Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

Richard J. Bruckner
Director

December 15, 2011

Waste Management of California Inc.
Attn: Doug Corcoran
600 E. Avenue F
Lancaster, CA 93534

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

REGARDING: PROJECT NO. 03-170 – (5)
CONDITIONAL USE PERMIT NO. 03-170
600 E. Avenue F, Lancaster

Dear Applicant:

The Regional Planning Commission, by its action on December 14, 2011, **APPROVED** the above described project and entitlements. The attached documents contain the Regional Planning Commission's findings and conditions relating to the approval. Please carefully review each condition. Condition No. 2 requires that the permittee file an affidavit accepting the conditions before the grant becomes effective.

The applicant and/or other interested persons may appeal the Regional Planning Commission's decision to the Board of Supervisors through the office of Sachi A. Hamai, Executive Officer, Room 383, Kenneth Hahn Hall of Administration, 500 West Temple Street, Los Angeles, California 90012. Please contact the Executive Office for the amount of the appeal fee at (213) 974-1426. **The appeal period for this project will end at 5:00 p.m. on December 28, 2011.** Any appeal must be delivered in person to the Executive Office by this time. If no appeal is filed during the specified period, the Regional Planning Commission action is final.

Upon completion of the appeal period, **hand deliver** a notarized affidavit of acceptance form, a certified copy of the recorded findings and conditions of approval, and any other required fees or materials to the planner assigned to your case (see attached instructions for more information). Please **make an appointment** with the case planner to ensure that processing will be completed expeditiously. If the required documents and fees are not received within 60 days of this final letter's date, this permit will be transferred to Zoning Enforcement for further action.

For additional information on appeal procedures or any other matter pertaining to these approvals, please contact Rob Glaser of the Zoning Permits North Section at (213) 974-6443 or e-mail at rglaser@planning.lacounty.gov. Our office hours are Monday through Thursday, 7:30 a.m. to 5:30 p.m. We are closed on Fridays.

Sincerely,
DEPARTMENT OF REGIONAL PLANNING
Richard J. Bruckner
Director

Susan Tae, AICP Supervising Regional Planner
Zoning Permits North Section

Enclosures: Findings and Conditions, Affidavits (Permittee's Completion)
c: RPC; DPW (Building and Safety); Zoning Enforcement
SMT:rg

FINDINGS AND ORDER OF THE
REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES

PROJECT NO. 03-170 – (5)
CONDITIONAL USE PERMIT NO. 03-170
HEARING DATE: December 14, 2011

REQUEST: The applicant is requesting a CUP for the continued operation and maintenance of a waste disposal and recycling facility at the Lancaster Landfill and Recycling Center (LLRC) and to increase the allowable daily volume of municipal solid waste (MSW) for disposal from 1,700 tons per day (tpd) to 3,000 tpd. And an additional 500 tpd. green/wood waste. The LLRC's operation involves several ancillary activities including household hazardous waste storage, paint shop, concrete/whitegood storage, construction and demolition waste transfer area, oil storage, container storage, repair areas, recyclable storage, flare station and a gas recovery system.

PROCEEDINGS BEFORE THE REGIONAL PLANNING COMMISSION:
A duly noticed public hearing was held on December 14, 2011 before the Regional Planning Commission. Commissioners Modugno, Pedersen, Valadez, Helsley and Louie were all in attendance for the Public Hearing. Staff presented an explanation of the additional correspondence before the Commission and then presented the applicant's request.

A representative for the Department of Public Works explained the modification to Condition No. 100, which was agreed upon by the applicant. This condition was modified to reimburse the applicant 80 percent of the fees in the out-of-area fee account if the applicant makes a good faith effort in permitting and developing a Conversion Technology Facility. The applicant answered several questions presented by the Commission and requested that the conditions of 93-070–(5) be applied and only after 1,700 tons per day is exceeded would the conditions proposed under this permit be applied. The Commission followed the staff recommendation, which was to apply the proposed conditions after the permit goes into effect and then closed public hearing. The Regional Planning Commission certified the Final Supplemental Environmental Impact Report and adopted the Mitigation Monitoring and Report Program and the Statement of Overriding Considerations. Then the Commission approved Conditional Use Permit 03-170 with the attached findings and conditions.

Findings

1. The applicant, Waste Management of California, Inc., is requesting a Conditional Use Permit (CUP) to authorize the continued operation and maintenance of an existing solid waste disposal facility at the Lancaster Landfill and Recycling Center (LLRC) with an increase in the allowable daily tonnage to supersede the previously approved Conditional Use Permit 93-070-(5) ("Existing CUP").

2. The increase of the allowable daily tonnage of municipal solid waste the applicant is requesting authorization is from 1,700 to 3,000 tons per day and allow acceptance of 2,100 tons per day of inert debris and beneficial use materials, for a combined maximum total of 5,100 tons per day, Monday through Saturday. The maximum permitted elevation of the landfill will continue to be 2,400 feet above mean sea level. No other modifications are proposed at the LLRC, which will continue to be operated as a Class III facility.

3. The subject property is located at 600 East Avenue F, Lancaster CA, 93535, within the unincorporated area of Lancaster and within the Lancaster Zoned District. There are twelve (12) parcels associated with this landfill facility consisting of 276 acres, within which 209 acres is approved for disposal activity. The Assessor Parcel Numbers (APNs) are as follows:

3175-003-001	3175-003-002	3175-003-003
3175-003-004	3175-003-005	3175-003-006
3175-003-007	3175-003-008	3175-003-009
3715-003-010	3175-007-028	3175-008-009

4. The subject property and environs are Zoned D-2-1 (Desert – Mountain – One Acre minimum lot size), a zone which permits a wide range of activities including, with certain restrictions, light manufacturing and heavy agricultural uses. A waste disposal facility requires a CUP in the D-2 zone pursuant to Section 22.32.090 of the Los Angeles County Zoning Code and is further defined in Section 22.24.150. The surrounding properties to the north, south, east and west are all zoned D-2-1.

5. The existing land use on the subject property is an existing operational solid waste disposal facility, known as the Lancaster Landfill and Recycling Center. The applicant also conducts certain ancillary activities on the subject property and adjacent land, as further described in the staff report. The landfill is situated on essentially level, desert terrain. All fill is currently at or above the elevation of the surrounding terrain. The surrounding land uses to the north, south, east and west are vacant land.

6. The existing site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quality of traffic such use would generate, and by other public or private service facilities as are required. Access to Lancaster Landfill and Recycling Center (LLRC) is via East Avenue F. No other public infrastructure is required, therefore, the existing site is adequately approved for the needs of the project.

7. Urgency Ordinance No. 6329 – established the D-2-2 (Desert-Mountain – with a 2 acre minimum lot size development standard) zone on the subject property on November 24, 1953.

8. Ordinance No. 10,043 – established the D-2-1 (Desert-Mountain – with a 1 acre minimum lot size development standard) zone on the subject property on June 16, 1970.

9. Special Permit Case No. 952 - upon appeal, was approved by the Board of Supervisors on February 16, 1954, establishing the use of the original site as a land reclamation project (sanitary landfill).

10. Zone Exception Case No. 2693 – approved on December 26, 1956, authorized a "cut and cover dump".

11. Zone Exception Case No. 5015 – approved on March 10, 1959, authorized an existing "borrow pit and waste disposal facility" including restricted "garbage" intake.

12. Zone Exception Case No. 8736 – approved on March 12, 1968, authorized an increased height for the landfill.

13. Conditional Use Permit No. 444 – approved by the Regional Planning Commission on May 9, 1974, authorized the continued operation of the landfill.

14. Conditional Use Permit No. 1483 – approved on September 18, 1979, authorizing an expansion of the landfill including an increase in height to 2,357 feet above sea level. This approval set the expiration date of the grant term to November 30, 1989.

15. Conditional Use Permit No. 88411 – approved on April 5, 1989, extended the term of the grant to January 2, 1995, with no increase in the fill elevation.

16. Conditional Use Permit No. 89531 – approved on November 28, 1990, authorized the excavation of a "barrow pit", adjacent to the west of the site, for use to provide cover for the existing landfill. This grant term expired on January 2, 1995.

17. Conditional Use Permit No. 90494 – approved on October 30, 1991, authorized an expansion of the landfill including increasing height to 2,395 feet above sea level and increasing the incline of the side slopes. This approval extended the grant term to January 2, 2002.

18. Conditional Use Permit No. 93070 – approved on May 13, 1998, authorized an expansion of the landfill including increasing height to 2,400 feet above sea level and expanding the land area by 62-acres to the west (use of former "borrow pit") and 112-acres to the east (existing desert and Joshua trees on-site). Also authorized expansion of the rate of intake of solid waste from 1,000 to 1,700 tons per day, a change in operating hours from 6:00 a.m. – 5:00 p.m. to 5:00 a.m. – 8:00 p.m. Monday through Saturday, and acceptance of asbestos and non-

hazardous contaminated soils. This approval set the termination of this grant term on August 1, 2012 or upon completion of the approved fill design, as shown on the Exhibit "A".

19. The Lancaster Landfill was developed as an operating Class III landfill, which only accepts non-hazardous municipal solid waste. Incoming waste consists of those imported in transfer trailer trucks operated by the applicant and other waste haulers, together with waste from within the City of Lancaster and surrounding unincorporated communities of the Antelope Valley.

20. The operator of the Lancaster Landfill also operates a waste hauling business. Facilities at the landfill connected with this business include:
    - The operator's local business offices;
    - Truck maintenance and storage;
    - Storage of dumpsters, other containers and portable toilets.

    These ancillary activities were approved in Conditional Use Permit 88411 with the provision that they be removed, if the landfill closes, within two years of the date of closure.

21. The Countywide General Plan (Plan) Land Use Policy map designation for the subject property is Non-Urban (R) and the existing development of the waste disposal and recycling facility is consistent with the intent and policies of the Plan, since this development provides a necessary service for the local and surrounding community's needs. The following policies from the Countywide General Plan support the continued operation of the existing waste disposal and recycling facility:

    General Policy No. 59 – Promote the development and use of new and improved water and waste management technology.

    - The proposed conditions of approval for this permit encourage the development of waste diversion alternatives, which may include the development of conversion technologies or develop a plan to haul waste by rail to an off-site location. To further encourage the diversion of solid waste, the facility's operation includes a recycling component. Three categories of recyclables (i.e., green/wood waste, cardboard and office paper, and co-mingled recyclables) are collected by curbside collection vehicles in the surrounding community. The curbside green/wood waste material is used on-site to complement other alternative daily cover (ADC) cover materials, while co-mingled recyclables are processed at an off-site recycling facility. Cardboard and office paper is also collected from local businesses for processing at an off-site recycling facility.

Water and Waste Management Policy No. 10 – Accelerate the implementation of advanced technological methods for waste disposal, and expand the countywide capacity of sanitary landfills only as justified by need.

- The proposed conditions of approval include a structured fee program to require a monthly fee payment to be deposited into an interest-bearing Alternative-to-Landfill Technology Trust Fund, created and maintained by the Department of Public Works. The fee will be used to fund countywide disposal capacity planning, to promote the development of Conversion Technology facilities that benefit the Antelope Valley and the County, and to provide for long-term disposal needs of the Antelope Valley.

Water and Waste Management Policy No. 16 – Prohibit the degradation of air quality by requiring the mitigation of emissions from waste disposal sites.

- The following mitigation measure will be in place to prohibit the degradation of air quality from the waste disposal facility. "Following closure of the landfill, the applicant shall continue to operate, maintain, and monitor the landfill gas collection and treatment system as long as the landfill continues to produce landfill gas, or until it is determined by the Antelope Valley Air Quality Management District (AVAQMD) that emissions no longer constitute a considerable contribution to greenhouse gas emissions, whichever comes first." This mitigation measure will be monitored by the Lead Enforcement Agency (LEA) from the Department of Public Health, AVAQMD, Regional Water Quality Control Board (RWQCB), and the Departments of Public Works and Regional Planning.

- In addition, the facility must create a plan for the reduction of Green House Gases (GHG) and will be subject to review and approval by the AVAQMD. The plan shall include an implementation schedule that demonstrates substantial GHG emission reductions prior to the 2020 deadline, including implementation of "early action" measures that may be implemented within three years of plan approval. The reduction in annual GHG emissions such that emissions are no greater than 10 percent below 2006 levels and meet all regulatory requirements related to GHG control.

- The applicant will be required to comply with the following mitigation measures: continue existing dust suppression measures (watering) on unpaved roads, in borrow areas and at the working face of the landfill; continue to operate landfill gas collection and combustion system in accordance with governing AVAQMD regulations; continue to monitor surface emissions and gas migration; install landfill gas migration probes around the perimeter of the expansion areas; conduct visual inspections of the landfill cover and monitor gas emission in accordance to AVAQMD regulations; and apply daily cover at the working face of the landfill.

- As waste decomposes in the landfill, the gas that is produced is transported, via the landfill gas piping network, to flare station and condensate hold tank area to be combusted by the flare to reduce emissions to permitted levels in accordance with regulatory requirements.

Water and Waste Management Policy No. 17 – Protect public health and prevent pollution of ground water through the use of whatever alternative is necessary.

- The proposed conditions include language for the facility operator to install and maintain containment (liner) systems and leachate collection and removal systems as required by the Regional Water Quality Control Board (RWQCB). The design of the landfill liners of the landfill must be approved by the RWQCB. The facility operator will be required to install and test all groundwater monitoring wells that are required by the RWQCB and promptly undertake any action directed by RWQCB to prevent or correct potential or actual contamination that may affect groundwater quality.

Water and Waste Management Policy No. 23 – Facilitate the recycling of wastes such as metal, glass, paper and textiles.

- Recyclable waste materials are diverted from landfill disposal for beneficial use whenever possible. Wood waste and green waste recovery is part of the existing operations. Loads of acceptable wood and green wastes are directed to the processing area. The material is cleaned of refuse, stockpiled, and ground into chips on a periodic basis. Wood chips are transported to end users such as electric generating plants and landscape services. Green waste is principally used onsite for landfill cover (to prevent wind and surface water erosion) or soil amendment.

- Construction and demolition (C&D) waste recycling is also part of the existing operations. Loads of inert debris, such as asphalt and concrete, are stockpiled until there is sufficient material for crushing. A mobile crusher processes this material into road base that is used on-site for roads and other construction projects. Loads of mixed construction and demolition waste (i.e., wood, metal, sheet rock, brick, etc.) are also recycled whenever possible. Stockpiled materials are transported to a C&D materials recovery facility located in northern Los Angeles County.

- The landfill allows self-haulers to drop off bulky items at the landfill. These types of waste are principally appliances (also known as “white goods”). Truckloads of white goods are hauled to metal recyclers located within the Los Angeles metropolitan area. Other wooden bulky items are directed to the wood waste area.

- Cardboard and office paper is also collected from local businesses for processing at an off-site recycling facility.

Water and Waste Management Policy No. 24 – Use technology for the conversion of waste to energy.

- The proposed conditions of approval require the permittee to pay a monthly fee to be used to fund countywide disposal capacity planning, to promote the development of Conversion of Technology facilities that benefit the Antelope Valley and the County, and to provide long-term disposal needs to the Antelope Valley. Fifty percent of the fee payment will be deposited by the Director of Public Works into an interest-bearing Conversion Technology Development Trust Fund, created and maintained by the Department of Public Works and will be used by the Director to research and promote the development of Conversion Technology facilities that will benefit the Antelope Valley and the County. The conversion of waste to energy will be studied as a potential Conversion Technology. The remaining 50 percent of the fee payment will be deposited in an interest bearing account Alternative-to-Landfilling Technology Trust fund, created and maintained by the Department of Public Works and will be used by the Director to fund environmental educational, and quality of life of life programs in the Antelope Valley, and to fund regional planning and countywide disposal planning.

22. The Antelope Valley Areawide General Plan (AV Plan) Land Use Policy map designation for the subject property is "N-1" (Non-Urban 1 – up to 0.5 dwelling units per acre) and the existing development of the waste disposal and recycling facility is consistent with the intent and policies of the Plan, since this existing development provides a necessary service for the local and surrounding community's needs. The AV Plan allows for non-residential uses in non-urban environs, such as solid and liquid waste disposal sites… and other public facility necessary to serve non-urban populations." The following general policy statements from the AV Plan support the continued operation of the existing waste disposal and recycling facility and serve as guidelines to support this type of development:

a. "Encourage growth in and adjacent to existing urban, suburban, and rural communities." (AV Plan, Policy No. 6, P. V-1)

- The proposed project provides an increased rate of fill to support continued economic and residential growth opportunities within the Antelope Valley and other communities served by the landfill.

b. "Encourage an appropriate mix of land use types to prevent disharmony and degradation. Residential, commercial, employment, and cultural uses should

be integrated using appropriate buffering techniques to create a cohesive community." (AV Plan, Policy No. 26, P. V-4)

- The proposed facility and use are located in a remote area buffered by vacant lands and the use of mitigation measures will minimize impact of the facility to the surrounding community.

c. "Encourage development of services to meet the needs of Antelope Valley residents. Such services should be expanded at a rate commensurate with population growth. Phasing of their implementation should be timed to prevent gaps in service as the area grows. Where feasible, service facilities will be established in central urban areas with branches located in outlying communities. When the population base in a community is too small to support a facility, a common facility to be shared by a number of small communities should be established at a central point." (AV Plan, Policy No. 29, P. V-4)

- The proposed project serves both the needs of the growing population of the Antelope Valley and additional increasing demand by small clusters of users of these services located throughout Los Angeles County. Due to increasing population and development density in urbanized areas within Los Angeles County, increased use of private urban transfer stations has emerged requiring final destinations for solid wastes and space for storage and transfer of beneficial use materials. The subject site provides such a destination in addition to serving the local needs. The table below demonstrates the current use of the LLRC. As indicated, approximately one-third of use is appropriated by each of the following: 1) the City of Lancaster, 2) Private transfer companies from the City of Los Angeles, and 3) contracts with other small jurisdictions.

d. "Encourage recycling and revitalization of deteriorating urban areas by pursuing appropriate demolition, rebuilding, and/or rehabilitation." (AV Plan, Policy No. 32, P. V-5)

- County land use permits require a minimum of 50 percent recycling of demolition materials. The project provides a location at which such construction and demolition materials can be collected so that they can be put to beneficial use in furtherance of this policy. The subject project includes intake, temporary storage, and outflow of up to a maximum of 2,100 tpd of beneficial use materials such as recycled building materials and other green and wood wastes.

e. "Promote and support efforts by public and provide agencies and citizen groups to provide all residents with the opportunity to satisfy their needs for housing, employment, and physical and social services." (AV Plan, Policy No. 44, P. V-7)

- The applicant provides resources supporting environmental education in the local area and has provided services such as the volunteer "Earth Clean Up Day". Other supportive programs the applicant has provided are "Free Dump Day", "Free Waste Tire Collection" events, "Free Household Hazardous Waste / Electronic-Waste" collection days and initiated programs within local communities to stop illegal dumping.

f. "Mitigate where possible undesirable impacts of adjacent land uses (i.e., noise interruption, visual intrusion, and airborne emissions) through utilization of appropriate buffers, building codes and standards" (AV Plan, Policy No. 62, P. V-9); and "Protect significant vegetation such as the Joshua Tree." (AV Plan, Policy No. 69, P. V-9)

- The subject project is required to meet strict environmental standards for landfill gas emissions, groundwater impacts, airborne dust and litter, truck traffic and emissions, and landfill closure landscaping (including relocating Joshua trees from the easterly portion of the site onto the finished landfill surface areas). An environmental Mitigation Monitoring and Reporting Program, detailed Conditions of Approval, and a Conditions Implementation Monitoring Plan are components of the project.

g. "Implement roadway improvements coincidental with actual land use development and increasing traffic." (AV Plan, Policy No. 80, P. V-11)

- The project would be required to make fair-share contributions for improvements to well-defined truck traffic haul routes and roadways. The permittee will be responsible for the pro-rata costs of improving the pavement structure of the roadway segments along the designated haul route.

h. "It is the express intent of this AV Plan to permit, subject to an appropriate design review process involving the Regional Planning Commission and a finding of no significant negative impacts on the environment, the expansion of existing facilities, when appropriate and not in conflict with the existing and future land use patterns as shown on the Land Use Policy Map."

- Though the project does not include a request of an expansion of land area, the increase in the rate of fill proposed by the project is appropriate and not in conflict with the existing and future land use patterns because the landfill is a regional use that is needed for the Antelope Valley residents.

g. There is no land use designation in the Antelope Valley Areawide Plan and the Countywide General Plan specifically for a landfill. The AV Plan provides that in considering a waste disposal facility the Regional Planning

Commission shall be guided by the "expertise" of agencies such as the County Departments of Public Works and Health Services, Lahontan Regional Water Control Board (LRWCB), and the AVAQMD. "The criteria to be applied by the Regional Planning Commission in considering an application include the regional and local need for the specific waste disposal facility as well as the potential impacts the use will have upon the community. Regional need should not outweigh the impact on the community. Potential hazards should be given greater consideration than the regional need." (Countywide General Plan, Public Facilities Element, Page VI 27-28)

- The proposed project serves local and regional needs. In collaboration with Regional Planning, the expertise of County agencies with solid waste management programs and pertinent State agencies and programs are able to coordinate detailed input for required conditions of approval for this project, along with a conditions implementation and monitoring program, and an MMRP. These planning and regulatory tools insure no significant impacts will occur on the local community and the environment during the operation of the facility.

23. The subject property is zoned Desert-Mountain (D-2). The D-2 zone may be used for any use permitted in Zone A-2 (Heavy Agricultural), subject to all the conditions and requirements of Title 22 relating to Zone A-2 or any use permitted in Zone M-1 (Light Manufacturing), subject to all the conditions and requirements of Title 22 relating to M-1, except outdoor advertising signs are prohibited. The waste disposal facility use is permitted with a CUP in Zone A-2 pursuant to Section 22.24.150 of the Los Angeles County Code, since the facility is consistent with the definition for a "land reclamation project". A "land reclamation project" means a project established to restore otherwise unsuitable land to useful purposes through the use of fill materials such as rubbish, waste, soil and other unwanted materials. A "land reclamation project" shall include a dump or waste disposal facility, which best describes the operation at the LLRC.

24. The project will not adversely affect the health, peace, comfort, or welfare of persons residing and working in the surrounding area and will not jeopardize, endanger, or otherwise constitute a menace to public health, safety or general welfare. Allowing the Lancaster Landfill and Recycling Center (LLRC) to continue operation as an existing waste disposal facility with an increase to daily allowable volume of waste, which is adequately buffered by vacant land to the north, south, east and west of the site will continue to offer waste disposal services to accommodate the generation of waste. The surrounding zoning around the subject property is zoned D-2 (Desert-Mountain), which discourages residential uses in the vicinity of the LLRC, since the D-2 zone allows light manufacturing uses and heavy agricultural uses. There is a 150 foot buffer zone surrounding the west expansion waste footprint and a 100 foot buffer zone surrounding the east expansion waste footprint. The buffer zone prohibits the landfill operation to expand to the facility property line.

25. The hours of operation for the LLRC to receive solid waste and beneficial use material will be from 5:00 a.m. (scales open) to 8:00 p.m. (scales closed). The facility entrance gate opens at 5:00 a.m., Monday through Saturday, to allow onsite queuing of vehicles only and preparations of the facility for operations. No off-site queuing is allowed. The facility and all its operations are closed on Sundays. The facility operations, such as site preparation and maintenance activities, waste processing, and the application of cover material will be conducted only between the hours of 5:00 a.m. and 10:00 p.m., Monday through Saturday. This operation restriction will not apply to the facility activities that require continuous operation, such as landfill gas control. Equipment maintenance activities at the facility will be conducted between the hours of 5:00 a.m. to 10:00 p.m., Monday through Saturday. No diesel vehicle will be allowed to be started before 5:00 am. at the facility. The time restrictions on the operation of the facility will minimize impacts to the outlying neighborhoods.

26. The applicant's request for the increase amount of daily volume of municipal solid waste for disposal from 1,700 tpd, as allowed under the existing CUP, to 3,000 tpd has caused concern among local residents in regards to traffic and road improvements. The applicant will also be required to provide and implement a program to minimize or avoid the queuing of trucks at the LLRC entrance on Avenue F and other adjacent streets due to waste delivery or landfill activities, which will alleviate local street traffic issues in the morning surrounding the facility. The applicant will also be required to use a waste disposal haul route for the waste disposal trucks, which will concentrate traffic to a specific route in order to alleviate traffic on the surrounding local streets. The haul route shall be as follows:
    - Truck traffic to the Landfill from SR-14 shall be restricted to the following route: (a) exit SR-14 at the Avenue H off ramp, (b) travel eastbound on Avenue H to Division Street, (c) travel northbound on Division Street to Avenue F, and (d) travel eastbound on Avenue F to the Landfill Driveway. Unless necessitated by road closure or other detour plan implemented by the local jurisdictions, at no time shall any truck movement under the Permittee's control to the Landfill from SR-14 take place on any other route.

    - Truck traffic to SR-14 from the Landfill shall be restricted to the following route: (a) travel westbound on Avenue F from the Landfill Driveway to Division Street, (b) travel southbound on Division Street to Avenue H, (c) travel westbound on Avenue H to the SR-14, and (d) enter SR-14 at the Avenue H on-ramp. Unless necessitated by road closure or other detour plan implemented by the local jurisdictions, at no time shall any truck movement under the Permittee's control to SR-14 from the Landfill take place on any other route.

    The proposed conditions of approval also require the applicant to maintain and improve roads damaged from the heavy waste disposal trucks.

27. Due to the nature of the high desert corridor, often times the Antelope Valley desert region has high speed winds flowing through the area from the high and low pressure atmospheric conditions. These winds cause dusty conditions. The applicant will be required to adopt a fugitive dust program that uses the most effective available methods and technology to avert fugitive dust emissions. The applicant will also be required to adopt and implement operational practices to mitigate air quality impacts including vehicular air quality impacts at the facility, as required by the AVAQMD. In addition, the applicant will be required to adopt a program that uses the most effective methods and technology to prevent waste that has entered the facility under the applicant's control from escaping the facility in the form of litter.

28. Due to the nature of a waste disposal facility generating noxious odors, the applicant will be required to provide a cover for the disposal area to reduce the smell generated by the facility. A landscape plan will be required to show size, type and location of all plants, trees, and watering facilities for the re-vegetation of the landfill itself.

29. The applicant is required to implement several programs that they will fund to benefit Antelope Valley residents to offset the effects of the facility on the region. A "Community Benefit and Environmental Education Trust Fund" (Condition No. 104) will be used for environmental, educational, and quality of life programs as well as possibly providing regional public facilities in the Antelope Valley. An annual fee will be paid to the Department of Parks and Recreation (Condition No. 101) to be used for acquiring or developing natural habitat and parkland within the County. A fee will be imposed for the funding of transportation improvements in the Antelope Valley (Condition No. 102). The applicant will fund 4 collection events per year for the collection of household hazardous waste and Electronic wastes, including computers (Condition No. 105). The applicant will be required to fully find the siting, operation, and staffing of a new permanent environmental collection center at the Facility or other location in the unincorporated area of the Antelope Valley (substantially similar in design to the Antelope Valley Environmental Collection Center in Palmdale)(Condition No. 105b). Neighborhood planning studies will be conducted to determine issues resulting from the operation of the waste disposal facility when appropriate (Condition No.103). In addition, the Antelope Valley Illegal Dumping Task Force (Condition No. 98) will be funded, as well as funding provided towards illegal dumping prevention programs. The applicant will continue to offer two (2) free dump days each year which has been offered in the past (Condition No. 112).

30. Groundwater protection is necessary to protect public health and prevent ground water contamination. The applicant will be required to install and maintain a containment (liner) systems and leachate collection and removal systems as required by the Regional Water Quality Control Board for groundwater protection.

31. As part of an ongoing effort to create a sustainable regional community within the Antelope Valley, alternative to landfill technology needs be explored by the LLRC. This technology would be capable of processing residual municipal solid waste, transformation, or other emerging technologies, in lieu of landfill disposal. Conversion technology, which transforms waste to energy, is encouraged by the Countywide General Plan and the Countywide Integrated Waste Management Plan, and use of conversion technology will assist in minimizing the need for new landfill facilities. If conversion technologies are infeasible then other alternatives such as waste by rail need be explored by the LLRC for future waste disposal, since the region does not have much opportunity for a new landfill facility.

32. The existing site is adequate in size and shape to accommodate the yard, walls, fences, parking and loading facilities and other development features required for the continued operation and increase in the daily volumes of waste for the project.

33. A Draft SEIR was prepared for the project and circulated for public review from December 29, 2006 to February 14, 2007, which analyzed the environmental impacts for the request to increase the amount of MSW tpd. In December 2008, a Revised Draft SEIR was prepared to analyze the AB 32 Information, which included greenhouse gas emission and global warming. The Revised Draft SEIR was circulated for public review and comment from December 22, 2008 to February 4, 2009. Responses to the comments that were received during the public comment periods were prepared and a Final SEIR was prepared and provided to commenting agencies on October 5, 2011.

34. Based on the potential impacts that were identified and analyzed in the environmental document, a Mitigation Monitoring and Reporting Program (MMRP) was also prepared for the project. As noted in the MMRP, all mitigation measures prescribed in the 1997 EIR would remain applicable to the current project, unless specifically noted, and are contained or incorporated by reference in the current MMRP for the project.

35. The MMRP outlines mitigation measures, the timing for the measure, the monitoring action indicating compliance with the mitigation and the monitoring responsible agency. The monitoring categories include geotechnical, flood hazard, fire hazard, noise, water quality/water demand, air quality/odors, biota, cultural and paleontological resources, traffic/circulation, environmental safety, visual quality, and greenhouse gas emissions and global warming.

36. Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper and property posting.

37. To assure continued compatibility between the use of the subject property allowed by this grant and surrounding land uses, the Regional Planning

Commission determines that it is necessary to limit the term of the grant to 30 years.

38. The location of the documents and other materials constituting the record of proceedings upon which the Regional Planning Comission's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, CA 90012. The custodian of such documents and materials shall be the Zoning Permits North Section, Los Angeles County Department of Regional Planning.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES:

A. That the existing use is consistent with the adopted general plan for the area;

B. That the requested use at the location proposed, will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety or general welfare;

C. That the existing site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities and other development features prescribed in Title 22 of the County Code, or as is otherwise required in order to integrate said use with the uses in the surrounding area; and

D. That the existing site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.

The information submitted by the applicant and presented at the public hearing substantiate the required findings identified by Section 22.56.040 of the County Code.

REGIONAL PLANNING COMMISSION ACTION:

1. The Regional Planning Commission certify the Final Supplemental Environmental Impact Report (SCH No. 1993101036) and adopt the Mitigation Monitoring and Reporting Program and a Statement of Overriding Consideration.

2. In view of the findings of fact and conclusions presented above, Conditional Use Permit No. 03-170 is **approved** subject to the attached conditions.

c: Regional Planning Commission, Zoning Enforcement, Building and Safety

VOTE: 4 – 1 – 0 – 0

CONCURRING: Modugno, Pedersen, Valadez, andLouie

DISSENTING: Helsley

ABSTAINING: NONE

ABSENT: NONE

ACTION DATE: December 14, 2011

PROJECT DESCRIPTION

The project is to allow the continued operation and maintenance of a waste disposal and recycling facility at the Lancaster Landfill and Recycling Center (LLRC) and to increase the allowable daily volume of municipal solid waste (MSW) for disposal from 1,700 tons per day (tpd) to 3,000 tpd. and an additional 500 tpd. green/wood waste. The LLRC's operation involves several ancillary activities including household hazardous waste storage, paint shop, concrete/whitegood storage, construction and demolition waste transfer area, oil storage, container storage, repair areas, recyclable storage, flare station and a gas recovery system. The project is subject to the following conditions of approval:

GENERAL CONDITIONS

1. Definitions: Unless otherwise apparent from the context, the following definitions shall apply to these Conditions of Approval ("Conditions"), and to the attached Implementation and Monitoring Program ("IMP"), adopted concurrently with this grant:

a. "Alternative-to-Landfilling Technology" shall mean a technology capable of processing post-recycled or Residual Waste, transformation, or other emerging technologies, in lieu of land disposal.

b. "Ancillary Facilities" shall mean the facilities authorized by this grant that are directly related to the operation and maintenance of the Landfill, and shall not include the facilities related to any other enterprise operated by the Permittee or any other person or entity, unless otherwise specifically authorized by this grant.

c. "Antelope Valley" shall mean the area of the County of Los Angeles shown on the Land Use Policy Map of the Antelope Valley Areawide General Plan, dated December 4, 1986, as may be amended or revised on file at the Department, except those areas within the Angeles National Forest south of the City of Palmdale's southerly boundary.

d. "AVAQMD" shall mean the Antelope Valley Air Quality Management District.

e. "Board" shall mean the Los Angeles County Board of Supervisors.

f. "Beneficial Use Materials" shall mean: (1) Solid Waste that has been source-separated or otherwise processed and put to a beneficial use at the Facility, or separated or otherwise diverted from the waste stream and exported from the Facility, for purposes

of recycling or reuse, and shall include, but not be limited to, green waste, wood waste, asphalt, concrete, or dirt; (2) Clean Dirt imported to cover and prepare interim and final fill slopes for planting and for berms; or 3) all ADC material types as permitted by this grant.

g. "CARB" shall mean California Air Resources Board.

h. "CEO" shall mean the Los Angeles County Chief Executive Office.

i. "CalRecycle" shall mean the State of California Department of Resources Recycling and Recovery or its successor agency.

j. "Class III (non-hazardous) Landfill" shall mean a disposal facility that accepts Solid Waste for land disposal pursuant to applicable federal and state laws and regulations.

k. "Clean Dirt" shall mean uncontaminated soil used for coverage of the Landfill face, buttressing the Landfill and the construction of access roads, berms, and other beneficial uses at the Facility.

l. "Closure" shall mean the process during which the Facility, or portion thereof, is no longer receiving Solid Waste and/or Beneficial Use Materials for disposal or processing and is undergoing all operations necessary to prepare the Facility, or portion thereof, for Post-Closure Maintenance in accordance with a CIWMB approved plan for Closure or partial final closure. Said plan shall be concurred by the TAC, as defined in this grant.

m. "Closure Date" shall mean "Termination Date," as defined in this grant.

n. "Commission" shall mean the Los Angeles County Regional Planning Commission.

o. “Construction and Demolition Debris” shall mean material, other than hazardous waste, radioactive waste, or medical waste, that is generated by or results from construction or demolition-related activities including, but not limited to: construction, deconstruction, demolition, excavation, land cleaning, landscaping, reconstruction, remodeling, renovation, repair, and site clean-up. Construction and Demolition Debris includes, but is not limited to: asphalt, concrete, brick, lumber, gypsum wallboard, cardboard and other associated packaging, roofing material, ceramic file, carpeting, plastic pipe, steel, rock, soil, gravel, tree stumps, and other vegetative matter.

p. "Conversion Technologies" shall mean the various state-of-the-art technologies capable of converting post-recycled or Residual Waste, including solid waste materials currently available to the landfill, into useful products, green fuels, and renewable energy through non-combustion thermal, chemical, or biological processes.

q. "County" shall mean the County of Los Angeles.

r. "County Code" shall mean the Los Angeles County Code.

s. "CPI" shall mean Consumer Price Index for all urban consumers and shall be adjusted to increase by 2 percent on July 1 of each year.

t. "Date of Final Approval" shall mean the date the County's action becomes effective pursuant to Section 22.60.260 of the County Code.

u. "Department" shall mean the Los Angeles County Department of Regional Planning.

v. "Department of Public Works" shall mean the Los Angeles County Department of Public Works.

w. "Director" shall mean the Director of the Department of Regional Planning.

x. "Disposal" shall mean the final disposition of Solid Waste onto land, into the atmosphere, or into the waters of the State of California. Disposal includes the management of Solid Waste through the Landfill process at the Facility.

y. "Disposal Area" shall mean the "Landfill" as defined in this grant.

z. "DPH" shall mean the Los Angeles County Department of Public Health. Any review, approval, or enforcement activities would be performed by DPH acting as the Los Angeles County Department of Public Health-Solid Waste Management Program or the County LEA as appropriate. DPH is currently designated as the County LEA by the Board pursuant to the provisions of Division 30 of the California Public Resources Code to permit and inspect Solid Waste disposal facilities and to enforce State regulations and permits governing these facilities.

aa. "Effective Date" shall mean the date of the Permittee's use of this grant as defined in Condition No. 1.

bb. "Electronic Waste" shall mean all discarded consumer or business electronic equipment or devices. Electronic waste includes materials specified in the California Code of Regulations, Title 22, Division 4.5, Chapter 23, Article 1 (commencing with Section 66273.3), and any amendments thereto.

cc. "Environmental Protection and Control Systems" shall mean any surface water and ground water-quality monitoring/control systems, landfill gas monitoring/control systems, landscaping and irrigation systems, drainage and grading facilities, Closure activities, Post-Closure Maintenance activities, foreseeable corrective actions, and other routine operation or maintenance facilities or activities.

dd. "Exempt Material" shall mean "Beneficial Use Materials," as defined in this grant.

ee. "Facility" shall mean the entirety of the subject property, including all areas where Landfill and non-Landfill activities occur.

ff. "Final Cover" shall mean the cover material required for Closure of the Landfill and all Post-Closure Maintenance required by this grant.

gg. "Footprint" shall mean the horizontal boundaries of the Landfill at ground level, as depicted on the attached Exhibit "A".

hh. "Inert Debris" shall mean Solid Waste and/or recyclable materials that are source-separated or separated for recycling, reuse, or resale that do not contain: (1) hazardous waste, as defined in California Code of Regulations, Title 22, Section 66261.3; or (2) soluble pollutants at concentrations in excess of state water quality objectives; and (3) do not contain significant quantities of decomposable waste. Inert Debris shall not contain more than 1 percent (by weight) putrescible waste. Inert Debris may be commingled with rock and/or soil.

ii. "Landfill" shall mean the portion of the subject property where Solid Waste is to be permanently placed, compacted, and then buried under daily, interim and Final Cover, all pursuant to applicable requirements of federal, state, and local laws and regulations. No portion of the Landfill shall extend beyond the "Limits of Fill," as defined in this grant, and no allowance for settlement of fill shall be used in determining the final elevations or design contours of the Landfill. "Landfill" does not include temporary storage areas, Final Cover, and Ancillary Facilities authorized by this grant.

jj. "Limits of Fill" shall mean the horizontal boundaries and vertical boundaries (as identified by contours) of the Landfill, as depicted on the attached Exhibit "A".

kk. "Materials Recovery Facility" shall mean a facility that separates solid waste into recyclable materials and Residual Waste.

ll. "MMRP" shall mean Mitigation Monitoring and Reporting Program.

mm. "Permittee" shall include the applicant, owner of property, any successors in interest, and any other person, corporation, or entity making use of this grant.

nn. "Post-Closure Maintenance" shall mean the activities undertaken at the Facility after the Closure Date to maintain the integrity of the Environmental Protection and Control Systems and the Landfill containment features, and to monitor compliance with applicable performance standards to protect public health, safety, and the environment. The containment features, whether natural or artificially designed and installed, shall be used to prevent and/or restrict the release of waste constituents onto land, into the atmosphere, and/or into the waters of the State of California, including waste constituents mobilized as a component of leachate or landfill gas.

oo. "Post-Closure Maintenance Period" shall mean the period after Closure of the Landfill when the Solid Waste disposed of during the Landfill's operation could still pose a threat to public health, safety, or the environment.

pp. "Post-Closure Maintenance Plan" shall mean the preliminary, partially final, or final plan or plans, as applicable, approved by the CIWMB and concurred by the TAC for implementation of all Post-Closure Maintenance at the Facility.

qq. "Project" shall mean the activities of the landfill whose ultimate development is depicted on Exhibit "A" of this grant. The Project includes the landfill, its Ancillary Facilities and activities as approved by this grant, including, but not limited to, waste diversion facilities, offices and other employee facilities, a leachate management facility, material storage areas, and Closure and Post-Closure Maintenance activities.

rr. "Residual Waste" shall mean the materials remaining after removal of recyclable materials from the Solid Waste stream.

ss. "RWQCB" shall mean the Regional Water Quality Control Board, Lahontan Region.

tt. "Site Plan" shall mean the plan depicting all or a portion of the subject property, including any Ancillary Facilities approved by the Director of the Department. "Site Plan" shall include what is referred to in this grant as Exhibit "A".

uu. "Solid Waste" shall mean all putrescible and non-putrescible solid and semi-solid wastes, such as garbage, refuse, rubbish, paper, ashes, industrial wastes, demolition and construction wastes, abandoned vehicles and parts thereof, discarded home and industrial appliances, manure, vegetable or animal solid and semi-solid wastes, and other discarded solid and semi-solid wastes. "Solid Waste" excludes Beneficial Use Materials.

vv. "SWFP" shall mean a Solid Waste Facilities Permit.

ww. "Stockpile Area" shall have the same meaning as "Temporary Storage Area," as defined in this grant.

xx. "Stockpile" shall mean temporarily stored materials.

yy. "TAC" shall mean the Los Angeles County Technical Advisory Committee established pursuant to Part XII of the IMP.

zz. "Temporary Storage Area" shall mean an area of the Landfill where certain materials, approved by the Department of Public Works, may be placed for storage for up to 180 calendar days, unless a longer period is approved by the Department of Public Works, so long as such temporary storage does not constitute Disposal, as defined in this grant. No putrescible materials, except Inert Debris and Construction and Demolition Debris not containing significant quantities of decomposable materials and more than 1 percent (by weight) putrescible waste, shall be placed in a Temporary Storage Area for more than 7 calendar days.

aaa. "Termination Date" shall mean the date upon which the Facility shall cease receiving Solid Waste and/or Beneficial Use Materials for disposal or processing.

bbb. "Trash" shall have the same meaning as "Solid Waste," as defined in this grant.

ccc. "Working Face" shall mean the working surface of the Landfill upon which Solid Waste is deposited during the Landfill operation prior to the placement of cover material.

Unless otherwise expressly provided in this grant, applicable federal, state, or local definitions shall apply to the terms used in this grant. Also, whenever a definition or other provision of this grant refers to a particular statute, code, regulation, ordinance, or other regulatory enactment, that definition or other provision shall include, for the life of this grant, any amendments made to the pertinent statute, code, regulation, ordinance, or other regulatory enactment.

2. This grant shall not be effective for any purpose until the Permittee, and the owner of the subject property (if other than the Permittee), have filed at the office of the Department their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of this grant have been recorded as required by Condition No. 7, and until all required monies have been paid pursuant to Condition Nos. 14, 10 and Condition No. 107. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 4, 5, 8, and 10 shall be effective immediately upon final approval of this grant by the County.

3. The Permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees brought by any third party to attack, set aside, void, or annul this permit approval, or any related discretionary approval, whether legislative or quasi-judicial, which action is brought within the applicable time period of California Government Code Section 65009 or other applicable limitations period. The County shall promptly notify the Permittee of any claim, action, or proceeding, and the County shall fully cooperate in the defense. If the County fails to promptly notify the Permittee of any claim, action, or proceeding, or if the County fails to cooperate fully in the defense, the Permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.

4. The Permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County for damages resulting from water, air, or soil contamination, health impacts, or loss of property value during the operation, or Closure or Post-Closure Maintenance of the Facility.

5. In the event that any claim, action, or proceeding as described above is filed against the County, the Permittee shall within 10 days of the filing make an initial deposit with the Department of $5,000.00 from which actual costs and expenses shall be billed and deducted for the purpose of

defraying the costs or expenses involved in the Department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance provided to the Permittee or the Permittee's counsel.

If during the litigation process, actual costs or expenses incurred reach 80 percent of the amount on deposit, the Permittee shall deposit additional funds sufficient to bring the balance up to the amount of $5,000.000. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

At the sole discretion of the Permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and duplication of records and other related documents shall be paid by the Permittee according to County Code Section 2.170.010.

6. If any material provision of this grant is held or declared to be invalid by court of competent jurisdiction, the permit shall be void, and the privileges granted hereunder shall lapse.

7. Prior to the Effective Date of this grant, the Permittee, or the owner of the subject property if other than the Permittee, shall record the terms and conditions of this grant in the office of the County Registrar-Recorder/County Clerk ("Recorder"). In addition, upon any transfer or lease of the subject property during the term of this grant, the Permittee or the owner of the subject property if other than the Permittee, shall promptly provide a copy of the grant and its terms and conditions to the transferee or lessee of the subject property. Upon recordation, the Permittee shall provide an official copy of the recorded conditions to the Director of the Department.

8. This grant shall expire unless it is used within one year from the Date of Final Approval of the grant. A single one-year time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date. This grant shall be considered used upon the receipt of Solid Waste at the Facility and disposal activities any day after Approval Date and Permittee has completed the requirements of Condition No. 2.

9. The subject property shall be developed, maintained, and operated in full compliance with the conditions of this grant, and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the Permittee to cease any development or activity not in full compliance shall be a violation of this grant. Inspections shall be made to ensure compliance with the conditions of this grant as well as to ensure that any development undertaken on the

subject property is in accordance with the approved site plan on file. The Permittee shall also comply with all permits, approvals, or findings issued by other government agencies or departments, including, but not limited to, the permits, approvals, and/or findings issued by:

a. The CalRecycle;

b. The County LEA/Los Angeles County Department of Public Health;

c. The Los Angeles County Department of Public Works;

d. The Los Angeles County Solid Waste Management Committee/Integrated Waste Management Task Force;

e. The CARB;

f. The RWQCB;

g. The AVAQMD;

h. The California Department of Fish and Game;

i. The United States Army Corps of Engineers; and

j. The California Department of Health Services.

10. Within 3 days of the Date of Final Approval of this grant, the Permittee shall remit processing fees payable to the County of Los Angeles in connection with the filing and posting of a Notice of Determination (NOD) for this project and its entitlements in compliance with Section 21152 of the California Public Resources Code. Unless a Certificate of Exemption is issued by the California Department of Fish and Game pursuant to Section 711.4 of the California Fish and Game Code, the permittee shall pay the fees in effect at the time of the filing of the NOD, as provided for in Section 711.4 of the Fish and Game Code, currently of $2,914.25 ($2,839.25 for an Environmental Impact Report plus $75.00 processing fee. No land use project subject to this requirement is final, vested, or operative until the fee is paid.

11. The Permittee shall comply with all mitigation measures identified in the Mitigation Monitoring Program (MMP), which are incorporated by this reference as if set forth fully herein.

12. The Permittee shall comply with the Implementation and Monitoring Program (IMP), which is attached hereto and incorporated herein by this reference.

13. Within 30 days of the Date of Final Approval, the Permittee shall record a covenant and agreement, which attaches the MMP and the IMP and agrees to comply with the mitigation measures imposed by the Supplemental Environmental Impact Report for this project and the provisions of the IMP, in the office of the Recorder. Prior to recordation, the Permittee shall submit a draft copy of the covenant and agreement to the Department for review and approval. As a means of ensuring the effectiveness of the mitigation measures and IMP measures, the Permittee shall submit annual mitigation monitoring reports to the Department for approval, or as required, with a copy of such reports to the Department of Public Works. The report shall describe the status of the Permittee's compliance with the required measures.

14. Within 30 days of the Date of Final Approval of this grant, the Permittee shall deposit an initial sum of $6,000.00 with the Department in order to defray the cost of reviewing and verifying the information contained in the reports required by the MMP. The Permittee shall replenish the mitigation monitoring account if necessary until all mitigation measure have been implemented and completed. Any balance remaining in the mitigation monitoring account upon completion of all measures and completion of the need for further monitoring or review by the Department shall be returned to the Permittee.

15. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor pursuant to Section 22.60.340 of the County Code. Notice is further given that the Regional Planning Commission (Commission) or a Hearing Officer may, after conducting a public hearing in accordance with Section 22.56.1780, et seq. of the County Code, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance, or as otherwise authorized pursuant to Chapter 22.56, Part 13 of the County Code.

In addition to, or in lieu of, the provisions just described, the Permittee shall be subject to a penalty for violating any provision of this grant in an amount determined by the Director of the Department, not to exceed $1,000 per day per violation. For this purpose, the Permittee shall deposit the sum of $30,000 in an interest-bearing trust fund with the Department within 30 days after the Effective Date to establish a draw-down account. The Permittee shall be sent a written notice of any such violation with the associated penalty, and if the noticed violation has not been remedied within 30 days from the date of the notice, to the satisfaction of the Director of the Department, the stated penalty, in the written notice shall be deducted from the draw-down account. If the stated violation is

corrected within 30 days from the date of the notice, no amount shall be deducted from the draw-down account. Notwithstanding the previous sentence, if the stated violation is corrected within 30 days from the date of the notice but said violation recurs any time within a 6 month period, the stated penalty will be automatically deducted from the draw-down account upon such recurrence and the Permittee will be notified of such deduction. If the deposit is ever depleted by 50 percent of the initial deposit amount ($15,000), the Permittee shall deposit additional funds sufficient to bring the balance up to the amount of the initial deposit ($30,000) within 10 business days of notification of the depletion. There shall be no limit to the number of supplemental deposits that may be required during the life of this grant. The balance remaining in the draw-down account, including interest, shall be returned to the Permittee upon the Director of Public Works' determination that the Landfill is no longer a threat to public health, safety, and the environment.

If the Permittee is dissatisfied with any notice of violation as described in the preceding paragraph, the Permittee may appeal the notice of violation to a Hearing Officer pursuant to Section 22.60.390(C)(1) of the County Code within 15 days of receipt by the Permittee of the notice of violation. The Hearing Officer shall consider such appeal and shall take one of the following actions regarding the appeal:

a. Affirm the notice of violation;

b. Refer the matter back to the Director for further zoning enforcement review with or without instructions; or

c. Set the matter for public hearing before the Hearing Officer pursuant to Section 22.60.170, et seq., of the County Code, where applicable.

The decision of the Hearing Officer on the appeal under (A) (where no public hearing is held) and (C) (after the public hearing is held) shall be final and shall not be subject to further administrative appeal. If the Hearing Officer refers the matter back to the Director under (B), once the Director reconsiders the matter and renders a new decision, the appellate process described in the preceding paragraph shall apply to the new decision.

16. All requirements of Title 22 of the County Code and of the specific zoning of the subject property must be complied with unless otherwise modified as set forth in these conditions or as shown on the approved Site Plan or Exhibit "A", or on a revised Exhibit "A" approved by the Director of the Department.

17. All structures, walls, and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by the Department. These shall include any of the above that do not directly relate to the business being operated at the Facility or that do not provide pertinent information about the Facility. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

In the event of graffiti or other extraneous markings occurring, the Permittee shall remove or cover said markings, drawings, or signage within 24 hours of notification of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

The Permittee shall also establish and maintain a graffiti deterrent program for approval by the Department of Public Works with a copy to the Graffiti Abatement Section of the Department of Public Works.

PROJECT SPECIFIC CONDITIONS

GENERAL PROVISIONS

18. Upon the Effective Date, this grant shall supersede Conditional Use Permit ("CUP") 93-070-(5) and shall authorize the continued operation of a Class III (non-hazardous) landfill on the subject property. The maximum tonnage capacity to be received at the Facility shall be as follows:

a. Daily Tonnage Capacity

This grant authorizes the maximum amount of Solid Waste, including Special Waste, that may be deposited in the Landfill for Disposal to increase from 1,700 tons per day to 3,000 tons per day, and the amount of Inert Debris and Beneficial Use Materials accepted to increase from 1,600 tons per day to 2,100 tons per day, for a combined maximum total of 5,100 tons per day, Monday through Saturday.

b. Special Waste

The daily tonnage limit of sewage sludge and bio-solids that may be deposited in the Landfill for disposal shall not exceed 10 tons per day, six working days per week. The Director of the Department of Public Works, at its sole discretion, may terminate the receipt and disposal of sewage sludge and bio-solids at the Landfill if it is determined by the Department of Public Works that these materials

may pose a threat to public health and safety, the environment, or the general welfare of County residents.

19. The Board may increase the maximum daily amounts of Solid Waste allowed by Condition No. 18 if, upon the joint recommendation of the DPH and the Department of Public Works, the Board determines that an increase is necessary to appropriately manage the overall County waste stream for the protection of public health and safety, including at the time of a declared disaster or national emergency. Notwithstanding the preceding sentence, there shall not be allowed more than 313 total days during the life of this grant where the maximum daily tonnage amount exceeds the limits set forth in Condition No. 18, excluding any days where the tonnage capacity was exceeded due to a declared disaster or national emergency.

20. The County reserves the right to exercise its police power to protect the public health, safety, and general welfare of County residents by managing the Countywide waste stream, including preventing predatory pricing. The Permittee shall not adopt waste disposal practices/policies at the Facility which discriminate against self-haulers, waste haulers, and other solid waste enterprises delivering waste originating in the unincorporated County areas of the Antelope Valley.

21. This grant shall also authorize the following Ancillary Facilities and activities at the Facility, as shown on the approved Exhibit "A", subject to the conditions of this grant:

a. Office and employee facilities directly related to the Landfill, excluding offices or other facilities related to any other enterprise operated by the Permittee or other person or entity employed by the Permittee or acting on its behalf;

b. Operations related to the placement and disposal of Solid Waste;

c. Paint booth for equipment and containers;

d. A caretaker residence or mobile home (excluding RVs);

e. Leachate collection and management facilities;

f. Facilities necessary for the collection, utilization, and distribution of Landfill gases, as required and/or approved by the Department of Public Works, the DPH, or the AVAQMD;

g. Facilities necessary for the maintenance of machinery and equipment used at the Landfill, excluding Solid Waste collection

equipment and vehicles, and equipment or machinery used by the Permittee in other enterprises;

h. On-site waste diversion and recycling activities consistent in scale and purpose with the agreement entered into pursuant to Condition No. 37 of this grant;

i. Facilities necessary for Environmental Protection and Control Systems, including flare stations, storage tanks, sedimentation basins, and drainage devices;

j. Storage and repair of bins utilized for Landfill activities;

k. Household hazardous waste consolidation area; and

In the event that revisions to the approved Site Plan, including the approved Exhibit "A," consistent with the intent of this grant and the scope of the supporting environmental documentation are proposed, such revised Site Plan shall be submitted to the Department of Public Works for review and pre-approval, and to the Director of the Department for final approval, with copies filed with the Department of Public Works and the DPH. For the life of this grant there shall be no revisions to the approved Exhibit "A" that change the Limits of Fill, and no Site Plan shall be approved that will change the Limits of Fill.

22. The Final Cover of the Landfill shall not exceed the existing permitted elevation of 2,400 feet above mean sea level, and the Footprint shall not exceed the existing permitted disposal area of 276 acres. No portion of the Landfill shall extend beyond the Limits of Fill as shown on the approved Exhibit "A." The existing Landfill consists of the following as shown on the approved Exhibit "A": center (102 acres, currently completely filled); existing west fill area (62 acres, currently partially filled); and existing east fill area (112 acres, currently unfilled), together with certain ancillary and related activities, as enumerated herein, subject to the restrictions contained in this grant.

23. The Permittee shall not sever, sell, or convey any portion or the entirety of property for which this CUP is granted without first notifying the Department, with a copy to the Department of Public Works, at least 90 days in advance. Any future receiver of the subject property shall be required to acknowledge and accept all conditions of this grant prior to finalization of any conveyance.

24. The Permittee shall keep all required permits in full force and effect, and shall fully comply with all requirements thereof. Failure of the Permittee to provide any information requested by County staff regarding any such

required permit shall constitute a violation of this grant, and shall be subject to any and all penalties described in Condition No. 15.

25. To the extent permitted by law, the DPH or the Department shall have the authority to order the immediate cessation of Landfill operations or other activities at the Facility if the DPH determines that such cessation is necessary to protect public health, safety, welfare, and/or the environment. Such cessation shall continue until such time as the DPH determines that the conditions leading to the cessation have been eliminated or reduced to such a level that there no longer exists an unacceptable threat to the health, safety, and/or welfare of the County's residents and the environment.

26. Nothing in these conditions shall be construed to require the Permittee to engage in any act that is in violation of any state or federal statute or regulation.

INSURANCE REQUIREMENTS

27. Prior to the Effective Date, and thereafter on an annual basis, the Permittee shall provide evidence of insurance coverage to the Department of Public Works that meets County requirements as required and approved by the CEO and that satisfies all the requirements set forth in this Condition No. 27. Such coverage shall be maintained throughout the term of this grant and until such time as all Post-Closure Maintenance requirements are met by the Permittee and certified by the appropriate local, state and federal agencies. Such insurance coverage shall include, but not be limited to, the following: general liability, automobile liability and pollution liability, clean-up cost insurance coverage, and an endorsement for "Sudden and Accidental" contamination or pollution. Such coverage shall be in an amount sufficient to meet all applicable state, federal, and local requirements, with no special limitations.

28. To ensure that the Permittee has sufficient funds at Closure to provide for the continued payment of insurance premiums for the period described in Condition No. 27 of this grant, the Permittee shall, within 60 months prior to the anticipated Closure Date, and annually thereafter, provide financial assurance satisfactory to the Department of Public Works that meets County requirements as approved by the CEO showing its ability to maintain all insurance coverage and indemnification requirements of Condition Nos. 27 and 29 of this grant. Such financial assurance shall be in the form of a trust fund or other financial instrument acceptable to the County. The Department of Public Works shall administer the trust fund,

and all interest earned or accrued by the fund shall remain in the fund to keep pace with the cost of inflation.

29. To ensure that the Permittee has sufficient funds for the Landfill's Closure and/or the Post-Closure Maintenance and maintenance of the Environmental Protection and Control System, the Permittee shall, within 60 months of the anticipated Closure Date, and annually thereafter, provide financial assurance satisfactory to the Department of Public Works that meets County requirements as approved by the CEO that it is financially able to carry out these functions in perpetuity or until the Landfill no longer is a threat to public health and safety as determined by the Director of the Department of Public Works. The Director's determination shall be based on an engineering study prepared by an independent consultant selected by the Department of Public Works. The Permittee shall pay all costs associated with the independent consultant and the study within 30 days of receiving the invoice for the consultant's services. Such financial assurance shall be in the form of a trust fund or other financial instrument acceptable to the Department of Public Works. Payment to the fund shall be annually and the Department of Public Works shall administer the fund, and all interest earned or accrued by the fund shall remain in the fund to keep pace with the cost of inflation. The Director of Public Works may consider, at its sole discretion, the financial assurance mechanism required under State law and regulation in meeting the intent of this Condition No. 29.

TERMINATION REQUIREMENTS

30. The Termination Date shall be either date that the Landfill reaches its Limits of Fill as depicted on Exhibit "A," or on October 19, 2041, whichever occurs first.

31. Upon the Termination Date, the Facility shall no longer receive Solid Waste and/or Beneficial Use Materials for disposal or processing; however, the Permittee shall be authorized to continue operation of any and all facilities of the Landfill as are necessary to complete: (1) the mitigation measures required by this grant; (2) the Closure and Post-Closure Maintenance required by federal, state, and local agencies; and (3) all monitoring and maintenance of the Environmental Protection and Control Systems required by Condition No. 72. No later than 6 months after the Termination Date, all Landfill facilities not required for the above-mentioned functions shall be removed from the subject property unless they are allowed as a matter of right by the zoning regulations then in effect.

OPERATING HOURS

32. The Facility shall be subject to the following operating hours:

a. The Facility may receive Solid Waste and Beneficial Use Materials only between the hours of 5 a.m. (scales open) to 8 p.m. (scales closed). The Facility entrance gate may be open at 5 a.m., Monday through Saturday, to allow on-site queuing only and preparations of the Facility for operations. No offsite queuing is allowed.

b. The Facility and all of its operations shall be closed on Sundays.

c. Facility operations, such as site preparation and maintenance activities, waste processing, and the application of cover, may be conducted only between the hours of 5 a.m. and 10 p.m., Monday through Saturday. This operating restriction shall not apply to Facility activities that require continuous operation, such as gas control.

d. Equipment maintenance activities at the Facility may be conducted only between the hours of 5 a.m. and 10 p.m., Monday through Saturday.

e. No diesel vehicle shall be started at the Facility before 5 a.m.

f. Notwithstanding anything to the contrary in this Condition No. 32, emergency operations, mitigation measures necessary to avoid adverse environmental impacts, and equipment repairs, which cannot be accomplished within the hours set forth in this Condition, may occur at any time if approved via written electronic authorization by the DPH. A copy of this authorization shall be provided to the Director of the Department.

g. Notwithstanding the forgoing, Solid Waste and Beneficial Use Materials may be received at other times than those just described, except on Sundays, if the DPH determines that extended hours are necessary for the preservation of public health and safety.

MAXIMIZING FACILITY CAPACITY

33. All fill sequencing plans for Landfill operations to maximize Landfill capacity shall first be reviewed and approved by the Department of Public Works, and must be technically, environmentally, and economically feasible. The Permittee shall submit a set of sequencing plans to the Department of Public Works for review and approval within 90 days after the Effective Date. Any subsequent changes to the approved sequencing plans must be approved by the Department of Public Works prior to implementation. The plans approved by the Department of Public Works

shall not be in conflict with those contained in the latest State-approved Joint Technical Document for the Facility.

34. Within 180 days after the Effective Date, or a longer period if approved by the Department of Public Works, the Permittee shall adopt appropriate measures to ensure that the method to determine that the amount of Solid Waste received and/or disposed at the Landfill is accurate. These measures shall include, but not be limited to: (1) requiring all solid waste haulers and other customers of the Permittee to submit accurate waste origin data; (2) implementing a system to verify the accuracy of the data submitted; (3) implementing a system to verify that Solid Waste reported as having originated in County unincorporated area actually has such origination; (4) adopting education and outreach programs for solid waste haulers and other customers of the Permittee regarding the need for accurate waste origin data; and (5) creating strong disincentives, including imposing penalties, for solid waste haulers and other customers of the Permittee for non-cooperation with these measures, or for repeatedly providing false information regarding waste origin data to the Permittee.

The waste origin verification and reporting program shall be developed by the Permittee for review and approval by the Department of Public Works. The Permittee shall submit the data from this program on a monthly basis to the Department of Public Works for review. Based on the initial results from this program, the Department of Public Works may require the Permittee to modify the program or to develop or implement additional monitoring or enforcement programs to ensure that the intent of this Condition No. 34 is satisfied.

35. The Permittee shall operate the Facility in a manner that maximizes the amount of Solid Waste that can be disposed of in the Landfill, by, at a minimum:

a. Implementing waste compaction methods to equal or exceed the compaction rates of comparable privately-operated landfills in Los Angeles County;

b. Investigating and implementing methods to divert or reduce intake of high volume, low-density materials that are incapable of being readily compacted;

c. Investigating and implementing methods to reduce the volume of daily cover required at the Landfill as allowed by the appropriate regulatory agencies;

d. Utilizing waste materials received and processed at the Facility, such as processed green material, as an alternative to daily,

intermediate, and Final Cover, to the extent such usage is deemed technically feasible and proper by the appropriate regulatory agencies. Notwithstanding the preceding sentence, automobile shredder waste, cement kiln dust, dredge spoils, foundry sands, processed exploration waste, production waste, shredded tires, and foam shall not be used as daily, intermediate, or Final Cover at the Landfill;

e. To the extent economically and practically feasible, Construction and Demolition Debris shall not be disposed, but rather be separated, recycled, and made available for reuse, consistent with the goals of the California Integrated Waste Management Act of 1989.

f. Investigating and implementing methods to recycle manure.

g. All Solid Waste accepted at the Facility that originates from outside the Antelope Valley, including the metropolitan area of Los Angeles County, must be pre-processed or undergo front-end recovery methods to remove all Beneficial Use Materials and Construction and Demolition Debris from the waste stream prior to transport to the Facility to the maximum extent practicable, as determined by the Department of Public Works. As part of its annual report to the TAC required by the IMP, the Permittee shall submit documentation detailing the results of this requirement. The report must at a minimum include the types, quantity, and amount of all Beneficial Use Materials and Construction and Demolition Debris recovered from the waste stream. Notwithstanding the foregoing, Solid Waste originating from residential areas with a 3-bin curbside collection system or transported by transfer trailer trucks or end dump trailers is exempt from this requirement.

36. To the extent feasible, the Permittee shall minimize the disposal of Solid Waste into the Landfill that is required to be diverted or recycled under the County's Source Reduction and Recycling Element of the Countywide Integrated Waste Management Plan, adopted pursuant to Division 30 of the California Public Resources Code, and/or the Waste Plan Conformance Agreement, approved by the Board on October 11, 2005, as these documents and agreements may be amended.

37. Within 180 days after the Effective Date, and thereafter as is necessary, the Waste Plan Conformance Agreement referred to in Condition No. 36 shall be amended and approved to be consistent with applicable County waste management plans. The Director of Public Works shall be authorized to execute all amendments to the Waste Plan Conformance Agreement on behalf of the County. The Agreement shall continue to

provide for: (1) the control of and accounting for the Solid Waste entering into, and for recycled or diverted material leaving, the Facility; (2) the implementation and enforcement of programs intended to maximize the utilization of available fill capacity as set forth in Condition No. 35; and (3) the implementation of waste diversion and recycling programs in accordance with applicable County waste management plans.

38. The Permittee shall continue to assist the County in diversion efforts, including:

a. Utilizing green waste as alternative daily cover at the Landfill, as deemed technically feasible by the appropriate regulatory agencies.

b. Using a portion of the Facility to transfer loads of commingled recyclables to sorting facilities.

c. To the extent feasible, recovering scrap metal and other materials from loads of waste received at the Facility.

d. Recycling and reusing Construction and Demolition Debris received at the Facility.

e. Composting shredded wood waste and organics at the Landfill including but not limited to Reclaimable Anaerobic Composting (RAC), provided such composting project is approved by the Director of the Department of Public Works and is consistent with the intent of this permit.

f. Stockpiling and grinding of wood/green material for use as mulch, boiler fuel, or feedstock for an alternative energy project, provided such energy project is approved by the Director of the Department of Public Works and is consistent with the intent of this permit.

g. Stockpiling and grinding of concrete/asphalt material for use as base, road material, and/or decking material.

h. Development of Conversion Technologies to divert waste from disposal, provided such Technology project is approved by the Director of the Department of Public Works and is consistent with the intent of this permit.

i. Consolidation of electronic waste.

j. Consolidation of white goods.

k. Implementing a comprehensive public awareness and education program informing Antelope Valley residents of the Facility's recycling activities/programs. The program must be submitted to the Department of Public Works for review and approval within 90 days after the Effective Date.

PROHIBITED MATERIALS

39. The following types of waste shall constitute prohibited waste and shall not be received nor disposed of at the Facility: incinerator ash; radioactive material; hazardous waste, as defined in Title 22, Section 66261.3 of the California Code of Regulations; medical waste, as defined in Section 117690 of the California Health & Safety Code; liquid waste, as defined in Title 27, Section 20164 of the California Code of Regulations; waste that contains soluble pollutants in concentrations that exceed applicable water quality objectives; and waste that can cause degradation of waters in the State, as determined by the RWQCB. The Permittee shall implement a comprehensive Waste Load Checking Program, approved by the DPH (the County LEA as of the Effective Date), to preclude disposal of prohibited waste at the Landfill. The program shall comply with this Condition No. 39, Part IV of the IMP, and any other requirements of the DPH, the State Department of Health Services, the State Department of Toxic Substances Control, and the RWQCB.

40. Notices regarding the disposal restrictions of prohibited waste at the Facility and the procedures for dealing with prohibited waste shall be provided to waste haulers and private users on a routine basis. These notices shall be printed in English and Spanish and shall be posted at prominent locations at the Facility indicating that anyone intentionally or negligently bringing prohibited waste to the Facility shall be prosecuted to the fullest extent allowed by law.

41. In the event that material suspected or known to be prohibited waste is discovered at the Facility, the Permittee shall:

a. Obtain driver's name, company name, address, and any other information as appropriate, and vehicle license number.

b. Immediately notify all appropriate state and County agencies, as required by federal, state, and local law and regulations;

c. If, unknowingly, such prohibited material is accepted at the Facility and after further review it is determined that it cannot immediately be removed by a licensed hauler, store the material at an appropriate site approved by the DPH and the RWQCB until it is

disposed of in accordance with applicable state and local regulations;

d. Maintain a record of the prohibited waste to be part of the Permittee's annual report required under the IMP, and to include, at a minimum, the following information:

i. A description, nature, and quantity of the prohibited waste;

ii. The name and address of the source of the prohibited waste, if known;

iii. The quantity of total prohibited waste involved;

iv. The specific handling procedures used; and

v. A certification of the authenticity of the information provided.

Nothing in this Condition No. 41 shall be construed to permit the Permittee to operate the Facility in any way so as to constitute a Hazardous Waste Disposal Facility, as defined under state law.

GRADING/DRAINAGE

42. The final grades shall be developed and maintained as depicted in the Final Environmental Impact Report, Section 1, Figure 2, dated December 1997, and certified by the Regional Planning Commission in connection with the approval of Conditional Use Permit No. 93-070-(5), or any subsequent approved amendments or replacements to this figure. Except as otherwise provided in this Condition No. 42, areas outside of the Limits of Fill shall not be graded or similarly disturbed to create additional Landfill area, except that additional grading may be approved by the Department of Public Works if the Department of Public Works determines, based on engineering studies provided by the Permittee and independently evaluated by Public Works, that such additional grading or disturbance is necessary for slope stability or drainage purposes. Such a determination by the Department of Public Works shall be documented in accordance with Part I of the IMP, and the Permittee shall submit a revised Site Plan for review and approval by the Director of Public Works to show the additional grading and/or disturbance. A copy of the approved revised Site Plan shall be filed with the Director of the Department, the Department of Public Works, and the DPH. For the life of this grant, there shall be no revisions to the approved Exhibit "A," that will change the Limits of Fill, and no Site Plan shall be approved that will change the Limits of Fill.

43. Notwithstanding anything to the contrary in this grant, no approval shall be granted to the Permittee that will modify the authorized Limits of Fill.

44. The Permittee shall comply with all grading requirements of the Department of Public Works and the County Code. In addition, the Permittee shall obtain prior approval from the Department of Public Works for all grading that is outside the Landfill footprint and all grading within the Landfill footprint that could impact off-site property, including, but not limited to, grading in connection with cell development, stockpiling, or excavation for borrow and cover materials.

45. The Permittee shall install and/or maintain appropriate drainage structures at the Facility to comply with all drainage requirements of the Department of Public Works, the RWQCB, and any other appropriate regulatory agency. Except as otherwise specifically provided by the Department of Public Works, all drainage structures, including sedimentation basins, shall be designed and constructed to meet all applicable drainage and grading requirements of the Department of Public Works, and all design and construction plans for these structures must have prior approval from the Department of Public Works. Notwithstanding the foregoing, temporary drainage structures designed for day-to-day Facility operations may not need prior approval from the Department of Public Works. In all cases, the Landfill and its drainage structures shall be designed so as to cause surface water to be diverted away from disposal areas. All design modifications shall have the prior approval from the Department of Public Works.

46. All development pursuant to this grant shall conform to the requirements of the Department of Public Works.

GROUNDWATER PROTECTION

47. The Permittee shall install and maintain containment (liner) systems and leachate collection and removal systems as required by the RWQCB. The design of Landfill liners of the Landfill shall be as approved by the RWQCB.

48. The Permittee shall install and test any and all groundwater monitoring wells that are required by the RWQCB and shall promptly undertake any action directed by the RWQCB to prevent or correct potential or actual contamination that may affect groundwater quality, or water conveyance or water storage facilities. All testing and remedial actions required by the RWQCB to detect, prevent, and/or correct groundwater contamination shall be completed or guaranteed to be completed to the satisfaction of the RWQCB with notice to the Department of Public Works.

49. The project shall be limited to a maximum use of 60 acre-feet per year (afy) of groundwater for operation of the project during the duration of this grant. The Permittee shall not pump or use any additional groundwater from the subject property that exceeds 60 afy. The Permittee shall record monthly water usage and report such usage on an annual basis to the Department of Public Works, with a copy to the Department. If additional water is required for project operations, the Permittee shall utilize recycled water, which is currently available from the City of Lancaster via the purple pipe that runs along Avenue F, to serve the LLRC. In the event that the Permittee requires the use of piped recycled water, the Permittee shall obtain the necessary permits to connect to such recycled water, construct any necessary access, and connect to the piped recycled water.

50. In the event groundwater use is restricted in the future pursuant to Court Order or Judgment, the permittee shall purchase water from County-authorized water purveyors, including County-authorized recycled water purveyors for non-potable uses, or authorized State Water Project contractors, and shall otherwise conform to the rules, regulations, and restrictions set forth in any applicable Court Order or Judgment, including those rules, regulations, and restrictions that would require the permittee to pay assessments, if any.

COVER AND REVEGETATION

51. The Permittee shall comply with the following cover and re-vegetation requirements at the Landfill:

a. Three copies of a landscape plan shall be submitted to and approved by the Director of the Department within 180 days after the Effective Date. The landscape plan shall show size, type, and location of all plants, trees, and watering facilities. All landscaping shall be maintained in a neat, clean, and healthful condition, including proper pruning, weeding, removal of litter, fertilizing, and replacement of plants when necessary.

b. An annual monitoring report shall be prepared by an independent, qualified biologist and submitted to the Director of the Department providing status and progress of the provisions in this Condition No. 51. The monitoring report may be submitted as part of the annual report required pursuant to Part X of the IMP.

c. The Permittee shall employ an expert or experts, including an independent, qualified biologist, to satisfy this Condition No. 51. Soil sampling and laboratory analysis shall be conducted in all areas that are required to be re-vegetated before any re-vegetation occurs to identify chemical or physical soil properties that may

adversely affect plant growth or establishment. Soil amendments and fertilizer recommendations shall be applied and plant materials selected, based on the above-referenced testing procedures and results. To the extent possible, as determined by the Director of the Department, plant types shall blend with species indigenous to the area, be drought tolerant, and be capable of successful growth.

d. The Permittee shall apply a temporary vegetation cover on any slope or other Landfill area that is projected to be inactive for a period greater than 180 days, as set forth in the IMP. The Permittee shall identify such slope or area in the annual monitoring report described in subsection (b) above, and include an interim reclamation and re-vegetation plan as well as the timing of the proposed work for review and approval by the Director of the Department.

e. Except as otherwise provided in this Condition No. 51, all final fill slopes shall be reclaimed and re-vegetated in lifts substantially in conformance with Mitigation Monitoring Program.

f. Notwithstanding the foregoing provisions of this Condition No. 51, the Permittee shall comply with the requirements of State regulations, the Department, and the TAC, so long as the Limits of Fill are not exceeded, if in consultation with the Department of Public Works, the Department determines that a different re-vegetation design or plan:

i. would better protect public health and safety;

ii. would enable re-vegetation of the final slopes at least as well as described in subsection (e), above; and/or

iii. would be required because the minimum standards adopted by the CalRecycle have been amended.

g. All Joshua trees to be impacted by development of the Project shall be preserved and transplanted at the existing Facility with best management practices known prior to the commencement of grading operations.

52. The Permittee shall operate the Facility so as to conserve water by, at a minimum, adopting the following measures:

a. Ensuring that all water wells used for the Landfill shall draw from the local watershed, if such usage is approved by the appropriate agencies.

b. Investigating the feasibility of treating collected leachate on-site for reuse in the Landfill and, if feasible and the appropriate agencies approve, implementing a program to use such water.

c. Using soil sealant, pavement, and/or other control measures for dust control wherever feasible, in preference to water; and

d. Using drought-tolerant plants to re-vegetate the Landfill slopes and other disturbed areas to the extent feasible, as determined by the Director of the Department.

AIR QUALITY

53. As required by the AVAQMD, the Permittee shall adopt and implement operational practices to mitigate air quality impacts including vehicular air quality impacts at the Facility.

54. To the extent technically, environmentally, and economically feasible, the Permittee shall use landfill gas for energy generation at the Facility or other beneficial uses, rather than flaring, and shall obtain all applicable local, state, and/or federal approvals for any such use. Notwithstanding the forgoing, the Permittee shall be exempt from this Condition No. 54 if, as a part of its annual report required by Part X of the IMP, the Permittee determines that any such activity or project is infeasible.

55. The Permittee shall also install and maintain a landfill gas collection system that complies with AVAQMD requirements and uses best available control technology to prevent the lateral migration of gases to off-site properties to the satisfaction of the Department of Public Works, the DPH, and AVAQMD.

56. In addition to the other requirements of this Condition No. 56, landfill gas flares shall be installed in a manner that does not result in any significant adverse aesthetic impacts, as determined by the Department and AVAQMD, and the flames shall be totally contained within the stacks. Flame arrestors shall be provided to the satisfaction of the County Fire Department.

57. The Permittee shall provide access to a back-up generator for emergency use within 48 hours in case of a prolonged power outage at the Facility to prevent the migration/emission of landfill gas, unless such a use is otherwise prohibited by AVAQMD due to air quality concerns.

58. Upon receipt of a total of 4 independent air quality complaints by any combination of the Permittee, AVAQMD, DPH, Department of Public Works, or the Department in any given year, the Permittee shall submit a

response to the Department of Public Works within 30 calendar days providing an explanation of each complaint and steps taken to address them. The Department of Public Works shall evaluate the response and may require the Permittee to thereafter conduct air quality monitoring at the Facility and its surrounding areas. In addition, the TAC may select an independent air quality consultant to conduct testing of Landfill dust and diesel particulates surrounding the perimeter of the Facility, at a frequency to be determined by the Director of the Department Public Works in consultation with the air quality consultant. The cost of the consultant and the tests shall be borne entirely by the Permittee. The consultant report shall be provided to the Director of the Department of Public Works, the TAC, and the Permittee within 15 calendar days after completion of the tests. The Director of the Department of Public Works, with the advice of the TAC, may reduce the frequency of the consultant testing, or discontinue it altogether, if the Director finds that the test results are invalid or lack beneficial value. Notwithstanding the preceding sentence, the Director, with the advice of the TAC, may increase the frequency of the consultant testing if the Director finds the frequency insufficient.

59. If any of the test results of Condition No. 58 exceed the emission levels established by the EIR and/or the AVAQMD, the Permittee shall submit a corrective action plan to the TAC within 15 days after receipt of the report to set forth a schedule for remedial action. The TAC shall consider the corrective action plan within 30 calendar days of its receipt and provide notice to the Permittee if such plan has been approved. If the TAC does not approve the corrective action plan, the Director of the Department may impose additional or different measures to reduce air quality impacts at the Facility. These additional measures may include, but not be limited to, requirements that the Permittee: (1) pave additional unpaved roads at the Facility; (2) water and apply soil sealant to additional Working Face areas; (3) relocate Working Face areas to designated locations during windy conditions; (4) monitor sensitive sites throughout the community; and/or (5) close the Facility during extreme wind conditions. The Permittee may appeal the Director's decision in accordance with the appeal provisions in Condition No. 15 for an appeal of a notice of violation.

60. Within 180 days after the Effective Date, all equipment, diesel fleet vehicles, and transfer trucks that are owned or operated by the Permittee, its subsidiaries, or affiliated enterprises, and that utilize the Facility, shall be CARB compliant.

As part of its annual report to the TAC required by the IMP, the Permittee shall submit documentation of its compliance with this Condition No. 60, including, but not limited to, Title 13, California Code of Regulations, Section 2020, et seq. regarding Diesel Particulate Matter Control Measures.

61. The Permittee shall be subject to the following requirements regarding alternative fuel vehicles and equipment:

a. For the purpose of complying with this Condition No. 61, alternative fuel vehicles shall utilize alternative fuels that are consistent with recommendations or regulations of CARB and AVAQMD, which may include, but is not limited to electricity, natural gas (liquefied natural gas or compressed natural gas), biogas, biodiesel, synthetic diesel, or renewable diesel.

b. Within the first year after the Effective Date, the Permittee shall submit an alternative fuel vehicle implementation plan to the TAC for review and approval. The plan shall contain information on available and proposed alternative fuel technologies, a comparison of their air emissions reduction levels at the Facility, including greenhouse gas emissions, a timeline demonstrating the Permittee's best-faith efforts to comply with this Condition No. 61, as well as any other information deemed necessary by the TAC to approve the plan.

c. The Permitee shall convert into alternative fuel vehicles all light-duty vehicles operating at the Facility, solid waste collection trucks, and transfer trucks that utilize the Facility and are owned by, operated by, or under contract with the Permittee, its subsidiaries, or affiliated enterprises, according to the following phase-in schedule:

   i. Within 4 years after the Effective Date, at least 50 percent of all aforementioned vehicles shall be alternative fuel vehicles.

   ii. Within 7 years after the Effective Date, at least 75 percent of all aforementioned vehicles shall be alternative fuel vehicles.

   iii. Within 10 years after the Effective Date, 100 percent of all aforementioned vehicles shall be alternative fuel vehicles.

d. Within the first year after the Effective Date, unless a later date is approved by the TAC, the Permittee shall consult with the AVAQMD and design and implement at least 1 heavy-duty, alternative fuel off-road equipment pilot program, to the extent deemed technically and economically feasible by the TAC. The pilot program shall be certified by a major original equipment manufacturer such as, but not limited to, Caterpillar, John Deere, or Volvo.

e. As part of its annual report to the TAC required by the IMP, the Permittee shall submit an on-going evaluation of its compliance with each component of this Condition No. 61.

DUST

62. Within 180 day of the effective date, the Permittee shall adopt a fugitive dust program that uses the most effective available methods and technology to avert fugitive dust emissions. The fugitive dust program shall be submitted to the Department of Public Works for review and approval. In addition to the re-vegetation measures in Condition No. 51, the program shall include, at a minimum, a requirement that:

a. The Permittee shall not engage in any excavation, grading, or other Landfill activity during high wind conditions, or when high wind conditions are reasonably expected to occur, as determined by the DPH, where such excavation or operation will result in significant emissions of fugitive dust affecting areas not under the Permittee's control;

b. The Working Face areas of the Landfill shall be limited to small contained areas of approximately one acre or less. During periods of the year when high wind conditions may be expected, the Working Face areas shall each be located in an area of minimal wind exposure, or be closed, if closure is deemed necessary by the DPH;

c. Except when there is sufficient rain or moisture to prevent dust, daily cover, haul roads, and grading locations shall be watered as required by State Minimum Standards or more frequently, when conditions dictate for dust control. Soil sealant may be required in addition to water;

d. Except when there is sufficient rain or moisture to prevent dust, all active Working Face and soil Stockpile Areas shall be watered daily, unless wind conditions dictate otherwise;

e. If determined necessary by the DPH, the Permittee shall, on any day preceding a day when the Facility is closed to Solid Waste receipt, apply soil sealant to any previously active Working Face, haul roads, or soil Stockpile Area that has not already been sealed or re-vegetated;

f. Inactive areas of exposed dirt that have been sealed shall be regularly monitored to determine the need for additional sealing and to prevent unauthorized access that might disturb the sealant. If

additional sealing treatment is required, the Permittee shall promptly apply such treatment to assure full control of the soil particles;

g. All primary access roads to any permanent facility in the Landfill shall be paved;

h. To minimize the length of dirt roads, paved access roads to fill areas shall be extended as new fill areas are opened. Winter deck access roads shall be paved or surfaced with recycled asphalt, aggregate materials, or soil stabilization products to minimize the quantity of untreated dirt;

i. All paved roads in regular use shall be regularly cleaned to remove dirt left by trucks or other vehicles;

j. Except when there is sufficient rain or moisture to prevent dust, all dirt roads in regular use shall be watered at least once daily on operating days and more often if required by the DPH or the Department of Public Works, or otherwise treated to control dust emissions;

k. Loads of Solid Waste capable of producing significant dust shall be watered during the Landfill process. If such practice is deemed unacceptable to the RWQCB, the Permittee shall develop alternative methods to minimize dust generation during the Landfill process and obtain approval of the method from the Department of Public Works within 90 days of the RWQCB's determination;

l. In addition to any fire flow requirements of the County Fire Department, the Permittee shall maintain a supply of water for dust control in the active Working Face areas to ensure compliance with State Minimum Standards;

m. The Permittee shall install and maintain devices on-site, as approved by the AVAQMD, to monitor wind speed and direction, and shall retain qualified personnel who can read and interpret data from these devices, can obtain and use information on predicted wind conditions, and can assist in the Facility's operations related to this information; and

n. The Permittee shall submit a quarterly report to the Department of Public Works identifying: (1) all fugitive dust and odor complaints from local residents that the Permittee has received for that quarter regarding the Facility; (2) all notices of violation issued by the AVAQMD or the DPH; and (3) all measures undertaken by the

Permittee to address these complaints and/or correct the violations. The Department of Public Works and the DPH shall each have the authority to require the Permittee to implement additional corrective measures for complaints of this nature when such measures are deemed necessary to protect public health and safety.

TRAFFIC AND ROAD IMPROVEMENT

63. Within 90 days after the Effective Date, the Permittee shall submit for review and approval by the Department of Public Works a plan that establishes a program to reduce unnecessary truck trips to the Facility. The program shall include, but not be limited to, the following elements:

a. A plan to schedule regular Facility users, such as commercial and municipal haulers, to avoid having these users arrive at the Facility and be diverted to other landfills;

b. A plan to reserve Landfill capacity until 2 p.m. Monday through Friday during normal operating conditions, for small commercial and private users; and

c. A plan to discourage Landfill customers from delivering loads with less than one ton to the Facility.

64. Within 90 days after the Effective Date, the Permittee shall implement a program to include, at a minimum, measures to minimize or avoid the queuing of trucks at the Facility entrance on Avenue F and any other adjacent streets due to waste delivery or landfilling activities at all times. The program shall be reviewed and approved by the Director of the Department of Public Works. A report on the effectiveness of the program shall be submitted as part of the annual report required pursuant to Part X of the IMP.

65. Upon the Effective Date, the Permittee shall have obtained approval from the Department of Public Works and commence implementation of a detailed ingress and egress schedule for all trucks accessing the Facility, in accordance with the following conditions:

a. The Permittee shall not dispatch more than 10 southbound transfer trucks per hour transporting all material types from the Facility to the Los Angeles metro area between the hours of 6:00 am to 8:00 am, Monday through Friday.

b. The Permittee shall not dispatch more than 10 northbound transfer trucks per hour transporting all materials types from the Los

Angeles metro area to the Facility between the hours of 4:00 pm to 7:00 pm.

66. Within 90 days after the Effective Date, the Permittee shall provide to the Director of Public Works for review and approval a set of schedules for commencement of the "Lancaster Landfill Street Improvement Project." The street improvements identified in the "Lancaster Landfill Street Improvement Project" shall be in accordance with the following:

a. The Permittee shall be responsible for the following Right-of-Way and Street Improvement Requirements:

i. Make an offer of future right of way 32 feet from centerline (westerly property line) on 5th Street East. Provide a non-exclusive easement over the future right-of-way for access purposes. Contact Department of Public Works, Survey/Mapping and Property Management Division, Engineering Section, for requirements and procedures at (626) 458-7106. Fee deposit is required for processing of documents.

ii. Provide a drainage statement/letter as part of the offer of future right-of-way.

iii. Dedicate or offer to the County slope and drainage easements along 5th Street East as applicable to the satisfaction of the Department of Public Works. Site grading shall be compatible with the future street.

iv. Provide property line return radius of 13 feet at the intersection of Avenue F and 5th Street East plus additional right-of-way for corner cut-off to the satisfaction of the Department of Public Works.

v. Avenue F has been removed as a major highway from the County Highway Plan. However, the street shall be retained as an industrial collector with right-of-way and improvements commensurate with either a secondary highway rural section (86-feet) or typical industrial collector section as determined appropriate by the Department of Public Works. The Permittee may pursue vacation of excess right-of-way by filing an application and paying appropriate fees.

vi. Construct improvements on Avenue F (along the property frontage) commensurate with the secondary highway rural section and submit detailed signing and striping plan to the

satisfaction of the Department of Public Works. A review fee is required.

vii. A drainage concept/hydrology report may be required to address drainage requirements along Avenue F or other public roadways to be improved, where deemed necessary by the Department of Public Works, the Permittee shall submit such report for approval and comply with the terms of the report to the satisfaction of the Department of Public Works.

viii. A drainage/grading plan may be required for the construction of Avenue F east of Challenger Way (10th Street East). Such plan shall meet the requirements of the Department of Public Works.

ix. Driveway locations are subject to review and approval by the Department of Public Works.

x. Comply with the requirements of the Street Lighting Section of Traffic and Lighting Division where the installations of street lights are required. Prior to approval of any street improvement plan, submit a street lighting plan to the satisfaction of the Department of Public Works. Any proposed street lights that are not within the existing lighting maintenance district will need to be annexed to the district before street lighting plans can be approved.

xi. A review fee is required for review of all plans and engineering reports.

xii. Acquire street plan approval from the Department of Public Works or direct check status before obtaining grading permit.

xiii. Within 90 days or as otherwise determined by the Department of Public Works, after the approval of the "Lancaster Landfill Street Improvement Project", execute an Agreement to Improvement for the street improvements identified in this Condition No. 66 Subsection (a).

xiv. Within 360 days after the Effective Date of this grant, the Permittee shall pay its fair share to fully improve, the pavement and thickening of the base/sub base to sustain the entire truck traffic loading of the project operation and any increase in project operation on the following streets or as required to the satisfaction of the Department of Public

Works: (1) Challenger Way (10th Street East) between Avenue F and Avenue H; (2) Avenue F between Division Street and Challenger Way (10th Street East); (3) Division Street between Avenue F and Avenue H; and (4) Avenue H between Division Street and Challenger Way (10th Street East). If Avenue F between Sierra Highway and Division Street is constructed, the project applicant shall also be responsible to improve Avenue F between 100 feet west of the southbound SR-14 on/off ramps and Sierra Highway. The Director of Public works, at his/her sole discretion, may grant an extension of time not to exceed an additional 360 days if the Permittee demonstrates good faith effort toward construction and completion of this Condition 66 Subsection (xiv).

b. The designated haul route shall be as follows:

Truck traffic to the Landfill from SR-14 shall be restricted to the following route: (a) exit SR-14 at the Avenue H off ramp, (b) travel eastbound on Avenue H to Division Street, (c) travel northbound on Division Street to Avenue F, and (d) travel eastbound on Avenue F to the Landfill Driveway. Unless necessitated by road closure or other detour plan implemented by the local jurisdictions, at no time shall any truck movement under the Permittee's control to the Landfill from SR-14 take place on any other route.

Truck traffic to SR-14 from the Landfill shall be restricted to the following route: (a) travel westbound on Avenue F from the Landfill Driveway to Division Street, (b) travel southbound on Division Street to Avenue H, (c) travel westbound on Avenue H to the SR-14, and (d) enter SR-14 at the Avenue H on-ramp. Unless necessitated by road closure or other detour plan implemented by the local jurisdictions, at no time shall any truck movement under the Permittee's control to SR-14 from the Landfill take place on any other route.

c. Once every 5 years beginning on the Effective Date of this grant and continuing for the duration of this grant, the Permittee shall update the Roadway Section Analysis, dated April 19, 2007, to include a pavement section evaluation of the designated haul route (Avenue H from SR-14 to Division Street, Division Street from Avenue H to Avenue F, and Avenue F from Division Street to the Facility entrance), as well as all truck counts and traffic index calculation sheets. The findings of the revised Roadway Section Analysis shall be provided to the Department of Public Works and the City of Lancaster for review and approval. The Permittee shall

be responsible for the pro-rata costs of improving the pavement structure of the roadway segments along the designated haul route per the recommendations in the revised Roadway Section Analysis. Upon construction of any necessary improvements to the pavement structure, the Permittee shall conduct baseline deflection testing in accordance with California Test method 356 and submit the results to the Department of Public Works for review and approval.

d. Once every 5 years beginning on the Effective Date of this grant and continuing for the duration of this grant, the Permittee shall conduct machine-generated truck counts at the project site entrance on three consecutive days (Tuesday through Thursday) during weeks void of national holidays. The truck counts shall be conducted by an independent count company in accordance with generally accepted traffic counting procedures. The Permittee shall also calculate the 10-year Design Traffic Indices along the designated haul route (Avenue H from SR-14 to Division Street, Division Street from Avenue H to Avenue F, and Avenue F from Division Street to the Facility entrance), based on the truck counts and submit them to the Department of Public Works for review and approval. Lastly, the Permittee shall perform deflection tests along the designated haul route in accordance with California Test Method 356 and submit the results to the Department of Public Works for review and approval. If the retested 80 percentile deflection exceeds 32 percent of the tolerable deflection, the Permittee shall pay its fair share to fully remediate the pavement structure. The Permittee shall submit to the Department of Public Works the proposed method of remediation and schedule for commencement of the improvement for review and approval.

LITTER CONTROL AND RECOVERY

67. The Permittee shall adopt a program that uses the most effective methods and technology to prevent waste that has entered an area under the Permittee's control from escaping the area in the form of litter. Notwithstanding any other provision of this Condition No. 67, or of this grant, the Permittee shall cease accepting incoming waste during high wind conditions if, despite the methods and technology used, waste cannot be confined to areas under the Permittee's control.

68. Within 30 days after the Effective Date, the Permittee shall submit a litter control program to the DPH and Department of Public Works for review and approval. The program shall include the following requirements, unless the DPH requires otherwise:

a. Facility personnel shall continuously patrol the access road to the Facility scales during the Facility's hours of operation and remove any litter found during the patrol;

b. Loads of Solid Waste that are improperly covered or contained and that may create significant litter shall be immediately detained, and if practicable, correctly covered or contained prior to proceeding to the Working Face. If such a remedial measure cannot be taken, the load shall proceed to the Working Face under escort;

c. All debris found on or along the entrance to the Facility and/or Working Face access roads shall be immediately removed; and

d. At every active Working Face area, the Permittee shall install a primary portable litter fence of adequate height to control litter, and also a secondary fence 4 feet in height behind the primary fence when wind conditions dictate the need for a secondary fence. The Permittee shall employ Best Management Practices to control litter. On windy days, and when the fences are not sufficient, the Working Face shall be located within areas of minimal wind exposure or shall be closed, if so required by the DPH. The DPH, in coordination with the Department of Public Works, may require additional measures deemed necessary to effectively control litter, including, but not limited, requiring the Permittee to cease accepting all incoming waste during high wind conditions.

69. Within 90 days after the Effective Date, the Permittee shall develop methods and/or procedures to prevent from or minimize vehicles carrying dirt and/or debris that may be dislodged onto local streets and highways and submit the methods and/or procedures for approval to the satisfaction of the Department of Public Works.

70. In addition to the requirements described in Condition Nos. 67 and 68, the Permittee shall develop and maintain a litter recovery program to the satisfaction of the Department of Public Works and the DPH designed to recover off-site litter from uncovered or improperly covered or contained loads traveling to the Facility or otherwise emanating from the Facility, including conducting regular inspections of the main haul route (Avenue H from SR-14 to Division Street, Division Street from Avenue H to Avenue F, and Avenue F from Division Street to the Facility entrance) and the surrounding area bound by Avenue E to the north, Avenue H to the south, 5th Street West to the west, and 25th Street East to the east. Based upon the inspection, the Permittee shall collect and remove all wind-blown Trash or litter encountered in the specified area. The Permittee shall maintain a log of the inspections, provide the log upon request to the DPH and the Department of Public Works, and include a copy of the log in the

annual report required pursuant to Part X of the IMP. At the request of the Permittee, the Department of Public Works, at its sole discretion, may adjust the boundary of the specified area to improve the effectiveness of the litter recovery program.

71. Within 30 days after the Effective Date, the Permittee shall submit a vehicle tarping program at the Facility for approval by the Department of Public Works, to discourage untarped vehicles from using the Facility. All vehicles loaded with Solid Waste or any other material that creates the potential for litter shall, to the greatest extent possible, be tarped when entering and leaving the Facility, and no such vehicle shall be allowed to enter the Facility until the driver has been informed of the tarping requirements and has been asked to have his/her load covered. In addition to any other penalty set forth in this grant, repeat violators of this Condition No. 71 shall be subject to the penalties described in the vehicle tarping program and may be permanently prohibited from using the Facility.

OTHER PERMITS/REQUIREMENTS

72. The Permittee shall monitor and maintain the Facility's Environmental Protection and Control Systems in perpetuity, or until such time as the Director of Public Works, based on generally accepted engineering practice, determines that the routine maintenance and foreseeable corrective action that may be necessary during and after the Post-Closure Maintenance Period has been fully satisfied, and the Solid Waste disposed of in the Landfill no longer constitutes a threat to public health and safety, or to the environment.

73. The Permittee shall take all necessary measures to ensure that noise emissions from the Facility at all residential receptors are within the acceptable limits of the Los Angeles County Noise Ordinance, as contained in Chapter 12.08 of the County Code.

74. The Permittee shall implement effective vector control measures at the Facility pursuant to State standards, as directed by the DPH.

75. The Permittee shall conduct protocol trapping to determine presence or absence of Mohave ground squirrel and desert tortoise prior to any earth-disturbance activities in the remaining landfill footprint that has not been disturbed by the landfill operations. If required, the Permittee shall obtain a California Incidental Take Permit for Mohave Ground Squirrel and/or desert tortoise from the California Department of Fish and Game.

76. The Permittee shall conduct protocol trapping to determine presence or absence of Mohave ground squirrel and desert tortoise prior to any earth disturbance activities in the remaining landfill footprint that has not been disturbed by the landfill operations. If required, the Permittee shall obtain a California Incidental Take Permit for Mohave Ground Squirrel and/or desert tortoise from the California Department of Fish and Game.

77. Any future circulation scenario outside the current haul routes shall avoid areas of high biological diversity. Prior to utilization of a new haul routes, the Permittee shall submit the proposed haul route with all supporting information/report/survey of biological resources in the vicinity of the proposed haul route, the Permittee shall submit the proposed haul route with all supporting information/reports/surveys of biological resources in the vicinity of the proposed haul route to the Department for review and approval. The Department shall consult with the Director of Public Works regarding any changes to the current haul route.

78. For fire protection purposes, the Permittee shall maintain on-site fire response capabilities, construct access roads, and provide water tanks, water mains, fire hydrants, and fire flows, to the satisfaction of the County Fire Department including, but not limited to the following:

a. A Class II Standpipe System shall be provided and located within 200 feet of landfilling operations and shall have sufficient 1 1/2-inch hose with a variable-fog nozzle to reach all portions of such operations. The use of water tender trucks may be permitted in lieu of a Class II Standpipe System provided each is equipped with 2 1/2-inch outlets for County Fire Department's use.

b. Approved access roads no less than 20 feet in width clear to the sky shall be provided and maintained at all times around the landfilling areas to provide access for firefighting equipment. Weeds, grass, and combustible vegetation shall be removed for a distance of 10 feet on both sides of all access roads used by solid waste trucks or the public. All access within the landfill site shall be in accordance and compliance with the County Fire Code and standards.

79. All development pursuant to this grant must be kept in full compliance with County Fire Department Regulation 10. Construction plans for access roads shall be submitted to the County Fire Department for review and approval.

80. All on-site fuel storage tanks shall be installed and necessary containment and air quality controls for the tanks provided, in accordance with the

requirements of the County Fire Department, the Department of Public Works, the RWQCB, and the AVAQMD.

81. The Permittee shall develop and implement a program to identify and conserve all significant archaeological and paleontological materials found at the Facility pursuant to Part VII of the IMP. If the Permittee finds any evidence of aboriginal habitation or fossils during earthmoving activities, Landfill operations shall immediately cease in that immediate area, and the evidence and area shall be preserved until a qualified archaeologist or paleontologist, as appropriate, makes a determination as to the significance of the evidence. The Department will review and approve this program, if the determination indicates that the archaeological or paleontological resources are significant, the resources shall be recovered to the extent practicable prior to resuming Landfill operations in that immediate area of the Landfill.

82. The Permittee shall develop and obtain approval from the Department of Public Works for a Standard Urban Storm Water Mitigation Plan for the Facility's activities, unless the Department of Public Works determines that such plan is unnecessary.

83. The Permittee shall be prohibited from initiating any activity for which an Industrial Waste Disposal Permit and/or Underground Storage Tanks Permit is required at the Facility before the required or revised permit is obtained from the Department of Public Works. The activities covered by this Condition No. 83 include, but are not limited to, the installation, modification, or removal of any underground storage tank and/or industrial waste control facility. For purposes of this Condition No. 83, an industrial waste control facility includes its permanent structures for treating post-development storm water runoff.

84. The Permittee shall at all operating times, Monday through Saturday, maintain adequate on-site staff, with appropriate training and experience for the operation of the Facility. The staff's qualifications and level of experience shall be subject to approval of the DPH, which may, in its discretion, establish minimum training requirements for designated positions at the Facility. At least one on-site senior level staff member shall be familiar with or have access to an electronic or hard copy of this grant.

85. The Permittee shall at all times, 24 hours a day, 7 days a week, provide at least one emergency contact person, with sufficient expertise to assess the need for remedial action regarding operation-related accidents, and with the requisite authority and means to assemble the necessary resources to take such remedial action. The individual must be able to be

reached on a continuous basis through the telephone number or e-mail address posted at the Facility entry gate.

86. Within 180 days after the Effective Date, the Permittee shall obtain from the Los Angeles County Solid Waste Management Committee/Integrated Waste Management Task Force a "Finding of Conformance" determination, or its alternative mechanism, that the proposed project and its expansions are consistent with the Los Angeles County Countywide Siting Element.

Upon the Effective Date, the membership of the Alternative Technology Advisory Subcommittee of the Task Force shall be increased to include a representative of the Permittee and an environmental representative designated by the Fifth Supervisorial District to represent the Antelope Valley. Notwithstanding the preceding sentence, the membership of the Alternative Technology Advisory Subcommittee may be adjusted at the sole discretion of the Director of the Department of Public Works, acting as the Chair of the Task Force, as necessary upon the recommendation of the Task Force.

87. All employee, guest, and truck parking shall be developed and maintained as set forth in Part 11, Chapter 22.52 of the County Code.

88. All salvage material (except materials, such as asphalt, which are to be used for landfill operations), dumpsters, containers, construction materials, and disabled trucks and equipment shall be consolidated into one or more areas that are screened by fences or other means from public streets and adjacent private lands not owned by the Permittee, in accordance with the provisions of Part 7, Chapter 22.52 of the County Code.

89. The perimeter of the Landfill and adjacent borrow pit site shall be enclosed by fencing to inhibit unauthorized entry. Except as may otherwise be specified by the DPH, the fencing shall conform to the detail shown on the approved Exhibit "A."

90. The Permittee shall maintain a landscape strip along the frontage of the ancillary facilities area on Avenue F, a minimum of 10 feet in width, substantially as shown on the plan on file entitled "Plot Plan frontage landscape and Signs" and dated October, 1990.

91. Business signs shall be as permitted by Part 10, Chapter 22.52 of the County Code for Zone C-1, except that no portion of any such sign may extend more than 15 feet above the ground and the total sign area shall be based upon a street or building frontage of 100 feet.

92. Within 10 years after the Effective Date, and every 10 years thereafter, the Department of Public Works, in consultation with the Department and the Permittee, shall select an independent engineering/planning consultant(s) to conduct a comprehensive study analyzing various alternatives to serve the long-term Solid Waste Disposal needs of the Antelope Valley. The purpose of the study is to ensure uninterrupted solid waste disposal services to the residents and businesses in the Antelope Valley, keeping disposal fees low and stable, making existing facilities as efficient as possible, and ensuring that facilities keep pace with population growth and changing technologies in the solid waste industry. The study should include a comprehensive analyses (including a sensitivity and cost-to-benefit analysis) of all aspects of this endeavor, including but not limited to, the economic, environmental, and technical feasibility of the following alternatives/issues:

a. Evaluating rail and truck transport options for solid waste export out of the Antelope Valley, including the necessary infrastructure (in and out of the Antelope Valley) to realize these options.

b. Demonstrating how any proposed waste-by-rail option ties into the existing or future county waste-by-rail system.

c. Developing Conversion Technology facilities in the Antelope Valley.

d. Planning a future transfer station system in the Antelope Valley.

e. Reviewing public/private ownership options.

f. Analyzing financing, staffing, and rate impacts.

g. Defining and establishing the facility siting processes.

h. Establishing a means of involving interested parties in the planning process.

i. Any other alternatives and issues deemed appropriate by the Department of Public Works and/or the Department.

The costs of the study shall be equally shared by the Permittee and the Department of Public Works, Environmental Programs Division, but in no event shall the cost to the Permittee exceed $50,000 per study. The Permittee shall make the payment within 30 days of receiving the invoice for the consultant's services. The study shall be completed within 18 months of the independent engineering/planning consultant(s) selection. The study's findings and recommendations shall be submitted to the TAC for review and comment. Upon addressing all TAC's comments to the

satisfaction of TAC, the independent engineering/planning consultant(s) shall submit the study to the Commission, the Department, the Department of Public Works, the Permittee, and all other interested parties. The Permittee shall submit a detailed response to the study's findings and recommendations, including which recommendations it plans to pursue. The Permittee shall make a good-faith effort to implement all recommendations to carry out the purpose of this Condition No. 92 to the satisfaction of the Director of the Department of Public Works.

93. The Permittee shall implement and comply with the following seismic monitoring requirements:

a. Complete installation of an on-site accelerometer system to measure earthquake/seismic ground motions within 180 days after the Effective Date. The system design, including but not limited to, locations of sensors, shall be reviewed and approved by the Department of Public Works. A set of as-built plans signed and sealed by a California Registered Civil Engineer, or other registered professional approved by the Department of Public Works, shall be provided to the Local Enforcement Agency and the Department of Public Works.

b. Following a major earthquake/seismic ground motion of magnitude 5.0 or greater, as recorded by the closest ground-motion monitoring device as maintained by the California Division of Mines and Geology, thoroughly survey the Facility for primary and secondary surface expressions of seismic activity (such as surface ruptures, landslides, change in spring flows, liquefaction, etc.). Submit a damage assessment report on the results of the survey to the Department of Public Works and the DPH for review. The assessment report shall describe and discuss all features, including damage to the site and infrastructure caused by the earthquake and measures that will be taken to mitigate the impact to the satisfaction of the Department of Public Works.

94. The Permittee shall accept all Solid Waste, Inert Debris, and Beneficial Use Materials generated and delivered to the Facility by all waste haulers and customers operating in the Unincorporated County Areas of Antelope Valley. The Permittee shall submit to the Department of Public Works an annual report on the origin of Solid Waste, Inert Debris, and Beneficial Use Materials accepted at the Facility by jurisdiction of origin. The annual report shall also contain information on all waste haulers (including those owned or operated by the Permittee, its subsidiaries, or affiliated enterprises) and self-haul customers utilizing the Facility, whether (and why) any waste haulers and self-haul customers were turned away from the Facility, and the tipping fee charged for all waste haulers and self-haul

customers. The Permittee shall not engage in predatory pricing that may discourage other private waste haulers and self-haul customers from utilizing the Facility.

PERMITTEE FEES

95. The requirement that the Permittee pay the fees set forth in Condition Nos. 96 through 106, inclusive, shall not begin until the Effective Date. Prior to that date, any and all fees required by CUP 93-070-(5) shall remain in full force and effect. The following fees are cumulative and are in addition to any other fee or payment required by this grant.

96. All financial records shall be preserved for a period of 3 years and shall be available for inspection by the DPH, the Department of Public Works, the Department, and the Treasurer and Tax Collector during normal business hours, and shall be forwarded to such agencies upon request.

97. The Permittee shall pay to the office of the Los Angeles County Treasurer and Tax Collector a quarterly fee equal to 10 percent of the sum of the following, net any amount the Permittee pays to the County pursuant to Section 4.63, et seq., of the County Code:

a. The net tipping fees collected at the Facility as described below in this Condition No. 97. For purposes of this Condition No. 97, "net tipping fee" shall mean the total fees collected, less any taxes imposed by a federal, state, or local agency that is included in the fee charged by the Permittee at the Facility entrance. "Total fees collected" shall be calculated as the total gross receipts collected by the Permittee; and

b. The revenue generated from the sale of Landfill gas at the Facility, less any federal, state, or local fees or taxes included in such revenue.

98. The Permittee shall pay on a monthly basis to the Department of Public Works a fee of 25 cents per ton of Solid Waste disposed of at the Landfill. The fee shall be adjusted annually for any increase in the CPI. This fee shall be used for the implementation and enhancement of waste reduction and diversion programs, including but not limited to, conducting waste tire collection events, in County unincorporated areas.

99. The Permittee shall provide an annual funding of $25,000 to the Antelope Valley Illegal Dumping Task Force for implementing and enhancing illegal dumping prevention programs in County unincorporated areas, in the manner determined by the Antelope Valley Illegal Dumping Task Force and concurred by the Fifth Supervisorial District. By January 10 of each

year, the Permittee shall deposit the fund in an interest-bearing account to be maintained by the Department of Public Works for the Antelope Valley Illegal Dumping Task Force. The fee shall be adjusted annually for any increase in the CPI.

Additionally, the Permittee shall pay on a monthly basis to the Department of Public Works a fee of 10 cents per ton of Solid Waste disposed of at the Landfill. The fee shall be adjusted annually for any increase in the CPI. This fee shall be used at the sole discretion of the Director of Public works for administration, implementation, and enhancement of illegal dumping prevention programs and disaster debris removal activities in County unincorporated areas, including providing waste disposal and collection service vouchers to assist residents in clean-up activities.

100. For the life of this grant or as otherwise provided in Condition No. 101 of this grant, the Permittee shall pay on a monthly basis to the Department of Public Works a fee for every ton of Solid Waste originating outside the Antelope Valley and disposed of at the Landfill during the preceding month, according to the following rates:

Disposal Quantity (Tons/Day)	Fee
0-499	$2.00 per ton
500-999	$4.00 per ton
1,000-1,499	$5.00 per ton
1,500-1,999	$6.00 per ton
2,000-3,000	$8.00 per ton

The fee shall be used to fund programs and activities that enhance Countywide disposal capacity, mitigate landfill gas impacts in the unincorporated County areas, promote development of Conversion Technology facilities that benefit the Antelope Valley and the County, and fund environmental, educational, and quality of life programs in the Antelope Valley.

The fee applicable for every ton of Solid Waste originating outside the Antelope Valley shall be determined using the above tiered-structured table and by dividing the total incoming waste from outside the Antelope Valley by the number of delivery days. For example, if the monthly total is 14,000 tons and number of delivery days is 20, then the average quantity is 700 TPD, and the fee is the sum of ($2 x 499) + ($4 x 201) = $1,802 x number of delivery days. The fee shall be adjusted annually for any increase in the CPI.

Twenty percent of each monthly payment shall be deposited by the Director of the Department of Public Works into an interest-bearing deferred Landfill Mitigation Program Account, created and maintained by the Department of Public Works, and shall be used by the Director of the Department of Public Works to fund programs and activities that enhance Countywide disposal capacity and mitigate landfill gas impacts in the unincorporated County areas.

The remaining 80 percent of the monthly payment shall be deposited into an interest-bearing deferred Alternative-to-Landfilling Technology Account, created and maintained by the Department of Public Works, and shall be used by the Director of the Department of Public Works to fund (1) research and activities that promote the development of Conversion Technology facilities that benefit the Antelope Valley and the County, and (2) environmental, educational, and quality of life programs in the Antelope Valley. Notwithstanding the foregoing, however, if the Permittee notifies the Director of the Department of Public Works that it will seek to develop a Conversion Technology Facility that meets the requirements of Condition No. 101 of this grant, then for as long as the Director of the Department of Public Works determines that the Permittee is actively and in good faith designing, constructing, and seeking the necessary permits to develop such a facility, but not to exceed 5 years from the effective date of this grant, the funds on deposit in the Alternative-to-Landfilling Technology Account may be used by the Director of the Department of Public Works to reimburse the Permittee for its reasonable permitting expenditures (such as planning, design, permitting, consultants, environmental document preparation) that are verified by the Department of Public Works as necessary and directly related to the permitting and development of a Conversion Technology Facility that meets the requirements of Condition No. 101 of this grant. The Director of the Department of Public Works' determination shall be final.

The Permittee shall submit its requests for reimbursement, with supporting documentation, by June 30 of each year, and the Department of Public Works shall verify the expenses and make reimbursement by October 1 of every year the Permittee is actively and in good faith designing, constructing, and seeking the necessary permits to develop a Conversion Technology Facility that meets the requirements of Condition No. 101 of this grant. In no event shall the period of reimbursement exceed 5 years nor shall the amount of the annual reimbursement exceed 80 percent of the payment made by the Permittee in the preceding year. At the end of 5 years or such earlier time that the Director of the Department of Public Works, in consultation with the Director of the Department, determines (1) based on the quarterly reports provided by the Permittee that the Permittee is not actively and in good faith planning, designing, constructing, and seeking the necessary permits to develop a Conversion

Technology Facility that meets the requirements of Condition No. 101 of this grant; (2) that a Conversion Technology Facility is not anticipated to be successfully developed in accordance with the requirements of Condition No. 101 of this grant; or (3) that the Permittee has not fully satisfied the requirements of Condition No. 101 of this grant, the reimbursements shall terminate.

In the event the Director of the Department of Public Works, in consultation with the Director of the Department, determines that the Permittee has fully satisfied the requirement of Condition No. 101 of this grant, the fee requirement of this Condition No. 100 shall thereafter terminate.

101. In the event the Permittee elects to construct and operate a commercial-scale Conversion Technology facility in the vicinity of the Facility or other location in the unincorporated County areas of the Antelope Valley as approved by the Director of the Department of Public Works, the Permittee may seek to provide the facility in lieu of paying the fee required by Condition No. 100 of this grant. "Construct and operate" shall mean fully funding and successfully completing the siting, design, permitting, and constructing a facility for the conversion of a minimum of 750 tons per day of Solid Waste into useful products, fuels, and/or energy through non-combustion thermal, chemical, or biological processes. The Permittee shall be responsible for obtaining all necessary permits and approvals required to construct and operate the facility. The facility must be fully permitted, operational, and capable of receiving at least 50 percent of the permitted daily tonnage on the 5th anniversary of the Effective Date and fully operational by the 6th anniversary of the Effective Date. The Permittee must provide access to the Department of Public Works and its independent consultant(s) to all areas of the facility during all phases of the development and must respond to information requests, including operating and performance data, from the Department of Public Works in a timely manner. The Permittee shall provide tours of the facility to the public at the request of Department of Public Works.

Upon the Effective Date of this grant, the Permittee shall submit to the Department of Public Works for review and comment quarterly reports, providing detailed status of the selection of the type of Conversion Technology and progress of the development. Within one year after the Effective Date, the Permittee must submit a proposal for the type, location, and preliminary design of the Conversion Technology facility for review and approval by the Director of the Department of Public Works in consultation with the Director of the Department. As part of the proposal, the Permittee shall submit a detailed project milestone schedule, including at a minimum, a scheduled completion date for permit approvals, financing, 30 percent, 60 percent, and 90 percent design levels,

construction completion, start-up, acceptance testing, and beginning of commercial operations. Within 6 months of receipt of the proposal, the Department of Public Works shall notify the Permittee of the findings of its review and determination as to whether a Conversion Technology Facility is or is not anticipated to be successfully developed in accordance with the requirement of this Condition No. 101.

When the Conversion Technology Facility is fully permitted, developed and in operation, the Permittee shall submit to the Director of the Department of Public Works for review and comment an annual report providing detailed status of the operation, permits, and regulatory compliance of the Conversion Technology facility, including quantities and origins of feedstock, quantities of output, design life, and performance efficiency. In this event the Director of the Department of Public Works, in consultation with the Director of the Department, shall make a determination that the Permittee has fully satisfied the requirement of Condition No. 101 of this grant, the fee requirement of Condition No. 100 shall thereafter terminate.

In the event that a Conversion Technology facility is not anticipated to be successfully developed by the 5th anniversary of the Effective Date, the Permittee may submit a request for a one-year time extension to the Director of the Department of Public Works, no later than 3 months prior to the 5th anniversary of the Effective Date. The extension may be granted at the sole discretion of the Director of the Department of Public Works, if the Permittee demonstrates, to the satisfaction of the Director of the Department of Public Works, that good faith efforts were made towards developing the facility, and shows that circumstances related to the facility's permitting process and other events outside of the Permittee's influence and control prevented the facility from being fully permitted and operational. Similarly, a one-year time extension may also be granted up to 2 additional times, at the request of the Permittee. Such additional requests shall each be received no later than 3 months prior to the anniversary of the Effective Date after the 6th and 7th years. The total duration of the time extension(s) shall not exceed 3 years.

Notwithstanding the preceding paragraphs, if the Permittee demonstrates, to the satisfaction of the Director of the Department of Public Works, that development of a Conversion Technology Facility is not feasible, the Permittee may submit for consideration an Alternative-to-Landfilling Technology proposal to divert post-recycled residual waste from landfill disposal. Any Alternative-to-Landfilling Technology proposal must be submitted within one year after the Effective Date, and may be accepted or rejected at the sole discretion of the Director of the Department of Public Works after reviewing the information provided by the Permittee demonstrating a Conversion Technology facility goal is not feasible.

102. By March 31 of each year, the Permittee shall pay to the County Department of Parks and Recreation an annual fee of 50 cents per ton of Solid Waste disposed of at the Landfill during the preceding calendar year. The fee shall be adjusted annually for any increase in the CPI. This annual payment shall be deposited into an interest bearing trust fund established to acquire and/or develop natural habitat and parkland within the County. Monies from this trust fund shall only be used for projects or programs that benefit the Antelope Valley. The Department of Parks and Recreation shall administer the trust fund, and all monies in the trust fund, including accrued interest, shall be spent by the Department of Parks and Recreation in a manner consistent with applicable Department of Parks and Recreation requirements and policies for the Antelope Valley region.

103. By March 31 of each year, the Permittee shall pay to the Department of Public Works an annual fee of 50 cents per ton of Solid Waste disposed of at the Landfill during the preceding calendar year. The fee shall be adjusted annually for any increase in the CPI. This annual payment shall be deposited by the Department of Public Works into an interest bearing trust fund established to provide funding for transportation improvements in the Antelope Valley. The Department of Public Works shall administer this trust fund, and all monies in the trust fund, including accrued interest, shall be spent by the Department of Public Works.

104. By January 10 of every other year, the Permittee shall pay to the Department a sum of $81,000 for the purpose of financing planning studies, including, but not limited to neighborhood planning studies for surrounding neighborhoods, as determined by the Director of the Department. The fee shall be adjusted annually for any increase in the CPI. The payments shall be held in an interest-bearing account. Payment for the first year is due within 90 days after the Effective Date.

105. By March 31 of each year, the Permittee shall pay to the Department a fee of $1.00 per ton of Solid Waste disposed of at the Landfill during the preceding calendar year. The payment shall be adjusted annually for any increase in the CPI. The payments shall be deposited by the Director of the Department into an interest-bearing community benefit and environmental education trust fund, created and maintained by the Director of the Department. This fund shall be used to fund environmental, educational, and quality of life programs in the Antelope Valley, and to fund regional public facilities that serve this area. All monies in the fund shall be spent by the Director of the Department.

106. The Permittee shall fund 4 collection events per year to be held by the Department of Public Works for the collection of household hazardous waste and Electronic Waste, including discarded computers. The cost of

each event shall be $100,000, adjusted annually for any increase in the CPI. The Permittee shall make annual payments for these events. The first payment is due within 90 days after the Effective Date, and the subsequent payments are due by March 31 of each year.

In lieu of paying for 2 of the 4 collection events per year, the Permittee may instead elect either of the following options. The Permittee may also elect both options in lieu of paying all 4 collection events.

a. Upon the Effective Date, extend the Antelope Valley Environmental Collection Center Agreement approved by the Board on March 30, 2004, and as may be subsequently amended.

b. Fully fund the siting, development, operation, and staffing of a new permanent environmental collection center at the Facility or other locations in the unincorporated areas of the Antelope Valley (substantially similar in design to the Antelope Valley Environmental Collection Center) for the collection of household hazardous/electronic waste. The Permittee shall be responsible for obtaining all necessary permits and approvals required to operate the center. The center, whose design and location must be approved by the Department of Public Works in consultation with other interested entities, including the Cities of Palmdale and Lancaster, must be open at least twice a month to all Antelope Valley residents. The operating hours shall be similar as that of the Antelope Valley Environmental Collection Center. Upon the center's opening, the Permittee shall implement an on-going comprehensive promotional campaign to reach all Antelope Valley residents. The campaign must be reviewed and approved by the Department of Public Works in consultation with other interested entities.

In the event the Permittee elects either or both of the above options, the Permittee shall notify the Department of Public Works of its decision. In addition, the Permittee shall submit a detailed project timeline (including, but not limited to, estimated project costs, etc.), to the Department of Public Works for review and approval. The Department of Public Works reserves the right to determine whether the Permittee has satisfied the requirements for payment deduction and when the deduction will commence, and if necessary, prorate the payments to meet the intent of this Condition No. 106.

107. Prior to the Effective Date, the Permittee shall:

a. Deposit the sum of $4,000 with the Department. The deposit shall be placed in a performance fund draw-down account, which shall be used exclusively to compensate the Department for all expenses incurred while inspecting the premises to determine the Permittee's compliance with the conditions of this grant, to review and verify any and all information contained in the required reports of this grant, and to undertake any other activity of the Department to ensure that the conditions of this grant are satisfied, including, but not limited to, carrying out the following activities: enforcement, permitting, inspections (amount charged per each inspection shall be $200.00, or the current recovery cost, whichever is greater), providing administrative support in the oversight and enforcement of these conditions, performing technical studies, and retaining the services of an independent consultant for any of the aforementioned purposes, or for routine monitoring of any and/or all of the conditions of this grant for a minimum of 5 years. Inspections shall be conducted biennially (once every other year) to ensure that any development undertaken on the subject property is in accordance with the approved Exhibit "A" on file. If the actual costs incurred pursuant to this Condition No. 107 (a) have reached 80 percent of the amount of the initial deposit ($3,200), and the Permittee has been so notified, the Permittee shall deposit supplemental funds to bring the balance up to the amount of the initial deposit ($4,000) within 10 business days of such notification. There is no limit to the number of supplemental deposits that may be required during the life of this grant. At the sole discretion of the Permittee, the Permittee may deposit an initial or supplemental amount that exceeds the minimum amounts required by this Condition No. 107 (a).

b. Deposit the sum of $25,000 in an interest-bearing trust fund with the Department of Public Works from which actual costs billed and not honored by the Permittee will be deducted for the purpose of defraying the expenses involved in the Department of Public Works' review and verification of any and all information contained in the required reports of this grant and the MMRP, and any other activity of the Department to ensure that the conditions of this grant are satisfied, including, but not limited to, carrying out the following activities: enforcement, permitting, inspections, coordination of mitigation monitoring, providing administrative support in the oversight and enforcement of these conditions, performing technical studies, and retaining the services of an independent consultant for any of the aforementioned purposes or for routine monitoring of any and/or all of the conditions of this grant for a minimum of 5 years. If the costs incurred pursuant to this Condition No. 107 (b) have reached 80 percent of the amount of the initial

deposit ($20,000), and the Permittee has been so notified, the Permittee shall deposit supplemental funds to bring the balance up to the amount of the initial deposit ($25,000) within 10 business days of such notification. There is no limit to the number of supplemental deposits that may be required during the life of this grant. At the sole discretion of the Permittee, the Permittee may deposit an initial or supplemental amount that exceeds the minimum amounts required by this Condition No. 107 (b).

c. The balance remaining including interest in the draw-down account as described in subsection (a) above and trust fund as described in subsection (b) above shall be returned to the Permittee upon the Director of Public Works' determination that the Landfill is no longer a threat to public health, safety, and the environment.

LEGISLATION

108. The Permittee shall support legislation and regulations that will promote the development of Conversion Technologies. The Permittee shall consult with the Department of Public Works to determine which legislation and regulations will promote the development of Conversion Technologies. Such legislation and regulations should, at a minimum:

a. Provide economic incentives for the development of Conversion Technologies;

b. Remove from the definition of transformation under Section 40201 of the California Public Resources Code any technologies and/or processes categorized as Conversion Technologies;

c. Provide full diversion credit for waste managed by these Conversion Technologies towards the State's waste reduction mandates; and/or

d. Remove any unnecessary regulatory hurdles that impede such development.

COMMUNITY INFORMATION/INQUIRIES

109. The Permittee shall maintain a hotline/emergency log at the Facility which shall record all complaints received regarding Landfill operations. The record of complaints shall include the date and time, nature of complaints, and actions taken to identify and mitigate the complaint. The Permittee shall at all times, 24 hours a day, 7 days a week, provide at least one emergency contact person, with sufficient expertise to assess the need for remedial action to promptly respond to complaints from the surrounding

neighborhood regarding dust, litter, odor, air quality, or other operational issues. The Permittee shall resolve all complaints to the satisfaction of the Director of the Department. The record shall be maintained for 3 years, made available upon request, and submitted as part of the annual report required pursuant to Part X of the IMP.

110. The Permittee shall post a sign at the entrance gate to the Facility providing the following information:

a. The telephone number to contact the Permittee on a 24-hour basis to register complaints regarding the Facility's operations. All complaints received shall be reported to the Director of the Department, and other agencies, as appropriate, on the same day but no later than 10 a.m. of the following business day. Said telephone number shall be published in the local telephone directory;

b. The telephone number of the DPH and the hours that the DPH office is staffed; and

c. The telephone number of AVAQMD's enforcement offices and the hours that the AVAQMD offices are staffed.

111. The Permittee shall prepare and distribute to all interested persons and parties, as shown on the interested parties list used by the Department for this matter, and to any other person requesting to be added to the list, a quarterly newsletter providing the Facility's website and its 24-hour emergency telephone numbers, and also providing the following information for the quarter: (1) "What is New" at the Facility; (2) the regulatory and permitting activities at the Facility; (3) the hotline/emergency log for the period; and (4) a summary of any and all progress reports and/or annual reports required by this grant. The newsletter shall be posted on the Facility's website and distributed to at least one local library. In addition, the Permittee shall notify the Community Advisory Committee, as described in Part IX of the IMP, the Association of Rural Town Councils (ARTC), and any other interested community group in the immediate vicinity of the Facility, of any significant operational change at the Facility.

112. Within 180 days after the Effective Date, the Permittee shall update its website to provide general information to the community regarding the Facility's recycling activities/programs, environmental mitigation measures, frequently asked questions, a description of the Facility's operation, which may include video, a complaint resolution mechanism, recent Notices of Violation and how they were resolved, and any other

pertinent information requested by the Department of Public Works for the life of this grant.

113. The Permittee shall conduct a 'Free Dump Day' twice a year at the Facility to encourage unincorporated County residents to properly dispose of waste they generate within their property. The Permittee shall accept all wastes delivered to the site with proof of residency during this campaign free of charge, up to 1 ton per residence, and promote the program in a newspaper of general circulation. Any adjustments to this program shall be made by mutual agreement between the Permittee and the Department of Public Works.

CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS REGARDING THE FINAL SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT FOR THE LANCASTER LANDFILL AND RECYCLING CENTER PROJECT

COUNTY PROJECT NO. 03-170-(5)
CONDITIONAL USE PERMIT NO. 03-170
STATE CLEARINGHOUSE NO. 1993101036

COUNTY OF LOS ANGELES
DEPARTMENT OF REGIONAL PLANNING
320 WEST TEMPLE STREET
LOS ANGELES, CALIFORNIA 90012

DECEMBER 2011

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SECTION 1.0 INTRODUCTION

The County of Los Angeles (County) Regional Planning Commission (Commission) hereby certifies and finds that the Lancaster Landfill and Recycling Center (LLRC) Project (Project) Supplemental Environmental Impact Report (SEIR), State Clearinghouse No. 1993101036, has been completed in accordance with the California Environmental Quality Act (CEQA) (Public Resources Code Sections 21000, et seq.) and the State CEQA Guidelines (CEQA Guidelines) (14 California Code of Regulations Sections 15000, et seq.). The Project SEIR consists of: (1) Volume 1, which includes the Responses to Comments and the Mitigation Monitoring and Reporting Program (MMRP); (2) Volume 2 (Draft SEIR and Amendment to the Draft SEIR as revised and showing revisions/clarifications in redline/strike-out format; and (3) Volume 3 (Appendices as previously made available for public review and comment as part of the Draft SEIR and Amendment to the Draft SEIR). All three volumes make up the Final SEIR.

The Commission hereby further certifies that it received, reviewed and considered the information contained in the following: (i) the Final SEIR; (ii) the application for Conditional Use Permit No. 03-170; and (iii) all hearings, and submissions of testimony from County officials and departments, the Applicant, the public, other public agencies, community groups, and organizations. Concurrently with the adoption of these findings, the Commission adopts an MMRP, provided as Attachment A.

Having received, reviewed, and considered the foregoing information, as well as any and all information in the administrative record and the record of proceedings, the Commission hereby makes the following findings before approving the Project pursuant to, and in accordance with, CEQA Section 21081 and CEQA Guidelines Sections 15091: (1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects identified in the Final SEIR (e.g. GHG emissions), or (2) specific economic, legal, social, technological or other considerations make infeasible the mitigation measures or project alternatives identified in the Final SEIR, and (3) with respect to the significant effects which were subject to the finding in No. 2 above, the Commission finds that specific overriding economic, legal, social, technological, or other benefits of the project outweigh the significant effects on the environment. These findings are set forth in detail below.

1.1. PROJECT BACKGROUND

1.1.1 PROJECT DESCRIPTION

The Conditional Use Permit (CUP) for the LLRC approved on May 13, 1998 by the County of Los Angeles for the subject property allows the current use of the site as a municipal solid waste (MSW) landfill. Under the approved Solid Waste Facilities Permit (SWFP) and CUP (May 13, 1998), the LLRC is currently permitted to accept 1,700 tons per day (tpd) of MSW for disposal. In accordance with the existing SWFP (19-AA-0050, p. 6), the maximum daily tonnage does not include clean dirt for cover or slope fill or waste processed and put to beneficial use on the landfill or separated or otherwise diverted from the waste stream and exported from the landfill for recycling purposes. An estimated 1,600 tpd of soil, green/wood waste, and recyclable and beneficial use materials are also currently accepted at the LLRC. The LLRC may also accept up to 10 tpd of non-hazardous sludge and other non-hazardous materials, including non-friable asbestos-containing waste, non-hazardous contaminated soils, wood waste, agricultural waste, and other bulky items (i.e., "white goods"). Only non-hazardous waste is accepted at the LLRC. The permitted disposal area within the LLRC encompasses 209 acres. The maximum approved elevation of the LLRC is 2,400 feet above mean sea level (amsl). Operating hours of the LLRC extend from 5:00 a.m. to 10:00 p.m. Monday through Saturday.

As of April 25, 2011, the date of the latest flyover, the LLRC has an estimated remaining air space capacity of approximately 15,126,270 cubic yards. Based on current disposal rates at the landfill of 1,700 tons per day (tpd) maximum, it is estimated that the landfill will reach its current permitted capacity in approximately 24 years or 2035 (assuming 310 operating days per year). However, the existing CUP No. 93-070 expires by its terms on August 1, 2012, after which time the LLRC would no longer be permitted to operate without the processing and approval of a new CUP to continue landfill operations at the site.

The Project involves a CUP to allow continued operation of the LLRC and an increase in the allowable daily volume of MSW for disposal from 1,700 tpd that is permitted under CUP No. 93-070 to 3,000 tpd. An estimated 1,600 tpd of soil, green/wood waste, and recyclable and beneficial use materials are also currently accepted at the LLRC. As part of the Project, the LLRC would receive and process up to 500 tpd of additional green/wood waste at the landfill. The Project does not include a horizontal expansion of the permitted landfill footprint and would result in a reduction in the expected life of the facility as it would allow for an increase in the allowable daily tonnage. The existing CUP requires closure of operations at the earlier of reaching physical capacity or August 1, 2012. Depending on disposal rates, Project implementation (e.g., acceptance of 3,000 tpd) is anticipated to result in a closure date of approximately 2021 because the maximum permitted elevation would be reached sooner. If up to 1,700 tpd were continued to be accepted, the closure date would be approximately 2035. In addition to the CUP, the SWFP will be revised to reflect the proposed increase in daily refuse intake at the LLRC.

1.1.2 PROJECT LOCATION

The LLRC is located in the Antelope Valley, south of the Kern County boundary in unincorporated Los Angeles County. The LLRC property is located approximately two miles northeast of the City of Lancaster on property bounded by Division Street on the west, Avenue F on the north and Avenue G on the south; 10th Street East divides the Eastern Area from the remainder of the landfill property. The site address is 600 East Avenue F, Lancaster, California 93535. The LLRC property encompasses approximately 276 acres and occupies the northeast ¼ of Section 35 and the north ½ of the northwest ¼ of Section 36 and the south 30 acres of the northwest ¼ of the northeast ¼ of Section 36, Township 8 North, Range 12 West, San Bernardino Meridian.

The LLRC is composed of the following components: the current active landfill area (102 acres); the Western Area (62 acres), the Eastern Area (112 acres). The existing (i.e., current) landfill area includes a 78-acre refuse area, a 20-acre ancillary facilities area, and four acres of buffer. Of the 62-acre Western Area, refuse fill will be placed within 50 acres. The Eastern Area includes 81 acres within the waste footprint for that area. The waste footprints in the three landfill areas comprise a total of 209 acres of the 276-acre LLRC landfill property. Waste transported to the LLRC under the Project will be placed only over the lined areas of the landfill.

The LLRC site is located in a generally rural area within unincorporated Los Angeles County. Existing land uses within a three-mile radius of the Project site include open space, scattered single-family residences, Piute Ponds and Edwards Air Force Base to the north and northeast. Land uses to the northwest and west include open space, scattered single-family residential development along Avenue G, a few mobile homes, sewage disposal ponds, duck ponds, Sierra Highway, and the Southern Pacific Railroad. Open space, light industrial/commercial, a radio tower, mobile home parks, residential tract homes, and the District Fairgrounds are located within a three mile radius to the south of the site. Land uses to the east include open space and a limited number of single-family residential dwelling units. No agricultural lands are located adjacent to the LLRC.

The Project site is designated Non-Urban (R) under the Los Angeles County General Plan (General Plan). The Project is consistent with the intent and policies of the General Plan, because the Project provides a necessary service for the local and surrounding community's needs. The General Plan, including the Water and Waste Management Element, sets forth goals and policies for solid waste disposal facilities. The General Plan provides that the Commission be guided by the expertise of the Los Angeles County Departments of Public Works and Health Services, the California Regional Water Quality Control Board (RWQCB), and the South Coast Air Quality Management District (SCAQMD) in determining appropriate siting and operation of a solid waste disposal facility.

1.1.3 PROJECT OBJECTIVES

EIR SCH No. 1993101036 listed several general objectives of the County of Los Angeles for solid waste management; however, those objectives were superseded by the objectives set forth in the June 1997 Los Angeles County Countywide Siting Element (CSE), which are identified below.

- To protect the health, welfare, and safety of all citizens by addressing the disposal need of the 88 cities and County unincorporated communities in Los Angeles County during the 15-year planning period through development of environmentally safe and technically feasible disposal facilities for solid waste which cannot be reduced, recycled, or composed.

  This goal incorporates policies to:

  - Enhance in-County disposal capacity
  - Facilitate utilization of out-of-County/remote disposal sites

- To foster the development of transformation and other innovative solid waste disposal technologies as alternatives to land disposal.

- To protect the economic well-being of Los Angeles County by ensuring that the cities and the County unincorporated communities are served by an efficient and economical public/private solid waste disposal system.

- To provide siting criteria that considers and provides for the environmentally safe and technically feasible development of solid waste disposal facilities.

- To reduce the volume (tonnage) of solid waste requiring land disposal or transformation by continuing to implement and expand source reduction, recycling, composting, and public education programs.

- To conserve Class III landfill capacity through diversion of inert waste, disposal of inert waste at unclassified landfills, increased waste disposal compaction rate, and the use of green waste and other appropriate materials for landfill daily cover.

- To promote and encourage waste diversion activities at disposal facilities.

- To promote adequate markets for recycled materials and compose products.

The objectives of the prior landfill expansion addressed the need to provide additional landfill capacity for the County with a minimal amount of environmental impact (e.g., increase landfill capacity in the County without producing groundwater quality impacts caused by landfill leachate, etc.). The objectives for the Project identified below are intended to supplement those objectives and include:

- Authorize daily refuse handling capacity at an existing in-county landfill to accommodate future projected population growth and waste load shifting within Los Angeles County.

- Provide a regional resource within the Antelope Valley area that is available for both local and County waste disposal for at least 15 years.

- Decrease the amount of dependence on out-of-county waste disposal and long-haul options of waste by increasing in-county disposal options, and thereby avoiding adverse regional air quality and traffic impacts.

- Minimize the impacts of solid waste disposal through a well-engineered and environmentally sound operation.

- Dispose of refuse in an existing landfill and relatively isolated area thus efficiently utilizing land space.

1.1.4 DISCRETIONARY APPROVALS

The Project requires the following discretionary approvals by the County to be implemented:

- Conditional Use Permit issued by the Regional Planning Commission of Los Angeles County.

- Revision to Solid Waste Facilities Permit No. 19-AA-0050, issued by the Los Angeles County Department of Health Services/LEA with concurrence from the California Department of Resources Recycling and Recovery (CalRecycle).

Additional approvals from other agencies include revised Waste Discharge Requirements (WDRs) from the Regional Water Quality Control Board, and issuance of permits to construct and permits to operate from the Antelope Valley Air Quality Management District (AVAQMD).

1.2 ENVIRONMENTAL REVIEW PROCESS

CEQA requires state and local government agencies, including lead, responsible, and trustee agencies, to consider the potentially significant adverse environmental effects of projects over which they have discretionary approval authority before taking action to approve those projects. The disposal operations permitted under CUP No. 93-070 at the LLRC were evaluated in the 1997 Final EIR (SCH No. 1993101036) that was certified by the County in 1998. The 1997 Final EIR evaluated the potential impacts of the LLRC expansion, which included expanding the landfill footprint from 102 acres to include 209 acres. When the expansion was approved in 1998; the maximum elevation of the landfill was also established at 2,400 feet amsl.

In 2000, the County Department of Health Services, acting as the local enforcement agency (LEA) and lead agency for the Solid Waste Facility Permit (SWFP), prepared and adopted an Addendum to the certified 1997 Final EIR before issuing the revised SWFP. The Addendum confirmed that the additional traffic trips associated with reuse and recycling activities at the LLRC did not result in any new significant adverse impacts, or a substantial increase in the severity of a previously identified significant adverse impact, that would have triggered preparation of a supplemental or subsequent environmental impact report pursuant to Sections 15162 and 15163 of the CEQA Guidelines. The traffic study prepared for the EIR had considered trips associated only with 1,700 tpd of MSW for disposal. The SWFP, unlike the CUP, did not count material diverted from the solid waste stream as counting towards the 1,700 tpd limit, which meant that there were additional trips to the LLRC that were not originally accounted for in the EIR.

An update to the traffic study included in the EIR was prepared and included as part of the Addendum. The update focused on the net incremental number of truck trips that would be generated by expanded on-site recycling activities at the site. The updated study concluded there would not be a new or increased significant impact to the levels of service (LOS) on adjacent roadways from the revision of the project to include the additional 43 truck trips associated with recycling and diversion operations. (Addendum, p. 3; see also Linscott Law & Greenspan Engineers memo, June 20, 2000, pp.1-7 attached to Addendum (analyzing increased truck trips from recycling operations on same 13 intersections and 12 roadway segments analyzed in the 1997 Draft EIR)). The updated traffic study also found a less than significant impact to pavement after mitigation (e.g., payment of fair share fees for road improvements) from the revision to the SWFP, which excluded the truck trips associated with recycling activities from the 1,700 tpd of msw limit. (Addendum, pp.1-4; see also Linscott Law & Greenspan Engineers memo, June 20, 2000, p. 6]) Therefore, the LEA determined that an Addendum was the appropriate environmental document for the revised SWFP approval because the changes and additions to the project as originally analyzed in the 1997 EIR for the CUP (e.g. 43 additional truck trips per day for recycling operations), were not substantial and did not result in any new or increased significant adverse impacts.

1.2.1 OVERVIEW OF THE PROJECT'S CEQA PROCESS

In accordance with CEQA Guidelines Section 15063, the County prepared an Initial Study (dated July 16, 2003) for the Project and, based on that Initial Study, the County determined that a Supplemental Environmental Impact Report was required in accordance with Public Resources Code Section 21166 and CEQA Guidelines Sections 15162(a) and 15163 because changes were proposed to the project that was originally analyzed in the 1997 EIR that would result in impacts that are new or increased in severity, but only minor changes or additions were necessary to make the previous EIR adequately apply to the

Project. (See *Sierra Club v. City of Orange* (2008) 163 Cal.App.4th 523, 541 (upholding a supplemental EIR's traffic analysis that addressed only substantial changes from the previously approved, but not yet built out, project).)

On May 28, 2004, in accordance with CEQA Guidelines Section 15082, the County distributed a Notice of Preparation ("NOP") to the State Clearinghouse, responsible agencies, and other interested parties to solicit comments on the proposed content of the Draft SEIR. The NOP was circulated for a 30-day comment period which ended June 28, 2004. The NOP (including the Initial Study) and comment letters received by the County are contained in Volume 3 (Appendix A) of the Final SEIR. All comments received on the NOP/Initial Study for the Project were reviewed and considered and, where appropriate, incorporated into the scope of the Draft SEIR.

The Draft SEIR evaluated the following potentially significant environmental impacts of the Project: Traffic and Circulation; Air Quality; Noise; and Water Quality/Water Demand. The Draft SEIR analyzed the potentially significant adverse direct project related, and indirect cumulative, effects of the Project on these topics and identified a variety of mitigation measures to minimize, reduce, avoid, or compensate for the potential adverse effects of the Project. The Draft SEIR also analyzed potentially feasible alternatives to the Project, including: (1) No Project (Existing Landfill Operations) and No Project (Closure of the Landfill); (2) Smaller Increase in Daily Permitted Capacity (2,350 tpd); and (3) Increase Daily Maximum Capacity at Antelope Valley Landfill. Potential environmental impacts of each of these alternatives were discussed at the CEQA-prescribed level of detail and comparisons were made to the proposed Project.

After conducting its own internal departmental review and analysis of the Project through the screencheck process, the Draft SEIR was submitted to the State Clearinghouse/Governor's Office of Planning and Research, and was circulated for a 45-day public review period extending from December 29, 2006, through February 14, 2007. The Notice of Public Hearing and Notice of Completion and Availability of the Draft SEIR was published in the *Antelope Valley Press* and *La Opinión* newspapers on December 22, 2006, and a public hearing notice was sent to property owners within a 1,000-foot radius of the Project site and to known interested individuals and organizations on January 4, 2007. Copies of the Draft SEIR were made available at the Los Angeles County Department of Regional Planning and at the Lancaster, Quartz Hill, and Littlerock Public Libraries.

The Commission held a public hearing and took public testimony on February 24, 2007 at the Lancaster Public Library, located at 601 West Lancaster Boulevard, Lancaster, CA 93534. Additional hearings were held in downtown Los Angeles on November 14, 2007, January 16, 2008, and March 19, 2008, when the matter was taken off calendar.

After circulation of the Draft SEIR in 2006, the issue of global climate change gained prominence. The adoption in 2006 of Assembly Bill 32, the California Global Warming Solutions Act, and the adoption of a companion bill in 2007 (Senate Bill 97) that required amendments to CEQA to specifically establish that greenhouse gas emissions and their impacts were appropriately the subject of CEQA analysis, confirmed that EIRs were required to include analysis of climate change impacts. Therefore, in 2008, an Amendment to the LLRC Draft SEIR was prepared that considered the contribution of the Project to greenhouse gas (GHG) emissions and the Project's potential impacts on global climate change. The Amendment to the Draft SEIR was circulated for a 45-day public review period that extended from December 22, 2008, through February 4, 2009.

On September 17, 2011, the Project was re-advertised in the *Antelope Valley Press* and *La Opinión* newspapers for a public hearing before the Commission on October 19, 2011. The public hearing notice was also sent to property owners within a 1,000-foot radius of the Project site, Lancaster zoned district courtesy list, all persons who testified at the February 24, 2007 public hearing, and known interested individuals and organizations. That hearing was continued to December 14, 2011.

In October 2011, several of the sections of the Draft SEIR prepared for Project were revised, including, clarifications to the: (i) Project Description regarding the existing onsite facilities and uses; (ii) Water Quality/Water Demand regarding the impacts of groundwater usage and the on-going groundwater adjudication proceedings of the Antelope Valley Groundwater Basin; (iii) Project Alternatives regarding the reasonably foreseeable effects that would occur if the LLRC were forced to close under a variation of the

No Project Alternative; and (iv) Air Quality regarding cumulative impacts analysis relating to the approved but not yet operational Reclaimable Anaerobic Composter (RAC) project. The RAC was approved by the Local Enforcement Agency (LEA) (i.e. the Los Angeles County Department of Public Health) with concurrence from the CalRecycle, pursuant to 14 CCR 17862(b) as a research and development (R&D) composting facility on November 6, 2009.

The clarifications made to the Draft SEIR and Amendment to the Draft SEIR are shown in redline/strikeout format in Volume 2 of the Final SEIR. Rather than include a "Clarifications and Corrections" section of the Final SEIR, which is typical under CEQA, the County elected to reproduce the SEIR so that the reader and decisionmakers will be provided context and ease of review when considering the additional information, revisions, and clarifications. The additional information and revisions do not rise to the level of "significant new information" requiring recirculation under CEQA (Pub. Resources Code, § 21000 et seq.). Recirculation is required under CEQA only when significant new information added to an EIR results in a disclosure showing, in relevant part, that:

- A new significant environmental impact resulting from the project or from a new mitigation measure proposed to be implemented;
- A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance; or
- A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project, but the project's proponents decline to adopt it.

(See Pub. Resources Code, § 21092.1; CEQA Guidelines, § 15088.5; *Laurel Heights Improvement Association v. Regents of the University of California* (1993) 6 Cal. 4th 1112, 1130 (*Laurel Heights II*).)

Recirculation is not required where the new information added to an EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR. The above standard is "not intend[ed] to promote endless rounds of revision and recirculation of EIRs." (*Laurel Heights Improvement Assn. v. Regents of the University of California* (1993) 6 Cal. 4th 1112, 1132.) The decision not to recirculate an EIR must be supported by substantial evidence in the administrative record.

The Commission recognizes that the Final SEIR incorporates information included in the SEIR since the Draft SEIR and Amendment to the Draft SEIR were completed, and, therefore, contains additions, clarifications, modifications, and other changes. Where changes have been made, these changes do not change the significance of any conclusions presented in the Draft SEIR or in the Amendment to the Draft SEIR.

Notably, CEQA case law emphasizes that "'[t]he CEQA reporting process is not designed to freeze the ultimate proposal in the precise mold of the initial project; indeed, new and unforeseen insights may emerge during investigation, evoking revision of the original proposal.'" (*Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 736-737; see also *River Valley Preservation Project v. Metropolitan Transit Development Bd.* (1995) 37 Cal.App.4th 154, 168, fn. 11.) Thus, none of these changes involves "significant new information" triggering recirculation because the changes did not result in any new significant environmental effects; any substantial increase in the severity of any previously identified significant effects, or otherwise trigger recirculation. Instead, the modifications were either environmentally benign or environmentally neutral, and thus represent the kinds of changes that commonly occur as the environmental review process works towards its conclusion.

The October 2011 Final SEIR, which contains written responses to comments received during the noticed comment period, was completed and submitted to the State Clearinghouse/Governor's Office of Planning and Research, and distributed on October 7, 2011. Distribution of the Final SEIR entailed providing copies of the Final SEIR to public agencies and organizations that commented on the Draft SEIR, and notifying individuals who commented on the Draft SEIR of the Final SEIR availability. The Final SEIR was made available to the public on the County's website, at the Los Angeles County Department of Regional Planning, and at three public libraries located in the vicinity of the Project area. The Final SEIR was

prepared and distributed in accordance with CEQA Guidelines Section 15088, which requires that written responses be provided at least 10 days prior to certifying an environmental impact report.

The Final SEIR has been prepared by the County in accordance with CEQA, as amended, State CEQA Guidelines, and County Environmental Document Reporting Procedures and Guidelines for the implementation of CEQA. More specifically, the County has relied on Section 15084(d)(3) of the State CEQA Guidelines, which allows acceptance of drafts prepared by the applicant, a consultant retained by the applicant, or any other person. The Department of Regional Planning, acting for the County, has reviewed and edited as necessary the submitted drafts to reflect its own independent judgment, including reliance on County technical personnel from other departments.

On December 14, 2011, the Commission conducted a duly noticed public hearing on the Project. After closing the public hearing, the Commission made environmental findings, certified the Final SEIR, and approved the CUP.

1.3 FINDINGS REQUIRED TO BE MADE BY LEAD AGENCY UNDER CEQA

Section 21081 of the California Public Resources Code and Section 15091 of the CEQA Guidelines require a public agency, prior to approving a Project, to identify significant impacts of the Project and make one or more of three possible findings for each of the significant impacts. The possible findings are:

(1) *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.*

(2) *Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.*

(3) *Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.*

The findings reported in the following pages incorporate the facts and discussions of the environmental impacts that are found to be significant in the Final SEIR for the Project as fully set forth therein. For all of the impacts, one or more of the findings above have been made. Whenever Finding "3" was made, the County has determined that there will be, even after mitigation, an unavoidable significant level of impact due to the Project, and sufficient mitigation is not feasible to reduce the impact to a less than significant level. Such impacts are always specifically identified in the supporting discussions. The Statement of Overriding Considerations applies to all such unavoidable significant impacts, as required by CEQA Guidelines Sections 15092 and 15093.

Section 2 of these findings discusses the potential environmental effects of the Project that are not significant or that have been mitigated to a less than significant level. Section 3 discusses the significant unavoidable environmental effects of the Project, which cannot be feasibly mitigated to a less than significant level. Section 4 discusses the growth-inducing impacts of the Project. Section 5 discusses the alternatives to the Project discussed in the Final SEIR. Section 6 discusses the MMRP for the Project. Section 7 contains the Statement of Overriding Considerations. Section 8 identifies the location and custodian of the documents constituting the record of the proceedings. Sections 9 and 10 reflect compliance with CEQA Guidelines section 15084(d)(3) and Public Resources Code section 21082.1 respectively. Section 11 summarizes the nature of the findings. Section 12 reiterates that the findings are based on the entirety of the record of proceedings. The findings set forth in each section are supported by substantial evidence in the administrative record of the Project.

SECTION 2.0 POTENTIAL ENVIRONMENTAL IMPACTS THAT ARE NOT SIGNIFICANT OR THAT HAVE BEEN MITIGATED TO A LESS THAN SIGNIFICANT LEVEL

All mitigation measures in the Final SEIR, as set forth in the MMRP (and provided as Attachment A) have been incorporated by reference into the conditions of approval for the CUP. In addition, the conditions of approval for the CUP further mitigate the potential effects of the Project.

The Commission has determined, based on the Final SEIR and 1997 EIR, that the following impacts will remain less than significant as explained below with respect to: geotechnical, flood hazard, fire hazard, biota, cultural and paleontological resources, mineral resources, agricultural resources, visual qualities, education, fire/sheriff, utilities, environmental safety, land use and population and housing. The Commission has further determined, based on the Final SEIR, that the mitigation measures and conditions of approval will reduce the Project's incremental contributions to the above resources to less than significant levels.

2.1 Geotechnical

Environmental Impacts: The 1997 Final EIR prepared for the expansion of the Lancaster Landfill and Recycling Center (County Case No. 93070) evaluated potential geotechnical impacts associated with the expansion of the LLRC. The initial study for the Project concluded that project implementation would not result in significant impacts to soils and geology. No changes to the LLRC are proposed that would result in new or more significant geotechnical impacts than those previously identified in the prior EIR. Nonetheless, the LLRC will be subject to the same mitigation measures prescribed for the prior expansion.

Mitigation: All mitigation measures prescribed in the EIR (§ 5.1.4 Geotechnical), which was certified by the County of Los Angeles on May 13, 1998, for the Lancaster Landfill and Recycling Facility (County Case No. 93070; State Clearinghouse No. 1993101036) ("1997 EIR") are incorporated herein by this reference and are applicable to this Project. These measures shall continue to be implemented to the satisfaction of the County unless such measures have already been fulfilled or are in conflict with more stringent provisions set forth in the California Code of Regulations, applicable state statutes, or other governing documents, in which case, the more stringent provisions shall control. These mitigation measures, which are summarized and/or excerpted below, include, but are not limited to, the measures listed in the 1997 EIR and Mitigation Monitoring Program adopted on May 13, 1998 ("1998 MMP"), which is attached hereto as Exhibit A to Attachment A and incorporated herein by this reference. In the event of any inconsistencies, the measures set forth in the 1997 EIR and 1998 MMP shall control.

- Prepare Earthquake Preparedness Plan as part of Emergency Response Plan.
- Design interim slopes not to exceed a gradient of 1.5:1.
- Develop landfill in phases to limit acreage disturbed during each phase.
- Construct peripheral drainage channels around the EEA to route drainage around the refuse prism.
- Continue implementation of dust control program to minimize wind erosion at the site.

Level of Significance After Mitigation: With continued implementation of the above mitigation measures, the potential geotechnical impacts anticipated for the Project will be reduced to a less than significant level.

Finding: Changes or alterations to the Project, which have been incorporated into the Project, will reduce to a less than significant level or avoid the potentially significant environmental effects resulting from project implementation.

Facts Supporting the Finding

All potentially significant impacts relative to geotechnical hazards would be less than significant with implementation of the mitigation measures referenced above. Because the Project does not include a horizontal expansion of the permitted landfill footprint, no new impacts from those previously identified and considered in the 1997 EIR will occur.

Flooding Hazard

Environmental Impacts: The 1997 Final EIR prepared for the expansion of the Lancaster Landfill and Recycling Center (County Case No. 93070) evaluated potential flooding impacts associated with the expansion of the LLRC. The initial study for the Project concluded that project implementation would not result in significant flooding impacts. No changes to the LLRC are proposed that would result in new or more significant flooding impacts than those previously identified in the prior EIR. Nonetheless, the LLRC will be subject to the same mitigation measures prescribed for the prior expansion.

Mitigation: All mitigation measures prescribed in the 1997 EIR (Section 5.2.4 Flood Hazard) are incorporated herein by this reference and are applicable to this Project. These measures shall continue to be implemented to the satisfaction of the County unless such measures have already been fulfilled or are in conflict with more stringent provisions set forth in the California Code of Regulations, applicable state statutes, or other governing documents, in which case, the more stringent provisions shall control. These mitigation measures, which are summarized and/or excerpted below, include, but are not limited to, the measures listed in the 1997 EIR and 1998 MMP, which is attached hereto as Exhibit A to Attachment A and incorporated herein by this reference. In the event of any inconsistencies, the measures set forth in the 1997 EIR and 1998 MMP shall control.

- In phases, construct diversion ditch around expansion area. Construct temporary ditches around each phase. Collect runoff in sedimentation ponds.
- Periodic inspections of surface drainage facilities, vegetated soil cover areas, intermediate fill surfaces and on-site access roads. Daily inspections during periods of high-intensity rainfall.
- Seal cracks caused by settlement in intermediate and final cover resulting from heavy rainfall.
- Design and construct earth-berms and channels to direct runoff away from site.
- Implement phasing plan to promote sheet flow to sedimentation basin for percolation and dust control.
- Implement Phase II drainage plan to promote sheet flow to the northwesterly detention basin. Implement Phase III drainage plan to direct flow to outer perimeter channel.
- In EEA, implement grading plan to direct flow to adjacent excavated cell and southerly channel. Pump water from excavated cells to designated sedimentation basins.
- Dedicate a 100-foot wide drainage easement along the east side of future 5th Street East for construction of a flood channel proposed in the Antelope Valley Flood Control and Water Conservation Plan.

Level of Significance After Mitigation: With continued implementation of the above mitigation measures, the potential flood hazard impacts anticipated for the Project will be reduced to a less than significant level.

Finding: Changes or alterations to the Project, which have been incorporated into the Project, will reduce to a less than significant level or avoid the potentially significant environmental effects resulting from project implementation.

Facts Supporting the Finding

All potentially significant impacts relative to flood hazard would be less than significant with implementation of the mitigation measures referenced above. Because the Project does not include a horizontal expansion of the permitted landfill footprint, no new impacts from those previously identified and considered in the 1997 EIR will occur.

Fire Hazard

Environmental Impacts: The 1997 Final EIR prepared for the expansion of the Lancaster Landfill and Recycling Center (County Case No. 93070) evaluated potential fire hazard impacts associated with the expansion of the LLRC. The initial study for the Project concluded that project implementation would not result in significant fire hazard impacts. No changes to the LLRC are proposed that would result in new or more significant fire hazard impacts than those previously identified in the prior EIR. Nonetheless, the LLRC will be subject to the same mitigation measures prescribed for the prior expansion.

Mitigation: All mitigation measures prescribed in the 1997 EIR (Section 5.3.4 Fire Hazard) are incorporated herein by this reference and are applicable to this Project. These measures shall continue to be implemented to the satisfaction of the County unless such measures have already been fulfilled or are in conflict with more stringent provisions set forth in the California Code of Regulations, applicable state statutes, or other governing documents, in which case, the more stringent provisions shall control. These mitigation measures, which are summarized and/or excerpted below, include, but are not limited to, the measures listed in the 1997 EIR and 1998 MMP, which is attached hereto as Exhibit A to Attachment A and incorporated herein by this reference. In the event of any inconsistencies, the measures as set forth in the 1997 EIR and 1998 MMP shall control.

- Implement measures described in Spill Countermeasure and Control Plan and Emergency Management Plan (required by State in CCR, Title 27) as listed on Pages 5.3-4 and 5.3-5 of 1997 Draft EIR.

- Maintain 100-foot wide buffer zone at the perimeter of the expansion area, use water tanker truck and construct fire breaks if needed in the event of fire. (1997 EIR, pp. 5.3-4 thru 5.3-5.)

- Implement procedures required by LA County Fire Department Prevention Regulation No. 10 to ensure adequate access and provision and maintenance of facilities. (1997 EIR, p. 5.3-5 thru -6.)

- Train operations personnel annually in fire prevention, fire extinguisher use and emergency response procedures. (1997 EIR, p. 5.3-3.)

- Remove debris and dust from undercarriages and engine compartments and check for oil and fuel leaks of landfill equipment and vehicles. (1997 EIR, p. 5.3-3.)

- Provide fire extinguishers on all landfill equipment and in the entrance and maintenance facilities. (1997 EIR, p. 5.3-3.)

Level of Significance After Mitigation: With continued implementation of the above mitigation measures, the potential fire hazard impacts anticipated for the Project will be reduced to a less than significant level.

Finding: Changes or alterations to the Project, which have been incorporated into the Project, will reduce to a less than significant level or avoid the potentially significant environmental effects resulting from project implementation.

Facts Supporting the Finding
All potentially significant impacts relative to fire hazards would be less than significant with continued implementation of the mitigation measures referenced above. Because the Project does not include a change in ongoing recycling and other ancillary operations, or horizontal expansion of the permitted landfill footprint, no new impacts from those previously identified and considered in the 1997 EIR will occur.

Noise

Environmental Impacts:

Short-Term Construction Related Impacts:
As discussed in Section 4.3 of the Draft SEIR, the 1997 Final EIR analyzed the noise impacts of the construction and traffic associated with the expansion. The Project will not result in any new significant short-term (i.e., construction-related) impacts because there are no new planned construction activities associated with the Project (e.g., no lateral expansion of the previously permitted landfill footprint).

Finding: Changes or alterations to the Project, which have been incorporated into the Project, will reduce to a less than significant level or avoid the potentially significant environmental effects resulting from project implementation.

Facts Supporting the Finding
All potentially significant impacts relative to short term noise generated by landfill related activities would be less than significant with continued implementation of the mitigation measures previously adopted for the site. Because the Project does not include a horizontal expansion of the permitted landfill footprint, no new impacts from those previously identified and considered in the 1997 EIR will occur.

Long-Term Operational Impacts:
Project-related noise impacts will derive from on-road traffic, as well as from on-site landfill operations. In addition, on-site landfill equipment will also result in noise impacts.

Mitigation: All mitigation measures prescribed in the 1997 EIR (Section 5.4.4 Noise) are incorporated herein by this reference and are applicable to this Project. These measures shall continue to be implemented to the satisfaction of the County unless such measures have already been fulfilled or are in conflict with more stringent provisions set forth in the California Code of Regulations, applicable state statutes, or other governing documents, in which case, the more stringent provisions shall control. These mitigation measures, which are summarized and/or excerpted below, include, but are not limited to, the measures listed in the 1997 EIR and 1998 MMP, which is attached hereto as Exhibit A to Attachment A and incorporated herein by this reference. In the event of any inconsistencies, the measures as set forth in the 1997 EIR and 1998 MMP shall control.

- If residential development has occurred near landfill construction, limit construction hours to 7:00 a.m. to 7:00 p.m. No construction on weekends or Federal holidays. (1997 EIR, pp. 5.4-20 thru - 21.)

- As development occurs in new cells, construct berms to limit off-site impacts. (1997 EIR, p. 5.4-21.).

- Tune equipment and maintain equipment noise mufflers. (1997 EIR, p. 5.4-21.)

Level of Significance After Mitigation: With continued implementation of the above mitigation measures, the potential operational noise impacts anticipated for the Project will be reduced to a less than significant level.

Finding: Changes or alterations to the Project, which have been incorporated into the Project, will reduce to a less than significant level or avoid the potentially significant environmental effects resulting from project implementation.

Facts Supporting the Finding

All potentially significant impacts relative to long-term noise related activities (on and off-site) would be less than significant with continued implementation of the mitigation measures referenced above. The LLRC activities, for example, are regulated by specific sections of the Los Angeles County Noise Ordinance which provide noise standards as well as allowable hours of certain activities. The predicted noise levels associated with the potential increase in vehicular traffic resulting from the increase in daily capacity (3,000 tpd) are generally below the County land use standard for residential uses. As a result, the Project adds only negligibly to the ambient noise levels and would not result in a significant new adverse noise impact considering the existing mostly rural environment. The maximum increase in traffic noise attributable to the Project, for example, would be +0.6 dB along Avenue F, east of SR-14. Such increases are undetectable and well below the +3 dB significance threshold. The equipment operations while excavating or hauling dirt, or while compacting refuse and cover soil could also result in higher noise levels. However, the nearest noise-sensitive land uses are located well beyond 400 feet from the landfill. There are no sensitive receptors currently exposed to excessive heavy equipment noise, and Project implementation would not change that condition.

Water Quality/Water Demand

Environmental Impacts:

Short-Term Construction-Related Impacts:
As discussed in Section 4.4 of the Draft SEIR and as revised in the Final SEIR, the 1997 Final EIR analyzed the water supply and water quality impacts of the construction associated with the expansion. The Project does not include any additional construction activities that were not previously approved as part of the existing CUP/SWFP and that potentially could result in additional short-term, construction-related impacts. All of the potential impacts will be long-term in nature, and related to the daily operation and maintenance of the existing LLRC.

Finding: Changes or alterations to the Project, which have been incorporated into the Project, will reduce to a less than significant level or avoid the potentially significant environmental effects resulting from project implementation.

Facts Supporting the Finding

All potentially significant impacts relative to short-term water related needs for development of new cells (e.g., within the EEA) would be less than significant with implementation of the mitigation measures identified for the Project, including continued implementation of previously adopted mitigation measures. In addition, because the Project does not include a change in on-site cell development related activities, or horizontal expansion of the previously permitted landfill footprint, no new impacts from those previously identified and considered in the 1997 EIR will occur.

Long-Term (Water Supply) Operational Impacts:

As discussed in Section 4.4 of the Draft SEIR, as revised in the Final SEIR (2011), and in reliance on the 1997 Final EIR, the Project will not result in any significant additional long-term water supply impacts because the LLRC will not require any additional water over existing levels used on-site to continue service to the LLRC under the Project. The LLRC's water needs will be served by continued groundwater pumping on-site from existing wells of up to a maximum of 60 afy, or the amount of groundwater allocated to the site as a result of the proceedings in the Antelope Valley Groundwater Cases (LA County Sup. Ct. Case No BC 325201, Judicial Council Coordination Proceeding No. 4408) ("adjudication"), if that amount is less than the existing pumping levels of 60 afy. In the event that the amount of groundwater allocated to the site through the adjudication is less than 60 afy, the property owner or operator shall pay any necessary replacement water assessments in order to continue pumping at the rate of 60 afy. Alternatively, the property owner or operator shall supply any water for the Project that exceeds the amount allocated to the site through the adjudication from recycled water that is now available to the LLRC

from the City of Lancaster via existing infrastructure (i.e., the purple pipe that runs along Avenue F to the LLRC).

Finding: Changes or alterations to the Project, which have been incorporated into the Project, will reduce to a less than significant level or avoid the potentially significant environmental effects resulting from project implementation.

Facts Supporting the Finding

While increasing the daily allowable intake of waste would result in more rapid filling of the remaining airspace at the LLRC, it would not result in a larger landfill working face on any given day because there will not be an increase in the amount or type of landfill equipment in use, or in the number of employees on any given average operational day. Thus, additional water for dust control over existing historic levels used at the LLRC because of a larger working face will not be required and other Project-related demand for groundwater would therefore not increase over baseline levels, which are 60 afy. The potential impacts from continued groundwater pumping at the existing historic baseline level of 60 afy, including the potential of such continued pumping to adversely affect the production rates of other groundwater wells (of which there has not been any such evidence to date), are therefore considered to be less than significant.

The LLRC's operations would rely only on the amount of water currently being used on the site. The Project will be required to cap groundwater pumping at the existing level of 60 afy or the amount allocated to the site pursuant to the adjudication if less than 60 afy. The Project will be required to supplement any water needed for the Project in excess of the amount allocated to the site in the adjudication by either paying replacement water assessments or using recycled water currently available to the site through existing infrastructure. No additional ground or surface water supplies are required to serve the Project over existing levels. The LLRC would continue providing bottled water for drinking as part of the Project. Therefore, no significant adverse impacts to groundwater supplies from an increase in water needs will occur as a result of project implementation.

Additionally, as explained in the Final SEIR, Volume 2, section 4.4, the Project would not result in a substantial depletion of groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table; thus, the Project would not interfere with existing groundwater wells in the area. (See Final SEIR, Vol. 2, p. 4-67.) The Los Angeles County Environmental Health unit states that there are three other privately owned production wells used for drinking water located within a one-mile radius of the LLRC. The three wells are located near East Avenue F and Division Street, approximately one-half to three-quarters of a mile west of LLRC. (Final SEIR, Vol. 2, p. 4-62.) Considering the rates of on-going pumping that would occur under the Project (approximately 60 afy from the Antelope Valley groundwater basin), the distance from the LLRC to other groundwater wells in the surrounding area (e.g. one-half to one-quarter of a mile away), and the no net increase in groundwater pumping if the proposed project is approved in accordance with the CUP condition of approval, the project would not interfere with the production rate of preexisting wells in the area. There is no evidence in the record, moreover, that groundwater pumping at the LLRC at existing levels has interfered with any wells in the greater outlying area. The potential to adversely affect the production rates of other groundwater wells, or to interfere with groundwater recharge, is therefore less than significant.

Water Quality/Water Quantity Impacts

As discussed in Section 4.4 of the Draft and Final SEIR (2011), and in reliance on the 1997 EIR, the groundwater characteristics identified for the Project site included volatile organic compounds (VOCs). In addition, landfill activities could result in erosion.

Mitigation: The Project will be required to cap groundwater pumping at 60 afy or the amount allocated to the site pursuant to the adjudication if less than 60 afy, and will supplement the water needed for the Project by either paying replacement water assessments or using recycled water available from the City of Lancaster through existing purple piping along Avenue F. The following mitigation measure will apply:

- Groundwater pumping on the Project Site shall not exceed a maximum of 60 afy or the amount allocated to the Project Site pursuant to the proceedings in the Antelope Valley Groundwater Cases

(Los Angeles Superior Court Case No. BC 325 201 (Judicial Council Coordination Proceeding No. 4408)) ("adjudication"), if that amount is less than 60 afy. If additional water is required for the Project over the amount allocated in the adjudication, the owner or operator of the Project shall either pay any necessary replacement water assessments in order to continue pumping at the rate of 60 afy or shall provide additional water from recycled water available to the Project Site via existing infrastructure (i.e., purple pipes located in Avenue F to serve the LLRC).

Additionally, all mitigation measures prescribed in the 1997 EIR (Section 5.5.4 Water Quality) are incorporated herein by this reference and are applicable to this Project. These measures shall continue to be implemented to the satisfaction of the County unless such measures have already been fulfilled or are in conflict with more stringent provisions set forth in the California Code of Regulations, applicable state statutes, or other governing documents, in which case, the more stringent provisions shall control. These mitigation measures, which are summarized and/or excerpted below, include, but are not limited to, the measures listed in the 1997 EIR and 1998 MMP, which is attached hereto as Exhibit A to Attachment A and incorporated herein by this reference. In the event of any inconsistencies, the measures as set forth in the 1997 EIR and 1998 MMP shall control.

- Design and construct leachate control and removal system (LCRS) to consist of collection pipes, collection sumps and liner as described in Figures 5.5-2 and 5.5-3 of the 1997 EIR. (1997 EIR, p. 5.5-9.)

- Periodic monitoring of surface water quality in accordance with the site's existing Storm Water Pollution Prevention Plan (SWPPP). (1997 EIR, p. 5.5-9.)

- Implement a proactive Water Quality Monitoring Program in compliance with State and Federal agencies, including water quality sampling. (1997 EIR, p. 5.5-9.)

- Decommission existing wells by pressure grouting or by another suitable method prior to landfill development, and strict adherence to the protocols for wells construction mandated by the California Department of Water Resources.

Level of Significance After Mitigation: With implementation of the above mitigation measures, the potential operational water quality and water supply impacts anticipated for the Project will be reduced to a less than significant level.

Finding: Changes or alterations to the Project, which have been incorporated into the Project, will reduce to a less than significant level or avoid the potentially significant environmental effects resulting from project implementation.

Facts Supporting the Finding

Section 4.4 of the Draft and Final SEIR analyzed the water quality impacts of the Project. That analysis concluded that the groundwater characteristics identified for the Project site included volatile organic compounds (VOCs). These impacts were previously addressed in the prior EIR. However, Project implementation (i.e., increase in the daily capacity to 3,000 tpd), will not change groundwater conditions. Further, it is anticipated that the existing landfill gas control system will effectively mitigate VOCs at the landfill. Implementation of the Project will not result in any changes to the potential for erosion anticipated by existing and continued landfilling activities at the LLRC. As indicated in the 1997 EIR, changes in topography and ground surface relief will occur as the landfill is modified to accommodate the refuse disposal. Along with such landform modification, the prior EIR prescribed permanent stormwater and erosion controls to be implemented during landfill development. The only change associated with the Project is that landfill development will occur at an accelerated rate (i.e., 3,000 tpd versus 1,700 tpd as currently approved). All of the water quality and groundwater characteristics have been adequately evaluated. Although no significant new impacts are anticipated, erosion control measures previously prescribed for the LLRC shall continue to be utilized at the site during landfill operations and closure to minimize the soil loss from the landfill. Excessive soil loss shall be mitigated by limiting the distance water must travel before reaching a channel or other drainage structures and by maintaining a 3:1 ratio. Existing

mitigation measures for the LLRC, including, but not limited to, silt fences, bale dikes, wood chips, and sand bags remain adequate under the Project. Further, maintenance of the sedimentation basins will be conducted annually and will continue throughout the post-closure maintenance period. Further, current activities to establish interim vegetation on the deck and slope areas of the site will be continued. Subsequent to closure of the LLRC, vegetative materials will be established over the surface of the landfill to serve as the primary erosion control feature. No additional mitigation measures beyond those prescribed in the 1997 EIR are required.

Air Quality

Environmental Impacts:

Short-Term Construction-Related Impacts

As discussed in Section 4.2 of the Draft SEIR and as revised in the Final SEIR, no short-term (i.e., construction-related) impacts would occur as a result of Project implementation.

Finding: Changes or alterations to the Project, which have been incorporated into the Project, will reduce to a less than significant level or avoid the potentially significant environmental effects resulting from project implementation.

Facts Supporting the Finding

Short-term impacts typically occur during grading and construction activities associated with traditional development. Because the Project will not have a construction phase (i.e., grading and construction of physical structures/buildings, etc.), no short-term air quality impacts would occur as a result of Project implementation. All of the Project-related impacts (i.e., development of the refuse cells, mobile-source emissions, etc.) will be operational (i.e., long-term) in nature as discussed below.

Long-Term Operational Impacts:

Mobile Source Emissions

Operational exhaust emissions for the LLRC project will result from on- and off-site heavy equipment, truck hauling operations, and employee commuting. Because these activities currently exist at the LLRC, it is the additional equipment, truck operations and new employee trips generated that may cause operational air quality impacts associated with the proposed increase in refuse tonnage at the LLRC. As indicated in the Draft SEIR, Project-related mobile equipment emissions would be below the significance thresholds for ROG and CO.

Mitigation: All mitigation measures prescribed in the 1997 EIR (Section 5.6.1.4 Air Quality) are incorporated herein by this reference and are applicable to this Project. These measures shall continue to be implemented to the satisfaction of the County unless such measures have already been fulfilled or are in conflict with more stringent provisions set forth in the California Code of Regulations, applicable state statutes, or other governing documents, in which case, the more stringent provisions shall control. These mitigation measures, which are summarized and/or excerpted below, include, but are not limited to, the measures listed in the 1997 EIR and 1998 MMP, which is attached hereto as Exhibit A to Attachment A and incorporated herein by this reference. In the event of any inconsistencies, the measures as set forth in the 1997 EIR and 1998 MMP shall control.

- Conduct engine feasibility study to determine whether equipment and vehicles can be powered with engines that meet on-highway standards. Evaluation to include utilization of turbocharged and intercooled diesel engines, and retardation of fuel injection. (1997 EIR, p. 5.6-19.)
- Tune-up and maintain landfill equipment in accordance with manufacturers schedules and specifications. (1997 EIR, p. 5.6-20.)

- Instruct operators and supervisors to report any symptoms of performance which require maintenance. (1997 EIR, p. 5.6-20.)
- Instruct equipment operators to shut down diesel equipment if it is expected to idle for more than 10 minutes. (1997 EIR, p. 5.6-20.)
- Evaluate feasibility of employee ridesharing program. (1997 EIR, p. 5.6-20.)
- Continue existing dust suppression measures [watering] on unpaved roads, in borrow areas, and at working face of landfill. (1997 EIR, p. 5.6-21.)

Finding: Changes or alterations to the Project, which have been incorporated into the Project, will reduce to a less than significant level or avoid the potentially significant environmental effects resulting from project implementation.

Facts Supporting the Finding

The increase in MSW tonnage, from 1,700 tpd to 3,000 tpd, and increase in green waste/diversion and grinding activities were considered in section 4.2 of the SEIR. Although an additional 97 truck trips and related emissions would result from implementation of the Project, the Project related emissions would not exceed the significance thresholds as set-forth in Table 4.2-5 for ROG and CO. (See Final SEIR, Vol. 2, pp. 4-40 thru 41.)

Landfill Gas Emissions

Section 4.2 of the Draft SEIR revealed that increased MSW intake rates would increase the levels of daily landfill gas (LFG) emissions. The LLRC currently has a LFG collection system connected to an enclosed flare for destruction of the landfill gas. Oxides of nitrogen (NOx), SOx, CO and PM10 are products of the combustion process and have permitted limits. Although the gas generation rate will increase slightly due to the projected increase in daily tonnage under the Project, the flow of LFG will not exceed currently permitted flare limits and the potential impact is less than significant.

Finding: Changes or alterations to the Project, which have been incorporated into the Project, will reduce to a less than significant level or avoid the potentially significant environmental effects resulting from project implementation.

Facts Supporting the Finding:

Although the Project would result in an increase in LFG production if 3,000 tpd were accepted, it would not increase the amount generated over the life of the landfill because the maximum landfill capacity will not change. Existing and newly adopted regulations moreover, ensure maximum capture and flare efficiency of LFG to the extent feasible. (See Final SEIR, vol. 2, p. 4-82; Cal. Code Regs., tit. 17, § 95300 et seq. (Methane Emissions from MSW Landfills).) As noted above, although the gas generation rate will increase slightly due to the projected increase in daily tonnage under the Project, the flow of LFG will not exceed currently permitted flare limits and the potential impact is less than significant. The LFG Collection and Control system will continue to be operated in accordance with the California Code of Regulations and adequately sized to manage the LFG.

Toxic Air Contaminants

A Tier 2 screening risk conducted for the landfill gas emissions concluded that there is no significant public health risk from toxic air contaminant (TAC) emissions related to on and off-site operations. Similarly, the TAC analysis conducted for the grinder operations also concluded that both the acute and chronic hazard indices for the grinder are below the significance thresholds. Therefore, no significant health risk impacts were identified.

Finding: Changes or alterations to the Project, which have been incorporated into the Project, will reduce to a less than significant level or avoid the potentially significant environmental effects resulting from project implementation.

Facts Supporting the Finding

Landfill gas consists primarily of methane. While most of the gas is eliminated via the landfill flare, some gas can escape via the surface of the landfill. A trace amount of the landfill gas contains toxic constituents. As such, a small amount of toxic air contaminants (TACs) can also escape through the surface of the landfill. A screening level health risk assessment was conducted for the small fraction of toxic air contaminants that may escape within the fugitive portion of LFG. The risk assessment is based upon TACs measured in landfill gas sampled at the inlet of the flare. This analysis is based upon a "worst case" scenario of maximum gas generation rate and ten percent fugitive gas emissions rate. The Tier 2 screening risk analysis assumed that the existing rate of TAC emissions will continue at the present rate for 70 years. However, although near-term LFG production will increase, production of LFG will taper off gradually after the landfill closes. The AVAQMD considers a risk of less than one in one million (i.e., 1.0×10^{-6}) to be insignificant. Risks up to 10 in one million (i.e., 10×10^{-6}) are considered a manageable level of risk, if toxics best available control technology (T-BACT) for toxics is used. LFG recovery and waste gas flaring is considered T-BACT. The Tier 2 screening risk concluded that there is no significant public health risk from TAC emissions . (See Final SEIR, vol. 2, p. 4-44; Table 4.2-6.) The SCAQMD threshold for chronic and acute hazard indices is 1.0. At 500 meters from the grinder, the maximum acute hazard index is predicted to be 0.12, and the maximum chronic hazard index is predicted to be 0.0061. Both the acute and chronic hazard indices are below the SCAQMD threshold. Therefore, TACs from the wood waste grinder were also found to be less than significant. (See Final SEIR, Vol. 2, p. 4-44.)

Odors

Landfills emit odor from freshly delivered MSW when the truck is emptied at the landfill "working face." The "fresh trash" odor is the odor that might be noticed in the curbside collection container on pick-up day after the material has begun initial decomposition. Odor strength of fresh trash depends upon the amount of readily degradable material, the moisture level, and the storage temperature. For residentially-dominated MSW, with generally good daytime mixing, the fresh trash odor is noticeable for approximately one-fourth mile downwind (normally east of the landfill). However, there are minimal sensitive uses within the zone of daytime odor detectability. Additional odors can be caused by landfill gas emissions.

Mitigation Measure: All mitigation measures prescribed in the 1997 EIR (Section 5.6.2.4 Odors) are incorporated herein by this reference and are applicable to this Project. These measures shall continue to be implemented to the satisfaction of the county unless such measures have already been fulfilled or are in conflict with more stringent provisions set forth in the California Code of Regulations, applicable state statutes, or other governing documents, in which case, the more stringent provisions shall control. These mitigation measures, which are summarized and/or excerpted below, include, but are not limited to, the measures listed in the 1997 EIR and 1998 MMP, which is attached hereto as Exhibit A to Attachment A and incorporated herein by this reference. In the event of any inconsistencies, the measures as set forth in the 1997 EIR and 1998 MMP shall control.

- In the event that an odor complaint is verified by LEA to be related to the disposal of sludge, LEWA may order movement or suspension of sludge disposal operations. (1997 EIR, p. 5.6-39.)
- Continue to operate landfill gas collection and combustion system in accordance with governing AVAQMD regulations.
- Continue to monitor surface emissions and gas migration as required by the AVAQMD, the LACDPW in LA County Building Code, Section 110.3 and the LEA in CCR, Title 27, as applicable.
- Install landfill gas migration monitoring probes around the perimeter of the expansion areas. (1997 EIR, p. 5.6-21.)
- Conduct regular visual inspections of landfill cover and monitor gas emissions in accordance with governing AVAQMD and CCR, Title 27 regulations.
- Apply daily cover at working face of the landfill. (1997 EIR, p. 5.6-38.)

Finding: Changes or alterations to the Project, which have been incorporated into the Project, will ensure that no significant odor related impacts will result from the Project and are avoided as a result of project implementation.
Facts Supporting the Finding

The landfill has a gas collection and flare system that achieves a methane destruction efficiency of at least 99% by weight in accordance with Title 17 CCR requirements. (Cal. Code Regs. tit. 17, § 95464, subd.(b)(2)(A)(1).) With a properly operating LFG collection system, the zone of LFG detectability under stable nocturnal meteorological conditions can be reduced from 1-2 miles with no system to around one-half mile with the system. The system of wells and the flare at the existing landfill maintain a zone of odor detectability that rarely, if ever, reaches the closest houses. As long as additional LFG collection and disposal capacity is developed as required by the California Code of Regulations and in conjunction with an increased disposal rate of up to 3,000 tons per day, as required by the California Code of Regulations, setbacks from the nearest homes will be adequate to preclude creation of any adverse odor impact from "fugitive" landfill gas. Therefore, the potential impact of the Project's odors would be less than significant with implementation of the mitigation measures referenced above.

Greenhouse Gas Emissions

Environmental Impact: The Project will produce approximately 22.5 metric tons of CO2 equivalent per day. This was identified as a significant impact prior to mitigation. This estimate is a general estimate that provides an indication of the order of magnitude of CO2 emissions.

Mitigation: The following mitigation measures shall be implemented:

MM 4.5-1 The Project shall include the following set of measures that, working together, will reduce operational greenhouse gas emissions of the Project and the effects of global warming:

- Hauling trucks shall be powered by liquefied natural gas (LNG) or ultra-low sulfur diesel fuel.
- Idling of heavy-duty hauling trucks in excess of five minutes, and idling of off-road mobile sources of any type in excess of ten minutes, shall be prohibited.
- When new landfill equipment is purchased by LLRC, new commercially available equipment shall be purchased that meets or exceeds California's emission standards in effect at the time of purchase.
- Onsite vehicles and equipment shall be properly maintained by being serviced at least every 90 days and once annually in compliance with Department of Transportation (DOT) requirements.
- Operation equipment used for the proposed project shall use clean alternative (i.e., non-diesel/biodiesel) fuels, or use equipment that has been retro-fitted with diesel particulate reduction traps or equivalent control technology, using equipment certified by CARB. Such equipment is now subject to CARB's new regulation to control PM emissions from off-road diesel engines. The rule requires the first emission reductions from such equipment to occur by March 2010.
- For the purchase of primary heavy duty, diesel powered landfill equipment at LLRC (dozers and compactors), if equipment meeting California's 2014 emission standards for off-highway, heavy duty diesel equipment is commercially available before 2014, WMI shall purchase such equipment at the LLRC as older equipment is replaced.

MM 4.5-2 Within three years of project approval, the applicant shall submit a Greenhouse Gas (GHG) Reduction Plan that demonstrates how the LLRC will achieve by 2020 a reduction in annual GHG emissions such that emissions are no greater than 10 percent below 2006 levels and will meet or exceed all regulatory requirements related to GHG control. The GHG Reduction Plan shall include one or more of the following measures, or combination thereof:

- Use of B-5 or B-20 Biodiesel in on-site equipment and in heavy duty truck fleets (or as a condition of future contract approvals if third-party haulers are used);
- Use of hybrid hauling trucks;
- Use Best Available Control Technology and BMPs when designing new waste disposal cells (e.g., by designing any additional gas collectors in bottom liner systems) to increase gas combustion capacity/improve flare destruction efficiency;
- Reconsider the feasibility of gas-to-energy production capacity in the future for use in fueling vehicles, operating equipment or energy conversion;
- Increase diversion of organic material from landfill disposal and use as landfill cover material;
- Increase recycling and carbon offsets.
- The plan shall include cost estimates for GHG reduction measures and identify funding sources, including but not limited to tip fee increases. The plan shall include an implementation schedule that demonstrates substantial GHG emission reductions prior to the 2020 deadline, including implementation of "early action" measures that may be implemented within three years of plan approval. The plan shall include an updated inventory of projected GHG emissions and an updated estimate of GHG emissions in 1990. The plan shall be subject to review and approval by AVAQMD.
- Increase waste diversion of recyclable materials.

MM 4.5-3 Following closure of the landfill, the applicant shall continue to operate, maintain, and monitor the landfill gas collection and treatment system as long as the landfill continues to produce landfill gas, or until it is determined by the AVAQMD that emissions no longer constitute a considerable contribution to greenhouse gas emissions, whichever comes first.

Level of Significance After Mitigation: With implementation of the above mitigation measures, the potential project-level greenhouse gas emissions impacts anticipated for the Project will be reduced to a less than significant level.

Finding: Changes or alterations to the Project, which have been incorporated into the Project, will reduce to a less than significant level or avoid the potentially significant environmental effects to climate change resulting from project implementation.

Facts Supporting the Finding

The GHG emissions calculations described above are conservative in that they do not take into account reductions in GHG emissions resulting from implementation of AB 32 and SB 97. The extent of these reductions has not yet been quantified by the California Air Resources Board. In future years, overall CO2 emissions attributable to the Project could be less than current emissions assumptions might indicate. Similarly, if GHG emissions reductions for vehicles were enacted, through the requirements of either AB 1493, AB 32, or a federal regulation, CO2 emissions from the Project would be reduced. The estimated

per day of CO_2E to be emitted from the project is not considered to be a significant net increase in GHG emissions with mitigation. Because MSW will continue to be generated within the County of Los Angeles, net regional air emissions, including GHGs, would continue to be generated within the air basin with or without the Project. The Project has the potential to decrease GHG emissions that would occur without the Project from diversion of waste to other landfills due to the current daily permitted limit at the LLRC. At worst, the Project would merely shift GHG emissions from one area of the air basin to another.

Biota

Environmental Impacts: The 1997 Final EIR prepared for the expansion of the Lancaster Landfill and Recycling Center (County Case No. 93070) evaluated potential impacts to biotic resources associated with the expansion of the LLRC. The initial study for the Project concluded that project implementation would not result in significant impacts to biotic resources. No changes to the LLRC are proposed that would result in new or more significant biotic impacts than those previously identified in the prior EIR. In addition, Surveys conducted in 2009-2010 for the 4-acre Borrow Site area located within the Eastern Expansion Area (EEA) for Mohave ground squirrel and desert tortoise confirmed lack of presence of both species and unlikelihood of occurrence in the Borrow Site, consistent with the 1997 EIR survey results and as referenced in the Final SEIR. Nonetheless, the LLRC will be subject to the same mitigation measures prescribed for the prior expansion.

Mitigation: All mitigation measures prescribed in the 1997 EIR (Section 5.7.4 Biota) are incorporated herein by this reference and are applicable to this Project. These measures shall continue to be implemented to the satisfaction of the County unless such measures have already been fulfilled or are in conflict with more stringent provisions set forth in the California Code of Regulations, applicable state statutes, or other governing documents, in which case, the more stringent provisions shall control. These mitigation measures, which are summarized and/or excerpted below, include, but are not limited to, the measures listed in the 1997 EIR and 1998 MMP, which is attached hereto as Exhibit A to Attachment A and incorporated herein by this reference. In the event of any inconsistencies, the measures as set forth in the 1997 EIR and 1998 MMP shall control.

- Re-vegetate completed landfill cells. (1997 EIR, p. 5.7-32.)
- Restrict size of working face of landfill to one acre or less to reduce attraction of unwanted species.
- Conduct pre-construction surveys to ensure that no sensitive plant species are found within project boundaries. (1997 EIR, p. 5.7-32.)
- Verify whether 0.4 acre desert meadow habitat in northern edge of EEA constitutes a jurisdictional wetland. (1997 EIR, p. 5.7-33.)
- Prior to construction activities in the EEA, perform a botanical survey to establish existing vegetation densities in order to develop revegetation seed mixes.
- Conduct timely [protocol level] surveys to determine the presence or absence of the desert tortoise. If found, coordinate with the CDFG and USFWS in implementing relocation program consistent with existing protocols. (1997 EIR, p. 5.7-33.)

Level of Significance After Mitigation: With continued implementation of the above mitigation measures, the potential biotic impacts anticipated for the Project will be reduced to a less than significant level.

Finding: Changes or alterations to the Project, which have been incorporated into the Project, will reduce to a less than significant level or avoid the potentially significant environmental effects resulting from project implementation.

Facts Supporting the Finding

All potentially significant impacts relative to biological impacts of the project were identified in the 1997 EIR and would remain less than significant under the Project with continued implementation of the mitigation measures previously adopted for the site. Because the Project does not include a horizontal expansion of the permitted landfill footprint, no new biota related impacts from those previously identified and considered in the 1997 EIR will occur. (See also Final SEIR, vol. 1, Response to comment 9-2 in Section 3.2.)

Cultural and Paleontological Resources

Environmental Impacts: The 1997 Final EIR prepared for the expansion of the Lancaster Landfill and Recycling Center (County Case No. 93070) evaluated potential impacts to cultural and paleontological resources associated with the expansion of the LLRC. The initial study for the Project concluded that project implementation would not result in significant impacts to cultural and paleontological resources. No changes to the LLRC are proposed that would result in new or more significant cultural and paleontological impacts than those previously identified in the prior EIR. Nonetheless, the LLRC will be subject to the same mitigation measures prescribed for the prior expansion.

Mitigation: All mitigation measures prescribed in the 1997 EIR (Section 5.8.4.1-.2 Cultural and Paleontological) are incorporated herein by this reference and are applicable to this Project. These measures shall continue to be implemented to the satisfaction of the County unless such measures have already been fulfilled or are in conflict with more stringent provisions set forth in the California Code of Regulations, applicable state statutes, or other governing documents, in which case, the more stringent provisions shall control. These mitigation measures, which are summarized and/or excerpted below, include, but are not limited to, the measures listed in the 1997 EIR and 1998 MMP, which is attached hereto as Exhibit A to Attachment A and incorporated herein by this reference. In the event of any inconsistencies, the measures as set forth in the 1997 EIR and 1998 MMP shall control.

Cultural Resources

- In the event that cultural resources are encountered during any phase of construction, construction will cease in these areas until the cultural resources are properly assessed and subsequent recommendations are determined by a qualified archaeologist. (1997 EIR, p. 5.8-9.)

- If at any time during development Indian burials (any aboriginal human remains-bones) are encountered, then a Native American advisor for the local Native American Indian tribe as well as the County Coroner must be contacted immediately and construction in that restricted area must be stopped until the human remains are legally and ethically dealt with by the appropriate parties." (1997 EIR, p. 5.8-9.)

Paleontological Resources

- "1. A qualified paleontologist shall be retained to perform periodic inspections of excavations and, if necessary, salvage exposed fossils. The frequency of inspections will depend on the rate of excavation, the materials being excavated, and the abundance of fossils. Monitoring will initially need to be on a full-time basis during grading."

- "2. The paleontologist shall be allowed to divert or direct grading in the area of an exposed fossil to facilitate evaluation and, if necessary, salvage."

- "3. Because some of the fossils within the alluvial deposits are small, it will be necessary to collect samples of promising horizons for processing through fine mesh screens."

- "4. Fossils shall be prepared to the point of identification and catalogued before they are donated to their final repository."

- "5. All fossils collected should be donated to a public, non-profit institution with a research interest in the materials, such as the San Bernardino County Museum."

- "6. A report detailing the results of these efforts, listing the fossils collected, and naming the repository shall be submitted to the lead agency at the completion of the project."

(1997 EIR, pp. 5.8-9 thru -10.)

Level of Significance After Mitigation: With continued implementation of the above mitigation measures, the potential cultural and paleontological impacts anticipated for the Project will be reduced to a less than significant level.

Finding: Changes or alterations to the Project, which have been incorporated into the Project, will reduce to a less than significant level or avoid the potentially significant environmental effects resulting from project implementation.

Facts Supporting the Finding

All potentially significant impacts relative to Cultural/Paleontological impacts of the project were identified in the 1997 EIR and would remain less than significant under the Project with continued implementation of the mitigation measures previously adopted for the site. Because the Project does not include a horizontal expansion of the permitted landfill footprint, no new cultural/paleontological related impacts from those previously identified and considered in the 1997 EIR will occur.

Traffic and Circulation

Environmental Impacts:

Short-Term Construction Impacts
The Project proposes to increase the permitted daily refuse accepted at the Lancaster Landfill and Recycling Center from 1,700 tpd to 3,000 tpd (including the related inflow previously identified). The Project will not result in any significant short-term (i.e., construction-related) impacts because there are no new planned construction activities associated with the Project that were not previously identified and considered in the 1997 EIR.

Finding: Changes or alterations to the Project, which have been incorporated into the Project, will reduce to a less than significant level or avoid the potentially significant environmental effects resulting from project implementation.

Facts Supporting the Finding

The Project does not include any traditional construction activities (i.e., those associated with the construction of structures, etc.) that would result in the generation of vehicular traffic. (See Final SEIR, Vol. 2, p. 4-20; see also p. 3-13 (identifying temporary construction related employee trips for liner placement etc.).) Refuse cell development would continue to utilize on-site equipment and off-site truck trips are not required. The potential impacts associated with these activities were previously evaluated in the 1997 EIR and would not change under the Project. Therefore, because no changes in these activities would occur as a result of project implementation, no new significant additional vehicular trips would occur. As a result, no short-term, construction-related impacts will occur.

Long-Term Operational Impacts
The Project would allow for an increase in the amount of maximum MSW able to be accepted at the LLRC from 1,700 tpd to 3,000 tpd which would cause a related increase in truck traffic and employee related traffic trips on local intersections, roadways and freeways.

Finding: Changes or alterations to the Project, which have been incorporated into the Project, will reduce to a less than significant level or avoid the potentially significant environmental effects resulting from project implementation.

Facts Supporting the Finding

Intersection Operating Conditions Impacts—Existing plus Project (with Avenue F Extension): The Draft and Final SEIR, Table 4.1-7 summarizes the Project-related traffic impacts on the key study intersections. All of the key intersections will continue to operate at an acceptable level of service (i.e., LOS D or better). The greatest Intersection Capacity Utilization (ICU) increase resulting from project implementation in the "with Avenue F Extension" is 0.01 in the a.m. peak hour at the Avenue F/SR-14 Northbound Ramps and Avenue H/SR-14 Northbound Ramps in the p.m. peak hour. The increase in project-related traffic forecast for the Existing plus Project (with Avenue F Extension) scenario is less than significant because all of the key intersections will continue to operate at LOS A and the increase in the ICU is less than 0.04, as prescribed in the County of Los Angeles significance criteria identified in Section 4.1.2.

Intersection Operating Conditions Impacts—Existing plus Project (without Avenue F Extension): The a.m. and p.m. peak hour volumes without the Avenue F Extension are illustrated in the Final SEIR, Vol. 2, Figures 4.1-13 and 4.1-14. Final SEIR, Table 4.1-7 summarizes the Project-related traffic impacts on the key study intersections and all of the key intersections will continue to operate at an acceptable level of service (i.e., LOS D or better). In the "without Avenue F Extension", only one intersection (Avenue H/SR-14 Northbound Ramps) would realize a 0.01 increase in the ICU during both the a.m. and p.m. peak hours. The increase in project-related traffic forecast for the Existing plus Project (without Avenue F Extension) scenario is less than significant because all of the key intersections will continue to operate at LOS A and the increase in the ICU is less than 0.04, as prescribed in the County of Los Angeles significance criteria identified in Section 4.1.2.

Freeway Mainline Levels of Service—Existing plus Project: Table 4.1-9 summarized the Project-related traffic impacts on freeway mainline levels of service for five key SR-14 freeway segments. As indicated, Project implementation will not result in any significant impacts on the five freeway mainline segments in the Project environs. The greatest increase in the volume/capacity ration of the freeway segments would be 0.01 on the segment between Avenue G and Avenue H; however, the increase would not change the level of service of that segment. All of the roadway segments will continue to operate at acceptable levels of service (i.e., LOS D or better). As such, the increase in project-related traffic forecast for this scenario is less than significant.

Pavement Integrity

Impact 4.1-1—Pavement Integrity: Project-generated truck traffic would continue to significantly impact the pavement integrity of Division Street between Avenue F and Avenue G (without the Avenue F extension). As a result, several mitigation measures will be required to ensure that the pavement integrity is continued to be maintained once the Project is implemented.

Mitigation: The following mitigation measures shall be implemented:

MM 4.1-1 Within 360 days after the Effective Date of the conditional use permit, the applicant shall pay its fair share to fully improve the pavement and thickening of the base/sub base to sustain the entire truck traffic loading of the project operation and any increase in project operation on the following streets or as required to the satisfaction of the Department of Public Works: (1) Challenger Way (10th Street East) between Avenue F and Avenue H; (2) Avenue F between Division Street and Challenger Way (10th Street East); (3) Division Street between Avenue F and Avenue H; (4) Avenue H between Division Street and Challenger Way (10th Street East). If Avenue F between Sierra Highway and Division Street is constructed, the project applicant shall also be responsible to improve Avenue F between 100 feet west of the southbound SR-14 on/off ramps and Sierra Highway.

The Director of Public Works, at his/her sole discretion, may grant an extension of time not to exceed an additional 360 days, if the applicant demonstrates good faith effort toward construction and completion of the above street improvement projects.

MM 4.1-2 The Applicant shall implement the following program to help maintain a clean road surface on the County roadway supporting ingress and egress for landfill traffic:

- Install "rumble grates" on the access road within the site property between the exit scale and the driveway leading to East Avenue F (to remove loose material from vehicles prior to exiting the site).

- Wash down the pavement surface of the onsite exit road as well as East Avenue F, between Division Street and Challenger Way, on a weekly basis.

- Conduct road sweeping twice per month on East Avenue F, between Division Street and Challenger Way.

In addition, the following mitigation measure as required in the 1997 EIR (§ 5.9.4 Traffic) has been deleted and superseded by MM 4.1-1 (as modified in Volume 2 of the Final SEIR):

- Contribute on a fair share pro-rata basis to the cost to reconstruct the pavement of Avenue F between Division Street and 10th Avenue East and 10th Street East between Avenue F and Avenue G. (1997 EIR, p. 5.9-28.)

Level of Significance After Mitigation: With implementation of the above mitigation measures, the potential traffic impacts anticipated for the Project will be reduced to a less than significant level.

Finding: Changes or alterations to the Project, which have been incorporated into the Project, will reduce to a less than significant level or avoid the potentially significant environmental effects resulting from project implementation.

Facts Supporting the Finding

The only identified significant impact in the SEIR related to traffic was to pavement integrity. MM 4.1-1 would ensure the continued payment by the applicant of its fair share fees to the County to use for purposes of improving the integrity of the pavement. Therefore, no new significant and unavoidable impacts would result from the Project, consistent with the past project approvals at the LLRC.

Environmental Safety

Environmental Impacts: The 1997 Final EIR prepared for the expansion of the Lancaster Landfill and Recycling Center (County Case No. 93070) evaluated potential environmental safety impacts associated with the expansion of the LLRC. The initial study for the Project concluded that project implementation would not result in significant environmental safety impacts. No changes to the LLRC are proposed that would result in new or more significant environmental safety impacts than those previously identified in the prior EIR. Nonetheless, the LLRC will be subject to the same mitigation measures prescribed for the prior expansion.

Mitigation: All mitigation measures prescribed in the 1997 EIR (Section 5.10.4 Environmental Safety) are incorporated herein by this reference and are applicable to this Project. These measures shall continue to be implemented to the satisfaction of the County unless such measures have already been fulfilled or are in conflict with more stringent provisions set forth in the California Code of Regulations, applicable state statutes, or other governing documents, in which case, the more stringent provisions shall control. These mitigation measures, which are summarized and/or excerpted below, include, but are not limited to, the listed in the 1997 EIR and 1998 MMP, which is attached hereto as Exhibit A to Attachment A and incorporated herein by this reference. In the event of any inconsistencies, the measures as set forth in the 1997 EIR and 1998 MMP shall control.

- Continue to implement provisions of Special Waste Identification Plan (SWIP) to identify potential sources of hazardous wastes. Maintain signs that indicate that hazardous materials and liquid wastes are not accepted. (1997 EIR, p. 5.10-3.)

- Continue to implement Hazardous Waste Exclusion Program (HWEP) to randomly check loads of incoming waste for hazardous materials. (1997 EIR, p. 5.10-3 thru -4.)

- Store unauthorized materials in designated on-site storage area for less than 90 days. Materials to be removed by licensed transporter for proper disposal. (1997 EIR, p. 5.10-4.)

- Continue to utilize a radiation detector at the scale house to detect presence of radioactive materials and prevent their disposal at the site.

Level of Significance After Mitigation: With continued implementation of the above mitigation measures, the potential environmental safety impacts anticipated as a result of the Project will be reduced to a less than significant level.

Finding: Changes or alterations to the Project, which have been incorporated into the Project, will reduce to a less than significant level or avoid the potentially significant environmental effects resulting from project implementation.

Facts Supporting the Finding

The Project does not propose any changes in the existing operations, types of waste to be accepted at the LLRC or safety practices currently implemented onsite in accordance with all applicable statutes and regulations.

Visual Quality

Environmental Impacts: The 1997 Final EIR prepared for the expansion of the Lancaster Landfill and Recycling Center (County Case No. 93070) evaluated potential visual impacts associated with the expansion of the LLRC. The initial study for the Project concluded that project implementation would not result in significant visual impacts. No changes to the LLRC are proposed that would result in new or more significant visual impacts than those previously identified in the prior EIR. Nonetheless, the LLRC will be subject to the same mitigation measures prescribed for the prior expansion.

Mitigation: All mitigation measures prescribed in the 1997 EIR (Section 5.11.5 Visual Quality) are incorporated herein by this reference and are applicable to this Project. These measures shall continue to be implemented to the satisfaction of the County unless such measures have already been fulfilled or are in conflict with more stringent provisions set forth in the California Code of Regulations, applicable state statutes, or other governing documents, in which case, the more stringent provisions shall control. These mitigation measures, which are summarized and/or excerpted below, include, but are not limited to, the measures listed in the 1997 EIR and 1998 MMP, which is attached hereto as Exhibit A to Attachment A and incorporated herein by this reference. In the event of any inconsistencies, the measures as set forth in the 1997 EIR and 1998 MMP shall control.

- Utilize berms, where practical, to screen views of working face of the landfill from nearby residential areas. (1997 EIR, p. 5.11-10.)

- Vegetate berms with interim vegetative cover. (1997 EIR, p. 5.11-10.)

- Coordinate with County of Los Angeles Department of Parks and Recreation and Antelope Valley Trails, Recreation and Environmental Council (AVTREC) to relocate rural trail currently proposed through the EEA. (1997 EIR, p. 5.11-10.)

Level of Significance After Mitigation: With continued implementation of the above mitigation measures, the potential visual impacts anticipated for the Project will be reduced to a less than significant level.

Finding: Changes or alterations to the Project, which have been incorporated into the Project, will reduce to a less than significant level or avoid the potentially significant environmental effects resulting from project implementation.

Facts Supporting the Finding

All potentially significant impacts relative to visual/aesthetic impacts of the Project were identified in the 1997 EIR and would remain less than significant under the Project with continued implementation of the mitigation measures previously adopted for the site. Because the Project does not include a change in on-site activities, or horizontal expansion of the previously permitted landfill footprint, no new visual related impacts from those previously identified and considered in the 1997 EIR will occur.

Cumulative Impacts

Environmental Impacts: Section 9.0 of the Draft and Final SEIR analyzed the cumulative impacts of the Project. Each impact area was evaluated to determine whether the cumulative effects of the Project, in combination with the anticipated impacts associated with all other known development proposals in the Project area, were potentially significant. There are 12 other known development proposals in the Project area (Draft SEIR, Table 9-1). For cumulative impacts found to be significant and unavoidable despite implementation of all feasible mitigation measures, please see section 3.0 below.

Traffic Impacts

Cumulative Long-Term Operational Impacts

Sections 4.1 and 9.0 of the Draft SEIR evaluated the potential project-related and cumulative traffic impacts associated with the proposed new Conditional Use Permit for the LLRC and continuing operations at the site.

Finding: Changes or alterations to the Project, which have been incorporated into the Project, will reduce to a less than significant level or avoid the potentially significant environmental effects resulting from project implementation.

Facts Supporting the Finding

Based upon the scoping efforts undertaken with several responsible agencies (i.e., County of Los Angeles, City of Lancaster, and Caltrans), an annual growth factor of 3.8 percent was applied to the existing, 2005 traffic volumes at all key intersections and roadway segments within the study area to reflect future conditions. Inherent in the resulting future traffic forecasts are the additional trips generated by related projects anticipated to be completed by 2006. Therefore, the application of this annual growth factor provides for a conservative estimate of potential cumulative impacts, when compared against annual growth rates of one to two percent typically used in other areas of Southern California. None of the cumulative projects identified previously in the City of Lancaster or those in Palmdale or in unincorporated Los Angeles County are anticipated to generate a significant number of additional trips at the study intersections because they are located beyond the area of influence of the LLRC and, specifically, the roadway segments and intersections evaluated for the Project as prescribed by the County of Los Angeles. As a result, the traffic resulting from the cumulative projects listed in Table 9-1 would utilize roadways and circulation facilities that would not be utilized by project-related traffic over or beyond the traffic volume forecasts developed through the application of the annual growth rate applied at those same locations. As such, the increase in project-related traffic forecast for this scenario is less than significant.

Pavement Integrity

The existing pavement design of three of the four segments (along Avenue F, Division Street, and 10th Street East) currently exceeds the traffic index (TI). However, as indicated in Table 4.1-10 of the Draft SEIR, the Project-related traffic is not expected to increase TI values from Year 2006 Cumulative Base conditions at any of the segments analyzed, with the exception of 10th Street East between Avenue F and Avenue G under conditions with the Project but without the Avenue F extension. Therefore, except for the 10th Street East segment without the extension of Avenue F, the Project would not cause any significant impacts on the pavement integrity of the four roadway segments.

Mitigation: Mitigation Measure 4.1-1, as set-forth above, will be implemented to ensure no significant impacts to pavement integrity result from implementation of the Project.

Level of Significance After Mitigation: With implementation of the above mitigation measure, the potential traffic impacts anticipated as a result of the Project will be reduced to a less than significant level.

Finding: Changes or alterations to the Project, which have been incorporated into the Project, will reduce to a less than significant level or avoid the potentially significant environmental effects resulting from project implementation.

Facts Supporting the Finding

Payment of fair share fees into the County's roadway improvement program will ensure that the pavement and thickening of the base/sub base is completed, consistent with past practice, so that the entire truck traffic loading of the Project operation and any increase in Project operation does not result in a significant impact to the roadway segments that would be used in conjunction with other background cumulative traffic trips not generated by the Project.

Air Quality Impacts

The Project in combination with the related projects may cumulatively increase emissions related to ROG and CO.

Mitigation: All mitigation measures prescribed in the 1997 EIR (Section 5.6.1.4 Air Quality) are incorporated herein by this reference and are applicable to this Project. These measures shall continue to be implemented to the satisfaction of the County unless such measures have already been fulfilled or are in conflict with more stringent provisions set forth in the California Code of Regulations, applicable state statutes, or other governing documents, in which case, the more stringent provisions shall control. These mitigation measures, which are summarized and/or excerpted below, include, but are not limited to, the measures listed in the 1997 EIR and 1998 MMP, which is attached hereto as Exhibit A to Attachment A and incorporated herein by this reference. In the event of any inconsistencies, the measures as set forth in the 1997 EIR and 1998 MMP shall control.

- Conduct engine feasibility study to determine whether equipment and vehicles can be powered with engines that meet on-highway standards. Evaluation to include utilization of turbocharged and intercooled diesel engines, and retardation of fuel injection. (1997 EIR, p. 5.6-19.)
- Tune-up and maintain landfill equipment in accordance with manufacturers schedules and specifications. (1997 EIR, p. 5.6-20.)
- Instruct operators and supervisors to report any symptoms of performance which require maintenance. (1997 EIR, p. 5.6-20.)
- Instruct equipment operators to shut down diesel equipment if it is expected to idle for more than 10 minutes. (1997 EIR, p. 5.6-20.)
- Evaluate feasibility of employee ridesharing program. (1997 EIR, p. 5.6-20.)
- Continue existing dust suppression measures [watering] on unpaved roads, in borrow areas, and at working face of landfill. (1997 EIR, p. 5.6-21.)

Finding: Changes or alterations to the Project, which have been incorporated into the Project, will reduce to a less than significant level or avoid the potentially significant environmental effects resulting from project implementation.

Facts Supporting the Finding

With continued implementation of the mitigation measures referenced above, the Project would result in less than significant impacts related to ROG and CO. Therefore, emissions from the Project would not result in a cumulatively considerable increase in ROG and CO and impacts would be less than significant on a cumulative basis.

Odor Impacts

The increase in acceptance of MSW and green waste could result in an increase in odors.

Mitigation: All mitigation measures prescribed in the 1997 EIR (Section 5.6.2.4 odors) are incorporated herein by this reference and are applicable to this Project. These measures shall continue to be implemented to the satisfaction of the County unless such measures have already been fulfilled or are in conflict with more stringent provisions set forth in the California Code of Regulations, applicable state statutes, or other governing documents, in which case, the more stringent provisions shall control. These mitigation measures, which are summarized and/or below, include, but are not limited to, the measures listed in the 1997 EIR and 1998 MMP, which is attached hereto as Exhibit A to Attachment A and incorporated herein by this reference. In the event of any inconsistencies, the measures as set forth in the 1997 EIR and 1998 MMP shall control.

- In the event that an odor complaint is verified by LEA to be related to the disposal of sludge, LEWA may order movement or suspension of sludge disposal operations. (1997 EIR, p. 5.6-39.)
- Continue to operate landfill gas collection and combustion system in accordance with governing AVAQMD regulations.
- Continue to monitor surface emissions and gas migration as required by the AVAQMD, the LACDPW in LA County Building Code, Section 110.3 and the LEA in CCR, Title 27, as applicable.
- Install landfill gas migration monitoring probes around the perimeter of the expansion areas. (1997 EIR, p. 5.6-21.)
- Conduct regular visual inspections of landfill cover and monitor gas emissions in accordance with governing AVAQMD and CCR, Title 27 regulations.
- Apply daily cover at working face of the landfill. (1997 EIR, p. 5.6-38.)

Finding: Changes or alterations to the Project, which have been incorporated into the Project, will reduce to a less than significant level or avoid the potentially significant environmental effects resulting from project implementation.

Facts Supporting the Finding

The LLRC will continue to implement existing odor control measures and regular use of alternative daily cover (ADC) to ensure the Project, in conjunction with any other projects causing related impacts, will not result in a cumulatively considerable contribution to odor. The LLRC will also continue to implement a Research Composting Operation that is composed of an anaerobic composting pod system for batch treatment of organics to convert the organics to a carbon dioxide and biofuel. The system in conjunction with the Project has the potential to emanate odors. The RAC will be designed and operated to minimize odors emanating from RAC activities. In addition, the LLRC will comply with the Odor Impact Minimization Plan (OIMP) to control odors emanating from the facility. The OIMP includes a variety of procedures, including monthly on-site monitoring, odor surveys, and related measures to ensure that odors do not extend beyond the site and, if so, WMI efficiently and expeditiously responds to odor complaints. As a result, the cumulative contribution of odors emanating from the LLRC would be less than significant based on the design of the enclosed system and compliance with the measures prescribed in the OIMP. Nonetheless, the LLRC will be subject to the same mitigation measure prescribed in the 1997 EIR prepared for the expansion of the Lancaster Landfill and Recycling Center (County Case No. 93070).

Greenhouse Gas Emissions Impacts

The Project will produce approximately 22.5 metric tons of CO2 equivalent per day.

Mitigation: The project shall implement Mitigation Measures MM 4.5-1, MM 4.5-2 and MM 4.5-3, as set forth in Attachment A to this document.

Finding: Changes or alterations to the Project, which have been incorporated into the Project, will reduce to a less than significant level or avoid the potentially significant environmental effects resulting from project implementation.

Facts Supporting the Finding

The Project, as mitigated above through implementation of MM 4.5-1 through MM 4.5-3, would reduce total estimated 2006 CO_2E emission levels by a minimum 10 percent by 2020 and would not result in a significant cumulative contribution to global climate change. A 10 percent reduction from 2006 emissions levels is consistent with the recommendations included in the Draft Scoping Plan. Using 2006 emission levels, rather than 1990, is also more stringent of a requirement because of the improvements in landfill gas collection and control systems and vehicle fuel efficiency and emission standards. With the adoption of the above mitigation measures (MM 4.5-1 through 4.5-3), the Project is anticipated to result in little additional GHG emissions. The cumulative contribution of the Project to global climate change is therefore considered less than cumulatively considerable and therefore less than cumulatively significant.

Noise Impacts

With an increase in related truck traffic trips, the Project could contribute to cumulative noise levels in the surrounding area.

Finding: Changes or alterations to the Project, which have been incorporated into the Project, will reduce to a less than significant level or avoid the potentially significant environmental effects resulting from project implementation.

Facts Supporting the Finding

With only one exception (Avenue H), all of the roadway noise levels are projected to be less than 65 dB CNEL along the nearest roadways that provide access to the LLRC. The most significant increase in the noise levels will result from traffic associated with other projects approved by the City of Lancaster and by the County of Los Angeles in the unincorporated Antelope Valley. It is unlikely that the truck traffic associated with the two landfill projects (i.e., Puente Hills Landfill and Antelope Valley Landfill) would utilize the roadways that would be affected by the LLRC given their geographic locations and, therefore, would not contribute to the overall noise impacts along those roadways. Further, aviation noise may be associated with the helistop in Palmdale, any potential impacts resulting from the operation of that facility would add incrementally to the ambient noise environment; however, due to the nature of the existing land use (i.e., landfill), no significant cumulative noise impacts would occur to the LLRC.

Project-related vehicular noise will not add significantly to the projected noise levels forecast along Avenue F and Avenue G. The greatest increase in project-related noise would be 0.6 dBA along Avenue F (east of SR 14). However, the noise levels do not exceed prescribed noise thresholds. Where mobile-source noise levels do exceed the 65 dBA CNEL criterion along Avenue H, east of SR-14, project-related traffic would contribute only 0.1 dBA to cumulative noise levels which is generally not audible and, as a result, is not cumulatively significant. Therefore, no project-related cumulative impacts are anticipated as a result of the increased maximum daily capacity.

Water Quality Impacts

Potential for ongoing operations at the LLRC to contribute to cumulative water quality impacts.

Finding: Changes or alterations to the Project, which have been incorporated into the Project, will reduce to a less than significant level or avoid the potentially significant environmental effects resulting from project implementation.

Facts Supporting the Finding

Cumulative impacts to groundwater or surface water that may be anticipated to occur as the result of existing landfill operations are addressed through on-site systems, including the leachate collection and recovery system, which are in place to ensure that groundwater is not adversely affected. Erosion control measures

previously prescribed for the LLRC shall continue to be utilized at the site during landfill operations and closure to minimize the soil loss from the landfill. Excessive soil loss shall be mitigated by limiting the distance water must travel before reaching a channel or other drainage structures and by maintaining a 3:1 ratio. Existing mitigation measures for the LLRC, including, but not limited to, silt fences, bale dikes, wood chips, and sand bags remain adequate under the Project. Further, maintenance of the sedimentation basins will be conducted annually and will continue throughout the post-closure maintenance period. Further, current activities to establish interim vegetation on the deck and slope areas of the site will be continued. Subsequent to closure of the LLRC, vegetative materials will be established over the surface of the landfill to serve as the primary erosion control feature. As a result, potential cumulative impacts to both groundwater and surface water quality will be avoided through the design of the landfill, which complies with all regulatory requirements for such facilities.

Water Supply Impacts

The Final SEIR considered whether there was a potential for on-going groundwater pumping used at the LLRC for dust control and non-potable uses to considerably contribute to the cumulative depletion of the existing Antelope Valley Groundwater basin, including the potential to substantially interfere with other groundwater wells in the area. (See Final SEIR, Vol. 2, pp. 4-62 thru -67.)

Finding: Changes or alterations to the Project, which have been incorporated into the Project, will reduce to a less than significant level or avoid the potentially significant environmental effects resulting from project implementation.

Facts Supporting the Finding

Long-Term Cumulative (Water Supply) Operational Impacts:

As discussed in Section 4.4 of the Final SEIR (2011), and in reliance on the 1997 Final EIR, the Project will not result in any new cumulatively considerable contributions to long-term depletion of the groundwater aquifer. The cumulative impact of the Project to groundwater was therefore found to be less than cumulatively significant. Although the groundwater basin continues to be in overdraft, a coordinated adjudicatory proceeding to adjudicate the basin is also on-going. Strategies to address the overdraft conditions include groundwater recharge and groundwater banking, use of recycled water, demand management through conservation and water use efficiency, and efficiency upgrades through infrastructure improvements (RWMG 2007).

The Project would not result in any new construction activities over and above what has previously been approved for the LLRC but not yet built out. The Project will be required to cap groundwater pumping at the existing level of 60 afy or the amount allocated to the site pursuant to the adjudication if less than 60 afy. The Project will be required to supplement any water needed for the Project in excess of the amount allocated to the site in the adjudication by either paying replacement water assessments or using recycled water currently available to the site through existing infrastructure. While increasing the daily allowable intake of waste would result in more rapid filling of the remaining airspace at the LLRC, it would not result in a larger landfill working face on any given day because there will not be an increase in the amount or type of landfill equipment in use, or in the number of employees on any given average operational day. Thus, additional water for dust control over existing historic levels used at the LLRC because of a larger working face will not be required and other Project-related demand for groundwater would therefore not increase over the existing usage level of 60 afy.

The potential impacts from continued groundwater pumping at the existing level of 60 afy, or at the level allocated to the site through the adjudication if less than 60 afy, including the potential of such continued pumping to adversely affect the production rates of other groundwater wells (of which there has not been any such evidence to date), was therefore found to be less than cumulatively considerable. (See Final SEIR, Vol. 2, p. 4-67.) The Los Angeles County Environmental Health unit states that there are three other privately-owned production wells used for drinking water located within a one-mile radius of the LLRC. The three wells are located near East Avenue F and Division Street, approximately one-half to three-quarters of a mile west of LLRC. (Final SEIR, Vol. 2, p. 4-62.) Considering the rates of ongoing pumping that would occur under the Project (approximately 60 afy from the Antelope Valley groundwater basin), the distance from the LLRC to

other groundwater wells in the surrounding area (e.g. one-half to one-quarter of a mile away), the relatively small amount of groundwater that would continue to be used at the LLRC, and the requirement that the Project cap groundwater pumping at the existing level of 60 afy or the amount allocated to the site pursuant to the adjudication if less than 60 afy, the project would not interfere with the production rate of preexisting wells in the area or substantially deplete the groundwater basin. There is also no evidence in the record that groundwater pumping at the LLRC at existing levels (and since 1954) has interfered with any other groundwater wells in the greater outlying area. The potential to adversely affect the production rates of other groundwater wells, or to interfere with groundwater recharge, is therefore less-than-significant.

SECTION 3.0 ENVIRONMENTAL EFFECTS FOUND TO BE SIGNIFICANT AND UNAVOIDABLE AFTER MITIGATION

The Commission has determined that, although mitigation measures and conditions of approval imposed on the Project will provide substantial mitigation of the following effects, these effects cannot be feasibly mitigated to a less than significant level. Consequently, in accordance with Section 15093 of the State CEQA Guidelines, a Statement of Overriding Considerations has been prepared (refer to Section 7.0), to substantiate the Commission's decision to accept these significant unavoidable environmental impacts in light of the benefits afforded by the Project.

Air Quality Impacts

Environmental Impacts:

Impact 4.2-1:
Project implementation would result in project specific pollutant emissions associated with truck traffic hauling refuse to the site as well as emissions from flares and on-site equipment used in the landfilling process. The increase in both operational and mobile-source emissions will exceed the thresholds established by the Antelope Valley AQMD for NOx and PM_{10}.

Mitigation: All mitigation measures prescribed in the 1997 EIR (Section 5.6.1.4 Air Quality) are incorporated herein by this reference and are applicable to this Project. These measures shall continue to be implemented to the satisfaction of the County unless such measures have already been fulfilled or are in conflict with more stringent provisions set forth in the California Code of Regulations, applicable state statutes, or other governing documents, in which case, the more stringent provisions shall control. These mitigation measures, which are summarized and /or excerpted below, include, but are not limited to, the measures listed in the 1997 EIR and 1998 MMP, which is attached hereto as Exhibit A to Attachment A and incorporated herein by this reference. In the event of any inconsistencies, the measures as set forth in the 1997 EIR and 1998 MMP shall control.

- Conduct on-site engine feasibility study to determine whether equipment and vehicles can be powered with engines that meet on-highway standards. Evaluation to include utilization of turbocharged and intercooled diesel engines, and retardation of fuel injection. (1997 EIR, p. 5.6-19.)

- Tune-up and maintain landfill equipment in accordance with manufacturers schedules and specifications. (1997 EIR, p. 5.6-20.)

- Instruct operators and supervisors to report any symptoms of performance which require maintenance. (1997 EIR, p. 5.6-20.)

- Instruct equipment operators to shut down diesel equipment if it is expected to idle for more than 10 minutes. (1997 EIR, p. 5.6-20.)

- Evaluate feasibility of employee ridesharing program. (1997 EIR, p. 5.6-20.)

- Continue existing dust suppression measures [watering] on unpaved roads, in borrow areas, and at working face of landfill. (1997 EIR, p. 5.6-21.)

Level of Significance After Mitigation: With continued implementation of the above mitigation measures, and with implementation of the GHG related mitigation measures, which also lessen PM10 and NOx, the Project's NOx and PM_{10} emissions will be mitigated to the extent feasible, but will remain significant and unavoidable.

Finding: Changes or alterations have been required in, or incorporated into, the Project that substantially lessen, but do not avoid, the potentially significant environmental effect associated with Impact 4.2-1. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final SEIR.

Facts Supporting the Finding

Considering the existing ongoing non-attainment status of the air basin for NOx (an ozone precursor) and PM10, the SEIR concluded that the Project would result in a considerable contribution to the existing nonattainment status, and by exceeding the thresholds for NOx and PM10, through ongoing continued operations and related emissions. Despite the implementation of all feasible mitigation measures, the Project would result in significant and unavoidable direct impact on NOx and PM10.

Impact 4.2-2:
The incremental addition of Project emissions associated with the increase in daily capacity will incrementally contribute to the cumulative adverse non-attainment conditions that currently exist in the air basin for ozone (NOx) and particulates (PM). Project-related emissions will contribute to the cumulative degradation of the air basin when combined with stationary and mobile-source emissions resulting from other approved and proposed projects in the air basin, which has been designated "non-attainment" for ozone (NOx) and PM_{10}.

Mitigation: All mitigation measures prescribed in the 1997 EIR (Section 5.6.1.4 Air Quality) are incorporated herein by this reference and are applicable to this Project. These measures shall continue to be implemented to the satisfaction of the County unless such measures have already been fulfilled or are in conflict with more stringent provisions set forth in the California Code of Regulations, applicable state statutes, or other governing documents, in which case, the more stringent provisions shall control. These mitigation measures are summarized above under Impact 4.2-1. In the event of any inconsistencies, the measures as set forth in the 1997 EIR and 1998 MMP shall control.

Level of Significance After Mitigation: Despite implementation of the above mitigation measures, the cumulative NOx (ozone) and PM_{10} contributions would exacerbate the current "non-attainment" status of the basin and, although they will be partially mitigated, they will not be mitigated to a less than significant level.

Finding: Changes or alterations have been required in, or incorporated into, the Project that substantially lessen, but do not avoid, the potentially significant cumulative environmental effect associated with Impact 4.2-2. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final SEIR.

Facts Supporting the Finding

The Project site is located within the Mojave Desert Air Basin that is designated as non-attainment status for NOx (an ozone precursor) and PM10. The SEIR concluded that the Project would exceed the thresholds for NOx and PM10 and result in a cumulatively considerable contribution to the existing nonattainment status through ongoing continued operations and related emissions. Despite the implementation of all feasible mitigation measures, the Project would result in significant and unavoidable cumulative impact on NOx and PM10.

SECTION 4.0 FINDINGS REGARDING GROWTH-INDUCING IMPACT

Section 15126(g) of the State CEQA Guidelines requires consideration of the ways that the Project could be considered growth inducing. According to these guidelines, growth-inducement relates to "ways in which the Project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment." Using this definition, the Commission finds Project is not considered growth-inducing for the flowing reasons:

- The LLRC is an existing Class III sanitary landfill that has been in operation since the mid-1950s. Most recently, the County approved an expansion of the LLRC to include the additional fill areas, which provided for an increase in the capacity of the landfill. The growth-inducing impacts associated with that expansion were evaluated in an EIR (SCH No. 1993101036), which concluded that the LLRC was not considered "growth-inducing" because it is only a small part of the total solid waste disposal system that serves both existing and new development and other landfills in the County were closing and would close in the future. Rather than being considered growth-inducing, the expansion was identified and determined to be one that was intended to meet the on-going need for refuse and municipal solid waste disposal in the County and, in particular, in the Antelope Valley. In the same way, the new Conditional Use Permit that would allow for an increase in the daily refuse accepted at the LLRC would also be considered "growth-accommodating" in that as the daily demand for land fill capacity continues the ability to the LLRC to accept a greater volume will address that existing demand.

- Implementation of the Project will not result in any significant economic growth or expansion in either the County of Los Angeles, nearby cities, or larger southern California region. Specifically, no significant employment will be created by the Project. The increase in the amount of refuse accepted on a daily basis at the landfill is intended to facilitate the daily demands for solid waste collection in the County. No significant increase in staffing is anticipated and no other uses are proposed that could stimulate unanticipated growth and development in the County of Los Angeles. Further, no residential development is proposed and none would be expected to occur as either a direct or indirect result of the Conditional Use Permit for the LLRC. Therefore, no significant growth-inducing impacts of the Project are anticipated.

- The Project does not necessitate any amendments to the County's General Plan. In the case of the Project, the new Conditional Use Permit would allow for an increase in the amount of refuse that is currently permitted by the County (i.e., from 1,700 tpd to 3,000 tpd). No significant change to the existing use is proposed and, therefore, neither the General Plan nor the zoning adopted for the site would require revision. Therefore, approval of the Conditional Use Permit that allows for the continued operation of the LLRC with an increase in daily refuse accepted at the LLRC will not set a precedent in the use of the site.

- Generally, growth-inducing projects possess such characteristics as being located in isolated, undeveloped, or under-developed areas, necessitating the extension of major infrastructure (e.g., sewer and water facilities, roadways, etc.) or those that could encourage the "premature" or unplanned growth in an area not planned for development (i.e., "leapfrog" development). The subject property is an existing Class III sanitary landfill. As such, it is important to note that the proposed increase in daily refuse intake at the LLRC will not remove an obstacle to population growth since the Project site currently services and is anticipated to continue to serve an area that is urbanized. Further, the Project does not include expansion of the approved landfill footprint or other physical characteristics of the LLRC. Rather, it merely allows for an increase in the volume of refuse that can be accepted at the landfill on a daily basis. Therefore, no physical impacts outside the already approved landfill footprint will occur. These impacts have been evaluated in a prior environmental document (SCH No. 1993101036), which has been incorporated by reference. As indicated above, all of the essential infrastructure and related utilities have adequate capacity to accommodate the proposed increase in daily tonnage, which will not result in significant increases in demands on the infrastructure. Therefore, no significant growth-inducing impacts are anticipated.

SECTION 5.0 FINDINGS REGARDING PROJECT ALTERNATIVES

5.1 BASIS FOR ALTERNATIVES FEASIBILITY ANALYSIS

Public Resources Code section 21002, a key provision of CEQA, provides that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects[.]" The same statute states that the procedures required by CEQA "are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects."

Where a lead agency has determined that, even after the adoption of all feasible mitigation measures, a project as proposed will still cause one or more significant environmental effects that cannot be substantially lessened or avoided, the agency, prior to approving the project as mitigated, must first determine whether, with respect to such impacts, there remain any project alternatives that are both environmentally superior and "feasible" within the meaning of CEQA. (See *California Native Plant Society v. City of Santa Cruz* (2009) 177 Cal. App. 4th 957, 1001 (CNPS) ("an alternative 'may be found infeasible on the ground it is inconsistent with the project objectives as long as the finding is supported by substantial evidence in the record'").) Thus, even if a project alternative will avoid or substantially lessen any of the significant environmental effects of the project, the decision-makers may reject the alternative if they determine that specific considerations make the alternative infeasible. (See also, *In re Bay-Delta Programmatic Environmental Impact Report Coordinated Proceedings* (2008) 43 Cal.4th 1143, 1165, 1166 (Bay-Delta) ("[i]n the CALFED program, feasibility is strongly linked to achievement of each of the primary program objectives"; "a lead agency may structure its EIR alternative analysis around a reasonable definition of underlying purpose and need not study alternatives that cannot achieve that basic goal").)

Under CEQA Guidelines section 15126.6, the alternatives to be discussed in detail in an EIR should be able to "feasibly attain most of the basic objectives of the project[.]" Based on the requirements of CEQA Guidelines section 15126.6 and the Project's Objectives identified in Sections 1.1.5 and 3.6 of the Draft and Final SEIR, the following alternatives to the Project were identified and discussed in Section 10.0 of the Draft and Final SEIR:

- Alternative 1a: No Project (Existing Landfill Operations)
- Alternative 1b: No Project (Closure of the Landfill)
- Alternative 2: Smaller Increase in Daily Permitted Capacity (2,350 tpd) Alternative, and
- Alternative 3: Increase in Daily Maximum Capacity at Antelope Valley Landfill Alternative.

The Final SEIR identifies the No Project (Existing Landfill Operations) as the environmentally superior alternative to the Project. The Commission finds that that a good faith effort was made to evaluate all feasible alternatives in the SEIR that are reasonable alternatives to the Project and could feasibly obtain the basic objectives of the Project, even when the alternatives might impede the attainment of the Project objectives and might be more costly. As a result, the scope of alternatives analyzed in the SEIR is not unduly limited or narrow. The Commission also finds that all reasonable alternatives were reviewed, analyzed, and discussed in the review process of the SEIR and the ultimate decision on the Project.

5.1.1 Significant, Unavoidable Impacts of the Project

The Project will result in the significant and unavoidable impacts identified in Section 3.0, above, all of which can be substantially lessened, though not avoided, through implementation of feasible mitigation measures adopted in connection with the Project.

5.1.2 Scope of Necessary Findings and Considerations for Project Alternatives

As noted above, these findings address whether the various alternatives substantially lessen or avoid any of the significant unavoidable impacts associated with the Project and also consider the feasibility of each alternative. Under CEQA, "(f)easible means capable of being accomplished in a successful manner within

a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors." (CEQA Guidelines § 15364.) As explained earlier, the concept of feasibility permits agency decision makers to consider the extent to which an alternative is able to meet some or all of a project's Objectives. In addition, the definition of feasibility encompasses "desirability" to the extent that an agency's determination of infeasibility represents a reasonable balancing of competing economic, environmental, social, and technological factors supported by substantial evidence. In identifying potentially feasible alternatives to the Project, the following Project Objectives were considered:

- Authorize an increase in daily refuse handling capacity at an existing in-county landfill to accommodate future projected population growth and waste load shifting within Los Angeles County.

- Provide a regional resource within the Lancaster area that is available for both local and County waste disposal for at least 15 years.

- Decrease the amount of dependence on out-of-county waste disposal and long-haul options of waste by increase in in-county disposal options, and thereby avoiding adverse regional air quality and traffic impacts.

- Minimize the impacts of solid waste disposal through a well-engineered and environmentally sound operation.

- Dispose of refuse in an existing landfill and relatively isolated area thus efficiently utilizing land space.

5.2 DESCRIPTION OF PROJECT ALTERNATIVES

The Draft SEIR identified and compared environmental effects of the three alternatives listed below with environmental impacts resulting from the Project. The following alternatives to the Project were evaluated:

Alternative 1: No Project (Existing Landfill Operations) including No Project (Closure of the Landfill)

Alternative 1a: No Project (Existing Landfill Operations) (Environmentally Superior Alternative)

Description: The No Project (Existing Landfill Operations) Alternative assumes the continuation of "status quo" of the existing permitted levels of operation and conditions at the LLRC throughout the remaining life of the LLRC. Specifically, this alternative assumes that the existing rate of disposal currently authorized under the existing permit would remain in effect even past the expiration date of the existing CUP No. 93-070, and the LLRC would continue to operate at that 1,700 tpd permit level. Based on a continuation of the maximum permitted rate of disposal (i.e., 1,700 tpd), the LLRC has a remaining life of approximately 24 years (i.e., 2035), based on the current permit for waste intake and operating at 310 days per year. If operating at only 261 working days per year the site life would be extended for approximately 28 years until 2039.

Comparison of Environmental Effects:

Traffic and Circulation

The No Project (Existing Landfill Operations) Alternative will not result in the generation of any additional vehicular traffic compared to the Project because it would be a continuation of on-going existing operations. The site currently generates approximately up to 400 trips per day (based on a disposal rate of 1,700 tons per day). As indicated in Section 4.1, all of the intersections currently operate at LOS A and are forecast to continue to operate at LOS A in the future with the Project (including cumulative growth). Because there would not be an increase in daily trip generation associated with this aspect of the No Project alternative, as compared to the Project, the contribution of this alternative's traffic to the surrounding

circulation system would be less than that associated with the Project. As a result, there would be no change in the intersection operations levels of service (i.e., each of the intersections would operate at acceptable levels of service under both the Project and the No Project (Existing Landfill Operations) alternative). Nonetheless, traffic resulting from this alternative would be less than the Project-related traffic because 1,300 tpd less waste would be able to be accepted at the site. It is important to note that the traffic associated with the No Project (Existing Landfill Operations) alternative will continue to have an effect on the pavement integrity of Division Street (between Avenue F and Avenue G), and Avenue F (between Division Street and 10th Street East), and Avenue H which were identified in the EIR prepared for the LLRC Expansion project in 1997 and herein, although the impacts to pavement integrity would be less at 1,700 tpd versus 3,000 tpd.

Air Quality

Without any increase in the daily tonnage accepted at the LLRC, no direct increase in air quality emissions would occur beyond those that are already realized as part of the currently permitted levels of operation. As indicated in Section 4.2, the air emissions currently generated as a result of on-site activities and vehicular traffic would continue to occur; these existing emissions do not currently exceed the established significance thresholds. Although the increases resulting from project implementation would not exceed the significance thresholds, the No Project emissions would be less than those associated with project implementation (3,000 tpd). However, it is important to understand that some indirect air emissions associated with the No Project alternatives may occur. In the event it becomes necessary to redirect refuse vehicles to another County landfill (in the event materials recover facilities and/or transfer stations are not available for use in the disposal process) because the 1,700 tpd capacity has been reached at the LLRC, trip lengths associated with the redirected refuse truck traffic may increase, depending on where the waste originated and to which landfill the refuse trucks are sent. Although it is difficult to quantify the actual air emissions, it may be anticipated that increases in air emissions would occur if the trip length exceeds the current trip length within the LLRC waste shed. Depending on how much traffic may be diverted to another landfill and the distance to that landfill as compared with the distance to the LLRC, the potential impacts may be significant, either on a project or cumulative basis.

Noise

No significant noise impacts would result from the implementation of the No Project (Existing Landfill Operations) Alternative. Ambient noise levels along the surrounding roadways range from approximately 58 dBA CNEL to less than 67 dBA CNEL. These levels are forecast to increase only slightly (i.e., less than 0.5 dBA CNEL) due to general growth in the area over time without the Project-related traffic (i.e., existing traffic, including the existing landfill traffic) and cumulative growth-related traffic. Therefore, continuation of the current operations without an increase in daily tonnage at the LLRC will not result in any significant noise impacts. As compared to the Project, less on-road noise would result because there would be fewer refuse trucks traveling to/from the LLRC.

Water Quality/Water Demand /Drainage

Implementation of the No Project (Existing Landfill Operations) alternative will not have any significant impacts on the water quality, water supply or drainage. These impacts were thoroughly evaluated in the EIR prepared for the expansion of the LLRC that was approved in 1998, or, as in the case of groundwater use, are conditioned to remain at existing baseline levels. Extending the life of the LLRC at the existing 1,700 tpd would not change any of the physical characteristics associated with the approved landfill. These impacts will be virtually the same as identified for the Project (refer to Draft SEIR Section 4.4).

Finding: The No Project (Existing Landfill Operations) alternative is rejected as infeasible because it does not meet the specific objective of allowing for an increase in daily refuse handling in an effort to meet projected population increases in the County and decreasing disposal facilities.

Facts Supporting the Finding

Implementation of the No Project (Existing Landfill Operations) alternative would not meet the goal of enabling the County to provide increased availability of daily disposal capacity. Continuation of existing operational conditions, which would include compliance with current fee schedules, would also result in a lesser amount of fees and in-kind services than would be provided under the proposed Project. Adoption

of this alternative also would not provide for the additional diversion potential of green waste as incorporated into the Project Description. Such diversion will assist local jurisdictions to comply with AB 939 requirements to divert 50 percent of solid waste from landfills.

Implementation of the No Project (Existing Landfill Operations) alternative would result in no change in the number of daily trips associated with the existing 1,700-tpd capacity approved for the LLRC. As a result, there would be no change in traffic, air emissions, and noise impacts associated with this alternative, which would be slightly less than for the Project. As previously indicated, it is important to note that some indirect impacts to traffic, noise, and air quality may occur in the event that refuse that would normally be directed to the LLRC is diverted to another landfill in the region because the facility reaches its currently permitted daily capacity (assuming that MRF and/or transfer facilities are not available for use in the disposal system). Although the potential impacts of this alternative will be the same as presently occurs as a result of current operations at the LLRC, this alternative would not result in the elimination or significant reduction of significant impacts when compared to the Project.

Alternative 1b: No Project (Closure of the Landfill)

Description: The No Project (Closure of the Landfill) alternative is a clarification and variation of the No Project Alternative included in the 2006 Draft EIR. Under the No Project (Closure of the Landfill) alternative it is assumed that the existing landfill operations would cease when the current CUP expired in 2012 pursuant to CUP condition number 6. Under this alternative, the LLRC would cease operations consistent with applicable permit provisions and other regulations. Specifically, this variation of the alternative assumes that the LLRC would cease all activities, including ancillary activities such as the diversion of recyclable and beneficial use materials, as well as the disposal of up to 1,700 tpd of MSW on August 1, 2012. The LLRC would begin taking actions to close the site.

Comparison of Environmental Effects:

Traffic and Circulation

The No Project (Closure of the Landfill) Alternative will, in the short term, result in the continuation of existing on-going operations until 2012 when closure activities would begin. On-site activities and truck trips related to closure would be roughly the same as closure under the Project. (See 1997 EIR, pp. 3-42 thru -43 (final cover material for Phase IX will be provided by excess excavation material from Phases VI-VIII).) Beginning in August 2012, and continuing into the long term, the approximately 400 truck trips associated with the currently permitted disposal rate of 1,700 tpd of MSW would instead haul those waste materials to other facilities, including but not limited to the Antelope Valley Public Landfill.

Truck traffic related to the diversion of recyclable and other beneficial use materials within the County would also cease at the site. Under the Closure scenario, after 2012, truck traffic related to activities at the LLRC would cease and traffic conditions would improve in the immediate area. Regional truck traffic, however, would continue due to the ongoing demand for disposal of MSW and the need under State law to divert recyclable and beneficial use materials.

As indicated in Section 4.1, all of the intersections currently operate at LOS A and are forecast to operate at LOS A in the future with the Project (including cumulative growth). Because there would not be any increase in trips associated with this version of the No Project Alternative, the contribution of this alternative's traffic to the surrounding circulation system would be less than that associated with the Project or any other alternative. As a result, under the No Project (Closure of the Landfill) alternative, there would be no change in the intersection operations levels of service (i.e., each of the intersections would operate at acceptable levels of service) in both the short and long term. In fact, the existing LOS conditions could improve and the potential effects on pavement integrity on Division Street (between Avenue F and Avenue G), and Avenue F (between Division Street and 10th Street East), would be avoided after closure.

Air Quality/ GHG

No direct increase in criteria or GHG related air quality emissions would occur under the No Project (Closure of the Landfill) scenario. Fewer air quality emissions would be generated on-site after closure as compared to the continued operation of the LLRC under the Project. The on-going emissions currently generated as a result of on-site activities and vehicular traffic, as described in Section 4.2, would cease. Thus, air emissions would be less than the Project or any other alternative after closure. Although the No Project (Closure of the Landfill) emissions would be less than those associated with project implementation, regional air emissions from the need to continue transporting MSW and diverting materials would, however, continue irrespective of the LLRC's closure.

In the event it becomes necessary to redirect refuse vehicles to another County landfill (in the event material recovery facilities and/or transfer stations are not available for use in the disposal process) because the site has been closed, trip lengths associated with the redirected refuse truck traffic may increase, depending on where the waste originated and to which landfill the refuse trucks are sent. Although it is difficult to quantify the actual air emissions, it may be anticipated that increases in air emissions would occur if the trip length exceeds the current trip length within the LLRC waste shed. Depending on how much traffic may be diverted to another landfill and the distance to that landfill as compared with the distance to the LLRC, the potential impacts may be significant, either on a project or cumulative basis.

Noise

No significant noise impacts would result from the implementation of the No Project (Closure of the Landfill) scenario. Ambient noise levels along the surrounding roadways range from approximately 58 dBA CNEL to less than 67 dBA CNEL. These levels are forecast to increase only slightly due to general growth in the area (i.e., less than 0.5 dBA CNEL) without the Project-related traffic (i.e., existing traffic, including the existing landfill traffic) and cumulative growth-related traffic. Closure of the site and closure activities will not result in any new or substantially different noise impacts as compared to the Project.

Water Quality/Water Demand/ Drainage

Implementation of the No Project (Closure of the Landfill) Scenario will not have any significant impacts on water quality, drainage or supply. These impacts were thoroughly evaluated in the EIR prepared for the expansion of the LLRC that was approved in 1998, which included the processes necessary to close the site upon the earlier of the expiration of the permit term or reaching the LLRC's permitted capacity. These impacts will be virtually the same as identified for the then-proposed project and closure of the site, as well as for the currently proposed Project.

Finding: The No Project (Closure of the Landfill) Alternative is rejected as infeasible because it does not meet any of the Project objectives, including allowing the on-going recycling of materials, efficient disposal of refuse available in the local area, allowing for an increase in daily refuse handling in an effort to meet projected population increases in the County and decreasing disposal facilities etc.

Facts Supporting the Finding

Implementation of the No Project (Closure of the Landfill) alternative would result in the closure of the landfill and the expiration of the CUP authorizing landfill operations, which would not meet any of the stated objectives for the Project. The cessation of operations would also result in the cessation of the fee payments under the existing CUP and County Code related to the landfill operations and the continued acceptance of MSW. It would also not provide for the additional diversion potential of green waste as incorporated into the Project Description. Such diversion will assist local jurisdictions to comply with AB 939 requirements to divert 50 percent of solid waste from landfills.

Implementation of the No Project (Closure of the Landfill) Alternative scenario would, after closure, result in very few trips to the LLRC (e.g. only trips for monitoring or other post closure activities by WMI and LEA staff). As a result, there would be a reduction in the immediate area in traffic, air emissions, and noise impacts associated with this scenario. Indirect regional impacts to traffic, noise, and air quality would nevertheless continue to occur because of the ongoing demand for disposal and diversion activities for the County, and because waste that would normally be directed to the LLRC would be diverted to another

facility. The No Project (Closure of the Landfill) scenario would therefore avoid direct impacts in areas surrounding the LLRC but would not result in the elimination or significant reduction of significant impacts, such as PM_{10} and NOx emissions that would occur under the Project, when compared to the on-going regional needs for disposal and diversion. Given the nature of the Project, and the on-going and growing need for future disposal and recycling activities irrespective of the Project, this alternative would not avoid the significant impacts associated with the transport and disposal of MSW generally.

The current limited availability of daily (and long-term) capacity in the County's landfill system is a limiting factor when considering the County's responsibility of providing adequate landfill capacity and diversion of recyclable waste as required by State law. Implementation of the No Project (Closure of the Landfill) Scenario would result in closure of the LLRC in 2012, prior to the landfill reaching its planned capacity, and would therefore not meet the Project objectives. Also, under this alternative, up to 10 jobs at the LLRC would be lost. It could also be deemed more undesirable than the Project after balancing the relevant economic, environmental, and social factors.

Alternative 2: Smaller Increase in Daily Permitted Capacity (2,350 tpd)

Description: This alternative would be similar in nature to the Project; however, this alternative would allow for an increase in daily permitted capacity to only 2,350 tpd, compared to 3,000 tpd for the Project. This increase represents approximately one-half of the increase requested by the Project applicant. This alternative, like the Project, would result in an increase in the permitted daily capacity, which would require a new Conditional Use Permit and a revision to the Solid Waste Facilities Permit approved for the LLRC. The effect of this alternative would be the reduction in the remaining life of the LLRC from the currently estimated 24 years to approximately 20 years; however, like the Project, this daily capacity increase would increase the total daily capacity available within the County's landfill system and facilitate short-term demands for sanitary landfill capacity. With the exception of traffic, noise, and air quality impacts, implementation of the smaller increase alternative would not result in any impacts that were not previously evaluated in the EIR prepared for the LLRC Expansion or in the SEIR prepared for the proposed Project.

Comparison of Environmental Effects:

Traffic and Circulation

Implementation of the smaller increase in daily capacity alternative would result in fewer heavy truck trips when compared to the Project. Based on the maximum daily capacity of 2,350 tpd and similar trips as identified for the Project, this alternative would result in the generation of approximately 64 additional daily passenger car equivalents (PCE) trips (i.e., an increase of approximately 13 heavy truck trips per day) over and above the existing trips allowed under the existing CUP and 1,700 tpd. As described for the Project, all of the key study intersections are currently operating at acceptable levels of service (i.e., LOS A) and are forecast to continue to do so when project-related traffic and future growth is added to the circulation system. As a result, the addition of fewer vehicular trips will result in the contribution of fewer vehicles to the roadways in the vicinity of the Project site. Because no significant project-related impacts were identified, none of the intersections would be adversely affected by the traffic generated by this alternative and no mitigation measures would be required. However, as indicated for the Project, the pavement integrity of three roadway segments would be affected by additional heavy truck traffic generated by the LLRC. The increase in trips per day associated with this alternative would result in the same impacts over time to the pavement integrity of the same three roadway segments, including those identified in MM 4,1-1. As a result, implementation of this alternative would be subject to the same mitigation as the Project (i.e., payment of fair share/pro-rata fees).

Air Quality

Air quality impacts resulting from this alternative are anticipated to be less than the air quality emissions associated with the Project because there would be a decrease in the daily trips. Therefore, this alternative would generate only about 64 additional daily trips (i.e., PCE trips), over the existing baseline conditions (1,700 tpd) resulting in approximately one half of the mobile-source pollutant emissions identified for the Project. In addition, a proportional decrease in the on-site emissions, primarily fugitive dust, would also result based on a reduced level of landfilling operations that would occur from the reduced activities when

compared to the Project. However, as indicated in Section 4.2, the increase in project-related daily air emissions, including both vehicular and on-site "construction" emissions, are not significant because they do not exceed the thresholds established by the local air pollution control district. Like the Project, these direct air quality impacts would contribute to the cumulative degradation of the Mojave Desert Air Basin and would be, like the Project, significant on a cumulative basis.

Noise

Similar to the air quality impacts described above for this project, noise impacts are directly related to the movement of heavy trucks to and from the LLRC and earth-moving equipment occurring on the site. Implementation of the Project would result in an increase only 0.3 dBA CNEL. Further, the projected noise levels along all but one of the key roadways analyzed in the traffic study would be characterized by noise levels that are less than 65 dBA CNEL with the Project (and cumulative growth). The noise levels along Avenue H east of SR-14 would operate slightly above the 65 dBA CNEL criterion; however, as indicated above, project-related trips would not generate noise increases that can be perceived (i.e., 0.1 dBA with or without the Avenue F extension). Therefore, no significant noise impacts were identified for the Project. Because this alternative would result in fewer trips, the noise impacts associated with it would be the same or proportionately less than the Project. Operational noise impacts (i.e., noise resulting from landfill activities associated with landfill operations) would be the same as for the existing LLRC (i.e., No Project alternative) and for the Project. A reduction in the maximum daily capacity from that proposed would also be the same as current ambient operational noise levels.

Water Quality/ Water Demand/Drainage

Implementation of this alternative will have, in general, similar impacts on the water quality, water demand and drainage as identified for the Project. These impacts were thoroughly evaluated in Section 4.4 of the Draft SEIR. As indicated in that assessment, no significant impacts from changes in the topographic conditions are anticipated because waste will be placed above lined areas and there would be no potential increase in erosion beyond that identified in the prior EIR.

Finding: Alternative 2 is rejected as infeasible because it fails to meet all of the Project objectives identified in the Final SEIR.

Facts Supporting the Finding
Although the increase in daily capacity under Alternative 2 would accommodate some of the increased daily demand for refuse capacity in the County's landfill system, the additional capacity resulting from this alternative would not be as great as proposed. Therefore, although the existing need for additional short-term (i.e., daily) capacity will be offset, the County will continue to experience demands for refuse capacity resulting from continued growth. In addition, this alternative would result in a loss of a portion of the fees anticipated to be paid to the County of Los Angeles in connection with the operation of the Project.

While this alternative would reduce the number of vehicular trips when compared to the Project, the impacts of the Project are less than significant. Nonetheless, the reduction in traffic associated with this alternative will result in a concomitant reduction in air pollutant emissions and the generation of mobile-source noise. Because of the significant number of projects that have been approved in the Antelope Valley and, further, because the LLRC is located within a "non-attainment" air basin, the significant cumulative air quality impacts resulting from project implementation would not be eliminated by this alternative. Moreover, this alternative would shift a portion of the additional impacts to existing solid waste facilities both in the County of Los Angeles and beyond the County.

Although Alternative 2 is considered to be environmentally superior to the Project (i.e., potential traffic, noise, and air quality impacts would be less than those associated with the Project, implementation of this alternative will not result in the elimination of the significant unavoidable air quality impacts (Project and cumulative) identified for the Project.

Alternative 3: Increase Daily Maximum Capacity at Antelope Valley Landfill

Description: This Alternative would involve a similar action (i.e., increase the existing maximum daily capacity) at the Antelope Valley Landfill (or another landfill within the County's landfill system) located in the City of Palmdale. This facility, also owned and operated by WMI, is approximately 15 miles from the LLRC. The maximum daily capacity approved for the Antelope Valley Landfill (AVL) in the SWFP is 800 tpd (as of April 2007). An application to increase the daily capacity to 3,600 tpd (from the approved 800 tpd daily capacity) was filed with the City of Palmdale. This alternative (i.e., increase in daily maximum capacity at the Antelope Valley Landfill) would result in an even greater increase in daily capacity than that currently proposed in order to accommodate the 1,300-tpd increase proposed at the LLRC. In order to accommodate the proposed increase in daily capacity at the AVL, the SWFP and related approvals (CUP) would be modified to permit a maximum daily capacity of 4,900 tpd. This alternative, combined with the Project, would increase the daily capacity available within the County-wide landfill system to offset the current deficit in daily capacity that exists (refer to the discussion presented in Section 3.4).

Comparison of Environmental Effects:

Traffic and Circulation

It is anticipated that the vehicular trips generated by this alternative would be virtually the same as identified for the Project. As indicated in Section 4.1, the Project would result in the generation of 128 daily PCE trips (i.e., 54 two-way heavy truck trips), including 32 trips during the a.m. peak hour and 29 trips during the p.m. peak hour. The increase in daily capacity associated with this alternative would result in an additional 59 daily heavy truck trips (i.e., 236 daily PCE trips). Depending on the existing roadway and intersection volumes in the vicinity of the Antelope Valley Landfill, implementation of this alternative, which would generate at least 59 additional transfer trailer trips per day, could be potentially significant if the existing roadway and intersection operating conditions exceed the level of service standards adopted by the City and/or County. However, if the roadway segments and intersections are operating at acceptable levels of service, the addition of only 236 PCE trips per day and respective peak hour trips would not result in potentially significant impacts.

Air Quality

Although the mobile source air emissions would occur within the same air basin (i.e., Mojave Desert Air Basin), it is possible that air quality impacts may be less than those resulting from the implementation of the Project because the average trip length may be less than the trip length associated with the Project. Because the AVL is closer to the source of refuse in the area, the trip length would be reduced when compared to the Project. As a result, mobile-source air emissions associated with this alternative would potentially be less than identified for the LLRC project. Although the potential project-related impacts of this alternative would be less than significant, similar to the Project, the incremental increase in both CO and NOx emissions would contribute to the cumulative degradation of the air basins because it is designated as a non-attainment area. LFG emissions would be similar to those estimated for the Project.

Noise

Similar to traffic impacts identified, implementation of this alternative could result in potentially significant noise impacts if the ambient and/or future noise levels in the vicinity of the landfill exceed significance thresholds or if sensitive receptors are located in proximity to the landfill that would be affected by the increase in noise resulting from the heavy truck traffic. Residential development does exist closer to the Antelope Valley Landfill. As a result, if either an increase in operational activities or heavy truck traffic occurs as a result of this project that would increase noise levels, potentially significant impacts could occur to the nearby residential land uses. If so, these potential impacts would be greater than those associated with the Project.

Water Quality/ Water Demand/Drainage

It is anticipated that hydrology and water quality/water demand impacts associated with this alternative would not be significant. Similar to the Project, the Antelope Valley Landfill has been designed to

accommodate storm runoff and control leachate generated by the deposition of refuse. Although the amount of refuse deposited at the Antelope Valley Landfill would increase on a daily basis, it would not change any of the surface hydrology and/or groundwater parameters reflected on the Landfill Plan. The surface hydrology and leachate control systems would be implemented earlier than previously identified and the landfill would be closed sooner than anticipated as a result of the increase in daily capacity that would be permitted.

Finding: Alternative 3 is rejected as infeasible because it fails to meet most of the basic fundamental Project objectives identified in the Final SEIR.

Facts Supporting the Finding

Although Alternative 3 could achieve most of the Project objectives, including increasing the maximum daily capacity in the County-wide landfill system and potentially reducing the volume of refuse that is exported from Los Angeles County, this alternative would not provide for the additional diversion potential of green waste and recyclable materials by the County as proposed by the Project. Such diversion will assist local jurisdictions to comply with AB 939 requirements to divert 50 percent of solid waste from landfills. This Alternative, if adopted, would also result in the LLRC closing in accordance with the existing expiration date of August 1, 2012, as contained in the current CUP, unless a new CUP to authorize continued operations at the LLRC was obtained. Additionally, if this alternative resulted in the expiration of the current CUP, the County would cease to receive the fees that are currently collected in connection with LLRC operations pursuant to the terms of existing CUP.

Implementation of this alternative could result in the same or new potentially significant impacts, depending on the ambient conditions related to traffic and noise. If the roadway segments and intersections in the vicinity of the Antelope Valley exceed or are forecast to exceed adequate levels of service, potential traffic impacts could occur. Also, increased trip lengths would result in a greater amount of pollutant emissions. Finally, it is possible that noise impacts could occur if ambient or forecast noise levels exceed significance thresholds. This alternative will also not eliminate the significant unavoidable air quality impacts (Project and cumulative) associated with the Project. Alternative 3 will merely transfer the same impacts to a different geographic area within the County (e.g., to the Antelope Valley Landfill area).

SECTION 6.0 FINDINGS REGARDING THE MITIGATION MONITORING AND REPORTING PROGRAM

Section 21081.6 of the Public Resources requires that when a public agency is making the findings required by State CEQA Guidelines Section 15091(a)(1) and Section 21081(a) of the Public Resources Code, the public agency shall adopt an MMRP for the changes that it has either required of the Project or made a condition of approval to avoid or substantially lessen significant environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures.

The County hereby finds that the MMRP, which is provided as Attachment A to this document, reflects the applicable mitigation measures adopted as part of the Project's Conditional Use Permit No. 93070 as well as those mitigation measures prescribed in the Final SEIR for the new Conditional Use Permit (CUP 03-170). Together, the mitigation measures included in the MMRP meet the requirements of Section 21081.6 of the Public Resources Code by providing for and enforcing the implementation and monitoring of Project conditions intended to mitigate potential environmental effects of the Project.

SECTION 7.0 STATEMENT OF OVERRIDING CONSIDERATIONS

The FEIR identified and discussed significant effects that will occur as a result of the Project. With the implementation of the mitigation measures discussed in the Final SEIR, these effects can be mitigated to less than significant levels except for the unavoidable Project-related and cumulative significant impacts on air quality, as identified in Section 3.0 of these findings.

Having reduced the significant adverse effects of the Project by approving the Project and adopting the conditions of approval and the mitigation measures identified in the Final SEIR, and having balanced the benefits of the Project against the Project's potential unavoidable significant adverse impacts, the Commission hereby determines that the benefits of the Project outweigh the potential unavoidable significant adverse impacts, and that the unavoidable significant impacts are nonetheless acceptable, based on the following overriding considerations. The substantial evidence supporting the various benefits can be found in the preceding findings, which are incorporated by reference into this section 7.0, and in the documents found in the Record of Proceedings, set forth in Section 8.0, below.

The project will bring the following substantial benefits to Los Angeles County residents and the Antelope Valley:

1. Provide additional (relatively short term) capacity to the Countywide Disposal System at the LLRC and reflect consistency with the 2009 Annual Report - County of Los Angeles Countywide Integrated Waste Management Plan, which concluded that the County's existing landfills and infrastructure are insufficient to meet future disposal needs for the next 15 years, and which assumed, under Scenarios II through VII, that the LLRC Project would be approved at 3,000 tpd. (2009 Annual Report, pp. 29, 74-79.)

2. Provides for increased diversion of recyclable and beneficial use materials (added AB 939 compliance).

3. Provides for ongoing fees for local road improvements.

4. Yields economies of scale by helping incremental operational costs and maintains low disposal rates (i.e., rates at or below the "market")

5. Helps maintain Waste Management's ability to support community Programs and events, including free dump days, (e.g. four household hazardous waste events per year at approximately $400,000 annually).

6. Helps offset Antelope Valley Environmental Collection Center (AVECC) operating costs.

7. Increases County revenues to benefit County programs in the Antelope Valley.

8. Incorporates the enforcement of tarping requirements for all loads entering the LLRC.

9. Extends existing Conditional Use Permit past the current 2012 expiration, allowing for the continuation of landfill capacity to serve the Antelope Valley and region at competitive rates.

SECTION 8.0 LOCATION AND CUSTODIAN OF RECORD OF PROCEEDINGS

In accordance with Public Resources Code section 21167.6, subdivision (e), the record of proceedings for the County's decision on the Project includes the following documents:

- The 1997 Final EIR (SCH No. 93101036) for the prior LLRC expansion and all appendices;
- The NOP and all other public notices issued by the County in conjunction with the Project;
- All comments submitted by agencies or members of the public during the comment period on the NOP;
- The Draft SEIR for the Project (December 2006);
- Recirculated Amendment [Climate Change/GHG] to the Draft SEIR;
- All comments submitted by agencies or members of the public during the comment period on the Draft SEIR and Amendment to the Draft SEIR;
- The Final SEIR for the Project, including comments received on the Draft SEIR and the responses to those comments and appendices;
- Documents cited or referenced in the Draft SEIR and Final SEIR;
- The mitigation monitoring and reporting program for the Project;
- All findings and resolutions adopted by the Commission in connection with the Project and all documents cited or referred to therein;
- All reports, studies, memoranda, maps, staff reports, or other planning documents relating to the Project prepared by the County, consultants to the County, or responsible or trustee agencies with respect to the County's compliance with the requirements of CEQA and with respect to the County's action on the Project;
- All documents submitted to the County by other public agencies or members of the public in connection with the Project, up through the close of Commission's decision on the Project;
- Any minutes and/or verbatim transcripts of all information sessions, public meetings, and public hearings held by the County in connection with the Project;
- Any documentary or other evidence submitted to the County at such information sessions, public meetings, and public hearings;
- The Los Angeles County General Plan and all environmental documents prepared in connection with the adoption of the General Plan;
- Any and all resolutions adopted by the County regarding the Project, and all staff reports, analyses, and summaries related to the adoption of those resolutions;
- Matters of common knowledge to the County, including, but not limited to federal, state, and local laws and regulations;
- Any documents expressly cited in these findings, in addition to those cited above; and

- Any other materials required for the record of proceedings by Public Resources Code section 21167.6, subdivision (e).

The custodian of the documents and other materials that constitute the record upon which these findings are based is the Los Angeles County Department of Regional Planning. The record is available for public review at the Los Angeles County Department of Regional Planning, located at 320 West Temple Street, Los Angeles, California 90012.

SECTION 9.0 CEQA GUIDELINES SECTION 15084(d)(3)

The County has relied on CEQA Guidelines Section 15084(d)(3), which allows acceptance of working drafts prepared by the Project Applicant, a consultant retained by the Project Applicant, or any other person. The County has reviewed and edited as necessary the submitted drafts of the CEQA documentation for the Project to reflect the County's own independent judgment, including reliance on County technical personnel from other departments.

SECTION 10.0 PUBLIC RESOURCES CODE SECTION 21082.1(c)

Pursuant to Public Resources Code Section 21082.1(c), the Commission hereby finds that the lead agency (County) has independently reviewed and analyzed the Final SEIR, and that the Final SEIR reflects the independent judgment of the lead agency.

SECTION 11.0 NATURE OF FINDINGS

Any finding made by this Commission shall be deemed made, regardless of where it appears in this document. All of the language included in this document constitutes findings by this Commission, whether or not any particular sentence or clause includes a statement to that effect. This Commission intends that these Findings be considered as an integrated whole, and, whether or not any part of these Findings fail to cross reference or incorporate by reference any other part of these Findings, that any finding required or committed to be made by this Commission with respect to any particular subject matter of the Final SEIR, shall be deemed to be made if it appears in any portion of these Findings.

SECTION 12.0 RELIANCE ON RECORD

Each and all of the findings and determinations contained herein are based on substantial evidence, both oral and written, contained within the entire administrative record of proceedings relating to the Lancaster Landfill and Recycling Center Project. The findings and determinations constitute the independent findings and determination of this Commission in all respects and are fully and completely supported by substantial evidence in the record as a whole.

ATTACHMENT A

MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Monitoring and Reporting Program
Lancaster Landfill and Recycling Center
Conditional Use Permit No. 03-170
Los Angeles County, CA

Mitigation Measure	Mitigation Timing	Action Required	Responsible Agency/Party	Monitoring Agency/Party
Geotechnical				
All mitigation measures prescribed in the EIR (Section 5.1.4 Geotechnical), which was certified by the County of Los Angeles on May 13, 1998, for the Lancaster Landfill and Recycling Facility (County Case No. 93070; State Clearinghouse No. 1993101036) ("1997 EIR") are incorporated herein by this reference and are applicable to this Project. These measures shall be implemented to the satisfaction of the County unless such measures have already been fulfilled or are in conflict with more stringent provisions set forth in the California Code of Regulations, applicable state statutes, or other governing documents, in which case, the more stringent provisions shall control. These mitigation measures, which are summarized and/or excerpted quoted below, include, but are not limited to, the measures listed in the 1997 EIR and Mitigation Monitoring Program adopted on May 13, 1998 ("1998 MMP"), which is attached hereto as Exhibit A and incorporated herein by this reference. In the event of any inconsistencies, the measures as set forth in the 1997 EIR and 1998 MMP shall control.				
• "Prepare Earthquake Preparedness Plan as part of Emergency Response Plan."	Plan to be prepared as part of joint document for revised Solid Waste Facility Permit (SWFP) and amended Waste Discharge Requirements (WDRs) prior to construction.	Approval of SWFP by LEA and CalRecycle and WDRs by Regional Water Quality Control Board (RWQCB).	Project Applicant	LEA RWQCB CalRecycle LACDRP
• "Ensure that interim slopes during landfill development do not exceed gradients of 1.5:1."	Grading Plan to be prepared as part of SWFP and WDR joint support documents prior to construction.	Approval of SWFP by LEA and CalRecycle and WDRs by RWQCB.	Project Applicant	LEA CalRecycle RWQCB LACDRP
• "Develop the landfill in phases. Limit the acreage of disturbed ground during each phase."	Phasing plan to be prepared as part of SWFP support document prior to construction.	Approval of SWFP by LEA and CalRecycle.	Project Applicant	LEA CalRecycle LACDPW LACDRP
• "Construct peripheral drainage channels around the EEA to route drainage around the refuse prism."	Drainage Plan to be prepared as part of SWFP and DWR joint support documents prior to construction.	Approval of SWFP by LEA and CalRecycle and WDRs by RWQCB.	Project Applicant	LEA RWQCB CalRecycle LACDRP
• "Continue to implement dust control program to minimize wind erosion at the site."	Continuous, over life of the project.	Monthly inspections by LEA and compliance with Air Pollution Control District (AVAQMD) fugitive dust control requirements.	Project Applicant	LEA AVAQMD LACDRP
Flood Hazard				
All mitigation measures prescribed in the 1997 EIR (Section 5.2.4 Flood Hazard) are incorporated herein by this reference and are applicable to this Project. These measures shall be implemented to the satisfaction of the County unless such measures have already				

Mitigation Measure	Mitigation Timing	Action Required	Responsible Agency/Party	Monitoring Agency/Party
been fulfilled or are in conflict with more stringent provisions set forth in the California Code of Regulations, applicable state statutes, or other governing documents, in which case, the more stringent provisions shall control. These mitigation measures, which are summarized and/or excerpted below, include, but are not limited to, the measures listed in the 1997 EIR and 1998 MMP, which is attached hereto as Exhibit A and incorporated herein by this reference. In the event of any inconsistencies, the measures as set forth in the 1997 EIR and 1998 MMP shall control.				
In phases, construct diversion ditch around expansion area. Construct temporary ditches around each phase. Collect runoff in sedimentation ponds.	Drainage Plan to be prepared as part of SWFP and WDR joint support document prior to construction	Approval of SWFP by LEA and CalRecycle and WDRs by RWQCB.	Project Applicant	LEA RWQCB CalRecycle LACDPW LACDRP
Periodic inspections of surface drainage facilities, vegetated soil cover areas, intermediate fill surfaces and on-site access roads. Daily inspections during periods of high-intensity rainfall.	Continuous, over life of the project.	Monthly inspections by LEA. Landfill operator will maintain records of inspections and actions taken to follow up on inspections.	Project Applicant	LEA LACDPW LACDRP
Seal cracks caused by settlement in intermediate and final cover resulting from heavy rainfall.	Continuous, over life of the project	Monthly inspections by LEA. Landfill Operator will maintain records of inspections and actions taken to follow up on inspections.	Project Applicant	LEA LACDPW LACDRP
Design and construct earth-berms and channels to direct runoff away from site.	Drainage Plan to be prepared as part of SWFP and WDR joint support document prior to construction	Approval of SWFP by LEA and CalRecycle and WDRs by RWQCB.	Project Applicant	LEA RWQCB CalRecycle LACDPW LACDRP
Implement phasing plan to promote sheet flow to sedimentation basin for percolation and dust control.	Drainage Plan to be prepared as part of SWFP and SDR joint support document prior to construction	Approval of SWFP by LEA and CalRecycle and WDRs by RWQCB.	Project Applicant	LEA RWQCB CalRecycle LACDPW LACDRP
Implement Phase II drainage plan to promote sheet flow to the northwesterly detention basin. Implement Phase III drainage plan to direct flow to outer perimeter channel.	Drainage Plan to be prepared as part of SWFP and WDR joint support document prior to construction.	Approval of SWFP by LEA and CalRecycle and WDRs by RWQCB.	Project Applicant	LEA RWQCB CalRecycle LACDPW LACDRP
In EEA, implement grading plan to direct flow to adjacent excavated cell and southerly channel. Pump water from excavated cells to designated sedimentation basins.	Drainage Plan to be prepared as part of SWFP and WDR joint support document prior to construction.	Approval of SWFP by LEA and CalRecycle and WDRs by RWQCB.	Project Applicant	LEA RWQCB CalRecycle LACDPW LACDRP
Dedicate a 100-foot wide drainage easement along the east side of future 5th Street East for construction of a flood channel proposed in the Antelope Valley Flood Control and Water Conservation District.	Easement to be dedicated prior to construction of flood channel.	Grant of right-of-way offered to Los Angeles County Department of Public Works (LACDPW).	Project Applicant	LACDPW LACDRP
Fire Hazard				

Mitigation Measure	Mitigation Timing	Action Required	Responsible Agency/Party	Monitoring Agency/Party
All mitigation measures prescribed in the 1997 EIR (Section 5.3.4 Fire Hazard) are incorporated herein by this reference and are applicable to this Project. These measures shall be implemented to the satisfaction of the County unless such measures have already been fulfilled or are in conflict with more stringent provisions set forth in the California Code of Regulations, applicable state statutes, or other governing documents, in which case, the more stringent provisions shall control. These mitigation measures, which are summarized and/or excerpted below include, but are not limited to, the measures listed in the 1997 EIR and 1998 MMP, which is attached hereto as Exhibit A and incorporated herein by this reference. In the event of any inconsistencies, the measures as set forth in the 1997 EIR and 1998 MMP shall control.				
Implement measures described in Spill Countermeasure and Control Plan and Emergency Management Plan (required by State in CCR, Title 27) as listed on pages 5.3-4 and 5.3-5 of Draft EIR (1997).	Measures to be implemented in the event of a fire in a refuse area, in the 100-foot buffer zone around landfill, or in a structure on the project site.	Landfill operator will maintain records of inspections and actions taken to follow up on inspections.	Project Applicant	LEA LACFD LACDRP
Maintain 100-foot wide buffer zone at the perimeter of the expansion area, use water tanker truck and construct fire breaks if needed in the event of fire. (1997 EIR, pp. 5.3-4 thru 5.3-5.)	Continuous, over the life of the project.	Periodic inspections by Fire Department.	Project Applicant	LACFD LACDRP
Implement procedures required by LA County Fire Department Fire Prevention Regulation No. 10 to ensure adequate access and provision and maintenance of facilities.(1997 EIR, p. 5.3-5 thru -6.)	Continuous, over the life of the project.	Periodic inspections by Fire Department.	Project Applicant	LACFD LACDRP
Train all operations personnel annually in fire prevention, fire extinguisher use and emergency response procedures. (1997 EIR, p. 5.3-3.)	Continuous, over the life of the project.	Periodic inspections by Fire Department.	Project Applicant	LACFD LACDRP
Remove debris and dust from undercarriages and engine compartments and check for oil and fuel leaks of landfill equipment and vehicles. (1997 EIR, p. 5.3-3.)	Continuous, over the life of the project.	Applicant shall keep maintenance records for all vehicles and equipment. Records available for review by LEA.	Project Applicant	LEA LACFD LACDRP
Provide fire extinguishers on all landfill equipment and in the entrance and maintenance facilities. (1997 EIR, p. 5.3-3.)	Continuous, over the life of the project.	Monthly inspections by LEA.	Project Applicant	LEA LACFD LACDRP
Noise				
All mitigation measures prescribed in the 1997 EIR (Section 5.4.4 Noise) are incorporated herein by this reference and are applicable to this Project. These measures shall be implemented to the satisfaction of the County unless such measures have already been fulfilled or are in conflict with more stringent provisions set forth in the California Code of Regulations, applicable state statutes, or other governing documents, in which case, the more stringent provisions shall control. These mitigation measures, which are summarized and/or excerpted below, include, but are not limited to, the measures listed in the 1997 EIR and 1998 MMP, which is attached hereto as Exhibit A and incorporated herein by this reference. In the event of any inconsistencies, the measures as set forth in the 1997 EIR and 1998 MMP shall control.				
If residential development has occurred near landfill construction, limit construction hours to 7:00 a.m. to 7:00 p.m. No construction on weekends or Federal holidays. (1997 EIR, pp. 5.4-20 thru -21.)	Continuous, over the life of the project.	Monthly inspections by LEA, complaints by nearby residents. LEA shall notify Department of Public Health Toxics Epidemiology Program (DPH-TEP) of any new residential development and	Project Applicant	LEA DPH-TEP LACDRP

Mitigation Measure	Mitigation Timing	Action Required	Responsible Agency/Party	Monitoring Agency/Party
		any complaints from nearby residents.		
As development occurs in new cells, construct berms to limit off-site impacts. (1997 EIR, p. 5.4-21.)	Continuous, over the life of the project.	Monthly inspections by LEA.	Project Applicant	LEA LACDRP
Tune equipment and maintain equipment noise mufflers. (1997 EIR, p. 5.4-21.)	Continuous, over the life of the project.	Applicant shall keep maintenance records for all vehicles and equipment. Records available for review by LEA.	Project Applicant	LEA LACDRP
Water Quality/Water Demand				
All mitigation measures prescribed in the 1997 EIR (Section 5.5.4 Water Quality) are incorporated herein by this reference and are applicable to this Project. These measures shall be implemented to the satisfaction of the County unless such measures have already been fulfilled or are in conflict with more stringent provisions set forth in the California Code of Regulations, applicable state statutes, or other governing documents, in which case, the more stringent provisions shall control. These mitigation measures, which are summarized and/or excerpted below, include, but are not limited to, the measures listed in the 1997 EIR and 1998 MMP, which is attached hereto as Exhibit A and incorporated herein by this reference. In the event of any inconsistencies, the measures as set forth in the 1997 EIR and 1998 MMP shall control.				
Design and construct leachate control and removal system (LCRS) to consist of collection pipes, collection sumps and liner as described in Figures 5.5-2 and 5.5-3 of the 1997 EIR. (1997 EIR, p. 5.5-9.)	Include liner/LCRS design in Design Report for SWFP and WDR joint support document.	Approval of Design Report by RWQCB.	Project Applicant	RWQCB LACDRP
Periodic monitoring of surface water quality in accordance with the site's existing Storm Water Pollution Prevention Plan (SWPPP). (1997 EIR, p. 5.5-9.)	Surface water quality to be monitored during the rainy season (October to April) for storms meeting sampling criteria contained in the Storm Water Monitoring Plan (SWMP).	Landfill operator will maintain records of monitoring actions and will include results in annual reports, as necessary, to the RWQCB.	Project Applicant RWQCB	RWQCB LACDRP
Implement a proactive Water Quality Monitoring Program in compliance with State and Federal agencies, including water quality sampling. (1997 EIR, p. 5.5-9.)	On-going over life of the project.	Approval of program by RWQCB.	Project Applicant	RWQCB LACDRP
Decommission existing wells by pressure grouting or by another suitable method prior to landfill development, and strict adherence to the protocols for wells construction mandated by the California Department of Water Resources.	Submit well abandonment plan to RWQCB and obtain permit from LA County Department of Health Services (LACDHS) before construction.	Approval of plan by RWQCB and receipt of permit from LACDHS.	Project Applicant	RWQCB LACDHS LACDRP

Mitigation Measure	Mitigation Timing	Action Required	Responsible Agency/Party	Monitoring Agency/Party
Greenhouse Gas Emissions				
MM 4.5-1: The Project shall include the following set of measures that, working together, will reduce operational greenhouse gas emissions of the Project and the effects of global warming: ▪ Hauling trucks shall be powered by liquefied natural gas (LNG) or ultra-low sulfur diesel fuel. ▪ Idling of heavy-duty hauling trucks in excess of five minutes, and idling of off-road mobile sources of any type in excess of ten minutes, shall be prohibited. ▪ When new landfill equipment is purchased by LLRC, new commercially available equipment shall be purchased that meets or exceeds California's emission standards in effect at the time of purchase. ▪ Onsite vehicles and equipment shall be properly maintained by being serviced at least every 90 days and once annually in compliance with Department of Transportation (DOT) requirements. ▪ Operation equipment used for the proposed Project shall use clean alternative (i.e., non-diesel/biodiesel) fuels, or use equipment that has been retro-fitted with diesel particulate reduction traps or equivalent control technology, using equipment certified by CARB. Such equipment is now subject to ARB's new regulation to control PM emissions from off-road diesel engines. The rule requires the first emission reductions from such equipment to occur by March 2010. ▪ For the purchase of primary heavy duty, diesel powered landfill equipment at LLRC (dozers and compactors), if equipment meeting California's 2014 emission standards for off-highway, heavy duty diesel equipment is commercially available before 2014, WMI shall purchase such equipment at the LLRC as older equipment is replaced.	During Project operation	Maintain log demonstrating compliance and Site inspection	Project Applicant and Construction Contractor	AVAQMD LACDPW LACDRP
MM 4.5-2: Within three years of project approval, the applicant shall submit a Greenhouse Gas (GHG) Reduction Plan that demonstrates how the LLRC will achieve by 2020 a reduction in annual GHG emissions such that emissions are no greater than 10 percent below 2006 levels and will meet or exceed all regulatory requirements related to GHG control. The GHG Reduction Plan shall include one or more of the following measures, or combination thereof: ▪ Use of B-5 or B-20 Biodiesel in on-site equipment and in heavy duty truck fleets	Within three years of project approval and During project operations	Submittal and approval of Greenhouse Gas Reduction Plan and Maintain log demonstrating compliance and		AVAQMD LACDPW LACDRP

Mitigation Measure	Mitigation Timing	Action Required	Responsible Agency/Party	Monitoring Agency/Party
(or as a condition of future contract approvals if third-party haulers are used); ▪ Use of hybrid hauling trucks; ▪ Use Best Available Control Technology and BMPs when designing new waste disposal cells (e.g., by designing any additional gas collectors in bottom liner systems) to increase gas combustion capacity/improve flare destruction efficiency; ▪ Reconsider the feasibility of gas-to-energy production capacity in the future for use in fueling vehicles, operating equipment or energy conversion; ▪ Increase diversion of organic material from landfill disposal and use as landfill cover material; ▪ Increase recycling and carbon offsets. ▪ The plan shall include cost estimates for GHG reduction measures and identify funding sources, including but not limited to tip fee increases. The plan shall include an implementation schedule that demonstrates substantial GHG emission reductions prior to the 2020 deadline, including implementation of "early action" measures that may be implemented within three years of plan approval. The plan will include an updated inventory of projected GHG emissions and an updated estimate of GHG emissions in 1990. The plan will be subject to review and approval by AVAQMD. ▪ Increase waste diversion of recyclable materials.		Site inspections	Project Applicant and Construction Contractor	
MM 4.5-3: Following closure of the landfill, the applicant shall continue to operate, maintain, and monitor the landfill gas collection and treatment system as long as the landfill continues to produce landfill gas, or until it is determined by the AVAQMD that emissions no longer constitute a considerable contribution to greenhouse gas emissions, whichever comes first.	Following closure of the LLRC	Maintain log demonstrating compliance and Site inspections and The operator shall comply with the Closure Maintenance Plan submitted to and approved by CalRecycle, the RWQCB, and LEA	Project Applicant	AVAQMD LACDPW LEA LACDRP RWQCB
Air Quality and Odors				
All mitigation measures prescribed in the 1997 EIR (Section 5.6.1.4 Air Quality and Section 5.6.2.4 Odors) are incorporated herein by this reference and are applicable to this Project. These measures shall be implemented to the satisfaction of the County unless such measures have already been fulfilled or are in conflict with more stringent provisions set forth in the California Code of Regulations,				

Mitigation Measure	Mitigation Timing	Action Required	Responsible Agency/Party	Monitoring Agency/Party
applicable state statutes, or other governing documents, in which case, the more stringent provisions shall control. These mitigation measures, which are summarized and/or excerpted below, include, but are not limited to, the measures listed in the 1997 EIR and 1998 MMP, which is attached hereto as Exhibit A and incorporated herein by this reference. In the event of any inconsistencies, the measures as set forth in the 1997 EIR and 1998 MMP shall control.				
Conduct on-site engine feasibility study to determine whether equipment and vehicles can be powered with engines that meet on-highway standards. Evaluation to include utilization of turbocharged and intercooled diesel engines, and retardation of fuel injection. (1997 EIR, p. 5.6-19.)	Applicant to submit study to local AVAQMD prior to expansion operations.	Evaluation of study by AVAQMD	Project Applicant	AVAQMD LACDRP
Tune-up and maintain landfill equipment in accordance with manufacturers schedules and specifications. (1997 EIR, p. 5.6-20.)	On-going over life of the project.	Applicant shall keep maintenance records for all vehicles and equipment. Records available for review by the LEA.	Project Applicant	LEA LACDRP
Instruct operators and supervisors to report any symptoms of performance which require maintenance. (1997 EIR, p. 5.6-20.)	Prior to start of expansion operations and as new employees operate equipment.	Applicant shall keep records showing appropriate employees trained. Records available for review by the LEA.	Project Applicant LEA	LEA LACDRP
Instruct equipment operators to shut down diesel equipment if it is expected to idle for more than 10 minutes. (1997 EIR, p. 5.6-20.)	Prior to start of expansion operations and periodically as new employees operate equipment.	Applicant shall keep records showing appropriate employees trained. Records available for review by the LACDPW and AVAQMD.	Project Applicant	LACDPW AVAQMD LACDRP
Evaluate feasibility of employee ridesharing program. (1997 EIR, p. 5.6-20.)	Prior to start of expansion operations, applicant shall prepare rideshare feasibility study.	Evaluation of study by AVAQMD.	Project Applicant	AVAQMD LACDRP
Continue existing dust suppression measures [watering] on unpaved roads, in borrow areas, and at working face of landfill. (1997 EIR, p. 5.6-21.)	Daily over life of the project.	Monthly inspections by LEA and compliance with AVAQMD fugitive dust control requirements.	Project Applicant	LEA AVAQMD LACDRP
Continue to operate landfill gas collection and combustion system in accordance with governing AVAQMD regulations.	Daily over life of the project.	Quarterly submittal of gas monitoring results to AVAQMD.	Project Applicant	AVAQMD LACDRP
Continue to monitor surface emissions and gas migration as required by the AVAQMD, the LACDPW in LA County Building Code, Section 110.3 and the LEA in CCR, Title 27, as applicable.	Quarterly or as required by agencies.	Quarterly submittal of gas monitoring results to AVAQMD and as required by each responsible agency.	Project Applicant	AVAQMD LACDPW LEA LACDRP
Install landfill gas migration monitoring probes around the perimeter of the	Prior to	Review of plan by LEA, AVAQMD,	Project Applicant	LEA

Mitigation Measure	Mitigation Timing	Action Required	Responsible Agency/Party	Monitoring Agency/Party
expansion areas. (1997 EIR, p. 5.6-21.)	development in the WEA and EEA, develop landfill gas monitoring plan, with probe locations and spacing in accordance with LEA, AVAQMD, and LACDPW requirements.	and LACDPW.		AVAQMD LACDPW LACDRP
Conduct regular visual inspections of landfill cover and monitor gas emissions in accordance with governing AVAQMD and CCR, Title 27 regulations.	Quarterly over the life of the project.	Applicant shall keep inspection records and submit quarterly air sampling results to AVAQMD and LEA.	Project Applicant	AVAQMD LEA LACDRP
Apply daily cover at the working face of the landfill. (1997 EIR, p. 5.6-38.)	Daily, over the life of the project.	Monthly inspections by LEA.	Project Applicant LEA	LEA LACDRP
In the event that an odor complaint is verified by LEA to be related to the disposal of sludge, LEWA may order movement or suspension of sludge disposal operations. (1997 EIR, p. 5.6-39.)	During Project operation	Verification of complaint by LEA.	Project Applicant	LEA LACDRP
Biota				
All mitigation measures prescribed in the 1997 EIR (Section 5.7.4 Biota) are incorporated herein by this reference and are applicable to this Project. These measures shall be implemented to the satisfaction of the County unless such measures have already been fulfilled or are in conflict with more stringent provisions set forth in the California Code of Regulations, applicable state statutes, or other governing documents, in which case, the more stringent provisions shall control. These mitigation measures, which are summarized and/or excerpted below, include, but are not limited to, the measures listed in the 1997 EIR and 1998 MMP, which is attached hereto as Exhibit A and incorporated herein by this reference. In the event of any inconsistencies, the measures as set forth in the 1997 EIR and 1998 MMP shall control.				
Revegetate completed landfill cells. (1997 EIR, p. 5.7-32.)	Revegetate after completion of each phase of the project.	Site inspection after completion of each phase of Project.	Project Applicant	LACDRP
Restrict size of working face of landfill to one acre or less to reduce attraction of unwanted species.	Continuous, over the life of the project.	Periodic site inspections	Project Applicant	LACDPW LACDRP
Conduct pre-construction surveys to ensure that no sensitive plant species are found within project boundaries. (1997 EIR, p. 5.7-32.)	Complete surveys prior to start of expansion operations.	Review of survey by California Department of Fish and Game (CDFG) and United States Fish and Wildlife Service (USFWS) and compliance with any necessary action.	Project Applicant	CDFG USFWS LACDRP
Verify whether 0.4 acre desert meadow habitat in northern edge of EEA constitutes a jurisdictional wetland.(1997 EIR, p. 5.7-33.)	Prior to construction, applicant shall complete wetlands delineation survey.	Review of survey by U. S. Army Corps of Engineers (USACE) and compliance with any necessary action.	Project Applicant	USACE LACDRP
Prior to construction activities in the EEA,	Prior to	Review of survey	Project	

Mitigation Measure	Mitigation Timing	Action Required	Responsible Agency/Party	Monitoring Agency/Party
perform a botanical survey to establish existing vegetation densities in order to develop revegetation seed mixes.	construction of the EEA.	by CDFG and USFWS and compliance with any necessary action. LACDRP to be copied.	Applicant	CDFG USFWS LACDRP
Conduct timely [protocol level] surveys to determine the presence or absence of the desert tortoise. If found, coordinate with the CDFG and USFWS in implementing relocation program consistent with existing protocols. (1997 EIR, p. 5.7-33.)	Prior to construction.	Coordination with the CDFG and USFWS. LACDRP to be informed of survey results.	Project Applicant	CDFG USFWS LACDRP
Cultural and Paleontological Resources				
All mitigation measures prescribed in the 1997 EIR (Section 5.8.4.1 – .2 Cultural and Paleontological) are incorporated herein by this reference and are applicable to this Project. These measures shall be implemented to the satisfaction of the County unless such measures have already been fulfilled or are in conflict with more stringent provisions set forth in the California Code of Regulations, applicable state statutes, or other governing documents, in which case, the more stringent provisions shall control. These mitigation measures, which are summarized and/or excerpted below, include, but are not limited to, the measures listed in the 1997 EIR and 1998 MMP, which is attached hereto as Exhibit A and incorporated herein by this reference. In the event of any inconsistencies, the measures as set forth in the 1997 EIR and 1998 MMP shall control.				
Cultural Resources • "In the event that cultural resources are encountered during any phase of construction, construction will cease in these areas until the cultural resources are properly assessed and subsequent recommendations are determined by a qualified archaeologist." (1997 EIR, p. 5.8-9.) • "If at any time during development Indian burials (any aboriginal human remains-bones) are encountered, then a Native American advisor for the local Native American Indian tribe as well as the County Coroner must be contacted immediately and construction in that restricted area must be stopped until the human remains are legally and ethically dealt with by the appropriate parties." (1997 EIR, p. 5.8-9.) Paleontological Resources • "1. A qualified paleontologist shall be retained to perform periodic inspections of excavations and, if necessary, salvage exposed fossils. The frequency of inspections will depend on the rate of excavation, the materials being excavated, and the abundance of fossils. Monitoring will initially need to be on a full-time basis during grading." • "2. The paleontologist shall be allowed to divert or direct grading in the area of an exposed fossil to facilitate evaluation and, if necessary, salvage." • "3. Because some of the fossils within the alluvial deposits are small, it will be necessary to collect samples of promising horizons for processing through fine mesh screens."	During construction. Retention of qualified paleontologist by applicant prior to construction.	Applicant shall retain qualified expert to oversee testing and removal of resources. Records of expert shall be reviewed, as necessary, by LACDRP.	Project Applicant Project Applicant	LACDRP LACDRP

Mitigation Measure	Mitigation Timing	Action Required	Responsible Agency/Party	Monitoring Agency/Party
• "4. Fossils shall be prepared to the point of identification and catalogued before they are donated to their final repository." • "5. All fossils collected should be donated to a public, non-profit institution with a research interest in the materials, such as the San Bernardino County Museum." • "6. A report detailing the results of these efforts, listing the fossils collected, and naming the repository shall be submitted to the lead agency at the completion of the project." (1997 EIR, pp. 5.8-9 thru -10.)				
Traffic and Circulation				
MM 4.1-1: Within 360 days after the Effective Date of the conditional use permit, the applicant shall pay its fair share to fully improve the pavement and thickening of the base/sub base to sustain the entire truck traffic loading of the project operation and any increase in project operation on the following streets or as required to the satisfaction of the Department of Public Works: (1) Challenger Way (10th Street East) between Avenue F and Avenue H; (2) Avenue F between Division Street and Challenger Way (10th Street East); (3) Division Street between Avenue F and Avenue H; and (4) Avenue H between Division Street and Challenger Way (10th Street East). If Avenue F between Sierra Highway and Division Street is constructed, the project applicant shall also be responsible to improve Avenue F between 100 feet west of the southbound SR-14 on/off ramps and Sierra Highway. The Director of Public Works, at his/her sole discretion, may grant an extension of time not to exceed an additional 360 days, if the applicant demonstrates good faith effort toward construction and completion of the above street improvement projects.	Within 360s after the Effective Date of the conditional use permit	Payment of fair share to improve pavement and thickening of the base/sub base of streets in accordance with this mitigation measure	Project Applicant	LACDPW LACDRP
MM 4.1-2: The Applicant shall implement the following program to help maintain a clean road surface on the County roadway supporting ingress and egress for landfill traffic: • Install "rumble grates" on the access road within the site property between the exit scale and the driveway leading to East Avenue F (to remove loose material from vehicles prior to exiting the site). • Wash down the pavement surface of the onsite exit road as well as East Avenue F, between Division Street and Challenger Way, on a weekly basis.	During Project operations	Install "rumble grates;" wash pavement; and conduct road sweeping and Site inspections	Project Applicant and Construction Contractor	LACDPW LACDRP LEA

Mitigation Measure	Mitigation Timing	Action Required	Responsible Agency/Party	Monitoring Agency/Party
• Conduct road sweeping twice per month on East Avenue F, between Division Street and Challenger Way.				
Environmental Safety				
All mitigation measures prescribed in the 1997 EIR (Section 5.10.4 Environmental Safety) are incorporated herein by this reference and are applicable to this Project. These measures shall be implemented to the satisfaction of the County unless such measures have already been fulfilled or are in conflict with more stringent provisions set forth in the California Code of Regulations, applicable state statutes, or other governing documents, in which case, the more stringent provisions shall control. These mitigation measures, which are summarized and/or excerpted below, include, but are not limited to, the measures listed in the 1997 EIR and 1998 MMP, which is attached hereto as Exhibit A and incorporated herein by this reference. In the event of any inconsistencies, the measures as set forth in the 1997 EIR and 1998 MMP shall control.				
Continue to implement provisions of Special Waste Identification Plan (SWIP) to identify potential sources of hazardous wastes. Maintain signs that indicate that hazardous materials and liquid wastes are not accepted. (1997 EIR, p. 5.10-3.)	Continuous, over the life of the project.	Monthly inspections by LEA.	Project Applicant	LEA LACDRP
Continue to implement Hazardous Waste Exclusion Program (HWEP) to randomly check loads of incoming waste for hazardous materials. (1997 EIR, p. 5.10-3 thru -4.)	Daily or as required by the LEA.	Applicant shall maintain records of all load-checks and records of disposition of all materials detected in program.	Project Applicant	LEA LACDRP
Store unauthorized materials in designated on-site storage area for less than 90 days. Materials to be removed by licensed transporter for proper disposal. (1997 EIR, p. 5.10-4.)	When materials found at working face of landfill and generator are unknown.	Applicant shall maintain logs documenting type and volumes of materials detected manifests, and identity of licensed transporter.	Project Applicant	LEA LACDRP
Continue to utilize a radiation detector at the scale house to detect presence of radioactive materials and prevent their disposal at the site.	Daily or as required by the LEA.	Monthly inspections by LEA.	Project Applicant	LEA LACDRP
Visual Quality				
All mitigation measures prescribed in the 1997 EIR (Section 5.11.5 Visual Quality) are incorporated herein by this reference and are applicable to this Project. These measures shall be implemented to the satisfaction of the County unless such measures have already been fulfilled or are in conflict with more stringent provisions set forth in the California Code of Regulations, applicable state statutes, or other governing documents, in which case, the more stringent provisions shall control. These mitigation measures, which are summarized and/or excerpted below, include, but are not limited to, the measures listed in the 1997 EIR and 1998 MMP, which is attached hereto as Exhibit A and incorporated herein by this reference. In the event of any inconsistencies, the measures as set forth in the 1997 EIR and 1998 MMP shall control.				
Utilize berms, where practical, to screen views of working face of the landfill from nearby residential areas. (1997 EIR, p. 5.11-10.)	As each new lift is constructed, construct berm, as necessary, to obstruct views from adjacent residential areas.	Monthly inspections by LEA.	Project Applicant	LACDRP LACDPW LEA
Vegetate berms with interim vegetative cover. (1997 EIR, p. 5.11-10.)	Upon placement of interim cover on berms.	Periodic site inspection	Project Applicant	LACDRP LACDPW

Mitigation Measure	Mitigation Timing	Action Required	Responsible Agency/Party	Monitoring Agency/Party
Coordinate with County of Los Angeles Department of Parks and Recreation and Antelope Valley Trails, Recreation and Environmental Council (AVTREC) to relocate rural trail currently proposed through the EEA. (1997 EIR, p. 5.11-10.)	Prior to grading in the EEA.	Approval by the County of Los Angeles Department of Parks and Recreation and coordination with AVTREC.	Project Applicant	LACDRP County of Los Angeles Department of Parks and Recreation
Mitigation Compliance				
As a means of ensuring substantial compliance of the above mitigation measures, the Applicant and/or subsequent owner(s) are responsible for submitting an annual mitigation compliance report to the LACDRP for review, and for replenishing the mitigation monitoring account if necessary until such time as all mitigation measures have been implemented and completed.	Annually until such time as all mitigation measures have been implemented and completed	Submittal of annual mitigation compliance report and Replenishing mitigation monitoring account	Project Applicant and Subsequent Owner(s)	LACDRP

List of Acronyms:

AVAQMD	**Antelope Valley Air Quality Management District (formerly the Air Pollution Control District (AVAPCD))**
AVTREC	**Antelope Valley Trails Recreation and Environmental Council**
BMP	**Best Management Practices**
CARB	**California Air Resources Board**
CCR	**California Code of Regulations**
CDFG	**California Department of Fish and Game**
CIWMB	**California Integrated Waste Management Board**
DOT	**California Department of Transportation**
DPH-TEP	**Department of Public Health Toxics Epidemiology Program**
EEA	**Easter Expansion Area**
GHG	**Greenhouse Gas**
HWEP	**Hazardous Waste Exclusion Plan**
LACDHS	**Los Angeles County Department of Health Services**
LACDPW	**Los Angeles County Department of Public Works**
LACDRP	**Los Angeles County Department of Regional Planning**
LACFD	**Los Angeles County Fire Department**
LCRS	**Leachate Control and Removal System**
LEA	**Local Enforcement Agency**
LLRC	**Lancaster Landfill and Recycling Center**
LNG	**Liquefied Natural Gas**
RWQCB	**Regional Water Quality Control Board**
SWFP	**Solid Waste Facility Permit**
SWIP	**Solid Waste Identification Plan**
SWMP	**Storm Water Monitoring Plan**
SWPPP	**Storm Water Pollution Prevention Plan**
USACE	**U.S. Army Corps of Engineers**
USFWS	**U.S. Fish and Wildlife Service**
WDRs	**Waste Discharge Requirements**

EXHIBIT A

TO SEIR MMRP (1998 MMP)

TABLE 1

MITIGATION MONITORING PROGRAM
LANCASTER LANDFILL AND RECYCLING CENTER
County Case No. 93070
County of Los Angeles

Introduction

The operation, design, maintenance and monitoring of the Lancaster Landfill and Recycling Center (LLRC), as well as other landfills in California, is subject to local, State and Federal regulations for solid waste management facilities. These regulations cover geotechnical, hydrogeological, surface water, air and groundwater quality, grading and drainage elements of landfill development. The primary enforcement agencies responsible for compliance with these regulations and any associated permits are the California Integrated Waste Management Board and their local enforcement agency which for the LLRC is the County of Los Angeles Department of Health Services; the Regional Water Quality Control Boards which for the LLRC is the Lahontan Region and the local air pollution control districts which for the LLRC is the Antelope Valley Air Pollution Control District. Other local agencies that are involved in regulating landfill activities include local planning agencies for land use issues which for the LLRC is the Los Angeles County Department of Regional Planning; the local agency keeper of the Countywide Integrated Waste Management Plan which for the LLRC is the Los Angeles County Department of Public Works (LACDPW) and local public works departments for enforcement of local codes and ordinances. Due to the unique characteristics of landfills and the numerous regulations in place which cover all aspects of their design and operation, local grading and drainage ordinances typically exempt landfills from their requirements as is the case with the LLRC.

The following describes the program to monitor compliance with the Mitigation Measures included in the EIR. A list of acronyms for the various agencies responsible for monitoring and the permits containing conditions for compliance is included at the end of this table.

TABLE 1

MITIGATION MONITORING PROGRAM
LANCASTER LANDFILL AND RECYCLING CENTER
County Case No. 93070
County of Los Angeles
(Glossary of Acronyms Attached)

FEIR Issue and Mitigation Measure	Timing	Monitoring Action Indicating Compliance with Mitigation	Monitoring Responsibility
GEOTECHNICAL			
• Prepare Earthquake Preparedness Plan as part of Emergency Response Plan.	Plan to be prepared as part of joint document for revised Solid Waste Facility Permit (SWFP) and amended Waste Discharge Requirements (WDRs) prior to construction.	Approval of SWFP by LEA and CIWMB and WDRs by Regional Water Quality Control Board (RWQCB).	LEA RWQCB
• Design interim slopes not to exceed gradient of 1.5:1.	Grading Plan to be prepared as part of SWFP and WDR joint support documents prior to construction.	Approval of SWFP by LEA and CIWMB and WDRs by RWQCB.	LEA
• Develop landfill in phases to limit acreage disturbed during each phase.	Phasing Plan to be prepared as part of SWFP support document prior to construction.	Approval of SWFP by LEA and CIWMB.	LEA
• Construct peripheral drainage channels around refuse prism.	Drainage Plan to be prepared as part of SWFP and WDR joint support documents prior to construction.	Approval of SWFP by LEA and CIWMB and WDRs by RWQCB.	LEA RWQCB
• Continue implementation of dust control program.	Continuous, over life of the project.	Monthly inspections by LEA and compliance with Air Pollution Control District (APCD) fugitive dust control requirements.	LEA APCD

FEIR Issue and Mitigation Measure	Timing	Monitoring Action Indicating Compliance with Mitigation	Monitoring Responsibility
FLOOD HAZARD • In phases, construct diversion ditch around expansion area. Construct temporary ditches around each phase. Collect runoff in sedimentation ponds.	Drainage Plan to be prepared as part of SWFP and WDR joint support document prior to construction.	Approval of SWFP by LEA and CIWMB and WDRs by RWQCB.	LEA RWQCB
• Periodic inspections of surface drainage facilities, vegetated soil cover areas, intermediate fill surfaces and on-site access roads. Daily inspections during periods of high-intensity rainfall.	Continuous, over life of the project.	Monthly inspections by LEA. Landfill operator will maintain records of inspections and actions taken to follow up on inspections.	LEA
• Seal cracks caused by settlement in intermediate and final cover resulting from heavy rainfall.	Continuous, over life of the project.	Monthly inspections by LEA. Landfill operator will maintain records of inspections and actions taken to follow up on inspections.	LEA
• Design and construct earth-berms and channels to direct runoff away from site.	Drainage Plan to be prepared as part of SWFP and WDR joint support document prior to construction.	Approval of SWFP by LEA and CIWMB and WDRs by RWQCB.	LEA RWQCB
• Implement phasing plan to promote sheet flow to sedimentation basin for percolation and dust control.	Drainage Plan to be prepared as part of SWFP and WDR joint support document prior to construction.	Approval of SWFP by LEA and CIWMB and WDRs by RWQCB.	LEA RWQCB
• Implement Phase II drainage plan to promote sheet flow to the northwesterly detention basin. Implement Phase III drainage plan to direct flow to outer perimeter channel.	Drainage Plan to be prepared as part of SWFP and WDR joint support document prior to construction.	Approval of SWFP by LEA and CIWMB and WDRs by RWQCB.	LEA RWQCB

FEIR Issue and Mitigation Measure	Timing	Monitoring Action Indicating Compliance with Mitigation	Monitoring Responsibility
FLOOD HAZARD (continued) • In EEA, implement grading plan to direct flow to adjacent excavated cell and southerly channel. Pump water from excavated cells to designated sedimentation basins.	Drainage Plan to be prepared as part of SWFP and WDR joint support document prior to construction.	Approval of SWFP by LEA and CIWMB and WDRs by RWQCB.	LEA RWQCB
• Dedicate a 100-foot wide drainage easement along the east side of future 5th Street East for construction of a flood channel proposed in the Antelope Valley Flood Control and Water Conservation Plan.	Easement to be dedicated prior to construction of flood channel.	Grant of right-of-way offered to Los Angeles County Department of Public Works (LACDPW).	LACDPW
FIRE HAZARD • Implement measures described in Spill Countermeasure and Control Plan and Emergency Management Plan (required by State in CCR, Title 27) as listed on Pages 5.3-4 and 5.3-5 of Draft EIR.	Measures to be implemented in the event of a fire in a refuse area, in the 100-foot buffer zone around landfill, or in a structure on the project site.	Landfill operator will maintain records of inspections and actions taken to follow up on inspections.	LEA
• Maintain 100-foot wide buffer zone at the perimeter of the expansion areas.	Continuous, over the life of the project.	Periodic inspections by Fire Department.	Fire Department
• Implement procedures required by LA County Fire Department Fire Prevention Regulation No. 10 to ensure adequate access and provision and maintenance of facilities.	Continuous, over the life of the project.	Periodic inspections by Fire Department.	Fire Department
• Train operations personnel annually in fire prevention, fire extinguisher use and emergency response.	Continuous, over the life of the project.	Periodic inspections by Fire Department.	Fire Department

FEIR Issue and Mitigation Measure	Timing	Monitoring Action Indicating Compliance with Mitigation	Monitoring Responsibility
FIRE HAZARD (continued) • Remove debris and dust from undercarriages and engine compartments and check for oil and fuel leaks of landfill equipment and vehicles.	Continuous, over the life of the project.	Applicant shall keep maintenance records for all vehicles and equipment. Records available for review by LEA.	LEA
• Provide fire extinguishers on all landfill equipment and in the entrance and maintenance facilities.	Continuous, over the life of the project.	Monthly inspections by LEA.	LEA
NOISE • If residential development has occurred near landfill construction, limit construction hours to 7:00 a.m. to 7:00 p.m. No construction on weekends or Federal holidays.	Continuous, over the life of the project.	Monthly inspections by LEA, complaints by nearby residents.	LEA
• As development occurs in new cells, construct berms to limit off-site impacts.	Continuous, over the life of the project.	Monthly inspections by LEA.	LEA
• Tune equipment and maintain equipment noise mufflers.	Continuous, over the life of the project.	Applicant shall keep maintenance records for all vehicles and equipment. Records available for review by LEA.	LEA
WATER QUALITY • Design and construct leachate control and removal system (LCRS) to consist of collection pipes, collection sumps and liner as described in Figures 5.5-2 and 5.5-3 in Draft EIR.	Include liner/LCRS design in Design Report for SWFP and WDR joint support document.	Approval of Design Report by RWQCB.	RWQCB

FEIR Issue and Mitigation Measure	Timing	Monitoring Action Indicating Compliance with Mitigation	Monitoring Responsibility
WATER QUALITY (continued)			
• Periodic monitoring of surface water quality in accordance with site's existing Storm Water Pollution Prevention Plan (SWPPP).	Surface water quality to be monitored during the rainy season (October to April) for storms meeting sampling criteria contained in the Storm Water Monitoring Plan (SWMP).	Landfill operator will maintain records of monitoring actions and will include results in annual reports, as necessary, to the RWQCB.	RWQCB
• Implement a proactive Water Quality Monitoring Program in compliance with State and Federal regulations.	On-going over life of the project.	Approval of program by RWQCB.	RWQCB
• Decommission existing wells by pressure grouting or by another suitable method prior to landfill development, and strict adherence to the protocols for wells construction mandated by the California Department of Water Resources.	Submit well abandonment plan to RWQCB and obtain permit form L.A. County Department of Health Services (LACDHS) before construction.	Approval of plan by RWQCB and receipt of permit from LACDHS.	RWQCB, LACDHS
AIR QUALITY			
• Conduct engine feasibility study to determine whether equipment and vehicles can be powered with engines that meet on-highway standards. Evaluation to include utilization of turbocharged and intercooled diesel engines, and retardation of fuel injection.	Applicant to submit study to local APCD prior to expansion operations.	Evaluation of study by APCD.	APCD
• Tune-up and maintain landfill equipment in accordance with manufacturers schedules and specifications.	On-going over life of the project.	Applicant shall keep maintenance records for all vehicles and equipment. Records available for review by LEA.	LEA

FEIR Issue and Mitigation Measure	Timing	Monitoring Action Indicating Compliance with Mitigation	Monitoring Responsibility
AIR QUALITY (continued)			
• Instruct operators and supervisors to report any symptoms of performance which require maintenance.	Prior to start of expansion operations and as new employees operate equipment.	Applicant shall keep records showing appropriate employees trained. Records available for review by the LEA.	LEA
• Instruct equipment operators to shut down diesel equipment if it is expected to idle for more than ten minutes.	Prior to start of expansion operations and periodically as new employees operate equipment.	Applicant shall keep records showing appropriate employees trained. Records available for review by the LEA.	LEA
• Evaluate feasibility of employee ridesharing program.	Prior to start of expansion operations, applicant shall prepare rideshare feasibility study.	Evaluation of study by APCD.	APCD
• Continue existing dust suppression measures on unpaved roads, in borrow areas, and at working face of landfill.	Daily over life of the project.	Monthly inspections by LEA and compliance with APCD fugitive dust control requirements.	LEA APCD
• Continue to operate landfill gas collection and combustion system in accordance with governing APCD regulations.	Daily over the life of the project.	Quarterly submittal of gas monitoring results to APCD.	APCD
• Continue to monitor surface emissions and gas migration as required by the APCD, the L.A. County Department of Public Works (LACDPW) in L.A. County Building Code, Section 110.3 and the LEA in CCR, Title 27, as applicable.	Quarterly or as required by agencies.	Quarterly submittal of gas monitoring results to APCD and as required by each responsible agency.	APCD, LACDPW, LEA

FEIR Issue and Mitigation Measure	Timing	Monitoring Action Indicating Compliance with Mitigation	Monitoring Responsibility
AIR QUALITY (continued)			
• Install landfill gas migration monitoring probes around the perimeter of the expansion areas.	Prior to development in the WEA and EEA, develop landfill gas monitoring plan, with probe locations and spacing in accordance with LEA, APCD and LACDPW requirements.	Review of plan by LEA, APCD and LACDPW.	LEA, APCD, LACDPW
ODORS			
• Conduct regular visual inspections of landfill cover and monitor gas emissions in accordance with governing APCD and CCR, Title 27 regulations.	Quarterly over the life of the project.	Applicant shall keep inspection records and submit quarterly air-sampling results to APCD and LEA.	APCD, LEA
• Apply daily cover at the working face of the landfill.	Daily, over the life of the project.	Monthly inspections by LEA.	LEA
• In the event that an odor complaint is verified by LEA to be related to the disposal of sludge, LEA may order movement or suspension of sludge disposal operations.	Verification of complaint by LEA.	Verification of complaint by LEA.	LEA
BIOTA			
• Revegetate completed landfill cells.	Revegetate after completion of each phase of the project.	Inspection by LEA after completion of each phase of project.	LEA
• Restrict size of working face of landfill to one acre or less to reduce attraction of unwanted species.	Continuous, over the life of the project.	Monthly inspection by LEA.	LEA

FEIR Issue and Mitigation Measure	Timing	Monitoring Action Indicating Compliance with Mitigation	Monitoring Responsibility
BIOTA (continued) • Conduct pre-construction surveys to ensure that no sensitive plant species are found within project boundaries.	Complete surveys prior to start of expansion operations.	Review of survey by California Department of Fish and Game (CDFG) and United States Fish and Wildlife Service (USFWS) and compliance with any necessary action.	CDFG USFWS
• Verify whether 0.4 acre desert meadow habitat in northern edge of EEA constitutes a jurisdictional wetland.	Prior to construction, applicant shall complete wetlands delineation survey.	Review of survey by US Army Corps of Engineers and compliance with any necessary action.	USACE
• Prior to construction activities in the EEA, perform a botanical survey to establish existing vegetation densities in order to develop revegetation seed mixes.	Prior to construction of the EEA.	Review of survey by CDFG and USFWS and compliance with any necessary action. DRP to be copied.	CDFG, USFWS, DRP
• Conduct timely surveys to determine the presence or absence of the desert tortoise. If found, coordinate with the CDFG and USFWS in implementing relocation program.	Prior to construction.	Coordination with the CDFG and USFWS. DRP to be informed of survey results.	CDFG, USFWS, DRP
CULTURAL AND PALEONTOLOGICAL IMPACTS • Cease operations if cultural resources are encountered during any phase of construction. If Indian remains encountered, contact Native Indian Advisor of the local tribe as well as County Coroner.	During construction.	Applicant shall retain qualified expert to oversee testing and removal of resources.	DRP

FEIR Issue and Mitigation Measure	Timing	Monitoring Action Indicating Compliance with Mitigation	Monitoring Responsibility
CULTURAL AND PALEONTOLOGICAL IMPACTS (continued) • Retain qualified paleontologist to perform periodic inspections and, if necessary, salvage exposed fossils. The Paleontologist shall be allowed to divert or direct grading in the area of an exposed fossil. As necessary, samples shall be collected with fine mesh screens. Implement other measures listed on Page 5.8-10 of Draft EIR.	Retention of qualified paleontologist by applicant prior to construction.	Records of expert shall be reviewed, as necessary, by DRP.	DRP
TRAFFIC • Contribute on a fair share pro-rata basis to the cost to reconstruct the pavement of Avenue F between Division Street and 10th Street East and 10th Street East between Avenue F and Avenue G.	Reach agreement with LACDPW over pro-rata share prior to pavement reconstruction.	Agreement with the LACDPW.	LACDPW
ENVIRONMENTAL SAFETY • Continue to implement provisions of Special Waste Identification Plan (SWIP) to identify potential sources of hazardous wastes. Maintain signs that indicate that hazardous materials and liquid wastes are not accepted.	Continuous, over the life of the project.	Monthly inspections by LEA.	LEA

FEIR Issue and Mitigation Measure	Timing	Monitoring Action Indicating Compliance with Mitigation	Monitoring Responsibility
ENVIRONMENTAL SAFETY (continued)			
• Continue to implement Hazardous Waste Exclusion Program (HWEP) to randomly check loads of incoming waste for hazardous materials.	Daily or as required by the LEA.	Applicant shall maintain records of all load-checks and records of disposition of all materials detected in program.	LEA
• Store materials in designated on-site storage area for less than 90 days. Materials to be removed by licensed transporter.	When materials found at working face of landfill and generator is unknown.	Applicant shall maintain logs documenting type and volumes of materials detected, manifests, and identity of licensed transporter.	LEA
• Continue to utilize a radiation detector at the scale house to detect presence of radioactive materials and prevent their disposal at the site.	Daily or as required by the LEA.	Monthly inspections by LEA.	LEA
VISUAL QUALITY			
• Utilize berms, where practical, to screen views of working face of the landfill from nearby residential areas.	As each new lift is constructed, construct berm, as necessary, to obstruct views from adjacent residential areas.	Monthly inspections by LEA.	LEA
• Vegetate berms with intermediate vegetative cover.	Upon placement of interim cover on berms.	Monthly inspection by LEA and periodic inspection by DRP.	LEA DRP
• Coordinate with County of Los Angeles Department of Parks and Recreation and Antelope Valley Trails, Recreation and Environmental Council (AVTREC) to relocate rural trail currently proposed through the EEA.	Prior to grading in the EEA.	Approval by the County of Los Angeles Department of Parks and Recreation and coordination with AVTREC.	County of Los Angeles Department of Parks and Recreation

TABLE 1

FINAL MITIGATION MONITORING PROGRAM
LANCASTER LANDFILL AND RECYCLING CENTER
County Case No. 93070
County of Los Angeles

GLOSSARY OF ACRONYMS

APCD	Air Pollution Control District
AVTREC	Antelope Valley Trails Recreation and Environmental Council
CCR	California Code of Regulations
CDFG	California Department of Fish & Game
CIWMB	California Integrated Waste Management Board
DRP	Los Angeles County Department of Regional Planning
EEA	Eastern Expansion Area
HWEP	Hazardous Waste Exclusion Plan
LACDHS	Los Angeles County Department of Health Services
LACDPW	Los Angeles County Department of Public Works
LCRS	Leachate Control and Removal System
LEA	Local Enforcement Agency
RWQCB	Regional Water Quality Control Board
SWFP	Solid Waste Facility Permit
SWIP	Solid Waste Identification Plan
SWMP	Storm Water Monitoring Plan
SWPPP	Storm Water Pollution Prevention Plan
USACE	US Army Corps of Engineers
USFWS	US Fish & Wildlife Service
WDRs	Waste Discharge Requirements