Addendum to the EIR

Highway 59 Landfill Valley Fill Project • June 2023

Addendum to the EIR

Highway 59 Landfill Valley Fill Project • June 2023

Prepared for:

Merced County Regional Waste Management Authority
7040 North Highway 59
Merced, California 95348
Contact: Patrick Womble, Environmental Resource Manager

Prepared by:

Ascent Environmental
455 Capitol Mall, Suite 300
Sacramento, CA 95814

Addendum to the Valley Fill EIR

June 2023
State Clearinghouse No. 2014061081

BACKGROUND AND ACTION TRIGGERING THE ADDENDUM

EIR Certification and Project Approval. In May 2016, the Merced County Regional Waste Management Authority (MCRWMA) certified the Environmental Impact Report (EIR) for the Highway 59 Landfill Valley Fill Project (Valley Fill EIR) and approved the project. The approved Valley Fill Project includes relocation of several currently permitted on-site facilities and a vertical reconfiguration of the landfill disposal area. The reconfiguration, as approved, allows for continued operation of the existing landfill for an additional 11 to 15 years without expanding the boundary of the existing permitted facility. As part of the proposed relocation of facilities, the Valley Fill EIR evaluated the installation and operation of concrete padded areas to the east of the existing administrative offices and parking for the purposes of household hazardous waste disposal, materials recycling, a relocated shop, and two aboveground storage tanks. As a result of project approval in 2016, MCRWMA amended its existing solid waste facility permit (SWFP) in 2016 and then again in 2019 to: incrementally increase the maximum daily tonnage up to 3,000 peak tons per day in 2035 and beyond; incrementally increase the allowable traffic up to 800 vehicles per day by 2035; increase the height of the existing disposal area by 50 feet; and add dewatered sewage sludge to the list of wastes. The EIR also included continued operation of the landfill's existing composting operation with a green waste composting operation (with an annual capacity of 25,000 tons per year [tpy]).

The Highway 59 Landfill is located immediately east of State Route (SR) 59 in unincorporated Merced County, approximately 6 miles north of the City of Merced (see Figure 1). The street address is 7040 North Highway 59. The Highway 59 Landfill consists of five parcels which are County Assessor's parcel numbers (APNs) 052- 150-05, 052-070-04, 052-160-033, 052-160-035, and 052-070-05 (Figure 2). The landfill is located in Sections 13, 14, 23, 24, and 25, Township 6 South, Range 13 East on the U.S. Geological Survey Winton and Yosemite Lake 7.5-minute quadrangles. The Valley Fill Project site is located in the southwest portion of the landfill, as shown in Figure 2, and within two of the five landfill parcels (APNs 052-150-004 and a portion of 052-150-006). The total land area associated for the Valley Fill Project is approximately 230 acres.

Summary of Minor Changes to the Project. Following approval of the Valley Fill Project, subsequent detailed planning and design in accordance with solid waste disposal and recycling needs and new regulations (e.g., Senate Bill [SB] 1383) identified the need for either modification of some elements of the project or the addition of others; the spatial relationship to other infrastructure improvements on landfill grounds was also clarified as a result of these more detailed plans.

This addendum to the Valley Fill EIR analyzes proposed modifications to the previously approved project to include a concrete pad, storage bunker, and associated perimeter road at the existing composting area (approximately 8 acres) located within the Valley Fill Project site and in the central portion of the Highway 59 Landfill in Merced County. In addition, existing composting operations at the landfill would be modified to allow for improved receipt, processing, and transfer of organic waste at the existing landfill. No expansion of overall landfill capacity (in terms of tons per year [tpy]) would occur. The composting operation would maintain its existing composting capacity of 25,000 tpy. As a result, consistent with the California Environmental Quality Act (CEQA), MCRWMA has conducted additional review of the proposed modifications to the composting area to determine whether the proposed changes would result in new or substantially more severe environmental impacts than those previously described in the Valley Fill EIR. Based on the results of the subsequent environmental analysis provided herein, in accordance with Section 15164 of the State CEQA Guidelines, MCRWMA has determined that preparation of an Addendum describing the proposed modifications/changes to the previously approved Valley Fill Project and certified Valley Fill EIR would be appropriate.

PREVIOUS ENVIRONMENTAL ANALYSES

The environmental process for the Valley Fill Project involved the preparation of the following documents that are relevant to the consideration of the project:

- Notice of Preparation (NOP) for the Valley Fill Project, June 2014, State Clearinghouse No. 2014061081;
- Draft Valley Fill EIR, September 2015, State Clearinghouse No. 2014061081;
- Final Valley Fill EIR, May 2016, State Clearinghouse No. 2014061081; and,
- Notice of Determination for the Valley Fill EIR, May 2016, State Clearinghouse No. 2014061081.

CALIFORNIA ENVIRONMENTAL QUALITY ACT GUIDELINES REGARDING AN ADDENDUM TO AN ENVIRONMENTAL IMPACT REPORT

Altered conditions, changes, or additions to the description of a project that occur after certification of an EIR may require additional analysis under CEQA. The legal principles that guide decisions regarding whether additional environmental documentation is required are provided in the State CEQA Guidelines, which establish three mechanisms to address these changes: a subsequent environmental impact report (SEIR), a supplement to an EIR, and an addendum to an EIR.

Section 15162 of the State CEQA Guidelines describes the conditions under which a SEIR would be prepared. In summary, when an EIR has been certified for a project, no Subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in light of the whole record, one or more of the following:

(1) Substantial changes are proposed in the project which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified 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 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, shows any of the following:

  (A) The project will have one or more significant effects not discussed in the previous EIR;

  (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 measures or alternatives; 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.

Section 15163 of the State CEQA Guidelines states that a lead or responsible agency may choose to prepare a supplement to an EIR rather than a Subsequent EIR if:

(1) any of the conditions described above for Section 15162 would require the preparation of a SEIR; and

(2) only minor additions or changes would be necessary to make the previous EIR adequately apply to the project in the changed situation.

An addendum is appropriate where a previously certified EIR has been prepared and some changes or revisions to the project are proposed, or the circumstances surrounding the project have changed, but none of the changes or revisions would result in significant new or substantially more severe environmental impacts, consistent with CEQA Section 21166 and State CEQA Guidelines Sections 15162, 15163, 15164, and 15168.

This addendum is intended to evaluate and confirm CEQA compliance for the proposed alignment of the Valley Fill Project, which would be a change relative to what is described and evaluated in the Valley Fill EIR. The addendum is intended to evaluate all environmental topic areas for any changes in circumstances or the project description, as compared to the certified Valley Fill EIR and determine whether such changes were or were not adequately covered in the certified environmental documents. This addendum is not a traditional CEQA Environmental Checklist, per Appendix G of the CEQA Guidelines. As explained below, the purpose of this addendum is to evaluate the checklist categories in terms of any "changed condition" (i.e., changed circumstances, project changes, or new information of substantial importance) that may result in a different environmental impact significance conclusion from the Valley Fill EIR, taking into consideration current regulatory requirements and implementing procedures. This addendum has been modified from the Appendix G presentation to focus on the pertinent issue areas and help answer the questions to be addressed pursuant to CEQA Section 21166 and State CEQA Guidelines Section 15162, 15163, 15164 and 15168.

This page intentionally left blank.

TABLE OF CONTENTS

Figures

LIST OF ABBREVIATIONS

APNs	Assessor's parcel numbers
BACT	best available control technology
CalRecycle	California Department of Resources Recycling and Recovery
CEQA	California Environmental Quality Act
EIR	Environmental Impact Report
LEA	local enforcement agency
LFG	landfill gas
MCRWMA	Merced County Regional Waste Management Authority
NOP	Notice of Preparation
OIMP	Odor Impact Minimization Plan
SB	Senate Bill
SEIR	subsequent environmental impact report
SJVAPCD	San Joaquin Valley Air Pollution Control District
SR	State Route
SWFP	solid waste facility permit
SWFP	Solid Waste Facility Permit
tpy	tons per year
VOCs	volatile organic compounds
WDRs	Waste Discharge Requirements

1 INTRODUCTION AND PURPOSE

1.1 INTRODUCTION

The Merced County Regional Waste Management Authority (MCRWMA) is required to meet the provide solid waste disposal services for the areas within its service territory, primarily via two regional landfills (the Highway 59 Landfill [i.e., project site] near the City of Merced and Billy Wright Landfill near the City of Los Banos). The Highway 59 Landfill site currently operates as a Class III Disposal Site with Class II Surface Impoundment under Waste Discharge Requirements (WDRs) contained in Order No. R5-2014-0139, adopted on October 10 , 2014 by the RWQCB. The landfill also operates under Solid Waste Facility Permit (SWFP) No. 24-AA-0001 issued on March 5, 2019 by the Merced County Division of Environmental Health, acting as the Local Enforcement Agency (LEA). The Merced County Planning Commission issued a Conditional Use Permit for the landfill on March 23, 1983. The on-site composting operation operates under a separate SWFP (No. 24-AA-0020) and has a permitted annual throughput of up to 25,000 tons/year.

In September 2016, Governor Brown signed Senate Bill (SB) 1383, a statewide effort to reduce emissions of short-lived climate pollutants. Per SB 1383, 75% of organic waste must be diverted from landfills statewide by 2025. The California Department of Resources Recycling and Recovery (CalRecycle) intends to start enforcing SB 1383 starting January 1, 2024. As a result and as explained further below, MCRWMA is proposing the modification of its existing composting operation and the Valley Fill Project in order to allow for more efficient diversion of green and organic waste composting operations.

1.2 PROJECT APPROVAL

Consistent with CEQA Guidelines Section 15052(2)(a), MCRWMA, as the agency responsible for carrying out the project, will serve as the lead agency for this addendum to the Valley Fill EIR.

1.3 PURPOSE OF THIS DOCUMENT

The addendum is intended to evaluate and confirm CEQA compliance for proposed changes to the Valley Fill Project, which has been modified from what is described and evaluated in the Final EIR, as certified in 2016. This addendum is organized as an environmental checklist and is intended to evaluate all environmental topic areas for any changes in circumstances or the project description, as compared to the certified Final EIR, and determine whether such changes were or were not adequately covered in the certified EIR. This checklist is not the traditional CEQA Environmental Checklist, that is found in Appendix G of the CEQA Guidelines. Rather, the purpose of this analysis is to evaluate the checklist categories in terms of any "changed condition" (i.e., changed circumstances, project changes, or new information of substantial importance) that may result in a different environmental impact significance conclusion from the EIR. The column titles of the checklist have been modified from the Appendix G presentation to help answer the questions to be addressed pursuant to CEQA Section 21166 and State CEQA Guidelines Sections 15162, 15163, 15164, and 15168.

2 PROJECT DESCRIPTION AND DESCRIPTION OF PROPOSED MODIFICATIONS

2.1 PROJECT LOCATION

The Highway 59 Landfill is located immediately east of State Route (SR) 59 in unincorporated Merced County, approximately 6 miles north of the City of Merced (see Figure 1). The street address is 7040 North Highway 59. The Highway 59 Landfill consists of five parcels which are County Assessor's parcel numbers (APNs) 170-070-001, 170-070-002, 175-060-003, 175-060-001, and 175-050-003 (Figure 2). The landfill is located in Sections 13, 14, 23, 24, and 25, Township 6 South, Range 13 East on the U.S. Geological Survey Winton and Yosemite Lake 7.5-minute quadrangles. The Valley Fill Project site is located in the southwest portion of the landfill, as shown in Figure 2 below, and within two of the five landfill parcels (APNs 175-060-003 and a portion of 175-060-001). The total land area associated for the Valley Fill Project is approximately 230 acres.

The proposed modifications would occur within an approximately 8-acre area in the central portion of the landfill, adjacent to the existing scale house and scales located along Highway 59.

2.2 PREVIOUSLY APPROVED PROJECT

As evaluated in the 2016 Valley Fill EIR, MCRWMA previously approved a project that included the modification of solid waste disposal and recycling operations at its Highway 59 Landfill in Merced County. The approved Valley Fill Project includes relocation of several currently permitted on-site facilities and a vertical reconfiguration of the landfill disposal area. The reconfiguration, as approved, allows for continued operation of the existing landfill for an additional 11 to 15 years without expanding the boundary of the existing permitted facility. As part of the proposed relocation of facilities, the Valley Fill EIR evaluated the installation and operation of concrete padded areas to the east of the existing administrative offices and parking for the purposes of household hazardous waste disposal, materials recycling, a relocated shop, and two aboveground storage tanks. As a result of project approval in 2016, MCRWMA amended its existing solid waste facility permit (SWFP) in 2016 and then again in 2019 to: incrementally increase the maximum daily tonnage up to 3,000 peak tons per day in 2035 and beyond; incrementally increase the allowable traffic up to 800 vehicles per day by 2035; increase the height of the existing disposal area by 50 feet; and add dewatered sewage sludge to the list of wastes. The EIR also included continued operation of the landfill's existing composting operation with a green waste composting operation (with an annual capacity of 25,000 tons per year (tpy). The primary purpose of the approved project was to increase the disposal capacity of the landfill in a manner that is consistent with existing regulations, as well as economically and environmentally superior to the previously identified disposal and recycling plan for the landfill.

2.3 PROJECT MODIFICATIONS

In order to maintain consistency with existing regulations, primarily SB 1383, and maintain the efficiency and disposal capacity of the existing landfill, MCRWMA is proposing modifications to the previously approved project that would allow for improved organics processing and transfer operations at the landfill. In accordance with SB 1383, which requires 75 percent diversion of organics from landfill statewide by 2025, organic waste diversion infrastructure would be modified from the current green waste compost operations of 25,000 tpy to include an improved processing area and operations, which a new private company would oversee on behalf of MCRWMA. The overall capacity of the composting operation would remain the same at 25,000 tpy, but the area would be improved to include a concrete pad with the proposed organic waste processing and transfer operation is intended to start on July 1, 2023.

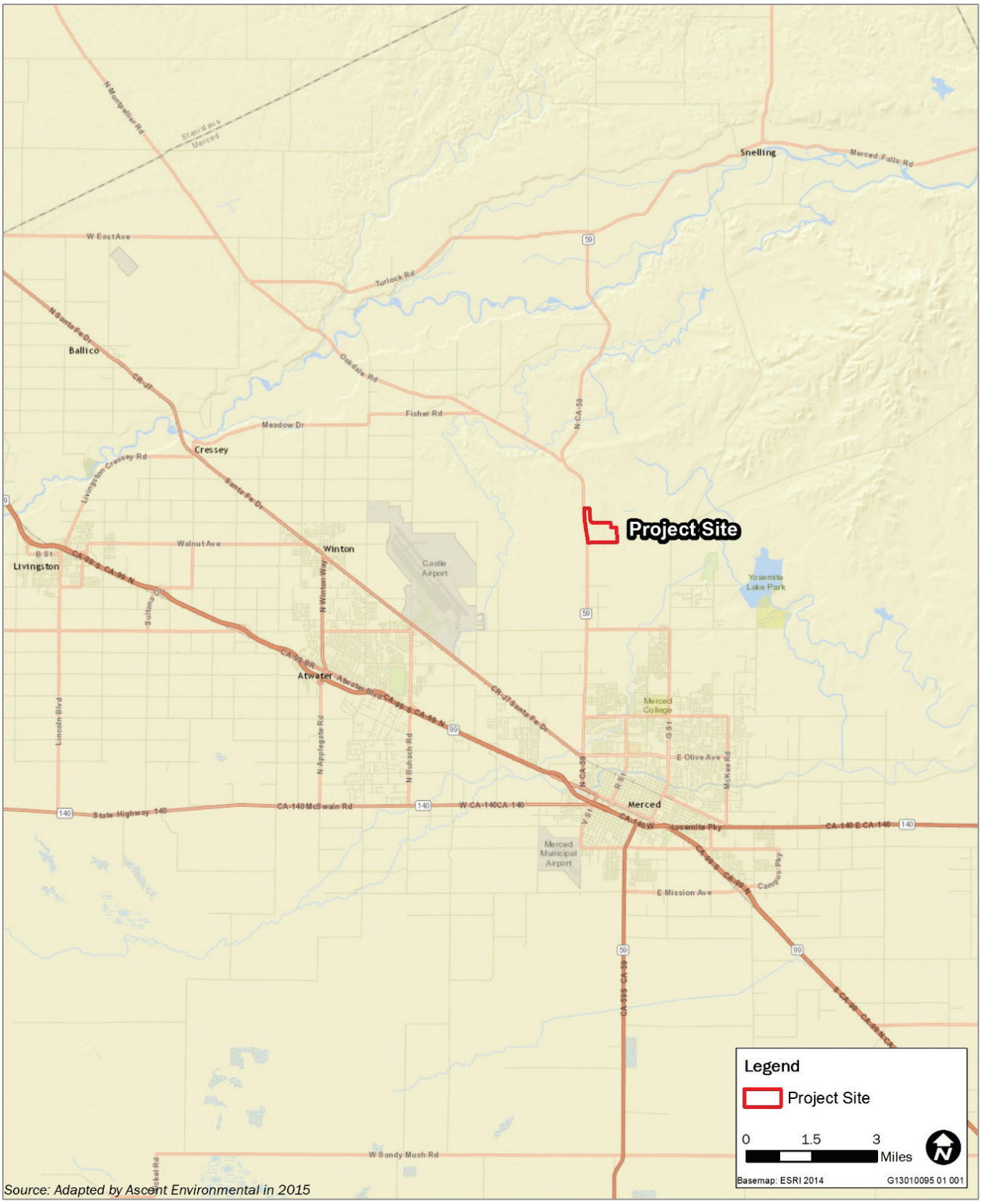
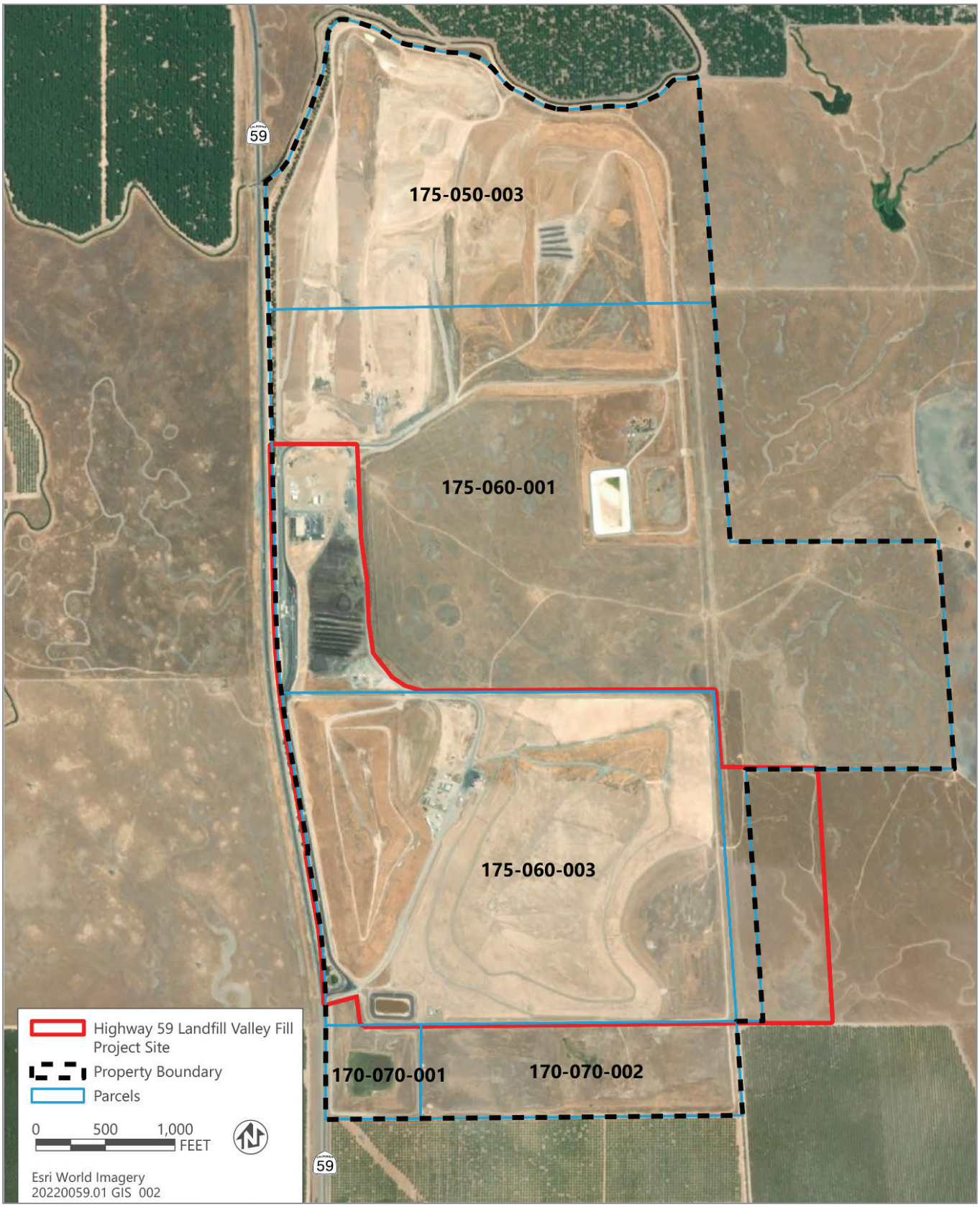


Figure 1 Regional Location Map



Source: adapted by Ascent Environmental in 2023.

Figure 2 Parcel Map

2.3.1 Organic Waste Processing and Transfer

As shown in Figure 3, an organic waste processing and transfer operation would receive and transfer commercial source-separated organic waste to Highway 59 Landfill for composting without any further processing other than the required load check and to remove large bulking contamination. This would consist of a concrete pad with a perimeter road. A green waste grinding area would be provided in the southwest corner of the site with associated storage for green waste, a sorting area, trash bins, and dumping area to the east.

Working with the jurisdiction and haulers that utilize the facility, MCRWMA would be responsible for processing residential bagged food waste that would be placed in green recycling containers with the green waste at the point of origin. This material would be delivered to the Highway 59 Landfill and proposed organic waste processing area for processing. The bagged food waste, and contaminants, would be removed from the green waste. Bagged food waste would be manually separated on the tipping pad and placed in carts since it only represents 3% to 5% of the co-collected residential organics. Green waste would also be delivered to the on-site compost operations for grinding and processing. The contamination would be stored in carts and placed in a roll-off bin and delivered to the on-site landfill for disposal.

The recovered green waste would be delivered to the compost facility within 7 days but can be reduced by the LEA to 48 hours should there be odor complaints. Residential commingled organic waste would be processed to remove the bagged residential food waste from the green waste. The bagged residential food waste would be added into the commercial source-separated organics bunker and the green waste would be composted on-site.

The commercial source-separated organics (i.e., bagged food waste) would be delivered to the facility and tipped into a designated bunker for storage. On-site storage of this organic material would be provided in a designated bunker in the southeastern portion of the organic waste processing area for a period not to exceed 48 hours, and any food waste stored overnight would be tarped. This material would then be transferred to a permitted compost facility in the region.

Appropriate, visible signage, traffic cones, and instruction by the site attendant would also be provided on-site to direct commercial haulers and other vehicles to the appropriate tipping pads to ensure safe operations.

2.3.2 Composting Area

The existing composting operations would be modified and relocated to the central and northern portions of the 8-acre area with active composting located in the central portion. A secondary screening area for finished compost and finished product storage area would be located along the northern edge of the site with additional storage bins and parking for employees and heavy equipment.

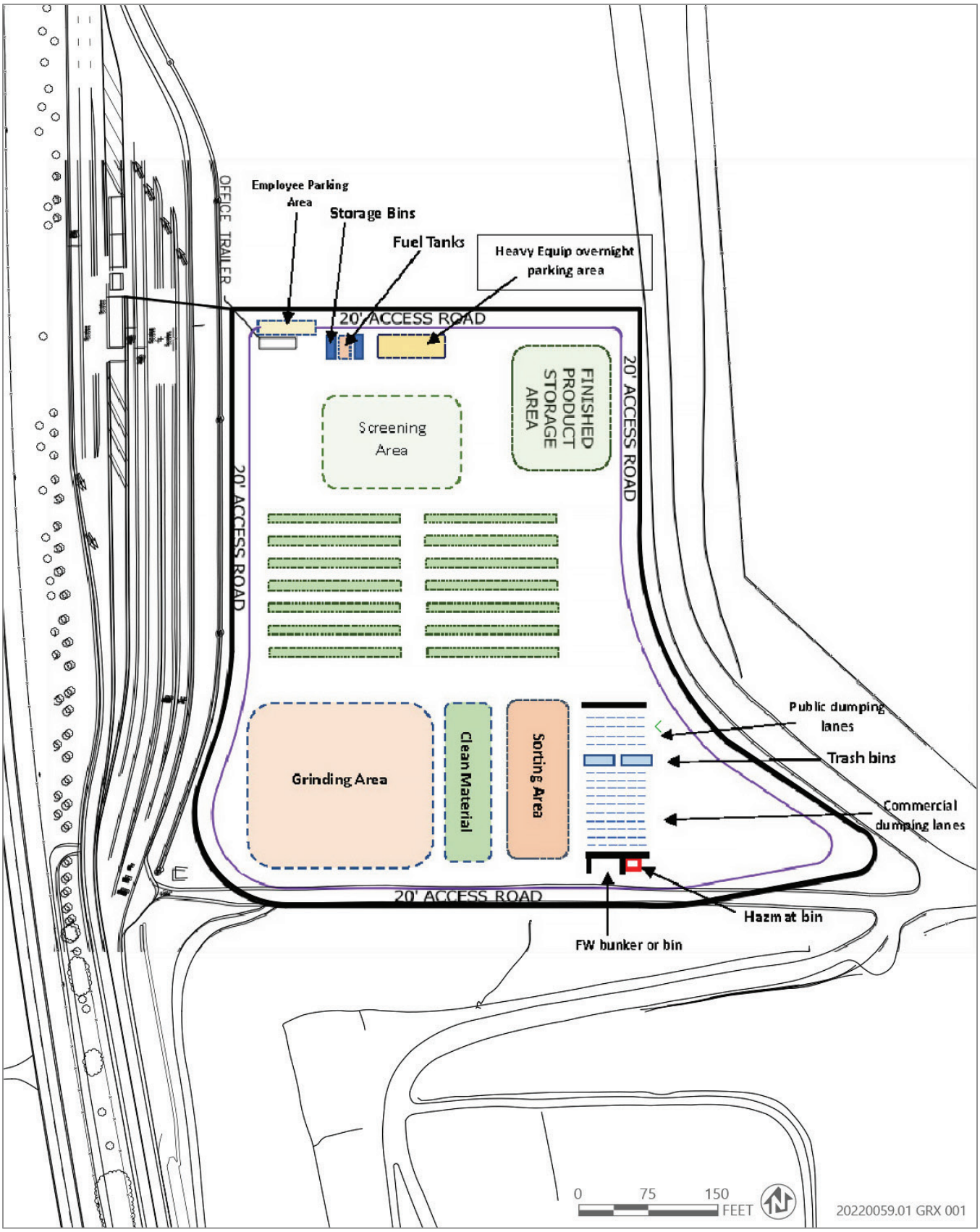
2.4 CONSTRUCTION

Construction activities associated with the proposed modifications would be limited to the establishment of the concrete pad, storage bins, and perimeter road. Following establishment of the concrete pad, installation of signage and minor painting of lanes for dumping and other on-site operations would be conducted. Construction at the site is anticipated to take up to 90 days.

2.5 OPERATION AND MAINTENANCE

Upon completion of construction, the area would be incorporated into the current daily operation and maintenance at the landfill. Existing operational activity includes the daily use of heavy equipment, including one scraper, one water truck, two dozers, one compactor, two loaders, one excavator, and one motor grader, and commercial haul truck trips associated with disposal. As currently proposed, the project would not require additional staffing or equipment.

During operation, MCRWMA would oversee continued implementation of appropriate dust control and odor minimization measures (e.g., on-site storage of organic waste for no more than 48 hours).



Source: Image prepared and Provided by Edgar & Associates in 2023

Figure 3 Proposed Organic Waste Processing and Transfer Operations Site Plan

2.6 REQUIRED DISCRETIONARY ACTIONS

2.6.1 Lead Agency

As the lead agency, MCRWMA is responsible for approving the project modifications, at which time MCRWMA must also consider the addendum with the Final EIR, per State CEQA Guidelines Section 15164(d). SMUD shall procure the following permits from other agencies for this project:

2.6.2 Responsible 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. 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.

- Merced County Department of Environmental Health (Responsible Agency) – To issue a Joint Technical Document (JTD) Amendment for the organic waste processing and transfer operations at the landfill as the LEA pursuant to the California Integrated Waste Management Act.
- Merced County Department of Environmental Health (Responsible Agency) – To issue a Enforcement Agency Notification permit for the green waste composting facility of 25,000 tpy for the defined operational area and a new private operator as the LEA pursuant to the California Integrated Waste Management Act.

3 AFFECTED ENVIRONMENT, ENVIRONMENTAL CONSEQUENCES, AND MITIGATION MEASURES

This section of the addendum analyzes the potential effects on the existing physical environment from implementation of the proposed modifications, as compared to the approved Valley Fill Project. This analysis has been prepared to determine whether any of the conditions described above that would require preparation of a subsequent or supplemental EIR would occur as a result of the project modification.

3.1 APPROACH TO ENVIRONMENTAL ANALYSIS

As stated previously, MCRWMA has determined that, in accordance with PRC Section 21166 and Section 15164 of the State CEQA Guidelines, minor technical changes or additions to the Valley Fill EIR are necessary to address the modifications to the approved Valley Fill Project.

An addendum to a certified EIR is prepared when changes to a project are required, and the changes:

- will not result in any new significant environmental effects, and/or
- will not substantially increase the severity of previously identified effects.

The analysis of environmental effects provided below addresses the same impacts addressed in the Valley Fill EIR. The environmental analysis evaluates for each environmental topic area (e.g., air quality, biological resources, hydrology and water quality) whether there are any changes in the project or the circumstances under which it would be undertaken that would result in new or substantially more severe environmental impacts than considered in the Valley Fill EIR.

3.1.1 Issues Not Analyzed Further in this Addendum

The proposed modifications described in this addendum constitute changes to the approved Valley Fill Project that will not result in new significant impacts not previously identified in the EIR, nor a substantial increase in the severity or intensity of the significant impacts that were previously identified. The proposed modifications, compared to what was previously described and evaluated in the Valley Fill EIR, would not involve an expanded area of disturbance or substantial changes to operations. For these reasons, an addendum was deemed appropriate for the proposed modifications. Resource areas that do not result in the need for additional detailed consideration therefore include:

- Aesthetics;
- Cultural Resources;
- Geology, Soils, and Mineral Resources;
- Hazards and Hazardous Materials;
- Land Use, Agriculture, and Forestry Resources;
- Employment, Population, and Housing;
- Geology, Soils, Seismicity, Minerals, and Paleontology;
- Greenhouse Gas Emissions;
- Hazards and Hazardous Materials;
- Land Use, Agriculture, and Forestry Resources;
- Noise;
- Transportation; and
- Utilities.

Moreover, the proposed modifications are located within a central portion of the active landfill and would continue to be subject to the regulations and requirements associated with the existing operations, including the aforementioned SWFP. The area has been previously disturbed, excavated, and recompacted numerous times during the history of landfill operations at the site. In addition, the proposed modifications would not result in an increase in capacity of organics processing at the landfill nor would they result in higher visibility of composting operations from external viewpoints. The proposed modifications would involve temporary (construction-related) activities in addition to what was previously evaluated in the Valley Fill EIR, and none of the contemplated project modifications would affect the previously disclosed operational impacts of the Valley Fill Project or existing Highway 59 Landfill.

Further, within the additional areas identified above, the mitigation identified in the certified EIR to reduce construction-related impacts (e.g., implementation of a hazardous waste contingency plan, and procedures in the event of the discovery of unknown contaminants) would be implemented in these areas to prevent additional or more substantial impacts.

3.1.2 Issues Carried Forward for Further Analysis in This Addendum

The following issue areas have been evaluated in further detail in this addendum with respect to the proposed modifications to the approved Valley Fill Project, because of the potential for the modification to adversely affect these resources:

- Biological Resources
- Cultural Resources
- Hydrology and Water Quality

3.2 EXPLANATION OF FURTHER ANALYSIS CATEGORIES

The purpose of this checklist, as tailored for air quality, biological resources, and hydrology and water quality, is to evaluate the categories in terms of any "changed condition" (i.e., changed circumstances, project changes, or new information of substantial importance) that may result in environmental impact significance conclusions different from those found in the Valley Fill EIR. The row titles of the checklist include a range of environmental topics, which generally include those presented in Appendix G of the State CEQA Guidelines for biological and cultural resources. The column titles of the checklist have been modified from the Appendix G presentation to help answer the questions to be addressed pursuant to CEQA Section 21166 and State CEQA Guidelines Section 15162. A "no" answer does not necessarily mean that there are no potential impacts relative to the environmental category, but that there is no change in the condition or status of the impact that was analyzed and addressed with mitigation measures in the Valley Fill EIR. For instance, the environmental categories might be answered with a "no" in the checklist because the impacts associated with the project were adequately addressed in the Valley Fill EIR, and the environmental impact significance conclusions of the EIR remain applicable. The purpose of each column of the checklist is described below.

3.2.1 Where Impact was Analyzed

This column provides a cross-reference to the pages of the Valley Fill EIR where information and analysis may be found relative to the environmental issue listed under each topic.

3.2.2 Do Proposed Changes Involve New Significant Impacts?

The significance of the changes proposed to the approved Valley Fill Project, as it is described in the certified EIR, is indicated in the columns to the right of the environmental issues.

3.2.3 Any new Circumstances Involving New or Substantially More Severe Significant Impacts?

Pursuant to Section 15162(a)(2) of the State CEQA Guidelines, this column indicates whether there have been changes to the project site or the vicinity (circumstances under which the project is undertaken) that have occurred subsequent to the prior environmental documents, which would result in the current project having new significant environmental impacts that were not considered in the prior environmental documents or having substantial increases in the severity of previously identified significant impacts.

3.2.4 Any New Information Requiring New Analysis or Verification?

Pursuant to Section 15162(a)(3)(A–D) of the State CEQA Guidelines, this column indicates whether 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 environmental documents were certified as complete is available, requiring an update to the analysis of the previous environmental documents to verify that the environmental conclusions and mitigation measures remain valid. If the new information shows that: (A) the project will have one or more significant effects not discussed in the prior environmental documents; or (B) that significant effects previously examined will be substantially more severe than shown in the prior environmental documents; or (C) that mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects or the project, but the project proponents decline to adopt the Mitigation Measure or alternative; or (D) that mitigation measures or alternatives which are considerably different from those analyzed in the prior environmental documents would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the Mitigation Measure or alternative, the question would be answered "yes" requiring the preparation of a subsequent EIR or supplement to the EIR. However, if the additional analysis completed as part of this modified Environmental Checklist review finds that the conclusions of the prior environmental documents remain the same and no new significant impacts are identified, or identified significant environmental impacts are not found to be substantially more severe, the question would be answered "no" and no additional EIR documentation (supplement to the EIR or subsequent EIR) would be required.

3.2.5 Do Prior Environmental Documents Mitigations Address/Resolve Impacts?

This column indicates whether the prior environmental documents and adopted CEQA Findings provide mitigation measures to address effects in the related impact category. In some cases, the mitigation measures have already been implemented. A "yes" response will be provided in either instance. If "NA" is indicated, this Environmental Checklist Review concludes that there was no impact, or the impact was less than significant and, therefore, no mitigation measures are needed.

3.3 AIR QUALITY

	Environmental Issue Area	Where Impact Was Analyzed in the EIR or IS	Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information Requiring New Analysis or Verification?	Do Prior Environmental Documents Mitigations Address/Resolve Impacts?
Air Quality					
Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied on to make the following determinations.					
	Are significance criteria established by the applicable air district available to rely on for significance determinations?	Yes			
	Would the project:				
a)	Conflict with or obstruct implementation of the applicable air quality plan?	Impact 4.2-1 (pp. 4.2-24 –25 of the Draft EIR); Impact 4.2-2 (pp. 4.2-25 – 26 of the Draft EIR)	No	No	Yes
b)	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	Impact 4.2-1 (pp. 4.2-24 –25 of the Draft EIR); Impact 4.2-2 (pp. 4.2-25 – 26 of the Draft EIR)	No	No	Yes
c)	Expose sensitive receptors to substantial pollutant concentrations?	Impact 4.2-3 (p. 4.2-26 of the Draft EIR)	No	No	Yes
d)	Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	p. 4.2-23 of the Draft EIR	No	No	Yes

EIR ANALYSIS

With respect to air quality impacts, the certified Valley Fill EIR determined that, with mitigation, no impacts would be significant and unavoidable. The following discussion provides a brief summary of the air quality analysis provided in the Valley Fill EIR.

With implementation of the Valley Fill Project, criteria air pollutant impacts would occur from on-site construction activities within the project site, including removal of on-site structures, general grading and ground disturbance activities, installation of a liner within the Valley Fill Project site, paving, and painting. The EIR found that construction-related criteria air pollutant emissions would be short-term and would not exceed standards established by the San Joaquin Valley Air Pollution Control District (SJVAPCD).

The certified Valley Fill EIR also found that that operational criteria air pollutant emissions (related to disposal operations and landfill gas [LFG] from waste decomposition) would exceed SJVAPCD thresholds for criteria air pollutants. This impact would be significant, necessitating the implementation of mitigation.

With respect to the potential exposure of sensitive receptors to substantial air quality pollutants, the Valley Fill EIR found that the Valley Fill Project would not expose the public to toxic air contaminant levels that would exceed established health risk thresholds or that would expose sensitive receptors to substantial pollutant concentrations; thus, impacts would be less than significant.

Finally, based on the distance to nearby receptors and the lack of complaints regarding odors from the landfill, odor impacts would not be significant. This analysis took into consideration that the landfill currently implements an Odor Impact Minimization Plan (OIMP) for its green waste composting operations at the project site.

MITIGATION MEASURES

With respect to operational criteria air pollutant emissions, Mitigation Measure 4.2-2 requires MCRWMA to coordinate with SJCAPCD to purchase offsets for emissions in excess of SJCAPCD thresholds established in Table 4-1 of Rule 2201, which applies to new or modified sources (including landfills) and is intended to provide best available control technology (BACT) for emissions control purposes. As a result, the potential net emissions associated with the Valley Fill Project would be reduced to zero and less than significant. No other impacts necessitated the adoption and implementation of mitigation for the Valley Fill Project.

CHANGES RESULTING FROM MODIFICATIONS TO THE PROJECT

The additional concrete pad would involve substantially similar construction activities (i.e., site preparation, grading, concrete pouring), and the areas of paving/concrete would be of similar size to those evaluated within the approved Valley Fill EIR. Additionally, recent changes in construction vehicle emissions standards would likely reduce the overall construction emissions associated with the Valley Fill Project, compared to what was identified in the Valley Fill EIR. Therefore, the construction-related daily and annual emissions levels associated with the amended project would be within those assumed for the total development area approved under the Valley Fill EIR, and there would be no additional impact.

As noted above, the operation of the improved organics processing area would not change overall operations within the Highway 59 Landfill. In addition, the materials and process for compost preparation (i.e., rows) would be substantially similar to the activities currently occurring on the site and analyzed in the Valley Fill EIR. Because the operational activities would remain substantially similar to the current operations, long-term air emissions would not be substantially greater than those previously identified in the certified Valley Fill EIR, and no new significant or substantially more severe impact is anticipated.

Project-related effects related to exposure of sensitive receptors to substantial pollutant concentrations would be consistent with the analysis and conclusions of the Valley Fill EIR because operational activities would remain substantially similar to the current operations. The proposed modifications would involve an improvement to existing composting operations at the project site and would not increase the overall tonnage of organics and green waste that was identified and evaluated as part of the Valley Fill EIR. Therefore, the potential to exposure sensitive receptors to toxic air contaminants would remain the same as disclosed in the Valley Fill EIR.

With respect to odors, the landfill currently accepts organic material and green waste for processing. The waste stream that would be accepted at the landfill would not be altered from existing conditions. In addition, the existing OIMP would be updated to include measures and best practices for the handling of additional organic material at the composting area, which would otherwise have been included as part of the municipal solid waste (MSW) stream at the landfill. These activities would comply with state minimum standards and would include, but are not limited to, 1) the on-site storage of food material for no more than 48 hours; 2) on-site monitoring of potential odors; 3) minimization of standing water within the organics and food material processing areas; and 4) the use of covers/tarps for food waste stored in the bunkers to minimize odors and vector attraction. Because operations within the Highway 59 Landfill would not substantially change with the proposed modifications (in terms of waste stream accepted at the landfill, including the existing composting operation), odor emissions would be consistent with the analysis and conclusions of the Valley Fill EIR. Therefore, odor emissions associated with the proposed modifications would not result in new or substantially more significant impacts compared to those identified in the Valley Fill EIR.

CONCLUSION

The proposed modifications to the Valley Fill Project would not result in new significant impacts or substantially more severe impacts related to biological resources, nor would any change in circumstances occur that would result in new significant impacts or substantially more severe impacts related to air quality. No new information of substantial importance related to air quality has been identified, and none of the conditions described in Public Resources Code Section 21166 and CEQA Guideline Sections 15162 and 15163 that require for preparation of a subsequent EIR or supplement to an EIR would occur.

3.4 BIOLOGICAL RESOURCES

	Environmental Issue Area	Where Impact Was Analyzed in the EIR or IS	Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information Requiring New Analysis or Verification?	Do Prior Environmental Documents Mitigations Address/Resolve Impacts?
Biological Resources. Would the project:					
a)	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	Impact 4.3-1 (p. 4.3-17 of the Draft EIR); Impact 4.3-2 (p. 4.3-17 – 18 of the Draft EIR); pp. 4.3-16 - 17 of the Draft EIR	No	No	Yes
b)	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	pp. 4.3-15 of the Draft EIR	No	No	Yes
c)	Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	pp. 4.3-16 of the Draft EIR	No	No	Yes
d)	Interfere substantially with the movement of any native resident or migratory fish and wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	pp. 4.3-16 - 17 of the Draft EIR	No	No	Yes
e)	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.	pp. 4.3-17 of the Draft EIR	No	No	Yes
f)	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	pp. 4.3-17 of the Draft EIR	No	No	Yes

EIR ANALYSIS

With respect to biological resources, the certified Valley Fill EIR determined that, with mitigation, no impacts would be significant and unavoidable. The following discussion provides a brief summary of the biological resources analysis provided in the Valley Fill EIR.

With implementation of the Valley Fill Project, the EIR determined that construction activities associated with relocation of buildings and associated outbuildings could affect nesting birds, if present, through direct mortality of eggs or young. This impact was determined to be potentially significant, but with implementation of preconstruction surveys and avoidance through mitigation, impacts were reduced to less than significant.

Similarly, the Valley Fill EIR determined that on-site structures within the "valley" of the project site may provide suitable roosting habitat for bats, which are considered special status, and that the removal of on-site structures could affect roosting bats, if present. As a result, mitigation was adopted for the Valley Fill Project that requires preconstruction surveys and avoidance of any active bat roosts. With implementation of this mitigation measure, impacts were determined to be less than significant.

In addition, the Valley Fill EIR evaluated, based on the types of habitats identified on the Valley Fill Project site, the potential for the approved project to affect sensitive habitats; special-status plants; special-status vernal pool branchiopods; California Tiger Salamander; western pond turtle; western spadefoot toad; American badger; burrowing owl; Swainson's hawk; tricolored blackbird; wildlife movement corridors; or critical habitat for San Joaquin Orcutt grass, Green's tuctoria, Colusa grass, fleshy owl's-clover, vernal pool fairy shrimp, and conservancy fairy shrimp. As the Valley Fill Project is located entirely within the active disturbance area of the Highway 59 Landfill, impacts were determined to be less than significant.

In addition, the project site is not located within the boundary of a habitat conservation plan or natural community conservation plan, and would not conflict with other approved local, regional, or State conservation plans. No impacts would occur with respect to these issue areas.

MITIGATION MEASURES

With respect to nesting birds, Mitigation Measure 4.3-1 requires that pre-construction surveys for nesting birds be conducted if removal or relocation of existing buildings within the Valley Fill site would occur between February 14 and September 1. The survey would be conducted by a qualified biologist within ten business days before removal or relocation of existing buildings to determine presence or absence of nesting birds. If nesting birds are observed within any buildings proposed for removal/relocation, the biologist will establish an appropriate buffer to ensure construction activities do not directly affect birds or any active nest, and no buildings will be removed or relocated until a qualified biologist verifies that the nestlings have successfully fledged, and the nest is no longer occupied.

Mitigation Measure 4.3-2 requires pre-construction surveys for bats and, if necessary, a bat exclusion plan to be developed and implemented to prohibit access by bats to the roosting site (i.e., exit but no entry) before the building is demolished or removed.

CHANGES RESULTING FROM MODIFICATIONS TO THE PROJECT

The amended project would involve installation of a concrete pad within an active area of the landfill and Valley Fill Project site that is already used for composting activities. Due to the fact that the area is already subject to frequent activity, including delivery of materials, stirring and turning of compost, and processing finished compost, and because no structures are present on-site, the potential for nesting birds and roosting bats is not present. Additionally, the active composting operation area does not represent suitable habitat for sensitive species or other biological resources. While operations within the composting operation would be modified under the amended project, the basic processes would remain the same as under the existing conditions. Therefore, because the area of disturbance and types of disturbances would be substantially similar under the approved and amended project, there would be no additional impact to biological resources.

CONCLUSION

The proposed modifications to the Valley Fill Project would not result in new significant impacts or substantially more severe impacts related to biological resources, nor would any change in circumstances occur that would result in new significant impacts or substantially more severe impacts related to biological resources. No new information of substantial importance related to biological resources has been identified, and none of the conditions described in Public Resources Code Section 21166 and CEQA Guideline Sections 15162 and 15163 that require for preparation of a subsequent EIR or supplement to an EIR would occur.

3.5 HYDROLOGY AND WATER QUALITY

Environmental Issue Area	Where Impact Was Analyzed in the EIR or IS	Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information Requiring New Analysis or Verification?	Do Prior Environmental Documents Mitigations Address/Resolve Impacts?
Hydrology and Water Quality.				
Would the project:				
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	Impact 4.7-1 (pp. 4.7-9 - 10 of the Draft EIR); Impact 4.7-2 (pp. 4.7-10 – 11);	No	No	Yes
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	Impact 4.7-3 (p 4.7-11 of the Draft EIR)	No	No	Yes
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
i) Result in substantial on- or offsite erosion or siltation;	pp. 4.7-8 of the Draft EIR	No	No	Yes
ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	pp. 4.7-8 of the Draft EIR	No	No	Yes
iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	pp. 4.7-8 of the Draft EIR	No	No	Yes
iv) Impede or redirect flood flows?	pp. 4.7-8 of the Draft EIR	No	No	Yes
d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	pp. 4.7-8 of the Draft EIR	No	No	Yes
e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	Impact 4.7-1 (pp. 4.7-9 - 10 of the Draft EIR); Impact 4.7-3 (p 4.7-11 of the Draft EIR)	No	No	Yes

EIR ANALYSIS

With respect to hydrology and water quality, the certified Valley Fill EIR determined that no significant and unavoidable impacts would occur through regulatory compliance, and no mitigation measures were required or adopted as part of the project. The following discussion provides a brief summary of the hydrology and water quality analysis provided in the Valley Fill EIR.

With respect to water quality, the Valley Fill EIR found that volatile organic compounds (VOCs) were detected in groundwater down-gradient of Phases 1-4 of the landfill operation as a result of past LFG migration. With implementation of the approved project, the existing leachate and LFG and leachate collection systems would be modified to accommodate the expansion and in accordance with the requirements of Title 27 of the Section 20937 of the California Code of Regulations. Through regulatory compliance, the impact would be less than significant.

With respect to runoff, the Valley Fill Draft EIR found that relocation of on-site support facilities would include ground-disturbing activities over several acres and would include excavation, grading, and trenching within previously disturbed portions of the landfill. However, the project would not substantially degrade water quality or result in substantial runoff as a result of construction or operation because all ground-distributing activities would be within the landfill footprint, and stormwater would be captured and stored in the on-site stormwater retention basins. Through regulatory compliance, the impact would be less than significant.

The Valley Fill Draft EIR found that the project would require a minimal amount of additional water for dust control during the construction period and would include a minimal amount of new impervious surface; therefore, groundwater supply or groundwater recharge would not be substantially affected. The impact was determined to be less than significant.

In addition, the Valley Fill Draft EIR found that there would be no impacts related to flooding, seiche, tsunami, or dam inundation due to the location of the project site relative to these types of risks.

MITIGATION MEASURES

No mitigation measures were determined to be necessary with implementation of the Valley Fill Project.

CHANGES RESULTING FROM MODIFICATIONS TO THE PROJECT

The proposed modifications would not expand operations or the disturbance area of the Highway 59 Landfill, nor would they result in changes to the types of materials processed within the current landfill boundary. Although the proposed modifications would result in an increase in the amount of impermeable surfaces on the project site relative to that disclosed in the certified Valley Fill EIR, stormwater would continue to be collected and stored within onsite stormwater retention basins. In addition, as noted above, standing water (as part of implementation of the OIMP) would be removed regularly and where observed, as a result of continued on-site monitoring within the composting area. While a new concrete pad would be installed as part of the amended project, it would be of similar size to impervious surfaces that were included in the Valley Fill EIR (i.e., a minimal amount of new impervious surfaces). The project as now proposed is similar to the project evaluated in the Valley Fill EIR with regard to project boundary and operations; therefore, there would be no new or substantially more severe impacts related to hydrology and water quality.

CONCLUSION

The proposed modifications to the Valley Fill Project would not result in new significant impacts or substantially more severe impacts related to hydrology and water quality, nor would any change in circumstances occur that would result in new significant impacts or substantially more severe impacts related to hydrology and water quality. No new information of substantial importance related to hydrology and water quality has been identified, and none of the conditions described in PRC Section 21166, CEQA Guidelines Sections 15162 and 15163 that call for preparation of a subsequent EIR or supplement to an EIR would occur.

4 LIST OF PREPARERS

Merced County Regional Waste Management Authority

Patrick Womble ..... Environmental Resource Manager

Edgar & Associates, Inc.

Evan Edgar ..... Principal

Ascent Environmental

Chris Mundhenk ..... Principal-in-Charge

Marianne Lowenthal ..... Project Manager

Cole Hackett ..... Environmental Planner

Gayiety Lane ..... Publications

Riley Smith ..... Publications

5 LITERATURE CITED

Merced County Regional Waste Management Authority. 2015 (September). Draft Environmental Impact Report of the Highway 59 Landfill Valley Fill Project. State Clearinghouse Number 2014061081. Prepared by Ascent for the Merced County Regional Waste Management Authority.