

Marin County Community Development Agency

Alex Hinds, Director

STAFF REPORT TO THE PLANNING COMMISSION

REDWOOD LANDFILL INC. REVISED SOLID WASTE FACILITIES PERMIT DRAFT SUBSEQUENT ENVIRONMENTAL IMPACT REPORT

Item No:		Application No: Revised SWFP
Applicant:	Redwood Landfill, Inc.	Planner: Tim Haddad, Environmental Coordinator
Owner:	USA Waste of California	
Assessor's Parcel:	125-160-13	
Property Address:	East of Hwy 101, 4 miles north of Novato, 7 miles SE of Petaluma in Marin County	
Hearing Date:	July 28, 2003	

RECOMMENDATION:	Conduct public hearing
APPEAL PERIOD:	N/A
LAST DATE FOR ACTION:	N/A

ACTION:

The Planning Commission is requested to conduct a public hearing on the Draft Subsequent EIR (DEIR) for the Redwood Landfill Revised Solid Waste Facilities Permit (SWFP). Redwood Landfill has proposed to revise their solid waste facilities permit for continuation of the Class III landfill on the site. The purpose of the project is to amend the permits for the facility to reflect current operations and incorporate landfill changes that have been implemented since issuance of the previous SWFP in 1995, or are now proposed. The project is located on the existing 420-acre landfill site north of the City of Novato.

No action other than conducting the public hearing to receive testimony on the adequacy of the DEIR is proposed at this time. The Planning Commission will consider their recommendation for certification of the Final EIR for the project after the EIR process has been completed. The Final EIR is anticipated to be completed in about October 2003. The Planning Commission will not be a recommending body for action on the merits of the SWFP.

SOLID WASTE FACILITIES PERMIT PROCESS:

The Marin County Environmental Health Services Division is designated by the State Integrated Waste Management Board as the Local Enforcement Agency (LEA) decision-making authority for action on the SWFP and is the CEQA Lead Agency for certification of the EIR. The Chief of Environmental Health Services in his designated capacity as Chief LEA official will certify the Final EIR in a public meeting and then conduct a hearing for action on the SWFP for approval or disapproval. The SWFP, if approved by the LEA, will be transmitted to the California Integrated Waste Management Board (CIWMB) for review. The CIWMB will conduct a public hearing

and take action on the SWFP. If the permit is approved by the CIWMB, the LEA will issue the permit to the applicant. The date for the public hearing and action on the project permit by the Environmental Health Services Chief has not yet been scheduled. A public notice will be published and interested parties notified at least ten days prior to the hearing on the project permit after the EIR process is concluded.

PROJECT OVERVIEW:

Redwood Landfill, Inc., a wholly owned subsidiary of USA Waste of California, in association with Waste Management, Inc., has applied to the Marin County Environmental Health Services Division (EHS) for a Revised Solid Waste Facilities Permit (SWFP) for continuation and expansion of the existing 420-acre landfill site. The Redwood Landfill property, accessed by private road from State Highway 101, is approximately 600 acres in size and consists of a 180-acre northern area and a 420-acre southern area. Waste disposal activities are dedicated to the 420-acre southern area. Redwood Landfill is the principal landfill serving Marin County and is located on the east side of State Highway 101, 4 miles north of the City of Novato and 7 miles southeast of Petaluma in Marin County, and is further identified as Assessor's Parcel 125-160-13.

Redwood Landfill is a Class III landfill which has been receiving non-hazardous solid waste since 1958. When the existing SWFP was issued in 1995, approximately 210 acres of the 420 acres had been filled and approval was given to reach 166 feet in height at the southern portion and 125 feet in height at the northern portion of the fill area. The remaining 210 acres of the site are used for infrastructure, sludge storage and processing, leachate storage, stormwater storage, composting, scale-house activities, administration, recycling activities, gas control, leachate vaporization, various leasehold activities and maintenance structures.

Since issuance of the 1995 SWFP, certain changes to the operation and facility have been implemented, and new changes are proposed. Proposed permit changes include sludge management practices, alternative daily cover, increase composting volume, leachate management, increase waste receipts, traffic, design capacity, waste classification, landfill life, gas control, and waste containment units reclassified as class II for receipt of some semi-hazardous wastes.

BACKGROUND:

Subsequent EIR Requirement:

The County determined that preparation of a Subsequent EIR to the Redwood Landfill Final EIR, prepared and certified by the County in 1994 for the Landfill's Solid Waste Facility Permit application, is required pursuant to CEQA to serve as the environmental documentation for the proposed Revised SWFP. Pursuant to CEQA Guidelines Section 15162 and 15163, the Lead Agency prepares a Subsequent EIR, (rather than a supplemental EIR or addendum to an EIR) when substantial changes are proposed in a project which require major revisions of the previous certified EIR due to the involvement of significant new or more severe environmental effects not addressed in the previous EIR.

In 1999, an Initial Study analysis was completed for the current project SWFP application. The Initial Study concluded that sixteen substantial changes proposed for the project have the potential for new or more severe impacts which are not addressed in the 1994 Certified EIR. Based on the Initial Study analysis, a Subsequent EIR, focusing on these sixteen aspects of the proposed project, was required to be prepared and circulated for public review and comment.

Draft Subsequent EIR process:

A Notice of Preparation (NOP) was prepared and circulated in July 2000 to public agencies and all interested parties for comment on the scope of the EIR. A public scoping session was conducted at an evening meeting in the community in February, 2001 to further identify environmental issues and concerns of the public for evaluation in the EIR. (Responses to the NOP and scoping comments are contained in the EIR appendix).

On July 16, 2003, copies of the Draft EIR and a notice of the date and place of the public hearing on the adequacy of the Draft EIR were distributed to members of the Planning Commission, Board of Supervisors, State Clearinghouse, Federal, State and local agencies and special districts, surrounding property owners, and other interested groups and individuals. A Notice of Completion was published in a newspaper of general circulation to begin the 45-day public review and comment period, which concludes on August 29, 2003.

EIR SUMMARY:

Identified Impacts:

The EIR identifies 55 significant or potentially significant impacts of the project. Mitigation measures have been identified in the EIR to reduce all but 5 of the significant project impacts to less than significant. The 5 significant unavoidable adverse impacts involve air quality emissions related to particulates, fugitive landfill gas, reactive organic gasses, nitrous oxide and cumulative effects associated with these emissions.

Plan Consistency:

The EIR indicates that the proposed project is generally consistent with most of the goals and policies of the Marin Countywide Plan (CWP) and County Integrated Waste Plan. However, the EIR points out that the project could be made more compatible with Integrated Waste Plan Policies for recycling and source reduction on-site and County energy conservation policies. The EIR recommends that, as a consideration of project merits for approval, approval conditions could be added to the project to make it more compatible with source reduction and energy policies, increase site life and preserve capacity for local municipal wastes, and help counter-balance expansion of site operations in an environmentally sensitive area and the acceptance of unavoidable project impacts.

Alternatives:

A number of alternatives to the proposed project were considered in the EIR, including a No Project Alternative. Other alternatives evaluated include: A status quo alternative to explicitly

allow several already implemented operational changes that are not authorized by the existing SWFP, a reduced scale alternative to increase waste receipt and landfill capacity at a rate less than proposed, reduce vehicle traffic, eliminate class II waste landfilling, and composting of materials from Marin only. An off-site alternative to create a new unspecified landfill site and a mitigated alternative that incorporates all mitigation measures in the EIR and changes to the project to eliminate aspects that have the greatest potential for environmental harm, (such as class II landfill cell) and shift emphasis from waste disposal to increased materials and energy recovery to be more compatible with County policies. The mitigated alternative is identified as the environmentally superior alternative because it would meet most of the project objectives, avoid most of the project impacts, and better meet County policies.

COMMENTS RECEIVED:

Comments received prior to the date of the Planning Commission hearing on the Draft EIR will be forwarded to the Commission at, or prior to, the hearing date.

PUBLIC HEARING:

The purpose of the public hearing is for the Planning Commission to receive oral and written comments on the adequacy of the Draft EIR. Following the public hearing and the close of the public review and comment period on August 29th, the EIR consultant will compile written responses to all comments which, along with the Draft EIR and any resulting changes to the Draft, will represent the Final EIR. The Final EIR will then be circulated to commentors for further review for a two-week period, limited to the adequacy of the response to comments, prior to certification of the Final EIR by the Planning Commission.

RECOMMENDATION:

Staff recommends that after presentation of a brief overview of the project proposal and a summary of the principal findings of the EIR by the EIR consultant, that the Commission open the public hearing to public comment. At the conclusion of all public testimony, staff recommends that the Planning Commission:

1. Close the public hearing on the Draft EIR;
2. Discuss those issues regarding the project's impacts that are of primary concern to the Commissioners and provide direction to the EIR consultant on any additional items which should be addressed in the EIR; and
3. Instruct the EIR consultant to prepare a Final EIR based upon the written responses to all of the oral and written comments received at the Draft EIR hearing, and all of the written comments received during the public review and comment period.

Attachments: 1. Draft Revised EIR