



Gavin Newsom
Governor

STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit



Kate Gordon
Director

March 3, 2020

Sateur Ham
Lake County
255 North Forbes Street
Lakeport, CA 95453

Subject: Eastlake Sanitary Landfill Expansion Project
SCH#: 2020010546

Dear Sateur Ham:

The State Clearinghouse submitted the above named MND to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on 3/2/2020, and the comments from the responding agency (ies) is (are) available on the CEQA database for your retrieval and use. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

Check the CEQA database for submitted comments for use in preparing your final environmental document: <https://ceqanet.opr.ca.gov/2020010546/2>. Should you need more information or clarification of the comments, we recommend that you contact the commenting agency directly.

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 contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan
Director, State Clearinghouse

cc: Resources Agency

RECEIVED

MAR 05 2020

PUBLIC SERVICES DEPT.

From: [Gordon Haggitt](#)
To: [Mark Roberts](#)
Subject: RE: Eastlake Sanitary Landfill Expansion Project - Notice of Intent to Adopted a Mitigated Negative declaration -
Date: Monday, February 3, 2020 2:53:50 PM

Mark: A complete boundary survey will be needed if the project expands onto the adjoiner APN 010-053-14 to determine the area to be added for the lot line adjustment (see Pg. 10 of the IS). Also, on Page 10, it talks about new roads and road dedications across APN 010-053-11 so we'll need "offers of dedications" for these. On Page 10 of the IS it also talks about "land dedication" for the setbacks. I'm not sure what this means but for my two cents I would purchase everything the County needs for this expansion including the setback areas.

Gordon M. Haggitt
County Surveyor, County of Lake
(707)263-2341

From: Mark Roberts
Sent: Friday, January 31, 2020 10:38 AM
To: R2CEQA@wildlife.ca.gov; DLRP@conservation.ca.gov; Sheri.Miller@waterboards.ca.gov; mike.wink@fire.ca.gov; greg.bertelli@fire.ca.gov; bill.solinsky@fire.ca.gov; kim.sone@fire.ca.gov; Rex.Jackman@dot.ca.gov; aflora@clearlake.ca.us; jburrow@clearlake.ca.us; chief500@lakeportfire.com; pbleuss@kelseyvillefire.com; chief800@northshorefpd.com; Doug Gearhart <doug@lcaqmd.net>; Ryan Lewelling <Ryan.Lewelling@lakecountyca.gov>; David Casian <David.Casian@lakecountyca.gov>; Richard Ford <Richard.Ford@lakecountyca.gov>; Greg Peters <Greg.Peters@lakecountyca.gov>; Craig Wetherbee <Craig.Wetherbee@lakecountyca.gov>; Tina Rubin <Tina.Rubin@lakecountyca.gov>; Kelli Hanlon <Kelli.Hanlon@lakecountyca.gov>; Jasjit Kang <Jasjit.Kang@lakecountyca.gov>; Scott DeLeon <Scott.DeLeon@lakecountyca.gov>; Gordon Haggitt <Gordon.Haggitt@lakecountyca.gov>; Chris Macedo <Chris.Macedo@lakecountyca.gov>; Lori Baca <Lori.Baca@lakecountyca.gov>; Imccollough@candswaste.com; Yuliya Osetrova <Yuliya.Osetrova@lakecountyca.gov>; centralvalleysac@waterboards.ca.gov; ron.parsons@parks.ca.gov; Melissa.M.France@usace.army.mil; Ryan_olah@fws.gov
Cc: Michalyn DelValle <Michalyn.DelValle@lakecountyca.gov>; bgrove@shn-engr.com
Subject: Eastlake Sanitary Landfill Expansion Project - Notice of Intent to Adopted a Mitigated Negative declaration -

Good Morning All,

This email is in regards to the Eastlake Sanitary Landfill Expansion Project - Notice of Intent to Adopted a Mitigated Negative declaration. Below is a copy of the Notice of Intent and I have attached the Initial Study and supporting documents above for you to review. Please note, I will also send all documents, including additional supporting documents through a file share link due to the size.

Please Note: The public review period for the respective proposed Mitigated Negative Declaration based on the Initial Study, will begin **on January 31, 2020 and end on March 2, 2020**. You are encouraged to submit written comments regarding the proposed Mitigated Negative Declaration to

FW: RE: Eastlake Sanitary Landfill Expansion Project - Notice of Intent to Adopted a Mitigated Negative declaration

Mark Roberts <Mark.Roberts@lakecountyca.gov>

Fri 2/7/2020 4:16 PM

To: Bruce Grove <bgrove@shn-engr.com>

From: THPO [mailto:thpo@big-valley.net]

Sent: Friday, February 7, 2020 4:06 PM

To: Mark Roberts <Mark.Roberts@lakecountyca.gov>

Cc: Sarah Ryan <sryan@big-valley.net>

Subject: [EXTERNAL]RE: Eastlake Sanitary Landfill Expansion Project - Notice of Intent to Adopted a Mitigated Negative declaration

Hello Mr. Roberts,

This proposed project is outside of the Historic Tribal Boundary of the Big Valley Band of Pomo Indians, thus we require no Tribal Consultation.

Thank you,

Ronald Montez

Tribal Historic Preservation Officer

The Big Valley Band of Pomo Indians

2726 Mission Rancheria Rd.

Lakeport, CA 95453

Thpo@big-valley.net

707-263-3924 ext. 135

707-262-2690 cell

From: Mark Roberts <Mark.Roberts@lakecountyca.gov>

Sent: Friday, January 31, 2020 10:40 AM

To: Sarah Ryan <sryan@big-valley.net>; THPO <thpo@big-valley.net>; cww281@gmail.com; a.tyler@elemindiancolony.org; aarroyosr@hpultribe-nsn.gov; lrosas@hpultribe-nsn.gov; kn@koination.com; tc@middletownrancheria.com; jsimon@middletownrancheria.com; mshaver@middletownrancheria.com; THPO@middletownrancheria.com; btorres@middletownrancheria.com; rpeterson@middletownrancheria.com; sshope@middletownrancheria.com; speterson@middletownrancheria.com; scottg@mishewalwappotribe.com; admin@rvrpomo.net; drogers@robinsonrancheria.org; terre.logsdon@sv-nsn.gov; thomas.jordan@sv-nsn.gov; lbill@yochadehe-nsn.gov; jkinter@yochadehe-nsn.gov; aroberts@yochadehe-nsn.gov

Cc: Michalyn DelValle <Michalyn.DelValle@lakecountyca.gov>; bgrove@shn-engr.com

Subject: Eastlake Sanitary Landfill Expansion Project - Notice of Intent to Adopted a Mitigated Negative declaration

Good Morning All,

FW: RE: Eastlake Sanitary Landfill Expansion Project - Notice of Intent to Adopted a Mitigated Negative declaration

Mark Roberts <Mark.Roberts@lakecountyca.gov>

Fri 2/7/2020 5:10 PM

To: Bruce Grove <bgrove@shn-engr.com>

From: Sarah Ryan [mailto:sryan@big-valley.net]

Sent: Friday, February 7, 2020 4:26 PM

To: THPO <thpo@big-valley.net>; Mark Roberts <Mark.Roberts@lakecountyca.gov>

Subject: [EXTERNAL]RE: Eastlake Sanitary Landfill Expansion Project - Notice of Intent to Adopted a Mitigated Negative declaration

Hi Mark,

We will be commenting on the environmental impacts however, and have questions about the environmental documents.

Sarah Ryan

Deputy Tribal Administrator/Environmental Director

Big Valley Band of Pomo Indians

2726 Mission Rancheria Rd.

Lakeport, CA 95453

www.bvrancheria.com

707-263-3924 x132

707-263-5378 fax

707-349-4040 cell

From: THPO <thpo@big-valley.net>

Sent: Friday, February 7, 2020 4:06 PM

To: Mark Roberts <Mark.Roberts@lakecountyca.gov>

Cc: Sarah Ryan <sryan@big-valley.net>

Subject: RE: Eastlake Sanitary Landfill Expansion Project - Notice of Intent to Adopted a Mitigated Negative declaration

Hello Mr. Roberts,

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Thank you,

Ronald Montez

Tribal Historic Preservation Officer

The Big Valley Band of Pomo Indians

FW: Eastlake Sanitary Landfill Expansion Project - Notice of Intent to Adopted a Mitigated Negative declaration -

Mark Roberts <Mark.Roberts@lakecountyca.gov>

Tue 2/11/2020 5:03 PM

To: Bruce Grove <bgrove@shn-engr.com>

From: Ryan Lewelling

Sent: Tuesday, February 11, 2020 4:34 PM

To: Mark Roberts <Mark.Roberts@lakecountyca.gov>

Subject: RE: Eastlake Sanitary Landfill Expansion Project - Notice of Intent to Adopted a Mitigated Negative declaration -

Mark,

The Assessor's Office has no comments regarding the proposed landfill expansion at this time.

Ryan Lewelling

Cadastral Mapping Specialist

707-263-2302 | Ryan.Lewelling@LakeCountyCA.gov

From: Mark Roberts

Sent: Friday, January 31, 2020 10:38 AM

To: R2CEQA@wildlife.ca.gov; DLRP@conservation.ca.gov; Sheri.Miller@waterboards.ca.gov; mike.wink@fire.ca.gov; greg.bertelli@fire.ca.gov; bill.solinsky@fire.ca.gov; kim.sone@fire.ca.gov; Rex.Jackman@dot.ca.gov; aflora@clearlake.ca.us; jburrow@clearlake.ca.us; chief500@lakeportfire.com; pbleuss@kelseyvillefire.com; chief800@northshorefpd.com; Doug Gearhart <dougg@lcaqmd.net>; Ryan Lewelling <Ryan.Lewelling@lakecountyca.gov>; David Casian <David.Casian@lakecountyca.gov>; Richard Ford <Richard.Ford@lakecountyca.gov>; Greg Peters <Greg.Peters@lakecountyca.gov>; Craig Wetherbee <Craig.Wetherbee@lakecountyca.gov>; Tina Rubin <Tina.Rubin@lakecountyca.gov>; Kelli Hanlon <Kelli.Hanlon@lakecountyca.gov>; Jasjit Kang <Jasjit.Kang@lakecountyca.gov>; Scott DeLeon <Scott.DeLeon@lakecountyca.gov>; Gordon Haggitt <Gordon.Haggitt@lakecountyca.gov>; Chris Macedo <Chris.Macedo@lakecountyca.gov>; Lori Baca <Lori.Baca@lakecountyca.gov>; lmccollough@candswaste.com; Yuliya Osetrova <Yuliya.Osetrova@lakecountyca.gov>; centralvalleysac@waterboards.ca.gov; ron.parsons@parks.ca.gov; Melissa.M.France@usace.army.mil; Ryan_olah@fws.gov
Cc: Michalyn DelValle <Michalyn.DelValle@lakecountyca.gov>; bgrove@shn-engr.com

Subject: Eastlake Sanitary Landfill Expansion Project - Notice of Intent to Adopted a Mitigated Negative declaration -

Good Morning All,

This email is in regards to the Eastlake Sanitary Landfill Expansion Project - Notice of Intent to Adopted a Mitigated Negative declaration. Below is a copy of the Notice of Intent and I have attached the Initial Study and supporting documents above for you to review. Please note, I will also send all documents, including additional supporting documents through a file share link due to the size.



LAKE COUNTY SHERIFF'S OFFICE

1220 Martin Street • P.O. Box 489 • Lakeport, California 95453

Administration
(707) 262-4200

Central Dispatch
(707) 263-2690

Coroner
(707) 262-4215

Corrections
(707) 262-4240

Patrol/Investigation
(707) 262-4200

Substation
(707) 994-6433

To : Mark Roberts, Senior Planner
Community Development Department

From : Lieutenant Luke Bingham
Lake County Sheriff's Office

Date : February 14th, 2020

Subject : East Lake Land Fill

I reviewed the Intent to Adopt a Mitigated Negative declaration for the East Lake Land fill. I do not believe this project would have a significant impact on the service provided by our office.

If you have any questions, please contact me at 707-262-4082.

LJB/ljb



Jared Blumenfeld
Secretary for
Environmental Protection

Department of Toxic Substances Control

Meredith Williams, Ph.D., Director
8800 Cal Center Drive
Sacramento, California 95826-3200



Gavin Newsom
Governor

Governor's Office of Planning & Research

February 21, 2020

February 21, 2020

2020010546

Ms. Michalyn DelValle
Lake County
Community Development Department - Planning
255 North Forbes Street
Lakeport, California 95632

STATE CLEARINGHOUSE

MITIGATED NEGATIVE DECLARATION (MND) FOR THE EASTLAKE SANITARY
LANDFILL EXPANSION PROJECT – DATED JANUARY 2020 (STATE
CLEARINGHOUSE NUMBER: UNKNOWN)

Dear Ms. DelValle:

The Department of Toxic Substances Control (DTSC) received a Mitigated Negative Declaration (MND) for the Eastlake Sanitary Landfill Expansion Project.

The proposed Eastlake Sanitary Landfill Expansion project would laterally expand the existing landfill to the north and east on properties currently owned by Lake County and South Lake Refuse, and to the south and east onto properties owned by the County. The lateral expansion areas would occupy an approximate 21.8-acre footprint and the entire expansion project would occupy approximately 36.2 acres. The proposed expansion has been designed to extend the lifespan of the landfill by 22 years or more based on current and projected disposal rates. The existing leachate pond, landfill gas (LFG) flare, scales and scale house and maintenance buildings would remain at their current onsite location. Construction of an all-weather access road and stormwater detention basin would also be required.

DTSC recommends that the following issues be evaluated in the MND Hazards and Hazardous Materials section:

1. The MND should acknowledge the potential for historic or future activities on or near the project site to result in the release of hazardous wastes/substances on the project site. In instances in which releases have or occurred or may occur, further studies should be carried out to delineate the nature and extent of the contamination, and the potential threat to public health and/or the environment should be evaluated. The MND should also identify the mechanism(s) to initiate

any required investigation and/or remediation and the government agency who will be responsible for providing appropriate regulatory oversight.

2. If buildings or other structures are to be demolished on any project sites included in the proposed project, surveys should be conducted for the presence of lead-based paints or products, mercury, asbestos containing materials, and polychlorinated biphenyl caulk. Removal, demolition and disposal of any of the above-mentioned chemicals should be conducted in compliance with California environmental regulations and policies. In addition, sampling near current and/or former buildings should be conducted in accordance with DTSC's 2006 *Interim Guidance Evaluation of School Sites with Potential Contamination from Lead Based Paint, Termiticides, and Electrical Transformers* (https://dtsc.ca.gov/wp-content/uploads/sites/31/2018/09/Guidance_Lead_Contamination_050118.pdf).
3. If any projects initiated as part of the proposed project require the importation of soil to backfill any excavated areas, proper sampling should be conducted to ensure that the imported soil is free of contamination. DTSC recommends the imported materials be characterized according to *DTSC's 2001 Information Advisory Clean Imported Fill Material* (https://dtsc.ca.gov/wp-content/uploads/sites/31/2018/09/SMP_FS_Cleanfill-Schools.pdf).
4. If any sites included as part of the proposed project have been used for agricultural, weed abatement or related activities, proper investigation for organochlorinated pesticides should be discussed in the MND. DTSC recommends the current and former agricultural lands be evaluated in accordance with DTSC's 2008 *Interim Guidance for Sampling Agricultural Properties (Third Revision)* (<https://dtsc.ca.gov/wp-content/uploads/sites/31/2018/09/Ag-Guidance-Rev-3-August-7-2008-2.pdf>).

DTSC appreciates the opportunity to review the MND. Should you need any assistance with an environmental investigation, please submit a request for Lead Agency Oversight Application, which can be found at: https://dtsc.ca.gov/wp-content/uploads/sites/31/2018/09/VCP_App-1460.doc. Additional information regarding voluntary agreements with DTSC can be found at: <https://dtsc.ca.gov/brownfields/>.

Ms. Michalyn DelValle
February 21, 2020
Page 3

If you have any questions, please contact me at (916) 255-3710 or via email at Gavin.McCreary@dtsc.ca.gov.

Sincerely,



Gavin McCreary
Project Manager
Site Evaluation and Remediation Unit
Site Mitigation and Restoration Program
Department of Toxic Substances Control

cc: (via email)

Governor's Office of Planning and Research
State Clearinghouse
State.Clearinghouse@opr.ca.gov

Ms. Lora Jameson, Chief
Site Evaluation and Remediation Unit
Department of Toxic Substances Control
Lora.Jameson@dtsc.ca.gov

Mr. Dave Kereazis
Office of Planning & Environmental Analysis
Department of Toxic Substances Control
Dave.Kereazis@dtsc.ca.gov

DEPARTMENT OF WATER RESOURCES

1416 NINTH STREET, P.O. BOX 942836
SACRAMENTO, CA 94236-0001
(916) 653-5791

**FEB 24 2020**

Mr. Sateur Ham
Lake County
255 North Forbes Street
Lakeport, California 95453

Eastlake Sanitary Landfill Expansion Project
SCH# 2020010546
Lake County

RECEIVED**FEB 26 2020**

LAKE COUNTY COMMUNITY
DEVELOPMENT DEPT.

Dear Mr. Ham:

The Division of Safety of Dams (DSOD) has reviewed the Mitigated Negative Declaration for the Eastlake Sanitary Landfill Expansion Project submitted by Lake County (County), which describes the proposed construction of a stormwater detention basin on the proposed landfill expansion site.

Insufficient information is provided to determine if the proposed reservoir is subject to State jurisdiction for dam safety. Therefore, the County needs to submit preliminary plans so that DSOD can make a jurisdictional determination.

As defined in sections 6002 and 6003, Division 3, of the California Water Code, dams 25 feet or higher with a storage capacity of more than 15 acre-feet, and dams higher than 6 feet with a storage capacity of greater than 50 acre-feet or more are subject to State jurisdiction. The dam height is the vertical distance measured from the maximum possible water storage level to the downstream toe of the barrier.

If the proposed reservoir is subject to State jurisdiction, a construction application, together with plans, specifications, and the appropriate filing fee must be filed with DSOD for this project. All dam safety related issues must be resolved prior to approval of the application, and the work must be performed under the direction of a Civil Engineer registered in California. Erik Malvick, our Design Engineering Branch Chief, is responsible for the application process and can be reached at (916) 565-7840.

If you have any questions or need additional information, you may contact Area Engineer Lakhbir Singh at (916) 565-7814 or me at (916) 565-7813.

Sincerely,

A handwritten signature in blue ink, appearing to read "R. Bowlus".

Russell C. Bowlus, Regional Engineer
Northern Region
Field Engineering Branch
Division of Safety of Dams

cc: Governor's Office of Planning and Research
State Clearinghouse
state.clearinghouse@opr.ca.gov

FW: [EXTERNAL]Caltrans D1 RFR comments: Eastlake Sanitary Landfill Expansion,16015 Davis St Clearlake (1-LAK-53-2.960)

Mark Roberts <Mark.Roberts@lakecountyca.gov>

Thu 2/27/2020 5:06 PM

To: Bruce Grove <bgrove@shn-engr.com>; Lars Ewing <Lars.Ewing@lakecountyca.gov>

[Additional comments see below](#)

From: Rymer-Burnett, Saskia@DOT [mailto:Saskia.Rymer-Burnett@dot.ca.gov]

Sent: Thursday, February 27, 2020 5:01 PM

To: Mark Roberts <Mark.Roberts@lakecountyca.gov>; Scott DeLeon <Scott.DeLeon@lakecountyca.gov>; Sateur Ham <Sateur.Ham@lakecountyca.gov>

Cc: Jackman, Rex A@DOT <rex.jackman@dot.ca.gov>

Subject: [EXTERNAL]Caltrans D1 RFR comments: Eastlake Sanitary Landfill Expansion,16015 Davis St Clearlake (1-LAK-53-2.960)

Good Afternoon,

Thank you for the opportunity to comment on the proposed Eastlake Landfill expansion project. District 1 divisions identified no significant transportation issues relating to the proposed landfill expansion project. We therefore have no comments on this project.

Thank you,

Saskia Rymer-Burnett

Caltrans District 1

Transportation Planning

Ph: (707) 441-2009

saskia.rymer-burnett@dot.ca.gov

FW: Eastlake Sanitary Landfill Expansion Project - Notice of Intent to Adopted a Mitigated Negative Declaration

Scott Harter <Scott.Harter@lakecountyca.gov>

Thu 3/5/2020 9:08 AM

To: Lars Ewing <Lars.Ewing@lakecountyca.gov>

Lars,

Here was our response to the Request for Review. As we discussed the impact of increased leachate may be minimal but that is hard to determine from the documents provided since it wasn't addressed.

Thanks,

Scott

Lake County Special Districts
230 N. Main Street
Lakeport, CA 95453
p:707-263-0119 f:707-263-3836
scott.harter@lakecountyca.gov

From: Lori Baca

Sent: Thursday, February 27, 2020 15:44

To: Mark Roberts <Mark.Roberts@lakecountyca.gov>

Cc: Scott Harter <Scott.Harter@lakecountyca.gov>

Subject: RE: Eastlake Sanitary Landfill Expansion Project - Notice of Intent to Adopted a Mitigated Negative Declaration

Mark,

The Eastlake Sanitary Landfill, located at 16015 Davis Avenue is currently is an active sewer account within LACOSAN. Please see the Districts comments below:

Section XIX, "Utilities and Service Systems" of the Initial Study, Proposed Mitigated Negative Declaration addresses the proposed project's potential impacts on certain utility services: electric, water, wastewater, stormwater, and solid waste. Throughout the body of the report the potential for the increase in leachate discharged by the site as a result of the project is not addressed. The liner systems and leachate recovery systems are discussed as well as the leachate pond, however the disposal of the leachate is overlooked in the analysis of the project.

This project proposes to add 21 acres of additional landfill area as well as potentially add a preferential pathway system to permit solid waste disposal above existing landfill cells. All new cells and potentially the existing cells (with the preferential pathway) will be lined to protect groundwater at the site. These actions have the potential to significantly increase the quantity of leachate collected at the site which is subsequently discharged to the Southeast Regional Wastewater collection system and treated at the Southeast Regional Wastewater Treatment Plant.

The landfill currently has a special use agreement with the Lake County Sanitation District (LACOSAN) for the disposal of leachate equivalent to 40 single family dwellings (SFDs). Flows equivalent to 40 SFDs are 8,400 gallons per day and in 2017 the landfill averaged 8,357 gallons per day over the course of the

year. Any increase in leachate flow will result in the need for additional SFD capacity fees and if the proposed increase in leachate over the life of the project exceeds 20 SFD equivalents the sewer use ordinance requires a capacity analysis be performed to analyze the project impact to the collection and treatment system.

Discharge of the leachate is currently flow restricted by time of day due to the current impact it has on the collection system. Increasing the amount of leachate may result in increased flows in the collection system. However, without any analysis it is difficult to quantify the exact impact other than to state the project will have an impact on the collection system which needs to be addressed, quantified and potentially mitigated.

Please keep us apprised of any changes to the MND and/or any response to comments.

If you have any questions please do not hesitate to contact our office.

Have a wonderful day!

Lori A. Baca, CTA

Customer Service Coordinator

Lori.Baca@lakecountyca.gov

Office Number (707) 263-0119

Fax (707) 263-3836



From: Mark Roberts [<mailto:Mark.Roberts@lakecountyca.gov>]

Sent: Friday, January 31, 2020 11:14 AM

To: r2ceqa@wildlife.ca.gov; dlrp@conservation.ca.gov; sheri.miller@waterboards.ca.gov; mike.wink@fire.ca.gov; greg.bertelli@fire.ca.gov; rex.jackman@dot.ca.gov; afiora@clearlake.ca.us; chief500@lakeportfire.com; pbleuss@kelseyvillefire.com; chief800@northshorefpd.com; David Casian <David.Casian@lakecountyca.gov>; Doug Gearhart <doug@lcaqmd.net>; Richard Ford <Richard.Ford@lakecountyca.gov>; Ryan Lewelling <Ryan.Lewelling@lakecountyca.gov>; Scott DeLeon <Scott.DeLeon@lakecountyca.gov>; Kelli Hanlon <Kelli.Hanlon@lakecountyca.gov>; Lori Baca <Lori.Baca@lakecountyca.gov>; Chris Macedo <Chris.Macedo@lakecountyca.gov>; lmccollough@candswaste.com; Yuliya Osetrova <Yuliya.Osetrova@lakecountyca.gov>; centralvalleysac@waterboards.ca.gov; ron.parsons@parks.ca.gov; melissa.m.france@usace.army.mil; ryan_olah@fws.gov

Cc: Michalyn DelValle <Michalyn.DelValle@lakecountyca.gov>; bgrove@shn-engr.com

Subject: Eastlake Sanitary Landfill Expansion Project - Notice of Intent to Adopted a Mitigated Negative Declaration

Good Morning All,

Please Note: This email supersedes the previous email sent regarding the ELS Initial Study, as the previous Initial Study did not contain project exhibits.

This email is in regards to the Eastlake Sanitary Landfill Expansion Project - Notice of Intent to Adopted a Mitigated Negative declaration. Below is a copy of the Notice of Intent and I have attached the Initial Study and supporting documents above for you to review.

Please Note: The public review period for the respective proposed Mitigated Negative Declaration based on



COUNTY OF LAKE
Health Services Department
Environmental Health Division
922 Bevins Court
Lakeport, California 95453-9739
Telephone 707/263-1090
FAX 707/263-4395

Denise Pomeroy
Health Services Director

Gary Pace, MD, MPH
Public Health Officer

Jasjit Kang
Environmental Health Director

Promoting an Optimal State of Wellness in Lake County

Memorandum

DATE: March 2, 2020
TO: Mark Roberts, Principal Planner
FROM: Tina Dawn-Rubin, Environmental Health Aide
RE: Eastlake Landfill – Notice of Intent to Adopt a
Mitigated Negative Declaration
APN: 041-224-10 16015 Davis, Clearlake

Environmental Health has no concerns regarding the Notice of Intent to Adopt a Mitigated Negative Declaration as the facility will go through our permitting process for the expansion and our office will go over it in more detail.



COUNTY OF LAKE
HEALTH SERVICES
prevent.promote.protect.



March 2, 2020

Michalyn DelValle
Lake County
Community Development Department
255 North Forbes Street
Lakeport, CA 95453
Michalyn.DelValle@lakecountyca.gov

Subject: **SCH No. 2020010546** – Mitigated Negative Declaration for the Eastlake
Sanitary Landfill Expansion SWIS # 17-AA-0001– Lake County

Dear Ms. DelValle:

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 Eastlake Sanitary Landfill is located at 16015 Davis Avenue, Clearlake California and is owned, operated and managed by the Lake County Public Works Department. The proposed Eastlake Sanitary Landfill Expansion project would laterally expand the existing landfill to the north and east on properties currently owned by Lake County and South Lake Refuse, and to the south and east onto properties owned by the County. The lateral expansion areas would occupy an approximate 21.8-acre footprint, the entire expansion project would occupy approximately 36.2 acres and after full expansion would be approximately 56.5 acres. An additional approximately 14.4 acres of land outside of the disposal footprint areas will be needed for a new access road and road cuts, a new storm water basin, and soil stockpiling. The project site includes an area within eleven separate parcels (Assessor's parcel numbers [APNs] 010-053-110, 120, 130, 140, 010-008-030, 350, 390, 410, 041-224-400, 041-234-270, and 041-244-180). Parcel 010-008-350 is owned by the United States Department of the Interior (DOI), Bureau of Land Management (BLM) and is not included within the expansion area; however, the existing use within the northwest corner of this parcel will continue. The total project area is approximately 91 acres, of which 34.7 acres are occupied by the existing permitted landfill. The County also owns additional adjacent property that is not included in the permitted boundaries of the facility, but provides additional buffer zones, including APN 010-053-120, a 23.35-acre parcel northeast of the facility, and 010-008-410, a 77.20-acre parcel south of the facility.

The proposed expansion has been designed to extend the lifespan of the landfill by 22 years or more based on current and projected disposal rates. The existing Class II surface impoundment (leachate pond), LFG flare, scales and scale house and maintenance buildings would remain at their current onsite locations. Construction of an all-weather access road and stormwater detention basin would also be required.

No vertical expansion beyond currently permitted maximum fill elevations would occur with the proposed expansion. Landfill expansion (excavation and cell construction) will occur in four discrete phases.

The final fill elevation will be at or just below 1,827 feet above MSL which is 33 feet below the currently permitted maximum elevation of 1860 feet above MSL in the existing Solid Waste Facilities Permit.

Current hours of facility operation are 7:30 a.m. to 4:00 p.m., 7 days per week, except for 12 legal holidays or any other holiday declared by the Board of Supervisors pursuant to State law. The facility is operated 353 days per year. Public hours at the Eastlake Sanitary Landfill for waste receipt are 7:30 a.m. to 3:00 p.m. The facility is open for limited hours for waste receipt from commercial franchise haulers on some holidays from 7:30 a.m. to 12:00 noon.

Design Features Proposed Expansion

Expansion Area Footprint (Plan Area) 21.8 acres

Waste Cell Excavation Volume 481,000 bank cubic yards (bcy)

Useable Airspace 1,843,000 bcy

Storm Water Basin Excavation 114,000 bcy

Disposal Capacity @ 1,200 lb/cy airspace utilization 1,106,000 tons

Additional Soil Needed (soil balance for daily/intermediate/final cover) 18,200 bcy

Additional Site Life 22 years (year 2046+)

COMMENTS ON PROPOSED MITIGATED NEGATIVE DECLARATION

- 1) Page 7 states: "The Eastlake Sanitary Landfill is currently permitted for an average daily throughput of 200 tons per day (tpd) where the daily average is calculated weekly. The County reports that there have been no exceedances of the 200 tpd permitted maximum tonnage limit since the Solid Waste Facility Permit (SWFP) was issued in August 1998, with the exception of the emergency waivers granted to allow disposal of ash and fire debris from 2015 to 2017-18. The current municipal solid waste disposal rate, for wastes generated solely within Lake County, is approximately 45,000 tons per year (tpy), equivalent to 130 tpd. This excludes contributions from wildfire debris."

Page 10 states: "The peak daily disposal rate at the landfill is forecasted to be 480 tpd. The peak daily disposal rate will accommodate special events, seasonal

fluctuations due to construction or tourist activities, and other factors. This peak is based on historic waste deliveries for municipal solid waste only (year 2014), when waste import from Mendocino County was in effect and annual disposal rates were comparable to those forecasted at Eastlake Sanitary Landfill for year 2040 and beyond (for County-only wastes). This peak excludes debris disposal from wildfires, which has historically been allowed under waivers granted during a state of emergency.”

Page 13 states: “The County does not propose any significant changes in day-to-day operations as part of landfill expansion. In particular, no changes are proposed that would affect:

- Waste quantities received and daily customer counts, other than to accommodate planned growth in the Lake County service area. The peak daily traffic count is expected to remain within the 300 vehicle per day limit as currently allowed by Solid Waste Facility Permit #17-AA-0001.

It is not clear from the above excerpts whether or not there was any environmental analysis done for an increase in permitted maximum tonnage beyond the current parameters specified in the 1998 Solid Waste Facilities Permit.

- 2) It is not clear what the total disposal footprint and permitted facility boundary are planned to be based on the project description. Please clarify the proposed acreage of both the disposal footprint and permitted area.
- 3) What is the proposed total design capacity in cubic yards? The current permitted design capacity is 6,000,000 cubic yards. Is the 1,843,000 bank cubic yards in the project description in addition to the currently permitted amount? If yes, what will the total design capacity be in cubic yards? Please clarify.
- 4) The Joint Technical Document (JTD) (Appendix A of the MND) indicates a disposal acreage of 34.7. This acreage is inconsistent with the currently permitted disposal acreage of 31 acres and the estimated 35 acre disposal footprint as stated in the existing conditions section of the IS and does not account for the additional 21.8 acres analyzed by the MND.

An amended JTD will need to be submitted that is consistent with/does not exceed the CEQA analysis.

Solid Waste Regulatory Oversight

Implementation of the proposed project will require a revision of the Solid Waste Facilities Permit.

The Lake County, Department of Public Health, Local Enforcement Agency (LEA), is responsible for providing regulatory oversight of solid waste handling activities, including permitting and inspections. The LEA contact is Christina Gearhart at (707) 263-1164 extension 249 or Christina.Gearhart@lakecountyca.gov.

CalRecycle acting as a responsible agency, will be required to concur or deny the proposed permit based on the adequacy of the Mitigated Negative Declaration and all other applicable requirements of Titles 14 and 27 of the California Code of Regulations.

CONCLUSION

It is the Lead Agency's responsibility to determine the type of environmental document appropriate for the project. However, CalRecycle offers the following guidance located on our website at:

<https://www.calrecycle.ca.gov/SWFacilities/Permitting/CEQA/Documents/Guidance/Disposal/>

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 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-day 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 approval by the decision-making body.

If you have any questions regarding these comments, please contact me at (916) 341-6405 or Christine.Karl@calrecycle.ca.gov.

Sincerely,



Christine Karl, Environmental Scientist
Permitting and Assistance Branch – North
Waste Permitting Compliance Mitigation Division
CalRecycle

cc: Diane Vlach, Supervisor
Permitting & Assistance Branch – North Unit
CalRecycle

Nevin Yeates, Manager
Permits and Assistance North Section
CalRecycle

Jasjit Kang, Director
Lake County, Division of Environmental Health
Jasjit.Kang@lakecountyca.gov



Central Valley Regional Water Quality Control Board

4 March 2020

Michalyn DelValle
Lake County
Community Development Department - Planning
255 North Forbes Street
Lakeport, CA 95453

CERTIFIED MAIL
7019 0700 0002 0112 0484

COMMENTS TO REQUEST FOR REVIEW FOR THE MITIGATED NEGATIVE DECLARATION, EASTLAKE SANITARY LANDFILL EXPANSION PROJECT, SCH#2020010546, LAKE COUNTY

Pursuant to the State Clearinghouse's 31 January 2020 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Mitigated Negative Declaration* for the Eastlake Sanitary Landfill Expansion Project, located in Lake County.

Our agency is delegated with the responsibility of protecting the quality of surface and groundwaters of the state; therefore our comments will address concerns surrounding those issues.

I. Regulatory Setting

Basin Plan

The Central Valley Water Board is required to formulate and adopt Basin Plans for all areas within the Central Valley region under Section 13240 of the Porter-Cologne Water Quality Control Act. Each Basin Plan must contain water quality objectives to ensure the reasonable protection of beneficial uses, as well as a program of implementation for achieving water quality objectives with the Basin Plans. Federal regulations require each state to adopt water quality standards to protect the public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act. In California, the beneficial uses, water quality objectives, and the Antidegradation Policy are the State's water quality standards. Water quality standards are also contained in the National Toxics Rule, 40 CFR Section 131.36, and the California Toxics Rule, 40 CFR Section 131.38.

The Basin Plan is subject to modification as necessary, considering applicable laws, policies, technologies, water quality conditions and priorities. The original Basin Plans were adopted in 1975, and have been updated and revised periodically as required, using Basin Plan amendments. Once the Central Valley Water Board has adopted a Basin Plan amendment in noticed public hearings, it must be

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

approved by the State Water Resources Control Board (State Water Board), Office of Administrative Law (OAL) and in some cases, the United States Environmental Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues. For more information on the *Water Quality Control Plan for the Sacramento and San Joaquin River Basins*, please visit our website:

http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/

Antidegradation Considerations

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Implementation Policy is available on page 74 at:

https://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/sacsjr_201805.pdf

In part it states:

Any discharge of waste to high quality waters must apply best practicable treatment or control not only to prevent a condition of pollution or nuisance from occurring, but also to maintain the highest water quality possible consistent with the maximum benefit to the people of the State.

This information must be presented as an analysis of the impacts and potential impacts of the discharge on water quality, as measured by background concentrations and applicable water quality objectives.

The antidegradation analysis is a mandatory element in the National Pollutant Discharge Elimination System and land discharge Waste Discharge Requirements (WDRs) permitting processes. The environmental review document should evaluate potential impacts to both surface and groundwater quality.

II. Permitting Requirements

Construction Storm Water General Permit

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction Activities (Construction General Permit), Construction General Permit Order No. 2009-009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). For more information on the Construction General Permit, visit the State Water Resources Control Board website at:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml

Phase I and II Municipal Separate Storm Sewer System (MS4) Permits¹

The Phase I and II MS4 permits require the Permittees reduce pollutants and runoff flows from new development and redevelopment using Best Management Practices (BMPs) to the maximum extent practicable (MEP). MS4 Permittees have their own development standards, also known as Low Impact Development (LID)/post-construction standards that include a hydromodification component. The MS4 permits also require specific design concepts for LID/post-construction BMPs in the early stages of a project during the entitlement and CEQA process and the development plan review process.

For more information on which Phase I MS4 Permit this project applies to, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permits/

For more information on the Phase II MS4 permit and who it applies to, visit the State Water Resources Control Board at:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml

Industrial Storm Water General Permit

Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order No. 2014-0057-DWQ. For more information on the Industrial Storm Water General Permit, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/industrial_general_permits/index.shtml

Clean Water Act Section 404 Permit

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACE). If a Section 404 permit is required by the USACE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements. If you have any questions regarding the

¹ Municipal Permits = The Phase I Municipal Separate Storm Water System (MS4) Permit covers medium sized Municipalities (serving between 100,000 and 250,000 people) and large sized municipalities (serving over 250,000 people). The Phase II MS4 provides coverage for small municipalities, including non-traditional Small MS4s, which include military bases, public campuses, prisons and hospitals.

Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACE at (916) 557-5250.

Clean Water Act Section 401 Permit – Water Quality Certification

If an USACE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 10 of the Rivers and Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications. For more information on the Water Quality Certification, visit the Central Valley Water Board website at:

https://www.waterboards.ca.gov/centralvalley/water_issues/water_quality/certification/

Waste Discharge Requirements – Discharges to Waters of the State

If USACE determines that only non-jurisdictional waters of the State (i.e., “non-federal” waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation. For more information on the Waste Discharges to Surface Water NPDES Program and WDR processes, visit the Central Valley Water Board website at: https://www.waterboards.ca.gov/centralvalley/water_issues/waste_to_surface_water/

Projects involving excavation or fill activities impacting less than 0.2 acre or 400 linear feet of non-jurisdictional waters of the state and projects involving dredging activities impacting less than 50 cubic yards of non-jurisdictional waters of the state may be eligible for coverage under the State Water Resources Control Board Water Quality Order No. 2004-0004-DWQ (General Order 2004-0004). For more information on the General Order 2004-0004, visit the State Water Resources Control Board website at:

https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo2004-0004.pdf

Dewatering Permit

If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent may apply for coverage under State Water Board General Water Quality Order (Low Threat General Order) 2003-0003 or the Central Valley Water Board’s Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Threat Waiver) R5-2018-0085. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers

seeking coverage under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.

For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf

For more information regarding the Low Threat Waiver and the application process, visit the Central Valley Water Board website at:

https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2018-0085.pdf

Limited Threat General NPDES Permit

If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for *Limited Threat Discharges to Surface Water* (Limited Threat General Order). A complete Notice of Intent must be submitted to the Central Valley Water Board to obtain coverage under the Limited Threat General Order. For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:

https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2016-0076-01.pdf

NPDES Permit

If the proposed project discharges waste that could affect the quality of surface waters of the State, other than into a community sewer system, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. A complete Report of Waste Discharge must be submitted with the Central Valley Water Board to obtain a NPDES Permit. For more information regarding the NPDES Permit and the application process, visit the Central Valley Water Board website at:

<https://www.waterboards.ca.gov/centralvalley/help/permit/>

If you have questions regarding these comments, please contact me at (916) 464-4684 or Peter.Minkel2@waterboards.ca.gov.



Pete Minkel
Engineering Geologist

cc: State Clearinghouse unit, Governor's Office of Planning and Research,
Sacramento (via email)