORRECT.

Peter Sterenberg September 18, 2020
 Print Name Date
 Signature

 Print Name Date
 Signature


REQUIRED SUPPORT DOCUMENTS

A. SITE PLAN	_____
B. FEE	\$5,500
C. OTHER	_____
D. OTHER	_____

APPLICATION RECEIVED BY: _____	DATE _____	REVIEW / APPROVAL BY OTHER DEPT'S required.
APPLICATION DEEMED COMPLETE BY: _____	DATE _____	<input type="checkbox"/> P. W.
APPLICATION REJECTED BY: _____	DATE _____	<input type="checkbox"/> E. H. S.
TENTATIVE HEARING BY: _____	DATE _____	<input type="checkbox"/> A. P. C. D.
FINAL ACTION: <input type="checkbox"/> APPROVED <input type="checkbox"/> DENIED	DATE _____	<input type="checkbox"/> O. E. S.
	DATE _____	<input type="checkbox"/> _____
	DATE _____	<input type="checkbox"/> _____

CUP #
19-0016

15# 19-001 a

SOLID WASTE FACILITY PERMIT				1. Facility/Permit Number: 13-AA-0019		
2. Name and Street Address of Facility: Imperial Landfill 104 East Robinson Road Imperial, CA 92251		3. Name and Mailing Address of Operator: Imperial Landfill, Inc. 3354 Dogwood Road Imperial, CA 92251		4. Name and Mailing Address of Owner: Imperial Landfill, Inc. 3354 Dogwood Road Imperial, CA 92251		
5. Specifications:						
a. Permitted Operations:						
<input checked="" type="checkbox"/> Solid Waste Disposal Site		<input type="checkbox"/> Transfer/Processing Facility				
<input type="checkbox"/> Composting Facility		<input type="checkbox"/> CDI Debris Processing Facility				
<input type="checkbox"/> Transformation Facility		<input checked="" type="checkbox"/> Other (Greenwaste Processing)				
b. Permitted Hours of Operation: 4:30 AM to 9:00 PM, Monday – Saturday (Refer to Condition 17(k))						
• Commercial Disposal Hours:		<u>4:30 AM to 7:00 PM</u>				
• Public Disposal Hours:		<u>8:00 AM to 4:00 PM</u>				
• Greenwaste/CDI Debris Processing Hours:		<u>7:00 AM to 7:00 PM</u>				
c. Permitted Maximum Tonnage: 1,700 tons per day						
• Non-Hazardous – Solid Waste		<u>1,700 tpd</u>				
• Non-Hazardous – CDI Debris		<u>(Refer to Condition 17(q))</u>				
d. Permitted Traffic Volume: 400 vehicles per day						
e. Key Design Parameters:						
	Total	Disposal	Transfer	MRF	Composting	Transformation
Permitted Area (in acres)	337 ac	182 ac	N/A	N/A	N/A	N/A
Remaining Capacity		15.4 million cy	N/A	N/A	N/A	N/A
Max. Elevation (ft. MSL)		50 ft				
Max. Depth (ft. BGS)		5 ft				
Estimated Closure Date		2040				
Upon a significant change in operation from that described herein, this permit is subject to revocation or suspension. The attached permit findings and conditions are an integral part of this permit and supersede the conditions of any previously issued solid waste facility permits. This permit does not release the operator from its responsibility under any other existing laws, ordinances, regulations, or statutes of other government agencies.						
6. Approval:  _____ Approving Officer Signature Jeff Lamoure, Deputy Director Division of Environmental Health Name/Title			7. Local Enforcement Agency Name and Address: Imperial County Public Health Department Division of Environmental Health 797 West Main Street, Suite B El Centro, California 92243			
8. Received by CalRecycle: August 23, 2011			9. CalRecycle Concurrence Date: October 17, 2011			
10. Permit Review Due Date: October 21, 2016			11. Permit Issued Date: October 21, 2011			
11A. Next Permit Review Due Date: October 4, 2021	11B. Permit Transfer Date:		11C. Permit Review Date: October 4, 2016			

SOLID WASTE FACILITY PERMIT

Facility/Permit Number:

13-AA-0019**12. Legal Description of Facility (See Drawing G02 of the JTD for Site Plan):**

The Imperial Landfill is located in the unincorporated area of Imperial County at 104 East Robinson Road, approximately 3 miles east-northeast of the City of Imperial, California. The legal facility boundary encompasses Tract 222 and portions of Tracts 197 and 223 within Section 9, Township 15 South, Range 14 East, San Bernardino Baseline and Meridian. Assessor Parcel Numbers: 044-030-006 and 044-030-024. Latitude 32°51' North and Longitude 115° 31.5' West.

13. Findings:

- a. This permit is consistent with the Imperial County Solid Waste Management Plan (CIWMP), which was approved by the California Integrated Waste Management Board (CIWMB) on May 23, 2000 (see pages 28 and 29 of the CIWMP). The location of the facility is identified in the Countywide Siting Element. Public Resources Code, Section 50001(a)(1).
- b. This permit is consistent with standards adopted by the California Department of Resources, Recycling and Recovery (CalRecycle, formerly CIWMB). Public Resources Code, Section 44010.
- c. The Local Enforcement Agency (LEA) has determined that the design and operation of the facility is in compliance with State Minimum Standards for solid waste handling and disposal at this site. Public Resources Code, Section 44009.
- d. The Imperial County Fire Department has determined that the facility is in conformance with applicable fire standards. Public Resources Code, Section 44151.
- e. A Final Environmental Impact Report (FEIR) dated March 2010 was filed with the State Clearinghouse (SCH No. 2007121049) and certified by the Imperial County Board of Supervisors on September 21, 2010 in support of this Solid Waste Facility Permit. A Notice of Determination was filed with the State Clearinghouse on September 27, 2010.
- f. The Imperial County Board of Supervisors has made a determination that the Imperial Landfill is consistent with, and designated in, the Imperial County General Plan, and that the surrounding land use is compatible with the expansion of the facility as described herein. Public Resources Code, Section 50000.5.

14. Prohibitions:

The permittee is prohibited from accepting the following wastes for disposal:

- a. Hazardous waste, as defined by Title 22 of the California Code of Regulations;
- b. Liquid waste (moisture content of more than 50 percent). In the case of stabilized sewage sludge, 40 percent moisture content is the maximum allowed;
- c. White goods which are deemed to be recyclable;
- d. Biohazardous / Medical Waste;
- e. Designated wastes;
- f. Radioactive waste; and
- g. Wastes requiring special treatment or handling, except as identified in the Joint Technical Document and as approved by the LEA, RWQCB, and other federal, state, and local agencies.

Composting is also prohibited at the Imperial Landfill.

SOLID WASTE FACILITY PERMIT

Facility/Permit Number:

13-AA-0019

15. The following documents also describe and/or restrict the operation of this facility:

	Date:		Date:
<input checked="" type="checkbox"/> Joint Technical Document	<u>05/11</u>	<input checked="" type="checkbox"/> Waste Discharge Requirements WDR# R7-2005-0093	<u>11/16/05</u>
<input checked="" type="checkbox"/> Conditional Use Permit (# 07-0027)	<u>10/21/10</u>	WDR# R7-2011-0040	<u>09/15/11</u>
<input checked="" type="checkbox"/> Final EIR (SCH# 2007121049)	<u>03/10</u>	<input checked="" type="checkbox"/> Imperial County APCD Permit to Operate (#2625B-2 and 3888A)	<u>10/10</u>
<input checked="" type="checkbox"/> Preliminary Closure/ Post-Closure Maintenance Plan	<u>05/11</u>	<input checked="" type="checkbox"/> Imperial County Ordinances	<u>Various</u>
<input checked="" type="checkbox"/> Final Closure Plan (31 Acre Unit) (Final CQA Report and Closure Certification – March 2003)	<u>04/01</u>	<input checked="" type="checkbox"/> Partial Final Closure Plan	<u>N/A</u>

16. Self-Monitoring:

A variety of monitoring activities shall be performed by the operator of the Imperial Landfill. The various monitoring activities are included as requirements in the referenced permits and the environmental review documents for the landfill. All required monitoring reports shall be sent to the Local Enforcement Agency as described in the Joint Technical Document, including, but not limited to the following:

- Operator to perform quarterly landfill gas monitoring of the landfill perimeter and on-site structures and to submit monitoring reports to the LEA within 90 days of sampling.
- Operator to maintain daily tonnage logs of all waste received at the landfill and to submit tonnage reports to the LEA at least monthly within 15 days of the following month.
- Operator to maintain a record of the number of waste delivery vehicles entering the facility and to submit reports to the LEA at least monthly within 15 days of the following month.
- Operator to calculate the remaining capacity for the current operating cell on a quarterly basis using a combination of survey and tonnage inflow data and to submit the remaining capacity estimate to the LEA with the tonnage report.

The LEA, under this permit, will enforce only those mitigation measures of the Mitigation Monitoring and Reporting Program (MMRP) that the LEA has the authority to enforce under the Public Resources Code, the California Code of Regulations, and other applicable regulations.

17. LEA Conditions:

- The operator shall comply with State Minimum Standards for solid waste handling and disposal as specified in Title 27 of the California Code of Regulations. The operator shall not operate this facility without possession of all required permits and regulatory approvals. The operator shall inspect the site at a frequency sufficient to ensure compliance with all standards, conditions, mitigations, and regulations applicable to this facility.
- The operator shall comply with all applicable federal, state, and local requirements and enactments, including mitigation and monitoring measures developed in accordance with any certified environmental documents filed pursuant to Public Resources Code (PRC) Section 21081.6, and administrative or enforcement orders of all regulatory agencies with jurisdiction at this facility.
- The operator shall maintain a complete copy of the Solid Waste Facility Permit, Joint Technical Document (JTD), and all LEA/CalRecycle regulatory inspection reports and enforcement actions at the facility. All operating and disposal site records shall be readily available to facility personnel, LEA staff, and other appropriate regulatory personnel.
- Additional information concerning the design and operation of the facility shall be furnished to the LEA upon request and within the time frames specified by the LEA.
- The operator shall notify the LEA in writing of any proposed change in the routine facility operation or changes in facility design during the planning stages. In no case shall the operator undertake any significant changes unless the operator first submits to the LEA a notice of said changes at least 180 days before said changes are undertaken. Any significant changes as determined by the LEA would require a revision of this permit.

SOLID WASTE FACILITY PERMIT

Facility/Permit Number:

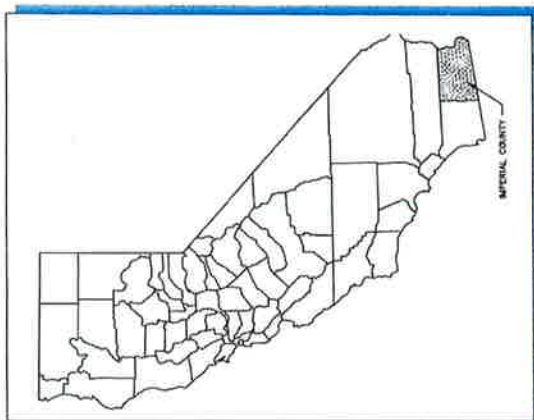
13-AA-0019**17. LEA Conditions Cont:**

- f. The LEA reserves the right to suspend and/or modify applicable operations at this facility when deemed necessary due to any emergency, potential health hazard, and/or public nuisance.
- g. A daily log of special occurrences shall be maintained by the site operator at the facility. The log shall contain, but is not limited to: fires, explosions, discharges, flooding, seismic events, unusual or sudden landfill settlement, receipt or rejection of unpermitted wastes, significant incidents of personnel injury, accidents, and/or property damage. Days without incidents shall be noted in the log with an appropriate negative entry.
- h. The operator shall submit copies to the LEA of all written complaints regarding this facility and the operator's actions taken to resolve the complaints.
- i. On-site personnel shall have immediate access to radio or telephone communications in the event of an emergency.
- j. The site shall accept only non-hazardous solid wastes for disposal as authorized by Waste Discharge Requirements, the Conditional Use Permit, and Title 27 of the California Code of Regulations, and as described in the facility JTD.
- k. The facility shall be closed to the public for waste acceptance on Sunday with the exception of receiving limited commercial loads under special contract for tipping on Monday as approved by the LEA and as described in the Joint Technical Document, such as the single load of waste currently received from Centinela State Prison.
- l. The operation of a household hazardous waste (HHW) collection facility at this site to collect and temporarily store household hazardous wastes for shipment offsite is authorized by this permit. The operator shall submit an RFI Amendment application and detailed Household Hazardous Waste Acceptance, Storage, and Offsite Transfer Operations Manual to the LEA for approval prior to initiating an HHW collection facility at the site.
- m. The operator is permitted to utilize processed green material, geosynthetic blankets, or non-hazardous ash as an Alternative Daily Cover (ADC) at the site. Soil cover shall be placed over the entire working face at the end of each operating week and at the end of any operating day preceding a period of time greater than 24 hours that the facility is closed. The LEA reserves the right to restrict or terminate the use of Alternative Daily Covers at the site if they become impracticable or contribute to conditions hazardous to public health and safety and the environment, particularly during inclement weather conditions.
- n. A shredder may be placed on premises for processing greenwaste or source separated wood waste. Any greenwaste or CDI debris processing shall occur in a designated location consistent with the Mitigation Monitoring and Reporting Program, and in a manner consistent with the JTD. No green material or wood mulch shall be stored on-site for more than 7 days.
- o. The operator shall maintain a high wind closure, reduced and/or controlled operation policy as described in the Conditional Use Permit to minimize nuisance impacts from windblown litter. The operator shall provide adequate portable litter control fencing and personnel to routinely collect and dispose of windblown litter. Any off-site litter shall be collected and disposed of daily.
- p. The operator shall make all reasonable efforts to require all vehicles transporting solid waste into the landfill to be properly covered or loads otherwise secured, as appropriate.
- q. Upon revision of this Solid Waste Facility Permit, the operator may conduct a large volume CDI debris processing operation at the site to process for recycling up to a maximum of 350 tons of CDI debris per day. A Medium Volume CDI Debris Processing Facility may be permitted by the LEA under a separate Registration Tier Permit.
- r. The operator shall submit a detailed phase expansion construction design to the LEA and RWQCB for review and approval no later than one year prior to reaching the estimated capacity of the current operating cell. Waste shall not be placed in any area of the waste management unit until a final construction certification report has been approved by the LEA and RWQCB.
- s. The terms and conditions of this permit may change as a result of revisions to applicable statutes or regulations.
- t. All permits or approvals referenced in this permit or its Joint Technical Document shall be maintained in force during the term of this permit. In the event any permit or approval is modified, is suspended, or revoked, or expires during the term of this permit, the operator shall notify the LEA within 30 days of the change and include copies of any renewed or modified permits or approvals.

The LEA, under this permit, will enforce those terms and conditions under the authority of the LEA within the Integrated Waste Management Act in the Public Resources Code and the California Code of Regulations Title 14 and Title 27.

IMPERIAL LANDFILL LANDFILL DEVELOPMENT PLAN

PREPARED FOR:

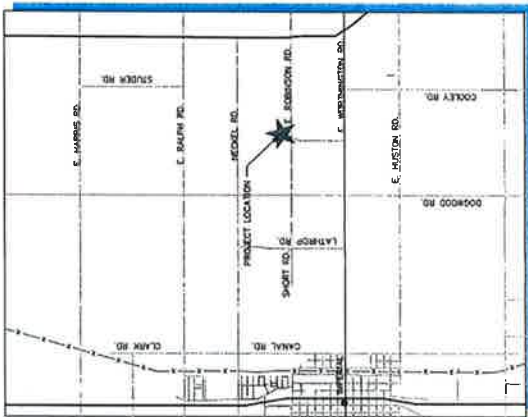
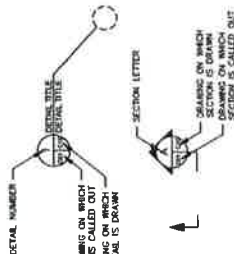


CALIFORNIA COUNTIES

ABBREVIATIONS

SYMBOL	DESCRIPTION	MAX	MIN	UNIFORM	ON CENTER	PERCENT	STANDARD DIMENSION RATIO	TYP
C	CENTER LINE							
D	DIAMETER							
E	ELEVATION							
F	FEET							
H	HIGH DENSITY POLYETHYLENE							
L	LEACHATE COLLECTION AND REMOVAL SYSTEM							

SYMBOLS



VICINITY MAP



REGIONAL MAP

DRAWING INDEX

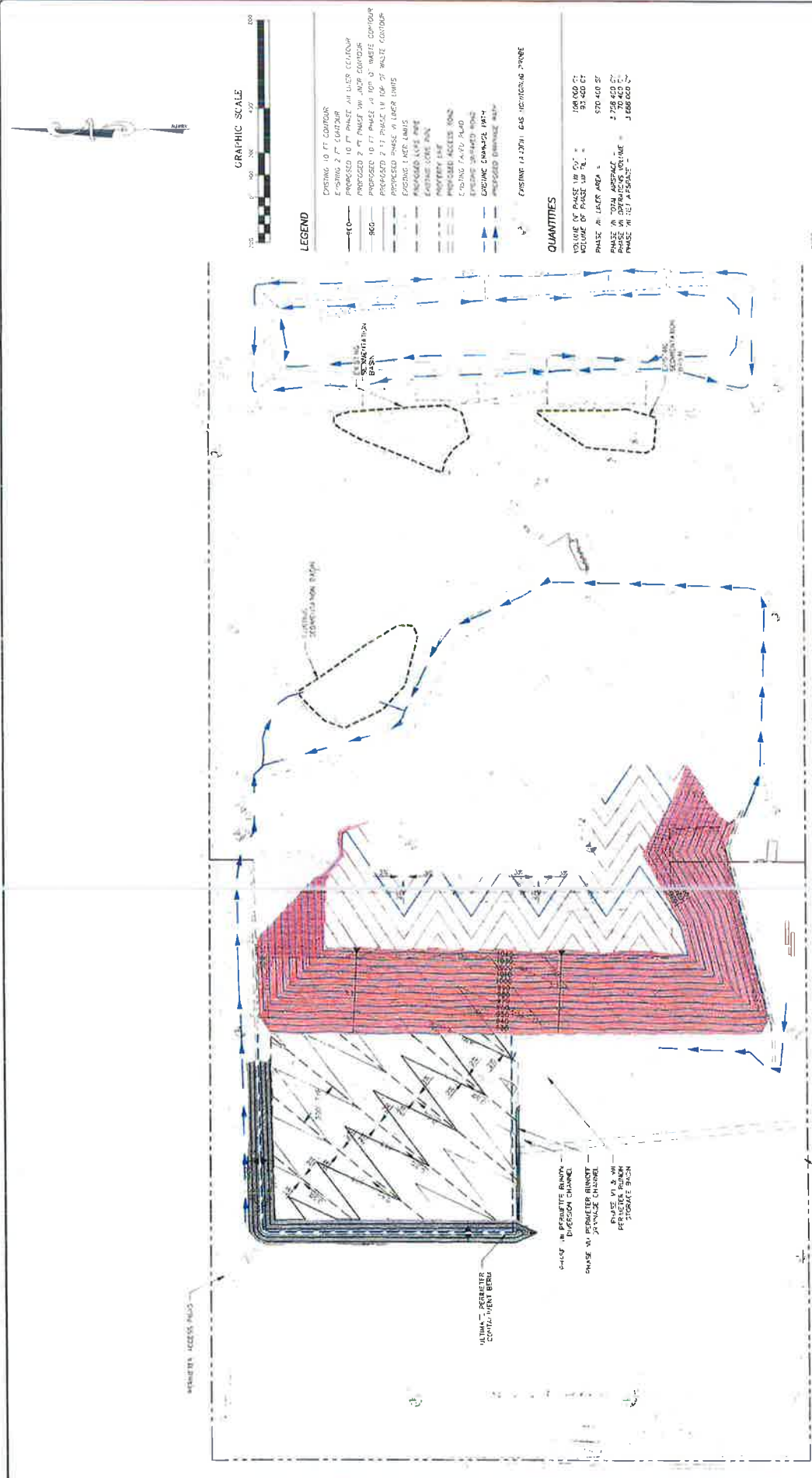
DRAWING NUMBER	TITLE AND DESCRIPTION	LATEST REVISION NUMBER	LATEST REVISION DATE
GENERAL			
D01	EXISTING CONDITIONS & SITE PLAN	4	05/20/16
D02	PHASE VI EXCAVATION/PHASE VII REMAINING FILL	3	05/20/16
D03	PHASE VII EXCAVATION/PHASE VIII FILL PLAN	3	05/20/16
D04	PHASE VIII EXCAVATION/PHASE IX FILL PLAN	3	05/20/16
D05	PHASE IX EXCAVATION/PHASE X FILL PLAN	2	05/20/16
D06	PHASE X EXCAVATION/PHASE XI FILL PLAN	2	05/20/16
D07	OVERALL LINER & LEACHATE COLLECTION PLAN	2	05/20/16
D08	RESERVED	1	05/20/16
D09	RESERVED	1	05/20/16
D10	LEACHATE COLLECTION PLAN	1	05/20/16
D11	LEACHATE COLLECTION PLAN	1	05/20/16
D12	LEACHATE COLLECTION PLAN	1	05/20/16
D13	LEACHATE COLLECTION PLAN	1	05/20/16
D14	LEACHATE COLLECTION PLAN	1	05/20/16
D15	LEACHATE COLLECTION PLAN	1	05/20/16
D16	LEACHATE COLLECTION PLAN	1	05/20/16
D17-D19	RESERVED		
D20	CROSS SECTIONS		05/20/16

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PROJECT NO. 2016.4012		TITLE PAGE		PROJECT NO. 2016.4012
ISSUED FOR PERMITTING				

REV.	NO.	DATE	DESCRIPTION	DESIGNED BY	CHECKED BY	IN CHARGE BY	DATE	APP'D BY	DATE	APP'D BY	DATE
1	1	06/20/16	ISSUED FOR PERMITTING	MP/AVC	MP/AVC	MP/AVC	06/20/16	MP/AVC	MP/AVC	MP/AVC	06/20/16
2	1	06/20/16	ISSUED FOR PERMITTING	MP/AVC	MP/AVC	MP/AVC	06/20/16	MP/AVC	MP/AVC	MP/AVC	06/20/16
3	1	06/20/16	ISSUED FOR PERMITTING	MP/AVC	MP/AVC	MP/AVC	06/20/16	MP/AVC	MP/AVC	MP/AVC	06/20/16
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GRAPHIC SCALE



LEGEND

- EXISTING 10 FT CONTOUR
- EXISTING 2 FT CONTOUR
- PROPOSED 10 FT PHASE VII WASTE CONTOUR
- PROPOSED 2 FT PHASE VII WASTE CONTOUR
- PROPOSED 10 FT PHASE VIII WASTE CONTOUR
- PROPOSED 2 FT PHASE VIII WASTE CONTOUR
- EXISTING LATER LINES
- PROPOSED LATER LINES
- EXISTING CORE WALL
- PROPOSED CORE WALL
- EXISTING FACED SLOPE
- PROPOSED FACED SLOPE
- EXISTING CHANNEL BANK
- PROPOSED CHANNEL BANK
- EXISTING DRAINAGE CANAL
- PROPOSED DRAINAGE CANAL
- EXISTING 1:1 SLOPE GAS INDICATING PHASE

QUANTITIES

VOLUME OF PHASE VII FILL	108,600 CY
VOLUME OF PHASE VIII FILL	93,400 CY
PHASE VII LATER AREA	570,400 SF
PHASE VIII LATER AREA	570,400 SF
PHASE VII DIFFERENCE VOLUME	2,700,000 CU YD
PHASE VIII DIFFERENCE VOLUME	1,600,000 CU YD

DATE: 11/11/2016
 DRAWING NO. C08
 PROJECT NO. 2016-1012

REPUBLIC SERVICES

IMPERIAL LANDFILL
 DEVELOPMENT PLAN
 IMPERIAL, CALIFORNIA

PHASE VIII EXCAVATION/PHASE VII FILL PLAN

Geo-Logic ASSOCIATES

1445 Spring Hill Dr., Suite 100, San Diego, California 92108
 geo-logic.com | 619.272.2448

NO.	DATE	DESCRIPTION	BY	CHKD BY	APP'D BY
1	11/11/16	ISSUED FOR PERMITTING	JM	MC	MC
2	11/17/16	REVISED FOR COMMENTS	OR	MC	MC
3	11/24/16	REVISED FOR PERMITTING	RP	MC	MC
4	11/29/16	REVISED FOR PERMITTING	JM	MC	MC

DATE: 11/11/2016
 DRAWING NO. C08
 PROJECT NO. 2016-1012

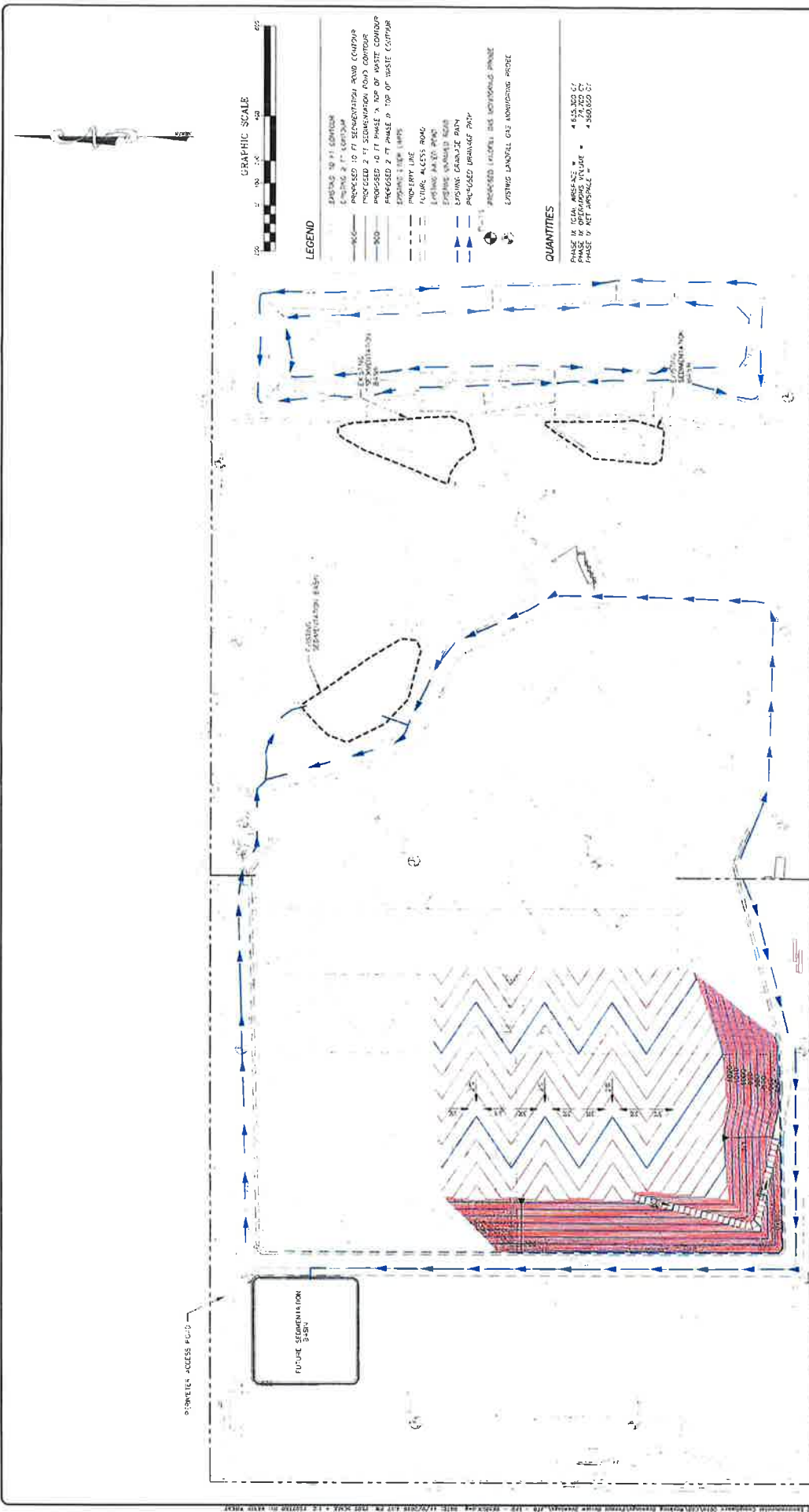
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 IMPERIAL, CALIFORNIA

PHASE VIII EXCAVATION/PHASE VII FILL PLAN

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- LEGEND**
- EXISTING 10 FT CONTOUR
 - EXISTING 2 FT CONTOUR
 - PROPOSED 10 FT SEDIMENTATION POND CONTOUR
 - PROPOSED 2 FT PHASE 9 TOP OF WASTE CONTOUR
 - PROPOSED 2 FT PHASE 9 TOP OF WASTE CONTOUR
 - PROPERTY LINE
 - FUTURE ACCESS ROAD
 - EXISTING UNPAVED ROAD
 - EXISTING GRAVEL DRIVE
 - PROPOSED DRAINAGE PATH
 - PROPOSED LANDFILL GAS MONITORING POINT
 - EXISTING LANDFILL GAS MONITORING POINT

QUANTITIES

PHASE IX GCM VOLUME = 4,653,300 CY
 PHASE IX OPERATING VOLUME = 77,000 CY
 PHASE IX NET VOLUME = 4,576,300 CY

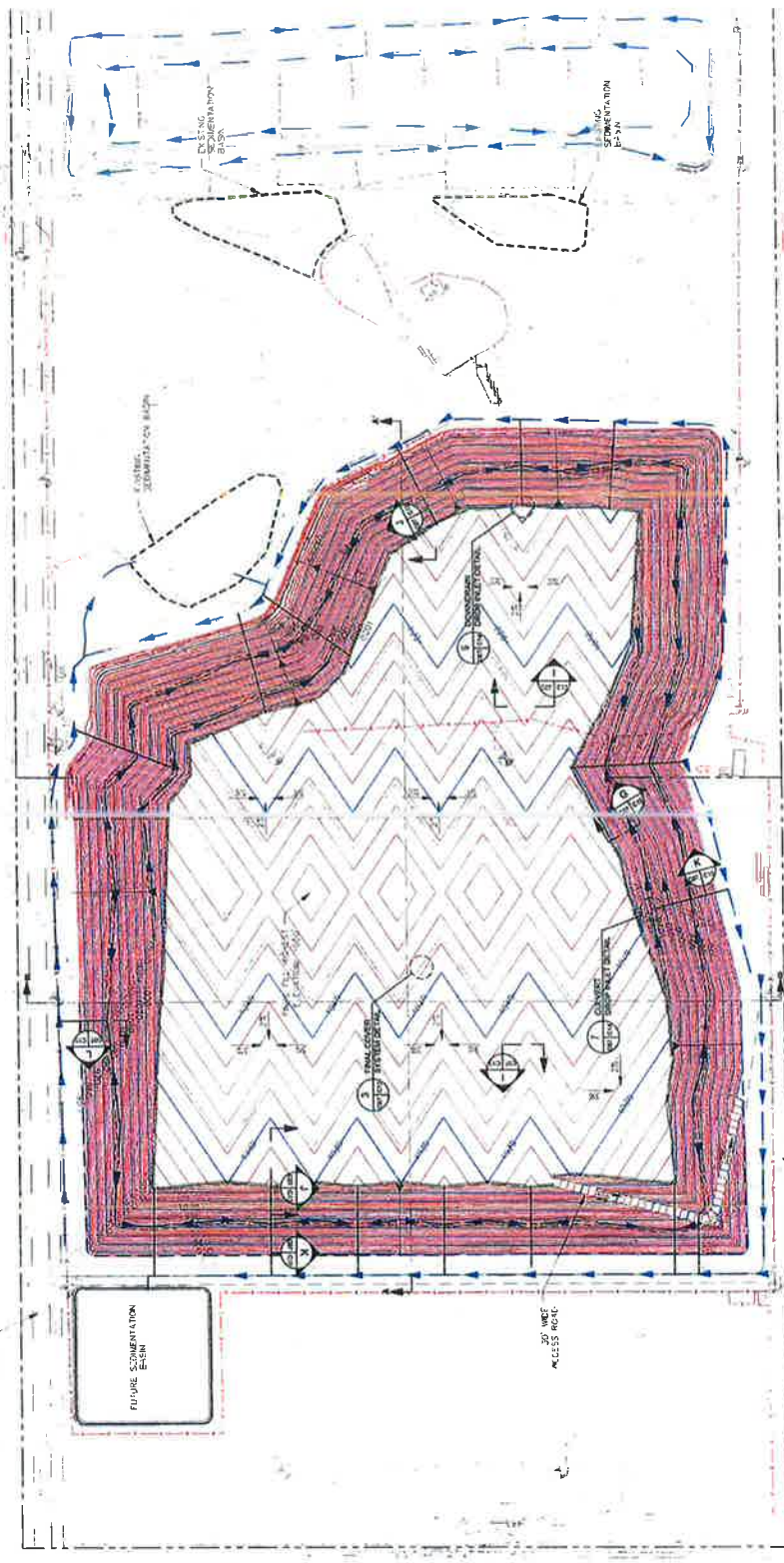
NOTE: EXISTING TOPOGRAPHY BASED ON AERIAL PHOTOGRAPHY FROM 2010. ALL ELEVATIONS ARE IN FEET UNLESS OTHERWISE NOTED.

<p>1431 S. Main Street, Suite 100, Orange, CA 92668 phone: 714.761.1234 www.geologic.com</p>		<p>IMPERIAL LANDFILL LANDFILL DEVELOPMENT PLAN IMPERIAL, CALIFORNIA</p>	<p>DRAWING NO. C05</p> <p>PROJECT NO. 2016.A012</p>
<p>DATE OF ISSUE: 08/14/2016</p> <p>DESIGNED BY: [Name]</p> <p>DRAWN BY: [Name]</p> <p>CHECKED BY: [Name]</p> <p>APPROVED BY: [Name]</p>		<p>PHASE IX FILL/SEDIMENTATION POND GRADING PLAN</p>	
<p>ISSUED FOR PERMITTING</p>		<p>ISSUED FOR PERMITTING</p>	

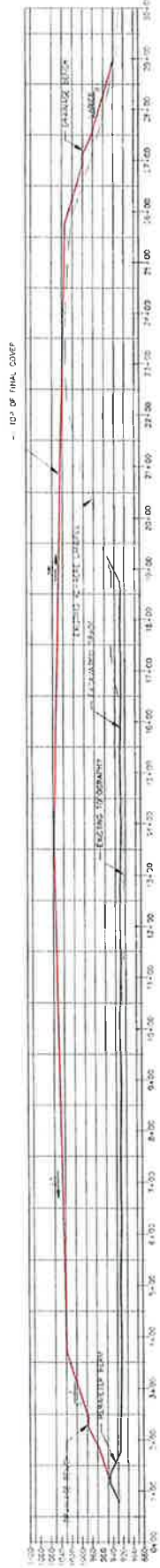


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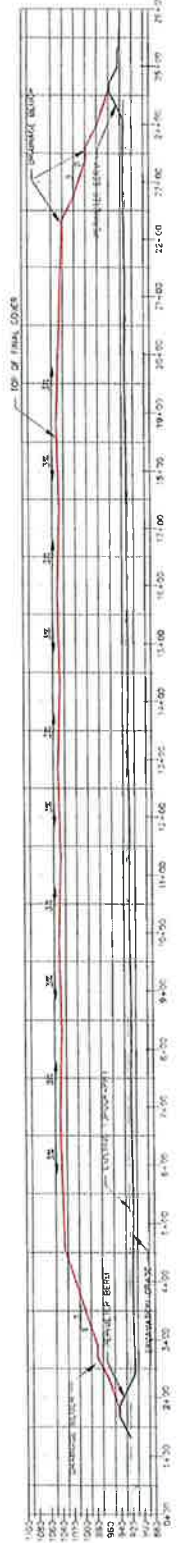
- EXISTING 10 FT CONTOUR
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- PROPOSED 3 FT TOP OF FINI CONTOUR
- GENERAL LINE/ CURVE
- PROPOSED FUTURE ROAD
- EXISTING FUTURE ROAD
- EXISTING GRADED ROAD
- FUTURE DRAINAGE BEYOND
- EXISTING FENCE
- PROPOSED DRAINAGE/ DRAINAGE
- EXISTING DRAINAGE PATH
- PROPOSED DRAINAGE BEYOND
- EXISTING LANDFILL C/S MONITORING POINT



IMPERIAL LANDFILL DEVELOPMENT PLAN IMPERIAL, CALIFORNIA FINAL CLOSURE GRADING PLAN		DRAWING NO C07 PROJECT NO 2016.4012
Geo-Logic ASSOCIATES 148E Spring Hill Dr, Great Valley, California 92646 geo-logic.com 949.272.2444		REPUBLIC SERVICES
DATE: 01/11/2018 TIME: 10:00 AM BY: J. [Name] CHECKED BY: [Name]	DATE: 01/11/2018 TIME: 10:00 AM BY: J. [Name] CHECKED BY: [Name]	DATE: 01/11/2018 TIME: 10:00 AM BY: J. [Name] CHECKED BY: [Name]
ISSUED FOR PERMITTING		



SECTION A-A
 HORIZ 1" = 100'
 VERT 1" = 10'



SECTION B-B
 HORIZ 1" = 100'
 VERT 1" = 10'

SCALE: VERTICAL: 1" = 10' HORIZONTAL: 1" = 100'
 DATE: 11/15/2011

NO. NO.	DATE	DESCRIPTION	CHECKED BY				DATE OF CHECK				DATE OF REVISION				
			1	2	3	4	11/15/11	11/15/11	11/15/11	11/15/11	11/15/11	11/15/11	11/15/11	11/15/11	
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Geo-Logic
 ASSOCIATES

1455 SOUTH 11TH STREET, SUITE 100, CALIFORNIA 92005
 PHONE: (619) 435-2244

TRANSPORTATION IMPACT ANALYSIS
ALLIED IMPERIAL LANDFILL
County of Imperial, California
September 8, 2020

LLG Ref. 3-18-2980

Prepared by:
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Transportation Planner II

Under the Supervision of:
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APPENDIX

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- B. Existing Peak Hour Intersection Analysis Worksheets
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TRANSPORTATION IMPACT ANALYSIS

ALLIED IMPERIAL LANDFILL

County of Imperial, California

September 8, 2020

1.0 INTRODUCTION

The following traffic impact analysis has been prepared to determine the potential traffic impacts to the local circulation system related to the proposed amendment to the existing conditional use permit (CUP) for the Allied Imperial Landfill (AIL) to allow the facility to accept an additional 1,200 tons per day (tpd) of waste generated outside of Imperial County. The existing AIL is located north of E. Robinson Road, south of Neckel Road and approximately two-thirds mile west of State Route 111 the County of Imperial. Linscott, Law and Greenspan, Engineers (LLG) prepared a traffic study for the original landfill site in 2008, which was a part of the Environmental Impact Report (EIR) for Conditional Use Permit (CUP) 0027-07 allowing for the vertical and horizontal expansion of the landfill.

The traffic analysis presented in this report includes the following:

- Project Description
- Existing Conditions Description
- Analysis Approach and Methodology
- Significance Criteria
- Analysis of Existing Conditions
- Trip Generation / Distribution / Assignment
- Near-term Analysis Results
- Project Access discussion
- Conclusions and Recommendations

2.0 PROJECT DESCRIPTION

2.1 Project Location

The AIL is bounded by Neckel Road to the north, Dogwood Road to the west, and E. Robinson Road to the south within the unincorporated south-central portion of Imperial County northwest of the city of El Centro. Project access is via a driveway to E. Robinson Road on the south side of the site, between Dogwood Road to the west and Trentham Road to the east. The location is further defined as being in Section 9 and 10, T15S, R14E of the San Bernardino Baseline and Meridian (El Centro 7.5' Quadrangle). State Route 111 is located directly east of the site.

Figure 2-1 depicts the project vicinity. *Figure 2-2* shows a more detailed project area map.

2.2 Project Description

The existing AIL site currently collects 300-500 tons of waste per day. The landfill has a current Solid Waste Facility Permit (SWFP) that allows up to 1,700 tons of waste per day. The Project proposes to amend its existing CUP to allow for the site to accept up to 1,200 tons of waste per day generated outside of Imperial County. For the purposes of this traffic analysis, two geographic centroids were considered as the origin of this waste: Los Angeles and San Diego.

As the exact distribution of waste between these two centroids is unknown and may be variable in the future depending on demand, the traffic analysis considers two (2) scenarios for the traffic routes in which 100% of waste and associated traffic is originated in either location.

The first scenario (Alternative A) assumes all traffic to/from Los Angeles; while the second scenario (Alternative B) assumes all traffic to/from San Diego. Thus, if either "100%-condition" can be accommodated by the street system without significant impacts to the street system, then any combination resulting in less-than-100% demand to either location is assumed to be accommodated without risk of an unidentified impact.

2.3 Background

The Imperial Landfill was previously evaluated under the California Environmental Quality Act (CEQA) in the December 2009 Draft Environmental Impact Report (Draft EIR).¹ The Imperial Landfill Plan Final Environmental Impact Report (FEIR) was approved by the Imperial County Board of Supervisors in 2010. The EIR assumed that all traffic associated with the Allied Imperial Landfill was limited to within the boundaries of Imperial County with the exception of 136 tons per day from Borrego Springs. The Landfill is currently permitted to accept 1,700 tons per day of waste generated within Imperial County. The proposed project would allow the Landfill to accept up to 1,200 tons per day of waste generated outside Imperial County, specifically within Los Angeles or San Diego Counties, such that the permit limit of 1,700 tons per day would not be exceeded.

Since the proposed project would not increase the total amount of waste accepted by the facility, it would not cause any changes to the previously evaluated traffic impacts associated with landfill operations.

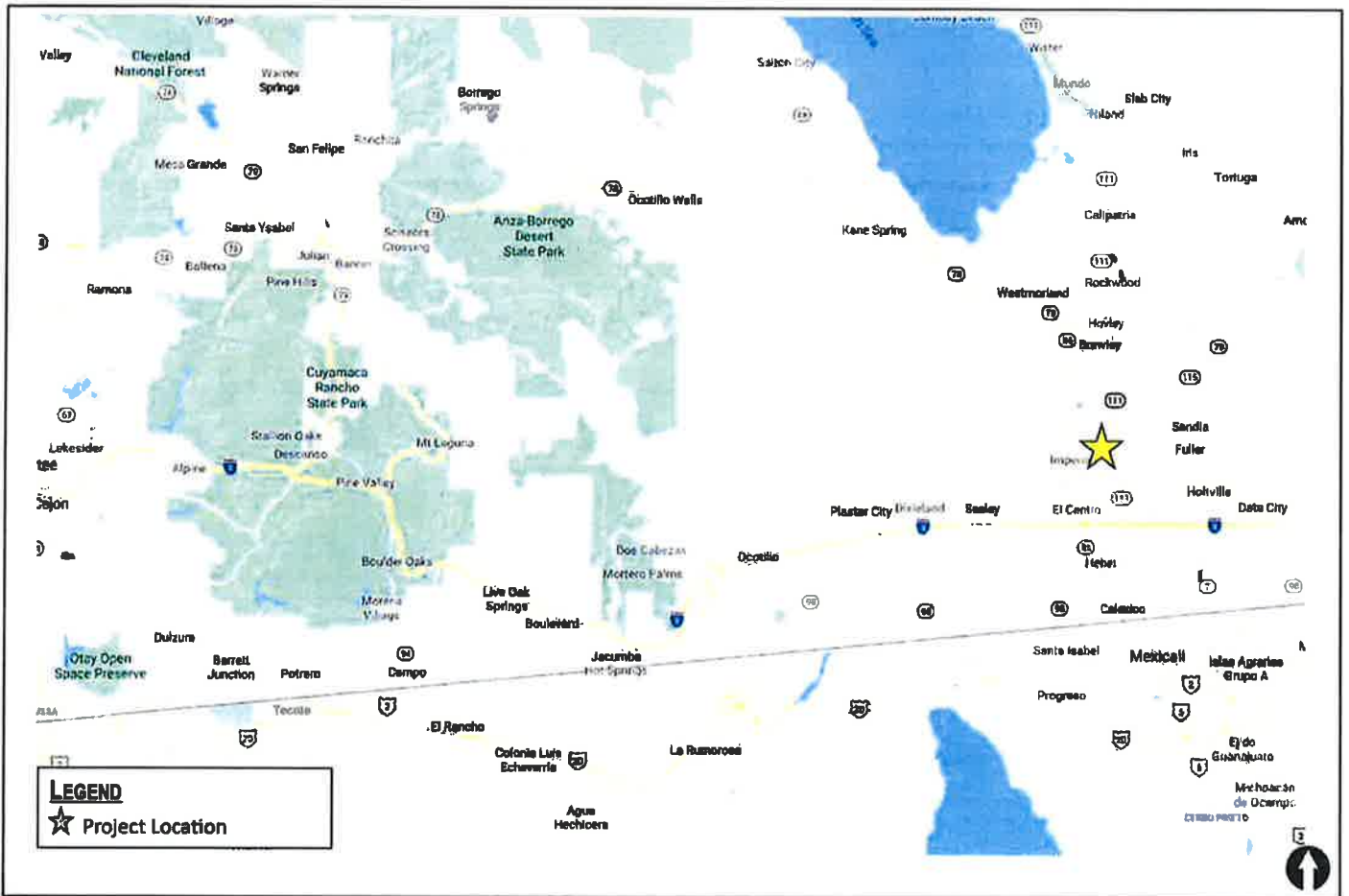


Figure 2-1

Vicinity Map

ALLIED IMPERIAL LANDFILL

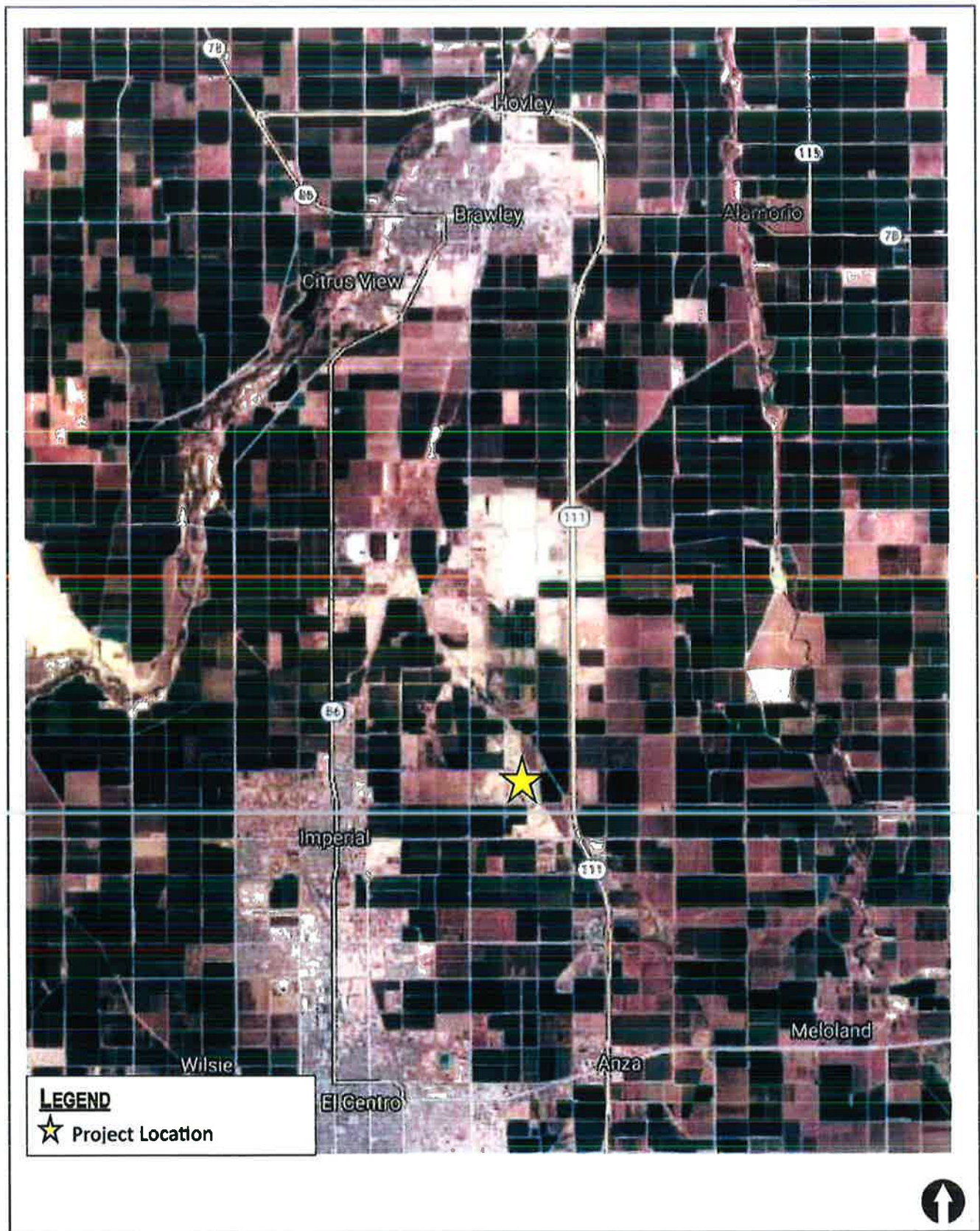


Figure 2-2

Project Area Map

ALLIED IMPERIAL LANDFILL

3.0 EXISTING CONDITIONS

3.1 Existing Street Network

Based on two potential alternative distributions of Project traffic, separate study areas were established for each alternative, referred to as Alternatives A and B throughout this report. *Figures 3-1a* and *3-1b* depict existing conditions in the Alternative A and B study areas. Following is a brief description of the street segments within the Project area evaluated in this report:

State Route (SR) 86/ State Route (SR) 78 is classified as a State Highway in the Imperial County Circulation Element. SR 86/ SR 78 is an east-west 4-lane facility located north of the Project site. SR 86/SR 78 functions as an expressway, with at-grade signalized and unsignalized intersections. Neither bike lanes nor bus stops are provided, and curbside parking is prohibited. The posted speed is typically 65 MPH.

State Route (SR) 111 is classified as a State Highway in the Imperial County Circulation Element. SR 111 is a north-south 4-lane facility located east of the Project site that functions as an expressway, with at-grade signalized and unsignalized intersections. Neither bike lanes nor bus stops are provided, and curbside parking is prohibited. The posted speed is typically 65 MPH.

Old Highway 111 is classified as a local roadway on the County of Imperial Circulation Element. Currently Old Highway 111 is a north-south two-lane undivided roadway located east of the Project site. Bike lanes or bus stops are not provided and the posted speed limit ranges from 40-55 mph. Curbside parking is prohibited along both sides of the roadway.

E. Robinson Road is classified as a local roadway on the County of Imperial Circulation Element. It is an east-west two-lane undivided roadway in the Project vicinity. E. Robinson Road is paved from Dogwood Road to Trentham Road (along the AIL frontage). East of Trentham Road, E. Robinson Road is an unpaved roadway between the AIL and Old Highway 111. Until paving occurs, no truck traffic is permitted east of Trentham Road.

E. Worthington Road is classified as a four-lane undivided Collector on the Imperial County Circulation Element. E. Worthington Road is currently an undivided two-lane, east-west facility in the Project vicinity. There is no posted speed limit, and neither bike lanes nor bus stops are provided. Curbside parking is also prohibited.

3.2 Existing Traffic Volumes

Average daily traffic (ADT) volumes were conducted along Old Highway 111 in December, 2018. State Highway volumes were obtained from State of California (Caltrans) published records, and reflect 2017 data which is the latest available. AM and PM peak hour intersection turning movement volume counts were conducted at eight (8) study area locations in December, 2018. *Tables 3-1a* and *3-1b* summarize the segment ADT volumes on all the study area segments.

Figure 3-1a and *Figure 3-1b* depicts the existing traffic volumes on both an ADT and peak hour basis. *Appendix A* contains the manual intersection count sheets, the machine count summaries, and summaries of the Caltrans data for the State Highways.

**TABLE 3-1A
EXISTING TRAFFIC VOLUMES**

Street Segment	Source	Volume ^a	Date
State Route 78/86 East of Center Street	Caltrans	9,700	2017
State Route 78 East of State Route 86	Caltrans	8,200	2017
State Route 111 North of State Route 78	Caltrans	7,600	2017
North of E. Worthington Road	Caltrans	15,500	2017
Dogwood Road E. Harris Road to E. Robinson Road	LLG	3,980	2019

Footnotes:

- a. Average Daily Traffic volume.

**TABLE 3-1B
EXISTING TRAFFIC VOLUMES**

Street Segment	Source	Volume ^a	Date
Dogwood Road			
E. Robinson Road to E. Worthington Road	LLG	5,340	2019
State Route 111			
South of E. Worthington Road	Caltrans	16,900	2017
North of Evan Hewes Highway	Caltrans	22,800	2017
South of Evan Hewes Highway	Caltrans	23,200	2017

Footnotes:

- a. Average Daily Traffic volume.

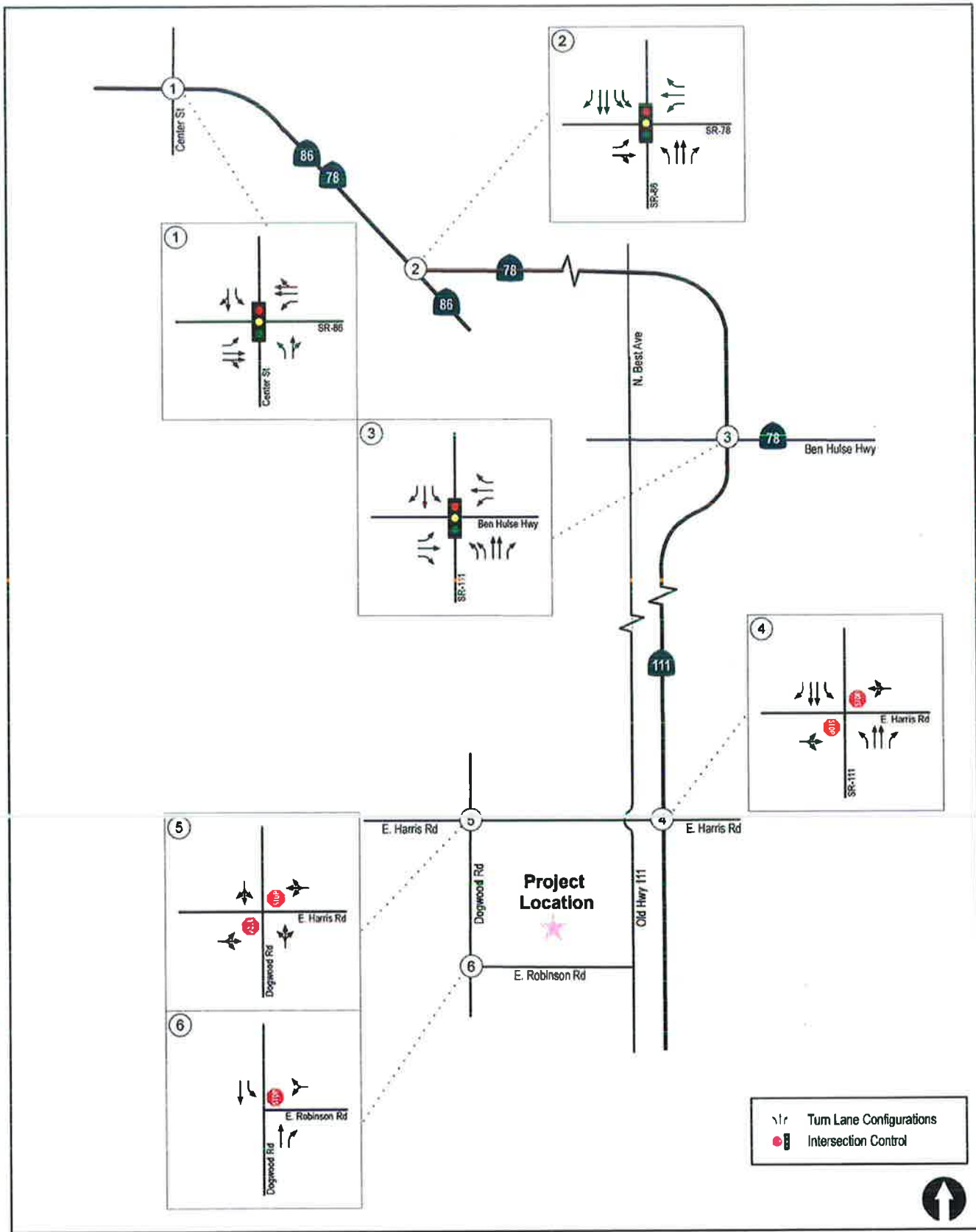


Figure 3-1a
Existing Conditions Diagram
Alternative A: LA to Imperial

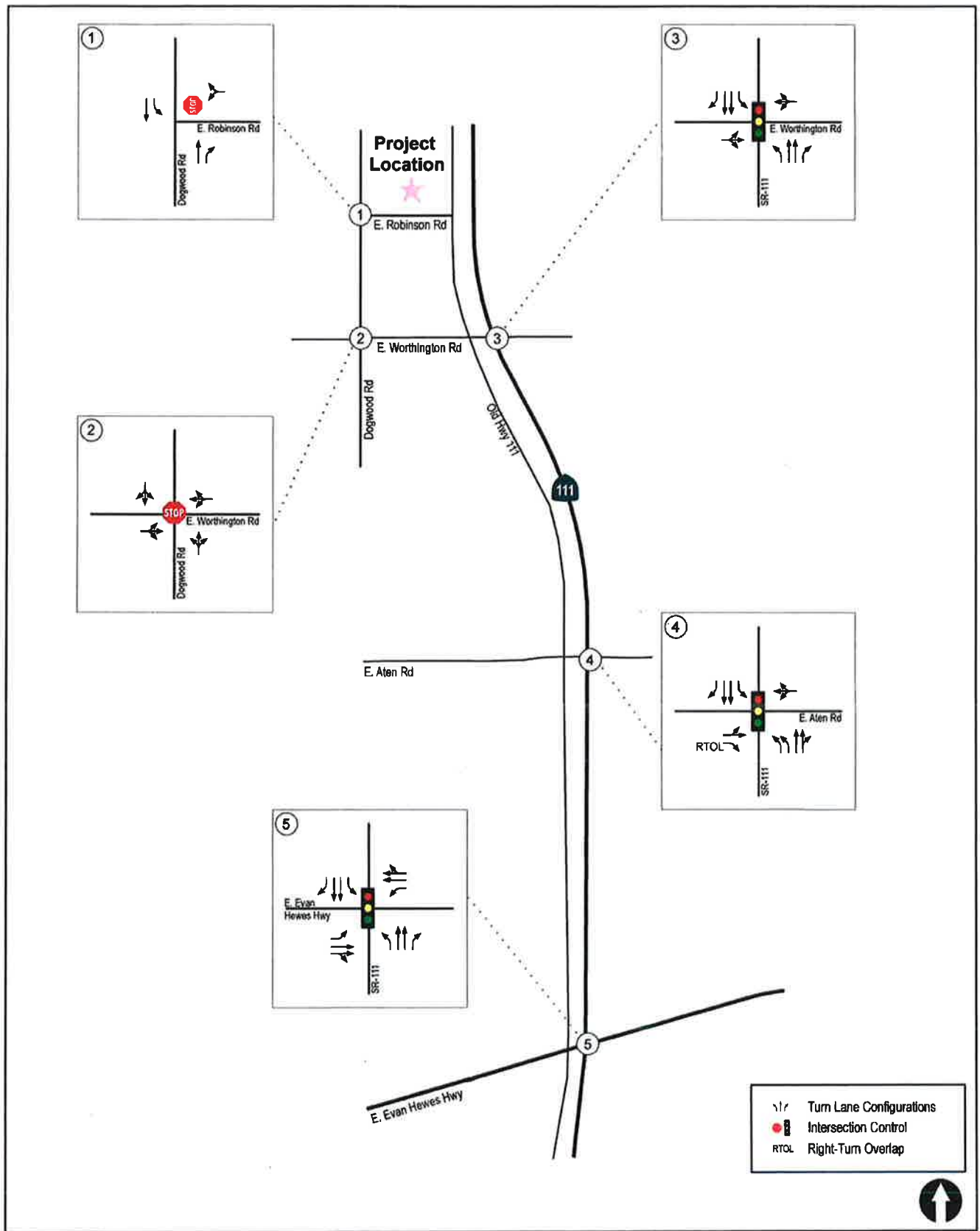


Figure 3-1b
Existing Conditions Diagram
Alternative B: San Diego to Imperial

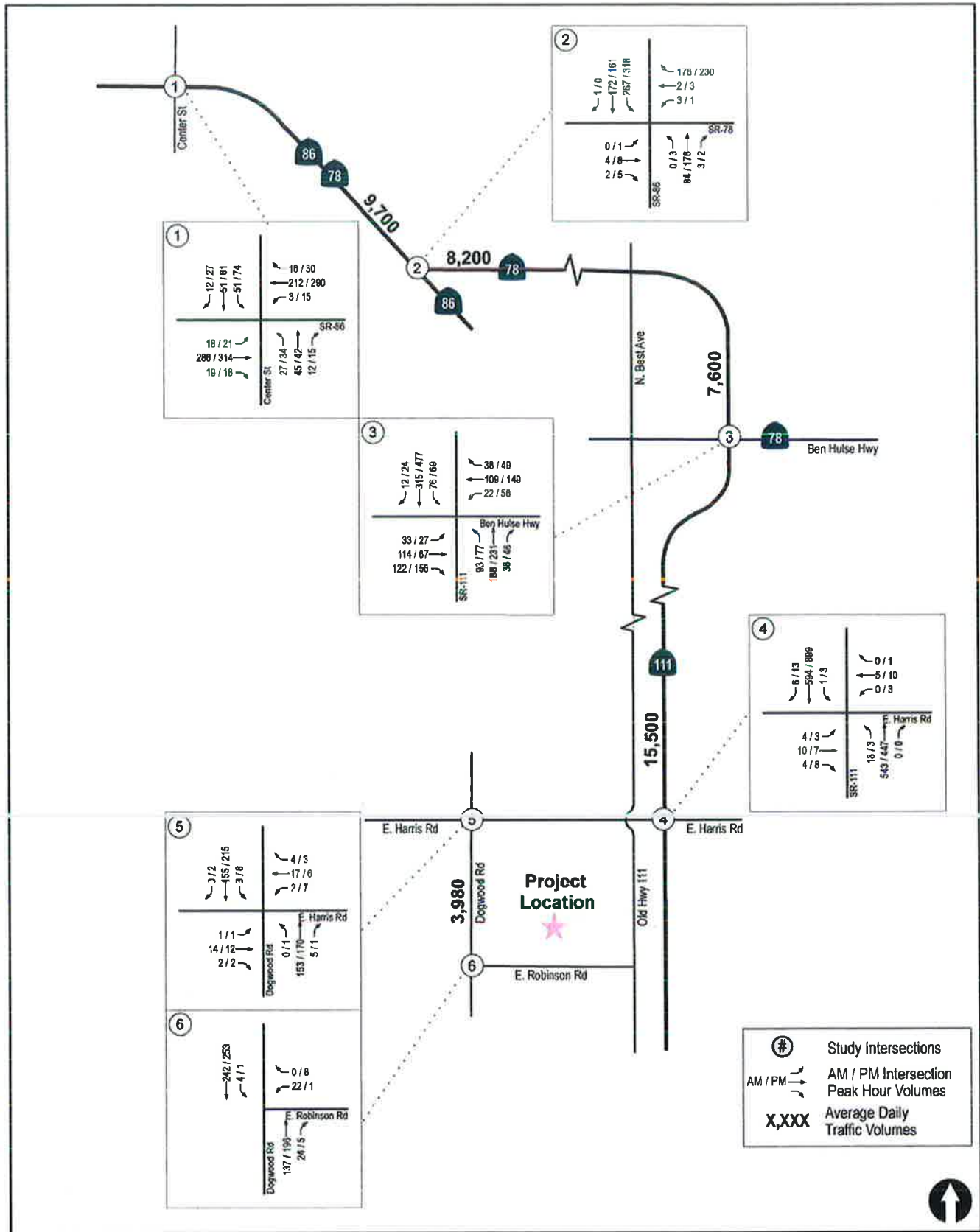


Figure 3-2a
Existing Traffic Volumes
Alternative A: LA to Imperial
ALLIED IMPERIAL LANDFILL

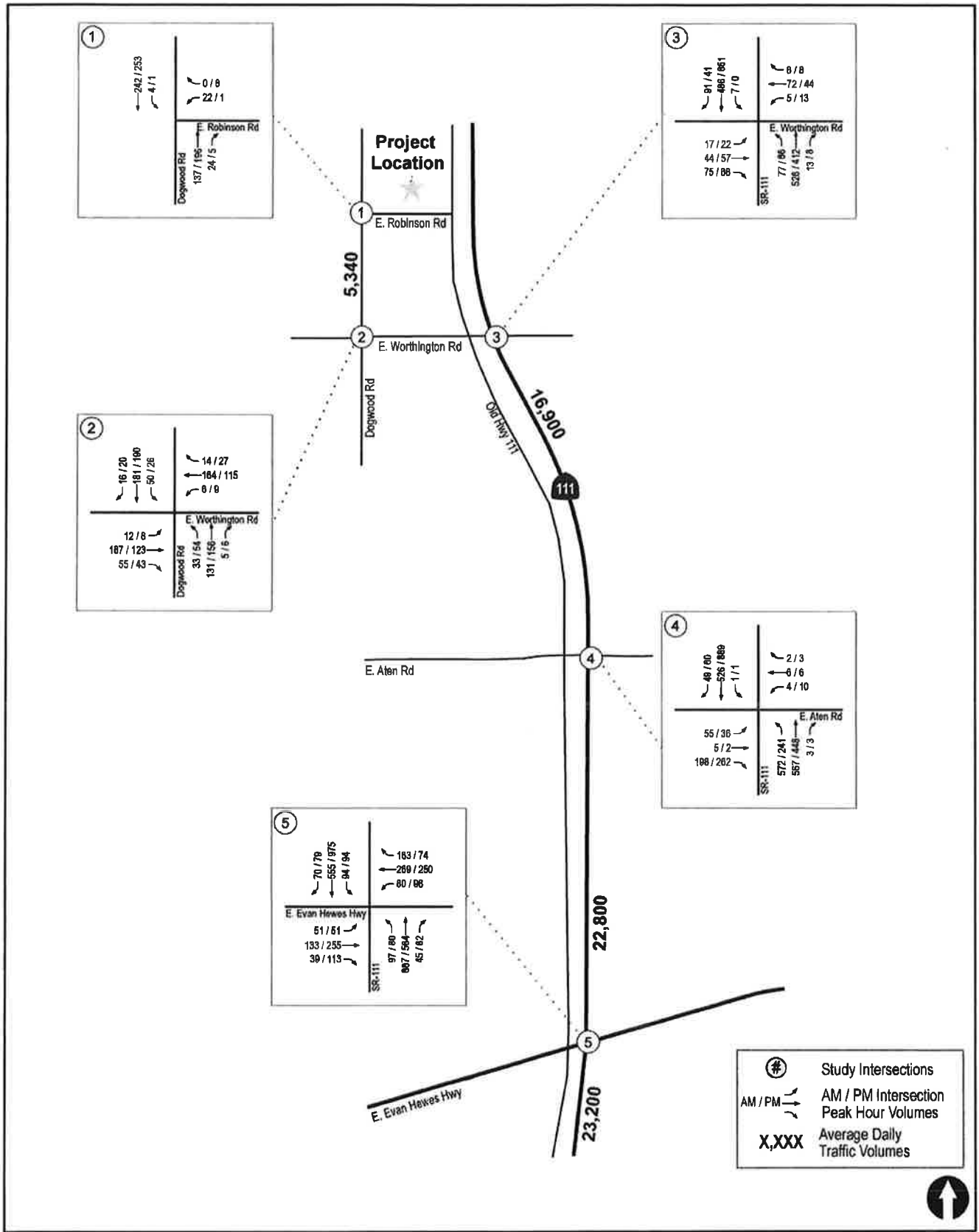


Figure 3-2b
Existing Traffic Volumes
Alternative B: San Diego to Imperial
ALLIED IMPERIAL LANDFILL

4.0 STUDY AREA, ANALYSIS APPROACH AND METHODOLOGY

4.1 Study Area

Based on the anticipated distribution/assignment of Project traffic, the following intersections and segments included in the study area are listed below.

Intersections:

Alternative A (to/from Los Angeles)

1. Center Street / Main Street (SR-86)
2. SR-86 / SR-78
3. SR-111 / Ben Hulse Highway
4. SR-111 / E. Harris Road
5. Dogwood Road / E. Harris Road
6. Dogwood Road / E. Robinson Road

Alternative B (to/from San Diego)

1. Dogwood Road / E. Robinson Road
2. Dogwood Road / E Worthington Road
3. SR-111 / E. Worthington Road
4. SR-111 / E. Aten Road
5. SR-111 / E. Evan Hewes Highway

Segments:

Alternative A (to/from Los Angeles)

1. State Route 78/86: East of Center Street
2. State Route 78: East of State Route 86
3. State Route 111: North of State Route 78
4. State Route 111: North of E. Worthington Road
5. Dogwood Road: E. Harris Road to E. Robinson Road

Alternative B (to/from San Diego)

1. Dogwood Road: Robinson Road to E. Worthington Road
2. State Route 111: South of E. Worthington Road
3. State Route 111: North of Evan Hewes Highway
4. State Route 111: South of Evan Hewes Highway

4.2 Study Scenarios

This traffic analysis assesses the key intersections and street segments in the Project area. The study area intersections and segments are analyzed for the following existing and near-term scenarios to determine the potential impacts to the road network:

- *Existing*
- *Existing + Project*
- *Existing + Project + Cumulative*

4.3 Analysis Methodology

The operations of the Project area intersections and segments are characterized using the concept of “Level of Service” (LOS). LOS is the term used to denote the different operating conditions which occur on a given roadway segment under various traffic volume loads. It is a qualitative measure used to describe a quantitative analysis taking into account factors such as roadway geometries, signal phasing, speed, travel delay, freedom to maneuver, and safety. LOS provides an index to the operational qualities of a roadway segment or an intersection. LOS designations range from A through F, with LOS A representing the best operating conditions and LOS F representing the worst operating conditions. LOS designation is reported differently for signalized and unsignalized intersections, as well as for roadway segments.

Table 4-1 summarizes the description for each level of service. *Table 4-2* summarizes the delay in seconds per vehicle associated with each level of service.

4.4 Signalized Intersections

For signalized intersections, level of service criteria is stated in terms of the average control delay per vehicle for a 15-minute analysis period. Signalized intersections were analyzed under AM and PM peak hour conditions. Control delay includes initial deceleration delay, queue move-up time, stopped delay, and final acceleration delay. Average vehicle delay was determined utilizing the methodology found in Chapter 19 of the *Highway Capacity Manual 6th Edition (HCM 6)*, with the assistance of the Synchro (version 10) computer software. The delay values (represented in seconds) were qualified with a corresponding intersection Level of Service (LOS). *Table 4-2* summarizes the delay thresholds for signalized intersections.

4.5 Unsignalized Intersections

For unsignalized intersections, level of service is determined by the computed or measured control delay and is defined for each minor movement. Level of service is not defined for the intersection as a whole. Unsignalized intersections were analyzed under AM and PM peak hour conditions. Average vehicle delay and Levels of Service (LOS) was determined based upon the procedures found in Chapter 20 and Chapter 21 of the *HCM 6*, with the assistance of the Synchro (version 10) computer software. *Table 4-2* depicts the criteria, which are based on the average control delay for any particular minor movement.

Level of Service F exists when there are insufficient gaps of suitable size to allow a side street demand to safely cross through a major street traffic stream. This level of service is generally evident from extremely long control delays experienced by side-street traffic and by queuing on the minor-street approaches. The method, however, is based on a constant critical gap size; that is, the critical gap remains constant no matter how long the side-street motorist waits.

LOS F may also appear in the form of side-street vehicles selecting smaller-than-usual gaps. In such cases, safety may be a problem, and some disruption to the major traffic stream may result. It is important to note that LOS F may not always result in long queues but may result in adjustments to normal gap acceptance behavior, which are more difficult to observe in the field than queuing.

**TABLE 4-1
INTERSECTION LEVEL OF SERVICE DESCRIPTIONS**

Level of Service	Description
A	Occurs when progression is extremely favorable and most vehicles arrive during the green phase. Most vehicles do not stop at all. Short cycle lengths may also contribute to low delay.
B	Generally occurs with good progression and/or short cycle lengths. More vehicles stop than for LOS A, causing higher levels of average delay.
C	Generally results when there is fair progression and/or longer cycle lengths. Individual cycle failures may begin to appear in this level. The number of vehicles stopping is significant at this level, although many still pass through the intersection without stopping.
D	Generally results in noticeable congestion. Longer delays may result from some combination of unfavorable progression, long cycle lengths, or high volume-to-capacity ratios. Many vehicles stop, and the proportion of vehicles not stopping declines. Individual cycle failures are noticeable.
E	Considered to be the limit of acceptable delay. These high delay values generally indicate poor progression, long cycle lengths, and high volume-to-capacity ratios. Individual cycle failures are frequent occurrences.
F	Considered to be unacceptable to most drivers. This condition often occurs with over saturation i.e. when arrival flow rates exceed the capacity of the intersection. It may also occur at high volume-to-capacity ratios below 1.00 with many individual cycle failures. Poor progression and long cycle lengths may also be major contributing causes to such delay levels.

**TABLE 4-2
INTERSECTION LOS & DELAY RANGES**

LOS	Delay (seconds/vehicle)	
	Signalized Intersections	Unsignalized Intersections
A	≤ 10.0	≤ 10.0
B	10.1 to 20.0	10.1 to 15.0
C	20.1 to 35.0	15.1 to 25.0
D	35.1 to 55.0	25.1 to 35.0
E	55.1 to 80.0	35.1 to 50.0
F	≥ 80.1	≥ 50.1

Source: 2010 Highway Capacity Manual

4.6 Street Segments

Street segments were analyzed based upon the comparison of ADT to the County of Imperial *Roadway Classifications, Levels of Service (LOS) and Average Daily Traffic (ADT)* table (see **Table 4-3** below). **Table 4-3** provides segment capacities for different street classifications, based on traffic volumes and roadway characteristics. Segment analysis is a comparison of ADT volumes and an approximate daily capacity on the subject roadway.

**TABLE 4-3
IMPERIAL COUNTY STANDARD STREET CLASSIFICATION AVERAGE DAILY VEHICLE TRIPS**

Road		Level of Service W/ADT*				
Class	X-Section	A	B	C	D	E
Expressway	128 / 210	30,000	42,000	60,000	70,000	80,000
Prime Arterial	106 / 136	22,200	37,000	44,600	50,000	57,000
Minor Arterial	82 / 102	14,800	24,700	29,600	33,400	37,000
Major Collector (Collector)	64 / 84	13,700	22,800	27,400	30,800	34,200
Minor Collector (Local Collector)	40 / 70	1,900	4,100	7,100	10,900	16,200
Residential Street	40 / 60	*	*	< 1,500	*	*
Residential Cul-de- Sac / Loop Street	40/60	*	*	< 1,500	*	*
Industrial Collector	76 / 96	5,000	10,000	14,000	17,000	20,000
Industrial Local Street	44 / 64	2,500	5,000	7,000	8,500	10,000

* Levels of service are not applied to residential streets since their primary purpose is to serve abutting lots, not carry through traffic. Levels of service normally apply to roads carrying through traffic between major trip generators and attractors.

5.0 SIGNIFICANCE CRITERIA

Street segments and intersections are located in both the County of Imperial's and Caltrans' jurisdictions. Therefore, the applicable significance criteria for each was utilized.

5.1 County of Imperial

The County of Imperial does not have published significance criteria. However, the County General Plan does state that the LOS goal for intersections and roadway segments is to operate at LOS C or better. Therefore, if an intersection or segment degrades from LOS C or better to LOS D or worse with the addition of Project traffic, the impact is considered significant. If the location operates at LOS D or worse with and without Project traffic, the impact is considered significant if the Project causes the intersection delta to increase by more than two (2) seconds, or the volume to capacity (V/C) ratio to increase by more than 0.02.

5.2 Caltrans

A project is considered to have a significant impact if the new project traffic decreases the operations of surrounding roadways by a defined threshold. The defined thresholds for roadway segments and intersections are defined in *Table 5-1* below. If the project exceeds the thresholds in *Table 5-1*, then the project may be considered to have a significant project impact. A feasible mitigation measure will need to be identified to return the impact within the thresholds (pre-project + allowable increase) or the impact will be considered significant and unmitigated.

**TABLE 5-1
TRAFFIC IMPACT SIGNIFICANT THRESHOLDS**

Level of Service with Project ^a	Allowable Increase Due to Project Impacts ^b					
	Freeways		Roadway Segments		Intersections	Ramp Metering
	V/C	Speed (mph)	V/C	Speed (mph)	Delay (sec.)	Delay (min.)
D, E & F (or ramp meter delays above 15 minutes)	0.01	1	0.02	1	2	2 ^c

Footnotes:

- a. All level of service measurements are based upon HCM procedures for peak-hour conditions. However, V/C ratios for Roadway Segments may be estimated on an ADT/24-hour traffic volume basis (using Table 4-3 or a similar LOS chart for each jurisdiction). The acceptable LOS for freeways, roadways, and intersections is generally "D" ("C" for undeveloped or not densely developed locations per jurisdiction definitions). For metered freeway ramps, LOS does not apply. However, ramp meter delays above 15 minutes are considered excessive.
- b. If a proposed project's traffic causes the values shown in the table to be exceeded, the impacts are deemed to be significant. These impact changes may be measured from appropriate computer programs or expanded manual spreadsheets. The project applicant shall then identify feasible mitigations (within the Traffic Impact Study [TIS] report) that will maintain the traffic facility at an acceptable LOS. If the LOS with the proposed project becomes unacceptable (see note a above), or if the project adds a significant amount of peak hour trips to cause any traffic queues to exceed on- or off-ramp storage capacities, the project applicant shall be responsible for mitigating significant impact changes.
- c. The allowable increase in delay at a ramp meter with more than 15 minutes of delay and freeway LOS E is 2 minutes and at LOS F is 1 minute.

General Notes:

1. V/C = Volume to Capacity Ratio
2. Speed = Arterial speed measured in miles per hour
3. Delay = Average stopped delay per vehicle measured in seconds for intersections, or minutes for ramp meters.
4. LOS = Level of Service

6.0 ANALYSIS OF EXISTING CONDITIONS

6.1 Peak Hour Intersection Levels of Service

The Project study area is located in a rural setting and the study area contains both signalized and unsignalized intersections on both Caltrans and County of Imperial roadways. As seen in *Table 6-1a* and *Table 6-1b*, intersections in both Alternative A and Alternative B study areas are calculated to currently operate at LOS C or better during both the AM and PM peak hours.

Appendix B contains the existing peak hour intersection analysis worksheets.

**TABLE 6-1A
EXISTING INTERSECTION OPERATIONS (ALTERNATIVE A)**

Intersection	Jurisdiction	Control Type	Peak Hour	Existing	
				Delay ^a	LOS ^b
1. Center Street / Main Street (SR-86)	Caltrans	Signal	AM	12.1	B
			PM	13.0	B
2. SR-86 / SR-78	Caltrans	Signal	AM	8.8	A
			PM	10.6	B
3. SR-111 / Ben Hulse Highway	Caltrans	Signal	AM	14.1	B
			PM	15.4	B
4. SR-111 / E. Harris Road	Caltrans	TWSC ^c	AM	18.1	C
			PM	19.5	C
5. Dogwood Road / E. Harris Road	County of Imperial	TWSC	AM	11.2	B
			PM	12.0	B
6. Dogwood Road / E. Robinson Road	County of Imperial	OWSC ^d	AM	11.4	B
			PM	9.7	A

Footnotes:

- a. Average delay expressed in seconds per vehicle.
- b. Level of Service.
- c. TWSC – Two-Way Stop Controlled intersection (Minor street turn delay is reported).
- d. OWSC – One-Way Stop Controlled intersection (Minor street turn delay is reported).

SIGNALIZED		UNSIGNALIZED	
DELAY/LOS THRESHOLDS		DELAY/LOS THRESHOLDS	
Delay	LOS	Delay	LOS
0.0 ≤ 10.0	A	0.0 ≤ 10.0	A
10.1 to 20.0	B	10.1 to 15.0	B
20.1 to 35.0	C	15.1 to 25.0	C
35.1 to 55.0	D	25.1 to 35.0	D
55.1 to 80.0	E	35.1 to 50.0	E
≥ 80.1	F	≥ 50.1	F

**TABLE 6-1B
EXISTING INTERSECTION OPERATIONS (ALTERNATIVE B)**

Intersection	Jurisdiction	Control Type	Peak Hour	Existing	
				Delay ^a	LOS ^b
1. Dogwood Road / E. Robinson Road	County of Imperial	TWSC ^c	AM	11.4	B
			PM	9.7	A
2. Dogwood Road / E. Worthington Road	County of Imperial	AWSC ^d	AM	12.1	B
			PM	11.0	B
3. SR-111 / E. Worthington Road	Caltrans	Signal	AM	9.1	A
			PM	8.8	A
4. SR-111 / E. Aten Road	Caltrans	Signal	AM	15.2	B
			PM	17.2	B
5. SR-111 / E. Evan Hewes Highway	Caltrans	Signal	AM	20.3	C
			PM	20.8	C

Footnotes:

- a. Average delay expressed in seconds per vehicle.
- b. Level of Service.
- c. TWSC – Two-Way Stop Controlled intersection (Minor street turn delay is reported).
- d. AWSC – All-Way Stop Controlled intersection (Average delay is reported).

SIGNALIZED		UNSIGNALIZED	
DELAY/LOS THRESHOLDS		DELAY/LOS THRESHOLDS	
Delay	LOS	Delay	LOS
0.0 ≤ 10.0	A	0.0 ≤ 10.0	A
10.1 to 20.0	B	10.1 to 15.0	B
20.1 to 35.0	C	15.1 to 25.0	C
35.1 to 55.0	D	25.1 to 35.0	D
55.1 to 80.0	E	35.1 to 50.0	E
≥ 80.1	F	≥ 50.1	F

6.2 Daily Street Segment Levels of Service

As described above, the project study area is located in a rural setting and all local segments are two-lane facilities, while the four-lane segments are four-lane expressways. As seen in *Table 6-2a* and *Table 6-2b*, all segments in both the Alternative A and Alternative B study areas are calculated to currently operate at LOS C or better on a daily basis.

**TABLE 6-2A
EXISTING STREET SEGMENT OPERATIONS (ALTERNATIVE A)**

Street Segment	Jurisdiction	Capacity (LOS E) ^a	ADT ^b	LOS ^c	V/C ^d
State Route 78/86 East of Center Street	Caltrans	80,000	9,700	A	0.121
State Route 78 East of State Route 86	Caltrans	80,000	8,200	A	0.103
State Route 111 North of State Route 78	Caltrans	80,000	7,600	A	0.095
North of E. Worthington Road	Caltrans	80,000	15,500	A	0.194
Dogwood Road E. Harris Road to E. Robinson Road	County of Imperial	16,200	3,980	B	0.246

Footnotes:

- a. Roadway capacity corresponding to Level of Service E from Imperial County Standard Street Classification, Average Daily Vehicle Trips table.
- b. Average Daily Traffic volumes
- c. Level of Service
- d. Volume / Capacity ratio.

**TABLE 6-2B
EXISTING STREET SEGMENT OPERATIONS (ALTERNATIVE B)**

Street Segment	Jurisdiction	Capacity (LOS E) ^a	ADT ^b	LOS ^c	V/C ^d
Dogwood Road					
E. Robinson Road to E. Worthington Road	County of Imperial	16,200	5,340	C	0.330
State Route 111					
South of E. Worthington Road	Caltrans	80,000	16,900	A	0.211
North of Evan Hewes Highway	Caltrans	80,000	22,800	A	0.285
South of Evan Hewes Highway	Caltrans	80,000	23,200	A	0.290

Footnotes:

- a. Roadway capacity corresponding to Level of Service E from Imperial County Standard Street Classification, Average Daily Vehicle Trips table.
- b. Average Daily Traffic volumes
- c. Level of Service
- d. Volume / Capacity ratio.

7.0 TRIP GENERATION/DISTRIBUTION/ASSIGNMENT

7.1 Trip Generation

Project traffic generation is based on site-specific trip generating characteristics provided by the applicant. The Project would amend operations at the existing site to accept up to 1,200 tons of waste per day generated outside of Imperial County. Based on discussions with the applicant, this waste would be delivered via tractor-trailers with a 22.5 ton capacity. Thus, it is calculated that 54 additional tractor-trailer trucks per day would ingress and egress the site per day. The percent of truck trips occurring during the peak hours (called the “K-factor”) and the inbound/outbound split of peak hour traffic (the “D-factor”) were obtained from the Imperial Landfill Plan TIA prepared by LLG in 2008.

While 54 trucks trips (108 average daily trips) would physically affect the study area roadways and be observable at the site, for the purposes of evaluating the effects on the local intersections and segments, a passenger car equivalence factor, or “PCE” applied to the trip generation to account for the reduced performance characteristics (stopping, starting, maneuvering, etc.) of heavy vehicles in the traffic flow. For tractor-trailers, a conservative PCE adjustment is 4.0, meaning that all actual ADT and peak hour inbound/outbound trips are multiplied by 4.0 for the purposes of the analysis.

Table 7-1 is a summary of the Project traffic generation based on the daily tonnage (1,200), the capacity/truck (22.5 tons), and the applicable PCE factor (4.0). This table shows that for evaluation purposes, the Project would generate 432 ADT, with 26 total AM peak hour trips (14 inbound/12 outbound) and 39 total PM peak hour trips (16 inbound/ 23 outbound).

**TABLE 7-1
PROJECT TRIP GENERATION**

Trip Type	Amount	PCE ^a	Daily Total (ADT) ^b	AM Peak Hour					PM Peak Hour				
				% ADT ^c	In:Out Split ^d	In	Out	Total	% ADT	In:Out Split	In	Out	Total
Tractor-Trailers	54	4.0	432	6%	55:45	14	12	26	9%	40:60	16	23	39

Footnotes:

- PCE = Passenger Car Equivalent, used to reflect the additional impacts of 22.5 ton vehicles in the technical analyses.
- ADT = Average Daily Traffic (24-hour total bi-directional traffic on a roadway segment)
- “% ADT” or “K-factor” is obtained from the *Imperial Landfill Plan TIA* (LLG 2008).
- “In:Out Split” or “D-factor” is obtained from the *Imperial Landfill Plan TIA* (LLG 2008).

7.2 Trip Distribution

Regional trip distribution for truck traffic was based on discussions with the applicant. The ultimate split of traffic to/from either Los Angeles and/or San Diego will be determined based on needs, and may be variable over time. As such, a pair of evaluations are made assuming a worst-case 100% bias to either location. Trips to/from Los Angeles represent Alternative A, while trips to/from San Diego represent Alternative B. *Figure 7-1a* and *Figure 7-1b* show the Project traffic distribution for these alternatives, respectively.

7.3 Trip Assignment

The Project trip generation values shown in *Table 7-1* were multiplied by the corresponding truck distribution percentages shown on *Figures 7-1a* and *7-1b* to derive the Project traffic assignments shown on *Figure 7-2a* and *Figure 7-2b* for each alternative.

These Project traffic assignments were added to the existing traffic volumes to establish the Existing + Total Project traffic assignment for Alternative A and Alternative B shown on *Figure 7-3a* and *Figure 7-3b*.

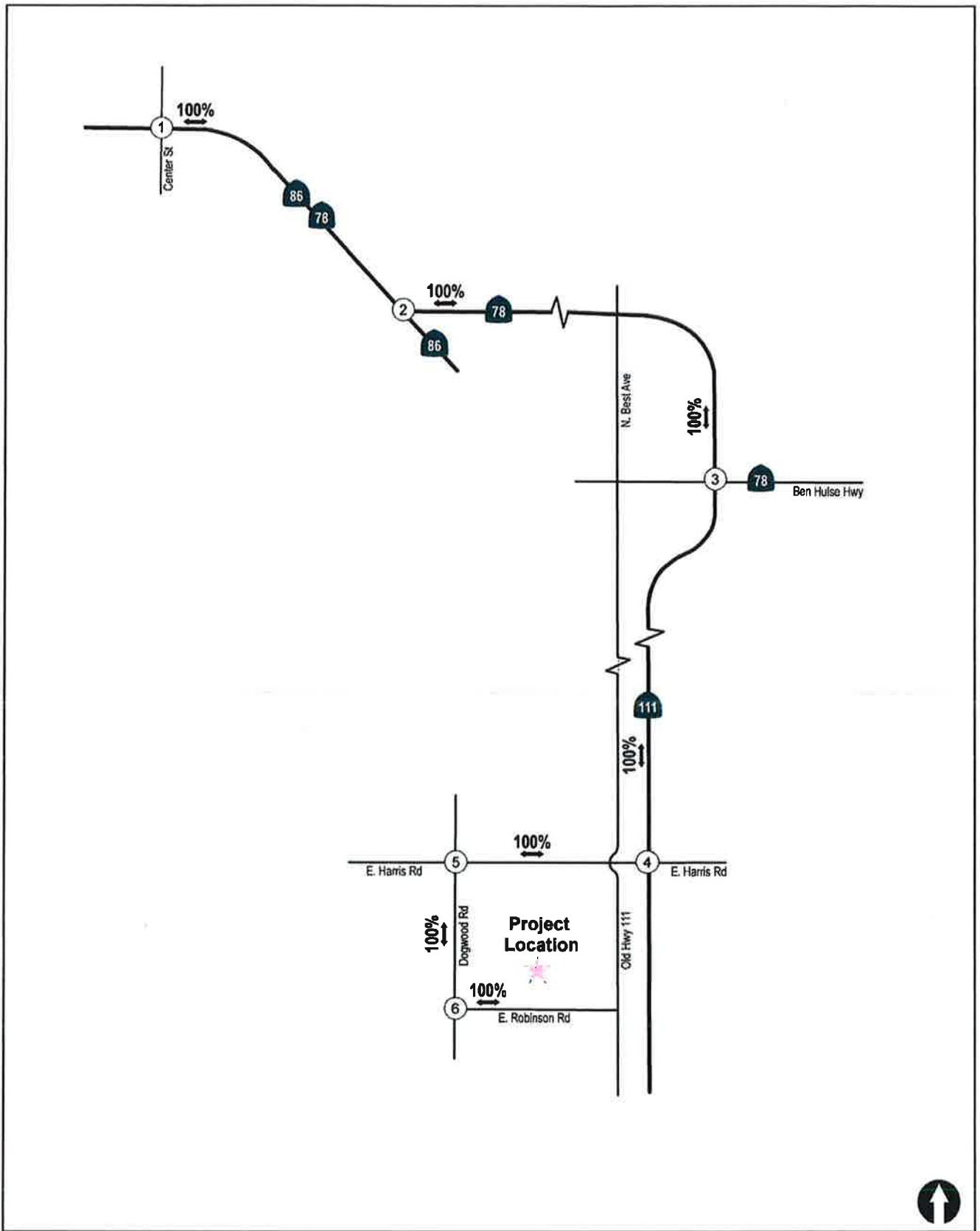
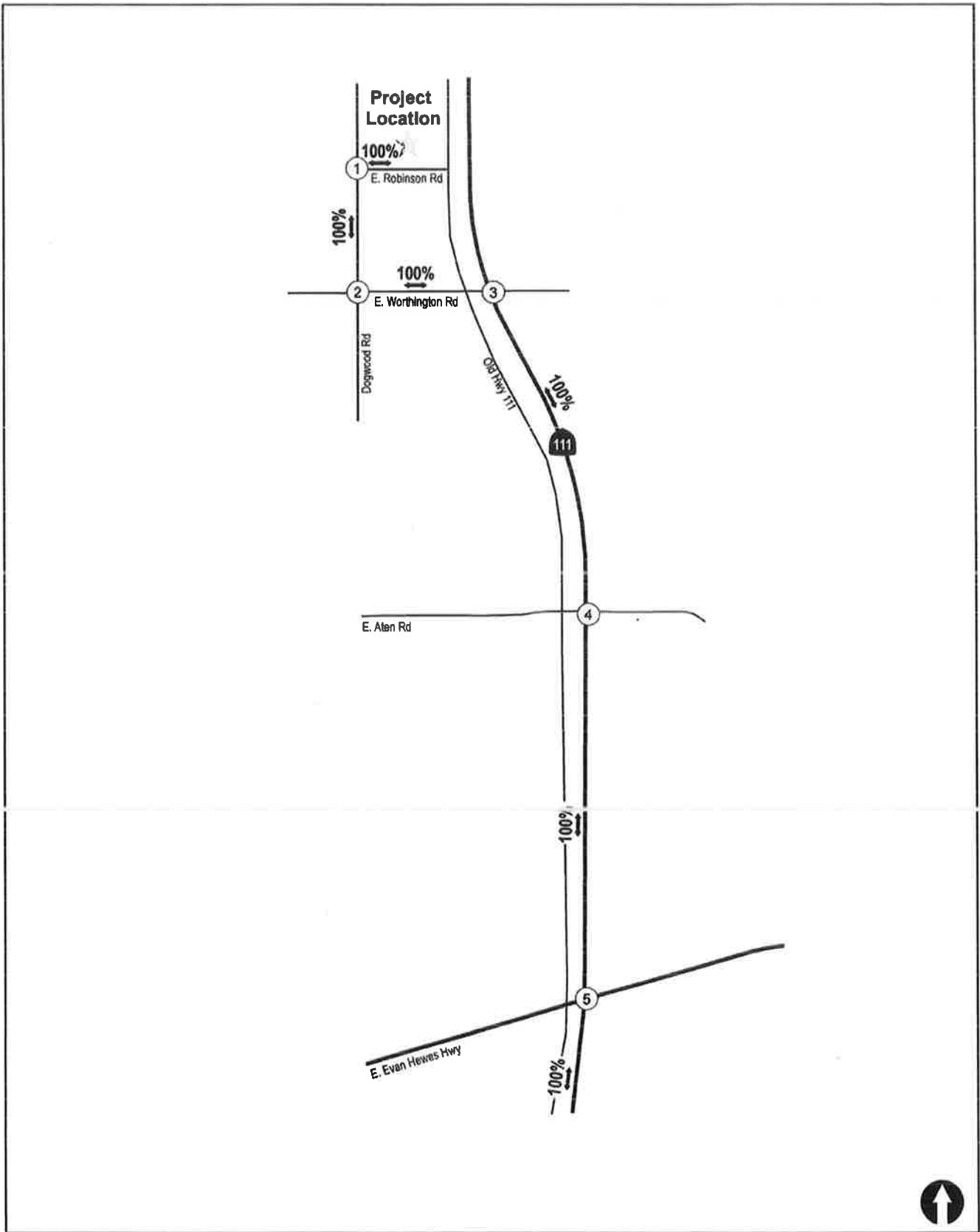


Figure 7-1a
Project Traffic Distribution
Alternative A: LA to Imperial



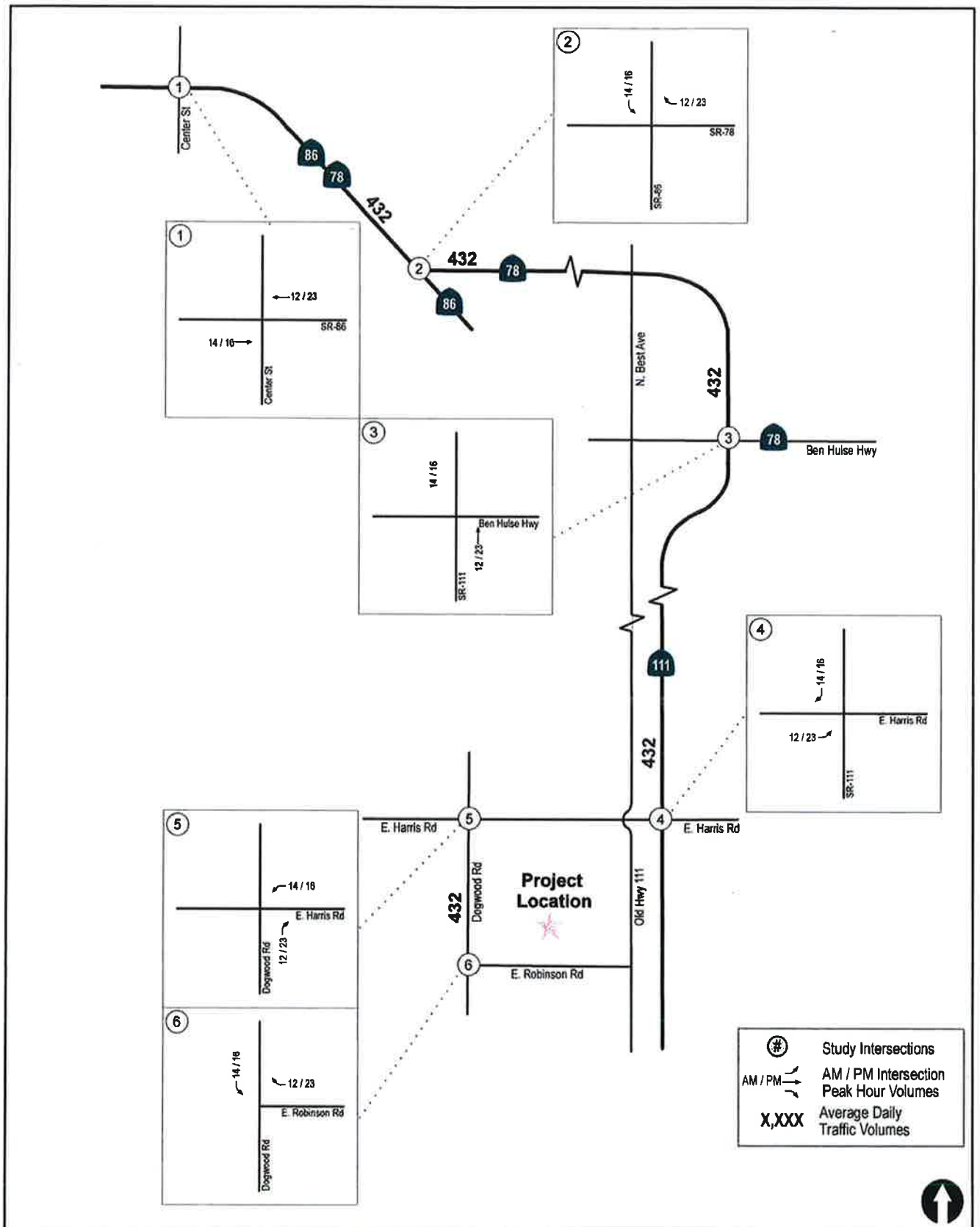
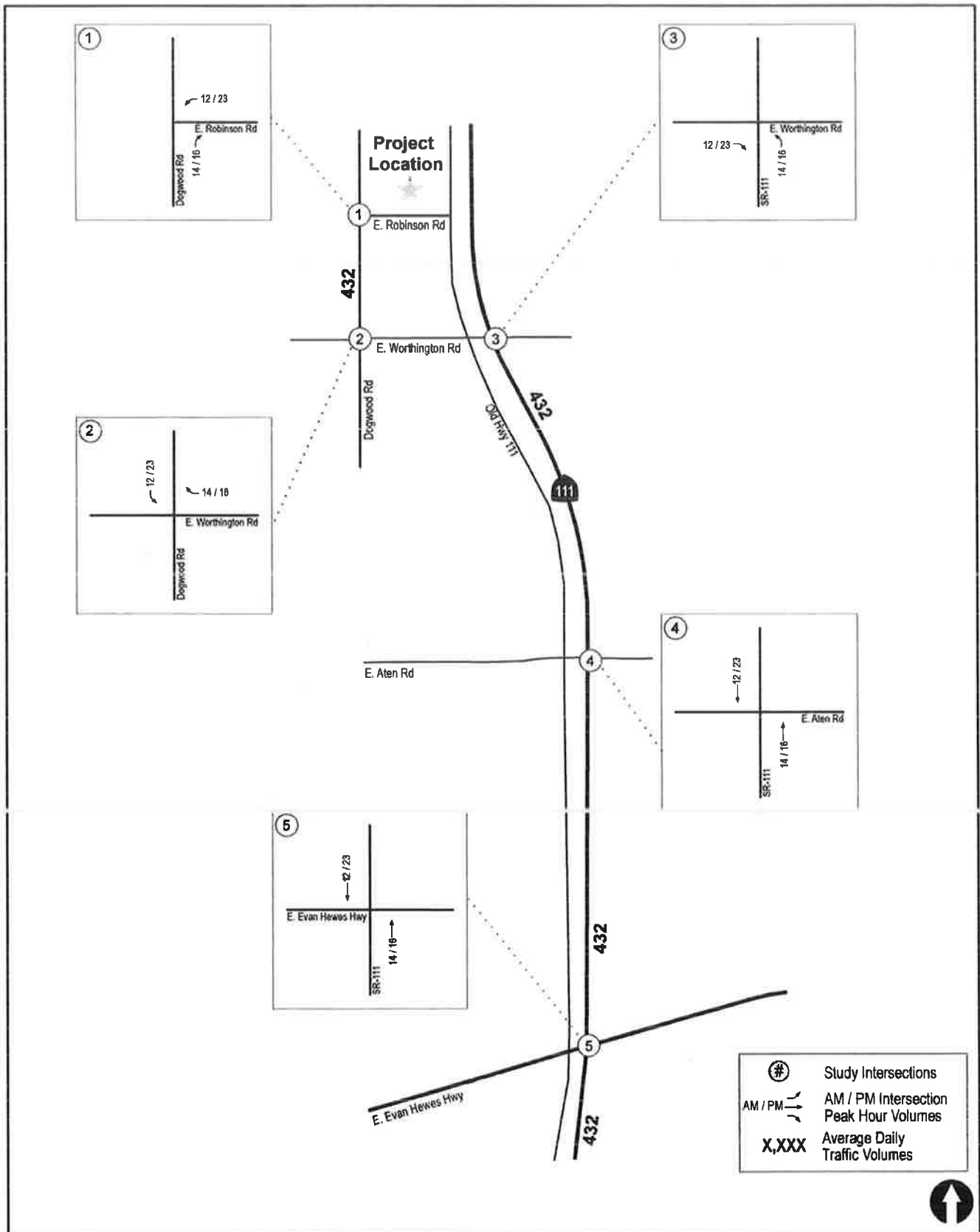


Figure 7-2a
Project Traffic Volumes
Alternative A: LA to Imperial
 ALLIED IMPERIAL LANDFILL



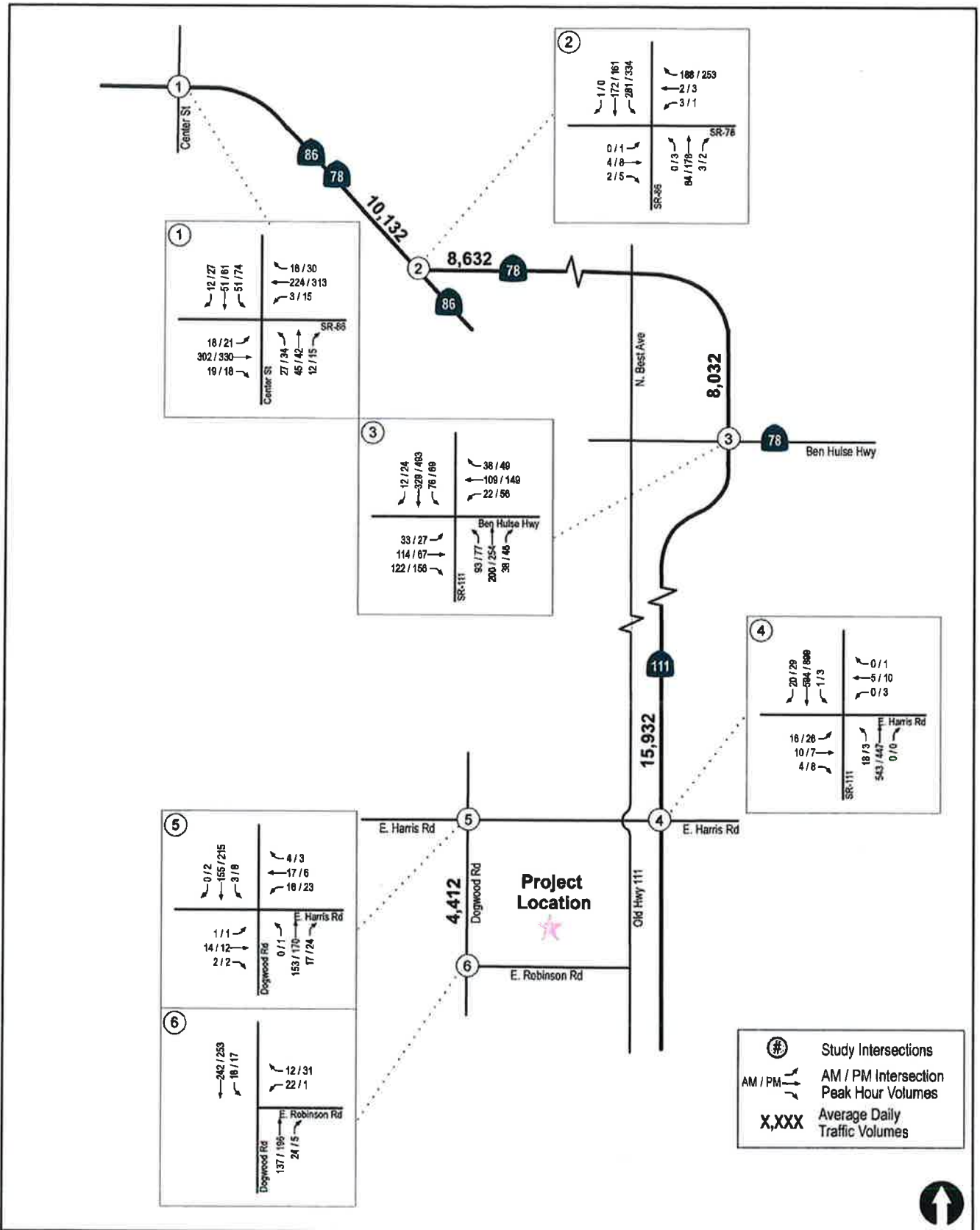


Figure 7-3a
Existing + Total Project Traffic Volumes
Alternative A: LA to Imperial
ALLIED IMPERIAL LANDFILL

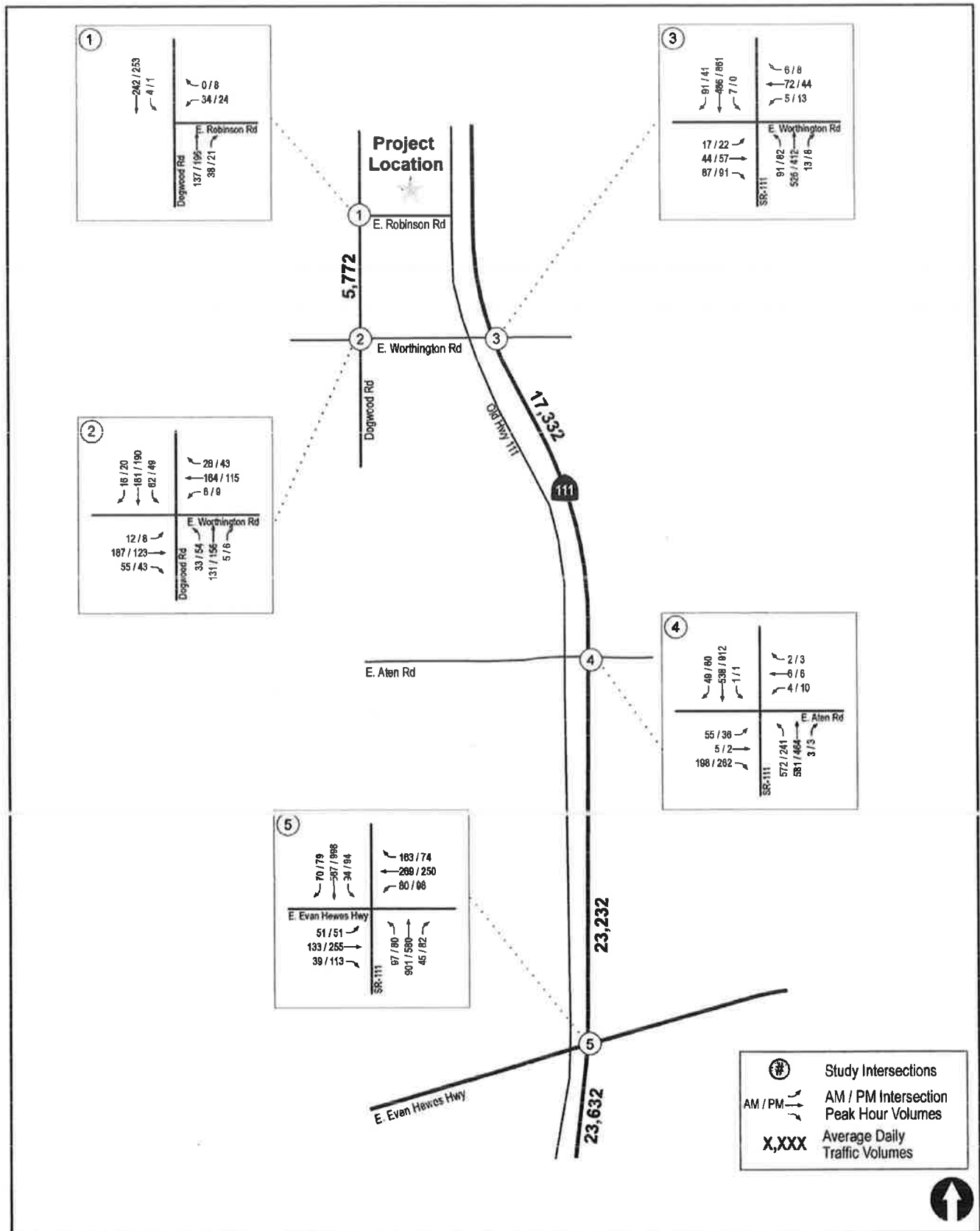


Figure 7-3b
Existing + Total Project Traffic Volumes
Alternative B: San Diego to Imperial
ALLIED IMPERIAL LANDFILL

8.0 NEAR-TERM ANALYSIS RESULTS

To account for incremental annual changes in traffic that may occur from cumulative projects in the region, historical traffic counts on the primary State Highways in the Project vicinity were reviewed to determine annual growth over the preceding five year period (2012-2017). Cumulative growth on State Highways was observed to be about 8% on average, so a 25% growth factor was applied to the existing traffic volumes to account for cumulative traffic over the next three (3) years, representing the “near-term” conditions. Cumulative growth on local County roadways (i.e. Dogwood Road) was assessed separately. Based on count data obtained by LLG, historical growth has ranged from essentially flat to about 3.2% annually on County roads in the Project vicinity. A 12.5% total growth factor was conservatively applied to County roads to account for growth over the next three (3) years.

Figure 8-1a and Figure 8-1b depict the Existing + Project + Cumulative growth for Alternative A and Alternative B respectively.

8.1 Existing + Project Analysis

8.1.1 Intersection Operations

Tables 8-1a and 8-1b summarize the intersection operations throughout the Project study area with the addition of Project traffic for Alternatives A and B, respectively. *Tables 8-1a and 8-1b* show that all of the intersections in the study area are calculated to operate at acceptable LOS C or better during the AM and PM peak hours for either alternative.

Appendix C contains the Existing + Project peak hour intersection analysis worksheets.

8.1.2 Segment Analysis

Tables 8-2a and 8-2b summarize the street segment operations throughout the Project study area with the addition of Project traffic for Alternatives A and B, respectively. *Tables 8-2a and 8-2b* show that all of the street segments in the study area are forecasted to operate at acceptable LOS C or better on a daily basis for either alternative.

8.2 Existing + Project + Cumulative (Near-Term) Analysis

8.2.1 Intersection Analysis

Tables 8-1a and 8-1b summarize the intersection operations throughout the Project study area with the addition of cumulative growth for Alternatives A and B, respectively. *Tables 8-1a and 8-1b* show that all of the intersections in the study area are calculated to operate at acceptable LOS D or better during the AM and PM peak hours for either alternative.

Appendix D contains the Existing + Project + Cumulative peak hour intersection analysis worksheets.

8.2.2 Segment Analysis

Tables 8-2a and 8-2b summarize the street segment operations throughout the Project study area with the addition of cumulative growth for Alternatives A and B, respectively. Tables 8-2a and 8-2b show that all of the street segments in the study area are forecasted to continue to operate at acceptable LOS C on a daily basis for either alternative, with the exception of:

- (Alternative B) Segment #1. Dogwood Road from E. Robinson Road to E. Worthington Road – LOS D

The 8% per year cumulative assumption results in the addition of cumulative traffic volumes causing the segment's volume to exceed the LOS C/D threshold of 7,100 ADT by 7 ADT.

**TABLE 8-1A
NEAR-TERM INTERSECTION OPERATIONS (ALTERNATIVE A)**

Intersection	Jurisdiction	Control Type	Peak Hour	Existing + Project		Existing + Project + Cumulative		Significant?
				Delay ^a	LOS ^b	Delay	LOS	
1. Center Street / Main Street (SR-86)	Caltrans	Signal	AM	12.1	B	12.7	B	No
			PM	13.0	B	13.8	B	No
2. SR-86 / SR-78	Caltrans	Signal	AM	8.9	A	9.2	A	No
			PM	10.7	B	12.0	B	No
3. SR-111 / Ben Hulse Highway	Caltrans	Signal	AM	14.1	B	15.3	B	No
			PM	15.4	B	17.3	B	No
4. SR-111 / E. Harris Road	Caltrans	TWSC ^c	AM	18.1	C	21.5	C	No
			PM	22.5	C	31.7	D	No
5. Dogwood Road / E. Harris Road	Imperial County	TWSC	AM	11.4	B	12.4	B	No
			PM	12.5	B	14.0	B	No
6. Dogwood Road / E. Robinson Road	Imperial County	OWSC ^d	AM	11.4	B	12.0	B	No
			PM	9.7	A	10.0	A	No

Footnotes:

- a. Average delay expressed in seconds per vehicle.
- b. Level of Service.
- c. TWSC – Two-Way Stop Controlled intersection (Minor street turn delay is reported).
- d. OWSC – One-Way Stop Controlled intersection (Minor street turn delay is reported).

SIGNALIZED		UNSIGNALIZED	
DELAY/LOS THRESHOLDS		DELAY/LOS THRESHOLDS	
Delay	LOS	Delay	LOS
0.0 ≤ 10.0	A	0.0 ≤ 10.0	A
10.1 to 20.0	B	10.1 to 15.0	B
20.1 to 35.0	C	15.1 to 25.0	C
35.1 to 55.0	D	25.1 to 35.0	D
55.1 to 80.0	E	35.1 to 50.0	E
> 80.1	F	≥ 50.1	F

**TABLE 8-1B
NEAR-TERM INTERSECTION OPERATIONS (ALTERNATIVE B)**

Intersection	Jurisdiction	Control Type	Peak Hour	Existing + Project		Existing + Project + Cumulative		Significant?
				Delay ^a	LOS ^b	Delay	LOS	
1. Dogwood Road / E. Robinson Road	Imperial County	OWSC ^c	AM	11.5	B	12.7	B	No
			PM	11.5	B	12.5	B	No
2. Dogwood Road / E. Worthington Road	Imperial County	AWSC ^d	AM	12.4	B	18.0	C	No
			PM	11.4	B	15.1	C	No
3. SR-111 / E. Worthington Road	Caltrans	Signal	AM	9.4	A	10.4	B	No
			PM	9.6	A	11.8	B	No
4. SR-111 / E. Aten Road	Caltrans	Signal	AM	15.2	B	19.9	B	No
			PM	17.4	B	25.7	C	No
5. SR-111 / E Evan. Hewes Highway	Caltrans	Signal	AM	20.5	C	31.3	C	No
			PM	21.0	C	34.0	C	No

Footnotes:

- a. Average delay expressed in seconds per vehicle.
- b. Level of Service.
- c. OWSC – One-Way Stop Controlled intersection. Worst minor street delay reported.
- d. AWSC - All-Way Stop Controlled intersection. Average delay reported.

SIGNALIZED		UNSIGNALIZED	
DELAY/LOS THRESHOLDS		DELAY/LOS THRESHOLDS	
Delay	LOS	Delay	LOS
0.0 ≤ 10.0	A	0.0 ≤ 10.0	A
10.1 to 20.0	B	10.1 to 15.0	B
20.1 to 35.0	C	15.1 to 25.0	C
35.1 to 55.0	D	25.1 to 35.0	D
55.1 to 80.0	E	35.1 to 50.0	E
≥ 80.1	F	≥ 50.1	F

**TABLE 8-2A
NEAR-TERM STREET SEGMENT OPERATIONS (ALTERNATIVE A)**

Street Segment	Jurisdiction	Existing Capacity (LOS E) ^a	Existing + Project			Existing + Project + Cumulative		
			ADT ^b	LOS ^c	V/C ^d	ADT	LOS	V/C
State Route 78/86								
1. East of Center Street	Caltrans	80,000	10,132	A	0.127	12,557	A	0.157
State Route 78								
2. East of State Route 86	Caltrans	80,000	8,632	A	0.108	10,682	A	0.134
State Route 111								
3. North of State Route 78	Caltrans	80,000	8,032	A	0.100	9,932	A	0.124
4. North of E. Worthington Road	Caltrans	80,000	15,932	A	0.199	19,807	A	0.248
Dogwood Road								
5. E Harris Road to E. Robinson Road	Imperial County	16,200	4,412	C	0.272	4,910	C	0.303

Footnotes:

- a. Roadway capacity corresponding to Level of Service E from Imperial County Standard Street Classification, Average Daily Vehicle Trips table.
- b. Average Daily Traffic volumes
- c. Level of Service
- d. Volume / Capacity ratio.

**TABLE 8-2B
NEAR-TERM STREET SEGMENT OPERATIONS (ALTERNATIVE B)**

Street Segment	Jurisdiction	Existing Capacity (LOS E) ^a	Existing + Project			Existing + Project + Cumulative		
			ADT ^b	LOS ^c	V/C ^d	ADT	LOS	V/C
Dogwood Road								
1. E. Robinson Road to E. Worthington Road	Imperial County	16,200	5,772	C	0.356	6,440	C	0.398
State Route 111								
2. South of E. Worthington Road	Caltrans	80,000	17,332	A	0.217	21,557	A	0.269
3. North of Evan Hewes Highway	Caltrans	80,000	23,232	A	0.290	28,932	A	0.362
4. South of Evan Hewes Highway	Caltrans	80,000	23,632	A	0.295	29,432	A	0.368

Footnotes:

- a. Roadway capacity corresponding to Level of Service E from Imperial County Standard Street Classification, Average Daily Vehicle Trips table.
- b. Average Daily Traffic volumes
- c. Level of Service
- d. Volume / Capacity ratio

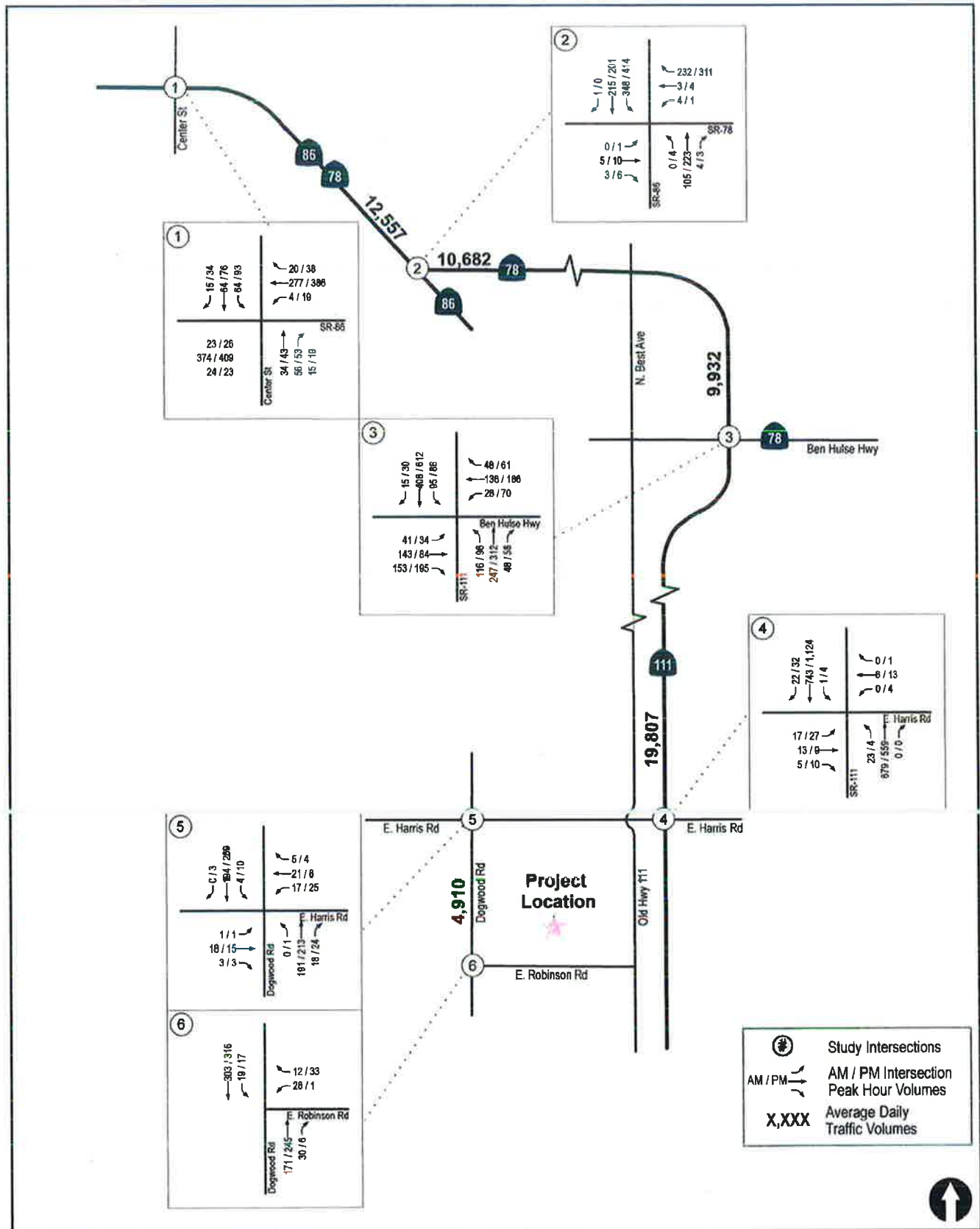


Figure 8-1a
Existing + Project + Cumulative Traffic Volumes
Alternative A: LA to Imperial
ALLIED IMPERIAL LANDFILL

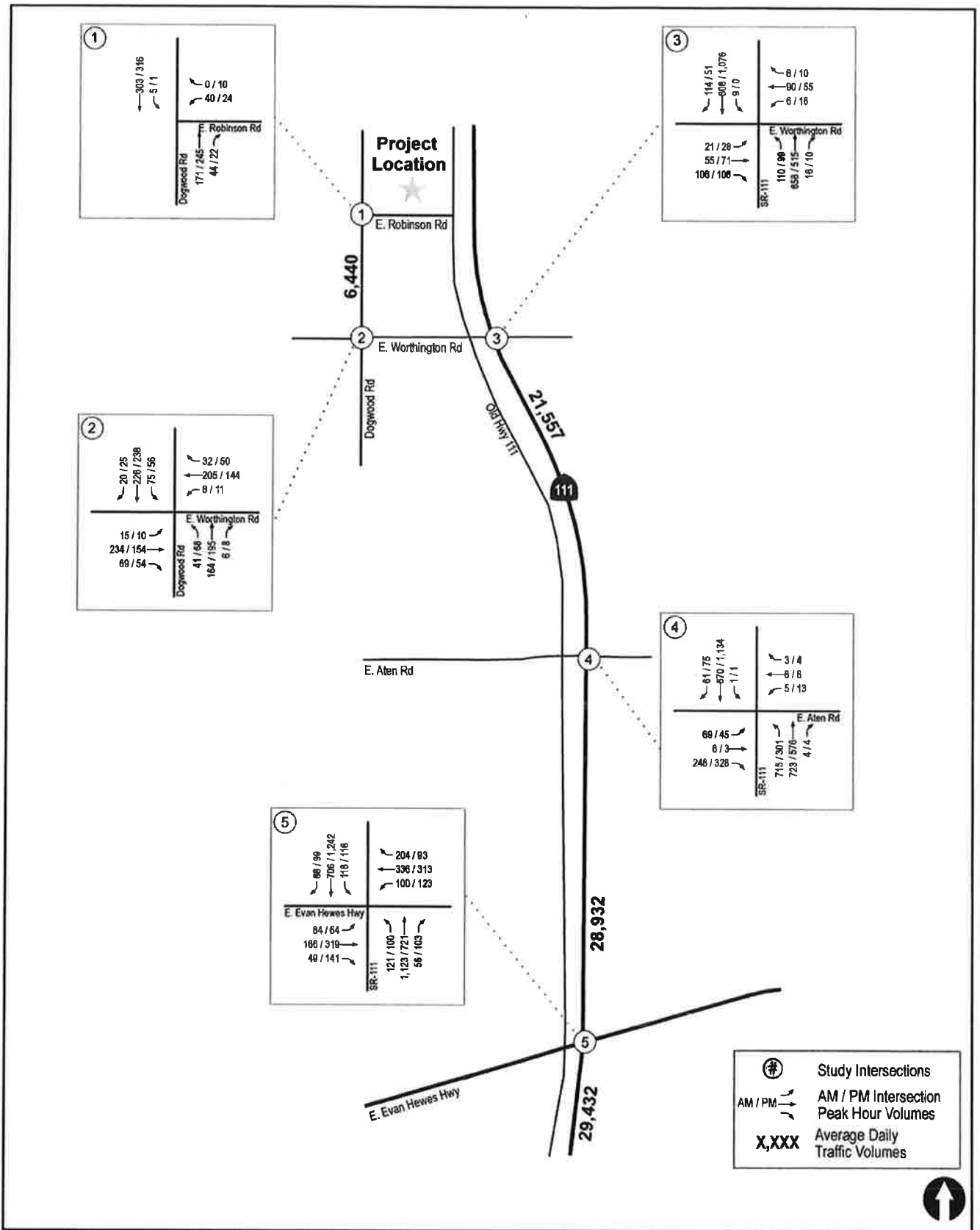


Figure 8-1b
Existing + Project + Cumulative Traffic Volumes
Alternative B: San Diego to Imperial
 ALLIED IMPERIAL LANDFILL

9.0 PROJECT ACCESS

Project traffic is will utilize the existing driveway located along the north side of E. Robinson Road, which is a low-volume rural road that primarily serves the AIL. Based on the midblock location of the driveway (between Dogwood Road to the west and Trentham Road to the east), the relatively low amount of actual Project trips, and the very low traffic existing volumes observed along E. Robinson Road, the driveway should perform adequately. No improvements are proposed or required.

10.0 VMT ANALYSIS

The Imperial Landfill was previously evaluated under the California Environmental Quality Act (CEQA) in the December 2009 Draft Environmental Impact Report (Draft EIR).¹ The Imperial Landfill Plan Final Environmental Impact Report (FEIR) was approved by the Imperial County Board of Supervisors in 2010. The EIR assumed that all traffic associated with the Allied Imperial Landfill was limited to within the boundaries of Imperial County with the exception of 136 tons per day from Borrego Springs. The Landfill is currently permitted to accept 1,700 tons per day of waste generated within Imperial County. The proposed project would allow the Landfill to accept up to 1,200 tons per day of waste generated outside Imperial County, specifically within Los Angeles or San Diego Counties, such that the permit limit of 1,700 tons per day would not be exceeded.

Since the proposed project would not increase the total amount of waste accepted by the facility, it would not cause any changes to the previously evaluated traffic impacts associated with landfill operations. Therefore, this analysis evaluates the potential change in VMT associated with the off-site waste hauling as a result of accepting out-of-county waste.

The EIR found that the Imperial Landfill Plan would result in increased waste collection trucks and employee vehicle trips traveling on public roads within the County during the life of the proposed project. The analysis assumed that Landfill operations would cease accepting waste at the end of 2038; therefore, the duration of the VMT increase would span only until then. Once the Landfill is filled, there would no longer be any VMT impacts resulting from waste transportation.

The proposed project would not result in an increase in the number of vehicles that would enter the landfill per day. The proposed project would, however, allow up to 1,200 tons per day of waste from locations outside the County to be transported to the landfill. The proposed 1,200 tons would equate to 54 trucks per day. It should be noted that that these trips already occur and the proposed project would just be directing the landfill material to the Imperial Landfill site within the County. This analysis assumes trucks would travel a distance of 118 miles, which represents the distance from the edge of the Imperial County line to Allied Imperial Landfill for trucks that come from Los Angeles (via CA-86). Trucks may also arrive from San Diego (via I-8); however this distance would be 110 miles. The longer distance of 118 miles was assumed to be the maximum new distance. The analysis in the Draft EIR assumed an average trip length of 13 miles; therefore, this evaluation assumed a distance of 105 miles in order to determine the net increase in VMT due to the project. Using the distance of 105 miles and 54 trucks per day travelling that additional distance, a VMT of 5670 VMT is calculated.

There is no significant criteria for landfill generated VMT in the County of Imperial or any other jurisdictions. **NOT** taking into account the fact that these trucks would otherwise need to travel longer distances to Arizona to reach a landfill, the VMT impact would be a temporary significant impact. If the fact that these trucks would otherwise need to travel longer distances if they did not use the Allied Imperial landfill were taken into account, the regional VMT would decrease and a significant VMT impact would not occur.

11.0 CONCLUSIONS & RECOMMENDATIONS

The capacity analyses performed for the key roadway segments and signalized/unsignalized intersections included a PCE factor to address the effects of the proposed tractor-trailers on the local roadway system. Two alternatives were evaluated, one assuming 100% of Project traffic to/from Los Angeles, the other assuming 100% of Project traffic to/from San Diego.

The local roadways carry relatively low volumes compared to their capacities, and the baseline LOS in the study area (both intersections and segments) is LOS C or better. The Project traffic volumes themselves are low, even with the PCE penalty applied.

HCM analyses prepared for the intersections and the V/C analyses conducted for the street segments within both Caltrans and the County of Imperial's jurisdictions. Based on their respective significance criteria, these analyses indicate that *no significant LOS impacts* would occur with approval and operation of the proposed CUP Amendment, regardless of the addition of Project and cumulative growth. No LOS-related mitigation measures are therefore required.

However, as discussed in Section 10.0, not taking into account the fact that these trucks would otherwise need to travel longer distances to Arizona to reach a landfill, the VMT impact would be a temporary significant impact. If the fact that these trucks would otherwise need to travel longer distances if they did not use the Allied Imperial landfill were taken into account, the regional VMT would decrease and a significant VMT impact would not occur.

End of Report



CARLSBAD
FRESNO
IRVINE
LOS ANGELES
PALM SPRINGS
POINT RICHMOND
RIVERSIDE
ROSEVILLE
SAN LUIS OBISPO

MEMORANDUM

DATE: May 5, 2020
To: Imperial County Air Pollution Control District
FROM: Amy Fischer, Principal
SUBJECT: Draft Air Quality Analysis - Allied Imperial Landfill Amendment to CUP 07-0027

LSA Associates Inc. (LSA) has prepared this memorandum to provide Imperial County (County) with the estimated air quality and greenhouse gas impacts associated with the Allied Imperial Landfill Amendment to CUP 07-0027 (proposed project).

PROJECT INFORMATION

The Allied Imperial Landfill is a fully permitted Class III landfill that accepts nonhazardous municipal solid waste. The approximately 337-acre site is located in the unincorporated south-central portion of Imperial County north of the City of El Centro and east of the City of Imperial at 104 East Robinson Road. Landfilling operations are currently conducted in an 89-acre area currently allocated for landfill operations under CUP 07-0027.

Imperial Landfill, Inc. (ILI) is applying to the County for a Conditional Use Permit Amendment to change condition 3.1.1 in order to allow for the landfill to accept waste from outside the County of imperial. The intent of the amendment is to allow the landfill the opportunity to bid upon and accept waste in a manner that would be more economically viable and environmentally superior than having waste transported to disposal areas further distances away. Under the premise of economic viability, the only way that the additional waste would be deposited at the Allied Imperial Landfill is if the overall distance to transport waste is decreased.

BACKGROUND

The Imperial Landfill was previously evaluated under the California Environmental Quality Act (CEQA) in the December 2009 Draft Environmental Impact Report (Draft EIR).¹ The Imperial Landfill Plan Final Environmental Impact Report (FEIR) was approved by the Imperial County Board of Supervisors in 2010. The EIR assumed that all traffic associated with the Allied Imperial Landfill was limited to within the boundaries of Imperial County with the exception of 136 tons per day from Borrego Springs. The Landfill is currently permitted to accept 1,700 tons per day of waste generated within Imperial County. The proposed project would allow the Landfill to accept up to 1,200 tons per

¹ Imperial County, 2009. Imperial Landfill Plan Draft Environmental Impact Report. December

day of waste generated outside Imperial County, specifically within Los Angeles or San Diego Counties, such that the permit limit of 1,700 tons per day would not be exceeded.

Since the proposed project would not increase the total amount of waste accepted by the facility, it would not cause any changes to the previously evaluated on-site emissions associated with landfill operations. Therefore, this analysis evaluates the potential change in air quality and greenhouse gas emissions associated with the off-site waste hauling as a result of accepting out-of-county waste.

The EIR found that the Imperial Landfill Plan would result in increased waste collection trucks and employee vehicle trips traveling on public roads within the County during the life of the proposed project. The analysis assumed that Landfill operations would cease accepting waste at the end of 2038; therefore, the duration of the off-site vehicle emissions would span over 30 years. Once the Landfill is filled, there would no longer be any off-site emissions resulting from waste transportation.

Table 4.2-11 of the Draft EIR shows the forecast daily emission rates from tailpipe emissions and fugitive emissions for sources within the facility boundary compared to Year 2011 permitted baseline values. The summary is shown in Table A below.

Table A: Net Increase Daily Tailpipe and Fugitive Emissions (2038 Proposed Action Minus 2011 Baseline) in Pounds per Day

	PM ₁₀	PM _{2.5}	NO _x	ROG	CO	SO _x
Net Increase (2038 Proposed Action minus 2011 Baseline) of emissions Within Landfill and Off-Site Borrow Areas	481	66	-31	0.3	62	0.2
Net Increase in NO _x On-Road Vehicles			15 ¹			
Total Emissions Estimated in Draft EIR	481	66	-16	0.3	62	0.2
ICAPCD Daily Operational Thresholds	150	NA	55	55	550	150
Exceed Threshold?	Yes	NA	No	No	No	No

Source: Imperial County, 2009. (Tables 4.2.11 and 4.2-14 of Draft EIR)

Note: ¹ Table 4.2-14 of the Draft EIR indicates that in 2034 On-Road NO_x emissions would be 2.2 tons per year. Assuming trucks operate 300 days per year, daily emissions would be 15 pounds per day.

The Draft EIR provided annual emission estimates associated with the increased NO_x emissions associated with haul trucks traveling on public roads. Table B below lists the forecast increase in future emissions, associated with implementation of the Imperial Landfill Plan.

Table B: Draft EIR Net Increase in NO_x Emissions from On-Road Vehicles on Public Roads Compared to Currently Permitted Values

Year	2009	2014	2019	2024	2029	2034
Estimated increase in On-Road NO _x Emissions (tons/year)	8.4	3.6	2.4	2.0	2.1	2.2

Source: Imperial County, 2009. (Table 4.2.14 of Draft EIR)

Note: Vehicle types included in forecast NO_x emissions include heavy-duty diesel haul trucks, plus light-duty gasoline vehicles for service pickup trucks and worker commute vehicles.

NO_x = nitrogen oxides

The Imperial Landfill Plan Draft EIR determined that over the entire 30-year life of the landfill, increase on-road haul trucks traveling on public roads would generate a total of 103 tons of increased NO_x emissions. Averaged over the entire 30-year project duration, that is equivalent to an average of 3.4 tons per year of increased NO_x emissions. That forecast is a conservatively high estimate because it assumes truck deliveries to the facility would escalate each year to the maximum permitted values. The actual truck deliveries were expected to be considerably lower than the permitted values.

Table 4.2-12 of the Draft EIR indicates that the Imperial Landfill Plan operations would decrease annual emissions over baseline emissions from 13.4 tons per year to 8.5 tons per year. Therefore, the total net increase in on-site NO_x emissions under buildout conditions was estimated to be negative 4.9 tons per year. With the additional increase in NO_x emissions from on-road vehicles at buildout of 3.4 tons per year, the total NO_x emissions were estimated to be negative 1.5 tons per year or negative 10 pounds per day.

The Draft EIR determined that the proposed project would significantly contribute to regional NO_x, PM₁₀, and PM_{2.5} emissions. The Draft EIR concluded that PM₁₀ and PM_{2.5} emissions from within the facility boundary will increase as a result of fugitive dust and vehicle NO_x emissions from haul trucks traveling on public roads will increase compared to the 2011 baseline conditions. The Draft EIR identified Mitigation Measure AQ-1 which reduces operational PM emissions from on-site equipment and fugitive dust and Mitigation Measure AQ-2 to off-set NO_x emissions from off-site trucks.

Mitigation Measure MM AQ-2: In Lieu NO_x Mitigation Fee for On-Road Haul Truck Emissions, required Imperial Landfill to pay an in-lieu NO_x mitigation fee of \$81,116 for 103 tons of on-road NO_x emissions over the 30-year project duration to offset emissions associated with the project. The EIR found that implementation of MM AQ-2 would reduce operational NO_x emissions to less-than-significant levels.

THRESHOLDS OF SIGNIFICANCE

Since the Final EIR was adopted, the Imperial County Air Pollution Control District (ICAPCD) has developed updated thresholds of significance for project operations. According to the ICAPCD, any

proposed residential, commercial, or industrial development with a potential to emit more than 137 pounds per day of NO_x or ROG; more than 150 pounds per day of PM₁₀ or SO_x; or more than 550 pounds per day of CO or PM_{2.5} may potentially have an adverse impact on local air quality.¹

EMISSION ESTIMATION METHODOLOGY

The proposed project would not result in an increase in the number of vehicles that would enter the landfill per day. The proposed project would however allow up to 1,200 tons per day of waste from locations outside the County to be transported to the landfill. The proposed 1,200 tons would equate to 54 trucks per day.² It should be noted that that these trips already occur and the proposed project would just be directing the landfill material to the Imperial Landfill site within the County. This analysis assumes trucks would travel a distance of 118 miles, which represents the distance from the edge of the Imperial County line to Allied Imperial Landfill for trucks that come from Los Angeles (via CA-86). Trucks may also arrive from San Diego (via I-8); however this distance would be 109.4 miles. Therefore, the longer distance of 118 miles was assumed to be the maximum new distance. The analysis in the Draft EIR assumed an average trip length of 13 miles; therefore, this evaluation assumed a distance of 105 miles in order to determine the net increase in emissions associated with the project.

The vehicle emission factors were selected based on the anticipated fleet mix information and mobile assumptions found in EMFAC2017 (e.g., vehicle model year, fuel type, vehicle category, and speed). Consistent with the Draft EIR analysis, LSA assumed that all waste transfer trucks would be diesel Heavy-Heavy Duty Truck (HHDT) and all model years and speeds were aggregated.

RESULTS

The results for the criteria pollutant analysis and greenhouse gas analysis are presented in this section.

Criteria Air Pollutants

Based on the methodology described above, LSA calculated the emissions associated with the proposed project which includes diversion of out-of-county waste to the Allied Imperial Landfill. Maximum daily criteria air pollutant emissions are shown in Table C. The total net increase in emissions associated with the proposed project when summed with the estimated future emissions associated with the Landfill are also shown in Table C.

¹ Imperial County Air Pollution Control District, 2017. *CEQA Air Quality Handbook*. December.

² Linscott Law and Greenspan, 2019. *Transportation Impact Analysis – Allied Imperial Landfill*. 2019.

Table C: Project Operation Emissions

	CO	NO _x	ROG	SO _x	PM ₁₀	PM _{2.5}
Project Mobile Source Emissions (pounds/day) ¹	4.0	38.8	0.9	0.2	0.7	0.7
ICAPCD Significance Criteria (pounds/day)	550	137	137	150	150	550
Exceed? (yes/no)	No	No	No	No	No	No
Total Net Increase (2038 Proposed Action minus 2011 Baseline, plus project emissions) Mobile Source Emissions (pounds/day)	66.0	22.8	1.2	0.3	481.7	66.7

Source: LSA, 2020 and Imperial County, 2009. (Table 4.2.11 of Draft EIR)

¹ Assumes 54 trucks traveling 105 miles per day

ICAPCD = Imperial County Air Pollution Control District

CO = carbon monoxide

NO_x = oxides of nitrogen

PM₁₀ = particulate matter less than 10 microns in size

PM_{2.5} = particulate matter less than 2.5 microns in size

ROG = reactive organic gases

SO_x = oxides of sulfur

As shown in Table C above, the project would contribute to the previously identified significant criteria air pollutant impacts identified for NO_x, PM₁₀, and PM_{2.5} emissions. However, the project would not result in new or significantly worsening air quality impacts.

Greenhouse Gas Emissions

The project related greenhouse gas emissions are shown in Table D below. The Draft EIR did not make a significance determination related to greenhouse gas emissions. However, as shown in Table D below, the maximum annual greenhouse gas emissions associated with the project would range from 2,343 to 1,680 MT CO₂e per year and would cease in 2038 when landfilling operations are complete. This emission level would not result in a significant amount of greenhouse gas emissions or conflict with a plan adopted for the purpose of reducing greenhouse gas emissions. Additionally, it should be noted that although these transportation emissions are assigned to the project, the project is not considered the emission or trip generator. The transport of the waste products (and associated emissions) would occur with or without project implementation and are currently occurring in other areas within California and Arizona. The project may contribute to an overall reduction in greenhouse gas emissions, as haulers would choose the Imperial Landfill for disposal based on distance, thereby reducing travel emissions.

Table D: Project Operation Greenhouse Gas Emissions (Metric Tons CO₂e per Year)

	2020	2024	2029	2034
Mobile On-Road Emissions ¹	2,343	2,103	1,850	1,680

Source: LSA, 2020

¹ Assumes 54 trucks traveling 105 miles per day, 300 days per year

CO₂e = carbon dioxide equivalent

SUMMARY

As demonstrated above, the proposed project would not result in a substantial change in emissions when compared to those shown in Draft EIR. Project emissions individually would not exceed the latest significance threshold established by the ICAPCD. Additionally, the cumulative project emissions, when considered with the previously implemented Mitigation Measure AIR-2, would not result in new or worsening significant emissions of criteria air pollutant emissions.

Attachment: Emission Calculations and Inputs

Criteria Pollutant Emissions for 2020 (lbs/day)							Criteria Pollutant Emissions for 2020 (tons/year)					
Emissions Source	ROG	NOx	CO	PM10	PM2.5	SOx	ROG	NOx	CO	PM10	PM2.5	SOx
54 Trucks traveling 105 miles per day	0.89	38.79	3.96	0.73	0.70	0.16	0.13	5.82	0.59	0.11	0.11	0.02
Total	0.89	38.79	3.96	0.73	0.70	0.16	Assume the haul trucks operate 300 days per year					
ICAPCD Thresholds	1037	1037	550	150	550	150						

Assume HHDT truck type represents the haul trucks.

Emissions factors from EMFAC2017, San Bernardino County, Annual, Aggregated model year and speed, diesel fuel.

Criteria Pollutant Emissions for 2024 (lbs/day)							Criteria Pollutant Emissions for 2024 (tons/year)					
Emissions Source	ROG	NOx	CO	PM10	PM2.5	SOx	ROG	NOx	CO	PM10	PM2.5	SOx
54 Trucks traveling 105 miles per day	0.21	22.54	1.67	0.34	0.33	0.14	0.03	3.38	0.25	0.05	0.05	0.02
Total	0.21	22.54	1.67	0.34	0.33	0.14	Assume the haul trucks operate 300 days per year					
ICAPCD Thresholds	1037	1037	550	150	550	150						

Assume HHDT truck type represents the haul trucks.

Emissions factors from EMFAC2017, San Bernardino County, Annual, Aggregated model year and speed, diesel fuel.

Criteria Pollutant Emissions for 2029 (lbs/day)							Criteria Pollutant Emissions for 2029 (tons/year)					
Emissions Source	ROG	NOx	CO	PM10	PM2.5	SOx	ROG	NOx	CO	PM10	PM2.5	SOx
54 Trucks traveling 105 miles per day	0.21	20.69	1.62	0.33	0.31	0.12	0.03	3.10	0.24	0.05	0.05	0.02
Total	0.21	20.69	1.62	0.33	0.31	0.12	Assume the haul trucks operate 300 days per year					
ICAPCD Thresholds	1037	1037	550	150	550	150						

Assume HHDT truck type represents the haul trucks.

Emissions factors from EMFAC2017, San Bernardino County, Annual, Aggregated model year and speed, diesel fuel.

Criteria Pollutant Emissions for 2034 (lbs/day)							Criteria Pollutant Emissions for 2034 (tons/year)					
Emissions Source	ROG	NOx	CO	PM10	PM2.5	SOx	ROG	NOx	CO	PM10	PM2.5	SOx
54 Trucks traveling 105 miles per day	0.20	19.57	1.60	0.31	0.30	0.11	0.03	2.94	0.24	0.05	0.04	0.02
Total	0.20	19.57	1.60	0.31	0.30	0.11	Assume the haul trucks operate 300 days per year					
ICAPCD Thresholds	1037	1037	550	150	550	150						

Assume HHDT truck type represents the haul trucks.

Emissions factors from EMFAC2017, San Bernardino County, Annual, Aggregated model year and speed, diesel fuel.

Greenhouse Gas Emissions (metric tons/year)

Emissions Source	2020				2024				2029				2034			
	CO2	CH4	N2O	CO2e	CO2	CH4	N2O	CO2e	CO2	CH4	N2O	CO2e	CO2	CH4	N2O	CO2e
54 Trucks traveling 105 miles per day	2,249	0.0056	0.3536	2,343	2,019	0.0014	0.3173	2,103	1,776	0.0013	0.2791	1,850	1,613	0.0013	0.2535	1,680
Total	2,343				2,103				1,850				1,680			

Assume HHDT truck type represents the haul trucks and they operate 300 days per year

Emissions factors from EMFAC2017, San Bernardino County, Annual, Aggregated model year and speed, diesel fuel.

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Taxes 0.00
Other 0.00
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**AGREEMENT FOR CONDITIONAL USE PERMIT (CUP) #07-0027
FOR
A CLASS III (NON-HAZARDOUS) SOLID WASTE LANDFILL
(Imperial Landfill)**

This Agreement is made and entered into on this 21 day of October 2010, by and between Imperial Landfill Inc., (hereinafter referred to as "Permittee"), and the County of Imperial, a political subdivision of the State of California, (hereinafter referred to as "County").

Conditional Use Permit (CUP) Description:

WHEREAS, pursuant to the Conditional Use Permit Application submitted to expand the existing landfill to the west onto an approximately 89-acre parcel, together with a Final Environmental Impact Report (SCH No. 2007121049), along with the Findings of Fact, the Mitigation, Monitoring and Reporting Program, the County of Imperial hereby issues this Conditional Use Permit (that supersedes CUP #98-0021 amended 2002) to Imperial Landfill Inc., (Permittee), and Permittee accepts, this Conditional Use Permit for the expansion of the existing landfill, and development thereof, operation, closure and post-closure of the California Class III non-hazardous solid waste landfill for municipal solid waste (MSW), in accordance with and subject to Title 14, Division 7, and Title 23 of the California Code of Regulations (CCR), as said codes are of this date, and subject to all of the terms and conditions specified herein; and

1 **WHEREAS**, Permittee owns certain lands in Imperial County described as Tract
2 222 and 223, Section 9, Township 15 South, Range 14 East, SBB&M, also described by
3 Assessors Parcel Numbers 044-030-006-000 and 044-030-024-000. The boundaries of
4 the expanded new cell development for the existing landfill, the associated operation(s)
5 and the "footprints" of identified facilities are as shown on the Preliminary Site Plan
6 attached hereto as Exhibit A; and

7 **WHEREAS**, pursuant to the California Environmental Quality Act (CEQA), the
8 Draft EIR was distributed for public review from December 28, 2009, through February
9 15, 2010. All public comments postmarked on or before 5:00 p.m. on February 15,
10 2010, were considered and included in preparing the Final EIR.

11 **NOW THEREFORE THE PARTIES AGREE AS FOLLOWS:**

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13	4.10	Health/Environmental Health Services Specific Monitoring Tasks	47
	4.11	Air Pollution Control District Specific Monitoring Tasks	47
14	4.12	Office of Emergency Service/Fire Specific Monitoring Tasks	48
15			

16 **Exhibits**

- 17 A Preliminary Site Plan
18 B Indemnification Agreement
19 C Landscape Guidelines for the Imperial Landfill Plan

20 **1.0 GENERAL CONDITIONS**

21 **1.1 Description of Permitted Operations**

22 This CUP is for the development, operation, closure and post-closure of a California
23 Class III non-hazardous solid waste landfill for a maximum of 3,882 tons per day tons of
24 municipal solid waste (MSW) on approximately 337 acres in the County of Imperial.
25 This CUP is subject to all of the terms and conditions specified herein and include the
26 following operations and facilities:

27 **1.1.1** The maximum daily MSW volumes will be 1,800 tons per day (TPD) increasing on
28 January 1, 2013, and annually thereafter by a three (3%) percent increase per year
thereafter for a total maximum of 3,882 tons per day, pursuant to Condition 1.7, but
subject to any limitations imposed by other permitting agencies (local, state and federal)
with jurisdiction. The applicable permits required for the operation of this landfill, the
maximum permitted traffic may increase from the current level of 274 vehicles per day

1 to 475 vehicles per day to handle the 1,800 tons per day. Permittee shall provide to the
2 County written documentation of any permit limitations imposed by any other
3 governmental agency on traffic volumes entering the landfill. In FEIR, Table 2-3,
4 Existing and Future Waste Tonnages, it provides the maximum allowable tonnages and
truck deliveries by year based upon the 3% annual increase specified for both tonnage
and traffic levels.

5 **1.1.2** The Landfill will be constructed and operated to meet or exceed all federal, state,
6 and county standards regarding design, construction, and operation of a landfill. These
7 include requirements for lining the landfill before the placement of MSW and installation
8 of systems for collection, recovery, monitoring, and treatment of landfill gas and
leachate that may be produced during the life of the project. Closure procedures and
post-closure monitoring and funding and financial assurances will be provided pursuant
to Condition 1-8, et seq. herein.

9 **1.1.3** This CUP includes and allows for construction and operation of facilities to be
10 used solely in support of the landfill as follows: Administration and employee buildings;
11 new public drop off area; HHW facilities; CDI; green waste; vehicle and equipment
12 maintenance/repair shop; scales; stormwater detention ponds; and stormwater
infiltration basin.

13 **1.1.4** Landfill construction will be an ongoing process, occurring throughout the
14 operational life of the facility, and will include the following: Base liner and leachate
collection system in the landfill area; drainage facilities; fencing; and environmental
monitoring systems.

15 **1.1.5** The following types of construction activities will occur during final closure once
16 the landfill has reached its permitted capacity: closure or removal of unneeded on-site
17 structures, re-contouring and re-grading of unneeded on-site roads, and disposition of
utility structures (e.g., electrical lines).

18 **1.2 Agreement by Permittee**

19 Imperial Landfill, Inc. (formally Republic Imperial Acquisition Corp.), as Permittee, and
20 any successor in interest, agrees to be bound by all of the terms and conditions herein,
21 including the Exhibits attached hereto, in consideration for the right to develop and
22 operate the site. Permittee agrees to operate the facility as a Class III non-hazardous
23 solid waste landfill as provided by the California Code of Regulations and any other
24 applicable local, State, and Federal laws, rules, regulations, procedures, and permits.
25 Permittee understands and agrees that the most restrictive condition(s) or
requirement(s) of any applicable regulatory agency that has permitting/enforcement
jurisdiction shall govern and that approval by one regulatory agency does not void or
supersede approval from other regulatory agencies with legal authority over facilities or
operations proposed by Permittee.

26 Permittee also understands and agrees that the County Planning & Development
27 Services Department shall have primary responsibility for enforcement of the terms and
conditions of the Conditional Use Permit and for coordination of the Interagency

1 Compliance and Inspection Program per Section 4.0, herein, and that Permittee shall at
2 all times keep the Department informed on all proposed changes/actions regarding the
Imperial Landfill.

3 **1.3 Designation of Agent**

4 **1.3.1.** Permittee hereby designates its general manager as its agent and vests in
5 him/her full authority to implement the terms and conditions of this Conditional Use
6 Permit and to bind Permittee as to all matters connected with the project. The name of
7 this agent and an alternate, along with their telephone numbers, shall be provided to the
8 County Planning & Development Services Department, so that either can be reached on
a 24-hour basis. The Planning & Development Services Department and Fire/OES
shall be notified within 24 hours of any change in the responsible agent (s).

9 **1.3.2.** Permittee shall provide to Planning & Development Services Department and
10 Fire/OES the name and a 24-hour phone number for both the General Manager and the
designated alternate not more than 24 hours after a change.

11 **1.4 Severability**

12 The Landfill shall be operated under all of the terms and conditions specified herein. If
13 any word, part of a word, phrase or condition is found by a court of proper jurisdiction to
14 be invalid, the remaining portions of the CUP shall continue in full force and effect; but
15 may be subject to modification of the CUP, if required by County pursuant to Condition
1.16, herein.

16 If this CUP is found by a court of proper jurisdiction to be invalid with regard to the
17 acceptance of solid waste, or a portion of the solid waste supply, or solid waste from a
18 particular source, for disposal at the site, the facility shall cease to accept or shall
19 reduce its acceptance of said solid waste in compliance with the Court's order until the
20 matter is resolved or, in lieu of a court order, at the direction of the County. Unless the
court or County specifically directs that all other site development/operation activities
also cease, such limited disposal and site development/operation activities may
continue in full compliance with the conditions of this CUP while the matter is being
resolved.

21 **1.5 Defense of Lawsuits and Indemnity**

22 Permittee shall enter into an indemnification agreement with the County, a copy of
23 which is attached hereto as "Exhibit B". This agreement is binding on the Permittee as
24 well as any successor-in-interest, and shall be recorded with the County Recorder.

25 **1.6 Centralized Data Repository**

26 The Mitigation Monitoring and Reporting Program (MMRP), the on-going CUP
27 compliance review and the Interagency Compliance and Inspection Program are all
essential components of the enforcement/compliance monitoring. The permits, the
monitoring reports, and other such documents need to be readily available at one

1 location for public or agency review. To insure centralized data and information
2 availability, the County Planning & Development Services Department shall maintain a
3 central data repository and Permittee shall promptly submit copies of all permits,
4 compliance reports, and violation notices and other communications applicable to such
5 permits, compliance reports, violation notices, to and from all local, State, and Federal
6 agencies to the Imperial County Planning & Development Services Department.

5 **1.7 Acquisition of Permits, Licenses, and Approvals**

6 Permittee shall obtain, comply with, and maintain in effect, all applicable local, State,
7 and Federal permits, licenses, and approvals, including but not limited to those required
8 by the following responsible public agencies:

8 **Local:** Imperial County Planning & Dev. Services Department (P&DSD)
9 Air Pollution Control District (ICAPCD)
10 Department of Health Services (ICDHS)
11 Environmental Health Services (LEA)
12 Department of Public Works (DPW)
13 County Fire Department/Office of Emergency Services (Fire/OES);
State: Regional Water Quality Control Board (RWQCB)
14 California Dept. of Resource, Recycling and Recovery (CALRECYCLE)
15 Department of Toxic Substances Control (DTSC)

14 Determination of compliance, enforcement, modification, suspension or revocation shall
15 be conducted pursuant to Condition 1.16 herein.

16 **1.8 Landfill Closure, Post-Closure and Financial Assurances**

17 Permittee shall prepare and maintain a Site Closure Plan and a Post-Closure
18 Maintenance Plan, all or portions of which are approved by the appropriate agencies
19 with applicable subject matter jurisdiction (i.e., LEA, RWQCB, and CALRECYCLE),
20 which shall comply with all applicable local, State, and Federal laws, regulations, and
21 ordinances as may presently exist or hereafter be amended, including closure design
22 and procedures approved by LEA/CALRECYCLE, and in accordance with the following:

21 **1.8.1** These plans shall include environmental monitoring and control systems, as well
22 as funding for the closure and post-closure activities in accordance with the approved
23 Site Closure and Post-Closure Plans. In addition, Permittee shall establish a corrective
24 action surety pursuant to Condition 1.8.5, herein, which shall be maintained by an
25 independent third party approved by the Director of Planning & Development Services
26 Department in consultation with Permittee, from which withdrawals for corrective action
27 in the event of environmental impairment in accordance with Condition 1.16 not
28 otherwise corrected by Permittee, shall be made as authorized by the responsible public
agencies named in Condition 1.7 of this Conditional Use Permit.

26 However, prior to the County withdrawing funds for corrective action, the County shall
27 first notify Permittee of the alleged violation and specify the necessary corrective action,
28 and the time period within which such corrective action must be commenced and

1 concluded. In the event that the corrective action is not commenced and concluded in
2 substantial compliance with the notice of violation, and no other agency with subject
3 matter jurisdiction has assumed responsibility for the performance of corrective action,
then the County may withdraw funds from the corrective action to correct the violation.
All rights of appeal set forth herein shall be available to Permittee.

4 **1.8.2** Permittee shall notify the Planning & Development Services Department of any
5 proposed changes to the Site Closure Plan and/or the Post-Closure Maintenance Plan
6 at least 90 days prior to an effective change date. The Annual Compliance Report shall
provide a summary of all changes approved during the preceding year.

7 **1.8.3** Permittee shall close, maintain, and monitor the landfill cells as operating phases
8 are completed. These closure and post-closure activities shall be conducted in
9 accordance with federal and state laws regarding landfill closure. Activities will include,
10 but not be limited to: drainage control; slope and surface stabilization; leachate
collection and treatment; landfill gas (LFG) management and control; and erosion
control.

11 **1.8.4** Permittee shall provide financial assurances for landfill closure, post-closure
12 maintenance, and corrective action in accordance with all applicable local, State, and
13 Federal laws, rules, regulations and ordinances, including the Code of Federal
14 Regulations (40 CFR Subpart G, Financial Assurance Criteria) and this CUP. These
15 financial assurances shall include written cost estimates for landfill closure, post-closure
16 care, and corrective action. These estimates and the required financial assurances
17 shall be updated not less than every five (5) years. Copies of all estimates and financial
18 assurances, including revised estimates and assurances, and a summary of all changes
19 approved by the LEA/CALRECYCLE and RWQCB after each 5-year review, shall be
20 provided to the County Planning & Development Services Department for review and
21 comment. County maintains the right to impose equivalent requirements if/when CFR
22 requirements change.

18 **1.8.5** Permittee shall maintain a one million dollar (\$1,000,000) surety acceptable to
19 the County as a local financial assurance/corrective action surety for environmental
20 impairment, not otherwise corrected by Permittee. Permittee shall reimburse the surety
21 fund to maintain the required balance not more than thirty (30) days following
22 withdrawal of any funds. If Permittee does not reimburse the surety fund within sixty
(60) days of withdrawal of any funds, a penalty shall accrue at a rate of twelve (12)
percent per annum, compounded daily.

23 Such surety shall be established as follows: \$100,000 prior to commencement of
24 construction; and increasing by \$100,000 per year of operation thereafter, up to a total
25 limit of \$1,000,000 in surety following the ninth year of operation; and shall be
26 maintained at \$1,000,000 thereafter. This surety shall remain in effect until the
27 requirement for this surety is removed by the Planning & Development Services
28 Department.

27 **1.8.6** Permittee shall provide for annual monitoring and required maintenance of the
28 site as long as the Regional Water Quality Control Board and the LEA/CALRECYCLE

1 determine is appropriate. If the Regional Water Quality Control Board and the
2 LEA/CALRECYCLE terminate post closure monitoring and maintenance of the site, then
3 the County Planning & Development Services Director may elect to continue monitoring
4 and maintenance of the site under either of the following conditions:

5 (a) The Planning & Development Services Director has substantial evidence
6 demonstrating that continued monitoring or maintenance is necessary to avoid a
7 significant direct adverse impact to the physical environment; or

8 (b) The Planning & Development Services Director has substantial evidence
9 demonstrating that continued monitoring or maintenance is necessary to avoid a
10 significant threat to human health or safety. If the Planning & Development Services
11 Director elects to require continued Post-Closure maintenance and monitoring beyond
12 that required by the Regional Water Quality Control Board and the LEA/CALRECYCLE
13 as set forth in this condition, then the Planning & Development Services Director shall
14 specify the nature, scope, frequency and term of the monitoring and maintenance to be
15 continued by the Permittee during such extended period. Any determination under this
16 section shall be appealable to the Board of Supervisors.

17 **1.8.7** In the event that the standards and requirements of Article 3.4 of Title 14 of the
18 CCR, in effect on the date the Conditional Use Permit is issued, are eliminated or
19 substantially reduced, the Permittee shall within 45 days of such elimination or
20 substantial reduction, confirm with the County that the minimum standards set forth in
21 Article 3.4 of Title 14 of CCR (in effect on the date the Conditional Use Permit is issued)
22 shall be kept and maintained by the Permittee throughout the life of the project. All
23 closure and post-closure maintenance plans submitted and approved by the Regional
24 Water Quality Control Board or the LEA/CALRECYCLE shall be transferred to the
25 County. Permittee shall provide County with written confirmation of such transfer,
26 including a statement that Permittee shall thereafter continue to comply with Article 3.4
27 with the County acting in the place and stead of Regional Water Quality Control Board
28 and/or the LEA/CALRECYCLE.

19 **1.9 Notice of Regulatory Activities**

20 For purposes of providing a central information repository, Permittee shall provide to the
21 County Planning & Development Services Department copies of all notices to and from
22 and/or submissions to and from any local, State, or Federal regulatory authority
23 concerning or relating to operations under this permit, concurrently with submission to
24 or receipt from these authorities within five (5) working days.

25 **1.10 Right of Entry**

26 The County reserves for itself and other enforcement, regulatory or monitoring
27 agencies, the right to enter the premises with the knowledge of Permittee and, in
28 accordance with Permittee's access procedures, to make appropriate inspections and to
determine whether Permittee is complying with the conditions of this permit or any
permit granted to Permittee. Permittee shall not deny or restrict access by enforcement
agency personnel. Inspections may be at any time, day or night, and may include

1 announced and unannounced inspections. Except for standard safety regulations and
2 procedures, inspectors shall have unrestricted access to all portions of the site.

3 **1.11 Encroachment Permit**

4 An Encroachment Permit for access to the project site via Robinson Road shall be
5 updated and maintained from the Department of Public Works prior to the construction
6 and operation of the proposed new cell development facilities at the entrance to the
7 expanded landfill. Any and all improvements shall meet County standards and/or
8 requirements.

9 **1.12 Insurance and Indemnity**

10 Permittee shall, for the period of site development and operations, including any closure
11 or post-closure period, maintain adequate Comprehensive General Liability, Automobile
12 Liability, and Worker's Compensation Liability insurance to protect person(s) or property
13 from injury or damage caused by the operation(s) of the facilities and/or site, in
14 accordance with the following:

15 **1.12.1** The amount of insurance shall be a minimum of One Million Dollars
16 (\$1,000,000.00) combined single limit which shall be established prior to construction of
17 any new structures or landfill phases and prior to increasing the amount of waste
18 received to above 1,800 tons per day.

19 **1.12.2** In the event Permittee elects to change insurance, Permittee shall provide a
20 minimum of sixty (60) days notice via Certified Mail prior to cancellation or change of the
21 insurance specified herein.

22 **1.12.3** The amount of insurance required herein shall be reviewed every five (5) years
23 following the recordation of this CUP, and shall be adjusted to correspond with changes
24 in the Consumer Price Index (CPI) since the establishment of the insurance coverage or
25 since the prior ten year review.

26 **1.12.4** All insurance policies required hereunder shall name the County as either an
27 additional insured or an additional loss payee. Permittee shall provide certificates of
28 insurance (directly from carrier) to the Planning & Development Services Department
annually and shall provide copies for the Annual Compliance Report as defined within
Condition 4.6 and such other times as may be requested.

1.12.5 Notwithstanding the availability of any insurance coverage required herein, the
Permittee shall indemnify, defend, and save harmless the County, its Board of
Supervisors, and all officers, employees, and agents (the "Indemnitees"), against any
and all claims, actions, and liabilities related to the County's issuance of this permit or to
the Permittee's monitoring of this permit, or to the extent arising out of negligence,
misconduct, or action by Permittee, corporate officers, its agents, or employees, in
operations at the site or facility, and/or transportation by Permittee of any waste material
to the site. County shall promptly notify Permittee of any such claim, suit, action or
cause of action received by the County. Permittee's liability to Indemnitees under this

1 Agreement shall be reduced to the extent of any payments made by Permittee's
2 insurance carriers for claims subject to this indemnity.

3 **1.13 Provisions to Run with the Land/Project**

4 The provisions of this Conditional Use Permit run with the land/project and shall bind the
5 future and current owner(s), successor(s) in interest, assignee(s), transferee(s), and/or
6 partners of the project. Prior to transferring any interest in the project to another entity
7 not already a part to this agreement, however, the seller shall provide, by certified mail,
8 to the County Planning & Development Services Director, at least 90 days prior to the
9 close of escrow, a notice setting forth the identity of the potential purchaser.

10 In the event that more than 50% of the project is transferred to a party not a signatory to
11 this agreement, the purchaser shall concurrently with the close of escrow, be required to
12 sign an agreement acknowledging that he/she/it accepts and agrees to be bound by all
13 conditions set forth in this agreement and any other recorded instruments that apply to
14 the site. In addition, the purchaser shall be required to produce proof that financial
15 assurances then in existence for the site shall be assumed in whole by the purchaser
16 and shall remain in effect as required by the permits.

17 The purchaser shall be required to demonstrate in writing that he/she/it is capable of
18 assuming for the term of the Conditional Use Permit, all financial assurances in
19 existence at the time of the transfer. Such proof shall consist of a letter from a bonafide
20 financial institution or by any other method satisfactory to the County, verifying that the
21 purchaser is capable of assuming financial assurances in existence at the time of the
22 transfer for the remaining term of the Conditional Use Permit. Failure to demonstrate
23 that the purchaser has assumed and agreed to maintain in effect financial assurances
24 equivalent to those currently held by the Permittee for the site may result in revocation
25 of this permit.

26 **1.14 Recordation**

27 This Conditional Use Permit #07-0027 (superseding CUP #98-0021) shall not be
28 effective until it is recorded by the Planning & Development Services Department at the
Imperial County Recorder's Office, with payment of the recordation fee to be the
responsibility of the Permittee. If the CUP is not recorded within six (6) months of the
CUP approval date, this CUP shall be deemed null and void. The Planning &
Development Services Director may extend the recordation date by six (6) months if
requested by Permittee at least sixty (60) days prior to the expiration of the initial period.
The period specified herein for recordation of the CUP shall be stayed for the period
during which a legal challenge to the CUP is being pursued. Upon recordation, the
CUP term shall commence. Any delays in actual construction and operation by
Permittee following CUP recordation shall not extend the term by a commensurate
period, but shall be construed as part of the initial CUP term.

1 **1.15 Acceptance**

2 This CUP shall be deemed accepted by Permittee upon compliance with any concurrent
3 recordation and conditions as well as payment of the recordation fee and shall be
4 further deemed to constitute agreement by Permittee to comply with all conditions
5 contained herein.

6 **1.16 Enforcement, Modification, Suspension, and Revocation**

7 The County shall enforce, modify, suspend or revoke this CUP in accordance with the
8 following conditions.

9 **1.16.1** If the Planning & Development Services Department determines that the
10 Permittee has failed to comply with the conditions set forth in the Conditional Use
11 Permit, the Planning & Development Services Department shall provide by certified mail
12 to the Permittee, a notice of the violation of the Conditional Use Permit. Such notice
13 shall state with specificity the location, place, time and description of such violation, and
14 shall specify a reasonable time period for correction of the violation by Permittee, which
15 shall not be less than thirty (30) days unless the Department makes a finding that a
16 more immediate correction is necessary for the protection of public health and safety.
17 Concurrent with the County's notice to Permittee, the County shall provide copies of
18 such notice to all agencies with jurisdiction over the alleged violation.

19 **1.16.2** If, after conclusion of the time specified in the notice, the Permittee has not
20 remedied the alleged violation then the County shall refer the matter to the Planning
21 Commission for permit enforcement, modification, suspension, revocation or any other
22 action it deems appropriate. In scheduling the Planning Commission hearing under this
23 section, the Planning Director shall notify all local, state or federal agencies with
24 jurisdiction over the subject of the alleged violation and shall, to the extent feasible,
25 coordinate any ongoing proceedings regarding violations by the Permittee to occur after
26 the conclusion of any proceedings before local, state, or federal agencies.

27 **1.16.3** If the Planning Commission determines to proceed with enforcement,
28 modification, suspension, or revocation of the Conditional Use Permit, the Planning
29 Commission shall give at least sixty (60) days notice to Permittee and such other public
30 notices as required by law of the Planning Commission's intention to do so. The notice
31 to the Permittee shall contain, at a minimum, the following information:

- 32 (a) The time and place of the hearing;
- 33 (b) A statement as to the reasons why the Planning Commission proposes to
34 enforce, modify, suspend or revoke the Conditional Use Permit;
- 35 (c) A statement regarding any concurrent proceedings before local, state or
36 federal agencies and why it is necessary for the County to proceed prior to
37 conclusion of such concurrent proceedings;
- 38 (d) Any proposed modification to the Conditional Use Permit; and

- 1 (e) Any other information that the Planning Commission considers necessary
2 or desirable to inform Permittee and the public of the nature of the
3 hearing.

4 **1.16.4** Any action by the Planning Commission shall be documented by written findings.
5 In the event the Planning Commission chooses to enforce, modify, suspend or revoke
6 the Conditional Use Permit, the Commission must specifically find that such action is
7 necessary because prior governmental efforts to get Permittee to comply with the
8 Conditional Use Permit have failed and Permittee has failed to demonstrate, to the
9 Planning Commission's satisfaction, either the unfeasibility of compliance by Permittee,
10 despite good faith efforts, or the willingness or ability to comply with the terms and
11 conditions of Conditional Use Permit. In the event that another local, state or federal
12 agency has jurisdiction over an alleged violation, and is proceeding independently with
13 hearings regarding modification, revocation or suspension of a local, state or federal
14 permit and those proceedings have concluded without suspension, enforcement,
15 modification, or revocation, then the Planning Commission shall state with specificity
16 why they believe such decision to be inadequate. The Commission shall make similar
17 findings in the event that the Commission orders the Permittee to comply with the
18 Conditional Use Permit under more stringent terms than ordered by another local, state
19 or federal agency.

13 **1.17 Appeals**

14 Any interpretation, decision, or determination by the Planning & Development Services
15 Director regarding this CUP may be appealed to the Planning Commission. Any
16 Planning Commission determination, unless specific otherwise, regarding this CUP may
17 be appealed to the Board of Supervisors in the same manner as other determinations or
18 CUP applications are appealable. The effect of the decision being appealed shall be
19 stayed during the pendency of the appeal. The Planning Commission and upon appeal,
20 the Board of Supervisors shall conduct a public hearing on any appeal. The cost of any
21 appeal shall be paid by the Appellant.

19 **1.18 Invalid Conditions**

20 If any section, subsection, sentence, word, or phrase of the CUP is for any reason held
21 to be invalid by a Court of proper jurisdiction, the County may consider other similar
22 conditions as it may deem necessary to address the negative impacts which were
23 intended to be mitigated by any single condition which must be changed due to
24 invalidity. If similar conditions cannot be imposed, then the Planning Commission may
25 seek modification of this permit pursuant to the provisions of Condition 1.16 herein, to
26 address the impacts which were intended to be mitigated by the condition held invalid.

25 **1.19 Condition Priority**

26 This project shall be constructed and operated as described in this CUP and its
27 conditions of approval, the Final EIR, the MMRP, and as shown or described in the

1 approved Site Development Plan. Where a conflict occurs within these documents,
2 these CUP conditions shall govern and take precedence.

3 **1.20 Definitions**

4 Terms and definitions of words, phrases and/or conditions or sections herein shall be as
5 defined herein or, if not defined herein, shall be as used in the County Land Use
6 Ordinance and other regulations applicable to the project by agencies listed in Condition
7 1.7 above. If the meaning is unclear or an acronym is used in this CUP, then the Final
8 EIR shall be used to clarify the intent or meaning of any condition herein. In the event
9 of a dispute, the meaning or the intent of any word, phrase, and/or conditions or
10 sections herein shall be determined by the Imperial County Planning Commission.
11 Their determination shall be made in a public hearing and shall be appealable to the
12 County Board of Supervisors. Any appeal to the Board shall be paid for by the
13 appellants. The public hearing shall be noticed and conducted in accordance with
14 procedures for public hearings on Conditional Use Permits as set forth in the County
15 Land Use Ordinance.

16 **1.21 Limitations**

17 The issuance of this CUP does not authorize Permittee to construct or operate this
18 project in violation of any applicable local, State, or Federal law; nor to construct or
19 operate beyond the specified boundaries of the project per Exhibit A attached hereto;
20 nor to use the facility for uses other than for the operation and maintenance of the
21 facility and its equipment; nor shall this CUP allow any accessory or ancillary use not
22 specified herein. The CUP does not provide any prescriptive right or use to Permittee
23 for any future addition(s) or modification(s) to this project, or any other project.

24 **1.22 Conditional Use Permit Term**

25 This Conditional Use Permit is issued to the Permittee for a period of twenty (20) years
26 starting from date of recordation of this CUP, and is subject to substantial compliance
27 by Permittee with all applicable conditions, including but not limited to, on-going
28 monitoring. For purpose of calculating the term of the Conditional Use Permit, the
closure and post-closure time required by law is excluded. This CUP may be extended
as follows:

29 **1.22.1** This CUP may be extended for one additional 10-year term by the
30 Planning Commission or, on appeal, by the Board of Supervisors following public notice
31 and hearing in accordance with the following provisions:

- 32 (a) Permittee files a written request with the Planning & Development
33 Services Department at least 180 days prior to the expiration of the
34 extension term;
- 35 (b) There has been no significant change in the general operation of the
36 project and Permittee is in substantial compliance with all applicable
37 conditional use permit conditions and all related permits as reviewed and
38

1 presented to the Commission/Board in a report from the Planning &
2 Development Services Department;

- 3 (c) Permittee has no outstanding or on-going violations to other
4 permits/approvals from any local, State, or Federal regulatory agencies;
- 5 (d) Permittee has complied with any and all notices, orders, or other written
6 requirements from the respective enforcement agencies;
- 7 (e) There are no new project related significant environmental impacts and
8 any project related impacts, previously identified in the EIR, remain less
9 than significant; and,
- 10 (f) The regulatory requirements pertaining to the operation of the landfill have
11 not changed significantly or changes have been or can be incorporated as
12 conditions applicable for the next permit term.

13 **1.23 Amendments**

14 Amendments to the Conditional Use Permit requested by Permittee shall be submitted
15 in writing with applicable fees to the Planning & Development Services Director. Within
16 twenty (20) days of submitting such an application, the Planning & Development
17 Services Director shall determine whether the requested amendment is either a major
18 amendment or a minor amendment. Minor amendments are those amendments to the
19 design, construction, or operation of the Landfill that do not result in additional
20 environmental impact or which may be necessary to comply with requirements or
21 regulations of other governmental agencies. All other amendments may be considered
22 major amendments by the Planning & Development Services Director. All amendments
23 shall be processed in accordance with applicable state and local requirements,
24 including any required environmental review, notice and hearing.

25 **2.0 SITE DEVELOPMENT CONDITIONS**

26 **2.1 General Requirements and Procedures**

27 The following conditions shall be met prior to the construction of any new phases of the
28 landfill or increasing the amount of MSW received at the landfill

Detailed Site Development Plan Required

23 **2.1.1** Permittee shall submit to and receive approval from the Planning & Development
24 Services Department following a coordinated written review by applicable departments
25 and agencies of the detailed Site Development Plan. The Planning & Development
26 Services Department shall review the Site Development Plan within thirty (30) days of
27 receipt and either approve or reject the site development plan in whole or in part. The
28 review shall be designed to affirm compliance with the description and standards
established in the EIR and applicable construction codes. If a written response from

1 another Department cannot be obtained within thirty (30) days, the Planning &
2 Development Services Department shall render its decision.

3 **2.1.2** The Site Development Plan shall include details of the landfill design and all
4 improvements including the associated operations and facilities, which shall be
5 consistent with illustrations, descriptions, and standards contained in the EIR; and shall
6 further conform to any other conditions or requirements adopted by the County Board of
7 Supervisors, and/or other permitting agencies at the time of issuance of this CUP. The
8 Site Development Plan shall include, but not be limited to, site boundary dimensions
9 and a legal description; dimensions and height of all improvements, facilities, and other
10 use areas; dimensions and height (as measured from adjacent natural grade) of the
11 landfill; fencing, drainage, groundwater monitoring wells; and cross-section(s) of the
12 landfill as specified by the Planning & Development Services Department.

13 **2.1.3** The Site Development Plan shall be updated by Permittee every five years. A
14 scaled and dated aerial photograph showing the landfill boundaries shall be provided
15 with the updated Site Development Plan to the Planning & Development Services
16 Department.

17 **2.1.4** The proposed landfill shall be designed and constructed to comply with Title 14,
18 CCR 17777 standards. These standards include requirements to ensure the structural
19 integrity of final slopes, environmental control systems, and containment structures for
20 the landfill under both static and earthquake conditions. Prior to the construction of any
21 new landfill phases; a slope stability analysis, detailed geologic mapping, and any new
22 field subsurface investigations shall be reviewed and approved by the County and
23 Regional Water Quality Control Board. The exterior "footprint" of the landfill shall be as
24 shown by the site development plan. The final landfill heights shall not exceed 130 feet
25 above the natural grade within the project footprint and meet all applicable slope
26 standards.

27 **2.1.5** Layout and detail of the liner and leachate collection system as prepared by a
28 California-licensed engineer shall be submitted by Permittee for approval by the
following agencies as required by the applicable permit: Planning & Development
Services Department; LEA; RWQCB; and CALRECYCLE. Following approval by such
agencies, the liner and leachate collection system shall be incorporated into the Site
Development Plan.

22 **2.2 Plans and Specifications for Environmental Impact Mitigation**

23 The following features, procedures and mitigation measures shall be incorporated in the
24 design and operation of the project in accordance with the Final EIR:

25 **Archaeology/Paleontological:**

26 **MM CR-1: Archaeological Monitoring during Excavation or Grading Activities**

27 Archeological monitoring shall be required during grading or excavation into native soils
28 for the following operations:

- Grading of internal roadways

- 1 • Excavation for subsurface landfill cell preparation
- 2 • Excavation at soil borrow areas
- 3 • Excavation for leachate basins or stormwater basins
- 4 • Grading for new or relocated structures and facilities (office, scale house, HHW facility, greenwaste and CDI facilities)

5 Excavation or grading of native soils shall be observed by an Archaeological Monitor (AM) working under the supervision of a Qualified Archaeologist (QA). The AM is defined as a person with an applied archaeology certificate or a Bachelor's degree in Archaeology/Anthropology and at least one year of experience in southern California archaeology. The QA is defined as a person with an advanced degree in Archaeology, Anthropology, or History, preferably a member of the Register of Professional Archaeologists, and who has at least two years of experience in evaluating cultural resources in southern California.

9 In the initial phase of the project the AM shall monitor on a full time basis and will report to the QA via a daily Monitor Log. If the soils, stratigraphy, and geomorphology observed indicate a low probability of encountering buried archaeological resources, the QA will request permission from the Planning and Development Services Department to reduce the monitoring to an appropriate level based on the QA's best professional judgment.

13 **MM CR-2: Authority of the Archaeological Monitor**

14 The archaeological monitor shall have the authority to redirect construction equipment in the event any cultural resource potentially eligible for the CRHR is encountered. All cultural resources are assumed potentially eligible for the CRHR until determined otherwise by the QA. Work will not resume in the area of the discovery until authorized by the QA.

17 **MM CR-3: Evaluation of Unexpected Discoveries**

18 The Qualified Archaeologist will evaluate the significance of the unexpected discovery in conjunction with designated Quechan representatives in order to provide proper management recommendations (e.g., resource avoidance or test and evaluation excavations). If test and evaluation is recommended, the QA will prepare a research design, schedule, and budget for review and approval. During evaluation testing, the Quechan Tribe shall be notified in advance so that the Cultural Monitor can be present and assist with the work being conducted. These recommendations will be implemented to the satisfaction of the County of Imperial and applicable regulatory agencies and will include MM CR-2 through MM CR-7. At the completion of the monitoring program, the QA will prepare a technical report that describes the project, the personnel used, dates of performance, and results. If cultural resources were recovered, they shall be cleaned, cataloged, analyzed, and curated at an approved repository. The disposition of cultural items that fall within the scope of the Native American Grave Protection and Repatriation Act (NAGPRA) will be coordinated with the designated Quechan representative.

1 **MM CR-4: Tribe Contact, Notice, and Cultural Monitor**

2 The Quechan Indian Tribe (Tribe) will provide one or more certified Cultural Monitors to
3 the project upon at least 24 hours telephonic notice from the project proponent. Such
4 notice shall be given to the Tribe's Historic Preservation Officer, presently Bridget Nash-
5 Chrabascz, at 760-572-2423 (office) or 928-920-6068 (cell). The notice shall include
6 information regarding the scope of the proposed activity, the number of Monitors
7 proposed, and the beginning and ending dates and times that the Monitor(s) will be
8 needed. The Tribe has the authority and discretion to provide one or more Monitors as
9 the Tribe determines necessary.

10 **MM CR-5: The Tribe's Cultural Monitor Responsibilities**

11 Upon arrival at the job site, the Cultural Monitor(s) shall provide the Project
12 Superintendent a current Cultural Monitor certification document. The Cultural
13 Monitor(s) shall at all times comply fully with all safety requirements established by the
14 Superintendent for the Project site.

15 **MM CR-6: Protocol and Payment With Regard to the Cultural Monitor**

16 If a Cultural Monitor reports to the Project site at the appointed time and is not needed
17 the Project proponent shall reimburse the Tribe for four hours of the actual cost of such
18 Monitor(s) as well as all reasonable and necessary costs and expenses including
19 mileage. Any standby time in excess of 15 minutes for Cultural Monitor(s) shall be paid
20 by the proponent at the applicable Monitor rate. There shall be attached to the Protocol
21 an approved schedule of hourly rates and costs.

22 If after proper notice a Cultural Monitor, for any reason, does not arrive at the Project
23 site within 15 minutes following the agreed upon start time provided in the notice to the
24 Tribe, the proponent may proceed with the work without the Cultural Monitor(s)
25 presence.

26 **MM CR-7: Treatment of Native American Cultural Resources**

27 If a cultural resource artifact, feature, or other Native American cultural item is observed
28 on the Project site, the Tribe's Cultural Monitor(s) will be given a reasonable opportunity
to document, remove, and/or otherwise provide for treatment of the resource. Except in
the case of cultural items that fall within the scope of the NAGPRA, the discovery of any
Native American cultural resource within the Project area by the Cultural Monitor(s)
shall not be grounds for a stop work notice or otherwise interfere with the Project's
continuation except as set forth in this measure.

**MM CR-8: Consultation with County Coroner and Notification of Most Likely
Descendant**

If human remains are encountered, State Health and Safety Code Section 7050.5 and
CEQA Guidelines Section 15064.5(e) states that no further disturbance can occur until
the County Coroner has made a determination of origin and disposition pursuant to
Public Resource Code Section 5097.98. The County Coroner must be notified of the
find immediately. If the remains are determined to be prehistoric, the Coroner will notify
the Native American Heritage Commission (NAHC), which will determine and notify the
Most Likely Descendent (MLD) with the permission of the landowner or his/her

1 authorized representative, the MLD may inspect the site of the discovery. The MLD
2 may recommend scientific removal and nondestructive analysis of human remains and
items associated with Native American burials

3 **MM-CR-9: Provide Preconstruction Worker Awareness Training and Include Qualified
4 Paleontologist at Preconstruction Meeting**

5 Prior to the start of construction, the proponent will ensure that a qualified paleontologist
6 attends an initial pre-construction meeting to consult with grading and excavation
7 contractors concerning excavation schedules, paleontological field techniques,
8 paleontological resources preservation, and safety issues. A qualified paleontologist is
9 defined as an individual with an advanced degree in paleontology or geology who is
experienced with paleontological procedures and techniques; who is knowledgeable in
the geology and paleontology of southern California, including the project region; and
who has worked as a paleontological mitigation project supervisor in the region for a
total of at least 1 year.

10 The proponent will also ensure that all construction personnel receive paleontological
11 resources awareness training that includes information on the possibility of
12 encountering fossils during construction; the types of fossils likely to be seen, based on
13 finds in the site vicinity; and proper procedures in the event fossils are encountered.
14 Worker training will be prepared and presented by a qualified paleontologist as defined
15 by the SVP (Society of Vertebrate Paleontology Conformable Impact Mitigation
16 Guidelines Committee 1995) or other appropriate personnel (e.g., California licensed
professional geologist with appropriate experience and expertise) experienced in
teaching non-specialists. It may be delivered at the same time as other pre-planned
construction worker education, in conjunction with the preconstruction meeting, or at
another appropriate time prior to groundbreaking.

17 **MM CR-10: Conduct Preconstruction Collection Activities in Areas of Excavation into
18 Lake Cahuilla Deposits**

19 Areas where construction or operational excavation would extend 1 foot or deeper into
20 undisturbed Lake Cahuilla deposits will be subject to an intensive paleontological
21 sampling program to recover samples and describe their stratigraphic context
22 (measured stratigraphic columns). The sampling program will be designed and
implemented by a qualified paleontologist as described in MM-CR-9. A minimum of 20
bulk samples will be collected, cleaned, identified, and curated by qualified personnel. If
possible, radiometric dates will be obtained from reputable contract, university, or
government facilities.

23 All results will be included in a final report to be filed with the client, lead agency, and an
24 appropriate repository institution (assumed at this time to be the San Diego Natural
25 History Museum but may be another accredited museum facility); all fossil materials
26 meeting significance criteria of the SVP (Society of Vertebrate Paleontology
27 Conformable Impact Mitigation Guidelines Committee 1995) will be curated in the
repository institution. Note that because of the potential for recovery of small fossil
remains, such as isolated mammal teeth, it may be necessary to recover bulk-

1 sedimentary-matrix samples for off-site wet screening from specific strata as determined
2 in the field.

3 **MM-CR-11: Conduct Additional Preconstruction Survey, with Salvage if Needed**

4 In areas of undisturbed native substrate materials with high paleontological sensitivity, a
5 qualified professional paleontologist as defined in Mitigation Measure MM-CR-9 will
6 conduct a pedestrian surface survey before site preparation and project earthwork begin
7 to assess whether paleontological materials are exposed at the surface and should be
8 salvaged. If salvage is required, it will take place before ground-disturbing activities
begin. This survey and any additional collection it entails will be in addition to the
collecting activities targeting deeper excavation into the Lake Cahuilla deposits and are
intended to ensure that all paleontologically sensitive areas subject to project-related
disturbance are subject to paleontological data recovery.

9 If materials must be protected in place until they can be excavated, protection will be
10 designed and installed in consultation with the proponent's project manager, to ensure
11 that it is appropriate and effective but does not unduly impede construction activities.
12 Any fossil remains collected during preconstruction salvage will be included as part of
the larger collection described in Mitigation Measure MM-CR-10 for materials recovered
during preconstruction sampling, and will be curated in an appropriate repository
institution.

13 **MM-CR-12: Retain Qualified Personnel to Monitor Ground Disturbing Activities**

14 A paleontological monitor will be onsite on a half-time basis (i.e., 4 hours per 8-hour
15 day) during earthwork involving initial disturbance of previously undisturbed deposits of
16 high paleontological resource sensitivity (Lake Cahuilla sediments). A paleontological
17 monitor is defined as an individual who has experience in the collection and salvage of
fossil materials. The paleontological monitor will work under the direction of the
qualified paleontologist defined in Mitigation Measure MM-CR-9.

18 Paleontological monitoring will consist of observing operations and periodically
19 inspecting disturbed, graded, and excavated surfaces. The monitor will have authority
20 to stop work in the vicinity of finds and/or to divert grading or excavation away from
21 exposed surfaces temporarily in order to examine disturbed areas more closely and/or
22 recover fossils. Construction activities may continue on other parts of the site while
23 evaluation and treatment of the discovered paleontological resources takes place. The
24 qualified paleontologist responsible for monitoring will coordinate with the construction
25 manager to ensure that monitoring is thorough but does not result in unnecessary
delays. If fossils are discovered, the paleontologist (or paleontological monitor) will
recover them along with pertinent stratigraphic data, as described in Mitigation
Measure MM-CR-10; they will become part of the larger collection described in
Mitigation Measure MM-CR-10 for materials recovered during preconstruction sampling,
and will be curated in an appropriate repository institution.

26 **MM-CR-13: Stop Work if Potentially Significant Remains are Encountered during**
27 **Project Activities**

1 If any project activity results in discovery of vertebrate or other potentially significant
2 fossil remains, work in the vicinity of the find will stop immediately until a qualified
3 paleontologist as defined in Mitigation Measure MM-CR-9 can assess the nature and
4 importance of the find and recommend appropriate treatment. Treatment may include
5 preparation and recovery of fossil materials so that they can be housed in an
6 appropriate museum or university collection and may also include preparation of a
7 report for publication describing the finds. The proponent will be responsible for
8 ensuring that the recommendations of the paleontological monitor regarding treatment
9 and reporting are implemented.

6 **Fire Suppression System**

7 The Permittee shall comply with this mitigation measure as outlined within the Final EIR:

8 **MM PS-1: Dedicated Fire Suppression System.**

9 Within 60 days after approval of the next Solid Waste Facility Permit, Permittee shall
10 submit construction plans and permit applications for a new, dedicated fire suppression
11 water supply system. The dedicated fire suppression system should consist of a 10,000
12 gallon water supply and equipped with a dry standpipe. The standpipe would be in
13 accordance with the specifics set by the Imperial County Fire/OES Department. The
14 system should be placed no closer than 50 feet and no further away than 150 feet from
15 the main shop and office area. It shall not be further than 10 feet from an all-weather
16 surface or driveway.

14 **Geology/Seismic Hazards**

15 The landfill slopes, drainage system, and containment structures shall be designed and
16 maintained to prevent erosion. Landfill side slopes shall be designed and maintained at
17 a maximum 3:1 grade. Also, a 20-foot wide bench shall be constructed at an elevation
18 of 30 feet below MSL to provide side slope stability and to intercept surface drainage.

19 The landfill slopes, foundation and structures for controlling leachate, surface drainage,
20 erosion, and landfill gas collection system shall be constructed to withstand ground
21 motions associated with an event between the maximum credible and the maximum
22 probable earthquake without damage that could result in environmental impairment or
23 health and safety impacts.

24 All facilities and structures that are subject to the California Building Code (CBC) shall,
25 at the time that the building permit is issued, meet the CBC design requirements.

26 Prior to the development of each landfill phase, a Construction Certification Report
27 detailing the earthwork appropriate for the construction of that phase shall be submitted
28 to Public Works and to the LEA for their review and approval. In order to minimize
29 potential liquefaction impacts, one or a combination of design methods, structural
30 methods, in situ foundation measures, and/or drainage methods shall be used, as
31 specified in the EIR.

1 **Noise**

2 The Permittee shall comply with the following mitigation measures as outlined within the
3 Final EIR:

4 **MM N-1: Landfill working face allowable setback distances and noise berm requirements.**

5 Permittee will employ the following measures to satisfy County noise ordinance limits at
6 the closest homes and at the closest unoccupied agricultural property line:

- 7
- 8 • Permittee will maintain noise mufflers on all landfill equipment in good working order.
 - 9 • If the working face has a direct line-of-sight to a dwelling and the distance between
10 the working face and the closest home is closer than the setback distances listed in
11 Final EIR, Table 4.9-9, and working face activity would be done before 7:00 a.m.,
12 Permittee shall install soil berms between the working face and the dwellings, high
13 enough to block the line-of-sight between the dwelling and the top of exhaust stacks
14 on landfilling equipment. The SoundPLAN noise model indicates the berm must be
15 12 feet high to provide the required noise reduction.
 - 16 • The noise berm is not required for working face operations conducted after 7:00 a.m.

17 **MM N-2: Green waste facility allowable setback distances and noise berm requirements.**

18 Permittee will employ the following measures to satisfy County noise ordinance limits at
19 the closest homes and at the closest unoccupied agricultural property line:

- 20
- 21 • Permittee will limit operations at the green waste facility from 7:00 a.m. to 10 p.m.
 - 22 • Permittee will maintain noise mufflers on all equipment in good working order.
 - 23 • Permittee will not operate the green waste facility closer than 880 feet from the
24 nearest home or 250 feet from the closest unoccupied agricultural property line.
 - 25 • Permittee may operate the green waste facility at a location closer to homes or the
26 unoccupied property line than listed above, but in that case Permittee must use earth
27 berms to block the line-of-sight between the closest noise-sensitive receptor (a home
28 or the unoccupied property line) and the tops of the exhaust stacks on the
equipment. The SoundPLAN noise model indicates the berm must be 12 feet high to
provide the required noise reduction
 - The noise berm is not required for operations conducted after 7:00 a.m.

MM N-3: CDI facility allowable setback distances and noise berm requirements.

Permittee will employ the following measures to satisfy County noise ordinance limits at
the closest homes and at the closest unoccupied agricultural property line:

- Permittee will limit operations at the CDI facility from 7:00 a.m. to 10 p.m.
- Permittee will maintain noise mufflers on all equipment in good working order.
- Permittee will not operate the CDI facility closer than 1,100 feet from the nearest
home or 310 feet from the closest unoccupied agricultural property line.
- Permittee may operate the CDI facility at a location closer to homes or the
unoccupied property line than listed above, but in that case Permittee must use earth

berms to block the line-of-sight between the closest noise-sensitive receptor (a home or the unoccupied property line) and the tops of the exhaust stacks on the equipment. The SoundPLAN noise model indicates the berm must be 12 feet high to provide the required noise reduction.

- The noise berm is not required for operations conducted after 7:00 a.m.

MM N-4: Soil borrow site allowable setback distances and noise berm requirements.

Permittee will employ the following measures to satisfy County noise ordinance limits at the closest homes and at the closest unoccupied agricultural property line:

- Permittee will limit operations at the soil borrow sites from 7:00 a.m. to 10 p.m.
- Permittee will maintain noise mufflers on all equipment in good working order.
- Permittee will not operate the borrow site closer than 1,100 feet from the nearest home or 300 feet from the closest unoccupied agricultural property line.
- Permittee may operate the borrow site at a location closer to homes or the unoccupied property line than listed above, but in that case Permittee must use earth berms to block the line-of-sight between the closest noise-sensitive receptor (a home or the unoccupied property line) and the tops of the exhaust stacks on the equipment.

When Permittee submits grading plans for the specified borrow pit locations, the County may require Permittee to conduct a supplemental noise assessment to consider the actual design and configuration of the borrow sites relative to nearby homes.

Water Resources

2.2.5 A composite liner, composed of HDPE flexible geomembrane a minimum thickness of 60 mils (or other technologically superior liner) placed over two feet of soil with a maximum permeability of .0000001 centimeters per second, shall be installed below all refuse deposits in the western fill area. A protective geotextile filter fabric shall be placed above the flexible geomembrane liner

2.2.6 In order to ensure that the hydraulic capacity of McCall Drain 1b is not exceeded during a 100-year, 24-hour storm, the final landfill design shall include appropriate berming, detention pond and infiltration basins, energy dissipation devices, drainage ditches, and culverts, as specified by the Surface Water Management Plan and detention pond analysis within the FEIR.

2.2.7 A drainage control system shall be designed and constructed to divert surface water flow from adjacent areas around the landfill area to prevent run-on to the landfill. Precipitation onto the landfill that is not diverted by covers or drainage control systems and has contacted refuse shall be collected and managed through a leachate control and recovery system constructed to accommodate a 100-year, 24-hour precipitation event.

2.2.8 Each phase of the landfill operations shall be engineered with requirements to intercept and divert all runoff away from the Dogwood and Date canals to ensure that any slope erosion and surface runoff does not leave the active landfill operation area in

1 an uncontrolled manner. All collection, storage, and discharge of storm water runoff will
2 be conducted in accordance with the provisions of RWQCB's Storm Water Discharge
3 Permit. In addition, all temporary drainage, ditches, and berms will be constructed
4 within the landfill around the active phase to divert surface water away from the
5 exposed waste.

6 **2.2.9** A minimum five-foot separation between the highest anticipated level of
7 underlying groundwater and the waste shall be ensured.

8 **2.2.10** A leachate collection and removal system shall be installed above the bottom
9 liner using a blanket drainage system and protected by an additional layer of geotextile
10 fabric and a minimum of two feet of compacted soil cover to allow removal of any
11 accumulated leachate from the western fill area of the landfill.

12 **2.2.11** The proposed landfill shall not be located within 100 feet of any fault traces and
13 areas of fault disturbance which could rupture and damage the liner and leachate
14 collection system.

15 **2.2.12** A landfill gas (LFG) collection system shall be installed as landfill operations
16 progress and will consist of vertical wells installed in the landfill in order to capture the
17 methane migrating along the underside of the cover. These gas collection trenches will
18 route the gas collected from the eight (8) planned phases of the landfill expansion to
19 uniformly spaced, passive gas vents to be included in the LFG monitoring network.
20 Through the monitoring of the production of LFG, the need to flare or collect landfill gas
21 shall be evaluated and determined by APCD, RWQCB, and LEA/CALRECYCLE.

22 **2.2.13** Collection, treatment, and reuse of gas condensate water shall occur in above
23 ground systems to avoid the potential for long-term leaks to enter into the subsurface
24 materials.

25 Transportation

26 **2.2.14** The Permittee shall comply with the following mitigation measures as outlined
27 within the Final EIR, Traffic Impact Study, dated March 2010:

28 **MM TR-1: Fair Share Funding for Dogwood Road Widening to a Four-Lane Collector from Robinson to Worthington Roads**

This mitigation would be triggered upon issuance of a future SWFP that approves the
combined daily gate deliveries (municipal solid waste, CDI, green waste, plus
household hazardous waste) exceeding 410 trucks per day. Permittee will notify the
County within 30 days after issuance of that Solid Waste Facility Permit (SWFP), to
advise them the mitigation trigger value has been reached. Permittee will then make a
payment to the County of Imperial for its fair share (22%) of funding for the mitigation.

MM TR-2: Construction and Fair Share Funding for Traffic Signal Installation at Dogwood and Robinson Roads

1 A. Construct a southbound exclusive left-turn lane and appropriate transition lanes and
2 the project obligation is the construction of this improvement by Permittee. Permittee
3 must begin the design process for this intersection immediately upon approval of the
4 next SWFP. The construction documents must be submitted to the County within
5 one year of approval of the next SWFP that approves waste acceptance rates
6 beyond currently permitted limits.

7 B. Construct a southbound thru lane and a shared thru/right lane. The project
8 obligation is the construction of this improvement by Permittee. Permittee must
9 begin the design process for this intersection immediately upon approval of the next
10 SWFP. The construction documents must be submitted to the County within one
11 year of approval of the next SWFP that approves waste acceptance rates beyond
12 currently permitted limits.

13 C. Fair share funding for the northbound exclusive left-turn, thru, and right-turn lanes.

14 D. Fair share funding for the eastbound shared left/thru/right-turn lane.

15 E. Fair share funding for the westbound exclusive left-turn lane and a shared thru/right-
16 turn lane.

17 F. Fair share funding for the installation of a traffic signal.

18 The project obligation for sub-items D - F is the fair share payment of the improvements.
19 The fair share payment is required to be paid to the County of Imperial upon issuance of
20 a future SWFP that approves the combined daily gate deliveries (municipal solid waste,
21 CDI, green waste, plus household hazardous waste) exceeding 501 trucks per day.
22 Permittee will notify the County within 30 days after issuance of that SWFP, to advise
23 them the mitigation trigger value has been reached. Permittee will contribute its fair
24 share (13%) of funding for the improvements.

25 **MM TR-3: Fair Share Funding for Traffic Signal Installation at Dogwood and
26 Worthington Road**

27 Mitigation includes the fair share payment for the installation of a traffic signal at the
28 intersection of Dogwood Road and Worthington Road, and provision of an exclusive
left-turn lane on all four approaches. This mitigation would be triggered upon issuance
of a future SWFP that approves the combined daily gate deliveries (municipal solid
waste, CDI, green waste, plus household hazardous waste) exceeding 515 trucks per
day. Permittee will notify the County within 30 days after issuance of that SWFP, to
advise them the mitigation trigger value has been reached. Permittee will then make a
payment to the County of Imperial for its fair share (8.5%) of funding for the mitigation.

**MM TR-4: Fair Share Funding for Northbound Left-Turn Lane Addition at SR-111 and
Worthington Road (Revised by agreement between CALTRANS, PW's and ILI staff)**

This mitigation would be triggered upon issuance of a future SWFP that approves
combined daily gate deliveries (municipal solid waste, CDI, green waste, plus

1 household hazardous waste) exceeding 818 trucks per day. Permittee will notify the
2 County and CALTRANS within 30 days after issuance of the SWFP, to advise them the
3 trigger has been reached. Within 60 days after the initial notification, Permittee will
4 submit a traffic study for the subject intersection. A traffic impact would occur if any of
5 the following conditions are modeled:

- 6 • The intersection LOS would degrade from LOS D or better to LOS E or
7 worse with the addition of project traffic; or,
- 8 • If the intersection would operate at an LOS E or worse, without and
9 without project traffic, the impact would be considered significant if the
10 project would cause the intersection delay to increase by more than 2
11 seconds, or the V/C ratio to increase by more than 0.02.

12 If either significant impact is forecast, then Permittee would be required to construct the
13 left-turn lane addition and would fund 100% of the project. Permittee would be required
14 to submit construction documents to CALTRANS within one year of issuance of the
15 SWFP that approves the future SWFP that approves combined daily gate deliveries
16 (municipal solid waste, CDI, green waste, plus household hazardous waste) exceeding
17 818 trucks per day.

18 **MM TR-5: Construction of an Exclusive Eastbound Left-Turn Lane on Robinson Road
19 at the project driveway**

20 Mitigation includes construction of an exclusive eastbound left-turn lane on Robinson
21 Road into the project driveway. Construction will be done by Permittee and be
22 responsible for 100% of the funding for this improvement. Adding the dedicated left-turn
23 lane will reduce potential traffic queues on this roadway segment by providing additional
24 capacity. The additional lane will facilitate vehicles traveling through the intersection to
25 bypass trucks slowing down to make a left-turn into site.

26 Permittee must submit construction documents to the County of Imperial within one year
27 of issuance of a future SWFP that approves the combined daily gate deliveries
28 (municipal solid waste, CDI, green waste, plus household hazardous waste) exceeding
475 trucks per day.

MM TR-6: Fair-Share Funding for Trentham Road Paving

Mitigation includes fair share funding for paving Trentham Road to County standards
from Robinson Road to Worthington Road. This mitigation would be triggered upon
issuance of a future SWFP that approves combined daily gate deliveries (municipal
solid waste, CDI, green waste, plus household hazardous waste) exceeding 550 trucks
per day. Permittee will notify the County within 30 days after issuance of that SWFP, to
advise them the mitigation trigger value has been reached. Permittee will then make a
payment to the County of Imperial for its fair share (8%) of funding for the project.

**MM TR-7: Fair-Share Funding for Dedicated Eastbound Left-Turn Lane on Worthington
Road at Trentham Road**

Mitigation includes fair share funding for constructing an eastbound left-turn lane at the
Trentham Road/Worthington Road intersection. This mitigation would be triggered upon
issuance of a future SWFP that approves combined waste deliveries (municipal solid

1 waste, CDI, green waste, plus household hazardous waste) exceeding 660 trucks per
2 day. Permittee will notify the County within 30 days after issuance of that SWFP, to
3 advise them the mitigation trigger value has been reached. Permittee will then make a
4 payment to the County of Imperial for its fair share (16%) of funding for the project.

5 **MM TR-8: Robinson Road Widening between Dogwood Road and the Current Western
6 Project Boundary**

7 Mitigation includes construction of half-width roadway improvements on Robinson Road
8 along project frontage to County roadway standards. This mitigation would be triggered
9 upon issuance of a future SWFP that approves combined waste deliveries (municipal
10 solid waste, CDI, green waste, plus household hazardous waste) exceeding 550 trucks
11 per day. Permittee will notify the County within 30 days after issuance of that SWFP, to
12 advise them the mitigation trigger value has been reached. Permittee will be
13 responsible for 100% of the funding of this improvement.

14 **MM TR-9: Right-of-Way Dedicated on Neckel Road between Dogwood Road and the
15 Current West Project Boundary**

16 Mitigation includes dedicating ½ width right-of-way on Neckel Road along the project
17 frontage to County roadway standards. The County has directed Permittee to submit
18 dedication documents within 1 year of the issuance of the next SWFP that approves
19 waste acceptance rates higher than currently-permitted limits. Permittee will be
20 responsible for 100% of the funding of this improvement.

21 **MM TR-10: Prohibit Commercial Haulers and Private Self-Haulers From Arriving or
22 Departing the Landfill Using Unpaved Sections of Robinson Road, Neckel Road, or
23 Trentham Road.**

24 Within 60 days after issuance of the next SWFP that approves waste acceptance rates
25 higher than currently permitted limits, Permittee will post signs on Robinson Road,
26 Neckel Road and Trentham Road alerting commercial waste haulers and private self-
27 haulers that they are prohibited from driving on unpaved sections of those roads.
28 Permittee will also issue written notices to commercial haulers regarding this prohibition.

Visual Quality

2.2.15 Permittee shall maintain the setback area from the Landfill to property lines as
indicated within the Final EIR and the MMRP. No land-filling of wastes shall take place
within this area.

2.2.16 A landscaping plan developed according to the MMRP for the portions of the
setback area along facility boundaries shall be submitted to the Planning &
Development Services Director for his review and approval with specific attention to
Robinson Road's frontage entrance. The remnants of the natural plant communities that
are currently present on the edges of the property shall remain intact to as long as it is
practical. Permittee shall implement decorative landscaping for the northern, western
and southern boundaries of the site, with attention to enhancing and beautifying the
frontage along Robinson Road and at the southern entrance. The decorative planting
shall be designed, maintained, and inspected according to the guidance in the July 29,
2010 Memorandum "Landscape Guidelines for the Imperial Landfill Plan" prepared by

1 ICF International (Exhibit C). The landscaping shall enhance the screening design of
2 the landfill as well as provide for the accent planting at the public drop-off area and the
3 landfill office and maintenance facility. The selection of plant material shall incorporate
4 xeriscape principles as well as streetscape and accent landscape design criteria. A
5 detailed landscaping plan shall be submitted to the Planning & Development Services
Director for his review and approval. The landscaping planting shall be required prior to
the start of each Phase. Additionally, all existing roadway frontages would be required
to be landscaped within 1 year of grading plan approval.

6 **2.2.16.01** The Permittee shall comply with the following mitigation measures as outlined
7 within the Final EIR:

8 **MM AE-1: Provide Funding for Private Homeowners to Plant Visual Screening**

9 Views of sections of the expanding landfill that are taller than the trees required by the
10 Fencing and Landscaping Plan could cause a significant impact on some existing
11 homes within ½ mile. To mitigate these impacts, Permittee would offer the owners of
existing homes within ½ mile of the facility funding to plant trees and shrubs in their own
yards to obscure views of the landfill.

12 This mitigation measure consists of two options available from which at the sole option
13 of the affected property owners may be allow to select one option and that they be
14 made fully aware (in writing) of both options that shall include the following elements:

15 Option 1 –

- 16 • Funding would be offered to existing homes within ½ mile of the landfill that have
17 views of the landfill expansion area or the proposed new onsite facilities. Prior to the
18 approval of the next SWFP, Permittee shall specifically identify by address each
19 existing home within ½ mile of the boundaries of the current active landfill cell and
20 the future limits of the proposed 89 acre landfill cell.
- 21 • Permittee shall contract with a licensed landscape architect to prepare a plan for
22 aesthetic purposes on each impacted residence in existence at the time of approval.
- 23 • The said plan must be approved by the Planning and Development Services
24 Department and the affected property owner and acceptable by the homeowner
25 must be completed within one year of the date of the letter from Permittee to the
26 homeowner.
- 27 • Permittee at Permittee's sole cost shall implement said plan within 90 days of
28 approval and ensure that for five (5) years that the landscaping is taking and that
long-term maintenance is guaranteed.
- Beyond the five year period, the homeowner would be responsible for all future
watering, care, and maintenance of the planted trees, but Permittee shall ensure that
that the landscaped trees do in fact take hold and survive. Permittee shall be liable
for any unreasonable damage to the homeowner's property during planting of the
trees or during long-term maintenance.

27 Option 2 –

- 1 • Funding would be offered to existing homes within ½ mile of the landfill that have views
2 of the landfill expansion area or the proposed new onsite facilities. Prior to the
3 approval of the next SWFP, Permittee shall specifically identify by address each
4 existing home within ½ mile of the boundaries of the current active landfill cell
5 and the future limits of the proposed 89 acre landfill cell.
- 6 • An offer letter for the compensation of tree/shrub planning and/or planting service
7 would be sent by Permittee to qualifying homeowners within one year of the
8 approval of the next SWFP. Acceptance by the homeowner of the offer for
9 compensation must be completed within one year of the date of the letter from
10 Permittee to the homeowner.
- 11 • Permittee would provide to the homeowner an appropriate list of species of trees
12 and shrubs that should be utilized to mitigate the visual impacts of the proposed
13 project. Permittee would also provide up to \$3,000 for each qualifying
14 homeowner to purchase the appropriate trees and shrubs, and to retain a
15 landscaping service to plant the selected trees.
- 16 • The homeowner would be responsible for all future watering, care, and
17 maintenance of the planted trees, but Permittee shall ensure that the landscaped
18 trees will in fact take hold and survive. Permittee shall be liable for any
19 unreasonable damage to the homeowner's property during planting of the trees
20 or during long-term maintenance.

13 Environmental Health and Public Safety

14 **2.2.20** Permittee shall provide a location for temporarily storing hazardous materials
15 discovered and removed from MSW at the landfill site in compliance with LEA
16 requirements. The containment structure shall be approved by the LEA.

17 **2.2.21** Drainage control facilities shall be designed such that peak precipitation runoff
18 flows will not exceed current design capacities.

19 **2.2.22** All gasoline and diesel fuels on site shall be kept in aboveground, double vaulted
20 tanks with spill containment. In the event of a spill, effective absorbent material shall be
21 applied and spill response procedures are to be followed, as outlined in the Landfill
22 Operations Manual.

23 **2.2.23** In the event of an accident, explosion, fire, or the release of hazardous
24 substances due to disturbed conditions or mechanical malfunctions, the landfill operator
25 shall implement procedures contained in the operations manual, under the emergency
26 response plan approved by the LEA and Fire/OES.

24 AIR QUALITY

25 Permittee shall obtain a revised Authority to Construct (ATC) from the Imperial County
26 Air Pollution Control District (ICAPCD) prior to constructing on-site any facility subject to
27 the APCD's permit requirements. Permittee shall comply with all applicable permit
28 regulations adopted by the APCD. Permittee shall promptly provide the Planning &
Development Services Department with a copy of the Authority to Construct permit
issued by the APCD. No site work requiring a permit from APCD shall commence until

1 a permit to construct for that work has been issued by the APCD; and no operations
2 requiring a permit from APCD shall commence until a permit to operate for those
3 operations has been issued to Permittee by APCD. A copy of all such permits shall be
4 provided to the Planning & Development Services Department. Any on-site shredder to
5 process green waste for use as alternative daily cover shall require an Authority to
6 Construct and a Permit to Operate from the APCD.

7 The Permittee shall comply with the mitigation measures as outlined within the Final
8 EIR:

9 **MM AQ-1: Operational PM Emissions from Onsite Equipment and Fugitive Dust**
10 **Fugitive Dust Control Plan**

11 Permittee will be required to submit a Fugitive Dust Control Plan to ICAPCD as part of
12 the required air quality permit application for the proposed expansion. The Fugitive
13 Dust Control Plan will be subject to ICPACD review and approval. The mitigation
14 methods listed below are designed to reduce fugitive dust emissions. The ICAPCD
15 standard mitigation measure requiring a reduction in vehicle speeds on any unpaved
16 surface to 15 miles per hour is already included in the facility design and, therefore, is
17 not included here. To reduce emissions below projected levels, the following measures
18 will be implemented in the Fugitive Dust Control Plan:

19 **MM AQ-1a:** All disturbed areas, including bulk material (e.g., borrow soil) storage that
20 is not being actively utilized, will be effectively stabilized, and visible emissions will be
21 limited to no greater than 20% opacity for dust emissions by using water, chemical
22 stabilizers, dust suppressants, tarps, or other suitable material such as vegetative
23 ground cover.

24 **MM AQ-1b:** All on- and offsite unpaved roads will be effectively stabilized and visible
25 emissions will be limited to no greater than 20% opacity for dust emissions by paving,
26 chemical stabilizers, dust suppressants, and/or watering.

27 **MM AQ-1c:** All unpaved traffic areas 1 acre or more with 75 or more average vehicle
28 trips per day will be effectively stabilized and visible emissions will be limited to no
greater than 20% opacity for dust emissions by paving, chemical stabilizers, dust
suppressants, and/or watering.

MM AQ-1d: The transport of bulk materials (e.g., borrow soil) will be completely
covered unless 6 inches of freeboard space from the top of the container is maintained
with no spillage and loss of bulk material. In addition, the cargo compartment of all haul
trucks is to be cleaned and/or washed at delivery site after removal of bulk material.

MM AQ-1e: Movement of bulk material (e.g., borrow soil) handling or transfer will be
stabilized prior to handling or at points of transfer with application of sufficient water,
chemical stabilizers, or by sheltering or enclosing the operation and transfer line.

MM AQ-1f: Idling time will be minimized either by shutting equipment off when not in
use or reducing idling time to a maximum of 5 minutes.

1 **MM AQ-1g:** Operation of heavy duty equipment and/or the amount of equipment in use
2 will be optimized such that duration of use is minimized.

3 **MM AQ-1h:** All off-road diesel-powered construction equipment greater than 50 hp will
4 meet or surpass CARB state-wide off-road emissions standards. In addition, all
5 construction equipment will be outfitted with BACT devices certified by CARB. Any
6 emissions control device used by the contractor will achieve emissions reductions that
are no less than what could be achieved by a Level 3 diesel emissions control strategy
for a similarly sized engine as defined by CARB regulations.

7 **MM AQ-1i:** Post-January 1, 2015: All off-road equipment greater than 50 hp
8 purchased after January 1, 2015 will meet the EPA Tier 4 emission standards, where
9 available. In addition, all existing equipment, regardless of date of purchase, will be
10 retrofitted with BACT devices certified by CARB. Any emissions control device used by
11 the facility will achieve emissions reductions that are no less than what could be
achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as
defined by CARB regulations.

12 **MM AQ-1j:** A copy of each unit's certified tier specification, BACT documentation, and
13 CARB or SCAQMD operating permit will be provided at the time of mobilization of each
applicable unit of equipment.

14 **MM AQ-2:** In-Lieu NOx Mitigation Fee for On-Road Haul Truck Emissions

15 Permittee has developed its proposal for payment of in-lieu NOx mitigation fees for
16 increased emissions from on-road haul trucks. A copy of that report is provided in Final
17 EIR, Appendix C. Prior to issuance of the air quality permit for the facility expansion,
18 Permittee shall submit evidence, verified by the Air District that the proposed expansion
19 has a total project-related vehicle trips mitigated to below the significance threshold for
NOx emissions. Required reductions can be achieved from the compliance with the
ICAPCD Policy 5 or Rule 310 Operational Development Fee.

20 Permittee shall pay in-lieu NOx mitigation fee of \$81,116, for 103 tons of increased NOx
21 emissions over the 30-year project duration. If an in-lieu fee is utilized, a copy of the
22 executed agreement and implementing reports will be provided to the Planning
Department to substantiate compliance. This mitigation measure has been determined
to be effective by the ICAPCD.

23 **2.3 71-Acre Remainder Area**

24 The 71-acres of vacant remainder area, located immediately west of the existing landfill,
25 shall be used as a buffer area and limited to open space type uses. There shall be no
26 storage of equipment or landfill operations of any kind in this 71-acre area. The open
27 space will be controlled via one of the following: 1) Deed restriction limiting the use to
open space and park, maintained by Permittee; 2) Subdivision of parcel and sold or

1 leased to a public agency for use as an open space and park; or, 3) Leased to a public
2 entity for use as an open space and park.

3 **3.0 OPERATING CONDITIONS**

4 **3.1 Conformance with Approved Plans and Procedures**

5 All on-site operations, including construction, grading, installation of improvements,
6 landfill development, and all other activities, shall be in full substantial conformance and
7 compliance with the approved Site Development Plan, with Section 2.2 "Plans and
8 Specifications for Environmental Impact Mitigation" of this CUP, and the following:

9 **3.1.1** Permittee shall not accept waste from outside the County of Imperial except for
10 approximately 136 tons per month based on an annual average of out-of-county
11 Municipal Solid Waste solely from the Borrego Springs area in a manner approved by
12 Imperial County. This limited amount of waste permitted from Borrego Springs area
13 amount shall not exceed one-percent (1%) of the landfill's annual volume, nor shall it
14 increase the Maximum Daily Municipal Solid Waste volumes pursuant to: General
15 Condition 1.1.1.

16 **3.1.2** Incineration of any wastes is strictly prohibited, with the exception of flaring or
17 destruction of LFG as permitted herein.

18 **3.1.3** Permittee shall install and maintain a certified truck scale and shall weigh and
19 record all MSW received at the landfill in a manner approved by the LEA. The quantity
20 of these materials as determined by these weights shall be reported to the County
21 quarterly. The Permittee and the County shall develop a protocol for weighing and
22 recording prior to receipt of any MSW at the site.

23 **3.1.4** The acceptance of hazardous waste (other than household hazardous waste) is
24 strictly prohibited at the landfill. Leachate-causing material, such as free liquid and
25 high-moisture waste, and hazardous waste material will be diverted from the landfill
26 through a waste inspection program in order to minimize the pollution potential of these
27 materials. Any identified hazardous waste will be collected and temporarily stored on
28 site in a special containment area provided by the operator for a period not to exceed 90
days. All hazardous wastes shall be transported and disposed of in accordance with
state and federal regulations.

3.2 Operational Requirements for Environmental Impact Mitigation.

The following improvements, procedures, and programs shall be followed in the
operation of the project in accordance with this CUP.

Water Resources

3.2.1 Permittee shall repair any erosion at the landfill and take steps to prevent further
occurrences in a timely manner.

1 3.2.2 Moisture infiltration from precipitation into the MSW shall be controlled by totally
2 covering all refuse left exposed at the end of the working day with six (6) inches of
3 compacted soil or alternative LEA- and RWQCB-approved daily cover material. In
4 addition, total aggregate area of all MSW exposed at any time at the facility shall be no
5 more than .5 acres per working face. Compliance with other conditions of this CUP may
6 require more frequent placement of cover. Notification of any alternative daily cover
7 shall be provided to ICP&DS to keep on file for public information purposes.

8 3.2.3 Landfill equipment wash down water shall be treated and recycled to the
9 maximum extent practicable.

10 3.2.4 If test results show that collected leachate and LFG condensate does not meet
11 criteria for disposal as a hazardous or designated waste, these liquids shall be treated if
12 necessary and used as wash water or for dust control to the maximum extent
13 practicable.

14 3.2.5 Collected leachate and LFG condensate shall be stored in aboveground tanks or
15 double-lined ponds with a Leachate Collection and Recovery System (LCRS) prior to
16 treatment. Liquids treated to specifications of the RWQCB may be stored in
17 aboveground tanks or single-lined ponds.

18 3.2.6 Final landfill cover shall be constructed in accordance with the EPA, Subtitle D,
19 RCRA Regulations and shall consist of a minimum 2-foot-thick compacted soil
20 foundation layer, a minimum 18-inch soil layer with a maximum permeability of
21 .0000001 centimeters per second, and a minimum 1-foot-thick vegetative (erosion)
22 cover or design which is agreed to be technologically equivalent or superior. The final
23 grade shall have a minimum of a 3% slope.

24 3.2.7 The foundation and vadose zone monitoring layer shall be placed a minimum of
25 five (5) feet above the highest historically known groundwater level. In addition, a
26 system of groundwater monitoring wells shall be installed in accordance with state and
27 federal regulatory requirements.

28 3.2.8 Groundwater monitoring and any corrective actions on groundwater
contamination, gas collection and control, and maintenance of landscaping and
drainage shall be continued for 30 years, or as additionally required by state or federal
regulations after final closure, with a certified availability of funds for the above post-
closure activities defined prior to initiation of each discrete landfill unit.

Biological Resources

3.2.9 Prior to any landscaping activities occurring within the expanded new cell area, a
qualified Wildlife Biologist shall visit the site to locate all current owl burrows in use and
shall be present at the time of any landscaping activities in the subject area.

3.2.10 In order to allow burrowing owls to continue to forage along the edge of the
landfill, trees used as a visual buffer shall be planted in a linear fashion along the
property line so that open space between the property line and the toe of the landfill

1 slope remains essentially unaltered. Native tree species shall be used where possible
2 and planted during the non-nesting season.

3 **3.2.10.1** The Permittee shall comply with the mitigation measures as outlined within the
4 Final EIR:

5 **MM BIO-1: Preconstruction Surveys and Relocation Activities**

6 **Nesting Bird Surveys.** Bird surveys are required to focus on listed species, Burrowing
7 owl and birds/raptors protected by the Migratory Bird Treaty Act and Fish and Game
8 code. If construction activities are to occur between January 15 and August 31, a
9 preconstruction survey (within three days prior to construction activities, or 30 days prior
10 to construction for burrowing owl) will be conducted by a qualified biologist to determine
11 the presence or absence of active nests within and adjacent to the project site in order
12 to avoid the nesting activities of breeding birds.

13 If nesting activities within 200 feet of the proposed work area are not detected,
14 construction activities may proceed. If nesting activities are confirmed, construction
15 activities will be delayed within 200 feet of the active nest until the young birds have
16 fledged and left the nest. A 200-foot zone around any active nest will be demarcated
17 and monitoring will be conducted by a qualified biologist to ensure nesting birds are not
18 being impacted.

19 **Preconstruction Burrowing Owl Survey and Avoidance.** In order to ensure
20 burrowing owls are not injured or killed as a result of site development, a
21 preconstruction burrowing owl survey following CDFG protocol will be conducted by a
22 qualified biologist within thirty (30) days prior to construction activities. A 250-foot buffer
23 will be established around any active burrows during the breeding season (January 15
24 through August 31), and construction activities will not commence within the buffer
25 zone. During the non-breeding season (September 1 through January 14) a 160-foot
26 buffer will be established around active burrows and construction activities will not
27 commence within the buffer zone. This applies only to "avoidance". If burrows are to
28 be removed, then relocation protocol must be implemented.

Once the appropriate burrows have been relocated, the previous burrows will be sealed
and deemed inactive, thereby allowing for construction to continue without buffers
requirements.

Passive Relocation of Resident Burrowing Owls. Resident owls will be passively
relocated in accordance with CDFG's *Burrowing Owl Survey Protocol and Mitigation
Guidelines* (1997) to ensure compliance with the federal MBTA and the CDFG Code.

Compensation for Loss of Foraging and Roosting/Nesting Habitat. Consultation
with the CDFG is required to determine the extent, if any, of habitat replacement. As
directed by CDFG based on that consultation, foraging and roosting/nesting habitat may
be replaced at a ratio of approximately 6.5 acres per burrowing owl pair or unpaired owl
in conformance with CDFG's *Burrowing Owl Survey Protocol and Mitigation Guidelines*

1 (1997). Lands may be acquired by the property owner adjacent to the project site, if
2 possible, or within the local vicinity.

3 **Burrowing Owl Worker Training Program.** If any active burrows are to remain within
4 250 feet of the construction area, then training will be given to managers and foremen
5 prior to the start of construction activities. Training will be conducted by a qualified
6 biologist and will include information on the life history and ecology of burrowing owls,
7 including measures that can be taken to avoid impacts to the owls on site.

8 **Biological Monitoring.** A qualified biologist will monitor all activities related to the
9 burrowing owl survey and relocation program. These activities include: preconstruction
10 surveys, establishment of buffer areas around active nests if detected during
11 construction, periodic monitoring to assess the status of nesting activities as needed,
12 implementation of passive relocation if needed, and implementation of a burrowing owl
13 training program.

14 **3.2.10.2** The removal of native vegetation shall be limited for areas outside the new
15 landfill cell area.

16 Daily Cover

17 **3.2.11** Permittee shall provide a minimum six inches (6") of soil as daily cover or
18 alternative daily cover to prevent vectors and wildlife scavenging. If this is not found to
19 be sufficient, Permittee shall evaluate increasing the daily cover to a thickness of nine
20 inches (9") or twelve inches (12"), or other more effective and approved cover material.

21 If necessary, Permittee shall also take additional measures such as installing
22 appropriate barriers and using explosive type devices to control vector populations at
23 the landfill. In the event explosive noises are used within 250 feet of an active burrow, a
24 biological monitor shall be present at the time of any bird hazing activities in the subject
25 area in order to minimize the activity around owl burrows.

26 **3.2.11.1** If acceptable to LEA, APCD, and all applicable agencies, and in accordance
27 with local, state and federal regulations, the Permittee may use a limited amount of
28 processed green material generated solely in Imperial County with no out-of-County
green waste allowed, as defined in the California Code of Regulations, Title 14, Section
17852(u) as an alternative daily cover (ADC). Permittee may place a permitted and
approved (by all applicable agencies) on-site shredders for the processing of green
waste material.

3.2.11.2 The stockpiling (storing) of green waste for alternative daily cover shall not
exceed 1,000 cubic yards, nor will it be stored for more than seven (7) days.
Additionally, there is no composting of green waste or waste of any kind permitted.

1 **Noise**

2 **3.2.12** On-site vehicles and equipment shall use noise suppression equipment, such as
3 mufflers, so as to minimize noise impacts to on-site personnel and surrounding land
4 uses.

5 **3.2.13** Construction of all new phases and stormwater detention basins shall conform
6 with the County's General Plan Noise Element, which limits noise levels to 75 DBL over
7 an 8-hour period measured at the nearest sensitive receiver. Construction time shall be
8 limited to 7 a.m. to 7 p.m. Monday through Friday and 9 a.m. to 5 p.m. on Saturday, but
9 only during daylight hours, unless otherwise authorized by the Director, Planning and
10 Development Services Department.

11 **Air Quality**

12 **3.2.14** All newly purchased diesel fueled equipment at the Landfill shall be fueled with
13 diesel fuel that meets the requirements of the CARB for on-highway motor vehicle
14 diesel fuel. The Landfill operator shall maintain a record of all diesel fuel Purchases,
15 which include a statement by the supplier that the fuel complies with this requirement.

16 **3.2.15** For any diesel-fuel landfill equipment for which there are no suitable on-highway
17 equivalent engines, the landfill operator shall purchase equipment with engines, which
18 are equipped with turbochargers and intercoolers (or after-coolers). In addition, the
19 landfill operator shall maintain these engines with the fuel injection timing retarded to a
20 level recommended by the engine manufacturer for reduced NOX emissions, which will
21 not result in excessive visible smoke emissions.

22 **3.2.16** The landfill operator shall insure that all landfill equipment, which is purchased,
23 complies with all applicable federal and state emission control standards.

24 **3.2.17** For any temporary, unpaved roads used during normal project operations for a
25 period of 30 days or less, the landfill operator shall apply water as a dust suppressant
26 sufficient to maintain nominal surface moisture content above 4%. For transitional
27 roads that will be used over periods longer than thirty (30) days, but which would
28 periodically be moved or reconstructed, the landfill operator shall apply approved (by
APCD) chemical dust suppressants to minimize fugitive dust emissions.

3.2.18 The landfill operator shall apply water as a dust suppressant prior to landfill cell
construction facilities, excavating new phase liners, prior to excavating LFG collection
pipe ditches, during construction of transitional roads, and during any other operations
which could result in visible fugitive dust emissions.

3.2.19 In order to minimize the dispersion of dust emissions from covering operations,
the landfill operator shall attempt to minimize the silt content of the cover material and
maximize the moisture content. However, water shall not be applied directly to exposed
MSW.

1 3.2.20 Landfill gas monitoring at the landfill shall be conducted quarterly in accordance
2 with the requirements of CCR, Title 14, Section 17258.23, and in order to prevent a
3 significant health risk, LFG production will continue to be flared in compliance with
4 ICAPCD requirements.

5 3.2.21 Aggregate surfaces of frequently traveled areas near the site entrance and
6 office/maintenance building shall be regularly maintained to provide all-weather access.

7 **Environmental Health and Public Safety**

8 3.2.22 Birds and vectors shall be controlled in accordance with the requirements of CCR
9 Title 27 and a Facilities Permit to be obtained from the LEA.

10 3.2.23 The exposed MSW residue area shall be no greater than 0.5 acres per working
11 face. Waste will be compacted into the working face of the landfill no more than one
12 hour after it arrives at the working face.

13 3.2.24 In order to minimize nuisance impacts from windblown litter and illegal dumping
14 due to landfill operations, the following programs shall be implemented by the
15 Permittee:

- 16 1) Site perimeter roads shall be inspected on a daily basis and accumulated
17 trash and mud-tracked onto Robinson Road shall be cleaned up to
18 eliminate nuisances and reduce particulate matter.
- 19 2) Accumulated windblown debris from the project site and adjacent areas
20 shall be collected and disposed of on a daily basis.
- 21 3) Portable fencing for capturing wind blown litter shall be maintained on the
22 downwind side of the active area of the landfill. The fence location shall
23 be adjusted as necessary throughout the working day depending on wind
24 and landfill conditions. A perimeter security fence (6-foot chain link) shall
25 be installed around the entire facility to capture windblown litter and
26 provide exclusion to unauthorized personnel.
- 27 4) An anemometer for measuring wind speeds shall be maintained on-site.
28 When wind speeds reach thirty (30) mph, disposal operations shall be
moved to the best location available at the landfill that allows for effective
control of windblown litter. In the event windblown litter cannot be
controlled, disposal operations shall be suspended.
- 5) Through the County of Imperial's "Adopt a Road" Program, the applicant
shall adopt Dogwood Road from Harris Road to Aten Road (approximately
two miles north and two miles south of Robinson Road within the public
right-of-way.
- 6) Permittee shall be responsible for cleanup of refuse illegally dumped along
County rights-of-way within ½ mile of permitted boundary as directed by
the LEA or Public Works.
- 7) Permittee shall accept County issued clean-up vouchers for illegally
disposed waste up to 500 tons per year at no cost to the County. The
County may issue vouchers that can be utilized throughout the Imperial
Valley. Such vouchers shall be issued by the LEA only when a

1 responsible party cannot be identified or located. This tonnage amount
2 will be increased by 50 tons per year every five years.

3 **3.2.25** Permittee shall be responsible for implementing the five-point load checking
4 program specified in the EIR for the purpose of detecting and removing hazardous
5 waste from MSW received at the landfill. All landfill employees with access to the MSW
6 shall be trained to identify, remove, and properly store any hazardous wastes
7 discovered in MSW disposed of at the Landfill. Documentation of this training shall be
8 included within the annual report to the County.

9 **3.2.26** The LFG emission control system shall include gas pressure sensors above the
10 landfill liner and gravel-filled horizontal trenches with perforated LFG collection pipes
11 distributed throughout the waste, so that high vacuums at isolated locations (potentially
12 pulling in large volumes of air through a more permeable portion of the MSW residue
13 and cover material) would not cause spontaneous combustion of buried MSW residue.

14 **3.2.27** The LFG stream being collected shall undergo continuous operational monitoring
15 to ensure that excess air is not being drawn into the system.

16 **3.2.28** Well-equipped industrial quality first aid kits shall be available on-site.

17 **3.2.29** Designated emergency coordinators shall be on-site at all times.

18 **3.2.30** In order to control the potential fire hazards, Permittee shall implement an
19 emergency response plan for subsurface fires, conventional fire/fighting procedures for
20 surface fires, screening of the incoming waste, and removal of burning or smoking
21 materials.

22 **3.2.30.01** The Permittee shall comply with the mitigation measures as outlined within
23 the Final EIR:

24 **MM HAZ-1. Contingency Planning for Contaminated Soil.**

25 Permittee will employ a contingency plan to be aware of potential soil contamination and
26 to properly address suspected contamination that might be encountered. The
27 contingency plan will contain the following elements:

- 28 • Construction crews excavating soil in the expansion area will be trained to be alert for potential contaminated soil related to historical site activity. Excavation crews will look for signs of potential soil contamination, including the following: old containers of solvents, paints, pesticides/herbicides, industrial ash or sludge, unusual discoloration or oily sheen, or unusual odor.
- If suspected soil contamination is discovered, then all work in that area will cease until the issue is resolved.
- Any soil sampling or removal of suspected contaminated soil must be conducted by staff with current training under the Hazardous Waste Operations and Emergency Response (HAZWOPER) program.

- 1 • Suspected soil that is temporarily stockpiled prior to testing shall be covered to prevent windblown dust.
- 2 • Suspected contaminated soil shall be tested for the relevant constituents.
- 3 Soil that is determined to be contaminated shall be disposed of in accordance with state and local regulations.

4 Socioeconomics

5 **3.2.31** Permittee shall as required by applicable Federal and/or State regulations, prepare an initial estimate of the closure and post-closure maintenance and corrective action cost. Permittee shall provide the financial surety for this fund to LEA/CALRECYCLE and the Regional Water Quality Control Board. In the event those requirements are reduced or eliminated, the County may require the equivalent.

9 Public Services and Utilities

10 **3.2.32** Permittee shall recycle or dispose of all regulated project-generated wastes and household hazardous waste (HHW) removed from the MSW received at the landfill according to all applicable regulations.

12 **3.2.33** Permittee shall provide on-site security, fire protection services, and first aid training for designated employees.

14 **3.3 Hours and Days of Operation**

15 **3.3.1** The landfill will be allowed to accept waste loads from commercial haulers, private patrons, CDI, greenwaste and household hazardous waste between the hours of 4:30 a.m. and 7:00 p.m. Monday thru Saturday. The facility shall be closed to the public on Sunday except for the limited disposal of commercial waste as may be required under future contracts, such as the single truck load of waste currently received from Centinela State Prison. The facility may operate up to two (2) hours after the gates are closed to patrons in order to guarantee adequate time for daily cover operations. Any operations after dark shall only be permitted upon approval of a lighting system by the LEA.

21 **3.3.2** Notwithstanding Condition 3.3.1 of this CUP, if the County, LEA, DHS, APCD, and/or any other applicable enforcement agency pursuant to authority granted by any applicable local regulations or ordinances, or any State or federal law, issues an order that the facility cease taking waste or reduce the amount of waste being accepted, Permittee shall comply immediately with such order, unless such order is stayed by a court of proper jurisdiction.

25 **3.4 Vehicle/Equipment Maintenance**

26 The landfill operator is authorized to perform vehicle/equipment maintenance directly related to equipment used for landfill operations. Any hazardous waste removed during maintenance shall be disposed of, as required by the latest Federal, State and County laws and/or regulations.

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3.5 Worker Safety

Permittee shall comply with all applicable laws and regulations governing worker safety, including requirements established by Cal-OSHA.

3.5.1 All employees shall be trained in a standard set of safe operating procedures and provided a written manual.

3.5.2 All workers will be required to use protective equipment and will receive adequate supervision. Permittee shall comply with all applicable laws and regulations governing workers safety, including requirements established by Cal-OSHA.

3.6 Registration of Vehicles

All vehicles directly used in the operation of the project that require Department of Motor Vehicles registration shall be registered in the County of Imperial.

3.7 Employment

Permittee shall employ (to the maximum extent feasible) County residents for operation of the project. Permittee shall give priority to the extent allowed by law to qualified applicants who reside in Imperial County or prior residents who would return to the area to accept employment at the landfill. As part of its yearly compliance reports, Permittee shall report on the residence of all current employees and Permittee's efforts to comply with this condition.

3.8 Local Purchase

To the extent feasible, Permittee shall provide Imperial County vendors/suppliers the opportunity to compete for services and supplies required for the project. Extent of usage of local supplies and services shall be part of the annual report.

3.9 Public Works

3.9.1 A Grading and Drainage Study/Plan shall be provided for any borrow site selected for this project and for the westward and vertical expansion of the existing landfill operations. The study/plan shall provide for property grading and erosion control, which shall include prevention of sedimentation or damage to off-site properties. The study/plan shall be submitted to the Department of Public Works for review and approval. Best Management Practices (BMP's) shall be included.

3.9.2 Encroachment permits shall be secured from the Department of Public Works for any new, altered or unauthorized driveway(s) to access the potential sites. Other measures such as a "stabilized construction entrance" prior to pavement reduce mud tracking and storm water pollution prevention may also be required.

1 **3.9.3** A separate encroachment permit/haul permit will be required for hauling in
2 excess of six (6) trucks per hour for the purpose of maintenance, temporary traffic
3 signage and control and upkeep of County road used in the haul. A detailed route plan
4 from site to destination shall be submitted to this Department for review and approval for
5 utilization of County roads. The following shall be incorporated in the permit:

- 6 • Any operations that would require the use of haul trucks shall maintain
7 roads used for hauling material. Generally, these roads include Ralph
8 Road, Dogwood Road, Neckel Road, and Robinson Road. However,
9 depending on the amount of truck traffic and haul route, other impacted
10 road and road intersections may also be considered.
- 11 • Maintenance shall include, but not limited to, repairing ruts, potholes,
12 dangerous shoulders, sweeping and watering roads for dust suppression.
13 Road maintenance requirements would be considered on a case-by-case
14 basis and would be coordinated between the Department and the
15 Operator for each proposed hauling operation.
- 16 • Haul permits can be for up to one (1) year, multiple use, depending on the
17 nature of the hauling.

18 **3.9.4** A transportation permit shall be required from the road agency(s) having
19 jurisdiction over haul routes for any haul of heavy equipment and large vehicles which
20 impose greater than legal loads on riding surfaces, including bridges.

21 **3.9.5** All plan approval and development for the project is to be in compliance with the
22 California Environmental Quality Act (CEQA) and the County's CEQA Guidelines.
23 Development is also to be compliance with all other local, regional, state, and federal
24 codes or procedures for environmental resource protection that are applicable to the
25 project site or proposed uses.

26 **3.9.6** The proposed project will require a National Pollutant Discharge Elimination
27 System (NPDES) permit and Notice of Intent (NOI) from the Regional Water Quality
28 Control Board (RWQCB) prior to the County approval of onsite grading plans.

3.9.7 Robinson Road is classified as a local County road requiring sixty (60) feet of
right-of-way, being thirty (30) feet from the existing road centerline. It is requested that
sufficient right-of-way be provided to meet this road classification.

3.9.8 Neckel Road is classified as a Minor Collector County road requiring seventy (70)
feet of right-of-way, being thirty five (35) feet from the existing road centerline. It is
requested that sufficient right-of-way be provided to meet this road classification.

4.0 INTERAGENCY COMPLIANCE AND INSPECTION PROGRAM

4.1 Purpose of the Interagency Compliance and Inspection Program

The inspection and monitoring program described below is designed to protect the
County and assure that the development and operation of the Imperial Landfill is in
compliance with the various County and State regulations and that the efforts of the

1 various County Departments and other agencies are coordinated, consistent, and
2 effective. The following program is at a level that adequately protects the health and
safety of the public.

3 The principal departments (agencies) include: Local - Imperial County Planning &
4 Development Services Department (lead coordinating department), Air Pollution Control
5 District (APCD), Department of Health Services (DHS), Environmental Health Services
6 (LEA), Department of Public Works (DPW), County Fire Department/Office of
7 Emergency Services (Fire/OES); State - Regional Water Quality Control Board
(RWQCB), California Department of Resource, Recycling and Recovery (CALRECYCLE).
8 Each department shall still be responsible to enforce, monitor, and regulate the site as
9 required by law, permit, ordinance, CUP or other appropriate regulations, and in case of
10 emergency, shall respond as required per General Condition 1.7.

4.2 Reimbursement of Permit Monitoring and Related County Costs

11 Permittee shall pay any and all costs, as determined by the County P&DS Department,
12 for monitoring, review of plans and reports, site inspections, investigation of complaints,
13 conducting public meetings and hearings, and other activities conducted by County staff
14 or consultants, related to the compliance and enforcement of this CUP during its active
15 life, or during closure, as well as any post-closure period.

16 County may require payment of deposits and/or fees prior to monitoring, review of plans
17 and reports, site inspections, and other activities; and to the extent not covered by
18 applicable deposits or fees, the County may also bill Permittee for the actual full cost of
19 providing these and other services related to the implementation, compliance, and
20 enforcement of this CUP. Permittee shall pay for all costs billed under this condition not
21 more than thirty (30) days after receipt of the billing statement except for those items in
22 dispute only. Permittee shall notify the County of the items billed which are in dispute
23 and the nature of the dispute within 30 days of receipt. If Permittee does not pay all
24 billed costs within sixty (60) days of receipt of the billing statement, a penalty shall
25 accrue at a rate of twelve percent (12%) of the unpaid amount per annum, compounded
26 daily.

27 Permittee shall pay the County an agreed upon Host Fee. Such agreement shall be in
28 effect during the life of the CUP.

4.3 Permittee Monitoring, Notification and Reporting Required

29 Permittee shall comply with the requirements of the Planning & Development Services
30 Department or appropriate agencies or departments to install, operate, and maintain all
31 monitoring, testing, sampling and recording instruments, and equipment as required by
32 this Conditional Use Permit and by the MMRP.

33 Whenever evidence of malfunction or failure of any monitoring or control devices or
34 containment systems is discovered, repairs shall be made immediately. Maintenance
35 and repair records will be kept and made available for inspection by the Planning &

1 Development Services Department in accordance with Condition 1.10 (Right of Entry)
2 and Condition 4.4 (Monitoring and Compliance Reports).

3 The Permittee shall notify the Planning & Development Services Director and other
4 appropriate agency directors immediately upon the determination of any damage,
5 malfunction, or failure which has resulted in a significant violation of this Conditional Use
6 Permit or other applicable permit, or which has the potential for significant adverse
7 impact on public safety or health, or the environment. This notification shall be made
8 verbally as soon as possible, and in writing within five (5) business days, and shall be
9 included in the written Annual Report.

10 The Planning & Development Services Director may modify this notification and
11 monitoring reporting requirement to either (a) increase the requirements if he/she
12 determines the necessity to meet the terms of this section, or (b) decrease the
13 requirement for circumstances which he/she determines are de minimus. Agency
14 monitoring and oversight of project operations is not intended to replace or supersede
15 the requirement for Permittee monitoring to assure that the requirements of this
16 Conditional Use Permit, mitigation measures of the EIR, and any other applicable
17 agency permits, regulations, or requirements are met. Discovery by the County or other
18 governmental agency staff of such damage, malfunction, or failure may be considered
19 evidence of inadequate monitoring by Permittee and may be cause for enforcement
20 action pursuant to Condition 1.16 herein.

21 Inspection, monitoring and reporting shall include and be in compliance with the
22 following:

23 Maintenance of Structures and Facilities

24 **4.3.1** Permittee shall perform inspection, maintenance, and repair of all facilities,
25 structures, and equipment. The Planning & Development Services Director and any
26 other applicable agency directors may inspect such records at the Permittee's facility in
27 accordance with Condition 1.10 (Right of Entry) and 4.4 (Monitoring and Compliance
28 Reports).

29 Geology, Soils, and Mineral Resources

30 **4.3.2** Permittee shall on a routine basis and after significant precipitation visually
31 inspect all landfill slopes, drainage systems, and structures for controlling erosion.

32 Water Resources

33 **4.3.3** Permittee shall on a routine basis and after significant precipitation visually
34 inspect all diversion and drainage facilities and systems, structures, and other
35 improvements for controlling and recovering leachate and LFG, for collection, treatment,
36 and reuse of gas condensate water, and equipment wash-down water.

1 **Air Quality**

2 **4.3.4** Permittee shall provide County/ICAPCD with results of all air quality monitoring
3 required for this project in accordance with applicable ICAPCD air permit conditions and
4 any additional federal or state regulations.

5 In addition, Permittee shall perform and provide records for the following air quality
6 monitoring to demonstrate that the landfill is being operated effectively.

7 Upon commencement of operations, Permittee shall provide an annual mobile
8 equipment inventory, a quarterly fuel consumption inventory, PM-10 monitoring
9 conducted every sixth (6th) day unless ICAPCD approves an alternate PM-10
10 management program to insure accuracy, and quarterly surface methane concentration
11 monitoring as required by the appropriate agency. Upon start-up of the landfill gas
12 control system, Permittee shall provide an annual flare source test; continuous landfill
13 gas header flow rate monitoring; monthly landfill gas header monitoring for methane,
14 carbon dioxide, and oxygen; and quarterly landfill base pressure/vacuum monitoring.

15 **4.3.5** Permittee shall, in accordance with the Permit to Operate, inspect and maintain
16 in working order, all air quality and wind speed monitoring systems, landfill gas
17 collection systems, and improvements and procedures for controlling fugitive dust.

18 **Environmental Health and Public Safety**

19 **4.3.6** Permittee shall conduct daily cleanup of landfill-related litter, both on-site and off-
20 site.

21 **4.4 Monitoring and Compliance Reports**

22 Permittee shall submit all monitoring and compliance reports, including all required fees
23 and/or deposits, in accordance with the following provisions:

24 (a) The Planning & Development Services Director may hire an independent
25 consultant to review and analyze reports submitted by Permittee;

26 (b) If the County P&DS Department has credible information indicating that
27 reports prepared by Permittee are not reliable or are erroneous, the
28 County may also hire independent consultants selected by the County to
 conduct monitoring and compliance programs and prepare reports. Costs
 for such independent consultants shall be paid by Permittee unless the
 County at its sole discretion determines to pay for such independent
 consultants. Permittee shall be allowed to comment on the scope of work
 and shall assist and cooperate with the consultant.

 (c) The County may also request, in writing, "Special Monitoring Reports"
 containing such documents and information from Permittee, and at such
 intervals and containing such information as the Planning Director, Health
 Officer, Public Works Director, and/or Air Pollution Control Officer

1 (individually or collectively) deem necessary for monitoring the CUP site.
2 Special Monitoring Reports shall be submitted by Permittee no later than
the date specified by the written request.

- 3 (d) Permittee is required to cooperate fully with County staff and independent
4 consultants in the monitoring and compliance program. Copies of all
5 monitoring and compliance reports, and all data and manifests from tests
6 and inspections, shall be maintained at the administrative offices on the
7 site and shall be available for inspection by the County, its officers or
8 agents, at any time from 8:00 a.m. to 5:00 p.m., Monday through Friday,
excluding holidays. NOTE: Reporting procedures as established herein
shall not be considered to fulfill any other reporting or notification
requirements as mandated by law.

9 **4.5 Violations of Reporting Requirements**

10 Failure by Permittee to timely submit any report pursuant to this CUP or as required by
11 any monitoring agency listed in condition 4.1, herein, shall be a violation of this permit
12 which may be enforced pursuant to County ordinances and procedures for enforcement
13 of the County Land Use Ordinances and CUPs. Timing and scope of compliance
14 reports and/or the necessity for compliance are at the sole discretion of the Planning &
Development Services Director. The Planning & Development Services Director may
waive the reporting violation if in his discretion the Permittee can show a good faith
attempt to meet this condition.

15 **4.6 Annual Compliance Report Required**

16 The Planning & Development Services Department shall prepare an Annual
17 Compliance Report for the Planning Commission and the Board of Supervisors. The
18 report will indicate current and planned facility activities; tonnage figures; areas of
19 special concern; interagency coordination activities; compliance status with CUP
20 conditions and/or other permits; and any other information necessary to reflect a
summary of the overall activity at the site. Permittee shall assist and cooperate with the
Planning & Development Services Department to the extent requested in preparing the
Annual Compliance Report.

21 **4.7 Emergency Reports**

22 In the event of an emergency as determined jointly by the Planning & Development
23 Services Director and the affected County Department charged with enforcement or
24 emergency response, it shall be the responsibility of said Department charged with
25 enforcement or emergency response, to report to all the individual Board members at
26 once. This is to be followed with a complete written report to the Planning &
27 Development Services Department. Permittee shall be responsible for also providing a
28 written report to the Planning & Development Services Department within one week of
such emergency incident. The Planning & Development Services Director shall be
responsible for notifying Permittee, in a timely manner, of the need to prepare such
report. The cost of such Emergency Report(s) shall be paid by Permittee. Permittee

1 shall assist and cooperate with the Planning & Development Services Director and any
2 other affected agency staff to the extent requested in preparing any Emergency
Report(s).

3 **4.8 Planning & Development Services Department Specific Monitoring Tasks**

4 The Planning & Development Services Department shall have primary responsibility to
5 coordinate an overall monitoring program between County Departments including, but
not limited to, the following:

6 **4.8.1** Shall be the coordinating agency for interagency meetings, County Departments
7 and Regional Water Quality Control Board (RWQCB), California Department of
8 Resource, Recycling and Recovery (CALRECYCLE), and any other affected local, State
or Federal agency.

9 **4.8.2** Shall provide reports to the Planning Commission and the Board of Supervisors,
10 as required herein, or as necessary or appropriate. This shall include an annual report
on project operations and an assessment of Permittee's compliance with the CUP.

11 **4.8.3** Shall review data, reports, and documents received from Permittee and sent from
12 and to Permittee by any other regulatory agencies.

13 **4.8.4** Shall monitor the landfill and associated facilities by means of inspections, which
14 may occur at any time of day or night, in accordance with Condition 1.10 of this CUP,
15 both announced and unannounced, independently and jointly with other enforcement
agencies, to assure compliance with the conditional use permit.

16 **4.8.5** Shall obtain and maintain written, photographic and/or electronic records of on-
17 going operations for monitoring and review purposes.

18 **4.8.6** Shall be kept informed about County involvement with any special consultants
involved in the preparation of studies of the site, and any operations thereof.

19 **4.8.7** Shall make recommendations to the Board of Supervisors on new and better
20 ways to monitor the site.

21 **4.8.8** Shall coordinate with County Counsel any CUP enforcement, modification,
22 suspension, and/or revocation proceedings and legal actions against Permittee relating
23 to a failure to comply with any County regulations or those of other enforcement
agencies.

24 **4.8.9** Shall prepare a periodic Mitigation Monitoring Report in accordance with the
25 Mitigation Monitoring and Reporting Program (MMRP). This report shall include a
26 summary of instances, if any, when Permittee was identified as not implementing the
27 adopted mitigation measures, the corrective action recommended by the monitoring
agency, if the corrective action was implemented by Permittee, and any changes in the
28 monitoring schedule, methods, or enforcement actions that may be necessary to ensure
future compliance with mitigation requirements. The individual agency mitigation

1 monitoring reports will be included as an appendix to this report. The periodic Mitigation
2 Monitoring Report shall be provided to the County Planning Commission.

3 **4.8.10** Shall maintain the County's informational library on the facility and be the
4 clearinghouse for official Permittee documents.

5 **4.8.11** Shall maintain a monthly total of waste received and the type and origin of said
6 waste materials, as appropriate. This would include all MSW received for land filling; as
7 well as other materials, such as recyclable or hazardous waste, which was received at
8 the site, removed from MSW, or detected at the site and is to be stored temporarily
9 pending transfer to another facility for recycling or disposal. Permittee shall provide
10 such information which may be subject to confirmation by County inspection or
11 investigation.

12 **4.8.12** May attend meetings/hearings held by other regulatory agencies or departments
13 as necessary.

14 **4.8.13** May attend seminars, workshops or other educational meetings as necessary to
15 keep informed of the latest legislation and state-of-the-art activities as they relate to
16 landfill operations and CUP monitoring.

17 **4.8.14** As approved by the Planning Director, Permittee shall install lighting on-site at 90
18 feet and above. The lighting plan shall require lights at each corner of the landfill (4
19 corners total) and at or above the 90 foot mark, and at a minimum, one signal light with
20 emergency power at the maximum height of 130' at ultimate build-out of the landfill.

21 **4.9 Public Works Department Specific Monitoring Tasks**

22 The Public Works Department shall be primarily responsible for monitoring public
23 transportation related concerns as they pertain to use and maintenance of roads within
24 the County. This may include public transportation related aspects of site drainage,
25 seismic and/or subsidence monitoring, erosion, and other tasks as may be directed by
26 the Board of Supervisors, including but not limited to the following:

27 **4.9.1** Shall review all civil engineering, surveying, landform stability, erosion, drainage,
28 hydrogeological data, and seismic reports and documentation from Permittee and other
regulatory agencies as they pertain to public transportation related concerns at the
project site.

4.9.2 Shall assist the Planning & Development Services Department in the review of
engineering documentation, particularly site improvements such as building of any
structures, landfill cells, and the review of any engineering plans or drawings relating to
design and construction at the site.

4.9.3 Shall provide reports to the Planning & Development Services Department as
necessary in order for the Planning & Development Services Department to complete
the required reporting to the Planning Commission and the Board of Supervisors on an
annual basis or as necessary.

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2 **4.9.4** Shall, in cooperation with the Planning & Development Services Department, enforce the terms of the CUP.

3 **4.10 Health/Environmental Health Services Specific Monitoring Tasks**

4 The Division of Environmental Health Services (LEA) shall be the agency within Imperial
5 County responsible for monitoring and enforcement of health issues arising from
6 operations at the site, and in monitoring of the relevant portions of this CUP to include,
but not limited to the following:

7 **4.10.1** Shall, as necessary, review waste streams to assure acceptability and
8 compliance with the CUP and any other restrictions imposed on the site by law.

9 **4.10.2** Shall keep abreast of laws and regulations relating to the surveillance and
10 enforcement of waste disposal facilities relating to health issues.

11 **4.10.3** Shall coordinate communications between County, Permittee and
CALRECYCLE.

12 **4.10.4** Shall monitor for maintenance of the site in accordance with any approved LEA
13 requirements, standards, and procedures, in cooperation with the Planning &
Development Services Department.

14 **4.10.5** Shall provide reports to the Planning & Development Services Department as
15 necessary in order for Planning & Development Services Department to complete the
16 required reporting to the Planning Commission and the Board of Supervisors on an
annual basis or as necessary.

17 **4.10.6** Shall, in cooperation with the Planning & Development Services Department,
18 enforce the terms of the CUP.

19 **4.11 Air Pollution Control District Specific Monitoring Tasks**

20 The Air Pollution Control District (APCD) shall be the agency within Imperial County
21 responsible for monitoring and enforcement of air quality issues arising from operations
22 of the site, and in monitoring of the relevant portions of the CUP including, but not
limited to the following:

23 **4.11.1** Shall implement and enforce applicable air quality laws, rules, regulations, and
permit conditions.

24 **4.11.2** Shall report to the Planning & Development Services Department any of the
25 following:

- 26 (a) All authorities to construct or permits to operate issued by APCD;
27 (b) any nuisance under the APCD's jurisdiction;
28 (c) any criminal action;

- 1 (d) any administrative action; and,
2 (e) any Notice of Violation.

3 **4.11.3** Shall prepare reports as required to the Planning & Development Services
4 Department which provides an update on the monitoring efforts and results at the site.
5 This information will assist the Planning & Development Services Department in
6 preparing all reports to the Board of Supervisors/Planning Commission.

7 **4.11.4** Shall, in cooperation with the Planning & Development Services Department,
8 enforce the terms of the CUP.

9 **4.12 Office of Fire/Emergency Service Specific Monitoring Tasks**

10 The Fire/Office of Emergency Services (Fire/OES) shall be the agency within Imperial
11 County responsible for monitoring and enforcement of the Uniform Fire Code and any
12 emergency conditions requiring Fire/OES response to the site within the County of
13 Imperial including, but not limited to, the following conditions.

14 **4.12.1** Shall perform fire protection/prevention inspections and the site shall be
15 inspected in accordance with Condition 1.10 at least annually for compliance with
16 Imperial County Fire Department and Uniform Fire Code requirements and/or
17 regulations. The site can be inspected at random or any time that Fire/OES feels that
18 site operations may not be in compliance.

19 **4.12.2** Shall report immediately to the Board of Supervisors, or to each Supervisor if the
20 Board is not in session, in the event of a fire or accident requiring a Fire/OES response.

21 **4.12.3** Shall provide reports to the Planning & Development Services Department as
22 necessary in order for Planning & Development Services Department to complete the
23 required reporting to the Planning Commission and the Board of Supervisors on an
24 annual basis or as necessary.

25 **4.12.4** Shall enforce in cooperation with the Planning & Development Services
26 Department, the terms of the CUP.

27 **Additional Conditions Based on Public Comments:**

28 **4.13.1** MSW trucks shall be prohibited from traveling on Robinson Road, west of
Dogwood Road, whenever a future westward extension of Robinson Road is
constructed due to future development of the area, excluding MSW trucks that are
servicing the areas adjacent to the Robinson Road extension.

4.13.2 A fiscal impact/benefit analysis shall be prepared and all applicable fees shall
be paid to the County prior to the issuance of the initial grading permit for the proposed
expansion.

4.13.3 For bird control, the Permittee currently use a variety of best management

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practices (BMPs) to minimize bird attraction and control bird landings at or near the working face of the landfill, e.g. use of propane cannons, poppers, falcons, balloons, shiny metal strips on stakes, and/or model airplanes. The Permittee shall continue to utilize these BMPs as determined by the LEA to ensure compliance with Title 27, CCR 20810.

4.13.4 For litter control, the Permittee currently uses a variety of BMPs to clean up errant litter, including daily inspections and clean up of areas adjacent to the landfill and offers property owners assistance to clean up illegal dumping occurring on property directly adjacent to roads along the perimeter of the landfill. The Permittee shall continue to utilize these BMPs as determined by the LEA to ensure compliance with Title 27, CCR 20830.

4.13.5 A wind speed anonometer shall be placed on-site at the same altitude as the working face by the Permittee upon approval of the permit. The Permittee shall monitor the wind daily and have an on-site log and send a report to the Planning and Development Services Department on a quarterly basis.

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NOW THEREFORE, County hereby issues Conditional Use Permit #07-0027 and Permittee hereby accepts such permit upon the terms and conditions set forth herein:

IN WITNESS THEREOF, the parties hereto have executed this Agreement the day and year first written.

IMPERIAL LANDFILL, INC.,
(Permittee)

COUNTY OF IMPERIAL,
a political subdivision of the
STATE OF CALIFORNIA



Jeff Andrews, Senior Vice-President
~~West Region, Allied Waste Services~~
Presidnet, Impweil Landfill, Inc.



Darrell Gardner, Interim Director
Planning & Dev. Services Dept.

Dated _____

Dated 10/29/10

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PERMITTEE NOTARIZATION:

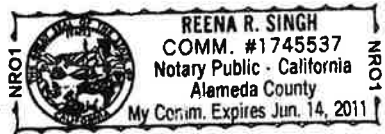
STATE OF CALIFORNIA
COUNTY OF Alameda } S.S.

On October 21, 2010 before me,
Reena R. Singh a Notary Public in and for said County and State,
personally appeared Jeff Andrews, who proved to me on the basis
of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the
within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the
instrument the person(s), or the entity upon behalf of which the person(s) acted,
executed the instrument.

I certify under PENALTY OF PERJURY under the laws of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal

Signature Reena R. Singh



ATTENTION NOTARY: Although the information requested below is OPTIONAL, it
could prevent fraudulent attachment of this certificate to unauthorized document.

Title or Type of Document
Number of Pages 65 Date of Document
Signer(s) Other Than Named Above

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COUNTY NOTARIZATION:

STATE OF CALIFORNIA
COUNTY OF IMPERIAL } S.S.

On OCTOBER 29, 2010 before me,
PATRICIA A. VALENZUELA a Notary Public in and for said County and State,
personally appeared LOYD DARRELL GARDNER, who proved to me on the basis
of satisfactory evidence to be the person ~~(s)~~ whose name ~~(s)~~ is/are subscribed to the
within instrument and acknowledged to me that he/she/they executed the same in
his/~~her~~/their authorized capacity ~~(ies)~~, and that by his/~~her~~/their signature ~~(s)~~ on the
instrument the person ~~(s)~~, or the entity upon behalf of which the person ~~(s)~~ acted,
executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the
foregoing paragraph is true and correct.

WITNESS my hand and official seal

Signature Patricia A. Valenzuela

ATTENTION NOTARY: Although the information requested below is OPTIONAL, it
could prevent fraudulent attachment of this certificate to unauthorized document.

Title or Type of Document
Number of Pages 52 Date of Document
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EXHIBIT A

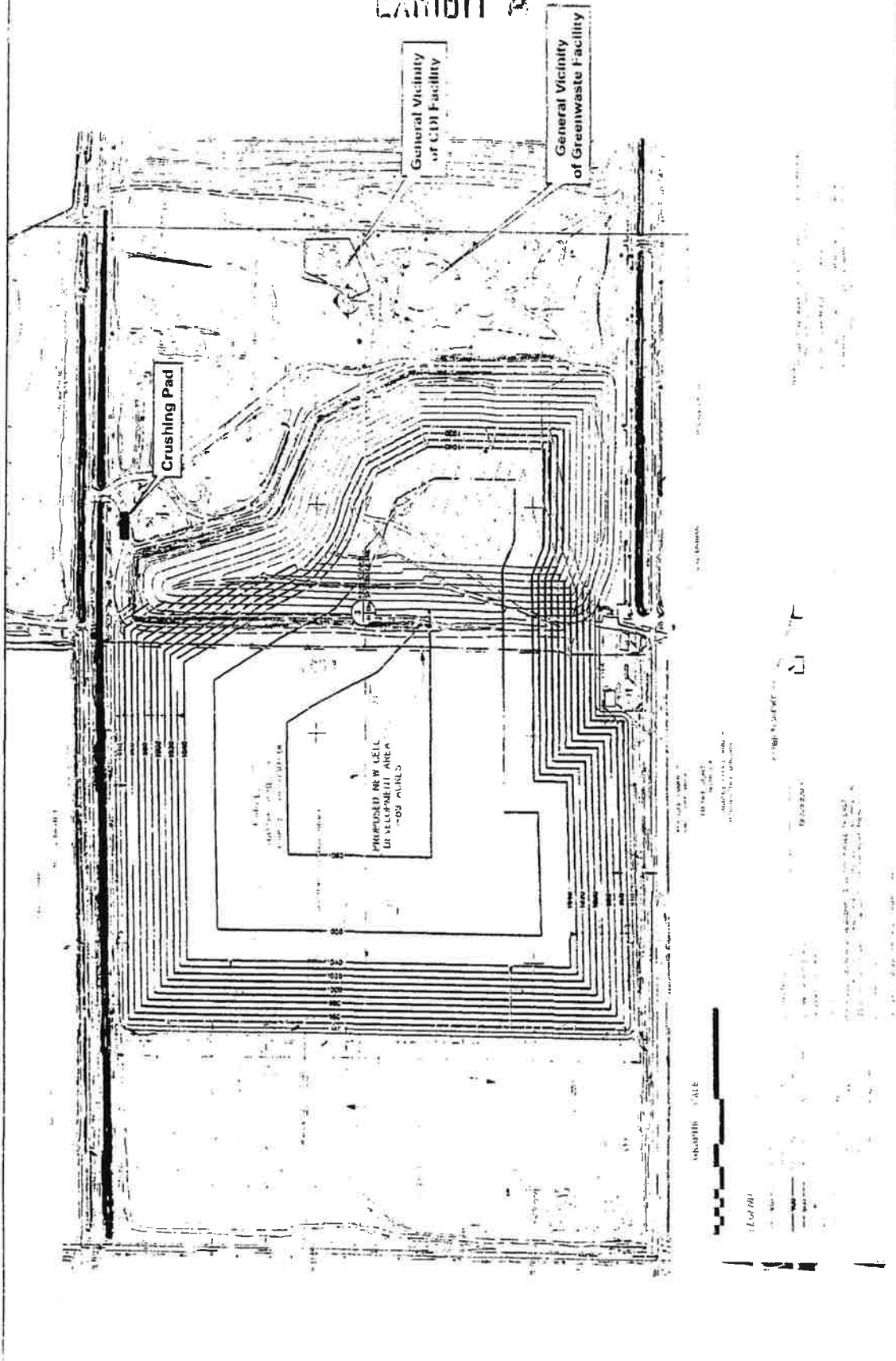


Figure 2-3
Proposed Plan View
Imperial Landfill Plan EIR

1 NOW, THEREFORE, IT IS MUTUALLY AGREED BETWEEN THE COUNTY
2 and the APPLICANT as follows:

3
4 1. APPLICANT shall defend, indemnify and hold harmless COUNTY
5 and their agents (including consultants), officers and employees from any claim,
6 action, or proceeding (collectively, "Action") against COUNTY, or to set aside,
7 void, or annul the Discretionary Approvals, or any part thereof, or any decision,
8 determination, or action, made or taken approving, supplementing, or sustaining,
9 the Project or any part thereof, or any related approvals or Project conditions
10 imposed by COUNTY or any of their agencies, departments, commissions,
11 agents, officers or employees concerning the Project, or to impose personal
12 liability against such agents (including consultants), officers or employees
13 resulting from their involvement in the Project (but only to the extent that such
14 parties were acting within the scope of their responsibilities), including any claim
15 for private attorney general fees claimed by or awarded to any party from
16 COUNTY. To the extent that COUNTY uses any of its resources responding to
17 such Action, APPLICANT shall reimburse COUNTY in accordance with this
18 Agreement for the documented reasonable use of such resources within thirty
19 days. Applicant shall notify the County of any items billed which are in dispute
20 and the nature of the dispute within the thirty days or receipt of such billing. If
21 Applicant does not reimburse all costs within thirty days, a penalty shall accrue
22 on the unpaid amount at a rate of 12% per annum compounded daily. Such
23 resources include, but are not limited to, staff time, court costs, Solicitor's or
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1 County Counsel's time at a rate equal to its total cost, or any other direct or
2 indirect cost associated with responding to the Action.

3
4 2. COUNTY shall promptly notify APPLICANT of any Action.
5 COUNTY shall cooperate with APPLICANT in the fulfillment of APPLICANT's
6 responsibilities hereunder.

7 3. COUNTY agrees to make one appearance in any Action in
8 which it is a named a party. COUNTY may make such additional appearances
9 as it deems necessary. COUNTY may, within its unlimited discretion and at
10 applicant's cost, decide to participate in the defense of any such Action if
11 COUNTY defends the Action in good faith. If COUNTY participates in the
12 defense of the Action, then COUNTY shall cooperate with APPLICANT in that
13 defense and shall use good faith in keeping the expenses and costs associated
14 with that defense reasonable. Cooperation does not include taking any action or
15 making any decision that COUNTY does not feel is in its own best interest.
16

17 4. If COUNTY retains outside counsel, agents or consultants
18 (collectively, "Agents"), then COUNTY shall exercise reasonable control and
19 supervision over the Agents.
20

21 5. Nothing in this Agreement shall be construed in a manner that
22 requires COUNTY to exercises its legislative discretion in a particular manner.

23 6. APPLICANT shall not be required to pay or perform any settlement
24 of such Action unless APPLICANT approves the settlement in writing. At the
25 APPLICANT'S request COUNTY shall consider changes to any Discretionary
26 Approval granted with respect to the Project, or any part thereof, at
27

1 APPLICANT'S sole cost and approve any such change, and any change shall be
2 made according to such procedures and under such terms and conditions as
3 COUNTY or in its sole discretion deems appropriate.
4

5 7. All notices under this Agreement shall be deemed valid and
6 effective immediately upon personal service, or five (5) calendar days following
7 deposit in the United States mail, postage prepaid, by certified and/or registered
8 mail, addressed as follows:

9 To APPLICANT:

10 Imperial Landfill Inc.
11 104 E. Robinson Road
12 Imperial, California 92251

13 To COUNTY:

14 Director
15 Imperial County Planning & Development Services Department
16 801 Main Street
17 El Centro, California 92243

18 Any party may, by written notice to all other parties to this Agreement, revise the
19 address at which that party receives written notice under this section.

20 8. This Agreement shall become effective only on the last date
21 ("effective date") COUNTY approves all of COUNTY's Discretionary Approvals.
22 If COUNTY does not issue COUNTY's Discretionary Approvals, then this
23 Agreement shall have no force or effect.

24 9. This Agreement represents the complete understanding between
25 the parties with respect to matters set forth herein.

26 IN WITNESS WHEREOF, the parties hereto have duly caused this
27 Agreement to be executed on the date hereinabove first written.
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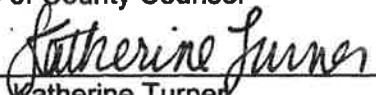
IMPERIAL LANDFILL, INC.

COUNTY OF IMPERIAL

By: 
Jeff Andrews, Senior Vice-President
Imperial Landfill, Inc.
"APPLICANT"

By: 
Darrell Gardner, Interim Director
Planning & Dev. Service Department
"COUNTY"

APPROVED AS TO FORM:
Office of County Counsel

By: 
Katherine Turner
Deputy County Counsel

DGIAPN 044030006 CUP07-0027 EXHIBIT B 10 15 2010

EXHIBIT C



Memorandum

Date:	July 29, 2010
To:	Richard Cabanilla and Jurg Heuberger Imperial County Land and Development Services 801 Main Street El Centro, CA 92243
Cc:	Jim Wilder, P.E. ICF International
From:	Thomas Cherry, Senior Landscape Architect/SOCAL BIO ICF International 9775 Businesspark Avenue, Suite 200 San Diego, CA 92131
Subject:	Landscape Guidelines for the Imperial Landfill Plan

At your request, I have reviewed the project details and site plans for the Imperial Landfill Plan (Landfill Plan) and have developed these landscape guidelines in order to minimize potential visual and aesthetic impacts resulting from implementation of the Landfill Plan. Specifically, these guidelines help address the screening of landfill slopes associated with the long-term effects of expanding the landfill area.

Purpose

The purpose of this memo is to address concerns regarding the visual impacts of the Landfill Plan that were raised during the County of Imperial Board of Supervisor's public hearing for approval of the Final Environmental Impact Report for the Landfill Plan. The public hearing was held on July 1, 2010 at the Imperial County Administration Center, 940 West Main Street, El Centro, CA. During this meeting, several residents that reside within close proximity to the proposed expansion area raised concerns regarding the visual impacts that would result from expansion of the landfill area. The County of Imperial Board of Supervisors requested that a landscape plan be developed for the landfill as a condition of approval in order to minimize visual impacts and improve its aesthetic character. This memo provides guidelines that the landscape plan should adhere to.

General Design & Plant Material Selection

The following criteria are used to create the screening design of the landfill as well as provide for the accent planting at the public drop-off area and the landfill office and maintenance facility. The selection of plant material shall incorporate xeriscape principles as well as streetscape and accent

landscape design criteria. The landscape planting shall be required prior to the start of each Phase. Additionally, all existing roadway frontages would be required to be landscaped within 1 year of grading plan approval.

Xeriscape Principles

Xeriscape principles include an efficient irrigation system and grouping of plant materials with similar water needs. Hydrozoning, or grouping trees, shrubs and groundcovers with equivalent irrigation requirements, ensures that plant material will not be over- or under-watered.

Proper horticultural practices are also essential in xeriscape principles. The use of mulches to retain soil moisture also reduces weed growth. The reduction of weed growth in turn reduces maintenance requirements and costs.

Streetscape Landscape Design Criteria

Streetscape plant materials shall be incorporated within the street setback of the landfill area. The primary use of the plant material chosen for the streetscape is to provide visual screening of the slopes within the landfill area. It is not anticipated that the entire slopes would be able to be screened due to the proposed height and length of the final slopes. ; However, the major portions of the views of the lower landfill slopes (as viewed from distant viewpoints) will be visually broken. In addition, perimeter planting would screen the entire facility as viewed from houses and vehicles along Robinson Road.

Plant material shall consist of a variety of sizes that will provide screening of the landfill within 10 years. Trees shall be a minimum of 24 inch boxes. The ratio of tree sizes shall be as follows:

- 48 inch – 25 percent
- 36 inch – 25 percent
- 24 inch – 50 percent

Trees and Shrubs

The following trees and shrubs are considered to have xeriscape characteristics and are suitable for the desert climate. Photographs of the proposed plant material are attached.

Trees

<u>Scientific Name</u>	<u>Common Name</u>
Acacia pendula	Weeping Myall
Acacia farnesiana	Sweet Acacia
Albizia julibrissin	Silk Tree
Dodonaea viscosa "Purpurea"	Dodonaea
Casuarina cunninghamiana	River Oak
Eucalyptus torquata	Coral Gum
Eucalyptus viminalis	Ribbon Gum
Juniperus californica	California Juniper
Laurus nobilis	Sweet Bay

Nerium oleander	Oleander
Parkinsonia aculeate	Mexican Palo Verde
Rhus lancea	African Sumac
Schinus molle	Pepper
Washingtonia filifera	California Fan Palm

Shrubs

<u>Scientific Name</u>	<u>Common Name</u>
Acacia redolens	Acacia
Atriplex canescens	Four-wing Saltbush
Bougainvillea species	Bougainvillea
Caesalpinia species	Bird of Paradise Bush
Cordia parvifolia	Cordia
Cotoneaster lacteus	Red Clusterberry
Romneya coulteri	Matilija Poppy
Ruellia californica	Sonoran Desert Ruellia
Xylosma congestum	Shiny Xylosma

Public Drop-off Area Accent Landscape Design Criteria

It is recommended that the public portions of the Public Drop-off area and Office/Maintenance Building be landscaped. Accent landscaping of these areas helps identify these areas as public places. The use of groundcovers, mulch, scrubs and low to medium size trees in these areas are warranted. Planting areas should be located where there is little chances that the plant material would be damaged by the ongoing operations of the landfill. At a minimum, areas within the median of the Public Drop-off area and in front of the Office/Maintenance Building and Scale that faces the public shall be landscaped.

Trees and Shrubs

The following trees and shrubs are appropriate for accent plantings and are considered to have xeriscape characteristics and are suitable for the desert climate.

Trees

<u>Scientific Name</u>	<u>Common Name</u>
Acacia pendula	Weeping Myall
Acacia farnesiana	Sweet Acacia
Albizia julibrissin	Silk Tree
Dodonaea viscosa "Purpurea"	Dodonaea
Juniperus californica	California Juniper
Nerium oleander	Oleander
Parkinsonia aculeate	Mexican Palo Verde
Rhus lancea	African Sumac
Washingtonia filifera	California Fan Palm

Shrubs

<u>Scientific Name</u>	<u>Common Name</u>
Acacia redolens	Acacia
Agave deserti	Desert Agave
Agave shawii	Shaw's Century Plant
Atriplex canescens	Four-wing Saltbush
Bougainvillea species	Bougainvillea
Caesalpinia species	Bird of Paradise Bush
Calliandra californica	Baja Fairy Duster
Cassia phyllodinea	Silvery Cassia
Cordia parvifolia	Cordia
Cotoneaster congestus	Cotoneaster
Cotoneaster lacteus	Red Clusterberry
Dalea greggii	Trailing Indigo Bush
Dalea spinosa	Smoke Tree
Encelia farinose	Brittle Bush
Euryops pectinatus	Euryops
Myoporum parvifolium	Myoporum
Romneya coulteri	Matilija Poppy
Ruellia californica	Sonoran Desert Ruellia
Xylosma congestum	Shiny Xylosma

Landscape Maintenance Requirements and Reporting

The landfill operators shall ensure that all landscape is maintained in a flourishing manner and irrigation systems are maintained properly to provide adequate water throughout the entire year for plant material to be able to thrive. The landfill operators shall incorporate best standard practices in the industry for high-quality landscaping. Special care shall be given during the first year after planting to ensure 100 percent survival rate. After the first year, and thereafter, the survival rate shall be maintained at 80 percent. If survival rate falls below 80 percent the plant material shall be replanted. An annual counting of all trees shall be submitted to the County Planning Department by December 31st of each year, and any plant material that is deficient of the 80 percent original planting shall be replaced within 45 days of report submittal.

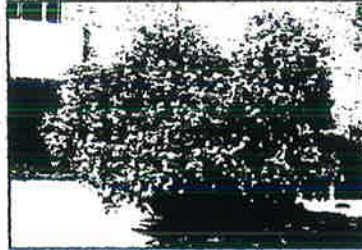


PHOTOGRAPHS OF RECOMMENDED TREES AND PLANTS

Plant List for Accent & Ornamental, and Screening



Acacia pendula
(weeping myall)



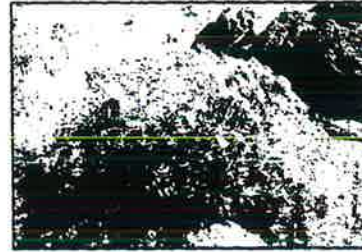
Cordia parvifolia



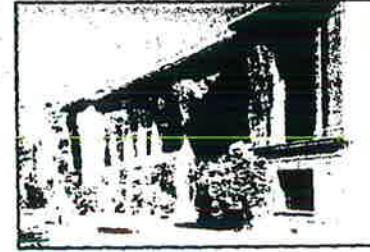
Atriplex canescens
(four-wing saltbush)



Cotoneaster lacteus
(red clusterberry)



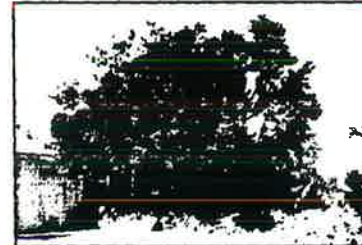
Encelia farinosa
(brittle bush)



Macfadyena unguis-cati
(cat's claw)



Acacia redolens and cultivars



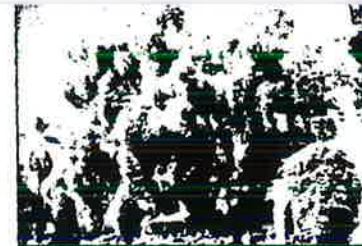
Dodonea viscosa 'Purpurea'



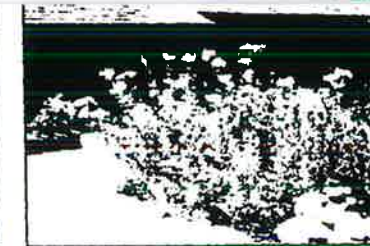
Acacia farnesiana
(sweet acacia)



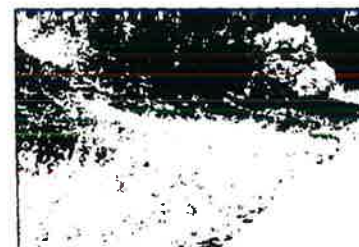
Parkinsonia aculeata
(Mexican palo verde)



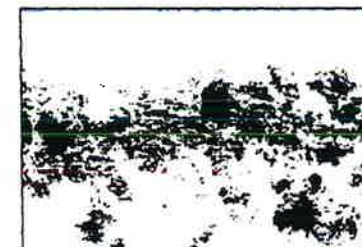
Schnius molle
(Peruvian pepper)



Romneya coulteri



Myoporifolium parvifolium



Bougainvillea species and cultivars



Ruellia californica

Plant List for Accent & Ornamental, and Screening



Cotoneaster congestus



Cassia phyllodinea
(silvery cassia)



Euryops pectinatus
(euryops)



Dalea spinosa
(smoke tree)



Nerium oleander
(oleander)



Xylosma congestum
(shiny xylosma)



Dalea greggii
(trailing indigo bush)



Eucalyptus torquata
(coral gum)



Juniperus californica
(California juniper)



Laurus nobilis
(sweet bay)



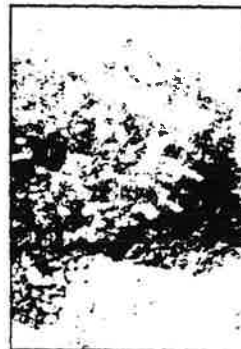
Washingtonia filifera
(California fan palm)



Agave shawii
(Shaw's century plant)



Albizia julibrissin
(silk tree)



Caesalpinia species



Calliandra californica
(Baja fairy duster)



Agave deserti
(desert agave)



Rhus lancea
(African sumac)

ATTACHEMENT "B"
COMMENT LETTERS

Mariela Moran

From: Sanchez Rangel, Rogelio@DOT <roger.sanchez-rangel@dot.ca.gov>
Sent: Tuesday, March 23, 2021 2:20 PM
To: Mariela Moran
Cc: Eaton, Maurice A@DOT
Subject: RE: CUP 19-0016 Letter of Response to Comments
Attachments: Letter of Response to Comments from Caltrans and EHS - February 5 2021.pdf

CAUTION: This email originated outside our organization; please use caution.

Hi Mariela,

Per our phone conversation, Caltrans has no additional comments at this time, thank you for providing the response to comments. I will save those with our project files.

Thank you

Roger Sanchez | Transportation Planner
Caltrans, District 11
Development Review Branch
roger.sanchez-rangel@dot.ca.gov
Tel (619) 619 987-1043

RECEIVED
MAR 23 2021
IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES

From: Mariela Moran <MarielaMoran@co.imperial.ca.us>
Sent: Tuesday, March 23, 2021 1:51 PM
To: Sanchez Rangel, Rogelio@DOT <roger.sanchez-rangel@dot.ca.gov>
Subject: RE: CUP 19-0016 Letter of Response to Comments

EXTERNAL EMAIL. Links/attachments may not be safe.

Good afternoon Mr. Sanchez,

This email is a follow up for email below in regards to the response letter for CUP 19-0016.

Should you have any comments please let us know.

Regards,

From: Mariela Moran
Sent: Wednesday, February 17, 2021 1:38 PM
To: Sanchez Rangel, Rogelio@DOT <roger.sanchez-rangel@dot.ca.gov>
Subject: RE: CUP 19-0016 Letter of Response to Comments

Good afternoon Mr. Sanchez,

This email is a follow up for email below in regards to the response letter for CUP 19-0016. Should you have any comments please let us know.



February 5, 2021

Ms. Mariela Moran
Imperial County Planning and Development Services
801 Main Street
El Centro, CA 92243

SUBJECT: CUP 19-0016 – Imperial Landfill - Out of County Waste – Response to Comments

Ms. Moran,

Thank for the opportunity to respond to the comments from Caltrans dated December 28, 2020 and from the County of Imperial Public Health Department dated December 30, 2020. This letter is in response to those comments. The comments will be repeated below with a direct **Response** to each comment.

Caltrans

“Caltrans has previously reviewed environmental documents for the Allied Imperial Landfill located near ST-111 and E. Robinson Road. Attached please find a copy of Caltrans (2010) comment letter.”

Response: The Caltrans “comment letter” dated February 9, 2010 was addressed as a part of the FEIR for the landfill expansion that was approved in October of 2010. Please see attached response to comments as provided in the FEIR. Additionally, the tonnage amounts and traffic impacts as a part of the proposed CUP to allow for out of county waste remains far below the levels that would require mitigation affecting Caltrans roadway jurisdiction.

“Please provide clarification and additional information on how the impact to State Facilities will be addressed.”

Response: The mitigation measures in the FEIR are required to be met. For traffic impacts to SR-111 (Impact TR-7 and Impact TR-14), Mitigation Measure TR-4 (attached) requires the fair share payment for improvements. However, this does not occur until 818 trucks per day are coming into the landfill.

The current Solid Waste Facilities Permit allows up to 400 trucks per day. It is not anticipated that the landfill will be receiving in excess of 818 trucks for many years. The FEIR mitigation measures are very clear as to when the measure must be met, and the current proposal does not create impacts beyond those analyzed in the FEIR.

The actual construction of the improvements will occur at some future date through the normal notification, improvement plan preparation and construction protocols between the County of Imperial and Caltrans. This effort is beyond the control of the Imperial Landfill.

Additionally, the traffic impact analysis that was prepared for CUP 19-0016 (Traffic Impact Analysis – Dated September 20, 2020) determined that the impacts to Caltrans facilities were less than significant and do not require additional mitigation measures beyond those identified in the FEIR.

“Any work performed within Caltrans’ Right-of-Way (R/W) will require discretionary review and approval by Caltrans and an encroachment permit will be required for any work within the Caltrans’ R/R prior to construction.”

Response: The comment is acknowledged by the applicant/owner - Imperial Landfill, Inc. It should also be noted that the applicant/owner is not required to construct any improvements within the Caltrans R/W because MM TR-4 that addresses Impact TR-7 and TR-14 is for the fair share payment for the improvements identified in the mitigation measure.

County of Imperial Public Health Department

“At this moment, the Division requests that the applicant submit a Joint Technical Document Amendment application to our office at least 180 days prior to the start of accepting out of county waste, assuming CUP#19-0016-amendment approval. DEH reserves the right to provide additional comments as deemed necessary.”

Response: It is acknowledged by the applicant/owner that a JTD Amendment will be necessary. We will be commencing with the amendment documents and appropriate submittal to the LEA.

Conclusion

Based on the comments provided by Caltrans dated December 28, 2020, the FEIR approved in October 2010, and the responses provided above, we firmly believe that the issues raised by Caltrans have been fully addressed. It must be emphasized that the FEIR prepared for the expansion of the landfill fully addressed impacts to Caltrans facilities and the appropriate

mitigation measures have been identified AND approved by the Board of Supervisors. No significant impacts are realized until 818 trucks are allowed to enter the landfill. The current SWFP allows up to 400 trucks per day and there is no current proposal to change the SWFP beyond this current threshold. Additionally, the Traffic Impact Analysis dated September 8, 2020 stated that there are no significant impacts to Caltrans facilities with the proposed change to the CUP to allow for the specified tons per day for out of county waste.

Regarding the comment by the Public Health Department, we acknowledge the request and will be preparing the requisite JTD Amendment documents.

Therefore, we believe this letter provides the necessary response and clarification for the Imperial County Planning and Development Services to respond to Caltrans demonstrating that their concerns have been acknowledged and addressed.

At this point, we feel that all environmental issues have been addressed and it would be appropriate to complete the Initial Study and move forward to the Environmental Evaluation Committee as soon as possible.

If you have any questions or comments, please feel free to reach out to me.

Sincerely,



L. Stan Weiler, AICP
President, HWL

cc. Michael Abraham, ICPDS
Peter Sterenberg, Imperial Landfill, Inc.
Michael Darnell, Imperial Landfill, Inc.
Steven Hall, Imperial Landfill, Inc.

STATE OF CALIFORNIA - REGIONAL TRANSPORTATION AND HOUSING AGENCY
 DEPARTMENT OF TRANSPORTATION
 DISTRICT 11
 PLANNING DIVISION
 4650 TAYLOR STREET, S.W., 240
 FRENCH CREEK, CALIFORNIA 92520
 PHONE: (619) 684-4860
 FAX: (619) 684-4999
 TTY: 711

RECEIVED
 FEB 12 2010

February 9, 2010
 IMPERIAL COUNTY
 PLANNING & DEVELOPMENT SERVICES

Mr. Richard Cabanilla
 Imperial County
 Planning and Development Services
 801 Main Street
 El Centro, CA 92243

11-MP-111
 JM 13.58
 Draft EIR
 Imperial Landfill Expansion
 SCF 2007121049

Comment Letter E
 IMPERIAL COUNTY
 PLANNING & DEVELOPMENT SERVICES



Please print
 the name of the recipient

Response to Comment E-1

Section 4.11 Traffic and Circulation has been updated to describe the correct roadway classifications.

Response to Comment E-2

The Executive summary and Section 4.11 have been updated to clarify the Proposed Action would not cause a direct impact to traffic, but it would contribute to a cumulative traffic impact. Because the Proposed Action would not cause a direct impact, to SR-111 ILI is not required to fund 100% the traffic mitigation measures along that roadway. The required fair share payment for the SR-111 intersection remains accurate, and was not updated.

Dear Mr. Cabanilla:

The California Department of Transportation (Caltrans) appreciates the opportunity to review the Draft Environmental Impact Report (EIR) for the Imperial Landfill Expansion Project, located east of State Route 86 (SR-86), west of State Route 111 (SR-111), and north of Worthington Road. Caltrans has the following comments:

- Caltrans previously commented on the Notice of Preparation (NOP) for the Draft EIR (letter date: December 31, 2007).
- The Draft EIR states that "SR-86 (N. Imperial Avenue) is classified as a minor arterial" (page 4.11-2). The 2008 Imperial County Circulation Element Plan classifies SR-86 through the project study area (Keystone Rd/Imperial Ave segment) as a "State Highway." (Figure 1 and Table 5)

To clarify, SR-86 through the project study area is classified as an expressway with access control in various segments.

- The Draft EIR Executive Summary states that "Project implementation would result in significant direct impacts on... traffic." (page ES-2). The included traffic impact report proposes the following mitigation as part of the project's significant impacts for Year 2038: "SR-111/Worthington Road Intersection - Construct an additional northbound left-turn lane. This mitigation is needed once total daily traffic volumes at the site driveway reach 1,785 ADT and the corresponding daily gate deliveries for solid waste trucks reach 818." (Appendix H page 66)

However, mitigation measure MM TR-4 calls for "the fair share payment for the construction of an additional northbound left-turn lane at the intersection of SR-111 and Worthington Road ... [based on] landfill traffic in the Year 2038 + Project condition and ... regional non-project traffic from identified cumulative projects..." (Draft EIR page 4.11-34). The traffic

*Caltrans Imperial mobility across California

E-1

E-2

Response to Comment E-3

As described in Comment D-2, ILLI would not be required to construct any improvements along SR-111 (ILLI will be required to pay a 3% fair share portion of the County's eventual improvements). Therefore, the issue of encroachment permits is not relevant.

Mr. Richard Cabanilla
February 9, 2010
Page 2

impact report explains that "Based on a meeting with the County of Imperial, it was decided the following improvements be based on a fair share contribution." (Appendix H page.67) With the impact to the SR-111/Washington Road intersection being Direct, and not Cumulative, the project should be responsible for actual construction, not fair share, of the improvement once the trigger is reached.

E-2
cont

• Any work performed within Caltrans right-of-way (R/W) will require discretionary review and approval by Caltrans. Furthermore, the applicant's environmental documentation must include such work in their project description and indicate that an encroachment permit will be needed.

E-3

If you have any questions, please contact Camery Cepeda at (619) 688-6968.

Sincerely,



JACOB ARMSTRONG, Chief
Development Review Branch

"Caltrans improves mobility across California"

Imperial County

Impact	Mitigation Measure	Schedule for Implementation	Monitoring Responsibility	Compliance Monitoring and Reporting							
				Shown on Plans		Installed on Site		Frequency of:			
				Req'd	Verified Date/Init	Req'd	Verified Date/Init	Monitor (1)	Report (2)		
Year 2038 + Project condition, and the delay would increase by more than 2 seconds as compared to the Year 2038 Baseline condition.		Facilities Permit	of Imperial								
Impact TR-7: SR-111 at Worthington Road. The LOS would degrade to LOS D under the Year 2038 + Project condition, and the delay would increase by more than 2 seconds as compared to the Year 2038 Baseline condition.	MM TR-4: Fair Share Funding for Northbound Left-Turn Lane Addition at SR-111 and Worthington Road Mitigation includes the fair share payment for the construction of an additional northbound left-turn lane at the intersection of SR-111 and Worthington Road. This mitigation would be triggered upon issuance of a future SWFP that approves the combined daily gate deliveries (municipal solid waste, CDI, green waste, plus household hazardous waste) exceeding 818 trucks per day. ILI will notify the County within 30 days after issuance of that SWFP, to advise them the mitigation trigger value has been reached. ILI will then make a payment to the County of Imperial for its fair share (3%) of funding for the project. Calculations of fair share contribution are presented in Appendix H.	After issuance of Solid Waste Facilities Permit	Project proponent and County of Imperial				B				a
Impact TR-8: Dogwood Road between Robinson Road and Worthington Road. LOS at the roadway segment would degrade to LOS F under the Year 2038 + Project condition, and the V/C ratio would increase by 0.157 compared to the Year 2038	Impact TR-8 would be mitigated by MM TR-1.	After issuance of Solid Waste Facilities Permit	Project proponent and County of Imperial					B			a

(1) Monitoring Frequency: A – Prior to Construction; B – Throughout Construction; C – On Completion; D – Operating; E – On Violation
 (2) Reporting Frequency: a – Once, On Completion; b – On Violation; c – On Violation



December 30, 2020

Mr. Jim Minnick
Planning & Development Services Director
801 Main St.
El Centro, CA 92243

SUBJECT: Conditional Use Permit (CUP) 19-0016 (Recirculated): Amendment to existing CUP 07-0027—Allied Imperial Landfill (Imperial Resource Recovery)

Dear Mr. Minnick:

The Imperial County Air Pollution Control District ("Air District") has reviewed Recirculated Conditional Use Permit (CUP) 19-0016 that would amend CUP 07-0027 and allow for out-of-county Municipal Solid Waste (MSW) to be deposited at the Allied Imperial Landfill ("Landfill") located at 104 East Robinson Road in Imperial (APN 044-030-006-000). The applicant, Imperial Resource Recovery, has made the request to specifically change condition 3.1.1 contained in CUP 07-0027 that currently restricts acceptance of waste to that which originates within the County of Imperial, with the exception of 136 tons per month originating from Borrego Springs. The proposed amendment would modify condition 3.1.1 of CUP 07-0027 to allow for waste to be accepted from locations outside the County of Imperial.

Upon review the Air District has no comments.

Sincerely,


Curtis Blondell
APC Environmental Coordinator


Reviewed by Monica Soucier
APC Division Manager

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DEC 30 2020

**IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES**



COUNTY OF IMPERIAL

PUBLIC HEALTH DEPARTMENT

JANETTE ANGULO, M.P.A.

Director

STEPHEN MUNDAY, M.D., M.P.H., M.S.

Health Officer

December 30, 2020

Joe Hernandez
Imperial County Planning & Development Services
801 Main Street
El Centro, CA 92243

Subject: Comments for Conditional Use Permit #19-0016 - Allied Imperial Landfill Request for Out of County Waste Acceptance

Dear Mr. Hernandez,

On December 10, 2020, the Division of Environmental Health received a request for comments for an amendment to CUP#07-0027. The amendment proposes to allow the Allied Imperial Landfill, located at 104 E. Robinson Road, east of Imperial, to be able to accept up to 1,200 tons per day of out of county waste. Based on the project description, the landfill is seeking to allocate the acceptance of up to 1,200 tons per day out of the 1,700 tons the landfill is permitted to accept, as allowed under the existing Solid Waste Facility Permit (13-AA-0019).

At this moment, the Division requests that the applicant submit a Joint Technical Document Amendment application to our office at least 180 days prior to the start of accepting out of county waste, assuming CUP#19-0016-amendment approval. DEH reserves the right to provide additional comments as deemed necessary.

Please do not hesitate to contact me if you have any questions.

Regards,

Jorge A. Perez
EHS Manager

Division of Environmental Health

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DEC 30 2020

IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES

Gabriela Robb

From: Sanchez Rangel, Rogelio@DOT <roger.sanchez-rangel@dot.ca.gov>
Sent: Monday, December 28, 2020 4:46 PM
To: Gabriela Robb; ICPDSCommentLetters; Joe Hernandez
Cc: Eaton, Maurice A@DOT
Subject: RE: Request for Comments - CUP19-0016 (SR-111 Allied Imperial Landfill)
Attachments: 11imp111 pm13.58 Imperial Landfill DEIR_20100209.pdf; Req for Comm - CUP19-0016 (Recirculation).pdf

CAUTION: This email originated outside our organization; please use caution.

Hi Gabriela and Joe,

Caltrans has previously reviewed environmental documents for the Allied Imperial Landfill located near SR-111 and E. Robinson Road. Attached please find a copy of Caltrans (2010) comment letter.

Please provide clarification and additional information on how the impacts to State Facilities will be addressed.

Any work performed within Caltrans' Right-of-Way (R/W) will require discretionary review and approval by Caltrans and an encroachment permit will be required for any work within the Caltrans' R/W prior to construction.

Thank you

Roger Sanchez | Transportation Planner
Caltrans, District 11
Development Review Branch
roger.sanchez-rangel@dot.ca.gov
Tel (619) 619 987-1043

RECEIVED
DEC 28 2020
IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES

From: Gabriela Robb <GabrielaRobb@co.imperial.ca.us>
Sent: Thursday, December 10, 2020 7:37 AM
To: Esperanza Colio <EsperanzaColio@co.imperial.ca.us>; Adam Crook <AdamCrook@co.imperial.ca.us>; Carlos Yee <CarlosYee@co.imperial.ca.us>; John Gay <JohnGay@co.imperial.ca.us>; Monica Soucier <MonicaSoucier@co.imperial.ca.us>; Carlos Ortiz <CarlosOrtiz@co.imperial.ca.us>; Jolene Dessert <JoleneDessert@co.imperial.ca.us>; Sandra Mendivil <SandraMendivil@co.imperial.ca.us>; Alfredo Estrada Jr <AlfredoEstradaJr@co.imperial.ca.us>; Robert Malek <RobertMalek@co.imperial.ca.us>; Andrew Loper <AndrewLoper@co.imperial.ca.us>; Ray Loera - Sherriff <rloera@icso.org>; Thomas Garcia <tgarcia@icso.org>; Jeff Lamoure <JeffLamoure@co.imperial.ca.us>; Vanessa Ramirez <VanessaRamirez@co.imperial.ca.us>; Jorge Perez <JorgePerez@co.imperial.ca.us>; Robert Menvielle <RobertMenvielle@co.imperial.ca.us>; rleal@iid.com; Donald Vargas <dvargas@iid.com>; Pereira, Melina T@DOT <melina.pereira@dot.ca.gov>; Landrum, Beth A@DOT <beth.landrum@dot.ca.gov>; Dodson, Kimberly@DOT <kimberly.dodson@dot.ca.gov>; Corey, Richard@ARB <richard.corey@arb.ca.gov>; doug.wylie@waterboards.ca.gov; caroll.mortensen@CalRecycle.ca.gov; Polanco, Julianne@Parks <Julianne.Polanco@parks.ca.gov>; Krug, Robert@DTSC <Robert.Krug@dtsc.ca.gov>; Kereazis, Dave@DTSC <Dave.Kereazis@dtsc.ca.gov>; Arturo Proctor <arturoproctor@chp.ca.gov>; Magdalena Rodriguez <microdriguez@dfg.ca.gov>; felicia_sirchia@fws.gov; Norma Villicana - El Centro PW <nvillicana@cityofelcentro.org>; Marcela Piedra <mpiedra@cityofelcentro.org>; ddale@calxico.ca.gov; ltvlenda@cityofimperial.org; Stefan T. Chatwin - City of Imperial Manager <schatwin@cityofimperial.org>; Gordon Gaste - City of Brawley <ggaste@brawley-ca.gov>; Rosanna Moore - City of Brawley <rbmoore@brawley-ca.gov>; Romualdo Medina - City of Calipatria <rj_molina@calipatria.com>; 'Nicholas Wells' <nwells@holtville.ca.gov>; Sally Taylor - City of Westmorland <westcityusa@roadrunner.com>; Gwendolyn Parada <lp13boots@aol.com>; Ralph Goff <rgoff@campo-nsn.gov>;

Amanda Vance <hhaines@augustinetribe.com>; Sherry Cordova <cocotcsec@cocopah.com>; chairman@cit-nsn.gov;
Dennis Patch <tashina.harper@crit-nsn.gov>; Will Micklin <wmicklin@leaningrock.net>; Jill McCormick
<historicpreservation@quechantribe.com>; Quechan Indian Tribe <tribalsecretary@quechantribe.com>;
frankbrown6928@gmail.com; Leroy Elliott <ljbirdsinger@aol.com>; Joseph.mirelez@torresmartinez-nsn.gov;
thomas.tortez@torresmartinez-nsn.gov; Sanchez, Katy@NAHC <Katy.Sanchez@nahc.ca.gov>;
byronfrontier@yahoo.com

Cc: Rosa Soto <RosaSoto@co.imperial.ca.us>; Carina Gomez <CarinaGomez@co.imperial.ca.us>; Maria Scoville
<mariascoville@co.imperial.ca.us>; John Robb <JohnRobb@co.imperial.ca.us>; Kimberly Noriega
<KimberlyNoriega@co.imperial.ca.us>; Valerie Grijalva <ValerieGrijalva@co.imperial.ca.us>; Joe Hernandez
<JoeHernandez@co.imperial.ca.us>; Michael Abraham <MichaelAbraham@co.imperial.ca.us>

Subject: Request for Comments - CUP19-0016

EXTERNAL EMAIL. Links/attachments may not be safe.

Good morning,

Please see attached Request for Comments Packet for **CUP 19-0016**. Comments are due by **December 28, 2020 at 5:00 PM**.

In an effort to increase the efficiency at which information is distributed and reduce paper usage, the Request for Comments Packet is being sent to you via this email.

Should you have any questions regarding this project, please feel free to contact Planner Joe Hernandez at (442)265-1736 ext. 1748 or submit your comment letters to icpdscommentletters@co.imperial.ca.us

Thank you,

Gabriela Robb

Office Assistant III
Imperial County Planning & Development Services
801 Main St. El Centro, CA 92243
(442) 265-1736



DEPARTMENT OF TRANSPORTATION

DISTRICT 11

PLANNING DIVISION

4050 TAYLOR STREET, M.S. 240

SAN DIEGO, CA 92110

PHONE (619) 688-6960

FAX (619) 688-4299

TTY 711

*Flex your power!
Be energy efficient!*

February 9, 2010

11-IMP-111

PM 13.58

Draft EIR

Imperial Landfill Expansion

SCH 2007121049

Mr. Richard Cabanilla
Imperial County
Planning and Development Services
801 Main Street
El Centro, CA 92243

Dear Mr. Cabanilla:

The California Department of Transportation (Caltrans) appreciates the opportunity to review the Draft Environmental Impact Report (EIR) for the Imperial Landfill Expansion Project, located east of State Route 86 (SR-86), west of State Route 111 (SR-111), and north of Worthington Road. Caltrans has the following comments:

- Caltrans previously commented on the Notice of Preparation (NOP) for the Draft EIR (letter date: December 31, 2007).
- The Draft EIR states that "SR-86 (N. Imperial Avenue) is classified as a minor arterial." (page 4.11-2) The 2008 Imperial County Circulation Element Plan classifies SR-86 through the project study area (Keystone Rd/Imperial Ave segment) as a "State Highway." (Figure 1 and Table 3)

To clarify, SR-86 through the project study area is classified as an expressway with access control in various segments.

- The Draft EIR Executive Summary states that "Project implementation would result in significant direct impacts on... traffic." (page ES-2) The included traffic impact report proposes the following mitigation as part of the project's significant impacts for Year 2038: "SR-111/Worthington Road intersection – Construct an additional northbound left-turn lane. This mitigation is needed once total daily traffic volumes at the site driveway reach 3,785 ADT and the corresponding daily gate deliveries for solid waste trucks reach 818." (Appendix H page 66)

However, mitigation measure MM TR-4 calls for "the fair share payment for the construction of an additional northbound left-turn lane at the intersection of SR-111 and Worthington Road ... [based on] landfill traffic in the Year 2038 + Project condition and ... regional non-project traffic from identified cumulative projects..." (Draft EIR page 4.11-34) The traffic

"Caltrans improves mobility across California"

Mr. Richard Cabanilla
February 9, 2010
Page 2

impact report explains that "Based on a meeting with the County of Imperial, it was decided the following improvements be based on a fair share contribution." (Appendix H page 67) With the impact to the SR-111/Worthington Road intersection being Direct, and not Cumulative, the project should be responsible for actual construction, not fair share, of the improvement once the trigger is reached.

- Any work performed within Caltrans right-of-way (R/W) will require discretionary review and approval by Caltrans. Furthermore, the applicant's environmental documentation must include such work in their project description and indicate that an encroachment permit will be needed.

If you have any questions, please contact Connery Cepeda at (619) 688-6968.

Sincerely,



JACOB ARMSTRONG, Chief
Development Review Branch



Imperial County Planning & Development Services Planning / Building

RECEIVED

December 10, 2020

Jim Minnick
DIRECTOR

DEC 21 2020

IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES

REQUEST FOR REVIEW AND COMMENTS

The attached project and materials are being sent to you for your review and as an early notification that the following project is being requested and being processed by the Imperial County's Planning & Development Services Department. Please review the proposed project based on your agency/department's area of interest, expertise, and/or jurisdiction.

To: County Agencies

- County Executive Office- Andy Home, Deputy CEO, Esperanza Collo Warren, Deputy CEO
- County Counsel - Adam Cook
- Public Works - Carlos Yee/ John Gay
- APCD - Monica Soucier
- Ag. Comm. - Carlos Ortiz/Jolene Dessert/Sandra Mendivil
- IC Fire/OES Office - Alfredo Estrada Jr./ Robert Matek/ Andrew Loper
- IC Sheriff's Office - Ray Loera/Thomas Garcia
- EHS Office - Jeff Lamoure/Vanessa Martinez/ Jorge Perez
- IC Assessor's Office - Robert Menwelle
- IID - Rudy Leaf
- IID Environmental-Donald Vargas

State Agencies/Other

- Caltrans District 11- Melina Pereira/ Beth Landrum/ Kimberly Dodson
- Air Resource Board - Richard Corey
- CA RWQC Board - Doug Wylie

State Agencies/Other

- CA Recycling & Recovery - Carol Mortensen
- CA Historic Preservation - Julianne Polanco
- CUPA - Robert Krug
- Dept. of Toxic Subst. Cont. - Dave Kereazie
- CHP-Arturo Proctor
- US Fish & Wildlife - Magdalena Rodriguez
- Palm Springs Fish & Wildlife - Felicia Sircchia

Cities/Other

- City of El Centro - Norma Villacana/ Marcela Piedra
- City of Calexico - David Dale
- City of Imperial - Stephen Chetwin/Lisa Tylanda
- City of Brawley - Gordon Gasie/Rosanna Bayon-Moore
- City of Calipatria - Rosamuelo Medina
- City of Holtville - Nick Wells
- City of Westmorland - Sally Traylor

Cities/Other

- LaPosta Band-Gwendolyn Parada
- Campo Band of Mission Indians-Ralph Goff
- Augustine Band of Cahuilla Mission Indians - Amanda Vance / Karen Kupcha
- Chemehuevi Reservation - Charles Wood
- Cocopah Indian Tribe - Sherry Cordova
- Colo. River Indian Tribe - Dennis Patch
- Ewilaapaayo Tribal Office - Will Micklin
- Fort Yuma, Quechan Tribe - H. Jill McCormick / Jordan D. Joaquin
- Inter-Tribal Cultural Resource Protection Council - Frank Brown
- Kumeyaay Cultural Repatriation Committee -
- Manzanita Band of Kumeyaay Nation - Angela Elliott Santos
- Tomme-Martinez Indian Tribe - Joseph Miralez / Thomas Torlez
- Native American Heritage Commission - Katy Sanchez
- Imperial County Applicant - Byron Nelson

Project Contact: Project Planner: Joe Hernandez, Planner IV (442) 267-1736 ext. 1748

- E-mail ICPDScommentletters@co.imperial.ca.us.

Project ID: Conditional Use Permit #19-0016

Project Location: 104 E. Robinson Road, Imperial, CA APN-044-030-006-000

Project Description: Applicant is requesting an Amendment to existing Conditional Use Permit #07-0027 to allow for out of county waste to be deposit at landfill (Re-Circulation). (Supplement to Original Request for Comment dated August 19, 2020).

Project Applicant: Allied Imperial Landfill, 104 E. Robinson Road, Imperial CA 92251

COMMENTS DUE BY: December 28, 2020

No Comment / Margo Sanchez / Deputy Ag Commissioner
12/18/2020 / 442-265-1500
margo.sanchez@co.imperial.ca.us

GRUHS:\IUUsers\APN044030006\31931 - CUP19-0016 (Recirculation).docx

Kimberly Noriega

From: Quechan Historic Preservation <historicpreservation@quechantribe.com>
Sent: Tuesday, December 15, 2020 6:17 AM
To: ICPDSComentLetters
Subject: FW: Request for Comments - CUP19-0016

RECEIVED

DEC 15 2020

Follow Up Flag: Follow up
Flag Status: Flagged

IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES

CAUTION: This email originated outside our organization; please use caution.

This email is to inform you that we do not wish to comment on this project.

From: Quechan Historic Preservation [mailto:historicpreservation@quechantribe.com]
Sent: Monday, December 14, 2020 11:44 AM
To: 'Gabriela Robb'
Subject: RE: Request for Comments - CUP19-0016

This email is to inform you that we do not wish to comment on this project.

From: Gabriela Robb [mailto:GabrielaRobb@co.imperial.ca.us]
Sent: Thursday, December 10, 2020 8:37 AM
To: Esperanza Colio; Adam Crook; Carlos Yee; John Gay; Monica Soucier; Carlos Ortiz; Jolene Dessert; Sandra Mendivil; Alfredo Estrada Jr; Robert Malek; Andrew Loper; Ray Loera - Sherriff; Thomas Garcia; Jeff Lamoure; Vanessa Ramirez; Jorge Perez; Robert Menvielle; rleal@iid.com; Donald Vargas; Pereira, Melina T@DOT; Beth Landrum; kimberly.dodson@dot.ca.gov; rcorey@arb.ca.gov; doug.wylie@waterboards.ca.gov; caroll.mortensen@CalRecycle.ca.gov; Julianne.polanco@parks.ca.gov; Robert Krug; Dave.kereazis@dtsc.ca.gov; Arturo Proctor; Magdalena Rodriguez; felicia_sirchia@fws.gov; Norma Villicana - El Centro PW; Marcela Piedra; ddale@calexico.ca.gov; Itylenda@cityofimperial.org; Stefan T. Chatwin - City of Imperial Manager; Gordon Gaste - City of Brawley; Rosanna Moore - City of Brawley; Romualdo Medina - City of Calipatria; 'Nicholas Wells'; Sally Taylor - City of Westmorland; Gwendolyn Parada; Ralph Goff; Amanda Vance; Sherry Cordova; chairman@cit-nsn.gov; Dennis Patch; Will Micklin; Jill McCormick; Quechan Indian Tribe ; frankbrown6928@gmail.com; Leroy Elliott; Joseph.mirelez@torresmartinez-nsn.gov; thomas.tortez@torresmartinez-nsn.gov; Katy Sanchez; byronfrontier@yahoo.com
Cc: Rosa Soto; Carina Gomez; Maria Scoville; John Robb; Kimberly Noriega; Valerie Grijalva; Joe Hernandez; Michael Abraham
Subject: Request for Comments - CUP19-0016

Good morning,

Please see attached Request for Comments Packet for **CUP 19-0016**. Comments are due by **December 28, 2020 at 5:00 PM.**

In an effort to increase the efficiency at which information is distributed and reduce paper usage, the Request for Comments Packet is being sent to you via this email.

Should you have any questions regarding this project, please feel free to contact Planner Joe Hernandez at (442)265-1736 ext. 1748 or submit your comment letters to icpdscommentletters@co.imperial.ca.us

Thank you,

Gabriela Robb



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SEP 24 2019

IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES

September 24, 2019

Mr. Jim Minnick
Planning & Development Services Director
801 Main St.
El Centro, CA 92243

SUBJECT: Initial Study 19-0019 for Conditional Use Permit (CUP) 19-0016—Amendment to existing CUP 07-0027 to allow for out-of-county waste to be deposited at the Allied Imperial Landfill

Dear Mr. Minnick:

The Imperial County Air Pollution Control District ("Air District") would like to thank you for the opportunity to review Initial Study 19-0019 regarding Conditional Use Permit (CUP) 19-0016 that will allow for out-of-county Municipal Solid Waste (MSW) to be deposited at the Allied Imperial Landfill ("Landfill") located at 104 East Robinson Road in Imperial (APN 044-030-006-000). The applicant, Imperial Resource Recovery, has made the request to specifically change condition 3.1.1 contained in CUP 07-0027 that currently restricts acceptance of waste to that which originates within the County of Imperial, with the exception of 136 tons per month originating from Borrego Springs. The proposed amendment would modify condition 3.1.1 of CUP 07-0027 to allow for waste to be accepted from locations outside the County of Imperial.

Upon review, the Air District finds that the supplemental Air Quality Analysis is insufficient to determine air quality impacts from a proposed increase of 1,200 tons per day of MSW. Section 1 states that the CUP amendment will not have additional significant impacts based on a "detailed" project description as well as a traffic impact analysis and air quality/greenhouse gas analysis. However, the Air District feels that the Air Quality Analysis in Section 8.3 does not contain adequate details to properly assess air quality impacts of the proposed CUP amendment. On page 18, it is stated that the "proposed CUP amendment would not result in additional traffic

beyond that which was analyzed in the FIER.” However, the Final Environmental Impact Report did not account for an additional 1,200 tons of MSW per day. According to page 19, the proposed CUP amendment does not increase the number of vehicles per day that are allowed to enter the landfill. As found in Section 3.1.1, under the current permit, the landfill can receive 400 vehicles per day with a maximum of 475. Based on Section 7-1 of the Transportation Impact Analysis (page 27), 54 additional tractor-trailer trucks would ingress and egress the site per day for a total of 108 Average Daily Trips (ADTs). As found in Table 7-1 Project Trip Generation, an increase of 1,200 tons per day would create 432 ADTs. The number of current ADTs/trucks-trailers is not provided in the analysis so the Air District cannot determine if the 108 ADTs from 54 trucks would exceed the limit of 400. Regardless, the additional 432 ADTs is already higher than the currently permitted number.

The Air District finds similar inconsistencies with the allowable MSW. There are two scenarios possible under the current CUP which sets a limit of 3,882 maximum tons per day. One scenario allows a maximum of 1,800 tons of MSW per day starting in 2013 with a 3% annual increase based only off of that year. A second scenario would base the maximum tons per day off of a 3% annual increase added to each successive year starting 2013. Regardless, both dates come before the estimated remaining life of the Landfill of 63.4 years as given in Table 1: Summary of Proposed Design Changes and Technical Regulatory Citations (page 5). Since the current permit limits the daily maximum tons per day to 1,700 with a 3% increase, it is reasonable to assume that an additional 1,200 tons of MSW would be far above the current permitted tons per day. For this reason, the applicant must submit an application for a modification of the current permit to the Engineering & Permitting Division of the Air District.

An essential component of an air quality analysis is cumulative emissions. While a snapshot of emissions over an arbitrary length of time may appear to place a project under significant thresholds, cumulative analysis can reveal substantial adverse air quality impacts. As stated in Section 4.1 of the Air District’s CEQA Handbook, the operational phase of a proposed project has the potential of creating lasting or long-term impacts on air quality. Therefore, the Air District asks that the applicant provide a cumulative analysis to effectively assess the long-term air quality impacts.

Additionally, in Section 8.3 of Air Quality and Traffic Impacts (page 18), the text references the “Southeast Desert Air Basin.” Imperial County is contained within the Salton Sea Air Basin.

In closing, the Air District feels that the current Air Quality Analysis contained in the Initial Study is an incomplete analysis of potential adverse air quality impacts of the proposed increase of MSW to the Landfill. The Air District recommends that further analysis be provided so that a proper assessment can be determined.

As a reminder, the Air District's rule book can be accessed via the internet at <http://www.co.imperial.ca.us/AirPollution>. Click on "Rules & Regulations" under "Resources" on the left side of the page. Should you have questions, please call our office at (442) 265-1800.

Sincerely,



Curtis Blondell

APC Environmental Coordinator



Reviewed by Monica Soucier
APC Division Manager

COMPARISON OF ALLOWABLE ANNUAL INCREASES OF MUNICIPAL SOLID WASTE (MSW)

Computed off of a 3% increase from the previous
year

Computed off of a 3% increase from 2013 of 54 tons
per day

Year	Base Daily Maximum	3% increase	New Daily Maximum (tons/day)
2013	1,800	54	1,854
2014	1,854	55.62	1,910
2015	1,910	57.3	1,967
2016	1,967	59.01	2,026
2017	2,026	60.78	2,087
2018	2,087	62.61	2,150
2019	2,150	64.5	2,215
2020	2,215	66.45	2,281
2021	2,281	68.43	2,349
2022	2,349	70.47	2,419
2023	2,419	72.57	2,492
2024	2,492	74.76	2,567
2025	2,567	77.01	2,644
2026	2,644	79.32	2,723
2027	2,723	81.69	2,805
2028	2,805	84.15	2,889
2029	2,889	86.67	2,976
2030	2,976	89.28	3,065
2031	3,065	91.95	3,157
2032	3,157	94.71	3,252
2033	3,252	97.56	3,350
2034	3,350	100.5	3,451
2035	3,451	103.53	3,555
2036	3,555	106.65	3,662
2037	3,662	109.86	3,772
2038	3,772	113.16	3,885

Year	Base Daily Maximum	3% increase from 2013	New Daily Maximum (tons/day)
2013	1,800	54	1,854
2014	1,854	54	1,908
2015	1,908	54	1,962
2016	1,962	54	2,016
2017	2,016	54	2,070
2018	2,070	54	2,124
2019	2,124	54	2,178
2020	2,178	54	2,232
2021	2,232	54	2,286
2022	2,286	54	2,340
2023	2,340	54	2,394
2024	2,394	54	2,448
2025	2,448	54	2,502
2026	2,502	54	2,556
2027	2,556	54	2,610
2028	2,610	54	2,664
2029	2,664	54	2,718
2030	2,718	54	2,772
2031	2,772	54	2,826
2032	2,826	54	2,880
2033	2,880	54	2,934
2034	2,934	54	2,988
2035	2,988	54	3,042
2036	3,042	54	3,096
2037	3,096	54	3,150
2038	3,150	54	3,204
2039	3,204	54	3,258
2040	3,258	54	3,312
2041	3,312	54	3,366
2042	3,366	54	3,420
2043	3,420	54	3,474
2044	3,474	54	3,528
2045	3,528	54	3,582
2046	3,582	54	3,636
2047	3,636	54	3,690
2048	3,690	54	3,744
2049	3,744	54	3,798
2050	3,798	54	3,852
2051	3,852	54	3,906

COMPARISON OF ALLOWABLE ANNUAL INCREASES OF MUNICIPAL SOLID WASTE (MSW)

Computed off of a 3% Increase from the previous year
w/additional 1,200 tons per day

Year	Base Daily Maximum 1,800 + 1,200 tons per day	3% Increase	New Daily Maximum (tons/day)
2013	3,000	90	3,090
2014	3,090	92.7	3,183
2015	3,183	95.481	3,278
2016	3,278	98.34543	3,377
2017	3,377	101.2958	3,478
2018	3,478	104.3347	3,582
2019	3,582	107.4647	3,690
2020	3,690	110.6886	3,800
2021	3,800	114.0093	3,914

Computed off of a 3% Increase from 2013 of 54 tons per
day w/additional 1,200 tons per day

Year	Base Daily Maximum 1,800 + 1,200 tons per day	3% increase from 2013	New Daily Maximum (tons/day)
2013	3,000	90	3,090
2014	3,090	90	3,180
2015	3,180	90	3,270
2016	3,270	90	3,360
2017	3,360	90	3,450
2018	3,450	90	3,540
2019	3,540	90	3,630
2020	3,630	90	3,720
2021	3,720	90	3,810
2022	3,810	90	3,900



Colorado River Basin Regional Water Quality Control Board

CERTIFIED MAIL: 7018 0680 0002 0102 9556

September 16, 2019

Joe Hernandez, Planner IV
Imperial County Planning & Development Services
Planning / Building
801 Main St.
El Centro, CA 92243
ICPDScomentletters@co.imperial.ca.us

RECEIVED

SEP 16 2019

IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES

SUBJECT: REQUEST FOR COMMENTS CONDITIONAL USE PERMIT #19-0016/INITIAL STUDY #19-0019

SITE: IMPERIAL LANDFILL INC., IMPERIAL COUNTY

Dear Mr. Hernandez:

On August 19, 2019, the Colorado River Basin Regional Water Quality Control Board (Regional Water Board) received a Request for Review and Comments on Conditional Use Permit #19-0016 / Initial Study #19-0019 (CUP / IS). CUP #19-0016 would amend CUP #07-0027 for the Allied Imperial Landfill (Facility), located at 104 East Robinson Road, Imperial, CA 92251. Regional Water Board staff have reviewed the amendment package titled, *Allied Imperial Landfill, Amendment to CUP 07-0027, August 15, 2019*, (Document); prepared by Howes, Weiler, Landy - Planning & Engineering on behalf of Imperial Landfill, Inc (Discharger). Regional Water Board staff have following comments:

Board Order R7-2014-0013, Finding 39 states:

The Discharger currently accepts municipal solid waste (MSW) from the cities of Imperial, Calipatria, and El Centro, and other entities in the surrounding unincorporated areas of Imperial County. The Discharger does not plan to accept waste from outside of Imperial County, except for a limited amount from the Borrego Springs area, and limited wastes originating in Mexico that have been seized by U.S. Customs or legally imported by US.-based transnational companies for in-country disposal under requirements of the 1994 North American Free Trade Agreement.

The Discharger is proposing to amend CUP #07-0027 to accept waste from San Diego County, Riverside County, and San Bernardino County. The Discharger states the request is to supplement the lower-than-anticipated, current average daily intake that is sourced from Imperial County. The new wastes are identified in the CUP #19-0016 to be municipal/domestic which is consistent with the types of waste already accepted at the Facility. The Document states that accepting this new waste will reduce overall

Nancy Wright-Gaff | Paula Rasmussen, EXECUTIVE OFFICER

73-720 Fred Waring Drive, Suite 100, Palm Desert, CA 92260 | www.waterboards.ca.gov/coloradoriver

September 16, 2019


Joe Hernandez
Imperial County Planning & Development
Services Planning / Building

pollution emissions because the waste is already routed through Imperial County to other landfills located a greater distance away, and perhaps out of state. The maximum daily waste intake would still be limited to 1,200 tons, the maximum daily intake as stated in General Condition 1.1.1 of the Final Environmental Impact Report for the Facility, plus up to 136 tons from the city of Borrego Springs. The maximum tons per day as allowed through the approved Solid Waste Facility Permit 13-AA-0019 is 1,700 tons.

The Regional Water Board finds CUP / IS to be technically adequate in meeting the requirements of the title 27 of the California Code of Regulations and concurs with the proposed the Amendment to CUP #07-0027.

If you have any questions regarding these comments, please call Zakary Owens at (760)776-8962 or email at Zakary.owens@waterboards.ca.gov.

Sincerely,



Paula Rasmussen
Executive Officer
Colorado River Basin
Regional Water Quality Control Board

cc:

File: Allied Imperial Landfill, WDID 7A130300013, GeoTracker ID L10005391970,
Imperial Landfill Inc., Board Order R7-2014-0013



COUNTY OF
IMPERIAL

DEPARTMENT OF
PUBLIC WORKS

155 S. 11th Street
El Centro, CA
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Public Works works for the Public

August 30, 2019

Mr. Jim Minnick, Director
Planning & Development Services Department
801 Main Street
El Centro, CA 92243

Attention: Joe Hernandez, Planner IV

SUBJECT: CUP 19-0016 / IS 19-0019 for Imperial Resource Recovery;
Located on 104 E. Robinson Rd, Imperial, CA.
APN 044-030-006-000

Dear Mr. Minnick:

This letter is in response to your submittal received by this department on August 19, 2019 for the above mentioned project. The applicant is requesting an amendment to existing CUP 07-0027 to allow for out of county waste to be deposited at landfill.

Department staff has reviewed the package information and the following comments shall be Conditions of Approval:

1. Dogwood Road is classified as Prime Arterial - Six (6) lanes divided, requiring one hundred sixty four feet (164) of right of way, being eighty two (82) feet from existing centerline. It is required that sufficient right of way be provided to meet this road classification. **As directed by Imperial County Board of Supervisors per Minute Order #6 dated 11/22/1994 per the Imperial County Circulation Element Plan of the General Plan).**

INFORMATIVE:

The following items are for informational purposes only. The Developer is responsible to determine if the enclosed items affect the subject project.

- All solid and hazardous waste shall be disposed of in approved solid waste disposal sites in accordance with existing County, State and Federal regulations (Per Imperial County Code of Ordinances, Chapter 8.72).
- The project may require a National Pollutant Discharge Elimination System (NPDES) permit and Notice of Intent (NOI) from the Regional Water Quality Control Board (RWQCB) prior to County approval of onsite grading plan (40 CFR 122.28).
- As this project proceeds through the planning and the approval process, additional comments and/or requirements may apply as more information is received.

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- A Transportation Permit may be required from road agency(s) having jurisdiction over the haul route(s) for any hauls of heavy equipment and/or large vehicles which impose greater than legal loads on riding surfaces, including bridges. (Per Imperial County Code of Ordinances, Chapter 10.12 – Overweight Vehicles and Loads).

Should you have any questions, please do not hesitate to contact this office. Thank you for the opportunity to review and comment on this project.

Respectfully,

John A. Gay, PE
Director of Public Works

BY:



Veronica Atondo, P.E., P.L.S.
Deputy Director of Public Works – Engineering

CY/dm