

Sunshine Canyon Landfill Technical Advisory Committee (TAC)
Meeting Minutes
Conditional Use Permit 00-194-(5)
August 28, 2008

Meeting was called to order by Chair, Maria Masis at 2:07 p.m.

TAC Members present: Kelly Kim, Fire; Carlos Ruiz, DPW; John Gutwein, DRP; Gerry Villalobos, Public Health/LEA

Larry Hafetz, Principal Deputy County Counsel, was also present

Agenda Item #1 – Approval of Minutes from July 16, 2008 TAC Meeting.
Minutes will be posted on (DRP) website.

Agenda Item #2 – Presentation of staff report and TAC discussion.
Larry Hafetz of County Counsel wanted to clarify that this Technical Advisory Committee is related to and required by CUP 00-194-(5). The staff report is a summary on the operator's performance and compliance with the CUP. Approval by TAC is necessary to proceed to Phase II as outlined in the CUP which is the combined City/County Landfill.

Maria Masis stated that the staff report was crafted as an objective review on the line-items (conditions) within the CUP. Compliance determined by whether sufficient documentation was received.

Condition #6 – Finding of Conformance

In regards to Condition #6 (Finding of Conformance), Larry Hafetz stated that some of the conditions were still under review prior to the Joint Task Force meeting which is the 3rd Thursday of each month. The County has yet to approve a "Finding of Conformance."

Condition #58 – Traffic improvements outlined in the 6/28/04 Traffic Report

Larry Hafetz wanted to emphasize that the traffic improvement may in fact have been completed and installed, but the permittee has failed to document it through letters and administrative approval. There is no evidence of compliance.

There were no other inquiries or clarifications by members of the TAC on the staff report.

Agenda Item #3 – Public Comments

John Gutwein of the Department of Regional Planning inquired about the independent monitor and wanted to know if one had been chosen. Is selection subject to the County's RFP/purchasing process? Discussion indicated that it would likely be subject to the county's process.

Dave Hauser of BFI/Integrated Waste wanted to clarify that he understood that the traffic improvements outlined in Condition #58 were installed and complete, but that documentation had not yet been received and/or submitted to the County. He also had questions regarding the joint City/County Revenue MOU: Where are we in the process?

Larry Hafetz responded that both the City and County had been working out final language and negotiating in good faith. Final Draft of the Revenue MOU should be to BFI in the next week or two.

Wade Hunter, member of the public had several questions: Condition #44 (re-vegetation and re-forestation plan). Mr. Hunter did not believe that BFI could be found in compliance until a biologist is on-site and all conditions and methods are being followed correctly.

Condition #40 (Regional Water Quality Control Board requirements to protect local water resources and infrastructure). Mr. Hunter stated that he was unaware of any "WDR", so he questions whether BFI is in compliance.

Mr. Hafetz clarified and re-read Condition #40. TAC confirmed that BFI has met this requirement.

Mr. Hunter retorted that "WDR" should be a part of that.

Mr. Aiyetiwa of the Department of Public Works stated that it was not a pre-requisite.

Mr. Hafetz reiterated that this meeting is strictly a County TAC, that the Joint TAC will commence after approval of Phase II is given the go-ahead to proceed and the issues that Mr. Hunter is bringing up is related to joint TAC issues.

Mr. Hunter asked how a member of the public would get appointed to the TAC. Response from members of the County TAC retorted that membership is outlined in the CUP and a seat for members of the public were not included in those provisions.

Mr. Hafetz stated that final language was forthcoming on the City/County Land Use MOU.

Mr. Hauser stated that he is in receipt of the letter from County Fire Dept.

Chair Masis made a motion to accept the staff report.

Seconded by Gerry Villalobos. Motion carries. Ayes: Kim, Aiyetiwa, Gutwein, Villalobos.

Announcement of next TAC meeting:

To be determined until developments warrant additional meetings.