

## I. INTRODUCTION

The County of San Luis Obispo (County), serving as the lead agency under the California Environmental Quality Act (CEQA) of 1970, has prepared this Environmental Impact Report (EIR) to assess the impacts that may result from development of the proposed project. The proposed project involves an expansion of the existing Cold Canyon Landfill (Landfill), in San Luis Obispo County, California. The applicant is proposing to expand the Landfill footprint, increase permitted tonnage limits, increase Landfill disposal capacity, expand and relocate the Resource Recovery Park, ~~Compost Operation, and expand~~ the Materials Recovery Facility, change the hours of operation, add staff, ~~and~~ construct a new entrance, ~~and eliminate the compost operation~~. The modifications have been proposed to allow the facility to more efficiently and effectively divert recoverable waste from the disposal area and increase disposal capacity, extending the life of the Landfill by 25 years, to approximately 2040.

### A. PURPOSE OF THE EIR

The purpose of this EIR is to identify the proposed project's significant impacts on the environment, indicate the manner in which such significant impacts will be mitigated or avoided, and identify alternatives to the proposed project that avoid or reduce these impacts. This EIR is intended to serve as an informational document for use by the County, other responsible agencies, and the general public in their consideration and evaluation of the environmental consequences associated with the implementation of the proposed project. This document is provided to the public and decision-makers for their review and comment as required by CEQA.

This EIR has been prepared in accordance with the State and County administrative guidelines established to comply with CEQA, as amended. Section 15151 of the State CEQA Guidelines provides the following standards for EIR adequacy:

*“An EIR should be prepared with a sufficient degree of analysis to provide decision-makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts. The courts have looked not for perfection but for adequacy, completeness, and a good faith effort at full disclosure.”*

Under the CEQA process, an EIR must serve as a full disclosure document that enables the lead and responsible agencies to fully evaluate potential environmental impacts and the consequences of their decision on a proposed project. This EIR has been written to comply with the requirements of CEQA for the analysis of the proposed project, as well as the development and evaluation of alternatives to the proposed project.

## B. EIR STRUCTURE

Contents of the EIR are outlined below, and the attached appendices contain background and technical information compiled and developed throughout the environmental review process. Contents of the EIR were determined from the results of an Initial Study (IS) prepared by the lead agency, responses from the Notice of Preparation (NOP) for the EIR sent to responsible agencies, and comments received during the public scoping meeting. The IS, the NOP, and comment letters received during the NOP review period are included in Appendix A. Additional comment letters received after the NOP review period are included as well.

### 1. Scoping Process

In compliance with State CEQA Guidelines, the County of San Luis Obispo has taken steps to maximize opportunities to participate in the environmental process. During the environmental determination process, an effort was made to contact various federal, state, regional, and local governmental agencies and other interested parties to solicit comments and inform the public of the proposed project. This included the distribution of the NOP on October 31, 2006, to various agencies, organizations, and interested persons throughout the County and surrounding area. The proposed project was described, the scope of the environmental review was identified, and agencies and the public were invited to review and comment on the NOP. The close of the NOP review period was November 29, 2006. Agencies, organizations, and interested parties not contacted or who did not respond to the request for comments about the project during the preparation of the Draft EIR currently have the opportunity to comment during the 45-day public review period on the Draft EIR. In addition, a scoping meeting was held on May 7, 2007 at the City/County Library in San Luis Obispo. There were approximately 20 attendees and over 70 comments were received.

### 2. EIR Contents

The scope of the EIR includes issues identified by the lead agency during the preparation of the NOP for the proposed project, as well as environmental issues raised by agencies and the general public in response to the NOP and at the scoping meeting.

The EIR is divided into the following major sections:

**Introduction.** Provides the purpose of an EIR, as well as scope, content, and the use of the document.

**Summary.** Provides a brief summary of the project description, impacts and mitigation measures, alternatives, growth inducing impacts, and the monitoring program.

**Project Description.** Provides the general background of the project, objectives, a detailed description of the project characteristics, and a listing of necessary permits and government approvals.

**Environmental Setting.** Describes the physical setting ~~and~~, surrounding land uses, and existing uses at the Landfill.

**Environmental Impacts and Mitigation Measures.** Discusses the environmental setting as it relates to the various issue areas, regulatory settings, thresholds of significance, impact assessment and methodology, project-specific impacts and mitigation measures, cumulative impacts, and secondary impacts. The EIR analyzes the potentially significant impacts to the following resource areas, as identified during the preparation of the NOP:

- Aesthetic Resources
- Agricultural Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Geology and Soils
- Greenhouse Gas (GHG) Emissions
- Hazards and Hazardous Materials
- Noise
- Transportation and Circulation
- Water Resources

**Alternatives.** Summarizes the environmental advantages and disadvantages associated with the project and alternatives. Consistent with the CEQA *Guidelines*, the alternatives analysis discusses impacts on a general, qualitative level rather than a detailed analysis. As required, the “No Project” alternative is included among the alternatives considered. If the No Project alternative is identified as the “Environmentally Superior Alternative,” then the Environmentally Superior Alternative is chosen from the other alternatives.

**Environmental Analysis.** Identifies growth inducing impacts, including the spatial, economic, and/or population growth impacts that may result from implementation of the proposed project. This section also includes a discussion of long-term/short-term productivity and irreversible environmental changes.

**Mitigation Monitoring and Reporting Plan.** This section contains a listing of all mitigation measures contained in the EIR, the requirements of the mitigation measures, the applicant’s responsibility and timing for implementation of these measures, the party responsible for verification, the method of verification, and verification timing.

### 3. EIR Terminology

Landfill operations are varied and often complex, as is the terminology used to describe them. In an effort to make this EIR as clear to the public as possible, a fold-out acronym table has been included in Appendix HG. A list of the most commonly used acronyms and definitions is also included in Section II, Summary.

### C. AGENCY USE OF THE DOCUMENT

The County, as the CEQA lead agency, is responsible for administering the preparation of the EIR and will be responsible for certifying the Final EIR. Lead agency decision-makers (i.e., the Planning Commission and Board of Supervisors) will use the EIR as an informational document to assist in the decision-making process, ultimately resulting in the approval, denial, or assignment of conditions to the project. The following jurisdictions may also use this EIR in reviewing and issuing their respective permits and authorizations (as applicable):

- California Department of Fish and Game (CDFG)

- Regional Water Quality Control Board (RWQCB)
- San Luis Obispo County Air Pollution Control District (SLOAPCD)
- California Integrated Waste Management Board/CalRecycle (CIWMB)
- California Department of Transportation (Caltrans)

### 1. California Integrated Waste Management Board (CIWMB)

The Landfill currently operates under a Solid Waste Facility Permit (SWFP) issued by the CIWMB. The proposed project would require modifications to that permit. The CIWMB must comply with CEQA before issuing ~~concur that the project is in compliance with CEQA before they can issue a revised permit;~~ this EIR would be used to achieve ~~determine~~ compliance.

The CIWMB must also ensure that solid waste facilities meet required state minimum standards for the protection of public, health, safety, and the environment through inspections of the Landfill. The California Code of Regulations, Titles 14 and 27 apply to the siting and operational standards of the landfills in California. Title 14 establishes performance standards for solid waste handling activities, including the processing of construction and demolition wastes, tires, and non-hazardous petroleum contaminated soils, among others.

Title 27 establishes standards for landfill siting, fire control methods, landfill gas capture, composting, water quality monitoring, closure and post-closure maintenance of landfills, and handling and cover of waste, among other things. This Title also requires that operators of solid waste landfills demonstrate the availability of financial resources to conduct closure activities and requires them to establish a post-closure maintenance fund with the RWQCB. This Title also requires that operators of solid waste landfills demonstrate the availability of financial resources to fund (a) closure, (b) post-closure maintenance; and, (c) if needed, corrective action.

Compliance with these regulations is verified through onsite inspection of facilities and coordination with the other federal, state, and local agencies involved with permitting the various landfill activities.

### D. PROJECT SPONSORS AND CONTACT PERSONS

Key contact persons are as follows:

Lead Agency: County of San Luis Obispo  
 Department of Planning and Building  
 Division of Environmental and Resource Management  
 County Government Center, Room 200  
 San Luis Obispo, CA 93408  
 Mr. John Nall, Principal Environmental Specialist

Project Proponent: Cold Canyon Landfill, Inc.  
 c/o Waste Connections  
 Western Region  
 5597 Morningside Drive  
 Clayton, CA 94517-1027  
 Mr. Tom Reilly, Engineering Manager

## E. REVIEW OF THE DRAFT EIR

This Draft EIR was distributed to responsible and trustee agencies, other affected agencies, surrounding cities, and interested parties, as well as all parties requesting a copy of the Draft EIR in accordance with Public Resources Code (PRC) 21092(b)(3). The Notice of Completion of the Draft EIR was also distributed as required by CEQA. The 45-day public review period began ~~begins~~ on January 15, 2009. During this period the EIR, including technical appendices, were ~~is~~ available for review at the following locations:

County of San Luis Obispo	San Luis Obispo City-County Library
Environmental Coordinator's Office	995 Palm Street
County Government Center Room 200	San Luis Obispo, CA 93401
San Luis Obispo, CA 93408	

On behalf of the lead agency, comments on the Draft EIR were ~~shall be~~ addressed to:

Mr. John McKenzie  
 County of San Luis Obispo  
 Department of Planning and Building  
 Division of Environmental and Resource Management  
 County Government Center, Room 200  
 San Luis Obispo, CA 93408

The 45-day public review period, after a one week extension, ended ~~will end~~ on March 9~~2~~, 2009. Written responses to all significant environmental issues raised were ~~will be~~ prepared and included as part of this the Final EIR (FEIR) and the environmental record for consideration by decision-makers for the project.

## F. RECIRCULATION OF THE 2009 DRAFT EIR (2011 RDEIR)

As described above, in January 2009, the County Department of Planning and Building released a Draft EIR (2009 Draft EIR) for the Cold Canyon Landfill Expansion Conditional Use Permit (project). At the closure of that public comment period, three issues emerged which required recirculation of portions of the 2009 Draft EIR. In May 2011, the Hazards and Hazardous Materials (including odors), Noise, and Water Resources sections were recirculated (refer to additional discussion below pertaining to these issues).

The Recirculated Draft EIR (RDEIR) was distributed to the following in accordance with PRC 21092(1) and CEQA Guidelines Section 15088.5(f)(3): responsible and trustee agencies, other affected agencies, surrounding cities, interested parties, all parties requesting a copy of the 2009 Draft EIR, and all parties who commented on the 2009 Draft EIR. The Notice of Completion of the RDEIR was also distributed as required by CEQA. The 45-day public review period began on May 24, 2011. The 45-day public review period ended on July 11, 2011. The Final EIR incorporates the responses to comments from both the 2009 DEIR and the 2011 RDEIR.

It was noted and requested in the RDEIR that, per the CEQA Guidelines section 15088.5(f)(2), County responses to public comments received on the RDEIR be limited to the issues analyzed in the RDEIR (i.e., Hazards, Noise, and Water Resources).

Written responses to comments received during the initial 2009 Draft EIR circulation period (January-March 2009), relating to chapters or portions of the document that were *not* revised and recirculated as part of the RDEIR are provided in Section X of this FEIR (Volume II). Written responses to comments received during the RDEIR circulation period (May-July 2011) pertaining to the chapters or portions of the 2009 Draft EIR that *were included in this RDEIR*, are included in Section XI of this FEIR (Volume II) and the environmental record for consideration by decision-makers for the project.

In addition to incorporating responses to comments from portions of the 2009 Draft EIR not recirculated as well as responses to comments on the 2011 RDEIR, the FEIR includes other changes. For example, in the 2009 Draft EIR, odors were considered in the Air Quality section. In the 2011 RDEIR they were included in the Hazards and Hazardous Materials section. The text of the Air Quality section has been amended accordingly. The Introduction and Summary chapters have also been updated as have mitigation measure numbers and references in other sections so that the FEIR is internally consistent.

## **1. Water Resources**

During the 2009 Draft EIR public comment period, it was determined that the future water demand of the former compost operation (CO) was substantially underestimated. When the 2009 Draft EIR was prepared, the proposed project included raising the permitted maximum capacity of the former CO from 300 to 450 tons per day (TPD) (a 50 percent increase). To estimate future water demand, existing water demand was multiplied by a factor of 1.5. However, it was suggested in public comment (and confirmed by the applicant) that the former CO was not operating at the full permitted capacity of 300 TPD, but rather at approximately 100 TPD. As a result, the existing water demand should have been multiplied by a factor of 4.5 to account for an increase from 100 TPD to 450 TPD. Addressing this error required additional technical analysis of the Landfill's water supply and demand.

The technical analysis of the Landfill's water resources was performed in 2009 and 2010. The work performed is summarized in one report titled *Technical Memorandum No. 2, Well Pump Test Analysis and Water Demand Audit* (Fugro, 2010) (refer to Appendix G). The report indicates that the water supply and demand analysis used in the 2009 Draft EIR included errors in addition to the one described above, including potential over-estimation of the capacities of the onsite water wells. Additional information on this issue can be found in the Water Resources section and Appendix G.

## **2. Compost Operation Review and Revocation Process**

During 2009 and 2010, when the above referenced supplemental water resources work was being performed, neighborhood concern with the Landfill's compliance with its existing conditions of approval (particularly with respect to the former CO), nuisance issues, and potential health risks associated with the Landfill emerged. In response, the County began an intensive review of the

former CO condition compliance, prepared additional technical analysis, and held a public “revocation hearing” on November 4, 2010. The hearing allowed the County Planning Commission an opportunity to review the history of compliance at the former CO, and determine if any action is necessary. The County Planning Commission determined that several additional conditions were appropriate, and then approved continued operation of the facility. The staff report, which includes the final Conditions of Approval prepared for the revocation hearing, is included as Appendix J.

### **3. Other Technical Reports**

During the time the additional water resources analysis work and former CO review were underway, the County had three additional technical reports prepared. These reports were prepared to address complaints from neighbors about noise emanating from the Landfill and possible health risks associated with the former CO. There was concern that the existing operation was violating the County’s stationary noise thresholds, and that the composting process was affecting the health of residents in the vicinity of the Landfill. The technical reports include:

1. Acoustical Analysis (Brown-Buntin Associates, 2010);
2. Assessment of Potential Impacts to Public and Worker Health - Occupational Safety and Health Audit of the Composting Facility (Greenberg, 2010); and,
3. Assessment of Potential Impacts to Public and Worker Health – Public Impacts (Greenberg, 2011).

The information in these reports provided the basis for revisions to the Noise and Hazards and Hazardous Materials sections, and is included in Appendix E (Noise) and Appendix I (Hazards and Hazardous Materials).

### **F.G. ALTERNATIVE COMPOSTING TECHNOLOGIES**

As stated above, the applicant has eliminated the open windrow compost operation from the proposed project; therefore, a compost operation would not be re-established on the project site under the land use permit the applicant is requesting. Therefore, the following information which was included in the RDEIR regarding alternative composting technologies is no longer applicable.

To address environmental impacts identified in the EIR, a number of mitigation measures have been recommended that would require the applicant to convert from traditional windrow composting to alternative composting technologies such as Aerated Static Pile (ASP) composting and Anaerobic Digestion (AD). Each of these methods can vary based on factors such as feedstocks, volume processed, space available onsite, and other criteria, but they are described generally below to provide the reader some context when considering the applicability of these technologies to address identified impacts.

In ASP composting, blowers are used to provide air to the composting material. Air is delivered through a series of pipes or plastic bags. This method is implemented to speed up the composting process and aid in the composting of the additional materials proposed to be included in the operation, such as food waste and water treatment plant sludge.

ASP composting may also include the use of covers as a way to better manage moisture and odors. There are increased capital costs and potentially increased daily labor costs associated with setting up the ASP system, as it requires installation of plastic piping, blowers, and potentially biofiltration systems for odor control.

The following description of the AD process is adapted from CalRecycle's 2011 *Draft Programmatic EIR for Statewide Anaerobic Digester Facilities for the Treatment of Municipal Organic Solid Waste*:

Organic materials are pre-processed prior to loading into a digester. Within the digester, decomposition occurs in four phases: hydrolysis, acidogenesis, acetogenesis, and methanogenesis. The decomposition results in methane, carbon dioxide, water, and digestate/residuals. Post processing of gas, liquid and/or solids from the digester is always necessary.

AD facilities that process solid waste produce biogas and digestate (liquids and solids). The biogas consists primarily of methane, carbon dioxide, with small amounts of hydrogen sulfide, and ammonia. Digestate is the remaining solid and/or liquid residuals from the AD process.

Benefits of AD include a reduction in the mass of organic waste in landfills, reduced fugitive methane emissions from landfills, generation of liquid and/or solid soil amendments, reduction in odor, generation of renewable energy from biogas, and stabilization of organic material prior to disposal which reduces environmental impacts to air and water quality.

It should be noted that if any of the above referenced mitigation measures are triggered, the applicant would be required to first submit project description level details relating to the type, size, and physical make up of either the ASP or AD facility. Using this information, the County Department of Planning and Building would determine whether or not additional environmental review was required. This EIR does not necessarily include enough information to approve the use of these alternative technologies.