STATE OF CALIFORNIA–BUSINESS, TRANSPORTATION AND HOUSING AGENCY PETE WILSON, Governor
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September 18, 1991

ELD050
03-ELD-49 PM 9.6
Union Mine Disposal Site
DEIR
SCH: #90021154

Mr. John Morgan
El Dorado County
Department of Environmental Management
7563 Green Valley Road
Placerville, CA 95667

Dear Mr. Morgan:

Thank you for the opportunity to review and comment on the above referenced document.

COMMENT:

(2) Although this project will not have any significant traffic impacts on State Route 49, the cumulative traffic analysis recommends some future road improvements which may not be feasible. The County should determine the feasibility of these improvements and adjust their circulation element accordingly. More detailed studies will be required to determine the benefits of any intersection control changes on Highway 49.

If you have any questions regarding this comment, please contact Sharon Scherzinger at 916-324-6642.

Sincerely,

ROBERT M. O'LOUGHLIN
Chief, Planning Branch C

EL DORADO COUNTY
RECEIVED
SEP 23 1991
ENVIRONMENTAL
MANAGEMENT

Response to Comment 2

The EIR (DEIR Pages 3.E-1 through 3.E-11) found that there will not be any significant traffic impacts on State Route 49 for current and cumulative (year 2010) traffic conditions attributable to the landfill expansion. The EIR proposed road improvements to improve traffic operation to Los C or better at the study intersections identified and to prevent pavement degradation along SR-49 between China Hill Road and Missouri Flat Road under the existing plus project, cumulative without project, and cumulative plus project scenarios. The present and projected scenarios are not affected by the proposed project.

El Dorado County is currently preparing a comprehensive general plan update which includes updating the circulation element. Adoption of the 2010 General Plan is tentatively scheduled for March 1993. The work program for preparation of the circulation element will address the feasibility, cost and funding of transportation improvements necessary to meet the County's acceptable level of service criteria. The recommended road improvements identified in the EIR will be examined as part of the circulation element update. No further studies are required as part of this EIR.

State of California Office of Environmental Protection

M e m o r a n d u m

To : Russ Colliau
State Clearinghouse
1400 Tenth Street, Room 121
Sacramento, CA 95814

Date: September 19, 1991

Jon Morgan/Jeff Rusert
Department of Environmental Management
7563 Green Valley Road
Placerville, CA 95667

From :

John Loane, Waste Management Specialist
Permitting and Compliance Division
California Integrated Waste Management Board

Subject: SCH #90021154 - Draft Environmental Impact Report (DEIR) for the Expansion/Closure of the Union Mine Disposal Site, Solid Waste Facility Permit (SWFP) #09-AA-0003, El Dorado County.

California Integrated Waste Management Board (CIWMB) staff have reviewed the ND for the project cited above.

Project Description

The Union Mine Disposal Site is located on an Existing 217 acre canyon site, plus an additional 20 acres of private property in the western portion of El Dorado County approximately 3 miles south of the town of El Dorado. Access to the site is along Union Mine Road, a paved two-lane road maintained by the county.

The Union Mine Disposal Site is a 33 acre Class III municipal solid waste disposal; it is owned by the County of El Dorado and operated by El Dorado Landfill, Inc. (EDL). The site and the area around the site were mined extensively for gold from 1850 to 1940, and the site is underlain by underground workings, in intensely fractured weathered rock zone of the Mariposa Formation from the Church and Union Mines. Records maintained by El Dorado County indicate that the property was used as an illegal refuse dump as early as the 1940s. The County of El Dorado obtained the 217 acre property in June 1962 and operated the facility as an open burn dump until 1969, at which time it was converted to a solid waste sanitary landfill.

The County is currently acquiring additional buffer lands adjacent to the Union Mine Disposal Site which will increase the total acreage from 217 to 350 acres overall. The proposed expansion would increase the total service acreage from 33 to 47 extending the landfill approximately 14 acres south of the existing fill area. In 1990, the landfill received an estimated 312,000 cubic yards (approximately 64,000 tons) of nonhazardous solid waste serving the western portion of El Dorado County. The service life of the existing landfill plus the expansion area is expected to provide disposal capacity for approximately 22.6 years, currently remaining site capacity is approximately 1,100,000 cubic yards or approximately 5 years.

The purpose of the landfill expansion is to provide the county with increased refuse capacity, eliminate a 2 to 3 year refuse capacity shortfall while the county tries to permit a new site, and eliminate the significantly more costly option of developing a new landfill. There is not expected to be an increase in the daily volume of waste accepted at the landfill (with the exception of increases due to normal population growth, Table 3-3 of the DEIR). No significant increases in the number of vehicle trips to the landfill are expected. No new or additional equipment is expected to be needed at this time, and no additional personnel are expected to be needed to operate the facility. Operations and procedures are expected to remain the same as present. Some modifications regarding the types of wastes to be accepted have been made.

The project as proposed by the County of El Dorado would include the following:

1. Expansion of the landfill of 14 acres into a drainage immediately south of the existing fill area;

2. Construction of a leachate treatment facility, a leachate pump station, a contact water basin (which will be converted into a surface water detention basin at a later date), and leachate and leachate/septage transport pipelines; and

3. Incremental closure of landfill areas upon reaching capacity.

CIWMB staff ask that the following comments be addressed:

California Environmental Quality Act (CEQA) compliance is required for establishment or expansion of a Solid Waste Facility (SWF) and issuance or revision of a SWFP. Board staff are concerned with the adequacy of the DEIR which was

prepared for this project. The document does not describe nor discuss aspects associated with the leachate treatment facility as required by CEQA, Article 10, Section 15151 of CEQA states:

> An EIR should be prepared with a sufficient degree of analysis to provide decision-makers with information which enables them to make a decision which intelligently takes account of environmental consequences.

In order that the CIWMB staff may review a proper DEIR, the potential significant adverse environmental impacts associated with the project's implementation must be identified clearly in the Environmental Assessment/Initial Study. Article 9, Section 15126 of the CEQA Guidelines states:

> Direct and indirect significant effects of the project on the environment shall be clearly identified and described, giving due consideration to both the short-term and long-term effects.

Nowhere in the DEIR is there an adequate description of the leachate treatment facility, facility operation, nor the associated impacts. CIWMB staff requests that the exclusion of the analysis (3) of the environmental impacts resultant from this project constitutes analysis of this project in a separate environmental document addressing the leachate treatment facility as a separate project.

CIWMB staff requests the preceding information pursuant to Public Resources Code (PRC), Chapter 5, Section 21160, which states:

> Whenever any person applies to any public agency for a lease, permit, license, certificate, or other entitlement for use, the public agency may require that person to submit data and information which may be necessary to enable the public agency to determine whether the proposed project may have a significant effect on the environment or to prepare an environmental impact report.

Following is a list of some of the concerns of CIWMB staff that were either not included or not fully described in the DEIR which need to be responded to in the Final Environmental Impact Report:

<u>Landfill Expansion</u>

* Page 3.B-1 of the DEIR states that "the hydrology of the Union Mine area is relatively complicated since the region is a fractured

rock system in which the host rock includes jointed and fractured meta-sediments, meta-volcanics, and granitic rocks." Page 3.C-14 states that "unfilled fractures or fractures containing easily erodible materials could provide a pathway for migration of contaminated groundwater." Page 2.24 states that "differential settlement must be minimized between the plug and the surrounding rock. The plug must be approximately as stiff as the rock so that each material undergoes similar compression when the load is applied as the landfill is filled. If the plug compresses more or less than the rock, localized forces may be exerted on the clay liner, which could cause the clay to crack. Cracks in the clay liner could provide a route for leachate to migrate into the underdrain outside of the landfill liner, bypassing the leachate collection system."

(4) If the rock surrounding the Portland cement used to plug mine tunnels and shafts is fractured and is easily erodible, could the rock material give way causing a crack in the liner and allow a pathway for the leachate being contained by the liner to enter the groundwater?

(5) * Please identify the proposed surface drainage courses for the proposed landfill expansion area and how the water meandering the unnamed tributary to Martinez Creek will be rerouted.

(6) * What new wells, if any, will be installed to monitor leachate downgradient of the proposed expansion area?

(7) * Would sludge proposed for disposal in the expansion area with less than 50% solids be required to be dewatered for disposal, and if not, why?

(8) * Will leachate piping be sized for twice the anticipated average annual flow rate or the rainy seasonal average flow rate?

(9) * When the synthetic liner is placed on the fill slope of the 17 acre unlined fill area adjacent to the proposed 16 acre expansion

fill area, and differential settling occurs within the landfill, how will the liner react to overburden pressure when both areas are filled concurrently?

* Table 3.B-2 and #.B-3 indicate current contaminant concentrations exceeding State of California drinking water quality criteria. Page 3.B-29 states that "a contingency plan will be developed that will be implemented if groundwater monitoring indicates that significant contaminant migration is occurring." Page 3.C-14 states that "secondary permeability is expected to be relatively high, which could result in an adverse impact on groundwater sources in the event of leachate migration." Page 3.B-26 states that "it must be noted that the collection of all of the leachate from the existing landfill may not be possible given the systems under consideration (CH_2M Hill 1991a)." Taking these comments into consideration, CIWMB staff feel that a contingency plan should be developed as part of this project.

(10)

Page 4-5 of the DEIR states that a significant adverse environmental effect which cannot be mitigated or avoided under the expansion development scenario is landform alteration. CEQA Guidelines, Article 7, Section 15091a, states:

> No public agency shall approve or carry out a project for which an EIR has been completed which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding.

(11) Will the approval of this project require one or more written findings of overriding considerations?

Thank you for the opportunity to review this document. If you have any questions regarding these comments, please contact me at the CIWMB, Facility Review Branch, Permitting and Compliance Division, at (916) 322-1391.

Response to Comment 3

A subsequent CEQA-driven environmental analysis will be prepared for the proposed treatment facility upon completion of plant design.

The treatment facility will be designed for actual influent flow and composition, and cannot be designed with estimated or modeled flows. The actual influent flow reaching the collection trench (which will soon be installed) will be monitored for flow rate, concentration, etc. for at least 6 months. These data will be used to design the treatment process and to size the facility.

The subsequent environmental analysis prepared for the treatment facility will be made available to all responsible and interested parties.

Response to Comment 4

The proposed construction program for the mine plug installation is to pressure grout the fractures in the rock mass surrounding the mine plug, which should reduce the hydraulic conductivity of the rock. The toe drain proposed for this area is designed to collect any leachate leakage.

Response to Comment 5

Expansion-Area Surface Drainage System. The surface drainage from the proposed expansion area will be collected by the expansion area west perimeter ditch and the two expansion area south perimeter ditches (refer to Figure 2-14 of the EIR). All ditches were designed for the 100-year, 24-hour storm, and the associated design calculations are contained in the appendix. The expansion-area west perimeter ditch was designed to capture the surface runoff for an estimated 5 acres within the expansion area. The expansion area south perimeter ditches D and E were designed to capture the surface runoff from 12 acres within the expansion area and 8 acres of upslope area located south of the expansion area.

The expansion-area upslope surface runoff is not required to pass through the detention basin, and could be captured and conveyed in a separate ditch to decrease the required detention basin size. However, construction of two parallel ditches on the south side of the

expansion area (one to collect noncontact surface-water from the closed landfill and one to collect surface runoff from the upslope expansion area), plus an access road, would be difficult and costly, since the existing slopes are very steep (40 percent or more).

Rerouting of Unnamed Tributary Flows into Martinez Creek. The surface-water sources for the unnamed tributary have been identified as runoff from the west and south sides of the existing landfill, the expansion area, and the upslope area located west of the existing landfill area. All surface-water collection facilities utilized to reroute water supplying the unnamed tributary were designed for the 100-year, 24-hour storm event.

Surface water from the west and south sides of the existing landfill will be collected in the west and south ditches, which are scheduled for construction during final closure of the landfill. This water will be classified as noncontact water at final landfill closure and will be passed through a detention basin before being discharged into Martinez Creek.

As discussed above, surface water from the expansion area will be collected in the expansion-area west perimeter ditch and expansion-area south perimeter ditches D and E. The expansion-area west perimeter ditch is designed to capture the surface runoff for an estimated 5 acres within the expansion area. The expansion-area south perimeter ditches D and E are designed to capture the surface runoff from 12 acres within the expansion area and 8 acres of upslope area located south of the expansion area. This water will be classified as noncontact water and will be discharged into a detention basin prior to being released into Martinez Creek.

The major surface-water source contributing to the unnamed tributary is runoff from the upslope area located west of the existing landfill. A shotcrete-lined interceptor ditch (A, B, C, and D as shown on Figure 2-14 of the DEIR) was designed to collect the surface runoff from this upslope area. Because this surface runoff does not come into contact with the landfill area it is classified as noncontact water. The peak flow for the interceptor ditch was calculated based on an approximate upslope watershed area of 220 acres. The upslope watershed area contributing to the unnamed tributary will be better defined when more accurate survey data of the area west of Union Mine Road are available during final design. The design calculations for this ditch are contained in Appendix H.

Interceptor ditches A, B, and C will flow south, and interceptor ditch D will flow north. All surface water collected from the west side of Union Mine Road will be collected at the

confluence of interceptor ditches C and D. As illustrated in Figure 2-14, this central point of collection is located at the southwest corner of the expansion area.

The area on the southwest corner of the expansion area will be filled to the same elevation as the final landfilled expansion-area elevation. Interceptor ditch D was designed to collect the surface runoff to the west of this fill area. Also, the existing culverts in Union Mine Road that discharge runoff to the unnamed tributary will either be plugged or removed.

The collected surface water from the upslope area will be discharged under Union Mine Road in two 36-inch culverts and either siphoned or pumped under the fill area.

Response to Comment 6

A groundwater monitoring program consistent with the revised Title 23 Chapter 15 Article 5 requirements will be submitted to the Regional Water Quality Control Board in a Revised Report of Waste Discharge (ROWD) by June 1992. It is expected that several new wells will be installed to monitor ground-water quality downgradient of the proposed expansion area (see Figures 2-2 and C of the FEIR).

Response to Comment 7

The Union Mine Disposal site will only accept sludge which contains less than 50% water. If any sludge is brought to the landfill with greater than 50% water content it will be refused.

Response to Comment 8

Two collection systems are proposed for the Union Mine Disposal Site: (1) a toe drain to collect groundwater from the existing landfill, and (2) a leachate collection and recovery drainline to collect leachate from the expansion area.

The toe drain is designed to collect groundwater underflow resulting in seeps along the southern portion of the existing landfill and the Minerva Tunnel. Figure 3B-4 of the EIR shows the location of the proposed toe drain. This toe drain is sized for groundwater flows generated from the 100-year storm event. This flow was calculated to be 150 gallons per

minute (gpm) in the Design Report for Closure and Expansion (CH2M HILL, February 1991). The following sources were identified to contribute to this quantity:

Source	Annual Flow Range, gpm
Minerva Tunnel	5 to 20
Existing Waste Management Area	15 to 17
Expansion Area	8 to 10
Leachate Toe Drain Groundwater Collector	50 to 100
Total	78 to 147

Due to its proposed location for construction, the toe drain was sized to accommodate the maximum range of flows from each identified source. This assumption is conservative since each identified source will not contribute 100 percent of its projected flows simultaneously to the toe drain. The toe drain size was determined to be a 6-inch-diameter pipe, which has a carrying capacity of 150 gpm. This toe drain is proposed for construction in early 1992.

The other collection system is the leachate collection and recovery drainline proposed for the expansion area. This system will be placed above the bottom liner of the proposed landfill expansion area to collect any generated leachate. The pipe will be perforated, and the preliminary size has been determined to be 6 inches, which has an approximate carrying capacity of up to 150 gpm. Based on the leachate flow estimate of 17 gpm for the expansion area presented in the Design Report for Closure and Expansion (CH2M HILL, February 1991), a 6-inch-diameter perforated pipeline will have adequate capacity for twice the anticipated flow generated from the 100-year storm.

The final size of the leachate collection and recovery drainline proposed for the expansion area, and the associated treatment system, will be determined after the toe drain is in operation for at least 1 year. The intent of the toe drain is to monitor groundwater and leachate quality and quantity, which will be utilized to determine the proper leachate collection, recovery, and treatment system.

Response to Comment 9

Settlement of the original 17-acre fill will continue as filling occurs in the expansion area. Settlement of the underlying waste will cause the liner to rotate and compress, and it is possible that there will be localized differential settling, which could cause stretching of the synthetic liner. Differential settlement was considered in the design of the expansion area and the synthetic liner is capable of significant stretching before tears occur, therefore, the potential for loss of leachate is considered to be low.

Response to Comment 10

A contingency plan will be developed indirect response to Title 23, Chapter 15, Article 5 and Subtitle D of RCRA which specifically regulate this issue.

Response to Comment 11

Yes, approval of the project as proposed and described in the DEIR will require findings as well as overriding considerations for the unavoidable and substantially unmitigable visual impact associated with topographic alteration.

September 19, 1991

Larry Walrod
Planning Commission
County of El Dorado
360 Fair Lane
Placerville, CA 95667

Re: Draft Environmental Impact Report on the Closure/Expansion of the Union Mine Landfill

Dear Board Members:

We believe the proposed Draft Environmental Impact Report ("Draft EIR") on the Closure/Expansion of the Union Mine Landfill is inadequate in several areas. The Draft EIR does not represent significant impacts to all areas surrounding the landfill. The maps included in the Draft EIR ignore southern residents in terms of significant environmental, noise and aesthetic impacts.

The Draft EIR mentions that the County is acquiring Bureau of Land Management ("BLM") property to be used as a buffer zone, yet the Draft EIR does not delineate the proposed area to be acquired nor the boundaries of the surrounding properties that will be effected. The buffer zone is not described and should be included in the Draft EIR prior to it being acquired by the County, since it is the intention of its acquisition for this project.

The following are more detailed comments concerning the Draft EIR:

Reference	Comment
	NOISE IMPACTS:
Pg. ES-4	Noise levels will be significantly different from existing conditions because the proposed leachate pump and three-motor aerator pumps will be running 24 hours a day at 60 decibels a piece. At the present time, the landfill noise is restricted from 6:30 a.m. (not 8:00 a.m. according to the Draft EIR) to 5:00 or 6:00 p.m. There are no descriptions as to where the pumps for the aerator pond will be placed, except for the proposed area south of the landfill. The proposed three-motor aerator pond is shown to be placed on top of a 1,400+ foot high knoll. This would be higher in elevation to residents east, southeast and south which would significantly impact noise levels. The Draft EIR does not show any testing performed for noise impacts in these affected areas.

(12)

pg. 3.H-2

(13) The Draft EIR fails to mention that the employees of the operator begin their day at 6:30 a.m., at which time some of the heavy equipment is operated. No sound testing was provided during the 6:30 a.m. to 8:00 a.m. day, the most sensitive time affected by noise levels.

pg. 3.H-5

(14) The Draft EIR is mainly concerned with noise levels northwest of the site which included Maric Road and Union Mine Road. The Draft EIR discriminates against the areas east, south and southeast by not including them in the testing of noise levels. It is wrong to assume that the surrounding topography prevents sound from traveling in those directions.

(15) To label the operations of the landfill as industrial because of the equipment used should not give the County the authority to increase the sound levels acceptable in that area. The area around the landfill is rural residential/agriculture and residential-estate. For this reason, the landfill site should be subjected to the rural residential, low density sound level requirements: 50 dBA, 10 p.m. to 7 a.m. and 55-60 dBA 7 a.m. to 10 p.m. Industrial sound levels are unacceptable and any levels reaching that impact should be mitigated to the rural, residential standards. The proposed site of the treatment plant, on top of a hill approximately at the 1300 foot elevation, will carry sound through the canyon from its aerator pumps and should be moved to the lower portion called the "rifle range" to mitigate such sound from the aerator pumps. The sound level of the propane generator must be measured and stated in the Draft EIR.

pg. 3.H-10

(16) The design of <u>all</u> pumps should require a maximum noise level of no greater than 50 dBA 24 hours a day. The aeration ponds and large pond should be located in areas which sound will be mitigated, not on top of a large hill where sound can travel greater distances.

pg. 3.H-8; 2-59; 2-60

(17) There is no mention of the residences and properties effected by noise from the site north, east, south and southeast. All testing was performed either at the landfill site itself or from residences on the west side. The landfill is surrounded by elevated terrain, but the active face is increasing in height and will be higher than the natural terrain. Sound will travel further as the level of the active face rises.

(18) **Impacts:** The Draft EIR states that the landfill expansion will not be any closer to those residences on Maric Road. Again, the Draft EIR discriminates against other areas around the landfill and treatment plant which will be moving closer to them.

AESTHETICS/VISUAL IMPACTS:

pg. ES-4; 3.J-14

(19) Impacts to the residents visual aesthetics will be significantly affected by those who travel along Rattler Ridge Road, which is not mentioned in the Draft EIR. There are no mitigation solutions to solve this degrading of aesthetics caused by the installation of the large septic treatment ponds. The current site has a gun club meeting shed and a trailer. The enormous pond and maintenance building would be a significant impact.

pg. 3.J-8

(20) **Sensitive Viewsheds:** Here again, the south and southeast residential properties are discriminated by not being mentioned or ignored in the Draft EIR. Views of the site are clearly visible from Rattler Ridge Road. The proposed treatment plant will be greatly visible from Rattler Ridge Road. It will be a significant increase as compared to a small clubhouse and trailer that is currently there. Mitigation measures must be instituted for viewsheds from the south looking north towards the landfill, such as appropriate landscaping or screen fencing.

pg. 3.J-12

(21) The overall sensitivity of the project site regarding views cannot be considered moderate for those property owners who have residential sites which overlook the proposed expansion/treatment plant.

The landform alterations are mitigable to some extent by lowering the elevation of the final closure so as not to be a significant effect on surrounding viewsheds and by placing the treatment plant below the proposed hill.

Figure 2-5; pg. 2-59; pg. 2-60

(22) **Final Closure Contours:** The final closure elevation is too high and significantly impacts the visual aesthetics from the south look north towards the landfill. It will deteriorate the view of Tombstone Mountain from the southern areas. The landfill topography will look unnatural because of its stepped terrain. This higher cap will be seen from greater areas further east of the landfill. Noise levels will then not only impact immediate residents, but as the height builds, landfill equipment noise will carry further down the canyon and impact residents and future residential sites in other areas.

pg. 3.K-9

(23) **Closure Characteristics:** Since the leachate/treatment plant will be a permanent facility, all mitigations should be pursued, including situating the treatment plant down in the area called the "rifle range" rather than on top of the hill.

pg. 2-11

(24) The "Cover Soil Borrow Plan," a knoll at the elevation of 1,380 feet south of the landfill is slated for excavation as borrow material "as required" meaning they can destroy the whole hill which would be a significant impact visually to nearby residents south of the sight who are not mentioned in the Draft EIR.

pg. 2-43

(25) Intermediate Cover: Since the interim cover will be for a long period of time, it should have an appealing aesthetic quality to local residents. What is the plan to make the interim cover aesthetically acceptable?

LAND USE:

pg. 1-1; 3.K-9

(26) The County is incorrectly applying a negative declaration to the property to be rezoned, since most of it will be acquired by the County and such rezoning would all the County to apply for a permit for landfill use. In City of Carmel-by-the-Sea v. Board of Supervisors of Monterey County (Mission Ranch Corp. (App. 6 Dist. 1986) 227, Cal.Rptr. 889, 183 C.A.3d 229, the court stated that:

> ". . . difficulty of assessing future impacts of zoning ordinance did not excuse preparation of report . . ."
>
> ". . . rezoning application was not merely effort to comply with state law in the abstract, but was necessary first step to approval of specific . . . project, and, in any event, the rezoning by itself represented commitment to expanded use of the property . . ."

As stated in Natural Resources Defense Council, Inc. v. Arcata Nat. Corp. (1976) 59 CA.3d 959, 131 Cal. Rptr. 172:

> "A project within the meaning of the Environmental Quality Act, . . . which requires environmental impact reports for projects having a significant effect on the environment, includes any private activity for which a permit or other entitlement for use is required; before an environmental impact report becomes necessary, all that must be shown is that a public agency has some minimal link with the activity either by direct proprietary interest or by permitting, regulating, or funding private activity." (Emphasis added)

pg. 3.K-2

Much of the adjacent land is owned by Bureau of Land Management and the County is going to acquire a portion of the BLM property to be used as a "buffer." They will be rezoning the property from residential-agricultural to agricultural allowing them to obtain a special use permit for landfill use. The Draft EIR does not describe the boundaries of the "buffer" zone, nor give a map delineating its borders, much of which shares boundaries with residential properties. The Draft EIR needs to include such a map and state the proposed use of the "buffer" area since it is an integral part of the landfill project.

(27)

pg. 3.K-6

The Conservation and Open Space Element of El Dorado County (1984b) applies to this project in respect to Policy #4 in which it states:

> "The County will **protect** lives and property from **unacceptable** risks resulting from natural and **man-made hazards.**"

The County, itself, is endangering the lives of residents surrounding the landfill by risking the contamination of the groundwater supply. The County should make every effort to mitigate all problems pointed out in the Draft EIR, not matter the cost since the lives of the residents are at stake. This would include designating the Bureau of Land Management property to be acquired by the County as an Open Space/Wildlife Preserve.

(28)

For the reasons stated above, the rezoning application requires a separate EIR. The area of the Bureau of Land Management property to be acquired by the County has never provided maps with surveyed lines, nor how it relates to the boundaries of residents. Full disclosure of property lines should required in the EIR. In McQueen v. Board of Directors of Mid-Peninsula Regional Open Space Dist. (App. 6 Dist. 1988) 249 Cal.rptr 439, 202 Ca.A.3d 1136, the court decided that the "description of a project involving acquisition of surplus federal property . . . in determining that it was exempt from environmental review" was incomplete and misleading since it did not involve simple acquisition.

(29)

The County's acquisition of the BLM property is not simple. The rezoning is allowing the County to permit the acquired property for landfill use.

pg. 3.A-1

The Draft EIR should state the strict and sole intent of the usage, delineating boundary lines and neighboring residents. This property contains high quality oak woodland habitat, which is considered sensitive

(30)

habitat. If this property is to be solely used as a "buffer zone" as stated by the County, the Draft EIR should include that the BLM properties acquired by the County will be a native habitat preserve in perpetuity for the preservation of native wildlife and for the protection of the public's health and safety.

pg. 3.K-9

(31) Situating the expansion to the south moves it closer to southern residents, which is not mentioned in the Draft EIR. The distance stated of a 4,000 foot buffer from the treatment plant is not true for residents who live south of the plant. The Draft EIR should state how far all surrounding residents are from the treatment plant.

pg. 3.K-10

(32) **Mitigation Measures:** Land use impacts will occur with the rezoning of properties surrounding the landfill from residential/agricultural to agricultural. The BLM properties were the only true buffer from the landfill and now this is being acquired by the County after it is rezoned. Such an action of rezoning should require an Environmental Impact Report not a negative declaration since the intention is to allow the County to apply for a permit for landfill use.

GAS MONITORING SYSTEM:

pg. 2-10; 3.D-4; 3.F-18; 3.F-2

(33) The last test was conducted by EMCON in 1987, four years ago. Since the Air Resources Board report in 1987 detected compounds above minimum levels, a new test should be performed to provide accurate, up-to-date data on the ambient air quality and landfill gas emissions. A current test should be conducted in order to have appropriate and accurate information for the Draft EIR in regards to the ambient air quality and landfill gas emissions which threaten nearby residents. This is an extremely significant impact that can cause substantial damage to the value of surrounding properties and endangers the public. The County should be required to set up a liability fund for landfill gas nuisances and danger from gas explosions.

pg. 2-44

(34) The County should have an established plan/procedure as to potential gas emissions and odor nuisances of LFG and how they will be handled in the foreseeable future. This is a realistic assumption of a significant impact since it regularly occurs with landfills.

(35) pg. 2-61

The expansion and closure environmental monitoring program needs to include a gas monitoring program.

pg. 3.D-10

(36) Landfill gas emissions should be controlled by sufficient cover, repairing cracks, fissures and settling, so as not to require a landfill gas extraction system, which would have an impact on the surrounding area. This type of control would require proper cover material being trucked in from other areas.

(37) A LFG monitoring system should be set up immediately so as to prevent potential hazards to the public. The 1987 study revealed very little LFG emissions were present. That was four years ago and a current testing needs to be performed. Since the Air Resources Board has a minimum standard rating, it should be determined if current data reveals the same LFG concentrations as in 1987 or if they have increased and warrant a LFG monitoring system.

pg. 3.G-2

(38) Although the risk of fire and explosions may be negligible (if current data supports this); it is appropriate to assume gas concentrations will gradually increase during the 22 years and a gas monitoring program should be established to monitor such increases.

DUST:

pg. 3.D-7

"Dust raising events" occur each time a car, truck or other vehicle travels into the landfill. It also occurs while debris is being covered and borrow material is being moved. This seems only logical to assume a high frequency of dust-raising events.

(39) Data needs to be obtained as to the amount of dust reaching inhabited areas. The elevated terrain surrounding the landfill does not keep all dust from reaching inhabited areas. As the height of the landfill increases, so will the amount of the dust particles reaching inhabited areas increase since they will be carried over the terrain by the wind. During certain conditions, the dust floats through the air like a fog into the surrounding valley.

pg. 3.A-24

(40) Dust and mud has always been a constant problem at the landfill site, despite numerous complaints from residents. The County temporarily appeases residents and then falls back into the same routine in ignoring the conditions which impact residents. Recently, dust and dirt on Union Mine Road has been a major problem. The landfill only periodically removes the dirt from the road, when they should prevent from reaching the road at all.

pg. 3.D-5

(41) Dust generation is a concern and impacts not only surrounding vegetation, but also surrounding residents currently near the landfill and future residential sites. Dust travels with the winds south, and at some times north, down into the canyon onto residential areas. The Draft EIR has not determined if these dust particles carry contaminants to surrounding residents and what the effect is on those properties.

pg. 3.D-11

(42) Proposed mitigation measures for dust control should include the EPA effective watering program to reduce fugitive dust.

pg. 3.J-10

(43) The shaley nature of onsite soils does not lessen the likelihood of particles being subject to air suspension. Dust is an ongoing problem at the site and clouds of it hang like a fog in the valley during early morning hours when conditions are right. Since the Draft EIR only included site visits during February and April, which stated the ground was damp, it is not an adequate examination of the dust problem which exists when it is dry.

There have been numerous complaints by residents of the hazards of dust and mud on Union Mine Road. The County will temporarily see it is taken care of, but the problem still exists.

GROUNDWATER:

pg. 3.C-6

(44) The region is documented as a large fractured rock aquifer system. The RWQB stated the area as a "high risk," yet the County still wants to proceed. The Draft EIR should document who shall hold liability for groundwater contamination, have an emergency cleanup fund set up and establish a plan as to how residents will be compensated for groundwater contamination.

pg. 2-50

(45) The Draft EIR does not state whether it is known how large the aquifer under and downgradient of the project is which would be affected by groundwater contamination. This would be important since all residents in the area south and southeast are dependent on wells. What are the controls that prevent the County from diverting water directly to Martinez Creek if the drainage flow from the surrounding area is greater than anticipated? How often will the system be checked for proper operating conditions? Who will have the responsibility of keeping the County honest? If the system fails, what is the County's plan for reparations and cleanup?

(46) pg. 2-33; Figure 2-8 — Mine shaft tunnels "Golden Gate" and "Pendar Tunnel" risk groundwater contamination to southern residents, who are not mentioned in the Draft EIR.

(47) pg. 3.B-1 — The testing of monitor wells have been performed during a severe drought and it is not believed that such wells could give an accurate reading during the drought.

(48) pg. 3.B-6 — Groundwater flow is from northwest to southeast across the landfill site -- residents southeast should not be ignored in the Draft EIR.

(49) pg. 3.B-24 — Since there are high levels of inorganic compounds which exceed the State of California drinking water quality criteria, this should warrant the testing of private wells and include them in the monitoring program.

(50) The sampling of Well WM-3 indicated the presence of chloroform and acetone in the quantities of 4 ug/l and 22 ug/l, respectively. The Draft EIR states that these compounds may either be attributed to laboratory error or the fact that the well has been vandalized in the past. Well WM-3 should be re-tested to determine an accurate reading.

(51) Since data indicates that leachate from the landfill may have impacted groundwater underlying and immediately downgradient of the site, it should be established how far groundwater has been contaminated and private wells should be involved in the testing.

(52) pg. 3.B-27 — There are residents southeast that have shallow groundwater wells. The Draft EIR needs to specify not only how deep wells are within the landfill site, but also surrounding residents who could be affected by shallow groundwater contamination.

(53) pg. 3.B-29; 3.G-3 — Since there is the significant possibility of future migration of contaminants in groundwater besides those which have already been detected through primary and secondary permeability and such contamination is in the direction of south and southeast, private wells in the down gradient direction should be required to be part of the monitoring program. It is the "opinion of CH2M Hill personnel that groundwater contamination impacts are limited to the "uppermost water-bearing zone." County monitoring wells cannot determine very fracture underlying the landfill which may be carrying contaminated groundwater to area residents.

pg. 3.C-17

(54) The Draft EIR only states that the Minerva Tunnel will have a drain. What about the other mines/shafts? There have been tests which show that the other tunnels/shafts receive groundwater. These tunnels/shafts need to be explored since a shaft may have several tunnels leading in different directions which may have water accumulating within those tunnels. Once these are plugged, water will have nowhere to escape except to build pressure against the landfill debris possibly causing the liner to deteriorate and forcing the water entering the mine/shaft to find a new route anywhere under the existing landfill.

(55) pg. 3.F-18

An attempt to identify all subsurface routes should be required prior to allowing the expansion.

pg. 3.G-5

(56) It cannot be stated that contamination to water would be considered insignificant if there is any amount reaching groundwater now, which there is. Any amount, no matter how minimal, is a significant effect to the residents dependent on groundwater.

pgs. 3.B-25; 3.C-6; 3.C-9; 3.C-13

(57) Data reveals that much of the landfill is directly underlain with fractured meta-sedimentary rocks instead of soil. The land consists of areas made up of highly resistant schist and slate formations in which 50% to 90% of the ground surface is comprised of rock outcrops and stones. The Draft EIR specifies two borrow areas for cover material which consists of this rock/slate. How can this type of rock/slate be used as cover material for debris when it does not have the required density? The Draft EIR states that clay will be brought in from the Ione area for part of the liner of the expansion. Will clay be brought in for cover material? This needs to be specifically addressed in the Draft EIR.

<u>TRAFFIC</u>:

pg. 2-50; 3.E-6; 3.E-5; 3.E-1

(58) The current condition of Union Mine Road north of the proposed realignment is not safe for traffic. The road does not have a posted speed limit; there are no advance warning signs for sharp turns; school buses are unable to travel and turn around at the landfill site (residents have to drive their children to a bus stop as far as 3-4 miles away); the road does not have proper drainage in several areas -- water drains onto the road and, in colder weather, freezes on the road; the turn on Union Mine Road and East China Hill is a sharp "S" turn that is currently having problems with deterioration of the existing asphalt.

(59) The entire length of Union Mine Road up to the planned realignment should be upgraded to safer standards. It is not feasible to just assume traffic will not increase in the next 22 years. As the County grows, so will the number of public haulers and commercial trucks, not just the 5-7 septic trucks.

(60) The Draft EIR does not show how traffic flow will be handled in and out of the landfill site. There should be a separate left-hand turn lane on Union Mine Road entering the landfill so cars/trucks do not block through traffic on Union Mine Road when they line up at the entrance gate. Vehicles leaving the landfill should be required to stop before proceeding onto Union Mine Road. Presently, this is not enforced at the landfill, even though a stop sign is in place. Through traffic on Union Mine Road must deal with uncontrolled traffic coming out of the landfill and having the dangerous potential of causing accidents. Residents are always having to drive excessively defensive when passing the landfill entrance and exits. This problem still remains a hazard.

(61) The Draft EIR does not specify or show on any maps concerning the road that will be used for the 5-7 trucks septage and landfill maintenance trucks to the treatment plant. This needs to be included.

pg. 3.G-1
(62) **Existing Conditions:** To find no fault in current safety problems along Union Mine Road is erroneous. The road needs to immediately be upgraded, installing proper drainage, posting speed limits, posting advance warning turn signs and repaving. Where Maric Road and Church Mine Road meet Union Mine Road is a very dangerous intersection because there is improper visibility for safe access to Union Mine Road. The road conditions do not allow school buses to travel past E. China Hill Road.

pg. 3.G-3
(63) **Accidental Spills:** Several cars/trucks have run off Union Mine Road because of dangerous road conditions (i.e., water draining on the road and freezing in colder climates, unmarked turns or speed limits, vehicles crossing the double yellow line to avoid debris in the road). The current condition of Union Mine Road increases the likelihood of accidental sewage spills unless Union Mine Road is upgraded as mentioned previously. (refer to comments concerning pg. 3.G-1)

pg. 3.E-9
(64) The statement on this page is contradicted under "Cumulative Plus Project Scenario."

(65) Mitigation should include upgrading Union Mine Road to accept current traffic safely by repaving, installing proper drainage, posting speed limits, posting advance turn warnings, and making it safe for public school buses to travel on with the dump trucks. To state that traffic impacts are not significant is erroneous.

pg. 3.H-9
(66) It is incomprehensible to state that traffic volumes will remain the same (290 vehicles/day) when in this section it states that the current average is 1,100 vehicles and by the year 2010 it is expected to increase to 2,400 vehicles. This is a <u>significant</u> impact to a road already considered dangerous.

pg. 2-65
(67) **Post-Closure End Use:** Signs required to state hazardous gas emissions will have a significant effect on the value of nearby residential properties. Access control fences should be constructed immediately to prevent vandalism that would threaten groundwater quality monitoring devices and the health and safety of residents.

<u>ODOR/AIR EMISSIONS</u>:

pg. 3.D-1
(68) **Climate:** The winter also brings winds from a northern direction which would bring odors from the septage treatment ponds towards southern and southeast residents. On occasion, wind speed reaches 40 mph during the winter.

pg. 3.D-8
(69) **Operational Impacts:** Stationary impacts of pollutant emissions caused the volatile gases from the landfill and septage treatment facility is a "<u>significant impact</u>" since the Draft EIR states odor impacts can be expected to occur within a distance of one-half mile. There are residents west, south and southeast which would be impacted by such odors.

(70) There has been a <u>substantial</u> increase of operating equipment at the landfill as the operator prepares for the expansion. To say there will be no increase in combustion emissions or fugitive dust emissions from operational vehicles is incorrect.

HAZARDOUS MATERIALS:

pg. 3.F-1
(71)

Since the expansion area has a problem with drainage, seeps, unidentified subsurface routes and high groundwater, no hazardous material (asbestos, grease trap and sewage sludge) should be accepted at the landfill which could contaminate groundwater.

pg. 3.F-8
(72)

The statement, "The Union Mine Landfill currently does not accept infectious waste and will not accept infectious waste after the proposed expansion," is not clear as to whether the landfill is going to accept waste during the expansion.

pg. 3.F-17; 3.G-4
(73)

The Draft EIR states there is the potential of contamination reaching "unidentified subsurface routes (mine shafts). SInce such a risk exists and is likely, no hazardous material should be allowed in the landfill, including grease trap, sludge, and asbestos.

pg. 3.G-2
(74)

The landfill will accept hazardous waste consisting of asbestos, grease trap and sludge. This sections says it will not. The Draft EIR is inconsistent in respect to this point.

LANDFILL PROCEDURES:

pg. 3.F-10
(75)

Wastes are not currently screened as routinely or effectively as they can. The person(s) that supposedly screens wastes brought into the landfill is essentially just parking vehicles as they line up to dump debris. The cover material currently being used is not adequate. The State is again allowing the County to police itself, which brought many other problems in the past. As adequately stated by a County Environmental Management official, police are not going to give themselves a ticket. It has only been with pressure from the public to appropriate state agencies that the County is called upon to meet certain regulations.

pg. 2-1; 3.G-4
(76)

"A minimum of 12" of intermediate soil cover is placed on top of the surface of refuse fill every day." This statement has never been followed consistently by the operator of the landfill in the past. There have been numerous complaints filed by residents. Debris has been left uncovered all night.

pg. 3.G-2
(77)

Past procedures of the landfill have shown inconsistency in covering debris in the evenings as last minute haulers are allowed in to dispose of waste. This can be solved by having the landfill close one hour earlier to allow the operator to cover all debris before closing the site for the evening. Such debris, if left uncovered, attracts numerous stray dogs and cats and other vermin.

pg. 2-30
(78)

Cover soil is inadequate because it is mostly shale and allows water to penetrate the debris.

pg. 2-10
(79)

Odor Control: Past practices have not shown consistency in daily covering of debris, which sets the precedent for future practices.

pg. 2-10
(80)

Litter Control: Residents have never seen a portable windscreen on sight.

pg. 2-2
(81)

Equipment: There is no mention of the safety standards for the storage of diesel fuel for the equipment used at the landfill. This needs to be addressed in the Draft EIR.

pg. 3.F-11
(82)

Four random check loads a month is not adequate considering that one check is done per 3,000 tons. Random check loads should be increased not only to protect the health and safety of surrounding residents dependent on their well water, but also as an educational tool to incoming public haulers.

pg. 3.I-3
(83)

Electricity: The Draft EIR states that the proposed project would not entail nighttime operations, yet the pumps/aerators would be running 24 hours a day. This is continuous electricity usage.

pg. 3.L-1, et seq.
(84)

Historic Resources: The area of the site was one of the most productive gold mining sites of the Mother Lode. The landfill will have a significant effect on many historical mines.

Respectfully submitted,

MARTINEZ MINES HOMEOWNERS CORPORATION

Lorraine Burgess, President

Ann Mayer, Secretary

cc: Board of Supervisors, El Dorado County
Jon Morgan, Environmental Management
California Air Resources Board
Michael T. Stoltz, Department of Transportation, El Dorado County
Martha Diaz, Environmental Review, CIWMB
James D. Messersmith, Dept. of Fish and Game
John Vanderbilt, Office of Planning and Research, SCH #90021154
Army Corps of Engineers
California Department of Health Services
Jon Engellenner, Sacramento Bee
Michael Waggoner, Regional Water Quality Board
Mary Coyle, Permit Section, CIWMB

Response to Comment 12

The leachate pumps will be designed and installed to comply with the El Dorado County Irrigation District noise policy of 55 dBA at 50 feet from the source for all period of operation. Significant adverse noise impacts from the pumps would be avoided at all noise sensitive receptors if compliance with that policy is achieved.

The posted hours of use for the public is 8:00 a.m. to 5:00 p.m. However, El Dorado Landfill, Inc. may start landfill operations as early as 6:30 a.m.

Response to Comment 13

Sound level measurements were taken at 100 feet from the active landfill site during a period of high activity. The measured sound level at that location would be similar regardless of the time of day. Additional sound level measurements were taken at the landfill property line and at the closest noise sensitive receptors during the daytime hours. It is acknowledged that the ambient sound level in the community may be lower during the early morning hours, but not so much as to cause significant impacts.

Response to Comment 14

Sound level measurements were taken at the active work face, two eastern property lines and at the closest noise sensitive receptors. The hourly sound levels at the property line and at the closest noise sensitive receptors were 50 dBA and below. Landfill operations were at a high activity level during the measurement periods.

Sound level measurements were not taken at any other locations due to the relatively low measured sound levels, the significant distance from the landfill to other noise sensitive receptors, and because of attenuation afforded by the intervening topography. The sound levels at the receptors on the north, south east and south, east are expected to be less than the measured sound levels at the closest sensitive receptors on the west.

Response to Comment 15

Comment noted. Landfill facilities are considered industrial uses. County noise standards governing industrial uses stipulate that the maximum sound level is 70-75 dBA (L_{eq} 1 hour) at the property boundary.

Noise from the propane generator must be designed and operated in accordance with the El Dorado noise standards.

Response to Comment 16

All pumps will be designed and installed to comply with the El Dorado County Irrigation District noise policy of 55 dBA at 50 feet from the source for all periods of operation. Noise from the pumps are expected to follow the inverse square law and attenuate at a rate of approximately 6 dBA per doubling of distance. Pump noise would be approximately 49 dBA at 100 feet from source if compliance with that policy is achieved.

The sound levels from the aeration ponds would be required to comply with the County noise standards regardless of the location on higher or lower terrain.

Response to Comment 17

Refer to response to comment 14.

No significant increase in sound level is expected from the increasing height of the landfill's active face.

Due to the intervening topography and the significant distance from the landfill to noise sensitive receptors, sound levels are expected to comply with the El Dorado County noise standards on the north, south and east sides as the active face rises.

Response to Comment 18

Refer to response to comment 14.

Response to Comment 19

Several of the photographs in the DEIR were taken from Rattler Ridge Road, and the views from this road were analyzed in the DEIR. The legends on the photographs have been revised to specifically identify the location that the photographs were taken from. The EIR contains a recommended mitigation measure that the site plan for the treatment plant include vegetative screening to limit visibility from sensitive receptors. Intermittent short-term views of a site, such as the views afforded to travelers on a roadway are not considered sensitive, therefore such views are not considered significant.

Response to Comment 20

The proposed landfill expansion and treatment plant would not be visible (afforded direct or long-term views) from residences to the south, unlike the residences to the west which directly overlook the site. The residences to the west are much more sensitive to landfill operations and landform alterations. The short-term views of the proposed landfill expansion and treatment plant afforded to travelers on Rattler Ridge Road, Union Mine Road etc. are not considered significant. As mentioned in Response to comment #19, it is recommended that the site plan for the treatment plant include vegetative screening to limits its visibility.

Response to Comment 21

The existing view of the proposed landfill expansion and treatment plant site from the area immediately surrounding the site is degraded. Views to the landfill have been degraded since the waste disposal/landfilling activities began at the site in the early 1960s. The purpose of the EIR is to document the changes that the proposed project will have on the existing environment. The landfill expansion and development of a treatment plant on the site would not significantly alter the existing visual character/aesthetics of the site. Therefore, the changes resulting from the expansion and development of the treatment facility are not considered significant.

Lowering the final elevation of the landfill would not significantly reduce landform alteration impacts and would result in a substantially reduced capacity. The placement of treatment plant facilities below the hilltop (in the rifle range area) is a viable option (as mentioned in the EIR) and will be considered during the design of the treatment plant.

However, it would likely be technically infeasible to place all of the facilities in the rifle range hollow, but whatever can be feasibly sited there should be considered. The final configuration of the treatment plant will be subject to supplemental environmental review when detailed plans are completed.

Response to Comment 22

The change in landform associated with the landfill expansion (including the final height of the landfill) was evaluated in the EIR and determined to be a significant unmitigable impact. However, the final closure elevation proposed was determined necessary to meet expected future disposal needs and to balance capacity versus cost.

For all projects evaluated under CEQA which result in one or more unmitigable significant impacts, the responsible public agency must make a determination of public record that the benefits of the proposed project outweigh the identified significant environmental effects (CEQA Section 15093). The County of El Dorado, Board of Supervisors will consider such a determination as part of the administrative process for this project.

Response to Comment 23

This option is mentioned in the EIR. The feasibility of locating portions of the treatment plant facilities in the rifle range hollow are being evaluated. It is likely that at least part of the treatment plant would be located below the hilltop, and will be visually screened from much of the surrounding area by natural topography. As mentioned previously, the final configuration of the treatment plant will be subject to supplemental environmental review after completion of the final site plans for the treatment facility.

Response to Comment 24

The proposed project's effects of landform alteration, which includes use of the Knoll for soil borrow material, was determined to be a significant unmitigable impact. In accordance with CEQA, Section 15093, the County Board of Supervisors will have to prepare a Statement of Overriding Considerations with respect to landform alteration in order to approve the proposed project.

Response to Comment 25

Interim cover consists of 1 foot of compacted Ione clay covered with several feet of clean soil placed over a portion of the existing landfill. Additionally, the interim cover has been seeded to control erosion. After the interim cover is in place, the site will not look any different than it currently does (i.e., exposed soils). The interim cover will be utilized as a staging area for future operations, and is able to withstand significant vehicular traffic.

Response to Comment 26

On recommendation by the County Planning Division, the County Board of Supervisors at their hearing of August 20, 1991, referred the rezone request back to County staff to be evaluated in the EIR as part of the landfill expansion project.

Response to Comment 27

The BLM lands were not analyzed or delineated in the EIR because a separate NEPA driven environmental document was being prepared by the BLM for the exchange. No waste disposal is anticipated which would take place on the acquired BLM lands as part of this project. In addition, the land exchange had not yet been finalized at the time of the EIR preparation and the boundaries of the subject parcels had not been delineated. Additionally, a proposed Amendment to 43CFR Part 2740 (the Recreation and Public Purposes Act) may allow for the conveyance of BLM land to local communities at low cost which may enable the County to acquire all 200+ acres of BLM land in the Union Mine area.

However, the proposed BLM land exchange is currently moving forward, and the EIR has been revised to reflect this. Figures 1-3, C and D have show the boundaries of the BLM property (93 acres) with respect to the landfill site. The BLM properties and the former 20-acre private parcel acquired by the County will be used as a buffer around the landfill. It is anticipated that no landfilling or waste disposal activities will take place in the buffer area as part of this project. Only ground water monitoring wells, landfill gas monitoring probes, a water detention basin, and possibly water conveyance facilities may be constructed in the buffer zone area. The buffer area would also contain an approximate 18-acre restricted use biological preserve.

Response to Comment 28

Comment noted. Portions of the BLM buffer area would be set aside as a native biological habitat preserve. In addition, no waste disposal activities would take place in the buffer area as part of this project. Please refer to response to comment 27.

Response to Comment 29

The land exchange between the County of El Dorado and the BLM had not been finalized at the time the DEIR went out for public review. The actual boundaries of the BLM lands to be acquired by the County were unknown at that time.

The land exchange has now been initiated and a map showing the approximate boundaries of the BLM parcels has been included in the Final EIR as Figure D. In addition, Figure 1-3 has been amended and Figure C has been added to also show the boundaries of the BLM parcels with respect to the landfill site.

Please refer to response to comment 27.

Response to Comment 30

Please refer to response to comment 27.

Though not now planned, any expansion of landfill disposal activities into the buffer or removal of borrow material from the buffer area would be considered a "project" and would require environmental review under CEQA. Such activities would be a discretionary action (versus allowed by right) and would require the approval of a special use permit and authorization from the CIWMB, RWQCB, CARB and the Fire Agencies.

Response to Comment 31

Section 3K of the EIR has been corrected to state that there are residences located approximately 2,000 feet south of the treatment plant and not 4,000 feet as previously reported.

Response to Comment 32

The County has no plans to conduct landfill/waste disposal activities in the buffer area. The rezone of the BLM land is now being addressed in this EIR. Please refer to Sections 2 Project Description, and 3K Land Use, of this EIR. It was determined in this EIR that the land rezone would not result in any significant impacts.

Response to Comment 33

The available data point to the conclusion that landfill gas emissions at the Union Mine site are not causing a significant impact to the surrounding area. The CARB tests showed landfill gas within the landfill, but very little gas escaping to the atmosphere. Since, some of the gas will eventually find its way to the surface, the County is considering installation of a gas collection system in the existing landfill area following closure.

Response to Comment 34

The County is currently studying alternative methods to contain/control landfill gas emissions including a gas collection system to remove and destroy gases trapped within the landfill. If such a system is found to be necessary to prevent adverse offsite exposure to landfill emissions, one will be installed.

Response to Comment 35

There is no technical basis for requiring regular landfill gas monitoring at the Union Mine Landfill site. After 24 years of operation, the levels of toxic gases that were found by CARB to be emitted into the ambient air were extremely low. It is unlikely that these emissions have increased dramatically since that time. As a long-term measure, the County is considering installation of a gas collection and destruction system for the existing landfill area after its closure. This would effectively remove the opportunity for land fill gas to escape as fugitive emissions and would route the gases to a thermal destruction unit.

Response to Comment 36

The County does not believe that hauling of cover materials from other locations is a preferred alternative to the operational practices. While an effort will be made to minimize gas seepage by good maintenance practice, some gas will ultimately find its way to the surface. But, based on the 1987 CARB test, the level of emissions after about 24 years of operation was very low.

Response to Comment 37

Please see response to comment 33.

Response to Comment 38

As stated in the DEIR, the County is considering a gas collection system that would be installed in the existing landfill area after its closure. The level of air contaminant emissions will be one factor in this decision.

Response to Comment 39

Dust is admittedly a problem at the existing landfill during the dry months of the year. Conditions have been particularly dusty during construction of a water pipeline and hydrant at the site, a separate project not addressed in this EIR. The completion of the construction activities and the water that will be made available to the facility by the new delivery equipment will greatly improve the facility's dust suppression capability. Also, water from the new leachate collection system that is a part of the proposed project will also be used for dust suppression, as allowed by law, regulations and waste discharge requirements. The County believes these improvements will allow the landfill operation to operate without significant adverse effects to nearby residents.

Response to Comment 40

The County has received occasional complaints regarding soiling of Union Mine Road. However, in conjunction with the completion of construction of the new 8-inch waterline extension to the gate of the disposal site, the County will commit to a permit condition that will require the landfill operator to clean the road periodically as a mitigation measure.

Response to Comment 41

See response to comment 39.

Response to Comment 42

Watering is proposed as the principal dust control mitigation measure. See response to comment 39.

Response to Comment 43

See response to comment 39.

Response to Comment 44

The County would be liable for any groundwater contamination that is determined to be from the landfill. As required by the new CCR Subchapter 15, Title 23, Article 5, and Subtitle RCRA amendment, the mechanism and amount to be set aside for groundwater cleanup will be specified in a revision to the County's Report of Waste Discharge.

Response to Comment 45

Groundwater recharges the local aquifer in areas of higher elevation surrounding the landfill and discharges along the unnamed tributary and Martinez Creek. As such, the extent of the aquifer is determined largely by the size of the watershed. The nearest domestic well to the south is located several watersheds away, more than one-half mile from the proposed expansion area.

All drainage courses and impoundments have been sized for the 100-year, 24-hour event. The RWQCB is responsible for ensuring that the County abides by the Waste Discharge Requirements (WDRs) issued for the site. If the system fails, the County is liable for any contamination. The mechanism and amount to be set aside for cleanup will be specified in a revision to the County's Report of Waste Discharge. In accordance with CCR 23, subchapter 15, Article 5, this revision must be submitted to the RWQCB on or before June 30, 1992.

Response to Comment 46

Neither the Golden Gate tunnel nor the Pendar tunnel provides a conduit from the proposed expansion area to the watershed supplying the nearest domestic water supply well. The Golden Gate tunnel only extends approximately 650 feet south of the unnamed tributary and the Pendar tunnel extends approximately 200 feet south of the unnamed tributary. Additionally, the Golden Gate and Pendar portals will be plugged and covered with a liner prior to the placement of fill.

Response to Comment 47

Water levels recorded during the recent drought conditions provide insufficient data to estimate maximum groundwater levels in the vicinity of the existing fill. However, the flow directions determined using these water levels are consistent with the local topography; with groundwater recharging in areas of higher elevation surrounding the landfill (moving downslope) and discharging along the unnamed tributary and Martinez Creek.

Response to Comment 48

Site-specific data from the landfill site indicate that the ground water flow system in the vicinity of the landfill is a localized flow system that discharges to the unnamed creek at the south end of the landfill and to Martinez Creek located east of the landfill. These data also suggest that the shallow ground-water system is not directly connected with the deeper ground-water flow system from which many of the domestic wells in the area draw water. Residents located southeast of the site are located on the east side of Martinez Creek and are therefore not part of the same shallow ground-water flow system which could potentially be impacted by leachate migration from the landfill. The nearest domestic wells to the south are located several watersheds and more than one-half mile away.

The DEIR addresses the issue of potential leachate migration from the landfill site. This concern is addressed in the mitigation measures section calling for an adequate ground-water monitoring program that will be designed to ensure that ground-water users in the area are not impacted, and for a contingency mitigation plan to be developed in accordance with the new CCR Title 23, Chapter 15, Article 5 and RCRA regulations for

implementation if ground-water monitoring indicates that significant contamination migration is occurring. Additionally, leachate migration into the ground-water system beneath the landfill will be minimized by the construction of a leachate collection system. The combination of a leachate collection system, a comprehensive monitoring program, and a mitigation contingency plan will help ensure that domestic wells in the area in the vicinity of the landfill are not impacted by leachate migration from the landfill or the proposed landfill expansion.

Response to Comment 49

The County is in the process of proposing a revised groundwater monitoring program that will include the installation of additional monitoring wells. This program will be submitted to the RWQCB on or before June 30, 1992. Based on the analytical results from these wells, the County may propose monitoring offsite domestic wells.

Response to Comment 50

The sampling of Well UM-3 indicates the presence of chloroform and acetone in the quantities of 4 µg/l and 22 µg/l, respectively. The Draft EIR states that these compounds from one sampling may either be attributed to laboratory error or the fact that the well has been vandalized in the past.

To detect and evaluate organic contamination originating from the landfill, groundwater from Monitoring Well UM-3 is analyzed every 6 months for 40 common organic contaminants including chloroform. During the last semiannual sampling episode, conducted in August 1991, these compounds were not detected in the groundwater sample from Monitoring Well UM-3. Further sampling will be performed in the future to confirm these results.

Response to Comment 51

The County is in the process of proposing a revised groundwater monitoring program that will include the installation of additional monitoring wells. This program will be submitted to the RWQCB on or before June 30, 1992. Based on the analytical results from these wells, the County may propose monitoring offsite domestic wells.

Response to Comment 52

The location of the domestic drinking water wells located within 1 mile of the site were identified and mapped in the Solid Waste Assessment Test report submitted to the RWQCB in July 1987. Based on this information, it is unlikely that contamination from the landfill would impact the nearest domestic well to the south, located several watersheds and more than one-half mile away.

Response to Comment 53

Please refer to response to comment 52.

Response to Comment 54

Portal plugs are proposed for the Pendar, Golden Gate, and Minerva tunnels; Big Cut Stope, and Springfield Shaft. During the course of several studies dating back to 1982, surface discharge has not been observed from any of these mine workings except for Minerva tunnel. For this reason, the Minerva tunnel plug will be equipped with a drain. The water levels in the remaining workings will not be significantly impacted by the plugs. Additionally, water levels beneath the liner will be controlled by the proposed underdrain.

Response to Comment 55

Due to the complexity of the flow paths associated with the fractured bedrock and mine workings, it is not feasible to physically map them in order to demonstrate that they are not significant leachate conduits. However, it is possible to use indirect evidence to support this conclusion. This evidence includes:

- Water Quality of the Minerva Tunnel – Chloride data indicate that less than 5 percent of the water discharging from the Minerva tunnel is leachate. This is a good indication that the mine workings are not a significant leachate conduit because the Minerva tunnel provides ground-water quality information for the mine tunnels and shafts located beneath or adjacent to the landfill. The Minerva tunnel is estimated to be 75 to 150 feet below the base of the landfill and is suspected of being interconnected with the Klondyke and Springfield shafts.

- Consistent Gradient – The groundwater gradient between monitoring wells UM-1, LW-2, and MW-1 is very consistent (0.07 ft/ft). If a significant portion of the leachate and groundwater underflow was moving along preferential flow paths, the water levels in the weathered and unweathered bedrock wells would be discontinuous. Continuity implies that the groundwater associated with the weathered and unweathered zones is moving in the same direction and discharges in the same area, along the unnamed tributary. This continuity also implies that although the flow may occur through fractures, evaluating the flow assuming an equivalent porous medium is a reasonable approach.

- Water Balance Calculation – Based on the water quality information, discharge in the vicinity of monitoring Well MW-1 consists of groundwater underflow (73 percent) and leachate (27 percent). The HELP modeling results indicate infiltration into the landfill cover averaged 17 gpm or 27 ac-ft/yr between 1967 and 1987. Based on this estimate, groundwater and underflow should approach 45 gpm or 73 ac-ft/yr. The underflow calculation based on the hydraulic conductivity and hydraulic gradient in this shallow weathered bedrock was 94 gpm or 150 ac-ft/yr. Although this discrepancy may indicate that water is migrating into the deeper unweathered bedrock, a more likely explanation is that the hydraulic conductivity estimate is incorrect. Evidence supporting this conclusion is that leachate from the leachate spring and the Minerva tunnel accounts for a large proportion of water infiltrating into the cover of the landfill.

- Low Hydraulic Conductivity of the Bedrock – The movement of water through a shaft or tunnel will be constrained by the hydraulic conductivity of the surrounding rock. The hydraulic conductivity of the fractured bedrock underlying the fill material has been measured to be 10-5 cm/sec, or one or two orders of magnitude less than the overlying weathered material. Therefore, unless the shafts or tunnels are connected to a zone of high hydraulic conductivity or discharge to the surface, such as the Minerva tunnel, they will not significantly impact groundwater flow.

- Decrease in Fracture Aperture with Depth – In general, the hydraulic conductivity of fractures decrease with increasing depth because the overburden

decreases the aperture of the fractures. For this reason, the significance of any flow in the unweathered bedrock will decrease with increasing depth.

Response To Comment 56

Any contamination detected to date is related to the historic mining activities in the area and to leachate from the existing unlined landfill. The County is in the process of mitigating this contamination as required by a Cease and Desist Order issued by the RWQCB. Leachate generation in the expansion area will be intercepted by a leachate collection system overlying the plastic liner and conveyed to a collection point for treatment.

There are water quality criteria that have been developed by state and federal agencies for the protection of human health. Of particular applicability are the State of California drinking water quality criteria which are at least as conservative as the federal criteria. These criteria are one method of gaging the significance of ground-water contamination. As stated on page 3.B-21, the criteria for aluminum, arsenic, barium, chromium, iron, and manganese were exceeded in the leachate pond sample. Leachate well sample LW-2 exceeded criteria for iron, total dissolved solids, and chloride, and the criterion for zinc was exceeded in well MW-4. With the exception of the Proposition 65 chloroform criterion and the state taste and odor criterion, water quality criteria for the detected organic compounds have not been exceeded.

However, the fact that these criteria have been exceeded only in wells within and just downgradient of the landfill strongly suggests that migration rates are exceedingly slow given the length of time the landfill has existed. This fact coupled with what appears to be a shallow and localized ground-water flow system underlying the landfill site indicates a low potential for impact to ground-water quality outside of the landfill watershed.

Despite this, the DEIR states on page 3.B-23 that "potentially adverse impacts are posed by the off-site migration of leachate-impacted ground water." This concern is addressed in the mitigation measures section calling for an adequate ground-water monitoring program that will be designed to ensure that ground-water users in the area are not impacted, and for a contingency mitigation plan to be developed for implementation if ground-water monitoring indicates that significant contamination migration is occurring.

Response to Comment 57

Cover soil used for the expansion area will consist of onsite material composed of soil and broken rock and may include imported clay from other offsite areas. The onsite material is obtained from onsite borrow areas. The material serves well for covering the waste and preventing blowing papers and insect breeding. If the active material is broken down to soil size particles, it is relatively tight as indicated by occasional ponding of water on the landfill after rainstorms. To minimize the infiltration of rainwater and production of leachate, the most impervious cover material would be saved for winter use. Any soil brought onsite for disposal would also be stockpiled for winter cover.

Response to Comment 58

Union Mine Road north of the proposed realignment is operating satisfactorily, with four reported accidents in 1989, three in 1990, and one to date in 1991. The accident rate (2.46 Accidents per Million Vehicle Miles) is typical for this type of two-lane rural road and does not indicate a significant accident problem.

The absence of a posted speed limit on Union Mine Road is the "norm" for rural roads in this County. Speed limits are generally reserved for major roads which carry appreciable volumes of traffic. Rural roads, such as Union Mine Road, are generally not posted with a speed limit because the physical condition of the roadway is readily apparent to a driver and because the curvilinear nature of the roadway necessitates varying speeds which are not consistent with a posted speed limit.

The absence of curve warning signs on Union Mine Road is consistent with other rural roads where the curves are readily apparent to a prudent driver and, therefore, do not require special signing.

The selection of school bus routes, bus stops, and turn-arounds is the responsibility of the various school districts and the California Highway Patrol. The Mother Lode school district has stated that there are several reasons why school buses are prohibited from Union Mine Road including 1) road is to narrow – there is no passing lane, 2) the road is too narrow to provide a safe place for the buses to pull over and pick up/leave off children and 3) there is no fog line painted in the road.

The existing ditches and culverts along Union Mine Road are considered to be adequate for existing conditions, as evidenced by the lack of any reported "icy" accidents on Union Mine Road" within the last three years. Freezing weather conditions are common to the entire County and do not constitute a special or unique problem for Union Mine Road.

The surface of all paved roads is subject to deterioration and wear, including the paved surface of Union Mine Road. The "S" turn" currently has a small "slip" in the southbound lane and "alligator cracking" in the northbound lane. These two areas are relatively small and do not significantly affect the driveability or safety of the road. The County's maintenance section will repair these two sites as scheduling permits.

Response to Comment 59

Under the Cumulative plus Project Scenario found on Page 3.E-9 of the Draft EIR, the first sentence states . . . the future weekday traffic will increase at the same growth rate (i.e., 4 percent) . . . which is the growth rate per year for a 22-year period. This growth will take place through time, not by virtue of expansion of the Union Mine Landfill. The Landfill expansion increases the number of years the Landfill will be able to operate, and does not increase the present amount of garbage created and will not increase present landfill vehicle trips.

Response to Comment 60

Traffic flow at the landfill will not change as part of the expansion. No traffic flow impacts were identified in the traffic analysis.

In accordance with statutes of the California Vehicle Code, the existing "STOP" sign is the appropriate traffic control device to regulate traffic exiting the landfill. This intersection appears to be operating satisfactorily, based on the absence of any reported intersection accidents within the last three years. The existing "STOP" sign on the landfill exit, in conjunction with the" existing "STOP" sign on the northbound lane of Union Mine Road," provide adequate traffic control at this intersection.

Response to Comment 61

The 5-7 trucks per day carrying septage to the proposed treatment plant would utilize the existing unnamed access road to the gun club/treatment plant site. This road would likely have to be upgraded (i.e., paved) to accommodate the septage trucks.

Response to Comment 62

The existing accident rate for Union Mine Road is within the acceptable range for rural County roads and does not indicate a significant safety problem. The accident history for the last three years does not indicate a need for improved drainage, posted speed limits, posting advance warning turn signs, or repaving.

The sight distance at Maric Road is the responsibility of the property owners because Maric Road is a private road; however, the County is responsible for sight distance at the intersection of Union Mine Road and Church Mine Road. Due to acute angle at which Church Mine Road intersects Union Mine Road, there are operational limitations, including restricted sight distance. Also, the existing differential in grade between the two roads adversely affects turning movements at this intersection; however, there has been only one reported accident at this intersection within the last three years (a non-injury rear-end accident caused by an improper "backing" movement)."

All decisions regarding bus routes are made by the various school districts and the California Highway Patrol. The County is not involved in this decision process.

Response to Comment 63

The accident history indicates that vehicles do not run off Union Mine Road with any greater frequency than on other rural County roads. The likelihood of sewage spills due to run-off-road accidents is minimal (there have been no reported "overturned" accidents on Union Mine Road within the last three years). Also, there have been no reported accidents within the last three years caused by motorists attempting to avoid debris in the roadway.

Response to Comment 64

Please see response to Comment 65.

Response to Comment 65

The existing pavement, signing, and drainage facilities on Union Mine Road are adequate to safely accommodate the existing traffic, plus the future traffic generated by the proposed improvement of the landfill. There is no evidence to indicate that repaving the road, installing additional signs, improving the drainage facilities, or revising the school bus routes will reduce accidents on Union Mine Road.

Response to Comment 66

The 290 vehicles per day are vehicle trips associated only with the Union Mine landfill. The present average daily traffic on Union Mine Road is 1,100 vehicles per day which includes the 290 Union Mine landfill trips. Traffic volumes on the roadway at buildout (year 2010) compared to existing volumes with or without the project, are not the subject of this environmental analysis. The cumulative effect of buildout traffic plus this project is not expected to result in a significant adverse impact.

Response to Comment 67

Access to the landfill is currently controlled. After final closure the facility will be controlled to prevent vandalism and to promote the revegetation effort, pursuant to CCR Title 14 requirements.

Response to Comment 68

Comment noted. However, detectable odors are not likely to occur when storm winds are blowing because these are the conditions under which atmospheric diffusion is most effective in diluting airborne pollutants.

Response to Comment 69

Occasional detectable odors at offsite locations are considered to be a potential nuisance, but not in any way health threatening; thus, this would be an adverse but not a significant impact.

Response to Comment 70

The applicant has stated that the proposed expansion will not require an increase in equipment for normal operations of the landfill. Some increase in the use of fuel-burning equipment will occur during construction of the expansion area, although this effect will be short-term and not significant.

Response to Comment 71

Grease trap wastes, sewage sludge, and containerized non-friable asbestos are not considered hazardous wastes by the State or County, and are permitted by the state to be disposed of in Class III (non-hazardous) municipal solid waste disposal facilities.

Response to Comment 72

The Union Mine Disposal Site does not now accept infectious (or hazardous wastes). Infectious wastes are prohibited by law from disposal in Class III municipal solid waste facilities such as the Union Mine landfill. The Union Mine landfill will not accept infectious waste in the future.

Response to Comment 73

Grease trap and sludge are not considered to be hazardous wastes by the State of California. Friable asbestos is an airborne hazard. It is not hazardous in soil or water. However, only non-friable asbestos will be accepted at the Union Mine Disposal Site.

All non-friable asbestos accepted at the Union Mine Disposal site must be contained in double 6-mil plastic bags. Properly containerized non-friable asbestos is not considered hazardous, and is allowed to be disposed of in Class III non-hazardous solid waste disposal sites. The County does not expect to accept significant volumes of asbestos containing material.

In addition, grease trap waste, sludge, and asbestos will only be disposed in the lined expansion area where the potential for groundwater contamination is greatly reduced by the liner and LCRS system. These materials will no longer be disposed of in the unlined original landfill area.

Response to Comment 74

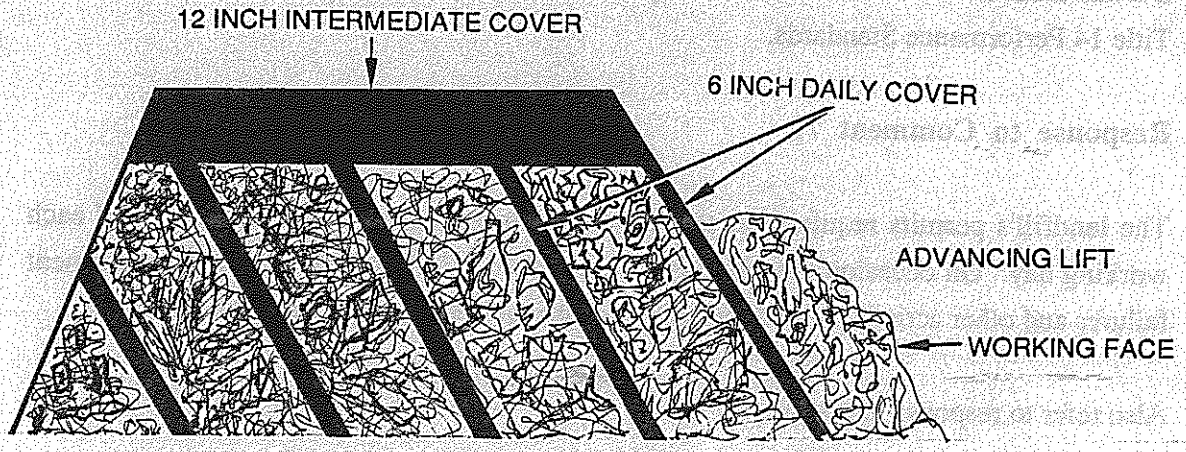
Please see response to comment 73.

Response to Comment 75

The County is responsible to the Community Development Department, California Integrated Waste Management Board, the Regional Water Quality Control Board and the Air Resources Control Board for proper operation of the landfill. Regarding mitigations to offset environmental impacts associated with the expansion and closure project, an independent Mitigation Monitor will be responsible for ensuring that all mitigative measures are implemented.

Response to Comment 76

The landfill is required to place 6 inches of daily soil cover on the advancing (working) face of the landfill at the end of each working day. However, on occasion, the working face has been left uncovered due to equipment failures and other actions beyond the control of the operators. The top surface of each lift is covered with 12 inches of soil daily. Below is a schematic drawing of the operational procedures at the Union Mine Disposal Site.



Response to Comment 77

As mentioned previously, the landfill operators are required to cover the refuse at the end of each day. However, occasional extenuating circumstances prevent the waste from being covered. The County will consider preventing "last minute" haulers and closing the gates earlier to ensure the waste can be covered before nightfall.

Response to Comment 78

Cover soil used for the expansion area will consist of onsite material composed of soil and broken rock. The material serves well for covering the waste and preventing blowing papers and insect breeding. If the native material is broken down to soil size particles, it is relatively tight as indicated by occasional ponding of water on the landfill after rainstorms.

In addition, there are no permeability requirements for daily soil cover. The onsite soils used for daily and intermediate cover are suitable to meet the Title 14 and 23 requirements. The purpose of daily cover, as stated in Title 14 Section 17681 is to "effectively prevent propagation or attraction of flies, rodents or other vectors, to control landfill fires, and the prevent the creation of nuisances." Daily cover is defined in Section 17225.17 as cover material spread and compacted on the entire surface if the active face of the sanitary landfill at least at the end of each operating day in order to control vectors, fire, excess water infiltration, erosion, and to prevent unsightliness. However, not all landfills are required to use daily soil cover. The performance standards outlined in Section 17683 of Title 14 can be used in lieu of daily soil cover if certain criteria and requirements are met. The El Dorado landfill will continue to use daily soil cover and is not proposing to operate under Title 14 Performance Standards.

Response to Comment 79

The landfill's permits require that soil cover be placed on the waste at the end of each working day. On occasion the working working face is left uncovered, due to equipment failures and other actions beyond the control of the landfill operators and the county.

Also refer to response to comment 77.

Response to Comment 80

The use of windscreens when needed is stipulated in the landfill's operation permits as a litter control option. However, since the landfill operates with a full-time litter picker, the need to use windscreens has not been considered necessary.

Response to Comment 81

Current fuel storage practices onsite include two 2000 gallon fuel tanks adjacent to the landfill entrance which are not visible to the public because of a natural topographical barrier.

Diesel fuel storage and handling practices on the landfill will not change with the proposed expansion. Fuel storage tanks will be removed after closure of the site.

Response to Comment 82

An average of four load checks a month is considered adequate in combination with other features of the Waste Acceptance Control Program including modifications recommended in this EIR. Required additions to the current program are outlined in the EIR in Section 3F, Hazardous Materials/Infectious Waste.

Response to Comment 83

For clarification, the landfill portion of the proposed project would not operate at night. The proposed leachate/septage treatment plant would operate 24 hours a day and would require continuous electricity usage.

Response to Comment 84

The project site was surveyed by a qualified archaeologist/historian. It was determined that none of the sites identified within the project boundary are a historic resource as defined by the National Historic Preservation Act (NHPA) National Register of Historic Places, State Historic Resource Inventory, State Historical Landmarks List, CEQA, or NEPA. The Phase I Cultural Resources Technical Report (which included records and literature search and on-foot survey of the property) prepared for the Union Mine Disposal Site EIR

(Appendix F of the EIR) provided archaeological recording and historical research documentation for the onsite resources. None of the resources were determined to be significant, therefore, no further archaeological/historical investigation work is necessary and no impact to these resources is expected.

DEPARTMENT OF TRANSPORTATION

INTEROFFICE COMMUNICATION

Date: September 20, 1991

To: John Morgan, Manager
Solid Waste & Hazardous Materials Division
Environmental Management Department

From: Craig McKibbin, Deputy Director of Engineering

Subject: Union Mine Disposal Site Expansion/Closure Draft EIR

The Department of Transportation has reviewed the subject EIR and our comments of June 21, 1991 have been responded to in this EIR document. Several additional comments are as follows:

(85) Fig.3E-2: At intersection 6, the 109 average daily traffic (ADT) should be pointing to Union Mine Road instead of Highway 49.

(86) Pg.3.E-4: 1st paragraph - The eastbound approach needs to be included as one shared through and right lane.

(87) Pg.3.E-5: The document should not state that "... the existing intersection currently should be signalized to provide safe traffic operations to the area." The satisfaction of the traffic signal warrants does not necessarily indicate an unsafe traffic condition, only that traffic operations would most likely be improved if a signal was installed.

(88) Fig.3E-3: The same as Fig.3E-2. The 240 ADT should be pointing to Union Mine Road instead of Highway 49.

(89) Mitigations: The document should provide a short discussion regarding the funding of the improvements listed in this section, specifically the landfill's proportionate share. A statement as simple as "The County, as owners of the project, will contribute a proportionate share of the listed improvements based on the proportionate shares of traffic volumes using that improvement.", could be satisfactory.

The Department has also reviewed the Draft EIR for drainage and grading, and the comments on drainage are attached. The primary grading review would more appropriately be performed by your department.

bp
Attachment
cc: Steve Hust

Response to Comment 85

Comment noted. The figure has been corrected.

Response to Comment 86

Comment noted. The text has been corrected.

Response to Comment 87

Comment noted. The text has been clarified.

Response to Comment 88

Comment noted. The figure has been corrected.

Response to Comment 89

Comment noted. The information has been added to the text.

Larry Walrod
Planning Commission
Co. of El Dorado
360 Fair Lane
Placerville, Ca. 95667

September 29, 1991

RE: Draft Environmental Impact Report on the Closure/ Expansion of the Union Mine Landfill

Dear Board Members:

Upon review of the draft E.I.R. mentioned above I feel the report is imcomplete, inadequate and displays an element of negligence by the Department of Environmental Management and CH2M Hill who prepared this report.

Negligence Liability and Professional Negligence as quoted by Harry Miller & Marvin Starr, Attorneys:

"A. General Rule: Every person has a duty to act reasonably and to act in such a manner that an unreasonable risk of harm is not caused to others which could have been foreseen. This general rule applies to all persons in the community regardles of the activity.

1. The elements of negligence are: (a) the existence of a duty of care owed to the person injured; (b) the breach of that duty; (c) such breach being the "proximate cause" of the injury; and (d)damages suffered by the injured party.

2. The duty is owed to all persons within the area of "foreseeable risk", the question being, "could a reasonable person in the position of the actor recognize the probability of injury to the third person if the actor failed to exercise due care?"

3. The difficult aspect of determining whether there has been a breach of the duty of care, is that of ascertaining the applicable "standard of care" that will be imposed on the actor.

B. Professional Negligence: This rule of negligence is applied to all persons who perform professional services."

(90) The injured parties are the homeowners and landowners North, east, south, southeast, and southwest of the landfill who were omitted and ignored in the E.I.R. Our fears are numerous, but to start with Environmental Management should have provided a scale model of the existing landfill vs. the proposed expansion. This model would show future additions to the landscape or deterioration of the landscape. achitectural design of any structures, leachate/septage treatment facilities, gas flare stations, monitoring wells,

leachate pump stations, water basins, any above ground pipelines, sumps, pumps, any areas that will display terrain covered with plastic and tires (and for what period of time would neighbors have to view this unsightly view), building of any new roads, any buffer zones shown in relationship to nearest property owners,or any additions or changes to the existing site. This model would also make it easier for County Planning and the County Board of Supervisors to see how threatening this expansion will be for the property owners to the South, Southeast and Southwest. The Aesthetics/Visual Impact would be overwhelming.

(91) Pg.3.K-9 - 92 Acres of BLM land if acquired, why does this have to be rezoned at all. If the County is disclosing the absolute truth, there is no need to change the zoning. If County feels it is necessary to change the zoning for a buffer, then protect the property owners and designate these lands as only an animal preserve or habitate for birds. These 92 Acres should also be shown in the model in relationship to the property owners to the east, south, southeast, southwest and west. I personally am surrounded by BLM property at this time and feel threatened and unprotected.
If these 92 acres are to be acquired by the County and used for a buffer for the landfill, why are they exempt from providing an E.I.R.?

(92) Pg.3.K-1 - The Rod and Gun Club obtained a special use permit from the county. The Board of Supervisors entered into a Concession Agreement for a ten-year period with the club on February 28, 1978. This is not and should not be a currently operating firing range.

Pg.1-9 - Mining History. There is no mention of existing active mines which include RLJ Mine, White Rock, Buddy Lode & Gold Bank. Muddy Water is inactive and Mine #6 Unknown. These mines are located in the BLM properties the county is trying to acquire and rezone. These mines are located to the South and Southeast of my property. Because this existing landfill and the proposed future expansion is built on and around all of these abandoned and existing shafts and mines, it raises concern about trapped and (93) unknown gas dangers. Fear arises in concern to fires that could occur at the landfill and get out of hand. There was a recent fire on September 23, 1991. I overheard the fire chief say it was a very serious fire and if it had happened during a normal summer which 1991 was unreasonably cool, they may not have had 10 trucks and air tankers available. I also heard him say there was no wind. What if this happens again and the conditions are right and it is in the summertime and there is a heavy wind,blowing fire over hundreds and hundreds of dry brush and old mines full of all kinds of trapped gases? Will you be able to protect the property owners and people who will be trapped in this

inferno ? Not to mention all the wildlife and destruction of properties and homes. The people to the South on Rattler Ridge Rd. would not be able to evacuate. We only have this one road for access.

Please obtain a report of the fire on 9-23-91 from the Diamond Springs/El Dorado Fire District, 501 Main Street, Diamond Springs, Ca. Environmental Health, Air Pollution & State Waste management Board also made reports regarding this fire.

This little local dump never was meant to be a full scale landfill. When the County took over operation of this dump we were not notified of new permits as they grew. It has been the practice of El Dorado County not to be concerned about adjoining or adjacent property owners.Is it the State mandating immediate changes to the dump that are forcing the County to forge ahead without taking time to (94) properly prepare E.I.R. reports at the height of the summer and winter when such reports would be more true for testing of chemical conditions and changes due to the two weather extremes. Is this expansion something you would be proud of and be able to say that you feel no harm will come to the property owners?

(95) Page 1-6 shows an increase of population of approximately 46,000 through the year 2000. This has to generate untold problems for the adjacent property owners to the proposed landfill.Page 2-50 shows approximately five to seven trucks per day will be delivering septage to the treatment plant from sources throughout the county.How can this report show that these conditions will not have an impact? Easy!!! Because the report is done for purposes of expanding the landfill and without feelings or consideration of property owners to the South, Southeast and Southwest. Increased Noise, pollution, dust, odors and air emissions, pests & rodents, increased traffic, invasion of privacy are only a few of the negative conditions we will encounter with this expansion.

(96) How can something of this magnitude be approved without seeing exactly what the county environmental management has in mind. We the property owners will have to live with your decision. Can you foresee today what they have in mind for the future without seeing a model plan of the proposed expansion?

I close knowing that this expansion, if allowed, to expand will have a negative effect on the surrounding property values today and in the future. At this time the extent of damages are difficult to determine.

(97) How is the expansion and the purchase of the 92 acres going to be financed? I heard payment would be made by parcel assessments. Which property owners will be affected,

how much per year, and for what period of time will the parcels be taxed?

Sincerely,

Karen Klinger

Karen Klinger
1097 Castec Dr.
Sacramento, Ca. 95864
916-481-1071

cc: Board of Supervisors, El Dorado County
Jon Morgan, Environmental Management
California Air Resources Board
Michael T. Stoltz, Department of Transportation, El Dorado County
Martha Diaz, Environmental Review, CIWMB
James D. Messersmith, Dept. of Fish and Game
John Vanderbilt, Office of Planning and Research, SCH #90021154
Army Corps of Engineers
California Department of Health Services
Jon Engellenner, Sacramento Bee
Michael Waggoner, Regional Water Quality Board
Mary Coyle, Permit Section, CIWMB

Response to Comment 90

Because final design has not been completed for the leachate/septage facility portions of the proposed project, it is not possible to provide an exact model of what it exactly would entail. However, the EIR provides detailed engineering plans for a majority of the proposed project and a "footprint" for the leachate/septage treatment plant. Access to the treatment plant would be provided by the existing fun club access road. In addition, Figure 2-13 of the EIR and new Figure C, which has been added to the FEIR show the layout of the project and footprints of the major project components.

Any future landfilling proposals outside those described in this EIR (including the proposed leachate treatment plant) will be subject to further environmental evaluation pursuant to CEQA and prior to project approvals.

Response to Comment 91

The new additional BLM land proposed for acquisition and the 20 acre parcel acquired by the County for this project will be used as buffer to the landfill operation. As described in the FEIR, use of this acquired land will be restricted to landfill appurtances such as monitoring wells, gas probes, detention basin and perhaps a water conveyance system. In addition, approximately 18 acres will be set aside as a biological habitat preserve where no disturbances will be allowed.

Response to Comment 92

The El Dorado Rod and Gun Club is a currently operating firing range. The County renewed the concessionaire agreement with the non profit El Dorado Rod and Gun Club on July 16, 1991. The concession agreement is for a 5-year period. As part of the agreement, the County reserved the right to terminate the agreement with a 30 day notice.

Response to Comment 93

No mines located in the BLM property will be disturbed as part of this project. A separate environmental document is being prepared for the BLM lands to be acquired by the County. All of the mines located in the BLM buffer area will be documented and evaluated

as a cultural resource. No impacts to the mines will occur as a result of the proposed project.

The threat of fire has been a major concern at the site for many years. In the past, the landfill had no access to the area's water main and any fires which broke out onsite were fought with the limited quantities of water stored onsite or with water trucked in by the fire districts. However, the County has recently begun construction of a fire hydrant at the site which will be connected to the water main near Highway 49.

The fire hydrant will provide the landfill with an adequate and reliable source of water for fire fighting purposes.

Response to Comment 94

As described in the EIR, the Union Mine Disposal Site is the only operating Municipal Waste disposal facility serving the western portion of El Dorado County. The proposed project would expand the capacity of the existing landfill and would provide continued disposal capacity for western El Dorado County through approximately the year 2012. The existing landfill has a remaining capacity of only approximately 5 years. The EIR was prepared for the County by a qualified environmental consultant specializing in solid waste projects in consultation with the County's engineering consultant, CH2M HILL

The County is expending a great deal of time, effort and resources to ensure that the proposed project is environmentally sound. The design of the Union Mine Disposal Site expansion meets or exceeds all state and federal landfill regulations. It contains all of the design features of a State of the Art modern landfill: a liner system (including an advanced composite soil and geomembrane liner which is considered to provide a high level of groundwater protection); a leachate collection and removal system; landfill gas monitoring probes; and a comprehensive groundwater monitoring program. The environmental controls incorporated into the project design are expected to provide a high level of protection to neighboring residents, groundwater quality and the environment.

The groundwater monitoring program is a year-round effort. The water quality data evaluated in the EIR spanned several years, however, only a portion of the year's sampling was printed in the EIR as an example of typical results. Attached are the most recently compiled groundwater sampling results which are incorporated into the Final EIR by

reference. These most recent sampling results show similar conditions as the results provided in the EIR.

Response to Comment 95

The County is expending a great deal of time, effort and resources to ensure that the proposed project is environmentally sound. The EIR for this project was prepared by a qualified environmental consultant specializing in solid waste projects in solid waste projects in consultation with the County's engineering consultant, CH2M HILL Potential environmental effects upon nearby residents as well as the natural environment were evaluated in accordance with the California Environmental Quality Act (CEQA).

Response to Comment 96

Please refer to response to comment 90.

Response to Comment 97

The expansion and the land exchange will be financed through monies available from County Service Area #10. Specific monies will be funded by waste related franchise fees (i.e., waste collection and disposal franchise fees, development fees and tipping fees paid at the landfill). In addition, parcel fees collected from throughout the West Slope area of the County will be used to fund the project.

Diamond Springs — El Dorado Fire Protection District

Post Office Box 741
DIAMOND SPRINGS, CALIFORNIA 95619
Telephone (916) 626-3190

INCIDENT REPORT

DATE: 09/23/91 INCIDENT NUMBER 91.084C

TYPE OF INCIDENT: OTHER REPORTED BY: RADIO

TIME OUT: 1538 ARRIVED: 1546 RETURNED: 0530 IN QUARTERS: 0545

STATIONS RESPONDING

STATION 1 STATION 2 STATION 3 STATION 4
STATION 5

EQUIPMENT RESPONDING

WATER TENDER-46	ENGINE-49	SQUAD-49
ENGINE-46	MEDIC 48	ENGINE-4
TRUCK-48	ENGINE-44	ENGINE-4

MUTUAL AID EQUIPMENT

8572	E289	E23
E74	E83	WT83
WT19	6670	

LOCATION EL DORADO LAND FILL UNION MINE RD.
OWNER'S NAME: EL DORADO CO.
ADDRESS:
PHONE NUMBER
OCCUPANT/PATIENT:
ADDRESS:
PHONE NUMBER
REPORTING PARTY: CENTRAL 911

EXTINGUISHED BY:

WATER

1 1/2"	2 1/2"	5"
GALLONS PUMPED	10000 100,000	

FIREFIGHTERS AND OFFICERS

TOM ANDERSON	DARRYL BOYSTER	ALLAN CRABTEE
KATHLEEN FARRELL	MARC FERNANDEZ	MIKE GRONEWOLD
MARK HICKS	CHARLIE HOFF	SOL LABRADA
DALE LAMBERT	JOHN NICHOLS	MIKE PAPEST
ERIK PETERSON	DAVID PHILLIPS	FORREST WARD
JOHN WIEGEL	CRAIG WILKINSON	KEN WOLLARD
BOB WRIGHT	JOHN BEAVER	ED CUNHA
DON DENAULT	MICK MORLAN	SCOTT WYLIE
JIM CHRISTIAN		

COMMENTS

AT 1538 HOURS CDF LOOKOUT REPORTED SMOKE IN THE AREA OF UNION MINE LANDFILL ON UNION MINE ROAD. 8112 REQUESTED A FULL DISPATCH. ON TH SCENE FOUND APPROXIMATELY 1/2 ACRE OF DEBRIS BURNING ON THE EAST SID OF THE LANDFILL. THE FIRST UNITS ON SCENE DEPLOYED MASTER STREAM APPLIANCES IN AN ATTEMPT TO STOP THE SPREAD OF THE FIRE. THE FIRE SPOTTED IN SEVERAL PLACES INTO THE BRUSH, BUT WAS QUICKLY EXTINGUISH BY CDF CREWS. SHORTLY INTO THE FIRE THE LANDFILL BULLDOZER CAUGHT FIRE AND WAS DISABLED. MASTER STREAMS WERE SHUT DOWN EARLY INTO THE OPERATION, DUE TO INADEQUATE WATER SUPPLY. WATER HAD TO BE SHUTTLED FROM OVER A MILE AWAY. 2 DISTRICT & 3 D.O.T. WATER TENDERS PLUS A STRIKE TEAM OF ENGINES WERE REQUESTED TO SHUTTLE WATER AND PROVIDE PROTECTION FROM POSSIBLE SPOTTING TO THE EAST. HOSE LINES WERE SET ENCIRCLING THE FIRE AND A FOREST SERVICE HELICOPTER WAS USED FOR WAT DROPS ON THE FIRE. CDF AIR TANKERS MADE TWO RETARDANT DROPS, FURTHE SLOWING THE SPREAD. AT 1730 HOURS THE FIRE WAS CONTAINED TO THE LANDFILL AND SOME EQUIPMENT WAS RELEASED. EARLIER IN THE OPERATION ENVIRONEMNTAL HEALTH AND AIR POLLUTION WERE REQUESTED TO RESPOND TO ASSESS ENVIRONMENTAL HAZARDS. ALL PERSONNEL ACTIVELY INVOLVED IN FIGHTING FIRE WERE PLACED IN S.C.B.A. S.C.B.A. WERE REFILLED ON THE SCENE FROM DSED CASCADE SYSTEM AND MUTUAL AID FROM AMADOR COUNTY. TOTAL EQUIPMENT RESPONDED WERE 25 ENGINES, 2 AIR TANKERS, 1 HELI-COPTER, 3 HAND CREWS, 1 AIR ATTACK, 1 FOOD SUPPORT UNIT, 1 DOZER, 7 SUPPORT VEHICLES AND OVER 100 PERSONNEL ASSISTED IN FIRE OPERATIONS. AT APPROXIMATELY 1900 HOURS EL DORADO LANDFILL PROVIDED A CONTRACT DOZER TO BEGIN MOVING DEBRIS INSIDE THE BURN. AT APPROXIMATELY 2200 HOURS A LARGE EXCAVATOR WAS MOVED ONTO THE SIT WHICH HELPED SPEED UP THE OVERHAUL OPERATION. FIRE PERSONNEL CONTINUED TO APPLY WATER TO THE DEBRIS UNTIL APPROXIMATELY 0530 HOUF WHEN THE OPERATION WAS TURNED OVER TO THE LANDFILL OPERATOR. CDF RETURNED TO THE SCENE IN THE MORNING WITH 2 HAND CREWS FOR POTENTIAI WILDLAND FIRE PROTECTION THROUGHOUT THE DAY.

SUBMITTED BY: ED CUNHA
OFFICER IN CHARGE:

Water Quality Data
in Response to Comment No. 94

SUMMARY OF THE GROUND WATER SAMPLING RESULTS
AT THE UNION MINE LANDFILL SITE UM-1

Sampling Date	Alkalinity Bicarbonate + Carbonate mg/L	Arsenic mg/L	Calcium mg/L	Chloride mg/L	Iron Dissolved mg/L	Magnesium mg/L	Manganese mg/L
02/08/90	196	0.0140	145	25.0	0.040	82.0	2.580
03/27/90	217	0.0163	162	6.0	0.500	28.0	1.010
04/10/90	226	0.0140	166	5.0	0.080	28.0	0.840
05/31/90	198	0.0145	154	3.0	0.060	5.4	1.250
06/26/90	217	0.0111	158	3.0	0.097	30.0	1.330
07/10/90	216	0.0115	149	3.5	0.120	27.0	1.470
08/14/90	210	0.0310	160	2.0	0.090	44.0	1.320
10/02/90	220	0.0280	172	10.0	0.101	24.0	0.844
10/16/90	220	0.0400		3.4	0.008		2.700
11/29/90	214	0.0495	158	15.0	0.067	34.0	1.160
01/02/91	215	0.0206	152	1.0	0.049	41.0	1.182
01/25/91	207	0.0167	119	7.6	0.081	51.0	0.759
02/27/91	205	0.0220	154	5.5	0.033	27.2	0.875
03/29/91	206	0.0208	153	7.5	0.053	45.0	1.033
04/09/91	228	0.0105	191	7.0	0.033	31.0	0.765
05/14/91	233	0.0050	188	3.5	<0.030	26.0	0.531
06/10/91	240	0.0040	181	2.5	0.048	34.9	0.744
07/02/91	238	0.0060	181	2.5	0.071	22.0	0.618
08/07/91	243	0.0065	167	2.5	<0.03	17.1	0.664
09/13/91	227	0.0035	183	1.0	0.51	35	0.771
10/08/91	244	0.015	196	2.0	0.05	27	0.311
12/03/91	280	<0.004	160	1.9	0.092	25	0.240

	Nitrate as N mg/L	pH	Sodium mg/L	Specific Conductance umho/cm	Sulfate mg/L	Sulfides mg/L	Total Dissolved Solids mg/L	Total Kjeldahl Nitrogen mg/L	Total Organic Carbon mg/L
02/08/90		7.4	21.7	1244	500		982.0	0.70	
03/27/90		7.5	15.8	951	338		727.0	0.20	

04/10/90		7.3	16.2	982	438		771.0	0.10	
05/31/90		7.3	17.0	1003	260		736.0	1.40	
06/26/90		7.2	17.0	1080	310		753.0	1.3	
07/10/90		7.2	17.9	920	310		636.0	1.54	
08/14/90		7.5	17.9	940	375		792.0	1.12	
10/02/90		7.2	17.6	962	368		751.0	0.77	
10/16/90	0.076	8.0		94	350		760.0		
11/29/90		7.6	17.7	931	330		877.0	1.40	<3
01/02/91		7.5	16.41	903	326		825.0	0.84	<3
01/25/91		7.4	19.21	923	330		770.0	<0.1	<3
02/27/91	0.170	7.5	19.0	982	393	<0.4	742.0	<0.1	7
03/29/91		7.4	18.44	986	368		780.0	0.7	30
04/09/91		7.2	20.0	1080	350		952.0	<0.1	<10
05/14/91		7.2	18.0	1090	362		870.7	0.6	<10
06/10/91		7.3	18.2	1107	363		677.0	1.1	<10
07/02/91		7.5	16.2	1079	352		889.0	0.8	<10
08/07/91	<0.05	7.1	17.9	1049	371	<0.2	792	0.2	<10
09/13/91		7.3	19.4	1032	530		781	<0.1	<10
10/08/91		7.0	18.0	1025	340		832	<0.1	<10
12/03/91	<1.0	6.9	16	968	280	<0.1	700	<0.5	<3

SUMMARY OF THE GROUND WATER SAMPLING RESULTS
AT THE UNION MINE LANDFILL SITE UM-2

Sampling Date	Alkalinity Bicarbonate + Carbonate mg/L	Arsenic mg/L	Calcium mg/L	Chloride mg/L	Iron Dissolved mg/L	Magnesium mg/L	Manganese mg/L
03/13/89	95	0.0285	90.0	17.0	2.83	26.0	0.75
02/08/90	60	0.0206	94.0	25.0	0.04	34.0	0.87
03/27/90	99	0.0190	87.0	30.0	0.03	30.0	0.76
04/10/90	112	0.0270	91.0	17.0	0.03	29.0	0.77
05/31/90	135	0.0135	96.0	19.0	0.60	43.0	1.03
06/26/90	75	0.0069	102	18.5	2.98	33	1.08
07/10/90	92	0.0137	56.8	19.5	3.47	57.0	1.08
08/14/90	115	0.0290	101.0	19.0	3.39	76.0	0.90
10/02/90	114	0.063	88	25.0	3.105	27	0.885
10/16/90	120	0.012		17	<0.006		0.90
11/29/90	113	0.0105	93	19	0.049	29	1.01
01/02/91	125	0.0285	70.0	8.5	0.065	24	0.716
01/25/91	131	0.0171	64.1	9.0	0.065	22	0.678
02/27/91	127	0.0285	63.7	9.5	<0.03	20.1	1.01
03/29/91	124	0.020	88	20.2	0.051	31	0.807
04/09/91	104	0.030	88	17.5	1.647	35	0.879
05/14/91	125	0.006	97	21	<0.03	31	0.958
06/10/91	140	0.023	104	22.1	0.078	35.2	1.009
07/02/91	133	0.028	102	24	0.114	32	0.970
08/07/91	137	0.024	56	20	2.416	40	1.023
09/13/91	132	0.021	115	18.0	4.54	24	1.065
10/08/91	132	0.0325	118	19	0.25	27	1.032
12/03/91	160	0.011	110	21	2.20	33	1.100

	Nitrate as N mg/L	pH	Sodium mg/L	Specific Conductance umho/cm	Sulfate mg/L	Sulfides mg/L	Total Dissolved Solids mg/L	Total Kjeldahl Nitrogen mg/L	Total Organic Carbon mg/L
03/13/89	0.05	6.3	14.7	660	283.0		2550	0.15	1

02/08/90		6.5	14.6	734	320.0		528	1.12	
03/27/90		7.0	12.9	663	205.0		473	0.30	
04/10/90		6.5	13.2	672	195.0		543	0.70	
05/31/90		7.4	14.0	769	321.0		596	0.41	
06/26/90		6.6	14	762	206		589	0.3	
07/10/90		7.5	15.1	780	262.0		570	1.12	
08/14/90		6.6	13.9	725	285.0		590	0.14	
10/02/90		6.6	13.5	680	360		515	<0.1	
10/16/90	0.053				230		570		
11/29/90		6.7	14.8	690	11.8		537	<0.1	<3
01/02/91		6.9	11.55	536	154.0		417	0.09	<3
01/25/91		6.9	12.27	486	133		374	<0.1	<3
02/27/91	<0.05	6.8	14.9	550	121	0.4	379	<0.1	<3
03/29/91		6.8	14.79	709	213		545	<0.1	<10
04/09/91		6.6	15	703	250		565	5.38	<10
05/14/91		6.6	14.9	825	165		600	0.8	<10
06/10/91		6.6	15.3	809	205		475	<0.1	<10
07/02/91		6.8	13.3	800	225		666	4.8	<10
08/07/91	<0.05	6.5	15.0	817	252	<0.2	644	<0.1	<10
09/13/91		6.9	16.2	773	500		604	<0.1	<10
10/08/91		6.5	15.5	807	260		623	<0.1	<10
12/03/91		6.3	18	779	220		560	<0.5	<3

SUMMARY OF THE GROUND WATER SAMPLING RESULTS
AT THE UNION MINE LANDFILL SITE UM-3

Sampling Date	Alkalinity Bicarbonate + Carbonate mg/L	Arsenic mg/L	Calcium mg/L	Chloride mg/L	Iron Dissolved mg/L	Magnesium mg/L	Manganese mg/L
03/14/89	232	0.0188	26.0	2	0.06	14.0	0.13
02/08/90	244	0.0142	26	1	0.03	21	0.00
05/31/90	232	0.0136	28.0	1	0.05	14.0	0.13
08/14/90	223	0.0300	30.1	3	0.04	12.6	0.25
10/16/90	230	0.037		4	<0.006		
02/27/91	232	0.135	26.7	4	<0.03	14.4	2.63
08/07/91	235	0.0385	40	2	<0.03	10.2	0.737
12/03/91							

	Nitrate as N mg/L	pH	Sodium mg/L	Specific Conductance umho/cm	Sulfate mg/L	Sulfides mg/L	Total Dissolved Solids mg/L	Total Kjeldahl Nitrogen mg/L	Total Organic Carbon mg/L
03/14/89	0.05	8.1	73	800	53.0		302	0.15	2.0
02/08/90		8.0	63	518	40		314	3.8	
05/31/90		7.9	66	517	44.0		132	0.70	
08/14/90		7.9	68	510	51.0		319	0.70	
10/16/90	0.79	7.8		470	43		270		4.3
02/27/91	0.23	8.1	72	540	39.2	<0.4	315	0.14	<3
08/07/91	0.78	7.8	61	537	50	1.0	1457	0.8	<10
12/03/91		7.4		512					<3

SUMMARY OF THE GROUND WATER SAMPLING RESULTS AT THE UNION MINE LANDFILL SITE UM-4

Sampling Date	Alkalinity Bicarbonate + Carbonate mg/L	Arsenic mg/L	Calcium mg/L	Chloride mg/L	Iron Dissolved mg/L	Magnesium mg/L	Manganese mg/L
03/13/89	109	0.0222	48.0	46.0	0.62	27	0.99
02/08/90	192	0.0140	57.0	108.0	0.05	43	2.60
02/08/90	178	0.0232	63.0	98.0	0.03	42	2.64
05/31/90	158	0.0134	45.0	66.0	0.06	36	2.31
08/14/90	491	0.0740	82.6	260.0	4.21	76	8.45
10/16/90	390	0.19		180	0.019		7.6
02/27/91	299	0.088	84.0	160	<0.03	48	6.77
08/07/91	383	0.0525	28	214.9	2.082	104	18.9
12/03/91	450	0.940	130	150	21.0	66	11.0

Sampling Date	Nitrate as N mg/L	pH	Sodium mg/L	Specific Conductance umho/cm	Sulfate mg/L	Sulfides mg/L	Total Dissolved Solids mg/L	Total Kjeldahl Nitrogen mg/L	Total Organic Carbon mg/L
03/13/89	8.6	6.0	46	680	162.0		500	8.70	11.0
02/08/90		6.4	70	946	125.0		572	6.70	
02/08/90		6.4	67	930	98.0		592	4.80	
05/31/90		6.3	52	735	126.0		461	2.20	
08/14/90		6.7	160	1630	88.5		1051	13.30	
10/16/90	0.16	6.6		990	71		810		
02/27/91	0.13	6.7	90	1180	88.5	<0.4	734	4.47	7.9
08/07/91	0.1	6.6	123	1459	79	1.2	959	14.4	20
12/03/91	<1.0	6.2	110	1680	250	<0.1	1000	7.3	20

SUMMARY OF THE GROUND WATER SAMPLING RESULTS
AT THE UNION MINE LANDFILL SITE MW-1

Sampling Date	Alkalinity Bicarbonate + Carbonate mg/L	Arsenic mg/L	Calcium mg/L	Chloride mg/L	Iron Dissolved mg/L	Magnesium mg/L	Manganese mg/L
03/13/89	291	0.0290	120	228.0	6.90	36	4.25
02/08/90	280	0.016	128	230	0.03	44	5.8
05/31/90	286	0.0139	95	219.0	0.85	44	6.50
08/14/90	388	0.0580	117	264.0	9.84	51	12.50
10/16/90	360	1.2		250	0.026		12
02/27/91	341	0.096	121	229	0.031	49	15.4
08/07/91	452	0.0465	43	222.4	10.5	121	6.21
12/03/91	480	3.2	130	240	8.7	48	11.0

	Nitrate as N mg/L	pH	Sodium mg/L	Specific Conductance umho/cm	Sulfate mg/L	Sulfides mg/L	Total Dissolved Solids mg/L	Total Kjeldahl Nitrogen mg/L	Total Organic Carbon mg/L
03/13/89	0.05	6.5	81	1255	56.0		925	1.05	6.0
02/08/90		6.4	72	1246	52		1923	1.96	
05/31/90		7.3	77	1220	42.0		513	3.20	
08/14/90		6.6	124	1470	36.7		1022	6.72	
10/16/90	0.058				28		880		
02/27/91	0.07	6.4	106	1420	22.5	0.4	2383	6.28	27.1
08/07/91	0.050	6.4	104	1560	19.9	0.4	1163	6.00	<10
12/03/91	<1.0	6.2	100	1620	48	<0.1	880	5.2	10

SUMMARY OF THE GROUND WATER SAMPLING RESULTS AT THE UNION MINE LANDFILL SITE MW-2

Sampling Date	Alkalinity Bicarbonate + Carbonate mg/L	Arsenic mg/L	Calcium mg/L	Chloride mg/L	Iron Dissolved mg/L	Magnesium mg/L	Manganese mg/L
03/14/89	74	0.0268	22.0	22	0.11	9	0.03
02/08/90	146	0.0128	54	78	0.03	23	8.20
05/31/90	223	0.0133	74	115	0.08	37	5.00
08/14/90	254	0.0775	97.2	142	0.04	44	0.95
10/16/90	290	0.69		170	<0.006		5.6
02/27/91	260	0.132	105	176	1.067	44	3.64
08/07/91	258	0.0345	94.0	90	<0.03	28	0.135
12/03/91	310	0.013	120	170	1.6	50	0.063

	Nitrate as N mg/L	pH	Sodium mg/L	Specific Conductance umho/cm	Sulfate mg/L	Sulfides mg/L	Total Dissolved Solids mg/L	Total Kjeldahl Nitrogen mg/L	Total Organic Carbon mg/L
03/14/89	2.0	6.7	20	268	28.0		155	2.10	2.0
02/08/90		7.3	42	620	53.0		1892	1.40	
05/31/90		7.4	57	1063	63.0		384	8.80	
08/14/90		7.2	72	1034	95.7		347	5.60	
10/16/90	0.10	7.1		1100	82.0		730		
02/27/91	0.63	7.3	74	1130	92.8	<0.4	712	<0.1	7.0
08/07/91	0.16	6.8	56	963	86	<0.2	741	0.6	<10
12/03/91	2.5	6.6	73	1280	130	<0.1	790	<0.5	4.8

SUMMARY OF THE GROUND WATER SAMPLING RESULTS
AT THE UNION MINE LANDFILL SITE MW-3

Sampling Date	Alkalinity Bicarbonate + Carbonate mg/L	Arsenic mg/L	Calcium mg/L	Chloride mg/L	Iron Dissolved mg/L	Magnesium mg/L	Manganese mg/L
08/07/91	248	0.028	97.0	52.5	<0.03	38	25.7

Sampling Date	Nitrate as N mg/L	pH	Sodium mg/L	Specific Conductance umho/cm	Sulfate mg/L	Sulfides mg/L	Total Dissolved Solids mg/L	Total Kjeldahl Nitrogen mg/L	Total Organic Carbon mg/L
08/07/91	0.36	6.7	31.1	957	178	<0.2	700	1.5	<10

SUMMARY OF THE GROUND WATER SAMPLING RESULTS
AT THE UNION MINE LANDFILL SITE MW-4

Sampling Date	Alkalinity Bicarbonate + Carbonate mg/L	Arsenic mg/L	Calcium mg/L	Chloride mg/L	Iron Dissolved mg/L	Magnesium mg/L	Manganese mg/L
08/07/91	212	0.035	81	34	0.055	21	2.897

Sampling Date	Nitrate as N mg/L	pH	Sodium mg/L	Specific Conductance umho/cm	Sulfate mg/L	Sulfides mg/L	Total Dissolved Solids mg/L	Total Kjeldahl Nitrogen mg/L	Total Organic Carbon mg/L
08/07/91	<0.05	6.5	22.1	645	67	<0.2	484	0.2	<10

SUMMARY OF THE SURFACE WATER SAMPLING RESULTS
AT THE UNION MINE LANDFILL SITE S-4

Sampling Date	Alkalinity, Bicarbonate + Carbonate mg/L	Arsenic mg/L	Calcium mg/L	Chemical Oxygen Demand mg/L	Chloride mg/L	Iron Dissolved mg/L	Magnesium mg/L
04/06/89	225	0.0232	87.0	14.7	46	3.19	33
04/11/89							
07/18/89		0.0149		35.0	62		
02/08/90	261	0.0190	89.0	13.6	80	0.03	32
02/23/90							
05/31/90	241	0.0930	50.0	23.1	44	0.05	52
08/14/90	256	0.0540	88.2	13.7	80	0.15	35
10/16/90	260	0.74	87	<5.0	45	<0.006	51
02/27/91	271	0.132	86	5.5	56	0.041	44
08/07/91							
08/07/91	393	0.0465	37	15.5	35	1.964	73
12/03/91	340	0.310	94	<3.0	32	8.0	27

	Manganese mg/l	pH	Sodium mg/L	Specific Conductance umho/cm	Sulfate mg/L	Total Coliform mg/L	Total Dissolved Solids mg/L	Total Kjeldahl Nitrogen mg/l
04/06/89	3.75	6.7	31.5	797	116		550	0.1
04/11/89				300				
07/18/89				800		16		
02/08/90		6.6	29.0	815	82		540	2.9
02/23/90						500		
05/31/90	5.50	7.3	27.0	743	76		825	1.8
08/14/90	4.05	6.5	26.9	745	124		527	0.8
10/16/90	7.5	7.4	110	710	98	<2	480	1.5
02/27/91	4.01	6.9	32.2	828	92	30	570	<0.1
08/07/91						300		
08/07/91	3.648	6.5	25.1	748	112	300	608	1.7
12/03/91	4.0	6.4	24	755	74	500	480	1.3

SUMMARY OF THE SURFACE WATER SAMPLING RESULTS
AT THE UNION MINE LANDFILL SITE S-6

Sampling Date	Alkalinity, Bicarbonate + Carbonate mg/L	Arsenic mg/L	Calcium mg/L	Chemical Oxygen Demand mg/L	Chloride mg/L	Iron Dissolved mg/L	Magnesium mg/L
04/06/89	65.0	0.0050	22.0	2.0	8.0	0.05	6.1
04/11/89							
07/18/89		0.0139		8.8	106.0		
02/08/90	62.0	0.0118	18.0	4.0	11.0	0.03	12.0
02/23/90							
03/27/90	69.0	0.0096	22.0	2.0	8.5	0.03	10.0
03/30/90							
04/10/90	76.0	0.0034	23.0	9.9	9.0	0.03	12.0
05/31/90	72.0	0.0146	21.0	8.2	8.0	0.06	8.2
06/26/90	74.0	0.0010	21.0		5.0	0.12	10.4
07/10/90	34.5	0.0049	18.8	7.2	7.5	0.03	6.5
07/12/90							
10/02/90	70.0	0.023	16.8		<0.5	<0.03	6.8
10/16/90	64	<0.01	14	<0.5	4.5	<0.006	5.6
11/29/90	59	0.0013	15.4		9.0	0.046	10.6
01/02/91	64.0	0.0035	19.0	2.61	7.0	0.047	9.8
01/25/91	64.2	0.0077	24.8	<2	24.0	0.072	12.6
02/27/91	66.0	0.0105	21.8	<2.0	10.7	<0.03	10.8
03/29/91	48	0.015	11.9	11.7	6.2	0.132	8.7
04/09/91	56	0.0009	18.3	2.1	8.5	0.057	<8.4
05/14/91	71	0.006	19	11.0	8.5	0.036	9.2
06/11/91	72	0.002	19.1	11.0	6.5	0.079	9.5
07/02/91	58.0	0.0055	16.8		7.0	0.059	6.3
08/07/91							
08/07/91	56	0.031	16	6.2	4.5	<0.03	6.8

Manganese mg/l	pH	Sodium mg/L	Specific Conductance umho/cm	Sulfate mg/L	Total Coliform mg/L	Total Dissolved Solids mg/L	Total Kjeldahl Nitrogen mg/l

04/06/89	0.05	7.2	7.8	185.0	28.0	500	110.0	0.1
04/11/89				950.0		130		
07/18/89							121.0	2.2
02/08/90	0.03	8.0	8.0	196.0	21.0	1600		
02/23/90							127.0	0.2
03/27/90	0.03	7.7	7.9	213.0	29.0	240		
03/30/90						500	157.0	0.1
04/10/90	0.03	8.1	8.8	220.0	25.0		157.0	0.7
05/31/90	0.03	7.6	8.5	217.0	22.0	1600	134.0	0.2
06/26/90	0.03	7.7	8.6	208.0	18.0		140.0	1.3
07/10/90	0.03	7.9	8.7	195.2	18.8	1600		
07/12/90							106	<0.1
10/02/90	0.033	7.2	7.31	169	15.9	900	91	<0.5
10/16/90	0.005	8.1	7.5	140	0.39	300	86	<0.1
11/29/90	<0.03	7.3	6.00	155.4	12.1	130	129	0.34
01/02/91	<0.03	7.7	7.33	203	28.4	900	173	<0.1
01/25/91	<0.03	7.4	8.29	232	28.5	170	170	0.38
02/27/91	<0.03	7.7	9.29	248	30.4	1600	107	0.4
03/29/91	<0.03	7.8	6.94	149.3	20.7	34	156	<0.1
04/09/91	<0.03	8.0	8.04	210	30	1600	147.5	<0.1
05/14/91	<0.03	7.7	8.77	225	29	170	64	<0.1
06/11/91	0.033	7.7	8.29	215	25	170	142	0.7
07/02/91	<0.03	7.8	7.48	167	18.1	1600		
08/07/91						1600	98	0.2
08/07/91	<0.03	7.5	6.68	156	13.6			

Pierre

I VIRONMENTAL MANAGEM. IT DEPARTMENT

COUNTY OF
EL DORADO

ENVIRONMENTAL HEALTH DIVISION

AIR POLLUTION CONTROL DISTRICT | SOLID WASTE & HAZARDOUS MATERIALS DIVISION

MAIN OFFICE:
7563 GREEN VALLEY ROAD
PLACERVILLE, CA 95667
(916) 621-5300

SOUTH LAKE TAHOE OFFICE:
1359 JOHNSON BLVD.
P.O. BOX 14508
SOUTH LAKE TAHOE, CA 95702
(916) 573-3145

TO: Pierre Rivas
Planning Department
El Dorado County

FROM: M. Pearl Irby
Supervising Environmental Health
Specialist, Land Use

DATE: May 30, 1991

SUBJECT: Z 91-22

The El Dorado County Environmental Management Department, Environmental Health Division has reviewed the Zoning Admendment submitted by El Dorado County Board of Supervisors and has the following comments:

This property re-zoning is vital to future County needs.

MPI:jp

cc:

EL DORADO COUNTY
RECEIVED
JUN 3 1991
COMMUNITY DEVELOPMENT

Plng 36

August 15, 1991

Board of Supervisors
El Dorado County
330 Fair Lane
Placerville, CA 95667

Re: Rezone Application No. Z91-22 for Consideration by the Board on August 20, 1991

Dear Supervisors:

We believe it was inappropriate for the Planning Commission to have recommended approval to the Board of Supervisors regarding rezoning application, No. Z91-22. Residents opposed to the rezoning wanted the hearing continued until the Environmental Impact Report ("EIR") for the landfill expansion went through the proper public review period. We believe that the Planning Commission should not have recommended this rezone application for the following reasons:

1. The Planning Commission's staff misread and misinterpreted Public Resources Code, section 50000.5 which the Planning Commission based its recommendation on. Rezoning is a **discretionary** decision and Section 50000.5 does not mandate the County to rezone the properties in question prior to the completion and public review of the project's EIR. The County would be allowing this to occur to the detriment of residents without allowing the public to review an EIR.

2. Before the staff of the Planning Commission cited Section 50000.5 as the reason for the immediate rezoning, some members of the Commission questioned the appropriateness and legality of such a recommendation since the "intent" of the rezone is for the landfill expansion and not for the true meaning of "Agricultural" zoning.

3. At the time the Planning Commission's staff cited Section 50000.5, County Counsel was not familiar with that section and even cited a case in which it was shown that a negative declaration was inappropriate, yet the Board based their decision on the misinterpreted definition of the Commission staff and not by the Counsel. Since County Counsel was not familiar with that section, the hearing should have been continued to allow County Counsel reasonable time to review the scope of that section and determine whether it was necessary to prepare an EIR.

4. The rezone is a "project" as defined in the California Environmental Quality Act, section 21965 and requires the preparation of an EIR. This is not a simple request for rezoning from RE-20 to A. The "intent," as defined in the Planning

Commission's staff report, is for the "expansion" of the landfill and not for the true intent of "Agricultural" rezoning.

5. CEQA requires an EIR rather than a Negative Declaration because there are significant effects as defined in the CEQA Guidelines, Appendix G (Title 14, CAC, Ch. 3) which are being ignored by the County.

6. The public has not been informed as to which properties the County is acquiring which are within the rezone request area. Residents are aware that the County is acquiring BLM property in a land exchange. The County wants to rezone the property prior to their acquisition for their sole benefit. This whole process seems very "under-handed". Residents opposed to the BLM land exchange and rezoning request have not been able to obtain from the County a map delineating the boundaries of the County's acquisition of BLM property and the boundaries of the area proposed for the landfill use, which would include buffer areas. The County is keeping information out of the hands of the public in order to allow them to proceed in a manner which sidesteps legal requirements.

We hereby request that the Board of Supervisors postpone approval of the rezone application No. Z91-22 until an EIR, as required by CEQA, is performed or until the EIR on the landfill "project" has completed the public review period.

Respectfully submitted,

Lorraine Burgess

Lorraine Burgess, President
MARTINEZ MINES HOMEOWNERS CORPORATION

El Dorado County Planning Commission
360 Fair Lane
Placerville, Ca. 95667

July 23, 1991

ATTN: Larry D. Walrod

To whom it may concern:

Once again some govenment agencies are trying to manipulate property owners by deceiving and witholding information for purposes of making their jobs easier. (First example of mistrust was the Gun Club approval by Board of Supervisors without a Environmental Impact Report, See Letter attached and dated February 23, 1979 from Marlan K. Klinger to Board of Supervisors.)

I, Karen Klinger, am a property owner of 51 Acres approximately one mile South of the El Dorado County Dump facility. October 1990 I had an appraisal on the above 51 Acres. The appraiser typed the following: " The El Dorado County Landfill is approximately 1 mile to the North and considered to negatively affect value."

The only notice I received dated June 20, 1991 shows proposal to rezone properties from Residential Agricultural to Agricultural consisting of 115 Acres adjacent to the El Dorado County Union Mine Dump. This is spot zoning and is misleading property owners again for future expansion for dump facilities. (Previously I hadn't received anything from the County or Community Development regarding this matter. I only became aware of recent developments through my neighbors.)

No map was attached showing how the exchange of these public lands will affect the surrounding property owners. Landowners should have a detailed marked map showing the 115 acres in relation to the existing landfill. My property is surrounded by Bureau of Land Management Property. I could be an island surrounded by future dump sites. You can believe I am upset with lack of written notice of public hearing. Very conveniently your offices seem to omit notifying surrounding property owners that might be a risk to whatever you want to accomplish.

I hear from neighbors that this 115 acre rezoning is supposed to be only a buffer for the dump. If so this should be designated in writing as only a buffer with no future use or expansion for a dump or landfill use.

I have incurred a loss in property value with how the existing landfill looks. With the proposed expansion, my neighbors and I will suffer tremendous monetary loss. Our damages should be a part of your report.

I requested a copy of the Negative Declaration. This report is very one sided without proper representation to

surrounding property owners. If you were a property owner you probably would have answered as follows:

#2 Air - b. yes it will be affected.
#3 Water - e. yes it could reach the waterway below.
#5 Animal life - c. yes it is bound to create a heaven for more flies, maggets, rats, mice and the like.
#6 Noise - a. As more and more people fill in the spaces of this land, the dump will be even more active and more and more trucks & cars will fill the roads.

#8 Land Use - yes, surrounding homes and properties will be less desireable due to the closeness of the proposed expansion and creating an obsolesence which in turn will take longer for these properties to sell and will be difficult in the future to tell what damages could be suffered. Unknowns are difficult to evaluate.

#10 Risk of Upset - Yes.
#11 Population - Yes. Who wants to live near a dump.
#12 Housing. Yes. Who wants to build near a dump.
#13 Transportation - a. yes more than likely.
f. yes very likely.
#14 Public Services. Most likely for roads.
#17 Human Health. a. yes potential health hazard.
b. yes potential exposure to health hazard.
#18 Aesthetics. Yes. Public and neighbors will hardly be able to avoid seeing this eyesore of proposed expansion to the South of the existing dump.
#21 a. Yes the project has the potential to degrade the quality of the environment and the habitat for animals and humans alike.

When the Environmental Impact Report is filed, copies of all original and changes to the original report should be made available for surrounding property owners.

With great concern for the future I will be against any expansion of the existing El Dorado Dump.

Sincerely,

Karen L. Klinger

Karen Klinger
1097 Castec Drive
Sacramento, Ca. 95864
916-481-1071

cc: Vern Gerwer
County Board of Supervisors

Sacramento Bee

February 23, 1979

Clerk,
Board of Supervisors
County of El Dorado
330 Fair Lane
Placerville, CA 95667

Gentlemen:

The County of El Dorado issued a special use permit to the El Dorado Rod and Gun Club (Club) on July 28, 1977 (No. 77-82) for skeet, trap, rifle and pistol range. The Board of Supervisors entered into a Concession Agreement for a ten-year period with the club on February 28, 1978. For the reasons set forth below, it is believed the County has acted improperly and should temporarily revoke the permit, not issue a building permit, and provide a public meeting to discuss the seemingly adverse effects of the proposal.

At the time of the public hearing and at subsequent times, many property owners vigorously opposed the proposal. Mr. and Mrs. Keith Klinger, who own land adjacent to this site, were not advised of the meetings in 1977 or 1978, as required in the County ordinance.

The first note the Klingers had was on February 6, 1979 when they noticed grading on the top of one of the knolls. Subsequent to this, Mr. Klinger reviewed the records and talked to planning staff to find out what was proposed. He found the following information and discrepancies:

1. The initial study, which was prepared by County staff, failed to address the environmental issues of noise, fumes, safety, access, or the effects on people or wildlife or domestic animals. These concerns were expressed before and after the Planning Commission meeting and should have been noted in the study. The initial study is not and cannot be used as the Negative Declaration.

2. A Negative Declaration was not found in the files and the notice of the Planning Commission's public hearing did not refer to a Negative Declaration. Section 15083 of the Administrative Code requires a Negative Declaration be prepared for consideration and that its availability be made known. Subdivision (d)(1) requires the Negative Declaration be adopted. Subdivision (e) requires the public be able to review the Negative Declaration.

3. Mr. Klinger could find no proof of mailing of the notice of the Planning Commission hearing on July 28, 1977 to property owners within 500', as required in Section 9445(C).

4. The records failed to disclose that at least one member of the "club" is also a County staff member. The County staff recommended approval. It is believed such a possible interest should be known to decision makers on the Planning Commission and the Board of Supervisors, as well as the public.

5. As one of the conditions for the issuance of the special use permit, the club was to first obtain a building permit. Grading work has begun on the property and a review of the files indicates no permit has been issued or applied for (and should not be issued).

6. The County zoning regulations for Agricultural (Ag.) Districts do not specifically allow the property to be used as proposed. Such use is nothing more than a means to provide for other unrelated and undesirable uses, which can only result in adverse effects on people in the area and spur on further kinds of similar development.

7. No notice of determination was found in the County Clerk's Office, as required under California Administrative Code Section 15083(f1).

The Klingers, as well as other property owners, also believe the proposad use diminishes the value of their property and could be avoided. Since the weather does not reasonably permit construction at this time and the "club" has waited a year to even commence construction, it would certainly be to everyone's interest to temporarily revoke the permit and deny issuance of a building permit until after a hearing is held.

Also, please see attached letter from the County Planning Department, which fails to address the issues raised above.

Please immediately advise what actions you propose to take.

Sincerely,

JAMES LEMMOND
Attorney at Law
110 Moffatt Way
Sacramento, CA 95825

Attachment

County of El Dorado

BOARD OF SUPERVISORS

330 Fair Lane • Placerville, CA 95667
Telephone (916) 626-2464

April 19, 1979

James Lemmond, Esq.
110 Moffatt Way
Sacramento, CA 95825

Dear Mr. Lemmond:

At a regular meeting of the Board of Supervisors held Tuesday, April 17, 1979, the Board continued to May 1, 1979, your request to revoke Special Use Permit No. 77-82 issued to the El Dorado Rod and Gun Club on July 28, 1977 for a skeet, trap, rifle and pistol range.

Very truly yours,

W. P. WALKER, Chairman

DOLORES BREDESON, County Clerk
and ex-officio Clerk of the Board

By_____
Deputy Clerk

/ph

cc: Mr. Marlan Keith Klinger, 1097 Castec Drive, Sacramento
El Dorado Rod & Gun Club, c/o A. W. Jones, Camino, CA

County Counsel
Planning Department
Sheriff

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

COPY

6-a

July 22, 1991

Larry D. Walrod, Planning Director
El Dorado County Planning Commission
360 Fair Lane
Placerville, CA 95667

Re: OPPOSITION TO NEGATIVE DECLARATION
Item # 6.a.
Agenda of July 25, 1991
Staff: Pierre Rivas
File No. Z91-22 (Rezoning)

Dear Mr. Walrod:

We hereby object to the Negative Declaration submitted on File No. Z91-22. Section 21064 of the California Environmental Quality Act ("CEQA") states:

> "'Negative declaration' means a written statement briefly describing the reasons that a proposed project will not have a significant effect on the environment and does not require the preparation of an environmental impact report." (emphasis added)

We believe that the rezoning of the proposed property will have a significant effect on the environment for the following reasons:

1. Conflicts with adopted goals of community

The Long Range Land Use Plan and Diamond Springs/El Dorado Area Plan designates Rural Residential Areas (10 acre Minimum). The long range plan implies "residences" and not landfill use. The only area currently zoned Agriculture is the site of the Union Mine Landfill. The acceptance of this rezone may be considered "spot zoning." Properties bordering the rezoned area would decrease in property value because of the intent of the rezone.

2. May have a substantial, demonstrable negative aesthetic effect

The intent of this rezone is to allow the County to use the property for the landfill expansion which may require the destruction of terrain and viewsheds for cover material for debris.

3. Substantially degrade water quality

The residences adjoining the rezoned properties may have their groundwater supply in danger of becoming contaminated.

4. Substantially increase traffic

The rezone may increase traffic in allowing for the landfill expansion and the new septage treatment plant. As the County grows, so will the traffic on that road from public vehicles and commercial hauling trucks for debris and septage. The current condition of the road system to the landfill is inadequate and unsafe for the present traffic.

5. Increase substantially the ambient noise levels

The rezone, in allowing the landfill expansion, may increase noise levels from daily use of earthmoving equipment, traffic and the pump for the septage treatment plant for the full life span of the landfill.

6. Substantially diminish habitat

The rezone would allow the County to expand their landfill in an enormous area thereby destroying the habitat.

7. May create a potential public health hazard or involve the disposal of materials which pose a hazard to people or animal or plant populations in the area affected

The rezone, in allowing the landfill expansion, may have a potential "risk" factor involved to the public and surrounding area.

8. May violate any ambient air quality standards

The rezone, in allowing the landfill expansion, will allow the smell from debris and septage to accumulate closer to the public and expose them to methane gas from the landfill expansion.

For the reasons stated above, the proposed negative declaration is not appropriate and violates Section 21064 of the Public Resources Code. In lieu of a negative declaration, the County should require the preparation of an Environmental Impact Report to properly assess the identified effects on the environment.

We have the following comments on the Staff Report:

1. Background

The report is contradictory. It states "The County is presently acquiring additional buffer lands adjacent to the facility . . ." and then states ". . . the disposal of garbage or rubbish

is permitted within the Agricultural (A) Zone District upon approval of a special use permit, thus the purpose of this rezone request." If the land is to be obtained only as a "buffer zone," there should be no need to rezone. If the land is to be obtained for the "disposal of garbage or rubbish," an EIR is required on this rezone application. This is unclear as to the intentions of the County.

The report also states the County will actually be acquiring only portions of the BLM parcels. None of the exhibits attached indicate which portions the County is to only acquire and then must be assumed the County, after rezoning, will have the use of all the rezoned BLM properties for the landfill expansion.

2. Site Description

The description does not mention the population of the area nor the nearest occupied residences which would be significantly effected by the landfill expansion caused by the rezone application.

3. Environmental Review

The report states: "Since this rezone application **is to allow for the landfill expansion, this application should be included as part of the 'project'**. . . Since this rezone application is to be part of the "project," the public should have time to review the draft Environmental Impact Report (EIR) which we are informed is not available for review until July 24, 1991. As such, the hearing on the rezone application should be continued until after the public review period on the draft EIR is completed.

WE HEREBY REQUEST THAT THE HEARING ON Z91-22 REZONE APPLICATION BE CONTINUED UNTIL AFTER THE PUBLIC REVIEW PERIOD IS COMPLETED ON THE DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE UNION MINE LANDFILL EXPANSION.

Signature: Jim King

Signature: Lorraine Burgess

Signature: Ken King

Signature: Jerry Nelson

Signature: Fred Burgess

Signature: Jack Ford

Signature: _____ Signature: _____

Signature: _____ Signature: _____

Signature: _____ Signature: _____

Signature: _____ Signature: _____

Signature: _____ Signature: _____

Signature: _____ Signature: _____

cc: El Dorado County Board of Supervisors
Attn: Supervisor Vern Gerwer

COUNTY OF
EL DORADO

COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION

MAIN OFFICE:
360 FAIR LANE
PLACERVILLE, CA 95667
(916) 621-5355

SOUTH LAKE TAHOE OFFICE:
1359 JOHNSON BLVD.
P.O. BOX 14508
SOUTH LAKE TAHOE, CA 95702
(916) 573-3145

MEMORANDUM

TO: Planning Commission

FROM: Larry D. Walrod, Planning Director LDW

DATE: July 24, 1991

SUBJECT: Rezone File #Z91-22 (Agenda of July 25, 1991, Item #6.2) Letter of Opposition to Negative Declaration Dated July 22, 1991

RESPONSES TO WRITTEN COMMENTS ON NEGATIVE DECLARATION

Item 1. The site is designated Rural Residential Area (1 d.u./10-acre minimum) by the Long Range Land Use Plan and Rural Residential Agriculture (1 d.u./10-160 acres) by the Diamond Springs/El Dorado Area Plan. The proposed Agricultural (A) zoning is consistent with the Area Plan which permits a minimum parcel size of ten acres and allows one residence by right per parcel.

The opinion that this rezone request may be considered "spot zoning" is without merit. The existing Union Mine Landfill site, which is currently zoned A is approximately 217 acres in size. If approved, this request will rezone approximately 200+ acres adjacent to the landfill to zone A. This area is much too large to be considered a "spot zone".

It is speculative to assume that the intent of the rezone may decrease adjacent property values. Since the site has operated as a refuse burn dump from 1962 until 1969, and a solid waste landfill from 1969 to the present, any devaluation of the property within the market place should have already occurred. Surrounding on-site topography and setbacks isolate the area from nearby properties. The closest homes are located approximately 1,000 feet to the east and 2,000 feet to the northwest, and are shielded by hills and a ridgeline.

The area to be rezoned and eventually acquired by the County are to provide for buffer between adjacent land uses and the landfill expansion within the existing site.

Item 2. Approval of the rezone request will not have a significant adverse affect on aesthetics. Zone A permits basically those same uses by right as permitted under the RA-20 zone by right. The landfill is permitted within the A zone only upon approval of a special use permit (County Code Section 17.36.040(F)) which is discretionary and subject to CEQA review.

An EIR is being prepared to evaluate the proposed Union Mine Landfill Expansion/Closure project.

Item 3. No evidence has been made available or generated to show that ground water supplies may be significantly degraded as a result of the rezone. The uses permitted by right within the A zone are substantially similar to those permitted by right within the RA-20 zone.

Item 4. The landfill expansion is not a part of the environmental study regarding this rezone.

No evidence that the proposed rezone will create significant impacts on circulation has been submitted or generated.

Item 5. No evidence that the proposed rezone will cause significant increases in noise has been submitted or generated.

See responses to Items 2, 3, and 4.

item 6. No evidence that the proposed rezone will cause significant impacts to wildlife habitat has been submitted or generated.

See responses to Items 2, 3, and 4.

Item 7. A rezone to A does not permit a landfill or its expansion. Approval of a special use permit will be required.

Item 8. No evidence that the proposed rezone will cause significant impacts to air quality has been submitted or generated.

See responses to Items 2, 3, and 4.

RESPONSES TO WRITTEN COMMENTS ON STAFF REPORT

Item 1. The "buffer zone" is part of the landfill facility. Appurtenances to the landfill (not the disposal of garbage or rubbish) may occur within these areas.

Legal descriptions of the land to be required from BLM do not currently exist. As such, the County proposes to rezone the entire parcels as described by Assessor's Parcel Numbers. Rezoning is a legislative act which the County may pursue at its discretion.

Item 2. The landfill expansion is not a subject of this staff report. The rezone application does not "cause" the landfill to be expanded.

Item 3. The purpose of the rezone is to allow for the submittal of a special use permit application to allow for the landfill expansion.

The petitioners' request that the rezone application be continued until after the review period is completed on the Draft EIR for the Union Mine Landfill Expansion, is not warranted since a very extensive environmental evaluation of the landfill expansion proposal is to take place prior to any action on the special use permit application allowing the landfill expansion.

LDW:PR:cmt