

**L & D Landfill Vertical Expansion (Z18-112)
 Initial Study/Negative Declaration
 Revisions to Initial Study
 Comments and Responses
 December 13, 2018**

The proposed Negative Declaration for the L & D Landfill Vertical Expansion (Z18-112) was circulated for public comment from August 28, 2018 to September 28, 2018. Written comments were received as follows:

Date	Commenter
	Agencies
8/28/2018	PG&E
9/5/2018	Regional San
9/6/2018	Water Boards
9/26/2018	Sacramento County Environmental Management Department
9/28/2018	SMUD
9/28/2018	CalRecycle
	Individuals
9/8, 9/2018	Russ Bennett
9/26/2018	West Fork Construction
9/28/2018	Rosemont Advocates for a Clean/Safe Environment

Each of the written comments is attached.

Each of the comments addressed the project site and conditions as they relate to the particular areas of concern of the respective commenting agency, company, organization or individual. The comments are acknowledged by the City and have been considered as part of the project planning and its implementation.

None of the comments identified any new significant effect, increase in severity of an impact identified in the Negative Declaration, or provided significant new information. Recirculation of the Negative Declaration is not required.

Revisions to the Initial Study/Mitigated Negative Declaration

The City of Sacramento Community Development Department, as lead agency, released the L and D Vertical Expansion Project (Z18-112) Initial Study / Negative Declaration (IS/ND) for public review beginning on August 28, 2018 pursuant to CEQA Guidelines Section 15105. The IS/ND and supporting documents were made available at the City of Sacramento, Community Development Department, 300 Richards Blvd., 3rd Floor, Sacramento, California. According to CEQA Guidelines Sections 15073 and 15074, the lead agency must consider the comments received during consultation and review periods together with the negative declaration. However, unlike the process followed with an Environmental Impact Report, comments received on a negative declaration are not required to be attached to the negative declaration, nor must the lead agency make specific written responses to public agencies. Nonetheless, the lead agency has chosen to provide responses to the comments received during the public review process for the IS/ND, as well as revisions to the IS/ND where necessary. The revisions and responses to comments are provided herein as Attachments 1 and 2, respectively.

The following provides a summary of revisions to the IS/ND and responses to comments related to the environmental and regulatory setting at the L and D Landfill (Landfill), the facility's permit history, and the baseline conditions assumed for the CEQA analysis.

Environmental Setting

In response to comments provided by the Central Valley Regional Water Quality Control Board (CVRWQCB), supplemental information has been added to the IS/ND regarding groundwater contamination issues at the Landfill and how such issues are addressed by the existing landfill gas (LFG) migration control system and the groundwater extraction and treatment system (GWTS) at the Landfill. Such information has been obtained, in part, from the Continuing Notice of Violation (NOV) issued to the Landfill by the CVRWQCB.

Regulatory Setting

The L & D Landfill operates under a Solid Waste Facility Permit (SWFP), Landfill Gas Flare Permit, and various Waste Discharge Requirements enforced/administered at the Landfill through the CVRWQCB by Waste Discharge Order R5-2012-0107. Based on comments received from the Sacramento County Environmental Health Department and the CVRWQCB, minor revisions have been made to the IS/ND to clarify the required revisions to the SWFP, the types of hazardous waste currently prohibited by the SWFP, and the maximum vertical limit established by the Landfill's WDRs (see Attachment #1, Letter 7).

Permit History

As a result of staff-initiated changes, the permit history presented in the IS/ND has been modified to include a minor modification to the Landfill's Conditional Use Permit (CUP) approved by the Zoning Administrator on February 7, 2012 (Z11-125). The following is a summary of the permit history for the Landfill:

- P-7182: July 22, 1976 – Special Permit to allow operation of the original Landfill.
- P82-056: May 27, 1982 – Modification to expand the Landfill.
- P94-052: April 25, 1996 – Further expansion of the Landfill.
- Z11-125: February 7, 2012 – Minor Modification to expand stockpiles.
- P13-054: April 24, 2014 – CUP and Site Plan and Design Review to allow greenwaste processing at the Landfill.
- Z15-021: November 2015 – Major Modification to CUP to alter the amount of greenwaste received and processed at the Landfill.

A comprehensive discussion of the permit history for the Landfill is provided on page 4 of the IS/ND, and copies of each permit have been included as an appendix to the IS/ND.

Baseline

Comments received from the CVRWQCB discuss compliance issues noted in the Continuing NOV for the Landfill. Non-compliance with the Landfill's existing WDR, along with other existing regulatory conditions associated with the Landfill, constitute the baseline (i.e., the CEQA existing setting used for the assessment of impacts for the proposed vertical expansion) that the City has adopted in its analysis of physical changes and impacts.

Attachments

Attachment 1: Revisions to the Initial Study/Mitigated Negative Declaration
Attachment 2: Responses to Comments

Attachment 1

L and D Landfill Vertical Expansion (Z18-112) Initial Study/ Negative Declaration

Revisions to the Initial Study / Negative Declaration

December 12, 2018

This document presents, in ~~strike-through~~ and double-underline format, the revisions to the Initial Study/Negative Declaration (IS/ND) for the L and D Landfill Vertical Expansion Project (proposed project). The revisions to the IS/ND do not affect the adequacy of the environmental analysis or conclusions in the IS/ND. Because the changes presented below would not result in any new significant impacts or an increase in impact significance from what was identified in the IS/ND, recirculation of the IS/ND is not required. CEQA Guidelines section 15073.5.

Based on the comments received on the IS/ND prepared for the proposed project (released for public review on August 28, 2018), as well as staff-initiated changes, the following revisions have been made to the IS/ND.

Page 4 of the IS/ND related to the permitting history at the Landfill is hereby modified as follows:

On July 22, 1976, the City of Sacramento Planning Commission approved a Special Permit to allow the operation of the original 45-acre L and D Landfill (Landfill). Wastes received at the Landfill were restricted to demolition and construction wastes, wood, paper, concrete, asphalt, and similar non-putrescible materials (P-7182). On May 27, 1982, the City of Sacramento Planning Commission approved a modification to expand the Landfill by 50 acres (P82-056). On April 25, 1996, the City of Sacramento Planning Commission allowed the further expansion of 159 acres to the Landfill and to increase the Landfill's daily capacity from 2,350 cubic yards (CY) per day to 10,000 CY per day (P94-052). Up to 3.5 percent of total inbound debris was allowed for burial of greenwaste only. Any greenwaste exceeding the 3.5 percent allowance was required to be transferred to another facility for burial or processing. Additionally, all inbound greenwaste streams were subject to the overall site tonnage limitation of 4,125 tons per day.

On February 7, 2012, the Zoning Administrator approved a Conditional Use Permit (CUP) minor modification to vertically and voluminously expand stockpiles at the Landfill (Z11-125). On April 24, 2014, the City of Sacramento Planning Commission approved a ~~Conditional Use Permit (CUP)~~ and Site Plan and Design Review to allow greenwaste processing at the Landfill (P13-054). The approval stipulated that greenwaste processing be limited to a monthly average of 250 tons per day of greenwaste materials received and/or processed, and not to exceed 400 tons of

greenwaste materials received and/or processed in any single day.¹ As part of the CUP approval, a Categorical Exemption was filed pursuant to CEQA Section 15301 (Existing Facilities). A Major Modification to the CUP was processed in November of 2015 to modify the amount of greenwaste received and processed at the Landfill (Z15-021)

Page 5 of the IS/ND is hereby revised as follows to provide additional information related to groundwater contamination issues at the Landfill. Such information has been obtained, in part, from the Continuing Notice of Violation (NOV) issued to the Landfill by the Central Valley Regional Water Quality Control Board (CVRWQCB). As noted in the revised text, the groundwater contamination issues identified by the CVRWQCB are an existing circumstance and constitute the baseline condition at the Landfill for the purpose of the IS/ND:

The Landfill currently operates under Waste Discharge Order R5-2012-0107, which is enforced/administrated by the State Water Resources Control Board (SWRCB) through the Central Valley Regional Water Quality Control Board (CVRWQCB). The Waste Discharge Requirements (WDR) Program provides for protection of water quality through regulation of point discharges that are exempt pursuant to Subsection 20090 of Title 27 of the CCR and not subject to the Federal Water Pollution Control Act.

Waste Discharge Order R5-2012-0107 provides for prohibitions related to discharge of hazardous waste and discharge of surface water drainage to downstream surface waters, specific regulations limiting which solid waste types may be discharged on-site, facility specifications, construction specifications, and closure and post-closure maintenance specifications, financial assurance specifications, and monitoring specifications. The monitoring specifications provide for ongoing implementation of the monitoring and reporting program (MRP), which has been issued for the Landfill in order to guide operation and maintenance of the Landfill's existing groundwater detection monitoring system, as required by Title 27, Sections 20415 and 20420. The existing groundwater monitoring network for the Landfill includes background wells, detection monitoring wells, and corrective action monitoring wells for both the upper and lower water-bearing zones.

Per Waste Discharge Order R5-2012-0107, the Landfill was permitted to fill, including final cover, to a maximum height of 97 feet msl. Thus, vertical expansion of the Landfill beyond the 97-foot limit requires revision of the Landfill's WDRs. WDRs, in and of themselves, do not allow or disallow vertical expansion of a landfill at some future date. It should be noted that the most recent phase of the Landfill to be closed, known as Phase 5/6a, is currently not in compliance with the closure schedule included in Waste Discharge Order R5-2012-0107. However, the closure of Phase 6/6a was approved by the CVRWQCB on April 17, 2018. A revised closing schedule was provided to the CVRWQCB on June 1, 2018. In order to update the WDRs, the Landfill must submit a Report of Waste Discharge (ROWD) and Form 200 to the CVRWQCB.

Notice of Violation

Currently, the Landfill is operating under a Continuing Notice of Violation (NOV) due to non-compliance with Waste Discharge Order R5-2012-0107. The most recent Continuing NOV was issued to the Landfill by the CVRWQCB on May 24, 2018. The primary reason for the Continuing NOV is low level Volatile Organic Compounds (VOCs) detected in groundwater, some of which have been attributed to the Landfill. Since the early 1990's, the Landfill has been undergoing corrective actions related to VOCs. The remedial actions include the LFG migration control system and the groundwater extraction and treatment system (GWTS) noted above.

Per the Continuing NOV issued by the CVRWQCB, VOCs in groundwater continue to be detected in all corrective action wells, including off-site wells. Continued detections of VOCs in groundwater are a violation of the WDRs and Title 27. In addition, during 2017, the GWTS effluent discharged groundwater impacted by VOCs into an on-site infiltration pond, which is a violation of Discharge Specification B.7. of the Landfill's WDR. Furthermore, per the CVRWQCB, LFG is currently being detected outside of waste management units at the Landfill and appears to be in contact with groundwater at the site. Elevated methane levels were detected in LFG at on-site extraction wells. Lastly, the Continuing NOV notes that the on-site waste management units are not adequately separated from the highest anticipated elevation of underlying groundwater.

Because remediation activities at the Landfill are ongoing, and are anticipated to continue for an extended period of time, the Continuing NOV and associated corrective action cannot be closed out in a near-term timeframe. Landfills may have long-term compliance issues related to LFG or groundwater, and corrective actions for such issues often take many years to complete. Solid waste agencies within the State have historically approved landfill expansions or modifications for various sites where an NOV or enforcement order, and the associated corrective action, were still in place, and final resolutions had not been reached.

Currently, the GWETS and LFG migration control system continue to reduce VOC contamination in groundwater. The operator of the Landfill has responded to the CVRWQCB's latest Continuing NOV and has committed to a variety of additional investigative and corrective actions. The most recent plan for remediation was submitted to the CVRWQCB on August 15, 2018.

It should be noted that the compliance issues noted in the Continuing NOV are an existing circumstance. Thus, non-compliance with the Landfill's existing WDR, along with other existing regulatory conditions associated with the Landfill, constitute the baseline condition for the purpose of this CEQA analysis.

The foregoing revisions are for clarification purposes only and do not affect the adequacy of the IS/ND.

The second paragraph of page 9 of the IS/ND is hereby revised as follows to note the existing Sacramento Municipal Utilities District (SMUD) electrical distribution infrastructure located on the project site.

The entire perimeter of the Landfill is fenced. Along the southern site boundary fronting Fruitridge Road, a tree-lined berm approximately eight feet tall is located ten

feet inside of the fencing. An access road runs along the top of the berm. Waste areas associated with Landfill operations are located to the north of the berm, approximately 36 feet from the southern site boundary. Along the eastern and western portions of the site, the nearest waste areas are located 15 feet or further from the site boundary. At the northern portion of the site, waste areas are located 60 feet or further from the site boundary. A stormwater retention/infiltration basin has been constructed within the northeastern portion of the project site. In addition, existing Sacramento Municipal Utilities District (SMUD) 12-kilovolt (kV) distribution facilities are located within the northeastern portion of the site.

The following text is hereby added to page 9 of the IS/ND as follows:

L and D Landfill is undergoing phased closure, pursuant to its approved Preliminary/Partial Final Closure and Post-Closure Maintenance Plan. As part of closure activities, the approved cover liner system must be installed under certain temperature constraints, which may necessitate that some installation activities take place outside of the SWFP-specified operating hours, most likely very early morning. Such activities would require the use of lighting, which is likely to be visible from locations outside the landfill, primarily nearby roads and businesses. Other effects associated with such closure activities are not anticipated. Off-hour activities would be strictly limited to closure-associated liner installation and soil covering and would not include any solid waste handling or non-closure ancillary activities. The Landfill operators will notify the LEA in advance of such activities and of any complaints received concerning the activities.

It should be noted that as discussed under the Waste Discharge Permit section above, the Landfill is currently operating under a Continuing NOV for issues related to groundwater contamination and LFG management. At this time, corrective actions continue to be implemented at the Landfill to mitigate such issues. The corrective actions include, but are not limited to, ongoing operation of the Landfill's GWETS and LFG migration control system. Both systems are subject to regular improvements and modifications to improve efficacy. The proposed vertical expansion would include an update to the Landfill's existing WDRs, and would not hinder efforts to address the Continuing NOV through implementation of the ongoing corrective actions.

The foregoing revisions are for clarification purposes only and do not affect the adequacy of the IS/ND.

Page 15 of the IS/ND is hereby revised as follows to clarify the specific regulation requiring revision of the Landfill's Solid Waste Facility Permit (SWFP):

~~Because the proposed vertical expansion and the associated vertical height increase would allow for an additional approximately 2.2 million CY of solid waste to be disposed of at the Landfill~~increase the permitted (final grade) maximum overall height of the Landfill, a revision of the Landfill's SWFP is required pursuant to CCR Title 27, Section 21665(e). This separate LEA process would be subject to review and approval by the LEA with CalRecycle concurrence. The project applicant submitted an application to the LEA requesting revision of the Landfill's existing SWFP on March 19, 2018. On April 13, 2018, the applicant waived the statutory

timelines and requested that the LEA accept the application as incomplete, which the LEA did on April 18, 2018. The LEA, as well as CalRecycle, will require copies of the record(s) of decision on the project, as well as the City's staff report presented to the decision-making body of the lead agency upon consideration of adoption of this IS/ND and project approval, which will be used in the permitting process for the revised SWFP. As such, this IS/ND has been prepared with the intention to be sufficient for the purposes of the LEA's determination regarding a revised SWFP for the proposed project.

The foregoing revisions are for clarification purposes only and do not affect the adequacy of the IS/ND.

In order to clarify the extent to which the Landfill is visible from South Watt Avenue, page 17 of the IS/ND is hereby revised as follows:

The proposed project site is currently used as an active landfill facility. The site is surrounded on all sides by existing industrial and office space uses, as well as vacant land. The open space area to the north of the site is currently planned for development with commercial, residential, urban farm, and open space uses as part of the Aspen 1-New Brighton project. The project site is currently visible from the open space area to the north. Existing public views of the landfill are limited to views looking east from Florin Perkins Road and views looking north from Fruitridge Road along the site's southern boundary. Views of the site from South Watt Avenue to the east of the site are partially obscured by existing development along the site's eastern boundary. The project site does not contain scenic resources, is not located in an area designated as a scenic resource or vista, and is not visible from any State Scenic Highways.³

The foregoing revisions are for clarification purposes only and do not affect the adequacy of the IS/ND.

In order to clarify the types of hazardous materials currently prohibited by the Landfill's SWFP, page 38 of the IS/ND is hereby revised as follows:

As discussed previously, the Landfill does not currently accept hazardous waste (including contaminated soils and friable asbestos-containing materials), and protocols are currently in effect to limit incidental exposure to hazardous wastes potentially occurring within the waste stream entering the Landfill. The proposed project would not alter the types of waste currently received or processed at the Landfill or otherwise intensify existing operations. Therefore, the proposed vertical expansion would not result in the exposure of workers at the Landfill to contaminated soils, asbestos-containing materials, or other hazardous waste during Landfill operations beyond what currently occurs at the Landfill.

The foregoing revisions are for clarification purposes only and do not affect the adequacy of the IS/ND.

Attachment 2

Responses to Comments

RESPONSES TO COMMENTS

This Responses to Comments document contains public and/or agency comments received during the public review period of the L and D Landfill Vertical Expansion Project (proposed project) Initial Study/Negative Declaration (IS/ND).

LIST OF COMMENTERS

The City of Sacramento received the following ten comment letters during the open comment period on the IS/ND for the proposed project:

- Letter 1Alyssa Gagnon, CalRecycle Department of Resources Recycling and Recovery
- Letter 2 Scott Morgan, Governor’s Office of Planning and Research
- Letter 3 Plan Review Team Land Management, PG&E
- Letter 4 Robb Armstrong, Regional San Development Services and Plan Check
- Letter 5 John Lewis, Sacramento County Environmental Management Department
- Letter 6Nicole Goi, Sacramento Municipal Utility District
- Letter 7 Todd A. Del Frate, Water Boards
- Letter 8 Rosemont Advocates for a Clean/Safe Environment
- Letter 9 Russ Bennett
- Letter 10 Greg Belanger, West Fork Construction

RESPONSE TO COMMENTS

The Response to Comments below include responses to the comment letters submitted regarding the proposed project. The letters are numbered and bracketed with assigned comment numbers. The bracketed comment letters are followed by numbered responses corresponding to each bracketed comment. It should be noted that where revisions to the IS/ND text are required in response to a comment, new text is double underlined and deleted text is ~~struck through~~.

Letter 1

California Environmental Protection Agency

Edmund G. Brown Jr., Governor



DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY

1001 I STREET, SACRAMENTO, CALIFORNIA 95814 • WWW.CALRECYCLE.CA.GOV • (916) 322-4027
P.O. BOX 4025, SACRAMENTO, CALIFORNIA 95812

September 28, 2018

Mr. Todd Buford
City of Sacramento
Community Development Department
300 Richards Blvd
Sacramento, CA 95811

Subject: SCH No. 2018082059 – Initial Study/Negative Declaration for L and D Landfill Vertical Expansion – Sacramento County

Dear Mr. Buford:

Thank you for allowing the Department of Resources Recycling and Recovery (CalRecycle) staff to provide comments on the proposed project and for your agency's consideration of these comments as part of the California Environmental Quality Act (CEQA) process.

PROJECT DESCRIPTION

The City of Sacramento, acting as Lead Agency, has prepared and circulated a Notice of Availability/Notice of Intent (NOA-NOI) of a Draft Initial Study/Negative Declaration (Draft IS/ND) in order to comply with CEQA and to provide information to, and solicit consultation with, Responsible Agencies in the approval of the proposed project.

The proposed project site is located at 8635 Fruitridge Road in the southeast portion of the City of Sacramento. The project site is located south of State Route 50 and Highway 16. Access to the site is provided from the north side of Fruitridge Road between Watt Avenue and Florin-Perkins Road. The project site consists of approximately 176.4 acres and the site is zoned for Heavy Industrial (M2-S). To the east of the site is an office park, warehouses, and vacant land. West and south of the site are warehouses and industrial use areas. To the north of the site are warehouses, an industrial use area, and planned future development with commercial, residential, an urban farm, and open space.

The proposed project would allow for a vertical height increase of up to 140 feet msl, an approximate 43-foot increase from the currently permitted maximum height of 97 feet msl. This would allow for an additional approximately 2.2 million cubic yards of solid waste to be disposed at the landfill, which would result in an extension of the overall lifetime of the Landfill by an estimated five to eight years. Operations would still be limited to a total permitted daily throughput of 4,125 tons of material per day and with a maximum of 480 vehicles per day.

Operations would continue to occur Monday through Friday from 6:30 a.m. to 4:30 p.m. and Saturdays from 8:00 a.m. to 1:00 p.m. Ancillary Operations/Facility Operating Hours will remain the same at Monday through Saturday from 6:00 a.m. to 6:00 p.m.

1-1

Governor's Office of Planning & Research

SEP 28 2018

STATE CLEARINGHOUSE



ORIGINAL PRINTED ON 100% POST CONSUMER WASTE CONTENT, PROCESSING INCLUDES RECYCLED FIBER

IS/ND for L&D Landfill
September 28, 2018
Page 2 of 3

Letter 1
Cont'd

1-2

COMMENTS

CalRecycle staff's comments on the proposed project are listed below. Where a specific location in the document is noted for the comment, please ensure the comment is addressed throughout all sections of the IS/ND, in addition to the specific location noted.

Comments for the IS/ND are summarized in the table below:

1-3

Chapter/Section	Page	Comment
Solid Waste Facility Permit (SWFP)	5	<p>"Before SWFPs are issued, the California Department of Resources Recycling and Recovery (CalRecycle) must review and concur with the findings made by the LEA in a public meeting."</p> <p>For steps on how CalRecycle offers concurrence on Solid Waste Facility Permits please reference California Code of Regulations (CCR) Title 27 Section 21685.</p>

1-4

Section III- Environmental Checklist and Discussion Aesthetics	19	<p>"Thus, the proposed expansion to the Landfill could be visible to future visually-sensitive public locations (i.e., outdoor recreation areas, plazas, etc.) within the Aspen 1- New Brighton development. However, as discussed previously, the Landfill currently includes temporary material stockpiles that have a height of up to approximately 120 feet. Thus, the maximum vertical height of 140 feet msl that would occur with implementation of the proposed project would be only 20 feet higher than stockpile heights currently occurring at the Landfill."</p> <p>The Solid Waste Facility Permit currently includes a maximum elevation of 97 ft. MSL. The analysis for an increase to 140 ft. MSL is based on temporary stockpiles of soil for interim and final cover.</p> <p>More analysis may be necessary in order to make a finding that increasing the maximum elevation an additional 20 feet beyond the temporary stockpiles of soil will have no additional significant effect on the degradation of the existing visual character of the site or its surroundings. The actual increase would be over 43 feet in elevation, similar to a four-story building.</p>
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1-5

Solid Waste Regulatory Oversight

The Sacramento County Environmental Management Department is the Local Enforcement Agency (LEA) for Sacramento County and responsible for providing regulatory oversight of solid waste handling activities, including inspections. Please contact the LEA at 916.876.7279 to discuss the regulatory requirements for the proposed project.

IS/ND for L&D Landfill
September 28, 2018
Page 3 of 3

**Letter 1
Cont'd**

1-6

CONCLUSION

CalRecycle staff thanks the Lead Agency for the opportunity to review and comment on the environmental document and hopes that this comment letter will be useful to the Lead Agency preparing the ND and in carrying out their responsibilities in the CEQA process.

CalRecycle staff requests copies of any subsequent environmental documents, copies of public notices and any Notices of Determination for this proposed project.

If the environmental document is adopted during a public hearing, CalRecycle staff requests 10 days advance notice of this hearing. If the document is adopted without a public hearing, CalRecycle staff requests 10 days advance notification of the date of the adoption and proposed project approval by the decision making body.

If you have any questions regarding these comments, please contact me at 916.341.6066 or by e-mail at Alyssa.Gagnon@calrecycle.ca.gov.

Sincerely,



Alyssa Gagnon, Environmental Scientist
Permitting & Assistance Branch – Central Unit
Waste Permitting, Compliance & Mitigation Division
CalRecycle

cc: Patrick Snider, Supervisor
Permitting & Assistance Branch – Central Unit
CalRecycle

John Lewis, LEA
Sacramento County Environmental Management Department

LETTER 1: ALYSSA GAGNON, DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY, SEPTEMBER 28, 2018

Response to Comment 1-1

The comment is an introductory statement and does not address the adequacy of the IS/ND.

Response to Comment 1-2

The comment is an introductory statement and does not address the adequacy of the IS/ND.

Response to Comment 1-3

The comment provides a reference to Title 27 of the California Code of Regulations (CCR) related to CalRecycle concurrence on Solid Waste Facility Permits (SWFPs). The comment does not address the adequacy of the IS/ND.

Response to Comment 1-4

Currently, views of the Landfill are predominantly defined by the existing 120-foot temporary stockpile located near the center of the site. Therefore, while the SWFP for the landfill currently includes a maximum height limitation of 97 feet above mean sea level (msl), for the purposes of this CEQA analysis, it is appropriate to compare the proposed height increase to the current baseline height of 120 feet. As shown in Figure 6 of the IS/ND, the proposed closure profile for the Landfill would not increase the peak of the Landfill for sensitive viewers travelling on South Watt Avenue to the east of the Landfill.

Response to Comment 1-5

The comment notes that the Sacramento County Environmental Management Department is the Local Enforcement Agency (LEA) for Sacramento County. The comment does not address the adequacy of the IS/ND.

Response to Comment 1-6

The comment does not address the adequacy of the IS/ND. The commenter's requests for documents, copies of public notices, and future Notices of Determination have been forwarded to the decision makers for their consideration.

Letter 2



EDMUND G. BROWN JR.
GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE *of* PLANNING AND RESEARCH



KEN ALEX
DIRECTOR
COMMUNITY DEVELOPMENT
DEPARTMENT

September 27, 2018

OCT 1 2018

RECEIVED

Tom Buford
City of Sacramento
300 Richards Blvd, 3rd floor
Sacramento, CA 95811

Subject: L and D Landfill Vertical Expansion Project (Z18-112)
SCH#: 2018082059

Dear Tom Buford:

2-1

The State Clearinghouse submitted the above named Negative Declaration to selected state agencies for review. The review period closed on September 26, 2018, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,


Scott Morgan
Director, State Clearinghouse

**Letter 2
Cont'd**

**Document Details Report
State Clearinghouse Data Base**

SCH# 2018082059
Project Title L and D Landfill Vertical Expansion Project (Z18-112)
Lead Agency Sacramento, City of

Type Neg Negative Declaration
Description The proposed project consists of vertical expansion of the available airspace from 97 ft above mean sea level to 140 ft msl to allow for an additional 2.2 M cy of solid waste to be disposed of at the L and D Landfill. Landfill operations would not exceed the current permitted daily throughout of 4,125 tons of material or a max of 480 vehicles per day, which would result in a five- to eight-year extension of the overall lifetime of the landfill, depending on solid waste disposal rates. The proposed project would require city of Sacramento approval of a CUP modification.

Lead Agency Contact

Name Tom Buford
Agency City of Sacramento
Phone (916) 808-7931 **Fax**
email
Address 300 Richards Blvd, 3rd floor
City Sacramento **State** CA **Zip** 95811

Project Location

County Sacramento
City Sacramento
Region
Lat / Long 38° 52' N / 121° 38' 42.02" W
Cross Streets Fuitridge Rd and Florin Perkins Rd
Parcel No. 061-0180-049
Township 8N **Range** 5E **Section** 24 **Base** MDBM

Proximity to:

Highways CA-16
Airports
Railways UPRR
Waterways
Schools Golden Empire ES, Eider Crk, ES, Sierra Enterprise ES, Hubert Ba
Land Use 176.4 acre active landfill/transfer station; heavy commercial/warehouse under the city's 2035 GP; Z: Heavy industrial

Project Issues

Reviewing Agencies Resources Agency; Central Valley Flood Protection Board; Department of Fish and Wildlife, Region 2; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 3 N; Delta Protection Commission; Delta Stewardship Council; Native American Heritage Commission; Public Utilities Commission; Air Resources Board, Major Industrial Projects; Resources, Recycling and Recovery

Date Received 08/28/2018 **Start of Review** 08/28/2018 **End of Review** 09/26/2018

**LETTER 2: SCOTT MORGAN, GOVERNOR'S OFFICE OF PLANNING AND RESEARCH,
SEPTEMBER 27, 2018**

Response to Comment 2-1

The comment acknowledges that the City of Sacramento has complied with the State Clearinghouse review requirements for draft environmental documents. The comment does not address the adequacy of the IS/ND.



Plan Review Team
Land Management

Letter 3

PGEPlanReview@pge.com
6111 Bollinger Canyon Road 33704
San Ramon, CA 94583

August 28, 2018

Tom Buford
City of Sacramento
300 Richards Blvd., 3rd Floor
Sacramento, CA 95811

Ref: Gas and Electric Transmission and Distribution

Dear Mr. Buford,

Thank you for submitting Z18-112 plans for our review. PG&E will review the submitted plans in relationship to any existing Gas and Electric facilities within the project area. If the proposed project is adjacent/or within PG&E owned property and/or easements, we will be working with you to ensure compatible uses and activities near our facilities.

Attached you will find information and requirements as it relates to Gas facilities (Attachment 1) and Electric facilities (Attachment 2). Please review these in detail, as it is critical to ensure your safety and to protect PG&E's facilities and its existing rights.

Below is additional information for your review:

1. This plan review process does not replace the application process for PG&E gas or electric service your project may require. For these requests, please continue to work with PG&E Service Planning: https://www.pge.com/en_US/business/services/building-and-renovation/overview/overview.page.
2. If the project being submitted is part of a larger project, please include the entire scope of your project, and not just a portion of it. PG&E's facilities are to be incorporated within any CEQA document. PG&E needs to verify that the CEQA document will identify any required future PG&E services.
3. An engineering deposit may be required to review plans for a project depending on the size, scope, and location of the project and as it relates to any rearrangement or new installation of PG&E facilities.

Any proposed uses within the PG&E fee strip and/or easement, may include a California Public Utility Commission (CPUC) Section 851 filing. This requires the CPUC to render approval for a conveyance of rights for specific uses on PG&E's fee strip or easement. PG&E will advise if the necessity to incorporate a CPUC Section 851 filing is required.

This letter does not constitute PG&E's consent to use any portion of its easement for any purpose not previously conveyed. PG&E will provide a project specific response as required.

Sincerely,

Plan Review Team
Land Management

3-1



Attachment 1 – Gas Facilities

There could be gas transmission pipelines in this area which would be considered critical facilities for PG&E and a high priority subsurface installation under California law. Care must be taken to ensure safety and accessibility. So, please ensure that if PG&E approves work near gas transmission pipelines it is done in adherence with the below stipulations. Additionally, the following link provides additional information regarding legal requirements under California excavation laws: <http://usanorth811.org/wp-content/uploads/2017/05/CA-LAW-English.pdf>

1. **Standby Inspection:** A PG&E Gas Transmission Standby Inspector must be present during any demolition or construction activity that comes within 10 feet of the gas pipeline. This includes all grading, trenching, substructure depth verifications (potholes), asphalt or concrete demolition/removal, removal of trees, signs, light poles, etc. This inspection can be coordinated through the Underground Service Alert (USA) service at 811. A minimum notice of 48 hours is required. Ensure the USA markings and notifications are maintained throughout the duration of your work.

2. **Access:** At any time, PG&E may need to access, excavate, and perform work on the gas pipeline. Any construction equipment, materials, or spoils may need to be removed upon notice. Any temporary construction fencing installed within PG&E's easement would also need to be capable of being removed at any time upon notice. Any plans to cut temporary slopes exceeding a 1:4 grade within 10 feet of a gas transmission pipeline need to be approved by PG&E Pipeline Services in writing PRIOR to performing the work.

3. **Wheel Loads:** To prevent damage to the buried gas pipeline, there are weight limits that must be enforced whenever any equipment gets within 10 feet of traversing the pipe.

Ensure a list of the axle weights of all equipment being used is available for PG&E's Standby Inspector. To confirm the depth of cover, the pipeline may need to be potholed by hand in a few areas.

Due to the complex variability of tracked equipment, vibratory compaction equipment, and cranes, PG&E must evaluate those items on a case-by-case basis prior to use over the gas pipeline (provide a list of any proposed equipment of this type noting model numbers and specific attachments).

No equipment may be set up over the gas pipeline while operating. Ensure crane outriggers are at least 10 feet from the centerline of the gas pipeline. Transport trucks must not be parked over the gas pipeline while being loaded or unloaded.

4. **Grading:** PG&E requires a minimum of 36 inches of cover over gas pipelines (or existing grade if less) and a maximum of 7 feet of cover at all locations. The graded surface cannot exceed a cross slope of 1:4.

5. **Excavating:** Any digging within 2 feet of a gas pipeline must be dug by hand. Note that while the minimum clearance is only 12 inches, any excavation work within 24 inches of the edge of a pipeline must be done with hand tools. So to avoid having to dig a trench entirely with hand tools, the edge of the trench must be over 24 inches away. (Doing the math for a 24 inch wide trench being dug along a 36 inch pipeline, the centerline of the trench would need to be at least 54 inches $[24/2 + 24 + 36/2 = 54]$ away, or be entirely dug by hand.)



**Letter 3
Cont'd**

Water jetting to assist vacuum excavating must be limited to 1000 psig and directed at a 40° angle to the pipe. All pile driving must be kept a minimum of 3 feet away.

Any plans to expose and support a PG&E gas transmission pipeline across an open excavation need to be approved by PG&E Pipeline Services in writing PRIOR to performing the work.

6. Boring/Trenchless Installations: PG&E Pipeline Services must review and approve all plans to bore across or parallel to (within 10 feet) a gas transmission pipeline. There are stringent criteria to pothole the gas transmission facility at regular intervals for all parallel bore installations.

For bore paths that cross gas transmission pipelines perpendicularly, the pipeline must be potholed a minimum of 2 feet in the horizontal direction of the bore path and a minimum of 12 inches in the vertical direction from the bottom of the pipe with minimum clearances measured from the edge of the pipe in both directions. Standby personnel must watch the locator trace (and every ream pass) the path of the bore as it approaches the pipeline and visually monitor the pothole (with the exposed transmission pipe) as the bore traverses the pipeline to ensure adequate clearance with the pipeline. The pothole width must account for the inaccuracy of the locating equipment.

7. Substructures: All utility crossings of a gas pipeline should be made as close to perpendicular as feasible (90° +/- 15°). All utility lines crossing the gas pipeline must have a minimum of 12 inches of separation from the gas pipeline. Parallel utilities, pole bases, water line 'kicker blocks', storm drain inlets, water meters, valves, back pressure devices or other utility substructures are not allowed in the PG&E gas pipeline easement.

If previously retired PG&E facilities are in conflict with proposed substructures, PG&E must verify they are safe prior to removal. This includes verification testing of the contents of the facilities, as well as environmental testing of the coating and internal surfaces. Timelines for PG&E completion of this verification will vary depending on the type and location of facilities in conflict.

8. Structures: No structures are to be built within the PG&E gas pipeline easement. This includes buildings, retaining walls, fences, decks, patios, carports, septic tanks, storage sheds, tanks, loading ramps, or any structure that could limit PG&E's ability to access its facilities.

9. Fencing: Permanent fencing is not allowed within PG&E easements except for perpendicular crossings which must include a 16 foot wide gate for vehicular access. Gates will be secured with PG&E corporation locks.

10. Landscaping: Landscaping must be designed to allow PG&E to access the pipeline for maintenance and not interfere with pipeline coatings or other cathodic protection systems. No trees, shrubs, brush, vines, and other vegetation may be planted within the easement area. Only those plants, ground covers, grasses, flowers, and low-growing plants that grow unsupported to a maximum of four feet (4') in height at maturity may be planted within the easement area.

11. Cathodic Protection: PG&E pipelines are protected from corrosion with an "Impressed Current" cathodic protection system. Any proposed facilities, such as metal conduit, pipes,



Letter 3
Cont'd

service lines, ground rods, anodes, wires, etc. that might affect the pipeline cathodic protection system must be reviewed and approved by PG&E Corrosion Engineering.

12. Pipeline Marker Signs: PG&E needs to maintain pipeline marker signs for gas transmission pipelines in order to ensure public awareness of the presence of the pipelines. With prior written approval from PG&E Pipeline Services, an existing PG&E pipeline marker sign that is in direct conflict with proposed developments may be temporarily relocated to accommodate construction work. The pipeline marker must be moved back once construction is complete.

13. PG&E is also the provider of distribution facilities throughout many of the areas within the state of California. Therefore, any plans that impact PG&E's facilities must be reviewed and approved by PG&E to ensure that no impact occurs which may endanger the safe operation of its facilities.



**Letter 3
Cont'd**

Attachment 2 – Electric Facilities

It is PG&E's policy to permit certain uses on a case by case basis within its electric transmission fee strip(s) and/or easement(s) provided such uses and manner in which they are exercised, will not interfere with PG&E's rights or endanger its facilities. Some examples/restrictions are as follows:

1. Buildings and Other Structures: No buildings or other structures including the foot print and eave of any buildings, swimming pools, wells or similar structures will be permitted within fee strip(s) and/or easement(s) areas. PG&E's transmission easement shall be designated on subdivision/parcel maps as "RESTRICTED USE AREA – NO BUILDING."
2. Grading: Cuts, trenches or excavations may not be made within 25 feet of our towers. Developers must submit grading plans and site development plans (including geotechnical reports if applicable), signed and dated, for PG&E's review. PG&E engineers must review grade changes in the vicinity of our towers. No fills will be allowed which would impair ground-to-conductor clearances. Towers shall not be left on mounds without adequate road access to base of tower or structure.
3. Fences: Walls, fences, and other structures must be installed at locations that do not affect the safe operation of PG&E's facilities. Heavy equipment access to our facilities must be maintained at all times. Metal fences are to be grounded to PG&E specifications. No wall, fence or other like structure is to be installed within 10 feet of tower footings and unrestricted access must be maintained from a tower structure to the nearest street. Walls, fences and other structures proposed along or within the fee strip(s) and/or easement(s) will require PG&E review; submit plans to PG&E Centralized Review Team for review and comment.
4. Landscaping: Vegetation may be allowed; subject to review of plans. On overhead electric transmission fee strip(s) and/or easement(s), trees and shrubs are limited to those varieties that do not exceed 15 feet in height at maturity. PG&E must have access to its facilities at all times, including access by heavy equipment. No planting is to occur within the footprint of the tower legs. Greenbelts are encouraged.
5. Reservoirs, Sumps, Drainage Basins, and Ponds: Prohibited within PG&E's fee strip(s) and/or easement(s) for electric transmission lines.
6. Automobile Parking: Short term parking of movable passenger vehicles and light trucks (pickups, vans, etc.) is allowed. The lighting within these parking areas will need to be reviewed by PG&E; approval will be on a case by case basis. Heavy equipment access to PG&E facilities is to be maintained at all times. Parking is to clear PG&E structures by at least 10 feet. Protection of PG&E facilities from vehicular traffic is to be provided at developer's expense AND to PG&E specifications. Blocked-up vehicles are not allowed. Carports, canopies, or awnings are not allowed.
7. Storage of Flammable, Explosive or Corrosive Materials: There shall be no storage of fuel or combustibles and no fueling of vehicles within PG&E's easement. No trash bins or incinerators are allowed.
8. Streets and Roads: Access to facilities must be maintained at all times. Street lights may be allowed in the fee strip(s) and/or easement(s) but in all cases must be reviewed by PG&E for



**Letter 3
Cont'd**

proper clearance. Roads and utilities should cross the transmission easement as nearly at right angles as possible. Road intersections will not be allowed within the transmission easement.

9. Pipelines: Pipelines may be allowed provided crossings are held to a minimum and to be as nearly perpendicular as possible. Pipelines within 25 feet of PG&E structures require review by PG&E. Sprinklers systems may be allowed; subject to review. Leach fields and septic tanks are not allowed. Construction plans must be submitted to PG&E for review and approval prior to the commencement of any construction.

10. Signs: Signs are not allowed except in rare cases subject to individual review by PG&E.

11. Recreation Areas: Playgrounds, parks, tennis courts, basketball courts, barbecue and light trucks (pickups, vans, etc.) may be allowed; subject to review of plans. Heavy equipment access to PG&E facilities is to be maintained at all times. Parking is to clear PG&E structures by at least 10 feet. Protection of PG&E facilities from vehicular traffic is to be provided at developer's expense AND to PG&E specifications.

12. Construction Activity: Since construction activity will take place near PG&E's overhead electric lines, please be advised it is the contractor's responsibility to be aware of, and observe the minimum clearances for both workers and equipment operating near high voltage electric lines set out in the High-Voltage Electrical Safety Orders of the California Division of Industrial Safety (<https://www.dir.ca.gov/Title8/sb5g2.html>), as well as any other safety regulations. Contractors shall comply with California Public Utilities Commission General Order 95 (http://www.cpuc.ca.gov/gos/GO95/go_95_startup_page.html) and all other safety rules. No construction may occur within 25 feet of PG&E's towers. All excavation activities may only commence after 811 protocols has been followed.

Contractor shall ensure the protection of PG&E's towers and poles from vehicular damage by (installing protective barriers) Plans for protection barriers must be approved by PG&E prior to construction.

13. PG&E is also the owner of distribution facilities throughout many of the areas within the state of California. Therefore, any plans that impact PG&E's facilities must be reviewed and approved by PG&E to ensure that no impact occurs that may endanger the safe and reliable operation of its facilities.

LETTER 3: PLAN REVIEW TEAM LAND MANAGEMENT, PG&E, AUGUST 28, 2018

Response to Comment 3-1

The Landfill is not located within or directly adjacent to a PG&E fee strip or utility easement. Thus, the project would not be subject to incorporation of a California Public Utility Commission (CPUC) Section 851 filing. The comment does not specifically address the adequacy of the IS/ND.

Letter 4



Main Office
10060 Goethe Road
Sacramento, CA 95827-3553
Tel: 916.876.6000
Fax: 916.876.6160

Treatment Plant
8521 Laguna Station Road
Elk Grove, CA 95750-9650
Tel: 916.875.9000
Fax: 916.875.9088

Board of Directors
Representing:
County of Sacramento
County of Yolo
City of Citrus Heights
City of Elk Grove
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Prahhakar Semawarapu
District Engineer

Rishon Robles
Director of Operations

Christoph Dobson
Director of Policy & Planning

Burial G'Tosha
Director of Internal Services

Joseph Mastretti
Chief Financial Officer

Nicole Coleman
Public Affairs Manager

www.regionalsan.com

September 5, 2018

Mr. Tom Buford
City of Sacramento – Community Development Department
300 Richards Boulevard, 3rd Floor
Sacramento CA 95811

Subject: Notice of Availability/Intent to Adopt a Negative Declaration for the L & D Landfill Vertical Expansion Project (Z18-112)

Dear Mr. Buford,

Sacramento Regional County Sanitation District (Regional San) has the following comments pertaining to the Negative Declaration for the L & D Landfill Vertical Expansion project.

The proposed project consists of a major modification to L & D Landfill's existing Conditional Use Permit (CUP Z11-125) to allow for vertical expansion of the available airspace from 97-feet to 140-feet. The proposed vertical height increase would allow for an additional 2.2 million cubic yards of solid waste to be disposed of at the 176.41 acre site. The proposed project site is located at 8635 Fruitridge Road in the Heavy Industrial Zone of the City of Sacramento.

Customers receiving service from Regional San are responsible for rates and fees outlined within the latest Regional San ordinances. Fees for connecting to the sewer system are set up to recover the capital investment of sewer treatment facilities that provides service to new customers. The Regional San ordinance is located on the Regional San website at: www.regionalsan.com.

Local sanitary sewer service for the proposed project site will be provided by the Sacramento Area Sewer District's (SASD) local sewer collection system. Ultimate conveyance of wastewater from the SASD collection system to the Sacramento Regional Wastewater Treatment Plant (SRWTP) for treatment and disposal will be provided by the Regional San Interceptor system.

The SRWTP provides secondary treatment using an activated sludge process. Incoming wastewater flows through mechanical bar screens through a primary sedimentation process. This allows most of the heavy organic solids to settle to the bottom of the tanks. These solids are later delivered to the digesters. Next, oxygen is added to the wastewater to grow naturally occurring microscopic organisms, which consume the organic particles in the wastewater. These organisms eventually settle on the bottom of the secondary clarifiers.

4-1

4-2

4-3

**Letter 4
Cont'd**

Mr. Tom Buford
September 5, 2018
Page 2

4-3
Cont'd

Clean water pours off the top of these clarifiers and is chlorinated, removing any pathogens or other harmful organisms that may still exist. Chlorine disinfection occurs while the wastewater travels through a two mile "outfall" pipeline to the Sacramento River, near the town of Freeport, California. Before entering the river, sulfur dioxide is added to neutralize the chlorine. The design of the SRWTP and collection system was balanced to have SRWTP facilities accommodate some of the wet weather flows while minimizing idle SRWTP facilities during dry weather. The SRWTP was designed to accommodate some wet weather flows while the storage basins and interceptors were designed to accommodate the remaining wet weather flows.

A NPDES Discharge Permit was issued to Regional San by the Central Valley Regional Water Quality Control Board (Water Board) in December 2010. In adopting the new Discharge Permit, the Water Board required Regional San to meet significantly more restrictive treatment levels over its current levels. Regional San believed that many of these new conditions go beyond what is reasonable and necessary to protect the environment, and appealed the permit decision to the State Water Resources Control Board (State Board). In December 2012, the State Board issued an Order that effectively upheld the Permit. As a result, Regional San filed litigation in California Superior Court. Regional San and the Water Board agreed to a partial settlement in October 2013 to address several issues and a final settlement on the remaining issues were heard by the Water Board in August 2014. Regional San began the necessary activities, studies and projects to meet the permit conditions. The new treatment facilities to achieve the permit and settlement requirements must be completed by May 2021 for ammonia and nitrate and May 2023 for the pathogen requirements

Regional San currently owns and operates a 5-mgd Water Reclamation (WRF) that has been producing Title 22 tertiary recycled since 2003. The WRF is located within the SRWTP property in Elk Grove. A portion of the recycled water is used by Regional San at the SRWTP and the rest is wholesaled to the Sacramento County Water Agency (SCWA).

SCWA retails the recycled water, primarily for landscape irrigation use, to select customers in the City of Elk Grove. It should be noted that Regional San currently does not have any planned facilities that could provide recycled water to the proposed project or its vicinity. Additionally, Regional San is not a water purveyor and any potential use of recycled water in the project area must be coordinated between the key stakeholders, e.g. land use jurisdictions, water purveyors, users, and the recycled water producers.

4-4

If you have any questions regarding this letter, please feel free to contact me at (916) 876-6104 or by email: armstrongro@sacsewer.com.

Sincerely,

Robb Armstrong

Robb Armstrong
Regional San Development Services & Plan Check

**LETTER 4: ROBB ARMSTRONG, REGIONAL SAN DEVELOPMENT SERVICES AND PLAN
CHECK, SEPTEMBER 5, 2018**

Response to Comment 4-1

The comment is an introductory statement and does not address the adequacy of the IS/ND.

Response to Comment 4-2

The comment summarizes the wastewater collection and treatment services provided to the project site. The comment does not address the adequacy of the IS/ND.

Response to Comment 4-3

The comment summarizes the wastewater treatment process used by the Sacramento Regional Wastewater Treatment Plant. The comment does not address the adequacy of the IS/ND.

Response to Comment 4-4

The comment is a conclusory statement and does not address the adequacy of the IS/ND.

Letter 5

Environmental Management
Department
Marie Woodin, Interim Director



September 26, 2018

Tom Buford, Principal Planner
Community Development Department
300 Richards Boulevard
Sacramento, CA 95811

Dear Mr. Buford:

SUBJECT: LEA COMMENTS ON INITIAL STUDY/NEGATIVE DECLARATION FOR L AND D LANDFILL, 8635 FRUITRIDGE ROAD, SACRAMENTO, CA 95826; SWIS# 34-AA-0020

5-1

Background The Sacramento County Environmental Management Department (EMD) is certified by the California Department of Resources, Recycling, and Recovery (CalRecycle) to act as the Local Enforcement Agency (LEA) within the cities and county of Sacramento. EMD is authorized by Division 30 of the Public Resources Code (PRC), section 43209 and Title 14 of the California Code of Regulations (14CCR), sections 18051 and 18084, to enforce solid waste laws and regulations.

L and D Landfill is operated by L and D Landfill, LP, under a full Solid Waste Facility Permit (SWFP) issued by the LEA. The property is owned by Fruitridge Road Land Co. The operator of the facility is proposing a vertical expansion of the landfill which would increase landfill capacity to allow an additional (approximately) 2.2 Million cubic yards of solid waste to be disposed of at the landfill and extend the estimated closure year from 2023 to 2031. The landfill's maximum elevation would increase from 97' msl to 140' msl. These changes will necessitate a revised SWFP. With this in mind, an Initial Study/Negative Declaration (IS/ND) was prepared by the city of Sacramento in consultation with LEA staff, that would serve as the environmental document to support the pending SWFP in addition to the Conditional Use Permit to be issued by the city for this project. The IS/ND was released for public comment on August 28, 2018.

5-2

**LEA
Comments**

Based upon our review of the IS/ND, the following comments are provided.

- 1) The operator submitted an incomplete application to revise the Solid Waste Facility Permit for the vertical landfill expansion on March 19, 2018, followed by a request on April 13, 2018, that the LEA accept the application as incomplete per 27CCR, section 21580, waiving statutory time limits. As stated on page 15 of the IS/ND, the LEA accepted the package as incomplete on April 18, 2018. Per 27CCR, section 21580, the operator must make the

L&D IS/ND
September 26, 2018
Page 2

Letter 5
Cont'd

5-2
Cont'd

application package complete within 180 days (by October 15, 2018) or it must be rejected by the LEA. To date, the operator has submitted additional documents to complete the SWFP application that are currently under review by LEA staff with technical review assistance by CalRecycle Closure & Technical Support Section staff.

5-3

2) Page 10: Under Project Components, the proposal is discussed to increase the landfill's elevation from 97' to 140'. It should be noted that 27CCR, Section 21090(a) requires a minimum of one fifteen-foot wide bench for every fifty feet of vertical height.

5-4

3) Page 15: In the first paragraph it is stated that "Because the proposed vertical expansion and the associated vertical height increase would allow for an additional approximately 2.2 million CY of solid waste to be disposed of at the Landfill, a revision of the Landfill's SWFP is required". 27CCR, section 21620(a)(4) states: Notwithstanding anything to the contrary in §21665(e), the following changes in design or operation are considered significant and require an application for a revised permit: (A) Increase in maximum amount of permitted tonnage of all waste received; (B) Increase in the facility's permitted acreage; (C) Increase in the permitted hours of operation; (D) For landfills, increase in permitted disposal footprint and/or permitted (final grade) maximum overall height. Therefore, the reason for revising the SWFP is the vertical expansion rather than the additional cumulative waste that will happen as a result.

5-5

4) Page 15: The IS/ND refers to the LEA's SWFP action as both a permit revision in the first and second paragraphs and as a permit modification in the third paragraph. For Title 27 purposes, the two terms are not interchangeable: Per 27CCR, section 21665(d)(1), a permit modification is done when the proposed change is a nonmaterial change, as defined in 27CCR, section 21563(d)(5). The proposed change in this instance is not a nonmaterial change so the LEA's SWFP action will therefore be a permit revision.

5-6

5) Page 18: In Environmental Setting, it is stated that the site is not visible to the public from S. Watt Avenue. This is not entirely accurate. Although some of the view is obscured by development along South Watt Avenue, due to its elevation, the landfill is visible on much of South Watt Avenue between Jackson Road and Fruitridge Road, especially to south-bound traffic.

5-7

6) Page 39: In Questions A and B it is stated that the landfill does not currently accept asbestos containing materials. The SWFP prohibits acceptance of friable asbestos but non-friable asbestos may be, and is accepted. Although non-friable asbestos may pose a lower risk of exposure, it is inaccurate to state that the landfill does not accept asbestos containing materials.

**Letter 5
Cont'd**

L&D IS/ND
September 26, 2018
Page 3

Contact If you have any questions regarding this letter, please contact me at
(916) 876-7279.

Sincerely,



John Lewis
Environmental Specialist III
Solid Waste Program

LJ:JL:tk

c: Alyssa Gagnon, CalRecycle
Todd Del Frate, RWQCB
Amy Ha, RWQCB

W:\DATA\LEWIS\LEA\1 L&D LANDFILL\PERMIT REVISION 2018 - VERT EXPANSION\CEQA\18-24-18 ISND RELEASED FOR CIRCULATION\LEA
COMMENTS FOR L&D ISND.DOCX

**LETTER 5: JOHN LEWIS, SACRAMENTO COUNTY ENVIRONMENTAL MANAGEMENT
DEPARTMENT, SEPTEMBER 26, 2018**

Response to Comment 5-1

The comment is an introductory statement and does not address the adequacy of the IS/ND.

Response to Comment 5-2

The comment discusses an application submitted to the LEA to revise the Landfill's SWFP. The comment does not address the adequacy of the IS/ND.

Response to Comment 5-3

As noted in the Preliminary/Partial Final Closure and Post-Closure Maintenance Plan for the Landfill (revised May 3, 2018), the final slope design of the Landfill has been designed to comply with all applicable requirements of Title 27 of the California Code of Regulations (27 CCR), including Sections 21090 and 21750(f)(5). Analyses of global and veneer stability are contained in the seismic stability analysis presented in Appendix B to the Preliminary/Partial Final Closure and Post-Closure Maintenance Plan.

Response to Comment 5-4

Page 15 of the IS/ND is hereby revised as follows to clarify the specific regulation requiring revision of the Landfill's SWFP:

~~Because the proposed vertical expansion and the associated vertical height increase would allow for an additional approximately 2.2 million CY of solid waste to be disposed of at the Landfill~~increase the permitted (final grade) maximum overall height of the Landfill, a revision of the Landfill's SWFP is required pursuant to CCR Title 27, Section 21665(e). This separate LEA process would be subject to review and approval by the LEA with CalRecycle concurrence. The project applicant submitted an application to the LEA requesting revision of the Landfill's existing SWFP on March 19, 2018. On April 13, 2018, the applicant waived the statutory timelines and requested that the LEA accept the application as incomplete, which the LEA did on April 18, 2018. The LEA, as well as CalRecycle, will require copies of the record(s) of decision on the project, as well as the City's staff report presented to the decision-making body of the lead agency upon consideration of adoption of this IS/ND and project approval, which will be used in the permitting process for the revised SWFP. As such, this IS/ND has been prepared with the intention to be sufficient for the purposes of the LEA's determination regarding a revised SWFP for the proposed project.

The foregoing revisions are for clarification purposes only and do not affect the adequacy of the IS/ND.

Response to Comment 5-5

Page 14 of the IS/ND is hereby revised as follows to clarify the nature of the proposed SWFP revision:

In addition to ~~modification~~revision of the Landfill's SWFP, the proposed project would require CVRWQCB approval for a modification of the Landfill's waste discharge order (Waste Discharge Order R5-2012-0107) to provide for updated facility specifications, closure and post-closure maintenance specifications, financial assurance specifications, and monitoring specifications. Thus, the CVRWQCB is also a Responsible Agency for the proposed project. Such ~~modifications~~changes would reflect the addition of any new Corrective Action measures that may be required as a result of the project.

The foregoing revisions are for clarification purposes only and do not affect the adequacy of the IS/ND.

Response to Comment 5-6

In order to clarify the extent to which the Landfill is visible from South Watt Avenue, page 17 of the IS/ND is hereby revised as follows:

The proposed project site is currently used as an active landfill facility. The site is surrounded on all sides by existing industrial and office space uses, as well as vacant land. The open space area to the north of the site is currently planned for development with commercial, residential, urban farm, and open space uses as part of the Aspen 1-New Brighton project. The project site is currently visible from the open space area to the north. Existing public views of the landfill are limited to views looking east from Florin Perkins Road and views looking north from Fruitridge Road along the site's southern boundary. Views of the site from South Watt Avenue to the east of the site are partially obscured by existing development along the site's eastern boundary. The project site does not contain scenic resources, is not located in an area designated as a scenic resource or vista, and is not visible from any State Scenic Highways.³

The foregoing revisions are for clarification purposes only and do not affect the adequacy of the IS/ND.

Response to Comment 5-7

In order to clarify the types of hazardous materials currently prohibited by the Landfill's SWFP, page 38 of the IS/ND is hereby revised as follows:

As discussed previously, the Landfill does not currently accept hazardous waste (including contaminated soils and friable asbestos-containing materials), and protocols are currently in effect to limit incidental exposure to hazardous wastes potentially occurring within the waste stream entering the Landfill. The proposed project would not alter the types of waste currently received or processed at the

Landfill or otherwise intensify existing operations. Therefore, the proposed vertical expansion would not result in the exposure of workers at the Landfill to contaminated soils, asbestos-containing materials, or other hazardous waste during Landfill operations beyond what currently occurs at the Landfill.

The foregoing revisions are for clarification purposes only and do not affect the adequacy of the IS/ND.

Powering forward. Together.



Sent Via E-Mail

September 28, 2018

Tom Buford
Community Development Department
City of Sacramento
300 Richards Boulevard
Sacramento, CA 95811
tbuford@cityofsacramento.org

Subject: L & D Landfill Vertical Expansion Project / Negative Declaration / Z18-112

Dear Mr. Buford:

6-1

The Sacramento Municipal Utility District (SMUD) appreciates the opportunity to provide comments on the Negative Declaration (ND) for the L & D Landfill Vertical Expansion Project (Project, SCH Z18-112). SMUD is the primary energy provider for Sacramento County and the proposed Project area. SMUD's vision is to empower our customers with solutions and options that increase energy efficiency, protect the environment, reduce global warming, and lower the cost to serve our region. As a Responsible Agency, SMUD aims to ensure that the proposed Project limits the potential for significant environmental effects on SMUD facilities, employees, and customers.

6-2

It is our desire that the Project ND will acknowledge any Project impacts related to the following:

- Overhead and or underground transmission and distribution line easements. Please view the following links on smud.org for more information regarding transmission encroachment:
 - <https://www.smud.org/en/Business-Solutions-and-Rebates/Design-and-Construction-Services>
 - <https://www.smud.org/en/Corporate/Do-Business-with-SMUD/Land-Use/Transmission-Right-of-Way>
- Utility line routing
- Electrical load needs/requirements
- Energy Efficiency
- Climate Change
- Cumulative impacts related to the need for increased electrical delivery

**Letter 6
Cont'd**

6-3

More specifically, SMUD would like to have the following details related to the electrical infrastructure incorporated into the project description:

- There are plans of the area to be developed; therefore, there are existing SMUD distribution (12kV) facilities within the L and D Landfill Vertical project that will need to be maintained if areas are developed/redeveloped
- Additional distribution facilities will be required in vacant areas when developed
- No additional distribution substations are anticipated
- No additional sub-transmission routes are anticipated

6-4

SMUD would like to be involved with discussing the above areas of interest as well as discussing any other potential issues. We aim to be partners in the efficient and sustainable delivery of the proposed Project. Please ensure that the information included in this response is conveyed to the Project planners and the appropriate Project proponents.

Environmental leadership is a core value of SMUD and we look forward to collaborating with you on this Project. Again, we appreciate the opportunity to provide input on this ND. If you have any questions regarding this letter, please contact SMUD's Environmental Management Specialist, Rob Ferrera, at rob.ferrera@smud.org or 916.732.6676.

Sincerely,



Nicole Goi
Regional & Local Government Affairs
Sacramento Municipal Utility District
6301 S Street, Mail Stop A313
Sacramento, CA 95817
nicole.goi@smud.org

Cc: Rob Ferrera

**LETTER 6: LETTER 6: NICOLE GOI, SACRAMENTO MUNICIPAL UTILITY DISTRICT,
SEPTEMBER 28, 2018**

Response to Comment 6-1

The comment is an introductory statement and does not address the adequacy of the IS/ND.

Response to Comment 6-2

Page 16 of the IS/ND states the following regarding energy use:

The existing Landfill facility involves energy consumption associated with on-site modular office buildings, as well as operation of heavy-duty earthmoving equipment and other equipment involved in ongoing landfill operations. Energy consumption occurs primarily in the form of electricity and gasoline/diesel fuel use. Although the proposed project would extend the operational lifetime of the existing Landfill, the project would not increase on-site energy use relative to existing conditions. Therefore, the proposed project would not result in impacts related to energy.

Based on the above, the proposed vertical expansion would not result in any significant impacts related to electrical load needs/requirements, energy efficiency, or cumulative need for increased electrical delivery. In addition, as noted in Section 2, Air Quality, of this IS/ND, the proposed vertical expansion would not conflict with the City's Climate Action Plan; thus, significant project impacts related to climate change would not occur.

Currently, an existing 10-foot-wide SMUD utility easement extends from the north of the Landfill to the Landfill's northern boundary (800117 O.R. 830). However, the easement is located outside of the limits of waste placement associated with the Landfill.

Response to Comment 6-3

Page 9 of the IS/ND is hereby revised as follows to note the existing Sacramento Municipal Utilities District (SMUD) electrical distribution infrastructure located on the project site.

The entire perimeter of the Landfill is fenced. Along the southern site boundary fronting Fruitridge Road, a tree-lined berm approximately eight feet tall is located ten feet inside of the fencing. An access road runs along the top of the berm. Waste areas associated with Landfill operations are located to the north of the berm, approximately 36 feet from the southern site boundary. Along the eastern and western portions of the site, the nearest waste areas are located 15 feet or further from the site boundary. At the northern portion of the site, waste areas are located 60 feet or further from the site boundary. A stormwater retention/infiltration basin has been constructed within the northeastern portion of the project site. In addition, existing Sacramento Municipal Utilities District (SMUD) 12-kilovolt (kV) distribution facilities are located within the northeastern portion of the site.

The foregoing revisions are for clarification purposes only and do not affect the adequacy of the IS/ND.

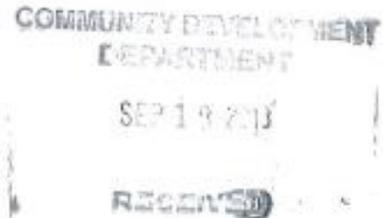
Response to Comment 6-4

The comment is a conclusory statement that does not address the adequacy of the IS/ND.

Letter 7



Central Valley Regional Water Quality Control Board



6 September 2018

Tom Bufford
Principal Planner
City of Sacramento Community Development Department
300 Richards Boulevard, Third Floor
Sacramento, California 95811

RESPONSE TO NOTICE OF AVAILABILITY/INTENT TO ADOPT THE NEGATIVE DECLARATION FOR THE L&D LANDFILL VERTICAL EXPANSION PROJECT (Z18-112), L&D LANDFILL, SACRAMENTO COUNTY

7-1

The L&D Landfill is regulated by the Central Valley Regional Water Quality Control Board (CVRWQCB) under Waste Discharge Requirements (WDRs) Order R5-2012-0107. L&D Landfill submitted a Planning Entitlement Application with the City of Sacramento Community Development dated 25 April 2018 requesting to modify the existing Conditional Use Permit (CUP). The request is for a vertical expansion of the landfill from 97 feet mean sea level (msl) to 140 feet msl. In a letter dated 23 May 2018, the City of Sacramento had circulated the application to the CVRWQCB for review.

7-2

CVRWQCB staff reviewed the application and provided comments on the vertical expansion in a letter dated 19 June 2018 (see attached). As stated in the letter, "WDR Order R5-2012-0107 does not allow for vertical expansion of the landfill beyond the current height of 97 feet MSL." Furthermore, L&D Landfill is not in compliance with the WDRs for various issues including landfill closure schedule. Water Board staff has issued several Notice of Violations (NOV) for non-compliance with the WDRs. The latest NOV is attached for your review.

At this time, L&D Landfill needs to comply fully with the current WDRs. Until that occurs, the CVRWQCB cannot support allowing additional waste to be placed at an elevation higher than, or for a time period beyond, the conditions in the current WDRs.

Staff appreciates the opportunity to comment on the application. If you have any questions please call me directly at 916-464-4737.

TODD A. DEL FRATE, P.G. 7394
Engineering Geologist
WDR Compliance and Enforcement Unit

Cc list: page 2

**Letter 7
Cont'd**



Central Valley Regional Water Quality Control Board

19 June 2018

Dana Mahaffey
Associate Planner
City of Sacramento Community Development
300 Richards Boulevard, 3rd Floor
Sacramento, California 95811

**RESPONSE TO CONDITIONAL USE PERMIT MODIFICATION FOR VERTICAL
EXPANSION, L&D LANDFILL, SACRAMENTO COUNTY**

L&D Landfill submitted a Planning Entitlement Application with the City of Sacramento Community Development dated 25 April 2018 requesting to modify the existing Conditional Use Permit (CUP). The request is for a vertical expansion of the landfill from 97 feet MSL to 140 feet MSL. In a letter dated 23 May 2018, the City of Sacramento had circulated the application to the Regional Water Quality Control Board (Water Board) for review. Water Board staff has reviewed the application and is providing comment on the vertical expansion. The L&D Landfill is regulated by the Central Valley Regional Water Quality Control Board under Waste Discharge Requirements (WDRs) Order R5-2012-0107.

The following outlines conditions in the existing WDRs that would conflict with L&D's proposed vertical expansion. Finding No. 3 of the WDRs states: *On 23 November 2011, the Discharger submitted an amended Report of Waste Discharge (ROWD) as part of the Joint Technical Document (JTD) for the landfill, and additional amendments dated 2 March 2012, 21 May 2012, and 15 June 2012 were submitted in response to agency comments. The ROWD/JTD also included an October 2011 Preliminary Partial Final Closure and Post-Closure Maintenance Plan that was revised on 22 February 2012, 21 May 2012, and 12 June 2012 in response to agency comments, and a 23 November 2011 Solid Waste Facility Permit Revision Application. The information in the ROWD/JTD has been used in revising the WDRs. The ROWD contains the applicable information required in Title 27. The ROWD/JTD and supporting documents contain information related to the latest revision of the WDRs including:*

- a. *An engineered alternative final cover system that is contained in the preliminary partial final closure plan.*
- b. *A 12-foot increase in the final height of the landfill from 85 feet above mean sea level (MSL) to 97 feet MSL.*

As noted in the paragraph above, Finding No. 3 of the WDRs allowed L&D Landfill to construct an engineered alternative final cover system and a 12-foot increase in the final height of the landfill from 85 feet above mean sea level (MSL) to 97 feet MSL. A more complete reading of

KARL E. LONGLEY ScD, P.E., CHAIR | PATRICK PULUPA, ESQ., EXECUTIVE OFFICER

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**Letter 7
Cont'd**

L&D Landfill

- 2 -

19 June 2018

the WDRs indicates that height adjustments beyond 97 feet MSL were not envisioned for the L&D Landfill.

Finding No. 68 of the WDRs contain a final closure schedule phased between 2013 and 2023. Currently, it is staff's understanding the L&D Landfill will not be able to comply with the approved schedule in the WDRs. Staff met with L&D Landfill on 26 April 2018 to discuss compliance issues including the closure schedule. At staff's request, L&D Landfill submitted a revised closure schedule that will need to be reviewed by permitting staff and incorporated into a revised WDR or enforcement order allowing L&D Landfill to continue to operate while violating the WDRs. Both items require Water Board approval.

WDR Order R5-2012-0107 does not allow for vertical expansion of the landfill beyond the current height of 97 feet MSL. L&D Landfill is not in compliance with the WDRs for various issues and the closure schedule needs revising. L&D Landfill may submit a Report of Waste Discharge (ROWD) and Form 200 to initiate the process of revising the WDRs. However, prior to approving the vertical expansion, design drawings and specifications of the expansion are required to be submitted to the Water Board's permitting unit for review and approval. L&D Landfill may contact our permitting unit to discuss.

Staff appreciates the opportunity to comment on the application. If you have any questions please call me directly at 916-464-4737.



TODD A. DEL FRATE, P.G. 7394
Engineering Geologist
WDR Compliance and Enforcement Unit

cc: Rob Busby, Supervisor, RWQCB, Sacramento
Brad Shelton, Senior Engineering Geologist, Title 27 Permitting Unit, Sacramento
John Lewis, Sacramento County Environmental Health, Sacramento
Mike Lien, L&D Landfill, Sacramento
Jeff Mills, L&D Landfill, Sacramento

Letter 7
Cont'd



Central Valley Regional Water Quality Control Board

24 May 2018

Michael P. Lien
General Manager
L and D Landfill Limited Partnership
P.O. Box 255009
Sacramento, California 95865-5009

CONTINUING NOTICE OF VIOLATION FOR INADEQUATE CORRECTIVE ACTION MEASURES, RELEASE OF VOLATILE ORGANIC COMPOUNDS TO GROUNDWATER, AND THE RELEASE OF LANDFILL GAS INTO THE VADOSE ZONE, REVIEW OF SECOND SEMI-ANNUAL AND ANNUAL 2017 MONITORING REPORT, L&D LANDFILL, SACRAMENTO COUNTY

The L&D Landfill is regulated by Waste Discharge Requirements (WDRs) Order R5-2012-0107. Central Valley Water Board staff has reviewed the *Second Semi-Annual and Annual 2017 Monitoring Report* for the L&D Landfill. The L&D Landfill is in corrective action to address a release of volatile organic compounds (VOCs) from the waste management unit (WMU). The remedial actions include an active landfill gas remediation system to control migrating landfill gas (LFG) and a groundwater extraction and treatment system to control offsite migration in groundwater.

On 26 April 2018, Compliance and Enforcement staff met with the Discharger to explain multiple compliance issues that need to be addressed. This NOV addresses longtime issues related to groundwater impacts, the omission of data from groundwater flow maps, and the need to achieve compliance with the WDRs.

Annual 2017 Groundwater Monitoring Report

Groundwater Violations

VOCs in groundwater continue to be detected in all corrective action wells including off-site wells MW-16S and MW-32S. Wells MW-9 and MW-11, which monitor deep groundwater along the southern boundary, also reported detections of VOCs during 2017. Offsite wells MW-34 and MW-35 also reported detections of VOCs during 2017. Continued detections of VOCs in groundwater are a violation of the WDRs and Title 27.

The groundwater point of compliance for the landfill is defined as *"a vertical surface located at the hydraulically downgradient limit of a waste management unit and that extends through the uppermost aquifer underlying the Unit."* Along the southern compliance boundary, seven (7) groundwater extraction wells are located at various distances to control the migration of impacted groundwater, and one (1) groundwater extraction well is located at the southeast compliance boundary. As part of the monitoring and reporting program (MRP), all wells

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**Letter 7
Cont'd**

L&D Landfill
Sacramento County

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24 May 2018

associated with detection monitoring and corrective action, including the extraction wells, are measured for depth to groundwater to determine groundwater flow and gradient direction. The Discharger's potentiometric maps are produced from these well measurements. Specifically, along the southern compliance boundary, the Discharger utilizes groundwater levels measured from the extraction wells to create a potentiometric map or model of groundwater flow. These groundwater elevations suggest groundwater is being captured by the extraction wells at the point of compliance and that the boundary is controlled. However, groundwater levels measured from piezometers located next to the extraction wells indicate that groundwater levels are actually higher when compared to water levels in the extraction wells. What is problematic when evaluating compliance with the WDRs is the water levels from the piezometers are not being utilized in preparation of the potentiometric map. Piezometer groundwater elevations are consistently higher than groundwater elevations in the extraction wells and it is unclear why this groundwater data collected from the piezometers are not evaluated.

Staff has independently plotted the 2017 groundwater levels for wells MW-2A, MW-4, MW-6, and MW-10 against companion extraction wells MW-22, MW-23, MW-20, and MW-24, respectively. The plot indicates that groundwater levels in the piezometers were always above the water levels in the companion extraction wells. This suggests the extraction wells provide little to no drawdown at the boundary and have little to no radius of influence due to the high transmissivity and storativity of the aquifer. Furthermore, review of the hydrographs indicates that water levels in the wells along the southern compliance boundary are rising. Increasing water levels beneath the site reduces any groundwater separation from waste, as well as changes the performance of the groundwater extraction system.

Groundwater Treatment System Violations

During 2017, the groundwater extraction and treatment system (GWTS) effluent discharged groundwater impacted by VOCs into the infiltration pond. Discharge Specification B.7., of the WDRs requires the effluent discharged to the infiltration pond to be non-detect. The GWTS system is extracting and treating approximately 121 gallons per minute (gpm) and was sampled quarterly during 2017. VOCs were detected in the effluent samples during the second and fourth quarters 2017, which are violations of Discharge Specification B.7. of the WDRs.

Furthermore, the cover letter associated with the Second Semi-Annual and Annual 2017 Monitoring Report did not notify the Water Board of these and other violations that occurred during the monitoring period, nor did it describe actions to be taken or planned to correct these violations. This is a violation of Section D of the MRP which states: *A transmittal letter explaining the essential points shall accompany each report. At a minimum, the transmittal letter shall identify any violations found since the last report was submitted, and if the violation were corrected. If no violations have occurred since the last submittal, this shall be stated in the transmittal letter. The transmittal letter shall also state that a discussion of any violations found since the last report was submitted, and a description of the actions taken or planned for correcting those violations, including any references to previously submitted time schedules, is contained in the accompanying report. The transmittal letter shall contain a statement by the discharger, or the discharger's authorized agent, under penalty of perjury, that to the best of the signer's knowledge the report is true, accurate, and complete.*

**Letter 7
Cont'd**

L&D Landfill
Sacramento County

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24 May 2018

Landfill Gas Violations

Landfill gas (LFG) is being detected outside the LF-1 West Pit. Although methane is not being reported in offsite gas probes, VOCs are being detected in gas probes Bgas, Dgas, and Egas adjacent to the northern boundary of the West Pit. This is evidence that LFG is migrating and not being controlled at this boundary. LFG extraction wells EW-1 through EW-8 are located along this compliance boundary. Only EW-6 through EW-8 are actively extracting LFG. LFG outside of a waste management unit is a violation of the Standard Prohibition C.6. of the WDRs which states: *The discharge of waste constituents to the unsaturated zone or to groundwater is prohibited.*

Elevated methane is also being reported within the interior LFG extraction wells of LF-1. In addition to methane, elevated carbon dioxide (CO₂) is being reported, while oxygen (O₂) appears to be depleted. This suggests the waste mass is acidic and oxygen deprived. Well NW-2D is used to monitor LFG in the vadose zone beneath West Pit. Up to 32% methane is being measured in the vadose zone, which is also a violation of Standard Prohibition C.6., which states: *The discharge of waste constituents to the unsaturated zone or to groundwater is prohibited.*

Methane is also being measured at the southern boundary in excess of 5%. Extraction wells EW-10 and EW-11 reported methane at 16.50% and 18.20%, respectively. Extraction well EW-14 also reported methane up to 22.60% during 2017. Extraction wells EW-9 through EW-29 are connected to the LFG system but are not actively extracting LFG. This lack of extraction has resulted in LFG migrating south from the West Pit.

Furthermore, LFG appears to be in contact with groundwater near wells MW-4 and MW-9, which reported confirmed detections of VOCs. In addition, well MW-11, which monitors the deep zone like well MW-9 at the southern compliance boundary, reported multiple VOC detections during 2017. These detections are clear indications that LFG is not being controlled at the southern compliance boundary and has affected water quality in the deeper zone. Further investigation of the release is required to delineate the release to the deep zone. VOC impacts in the deep zone are a violation of the WDRs.

Separation of Groundwater from Waste Violation

Boring logs from wells installed within the West and East Pits of LF-1 suggest that the lowest bottom of waste in LF-1 has been identified in the East Pit from boring NW-8D. It has been determined that waste within boring NW-8D resides at an elevation of approximately -21.25 feet above mean sea level (msl). Previously, the WDRs identify bottom of waste at an elevation of -15 feet above mean sea level. The Discharger's new information reveals otherwise, therefore, the compliance elevation that the Compliance and Enforcement Unit uses going forward to evaluate compliance with the WDRs is -26.25 feet msl.

As a result, during the 2017 monitoring period evaluated by staff, groundwater levels along the southern compliance boundary were above the compliance elevation of -26.25 feet msl for 365 days. This is a violation of Standard Facility Specification E.1. of the Standard Provisions and Reporting Requirements which states: *All waste management units shall be designed, constructed, and operated to ensure that wastes, including leachate, will be a minimum of 5 feet above the highest anticipated elevation of underlying groundwater [Title 27, section 20240 (c)] including the capillary fringe.*

**Letter 7
Cont'd**

L&D Landfill
Sacramento County

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24 May 2018

Summary

The L&D Landfill is not in compliance with Title 27, the WDRs, or the Standard Provisions and Reporting Requirements (SPRRs). Continued detections of VOCs in groundwater at the point of compliance and offsite are at a minimum a result of contact between groundwater and waste within the landfill. The LFG controls are not controlling the release of LFG at the northern or southern boundary and the uncontrolled release is affecting both shallow and deep groundwater zones. Furthermore, the groundwater extraction and treatment system appears to be unable to properly treat for VOCs, as evident by VOCs detected in the effluent discharged to the infiltration pond. Lastly, groundwater was within 5-feet of the base of waste for 365 days during 2017. Continued monitoring per the MRP is ineffective at managing this release and determining the effectiveness of corrective action measures. The monitoring system is inadequate and requires additional groundwater monitoring wells located north and south of the landfill.

Required Work Plan to Correct Violations

1. By **1 July 2018** the Discharger shall prepare a Work Plan that shall address LFG within LF-1 West Pit. The Work Plan shall propose to optimize the LFG system and expand it by installing additional LFG extraction wells to collect more LFG from within the LF-1 unit; and making operational LFG extraction wells EW-1 through EW-8 and EW-9 through EW-29. The Work Plan shall also propose the following:
 - a. An Evaluation Monitoring Program (EMP) investigation north of the West Pit to define the lateral and vertical extent of contamination both in the vadose zone and groundwater and install sentinel wells in Warehouse Way based on the findings of the EMP investigation north;
 - b. An EMP investigation south of wells MW-4, MW-9, and MW-11 to define the lateral and vertical extent of contamination south of the landfill in both the shallow and deep zones and install sentinel wells both shallow and deep based on findings of the EMP investigation south;
2. By **15 August 2018**, the Discharger shall submit a report that evaluates the performance of the groundwater extraction and treatment system. The report shall demonstrate the groundwater extraction system can properly drawdown groundwater elevations across the southern compliance boundary to below the compliance elevation of -26.25 feet msl. The report shall include at a minimum the following to prove the groundwater extraction system is achieving drawdown:
 - a. The Discharger shall submit revised potentiometric maps incorporating piezometers MW-2A, MW-4, MW-6/7, and MW-10 instead of piezometric maps using extraction wells MW-18 through MW-24 groundwater level data;
 - b. The Discharger shall determine if the current groundwater extraction system is lowering groundwater levels along the approximate 4,000-foot southern compliance boundary and exerting sufficient drawdown measured in the piezometers;

**Letter 7
Cont'd**

L&D Landfill
Sacramento County

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24 May 2018

- c. If the report does not show sufficient drawdown along the length of the southern boundary the Discharger shall submit a work plan to increase the number of extraction wells, increase the extraction rate, and increase the size of the treatment system.
- d. The Discharger shall submit a water balance evaluating new flow rates required to drawdown groundwater to the compliance elevation of -26.25 feet msl. The water balance shall include all discharge inputs to the infiltration pond including storm water and contract water discharged.

All documents shall be uploaded to the State Geotracker Database. Once uploaded, please submit an email to centralvalleysacramento@waterboards.ca.gov with the Geotracker confirmation. To ensure that your submittal is routed to the appropriate staff as quickly as possible, please include the following information in the body of the email: Attention Todd Del Frate, Compliance Unit, WDR/Title 27. In addition, please include the Discharger name, facility name, county, and CIWQS place ID (235670) in the body of the email.

If you have any questions or wish to meet to discuss the contents of this letter, please call Todd Del Frate at 916-464-4737.



HOWARD HOLD, P.G.
Senior Engineering Geologist
WDR Compliance and Enforcement Unit

Enclosure: Monitoring and Reporting Checklist

cc: Diane Lamkin Nordstrom, Cal Recycle, Sacramento
John Lewis, Sacramento County Environmental Health, Sacramento

CIWQS VID #1041733
#1041734
#1041735

LETTER 7: TODD A. DEL FRATE, WATER BOARDS, SEPTEMBER 6, 2018

Response to Comment 7-1

Page 5 of the IS/ND is hereby revised as follows to provide additional information related to groundwater contamination issues at the Landfill. Such information has been obtained, in part, from the Continuing Notice of Violation (NOV) issued to the Landfill by the Central Valley Regional Water Quality Control Board (CVRWQCB). As noted in the revised text, the groundwater contamination issues identified by the CVRWQCB are an existing circumstance. Thus, non-compliance with the Landfill's existing WDR, along with other existing regulatory conditions associated with the Landfill, constitute the baseline condition at the Landfill for the purpose of the IS/ND:

The Landfill currently operates under Waste Discharge Order R5-2012-0107, which is enforced/administrated by the State Water Resources Control Board (SWRCB) through the Central Valley Regional Water Quality Control Board (CVRWQCB). The Waste Discharge Requirements (WDR) Program provides for protection of water quality through regulation of point discharges that are exempt pursuant to Subsection 20090 of Title 27 of the CCR and not subject to the Federal Water Pollution Control Act.

Waste Discharge Order R5-2012-0107 provides for prohibitions related to discharge of hazardous waste and discharge of surface water drainage to downstream surface waters, specific regulations limiting which solid waste types may be discharged on-site, facility specifications, construction specifications, and closure and post-closure maintenance specifications, financial assurance specifications, and monitoring specifications. The monitoring specifications provide for ongoing implementation of the monitoring and reporting program (MRP), which has been issued for the Landfill in order to guide operation and maintenance of the Landfill's existing groundwater detection monitoring system, as required by Title 27, Sections 20415 and 20420. The existing groundwater monitoring network for the Landfill includes background wells, detection monitoring wells, and corrective action monitoring wells for both the upper and lower water-bearing zones.

Per Waste Discharge Order R5-2012-0107, the Landfill was permitted to fill, including final cover, to a maximum height of 97 feet msl. Thus, vertical expansion of the Landfill beyond the 97-foot limit requires revision of the Landfill's WDRs. WDRs, in and of themselves, do not allow or disallow vertical expansion of a landfill at some future date. It should be noted that the most recent phase of the Landfill to be closed, known as Phase 5/6a, is currently not in compliance with the closure schedule included in Waste Discharge Order R5-2012-0107. However, the closure of Phase 6/6a was approved by the CVRWQCB on April 17, 2018. A revised closing schedule was provided to the CVRWQCB on June 1, 2018. In order to update the WDRs, the Landfill must submit a Report of Waste Discharge (ROWD) and Form 200 to the CVRWQCB.

Notice of Violation

Currently, the Landfill is operating under a Continuing Notice of Violation (NOV) due to non-compliance with Waste Discharge Order R5-2012-0107. The most recent Continuing NOV was issued to the Landfill by the CVRWQCB on May 24, 2018. The primary reason for the Continuing NOV is low level Volatile Organic Compounds (VOCs) detected in groundwater, some of which have been attributed to the Landfill. Since the early 1990's, the Landfill has been undergoing corrective actions related to VOCs. The remedial actions include the LFG migration control system and the groundwater extraction and treatment system (GWTS) noted above.

Per the Continuing NOV issued by the CVRWQCB, VOCs in groundwater continue to be detected in all corrective action wells, including off-site wells. Continued detections of VOCs in groundwater are a violation of the WDRs and Title 27. In addition, during 2017, the GWTS effluent discharged groundwater impacted by VOCs into an on-site infiltration pond, which is a violation of Discharge Specification B.7. of the Landfill's WDR. Furthermore, per the CVRWQCB, LFG is currently being detected outside of waste management units at the Landfill and appears to be in contact with groundwater at the site. Elevated methane levels were detected in LFG at on-site extraction wells. Lastly, the Continuing NOV notes that the on-site waste management units are not adequately separated from the highest anticipated elevation of underlying groundwater.

Because remediation activities at the Landfill are ongoing, and are anticipated to continue for an extended period of time, the Continuing NOV and associated corrective action cannot be closed out in a near-term timeframe. However, it is not uncommon for landfills to have long-term compliance issues related to LFG or groundwater, and corrective actions for such issues often take many years to complete. As such, solid waste agencies within the State have historically approved landfill expansions or modifications for various sites where an NOV or enforcement order, and the associated corrective action, were still in place, and final resolutions had not been reached.

Currently, the GWETS and LFG migration control system continue to reduce VOC contamination in groundwater. The operator of the Landfill has responded to the CVRWQCB's latest Continuing NOV and has committed to a variety of additional investigative and corrective actions. The most recent plan for remediation was submitted to the CVRWQCB on August 15, 2018.

It should be noted that the compliance issues noted in the Continuing NOV are an existing circumstance. Thus, non-compliance with the Landfill's existing WDR, along with other existing regulatory conditions associated with the Landfill, constitute the existing condition for the purpose of this CEQA analysis.

In addition, page 9 of the IS/ND is revised as follows:

L and D Landfill is undergoing phased closure, pursuant to its approved Preliminary/Partial Final Closure and Post-Closure Maintenance Plan. As part of closure activities, the approved cover liner system must be installed under certain temperature constraints, which may necessitate that some installation activities take

place outside of the SWFP-specified operating hours, most likely very early morning. Such activities would require the use of lighting, which is likely to be visible from locations outside the landfill, primarily nearby roads and businesses. Other effects associated with such closure activities are not anticipated. Off-hour activities would be strictly limited to closure-associated liner installation and soil covering and would not include any solid waste handling or non-closure ancillary activities. The Landfill operators will notify the LEA in advance of such activities and of any complaints received concerning the activities.

It should be noted that as discussed under the Waste Discharge Permit section above, the Landfill is currently operating under a Continuing NOV for issues related to groundwater contamination and LFG management. At this time, corrective actions continue to be implemented at the Landfill to mitigate such issues. The corrective actions include, but are not limited to, ongoing operation of the Landfill's GWETS and LFG migration control system. Both systems are subject to regular improvements and modifications to improve efficacy. The proposed vertical expansion would include an update to the Landfill's existing WDRs, and would not hinder efforts to address the Continuing NOV through implementation of the ongoing corrective actions.

The foregoing revisions are for clarification purposes only and do not affect the adequacy of the IS/ND.

Response to Comment 7-2

The proposed vertical expansion would include an update to the Landfill's existing WDRs, and would not hinder efforts to address the Continuing NOV through implementation of the ongoing corrective actions. Please see Response to Comment 7-1 above.

Letter 8

Rosemont Advocates for a Clean/Safe Environment (RACE)

CERTIFIED MAIL
7018 0360 0001 4362 6157

CERTIFIED MAIL
7018 0360 0001 4362 6225

Tom Buford, Principal Planner
City of Sacramento
Community Development Department
300 Richards Boulevard
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Jeff Scott
US EPA Pacific Southwest, Region 9
75 Hawthorne Street
San Francisco, CA 94105

September 28, 2018

COMMENTS ON CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PROPOSED
NEGATIVE DECLARATION FOR THE L & D LANDFILL VERTICAL EXPANSION PROJECT
(Z18-112)

8-1

A. **Background.** The proposed project site is located at 8635 Fruitridge Road in the southeast portion of the City of Sacramento. The L&D landfill *began in 1976* in a *former gravel pit*. It contains an *active 90+ acre unlined waste management unit (WMU)* and lined 60+ acre WMUs.

The City of Sacramento, Community Development Department, acting as Lead Agency, prepared pursuant to the California Environmental Quality Act (CEQA) a *negative declaration (CEQA-ND)* for the proposed project which consists of a *major modification* to the L & D Landfill's existing Conditional Use Permit (CUP Z11-125) to allow for *vertical expansion* of the available airspace, and a noise variance covering operations outside of normal operating hours.

The proposed vertical height increase raise the currently approved maximum landfill height from 97 feet mean sea level (MSL) to 140 feet MSL, an *approximately 43-foot vertical height increase*. This height increase would allow for an additional approximately 2.2 million cubic yards of solid waste to be disposed of at the Landfill. Operations would remain limited to a total permitted daily throughput of 4,125 tons of material and a maximum of *480 vehicles per day*. The proposed project would result in an *operational extension increase by five to eight years* depending on solid waste disposal rates. Upon closure, the end use of the Landfill would be unirrigated open space.

8-2

B. **Rosemont Advocates for a Clean/Safe Environment (RACE) Comments.** RACE has reviewed the Lead Agency's proposed CEQA-ND and respectfully submits the following comments for the record:

1. **Negative Declaration Inappropriate for Proposed Changes to L&D Landfill's (Operator) conditional use permit (CUP).** The Lead Agency has acknowledged the proposed project "is a major modification" to the Operator's CUP but has proposed to the public that the proposed project has nothing to declare, that there will be no significant impacts to the environment, and that the public should consider it as "business as usual". However, RACE disagrees; the vertical height increase will cause significant impacts to the Rosemont community whose boundaries are less than ½ mile away from the edge of the landfill as well as significant impacts to adjacent property owners. The significant impacts are:

8-3

a. **Aesthetics.** The proposed vertical expansion to 140 feet MSL would cause the apex of the final elevation of the landfill to tower over the surrounding roads (South Watt

- 8-3
Cont'd
- Avenue and Fruitridge Road) by approximately 100-feet. This elevation will dwarf adjacent structures and does not fit in to the surrounding relatively flat environment; the landfill will stick out like a sore thumb potentially affecting Rosemont community property values. Who wants to live next to a landfill that will become so obvious to prospective home buyers? Towering landfills belong in rural areas.
- 8-4
- b. **Air Quality.** The current CUP and Central Valley Regional Water Quality Control Board (RWQCB) permits limit the landfill height to 97 feet MSL. The RWQCB Waste Discharge Requirements (WDRs) Order R5-2012-0107 has a final closure schedule based on final landfill height of 97 feet MSL. Final closure is to be occurring now and estimated to be completed by 2023. By granting the landfill in a revised CUP a vertical expansion the Rosemont residents will be exposed to the pollution and traffic impacts of an additional 480 vehicles per day for an additional five to eight years. The Lead Agency has not considered these impacts to the Rosemont residents since it has not performed its CEQA review based on comparing the proposed project (vertical expansion) with the alternative of Rosemont residents living next to a soon to be closed landfill where traffic activity related to the landfill ceases.
- 8-5
- c. **Water Quality.** The proposed project will vertically expand over approximately 92 acres of unlined WMU area constructed in a former gravel pit (East and West pits) where shallow groundwater exists. The RWQCB WDRs and other information available at <https://geotracker.waterboards.ca.gov> indicates that the landfill continues to have groundwater violations due to volatile organic compounds (VOCs) leaving the facility and contaminating water under adjacent properties. For the Lead Agency to declare that there are no significant impacts in allowing the operator to vertically expand and continue to place waste in an unlined WMU where groundwater contamination has occurred and continues to occur is to mislead nearby neighbors such as the Rosemont community. It also shows that the Lead Agency does not fully understand the environmental impacts that are currently occurring at the landfill and how a vertical expansion will only exacerbate the environmental problems at the landfill for an extended number of years to come, not just the 5-8 years being proposed. The landfill needs to be closed now and a proper closure cover placed on the landfill in an attempt to correct the problems that are occurring at the landfill.
- 8-6
- d. **Public Outreach.** The Lead Agency has acknowledged that the proposed project will entail a major modification to the operator's CUP. A 30-day notice of a proposed negative declaration is not sufficient for public outreach based on the impacts the proposed project will have on its neighbors. The Lead Agency should hold public outreach meetings with the L&D Landfill's neighbors to comply with CEQA requirements to determine if an environmental impact report (EIR) is required.
- 8-7
- e. **Legality of a vertical expansion over an unlined waste management unit as it relates to USEPA and California Regulations.** The Lead Agency must explore the legality of whether or not a vertical expansion over an unlined WMU is even allowed under USEPA and California Regulations where the unlined WMU is located in a former gravel mining pit where shallow groundwater exists and degradation of groundwater is ongoing (See Item 2 below for more detail).
- 8-8
2. **Legality of a vertical expansion over an unlined waste management unit as it relates to USEPA and California Regulations.** RACE questions the Lead Agency's authority to even allow an operator to vertically expand an unlined waste management unit which began operation in 1976 in a mined gravel pit where shallow groundwater exists and groundwater contamination has occurred when federal and state regulations

Letter 8
Cont'd

Tom Buford, Principal Planner
L & D Landfill Vertical Expansion Project (Z18-112)

Page 3 of 3

8-8
Cont'd

↑ indicate such vertical expansion is not permitted without retrofitting and installing a base liner containment system or closing these "existing units".

Code of Federal Regulations (CFR) Title 40 part 258 (40CFR258) Section 258.1 states that municipal solid waste landfills (MSWL) which L&D landfill was at one time classified as, which continues to receive waste after October 9, 1997 are subject to all the requirements of 40CFR258 including base liner design for waste containment (Subpart D).

California Code of Regulations Title 27 (Title 27) section 20080(d) classifies the unlined area at L&D landfill as an "existing unit" since it began operation before November 27, 1984. The CUP that existed on that date defined the permitted size (lateral and vertical extent) of L&D landfill. Title 27 section 20080(d) states that "**All other Units (including expansions and reconstructions of existing Units initiated after November 27, 1984) are "new" Units. For discharges at new Units, the discharger shall comply with all applicable provisions of this division, as summarized in Table 3.1 [of Article 3, Subchapter 2, Chapter 3 of this subdivision] and in s20310(d).**" There is reason to believe that the unlined waste management unit at L&D landfill does not have adequate groundwater separation between waste and groundwater and therefore would not meet the siting criteria for a Class III landfill.

8-9

Furthermore, RWQCB WDRs Order R5-2012-0107 in Finding 10 states that "*The landfill is a former gravel quarry and is subject to the provisions of Government Code section 66758 that prohibits a regional board from permitting a new landfill or lateral expansion of an existing landfill at sites that were used to mine gravel or sand unless the regional board finds that discharges to a new facility or expansion of an existing facility will not pollute or threaten to pollute the waters of the state.*" The Lead Agency needs to investigate through coordination with other responsible agencies the legality of authorizing a vertical expansion over an unlined WMU where it is questionable whether adequate groundwater separation exists, and where the unlined WMU has polluted and continues to threaten to pollute waters of the State in the light of Government Code section 66758.

8-10

Finally, the vertical and lateral expansion of L&D landfill has occurred incrementally over time through permitted actions by local agencies. These incremental actions when evaluated separately may not seem significant but when those incremental actions are considered together as a whole when compared to the original size and scope of environmental impacts which were originally identified when the landfill was originally permitted in 1976 the summation of those environmental impacts are significant and must be evaluated in an environmental impact report. The expansion of this landfill from when it was originally permitted in 1976 is significant and the nearby neighbors including *Rosemont Advocates for a Clean/Safe Environment* are not happy with what is being proposed; this landfill should have been permanently closed long ago but the City continues to allow it to incrementally expand until it will not only become an eyesore for generations to come but due to lack of environmental controls over 90+ acres of unlined landfill area the landfill will continue to cause groundwater degradation and pollution for decades.

8-11

RACE respectfully asks that in response to these comments the Lead Agency also provide a chronology of the CUPs that were issued to this landfill since its inception in 1976, describing what the landfill conditions were i.e., permitted landfill footprint area, maximum allowable landfill elevation, maximum daily tonnage, maximum vehicular traffic etc., in order for interested parties to understand how this landfill was allowed to expand to its current size in the location that it is with very little environmental controls.

**LETTER 8: ROSEMONT ADVOCATES FOR A CLEAN/SAFE ENVIRONMENT,
SEPTEMBER 28, 2018**

Response to Comment 8-1

The comment is an introductory statement and does not address the adequacy of the IS/ND.

Response to Comment 8-2

The comment is an introductory statement. Discussions of the specific issues noted are included under Responses to Comments 8-3 through 8-7.

Response to Comment 8-3

As noted on pages 18 and 19 of the IS/ND, while the proposed height increase could be visible from roadways in the project vicinity, the effect of the increase on such views would be relatively minor in extent and character. The site is located within an industrial area and, as such, the continued use of the site as a landfill facility would not have a substantial effect on the overall visual character and quality of the site and the surrounding area.

The maximum vertical height of 140 feet above mean sea level (msl) that would occur with implementation of the proposed project would be only 20 feet higher than stockpile heights currently occurring at the Landfill. Because the peak of the Landfill mass would be located southwest of the existing 120-foot stockpile near the center of the site, as viewed from South Watt Avenue to the east of the Aspen-1 New-Brighton site, the proposed Landfill peak would be slightly lower within the viewshed relative to the existing stockpile height. Rather than the steep slope of the existing on-site stockpile, views of the Landfill from South Watt Avenue would consist of a gentle slope covered with ruderal vegetation.

As noted on page 19 of the IS/ND, given that the existing visual character of the proposed project site would continue to be defined by industrial uses, the proposed vertical height increase at the Landfill would not substantially degrade the visual character or quality of the site.

Response to Comment 8-4

As noted in Section 2, Air Quality, of the IS/ND, the proposed project would not alter daily operations at the Landfill or increase the average daily truck traffic associated with the Landfill. Per the Landfill's SWFP, operations would still be limited to a total permitted daily throughput of 4,125 tons of material and a maximum of 480 vehicles per day. In addition, the project would not include construction activities. As such, while the proposed vertical expansion would extend the lifespan of the Landfill by five to eight years, daily and annual

emissions of pollutants would not increase from existing conditions as a direct result of implementation of the proposed project.

Per the CARB, adverse health effects associated with mobile emissions are primarily limited to diesel particulate matter (DPM) from diesel-fueled engines. Vehicle traffic to and from the Landfill currently emits, and would continue to emit, DPM with approval of the proposed project. The CARB has identified DPM from diesel-fueled engines as a Toxic Air Contaminant (TAC); thus, high volume freeways, stationary diesel engines, and facilities attracting heavy and constant diesel vehicle traffic are identified as having the highest associated health risks from DPM. Health risks associated with TACs are a function of both the concentration of emissions and the duration of exposure, where the higher the concentration and/or the longer the period of time that a sensitive receptor is exposed to pollutant concentrations would correlate to a higher health risk.

The CARB Handbook considers distribution centers as a potential major source of TACs and recommends a setback of 1,000 feet between a sensitive receptor and a distribution center that accommodates more than 100 semi-trailer trucks per day, more than 40 trucks with operating transport refrigeration units (TRUs) per day, or where TRU unit operations exceed 300 hours per week. The proposed project would not include a distribution center. In addition, the entrance to the Landfill, where vehicle traffic is most concentrated, is located approximately one mile south of the Rosemont community. Therefore, while the proposed project would extend the lifespan of the Landfill by five to eight years, the proposed expansion would not be expected to result in the exposure of sensitive receptors in the Rosemont community to substantial concentrations of DPM or other TACs.

Furthermore, upon closure of the Landfill, the majority of the vehicles currently accessing the Landfill would instead likely travel further east on Jackson Road, along the southerly edge of the Rosemont neighborhood, on their way to the Kiefer Landfill located at 12701 Kiefer Boulevard. Therefore, mobile-source emissions associated with landfill traffic would likely increase in the vicinity of the Rosemont community.

Response to Comment 8-5

Please see Response to Comment 7-1 above.

Response to Comment 8-6

The 30-day public review period for the IS/ND is consistent with requirements of CCR Title 14, Section 15073.

Response to Comment 8-7

While federal regulations include a broad description of municipal solid waste landfills (MSWL), L and D Landfill is a Limited Class III, Construction and Demolition landfill. Thus, Code of Federal Regulations (CFR) Title 40, Section 258.1 related to base liner design

does not apply to the Landfill. With regard to groundwater impacts, please see Response to Comment 7-1.

Response to Comment 8-8

Please see Response to Comment 8-7.

Response to Comment 8-9

Please see Response to Comment 7-1 above.

Response to Comment 8-10

Per CEQA Guidelines Section 15063(b), if a lead agency determines that there is substantial evidence that any aspect of a project may cause a significant effect on the environment, the lead agency should determine, pursuant to a program EIR, tiering, or another appropriate process, which of a project's effects were adequately examined by an earlier EIR or negative declaration. In the case of the proposed vertical expansion, previous alterations and expansions at the Landfill have been evaluated in the following environmental documents, as noted on page 4 of the IS/ND:

- April 1996: Negative Declaration (SCH# 1996022044);
- June 2012: Negative Declaration (SCH# 2012062047); and
- October 2015: Negative Declaration (SCH# 2015082050).

Response to Comment 8-11

Page 4 of the IS/ND related to the permitting history at the Landfill is hereby modified as follows:

On July 22, 1976, the City of Sacramento Planning Commission approved a Special Permit to allow the operation of the original 45-acre L and D Landfill (Landfill). Wastes received at the Landfill were restricted to demolition and construction wastes, wood, paper, concrete, asphalt, and similar non-putrescible materials (P-7182). On May 27, 1982, the City of Sacramento Planning Commission approved a modification to expand the Landfill by 50 acres (P82-056). On April 25, 1996, the City of Sacramento Planning Commission allowed the further expansion of 159 acres to the Landfill and to increase the Landfill's daily capacity from 2,350 cubic yards (CY) per day to 10,000 CY per day (P94-052). Up to 3.5 percent of total inbound debris was allowed for burial of greenwaste only. Any greenwaste exceeding the 3.5 percent allowance was required to be transferred to another facility for burial or processing. Additionally, all inbound greenwaste streams were subject to the overall site tonnage limitation of 4,125 tons per day.

On February 7, 2012, the Zoning Administrator approved a Conditional Use Permit (CUP) minor modification to vertically and voluminously expand stockpiles at the Landfill (Z11-125). On April 24, 2014, the City of Sacramento Planning Commission

approved a ~~Conditional Use Permit (CUP)~~ and Site Plan and Design Review to allow greenwaste processing at the Landfill (P13-054). The approval stipulated that greenwaste processing be limited to a monthly average of 250 tons per day of greenwaste materials received and/or processed, and not to exceed 400 tons of greenwaste materials received and/or processed in any single day.¹ As part of the CUP approval, a Categorical Exemption was filed pursuant to CEQA Section 15301 (Existing Facilities). A Major Modification to the CUP was processed in November of 2015 to modify the amount of greenwaste received and processed at the Landfill (Z15-021)

The foregoing revisions are for clarification purposes only and do not affect the adequacy of the IS/ND.

Letter 9

Tom Buford

From: Russ Bennett <RBenn38486@live.com>
Sent: Sunday, September 9, 2018 7:09 AM
To: Tom Buford
Subject: Fw: NOTICE OF AVAILABILITY/INTENT TO ADOPT THE NEGATIVE DECLARATION FOR THE L & D LANDFILL VERTICAL EXPANSION PROJECT (Z18-112)

Dear Mr. Buford,

9-1

Please accept an addendum to my comment on the modification to the L & D Landfill's existing Conditional Use Permit (CUP Z11-125) negative declaration. The continued piecemeal expansion of traditional landfilling without consideration to constructing a plant or plant described in my 9/8/18 email below as an alternative to landfilling represents a failure to consider the cumulative impacts of this improper CEQA review practice.

Thank You,

Russ Bennett
210 Soaring Hawk Lane
Sacramento, CA 95833

From: Russ Bennett
Sent: Saturday, September 8, 2018 3:53 PM
To: tbuford@cityofsacramento.org
Subject: NOTICE OF AVAILABILITY/INTENT TO ADOPT THE NEGATIVE DECLARATION FOR THE L & D LANDFILL VERTICAL EXPANSION PROJECT (Z18-112)

Dear Mr. Buford,

9-2

The CEQA review of the modification to the L & D Landfill's existing Conditional Use Permit (CUP Z11-125) is woefully inadequate because it does not consider the potentially environmentally superior choice of waste recovery and molecular recycling technology such as Sierra Energy's Fast Ox gasifier, Advanced Plasma Power's Gasplasma plasma conversion reactor, or Enerkem's thermochemical process to recover the value of waste material currently being landfilled.

Thank You,

Russ Bennett
210 Soaring Hawk Lane
Sacramento, CA 95833

LETTER 9: RUSS BENNET, SEPTEMBER 9, 2018

Response to Comment 9-1

Please see Response to Comment 8-10.

Response to Comment 9-2

CEQA Guidelines do not require an Initial Study to include a discussion of alternatives to the proposed project. Such an analysis is only required for preparation of an Environmental Impact Report (EIR) (CEQA Guidelines Section 15120). Therefore, the analysis presented within the IS/ND is sufficient.

Letter 10



COMMUNITY DEVELOPMENT
DEPARTMENT

SEP 28 2018

RECEIVED

September 26, 2018

Tom Buford, Principal Planner
Community Development Department
300 Richards Boulevard
Sacramento, CA 95811

Dear Mr. Buford,

Please reference my comments below regarding the **NOTICE OF AVAILABILITY/INTENT TO ADOPT THE NEGATIVE DECLARATION FOR THE L & D LANDFILL VERTICAL EXPANSION PROJECT (Z18-112)**.

10-1

The landfill's proposed vertical height increase will block our telephone and internet communications currently transmitted between the tower on our building at 6050 Warehouse Way and the broadband tower located several miles away (to the south of our offices). Please do not allow the proposed height increase until an acceptable solution can be obtained which allows us to continue our telephone and internet services.

On September 4, 2018 our communications were completely blocked by a piece of equipment parked on top L&D Landfill's hill. Our service provider moved our communications dish up 10 feet to the top of the tower attached to our building and was able to re-establish our service. Our communications dish is now at the maximum height of the existing tower.

Please do not hesitate to contact me with any questions. I can be reached at 916-452-8197 x11.

Respectfully,

Greg Belanger, Controller
West Fork Construction, Inc.

**LETTER 10: GREG BELANGER, WEST FORK CONSTRUCTION INC, SEPTEMBER 26,
2018**

Response to Comment 10-1

City staff and the applicant have communicated with the commenter regarding concerns raised relating to communication facilities.

The communication provider has determined that, with a 20-foot addition to the tower that currently serves their property, they should be able to provide quality service to West Fork at the final elevations of the expanded landfill. This is possible, in part, because the peak elevation immediately south of their building, in the expanded landfill, is 115 feet above mean sea level (msl). (The elevation of the ground around their building is 46 feet above msl.) Further, the elevations of the expanded landfill to the west of their building are lower; the dish at the top of the tower is pointed in a southwesterly direction. (T. Lien, pers. comm, December 13, 2018)