



August 25, 2022

Governor's Office of Planning & Research

Aug 25 2022

STATE CLEARINGHOUSE

Stan Ketchum, Principal Planner
San Benito County Resource Management Agency
Planning and Land Use Division
2301 Technology Parkway
Hollister, CA 95023
Email: sketchum@cosb.us

Subject: SCH No. 2021020371 – 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 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 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 9,354,000 cubic yards to 58,024,000 cubic yards. This expansion would increase the waste footprint from 58 acres to 252.74 acres, with the remaining acreage used for roads, soil stockpiles, storm water detention basins, and open space. In addition to expanding the landfill footprint, the maximum permitted elevation of the landfill would increase to 949 feet above mean sea level (MSL), a 29-foot increase above the currently permitted elevation of 920 feet MSL. The anticipated site life of the project would vary depending on final waste acceptance, waste type, waste density, and final volume, but is estimated to reach final capacity in 2087.

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 the site's environmental control and monitoring systems, constructing a renewable gas 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

CalRecycle staff would like to reiterate and add to the comments provided on the March 22, 2021 comment letter for the Notice of Preparation to ensure that the Lead Agency will consider and respond to the following comments before the Final EIR is certified.

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. The EIR stated that the permitted hours will not be changing.
2. The EIR stated the proposed estimated closure year is increasing to 2087.
3. The EIR stated the proposed waste footprint would increase from 58 acres to a total of 252.74 acres.
4. The EIR stated that the maximum elevation is proposed to increase from 920 feet mean seal level to 949 feet above mean sea level.
5. Is the proposed total permitted area 478.41 acres? Specifically, is the 388.05-acre expansion the proposed total permitted acreage, or is the proposed 388.05 acres in addition to the currently permitted 90.36 acres, for a total permitted area of 478.41 acres?

6. The EIR 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.
7. The EIR states that the proposed expansion would increase the landfill's disposal capacity from approximately 9,354,000 cubic yards to 58,024,000 cubic yards. However the landfill is currently permitted with a design capacity of 9,797,000 cubic yards. Please address this discrepancy.
8. JSRL is currently permitted with a maximum depth of 665 feet MSL. Will there be any change in maximum depth?
9. The landfill is currently permitted for 600 vehicles per day. Confirm that the proposed project's maximum permitted traffic volume will remain at 600 vehicles per day.
10. If there will be any proposed changes in materials to be accepted at the landfill, include those materials in the Final EIR description and analysis.

SB 1383 Regulation Implementation Requirements

Title 27 California Code of Regulations (CCR), Section 20750.1 – Organic Waste Handling - requires new and expanding landfills to implement organic waste recovery activities defined in 14 CCR 18983.1 either on-site or transported to another site where those activities occur, as approved by the Enforcement Agency (EA; CalRecycle). The proposed expansion of the John Smith Road Landfill will need to meet this requirement in order to revise the SWFP, unless the operator will only be accepting solid wastes that have already been processed through a high diversion organic waste processing facility or a designated source separated organic waste facility. The EIR should include a description and analysis of any proposed new activities that will be implemented to meet this requirement.

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 EA pursuant to Title 27 CCR 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 Draft EIR 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 Notice of Completion and Notice of Determination for this proposed project.

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

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

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
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