

1 INTRODUCTION

This Draft Subsequent Environmental Impact Report (Draft SEIR) evaluates the potential environmental impacts associated with implementation of proposed amendments (Amendment No. 2) to the Recology Hay Road (RHR) Landfill Conditional Use Permit (CUP), hereafter referred to as the proposed project. Solano County (County) is acting as the lead agency under the California Environmental Quality Act (CEQA) per Public Resources Code (PRC) (Sections 21000-21177) and the State CEQA Guidelines (California Code of Regulations [CCR], Title 14, Division 6, Chapter 3, Sections 15000-15387). The proposed project involves amendments to the existing CUP for the RHR landfill that would permit the following: lateral expansion of the existing municipal solid waste (MSW) disposal area within the RHR property boundary; a modification to the boundary of the Jepson Prairie Organics (JPO) facility; a correction to disposal footprint of existing Disposal Module-1; temporary storage of baled recyclable materials; a modification to landfill peak tonnage limits; authorization for construction and demolition (C&D) sorting operations; a change in location of friable asbestos disposal; modifications to the existing soil borrow pit; and the addition of an enclosed landfill gas flare.

1.1 TYPE AND PURPOSE OF THE EIR

Pursuant to Section 15162, an SEIR should be prepared if an EIR has been certified for a project, but one or more of the following conditions are met.

- (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:
 - A. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
 - B. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - C. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - D. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

RHR Landfill operations currently permitted by the existing CUP were previously evaluated pursuant to CEQA in two environmental impact reports prepared in 1993 and 2005 and three Initial Study/Mitigated Negative Declaration (IS/MND) prepared in 1995, 2001, and 2012. A summary of these documents are provided in Section 3.3, "Previous CEQA Documents", of this Draft SEIR. Due to the proposed amendments to the existing CUP and potential

operational changes at the existing RHR Landfill, the County has determined that the preparation of a SEIR is the appropriate environmental review document for the project, per the requirements of State CEQA Guidelines Section 15162.

Per the State CEQA Guidelines, an SEIR need contain only the information necessary to make the previous EIR adequate for the project as revised (Guidelines Section 15163(d)). As discussed in Chapter 4 of this Draft SEIR, the proposed CUP amendments could result in potentially new significant impacts or an increase in the severity of previously identified significant impacts related to Aesthetics; Air Quality; Archaeological, Historical, and Tribal Cultural Resources; Biological Resources; Energy; Geology, Soils, Mineral, and Paleontological Resources; Greenhouse Gas Emissions; Hazards and Hazardous Materials; Hydrology and Water Quality; Noise; and Transportation. These issues are the focus of this SEIR.

1.2 INTENDED USE OF THE ENVIRONMENTAL IMPACT REPORT

An EIR is a public informational document used in the planning and decision-making process. The EIR assesses the environmental effects related to the planning, construction, and operation of a project and indicates ways to reduce or avoid significant environmental impacts. The EIR also discloses significant environmental impacts that cannot be avoided; any growth-inducing impacts of a project; effects found not to be significant; and significant cumulative impacts of past, present, and reasonably foreseeable future projects in combination with the impacts of the project.

Mitigation has been recommended where feasible to reduce or avoid the project's significant impacts. As an informational document for decision makers, a Draft SEIR is not intended to recommend either approval or denial of a project. CEQA requires the decision makers to balance the benefits of a project against its unavoidable environmental impacts. If environmental impacts are identified as significant and unavoidable (i.e., no feasible mitigation is available to reduce the impact to a less-than-significant level), the County Planning Commission may still approve the project if it believes that social, economic, or other benefits outweigh the unavoidable impacts. The County Planning Commission would then be required to make findings and state, in writing, the specific reasons for approving the project, based on information in the Draft SEIR and other information in the administrative record. In accordance with Section 15093 of the State CEQA Guidelines, the document containing such reasons is called a "statement of overriding considerations."

1.3 AGENCY ROLES AND RESPONSIBILITIES

This SEIR will be used by the County and CEQA responsible and trustee agencies to ensure that they have met their requirements under CEQA before deciding whether to approve the proposed project or, as a responsible agency, permit project elements over which they have jurisdiction. The SEIR may also be used by other federal, state, and local agencies that may have an interest in resources that could be affected by the project, or that have jurisdiction over portions of the project.

1.3.1 Lead Agency

Under CEQA, the lead agency is the public agency with principal responsibility for carrying out or approving a project. In accordance with CEQA Guidelines Section 15051, the CEQA lead agency for the proposed project is the County. The County has coordinated with responsible and trustee agencies as appropriate. As lead agency under CEQA, the County is principally responsible for conducting the environmental review process, including scoping, preparing appropriate environmental documentation, and obtaining required permits and other regulatory approvals. Following completion of the Final SEIR (Final SEIR), the County will decide whether to certify the Final SEIR and whether to approve the project.

1.3.2 Responsible and Trustee Agencies

Under CEQA, responsible agencies are state and local public agencies other than the lead agency that have the authority to carry out or approve a project, or that are required to approve a portion of the project for which a lead agency is preparing or has prepared an EIR. Trustee agencies are state agencies with legal jurisdiction over natural resources affected by a project that are held in trust for the people of the State of California.

The following agencies may have responsibility for or jurisdiction over implementation of elements of the project. The following list also identifies potential permits and other approval actions that may be required before implementation of certain project elements.

FEDERAL

- ▶ U.S. Fish and Wildlife Service (Responsible Agency) – To comply with the Federal Endangered Species Act (ESA) for potential take of listed species.

STATE

- ▶ California Department of Resources Recycling and Recovery (CalRecycle) (Responsible Agency) – To provide concurrence for amendment of the SWFP.
- ▶ Central Valley Regional Water Quality Control Board (Responsible Agency) – To revise the landfill's Waste Discharge Requirements.
- ▶ California Department of Fish and Wildlife (Responsible and Trustee Agency) – To comply with the California ESA for potential take of state listed species, and review the EIR as a trustee agency because the project could potentially affect biological resources.
- ▶ California Department of Transportation (Caltrans) -District 4—Identify appropriate fair share contribution towards improvements to operating conditions at specified intersections and roadway segments (see Section 4.11 of this Draft SEIR)

REGIONAL AND LOCAL

- ▶ Solano County Department of Resource Management (Responsible Agency) – To issue a revised SWFP for the landfill as the local enforcement agency ("LEA") pursuant to the California Integrated Waste Management Act and revisions to the CUP for the RHR Landfill.
- ▶ Yolo-Solano Air Quality Management District and Bay Area Air Quality Management District (Responsible Agency) – To review and/or issue a revised or new authority to construct/permit and revised Title V Operating Permit to operate for the landfill.

1.4 EIR REVIEW PROCESS

1.4.1 Public Review

In accordance with PRC Section 21092 and CCR Section 15082, a Notice of Preparation (NOP) was prepared and circulated on March 12, 2018, for a 30-day period of public and agency comment. On August 31, 2018, a revised NOP was recirculated for a 30-day period of public and agency comment due to changes to some project components. The NOP's were submitted to the State Clearinghouse and the revised NOP was posted on the County's website (<http://www.solanocounty.com/civicax/filebank/blobdload.aspx?blobid=28274>). A copy of the NOP's and comments received on the NOP's are included in this document (Appendix A). Public scoping meetings were conducted by the

County on March 27, 2018, and September 25, 2018, however, no written or oral comments were provided at these meetings.

This Draft SEIR is being circulated for a 45-day period of review and comment by the public and other interested parties, agencies, and organizations. A public hearing will be held on [month & day], 2019, to receive input from agencies and the public on the Draft SEIR. Copies of the Draft SEIR are available online at the County's website at <https://www.solanocounty.com/depts/rm/documents/eir/default.asp> and a hard copy of the Draft SEIR is available for public review at the Solano County Government Center (675 Texas Street, Suite 5500, Fairfield, CA 94533).

A public hearing on the Draft SEIR will be held to receive input from agencies and the public on the Draft SEIR. The meeting time and location are as follows:

Date: [month & day], 2019
Time: 6 – 8 pm
Location: Elmira Fire Station
6080 A Street
Elmira, CA 95625

The public review period will conclude at 5:00 p.m. on [month & day], 2019. All comments on the Draft SEIR should be addressed to:

Solano County
Department of Resource Management
Attn: Nedzlene Ferrario
675 Texas Street, Suite 5500
Fairfield, CA 94533
E-mail: NNFerrario@SolanoCounty.com

After close of the public comment period, responses to written and oral comments raising environmental issues will be prepared. Commenting responsible and trustee agencies will be provided a minimum of 10 days to review the proposed responses to their comments before any action is taken with respect to the proposed project. The Final SEIR (consisting of this Draft SEIR and the Response to Comments document) will then be considered for certification (in accordance with CCR Section 15090) and approval by the County Planning Commission.

1.4.2 CEQA Findings and Mitigation Monitoring

CEQA requires that when a public agency makes findings based on an EIR, the public agency must adopt a reporting or monitoring program for those measures it has adopted or made a condition of the project approval to mitigate or avoid significant adverse effects on the environment. The reporting or monitoring program must be designed to ensure compliance during project implementation.

The Mitigation Monitoring Program for the proposed project will be prepared and considered by the County Planning Commission in conjunction with the Final SEIR review.

1.5 SCOPE OF ENVIRONMENTAL ANALYSIS

Pursuant to CEQA and the State CEQA Guidelines, a lead agency shall focus the EIR's discussion on significant environmental effects and may limit discussion on other effects to brief explanations about why they are not significant (PRC Section 21002.1, CCR Section 15128). Potentially significant impacts were identified based on review of comments received as part of the public scoping process (see Appendix A) and additional research and analysis of relevant project data during preparation of this Draft SEIR.

The County has determined that the project has the potential to result in significant environmental impacts on the following resources, which are addressed in detail in this Draft SEIR:

- ▶ Aesthetics
- ▶ Air Quality
- ▶ Archaeological, Historical, and Tribal Cultural Resources
- ▶ Biological Resources
- ▶ Energy
- ▶ Geology, Soils, Mineral, and Paleontological Resources
- ▶ Greenhouse Gas Emissions
- ▶ Hazards and Hazardous Materials
- ▶ Hydrology and Water Quality
- ▶ Noise
- ▶ Transportation

1.5.1 Effects Found Not to be Significant

CEQA allows a lead agency to limit the detail of discussion of environmental effects that are not potentially significant (PRC Section 21100, CCR Sections 15126.2[a] and 15128). Based on a review of comments received as part of the public scoping process (Appendix A) as well as additional research and analysis of relevant project data during preparation of this Draft SEIR, it was determined, for reasons described below, that the project would not result in significant environmental impacts in the following areas. Accordingly, these resources are not addressed further in this Draft SEIR.

- ▶ Agriculture and Forestry Resources
- ▶ Land Use and Planning
- ▶ Population, Employment, and Housing
- ▶ Public Services and Recreation
- ▶ Utilities and Service Systems

This SEIR acknowledges and incorporates the previous analysis and adopted mitigation measures from previous CEQA documents (see Section 3.3 of this Draft SEIR). Previously adopted mitigation measures, which would mitigate potential impacts associated with the proposed project through continued implementation, are identified where appropriate.

1.6 ORGANIZATION OF THE EIR

This SEIR is organized into the following sections:

- ▶ Chapter 1, Introduction – Provides an introduction and overview describing the intended use of the EIR and the environmental review and certification process.
- ▶ Chapter 2, Executive Summary – Summarizes environmental impacts that would result from implementation of the proposed project, describes recommended mitigation measures, and indicates the level of significance of impacts after mitigation.
- ▶ Chapter 3, Project Description – Describes the project, including the location of the existing landfill, background information, goals and objectives of the project, existing facilities, and proposed changes to the existing facilities.
- ▶ Chapter 4, Environmental Setting, Environmental Impacts, and Mitigation Measures – Contains an analysis of the reasonably foreseeable and potentially significant adverse environmental impacts of the proposed project on the physical environment. Each subsection introduces and describes the existing regulatory and environmental setting for the resource issue, significance criteria, methodology used to evaluate impacts, issues not discussed further, a description of project impacts, and recommendations of appropriate mitigation measures for potentially significant impacts.
- ▶ Chapter 5, Cumulative Impacts - Discusses the potential cumulative impacts that would result from implementation of the project together with other past, present and probable future projects including whether the project's incremental increase to an already significant impact is cumulatively considerable.

- ▶ Chapter 6, Alternatives – Describes a range of potentially feasible alternatives to the proposed project, their ability to avoid or lessen the significant impacts of the project, and their associated environmental effects.
- ▶ Chapter 7, Other CEQA-Required Sections – Includes a discussion of potential growth-inducing impacts and unavoidable significant impacts that cannot be mitigated to less-than-significant levels.
- ▶ Chapter 8, List of Preparers – Identifies the SEIR preparers and those consulted during its preparation.
- ▶ Chapter 9, References – Lists the sources of information cited throughout this SEIR.
- ▶ Appendices – Contain a number of reference items providing support and documentation of the analyses performed for this report.

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Acronyms/Abbreviations

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Citations

None used

References