

Countywide Services Agency

Environmental Management  
Department

Environmental Compliance Division  
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County of Sacramento

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LETTER 15

Lauren Hocker  
Division of Environmental Review and Assessment  
827 7th Street  
Sacramento, CA 95814

Dear Ms. Hocker:

**SUBJECT: REVIEW OF THE CORDOVA HILLS PROJECT DRAFT ENVIRONMENTAL  
IMPACT REPORT, CONTROL NUMBER 2008-00142**

The Sacramento County Environmental Management Department (EMD) has reviewed the Draft Environmental Impact Report (DEIR) for the Cordova Hills project. EMD acts as the Local Enforcement Agency (LEA) for the California Department of Resources, Recycling, and Recovery (CalRecycle) in the cities and County of Sacramento. The permitted boundary of Kiefer Landfill is adjacent to the southwest edge of this project.

The LEA's comments focus on concerns about the proximity of the project to an active municipal solid waste landfill, as follows:

- 1) **Aesthetics**, Page 3-21: The DEIR claims that the distance of the project from the landfill renders the impact of lights from Kiefer's operations insignificant. While the current location and size of Kiefer's operations may render the light impact insignificant to the project, the landfill's operations will eventually expand and the active face will move closer to the project site. The projected average daily tonnage in 2035 is nearly double the current permitted average daily tonnage. Also, the maximum permitted elevation of the landfill is 325 feet. Did the DEIR account for the increased amount of lighting required for an expanded landfill operation, as well as the eventual increase in elevation of the landfill, which will increase the visibility of Kiefer's operations from the project site?
- 2) **Air Quality**, Pages 5-36—5-37: This section states "with particular emphasis on the ability of the gas extraction system to reduce the potency and density of landfill odor – and the mitigation incorporated below, odor impacts are not expected to be substantial, and impacts are less than significant." Odors are also generated by the delivery and compacting of waste, the processing of green waste at the site, and the operation of the flare. The sub-surface landfill gas extraction system does not control these odors. The EIR should not rely on the landfill gas extraction system to reduce odors to a less-than-significant level. Further, while odors must be controlled under Title 27 of the California Code of

Regulations (27 CCR), the generation of odors during routine landfill operation is unavoidable and there is no requirement to reduce the potential for odors to zero. The LEA recommends notifying potential tenants of the increased potential for odor issues associated with the proximity to the landfill.

- 3) **Hazards and Hazardous Materials**, Page 10-17: This section includes a mitigation measure stating that continuous landfill gas monitoring will be implemented in any structures within 1,000 feet of buried waste or proposed buried waste. Who will be responsible for implementing and maintaining the landfill gas monitoring equipment? The LEA does not have authority to ensure that landfill gas monitoring is being conducted outside of the permitted boundary of the landfill. Any structures within 1,000 feet of the permitted landfill boundary also ought to adhere to the construction standards contained in 27 CCR 21190 (g). Again, the LEA does not have authority to enforce this standard outside of the permitted boundary of the landfill, so the party responsible for implementing these construction standards should be clearly assigned in the FEIR.
- 4) **Land Use**, Page 12-37, Paragraph 2: This paragraph states that Kiefer Landfill is permitted to accept 10,815 tons per day (tpd) and the average intake is approximately 6,000 tpd. The tonnage cited is the maximum permitted tonnage for the year 2034/35; the current permitted maximum tonnage is 5,598 tpd. The permitted tonnage increases each year according to a schedule referenced in the facility's Solid Waste Facility Permit. The EIR should clarify the permitted tonnage and year used to analyze the impacts of the landfill on the proposed development. This paragraph also states that the estimated remaining capacity is 108 million cubic yards. Per the Solid Waste Facility Permit, the remaining site capacity as of 2006 was 86,559,490 cubic yards.
- 5) **Land Use**, Page 12-37, Paragraph 3: This paragraph mentions the upcoming Kiefer Bufferlands Special Planning Area (SPA), which will designate areas around Kiefer Landfill for waste-industry uses; however, the DEIR does not include analysis of the potential impacts of the proposed SPA uses on the Cordova Hills tenants. The DEIR also does not include an analysis of the GreenCycle project, a proposed composting facility adjacent to Kiefer Landfill. The FEIR for the GreenCycle project was released in November 2010 and a Supplemental EIR is due for release in 2012. The addition of waste industries and a large-scale composting facility to the area will exacerbate the potential for nuisance conditions, including vectors/pests, dust, noise, and odors. The FEIR should include an analysis of the potential impacts of the GreenCycle project and the Kiefer SPA on the Cordova Hills project.

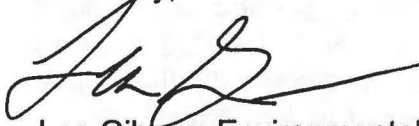
- 6) **Land Use**, Page 12-38, Paragraph 2: This paragraph states that “nuisance pests and vectors are typically experienced only in close proximity to the source condition”. What is considered “close proximity”? Per the DEIR, the project abuts Kiefer Landfill and the adjacent area is to be designated as Agricultural land, which could provide additional habitat for pests. The LEA recommends notifying potential tenants of the increased potential for vector and pest issues associated with the proximity to the landfill.
- 7) **Land Use**, Page 12-38, Paragraph 2: This paragraph also states that litter was not observed during any of the site visits to the project area and that litter from the landfill would be caught in the intervening landscape. The active portion of the landfill will eventually move closer to the proposed project site, so the fact that litter was not observed during site visits from 2008-2012 would not be relevant to the future conditions of the landfill. Litter may also enter the proposed development from refuse vehicles delivering waste to the facility. Kiefer Landfill implements litter control measures as required in 27 CCR 20830, but it cannot control for litter blowing off of refuse vehicles. The LEA recommends notifying potential tenants of the increased potential for litter in their neighborhood due to the proximity of the landfill and the refuse vehicles utilizing the roadways.
- 8) **Land Use**, Page 12-38, Paragraph 3: This paragraph states that CalRecycle is responsible for verifying compliance with State Minimum Standards. EMD, acting as the LEA in Sacramento County, is certified by CalRecycle to regulate Kiefer Landfill to ensure the facility meets the State Minimum Standards, per 14 CCR 18081 (c). The section of regulation cited in this paragraph, 27 CCR 21685(b)(8), pertains to CalRecycle’s concurrence with the issuance of a Solid Waste Facility permit or permit revision. Kiefer Landfill has already been issued a Solid Waste Facility permit, so the section pertaining to CalRecycle’s concurrence is not relevant to ensuring ongoing compliance with the State Minimum Standards. Another section of regulation cited in this paragraph, 14 CCR 17867 (a), pertains to composting facilities, not disposal sites. Kiefer Landfill is a permitted as a disposal site, so 27 CCR 20760 is the appropriate section to cite for nuisance control.
- 9) **Land Use**, Page 12-39: Mitigation measure LU-2 states that the location and nature of Kiefer Landfill will be disclosed to buyers within one mile of the “ultimate active landfill boundary.” What is the definition of the “ultimate active landfill boundary”? Is it the same as the disposal site permitted facility boundary, as specified in Kiefer Landfill’s Solid Waste Facility Permit? If not, what criteria were used to determine the “ultimate active landfill boundary”? Also, who will be

responsible for providing the notification to the buyers and what information will be included in the notification?

- 10) **Noise**, p13-39: This section uses a 1989 study to determine the impact of noise on the proposed project. In 1989, Kiefer landfill's average permitted daily tonnage was approximately 2,700 tpd. In 2012, the average permitted daily tonnage is 3,293 tpd, and, in 2035, it will be 6,362 tpd. The increase in tonnage accepted at the landfill will require additional equipment to handle the waste and there will be additional traffic delivering waste, meaning increased noise levels at the landfill. The FEIR ought to consider future noise levels instead of using 1989 noise levels to determine the impact to the residents of the proposed development.
- 11) **Public Services**, p 14-21: This section states that the facility is permitted to accept 10,815 tpd and currently receives 700,000 tons per year. The permitted tonnage cited is the maximum daily tonnage for the year 2035. The facility's current maximum daily tonnage is 5,598 tpd and the projected annual tonnage for this fiscal year is 1,202,000 tons, per the Solid Waste Facility Permit. This section also cites "N. Yeats" of CalRecycle. The CalRecycle permitting contact for Sacramento County is Nevin Yeates, not Yeats.

Thank you for the opportunity to comment on the DEIR for the proposed Cordova Hills project. Please contact me at (916) 875-8468, if you have any questions or concerns about the LEA's comments.

Sincerely,



Lea Gibson, Environmental Specialist  
Environmental Compliance Division

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c: Nevin Yeates, CalRecycle

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