

# RESPONSE TO COMMENTS

## INITIAL STUDY / MITIGATED NEGATIVE DECLARATION Eastlake Sanitary Landfill Expansion

Lead Agency:



LAKE COUNTY  
Community Development Department – Planning Division  
255 North Forbes Street  
Third Floor, Room 323  
Lakeport, CA 95453  
(707) 263-2221

Technical Assistance By:



SHN Consulting Engineers & Geologists  
350 Hartnell Avenue, Suite B  
Redding, CA 96002

**SCS ENGINEERS**  
Environmental Consultants and Contractors

SCS Engineers  
3117 Fite Circle, Suite 108  
Sacramento, CA 95827

March 2020

## **1.0 Comments and Responses**

### **1.1 Environmental Review Process**

The Initial Study (IS) and proposed Mitigated Negative Declaration (MND) for the proposed Eastlake Sanitary Landfill Expansion Project (SCH No. 2020010546) were circulated for public review from January 31, 2020 to March 2, 2020. The County accepted written comments from local, State, federal, and interested persons up until 5:00 PM on March 2, 2020. Copies of the Initial Study and technical appendices associated with the project were made available for public inspection through the Community Development Department, Planning Division located at 255 N. Forbes Street, Lakeport, CA 95453; and on the County's website located at <http://www.lakecountyca.gov>.

### **1.2 Comments Received**

A list of agencies, organizations, and interested persons who have commented on the content and adequacy of the IS/MND is provided below. A copy of each numbered comment letter and a lettered response to each comment is also provided below. Thirteen (13) written comments (i.e., comment letters and email correspondence) were received on the proposed IS/MND.

Letter 1	Governor's Office of Planning and Research – March 3, 2020
Letter 2	County Surveyor, County of Lake (Gordon M. Haggitt) – February 3, 2020
Letter 3	The Big Valley Band of Pomo Indians (Ronald Montez) – February 7, 2020
Letter 4	The Big Valley Band of Pomo Indians (Sarah Ryan) – February 7, 2020
Letter 5	Lake County Assessor's Office (Ryan Lewelling) – February 11, 2020
Letter 6	Lake County Sheriff's Office (Lieutenant Luke Bingham) – February 14, 2020
Letter 7	California Department of Toxic Substances Control (Gavin McCreary) – February 21, 2020
Letter 8	California Department of Water Resources, Division of Safety of Dams (Russel C. Bowlus) – February 24, 2020
Letter 9	Caltrans District 1 (Saskia Rymer-Burnett) – February 27, 2020
Letter 10	Lake County Sanitary District (Lori Baca) – February 27, 2020
Letter 11	Lake County Health Services Department (Tina Dawn-Rubin) – March 2, 2020
Letter 12	CalRecycle (Christine Karl) – March 2, 2020
Letter 13	Central Valley Regional Water Quality Control Board (Pete Minkel) – March 4, 2020

### **1.3 Response to Comments**

Written comments received on the proposed IS/MND during the public review period are addressed in their entirety in this section. Each comment has been assigned a reference code. The responses to reference code comments follow each letter. A response is provided for each comment raising significant environmental issues, as received by the County during the public review period. Where appropriate, the commenter may be referenced back to prior responses.

Letter 1 – Governor's Office of Planning and Research, State Clearinghouse – March 3, 2020



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://ceqa.net.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.

1400 TENTH STREET P.O. BOX 3044 SACRAMENTO, CALIFORNIA 95812-3044  
TEL 1-916-446-0613 [stateclearinghouse@opr.ca.gov](mailto:stateclearinghouse@opr.ca.gov) [www.opr.ca.gov](http://www.opr.ca.gov)

## Response to Letter 1 - Governor's Office of Planning and Research, State Clearinghouse

**Response 1:** The participation of the State Clearinghouse (SCH) in the public review of this document is appreciated. The commenter states that the Governor's Office of Planning and Research (OPR) State Clearinghouse distributed the MND for selected agencies to review, in accordance with the requirements of the California Environmental Quality Act (CEQA). Comment letters were received from the California Department of Toxic Substances Control (DTSC) (February 21, 2020); California Department of Water Resources, Division of Safety of Dams (February 24, 2020); and CalRecycle (March 2, 2020).

Responses to the California Department of Toxic Substances Control (DTSC, Letter 7) are provided in **Response 7**; responses to the Department of Water Resources, Division of Safety of Dams (Letter 8) are provided in **Response 8**; and responses to CalRecycle letter (Letter 12) are provided in **Response 12**. All comments received from State agencies, and responses thereto, will be provided to the Lake County Planning Commission for consideration.

No further response is necessary.

**Letter 2 – County Surveyor, County of Lake – February 3, 2020**

**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

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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.

2

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

**Response to Letter 2 – County Surveyor, County of Lake**

**Response 2:** The participation of the Lake County, County Surveyor in the public review of this document is appreciated. A complete boundary survey will be conducted in conjunction with the lot-line adjustment, and as part of final engineering for the proposed expansion. This comment does not raise a concern with the findings of the Initial Study and no change to the Initial Study is required. No further response is necessary.

**Letter 3 – The Big Valley Band of Pomo Indians – February 7, 2020**

**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>

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**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](mailto:Thpo@big-valley.net)  
707-263-3924 ext. 135  
707-262-2690 cell

3

### **Response to Letter 3 – The Big Valley Band of Pomo Indians**

**Response 3:** The participation of the Big Valley Band of Pomo Indians in the public review of this document is appreciated. The commenter notes that the proposed project is located outside of the Historic Tribal Boundary of the Big Valley Band of Pomo Indians and as a result no Tribal Consultation is necessary. This comment does not raise a concern with the findings of the Initial Study. No change to the Initial Study is required and no further response is necessary.



**Letter 4 – The Big Valley Band of Pomo Indians – February 7, 2020**

**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>

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**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.

4

Sarah Ryan  
Deputy Tribal Administrator/Environmental Director  
Big Valley Band of Pomo Indians  
2726 Mission Rancheria Rd.  
Lakeport, CA 95453  
[www.bvrancheria.com](http://www.bvrancheria.com)

707-263-3924 x132

707-263-5378 fax

707-349-4040 cell

## **Response to Letter 4 – The Big Valley Band of Pomo Indians**

**Response 4:** The participation of the Big Valley Band of Pomo Indians in the public review of this document is appreciated. The commenter states that the Tribe will be submitting comments concerning the environmental impacts of the proposed project. It is important to note that the County has not received any follow-up correspondence from the Tribe regarding the proposed project or the subject Initial Study. This comment itself does not raise a concern with the proposed project or with the findings of the Initial Study. No change to the Initial Study is required and no further response is necessary.

**Letter 5 – Lake County Assessor's Office – February 11, 2020**

**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>

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**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](mailto:Ryan.Lewelling@LakeCountyCA.gov)

5

**Response to Letter 5 – Lake County Assessor's Office**

**Response 5:** The participation of the Lake County Assessor's Office in the public review of this document is appreciated. This comment does not raise a concern with the findings of the Initial Study and no change to the Initial Study is required. No further response is necessary.

Letter 6 – Lake County Sheriff's Office – February 14, 2020



**LAKE COUNTY SHERIFF'S OFFICE**  
1220 Martin Street • P.O. Box 489 • Lakeport, California 95453

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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
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**To** : Mark Roberts, Senior Planner  
Community Development Department

**From** : Lieutenant Luke Bingham  
Lake County Sheriff's Office

**Date** : February 14<sup>th</sup>, 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.

6

LJB/ljb

## **Response to Letter 6 – Lake County Sheriff's Office**

**Response 6:** The participation of the Lake County Sheriff's Office in the public review of this document is appreciated. This comment does not raise a concern with the findings of the Initial Study and no change to the Initial Study is required. No further response is necessary.

Letter 7 – California Department of Toxic Substances Control – February 21, 2020



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

STATE CLEARINGHOUSE

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

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.

7a

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

7b

Ms. Michalyn DelValle  
February 21, 2020  
Page 2

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](https://dtsc.ca.gov/wp-content/uploads/sites/31/2018/09/Guidance_Lead_Contamination_050118.pdf)).

7c

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](https://dtsc.ca.gov/wp-content/uploads/sites/31/2018/09/SMP_FS_Cleanfill-Schools.pdf)).

7d

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>).

7e

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](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](mailto: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](mailto:State.Clearinghouse@opr.ca.gov)

Ms. Lora Jameson, Chief  
Site Evaluation and Remediation Unit  
Department of Toxic Substances Control  
[Lora.Jameson@dtsc.ca.gov](mailto:Lora.Jameson@dtsc.ca.gov)

Mr. Dave Kereazis  
Office of Planning & Environmental Analysis  
Department of Toxic Substances Control  
[Dave.Kereazis@dtsc.ca.gov](mailto:Dave.Kereazis@dtsc.ca.gov)

## Response to Letter 7 – California Department of Toxic Substances Control

**Response 7a:** The participation of the DTSC in the public review of this document is appreciated. The commenter provides a general summary of the proposed project. This comment does not raise a concern with the findings of the IS/MND and no change is required. No further response is necessary.

**Response 7b:** The commenter requests an acknowledgement of the potential for historic or future releases to result in the release of hazardous wastes/substances to the project site and vicinity, applicable response actions and a listing of agencies that would provide regulatory oversight. These items are addressed in detail in Section IX, *Hazards and Hazardous Materials*, and in Section X, *Hydrology and Water Quality*.

To summarize, various programs for solid waste and hazardous materials management, water quality monitoring and corrective action are already in place and administered by the Lake County Division of Environmental Health, and the California Regional Water Quality Control Board Central Valley Region (RWQCB). These programs will be continued throughout the proposed project duration in accordance with permit conditions and applicable regulatory requirements. Please refer to details in the IS/MND document sections referenced above. This comment does not raise a concern with the findings of the IS/MND and no change to the document is required. No further response is necessary.

**Response 7c:** This comment outlines requirements to be followed if any structures are proposed to be demolished as part of the project. Please refer to the Section 2.0, *Project Description*, of the IS/MND; demolition of buildings and structures is not proposed at this time. This comment does not raise a concern with the findings of the IS/MND and no change to the document is required. No further response is necessary.

**Response 7d:** This comment outlines requirements for testing of imported soils that may be used as backfill for any proposed excavations. This comment is appreciated and acknowledged. As noted in Section 2.0, *Project Description*, soils excavated to allow new waste cell construction will be used as engineered fill for roadways, embankments and earthfill. The overall project design incorporates a soil balance. That is, overall design for waste cell and storm water basin excavation quantities and soil needs are roughly equal. In the event import soils are needed, they will be tested for acceptance criteria as noted. (The County already has a program in place for soil acceptance at the Eastlake Sanitary Landfill; this is administered through Waste Discharge Requirements issued by the RWQCB).

**Response 7e:** The project area is located within areas used for historical and ongoing landfill operations, as well as relatively undisturbed lands characterized by oak woodlands and native vegetation, as well as grassland and chaparral dominated slopes. The parcels proposed for the landfill expansion are solely under the jurisdiction of Lake County and currently designated as Public Facilities (PF) in the County's General Plan. As noted in Section II, *Agricultural Resources*, of the IS/MND, The project site has not been historically used for agricultural purposes, nor does it possess soils that are considered prime for agricultural production. The site is not located within an area of Prime Farmland as identified by the California Department of Conservation's Important Farmland Series Mapping and Monitoring Program. No further response is necessary and no change to the IS/MND is required.

Letter 8 – California Department of Water Resources, Division of Safety of Dams – February 24,  
2020

STATE OF CALIFORNIA – CALIFORNIA NATURAL RESOURCES AGENCY

GAVIN NEWSOM, Governor

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

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FEB 26 2020

Eastlake Sanitary Landfill Expansion Project  
SCH# 2020010546  
Lake County

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.

8a

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.

8b

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.

8c

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.

8d

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,

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

## Response to Letter 8 – California Department of Water Resources, Division of Safety of Dams

**Response 8a:** The participation of the Division of Safety of Dams (DOSD) in the public review of this document is appreciated. The commenter provides an introduction referencing the proposed construction of a stormwater detention basin. This comment does not raise a concern with the findings of the IS/MND and no change to the Section 2.0, *Project Description*, is required in response to this comment. No further response is necessary.

**Response 8b:** The commenter notes that insufficient information is provided to determine if the proposed basin is subject to state requirements for dam safety. A preliminary design for the project was developed to allow environmental review under CEQA. This preliminary design accounted for a potential basin location for sediment control and storm water discharges, and soil excavation/fill needs for the overall project (i.e. for landfill final cover). For the preliminary basin configuration shown, earthfill height exceeds 6 feet and basin capacity exceeds 50 acre-feet.

The design for the proposed storm water retention basin will be refined as part of application for landfill permits, including the Solid Waste Facility Permit (SWFP), administered by the Lake County Division of Environmental Health and Waste Discharge Requirements (WDRs) administered by the RWQCB. The revised storm water management system design will be for a 100-year 24-hour storm event as required under state regulations governing landfills (California Code of Regulations, Title 27, or 27 CCR). This updated design will be the result of engineering analyses required during preparation of a landfill Joint Technical Document (JTD). The JTD is the technical basis for the landfill permit applications. The preliminary basin configuration shown in the Initial Study, and resulting basin capacity exceed the storage requirements for a 100-year, 24-hour storm event (the sizing was based primarily on long-term soil needs). Thus basin capacity will be reconsidered as part of engineering analyses for the JTD.

If the basin capacity meets criteria that will subject the design to state requirements for dam safety, the County will submit permit application and detailed engineering analyses and design plans as appropriate.

**Response 8c:** The commenter provides regulatory criteria governing dam safety requirements. Refer to Response 8b above.

**Response 8d:** The commenter outlines permit requirements if the basin is subject to State jurisdiction. Refer to Response 8b above.

Letter 9 – California Department of Transportation, District 1 – February 27, 2020

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

**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.

9

Thank you,

**Saskia Rymer-Burnett**  
Caltrans District 1  
Transportation Planning  
Ph: (707) 441-2009  
[saskia.rymer-burnett@dot.ca.gov](mailto:saskia.rymer-burnett@dot.ca.gov)

**Response to Letter 9 – California Department of Transportation, District 1**

**Response 9:** The participation of the California Department of Transportation in the public review of this document is appreciated. This comment does not raise a concern with the findings of the Initial Study and no change to the Initial Study is required. No further response is necessary.

**Letter 10 – Lake County Sanitary District – February 27, 2020**

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

Scott Harter <Scott.Harter@lakecountycalifornia.gov>

Thu 3/5/2020 9:08 AM

To: Lars Ewing <Lars.Ewing@lakecountycalifornia.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@lakecountycalifornia.gov

**From:** Lori Baca

**Sent:** Thursday, February 27, 2020 15:44

**To:** Mark Roberts <Mark.Roberts@lakecountycalifornia.gov>

**Cc:** Scott Harter <Scott.Harter@lakecountycalifornia.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.

10a

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.

10b

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

10c

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.

10d

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@lakecountycalifornia.gov](mailto:Lori.Baca@lakecountycalifornia.gov)  
Office Number (707) 263-0119  
Fax (707) 263-3836



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

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

**To:** [r2cega@wildlife.ca.gov](mailto:r2cega@wildlife.ca.gov); [dlrp@conservation.ca.gov](mailto:dlrp@conservation.ca.gov); [sheri.miller@waterboards.ca.gov](mailto:sheri.miller@waterboards.ca.gov); [mike.wink@fire.ca.gov](mailto:mike.wink@fire.ca.gov); [greg.bertelli@fire.ca.gov](mailto:greg.bertelli@fire.ca.gov); [rex.jackman@dot.ca.gov](mailto:rex.jackman@dot.ca.gov); [afiora@clearlake.ca.us](mailto:afiora@clearlake.ca.us); [chief500@lakeportfire.com](mailto:chief500@lakeportfire.com); [pbleuss@kelseyvillefire.com](mailto:pbleuss@kelseyvillefire.com); [chief800@northshorefpd.com](mailto:chief800@northshorefpd.com); David Casian <[David.Casian@lakecountycalifornia.gov](mailto:David.Casian@lakecountycalifornia.gov)>; Doug Gearhart <[doug@lcaqmd.net](mailto:doug@lcaqmd.net)>; Richard Ford <[Richard.Ford@lakecountycalifornia.gov](mailto:Richard.Ford@lakecountycalifornia.gov)>; Ryan Lewelling <[Ryan.Lewelling@lakecountycalifornia.gov](mailto:Ryan.Lewelling@lakecountycalifornia.gov)>; Scott DeLeon <[Scott.DeLeon@lakecountycalifornia.gov](mailto:Scott.DeLeon@lakecountycalifornia.gov)>; Kelli Hanlon <[Kelli.Hanlon@lakecountycalifornia.gov](mailto:Kelli.Hanlon@lakecountycalifornia.gov)>; Lori Baca <[Lori.Baca@lakecountycalifornia.gov](mailto:Lori.Baca@lakecountycalifornia.gov)>; Chris Macedo <[Chris.Macedo@lakecountycalifornia.gov](mailto:Chris.Macedo@lakecountycalifornia.gov)>; [lmccollough@candswaste.com](mailto:lmccollough@candswaste.com); Yuliya Osetrova <[Yuliya.Osetrova@lakecountycalifornia.gov](mailto:Yuliya.Osetrova@lakecountycalifornia.gov)>; [centralvalleysac@waterboards.ca.gov](mailto:centralvalleysac@waterboards.ca.gov); [ron.parsons@parks.ca.gov](mailto:ron.parsons@parks.ca.gov); [melissa.m.france@usace.army.mil](mailto:melissa.m.france@usace.army.mil); [ryan\\_olah@fws.gov](mailto:ryan_olah@fws.gov)

**Cc:** Michalyn DelValle <[Michalyn.DelValle@lakecountycalifornia.gov](mailto:Michalyn.DelValle@lakecountycalifornia.gov)>; [bgrove@shn-engr.com](mailto: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



## Response to Letter 10 – Lake County Sanitary District

**Response 10a:** The participation of the Lake County Sanitary District in the public review of this document is appreciated. The commenter notes that the potential increase in volume of leachate requiring disposal is not addressed in the report.

New landfill cells will be equipped with a leachate collection and recovery system (LCRS) consisting of a drain rock layer, and liquid collection piping on the cell bottom (placed immediately above the landfill base liner). A geotextile filter will be placed above the aggregate layer to prevent introduction of soil fines and LCRS clogging

Leachate will gravity-drain through LCRS piping at the floor, geocomposite drain nets and preferential pathway liners to sumps at low spots in the new cell excavation areas. Sumps will be equipped with riser piping and pumps for liquids removal.

Leachate from the sumps will be pumped to the existing 600,000 gallon Class II surface impoundment (leachate pond) at the toe of the south-facing slope at the landfill, and/or to new 50,000 gallon leachate storage tanks. Accumulated liquids will in turn be discharged to the Southeast Regional WWTP.

The preliminary design will be revised as part of application for landfill permits. This preliminary design, to be detailed in the JTD, will include detailed estimates of leachate volumes, and sizing of system components.

**Response 10b:** The commenter provides a summary of proposed LCRS components, which is consistent with the above and Section 2.0, *Project Description*, of the IS/MND. No further response is necessary.

**Response 10c:** The commenter provides a summary of historic leachate discharges to the WWTP, and criteria potential additional discharge fees and a capacity analysis. A capacity analysis of the existing sanitary sewer collection and disposal systems will be performed by the County as part of final project design and in support of permit applications.

**Response 10d:** The commenter notes that leachate discharge is currently flow-restricted by time of day due to effects on the sanitary sewer collection system. The preliminary design for the project includes provisions for two additional leachate storage tanks, capacity 50,000 gallons each. Additional storage capacity will allow buffering / flow metering of discharges during peak periods. Specific requirements for leachate storage capacity and metering will be determined as part of final project design.

Letter 11 – Lake County Health Services Department – March 2, 2020



**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.

11



**COUNTY OF LAKE  
HEALTH SERVICES**  
prevent, promote, protect.

**Response to Letter 11 – Lake County Health Services Department**

**Response 11:** The participation of the Lake County Health Services Department in the public review of this document is appreciated. This comment does not raise a concern with the findings of the Initial Study and no change to the Initial Study is required. No further response is necessary.

Letter 12 – CalRecycle – March 2, 2020

California Environmental Protection Agency



Department of  
Resources Recycling and Recovery

Gavin Newsom  
*California Governor*

Jared Blumenfeld  
*Secretary for Environmental Protection*

Ken DaRosa  
*CalRecycle Acting Director*

March 2, 2020

Michalyn DelValle  
Lake County  
Community Development Department  
255 North Forbes Street  
Lakeport, CA 95453  
[Michalyn.DelValle@lakecountycal.gov](mailto:Michalyn.DelValle@lakecountycal.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.

12a

1001 I Street, Sacramento, CA 95814 • P.O. Box 4025, Sacramento, CA 95812  
[www.CalRecycle.ca.gov](http://www.CalRecycle.ca.gov) • (916) 322-4027

Eastlake Landfill Expansion – Mitigated Negative Declaration  
March 2, 2020  
Page 2 of 5

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.

12a  
Cont.

**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."

12b

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

Eastlake Landfill Expansion – Mitigated Negative Declaration  
March 2, 2020  
Page 3 of 5

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.

12b  
Cont.

12c

12d

12e

12f

12g

Eastlake Landfill Expansion – Mitigated Negative Declaration  
March 2, 2020  
Page 4 of 5

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](mailto:Christina.Gearhart@lakecountyca.gov).

12h

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.

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### **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.

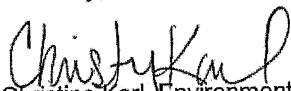
12i

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](mailto: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

Eastlake Landfill Expansion – Mitigated Negative Declaration  
March 2, 2020  
Page 5 of 5

Nevin Yeates, Manager  
Permits and Assistance North Section  
CalRecycle

Jasjit Kang, Director  
Lake County, Division of Environmental Health  
[Jasjit.Kang@lakecountyca.gov](mailto:Jasjit.Kang@lakecountyca.gov)



## Response to Letter 12 – CalRecycle

**Response 12a:** The participation of CalRecycle in the public review of this document is appreciated. The commenter provides a general summary of the proposed project. This comment does not raise a concern with the findings of the IS/MND and no change to the document is required. No further response is necessary.

**Response 12b:** The commenter provides excerpts from Section 2.0, *Project Description*, of the IS/MND summarizing expected Municipal Solid Waste (MSW) disposal rates. The commenter also states that it is not clear whether or not there were any environmental analyses done for any increases in permitted maximum tonnage beyond the current parameters specified in the SWFP.

The County does not propose any changes in the parameters specified in the existing SWFP at this time. Analyses were performed for anticipated waste disposal rates through the project lifetime, including those for air quality, greenhouse gases, public services, traffic, and utilities. No further response is necessary.

**Response 12c:** The commenter requests clarification on the proposed acreage of both the disposal area footprint and permitted area.

Please refer to the attached table summarizing land areas for existing and proposed features at the Eastlake Landfill. These features are shown in Figure 2-5 of the Initial Study Document, entitled “Proposed Landfill Expansion Site Plan”. All environmental analyses performed were based on these footprint areas.

**Response 12d:** The commenter requests clarification on the proposed total design capacity for the landfill.

As noted, the current permitted design capacity listed in the SWFP, issued in 1998, is 6,000,000 cubic yards. Based on our review of historic landfill documents, this estimate dates back to a previous SWFP issued in 1978 (Lake County Department of Public Services, SHN Consulting Engineers and Golder Associates, *Application Package Solid Waste Facility Permit Revision, Eastlake Sanitary Landfill, SWFP AA-17-0000, Lake County California*, May 1988). The archived documents on file with the County do not include detailed calculations on airspace capacity used as a basis for the 1978 or 1998 permit applications. Thus, SCS Engineers is unable to verify the accuracy of the design capacity estimate reflected in the current SWFP.

Note: accurate records of waste disposal rates and volumes in place were not maintained in the 1970’s; nor was this required as is the case today. Nor are there accurate as-built drawings with base grade elevations for Area I, the first disposal unit that was constructed in the early 1970’s. Engineering methods and software used for calculating earthworks and fill quantities that are used today were not available at the time of the 1978 SWFP application. Given the above, we conclude that there is a high amount of uncertainty in the design capacity reflected in the current SWFP.

The proposed expansion project will result in an additional 1,843,000 bank cubic yards of additional airspace capacity. This estimate was prepared using AutoCAD Land Development Software, via take-offs of proposed new cell excavation and fill volumes as compared to the final grading plan for the currently-permitted landfill areas. Although

this estimate is subject to change pending final design for the landfill expansion, the additional airspace capacity going forward can be predicted with a fair amount of certainty.

In simple terms, the airspace capacity to be gained via landfill expansion can be considered as an addition to the currently permitted design capacity. However, we cannot say how the LEA and CalRecycle will account for and assign a numeric value for the total design capacity given the uncertainties in historic information noted above. The County will work with the agencies during the permit process to resolve any discrepancies as needed, to allow for prudent decision making on permit facility specifications and key design parameters.

**Response 12e:** The commenter notes that the JTD, Appendix A, 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.

Please refer to Response 12c above regarding disposal area acreages. A history of site development, including areas constructed in 1999 and 2003 (following issuance of the 1998 SWFP) is provided in the JTD, Appendix A.

**Response 12f:** The commenter states that an amended JTD will need to be submitted that is consistent with/does not exceed the CEQA analysis.

Comment noted. An amended JTD will be prepared as part of SWFP permit application, and will be consistent with the CEQA analyses. This comment does not raise a concern with the findings of the IS/MND and no change to the document is required. No further response is necessary.

**Response 12g:** The commenter states that implementation of the proposed project will require a revision of the Solid Waste Facility Permit.

Comment noted. The County expects to apply for a revised SWFP. This comment does not raise a concern with the findings of the Initial Study and no change to the Initial Study is required. No further response is necessary.

**Response 12h:** The commenter describes regulatory oversight authority and permit responsibilities to be overseen by the Lake County Department of Public Health and CalRecycle. This comment does not raise a concern with the findings of the Initial Study and no change to the Initial Study is required. No further response is necessary.

**Response 12i:** The commenter describes procedural requirements and requests notifications regarding public hearings and adoption of the environmental document. The County will comply with these requests.

**Eastlake Landfill Expansion Project**  
**Summary of Land Area Improvements**  
 (All values plan areas, in acres)

Mar-23-20

**SCS ENGINEERS**

	<u>Existing Permitted Facility</u>	<u>Proposed Expansion</u>	<u>Total After Expansion</u>
<b>Landfill footprint (permitted / proposed)</b>	34.7 <sup>(1)</sup>	21.8	56.5
<b>Other areas of site improvements / ground disturbance</b>			
Existing access road	1.4 <sup>(2)</sup>	N/A	
Existing soil borrow area / storm water basins	11.8 <sup>(2)</sup>	N/A	
Existing scalehouse and bag dump	1.0 <sup>(3)</sup>	N/A	
Existing hazmat building and recycling area	1.4 <sup>(3)</sup>	N/A	
Existing Class II surface impoundment and access road	2.2 <sup>(3)</sup>	N/A	
Subtotal, existing improvements	17.7	N/A	4.5
Subtotal, areas to be unaffected by landfill expansion <sup>(3)</sup>			
New access road and road cuts	N/A	5.5	
New storm water retention basin and misc. grading	N/A	9.0 <sup>(4)</sup>	
Subtotal	N/A	14.4	14.4
<b>Total</b>	52.4	36.2	75.5

All areas approximate and not a product of survey. Individual areas and totals account for rounding to nearest 0.1 acre.

<sup>(1)</sup> Permit acreage per WDR Order R5-2019-009.

<sup>(2)</sup> Existing features within footprint area of proposed landfill expansion - 13.2 acres.

<sup>(3)</sup> Existing features to remain, outside of footprint area for proposed landfill expansion - 4.5 acres.

<sup>(4)</sup> Includes future soil stockpile area outside of landfill footprint.

Letter 13 – Central Valley Regional Water Quality Control Board – March 4, 2020



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

11020 Sun Center Drive #200, Rancho Cordova, CA 95670 | [www.waterboards.ca.gov/centralvalley](http://www.waterboards.ca.gov/centralvalley)

13

Eastlake Sanitary Landfill  
Expansion Project  
Lake County

- 2 -

4 March 2020

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/](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/sacsir\\_201805.pdf](https://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/sacsir_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:

13  
Cont.

Eastlake Sanitary Landfill  
Expansion Project  
Lake County

- 3 -

4 March 2020

[http://www.waterboards.ca.gov/water\\_issues/programs/stormwater/constpermits.shtml](http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml)

**Phase I and II Municipal Separate Storm Sewer System (MS4) Permits<sup>1</sup>**

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/](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](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](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

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<sup>1</sup> 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.

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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/](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/](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](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

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

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## Response to Letter 13 – Central Valley Regional Water Quality Control Board

**Response 13:** The participation of the Central Valley Regional Water Quality Control Board (CVRWQCB) in the public review of this document is appreciated. The County recognizes the CVRWQCB's responsibility of protecting the quality of surface and groundwaters of the State. This comment does not raise a concern with the findings of the Initial Study and no change to the Initial Study is required. The County, however, has provided the following excerpt from Section X, *Hydrology and Water Quality*, of the Initial Study.

Groundwater Resources. Groundwater monitoring at the Eastlake Sanitary Landfill is conducted in accordance with the Waste Discharge Requirements (WDRs) and Monitoring and Reporting Program (MRP) No. R5-2019-0009 issued by the RWQCB. The well network is comprised of 33 monitoring wells that include background wells, detection wells and evaluation monitoring wells. These wells are monitored for depth-to-water on a quarterly basis and sampled for water quality parameters.

Five of the existing groundwater monitoring wells are located in or near the footprint areas of excavation, grading or soil stockpiles for landfill expansion. As necessary, these monitoring wells will be formally abandoned in advance of construction activities in the affected areas, and replacement wells will be installed. Replacement monitoring well installations will be in accordance with RWQCB permit conditions (as specified in WDRs or Orders) and 27 CCR requirements.

27 CCR requires that new waste cells must be sited, designed, constructed and operated to ensure that solid waste will be a minimum of 5 feet above the highest anticipated elevation of underlying groundwater. The proposed landfill expansion cell base grades maintain this physical separation based on previously mapped highest groundwater elevations; however, excavation base grades may vary slightly as part of final design. If deeper excavations are necessary or preferred, an engineered alternative to the 5-foot groundwater separation can be considered as allowed by 27 CCR regulations. Specifically, 27 CCR Section 20080(b) allows for an engineered alternative if the discharger demonstrates that: (1) construction of the prescriptive standard is not feasible; and (2) the alternative is consistent with the performance goal addressed by the standard and affords equivalent protection against water quality impairment.

Proposed landfill expansion cells will be designed and constructed to meet performance standards embodied in 27 CCR regulations for a Class III site and WDRs issued by the Central Valley RWQCB. Proposed containment features in expansion areas are as follows.

- Base Liner System. Under 27 CCR, the minimum (prescriptive) standard for base liner systems at Class III landfills consists of (bottom to top): prepared subgrade, overlain by a 2-foot thick compacted soil layer with hydraulic conductivity of  $1 \times 10^{-7}$  centimeters/second or less, overlain by a geomembrane liner (typically 60-mil thick high-density polyethylene, or HDPE). This is referred to as a single-composite liner system. Existing cells in Waste Management Unit (WMU) II were constructed with engineered alternative base liner systems, as approved by the RWQCB. These liners use a GCL in place of the low-permeability soil layer on cell excavation floors and side slopes.

Although not currently required by regulation, recent Central Valley RWQCB precedence for permitting new cells at other landfill sites, and performance demonstration criteria in the existing WDRs (RWQCB, 2019) suggests that a double-composite base liner configuration could be required. This entails two “stacked” liner systems, each composed of an HDPE geomembrane, and a GCL, overlain by a leachate collection layer. To be conservative, a double-composite liner system is proposed. The liner system would have the GCL layers encapsulated between HDPE barriers (to prevent large-scale saturation of the GCL, and loss of shear strength), as per suggested guidance in the current WDRs (RWQCB 2019).

As part of final design and permitting, and per conditions of WDR Order R5-2019-009, the County can provide technical demonstration that a single-composite liner system, or another engineered alternative, provides equivalent or greater water quality protection than the prescriptive standard required by regulation. This demonstration, and final details for the proposed containment systems, would be specified as part of future SWFP/WDR permit application.

- Preferential Pathway Liner. Landfill expansion will create new cells with base liners immediately adjacent to, and buttressed against the northwest and northeast perimeter of unlined WMU-I and the eastern perimeter of WMU-2. This is the same concept as the original landfill expansion that created Area II, Modules 1 and 2. This would allow additional filling/capacity over the existing Area I.

On recent landfill expansion projects elsewhere, the permitting agencies have required a modified liner system over existing refuse fill. This modified liner over refuse is sometimes referred to as a “preferential pathway”. The preferential pathway is intended to reduce the potential for liquid migration into the underlying, unlined fill. Such a system is not currently required in the Eastlake Sanitary Landfill permits. However, it is not unreasonable to expect that a preferential pathway liner system may be required by oversight agencies. The preferential pathway would consist of single liner with a 40-mil geomembrane (or GCL), drainage net and/or soil layers (or combination thereof). The preferential pathway would gravity-drain to LCRS sumps in new cells.

Proposed landfill expansion cells and groundwater monitoring wells will be designed and constructed to meet performance standards embodied in 27 CCR regulations for a Class III site and WDRs issued by the RWQCB. Less than significant groundwater impacts are anticipated in this regard.

Surface Water Resources. The drainage area associated with the landfill is approximately 57 acres, including the waste cell areas, access roads, and equipment storage areas. Specific drainage areas for the facility include the proposed expansion areas and the existing soil borrow area. A majority of the drainage from the site currently discharges to Molesworth Creek to the west. The northeast area of the facility drains to the unnamed tributary to Cache Creek to the east and south. Both creeks are ephemeral streams that primarily carry surface water in the winter and early spring months. Storm water conveyance features for landfill expansion will be designed for a 100-year, 24-hour storm event per 27 CCR regulations. Surface water that originates outside the landfill will continue to be routed around the landfill footprint and to

existing natural drainage courses. Stormwater that falls within the landfill footprint will be routed through drainage ditches, bench road ditches, rocked culverts and downdrains to a new sedimentation basin south of the landfill. The sedimentation basin will discharge to the unnamed tributary to Cache Creek to the east.

The County will continue to implement measures to control and monitor surface water contaminant releases in accordance with the General Industrial Storm Water Permit #5817SO14858 and requirements of WDR R5-2019-0009, and a Storm Water Pollution Prevention Plan (SWPPP) for the landfill.

Earthwork, grading, construction and soil stockpiling activities associated with new cell construction will be conducted in accordance with the conditions of a Construction SWPPP and Notice of Intent (NOI) administered by the RWQCB in addition to adherence with the Lake County Grading Ordinance and County grading permit. The Construction SWPPP will specify BMPs for erosion and sediment control measures. Impacts to surface water resources would be less than significant in this regard.

Section 404/401 Permits. As required by Mitigation Measure BIO-4 (refer to Initial Study page 52), prior to issuance of a grading permit affecting any jurisdictional waters, including wetlands, as identified in the project's wetland delineation the County is required to obtain all necessary resource agency permits and meet mitigation requirements as required by the United States Army Corps of Engineers (ACOE), California Department of Fish and Wildlife (CDFW), RWQCB, or any other applicable agency (i.e., United States Fish and Wildlife Service [USFWS]) identified through the permitting process.