Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

Richard J. Bruckner
Director

December 14, 2011

TO: Pat Modugno, Chair
Curt Pedersen, Vice Chair
Esther L. Valadez, Commissioner
David W. Louie, Commissioner
Harold V. Helsley, Commissioner

FROM: Rob Glaser
Principal Regional Planning Assistant
Zoning Permits North Section

SUBJECT: ADDITIONAL CORRESPONDENCE FOR PUBLIC HEARING
PROJECT NUMBER 03-170 – (5)
CONDITIONAL USE PERMIT NO. 03-170

RPC Public Hearing: December 14, 2011
Agenda Item No. 6

The following attachments were received by staff since the previous Public Hearing on October 19, 2011, regarding the above-referenced item:

- CEQA Findings of Fact and Statement of Overriding Considerations regarding the Final Supplemental Environmental Impact Report for the Lancaster and Recycling Center project;
- Attachment "A" to the CEQA Findings which is the Mitigation Monitoring and Reporting Program for the Final Supplemental Environmental Impact Report;
- Supplemental Corrections and Clarifications to the Draft Supplemental EIR and Amendment to the Draft SEIR;
- An update to Condition No. 100 from the draft conditions of approval, which was negotiated between the Department of Public Works and the applicant for your consideration. A representative from the Department of Public Works will explain this correction at this morning's hearing.
- A letter dated December 13, 2011, from Andrea Leisy, in regard to opposition to certain conditions of approval recommended for this project.

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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ATTACHMENTS:

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.				
<u>Cultural Resources</u> ● "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.) <u>Paleontological Resources</u> ● "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

FINAL
SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT
LANCASTER LANDFILL AND RECYCLING CENTER
SCH NO. 1993101036

CONDITIONAL USE PERMIT NO. 03-170

Supplemental Corrections and Clarifications to the Draft SEIR and Amendment to the Draft SEIR

Prepared for:

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December 2011

4.4 WATER QUALITY/WATER DEMAND

EIR SCH No. 1993101036 includes an analysis of water quality conditions associated with the expansion of the LLRC. A computer model was used to estimate the leachate production during various stages of operation and after closure of the LLRC, which indicated that the leachate production maximum peak rate will be 80 gpd for the largest collection area of landfill before final cover is installed. Based on the results of the model analysis, the estimated leachate rate averaged 50 gpd.

The five groundwater recharge wells in the Eastern Area will be abandoned prior to landfill developed activities in the area. The abandoned wells could provide direct conduits to the underlying aquifers and could accelerate groundwater contamination if leachate leakage occurred through the landfill liner system, which would be a potentially significant impact. However, that potential impact is mitigated through compliance with the protocols for well destruction mandated by the California Department of Water Resources, including installation of the base liner system and the LCRS and the implementation of a proactive water quality monitoring program. In addition, another measure incorporated into the expansion project included sealing and decommissioning by pressure grouting (or other suitable method) of the existing wells prior to landfill development.

Reduced infiltration over the footprint of the landfill would also result in less than significant changes in the configuration of the water table. The main source of groundwater recharge to the Lancaster sub-basin is runoff from the San Gabriel Mountains, and not direct infiltration through the floor of the basin. Finally, the project is not located on a watershed tributary to a major river or body of standing water and would not have a significant impact on any perennial sources of water.

4.4.1 Existing Conditions

The LLRC is a Class III municipal solid waste landfill that operates under permits issued from the California Regional Water Quality Control Board, Los Angeles Region (RWQCB), California Integrated Waste Management Board (CIWMB), County of Los Angeles, and Antelope Valley Air Quality Management District. The facility is located on a 276-acre parcel, of which 209 acres are currently permitted for waste disposal. The active waste footprint is roughly "L" shaped on the portion of the facility west of Challenger Way (also known as 10th Street East). The administrative offices and maintenance facilities are located at the northwest end of the property.

Site specific geologic and hydrogeologic conditions at the LLRC warranted design of a waste containment (liner) system that at a minimum meets the California and federal standard design criteria as specified in 27 CCR, Article 4 and 40 CFR, 258.40. Although a prescriptive liner design was developed for use within the Eastern and Western Areas of the LLRC, an alternative line design was developed and has been approved and constructed in the Western Area, which consists of bottom and side slope systems. This base liner system includes (from top to bottom) the following components: a minimum 12-inch thick gravity drainage layer; a geotextile; a 60-mil HDPE geomembrane; and a geosynthetic clay liner (GCL) placed on the finished subgrade. The liner design consists of two barrier components (i.e., 60-mil HDPE and geosynthetic clay liner) in place of the 24-inch thick layer of low-permeability material meeting a hydraulic-conductivity of 1 x 10^{-7} cm/sec. The GCL component of the liner renders an effective performance characteristic that exceeds the prescriptive standard low-permeability soil layer component.

Groundwater

Regional Water Supply/Antelope Groundwater Basin.

The LLRC is within the central Lancaster area of the Antelope Valley groundwater basin. The Groundwater Basin is located within the South Lahontan Hydrologic Region, and is designated as Groundwater Basin Number 6-44. The surface of the entire Antelope Valley Groundwater Basin is over 1 million acres (1,580 square miles) and is topographically closed on the north and northwest by the Garlock Fault at the base of the Tehachapi Mountains, and on the south and southwest by the San Andreas Fault at the base of the Transverse Ranges, including the San Gabriel Mountains.

According to the Basin Plan developed by the South Lahontan Hydrologic Region of the Lahontan Regional Water Quality Control Board (2004), beneficial uses and potential uses of groundwater from the Antelope Valley basin include municipal, agricultural, and industrial water supply. Located within a Quaternary age alluvial basin fill (which consists of sand, gravel, and some finer grained materials), the area below the LLRC includes two major aquifers, the unconfined upper "Principal" aquifer, and the confined lower "deep" aquifer (Leighton and Phillips, 2003). These two aquifers are separated by fine-grained lacustrine deposits that consist principally of plastic clay. The Principal aquifer has been defined as the alluvial deposits that overly the lacustrine deposits in the part of the groundwater basin south and west of Rogers Lake. In the LLRC area, regional groundwater flow in the Principal aquifer is southeasterly towards a cluster of irrigation wells developed on the alluvial fan of Little Rock Creek (Joint Technical Document, February 2000, Bryan A. Stirrat and Associates).

The total storage capacity of the basin has been reported as ranging from 68 to 70 million acre-feet (MAF), with the part of the basin that is between 20 and 220 feet in depth having a storage capacity of approximately 5.4 MAF. (DWR Bulletin 118 (2004).) Basin-wide groundwater withdrawal ranges from 130,000 to 150,000 acre-feet per year ("afy"), with a safe yield established at 110,000 afy. (See *Statement of Decision Phase Three Trial*, Antelope Valley Groundwater Cases, Los Angeles County Superior Court Case No. BC 325 201 (Judicial Council Coordination Proceeding No. 4408) (July 13, 2011) at pp. 9-10). Water in the Antelope Valley is supplied from two primary sources: 1) naturally occurring water accumulated as surface water or groundwater from rain and snow; and 2) imported surface water collected in northern California and delivered via the State Water Project (SWP) (LACDRP 2009). The demand for water within the Groundwater Basin has historically exceeded available groundwater supply. According to the U.S. Geological Survey (USGS 2003), groundwater extractions have exceeded the estimated natural recharge of the basin since the 1920s, which has resulted in declining water levels and land subsidence primarily in the eastern portion of the Groundwater Basin. Strategies to address this issue 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).

State Water Project and Water Suppliers. Four public water purveyors provide water service in the Antelope Valley area: Los Angeles County Waterworks Districts 37 and 40 (collectively, LACWWD 40), Quartz Hill Water District (QHWD), and Los Angeles County Sanitation District (LACSD). The LACWWD 40 and QHWD obtain their water supply from both groundwater and the SWP. SWP water from the California Aqueduct is purchased through the Antelope Valley-East Kern Water Agency (AVEK), which is allocated up to approximately 160,000 AFY of water (LACDRP 2009). LACSD supplies reclaimed water for non-drinking purposes (LACDRP 2009). These water purveyors do not currently provide water service to or in the near vicinity of the LLRC Project site.

Lancaster Subunit. The Antelope Valley Groundwater Basin is divided by the USGS into 12 subunits that are generally delineated based on ground flow patterns, recharge characteristics, and geographic location, as well as controlling geologic structures (RWMG 2007). The Project site is located in the central portion of the Antelope Valley Groundwater Basin in the Lancaster subunit. As a result of varying uses within the Lancaster subunit (e.g., urban uses in the eastern portion and agricultural uses in the rural western portion), depths to water levels vary widely, being generally greater in the south and west (RWMG 2007).

Groundwater Extraction and Recharge. Substantial pumping of groundwater in the Antelope Valley began in the early 1900s, and a decline in groundwater levels ensued in response to the change in the extraction versus recharge ratio. These changes varied both spatially and temporally across the Antelope Valley Region. Groundwater pumping peaked in the 1950s, and then decreased in the 1960s and 1970s when agricultural pumping declined. The rapid increase in urban growth in the 1980s resulted in an increase in the demand for municipal and industrial water, and an increase in groundwater use.

In general, data collected by the USGS (USGS 2003) indicate that groundwater levels appear to be falling in the southern and eastern areas of the Antelope Valley (RWMG 2007). In some localized areas there has been a slowing in the rate of decline (RWMG 2007). In locations within the rural western and far northeastern areas of the region there has been a slight rise in groundwater levels (RWMG 2007). This pattern of falling and rising groundwater levels correlates directly to changes in land use over the past 40 to 50 years and the amount of rainfall and water received. Falling groundwater levels are generally associated with areas that are developed, and rising groundwater levels are generally associated with areas that were historically farmed, but have been largely fallow during the last 40 years (RWMG 2007).

Recharge to the basin is primarily from perennial runoff from the surrounding mountains and hills. Most recharge occurs at the foot of the mountains and hills by percolation through the head of the alluvial fan system (Durbin 1978). The main source of recharge to the Lancaster subunit is stream flow from Big and Little Rock Creeks draining from the San Gabriel Mountains. As shown in the Scalmanini Report and as determined by the court in its July 2011 order in the adjudication, the total sustainable yield of the basin is 82,300 afy (based on the average annual native recharge plus local return flows), and 110,000 afy (based on the average annual native recharge plus local return flows and flows from imported water). (See *Statement of Decision Phase Three Trial*, Antelope Valley Groundwater Cases, Los Angeles County Superior Court Case No. BC 325 201 (Judicial Council Coordination Proceeding No. 4408) (July 13, 2011) at pp. 9-10; see also "*Summary Expert Report Phase 3 – Basin Yield and Overdraft, Antelope Valley Area of Adjudication*," prepared by R. Beeby, T. Durbin, W. Leever, P. Leffler, J. Scalmanini, M. Wildermuth (July 2010).)

According to the Antelope Valley Integrated Regional Water Management Plan (RWMG 2007), long-term natural recharge of the Antelope Valley Groundwater Basin is expected to be stable, and when supplemented with imported water, it is anticipated that groundwater pumping, and hence supply, will be reliable even in dry and multi-dry years. Thus, the ongoing use of groundwater is considered a reliable water source provided groundwater extractions remain within the safe yield determined by the Court in the adjudication proceedings. (RWMG 2007; see also *Statement of Decision Phase Three Trial*, Antelope Valley Groundwater Cases, Los Angeles County Superior Court Case No. BC 325 201 (Judicial Council Coordination Proceeding No. 4408) (July 13, 2011) at pp. 9-10; see also "*Summary Expert Report Phase 3 – Basin Yield and Overdraft, Antelope Valley Area of Adjudication*," prepared by R. Beeby, T. Durbin, W. Leever, P. Leffler, J. Scalmanini, M. Wildermuth (July 2010); see also 2005 Integrated Urban Water Management Plan for the Antelope Valley (including discussion of potential water transfers and exchanges, desalination, and recycled water opportunities to ensure sufficient long-term water supply).)

City of Lancaster Recycled Water Direct Use Program. The Lancaster Water Reclamation Plant (LWRP), is a wastewater treatment plant that provides secondary treated effluent for use as recycled water. Built in 1959 and located north of the City of Lancaster, it is owned, operated, and maintained by the Los Angeles County Sanitation District No. 14 (District No. 14). LWRP, which has a permitted capacity of 16.0 mgd, treated an average flow of 13.3 mgd in 2004 to secondary standards for agricultural irrigation, wildlife habitat, maintenance, and recreation. (2005 IUWMP). District No. 14 plans to upgrade the existing LWRP for a total capacity of 26 mgd by 2014 and 31.2 mgd by 2030. (Lancaster Water Reclamation Plant 2020 Facilities Plan (2004).)

Treated effluent from the upgraded LWRP is available for reuse via an approximately five mile purple pipe located in the Division Street Corridor, bordered roughly by Avenue E and Lancaster Boulevard and a mile on either side of Division Street. Since 2005, another ½ mile of purple pipe was laid along Avenue F to serve the LLRC. (www.cityoflancaster.ca.org.)

Groundwater Adjudication.

Beginning in 1999 Diamond Farming Company and Bolthouse Farms, Inc. filed lawsuits against various Antelope Valley water districts and government agencies seeking priority water rights to water beneath their farmland. In 2004-2005, several property owners and public water suppliers, including Los Angeles County Waterworks District No. 40, also initiated legal proceedings, including a cross complaint, to determine the respective rights of existing and potential users of groundwater in the Antelope Valley Groundwater Basin. The lawsuits were filed separately in Riverside, Kern, and Los Angeles County Superior Courts and were transferred and consolidated in February 2010 into one coordinated proceeding currently before the Honorable Jack Komar who is presiding by special assignment. (Antelope Valley Groundwater Cases, Los Angeles Superior Court Case No. 1-05-CV-049053 (Judicial Council Coordination Proceeding No. 4408); see also Order Transferring and Consolidating Actions for All Purposes (Feb. 24, 2010).)

The ongoing underlying dispute among the parties revolves around the priority/superior right to pump groundwater and the protection of the Basin. The parties have asserted multiple claims to be adjudicated, including claims for declaratory relief, prescriptive rights, quiet title to water rights, and claims that portions of the basin should be treated as a separate area for management purposes if a physical solution for the basin is established, among other claims. The resolution of many of these claims is likely to be affected by the nature and extent of the hydrologic connectivity of water within various portions of the aquifer. (Ibid.; Order After Phase Two Trial on Hydrologic Nature of Antelope Valley, p. 3.) The dispute involves hundreds of parties and may take many more years to resolve.

In October 2006, the court held the first phase of trial to determine the boundaries of the basin. In October 2008, the court held the second phase of trial to determine the hydrologic nature of the basin, which the court determined for purposes of overdraft and safe yield was one hydrologically connected basin. In the third phase of the trial in July 2011, the court determined that the basin is in overdraft and also determined the safe yield of the basin, which is generally defined as the maximum amount of water that can be withdrawn from a basin on an annual basis without causing long term depletion of groundwater within the aquifer. As shown in the Scalmanini Report and as determined by the court in its July 2011 order in the adjudication, the total sustainable yield of the basin is 82,300 afy (based on the average annual native recharge plus local return flows), and 110,000 afy (based on the average annual native recharge plus local return flows and flows from imported water). (See *Statement of Decision Phase Three Trial*, Antelope Valley Groundwater Cases, Los Angeles County Superior Court Case No. BC 325 201 (Judicial Council Coordination Proceeding No. 4408) (July 13, 2011) at pp. 9-10; see also "*Summary Expert Report Phase 3 – Basin Yield and Overdraft, Antelope Valley Area of Adjudication*," prepared by R. Beeby, T. Durbin, W. Leever, P. Leffler, J. Scalmanini, M. Wildermuth (July 2010).)

The remaining issues to be decided in the adjudication include, among other things, the relevant period for determining historic water usage within the Basin. A final judgment in the groundwater adjudication is expected to determine the groundwater pumping rights in the Basin. As a result of the adjudication process, the court will likely appoint a Watermaster to manage the Basin's groundwater. The Watermaster will likely have several tools to enforce the court's judgment, including seeking and enforcing injunctions on excessive pumping, managing groundwater leases, creating a forum for purchasing/trading groundwater pumping allocations, and imposing fees for overpumping. The final judgment will also likely include one or more physical solutions to manage groundwater resources and which may include groundwater banking, or increased use of recycled water among others.

Project Area/Site Water Use & Conditions.

The site is underlain by unconsolidated Quaternary alluvial deposits from the ground surface to approximately 100 feet below ground surface. These alluvial deposits consist of inter-bedded gravel, sand, silt, and clay. A continuous lacustrine clay layer (up to approximately 240 feet thick) is present beneath the alluvial deposits. (SCS 2010.)

Groundwater beneath the LLRC is encountered at depths ranging from approximately 55 to 80 feet below ground surface in the Principal Aquifer (approximately 2,252 feet msl). The Principal Aquifer, which is located above the lacustrine clay, is unconfined across most of the site but is semi-confined in some areas due to clay layers within the Quaternary alluvial deposits. The Deep Aquifer is located beneath the lacustrine clay. Groundwater flow has been determined to be generally to the southeast. (SCS 2010).

On-site water chemistry in the Principal aquifer is predominantly calcium bicarbonate with concentrations of total dissolved solids (TDS) in recent samples ranging from approximately 150 to 170 milligrams per liter (mg/l).

Background

The 1997 EIR prepared and certified for the existing 276 acre (209 acre disposal) LLRC site identified the ongoing water needs of the facility as including those for dust control, compaction, fire protection, and potable drinking water. As explained in the 1997 EIR, the site has been in existence since 1954 when it was first operated as the Lancaster Dump (from 1954-1965), and then by Universal Refuse from 1965-1973. WMI acquired the site in 1973. (1997 EIR, p. 2-2.) Groundwater, including treated groundwater, has historically been used on site for dust control.

Depending on the disposal rate, the 1997 EIR estimated the life of the landfill to be from approximately 2011 (assuming high disposal rates) up to 2035 (1997 DEIR, p. 2-5 (SCH No. 93101036).) The 1997 EIR also assumed the average daily water demand for dust control, compaction and related activities over the lifetime of the LLRC to be approximately 55,750 gpd. (See 1997 DEIR, pp. 3-28 thru -29.) The EIR assumed continued use of the LLRC on-site groundwater well to serve future needs. (See also 1997 DEIR, Table 2 (Summary of Pumping Test Data conducted as part of the now completed corrective action program and used on-site for dust control or re-injected); see also p. 5.5-2 (discussing aquifer pumping tests performed in general area).)

Existing Conditions

Two on-site groundwater aquifer production wells are used by the LLRC. The wells are located in the operations area near the site offices and scale house. One well, installed in 1977, serves the non-potable water needs of the roughly 10 employees at LLRC for sinks and toilets in on-site facilities (8 gallons per day average use per employee x 10 employees = 80 gallons per day, approximately 24,960 gallons per year or approximately .08 afy. This well is screened between 227 and 307 feet below grade and draws from the upper Principal Aquifer. The concentration of total dissolved solids in a sample taken in 2003 from this well was 154 mg/l.

The second well, installed in 2004, supplies non-potable water for dust control and similar activities, and is screened from 778 to 991 feet below grade. This well draws water from the Deep Aquifer beneath the site. This well features a water meter that automatically resets itself at 99,999 gallons. The well can pump 500 gallons per minute. Based on water consumption figures provided in the 1997 EIR and by Waste Management of California, Inc. (WMI) as part of the proposed project, it was estimated that the wells pump approximately 60 acre-feet of groundwater per year for daily LLRC uses such as dust control, including dust control for periodic cell construction etc. (WMI 2004-2005; Jim Merritt/ Nicole Stetson/ Mike Hammer pers. comms.) Because the metered well automatically resets, WMI estimated existing annual water use at the time of the NOP by the number of water trucks historically used on-site for daily dust control, including dust control during construction activities, none of which would change under the proposed project or extension of the CUP. The water trucks hold 4,000 gallons.

The amount of water used at the LLRC for dust control is highest during the dry summer months (June/July-September). Conversely, a relatively small amount of water is used during the winter months since dust control needs are met largely by precipitation. During years when a new cell is required to be constructed, approximately 55,555 gpd (2,500,000 gallons total/ 7.7 afy) of water is used on average for completion of the cell. Construction activities include clearing, grubbing, excavation, clay processing and placement, construction of liner elements, berms etc. Construction lasts about 45 days.

During dry summer months, a maximum of 25 onsite water truck trips, equating to 100,000 gpd, have occurred per day for daily operational dust control. Maximum water needs can last up to 100 days per year (10,000,000 gallons/ 30 afy). Conversely, during the winter months (January-March/ 70 days) roughly 2-3 trucks (10,000 gpd/2.1 afy) may be used per day, weather pending, for dust control. During the spring (April-June/ 50 days) approximately 18-19 truck trips (75,000 gpd/11.5 afy) occur. During the Fall in a dry year (October-December/50 days), 12-13 water truck trips (50,000 gpd/7.7 afy) occur per day.

WMI, the applicant and property owner, and the LLRC agree to capping the amount of groundwater to be pumped from the LLRC site each year at a maximum of the existing pumping amount of 60 acre feet or the amount allocated to the site as a result of the adjudication proceedings should that amount be less than the 60 afy. If additional water is required over the amount allocated to the site pursuant to the adjudication, WMI shall be required to pay any necessary replacement water assessments as determined pursuant to the adjudication proceedings in order to continue to pump groundwater at the rate of 60 afy. Alternatively WMI shall be required to provide any water needed for the Project in excess of that allocated to the site pursuant to the adjudication from recycled water, which is currently available from the City via the existing purple pipe that runs along Avenue F to serve the LLRC.

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 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.

WMI provides bottled water for on-site potable drinking water and will continue to do so in the future. The approximate 80 gallons of water used on-site per day for non-potable employee related uses (sinks/toilets) is not anticipated to change under the proposed project and will continue to be supplied from groundwater subject to the above limitations.

Groundwater Monitoring

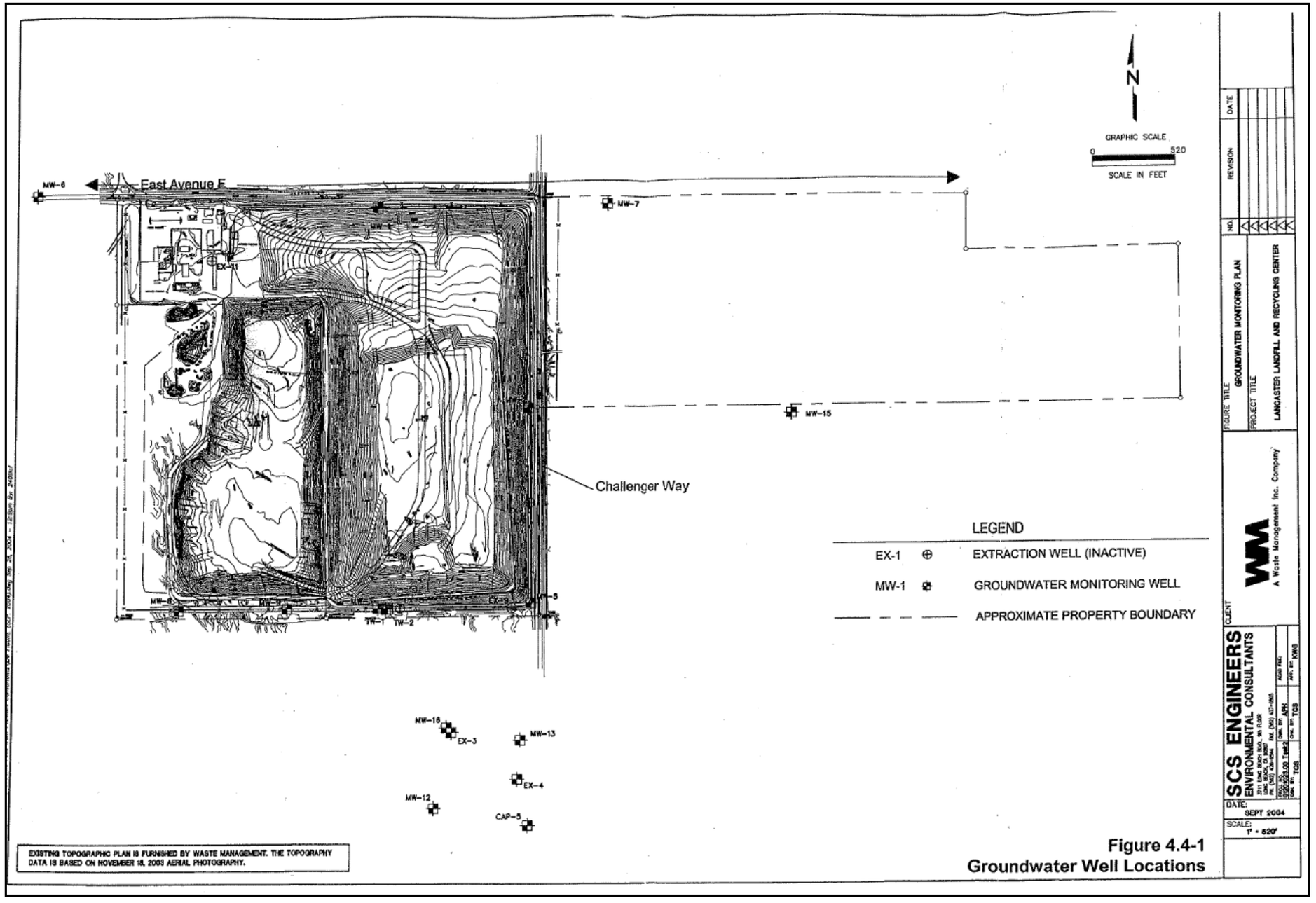
Groundwater monitoring has been conducted at LLRC since 1987 in order to comply with 27 CCR Article 1 requirements as implemented through site specific WDR Order No. 6-87-11 and later WDR Order No. 6-00-55 issued by the Lahontan RWQCB. The current water quality monitoring system has been designed and certified by a registered professional in accordance with 27 CCR 20415(e)(1) and includes regular sampling at 11 groundwater wells (refer to Figure 4.4-1). State standards address water quality protection, including groundwater monitoring. Water quality is also protected by control systems that are part of the fill design for the LLRC, including the landfill gas (LFG) extraction and flare system, which began operation at the site in February 1993, and the leachate management system.

The water quality monitoring system at LLRC meets these standards through the design and operation of its monitoring system and, when necessary, through corrective action. The overall objectives of the monitoring system for the LLRC are:

- characterization of background groundwater quality;
- detection of changes in water quality that may be indicators of leachate migration or LFG impacts;
- measuring groundwater elevations and determining gradients, groundwater flow direction, and velocity; and
- gauging the effectiveness of the implemented Correction Action Program (CAP), which includes landfill gas control and Monitored Natural Attenuation (MNA).

Figure 4.4-1

Groundwater Monitoring Well Locations



In response to the detection of volatile organic compounds (VOCs), a Verification Monitoring Program was voluntarily initiated in 1988. This program consisted of sampling of existing groundwater monitoring wells, installation and sampling of new wells, drilling and sampling of temporary monitoring points, stratified groundwater sampling, soil vapor sampling, and other investigations. Groundwater investigations continued through 2002 and, as a result of these, a Corrective Action Plan was developed. Corrective action has involved extraction and treatment of impacted groundwater and improvements to the LFG control system to address VOC impacts to groundwater.

CAP evaluation was recently completed (Corrective Action Program Pilot Study Report and Monitored Natural Attenuation Plan, SCS, December 2003) and it was determined that no adverse affects on water quality would result from groundwater extraction well shut down. In addition, the pilot study provided further evidence that VOC impacts to groundwater had been the result of gas-phase migration and phase transfer, and that natural attenuation of VOCs is occurring. In order to ensure that water used on-site is not used as drinking water, employees at landfill are instructed on the sources of drinking water that is available at the LLRC, which includes water in coolers and bottled water. Also, there are no drinking fountains located on-site and there is no kitchen for obtaining water from a faucet. Water that is not intended for drinking is clearly labeled as such.

Based on the pilot study, landfill gas control and MNA were recommended for mitigation of VOCs in groundwater at the facility. MNA refers to the reliance on closely monitored natural attenuation processes for corrective action. At this time, WMI is awaiting comments on this recommendation from the RWQCB.

Leachate and LFG Control and Monitoring Systems

Leachate is generated when water passing through the refuse reacts chemically and biologically with refuse contents. Leachate generation is minimized in the Lancaster area due to the arid climate and drainage control efforts at the LLRC. At some landfills, migration of leachate from the fill can cause impacts to groundwater, although there is no evidence that this has occurred at the LLRC. The leachate management system at the LLRC is intended to prevent or minimize leachate generation, detect leachate generation, contain and collect generated leachate within designated sumps, and reclaim any resulting wastewater. When leachate is detected and removed from collection sumps, it will be recirculated into the waste over lined areas; used for on-site dust control, if approved by the RWQCB and LEA; or hauled to an appropriate off-site treatment facility.

Landfills that receive organic wastes in some significant quantity eventually produce “landfill gas.” The decomposition of these organic wastes within the refuse prism generates landfill gas as a by-product. This gas generally consists of equal amounts of methane and carbon dioxide along with traces of other constituents. The production of landfill gas within the refuse cell is of interest primarily due to the flammability of methane in concentrations between five and 15 percent by volume in air. State and federal regulations require the control of landfill gas to prevent it from migrating away from the landfill boundaries and accumulating in off-site structures. In addition, local air pollution control districts and state and federal air quality regulations require the control of emissions into the atmosphere.

A LFG extraction system began operation at the LLRC in February 1993. Since this time, the LFG system has been continuously upgraded and is providing protection against gas phase migration of VOCs to groundwater. Since vapor phase VOCs are normally entrained in LFG, migration of the gas, and gas to water phase transfer, can facilitate migration of these substances to groundwater. Controlling LFG migration is thus an important element of the groundwater quality protection strategy. The LFG extraction system consists of a series of wells, placed in the waste fill, connected to a header pipe network. A vacuum is applied to the header, drawing LFG out of the fill for destruction in a ground flare, and thereby preventing lateral migration of gas.

The current in-place gas control system consists of vertical gas extraction wells and horizontal collection piping. A permit application to operate the gas/condensate separation and holding system and flare/blower to incinerate the collected landfill gas has been issued by the SCAQMD and is now regulated by the AVAPCD. The flare station is located just north of the Western Area, adjacent to the groundwater remediation system, and consists of a gas burning flare and blowers. The system, including additional collection wells and flares, will be expanded as the landfill is developed to provide ongoing control within the performance criteria established and mandated by the AVAPCD and State and federal regulations. Figure 4.4-2 (Environmental

Monitoring and Control Systems) illustrates the locations of the existing and proposed LFG control and monitoring facilities, including gas extraction wells as well as proposed perimeter gas monitoring probes and related facilities.

4.4.2 Significance Criteria

The proposed project would have a significant water quality/supply impact if it would:

- Violate any water quality standards or waste discharge requirements.
- Substantially deplete 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 level.
- Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site.
- Create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff.
- Otherwise substantially degrade water quality.

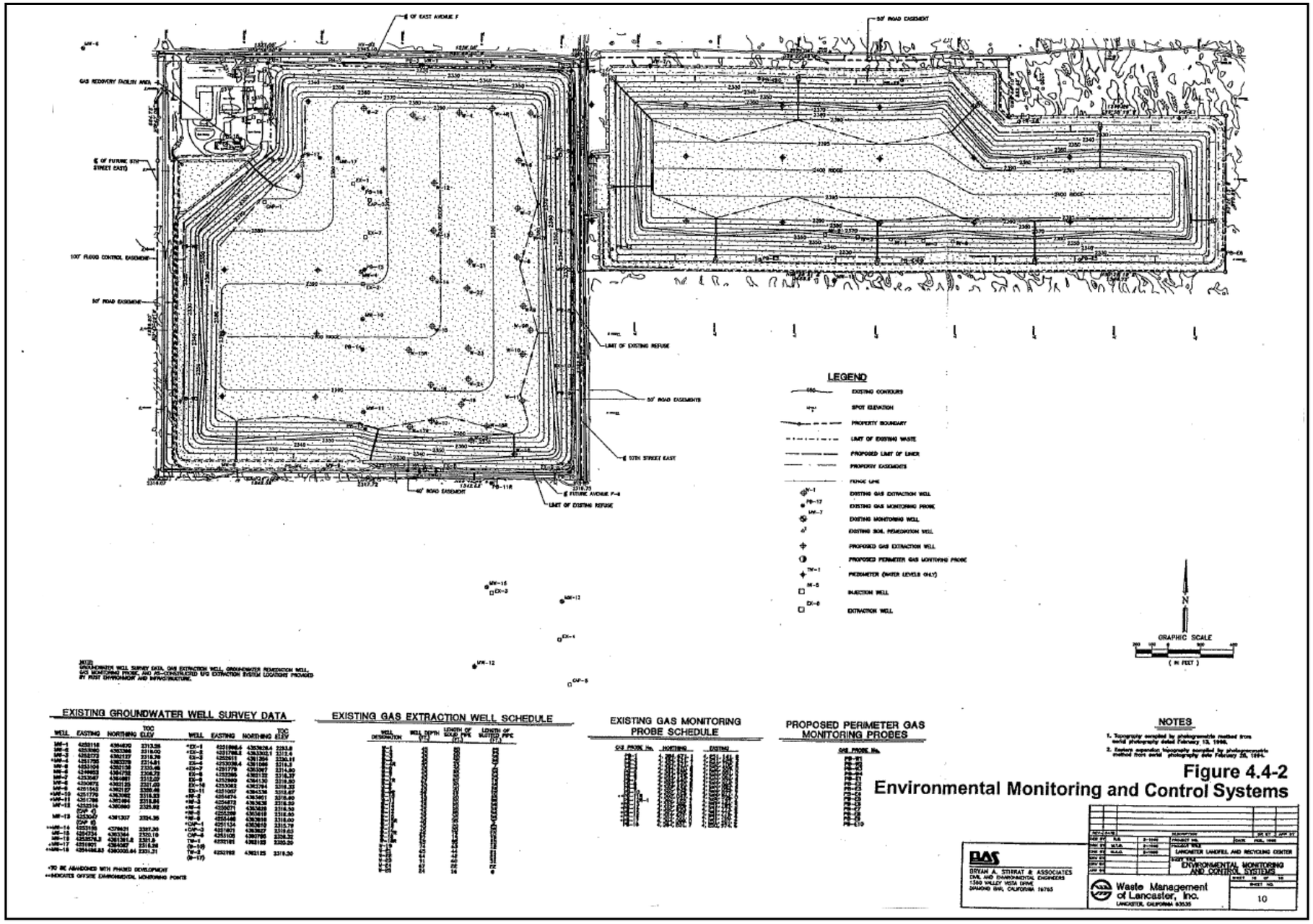
4.4.3 Potential Impacts

4.4.3.1 Short-Term Construction-Related Impacts

The proposed project will increase the permitted daily refuse accepted at the Lancaster Landfill and Recycling Center from 1,700 tpd to 3,000 tpd. It will not result in a lateral expansion. The requested Conditional Use Permit and the related revision to the Solid Waste Facilities Permit do 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, related to the daily operation and maintenance of the existing LLRC. These potential impacts are identified and described in Section 4.4.3.2.

Figure 4.4-2

Environmental Monitoring and Control Systems



4.4.3.2 Long-Term Operational Impacts

Groundwater

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 existing pumping levels, which are 60 afy. More rapid filling is not anticipated to change the quantity of leachate that might be generated or the ultimate volume of LFG that would be produced. Leachate migration controls already in place at the LLRC and controls planned for the areas of the site not yet filled will not need to be modified to accommodate the increased filling rate. Although the total volume of LFG generated will not change, more rapid filling is anticipated to result in moving the peak of the LFG generation curve closer to the present. As part of the normal operating practice of the LLRC, this will mean that the periodic planned expansions of the LFG control system, necessary to accommodate the waste fill sequencing, would take place on a shorter schedule. This new schedule of LFG control system upgrades is anticipated to fully control the migration of gas and thereby protect groundwater from this source of potential contaminants and therefore no impacts to water quality are expected.

It is important to note that the groundwater characteristics identified in Section 4.4.1, which indicated that VOCs exist in detectable concentrations, will not change as a result of the proposed project. While VOCs may continue to be detected, it is anticipated that the existing landfill gas control system and MNA recommended for implementation at the LLRC will effectively mitigate VOCs at the landfill.

As indicated in Section 4.4.1, the LLRC relies on groundwater pumped on-site for water used for the Project. Groundwater will continue to be the source of water used for dust suppression necessary for landfill operations and construction. The LLRC will not require any additional water over existing levels used on-site to continue service to the LLRC under the proposed Project. The LLRC's water needs would 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 adjudication proceedings 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, WMI will pay any necessary replacement water assessments in order to continue pumping at the rate of 60 afy. Alternatively, WMI 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 a purple pipe that runs along Avenue F to the LLRC. The project-related demand for groundwater would therefore not increase over existing pumping levels and would continue to be less than 0.001 percent of the total safe yield of the Basin, which is determined to be 82,300 afy (based on average annual native recharge plus local return flows) and 110,000 afy (based on average annual native recharge plus local return flows and imported water). (See *Statement of Decision Phase Three Trial*, Antelope Valley Groundwater Cases, Los Angeles County Superior Court Case No. BC 325 201 (Judicial Council Coordination Proceeding No. 4408) (July 13, 2011) at pp. 9-10; see also "*Summary Expert Report Phase 3 – Basin Yield and Overdraft, Antelope Valley Area of Adjudication*," prepared by R. Beeby, T. Durbin, W. Leever, P. Leffler, J. Scalmanini, M. Wildermuth (July 2010).).Based on the fact that groundwater pumping will not exceed 60 afy or the amount allocated to the site in the adjudication if less than 60 afy, and any water required for the Project in excess of the amount allocated in the adjudication will be provided either through the payment of replacement water assessments or from recycled water currently available to the site through existing infrastructure, the potential impacts of the Project on water supply are determined to be less than significant.

Considering the rates of ongoing pumping that would occur under the Project (approximately 60 afy from the 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, the project would not be anticipated to interfere with the production rate of pre-existing wells in the area. There has been no evidence in the past, moreover, that groundwater pumping at the LLRC has interfered with any wells in the greater outlying area. The potential to adversely affect the production rates of other groundwater wells is therefore less-than-significant.

The LLRC would continue providing bottled water under the proposed project. Therefore, it is anticipated that no significant adverse impacts to domestic water supplies or non-potable water supplies will occur as a result of project implementation. (Less than Significant)

Surface Water

Hydrological impacts associated with the LLRC have been previously evaluated and a surface drainage control system prescribed to ensure that no significant hydrological impacts would occur. No changes to the approved landfill plan are proposed that would change the conclusions and recommendations of the prior analyses conducted for the landfill. As indicated above, the only change anticipated to the hydrological condition is the accelerated rate of landfilling (i.e., 3,000 tons maximum daily capacity versus 1,700 tons per day under the existing SWFP and CUP). Although refuse cells may be filled at a faster rate based on the increased daily intake at the LLRC, the surface hydrology would not change from that previously analyzed. The infrastructure prescribed in the landfill plan would be implemented in order to accommodate the more rapidly changing surface conditions; however, those topographic conditions will be the same as identified in the adopted Landfill Plan for the LLRC. The storm drainage and flood control facilities approved for the LLRC are adequate to accommodate the proposed increase in daily capacity.

Interim drainage control within the excavated areas will be handled to minimize or eliminate surface water run-on into the excavated pits and the leachate control and removal system (LCRS). Interim drainage control will be an important function throughout active disposal operations, and special emphasis will be placed on stormwater management within the borrow excavations within the LLRC. Best Management Practices (BMPs) are currently in use at LLRC to effectively address runoff and potential erosion conditions. Specifically, LLRC has installed sediment and erosion control features to control surface water runoff and prevent erosion of slopes and surface soil layers. Controls include runoff control berms and benches, proper land grading and final cover design and proper revegetative practices. Upon completion of refuse disposal operations, a final cover layer of compacted soil and/or a synthetic cap will be placed over the landfill to retard the infiltration of precipitation. A vegetation program will also minimize erosion. In addition, surface roughening is utilized. The soil is roughed by the creation of horizontal grooves, or indentations that run parallel to the contour of the land. The grooves are created by the dozer and compactor. Future permanent drainage systems will include corrugated steel pipes and culverts to eliminate erosion potential from major conveyances.

Stormwater management within the excavation areas below grade is addressed through the implementation of several drainage control system features and/or procedures:

- HDPE liner flaps
- interim slope grading
- earthen berms
- sand bags and/or silt fences
- high volume stormwater pumps

Run-on into the below grade excavation areas will be eliminated and/or minimized through the use of earthen berms and perimeter drains along the top edge of the interim cut slopes. Therefore, stormwater will be minimized to only that volume of precipitation falling over the excavated areas within the LLRC. Precipitation over the areas within the LLRC that are excavated for use as daily cover material is channeled via benches to temporary stormwater collection basins or sumps. Stormwater collected in the temporary collection basins or sumps will then be pumped to the perimeter drainage channels, located at existing grades along the outside edges of the units. Stormwater will then be handled in accordance with the current stormwater management procedures discussed below.

On-site drainage features are intended to control run-on to or run-off from the landfill areas. Stormwater on the landfill deck will sheet flow until it is intercepted by a berm located around the deck perimeter. The deck berm will then direct run-off flows to asphalt concrete (AC) downdrains. The AC downdrains will be perpendicular to slope contours and located on top, and anchored into, the final landfill slope surface. The downdrains will be extended up completed side slopes of the landfill as the filling progresses. The downdrains will also accommodate inlets at each bench. The gradient of these downdrains will follow the surface of the

refuse slope (typically 3:1). The downdrains will outlet at rock energy dissipaters within the perimeter drainage channels that direct flow into a sedimentation basin. Stormwater from the landfill side slopes will sheet flow onto the intermediate benches which will convey the flows to bench downdrain inlets. Run-off conveyance structures will have a minimum slope of 0.2 percent.

A blue line watercourse runs through a portion of the LLRC as indicated on the USGS topographic map of the site and surrounding area. Off-site run-on from the tributary drainage area to the blue line stream is conveyed by a 3-foot high interceptor earthen berm installed along the south, east and west perimeter areas of the Eastern Area. The interceptor berm diverts flows anticipated for a 100-year storm event from the upstream tributary drainage area. It is important to note that implementation of the proposed project will not result in any changes to the manner in which surface drainage within the LLRC is accommodated. The proposed project is consistent with the drainage plan approved for the LLRC. As a result, implementation of the drainage plan and the measures prescribed in the Final EIR adequately address stormwater runoff as a result of landfill activities.

Upstream development and associated flood control facilities affecting the total run-on to the subsequent areas within the LLRC will be reevaluated and appropriate changes to the currently proposed perimeter drainage control features will be made. In support of any changes, the operator will complete an updated hydrology study. It should be noted that a Los Angeles County Flood Control District easement is located in that area along 10th Street and that flood control improvements planned by the County in that area will also be accounted for in the final design.

A perimeter drainage channel exists for the site, which is composed of graded trapezoidal and triangular channels around the refuse footprint. The channels are intended to control run-on from surfaces adjacent to the landfill that would normally flow onto the landfill site. For the LLRC, the perimeter drainage channel also serves as the conveyance system for on-site flows originating on the landfill. The stormwater conveyed by the on-site perimeter ditch will outlet into one of the sedimentation basins located within the subject landfill.

There currently exist a number of storm drain facilities around the existing landfill. These existing features have been upgraded, as required, to serve as part of the final drainage plan. Intermediate deck drains and downdrains will be required and will be extended and upgraded as waste filling progresses.

Implementation of the proposed project will not result in any changes to the potential for erosion anticipated by existing and continue 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 construction. As a result, the potential for soil loss associated with landfill activities will be minimized. Excessive soil loss is addressed by limiting the distance water must travel before reaching a channel or other drainage structure. Additional measures that are implemented include, but are not limited to silt fences, bale dikes, wood chips, and sand bags (Final EIR, 1997). These measures, which include sedimentation ponds, drainage facilities, revegetation, etc., will continue to be implemented as landfilling occurs in the future at the site. Further, maintenance of the sedimentation basins within the LLRC is conducted annually and will continue throughout the post-closure maintenance period. The landfill will be revegetated upon closure, which will serve as the primary erosion control feature. Therefore, as indicated above, no significant erosion impacts would occur as a result of the increase in daily capacity and no additional mitigation measures are required.

4.4.4 Mitigation Measures

No significant impacts are anticipated as a result of project implementation. The LLRC has been designed to accommodate surface runoff and to minimize impacts to both the surface water and groundwater quality, including the potential for erosion. Continued compliance with all applicable regulations and the environmental protection measures that are applicable to the site will continue to reduce or eliminate potential storm runoff and water quality impacts associated with the landfill operations to a less than significant level. 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. Therefore, 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, the mitigation measures prescribed in EIR SCH No. 1993101036 still apply and shall continue to be implemented as applicable. These measures include, but are not limited to, the following as summarized below:

- 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.
- Periodic monitoring of surface water quality in accordance with site's existing Storm Water Pollution Prevention Plan (SWPPP).
- Implement a proactive Water Quality Monitoring Program in compliance with State and Federal regulations.
- 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.

4.4.5 Level of Significance After Mitigation

Implementation of the mitigation measures listed above will reduce the potential water quality and water supply impacts to a less than significant level. Therefore, no significant adverse impacts associated with hydrology, groundwater/ water supply and/or water quality will occur.

CUMULATIVE IMPACTS ANALYSIS

Water Quality & Water Supply

As indicated in Final EIR SCH No. 1993101036 for the 1997 LLRC Expansion, implementation of the measures prescribed for the landfill, including those required by regulatory agencies (e.g., BMPs for storm water runoff, etc.), would mitigate the potential ground water quality impacts associated with landfill development. With the exception of processing up to 3,000 tpd of refuse, compared to 1,700 tpd, none of the on-site conditions will change. Cumulative impacts to groundwater or surface water that may be anticipated to occur were identified and described in the EIR prepared for the LLRC Expansion. Any such impacts identified that are 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. 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.

Generally, increased future demand for water from future development projects within both the incorporated and unincorporated portions of the Antelope Valley Basin will result in increases in water consumption of both groundwater and imported water. Coordination among the wholesale and retail water purveyors, water storage facilities and sanitation districts will be necessary to assure a dependable water supply. As previously discussed in Section 4.4, there is an ongoing adjudication action involving the priority/superior right of the various parties to the adjudication to pump groundwater in the Basin, and the protection of the Basin.

It is anticipated that the ongoing adjudication of groundwater rights will stabilize the groundwater Basin levels. Local public entities are already taking steps to further this goal through water recycling, groundwater banking, water conservation, payment of connection and service fees etc. In addition to the Basin-wide increase in conservation efforts, the use and availability of recycled water will be greatly increased by the completion of the multi-million dollar Backbone Recycled Water System, owned and operated by LACWWD 40, which will provide additional recycled water.

As noted in Section 4.4, the landfill relies on groundwater from the Basin to provide groundwater for dust suppression during daily landfill operations as well as for non-potable on-site use by employees for sinks/toilets as described in Section 4.4 of this SEIR. There is no reliance on domestic water provided by either the City of Lancaster or County of Los Angeles. 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 form the City of Lancaster through existing purple piping along Avenue F. As explained in Section 4.4, the LLRC will not increase its groundwater use beyond the existing amount used (60 afy) or the amount allocated to the site pursuant to the adjudication, if that amount is less than 60 afy. If additional water is required beyond that allocated pursuant to the adjudication, the LLRC will either pay replacement water assessments in order to continue pumping up to the 60 afy or purchase recycled from the City using existing infrastructure (i.e., the purple pipe that currently extends through Avenue F near the LLRC). The total amount of groundwater necessary to provide dust suppression and related functions in support of landfill activities will therefore not increase over the life of the landfill and will not exceed current water usage. The ongoing use of groundwater by the existing LLRC at existing levels will not result in a cumulatively considerable significant contribution to the ongoing groundwater depletion within the Antelope Groundwater Basin described in Section 4.4. The various ongoing water recycling, groundwater banking, conservation, and adjudication efforts are also expected to stabilize the groundwater basin over time. . Therefore, there will be no cumulatively significant water quality or water supply impacts as a result of the proposed project.

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.

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December 13, 2011

Via Electronic & Regular Mail
rruiz@planning.lacounty.gov

Honorable Chair Pat Modugno
Los Angeles Regional Planning Commission
Los Angeles County Dept. of Regional Planning
320 W. Temple Street
Los Angeles, CA 90012

Re: Lancaster Landfill and Recycling Center
(Project No. 03-170-(5)/ CUP No. 03-170)

Dear Honorable Chair Modugno and Planning Commissioners:

We submit this letter on behalf of the applicant, the Lancaster Landfill and Recycling Center ("LLRC"), in support of the above-referenced project (the "Project"). This letter serves, in part, to highlight the continued importance of the LLRC to the County's waste management and disposal system, and to express our client's continued concerns with some of the fee conditions in the proposed Conditional Use Permit ("CUP").

I. LLRC's Continued Importance to the Lancaster Area and the Los Angeles County Waste Management and Disposal System

According to the 2010 Countywide Integrated Waste Management Plan (CIWMP) Annual Report, released in October 2011, approximately 51% of the municipal solid waste (msw) accepted for disposal at the LLRC is from the Lancaster and Palmdale area. (2010 Annual Report, p. 22, Appendix E-6.) The remaining tonnage originates largely from other areas of Los Angeles County and the City of Los Angeles.

As with the 2009 Annual Report before it, the 2010 CIWMP Annual Report acknowledges that the County's existing landfills and infrastructure are insufficient to meet future disposal needs of the County for the next 15 years. (2010 Annual Report, p. 28.) By the end of 2025, the anticipated cumulative need for Class III landfill disposal capacity totals 156 million tons. The remaining capacity of all existing in-county Class III landfills, however, amounts to a maximum of 124 million tons which falls short of the

anticipated capacity to be needed by roughly 32 million tons. (2010 Annual Report, p. 30.)

The 2010 Annual Report includes nine different scenarios utilizing the various capacity options currently available, or which may become available in the future, to assist the County in meeting its daily disposal demand. Under six of the scenarios (Scenarios IV thru IX), the County assumes the LLRC is permitted to accept up to 3,000 tpd of msw to help the County reduce its daily disposal capacity shortfall thru 2025. (See 2010 Annual Report, pp. 24, 30; Appendix E-4 Scenario IV thru Scenario IX.) The ability of the LLRC to continue operating, including at 3,000 tpd, is therefore important to the County's future long-term ability to safely manage and dispose of msw. We therefore urge you to certify the Supplemental EIR and approve the proposed Project.

II. Concerns with Fees Included as Conditions of the CUP

The proposed CUP includes several conditions requiring various fees and payments by the LLRC that remain of concern to our client because the fees would either place the LLRC at a competitive disadvantage by driving up costs and, potentially, rates; and because the fees listed below lack any nexus or rough proportionality to the impacts of the Project. It is also unclear how the County calculated the fees and how, exactly, they would be used. The LLRC therefore protests the fees below and urges the Commission to direct staff to delete the following conditions:

Condition # 98 (.25 cents per ton of msw for enhancement of waste reduction and diversion programs). The proposed Project does not cause the need for waste reduction and diversion programs; rather the Project would continue to facilitate the safe collection, diversion, recycling and disposal needed of waste that is already being generated.

Condition # 99 ($25,000 annual fee to the Antelope Valley Illegal Dumping Task Force). There is no evidence that the LLRC or the proposed increased acceptance of msw at the LLRC under the Project would cause, or cause an increase in, illegal dumping in the area.

Condition #100 (sliding scale fee per ton, from $2-$8, of msw received from outside the Antelope Valley for countywide disposal capacity planning, conversion technology etc.). This fee is unconstitutional because it bans out-of-area and, potentially, out-of-state waste without limitation. The fees also appear to be duplicative of other fees that are already charged for planning purposes.

Also, after lengthy discussions with County staff and a meeting with Mr. Pat Proano on June 30, 2011, this condition was agreed to be revised to allow Public Works to reimburse WM/LLRC 80% of the fees collected (versus 50%) for designing, permitting, and constructing a Conversion Technology Facility, if WM/LLRC decides to pursue such a project in the future consistent with Condition 101 of the CUP. (CUP, pp. 45-46.) This agreement did not make its way into the final draft CUP that is currently before the Commission and should, at the very least, be clarified.

Condition #102 (.50 cents per ton to Department of Parks and Recreation for land acquisition/parkland). The Project does not involve any new lateral expansion of the LLRC, which, if the Project is approved, would remain within the permitted boundaries which exist today. There would, therefore, be no impacts to park or open space land.

Condition #103 (.50 cents per ton for transportation improvements). The SEIR imposes mitigation which fully mitigates the significant impacts of the Project to the local roadway network (e.g., to pavement integrity; see SEIR, MM 4.1-1). There are no other significant adverse traffic or transportation related impacts which would require imposition of the fee proposed in this condition.

Condition #104 ($81,000 per year for neighborhood planning studies). The Project does not cause the need for neighborhood planning studies. Although the LLRC has been voluntarily funding a similar condition in the existing CUP, that amount is far more reasonable at $10,000 a year.

Condition #105 ($1 per ton for community benefit/environmental education trust fund in the Antelope Valley and to fund regional public facilities that serve the area). This fee is vague and also lacks a nexus and rough proportionality to the impacts of the project.

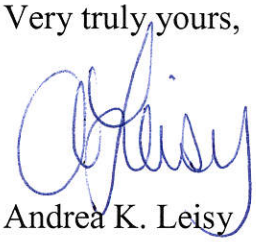
Under the Mitigation Fee Act ("MFA"). (Gov. Code, §§ 66000-66025) public agencies must make certain findings when imposing any fees on a project that demonstrate a nexus and rough proportionality to that project. Specifically, section 66001 mandates lead agencies to: identify the purpose of the fee; identify how the fee will be used; demonstrate that a *reasonable relationship* exists between the purpose of the fee and the type of project on which the fee is imposed; demonstrate that there is a reasonable relationship between the *need* for the public facility and the project, or type of project, on which the fee is imposed; and demonstrate that there is a reasonable relationship between the *amount of the fee* and the cost of the public facility or portion of the public facility attributable to the development on which the fee is imposed. (Gov. Code, § 66001, subds. (a), (b).)

Despite prior requests, both orally and in writing, our client has not been provided with any evidence by County staff, including staff from the Department of Public Works, regarding how the fees were determined to have a nexus to the effects of the proposed Project, and how the amount of the fees were deemed to have a reasonable relationship to the Project. We request the County provide a copy of the documents or any other evidence that establishes that the fee(s) do not exceed the cost of the service, facility, or regulatory/planning activity for which it is imposed.

* * *

We appreciate the Planning Commissioners consideration of the project applicant's concerns regarding some of the CUP fee conditions. Please do not hesitate to contact me, or have staff contact me, with any questions or comments regarding the matters raised by this correspondence. We look forward to appearing before you on December 14th.

Very truly yours,



Andrea K. Leisy

cc: Honorable Commissioner Curt Pedersen, Vice Chair
Honorable Commissioner Harold V. Helsley
Honorable Commissioner David W. Louie
Honorable Commissioner Esther L. Valdez
Rob Glaser, Principal Planner
Patricia Keane, County Counsel