

**STATEMENT OF FINDINGS AND FACTS IN SUPPORT OF
THE RELOOC STRATEGIC PLAN – OLINDA ALPHA LANDFILL
IMPLEMENTATION EIR**

1.0 INTRODUCTION

The California Environmental Quality Act (CEQA), Public Resources Code Section 21081 and CEQA Guidelines Section 15091 provide that:

- (a) No public agency shall approve or carry out a project for which an EIR has been certified 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. The possible findings are:
 - (1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.
 - (2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
 - (3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.
- (b) The findings required by subsection (a) shall be supported by substantial evidence in the record.

Section 15092 of the CEQA Guidelines further stipulates that:

- (b) A public agency shall not decide to approve or carry out a project for which an EIR was prepared unless either:
 - (1) The project as approved will not have a significant effect on the environment, or
 - (2) The agency has:
 - (A) Eliminated or substantially lessened all significant effects on the environment where feasible as shown in findings under Section 15091, and
 - (B) Determined that any remaining significant effects on the environment found to be unavoidable under Section 15091 are acceptable due to overriding concerns as described in Section 15093.

An Environmental Impact Report (EIR) for the Regional Landfill Options for Orange County (RELOOC) Strategic Plan – Olinda Alpha Landfill Implementation Project (proposed project) was prepared and certified as complete by the Orange County Board of Supervisors (BOS). The EIR identifies certain significant adverse impacts which may occur as a result of the implementation of the proposed project, either alone or on a cumulative basis in conjunction with other past, present and reasonably foreseeable future projects. Due to potential environmental impacts associated with implementation of the Project, and because the proposed action constituted a “project” under CEQA and the State CEQA Guidelines (Calif. Code of Regulations Sections 15000 *et seq.*), the County prepared the Draft EIR(DEIR) for the Project. The DEIR identified certain potentially significant effects that could occur as a result of the implementation of the Project and, in response thereto, identified project design features (PDFs), standard conditions and requirements (SCs) and mitigation measures (MMs) that would reduce or otherwise eliminate said significant impacts. Consistent with CEQA and the CEQA Guidelines, the DEIR also identified and analyzed a series of alternatives to the Project. The environmental review process for the proposed project is summarized below.

1. In accordance with the CEQA requirements, a Notice of Preparation (NOP) of a Draft EIR (DEIR) was filed with the State Clearinghouse (SCH) Office of Planning and Research on January 13, 2004. The SCH Office of Planning and Research assigned SCH Number 2004011055 to the proposed project.
2. On September 9, 2002, a NOP for EIR 588 was circulated for public review that described vertical and horizontal expansions of the Olinda Alpha and Frank R. Bowerman (FRB) landfills. A landslide that occurred at FRB has required extensive work to develop a landslide remediation design and the approval process for that expansion plan may take a number of years to complete. In order not to delay further the implementation of the Olinda Alpha Landfill expansion component of RELOOC, this EIR 588 for a proposed expansion at Olinda Alpha Landfill is being prepared separate from an EIR for the FRB Landfill expansion component of RELOOC. Each of these landfill expansion projects is independent of the other.
3. The NOP/Initial Study (IS) was distributed to public agencies, interested parties, libraries and service providers. The 30-day public review period for the NOP/IS started on January 13, 2004 and concluded on February 11, 2004. A public Scoping Meeting was held at Brea City Hall on January 22, 2004, to solicit input from the public on issues to be included in the Draft EIR. Comments received during and following this Scoping Meeting were included in Draft EIR 588. A total of eighteen written responses were received on the NOP/IS. Written comments received in response to the NOP/IS previously issued on September 9, 2002 were also retained and incorporated into the EIR if requested by the commenter.
4. In accordance with the CEQA requirements, a Notice of Completion (NOC) of the DEIR was filed with the SCH Office of Planning and Research on June 17, 2004.
5. The DEIR was distributed to public agencies, interested parties, libraries and service providers by the County of Orange Integrated Waste Management Department (IWMD). The distribution list is available at the IWMD office.

6. A forty-five (45) day public review period for the DEIR was established pursuant to CEQA, which commenced on June 17, 2004 and ended on August 2, 2004.
7. Comments received during the public review period for the DEIR were responded to in the Responses to Comments Report dated October 2004.
8. A Final EIR (FEIR) was prepared for the RELOOC Strategic Plan – Olinda Alpha Landfill Implementation Project. The following components comprise the FEIR:
 - a. Draft EIR (with revisions) and appendices;
 - b. A list of persons, organizations and public agencies commenting on the Draft EIR;
 - c. Comments received from the public and interested agencies;
 - d. Responses to those comments; and
 - e. Additional information, including IWMD staff reports and minutes

The County of Orange is the Lead Agency with respect to the RELOOC Strategic Plan – Olinda Alpha Landfill Implementation Project pursuant to the CEQA Guidelines Section 15367. As the Lead Agency, the County is required by the CEQA to make findings with respect to each significant effect of the proposed project.

The County of Orange, through its Integrated Waste Management Department (IWMD) has reviewed the Final EIR (FEIR). The following sections make detailed findings with respect to the potential effects of the RELOOC Strategic Plan – Olinda Alpha Landfill Implementation Project and refer, where appropriate, to the mitigation measures set forth in the FEIR. The Board of Supervisors hereby determines that the FEIR for the Project, comprised of the DEIR, a list of persons, organizations and public agencies commenting on the DEIR, comments received from the public and interested agencies, the Responses to Comments prepared by the County, revisions to the text of the DEIR reflecting changes made in response to comments and other information, other minor changes to the text of the DEIR, and all attachments and documents incorporated by reference, is complete and adequate and has been prepared in accordance with CEQA and the CEQA Guidelines. The Board of Supervisors further finds and determines that the FEIR provides adequate, good faith and reasoned responses to all comments raising significant environmental issues. The FEIR is hereby incorporated in this document by reference.

The FEIR and the administrative record concerning the RELOOC Strategic Plan – Olinda Alpha Landfill Implementation Project provide additional facts in support of the findings herein. The FEIR is hereby incorporated into these Findings in its entirety. Furthermore, the mitigation measures set forth in the FEIR and the MMRP are incorporated by reference in these Findings.

The FEIR identifies significant or potentially significant environmental impacts that may occur as a result of implementation of the Preferred Project, even with the incorporation of specific measures/programs intended to mitigate said impacts. Thus, in accordance with the provisions of CEQA, the County of Orange hereby adopts this Statement of Findings as part of its action to certify the FEIR and approve the Project. Section 15093 of the CEQA Guidelines requires the

decision-making agency to balance, as applicable, the economic, legal, social, technological or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve the project. Where the decision of the public agency allows the occurrence of significant effects which are identified in the FEIR but are not avoided or substantially lessened, the agency shall state, in writing, the specific reasons to support its action based on the FEIR and/or other information in the record. Such a statement is called the "Statement of Overriding Considerations." In connection with its review and approval of the Preferred Project, the County has prepared the required Statement of Overriding Considerations (SOOC) a copy of which is attached to these Findings.

The MMRP was developed in compliance with Public Resources Code Section 21081.6 and is contained in a separate document. The mitigation monitoring and reporting program (MMRP) has been prepared to monitor and report on the implementation of the MMs, PDFs and SCs identified for the Preferred Project. The MMRP was developed in accordance with the requirements of CEQA Section 21081.6.

1.1 RELOOC STRATEGIC PLAN

The RELOOC effort is a long range strategic planning program initiated by the County of Orange IWMD. The purpose of RELOOC is to assess the County's existing disposal system capabilities and develop viable short and long term solid waste disposal options for the County. As part of that endeavor, the County is considering a number of short term improvements to existing municipal solid waste landfills operated by IWMD. The proposed project includes the vertical and horizontal expansion of Olinda Alpha Landfill to help meet the County's near term solid waste disposal needs.

The EIR analyzes the potential environmental impacts associated with the continued operation of the Olinda Alpha Landfill from 2013 to the estimated horizon year 2021. The potential environmental impacts associated with the current Olinda Alpha Landfill operations through 2013 were analyzed in the FEIR for the North Orange County Landfill and Alternatives Technology Study (NOCLATS), which was certified by the County of Orange BOS in 1992.

Consistent with the provisions of CEQA Guidelines Section 15090(a), the Board of Supervisors specifically finds and certifies as follows:

1. The FEIR (as defined, above) has been completed in compliance with CEQA.
2. The FEIR was presented to the Board of Supervisors and said Board reviewed and considered the information contained in the FEIR prior to making the following certifications, findings, and approving the Project.
3. The FEIR reflects the Board of Supervisors' independent judgment and analysis.
4. The Board of Supervisors has reviewed and considered, as a whole, the evidence and analysis presented in the DEIR, the evidence and analysis presented in the comments on the DEIR, the evidence and analysis presented in the FEIR, the information submitted on the Final EIR, and the reports prepared by the experts who prepared

the EIR, the County's consultants, and by staff, addressing those comments. The Board of Supervisors has gained a comprehensive and well-rounded understanding of the environmental issues presented by the Project. In turn, this understanding has enabled the Board of Supervisors to make its decisions after weighing and considering the various viewpoints on these important issues. The Board of Supervisors accordingly certifies that its findings are based on full appraisal of all of the evidence contained in the FEIR, as well as the evidence and other information in the record addressing the FEIR. The Board of Supervisors hereby certifies the FEIR for the actions described in these findings and in the FEIR.

2.0 DESCRIPTION OF PROJECT PROPOSED FOR APPROVAL

2.1 PROJECT MODIFICATIONS

As described in Section 4.0 of the EIR, the proposed project includes both a vertical and a horizontal expansion of Olinda Alpha Landfill within the existing landfill property. No change in the landfill property boundary is proposed. As proposed, the height of Olinda Alpha Landfill would be increased from its current permitted elevation of 1,300 feet above mean sea level (AMSL) to a maximum of 1,415 feet AMSL or a net vertical increase of 115 feet. The horizontal expansion would include landform modifications to the northeast part of the existing landfill property. This modification would expand the existing refuse footprint by an estimated 33 acres within the existing property boundary of Olinda Alpha Landfill. The extent of the lateral expansion will be determined after additional geotechnical field data is obtained prior to construction. Parts of the horizontal expansion would be in areas that have already been disturbed by landfill operations. The expanded landfill would ultimately accommodate disposal of an additional 25.7 million cubic yards of air space or 14.2 million tons (MT) of municipal solid waste (MSW, based on a 5:1 refuse-to-soil ratio and 1,333 pounds/cubic yard (lb/cy) refuse density) and would extend the life of this landfill from its permitted closure date of 2013 to approximately 2021, based on current population projections, daily tonnage, compaction densities, approved landfill elevations and existing disposal technologies. The proposed project would not result in any increase to either the maximum daily permitted tonnage or the annual average daily tonnage limits for this landfill.

2.2 PROJECT OBJECTIVES

Implementation of the RELOOC Strategic Plan – Olinda Alpha Landfill Implementation Project is intended to achieve the following objectives:

- Define future waste disposal system by 2004 to provide a basis for renegotiation of Waste Development Agreements (WDAs) with Orange County cities, franchised haulers and Districts.
- Ensure that the County's near term waste disposal needs are met.
- Maximize capacity of the existing Olinda Alpha Landfill.

- Maintain adequate revenues and local control of waste disposal to provide consistent and reliable public rates and fees
- Maintain efficient, cost effective and high quality IWMD operations.
- Minimize adverse environmental impacts associated with solid waste disposal.

FINDINGS CONCERNING IMPACTS FOUND TO BE LESS THAN SIGNIFICANT

In evaluating the potential environmental impacts associated with the Project (hereafter identified as the "Project"), the FEIR identified/addressed several potential impacts that would not be considered significant following implementation of said Project. CEQA does not require findings for impacts found to be less than significant and for which mitigation is, accordingly, not required. Nevertheless, the following information is provided in order to summarize the bases for determinations of non-significance for various potential impacts, as presented in the DEIR.

In some cases, due to their nature, the impacts are found to be insignificant as a matter of course. In other cases, the determinations take into account the design of the Project, including those measures identified as additional information, including IWMD staff reports and minutes which have been incorporated into the Project and which will be implemented pursuant to the MMRP. Although impacts determined to be insignificant do not themselves require mitigation, in some cases those mitigation measures that have been required to address other impacts found to be potentially significant and in need of mitigation will also further reduce the non-significant impacts. In these cases, the mitigation measures are noted, although the impacts would be insignificant even without such measures.

The Board of Supervisors finds that the determination of significance thresholds is a judgment decision within the discretion of the County; the significance thresholds used in the FEIR are supported by substantial evidence in the record, including the expert opinion of the FEIR preparers and County staff; and the significance thresholds used in the Final EIR provide reasonable and appropriate means of assessing the significance of the adverse environmental effects of the Project.

In addition, impacts were identified in the FEIR that have been identified as being potentially significant, but reduced to a level considered less than significant with the implementation of project design features, standard conditions and/or mitigation measures. Consistent with declarations appearing in the MMRP, the Board of Supervisors adopts the mitigation measures identified and comprehensively set forth in FEIR to reduce or avoid the potentially significant and significant impacts of the Project, as well as certain less than significant impacts. In adopting said mitigation measures, the Board of Supervisors intends to adopt each of the mitigation measures proposed in the FEIR.

These Findings provide a summary description of each impact, describe the applicable mitigation measures identified in the FEIR and adopted by the Board of Supervisors, and state the Board of

Supervisor's findings on the significance of each impact after imposition of the adopted mitigation measures. A full explanation of these environmental findings and conclusions can be found in the FEIR and these Findings hereby incorporate by reference the discussion and analysis in the FEIR supporting the FEIR's determinations regarding the Project's impacts and mitigation measures designed to address those impacts. In making these Findings, the County ratifies, adopts and incorporates the analysis and explanation in the FEIR in these Findings, and ratifies, adopts and incorporates in these Findings the determinations and conclusions of the FEIR relating to environmental impacts and mitigation measures, except to the extent any such determinations and conclusions are specifically and expressly modified by these findings.

LAND USE

The vertical and horizontal expansion of Olinda Alpha Landfill would not result in development outside the existing landfill property boundary site and, therefore, would not result in the disruption or division of the physical arrangement of an established community. Olinda Alpha Landfill is not in a designated Natural Community Conservation Plan/Habitat Conservation Plan (NCCP/HCP) area. Other potential land use impacts are discussed later in these findings.

AGRICULTURE

There are no existing agricultural preserves on the landfill property and no preserves will be impacted under the proposed project. Therefore, the Project will not result in impacts related to the conversion of farmlands listed as Prime, Unique or Farmland of Statewide Importance to non-agricultural uses. The proposed project would not result in the cancellation of any Williamson Act contracts or conflict with any existing zoning for agricultural uses.

POPULATION

None of the improvements under the proposed project would entail new residences or extending any major infrastructure (i.e., sewer or water lines, road, etc.) that could support additional development beyond the existing landfill property boundary. Employment associated with landfill operations will be drawn from existing on-site employment. No substantial new employment will be generated by the proposed project that could potentially contribute to additional demand for housing or services in the surrounding area. The proposed project will not result in the removal or demolition of any existing housing. The proposed project would not entail the displacement of a substantial number of people or residences because no housing currently exists on-site or is proposed.

GEOLOGY AND SOILS

Some of the soils underlying the Olinda Alpha Landfill site and the horizontal expansion area have a moderate to high shrink-swell potential. Although considered to be expansive soils, the soils at the site would not create a substantial risk to life or property. The Project does not propose the use of septic tanks.

Olinda Alpha Landfill is approved under the Waste Discharge Requirements (WDRs) issued by the Regional Water Quality Control Board – Santa Ana Region (RWQCB-SA) and is designed to comply with water quality standards and waste discharge requirements. Semi-annual water quality testing at the landfill is conducted for volatile organic compounds (VOC), minerals, total dissolved solids (TDS), potential of hydrogen (pH), electrical conductivity (EC), nitrates and metals. Groundwater is extracted, treated and reused on-site. Any modification of the existing landfill design will require coordination with the Landfill Section of the RWQCB-SA to revise the existing National Pollutant Discharge Elimination System (NPDES) permit and WDRs for Olinda Alpha Landfill in accordance with federal and state requirements for the protection of water quality. No significant adverse impacts are anticipated.

The Project does not include any components that would result in groundwater extraction. The Project and associated drainage patterns will channel run-off downstream to the existing on-site detention basins. The reduction in recharge at the horizontal and vertical expansion areas is not anticipated to substantially reduce recharge in the regional groundwater basin. Moreover, the Project would not result in significant adverse impacts related to groundwater depletion that would contribute to a net deficit in aquifer volume or a lowering of a local groundwater table.

The Project would not substantially alter the existing drainage pattern of the site or area. Under the Project, the landfill will continue to operate as a solid waste landfill to approximately 2021. The existing storm water control system consisting of a network of drainage channels, berms, interceptor ditches and sedimentation basins will be extended, as necessary, to control any additional run-off and erosion associated with the proposed project. The existing concrete-lined sedimentation basins are sufficiently sized to accommodate storm water drainage associated with existing and future landfill operations. Collected silt is cleaned out of the sedimentation basins at the end of the rainy season.

The continued operation and expansion of Olinda Alpha Landfill will result in an increase in excavation and grading, potentially causing increases in erosion and run-off. Vertical and horizontal expansion of Olinda Alpha Landfill will modify the surface hydrology and change stormwater run-off rates on this site. The change in stormwater run-off is not expected to be substantially different from the existing condition and is not anticipated to result in flooding on or off-site. The capacity of the major on-site stormwater control facilities required for the permitted landfill operation do not need to be modified for the expansion project. Off-site discharge will be controlled to only release pre-development condition flows during a storm event. The proposed project will not impact the capacity of existing or planned stormwater drainage systems off-site.

The Project would result in the approximately 115-foot vertical and 33-acre horizontal expansion at Olinda Alpha Landfill. The landfill expansion must be designed, operated and monitored to preclude any significant adverse impacts to groundwater resources or water quality. In addition, the vertical and horizontal expansion must be approved under WDRs issued by the RWQCB-SA.

The proposed project does not include the development of housing or structures that would be located in a 100-year flood hazard area.

The proposed project is not anticipated to result in any impacts related to flooding as a result of the failure of a levee or dam, or inundation by seiche, tsunami or mudflow.

Although the proposed project will not have significant adverse impacts associated with hydrology and water quality, Sections 5.3 (Hydrogeology and Water Quality) and 5.4 (Surface Water Hydrology) are included in this EIR to provide more details regarding the environmental setting, impacts and mitigation related to hydrology and water quality that would result from implementation of the proposed project. Technical studies related to surface hydrology and water quality are discussed in those Sections.

TRANSPORTATION

The Project is outside the defined airspace of any airport and would not result in changes in air traffic patterns or air traffic levels because the proposed expansion will not generate demand for air passenger or cargo trips.

The current access roads used by waste disposal trucks are designed to local jurisdictions' standards and are suitable for this type of use. The proposed project does not include road improvements or the use of vehicles not compatible with public and private access roads serving the landfill. Therefore, expansion of Olinda Alpha Landfill will not result in impacts related to safety hazards from design features or incompatible uses.

Emergency vehicles can use the existing private and public roads if necessary to respond to fire, medical or police emergencies. Consistent with the California Vehicle Code and local restrictions, trucks using public roads to access the landfill do not block emergency vehicles and do not block access to adjacent uses. At the landfill, trucks do not queue off the landfill property and, therefore, do not block emergency access in the area. On the landfill property, truck queuing is managed to ensure that emergency vehicles can access the site, if necessary.

Parking for employees and vehicles waiting for inspection or to deposit loads is currently provided on the Olinda Alpha Landfill property. In the event that additional parking is temporarily needed as a result of the proposed vertical and horizontal expansion, it also would be provided on the landfill property. No off-site parking will be required so the proposed project will not result in any impacts related to inadequate parking capacity.

Trucks transporting municipal solid waste (MSW) to Olinda Alpha Landfill, including the areas for the proposed expansion, would operate on public roads consistent with laws and regulations controlling vehicle traffic, similar to existing conditions associated with trucks currently accessing the landfill. Alternative modes, including rail, bus, transit, bicycling, carpooling and vanpooling, would not be adversely affected by these truck operations on public roads.

Under the proposed project, existing traffic levels to and from Olinda Alpha Landfill would continue for eight additional years, from the current closure date in 2013 to the proposed closure date in 2021. Once the landfill closes, all waste that would otherwise have been deposited at Olinda Alpha will have to be hauled to another landfill, either in the County or outside of the County with the result that the overall traffic related to transportation of municipal solid waste will not be reduced but will at minimum be redirected, and may increase.

AIR QUALITY

The Project would not result in an obstruction to the implementation of the 2003 Air Quality Management Plan as overseen by the South Coast Air Quality Management District (AQMD). Other potential impacts related to Air Quality are discussed later in these findings.

NOISE

The Project is not located within two miles of an existing public airport and is not within an adopted airport land use plan. Therefore, the proposed project will not result in exposure of people in this area to excessive aviation-related noise levels. Other potential noise and vibration impacts are discussed later in these findings.

BIOLOGICAL RESOURCES

The Project would not impact wetlands or other watercourses subject to regulatory control because none are located on-site.

The Project is not expected to impact wildlife movement, migration patterns or wildlife corridors. No disturbance along the ridgeline east of the horizontal expansion area is proposed. However, landfill operations may generate dust, noise or light emissions that could potentially disturb wildlife behavior, including possible shifts in the use of the eastern ridgeline by wildlife. The majority of wildlife movement through and near the landfill occurs after dark. Because operations at the landfill cease at dark, no impacts to wildlife dispersal, migration or wildlife corridors will occur.

The Project would not impact locally designated species. The County of Orange has no officially adopted heritage tree ordinance or policy. Therefore, the Project would not result in impacts to locally designated species.

Olinda Alpha Landfill is not within an approved NCCP/HCP Reserve System and, therefore, would not impact any NCCP/HCP areas. Other potential impacts to biological resources are discussed later in these findings.

LIGHT, GLARE AND AESTHETICS

Potential light and glare impacts associated with the proposed project would be the same as existing impacts associated with the permitted landfill. Sources of light at this landfill, including lighting for access roads, parking areas, buildings and security, would not change appreciably under the proposed expansion. Therefore, there would be no impacts related to light and glare associated with the expansion at Olinda Alpha Landfill.

Section 5.8 (Aesthetics) in this EIR provides discussion regarding the environmental setting, impacts and mitigation related to aesthetics that would potentially be impacted by the Project. Other potential impacts to aesthetics are discussed later in these findings.

CULTURAL AND HISTORICAL RESOURCES

No historic resources have been documented on the Olinda Alpha Landfill property. Therefore, no historic resources are expected to be impacted by the proposed expansion.

The Project would occur in some areas previously disturbed by landfill operations. No impacts to known archaeological resources would occur. The majority of the proposed expansion area has been surveyed and there are no known archaeological sites within the existing landfill property boundary.

During previous landfill operations, rare paleontological specimens have been found. The IWMD provides archaeological/paleontological monitoring services during construction to recover any paleontological resources or specimens that may be discovered in the future. These resources are preserved in accordance with the County of Orange Standard Conditions of Approval that require paleontological monitoring during construction. There are no indications of the presence of human remains within the project area. Therefore it is not anticipated that human remains would be disturbed by the proposed project. Potential adverse impacts on paleontological resources will be considered less than significant with the continuation of archaeological/paleontological monitoring services during construction.

RECREATION

The Project will not affect the local demand for neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. The proposed project does not entail the construction of additional recreational facilities either on or off-site at Olinda Alpha Landfill. Therefore, the Project will not affect existing recreation facilities in the project area.

The FEIR discusses the planned post-closure conversion of the landfill property to a passive use regional park. The Project will result in the continued operation of the landfill from 2013 to 2021 which will delay the use of the site for recreational use until after 2021.

The City of Brea has indicated, outside of the EIR process in discussions of a possible MOU amendment, that it believes that the County should pay some significant contribution to the development, operation, and management of a proposed sports park to offset asserted impacts of the delay in post closure conversion of the landfill into a park. While the EIR did not find any impacts on recreational facilities, this has been one of the subjects discussed by City and County in the course of negotiations related to a new agreement between the parties. Since the EIR did not identify any impacts to recreational facilities; there would be no reason or nexus for any mitigation or mitigation fee.

The County prepared complete responses to all of the comments received, including those of the City of Brea. The responses to comments addressed the City of Brea's concerns regarding the project. As part of its mitigation strategy, the County engaged in extensive negotiations with the City of Brea in order to develop an agreement to address the City's concerns. As of this

moment, the City and County have been unable to arrive at a mutually acceptable understanding. This means that, in some cases, identified mitigation measures cannot be implemented due to circumstances beyond the control of the County. Because this is an important public project necessary to provide for the public health, safety and welfare by providing cost effective trash disposal within the County of Orange for the benefit of its residents, a Statement of Overriding Considerations has been prepared describing the specific economic, legal, social, technological or other benefits of the project that outweigh the environmental impacts and support the decision to approve the project without mitigation of the impacts that cannot be avoided or reduced to an acceptable level, including all of the elements on which the County and City have been unable to arrive at an acceptable mitigation through development of a new agreement.

The fact that the County and City have not been able to agree on a mutually satisfactory agreement, means that the proposed mitigation of the asserted recreation impacts based on that renegotiation cannot be carried out due to circumstances beyond the control of the County. Therefore, those impacts are included in the Statement of Overriding Considerations.

MINERAL RESOURCES

No known mineral resources are presently or likely to be available on the Olinda Alpha Landfill property. Therefore, the Project will not result in impacts related to known mineral resources of possible state or regional value.

HAZARDS

The existing landfill design and facilities, including LFG collection and groundwater monitoring facilities, are required for the landfill to operate in a safe and sanitary manner. In addition, there are no existing or proposed schools within one-quarter mile of Olinda Alpha Landfill and no hazardous wastes will be disposed of in this landfill under the proposed project. The proposed project will not result in impacts related to hazardous emissions. The Olinda Alpha Landfill property is not listed as a hazardous materials site. The landfill accepts only Class III MSW and implements a hazardous waste exclusion program. The Project is not located near an airport and is not affected by any airport land use plan. In addition, there are no private airstrips in the vicinity of the landfill property. Therefore, the Project will not result in adverse impacts related to aviation safety hazards for people residing or working in the project area. The designated emergency routes from Olinda Alpha Landfill are through the City of Brea and will not change with the implementation of the Project. The Project will not affect emergency plans in the area.

There is a remote possibility of fire at Olinda Alpha Landfill from combustible refuse, vegetation or litter being ignited by sparks from vehicles, lighted cigarettes or matches thrown from vehicles. However, this potential risk is addressed in the design and daily operations of this landfill. Continued landfilling under the proposed project is not anticipated to have a significant adverse impact on the occurrence of wildland fires in the area. The landfill may be subject to surface fires started by burning waste material deposited on the working landfill face. Should this occur, the fire would be limited to the materials deposited prior to the daily application of cover materials, as fire will not generally propagate through cover soil. The Orange County Fire

Authority has procedures for the prevention, control and management of fires at waste disposal sites. There are numerous fire control and prevention practices and fire fighting provisions currently in place at Olinda Alpha Landfill. The landfill has a 100,000-gallon storage tank for potable water dedicated to fire protection and a fire hydrant is located near the LFG flaring system. Two water trucks are available on the landfill property for fire fighting purposes. Fire extinguishers are required and are provided on all heavy equipment at the landfill. Internal combustion engines have required OCFA approved spark arrestors. In addition, fire extinguishers are located within 50 feet of the aboveground liquid tanks.

Safety and health hazards such as fires or explosions could occur if LFG containing methane or toxic gases is permitted to migrate into nearby buildings. Further, site engineering staff routinely monitors on-site buildings with an Organic Vapor Analyzer (OVA) for methane. The existing LFG control and monitoring system at Olinda Alpha Landfill would reduce LFG migration and associated potential impacts associated with the Project to below a level of significance.

The Project does not include the development of new or retrofitted stormwater control BMPs.

PUBLIC SERVICES

The existing police services in the area would be adequate to meet the demand for police protection services under the proposed project. Therefore, the Project will not result in adverse impacts related to police services. The Project will not adversely impact schools because no population increase is associated with the expansion plan.

The Project will require some permit processing by the County of Orange. However, the proposed project is not anticipated to adversely affect the County's overall ability to provide permitting services Countywide. The Project will not result in an increase in the number of employees at the landfill or other changes which would result in the need for other new or altered government facilities or services such as libraries or jails. Therefore, the Project will not result in adverse impacts related to other governmental services and will not result in a demand for increased public services.

UTILITIES

The Project would not result in the construction of new or expanded water or wastewater treatment facilities. In addition, the project would not exceed wastewater treatment requirements.

The Project would not result in the need for the off-site construction of new or expanded stormwater drainage facilities. With the development of the Project, the existing landfill stormwater collection system that consists of a series of drainage channels, berms, interceptor ditches and sedimentation basins would be improved for the expansion areas as appropriate. This would occur in areas already disturbed by landfill operations and would not result in additional environmental impacts.