

Facility and Plan Review Subcommittee
Los Angeles County Solid Waste Management Committee/
Integrated Waste Management Task Force

March 18, 2021

WEB CONFERENCE

Los Angeles County Public Works
900 South Fremont Avenue
Alhambra, CA 91803

SUBCOMMITTEE MEMBERS PRESENT:

Betsey Landis, Chair, Environmental Organization Representative
Mike Mohajer, General Public Representative
Shikari Nakagawa-Ota, County of Los Angeles Department of Public Health
Carlos Ruiz, Los Angeles County Public Works
Sam Shammass, County Sanitation Districts of Los Angeles County

SUBCOMMITTEE MEMBERS NOT PRESENT:

Wayne Nastri, South Coast Air Quality Management District
Reina Pereira, City of Los Angeles

OTHERS PRESENT:

Gabriel Esparza, Los Angeles County Public Works
Wayde Hunter, North Valley Coalition of Concerned Citizens
Omid Mazdiyasn, Los Angeles County Public Works
Dave Nguyen, Los Angeles County Public Works
Margarita Quiroz, Los Angeles County Public Works
Sarah Solomon, Los Angeles County Public Works
Vu Truong, Los Angeles County Public Works
Daniel Wibisono, Los Angeles County Public Works
Jeffrey Zhu, Los Angeles County Public Works

I. CALL TO ORDER

Ms. Betsey Landis called the meeting to order at 11:02 a.m.

II. APPROVAL OF FEBRUARY 18, 2021 MEETING MINUTES

A motion to approve the Minutes, as corrected, from the February 18, 2021, Subcommittee Meeting was made by Ms. Betsey Landis, and seconded by Mr. Carlos Ruiz. Motion passed with one abstention.

III. UPDATE ON SUNSHINE CANYON CITY/COUNTY LANDFILL

Odor Complaints

Mr. Vu Truong, staff to the Task Force, provided an update on the Sunshine Canyon Landfill (SCL) odor complaints from the South Coast Air Quality Management District (AQMD) for the month of February 2021 ([Link](#)).

- During the month of February 2021, 10 complaints were made to the AQMD hotline. Of those, 6 were classified as Trash, 4 were listed as No Field Response.
- Compared to January 2021, the number of complaints received in February 2021 increased from 7 to 10 complaints.
- Compared to February 2020, the number of complaints for February 2021 decreased from 17 to 10 complaints.
- As of March 5, 2021, AQMD issued no Notices of Violations (NOVs) related to odor for the month of February 2021.
- According to the AQMD report, the total number of complaints received during 2021 is 17.

Quarterly Vegetation Update

Ms. Sarah Solomon, staff to the Task Force, provided an update on the vegetation for SCL.

Republic Services (Republic) submitted the Fourth Quarter 2020 Vegetation Project Status Report for the SCL revised submittal, dated March 10, 2021.

During the fourth quarter of 2020, a weeding strategy was implemented to remove invasive weeds that had flourished since the wildfire. The following weed species have been targeted for removal including Russian Thistle, Wild Oat, Short Pod Mustard, Brome Grass, False Barley, Tree Tobacco, and Yellow Star Thistle. Additionally, vegetation activities included vegetation of interim and permanent slopes and activities conducted for the on-site sage mitigation areas.

City Side Sage Mitigation Pilot Project Area - Deck C / Lower Deck

- Regrowth has continued to occur, including natives such as California Sunflower, Saltbush, Horseweed, and pockets of Wild Ryegrass.
- New species from the original seed mix are continuing to sprout up and include Scarlet Bugler, Telegraph Weed, Monkey Flower and Smooth-Leaf Yerba Santa and now the VCSS is going through dormancy.
- Weeding efforts have reduced the cover of the noxious non-native annual species and there has been an abundance of Ventura CSS species germinating and crown-sprouting, including Purple Sage, Coast Sunflower, White Sage, Creeping Wild Rye, Deerweed, Black Sage, and Mexican Elderberry.

City Side Sage Mitigation Area - Deck B / Middle Deck

- There is evidence of desiccation of native seedlings species that have recently sprouted and are beginning to harden off and defoliate. The weed cover is low-to-moderate and most annual species are currently dormant or have desiccated.
- Much plant diversity is observed, many of the species in the seed mix have germinated, and the containerized plants are blooming which include White Sage, Mexican Elderberry, Menzies's Golden Bush, and Prickly Pear.
- Large amounts of sage scrub that flowered this past Spring has resprouted.

City Side Sage Mitigation Area – Deck A / Upper Deck

- As observed during previous springtime monitoring events, there is a stand of native California Goldfields located in the southern center of the Upper Deck that is notable.
- Vegetation is dominant in this portion of the Upper Deck indicating that the soils in this portion of the deck are suitable for supporting native vegetation.

County Side Sage Mitigation Pilot Project Area

- Native vegetation coverage is good in vegetated areas and dominant species include California Buckwheat and California Sunflower.
- Due to low pH, high salinity, rocky soils with poor soil structure, and boron toxicity, the establishment of vegetation remains problematic and has suppressed the seed germination of native species.

Republic updated their 4th Quarter report table to include other information rather than a statement to the effect that the "recommendation will be considered at a later date" for the County Mitigation area.

The following information was included in Republic's table:

County Sage Mitigation Area

- Recommendation 1: Create benches to control soil erosion and improve soil conditions to improve plant establishment and seed dispersal.
 - Proposed Action: ADG (consultant) is evaluating recommendations from the Task Force and UltraSystems.
- Recommendation 2: Reseed and plant container plants.
 - Proposed Action: A trial test pilot plan will be discussed with California Native shrubs.
- Recommendation 3: Plant within view sheds.
 - Proposed Action: A trial test pilot plan will be discussed with California Native shrubs.
- Recommendation 6: Weed Control – Continue weeding as needed on a quarterly basis.
 - Proposed Action: Personnel continues to evaluate the current status.

Additionally, staff is currently in the process of coordinating with Republic to host a virtual Vegetation Group Meeting with their consultant to give the Landfill Operator an opportunity to discuss the contents of the Vegetation Report, progress, and their next steps. Once tentative meeting dates are determined, coordination on availabilities with the Vegetation Group members will begin including Regional Planning, County Biologist, UltraSystems, and Ms. Landis.

Ms. Landis commented that Republic simply put words into the report, but still is not going to take immediate action because there are no actual implementation dates. She detailed how the areas need attention and that Republic had missed the planting season. Ms. Landis did note that she was glad to see that native plants planted in the revegetated area in past years had survived the wildfire and were recovering well.

Mr. Wayne Hunter of the North Valley Coalition of Concerns Citizens commented that in the old reports, Republic would note what action would be taken and when it would be completed. He spoke about inconsistencies in the consultants' March 8, 2021, report regarding the replacement of oak trees. He also mentioned that the Report listed missing tags for big cone firs and the tags should be replaced.

Mr. Mohajer asked Ms. Landis if it would be appropriate for staff to send a letter to SCL identifying the errors in the report as mentioned by Mr. Hunter and requesting corrections. Mr. Ruiz stated that staff would follow up with Mr. Hunter's concerns. Mr. Mohajer made a motion for staff to send a letter to Republic referencing errors in the report and requesting modification to it and including adding a time schedule of proposed vegetation items to be accomplished. Ms. Landis seconded the motion. The motion passed unanimously.

Soil Importation

Ms. Solomon provided an update on the soil importation activities at SCL.

At the previous Subcommittee meeting on February 18, 2021, staff provided an update regarding the proposed soil importation at SCL. It was also mentioned that Republic had submitted a revised soil importation request to Public Works on December 23, 2020, in response to Public Works' letter dated November 10, 2020. Republic also informed that they have already received a permit for the toe berm construction from the City of Los Angeles.

As an update since the last meeting, Republic will be submitting a revised proposal that addresses in more detail the projected soil needs for the site. Upon receipt of Republic's submittal, Public Works will review the request within the authority granted to Public Works in the Conditional Use Permit (CUP).

IV. DISCUSSION ON FINDING OF CONFORMANCE REPORTS

Staff did not receive any Finding of Conformance (FOC) reports for this period and will provide an update at next month's Subcommittee meeting.

V. UPDATE ON CHIQUITA CANYON LANDFILL

Mr. Omid Mazdiyasni, staff to the Task Force, gave an update on CCL.

Odor Complaints

AQMD agreed to provide odor complaint data on a quarterly basis. The next quarterly odor complaint update will be presented in April 2021.

Lawsuits Updates

CCL filed two separate lawsuits against the County:

- The first lawsuit was filed on October 20, 2017, challenging operational conditions, and fee conditions of the CUP. In July 2020, the trial court issued a decision finding in the County's favor on some conditions and in CCL's favor on other conditions. The parties are currently engaged in settlement discussions.
- The second lawsuit was filed on April 13, 2018, challenging a decision by the hearing officer that upheld an NOV issued by Regional Planning on December 11, 2017, for failure to pay Bridge and Thoroughfare Fee, accepting prohibited auto shredder waste, and failure to pay out-of-area fees. The trial is scheduled for the Fall 2021.

Environmental and Community Groups filed a lawsuit on August 24, 2017, against the Los Angeles County and CCL.

- The third lawsuit alleges that the project Environmental Impact Report was inadequate and not in compliance with California Environmental Quality Act. The court issued a decision on October 10, 2019, in favor of the County and CCL. The Community filed an appeal and the hearing was held on November 18, 2020. On February 10, 2021, the Court of Appeal affirmed the trial court's decision.

NOVs for Non-Compliance with the CUP

- The Department of Regional Planning issued 4 NOVs issued for CUP Condition 68, 77, 79, and 113 to Waste Connections on June 11, 2020, at the request of Public Works.
- CCL filed its appeal on August 6, 2020. The hearing was postponed and rescheduled for May 4, 2021.

Staff Report requested at last month's Subcommittee Meeting

- On March 2, 2021, staff complied with the Subcommittee members' request and sent the Staff Report to the members, along with the CUP, the FOC, and the presentation with data on the odor complaints and NOVs. The Staff Report included analysis of the impact of the NOVs issued by Regional Planning on the FOC Conditions.
- Based on staff analysis, CCL could potentially be found in violation of 3 FOC Conditions:
 - Condition 9 (Regulatory Compliance) – The FOC condition requires CCL to comply with the requirements of all laws and regulations of the Federal, State, County, regional, and local regulatory agencies. Thus, a violation of its CUP conditions would place CCL in non-compliance of Condition 9 of the FOC.
 - Condition 19 (Odor Mitigation) – The FOC condition requires CCL to comply with all conditions listed under the Air Quality Section of the CUP, which include Conditions 63 through 74. Thus, a violation of Condition 68 of the CUP, would place CCL in non-compliance with Condition 19 of the FOC.
 - Condition 22 (Notice of Violation) – The FOC condition requires that "Upon receipt of any Notice of Violation (NOV) issued by a regulatory agency, the Applicant shall submit a copy to the Task Force within 10 business days after receipt of the NOV." Since CCL did not submit copies of the NOVs issued by Regional Planning to the Task Force within 10 business days after receipt of the NOVs, CCL is in non-compliance with Condition 22 of the FOC.

- In the Staff Report, it was recommended that the Task Force send a letter requesting CCL to do the following:
 - Submit copies of all NOVs and work with regulatory agencies to get back into compliance with their respective permits.
 - Submit monthly updates on the status of the NOVs.

Mr. Mohajer made a motion that a Task Force letter be sent to CCL indicating their non-compliance to the conditions noted on the Staff Report. If they do not come into compliance with the FOC Conditions and do not provide the requested documents, then the Task Force may make a violation referral to the Department of Regional Planning. Mr. Ruiz seconded. Motion passed unanimously.

VIII. PUBLIC COMMENTS

Mr. Hunter commented that he has made Public Works aware of the fact that the community surrounding SCL opposes the landfill receiving anything in excess of the 12,100 tons per day, which is under their permit. Discussion ensued.

IX. ADJOURNMENT

The meeting adjourned at 11:38 a.m. The next meeting is tentatively scheduled remotely for Thursday, April 15, 2021, at 11 a.m.