



July 28, 2021

Governor's Office of Planning & Research

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STATE CLEARINGHOUSE

Darron Poulsen, General Manager
Victor Valley Wastewater Reclamation Authority
20111 Shay Road
Victorville, California 92394

Subject: SCH No. 2021060616 – Draft Initial Study/Mitigated Negative Declaration -
American Organics Victor Valley Regional Composting Facility Expansion
Project, Facility No. 36-AA-0403 – San Bernardino County

Dear Mr. Poulsen:

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

Victor Valley Wastewater Reclamation Authority (VWVRA), acting as Lead Agency, has prepared and circulated a Draft Initial Study/Mitigated Negative Declaration (IS/MND) 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 American Organics Victor Valley Regional Composting Facility Expansion Project (Project) is located just north of the 28.8-acre area in which the Victor Valley Regional Compost Facility (VVRFC; Facility) currently operates. The VVRFC is located at the northern terminus of Shay Road at 20055 Shay Road, Victorville, CA 92394. The Project site is currently zoned as Exclusive Agricultural (A-E) and is designated as Open Space and Specific Plan. VWVRA operations are to the north and west of the Project site, and the Mojave River is to the east.

The Project would include two new operation areas adjacent to the existing Facility. The Project proposes to expand the area directly north of the current Facility to create a larger contiguous lot within which the Facility can operate. The project would also include grading the area north-west of the Facility across the street on Shay Road. The area directly north of the existing Facility would be 9.0 acres and the western area would be 10.1 acres, making the total proposed project area 19.1 acres. Once the Project is complete, the Facility operations would encompass an area of 47.9 acres.

The new operational area would be utilized for blending/processing of composted materials and finished product storage. VVRCF would operate within its current permitted daily intake and maximum capacity, and would not require any additional infrastructure in support of the expanded area of operation.

COMMENTS

CalRecycle staff's comments on the proposed Project are listed below. Where a specific location in the document is noted for the comment, please ensure the comment is addressed throughout all sections of the Draft IS/MND, in addition to the specific location noted. Comments on the Draft IS/MND are summarized below:

Page 2, Project Description – There is inconsistency with the size of the facility. The 2017 IS/MND states both 20 acres (Introduction) and 35 acres (Location). The 2018 Lead Agency Notice of Determination states 35 acres. The 2018 Conditional Use Permit states 20 acres. The current Solid Waste Facility Permit and Report of Composting Site Information (RCSI) both state 50 acres as the permitted area. However, based on the project description, the Facility is 28.8 acres, and will be 47.9 acres after the expansion. What is the total facility acreage? Please clearly delineate the total acreage on the Figures and show the entire boundary that will be part of the Solid Waste Facility Permit. Also, does the permitted boundary include Shay Road?

Page 2, Project Description – In the first paragraph it states, “American Organics will operate within its current permitted daily intake and maximum capacity.” Will anything else change regarding operations, such as operating hours? If so, please describe and include any analysis for those changes.

Page 2, Project Description – The current RCSI may need to be reviewed and updated to reflect changes in facility boundaries, final product storage capacities and other necessary information.

Page 4, Environmental Factors Potentially Affected – None of the checked factors were shown to have a “potentially significant impact.”

Page 16, III. Air Quality, Baseline Air Quality – In the first paragraph it references Table 4, but there is no Table 4. Should this be Table III-3?

Page 25, IV. Biological Resources, Substantiation, FGC Section 1602 Lake or Streambed Alteration Agreement – Text should clarify that the referenced Figure 1 is Figure 1 of the Biological Resources Assessment (Appendix 2).

Page 28, IV. Biological Resources, Impact Analysis, Parts b and c – It is stated at the beginning of paragraphs b and c, that they are “Less Than Significant With Mitigation Incorporated.” The boxes are also checked in the above checklist for this as well. However, at the end of each paragraph it states that the project would have “a less than

significant potential” to have an adverse effect, and does not list any mitigation measures. Is mitigation needed?

Page 38, VII. Geology and Soils, Substantiation, Part c – This paragraph states, “Given that the project site will be filled with has been previously developed with scattered, habitable structures, the potential for soil instability is minimal.” The explanation should be revised for clarity.

Page 49, XI. Land Use and Planning, Substantiation, Part a –The explanation paragraph begins with “No Impact.” However, it has been marked as Less Than Significant with Mitigation Incorporated in the above checklist box.

Page 49, XI. Land Use and Planning, Substantiation, Part b – The paragraph begins with “As stated under issue X(a) above, the proposed Project is zoned for Exclusive Agriculture use, and the land use designations are Open Space and Specific Plan (SCLA).” This is not stated in X(a), do you mean II(b)?

Page 58, XVI. Recreation, Substantiation, Part a – The beginning of the paragraph states, “As addressed in the discussion under XIII and XVI(d) above, the proposed Project does not include a use that would substantially induce population growth.” XIII does not state this and there is no XVI(d). Do you mean XIV and XV?

Page 58, XVI. Recreation, Substantiation, Part b – The first sentence states, “The Expansion site is currently vacation and does not include any recreational facilities.” Do you mean vacant?

Page 66, XIX. Utilities and Service Systems, Substantiation, Part d-e – It states that, “According to the CalRecycle, the maximum permitted capacity of Victorville Sanitary Landfill is 83,200,000 Cubic Yards (CY), while its remaining capacity is 81,510,000 CY...” The maximum permitted capacity for Victorville Sanitary Landfill changed in a 2021 permit revision to 93,400,000 CY. The remaining capacity as of March 31, 2020 is 79,400,000 CY.

Page 75, Summary of Mitigation Measures – The mitigation measure titled HYD-4, which was noted under the substantiation for X. Hydrology and Water Quality, Part c (i-iii), is missing in this list.

Solid Waste Regulatory Oversight

The San Bernardino County Division of Environmental Health Services is the Local Enforcement Agency (LEA) for San Bernardino County and responsible for providing regulatory oversight of solid waste handling activities, including permitting and inspections. Please contact the LEA Supervisor, Kimberly Tra, at 800.442.2283 or kimberly.tra@dph.sbcounty.gov to discuss the regulatory requirements for the proposed project.

CONCLUSION

CalRecycle staff thanks the Lead Agency for the opportunity to review and comment on the environmental document and hopes that this comment letter will be useful to the Lead Agency preparing the Final MND and 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 adopted during a public hearing, CalRecycle staff requests 10 days advance notice of this hearing. If the document is adopted without a public hearing, CalRecycle staff requests 10 days advance notification of the date of the adoption and proposed project approval by the decision-making body.

If you have any questions regarding these comments, please contact me at 916.324.0393 or by e-mail at gina.weber@calrecycle.ca.gov.

Sincerely,



Gina Weber, Environmental Scientist
Permitting & Assistance Branch – South Unit
Waste Permitting, Compliance & Mitigation Division
CalRecycle

cc: Benjamin Escotto, CalRecycle
Kimberly Tra, LEA