



March 22, 2021

Stan Ketchum, Principal Planner  
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Governor's Office of Planning & Research

**Mar 22 2021**

**STATE CLEARINGHOUSE**

**Subject: SCH No. 2021020371** – Notice of Preparation of a Draft Environmental Impact Report for the John Smith Road Landfill Expansion – San Benito County (SWIS No. 35-AA-0001)

Dear Mr. Ketchum:

Thank you for allowing the Department of Resources Recycling and Recovery (CalRecycle) staff to provide comments on the proposed project and for your agency's consideration of these comments as part of the California Environmental Quality Act (CEQA) process.

**PROJECT DESCRIPTION**

San Benito County Resource Management Agency, Planning and Land Use Division, acting as Lead Agency, has prepared and circulated a Notice of Preparation (NOP) for a Draft Environmental Impact Report (EIR) in order to comply with CEQA and to provide information to, and solicit consultation with, Responsible Agencies in the approval of the proposed project.

The proposed project site is located at the John Smith Road Landfill (JSRL) and on lands directly east, north, and west of the JSRL. The JSRL is located at 2650 John Smith Road, approximately 2 miles directly east of the eastern boundary of the City of Hollister. The site is located in a hilly rural area east of the Hollister Valley and west of the rural Santa Ana Valley in unincorporated San Benito County. Access to the site is provided from John Smith Road. The existing 95.16-acre JSRL includes two parcels owned by San Benito County that total 90.05 acres (Assessor Parcel Numbers [APN] 025-190-073 and 025-190-074) and one 5.11-acre parcel owned by the City of Hollister (APN 025-190-072). The two county-owned parcels contain an operating Class III landfill. Class III landfills only accept non-hazardous waste for disposal. The City of Hollister parcel includes a closed Class I waste disposal area covering less than an acre. Class I landfills may accept both hazardous and nonhazardous wastes for disposal. The County also owns 101.3 acres directly south of the JSRL and John Smith Road (APN 025-190-075).

The proposed project includes expanding the existing 95.16-acre landfill onto a 388.05-acre parcel surrounding the landfill on the east, north and west, the ownership of which is proposed

to be transferred to San Benito County (County). The proposed project would increase the landfill's permitted daily tonnage limit from 1,000 tons per day (tpd) to 2,300 tpd for waste to be buried. The proposed expansion would increase the landfill's disposal capacity from approximately 9.35 million cubic yards to 58 million cubic yards. This expansion would increase the waste footprint from 58 acres to 253 acres, with the remaining acreage used for roads, soil stockpiles, storm water detention basins, and open space/habitat mitigation. In addition to expanding the landfill footprint, the maximum permitted elevation of the final landfill would increase to 949 feet above mean sea level (MSL), a 29-foot increase above the current permitted elevation of 920 feet MSL. The anticipated site life of the project would vary depending on the final waste density and the long-term waste acceptance rate. However, the remaining site life would be expected to range between 50 and 100 years.

To accommodate these changes, several operational changes are also being proposed. These include expanding the landfill entrance area to accommodate additional daily vehicle arrivals and reduce vehicle queuing on John Smith Road, expanding areas for recycling and the County's Household Hazardous Waste program, establishing an area for the future installation of a gas-to-energy facility, and clean closing the current Class I area owned by the City of Hollister and converting it to a disposal area for Class III waste. Additionally, the proposed project would potentially include the use of a portion of the San Benito County property located south of John Smith Road for habitat mitigation purposes.

### **COMMENTS**

The proposed project description and analysis provided in the EIR should be clear and concise on the required Solid Waste Facility Permit (SWFP) parameters of: permitted operations, permitted hours of operation, permitted maximum tonnage, permitted traffic volume, permitted area (including the disposal area), design capacity, maximum elevation, maximum depth, and estimated closure year.

1. Specify if the 388.05-acre expansion will be the proposed total permitted acreage or if the 388.05 acres will be in addition to the currently permitted 90.36 acres.
2. The NOP states the landfill will be expanding from the existing 95.16 acres, yet the landfill is currently permitted for an area of 90.36 acres total. Please address this discrepancy.
3. JSRL is currently permitted for hours of operation for the public from 8:00 a.m. to 4:00 p.m., Monday through Friday and 9:00 a.m. to 3:00 p.m., Saturday and Sunday and for commercial from sunrise to sunset. Will there be any change in permitted hours of operation?
4. JSRL is currently permitted with a maximum depth of 665 feet MSL. Will there be any change in maximum depth?
5. Specify the estimated closure year, as the NOP states the remaining site life is expected to range between 50-100 years; is the 50-100 years from now or extended onto the currently permitted estimated closure date of 2025 at 850 tpd/2032 at 500 tpd?
6. Page 4, section titled "Increase in Permitted Tonnage Limit," states "The proposed project would increase the landfill's permitted daily tonnage limit from 1,000 tons per day to 2,300 tons per day for waste to be buried. The tonnage for materials that would

not be buried at the site, including recyclables, materials for beneficial reuse and direct transfer materials, would not be included in this total. On average, these materials add approximately 25% to the total tonnage of materials delivered to the site.” Please clearly explain what would be the permitted maximum tonnage for the landfill and if any new activities will be included in the expansion.

7. Page 4, section titled “Site Traffic Changes,” discusses site traffic changes and mentions an increase of 59 vehicles per day. The landfill is currently permitted for 600 vehicles per day. Will the proposed project’s maximum permitted traffic volume be increased to 659 vehicles per day?
8. Page 6, section titled “Other Approvals,” lists other approvals the project may require. This section should also include CalRecycle as a state governmental agency that is responsible for providing regulatory oversight.
9. If there will be any proposed changes in materials to be accepted at the landfill, include those materials in the Draft EIR description and analysis.

Below are links to CalRecycle’s CEQA Toolbox for solid waste facilities, which may assist the Lead Agency in preparing the EIR:

- <https://www.calrecycle.ca.gov/swfacilities/permitting/ceqa/toolbox>
- <https://www.calrecycle.ca.gov/SWFacilities/Permitting/CEQA/Documents/Guidance/Disposal/>

### **Solid Waste Facility Permit**

The proposed project will require a revision to the full SWFP and amendments to the Joint Technical Document (JTD) for John Smith Road Landfill (35-AA-0001). Prior to commencement of the proposed project, the operator shall submit an application package for a SWFP revision and JTD Amendments, which shall be processed by the Enforcement Agency (EA) pursuant to Title 27 California Code of Regulations (CCR), Section 21650. The permitting and regulatory requirements for solid waste operations/facilities are contained in 14 CCR and 27 CCR.

### **Solid Waste Regulatory Oversight**

CalRecycle is the EA for San Benito County and is responsible for providing regulatory oversight of solid waste handling activities, including permitting requirements and inspections.

### **CONCLUSION**

CalRecycle staff thanks the Lead Agency for the opportunity to review and comment on the NOP and hopes that this comment letter will be useful to the Lead Agency in carrying out their responsibilities in the CEQA process.

CalRecycle staff requests copies of any subsequent environmental documents, copies of public notices and any Notices of Determination for this proposed project.

If the environmental document is approved during a public hearing, CalRecycle staff requests 10 days advance notice of this hearing. If the document is approved without a public hearing,

NOP of Draft EIR for John Smith Road Landfill Expansion (35-AA-0001)

March 22, 2021

Page 4 of 4

CalRecycle staff requests 10 days advance notification of the date of the approval and proposed project approval by the decision-making body.

If you have any questions regarding these comments, please contact me at 916.341.6363 or by e-mail at [Megan.Emslander@calrecycle.ca.gov](mailto:Megan.Emslander@calrecycle.ca.gov).

Sincerely,



Megan Emslander, Environmental Scientist  
Permitting & Assistance Branch – South Unit  
Waste Permitting, Compliance & Mitigation Division  
CalRecycle

cc: Ben Escotto, Supervisor  
Permitting & Assistance Branch – South Unit

Jon Whitehill, Supervisor  
Waste Evaluation & Enforcement Branch – Unit B

Eric Tanner, San Benito County EA Inspector  
Waste Evaluation & Enforcement Branch – Unit B