COMMENTS RECEIVED BY MAIL

Arsivaud 2.14.11
Becker 2.28.11
Bell 2.14.11
BIA 3.3.11
Bittner 2.3.11
Bittner 3.11.11
Black 2.14.11
Clarke 2.23.11
Danilova 2.22.11
Del Mar 2.23.11
Deny the Dump II 2.28.11
Deny the Dump III 3.15.11
Dooley 2.13.11
Eddie 2.23.11
EHC 2.15.11
EHC 2.23.11
Escondido 2.28.11
Foli 2.16.11
Fox 2.18.11
Frowiss 3.8.11
Gaugen 3.3.11
Gaugnen 2.9.11
Greer 2.18.11
Harber 2.24.11
Harber 2.3.11
Harber 2.9.11
Harber 3.10.11
Harber 3.7.11
Harber 4.1.11
Harber 4.15.11
Jackii 2.17.11
Jamiep 2.14.11
Karp 2.18.11
Kimura 2.23.11
Krupnik 2.22.11
Lee 2.16.11
LofWV 2.21.11
Lopez 2.9.11
Lynne 3.4.11
Lynne 3.7.11
Mackie 2.25.11
Mackie 3.2.11
Marx 2.18.11
Maryp 2.22.11
Mazzetti 3.1.11
McCurter 2.25.11
Montgomery 2.14.11
Montgomery 2.18.11
Morgan 3.12.11
Pala Response 2.14.11
Pappas 3.14.11 2
Pappas 3.14.11
Pierce 2.21.11
Pincipe 2.15.11
Principe 2.22.11
Riber 2.21.11
Richard 2.17.11
Roberts 2.14.11
Russell 3.21.11
Solana Beach 2.23.11
Sanchez 2.16.11
Sandschulte 2.14.11
Silver EHL 2.17.11
Singleton NAHC 2.15.11
Smith 2.13.11
Smith Trager 3.5.11
Surfrider 2.15.11
Thompson 2.22.11
Vick 2.17.11
Welsh 3.21.11
Winfrey 3.10.11
Zelasco 2.13.11
Zimmerman 2.14.11

Henderson, Jim

From: Henderson, Jim on behalf of LUEG, DEHComments
Sent: Tuesday, February 15, 2011 9:10 AM
To: 'J Arsivaud'
Subject: RE: Solid Waste Facility Permit for Gregory Canyon Landfill

Thank you for your response. Your comment has been received.

Jim Henderson
County of San Diego
Department of Environmental Health
Local Enforcement Agency
5500 Overland Ave, Suite 110 MS O560
San Diego, CA 92123
(858) 694-3607

From: J Arsivaud [mailto:j.arsivaud@gmail.com]
Sent: Monday, February 14, 2011 7:12 PM
To: LUEG, DEHComments
Subject: Solid Waste Facility Permit for Gregory Canyon Landfill

February 14, 2011
Jim Henderson
County of San Diego Local Enforcement Agency
5500 Overland Drive, Suite 110
San Diego, CA 92123

As a resident of North County I am writing to urge denial of the requested permit. The proposed landfill would threaten vital drinking water sources for the region.The proposed Gregory Canyon Landfill would be located on a fracturedbedrock aquifer and threatens existing and future water supplies. Municipalities, including theCity of Oceanside, rely on the same water source that runs past and beneath the landfill site.When the landfill liner leaks, it will contaminate drinking water for all downstream users. Thereis no adequate protection provided in the waste discharge requirements from events such asfire or earthquakes. This site is located is 6 miles from the Lake Elsinore earthquake fault, therefore the eventuality of an earthquake causing BMPs to fail should be taken into account. We therefore have grave concerns about the landfill's potential to leak toxic pollutants into these critical groundwater supplies.

This site is unsuitable for a landfill the County itself rejected the location because it failed seven out of eight siting criteria. It is impossible to engineer the site to make it safe for a landfill.

Furthermore, this landfill is not needed. Waste diversion and recycling rates in the County are at an all-time high, and disposal rates have decreased dramatically in recent years. The County has no need for any new landfills at this time, much less one that would destroy critical water resources.

Sincerely,

Jacqueline Arsivaud
1486 Paint Mountain Road

Elfin Forest, CA 92029
760-855-0444

Henderson, Jim

From: Henderson, Jim on behalf of LUEG, DEHComments
Sent: Tuesday, March 01, 2011 9:50 AM
To: 'Nicole Becker'
Subject: RE: Permit for Gregory Canyon Landfill

Thank you for your response. Your comment has been received.

Jim Henderson
County of San Diego
Department of Environmental Health
Local Enforcement Agency
5500 Overland Ave, Suite 110 MS O560
San Diego, CA 92123
(858) 694-3607

From: Nicole Becker [mailto:nicole-becker@sbcglobal.net]
Sent: Monday, February 28, 2011 11:40 AM
To: LUEG, DEHComments
Subject: Permit for Gregory Canyon Landfill

Mr. Jim Henderson
County of San Diego Local Enforcement Agency
5500 Overland Drive, Suite 110
Sand Diego, CA 92123

RE: Solid Waste Facility Permit for Gregory Canyon Landfill

We are North County residents and are writing to urge denial of the requested permit. The proposed landfill would threaten vital drinking water sources for the region. We have grave concerns about the landfill's potential to leak toxic pollutants into these critical groundwater supplies.

This site is unsuitable for a landfill - the County itself rejected the location because it failed seven our to eight siting criteria. It is impossible to engineer the site to make it safe for a landfill.

This landfill is not needed. Waste diversion and recycling rates in the County are at an all-time high, and disposal rates have decreased dramatically in recent years. The County has no need for any new landfills at this time, much less one that would destroy critical water resources.

Sincerely,

Frank and Nicole Becker
353 Puerta de Lomas
Fallbrook, CA 92028

Henderson, Jim

From: Henderson, Jim on behalf of LUEG, DEHComments
Sent: Monday, February 14, 2011 3:33 PM
To: 'Jim Bell'
Subject: RE: Solid Waste Facility Permit for Gregory Canyon Landfill

Thank you for your response. Your comment has been received.

Jim Henderson
County of San Diego
Department of Environmental Health
Local Enforcement Agency
5500 Overland Ave, Suite 110 MS O560
San Diego, CA 92123
(858) 694-3607

From: Jim Bell [mailto:jimbellelsi@cox.net]
Sent: Monday, February 14, 2011 3:08 PM
To: LUEG, DEHComments
Subject: Solid Waste Facility Permit for Gregory Canyon Landfill

Landfills are unnecessary. If we adopted True-Cost-Pricing, what we call landfills today would be called Resource Recovery Centers in the future.

TRUE-COST-PRICING

Using Free-Market Forces To Save Our Life-Support System

By

Jim Bell – www.jimbell.com

The ecology of our planet is the foundation of everything we do, including what we do under the heading of economy. When we damage our planet's life-support system through inappropriate economic activities, we undercut the potential for economic activities in the future. For example, most of the food humans consume is grown in ways that deplete, poison or otherwise contaminate air, water and land alike. Organic agriculture causes much less life-support and human health damage than non-organic agriculture, but it's still not completely sustainable.

Today, almost everything humans do causes life-support system harm. More precisely, it's not so much about what we are doing, but about HOW we are doing it. The ways we support ourselves now depends on using up ever more non-renewable resources and using renewal resources in ways that make them difficult to renew. The result of this is over flowing landfills and evermore destruction of virgin land for raw materials to replace those buried in landfills.

"True-cost-pricing" is a free-market strategy aimed at integrating the principles of life-support sustainability with economically sound business practices. The basic idea is to include all the costs, cradle to cradle, of all products offered for sale in the common retail marketplace to pay for any damage those offerings cause from the procurement of raw materials, their refinement, product manufacture, product use, and their disposal.

Currently, the public, through taxes, health costs, property damage, etc. pays the health, environmental and social costs associated with health and ecologically damaging products. By paying these costs, the public is caught in the ironic position of actually subsidizing the very products and processes that are harming them and their life-support system. Even worse, these subsidies retard the development of technologies that are more health and ecologically benign by artificially lowering the retail cost of ecological, health and socially damaging products, technologies, etc.

With true-cost-pricing, these costs, would be included in the market price of all market offerings, In other words, the health and life-support-costs of product offerings would be determined by an independent body, (perhaps Consumer Report Magazine would be interested in this job) and these costs would be included in the retail price of every product being offered for sale. Of course, there would be no cost added to the cost of health and life-support benign products and services.

Including these costs up-front would cause the consumer price of health and life-support damaging products and services to rise, but even here we would save money over what we pay now because its always less expensive to avoid creating health and environmental problems than it is to cure sick people and heal damage to our common environment after the fact.

As technologies become more ecologically sophisticated there is no reason for commonly used products to be any more expensive to purchase than they are now. In fact, in spite of the subsidies supporting health and life-support damaging products, the market price of some "Green" product is already lower than harmful products they replace and they work better too.

But even if green products and technologies end up costing more at the point of purchase, under true-cost-pricing they would still be more cost effective to society. It's less expensive to prevent ecological and social problems, than to fix them after they have been created.

An additional true-cost-pricing benefit would be the elimination of solid waste disposal. With true-cost-pricing everything sold in the marketplace would be designed to be reused, recycled or composted. When all costs are included, this is the most cost effective thing to do.

There is a general view that the free enterprise system is the antithesis of a healthy environment. With true-cost-pricing, however, free market forces can be powerful tools toward creating a secure life-support sustaining future.

This article is based on a concepts developed in detail in Chapter III of Achieving Eco-nomic Security On Spaceship Earth, published in 1995. The book is available free at www.jimbell.com, click on "Jim's First Book" (on the left side of your screen.)

UNITED STATES OF AMERICA
DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
Southern California Agency
1451 Research Park Drive, Suite 100
Riverside, California 92507-2154
Telephone (951) 276-6624 Telefax (951) 276-6641

IN REPLY REFER TO:
Water Resources

MAR 03 2011

Mr. Jack Miller, County of San Diego
Department of Environmental Health
Local Enforcement Agency
5500 Overland Drive, Suite 110
San Diego, CA 92123

Subject: Proposed Solid Waste Facility Permit for the Gregory Canyon Landfill, San Diego County, California

Dear Mr. Miller:

The Bureau of Indian Affairs (BIA), as Trustee of lands held by the United States on behalf of Native American Tribes in San Diego County, provides this letter to present comments regarding the solid waste facility permit application for the proposed Gregory Canyon landfill Project being considered by San Diego County Department of Environmental Health (DEH).

The BIA is the oldest Bureau in the United States Department of the Interior, and it provides services to approximately 1.7 million American Indians and Alaskan Natives. Among BIA's many duties is to advocate for the sovereignty and rights of Tribes in dealing with other governmental entities in order to fulfill and execute our trust responsibility to American Indian Tribes. The following comments are provided to recognize this obligation.

As you are aware, Gregory Canyon is located south of the San Luis Rey River and State Highway 76 in an area of great natural beauty. The area is near the entrance to the Pala Band of Mission Indian's Reservation as well as to six other Native American Tribal reserves located along this state route. It would be a dishonor to approve a municipal solid waste landfill at the gateway to one of the last historical strongholds of Native American populations in Southern California.

The following concerns should be considered during approval of this permit for the Gregory Canyon Land fill.

1. **Cultural Resources**: The proposed project is located adjacent to sacred Indian cultural and religious sites of great significance. Specifically, if the project were to be approved, millions of tons of garbage would be buried in the canyon on the side of Gregory Mountain which is considered sacred to the local Tribes. In addition; the landfill would be constructed within hundreds of feet of a sacred site for the Tribes known as Medicine Rock, another point of spiritual and cultural significance to the Luiseño people.

Furthermore; this landfill will be located in close proximity to the homeland of the Pala Band of Mission Indians. In addition; the landfill will impact the Pala Bands efforts to preserve their homeland and promote their culture.

2. **Water Resources**: threats to water quality concerns regarding the San Luis Rey River and the local ground water supply should be considered by the County of San Deigo Department of Environmental Health, (DEH). A significant percentage of local and municipal potable water supplies in Northern San Diego County is provided by the San Luis Rey Watershed. This is vital to the physical and economic stability of the region. Concern has been expressed strongly regarding groundwater protection. This proposed landfill, if constructed on this property would pose significant risk to water resources downstream for hundreds of years. Remaining after the applicant has left the site, the waste disposed in Gregory Canyon would threaten the San Luis Rey River and its groundwater aquifers long after the need for waste disposal and profit from the facility is a consideration.

3. **Impacts to County Water Pipeline Supplies:** The BIA also understands that the San Diego County Water Authority has expressed concern over the impacts of the proposed project on its two water pipelines that run through the site that provide critical water supply to the County. The County Water Authority has stated that the applicant has failed to provide evidence that the pipelines would not be damaged by construction, or operation of the proposed landfill. It is our understanding that significant blasting would have to be performed for both construction and operating events during the life of this landfill. As an Advocate for the Tribes we believe it is premature for DEH to issue a permit for Gregory Canyon from both perspectives of protecting federal and state trust assets. These threats to water resources that are vital to the physical and economic stability of the region should be of paramount importance to all agencies assessing this project.

4. **Topography:** The threat posed by this facility in Gregory Canyon is increased by the steep topography and geomorphology of the canyon. Millions of tons of waste proposed to be buried in the canyon would stand hundreds of feet high and look down at the San Luis Rey River. The application should provide convincing evidence that this waste pile has the structural stability to remain in place during the operation of the proposed landfill or for as long as the waste would remain there. The fact that the site is near the Elsinore/Laguna Salada Fault System increases this concern, and must be properly analyzed to ensure that the waste will remain stable forever.

5. **Sub-drain System:** The sub-drain system for the proposed Landfill should be discussed from a geotechnical perspective. There should be mention of back-drains, slope-drains tying into a sub-drain system. In areas of bedrock and artificial waste fill contact, there should be mention of water intrusion concerns that may compromise the integrity of the landfill liners. Instead of that analysis, the applicant merely claims that there will not be any inflows into the subdrain and if there are, the system could handle them. From our perspective, it is felt that more analysis may be needed.

6. **Purpose and Need:** Finally, it is BIA's understanding, based on past history of this project, and statements made by advocates against the landfill; the original need for a waste disposal facility for San Diego County has been diminished over the years by increased environmental awareness and recycling activities for conservation of natural resources. There are questions whether another landfill is needed in San Diego County. Based on current trends, less waste will be generated in the future and more waste will be diverted from landfills and used productively, making the need for new disposal facilities even less necessary. We

understand that recent studies have shown that adequate landfill capacity exists within the County without this project and that voters recently approved a new landfill that would not impact Native American lands or be located along a significant river system.

We appreciate the opportunity to present our comments, if there are any questions or clarification needed regarding the content of this letter, please do not hesitate to contact Ms. Christina Mokhtatzadeh, Agency Hydrologist, at (951) 276-6624 ext. 257.

Sincerely,

Robert Eben

Superintendent

Cc: Chief of Division of Environmental, Cultural Resources Management & Safety, Pacific Region
Natural Resources Officer, Pacific Region, southern California Agency
Deputy Superintendent of Trust Services, Southern California Agency, Pacific Region
Environmental Protection Specialist, Southern California Agency, Pacific Region
Regional Water Rights Specialist, Pacific Region, Bureau of Indian Affairs
Chairperson, Pala Band of Mission Indians
Regional Solicitor, U.S. Department of the Interior
California Department of Water Resources
U.S. E.P.A., Tribal Water Protection Enforcement Manager
Colonel, District Commander, United States Army Corps of Engineers
Mark Leary, Acting director Cal Recycle

FILE COPY

Henderson, Jim

From: Henderson, Jim on behalf of LUEG, DEHComments
Sent: Monday, February 07, 2011 1:23 PM
To: 'Dave Bittner'
Subject: RE: Gregory Canyon Landfill

Thank you for the information. I have forwarded your e-mail offering assistance on to the project proponents.

The Gregory Canyon landfill project has had a certified California Environmental Quality Act (CEQA) Environmental Impact Report (EIR) in place since 2003, That report addressed eagles, and that portion of the EIR was not challenged in subsequent litigation. For Local Enforcement Agency (LEA) and CEQA purposes under state law, this is not a "new project."

The project proponent is currently preparing a National Environmental Policy Act (NEPA) Environmental Impact Study (EIS) for this project. The LEA has no position on whether the guidelines you refer to would apply to this project under federal law.

Jim Henderson
County of San Diego
Department of Environmental Health
Local Enforcement Agency
5500 Overland Ave, Suite 110 MS O560
San Diego, CA 92123
(858) 694-3607

From: dbittnerwri@gmail.com [mailto:dbittnerwri@gmail.com] **On Behalf Of** Dave Bittner
Sent: Thursday, February 03, 2011 5:44 PM
To: LUEG, DEHComments
Subject: Gregory Canyon Landfill

The Gregory Canyon landfill needs to address the Golden Eagles that nest on site. We prepared a report many years ago and would be happy to work with the project proponents to help them with the 2010 Golden Eagle guidelines issued by the US Fish and Wildlife Service. All new projects need to comply with these guidelines.

If you want to give me a contact name and phone or e-mail I would be happy to work directly with them. We have studied the Golden Eagles in San Diego County for over 23 years and are monitoring the Gregory Canyon Golden eagles on and annual basis. The Female of the pair is an eagle we banded as a baby, in the nest on San Miguel Mtn in southern San Diego County in 1998.We want to help but this needs to be addressed ASAP.

Respectfully

--
Dave Bittner
Executive Director
Wildlife Research Institute, Inc
760-789-3992
www.wildlife-research.org

Henderson, Jim

From: Henderson, Jim on behalf of LUEG, DEHComments
Sent: Monday, March 14, 2011 6:37 PM
To: 'Dave Bittner'
Cc: Jim Simmons
Subject: RE: Golden Eagles on the project property

Thank you for the information. I have forwarded your e-mail offering assistance on to the project proponents.

The Gregory Canyon landfill project has had a certified California Environmental Quality Act (CEQA) Environmental Impact Report (EIR) in place since 2003, That report addressed eagles, and that portion of the EIR was not challenged in subsequent litigation. For Local Enforcement Agency (LEA) and CEQA purposes under state law, this is not a "new project."

The project proponent is currently preparing a National Environmental Policy Act (NEPA) Environmental Impact Study (EIS) for this project. The LEA has no position on whether the guidelines you refer to would apply to this project under federal law.

Jim Henderson
County of San Diego
Department of Environmental Health
Local Enforcement Agency
5500 Overland Ave, Suite 110 MS O560
San Diego, CA 92123
(858) 694-3607

From: dbittnerwri@gmail.com [mailto:dbittnerwri@gmail.com] **On Behalf Of** Dave Bittner
Sent: Friday, March 11, 2011 6:56 PM
To: LUEG, DEHComments
Cc: Heather Beeler; Carie Battistone; Chris Meador
Subject: Golden Eagles on the project property

Our non profit has submitted a written document back several years ago about the presence of Golden Eagles on this project site. We expressed an interest in helping the proponent do pre and post monitoring of the Golden Eagles and act as biological monitors and advisers in mitigating and minimising the impact to the Golden Eagles nesting and long term survival. These eagles have been documented nesting on this site since the early 1900's.

Since our original comments and report we have heard nothing. However, new Golden Eagle Guidlines have been issued by the US F&W Service in the interium period. Moving ahead without considering these guidelines could result in the take of Golden Eagles. We hope you will reingage and show that you still plan on protecting the resources of the area.

We hope to hear from you soon regarding this matter.

--
Dave Bittner
Executive Director
Wildlife Research Institute, Inc
760-789-3992
www.wildlife-research.org

Henderson, Jim

From: Henderson, Jim on behalf of LUEG, DEHComments
Sent: Tuesday, February 15, 2011 9:09 AM
To: 'Milt Black'
Subject: RE: Please help protect drinking water from landfill

Thank you for your response. Your comment has been received.

Jim Henderson
County of San Diego
Department of Environmental Health
Local Enforcement Agency
5500 Overland Ave, Suite 110 MS O560
San Diego, CA 92123
(858) 694-3607

From: Milt Black [mailto:mnmblack@att.net]
Sent: Monday, February 14, 2011 4:09 PM
To: LUEG, DEHComments
Subject: Fw: Please help protect drinking water from landfill

Subject: Fw: Please help protect drinking water from landfill

-------Original Message-------

Date: 2/13/2011 7:33:36 PM

Subject: Please help protect drinking water from landfill

2011 Alert #1

Protect Drinking Water in Northern San Diego County

Background

The proposed 300-acre Gregory Canyon Landfill would be built on the banks of the San Luis Rey River, threatening a major drinking water source. These essential water supplies must be protected and preserved.

The County of San Diego is deciding whether to approve a key permit – a Solid Waste Facility Permit – that the landfill needs in order to operate. We need to make sure the County gets the message that placing a garbage dump on the banks of a river makes no sense.

Action Requested

1. Attend the public meeting if possible

When & Where

Wednesday, February 23, 2011
6:30 pm
Fallbrook Public Library (Community Room)
124 S. Mission Road, Fallbrook, CA

Talking points for speakers:

I oppose the Solid Waste Facility Permit because:

- The proposed landfill would threaten vital drinking water sources for the region. We have grave concerns about the landfill's potential to leak toxic pollutants into these critical groundwater supplies.

- By approving this landfill, the county would be violating its duty to protect its precious natural resources, including water. This site is unsuitable for a landfill – the County itself rejected the location because it failed seven out of eight siting criteria. It is impossible to engineer the site to make it safe for a landfill.

- The County does not need this landfill. Waste diversion and recycling rates in the County are at an all-time high, and disposal rates have decreased dramatically in recent years. The County has no need for any new landfills at this time, much less one that would threaten critical water resources.

2. Write to the County. E-mail is fine. A sample letter is below:

February 14, 2011

Jim Henderson

County of San Diego Local Enforcement Agency
5500 Overland Drive, Suite 110
San Diego, CA 92123
<DEHComments@sdcounty.ca.gov>

RE: Solid Waste Facility Permit for Gregory Canyon Landfill

I am writing to urge denial of the requested permit. The proposed landfill would threaten vital drinking water sources for the region. We have grave concerns about the landfill's potential to leak toxic pollutants into these critical groundwater supplies.

This site is unsuitable for a landfill – the County itself rejected the location because it failed seven out of eight siting criteria. It is impossible to engineer the site to make it safe for a landfill.

This landfill is not needed. Waste diversion and recycling rates in the County are at an all-time high, and disposal rates have decreased dramatically in recent years. The County has no need for any new landfills at this time, much less one that would destroy critical water resources.

Sincerely,

Milton and Mania Black, Fallbrook, CA._____

Thank you for taking action

Email Marketing by

This message was sent to docmegan@hughes.net from:

Endangered Habitats League | 8424 Santa Monica Blvd., Suite A 592 | Los Angeles, CA 90069-4267

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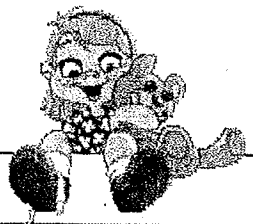

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Henderson, Jim

From: Henderson, Jim on behalf of LUEG, DEHComments
Sent: Tuesday, March 29, 2011 5:09 PM
To: 'Samantha Bowman-Fleurov'
Subject: RE: Gregory Canyon

Thank you for your response. Your comment has been received.

Jim Henderson
County of San Diego
Department of Environmental Health
Local Enforcement Agency
5500 Overland Ave, Suite 110 MS O560
San Diego, CA 92123
(858) 694-3607

From: Samantha Bowman-Fleurov [mailto:samantha@publicpolicypartners.com]
Sent: Tuesday, March 29, 2011 11:16 AM
To: LUEG, DEHComments
Subject: Gregory Canyon

Please approve the Gregory Canyon Landfill....I feel that all concerns have been met and that opposition is unjustified

samantha bowman fleurov
760-745-9390
619-200-4224

Henderson, Jim

From: Henderson, Jim on behalf of LUEG, DEHComments
Sent: Wednesday, February 23, 2011 2:10 PM
To: 'ClarkeMH@aol.com'
Subject: RE: Solid Waste Facility Permit for Gregory Canyon Landfill

Thank you for your response. Your comment has been received.

Jim Henderson
County of San Diego
Department of Environmental Health
Local Enforcement Agency
5500 Overland Ave, Suite 110 MS O560
San Diego, CA 92123
(858) 694-3607

From: ClarkeMH@aol.com [mailto:ClarkeMH@aol.com]
Sent: Wednesday, February 23, 2011 1:10 PM
To: LUEG, DEHComments
Subject: Solid Waste Facility Permit for Gregory Canyon Landfill

To: Jim Henderson
County of San Diego Local Enforcement Agency
5500 Overland Drive, Ste. 110
San Diego, CA 92123
From: Mary Clarke
168 Elise Way
Oceanside, CA 92057

RE: Solid Waste Facility Permit for Gregory Canyon Landfill

Dear Mr. Henderson:

I regret that I cannot attend the meeting tonight in Fallbrook regarding the Gregory Canyon Landfill, due to a prior commitment. I would like to submit my comments, as follows:

I urge that the county deny the requested permit. The proposed landfill would threaten vital drinking water sources for the region. There are serious concerns about the landfill's potential to leak toxic pollutants into our ground water supplies.

This site is unsuitable for a landfill. The County itself has rejected the location because it failed seven out of eight siting criteria. It is impossible to engineer the site to make it suitable for a landfill.

Finally, there is no need for this landfill. Waste diversion and recycling rates in the County are at an all-time high, and disposal rates have decreased dramatically in recent years. The County has no need for any new landfills at this time, much less one that would threaten critical water resources.

Thank you for your consideration of my comments.

Best wishes,

Mary Clarke

Henderson, Jim

From: Henderson, Jim on behalf of LUEG, DEHComments
Sent: Tuesday, February 22, 2011 6:41 PM
To: 'Nadia Danilova'
Subject: RE: GregoryCanyonLandfill

Thank you for your response. Your comment has been received.

Jim Henderson
County of San Diego
Department of Environmental Health
Local Enforcement Agency
5500 Overland Ave, Suite 110 MS 0560
San Diego, CA 92123
(858) 694-3607

-----Original Message-----
From: Nadia Danilova [mailto:ndanilova@ucla.edu]
Sent: Tuesday, February 22, 2011 4:05 PM
To: LUEG, DEHComments
Subject: GregoryCanyonLandfill

Dear Mr. Henderson and County of San Diego local Enforcement Agency (LEA).

You and LEA hold the fate of the San Luis River in your hands. The proposal to build a landfill on the riverbank is extremely irresponsible.

The company promises high-tech seals to prevent leakage, but every seal would leak eventually as we have learned from the recent Gulf oil spill. If later, our grandchildren will pay the price. The recent earthquakes in this region, however, suggest otherwise. The Elsinore fault runs close to the proposed site. This fault was not active for a long time but it is a continuation of the Laguna Salada fault, which ruptured April 4th near Mexicali. Since then, the Elsinore fault produced two earthquakes, one was a magnitude 5.7 and potentially it can produce one up to 7.5. This danger was not even considered.

It matters to me because I like to spend time in Fallbrook. This region has a combination of natural beauty and rural charm. Not accidentally many artists reside there. The value of places like Fallbrook and San Luis River will only grow in future.

There are so few rivers in South California that every one should be treated as a treasure. To preserve the river is a responsibility of our generation to our children.

Please deny the solid waste permit for the Gregory Canyon dump.

Sincerely

Nadia Danilova, PhD.

Department of Molecular, Cell & Developmental Biology

University of California, Los Angeles

615 Charles E. Young Drive South, BSRB 454

Los Angeles, CA 90095-1606

Tel: 310-267-4972

Fax: 310-267-4971

Email: ndanilova@ucla.edu

Henderson, Jim

From: Henderson, Jim on behalf of LUEG, DEHComments
Sent: Wednesday, February 23, 2011 2:11 PM
To: 'Mercedes Martin'
Subject: RE: Solid Waste Facility Permit (SWIS #37-AA-032) regarding Gregory Canyon Landfill (CORRECTED LETTER)

Thank you for your response. Your comment has been received.

Jim Henderson
County of San Diego
Department of Environmental Health
Local Enforcement Agency
5500 Overland Ave, Suite 110 MS O560
San Diego, CA 92123
(858) 694-3607

From: Mercedes Martin [mailto:MMartin@delmar.ca.us]
Sent: Wednesday, February 23, 2011 1:52 PM
To: LUEG, DEHComments
Subject: Solid Waste Facility Permit (SWIS #37-AA-032) regarding Gregory Canyon Landfill (CORRECTED LETTER)

Please use the ATTACHED letter for the public record. This letter has a corrected name in the "cc" section of the letter. Thank you.

Mercedes Martin
City Clerk & Information Systems Director
City of Del Mar
1050 Camino del Mar
Del Mar, CA 92014
858-755-9313

The City Clerk and Information Technology Department has an ongoing policy to provide friendly, personalized and unbiased assistance in accessing information, both current and historical, through well-organized systems. We maintain around-the-clock access to technology tools and create long-term strategies that build confidence with our customers.
"Information is our Business"

From: Mercedes Martin
Sent: Wednesday, February 23, 2011 1:07 PM
To: 'DEHComments@sdcounty.ca.gov'
Subject: Solid Waste Facility Permit (SWIS #37-AA-032) regarding Gregory Canyon Landfill

Good Afternoon,

Attached is a letter from the City of Del Mar regarding comments/concerns over the potential issuance of Solid Waste Facility Permit (SWIS #37-AA-032). Please read this letter of

opposition into the record at the public meeting scheduled this evening, February 23, 2011, and make a part of the written record as the processing of this proposed permit goes forward. Thank you.

Mercedes Martin
City Clerk & Information Systems Director
City of Del Mar
1050 Camino del Mar
Del Mar, CA 92014
858-755-9313

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City of Del Mar

February 23, 2011

Solid Waste Local Enforcement Agency
County of San Diego Department of Environmental Health
5500 Overland Avenue, Suite 110
San Diego, CA 92123

Subject: Opposition to the Issuance of Solid Waste Facility Permit (SWIS #37-AA-032) for the Proposed Gregory Canyon Landfill

To Whom It May Concern:

On behalf of the City Council of the City of Del Mar, I wish to express Del Mar's strong opposition to the issuance of a Solid Waste Facility Permit for the proposed Gregory Canyon Landfill, SWIS #37-AA-0032. (See the attached Resolution 2004-40 adopted on August 2, 2004.) The issuance of this Facility Permit would move the region the wrong direction, enabling the furtherance of discarding trash rather than promoting and moving toward the reduction, reuse, and recycling of materials.

The Gregory Canyon landfill site is adjacent to the San Luis Rey River groundwater basin (aquifer) that contains substantial quantities of renewable, natural, potable water, and which is also a potential site for underground storage of imported water, such sites being perilously deficient in San Diego County. The proposed landfill is also uphill from the San Luis Rey River and when the landfill liner fails, as it surely will over time, the result will be contamination of the aquifer and the river.

In addition, recognized authorities in the fields of geology and landfill contaminants have stated unequivocally that any device currently available to contain contaminants in landfill operations will fail, and that such failure will lead to destruction of underlying groundwater basins as sources of native, potable water and as storage basins for imported water. A leak-proof liner has never been accomplished; the degradation of the plastics and the seams making up the liner will be accelerated by the heat from the decomposition of the wastes collected in the landfill. There is also an active earthquake fault, the Elsinore Fault Zone, that is capable of a 6.0 to 7.0 magnitude earthquake; yet another reason a landfill destined to leak is the wrong use for this canyon.

T:\c\correspo\2011\GregoryCanyonLandfill-2-23-2011.doc

In addition, if the proposed landfill were to be constructed, the main access road to the facilities area and the proposed waste disposal area would cross the First San Diego Aqueduct. Since the Aqueduct was constructed in the 1940s through an area with little or no traffic, it most likely was not designed to handle the enormous volume of heavy truck traffic that would cross the Aqueduct for 30 or more years.

We urge alternate locations to be evaluated for the disposal of solid waste generated in North County San Diego, and that the proposal for a landfill in this location be completely abandoned.

Sincerely,

Donald Mosier, Mayor

Enclosure: Resolution 2004-40

cc: David W. Gibson, Executive Officer, CRWQCB-San Diego Region
California Department of Recycling and Recovery
Hershell Price, Del Mar Representative to SDCWA
Council Member Terry Sinnott

RESOLUTION 2004-40

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA SUPPORTING THE REPEAL OF THE NORTH COUNTY RECYCLING AND SOLID WASTE DISPOSAL INITIATIVE (PROPOSITION C) ADOPTED IN 1994.

WHEREAS, the City of Del Mar, as a public water purveyor responsible for a water quality management plan, provides representation to agencies in connection with State and Federal water quality standards and related planning and policy matters and participates in deliberations of and cooperates with regional land use planning agencies, the Coastal Commission and County Planning agencies; and

WHEREAS, the Pala Band of Mission Indians have filed with the Registrar of Voters a notice of intention to circulate a petition to repeal the North County Recycling and Solid Waste Disposal Initiative (Proposition C) adopted by San Diego County voters in 1994 that would site a landfill in Gregory Canyon; and

WHEREAS, the Gregory Canyon landfill site is adjacent to the San Luis Rey River groundwater basin that contains substantial quantities of renewable, natural, potable water, and which is also a potential site for underground storage of imported water, such sites being perilously deficient in San Diego County; and

WHEREAS, recognized authorities in the fields of geology and landfill contaminants have stated unequivocally that any device currently available to contain contaminants in landfill operations must surely fail, and that such failure will lead to destruction of underlying groundwater basins as sources of native, potable water and as storage basins for imported water; and

NOW, THEREFORE, the City Council of the City of Del Mar does resolve as follows:

SECTION 1. The City Council of the City of Del Mar opposes the proposed siting of solid waste disposal operations at the Gregory Canyon site and supports any effort to repeal the North County recycling and Solid Waste Disposal Initiative (Proposition C) adopted by San Diego County Voters in 1994.

SECTION 2. The City of Del Mar urges the voters and the San Diego County Board of Supervisors to reject any future sites which will jeopardize the San Luis Rey watershed and to seek alternate means for the collection and disposal of solid waste generated in North County San Diego.

7

FEB 2 2 2011 ITEM 13

RESOLUTION NO. 2004-40

PASSED AND ADOPTED by the City Council of the City of Del Mar, this this 2nd day of August, 2004:

RICHARD EARNEST, Mayor

ATTEST AND CERTIFICATION:

STATE OF CALIFORNIA
COUNTY OF SAN DIEGO
CITY OF DEL MAR

I, MERCEDES MARTIN, City Clerk of the City of Del Mar, California, DO HEREBY CERTIFY, that the foregoing is a true and correct copy of Resolution 2004-40, adopted by the City Council of the City of Del Mar, California at a Regular Meeting held the 2nd day of August, 2004, by the following vote:

AYES:	Councilmembers Crawford, Druker, Deputy Mayor Finnell; Mayor Earnest
NAYS:	None
ABSENT:	Councilmember Abarbanel
ABSTAIN:	None

MERCEDES MARTIN, City Clerk

8

FEB 22 2011 ITEM 13

Save Our Sacred Mountain
Save our Precious Water
DENY THE GREGORY CANYON DUMP

RECEIVED
FEB 28 2011
ENVIRONMENTAL HEALTH

Dear Mr. Henderson and County of San Diego Solid Waste Local Enforcement Agency (LEA),

You and the LEA hold the fate of the San Luis Rey River, sacred Gregory Mountain, and the health and safety of our region's drinking water in your hands. The LEA has the opportunity to do the right thing and deny the Solid Waste Facility Permit to build a dump in Gregory Canyon.

THE BOTTOM LINE IS THAT GARBAGE AND WATER JUST DON'T MIX.

The proposed landfill would threaten vital drinking water sources for the region. The area houses several important drinking water sources that serve thousands of residents and businesses throughout the county. There are grave concerns about the landfill's potential to leak toxic pollutants into these critical groundwater supplies.

By approving this landfill, the County would be violating its duty to protect its precious natural resources, including water. This site is unsuitable for a landfill – the County itself rejected the location because it failed seven out of eight siting criteria. It is impossible to engineer the site to make it safe for a landfill.

San Diego County does not need this landfill. Waste diversion and recycling rates in the county are at an all-time high, and disposal rates have decreased dramatically in recent years. The County has no need for any new landfills at this time, much less one that would destroy critical water resources.

Gregory Mountain, known to local Native Americans as Chokla, and Medicine Rock are are both tribal sacred sites. Building a landfill at Gregory Canyon would irretrievably damage and desecrate these places.

Construction of the landfill means the loss of a tributary to the San Luis Rey River, threats of landslides, leachate, spills from trucks, and contaminated storm runoff. The Gregory Canyon Landfill is located on a fractured bedrock aquifer and threatens existing and future water supplies. It also poses harm to wildlife species that depend on the river for survival.

WHY THIS MATTERS TO ME:

To preserve our scared Land sites
Natural Hibitated Life (Wild Life)

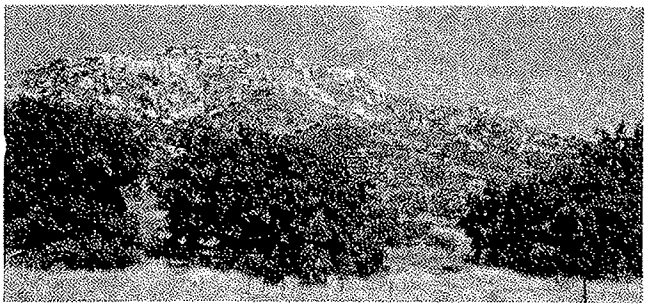
PLEASE, deny the Solid Waste Facility Permit for the Gregory Canyon dump.

NAME DIANA DURO

ADDRESS 35008 PALA Temecula rd PMB424 City PALA State/Zip CA 92059

PHONE (_____) _____ EMAIL duro.diana@yahoo.com

Mail to the LEA at 5500 Overland Drive, Suite 110, San Diego, CA 92123 OR E-mail to DEHComments@sdcounty.ca.gov
OR bring to the public meeting at the Fallbrook Library on February 23, 2011
For more information: visit www.savegregorycanyon.org or contact Shasta Gaughen @ 760-891-3515.



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Save our Precious Water
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WHY THIS MATTERS TO ME:
It will threaten are drinking water + its potential to leak toxic pollutants into the groundwater supply.

PLEASE, deny the Solid Waste Facility Permit for the Gregory Canyon dump.

NAME Jody Pachek

ADDRESS 2151 Spring Flower Dr. City Fallbrook State/Zip CA 92028

PHONE (_____) EMAIL _____

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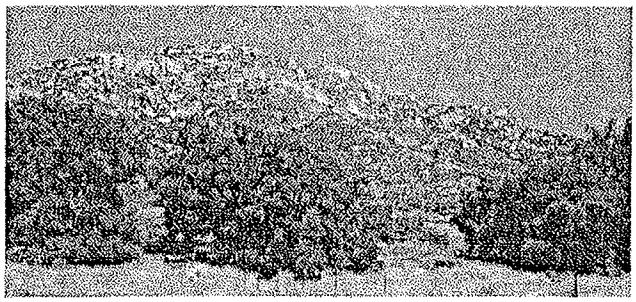

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WHY THIS MATTERS TO ME:

Protect our natural resources!
Protect sacred land!

PLEASE, deny the Solid Waste Facility Permit for the Gregory Canyon dump.

NAME Kendra Goset

ADDRESS 969 Market St #102 City San Diego State/Zip CA

PHONE (__ __)_____ EMAIL Kendragoset@yahoo.com

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WHY THIS MATTERS TO ME:

PLEASE, deny the Solid Waste Facility Permit for the Gregory Canyon dump.

NAME HARVEY ROSEN

ADDRESS 2130 SPRING FLOWER DR City FALLBROOK State/Zip CA 92028

PHONE (____) _____ EMAIL HCROSEN@YAHOO.COM

Mail to the LEA at 5500 Overland Drive, Suite 110, San Diego, CA 92123 OR E-mail to DEHComments@sdcounty.ca.gov
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WHY THIS MATTERS TO ME:

I WORK IN THIS AREA AND IS IT VITAL TO PRESERVE OUR NATURAL RESOURCES. THE WILDLIFE IN THIS AREA NEED US TO REMEMBER THEM AS WELL.

PLEASE, deny the Solid Waste Facility Permit for the Gregory Canyon dump.

NAME Vicky FELAIRE

ADDRESS 34080 SUMMIT VIEW PLACE City TEMECULA State/Zip CA 92592

PHONE (_____) EMAIL VFELAIRE1@VERIZON.NET

Mail to the LEA at 5500 Overland Drive, Suite 110, San Diego, CA 92123 OR E-mail to DEHComments@sdcounty.ca.gov
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WHY THIS MATTERS TO ME: This would be a danger to human lives & would not keep our Community Clean & Fresh

PLEASE, deny the Solid Waste Facility Permit for the Gregory Canyon dump.

NAME Sandra Halverson

ADDRESS PO Box 893843 City Temecula State/Zip Ca 92589

PHONE (____) _____ EMAIL Shalverson@palacasino.com

Mail to the LEA at 5500 Overland Drive, Suite 110, San Diego, CA 92123 OR E-mail to DEHComments@sdcounty.ca.gov
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WHY THIS MATTERS TO ME:

PLEASE, deny the Solid Waste Facility Permit for the Gregory Canyon dump.

NAME Rebecca Geddes

ADDRESS 30463 Danube ct City Temecula State/Zip CA 92591

PHONE (____) _____ EMAIL _____

Mail to the LEA at 5500 Overland Drive, Suite 110, San Diego, CA 92123 OR E-mail to DEHComments@sdcounty.ca.gov
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WHY THIS MATTERS TO ME:
Be green! Concerned about the area residents and their well being.

PLEASE, deny the Solid Waste Facility Permit for the Gregory Canyon dump.

NAME Gina Shideler
ADDRESS 23865 Via Presada Del City Temecula State/Zip CA 92059
PHONE (____) _____ EMAIL gshideler@pbcglobal.com

Mail to the LEA at 5500 Overland Drive, Suite 110, San Diego, CA 92123 OR E-mail to DEHComments@sdcounty.ca.gov
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WHY THIS MATTERS TO ME: Native land.

PLEASE, deny the Solid Waste Facility Permit for the Gregory Canyon dump.

NAME Ernie Arnold

ADDRESS_____ City_____ State/Zip_____

PHONE (____)_____ EMAIL_____

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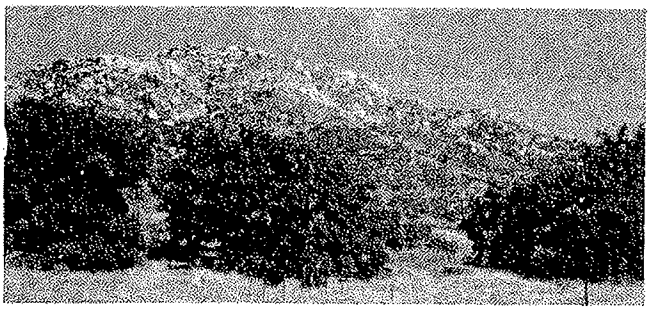

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WHY THIS MATTERS TO ME:

THREATENS OUR VITAL DRINKING WATER WHICH IS A SOURCES FOR THOUSANDS OF RESIDENTS + BUSINESSES THROUGHOUT THE COUNTY.

Sue Welp

PLEASE, deny the Solid Waste Facility Permit for the Gregory Canyon dump.

NAME SUE WELP

ADDRESS 2181 SUMMER BLOOM LN City PALA State/Zip CA 92059

PHONE (___) _____ EMAIL SWELP@PALACASINO.COM

Mail to the LEA at 5500 Overland Drive, Suite 110, San Diego, CA 92123 OR E-mail to DEHComments@sdcounty.ca.gov
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Save Our Sacred Mountain
Save our Precious Water
DENY THE GREGORY CANYON DUMP

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The proposed landfill would threaten vital drinking water sources for the region. The area houses several important drinking water sources that serve thousands of residents and businesses throughout the county. There are grave concerns about the landfill's potential to leak toxic pollutants into these critical groundwater supplies.

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WHY THIS MATTERS TO ME:

Any time anywhere we can save our Valleys, WE NEED TO SAVE them. Create the landfill where there are NO public Roads and the areas that do not support Water or Scenery.

PLEASE, deny the Solid Waste Facility Permit for the Gregory Canyon dump.

NAME Judi Collins

ADDRESS 26480 Brandywine City Sun City State/Zip CA

PHONE (___) ___ EMAIL judivic@yahoo.com

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WHY THIS MATTERS TO ME: I think that this would create more traffic for the residents, but also for all of our team members as well as team members for the other casinos. I also think this could be harmful to any and all animals as well as people in the area. This could also contaminate our water and make us sick. There is more bad than good that could come of this.

PLEASE, deny the Solid Waste Facility Permit for the Gregory Canyon dump.

NAME Crystal Soares

ADDRESS 43299 Via Sabino City Temecula State/Zip CA 92592

PHONE (____) _____ EMAIL Starliciousme@yahoo.com

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WHY THIS MATTERS TO ME: I think that there is no need for this landFill. I been living in this area for 20 years and I would not like to see thise beautiful mountains and region get destroyed for something that is not necessary, it will also affect our water supply with is something highly necessary for all the people that live around here. I will also cause a mayor traffic problem for all the people that work at pala.. Please dont approved this..

PLEASE, deny the Solid Waste Facility Permit for the Gregory Canyon dump.

NAME Cinthia M Mandragan

ADDRESS 33452 Double canyon Rd City Valley Center State/Zip CA/92082

PHONE (___) _____ EMAIL CindyLicious08@hotmail.com

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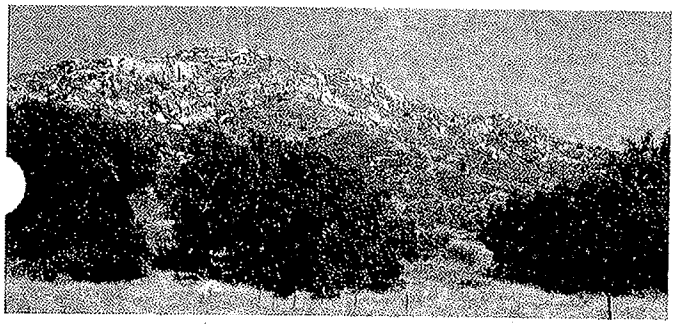

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WHY THIS MATTERS TO ME:

The proposed landfill threatens water sources, agricultural business, and environmental ecosystems in the area. We must learn to reuse, reduce, and recycle for the sake of future generations.

DENY THE SOLID WASTE FACILITY PERMIT TO BUILD A DUMP IN GREGORY CANYON

PLEASE, deny the Solid Waste Facility Permit for the Gregory Canyon dump.

NAME Rahni Thornton

ADDRESS 2306 Catalina Circle #158 City Oceanside State/Zip Ca. 92056

PHONE (____) _____ EMAIL rahnit@aol.com

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WHY THIS MATTERS TO ME: I WANT TO PRESERVE THE AREA THAT I WORK IN SO THAT WE HAVE CLEAN DRINKING WATER AND A SAFE ENVIRONMENT. THESE ARE SACRED TRIBAL LAND AND THAT SHOULD BE RESPECTED.

PLEASE, deny the Solid Waste Facility Permit for the Gregory Canyon dump.

NAME ART GRYSTAR

ADDRESS 1006 CIMA DR. City SAN MARCOS State/Zip CA 92078

PHONE (_____) EMAIL _____

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WHY THIS MATTERS TO ME: Unsafe, want to preserve the area for safe drinking water, Wildlife survival.

PLEASE, deny the Solid Waste Facility Permit for the Gregory Canyon dump.

NAME Monica Zmek

ADDRESS 41531 Riesling Ct City Temecula State/Zip CA 92591

PHONE (____) _____ EMAIL Blondzzz4wine@aol.com

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MAR 14 2011
ENVIRONMENTAL HEALTH

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WHY THIS MATTERS TO ME:

PLEASE, deny the Solid Waste Facility Permit for the Gregory Canyon dump.

NAME Cassandra Villa

ADDRESS 39013 santiago City Pala State/Zip CA 92059

PHONE (___) _____ EMAIL jeremyteady@aol.com

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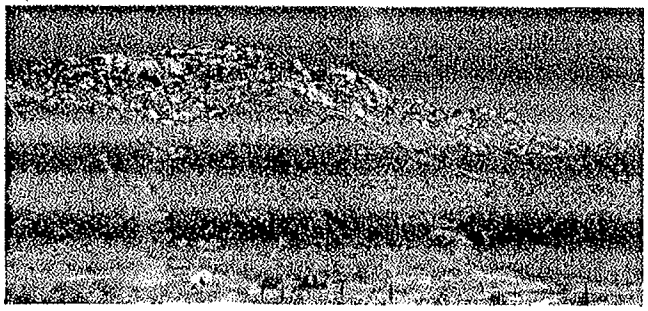

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WHY THIS MATTERS TO ME:

PLEASE, deny the Solid Waste Facility Permit for the Gregory Canyon dump.

NAME Cheryl Majel

ADDRESS P.O. Box 29 City Pala State/Zip 92059

PHONE (____) _____ EMAIL _____

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WHY THIS MATTERS TO ME:
one if it is not needed then why destroy land two even the smallest chance that there can be toxic pollutants released is not a chance I want to take. Because this area is sacred tribal land and because it poses harm.

PLEASE, deny the Solid Waste Facility Permit for the Gregory Canyon dump.

NAME Teresa Nuñez

ADDRESS 31368 Pahuta St City Temecula State/Zip CA

PHONE (___) ___ EMAIL blueiris30@yahoo.com

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WHY THIS MATTERS TO ME:

Gregory mountain is a tribal sacred site, which we value as a native tribe. Our drinking water is also safe to drink at this moment & would like to keep it that way.

PLEASE, deny the Solid Waste Facility Permit for the Gregory Canyon dump.

NAME Romelle Ravago

ADDRESS P.O. Box 308 City Pala State/Zip CA. 92059

PHONE (____)_____ EMAIL romelleravago@aol.com

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WHY THIS MATTERS TO ME: because I live next to the river and am concerned that it will cause pollution & run off to the river and cause problems to the community.

PLEASE, deny the Solid Waste Facility Permit for the Gregory Canyon dump.

NAME Sophia Ayala

ADDRESS PO Box 456 City Pala State/Zip Ca 92059

PHONE (_____) _____ EMAIL sayala.cervantes@hotmail.

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WHY THIS MATTERS TO ME:

Because it concerns the environment

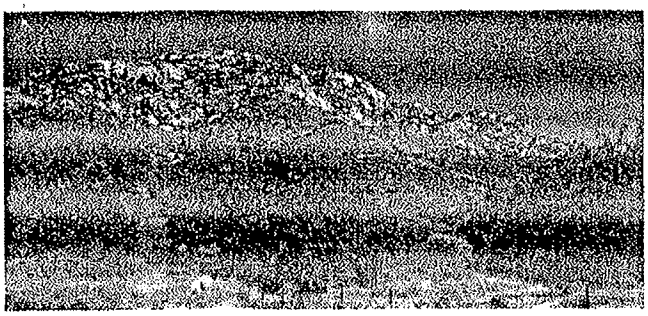
PLEASE, deny the Solid Waste Facility Permit for the Gregory Canyon dump.

NAME Juan Amador II

ADDRESS PO BOX 224 City Pala State/Zip Ca

PHONE (____) _____ EMAIL allykat1618@aol.com

Mail to the LEA at 5500 Overland Drive, Suite 110, San Diego, CA 92123 OR E-mail to DEHComments@sdcounty.ca.gov
OR bring to the public meeting at the Fallbrook Library on February 23, 2011
For more information: visit www.savegregorycanyon.org or contact Shasta Gaughen @ 760-891-3515.



Save Our Sacred Mountain
Save our Precious Water
DENY THE GREGORY CANYON DUMP

Dear Mr. Henderson and County of San Diego Solid Waste Local Enforcement Agency (LEA),

You and the LEA hold the fate of the San Luis Rey River, sacred Gregory Mountain, and the health and safety of our region's drinking water in your hands. The LEA has the opportunity to do the right thing and deny the Solid Waste Facility Permit to build a dump in Gregory Canyon.

THE BOTTOM LINE IS THAT GARBAGE AND WATER JUST DON'T MIX.

The proposed landfill would threaten vital drinking water sources for the region. The area houses several important drinking water sources that serve thousands of residents and businesses throughout the county. There are grave concerns about the landfill's potential to leak toxic pollutants into these critical groundwater supplies.

By approving this landfill, the County would be violating its duty to protect its precious natural resources, including water. This site is unsuitable for a landfill – the County itself rejected the location because it failed seven out of eight siting criteria. It is impossible to engineer the site to make it safe for a landfill.

San Diego County does not need this landfill. Waste diversion and recycling rates in the county are at an all-time high, and disposal rates have decreased dramatically in recent years. The County has no need for any new landfills at this time, much less one that would destroy critical water resources.

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WHY THIS MATTERS TO ME: I grew up in the area and hope to remain here to raise my family. It is a beautiful area and would be a disaster if the dump is approved. I work full time as a fireman, and part time as a native resources monitor. To see more culturally sensitive sites destroyed as well as the natural beauty & ground water contaminated just to house someone else's trash is a crime.

PLEASE, deny the Solid Waste Facility Permit for the Gregory Canyon dump.

NAME Cha'ish Majel

ADDRESS 31992 Lodge House ct. City Temecula, CA State/Zip 92592

PHONE (____) _____ EMAIL Payoom@aol.com

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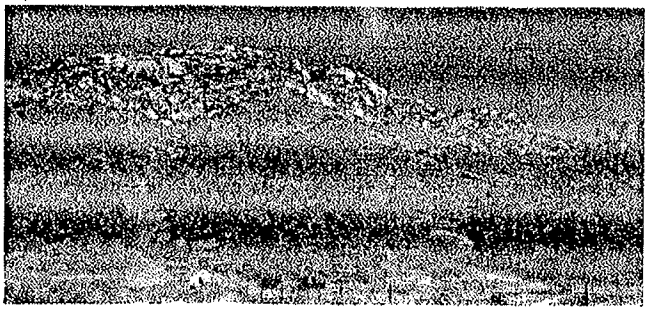

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WHY THIS MATTERS TO ME:

PLEASE, deny the Solid Waste Facility Permit for the Gregory Canyon dump.

NAME NEOMI BOLES

ADDRESS 35008 Pala Temecula Rd #476 City Pala State/Zip CA 92059

PHONE (____) _____ EMAIL LuLuBlZ2@Yahoo.com

Mail to the LEA at 5500 Overland Drive, Suite 110, San Diego, CA 92123 OR E-mail to DEHComments@sdcounty.ca.gov
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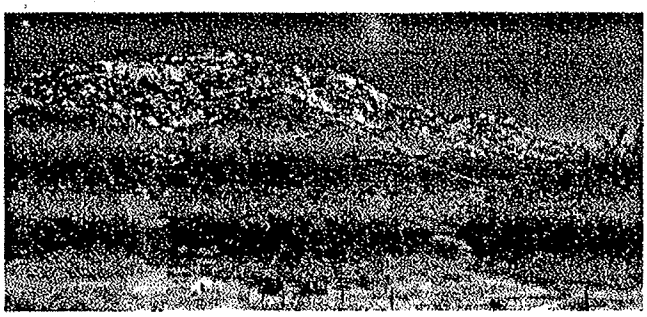

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WHY THIS MATTERS TO ME:

Toxic pollutants into groundwater
what more is there to say?

PLEASE, deny the Solid Waste Facility Permit for the Gregory Canyon dump.

NAME DORETTA J. MOSICK

ADDRESS PO Box 581 City Pauma Valley State/Zip CA 92061

PHONE (____) _____ EMAIL _____

Mail to the LEA at 5500 Overland Drive, Suite 110, San Diego, CA 92123 OR E-mail to DEHComments@sdcounty.ca.gov
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WHY THIS MATTERS TO ME: We R The few the Proud Kupa Indians of Pala please Do not Allow us to be Contaminated Anymore You have One Enough to our people.

PLEASE, deny the Solid Waste Facility Permit for the Gregory Canyon dump.

NAME Richard Lawson

ADDRESS 35008 Pala Temecula Rd. PMB 475 City Pala State/Zip 92059

PHONE (____)_____ EMAIL KUPACHAOS@yahoo.

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WHY THIS MATTERS TO ME:
I don't want the water around Gregory Canyon to be polluted by the dump. We need to keep the land clean for our children and future generations.

PLEASE, deny the Solid Waste Facility Permit for the Gregory Canyon dump.

NAME Veronica Peralta

ADDRESS PO Box 995 City Pauma Valley State/Zip 92061

PHONE (____) EMAIL vernbutterfly@juno.com

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WHY THIS MATTERS TO ME: Stopping the Gregory Canyon is vital to the future of our children's well being, our present community to protect our future for our land, water. To protect our Sacred Mountains and rocks and land. All of our people for years and years have fought to protect our futures. We must do the same.

PLEASE, deny the Solid Waste Facility Permit for the Gregory Canyon dump.

NAME Theressa Villa

ADDRESS PO Box 212 City Pala CA. State/Zip 92059

PHONE (____) EMAIL theressavilla@yahoo.com

Mail to the LEA at 5500 Overland Drive, Suite 110, San Diego, CA 92123 OR E-mail to DEHComments@sdcounty.ca.gov
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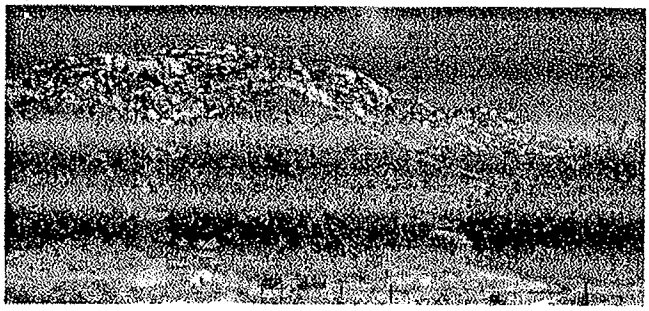

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WHY THIS MATTERS TO ME: Because it will polute vital drinking water Supplies.

PLEASE, deny the Solid Waste Facility Permit for the Gregory Canyon dump.

NAME Victor Lawton

ADDRESS P.O. Box 142 City Pala State/Zip CA 92592

PHONE (____) EMAIL

Mail to the LEA at 5500 Overland Drive, Suite 110, San Diego, CA 92123 OR E-mail to DEHComments@sdcounty.ca.gov
OR bring to the public meeting at the Fallbrook Library on February 23, 2011
For more information: visit www.savegregorycanyon.org or contact Shasta Gaughen @ 760-891-3515.

Henderson, Jim

From: Henderson, Jim on behalf of LUEG, DEHComments
Sent: Tuesday, March 29, 2011 8:19 AM
To: 'Diaz, Rebecca'
Subject: RE: Gregory Canyon Landfill

Thank you for your response. Your comment has been received.

Jim Henderson
County of San Diego
Department of Environmental Health
Local Enforcement Agency
5500 Overland Ave, Suite 110 MS O560
San Diego, CA 92123
(858) 694-3607

From: Diaz, Rebecca [mailto:rdiaz@khov.com]
Sent: Monday, March 28, 2011 4:38 PM
To: LUEG, DEHComments
Subject: Gregory Canyon Landfill

Hello,

I oppose any type of heavy equipment/trucking vehicles to use Highway 76 to further cause more auto accidents, traffic jams and overall safety issues. I am a homeowner in Sycamore Ranch in Fallbrook and have experienced more traffic and trucking incidents due to the work currently going on in Bonsall.

Every day a new animal is crushed in the street trying to escape from the noise, pollution and wreckage of their habitat. I thought we were all trying to save our environment yet more animals have died since we improved the corridor for vehicular traffic.

I do not want to landfill to be approved in Pala. My husband is a Luiseno Indian and we want our countryside preserved for future generations and not corporate business. Let's conserve our Land, environment and wildlife.

Thank you

Rebecca Diaz
4089 Flowerwood Lane
Fallbrook, CA 92028

760.728.7275

Henderson, Jim

From: Henderson, Jim on behalf of LUEG, DEHComments
Sent: Monday, February 14, 2011 3:32 PM
To: 'Jean Dooley'
Subject: RE: Proposed Gregory Canyon Landfill

Thank you for your response. Your comment has been received.

Jim Henderson
County of San Diego
Department of Environmental Health
Local Enforcement Agency
5500 Overland Ave, Suite 110 MS 0560
San Diego, CA 92123
(858) 694-3607

-----Original Message-----
From: Jean Dooley [mailto:jeanwdooley@yahoo.com]
Sent: Sunday, February 13, 2011 3:17 PM
To: LUEG, DEHComments
Subject: Proposed Gregory Canyon Landfill

Gentlemen: I am very opposed to the Gregory Canyon Landfill because of its location. The given location is too close to the San Luis Rey River watershed and I am concerned about contamination of the water. Surely, if there is a need for another solid waste facility (which I doubt), a more secure location which will not put the river water in jeopardy can be found. Jean Dooley
1270 Olive Avenue
Fallbrook, CA 92028
760-728-5682

Henderson, Jim

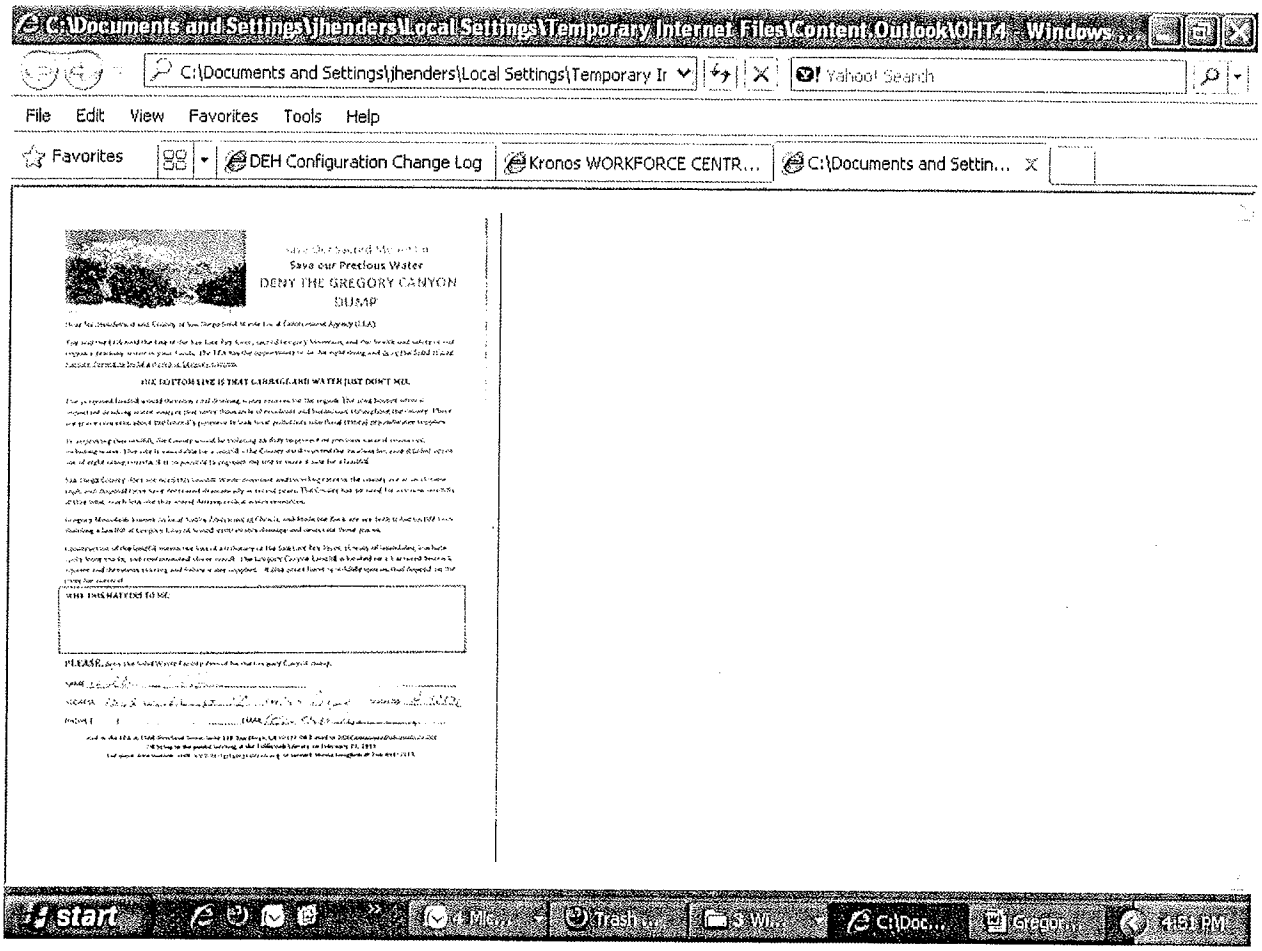
From: Henderson, Jim on behalf of LUEG, DEHComments
Sent: Thursday, February 24, 2011 4:48 PM
To: 'Eddie'
Subject: RE: gregory canyon

Thank you for your response. Your comment has been received.

Jim Henderson
County of San Diego
Department of Environmental Health
Local Enforcement Agency
5500 Overland Ave, Suite 110 MS O560
San Diego, CA 92123
(858) 694-3607

From: Eddie [mailto:eatonek@juno.com]
Sent: Wednesday, February 23, 2011 2:40 PM
To: LUEG, DEHComments
Subject: gregory canyon

FORM LETTER ATTACHED AS JPG
NO REAL CONTENT
DOES NOT PRINT WELL
2 ATTEMPTS ATTACHED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Save our Precious Water
DENY THE GREGORY CANYON DUMP
THE BOTTOM LINE IS THAT GARBAGE AND WATER JUST DON'T MIX.
WHO THIS MATTERS TO ME:
PLEASE,
start
4:51 PM

Save Our S

Save our

DENY THE G

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WHY THIS MATTERS TO ME:

Henderson, Jim

From: Lafreniere, Rebecca
Sent: Tuesday, February 15, 2011 3:29 PM
To: Pozzebon, Liz
Cc: Miller, Jack; Merlos, KariLyn; Henderson, Jim; Lorang, Rodney F
Subject: FW: EHC Action Alert: Help Stop the Gregory Canyon Dump on Feb. 23

fyi

Rebecca Lafreniere, Chief
County of San Diego
Department of Environmental Health
Community Health Division
5570 Overland Avenue, Suite 102
San Diego, CA 92123-1215
(858) 694-3595
fax (858) 571-4268

From: Vizzier, Michael
Sent: Tuesday, February 15, 2011 3:15 PM
To: Lafreniere, Rebecca
Subject: FW: EHC Action Alert: Help Stop the Gregory Canyon Dump on Feb. 23

FYI. My buddies at EHC don't like your landfill.

From: Environmental Health Coalition [mailto:ehc_action@environmentalhealth.org]
Sent: Tuesday, February 15, 2011 3:08 PM
To: Vizzier, Michael
Subject: EHC Action Alert: Help Stop the Gregory Canyon Dump on Feb. 23

If you're having trouble viewing this email, you may see it online.

Share This:

SAVE GREGORY CANYON

STOP THE GREGORY CANYON LANDFILL!

The County of San Diego is deciding whether to approve a key permit that the landfill needs in order to operate. Help us send a message to the County that placing a garbage dump on the banks of a river makes no sense. Garbage and water don't mix!

WEDNESDAY, FEBRUARY 23, 2011
6:30 PM
FALLBROOK LIBRARY (COMMUNITY ROOM)
124 S. MISSION ROAD, FALLBROOK, CA

Why this matters: The Gregory Canyon Landfill is proposed to be carved into the side of a mountain sacred to the local Luiseño people. Environmental Health Coalition has opposed this project from the beginning because of environmental justice concerns. The dump would be located next to the Pala reservation, home to more than 600 people. The landfill would also contaminate the San Louis Rey River, which supplies water not only to the Pala tribe but also to the City of Oceanside. **This is a travesty and a gross environmental injustice.**

WITHOUT THIS PERMIT, THERE IS NO LANDFILL
MAKE YOUR VOICE HEARD AND STOP THE DUMP!

FOR MORE INFO CONTACT:

SHASTA GAUGHEN
PALA ENVIRONMENTAL DEPT.
(760) 891-3515
SGAUGHEN@PALATRIBE.COM

http://www.savegregorycanyon.org/

ENVIRONMENTAL HEALTH COALITION
EMPOWERING PEOPLE, ORGANIZING COMMUNITIES, ADVANCING JUSTICE

2727 Hoover Ave., Suite 202 | National City, CA 91950 US

This email was sent to michael.vizzier@sdcounty.ca.gov. To ensure that you continue receiving our emails, please add us to your address book or safe list.

manage your preferences | **opt out** using **TrueRemove™**

Got this as a forward? **Sign up** to receive our future emails.

EmailNow powered by Emma

Henderson, Jim

From: Henderson, Jim on behalf of LUEG, DEHComments
Sent: Wednesday, February 23, 2011 2:11 PM
To: 'Joy Williams'
Subject: RE: comments on solid waste facility permit for proposed Gregory Canyon landfill

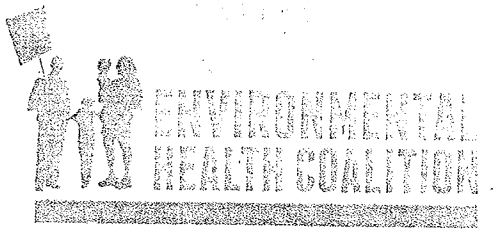
Thank you for your response. Your comment has been received.

Jim Henderson
County of San Diego
Department of Environmental Health
Local Enforcement Agency
5500 Overland Ave, Suite 110 MS 0560
San Diego, CA 92123
(858) 694-3607

-----Original Message-----
From: Joy Williams [mailto:Joy@environmentalhealth.org]
Sent: Wednesday, February 23, 2011 2:05 PM
To: LUEG, DEHComments
Subject: comments on solid waste facility permit for proposed Gregory Canyon landfill

Hello. Our comment letter is attached.

Joy Williams
Research Director
Environmental Health Coalition
2727 Hoover Avenue, Ste. 202
National City, CA 91950
(619) 474-0220 Phone
JoyW@environmentalhealth.org



February 23, 2011

Jim Henderson
Local Enforcement Agency
County of San Diego Department of Environmental Health
5500 Overland Avenue, Suite 110
San Diego, CA 92123

Via US Mail and email to DEHComments@sdcounty.ca.gov

Re: Solid Waste Permit for the proposed Gregory Canyon landfill

Dear Mr. Henderson:

Environmental Health Coalition (EHC) is a community-based environmental justice organization working in the San Diego/Tijuana region. EHC is committed to protecting the local waters and achieving environmental justice for the impacted community members in the case of the proposed Gregory Canyon dump. EHC opposes this tragically flawed proposal to place a landfill adjacent to the San Luis Rey River, threatening the drinking water for local residents and the entire city of Oceanside, and desecrating Native American sacred sites.

EHC believes that the LEA must deny the solid waste permit for the proposed landfill, based on the severe, unmitigable environmental justice and water quality impacts of the project.

ENVIRONMENTAL JUSTICE

CalEPA Environmental Justice Strategy

In this permitting process, the LEA is acting as the Solid Waste Local Enforcement Agency for the State of California, in effect the local arm of CalRecycle. CalRecycle, like its predecessor, the California Integrated Waste Management Board, is a member agency of the California Environmental Protection Agency. According to its Intra-Agency Strategy for Environmental Justice, "**Cal/EPA is committed to the achievement of environmental justice.**" Environmental justice (EJ) is defined in California law (Government Code section 65040.12) as "the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws and policies."

Pursuant to Public Resources Code (PRC) sections 71110-71113, Cal/EPA developed the intra-agency (agency-wide) strategy to identify and address any gaps in existing programs, policies, and activities that may impede the achievement of environmental justice. The second of the four goals of the CalEPA Intra-Agency Environmental Justice Strategy is:

"Integrate environmental justice into the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies."

Cal/EPA's objectives for Goal 2 are the following (italics added):

> **A.** Identify and address environmental justice issues when developing and revising programs (**including permitting programs**), policies, and activities.
>
> **B.** Ensure adequate and fair deployment of enforcement resources.
>
> **C.** Give high priority to actions (e.g., funding criteria) that will address environmental justice problems.
>
> **D.** Dedicate resources and identify staff members responsible for assuring that the Boards, Departments, and Office of Cal/EPA properly considers and addresses existing and potential environmental justice problems.
>
> **E.** Identify where a **precautionary approach** is currently being used, or could be used, to address environmental justice issues.
>
> **F.** Identify and address any disproportionate economic areas, including **Tribal areas** and rural counties, in development, adoption, implementation, and enforcement of environmental laws, regulations, and policies.
>
> **G.** Consult with appropriate stakeholders including **Tribes**, local government and/or local elected officials, regarding their priorities and concerns prior to developing or revising program elements, rules, or policies.

It is clear from the CalEPA Environmental Justice Strategy and its goals and objectives that the LEA, in its permitting decisions, must:

- Address disproportionate impacts on tribes;
- Consider precautionary approaches; and
- Consult with tribes regarding their priorities and concerns.

To date, the regulatory process for the proposed landfill has utterly failed to do any of these.

Disproportionate impact. EHC's most recent look at this revealed that this project will place inequitable burdens on people of color and low income people. The proposal of this project is part of disturbing trend that we can see through San Diego. In the seven existing or proposed landfills in the county, five (including this one) are located in areas where poverty levels exceed the national average. Six of seven (including this one) are in zip codes that where the average percent of people of color is higher than the County average.

In addition, the subsistence and religious use of native species such as the California Steelhead trout which we are trying to recover to the river must be factored into the environmental justice analysis. Such consideration is justified in the American Indian Religious Freedom Act which recognized the "inherent right" of American citizens to religious freedom; admitted that in the past the U.S. government had not protected the religious freedom of American Indians; proclaimed the "indispensable and irreplaceable" role of religion "as an integral part of Indian life"; and called upon governmental agencies to "protect and preserve for American Indians their inherent right of freedom to believe, express, and exercise the traditional religions." The resolution referred specifically to Indians' access to sacred sites and the use of natural resources.

Precautionary approaches. It is not precautionary to place a landfill on the banks of a river. It is not precautionary to hope that this liner, unlike every other one in history, will not ultimately leak and contaminate the drinking water of future generations. It is not precautionary to assume that those future generations will continuously provide the resources to safely guard our wastes, which we so foolishly dumped near their river. Instead, the precautionary approaches to solid waste management are to move expeditiously toward zero waste, and to site any new facilities far from water bodies.

Tribal priorities. Not only the Pala Band, but the entire Luiseño Tribe, regards Gregory Mountain as a sacred site. This site is important spiritually, culturally, educationally and historically to the well-being and very survival of the local tribal culture. No mitigations can make it acceptable to dump trash at the foot of Gregory Mountain.

In sum, no permit conditions that could be attached to a SWFP for the proposed landfill at the Gregory Canyon location could make this project anything other than an environmental justice catastrophe. The permit must be denied.

WATER QUALITY

It is imperative that the LEA recognize that permitting decisions for landfill projects have public health impacts for many centuries. Your responsibility is to all members of the public potentially affected by this project, not only those of this generation. Future generations did not get to vote on Proposition C, but will have to deal with the dumpsite. This is particularly true for the water quality issues presented by this proposed location.

Project is proposed in an unacceptable location due to impacts to precious water supplies and local rivers

EHC is deeply concerned about the water quality impacts of this project. The San Luis Rey River is a valuable natural riparian habitat, spiritual, and recreational area. The project also threatens a critically important aquifer and the San Rey River Basin that provide potable water for domestic wells, three water districts, and the City of Oceanside. The LEA must ensure that these critical water sources are protected and recognize the certainty that the landfill's liner will leak someday.

There are significant concerns related to hydrogeology and surface and groundwater sources with this project. The LEA must examine closely the effect of the location of the dump on fractured bedrock and the difficulty (if not impossibility) of monitoring leachate effectively for time period that the contamination form the dump will threaten the river (much longer than the anticipated 30 year active life span of the project).

The LEA would be remiss in permitting a dump where water quality is difficult to monitor and where ground water and surface waters are regularly used for drinking water and agricultural uses.

California Steelhead Trout needs full protection and requires denial of the dump

The San Luis Rey river is one of our region's most precious rivers. It is one of only two rivers that are essential for the recovery of the California Steelhead Trout in our area and viewed as high potential for redds (nests) for the species. The San Luis Rey is listed as critical habitat for this species. Our concern is that the damage from this dump will foreclose our opportunity forever to restore this species to the river.

Project cannot be allowed as it will worsen conditions of the river
It is also listed on the 303(d) list of impaired water bodies meaning we need to develop solutions to restore it—not add more pollution. The analysis must demonstrate how this project will improve and not worsen the condition of the river.

There is no such thing as a 'zero-discharge' landfill
The inevitability of leakage and leachate from the landfill must be fully analyzed and addressed for the length of time that the pollution is available. All impacts to

water resources from construction and future of the project on and off-site must be analyzed and not just impacts to 2 acres of fill and not just for the 30 active life of the project. In addition, impacts of storm events and overflows must be analyzed and how funding of containment ponds will be funded for 1,000 years.

Impacts of pollution from the landfill on future residents' drinking water must be assessed.

We also think it is imperative that the LEA reassess the use of Gregory Canyon and the surrounding area for the proposed landfill in light of the changes that are planned for the San Luis Rey River Valley. Whereas when the proposed site was identified in the 1990s the area was rural with few houses, there are now a number of approved and proposed projects in the valley that will add many residents in the area. The impact on future access to clean water must be part of the analysis of the impacts of the proposed project.

Effectiveness of commitments to protect underlying water resources by capturing the percolating rainfall and water that is applied to the site in previous analyses have been based on no evidence and must be critically evaluated. Such 'safety' claims, like those related to off-shore oil drilling, should serve as a warning. They are not credible. The LEA must think beyond our own generation; in 500 years the trash will not have fully degraded, and rain will still fall. What will be the condition of the liner in 500 years? In 1,000 years? The LEA must consider the environmental impacts of water percolating through the waste over the entire time that waste will be present at the site.

Climate change impacts on water supply have not been assessed

The San Diego Foundation Regional Focus Study 2050 provides estimates of the impacts of climate change on the San Diego region out to 2050[i]. This report indicates that water demand will rise, even as water becomes more scarce due to the warming and drying effects of climate change. Among the report's findings:

- Climate-change projections for the Southwestern United States indicate that by 2050, runoff and ground water could decline by an average of about 7 inches/yr over the entire Southwest.

- Recent projections have ranged from about a 6% decline to as much as a 45% decline in Colorado River flows.

- The Water Authority predicts an increase in water demand of around 24%, from 668,000 acrefeet/yr (the 2001–2005 average) to about 830,000 acre-feet/yr in 2030: 70% of this demand is expected to come from imported sources. The estimated demand in 2050 is 915,000 acre-feet/yr.

- Overall, the sources of most of San Diego's imported water are likely to be challenged due to climate change effects. Blank areas with question marks in the far right bar in Figure 10 (climate change scenario) indicate shortfalls in water supplies by 2050 due to the 20% reduction in the

volumes of available imported water and local surface and ground water. These shortfalls in water supplies represent a significant concern to the San Diego region.

While the precise impacts of climate change on water supply in our region can only be estimated, the direction of the trends is clear. The region will become hotter and drier, imported sources will diminish, and the San Luis Rey River will become ever more critical as a local source of fresh water. In its assessment of the costs and benefits of placing a landfill in Gregory Canyon, the LEA must consider the impacts of climate change on the region's water supply over the next several decades at least. While the purported benefits of the landfill will rapidly diminish, the hazards of a landfill near the river will become increasingly more consequential. Future residents of our region will scarcely believe our recklessness in endangering such a precious water resource.

In order to protect public health and safeguard the river, the LEA must deny the SWFP for the proposed landfill. Thank you for the opportunity to comment on this matter.

Sincerely,

Joy Williams

Research Director

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[i] San Diego Foundation Regional Focus Study 2050: Climate Change Related Impacts to the San Diego Region by 2050, Summary Prepared for the 2008 Climate Change Impacts Assessment, Second Biennial Science Report to the California Climate Action Team.

the escondido CHAMBER of CITIZENS
810 OMAR DR.
ESCONDIDO, CALIFORNIA 92025

February 23, 2011

RECEIVED
FEB 28 2011
ENVIRONMENTAL HEALTH

Mr. Jim Henderson
County of San Diego Local Enforcement Agency
5500 Overland Drive, Suite. 110
San Diego, CA 92123

Re: Solid Waste Facility Permit for Gregory Canyon Landfill

Dear Mr. Henderson,

The Chamber of Citizens of Escondido have long fought to maintain the quality of life in and around Escondido, and San Diego County. In our Board Meeting of Feb. 22, 2011, we voted to write to you to express our extreme opposition to the Gregory Canyon Landfill.

The Chamber of Citizens stands for intelligent, environmentally sound development. The Gregory Canyon Landfill is the antithesis of such development. How can it be sensible planning to put a dump next to a site held sacred by the Pala Indians, Medicine Rock. Would you want a dump next to your church? How can it be sensible to put a dump over the only unpolluted aquifer in San Diego County? Farmers use water from this aquifer for their crops. Water from this aquifer is added to Oceanside's tap water. The U.S. Environmental Protection Agency insists that there is no such thing as a fail-safe liner for a landfill--especially in an area where earthquakes occur with some frequency. Would you want to depend on water from such an aquifer to drink or water your crops?

There is no need for this landfill. San Diego County has a very high waste diversion and recycling rate. In June of 2010, San Diego voters approved zoning for a landfill at a much less environmentally sensitive area.

The only beneficiary from this landfill will be Gregory Canyon Ltd. The Chamber of Citizens urge you to deny the permit for this facility, for the benefit of the rest of San Diego County's citizens.

Sincerely,

Delores McQuiston
President, Escondido Chamber of Citizens

Henderson, Jim

From: Henderson, Jim on behalf of LUEG, DEHComments
Sent: Thursday, February 17, 2011 7:47 AM
To: 'Foli'
Subject: RE: Solid Waste Facility Permit for Gregory Canyon Landfill

Thank you for your response. Your comment has been received.

Jim Henderson
County of San Diego
Department of Environmental Health
Local Enforcement Agency
5500 Overland Ave, Suite 110 MS O560
San Diego, CA 92123
(858) 694-3607

From: Foli [mailto:foli@cox.net]
Sent: Wednesday, February 16, 2011 4:52 PM
To: LUEG, DEHComments
Subject: Solid Waste Facility Permit for Gregory Canyon Landfill

Solid Waste Facility Permit for Gregory Canyon Landfill

I am writing to urge denial of the requested permit. The proposed landfill would threaten vital drinking water sources for the region. We have grave concerns about the landfill's potential to leak toxic pollutants into these critical groundwater supplies.

This site is unsuitable for a landfill - the County itself rejected the location because it failed seven out of eight sitting criteria. It is impossible to engineer the site to make it safe for a landfill.

This landfill is not needed. Waste diversion and recycling rates in the County are at an all-time high, and disposal rates have decreased dramatically in recent years. The County has no need for any new landfills at this time, much less one that would destroy critical water resources.

Sincerely,

_____Billie Foli

2560 Tunrif Court

Vista, Ca. 92084

Property Owner in Vista and Fallbrook_____

Thank you for taking action

Henderson, Jim

From: Henderson, Jim on behalf of LUEG, DEHComments
Sent: Friday, February 18, 2011 6:29 PM
To: 'John Fox'
Subject: RE: Gregory Canyon comment

Thank you for your response. Your comment has been received.

Jim Henderson
County of San Diego
Department of Environmental Health
Local Enforcement Agency
5500 Overland Ave, Suite 110 MS O560
San Diego, CA 92123
(858) 694-3607

From: John Fox [mailto:jfox@palatribe.com]
Sent: Friday, February 18, 2011 1:43 PM
To: LUEG, DEHComments
Subject: Gregory Canyon comment

attached

Dear Mr. Henderson and County of San Diego Solid Waste Local Enforcement Agency (LEA),

You and the LEA hold the fate of the San Luis Rey River, sacred Gregory Mountain, and the health and safety of our region's drinking water in your hands. The LEA has the opportunity to do the right thing and deny the Solid Waste Facility Permit to build a dump in Gregory Canyon.

THE BOTTOM LINE IS THAT GARBAGE AND WATER JUST DON'T MIX.

The proposed landfill would threaten vital drinking water sources for the region. The area houses several important drinking water sources that serve thousands of residents and businesses throughout the county. There are grave concerns about the landfill's potential to leak toxic pollutants into these critical groundwater supplies.

By approving this landfill, the County would be violating its duty to protect its precious natural resources, including water. This site is unsuitable for a landfill – the County itself rejected the location because it failed seven out of eight siting criteria. It is impossible to engineer the site to make it safe for a landfill.

San Diego County does not need this landfill. Waste diversion and recycling rates in the county are at an all-time high, and disposal rates have decreased dramatically in recent years. The County has no need for any new landfills at this time, much less one that would destroy critical water resources.

Gregory Mountain, known to local Native Americans as Chokla, and Medicine Rock are are both tribal sacred sites. Building a landfill at Gregory Canyon would irretrievably damage and desecrate these places.

Construction of the landfill means the loss of a tributary to the San Luis Rey River, threats of landslides, leachate, spills from trucks, and contaminated storm runoff. The Gregory Canyon Landfill is located on a fractured bedrock aquifer and threatens existing and future water supplies. It also poses harm to wildlife species that depend on the river for survival.

WHY THIS MATTERS TO ME: 1. WE'VE HAD ENOUGH OF A "LANDFILL" THAT DIDN'T LEAK
2. THIS SITE IS DIRECTLY ON TOP OF THE SAN DIEGO AQUEDUCT; ANYONE WITH A BRAIN KNOWS THAT TO SAN DIEGO'S WATER SUPPLY IS UNACCEPTABLE.
3. WITH DECREASED DEMAND, THERE'S NO NEED FOR ANOTHER LANDFILL
4. CERTAIN COMPANIES BECAUSE IT CONTINUES THEIR LIKELIHOOD COURSE AND WE'RE/IS WRONG, THERE OUGHT TO BE LONG TIME PRISON FOR MURDERS OF INNOCENT HOMES

PLEASE, deny the Solid Waste Facility Permit for the Gregory Canyon dump.

NAME Mark Fox

ADDRESS 12196 Mt. Mission Rd City Poway State/Zip CA 92064

PHONE (_____) EMAIL markfox@hotmail.com

Mail to the LEA at 5500 Overland Drive, Suite 110, San Diego, CA 92123 OR E-mail to DEHComments@sdcounty.ca.gov
OR bring to the public meeting at the Fallbrook Library on February 23, 2011
For more information: visit www.savegregorycanyon.org **or contact Shasta Gaughen @ 760-891-3515.**

Henderson, Jim

From: Henderson, Jim on behalf of LUEG, DEHComments
Sent: Wednesday, March 09, 2011 7:32 AM
To: 'albert b. frowiss'
Subject: RE: GREGORY CANYON LANDFILL COMMENTS

Thank you for your response. Your comment has been received.

Jim Henderson
County of San Diego
Department of Environmental Health
Local Enforcement Agency
5500 Overland Ave, Suite 110 MS O560
San Diego, CA 92123
(858) 694-3607

From: albert b. frowiss [mailto:frowiss@frowiss.org]
Sent: Tuesday, March 08, 2011 5:56 PM
To: LUEG, DEHComments
Subject: GREGORY CANYON LANDFILL COMMENTS

It's all been said before, but I'll reiterate the major issues:

1. There are viable alternatives and the alternatives have never been given serious consideration. The County Grand Jury even recommended alternatives in the 1980's in multiple years and NOTHING was ever done. Our County government has failed to provide regional solid waste leadership and continues with head in the sand. Supervisor Slater is the only Supervisor with her head screwed on right on this issue. There is the rail connection to the mega-landfills approved by the State in the California desert in the late 1990's, one in Imperial County (Mesquite) and one in Riverside County (Eagle Mountain), both old disturbed open mine sites. I believe LA County bought one or both of those fully permitted and approved landfill sites several years ago and each are rated to handle all six Southern California's total solid waste output for the next 100 years. There is NO need for Gregory Canyon.

2. The EPA itself has stated that there is no landfill liner which will contain leaks. There has never been a landfill which did not leak, including all "modern" landfills.

3. San Diego County cannot afford the cost of fixing the toxic leachate leaks into the San Luis Rey River and aquifer system for the next 1,000 years of leaks. Long after the last billion of annual revenue comes into the pockets of the landfill owners, 30 years from now, the County will be on the hook for scores of billions in cleanup costs to the River system, a cost this County cannot afford, now or ever. This river system is one of our last remaining natural water resources in this arid desert called San Diego.

4. This site was rejected in three separate screenings by professional consultants hired by the County. It was among the very first tier of rejected sites in over 100 sites analyzed. The landfill footprint itself is atop an aquifer and is only a few hundred feet from a major aquifer.

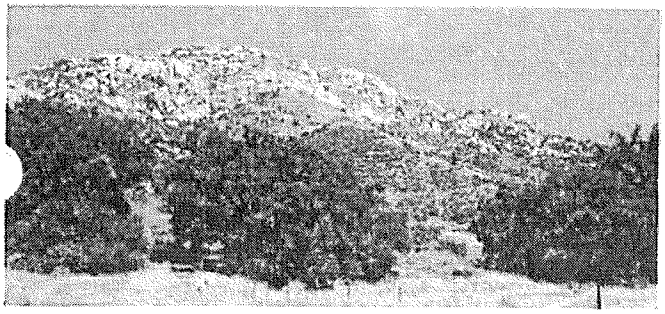
5. The landfill promoters duped the public, misusing and abusing the initiative process for spot zoning.

6. Landfill experts, like Dr. Lee, have stated clearly in the public records that no leachate monitoring and diversion systems work long term, especially in a location which has fractured granite base. Spot plumes are not

detectable with 300 foot downstream separation between sensors. We will poison the water for 200,000 users, including North County agriculture downstream, one of our largest economic drivers in the region.

7. The public is ignorant about the fact that this class of landfill is allowed by Federal law to accept a significant percentage of hazardous and medical waste annually. This is in addition to the daily bootlegging of hazardous waste into the landfill, uninspected and undeclared. The fox will be guarding the chicken coop in this "private" landfill.

ALBERT B. FROWISS SR., FROWISS@FROWISS.ORG
858.756.1494 phone and fax
P.O. Box 909
Rancho Santa Fe, CA 92067



Save Our Sacred Mountain
Save our Precious Water
DENY THE GREGORY CANYON DUMP

MAR 03 2011
ENVIRONMENTAL HEALTH

Dear Mr. Henderson and County of San Diego Solid Waste Local Enforcement Agency (LEA),

You and the LEA hold the fate of the San Luis Rey River, sacred Gregory Mountain, and the health and safety of our region's drinking water in your hands. The LEA has the opportunity to do the right thing and deny the Solid Waste Facility Permit to build a dump in Gregory Canyon.

THE BOTTOM LINE IS THAT GARBAGE AND WATER JUST DON'T MIX.

The proposed landfill would threaten vital drinking water sources for the region. The area houses several important drinking water sources that serve thousands of residents and businesses throughout the county. There are grave concerns about the landfill's potential to leak toxic pollutants into these critical groundwater supplies.

By approving this landfill, the County would be violating its duty to protect its precious natural resources, including water. This site is unsuitable for a landfill – the County itself rejected the location because it failed seven out of eight siting criteria. It is impossible to engineer the site to make it safe for a landfill.

San Diego County does not need this landfill. Waste diversion and recycling rates in the county are at an all-time high, and disposal rates have decreased dramatically in recent years. The County has no need for any new landfills t this time, much less one that would destroy critical water resources.

Gregory Mountain, known to local Native Americans as Chokla, and Medicine Rock are are both tribal sacred sites. Building a landfill at Gregory Canyon would irretrievably damage and desecrate these places.

Construction of the landfill means the loss of a tributary to the San Luis Rey River, threats of landslides, leachate, spills from trucks, and contaminated storm runoff. The Gregory Canyon Landfill is located on a fractured bedrock aquifer and threatens existing and future water supplies. It also poses harm to wildlife species that depend on the river for survival.

WHY THIS MATTERS TO ME: many reasons! I want clean drinking water for North County! I want sacred sites preserved (no one would try to build a dump on church grounds or in a cemetary!). I want natural resources preserved. I want animals to be protected & safe. DO NOT ALLOW THIS DUMP!

PLEASE, deny the Solid Waste Facility Permit for the Gregory Canyon dump.

NAME Hilary T Gaughen

ADDRESS 9268 Westhill Rd City Lakeside State/Zip CA 92040

PHONE (____) _____ EMAIL hgaughen@yahoo.com

Mail to the LEA at 5500 Overland Drive, Suite 110, San Diego, CA 92123 OR E-mail to DEHComments@sdcounty.ca.gov
OR bring to the public meeting at the Fallbrook Library on February 23, 2011
For more information: visit www.savegregorycanyon.org or contact Shasta Gaughen @ 760-891-3515.

FILE COPY

PALA EPA

PALA ENVIRONMENTAL DEPARTMENT

PMB 50, 35008 Pala Temecula Road
Pala, CA 92059
760-891-3510 Office | 760-742-3189 Fax

February 9, 2011

Local Enforcement Agency
County of San Diego Department of Environmental Health
5500 Overland Drive, Suite 110
San Diego, CA 92123

Dear LEA Staff:

I am writing in regards to the informational meeting on the proposed Solid Waste Facility Permit for the Gregory Canyon Landfill scheduled for February 23, 2011 in Fallbrook. I have several concerns and questions about this meeting, as follows:

- Why has the applicant's SWFP application not been made available to the public for review? Without reviewing the application, it is difficult to prepare for the meeting. The application must be made available with sufficient time allowed for review.
- What is the format for the informational meeting? Will the questions and concerns brought up by the public be answered and become a part of the formal record? Will the LEA accept and respond to written comments?
- There is no indication that public testimony is going to be heard or accepted at this meeting. If the meeting is merely to brief the public without allowing an opportunity for citizens to comment on the proposed permit, then the LEA will be frustrating the public's right to make their opinions a part of the record. If public testimony will be heard and accepted, how does the LEA plan to respond to concerns?
- Given that more than 300 people turned out for the recent Army Corps of Engineers scoping meeting in San Marcos, why did the LEA choose to hold their meeting at a venue that is not likely to be large enough to accommodate all the people who want to attend? Further, why was Fallbrook – a location that is quite far away for many people – chosen for the meeting?

I would appreciate a prompt and detailed response to these concerns. I am sure that the LEA does not wish to frustrate public participation with regard to this process.

Sincerely,

Shasta C. Gaughen, MA
Environmental Director

Henderson, Jim

From: Henderson, Jim on behalf of LUEG, DEHComments
Sent: Friday, February 18, 2011 6:29 PM
To: 'George Greer'
Subject: RE: Solid Waste Facility Permit for Gregory Canyon Landfill

Thank you for your response. Your comment has been received.

Jim Henderson
County of San Diego
Department of Environmental Health
Local Enforcement Agency
5500 Overland Ave, Suite 110 MS O560
San Diego, CA 92123
(858) 694-3607

From: George Greer [mailto:ggreer1@gmail.com]
Sent: Friday, February 18, 2011 3:14 PM
To: LUEG, DEHComments
Subject: Solid Waste Facility Permit for Gregory Canyon Landfill

Dear Sir or Madam:
The site of the landfill planned for Gregory Canyon needs to not be by a water source.
Instead the county should be concentrating on conservation & recycling. Incentives work.
~George Greer
353 Yerba Buena Dr.
Fallbrook, CA 92028-8659

Henderson, Jim

From: Merlos, KariLyn
Sent: Saturday, February 26, 2011 11:48 AM
To: Henderson, Jim
Subject: Fw: FW: LEA meeting Fallbrook, 2/23/11

Jim,
Please send Ruth a disk.
Thank you.

From: Corktoo@aol.com <Corktoo@aol.com>
To: Merlos, KariLyn
Sent: Fri Feb 25 23:02:35 2011
Subject: Re: FW: LEA meeting Fallbrook, 2/23/11

Thank you for replying. $500 is a little steep don't you think?

I am almost 83 years old and will no longer make the trek to San Diego during work hours..

If you wish to provide me with the disk, that would be very nice. Is there a charge?

My address is 11132 San Antonio Way, Valley Center, CA 92082

I really don't need to see the 3,000 pages - I do feel that the public did not have a chance to review these documents on a timely basis. It's always been our perception that DEH seems to once again favor the developer. Not your personal fault but the opponents of the dump do feel like DEH's actions are to please the developer. Sorry about that.

Regards, Ruth Harber

Merlos, KariLyn

From: Merlos, KariLyn
ent: Friday, February 25, 2011 3:59 PM
o: Corktoo@aol.com
Subject: FW: LEA meeting Fallbrook, 2/23/11

Hello Mrs. Harber,
We received your request. The transcript from the meeting won't be available from the stenographer for approximately 2 weeks.

The application package consists of approximately 3,000 pages of material including graphics. Duplication and delivery of the extensive material would run over $500. Alternative options would be to come into our office in Kearny Mesa to review the documents as you have done in the past, or we would be happy to provide you with an electronic copy on a disk that should be easier to open on your computer.

Additionally, computers are available at the Valley Center Library and other County branch libraries where the documents can be downloaded for viewing.
If you would like to discuss any of these options, please feel free to contact me.

Best regards,

KariLyn Merlos, REHS
Supervising Environmental Health Specialist, LEA/HHW
County of San Diego, Department of Environmental Health
00 Overland Avenue, Suite 110
San Diego, CA 92123
(858) 495-5799 - phone
(858) 495-5004 - fax
karilyn.merlos@sdcounty.ca.gov

From: Henderson, Jim **On Behalf Of** LUEG, DEHComments
Sent: Thursday, February 24, 2011 4:59 PM
To: Merlos, KariLyn
Subject: FW: LEA meeting Fallbrook, 2/23/11

Jim Henderson
County of San Diego
Department of Environmental Health
Local Enforcement Agency
5500 Overland Ave, Suite 110 MS O560
San Diego, CA 92123
(858) 694-3607

From: Corktoo@aol.com [mailto:Corktoo@aol.com]
Sent: Thursday, February 24, 2011 10:45 AM
To: LUEG, DEHComments
ject: LEA meeting Fallbrook, 2/23/11

I would appreciate if you could send me a written transcript of the meeting at the Fallbrook Library on Feb. 23. Although I wear hearing aids, I have a severe loss of hearing and was having problems hearing the various comments and presentations.

Also, please send me a hard copy of the Application for the Solid Waste permit . I wish to send written comments. I am unable to download the information on my computer.

For the past 23 years or so, the various county departments (Public Works at first, and then DEH) have acceded to my request. Therefore, once again, I would like to request that your department mail me the hard copies of the various new documents relating to the Gregory Canyon landfill. This would also apply to future documents being made available to the public.

Please acknowledge.

Thank you for your consideration.

Ruth Harber
President, RiverWatch

mailing address:
11132 San Antonio Way
Valley Center, CA 92082

FILE COPY

Henderson, Jim

From: Henderson, Jim on behalf of LUEG, DEHComments
Sent: Friday, February 04, 2011 1:31 PM
To: 'Corktoo@aol.com'
Cc: Merlos, KariLyn
Subject: RE: Gregory Canyon

Ms. Harber,

Yes an Informational Meeting will be held on the proposed Solid Waste Facility Permit.

DATE OF MEETING:	Wednesday, February 23, 2011
TIME OF MEETING:	6:30 PM
LOCATION OF MEETING:	San Diego County Public Library Community Room 124 S. Mission Rd Fallbrook, CA 92028

The meeting will be conducted by the County of San Diego, Local Enforcement Agency.

Thank you for your interest.

Jim Henderson
County of San Diego
Department of Environmental Health
Local Enforcement Agency
500 Overland Ave, Suite 110 MS O560
San Diego, CA 92123
(858) 694-3607

From: Corktoo@aol.com [mailto:Corktoo@aol.com]
Sent: Thursday, February 03, 2011 9:34 AM
To: LUEG, DEHComments
Cc: SMANN10105@aol.com
Subject: Gregory Canyon

I assume you are scheduling a public meeting regarding the issuance of the new permit.

What is the date?

What is the location and time.

Who will conduct the meeting?

Please send particulars asap so RiverWatch can alert its membership.

Thank you.

Ruth Harber
Secretary-Treasurer,
RiverWatch

Henderson, Jim

From: Henderson, Jim
Sent: Friday, February 11, 2011 2:22 PM
To: 'Corktoo@aol.com'
Subject: RE: Gregory Canyon
Attachments: GCL Meeting Notice Final 2.11.11.pdf

The purpose of the informational meeting on the proposed Gregory Canyon Landfill is to provide the public an opportunity to hear about the proposed solid waste activities to be permitted by the Local Enforcement Agency and to comment on its preliminary determination. The meeting is strictly informational and no official decision is made at the meeting. The public has the opportunity to provide verbal and written comments for consideration in drafting the proposed Solid Waste Facility Permit. There will be a sign in sheet and speakers slips. We are anticipating 3 minutes per person, but the timing is dependent upon the number of speakers that request to speak. Pursuant to Title 27, written comments can be provided before, during or after the meeting up until the permit is issued. A copy of the meeting notice is attached to this email.

Thank you for your interest

Jim Henderson
County of San Diego
Department of Environmental Health
Local Enforcement Agency
5500 Overland Ave, Suite 110 MS O560
San Diego, CA 92123
(858) 694-3607

From: Corktoo@aol.com [mailto:Corktoo@aol.com]
Sent: Wednesday, February 09, 2011 1:15 PM
To: LUEG, DEHComments
Cc: r.jonason@att.net; SMANN10105@aol.com
Subject: Re: Gregory Canyon

Thank you for response.

I have questions regarding the "Informational Meeting"

Will the public be able to ask questions or make comments - verbally?

Will there be speakers' slips to fill out?

If so, how much time will the public be allowed to speak, individually?

And, will this Informational Meeting be followed with "written comments" from the public?

Please reply so we can be prepared.

Thank you.

Ruth Harber

Henderson, Jim

From: Henderson, Jim on behalf of LUEG, DEHComments
Sent: Friday, March 11, 2011 12:24 PM
To: 'Corktoo@aol.com'; LUEG, DEHComments
Subject: RE: Transcript Informational Meeting 2/23/11 Gregory Canyon Landfill

Hello Ruth,

Yes, we will post the transcripts to the web and send out a GovDelivery email Message that the transcripts are available. We expect the transcripts later today and will post them as soon as we can.

Jim Henderson
County of San Diego
Department of Environmental Health
Local Enforcement Agency
5500 Overland Ave, Suite 110 MS O560
San Diego, CA 92123
(858) 694-3607

From: Corktoo@aol.com [mailto:Corktoo@aol.com]
Sent: Thursday, March 10, 2011 12:23 PM
To: LUEG, DEHComments
Cc: everettdelano@yahoo.com
Subject: Transcript Informational Meeting 2/23/11 Gregory Canyon Landfill

Will you please publish the transcript of the Informational Meeting on the Gregory Canyon dump? It would be good for you to put it in on-line.. allowing the public to review some of the comments made by DEH/LEA's staff and those made by the proponent of the project, Gregory Canyon, Ltd.

The room at the Fallbrook library had very poor acoustics and some people were not able to hear properly.

It is imperative that at least those who were present at the meeting be able to read the transcript PRIOR TO YOUR CUT OFF DATE, March 24, 2011 with enough time to be made cognizant of some of the remarks made by the developer and thus being properly informed before sending additional comments to LEA.

I would appreciate a reply.

Thank you.

Ruth Harber

Henderson, Jim

From: Henderson, Jim on behalf of LUEG, DEHComments
Sent: Tuesday, March 08, 2011 7:37 AM
To: 'Corktoo@aol.com'
Subject: RE: Gregory Canyon Landfill

Hello Ruth,

What is the final date to submit written comments to the LEA on the Solid Waste Facility Permit Application?
The LEA will consider written comments received by March 24 when writing the proposed permit and making its decision. Comments received after that date will be considered to the extent feasible. All comments received by March 30 will be included in the package to CalRecycle. As required by regulation, all written comments received after the package has been submitted will also be provided to CalRecycle for consideration by that agency if a proposed permit goes forward. Relevant dates, if the permit goes forward and the applicant does not waive the timeline, are as follows:

- LEA submits proposed permit and application package to CalRecycle by April 1, 2011
- CalRecycle concurs or objects on the proposed permit by May 31, 2011

The 120 day time line is in the Public Resources Code. It starts when the LEA finds the application complete and correct and accepts it for filing. The LEA has 60 days to prepare a proposed permit and CalRecycle has 60 days to concur or object. These 60 day timelines are in the California Code of Regulations, Title 27.

Jim Henderson
County of San Diego
Department of Environmental Health
Local Enforcement Agency
5500 Overland Ave, Suite 110 MS O560
San Diego, CA 92123
(858) 694-3607

From: Corktoo@aol.com [mailto:Corktoo@aol.com]
Sent: Monday, March 07, 2011 11:32 AM
To: LUEG, DEHComments
Subject: Gregory Canyon Landfill

Please respond to this query:

I have read in a newspaper article that the LEA will decide on the Solid Waste Facility Permit on April 1, 2011. Is that correct?

Your Notice of Informational Meeting indicated that on February 1, 2011 LEA found SWFP application to be complete and correct.

It also states that "the decision to approve or deny the new SWFP will be made by the LEA within **120 days** of the date the application was deemed complete and correct (as required by State statute)"

Doesn't this mean that the public has until **May 31,2011 (120 days from Feb. 1)** to send in their comments and the LEA should not decide on the SWFP until all comments are received? Or does it mean that any time during the 120 days, the LEA has the right to make a decision?

This is very confusing - please elucidate.

Thank you.

Ruth Harber

Henderson, Jim

From: Henderson, Jim on behalf of LUEG, DEHComments
Sent: Friday, April 01, 2011 3:31 PM
To: 'Corktoo@aol.com'
Subject: RE: Question re SWFpermit Gregory Canyon Landfill

Ruth,

No there will not be a question by question response as was done in the EIR.

The LEA will consider written comments received by April 21 when writing the proposed permit and making its decision. Comments received after that date will be considered to the extent feasible. All comments received by April 28 will be included in the package to CalRecycle. As required by regulation, all written comments received after the package has been submitted will also be provided to CalRecycle for consideration by that agency if a proposed permit goes forward.

Thank You

Jim Henderson
County of San Diego
Department of Environmental Health
Local Enforcement Agency
5500 Overland Ave, Suite 110 MS O560
San Diego, CA 92123
(858) 694-3607

From: Corktoo@aol.com [mailto:Corktoo@aol.com]
Sent: Wednesday, March 30, 2011 3:41 PM
To: LUEG, DEHComments
Subject: Question re SWFpermit Gregory Canyon Landfill

Please reply to this question:

If I submit comments and questions regarding the upcoming Solid Waste Facility permit for Gregory Canyon Landfill (due April 21, 2011), will you answer these as is done in an EIR? Or, will these comments and questions just be taken into account by your Director when making his decision?

I have a lot of questions - but if they do not get answered, I can save myself some time. However, would the Cal Recycle Board review all?

Thank you.

Ruth Harber

Ruth Harber
11132 San Antonio Way
Valley Center, CA 92082

APR 20 201

April 15, 2011

County of San Diego
Solid Waste Local Enforcement Agency (LEA)
5500 Overland Avenue
Suite 110
San Diego, CA 92123

Attention: Jim Henderson

Re: Gregory Canyon Landfill/ SWIS #37-AA-0032

Gentlemen:

Following your "Informational Meeting" of February 23, 2011 where I made oral comments, I wish to add the following in writing:

I have been fighting this dump since 1988 – 23 years – spent at meetings, reviewing innumerable EIRs, writing letters at infinitum – and still, at this late date, it is once again necessary to send comments so that the reviewers of the Solid Waste Application from Gregory Canyon Ltd.(GCL) may see another point of view than that of the promoters of this dump.

I wish to remind you that Gregory Canyon, Ltd. circumvented the normal planning process when they put the Gregory Canyon on a county wide ballot knowing full well that most of the voters would not know where this canyon was or what problems could result from a garbage dump at the edge of a water source, the San Luis Rey river.

The San Luis Rey river: It provides water to thousands of people. It contributes to the potable water for the city of Oceanside which has spent millions of dollars for a purifying plant in order to give its citizens clean and potable water. The San Luis Rey river also is the only source of drinking water for thousands of Native Americans from wells along its course.

The proposed dump – need I remind you – is contiguous to the Gregory Mountain which is considered sacred by the Native Americans (Luisenos in particular) and piling garbage against its western slope is a disgrace. In 1990, various religious organizations wrote the Board of Supervisors imploring them not to desecrate this mountain and asking for their respect of religious freedom and beliefs. If the San Diego County Board of Supervisors thought best not to use this canyon (in part because of its religious significance), the developers should be held to the same standard. (copies of these letters are enclosed).

The Grand Jury in 1990 also asked the Board of Supervisor not to site a dump at Gregory Canyon and a specialist at the Dept. of Planning and Land Use of the County also objected. Copies are attached.

The callousness of representatives from Gregory Canyon towards the religious aspects of the mountain was never more present than when, at a meeting of a trash commission in Del Mar some 15 years or so ago, Mr. Richard Chase, then manager of the project, said, and I quote "It may be their (the Luisenos) Sistine Chapel, but we own it". This type of comment reflects the attitude of the proponents of this garbage dump and their disregard for an ancient religious belief – it is absolutely despicable.

Please remember that the financial backers of this dump project are all out-of-town and out-of-state investors just looking to get some return from their millions of dollars of investments. This project will benefit only those who have invested in the project. There is no profit for San Diego County and there certainly is no profit for the Native American tribes in the watershed nor for the residents near the dump.

Ruth Harber
11132 San Antonio Way
Valley Center, CA 92082-3126

Gregory Canyon Ltd. indicates that they have taken a $1,000,000 policy to cover any problems that might occur from their dump. This amount is laughable. Do they really expect that one million dollars would be sufficient to clean the water in case it becomes contaminated? Shouldn't the policy be more than $10,000,000 what with inflation - if the dump fails – could be tomorrow, could be in 20 years or more, the insurance policy of $1,000,000 would represent a minuscule part of the cost. It is the responsibility of the LEA and CalRecycle to demand better coverage – at perpetuity!

Lacking enough funds for cleanup, Gregory Canyon Ltd. will abandon the site which will become a Superfund headache. Do the LEA and CalRecycle want to be responsible for this taxpayers' expenditure? This is not a joke. Many other projects in this country had to depend on the Superfund cleanups when they failed and the companies went bankrupt.

Gregory Canyon Ltd. has been notoriously slow at paying their bills (i.e. from the Department of Environmental Health – please check the records). They have borrowed money from a firm called La Jolla Loans at an exhorbitant interest rate and were in default several times. Do we expect that they would do better in the future when problems with their dump occur?

Need for a dump: Many well informed people, among them County Supervisor Pam Slater-Price have discussed, time after time, that studies found that there is no need for a new garbage dump in San Diego County. The figures prove it. I would strongly suggest that the LEA and CalRecycle take a good look at those figures before they take a decision on the Solid Waste permit that GCL is seeking and please carefully review the texts of several presentations made by the Supervisor on the subject. Her comments were well researched and the figures are fact.

During the Informational Meeting, a representative of Gregory Canyon Ltd. indicated that the height of the dump would be 1100 feet. If I remember correctly, the various EIRs showed a maximum height of 900 ft. I urge you to review this change in height – was an amendment to the EIR made, without the public's knowledge?

I wish to come back to some of the comments I made at the Informational Meeting: The past years, when Gary Erbeck was Director of Environmental Health for the county, he invoked **"Overriding Considerations".** This has never been clear. What were these Overriding Considerations? Will they be invoked once again by the LEA and CalRecycle? The only reasons this would be revived would be the need for a dump – it has been shown there is none -. The need to help out of state investors to recoup their investment? That would be blatantly illegal. There is no case that justifies these Overriding Considerations except for the benefit of the investors.

When studies were made for a possible new dump in the North County, the Edarra study in 1985 never included the Gregory Canyon – it had not even been named at the time.. it was just some nameless pristine canyon on Highway 76. When it was "chosen" it was due to the fact that then (1989-90) County Supervisor John MacDonald was told by a private party (David Lowry, former Chairman of the Fallbrook Planning Group) that he would pay for a study and Mr. MacDonald agreed to "give David a chance". Dept. of Public Works of San Diego County made the study and the cost was paid by a Waste Management of California check. Supervisor MacDonald told me personally that this was the greatest regret of his life, i.e. "giving David a chance".

Biology: I am by no means a scientist but those who are have decried the possibility of a dump at Gregory Canyon as it would destroy the habitat of so many endangered and threatened species. Some of the measures to be taken (such as barriers and "teaching the workers where not to walk or work) are laughable. I hope that you are aware that we are a country that is taking the environment very seriously but the GCL

Ruth Harber
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Representatives and investors don't seem to be aware of it. Here again, they show their callousness for the sake of the mighty dollar.

There has been a nest of Golden Eagles (possibly several) on top of Gregory Mountain for decades or longer. They are protected birds. They forage in the canyon. Will they be victims of this dump when they can no longer find prey?

Also, GCL is due to move the electrical transmission lines up the side of the mountain (see EIR and Prop C). The eagles fly in a pattern passed on through the generations. There is no doubt that their flight pattern will be disrupted and it may cause their death. GCL has always tried to mask this problem. As a matter of fact, the first EIRs totally omitted the presence of these eagles.

Has there been an agreement signed by GCL and SDG&E regarding the move of these power transmission towers?

Protection of the San Diego Aqueduct: There is also the problem of the San Diego County Water Authority's water pipelines that underlie the canyon. At the Informational Meeting on February 13, 2011, Mr. Hershel Price, a director of San Diego County Water Authority, indicated that, to date, the SDCWA has not received any formal study from GCL as required by Proposition C (1994) and that apparently, GCL seems to disregard this requirement or postpone indefinitely.

Trash trucks and water trucks are heavy. The constant rumble from these vehicles may cause the pipelines to crack or shift and thereby endangering the water supply of approximately 30% of the San Diego population.

Just the fact that the water pipelines might be disturbed or endangered should be sufficient to put an end to this project. We cannot live without water. It is the most precious commodity on earth. If the pipelines are broken or damaged, where will our water come from? And at what cost?

PROPOSITION C For the sake of refreshing the reviewers' memory, I will go through the pertinent points of the 1994 Proposition C that changed the land designation of the Gregory Canyon:

Section 2 – A. Findings and Purpose. Among the cities listed in this section, several have declared their opposition to the project and the City of Oceanside several years ago passed an Ordinance that they would not, under any circumstances, use the Gregory Canyon for their trash. Oceanside being the major city in this group, will the Gregory Canyon garbage dump obtain enough garbage to justify it? Will they import garbage from out of county, i.e. Los Angeles or Orange County? Why should San Diego County residents and taxpayers have to sign off on a dump that will benefit other California counties' residents?

Section 2 – B. The "critical need for new solid waste facilities" is no longer true. San Diego County residents and North County in particular have learned to recycle at a great rate and the trash collection has diminished at a dramatic rate. See figures given by Supervisor Pam Slater-Price.

Section 2 – C. It is true that the elected officials in 1994 were not able to make a decision on an acceptable site for a dump. This was due to politics – lack of "guts" – and when a private operator came in the picture, they were "off the hook".

Section 2 – F. In 1994, Gregory Canyon Ltd. or their minions, Citizens for Environmental Solutions, played one area of the North County against one another, benefiting from the fear of certain communities.

Ruth Harber
11132 San Antonio Way
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Section 2 – I. It is stated that "The Gregory Canyon site is located in a sparsely populated area of San Diego County. I beg to disagree. Please see the map enclosed showing all the properties in the vicinity of the canyon. Many homes have been built since this photograph was taken.

Section 2 – J. How could the voters "find and determine that the project will be compatible with other uses in the area..." How could they, the majority of the voters had absolutely no idea where the site was.

Section 2 – K. THIS IS A LIE: **There was no such policy** of the County of San Diego that each sub-region of the County shall be responsible for providing sufficient solid waste facilities to handle the solid waste generated in each sub-region and solid waste shall not be shipped from one sub-region to any other sub-region except where an emergency exists". ABSOLUTE LIE. This Proposition should have been declared null and void had the authorities in charge done a little research. This was included by the proponents to justify their project.

SECTION 3 – DESCRIPTION OF THE PROJECT:

Component D – Relocation of San Diego Gas & Electric Power Lines: Have plans been issued by SDG&E? Who will pay the cost of such relocation? Will ratepayers be affected? Will there be interruption of service? And for how long?

Component G – As indicated above, the San Diego County Water Authority has not obtained any information nor assurances by Gregory Canyon Ltd. Isn't it the most important item of this project that the supply of water to San Diego continue without interruption? Where are the final plans to protect the aqueduct?

SECTION 4 – PERMITS:

Component M. – Seeking approval for any possible annexation into local water districts: To date, it appears that such annexation has been denied to the project. The State Water Appropriations Board has denied GCL's request for appropriations of water from the San Luis Rey river.

This has compelled GCL to try and obtain water for operations of the dump from various sources, all of which begged off. GCL has now signed a contract from a new source: from a water provider IN EL MONTE, CALIFORNIA. Some 120 miles away from the project.

Adding to the hundreds of trips by trash trucks, these water trucks will add to the congestion on Highway 76 and present a danger to a heavily traveled and dangerous narrow road. It will also increase the air pollution created by those huge Diesel trucks.

It is inconceivable that a permit might be given to a developer who lacks the necessary water to operate and has to truck its water from the Los Angeles area. If it weren't so polluting and dangerous, it might be thought as being ridiculous and funny!

SECTION 5 – MITIGATION MEASURES

B. **Hours of Operation:** I have been given to understand that these hours of operation will not be enforced and that GCL plans to stay open on Sundays.

C. Litter and Illegal Dumping: This should include the whole periphery of the dumpsite as winds will definitely carry plastic bags and other light material to the groves and residences to the West and North of the dump.

Ruth Harber
11132 San Antonio Way
Valley Center, CA 92082-3126

C. **Hazardous Waste Exclusion System:** Excuse me for laughing.; The trained, full-time personnel inspecting incoming refuse cannot spot every piece of hazardous waste. They do not have Xray vision.

D. I wish to point out the presentation I made at the Informational Meeting about the new light bulbs which contain mercury – a dangerous substance – These new light bulbs, mandated by the U.S. Congress, are to be deposited in special receptacles at hardware stores. It is a well known – and predictable – fact, that the public at large will simply deposit these spent light bulbs in their trash bin. It will be impossible for these "well trained personnel" to detect each and every one of them within tons of trash. When a heavy truck drives over these hidden light bulbs, they will crush the glass and the mercury – eventually – will find its way to the groundwater and the San Luis Rey river.

It is therefore one more contention that a dump should not be permitted at the location it is planned for. Find another site where there is no water. It is not just a little bit of mercury. Everyone will be using them in the future and it represents a large amount of mercury that will poison the drinking water of tens of thousands of people.

The same remarks apply to bottles of nail polish, various household cleaning products and chemicals that the public will be throwing in the trash. For instance, in time, nail polish will dissolve the outer liner and find its way to the river.

These are not ramblings of a foe of the Gregory Canyon dump. These are proven facts that have been studied at length by scientists.

H. Earthquakes: The proponent indicates that all structures located at the Gregory Canyon will be designed to withstand the maximum probable earthquake. Note: The Elsinore Fault is located approx. 6 miles from the dumpsite. The safety of the structures should be the least of anyone's worries but that an earthquake would shift the trash and its liner and that the garbage would slip into the river

The Trujillo Canyon, just a mile away from the Gregory Canyon was dropped as a possible site because it is 5 miles from the Elsinore Fault. Six miles away from the Fault should be a real concern as well.

I. **Traffic Impacts:** I invite members of the LEA and CalRecycle to travel on Highway 76 and find out for themselves that it is a busy road from I-15 to the various casinos (passing by the dump-site) so they can understand that adding some 1,400 trash truck trips a day and hundreds of huge water trucks will bring the road to gridlock. There is also added traffic from the Rosemary's Mountain quarry on Highway 76 and from the power plant just constructed across from the dumpsite. Which brings me to the next item:

J. **Air Quality:** The air quality in the area will suffer to a great degree and forever ruin the environment.

K. **Noise abatement: Item 3** – How will the residents be informed when blasting occurs? By phone? By letter? By email? This has never been explained.

L. **Odor Control:** It is interesting that the wording in Proposition C indicates control odors on-site. I wish to remind the panels who will review the Solid Waste Permit application that in the very first EIR produced by the San Diego County Public Works Department (paid for by Waste Management of California), my residence appeared within the 'ODOR ENVELOPE". This reference was dropped from the subsequent EIRs. Odor on site is a normal occurrence. Odor in the neighboring areas is UNACCEPTABLE.

N. Biological Impacts: It is claimed that "All sensitive species and habitat impacted by the project shall be mitigated" All scientific reports have shown that there is NO WAY TO MITIGATE the impact on biology and that certain species will not survive the change in their habitat.

P. **Cultural Impacts.** Here also, there is no way to mitigate the impact that trash piled up on the west slope of the Sacred Mountain will have. This is an insult to the Native Americans and to all people who respect traditional beliefs that this mountain is sacred.

Ruth Harber
11132 San Antonio Way
Valley Center, CA 92082-3126

I wish to ask the members of the panels at LEA and CalRecycle if they would wish their church or synagogue to be defaced by garbage. I am confident that their answer would be NO.

Section 6 – TIPPING FEES AND FINANCIAL GUARANTEES:

Financial Guarantees. As I indicated above, Gregory Canyon Limited has often been in arrears in their payments to their loaning institution. The insurance policy taken by GCL is inadequate to say the least and should be increased at least ten-fold.

The post-closure plan is a pipedream as we do not know whether the company will still be viable in 30 years. This post-closure plan should be valid at perpetuity since a dump will eventually leak and the investors will be long gone after the dump closes.

Any agency, local, state or federal, that intends to give a permit to GCL for the operation of their garbage dump should require a trust fund in the tens of millions of dollars for a clean-up – lacking this, the site will eventually become a Superfund site at taxpayers' expense.

Notice to Circulate Petition : The San Diego County Board of Supervisors in 1994 failed in their duties to keep land use decision in their bailiwick – this notice is incorrect about the 169 alternate sites in northern San Diego County and that the Gregory Canyon was chosen among them. The only thing Gregory Canyon had as a plus was that "it was not close to an airport".. all other conditions were rejected.

In Ventura County, the same proposal for a ballot measure was denied by their Board of Supervisors – it should have been denied in San Diego County as well.

Conclusion of review of Proposition C.

The voters in San Diego County were hornswaggled by Gregory Canyon Ltd.. They voted on something they did not understand nor did they know where the site was (except for a small map on the ballot) – they were not told about the Sacred Mountain and the reverence the Luiseno Native Americans have for the mountain – they were not told about the water and the San Luis Rey river. They were sold a bill of goods.

Copy of Proposition C is enclosed for your perusal.

San Luis Rey river: In the winter of 1993, the San Luis Rey river flooded. I witnessed cows floating down the river, trees being ripped off the banks and bridges collapsing. It will happen again.

This is the worst possible site for a garbage dump. In case of dramatic flooding, regardless of all the catch basins and other engineering, the high slopes of the dump will collapse and the lining will no doubt slide down, pouring tons after tons of garbage into the river.

There is ample documentation about the floods that have occurred. One in particular, in 1916 was extremely destructive (see KPBS report by Ken Kramer "About San Diego" March 31, 2011 about the 100 year flood and how it affected the San Luis Rey river). We cannot predict if and when another flood will occur but to be safe, let's not put a garbage dump at the edge of this river which in times of flood becomes wild and destructive.

Ruth Harber
11132 San Antonio Way
Valley Center, CA 92082-3126

Do not allow the contamination of our water. This not only will affect our drinking water but farmers' water. They are dependent on well water from the aquifer to irrigate their avocado groves and other crops and contaminated water might bankrupt them.

FIRES: This is an extremely fire-prone area. Fires at landfills have occurred. The Gregory Canyon is buffeted by winds from the west and Santa Ana winds from the East. There is no guarantee that the fires would not spread to the adjoining lands. What are the measures Gregory Canyon Ltd. will take in case of such fires?

What is more, the constant burning of the methane produced by garbage may also result in fires spreading through the area. What guarantees does GCL offer in case of destruction of homes in the periphery of the dump? Do they have an insurance policy in force that would compensate for the loss of homes or income if a grove or other agricultural area is destroyed due to their activities in the garbage dump? These are questions that were not answered in Proposition C nor in any of the EIRs that GCL produced. It is an important question that needs to be answered.

In conclusion: Some have suggested that comments made against this dump are emotional. This is untrue and a ploy by Gregory Canyon Ltd to justify their project. The facts that this dump will destroy the environment, pose a danger to our water supply, exacerbate the traffic problems and pollute the air are scientifically sound.

Looking at the conclusions offered in the various EIRs, too many items are UNMITIGABLE. That should be enough to DENY A PERMIT for the operation of this unwanted and unneeded garbage dump.

Thank you for your consideration of these comments.

Sincerely,

Ruth Harber

Ruth Harber

Ruth Harber
11132 San Antonio Way
Valley Center, CA 92082-3126

GREGORY CANYON LANDFILL/SWIS #37-AA-0032

Attachments to comments by Ruth Harber – April 15, 2011

Map of Gregory Canyon showing residences near the dump project

1 Copy of Proposition C – 1994

2 Editorial 3/31/11 – North County Times

3 Letter from the Catholic Diocese of San Diego

4 Letter from Union of American Hebrew Congregations (1994)

5 Letter from Union of American Hebrew Congregations (1990)

6 Letter from the Presbytery of San Diego, Presbyterian Church (U.S.A.) 1990

7 Letter from San Diego County Ecumenical Conference(1990)

8 Statement from Dr. Shipek, PhD – Anthropologist/Ethnologist

9 Newspaper clipping re Court barring snow-making at Sacred Mountains

10 Newspaper clipping "Hwy 76 is becoming "Highway of Death"

11 Memo from Gary Fink, Dept. of Planning and Land Use to Regional Planner, San Diego County re North County Landfill Archaeological and Ethnographic Reports (1990)

12 Newspaper clipping from Fallbrook Enterprise newspaper 1/6/05

13 Extract from Geraghty & Miller, Inc. Engineers report

14 Grand Jury report No. 3. North County Landfill sites (1990)

15 Gregory Canyon Fact Sheet – prepared by Pala Band of Mission Indians.

16 Newspaper article "Safeguards on drinking water will be tightened (new EPA rules)

17 Newspaper clipping – The light bulb goes off – 4/16/11

18 Newspaper article "Leaking Landfills" North County Times 3/6/11

19 Newspaper article "Dump, Debate and a Spirit" San Diego Union-Tribune 3/17/11

20 Copy of oral presentation made by Ruth Harber at Informational Meeting 2/23/11

21 Articles by Pam Slater-Price, Supervisor, San Diego County Board of Supervisors "The Gregory Canyon landfill plans should be dumped". Los Angeles Times 7/10/2010

22 Article North County Times 2/6/11 "Seeking water, water everywhere"

23 Farm Bureau publication AG Alert 3/9/11 "Farmers know importance of protecting groundwater".

Ruth Harber
11132 San Antonio Way
Valley Center, CA 92082-3126

1990

MAP

GREGORY CANYON

DUMP

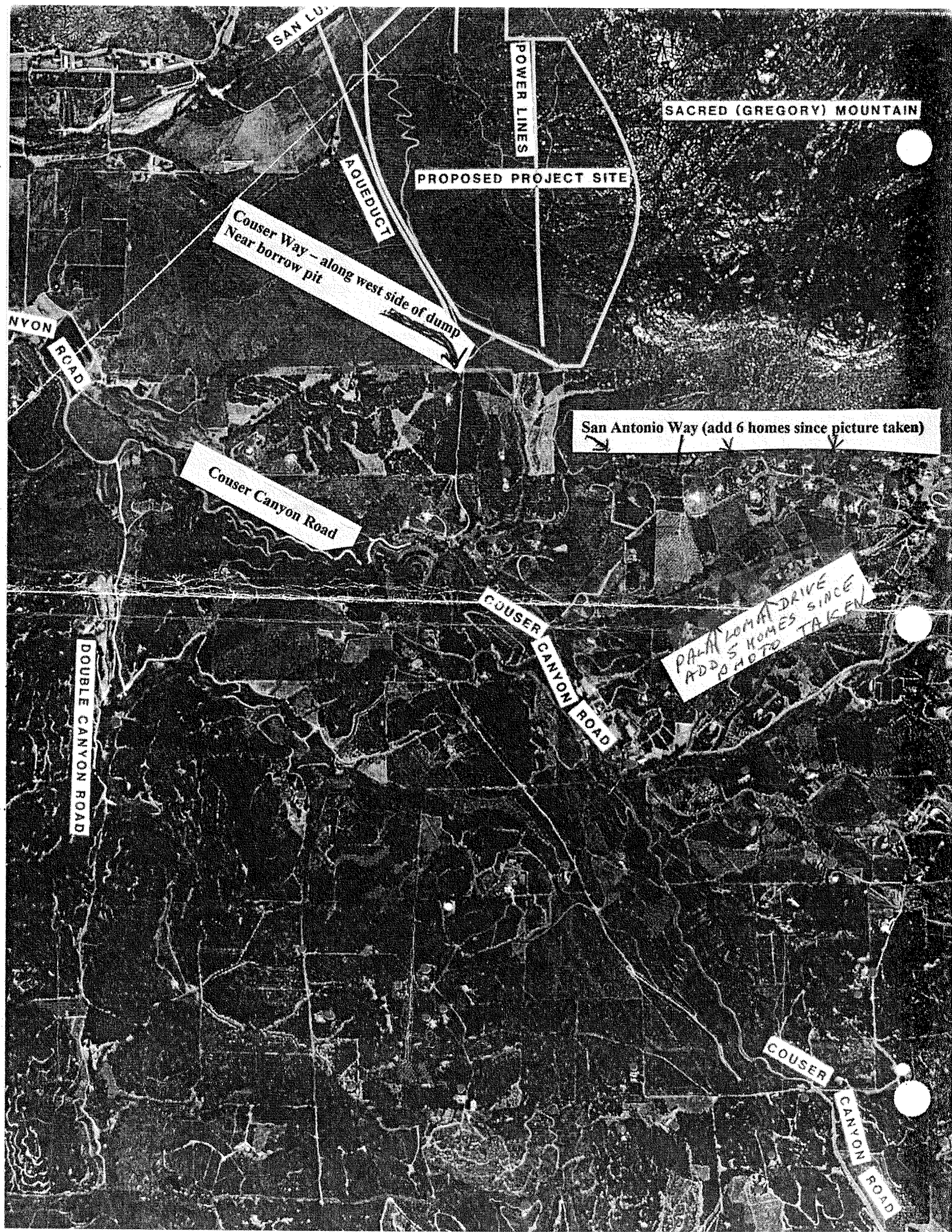
SHOWING RESIDENCES

MANY HAVE BEEN ADDED

SINCE PICTURE

WAS TAKEN

FROM THE AIR


SAN LU
POWER LINES
SACRED (GREGORY) MOUNTAIN
AQUEDUCT
PROPOSED PROJECT SITE
Couser Way – along west side of dump
Near borrow pit
NYON
ROAD
San Antonio Way (add 6 homes since picture taken)
Couser Canyon Road
PALOMA DRIVE
ADD 5 HOMES SINCE
PHOTO TAKEN
COUSER
CANYON
ROAD
DOUBLE CANYON ROAD
COUSER
CANYON
ROAD

FROM RUTH HARBER

(1)

County of San Diego

Sample Ballot & Voter Information Pamphlet

GENERAL ELECTION

TUESDAY, NOVEMBER 8, 1994

VOTER ALERT!!!
YOUR POLLING PLACE MAY HAVE CHANGED;
LOCATION IS SHOWN ON BACK COVER

- **POLLS OPEN AT 7 A.M. AND CLOSE AT 8 P.M.**
- **PLEASE CALL BEFORE ELECTION DAY IF DIRECTIONS ARE NEEDED**
- **TAKE THIS PAMPHLET WITH YOU TO THE POLLS**

For services available to voters with disabilities see last page.

Information concerning the State Propositions and State Candidates is mailed by the Secretary of State in separate pamphlet(s).

A Spanish Voter Information Pamphlet is available upon request from the Office of the Registrar of Voters. (565-5800)

Existe un Folleto de Información en Español para el Padrón Electoral y está disponible en la Oficina de Registro del Padrón Electoral. Solicítelo si le es necesario. (565-5800)

Compiled and Distributed by:
CONNY B. McCORMACK, REGISTRAR OF VOTERS
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COPY OF PROP. C. GREGORY CANYON
(can also be found in EIR)

COUNTY OF SAN DIEGO
Proposition C

(This proposition will appear on the ballot in the following form.)

PROP C GREGORY CANYON LANDFILL AND RECYCLING COLLECTION CENTER ORDINANCE. Shall the Gregory Canyon Landfill and Recycling Center Initiative Ordinance be adopted?

NORTH COUNTY RECYCLING AND SOLID WASTE DISPOSAL INITIATIVE

The People of San Diego County Do Hereby Ordain as Follows:

SECTION 1. INTENT.

It is the intent of this initiative measure:

A. To provide for the siting of a new recycling collection center and class III solid waste landfill to allow the residents and businesses in northern San Diego County to dispose of their solid waste in an environmentally sound and economically competitive manner.

B. To ensure that the recycling collection center and landfill are designed, constructed, and operated in a safe and efficient manner by requiring that they fully comply with all environmental laws and regulations. The Project will be monitored during its life on a regular basis by regulatory agencies including, but not limited to, the Integrated Waste Management Board, the San Diego County Air Pollution Control District and the Regional Water Quality Control Board.

C. To amend the General Plan, Zoning Ordinance and other ordinances and policies of the County of San Diego to allow the construction and operation of a recycling collection center and class III solid waste landfill on approximately 270 acres of land within the 1683 acre Gregory Canyon site located off State Route 76 approximately 3 1/2 miles east of the intersection of Interstate 15 and State Route 76 in San Diego County. The general location of the Gregory Canyon site is shown on Figure 1 attached to this measure.

D. To provide that at least 1313 acres of the Gregory Canyon site will be dedicated as permanent open space to create a substantial preservation area for sensitive habitat and species.

SECTION 2. FINDINGS AND PURPOSE.

A. The San Marcos landfill is the only remaining landfill serving northern San Diego County which includes the cities of Carlsbad, Encinitas, Del Mar, Solana Beach, Escondido, Oceanside, San Marcos and Vista, and the unincorporated areas of northern San Diego County including Pauma, Bonsall, Valley Center, and Fallbrook.

B. The 1986 San Diego County Regional Solid Waste Management Plan and studies performed by the County of San Diego have documented the critical need for new solid waste facilities to serve the growing north San Diego County population.

C. The County of San Diego has been unsuccessful in siting any landfills in northern San Diego County since the San Marcos landfill was approved in 1977. This has occurred as a result of local opposition and the County of San Diego not proceeding with acceptable sites which have been extensively studied.

D. The conditional use permit issued in 1992 by the City of San Marcos for expansion of the San Marcos landfill requires the County of San Diego to aggressively pursue alternative north county landfill sites, and will expire by or before the year 1999, unless the City of San Marcos agrees to extend the term of the permit.

E. Local opposition to landfill siting and disagreement between north county cities and the County of San Diego over the handling of the solid waste system has created a solid waste crisis involving disputes between the cities and the County of San Diego.

E. Realignment of Highway 76.

The Project includes the widening and realignment of State Road 76 on either side of the new access road to improve sight distance and to facilitate truck movements. The realigned segment would provide approximately 1000 feet of sight distance in both directions for traffic leaving the landfill. The Applicant shall contribute on a fair share basis to the widening of State Route 76 west of the access road to applicable state standards. The fair share shall be based upon the state standard average daily trips. This realigned portion of Highway 76 will be restriped to provide for acceleration/deceleration lanes and an over-take lane for through traffic. Detailed plans for the realignment of Highway 76 will be submitted to CalTrans for review and approval prior to commencing any realignment work.

F. Bridge.

The Project will include a bridge over the San Luis Rey River to provide separate roadways for access to and from the landfill, and to and from the topsoil stockpile area. This will facilitate adequate internal circulation for the landfill operations.

G. Protection of San Diego Aqueduct.

The Project will include work required to protect any San Diego Aqueduct pipelines to the extent and in the manner required by the San Diego County Water Authority.

A map showing the Project elements is shown on Figure 2 attached to this measure. The Applicant shall be entitled to alter or change these elements based upon a detailed site plan to be submitted to the Integrated Waste Management Board for review and approval in conjunction with the solid waste facilities permit.

SECTION 4. PERMITS.

To ensure that the Project is designed, constructed and operated in a safe and efficient manner, the Project shall be required to secure all of the following permits and approvals to the extent required by state or federal law:

A. Environmental Review.

The Project shall complete any additional environmental review required by federal or state law to secure the remaining permits and approvals.

B. Consultation with Advisory Council on Historic Preservation.

The Applicant shall consult with the Advisory Council on Historic Preservation in accordance with §106 of the National Historic Preservation Act.

C. 404 Permit.

The Applicant shall secure a permit relating to §404 of the Clean Water Act from the Department of the Army Corps of Engineers.

D. U.S.Fish & Wildlife Service.

The Applicant shall conduct a §7 consultation with the Department of Interior, U.S.Fish & Wildlife Service in compliance with the Endangered Species Act and shall coordinate the §404 permit with the U.S.Fish & Wildlife Service as required by federal law.

E. California Department of Fish and Game.

The Applicant shall secure a §1601 Streambed Alteration Agreement with the California Department of Fish & Game and any other permits required by the California Department of Fish & Game.

F. State Water Resources Control Board.

The Applicant shall secure a National Pollutant Discharge Elimination System Permit from the State Water Resources Control Board.

G. Regional Water Quality Control Board.

The Applicant shall secure a Waste Discharge Permit from the Regional Water Quality Control Board.

F. The Gregory Canyon site was selected as one of three preferred landfill sites by the County of San Diego based upon a 1987 study which evaluated 168 alternative sites in northern San Diego County covering a study area of 1150 square miles. Subsequently, one of these sites, Blue Canyon, was dropped by the County of San Diego and two new landfill sites have been added. The Gregory Canyon site is now one of four finalist sites.

G. In 1990 the County of San Diego prepared an environmental impact report evaluating the environmental impacts of operating a landfill at the Gregory Canyon site. This Environmental Impact Report concluded that a landfill could be operated at the Gregory Canyon site consistent with all federal and state regulations governing landfill operations.

H. All of the San Diego County landfills have been successfully operated by a private party for the County of San Diego since 1982.

I. The Gregory Canyon site is located in a sparsely populated area of San Diego County. Solid waste operations will occur on approximately 270 acres of the Gregory Canyon site. At least 1313 acres will be dedicated as permanent open space to provide an important habitat and sensitive species preserve.

J. The voters hereby find and determine that the project will be compatible with other uses in the area and the County's general plan for uses in the area upon implementation of the mitigation measures required by this measure.

K. The voters hereby reaffirm the policy of the County of San Diego that each sub-region of the County shall be responsible for providing sufficient solid waste facilities to handle the solid waste generated in each sub-region and solid waste shall not be shipped from one sub-region to any other sub-region except where an emergency exists.

SECTION 3. DESCRIPTION OF THE PROJECT.

The Project will include the following components:

A. General Description of the Project.

The recycling collection center and landfill will occupy approximately 270 acres of the Gregory Canyon site. The landfill footprint containing refuse will cover approximately 150 acres of the site. The main features of the Project include a lined landfill, construction of a new access road and bridge providing access to the site from Highway 76, a scale area, a recycling collection center, a facilities and operation area, a borrow and stockpile area, a leachate collection system, and storm-water retention facilities. The facilities and operation area will include a visitors' center, an office building, a maintenance office, a shop and yard, a fueling station/storage area, a water tank truck wash and wash-water treatment area, a water supply well, groundwater monitoring wells, a landfill gas collection and recovery system, and a leachate collection tank. The Applicant shall be entitled to adjust the size and location of solid waste operations and to alter the proposed facilities based on a detailed site plan to be submitted to the Integrated Waste Management Board for its review and approval as part of the solid waste facilities permit.

B. Dedicated Open Space.

The remaining 1413 acres of Gregory Canyon site shall be dedicated as permanent open space to the County of San Diego, the Pala Band of Mission Indians, another public agency, or a Resource Conservation Group for long-term preservation of sensitive habitat and species. The actual amount of acreage dedicated may be adjusted as necessary to accommodate construction and operation of the Project. The open space area shall not be less than 1313 acres as a result of any adjustment.

C. Access Road.

The Project includes construction of a new access route and bridge from Highway 76 to the Gre Canyon site.

D. Relocation of San Diego Gas & Electric Power Lines.

The project includes relocation of San Diego Gas & Electric transmission lines that are located within the area for the proposed landfill and recycling collection center. All such relocation will occur in accordance with plans reviewed and approved by San Diego Gas & Electric.

H. California Integrated Waste Management Board.

The Applicant shall obtain a Solid Waste Facility Permit from the California Integrated Waste Management Board and from the local enforcement agency for the California Integrated Waste Management Board.

I. California Department of Transportation.

The Applicant shall secure an encroachment permit from the California Department of Transportation as necessary for improvements to Highway 76.

J. State Office of Historic Preservation.

The Applicant shall review cultural sites within the Gregory Canyon site with the State Office of Historic Preservation for eligibility for the National Register of Historic Places.

K. County of San Diego.

The Applicant shall secure a Water Course Alteration Permit, Bridge Permit, Grading Permit and Building Permit from the County of San Diego. The County of San Diego is hereby authorized and directed to include the Project in its Integrated Waste Management Plan as required by State law and to make any findings required for issuance of any necessary permits.

L. San Diego Air Pollution Control District.

The Applicant shall secure all permits required by the San Diego Air Pollution Control District to construct and operate the solid waste facilities authorized by this measure.

M. San Diego Local Agency Formation Commission.

The Applicant shall obtain approval from the San Diego Local Agency Formation Commission for any possible annexation into local water districts as required by the rules and regulations of the San Diego Local Agency Formation Commission.

N. Utilities Services.

The Project shall comply with the requirements of local utility suppliers in securing electric, telephone, water and fire protection services. Sewer service will be provided by chemical toilets used by workers at the landfill. The Applicant will be required to provide the sewage disposal service, removing effluent once per week by pumper truck from the chemical toilets for treatment and disposal away from the site.

O. Other Permits and Approvals.

The Applicant shall secure all other permits and approvals as required by federal or state law.

SECTION 5. MITIGATION MEASURES.

To ensure that the Project is constructed and operated in a manner which minimizes its environmental impacts, the following mitigation measures are hereby adopted as a condition of voter approval of the Project:

A. Days of Operation.

The solid waste facilities shall remain open for the receipt of refuse a minimum of eight (8) hours a day, six (6) days a week, excepting those holidays observed by county-owned landfills.

B. Hours of Operation.

Solid waste operation shall occur only between the hours of 7:00 AM and 6:00 PM, Monday through Friday, and 8:00 AM to 5:00 PM on Saturday unless different hours are established by the Integrated Waste Management Board. For the purposes of this mitigation measure "solid waste operations" shall include the receipt, handling, processing, and/or disposal of solid waste or recyclable materials; cover operations; site grading and/or excavation, including blasting and rock crushing; and heavy equipment operation. Other site activities such as the operation of gas and leachate collection and treatment systems, remedial activities required by a regulatory agency, maintenance within the maintenance yard, and activities conducted in a completely enclosed building shall not be limited to these hours of operation.

C. Litter and Illegal Dumping.

At least five (5) days each week, the Applicant shall inspect for, and clean up, all litter and illegal dumping which occurs on, or adjacent to, the landfill access road and that portion of Highway 76 between the intersection with Interstate 15 and the site. The clean up team shall consist of at least one truck with a minimum crew of two persons.

D. Hazardous Waste Exclusion Program.

The Applicant shall maintain trained, full-time personnel engaged exclusively and continuously in the inspection of incoming refuse loads for hazardous waste. These personnel shall be stationed at the working face of the landfill whenever the landfill is open to accept waste and shall inspect loads as they are tipped. Hazardous wastes encountered in this fashion shall be handled and disposed of in accordance with state regulations.

E. Liner and Leachate Collection System.

A liner and leachate collection system shall be installed and monitored as required by the Regional Water Quality Control Board.

F. Landfill Gas System.

The Project shall include a network of vertical extraction wells, lateral transmission pipes to a gas recovery facility, and perimeter gas monitoring probes. With this system, the landfill gas will be extracted from the landfill and combusted in an enclosed flare.

G. Water Quality.

The Project shall comply with all requirements of the Regional Water Quality Control Board to ensure protection of surface and underground water quality.

H. Earthquakes.

All structures located at the Gregory Canyon site shall be designed by a qualified engineer to withstand the maximum probable earthquake to avoid potential impacts associated with earthquakes and ground shaking.

I. Traffic Impacts.

In order to mitigate traffic impacts, the Applicant shall widen and realign State Route 76 on either side of the access road to improve sight distance and to facilitate truck movements. The realigned segment will provide approximately 1000 feet of sight distance in both directions for traffic leaving the landfill. The Applicant shall contribute on a fair share basis to the widening of State Route 76 west of the access road to applicable state standards. The fair share shall be based upon the state standard average daily trips. Striping will be provided for acceleration/deceleration lanes and an over-take lane for through traffic. These realignment plans may be modified as necessary to meet CalTrans requirements.

J. Air Quality.

Air quality impacts associated with the Project shall be mitigated by meeting all requirements imposed by the San Diego County Air Pollution Control District for the Authority to Construct and Authority to Operate permits.

K. Noise Abatement.

The Applicant shall prepare a Noise Abatement Plan to include:

1. Physical design provisions to ensure that ambient noise levels do not exceed 65 CNEL at the boundaries of the Gregory Canyon site;
2. Installation of landfill equipment and vehicles with noise suppressing equipment to assist in meeting the above restrictions;
3. Provisions for at least 24 hour in advance written notice of any blasting on-site to residents within a one-mile radius of the blast site.
4. Where ambient noise levels exceed 65 CNEL at the boundaries of the Gregory Canyon site, the Applicant shall retain a qualified noise expert to evaluate the problem and recommend mitigation measures. These mitigation measures shall be implemented by the Applicant.

L. Odor Control.

To control odors on-site, the Applicant shall submit an Odor Control Plan to the San Diego County Air Pollution Control District for review and approval.

M. Dust Control Plan.

To control dust from Project operations, the Applicant shall submit a Dust Control Plan to the San Diego County Air Pollution Control District for review and approval.

N. Biological Impacts.

All sensitive species and habitat impacted by the Project shall be mitigated in accordance with requirements imposed by the United States Fish & Wildlife Service as part of the §7 consultation.

O. Visual Impacts.

In order to mitigate visual impacts associated with the Project, the Applicant shall employ extensive use of landscaping emphasizing native vegetation, and rounding/undulation of slopes on the refuse column and changes in slope angles. All landscaping shall be performed by a licensed landscape architect in the State of California. This licensed architect shall prepare a detailed landscape plan designed to minimize visual impact associated with the Project to the maximum feasible extent. The plan prepared the licensed architect shall be implemented by the Applicant upon completion.

P. Cultural Impacts.

Impacts to Native American resources impacted by the Project shall be mitigated through the development of a Memorandum of Agreement between the Applicant and the appropriate regulatory agencies in accordance with §106 of the National Historic Preservation Act. To mitigate archaeological impacts caused by the Project, the Applicant shall retain a qualified archaeologist to investigate and recommend appropriate mitigation measures. These mitigation measures shall be implemented by the Applicant.

Q. Citizen Environmental Review Board.

A Citizen Environmental Review Board (the "Board") shall be established by agreement between the Applicant and the cities or other governmental entities agreeing to supply waste to the Project. The members of such Board shall be appointed by each such city or entity and shall be individual citizens who are not employees or officials of such city or entity. The Board shall have the authority to inspect and review all reports submitted by the Project to any other regulatory agency and to make recommendations to any such regulatory agency with respect to the operation of the Project, including any enforcement actions the Board may deem appropriate. The Board shall establish an environmental review team consisting of qualified personnel to monitor the operations of the landfill which team shall have reasonable access to the landfill during all hours of operation of the landfill.

R. Additional Mitigation Measures.

Mitigation measures included as part of any subsequent environmental review of the Project shall be included as additional mitigation measures for the Project. The Applicant shall submit a mitigation and monitoring program meeting state and federal law to the Integrated Waste Management Board for review and approval as part of the solid waste facilities permit.

SECTION 6. TIPPING FEE AND FINANCIAL GUARANTEES.

A. Tipping Fee.

It is the intention of the voters to ensure that the tipping fee charged by the Project to any public agency supplying waste to the project does not exceed the tipping fee currently charged at county-owned landfills as adjusted for inflation. This fee is currently $43 per ton. For calendar year 1994, this tipping fee shall be $43 per ton. Commencing January 1, 1994, and continuing on January 1 of each year thereafter, this tipping fee may be increased by the percentage charge in the Consumer's Price Index, All Urban Consumer's for the Los Angeles - Anaheim - Riverside Area (1967 = 100) for December of the prior year to December of the year the price increase is to occur.

The tipping fee as set in this section shall be subject to changes or adjustments based upon tipping fees negotiated between the Applicant and various public agencies agreeing to provide solid waste to the Project.

B. Financial Guarantees.

The Applicant shall provide a closure and post-closure plan complying with federal and state law and shall provide bonds or other financial guarantees to ensure performance as required by federal and state law.

SECTION 7. IMPLEMENTATION.

A. Amendments to County General Plan.

Upon the effective date of this initiative, the land use element of the County General Plan and all sub-regional and community plans which apply to the Gregory Canyon site and any related maps shall be amended to designate the Gregory Canyon site Public/Semi-public lands with a Solid Waste Facility Designator. Notwithstanding the Public/Semi-public designation, the Gregory Canyon site shall remain private lands unless purchased or condemned by a public agency.

B. Amendments to County Zoning Ordinance.

Upon the effective date of this initiative, the County Zoning Ordinance shall be amended to create a new zoning classification designated Solid Waste Facility ("SWF"). This SWF zoning classification shall be applied only to the Gregory Canyon site and shall allow the Project without the need for any permits from the County of San Diego except the Water Course Alteration Permit, Bridge Permit, Grading Permit and Building Permit.

C. Amendments to Other County Ordinances and Policies.

All other County ordinances, rules and regulations which constitute legislative acts shall be amended as necessary to accommodate the Project as set forth in this initiative.

D. County Cooperation.

The County of San Diego shall cooperate with the Applicant wherever possible in issuing permits and approvals so that the Project can proceed in a timely fashion.

The County of San Diego is hereby authorized and directed to amend other elements of the General Plan, sub-regional plans, community plans, Zoning Ordinance, and other ordinances and policies affected by this initiative as soon as possible and in the manner and time required by State Law to ensure consistency between this initiative and other elements of the County's General Plan, sub-regional and community plans, Zoning Ordinance and other County ordinances and policies.

SECTION 8. DEFINITIONS.

For the purpose of this measure, the following words and phrases shall have the following meanings:

A. "Applicant" shall mean Servcon-San Marcos, Inc. or its assignee or authorized representatives.

B. "Gregory Canyon site" shall mean the approximately 1683 acres of land located off State Route 76 approximately 3 1/2 miles east of the intersection of Interstate 15 and State Route 76 occupying portions of Sections 4 and 5 of Township 10 South and Sections 32 and 33 of Township 9 South Range 2 West of the San Bernardino Principle Meridian.

C. "Integrated Waste Management Board" shall mean the State of California Integrated Waste Management Board.

D. "Project" shall mean the recycling collection center and landfill and associated structures and improvements as described in Section 3 of this initiative measure as subsequently modified by a detailed site plan submitted by Applicant to the Integrated Waste Management Board as part of the solid waste facilities permit.

E. "Recycling collection center" shall mean a facility for the buy-back of source separated materials but not the processing of mixed waste.

SECTION 9. PURCHASE BY PUBLIC AGENCY.

The Gregory Canyon site shall remain private land until purchased by a public agency or Joint Powers Authority for its fair market value. Nothing contained herein shall restrict the right of any public agency to exercise its eminent domain power as authorized by law to acquire the Gregory Canyon site.

SECTION 10. AMENDMENT OR REPEAL.

This measure may be amended or repealed only by a majority of the voters voting in an election thereon.

SECTION 11. INTERPRETATION AND SEVERABILITY.

This measure shall be interpreted so as to be consistent with all federal and state laws, rules and regulations. If any section, sub-section, sentence, clause, phrase, part or portion of this measure is held to be invalid or unconstitutional by a final judgment of court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this measure. The voters hereby declare that this measure, and each section, sub-section, sentence, clause, phrase, part or portion thereof would have adopted or passed irrespective of the fact that any one or more sections, sub-sections, sentences, clauses, phrases, parts or portions are declared invalid or unconstitutional.

SECTION 12. CONSISTENCY WITH OTHER BALLOT MEASURES.

In the event that another ballot measure is placed on the same ballot as this measure purporting to deal with the same subject matter, and if both measures should pass, the voters expressly declare their intent that both measures shall be put into effect except to the extent that specific provisions of such measures are in direct conflict. In the event of such a direct conflict, the measure which obtained more votes will control as to the conflicting provisions only. The voters expressly declare this to be their intent, notwithstanding any language to the contrary in any other ballot measure.

PR-1200-11

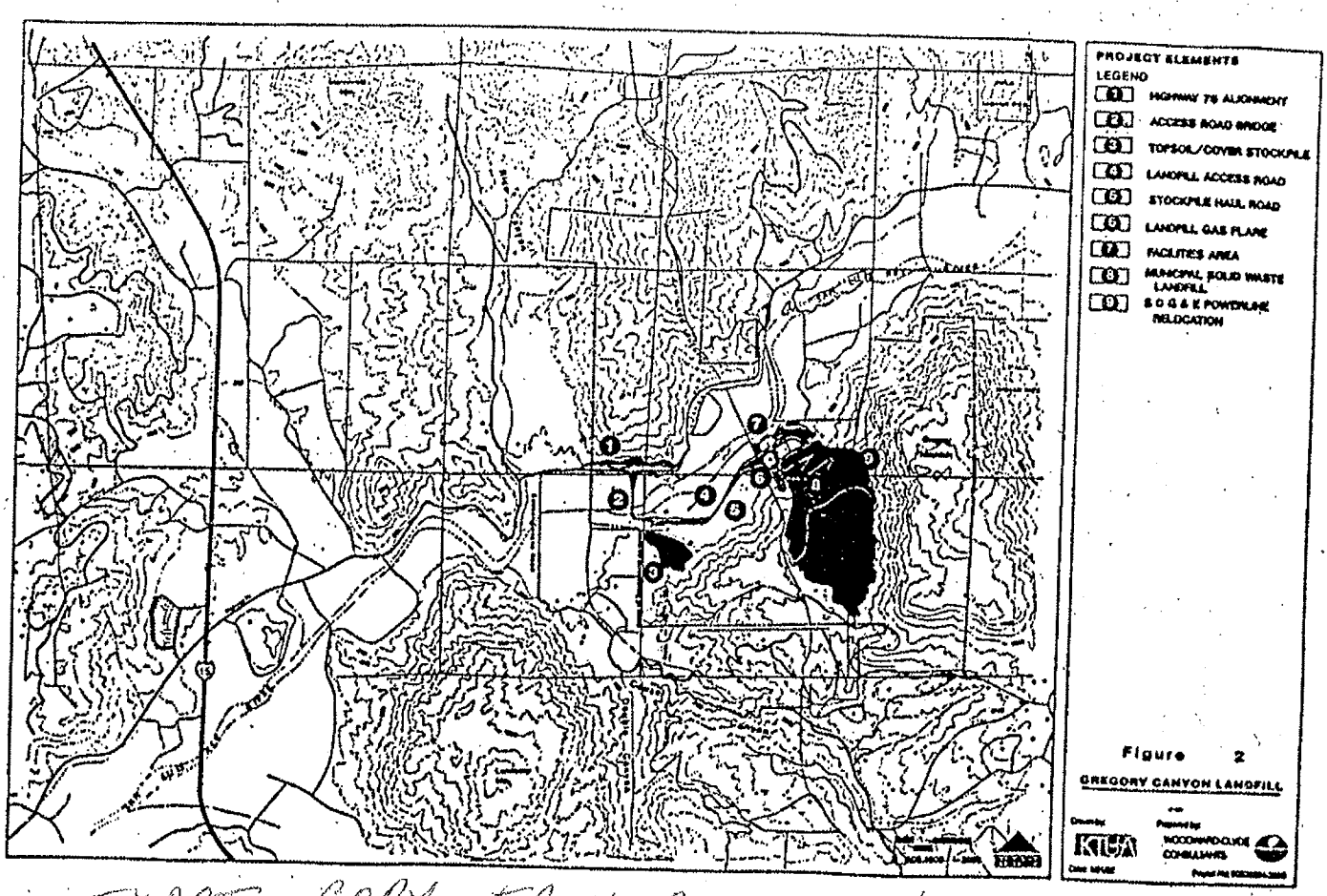
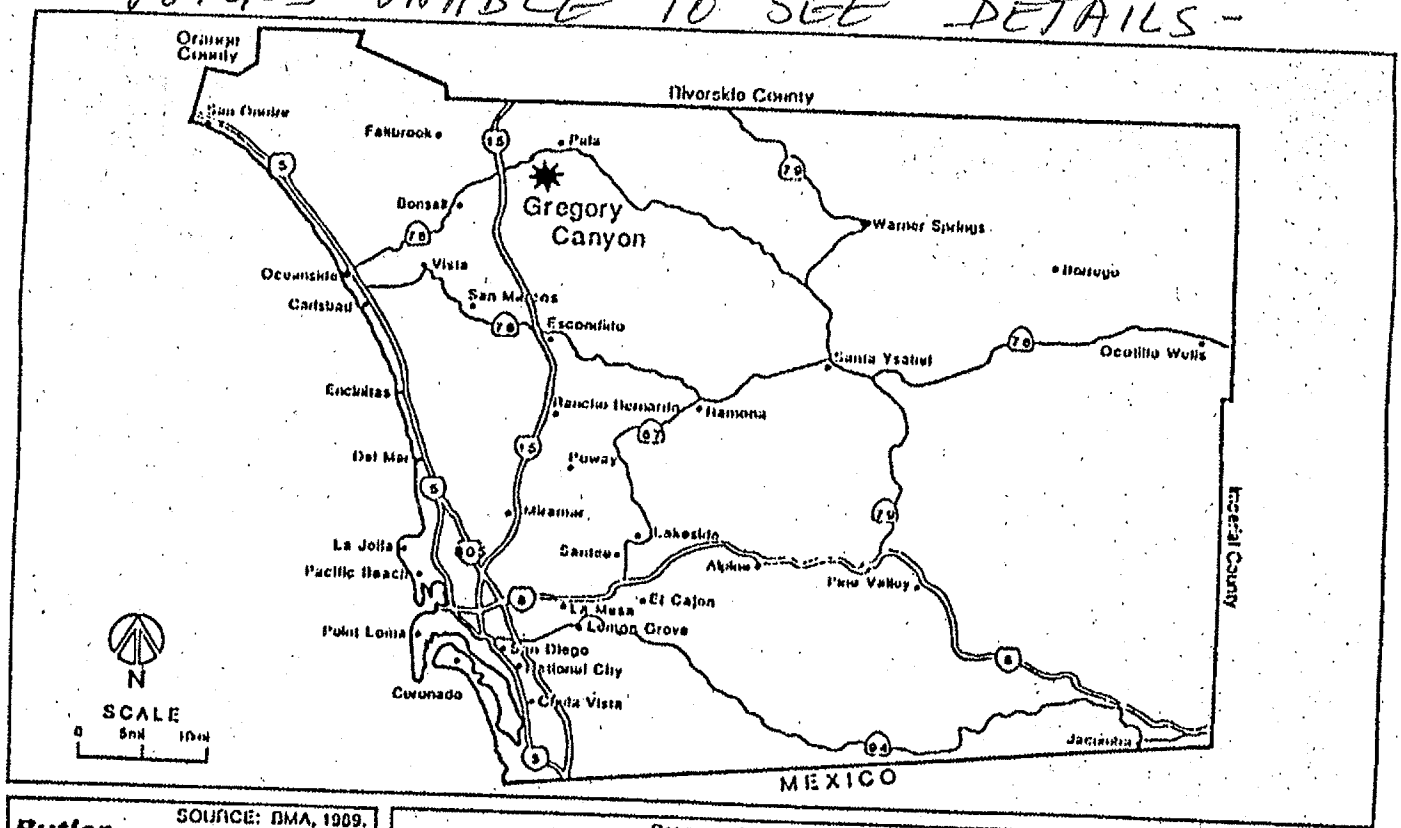


Figure 2
GREGORY CANYON LANDFILL

N SD 050-038

EXACT COPY FROM BALLOT NOV, 8, 1994
VOTERS UNABLE TO SEE DETAILS -

PR-1200-12



Butler Roach Group

SOURCE: BMA, 1989.

Proposed North County Landfill

FIGURE 1

SD 050-039

NOTICE OF INTENT TO CIRCULATE PETITION

Notice is hereby given by the persons whose names appear hereon of their intention to circulate a petition within the County of San Diego for the purpose of allowing the construction and operation of a recycling collection center and class III solid waste landfill on the 1683 acre Gregory Canyon Landfill site located off state route 76, approximately 3½ miles east of the intersection of Interstate 15 and State Route 76 and approximately 2 miles southwest of the community of Pala. The reasons of the proposed action as contemplated in the petition are as follows: DROP C & FACT SHEET 47 mil CY of solid waste

The County of San Diego has been unsuccessful in finding a new landfill facility in northern San Diego County since the San Marcos landfill was approved in 1977. The San Diego County Solid Waste Management Plan and County studies have documented the critical need for an additional north county landfill to serve the needs of north county residents. The Gregory Canyon landfill site was selected as one of three preferred landfill sites by the County of San Diego based upon a 1987 study which evaluated 168 alternative sites in northern San Diego County covering a study area of 1150 square miles. Subsequently, one of these sites was dropped by the County and two new sites were added. The Gregory Canyon site is now one of four finalist sites. In 1990, the County of San Diego prepared an environmental impact report evaluating the environmental impact of operating a landfill at the Gregory Canyon site. The environmental impact report concluded that a landfill could be operated at the Gregory Canyon landfill site consistent with all federal and state regulations governing landfill operations.

This initiative measure amends the San Diego County General Plan, the County of San Diego Zoning Ordinance, and other County ordinances and regulations to allow construction and operation of a recycling collection center and class III solid waste landfill at the Gregory Canyon site. The County of San Diego and other public agencies will have the right to purchase the Gregory Canyon site for its fair market value if they elect to do so.

The Gregory Canyon landfill will be operated by a private party who will assume all liability for the successful operation of the landfill, and the landfill will be designed and operated to meet or exceed all federal and state requirements. Solid waste operations will be contained within approximately 270 acres of the 1683-acre site. At least 1313 acres will be dedicated as permanent open space, creating a significant preserve for habitat and sensitive species.

Sydney J. Notkin

Sydney J. Notkin
1401 El Norte Parkway, #12
San Marcos, CA 92069

North County Times Editorial 3/31/2011

EDITORIAL

It's a very bad idea

The Gregory Canyon landfill project near Pala represents a curious and troubling exercise in democracy.

First, it is a terrible project.

Proposed for a location about three miles east of Interstate 15 on Highway 76, it would pile trash above the San Luis Rey River and the aquifer underneath it. It takes no more than common sense to understand that effluent should not be stacked over this watershed.

Its proponents claim that an 8-foot clay liner and a $100 million insurance policy guarantee against its failure. But forever is a long time, and that's effectively how long the protections are needed.

Yet, as recent events in Japan have proven once again, Mother Nature has a way of exceeding expectations.

Unfortunately, twice the landfill project has received a blessing of sorts from county voters. The first was in 1994, when its developers sidestepped the county's general land use authority by taking the project directly to the voters, who approved it in a confusing election.

OUR VIEW

We hope permitting agencies give strict scrutiny to Gregory Canyon landfill plan

Then, it avoided another death ray in 2004, when it successfully beat back an initiative to revoke the 1994 measure.

But the matter is not over.

A San Diego Superior Court ruled last year that the project's environmental review was incomplete and that an operating permit should not have been issued by the county Department of Environmental Health. That has pushed the project back in its permitting process.

In February, the Department of Environmental Health declared the permit application again to be complete, which would have triggered a review and decision by that agency by the end of April.

But an appeal by opponents has stalled the process, albeit only temporarily, on mostly technical grounds. If approved, that permit will move to the state Department of Resources, Recycling and Recovery for its review.

Even that isn't the end of the permitting.

Other agencies, including the Army Corps of Engineers, the state Fish and Game Department, and the San Diego Regional Water Quality Control Board, get a chance to review and ensure that the project meets their various criteria for approval.

Diocese of San Diego
Office For Apostolic Ministry

(3)

July 23, 1990

Supervisor Leon Williams, Chairman
San Diego Board of Supervisors
1600 Pacific Hiway
San Diego, California 92101

Dear Supervisor Williams:

In response to the request from Ruth Harber of the North County Coalition opposing the location of a landfill in Gregory Canyon, I would like to add my own concern.

After speaking with various religious leaders of the area, it seems clear that the site of the proposed landfill would violate the Indians Sacred Mountain and ancient "Medicine Rock".

In the spirit of solidarity with the Indian people of North County who wish to to preserve the integrity of their places, and who would consider the presence of the proposed landfill as a descration of the lands they hold sacred, I urge the Board of Supervisors to decide in favor of the native people of North County and against the proposed landfill siting.

Sincerely yours,

Daniel J. Dillabough

Rev. Msgr. Daniel J. Dillabough, STD, JCL
Chancellor

DJD/rs

faxed to 557-4025
7-24-90

Post Office Box 80428, San Diego, California 92138-0428 / Telephone (619) 574-6300

Union of American Hebrew Congregations

SERVING REFORM JUDAISM IN NORTH AMERICA

PATRON OF HEBREW UNION COLLEGE-JEWISH INSTITUTE OF RELIGION

6300 WILSHIRE BOULEVARD, SUITE 1730, LOS ANGELES, CA 90048-5216 (213) 653-9962 FAX (213) 653-9236

PACIFIC SOUTHWEST COUNCIL

Rabbi Lennard R. Thal
Director

Rabbi Janet Ross Marder
Associate Director

איחוד
ליהדות
מתקדמת
באמריקה

August 31, 1994

4

Ms. Ruth Harber
11132 San Antonio Way
Valley Center, CA 92082

Dear Ms. Harber,

Thank you for your letter requesting support in your struggle against the ballot measure designed to site a landfill at Gregory Canyon. Our Regional Director, Rabbi Thal, is out of the country for several weeks, but in his absence we want to reaffirm our movement's opposition to placing a garbage dump adjacent to the sacred land of Native Americans. For reasons of environmental justice as well as religious sensitivity, we want to add our voices to those of the Pala Band of Mission Indians in urging that the landfill not be located next to the wall of their holy mountain.

We want to wish you much success in bringing information about this unfortunate situation to the voters of San Diego County.

Sincerely,

Evely Laser Shlensky
President

Rabbi Janet R.Marder
Associate Director

UAHC
Chairman
Melvin Merians
President
Rabbi Alexander M. Schindler
COUNCIL OFFICERS 1993-1995
President
Evely Laser Shlensky
Vice Presidents
James Banks
Sherman Bendalin
Gail Littman
Colleen Rabin
Barbara Zeidman
Dr. Les Zendle
Representatives at Large
Barry Barman
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Union of American Hebrew Congregations

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PACIFIC SOUTHWEST COUNCIL

Rabbi Lennard R. Thal
Director

Rabbi Janet Ross Marder
Assistant Director

June 5, 1990

15

The North County Coalition, c/o
Mrs. Patricia Nelson, Chairman
Pala Band of Mission Indians
P.O. Box 43
Pala, CA. 92059

Dear Ms. Nelson:

I recently learned of the activity of your Coalition as a result of a letter sent by Ruth Harber to Rabbi Schindler who serves as President of the Union of American Hebrew Congregations. He asked me to respond to it since I serve as Regional Director for our national denomination in the Pacific Southwest Council.

I find it difficult to believe that the San Diego Board of Supervisors seriously would consider the placing of a landfill adjacent to an area sacred to the religious beliefs of Native Americans in your area. As part of a minority which has suffered throughout history at the hands of cruel tyrants, I have always been sensitive to the pain of other religious minorities, even if those causing the pain are not themselves tyrants or despots. My sense is that this proposal simply reflects a great deal of thoughtlessness rather than an intention to insult the Indians who regard the mountain to be sacred. Nonetheless, I wish to join with those who have uttered words of protest in the hope that the Board of Supervisors would be motivated to consider other more appropriate sites for the landfill in question.

Good luck in your effort.

Sincerely,

Lennard R. Thal

Rabbi Lennard R. Thal

LRT/mg

cc: Ms. Ruth Harber

UAHC
Chairman
Allan B. Goldman
President
Rabbi Alexander M. Schindler
COUNCIL OFFICERS 1989-1991
President
Joseph Baron
Vice Presidents
Jean Abarbanel
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Donald Lubin
Esther Saritzky
Evely Shlensky
Dr. Judith Sherman
Honorary Board Members
Maurice J. Klein
Paul Kodimer

Ruth Harber
11132 San Antonio Way
Valley Center, CA 92082-3126

THE PRESBYTERY OF SAN DIEGO
Presbyterian Church (U.S.A.)
8825 Aero Drive, Suite 220 • San Diego, CA 92123 • Phone (619) 279-1001

June 21, 1990

(6)

San Diego County Board of Supervisors
1600 Pacific Highway
San Diego, CA 92101

The Presbytery of San Diego has received a letter from a spokesperson for the Pala Indians expressing deep concern over the proposed landfill in north county on property adjacent to sites that are sacred to them.

After carefully reviewing this letter, an article in the San Diego Union, March 24, 1990, and personal testimony, the Social Concerns Committee recommended and the Presbytery of San Diego (representing the Presbyterian churches of San Diego and Imperial Valley) voted on June 19, 1990, that it was in sympathy with the Pala Indians objection to this landfill proposal. The environment and historical factors involved in this location are also important concerns.

We respectfully request that alternative sites be considered for this landfill as we feel it is essential to recognize the Pala Indians long-standing ties to this area and the reverence they have for the landmarks.

Thank you for your compassionate consideration of this request.

Sincerely,

Herbert N. Christ
Stated Clerk

HNC/dmf
c: Ruth Harber
Betty Hammock, Chair
Social Concerns Committee

Ruth Harber
11132 San Antonio Way
Valley Center, CA 92082-3126

Neil W. Brown
Executive Presbyter

Kenneth H. Hollenbaugh
Associate Executive
Support & Planning

Jill M. Martinez
Associate Executive
Mission

Mary Elva Smith
Associate Executive
Nurture

Herbert N. Christ
Stated Clerk

SAN DIEGO COUNTY
Ecumenical Conference
4075 Park Boulevard, P.O. Box 3628
San Diego, California 92103-0200 • (619) 296-4557

The Rev. Dennis L. Mikulanis, S.T.D.
President
The Rev. E. Vaughan Lyons
Executive Director

RECEIVED
JUN 25 1990
San Diego County
DEPT. OF PLANNING & LAND USE

JUN 20 3 49 PM '90

18 June 1990

Board of Supervisors
San Diego County
1600 Pacific Highway
San Diego, CA 92101.

To the Board of Supervisors,

The Emerging Issues Committee of the San Diego County Ecumenical Conference has directed that I write the Board of Supervisors of San Diego County regarding the proposed landfill for North San Diego County at Pala on the San Luis Rey River.

As you may know, the San Diego County Ecumenical Conference is an organization that is committed to the task of promoting and supporting efforts in Christian Unity. At present the Conference is an association of over one-hundred Catholic and Protestant churches representing nine different denominations within the County. The Emerging Issues Committee, one of the Conference's standing committees, acts as a forum for the various denominations as they address various social issues and to advocate social justice through Conference policy statements and the identification and recommendation of issues for judicatory consideration.

At its most recent meeting, June 12, the Committee voted unanimously that it go on record in opposition to the proposed landfill site. It is the sense of the Committee members that an alternative site must be found for the landfill, given the proximity of the proposed site to the Pala Band of Mission Indians' Reservation and, in particular, given that the wall at the proposed site would be adjacent to the slope of the Indians' Sacred Mountain. Surely, to develop a dump next to the Indians' Sacred Mountain, if not sacrilegious, is an affront to the traditions and culture of the Pala Band of Mission Indians. Accordingly, the Committee protests against the proposed landfill site.

Should you have any questions, please do not hesitate to contact me.

For peace and social justice,

David H. Johns

David H. Johns
Chair, Emerging Issues Committee

Ruth Harber
11132 San Antonio Way
Valley Center, CA 92082-3126

(DECEASED)

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Per Dr. Shipek, PhD - Anthropologist/Ethnologist who has done extensive research/writing on the Luisenos:

"Before the white man came, an Indian priest was in charge of that mountain. He lived right where the dump may be sited.

Nobody but a priest was allowed to live that close to the mountain. Somewhere in the valley (dumpsite) is the ground on which the people were purified.

To go the mountain top, you had to be purified in the valley (dumpsite)."

Florence Shipek, Ph.D. was a consultant retained by the County of San Diego to do the ethnographic study in the very first Environmental Impact Report on siting a landfill at Gregory Canyon which was published in 1990 and never certified because of environmental and religious problems. She is widely published and a recognized authority on the Luisenos and other Native American groups in the country.

Ms. Ruth Harber
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Death sentences in fatal kidnapping-for-ransom cases

By Matt Krasnowski
COPLEY NEWS SERVICE

LOS ANGELES — A federal judge yesterday ordered death sentences for two men who headed a kidnapping-for-ransom scheme in which five people were killed and their bodies dumped in a Northern California reservoir.

Lithuanian immigrant Jurijus Kadamovas, 40, and Iouri Mikhel, 41, a native of Russia, are the first people to have their executions ordered in Los Angeles federal court in more than 50 years. Last month, a jury quickly decided that death was the proper punishment for the pair.

"Justice is done," said Ruven Umansky, whose son Alexander, 35, was killed in the ransom scheme.

Mikhel and Kadamovas, who prosecutors alleged had Russian organized crime links, led a group that made a business out of abducting wealthy persons for cash. In late 2001 and early 2002, the group nabbed five victims — most of them Russian immigrants — from the Los Angeles area and demanded money from their families and associates, prosecutors said.

Besides Umansky, who owned a car audio business, the other victims were home builder Meyer Muscatel, 54, the only U.S. native; financial consultant Rita Pekler, 39; former banker George Safiev, 37; and his assistant in a movie company, Nick Kharabadze, 29.

The bodies of all five victims were dumped in the New Melones Reservoir near Yosemite National Park.

In some cases, Mikhel and Kadamovas continued to demand money after the victims had been killed. Prosecutors alleged that the group amassed $1.2 million in connection with three of the abductions.

Although not introduced in the trial, prosecutors had alleged that Mikhel and Kadamovas were involved in two abductions and slayings of two Russian businessmen in Cyprus and Turkey.

During Mikhel's hearing yesterday, U.S. District Judge Dickran Tevrizian said prosecutors not only proved that he was guilty "beyond a reasonable doubt, they proved it beyond all possible doubt."

Assistant U.S. Attorney Robert Dugdale called Mikhel a "uniquely dangerous man" who has repeatedly tried to break out of jail. It was also revealed that he attempted suicide three times behind bars.

Appeals of death sentences are automatic.

Another defendant charged in the scheme is on trial. Petro Krylov, 34, also faces the death penalty if convicted.

Court bars snow-making at sacred mountains

NEW YORK TIMES NEWS SERVICE

LOS ANGELES — A federal appeals panel yesterday blocked an Arizona ski resort's plan to make artificial snow by spraying treated wastewater on mountains that Indian tribes consider sacred.

In a unanimous ruling, a three-judge panel of the 9th U.S. Circuit Court of Appeals, in San Francisco, overturned a lower court ruling from January 2006 that would have allowed the Arizona Snowbowl resort to proceed with the snow-making and other upgrades on the San Francisco Peaks near Flagstaff.

Thirteen tribes, along with the Sierra Club and other environmentalists, had appealed the decision. They said using wastewater, no matter how clean, would offend deities and spiritually contaminate herbs and other plants used for medicine and religious ceremonies.

In the decision, Judge William A. Fletcher wrote that water purity was central to the Indians' practices and that the plan would violate the Religious Freedom and Restoration Act, which is intended to protect the free exercise of religion.

"To get some sense of equivalence, it may be useful to imagine the effect on Christian beliefs and practices — and the imposition that Christians would experience — if the government were to require that baptisms be carried out with 'reclaimed water,'" Fletcher wrote.

A resort spokesman had no comment yesterday. Earlier, resort officials said it will be difficult to keep the resort open without the snow-making. The resort in the Cococino National Forest struggles with dry weather. It opened late this winter for the third time in four years and closed Sunday in what is usually its busiest month, because of high temperatures and a lack of significant snowfall.

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IF SNOW CAN BE BARRED AT A SACRED SITE WHY WOULD GARBAGE BE ALLOWED ?

The San Diego Union-Tribune

Ruth Harber
11132 San Antonio Way
Valley Center, CA 92082-3126

Hwy 76 is becoming "Highway of Death"

Two fatality accidents occurred last week along a stretch of road along Hwy 76 that is starting to acquire a deadly reputation.

Several fatal accidents have occurred along this stretch in the last few months, some of them involving big rigs and closing the road down for half a day.

The section of road in question is just east of the intersection of Hwy 76 & Valley Center Road. Driving east it is a long downward slope with a deadly curve that many drivers fail to slow down for. Those that do slow down often leave behind in their wake the stench of brake liners.

On Aug. 9, about 5:10 a.m., a man from Indio was driving a 1989 Kenworth truck tractor with two semi-trailers westbound on Hwy 76 east of Valley Center Road.

He failed to negotiate a curve on the roadway due to his unsafe speed for conditions, according to the California Highway Patrol.

The Kenworth traveled off the north roadway edge and overturned, colliding with an AT&T telephone pole, severing the pole completely.

One of the flatbed semi-trailers detached from the Kenworth and traveled into a grove of orange trees.

The Kenworth and the other attached flatbed semi collided with a parked 1992 Ford Ranger pickup truck that was on the right dirt shoulder.

The occupants of the Ford were a father and son. They had stopped to add water to the car's radiator and had just got back in the Ford when they were hit by the Kenworth.

The father, Victor Chavez, of Escondido, was sitting in the driver's seat and his son, Marcos Chavez, 18, also of Escondido, was sitting in the right front passenger seat.

The driver of the Kenworth, Victor Gutierrez-Paz, 42, of Indio, sustained fatal injuries at the scene.

The occupants of the Ford sustained moderate injuries and were transported to Palomar Medical Center.

The road was closed for eight hours and traffic was detoured around on a winding, off-road route that ended them up on the Nate Harrison Grade.

The next fatal accident occurred Aug. 11, 1:10 p.m. on westbound Hwy 76, east of the South Grade of Palomar Mountain Road.

A 74-year-old Pauma man,

* DEATH cont'd page A7

* DEATH

Continued from page A1

John Charles Schlater, was driving a 2005 Chevy Colorado eastbound on S-6 at an undetermined speed.

Juan Ramon Chaj was driving a 2003 Toyota Tacoma westbound on Hwy 76 approaching the Chevy. The Chevy crossed over a double yellow line into the westbound lane and collided with the Toyota. Schlater sustained fatal injuries.

Ramona Chaj sustained major injuries and was taken to Palomar Medical Center.

According to the CHP a preliminary investigation indi-

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Ms. Ruth Harber
11132 San Antonio Way
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Luiseño Band

quoted in EIR response

11

January 12, 1990

To: Tom Oberbauer, Regional Planner

From: Gary Fink, EMS III ← Dept. of Planning & Land Use

Subject: North County Landfill Archaeological and Ethnographic Reports

At your request, I have reviewed the archaeological and ethnographic reports for the three North County landfill sites. The reports were received December 22, 1989.

Archaeological Report

The first version of this report was reviewed and a memo was prepared on July 27, 1989, with comments as to necessary revisions (copy attached). The current version is generally acceptable, with the exception of the following minor changes which need to be made.

1. Table 1-3 is missing (both archaeological and ethnographic reports).

2. On page 28 of the report, there is a reference to the historic chain of title research for site SDi-11,151H. Although a paragraph summary was provided, there is no chain of title in the document. Please provide.

3. Figure 6 on page 29 is lacking the location of the backhoe trenches.

4. Comments regarding the preservation plan for site SDi-4356 in Gregory Canyon will be provided below.

Ethnographic Report

This was the first staff review of the ethnographic study, received December 22, 1989.

1. The report is generally excellent; staff takes issue only with some of the statements made in regard to the extent to which the Native Americans controlled their environment. However,

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lacking documentation either for or against these statements (on pages 22 and 23), no revisions to this section are necessary.

2. Based on the research conducted, it appears that the Gregory Canyon site would result in SIGNIFICANT AND NOT MITIGABLE impacts to archaeological/ethnographic site SDi-4356. This site is known as Medicine Rock, and it would be indirectly impacted by the landfill at this location. In addition, the immediate surrounding area is considered by Native Americans as a sacred mountain, which was used both historically and currently. As it is discussed in the report, the mountain and surrounding area is considered to be potentially eligible for the State Inventory of Sacred Places, as provided in Section 5097.96 of the Public Resources Code. The report correctly identifies the level of significance.

Therefore, staff cannot support the placement of the landfill in this location. It would result in SIGNIFICANT AND NOT MITIGABLE impacts, both to the archaeological and ethnographic resources of the area. Although mitigation of impacts to archaeological site SDi-4356 may be possible, given more specific details in regard to the preservation plan alluded to in both the archaeological and ethnographic reports, impacts to the mountain cannot be mitigated if a landfill were to be placed in this location. Both archaeological and ethnographic impacts would be minimal at the alternative landfill sites, Aspen Road and Blue Canyon. Staff would suggest that the Gregory Canyon site be eliminated as a potential landfill location.

3. If the County pursues the Gregory Canyon site, then both archaeological and ethnographic reports need to provide more specific details in regard to the measures required to mitigate impacts. A preservation plan is mentioned; specific details need to be addressed now to ensure that the mitigation will alleviate potential impacts.

4. Mitigation of ethnographic impacts at the other landfill sites, Aspen Road and Blue Canyon, also needs to be expanded. Suggestions are made in the reports to allow Native American elders to examine and determine whether specific types of native plants can be transplanted. The enforceability of this option is questionable. Presumably, this could be done prior to use or reliance upon the permit; however, specific details would have to be addressed, and an agreement would have to be reached between the County and the affected Native Americans (in conjunction with State and Federal agencies) in regard to how this would be accomplished. This will require close coordination between all parties, and given the short time frame for this project, agreement may not be able to be reached immediately.

5. There is a reference to a revegetation program outlined in the Biological Technical Report, with suggestion made that impacts to Aspen Road and Blue Canyon may be mitigated in that manner. Staff has not had the opportunity to review the

revegetation plan to det[illegible]ne its feasibility for mitigation of ethnographic impacts.

6. Finally, reference is [illegible]de several times in the report to the previous RBR & Associates [illegible]port (1986). Details concerning the relevance of that study [illegible]he present report needs to be addressed, in addition t[illegible] summary of the results of the RBR study.

Please contact me at 694-[illegible]32 if you have any questions.

Gary R. Fink
EMS III

GRF:wc
cc: Jim Chagala, Chief, [illegible]rth Planning Area

grfd4:ncland.let

Ms. Ruth Harber
11132 San Antonio Way
Valley Center, CA 92082

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FBF

Enterprise

1

Gregory Canyon 90 days behind in loan payments

By Debbie Ramsey and Patty McCormac

While Gregory Canyon Ltd. obtained approval for a solid waste permit for the Gregory Canyon landfill on December 14, 2004, from the California Integrated Waste Management Board, it has been learned that the company is three months behind on their loan payment to La Jolla Loans.

In speaking with Jeff Lepore, a loan officer for La Jolla Loans, it was confirmed that if the company does default on the loan, the finance company would repossess the land.

"We're not worried," Lepore said. "There's a lot of equity out there." Lepore said he was under the impression that the canyon owners were in the process of arranging for an influx of money to the project.

Greg Maloni, vice president of Public Affairs for Gregory Canyon, said, "Gregory Canyon Ltd. will continue to meet all financial obligations as it has for the last decade. Since voter approval in 1994, Gregory Canyon Ltd. has spent approximately $20 million on development of the landfill and been subject to 10 years of extensive environmental review. The project is on schedule to begin construction in 2005 and the landfill could be operating early in 2006."

To begin operations on Gregory Canyon Dump — if/when financial matters are resolved — the company still needs to obtain approval and necessary permits from agencies that regular air pollution and water quality.

Supervisors send fire district consolidation to LAFCO

Ms. Ruth Harber
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(13)

1.1 General Background

San Diego County is projecting that existing landfill capacity in northern San Diego County is not adequate to serve the currently planned and expected growth in this region. This determination is based on the planned closure of the San Marcos Landfill in 1991, expanding population in northern portions of San Diego County, and the lack of future solid waste disposal facilities to serve this population. It is projected that new landfill facilities will be required in this area by as early as 1992. As a result, the County of San Diego assigned the Department of Public Works Solid Waste Division (DPW) the task of performing evaluations of potential landfill sites in 1987.

An initial study conducted for the DPW included an evaluation of 168 canyon sites in an area of 150 square miles northwest San Diego County. The first screening process involved "Pass/Fail" criteria developed by the County's consultant in conjunction with a technical advisory committee and the DPW. A total of 56 sites remained as possible landfill sites after the initial evaluation. An additional 19 sites evaluated in a 1986 study for the County were later added to this list. Two subsequent phases of the environmental screening process resulted in reducing the number of potential sites to six.

Of the six finalist sites, three were ultimately selected as finalist candidates for environmental analysis. Land acquisition issues were a major factor in selecting the Blue Canyon, Aspen Road, and Trujillo Canyon sites as finalist sites. In October, 1989, the County Board of Supervisors approved a recommendation to eliminate the Trujillo Canyon site from further consideration due to geologic and ground-water related problems. Although the Gregory Canyon site had been previously eliminated from consideration as a potential landfill site in early screening, additional studies provided to the County by WMNA and their consultant (G&M) resulted in inclusion of this site as one of the three finalist sites.

Grand Jury
COUNTY OF SAN DIEGO
1420 KETTNER BLVD., SUITE 310
SAN DIEGO, CALIFORNIA 92101-2432
(619) 236-2675

14

December 3, 1990

Honorable Judith McConnell
Presiding Judge of the Superior Court
County of San Diego
220 West Broadway
San Diego, California 92101-3875

RE: Grand Jury Report No. 3, "North County Landfill Sites"

Dear Judge McConnell:

Forwarded herewith is Grand Jury Report No. 3 as referenced above.

This investigation was conducted by the Environmental Management Committee of the Grand Jury within the authority granted under California Penal Code Section 925.

Very truly yours,

SAN DIEGO COUNTY GRAND JURY

RENO J. TESTOLIN, Foreman

RJT/jml

enc. (1)

SI-22

Ms. Ruth Harber
11132 San Antonio Way
Valley Center, CA 92082

NORTH COUNTY LANDFILL SITES
Report No. 3

A Report by the
1990-91 San Diego County Grand Jury
December 3, 1990

NORTH COUNTY LANDFILL SITES

AREA OF CONCERN

Citizens' concerns regarding three proposed North County landfill sites were presented to the 1989-90 San Diego County Grand Jury in March of 1990. Because of time limitation, the complaints were forwarded to the 1990-91 Grand Jury for its review.

DISCUSSION

San Diego's North County is reaching a crisis stage in grappling with the dilemma of disposing of the one million tons of trash that is generated annually in this area.

In 1985, the search for new landfill sites began. Three sites were selected for environmental impact reports: a 416-acre site along Aspen Road in Fallbrook, a 511-acre site at Blue Canyon northwest of Warner Springs and a 280-acre Gregory Canyon site near Pala.

Numerous (1400) complaint letters were received by the county concerning these proposed disposal sites. Objections to the location of the sites included: possible contamination of underground water sources, damage to wildlife habitat, dust and noise pollution created by truck traffic, and the endangerment of the mountain, rocks and caves having religious significance to Native Americans residing in one of the areas selected.

In studying this subject, Grand Jury representatives have:

1. met with county officials,
2. studied numerous Environmental Impact Reports and other documents,
3. visited landfill sites,
4. toured the Rainbow Transfer Station in Huntington Beach and the Materials Recovery Facility in Lemon Grove, and
5. met with concerned citizens.

1. The California Regional Water Quality Control Board San Diego Region stated in a letter of August 8, 1990, to the Board of Supervisors, "The Regional Board noted that the three proposed landfill sites: Aspen Road, Gregory Canyon and Blue Canyon are all located in important ground water basins."

2. The County Planning Commission rejected the three proposed landfill sites in September, 1990. It said that the environmental documents failed to address adequately the landfills' effect on ground water.

3. The Blue Canyon site, located on public lands within the Cleveland National Forest, is under the direction of the United States Bureau of Land Management (BLM). A BLM representative reported that Congress would have to sanction the release of this land to the County.

4. The Aspen Road site, located west of Rainbow Valley near the Riverside County line, is significantly impacted by nearby residential areas. The Aspen Road site is located in the Santa Margarita ground water basin which supplies water to the Camp Pendleton Marine Corp Base.

5. The California State Department of Fish and Game in a March 19, 1990, memorandum stated, "The Department is opposed to the use of the Gregory Canyon site as a landfill..." Its concerns lie with the endangered Least Bell's vireo and the possible damage to its nesting area.

6. An archaeological and ethnographic study from the County Department of Planning and Land Use dated January 12, 1990, reported, "...it appears that the Gregory Canyon site would

archaeological/ethnographic site SDi-4356." It stated further that, "...staff cannot support the placement of the landfill in this location.

7. On April 5, 1990, the BLM said, "The Bureau's position is not to endorse Gregory Canyon as a potential landfill site." This position considers the concern about the Native American religious values associated with the rock and adjacent mountain.

8. San Diego Gas & Electric Company has a steel tower transmission line in the Gregory Canyon site. A letter dated February, 1990, to the County of San Diego, stated that SDG&E estimated relocation of the line to cost between 8-10 million dollars.

9. Unstable boulders on the eastern side of the Gregory Canyon site would have to be secured in place or removed to mitigate a safety risk. This would involve considerable expense.

CONCLUSIONS

Landfill sites, by their very nature, are extremely controversial. Certainly, they contribute to noise and dust pollution with the constant truck traffic. However, while visiting the San Marcos landfill, the Committee observed no significant unpleasant odor or negative visual impact. Also observed were new homes being constructed adjacent to the landfill, with obvious knowledge that the landfill was a neighbor.

On a visit to the Rainbow Disposal Company in Huntington Beach, the Committee learned that this operation was able to

reclaim about 12% from the trash brought to them. This appeared to be a well run operation and was not an "eyesore" in the neighborhood.

In a subsequent visit to a Materials Recovery Facility (San Diego Recycling Company) in Lemon Grove, the Committee observed a different process. This operation depends on homeowners and businesses recycling their trash in different containers, which are picked up by specially designed trucks with four separate bins. Only recyclable material is brought to this facility. It is a very neat and efficient method for recycling.

Citizens should become involved and participate in trash reduction. It is imperative that all homeowners, office workers and apartment dwellers increase their efforts in recycling and reducing the quantity of trash.

RECOMMENDATIONS

The 1990-91 San Diego County Grand Jury recommends that the COUNTY BOARD OF SUPERVISORS:

#91/13: Authorize an additional landfill site selection survey in an attempt to find alternative sites not near or adjacent to major ground water sources.

#91/14: Make the landfill site selection a top priority item.

#91/15: Reject selection of the Gregory Canyon site.

#91/16: Authorize a number of Material Recovery Facilities in the North County Area.

SI-22

(15)

Gregory Canyon Fact Sheet

Gregory Canyon is a pristine undeveloped Canyon on the banks of the San Luis Rey River that is proposed to become a landfill for the next 30 years. Gregory Canyon Ltd., the landfill proponents, tried to get the site permitted as a landfill after buying it in the late 1980's but failed. The land use had to be approved using a deceptive countywide ballot initiative in 1994.

Reasons why this is an inappropriate site for a landfill:

- The Gregory Canyon Landfill is located on a fractured bedrock aquifer and threatens existing and future water supplies. There is 50 miles between the Gregory Canyon Landfill and the Pacific Ocean, and when the landfill liner leaks, it will contaminate drinking water for all downstream users.

- Surface water resources: Construction of the landfill will mean a loss of a tributary to the San Luis Rey River, threat of landslide, leachate spills from trucks, and contaminated storm runoff.

- The landfill is near three San Diego County Water Authority pipelines. To protect these pipelines Gregory Canyon Landfill must provide cement encasement or relocation of the pipelines which is extremely expensive. To date, Gregory Canyon Ltd. has not provided for protection of these pipelines.

- The landfill would be built on "Chokla" and near Medicine Rock, sites that are both sacred to Native Americans in Southern California. "Chokla" is one of the homes and resting places of Takwiic, an important spiritual figure to all Luiseño people. Medicine Rock is also the site of ceremonies and religious gatherings for people. Building a landfill at Gregory Canyon would destroy and desecrate "Chokla" and Medicine Rock, forever destroying a place of spiritual significance.

- Gregory Canyon landfill site fails 7 out of the 8 landfill siting criteria for the County of San Diego: It is located in a floodplain, it is 6 miles from the Lake Elsinore earthquake fault, it is an incompatible land use, there are at least 3 endangered species on the site, it is within 1,000 ft of an archeological site, it overlies the 56,000 ac-ft Pala Groundwater Basin, it is the sole source of water to the Pala Indian Reservation and the San Luis Rey Municipal Water District and three aqueducts are within 200 ft of the landfill.

- Gregory Canyon Ltd. currently has no way of obtaining the 73 million gallons of water a year that the project needs to start construction.

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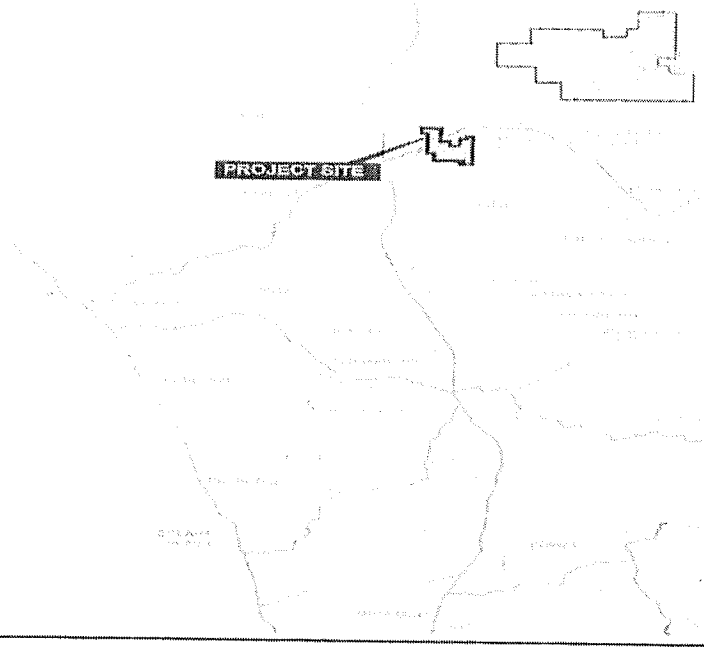
Gregory Canyon Ltd will need to get a permit for waste discharge requirements from the San Diego Regional Water Quality Control Board. It is imperative that all of the very precious existing and future local water supply be protected from any potential leakage from the Gregory Canyon Landfill. If a leak occurred at Gregory Canyon it would endanger public drinking water for hundreds of thousands of San Diego County residents.

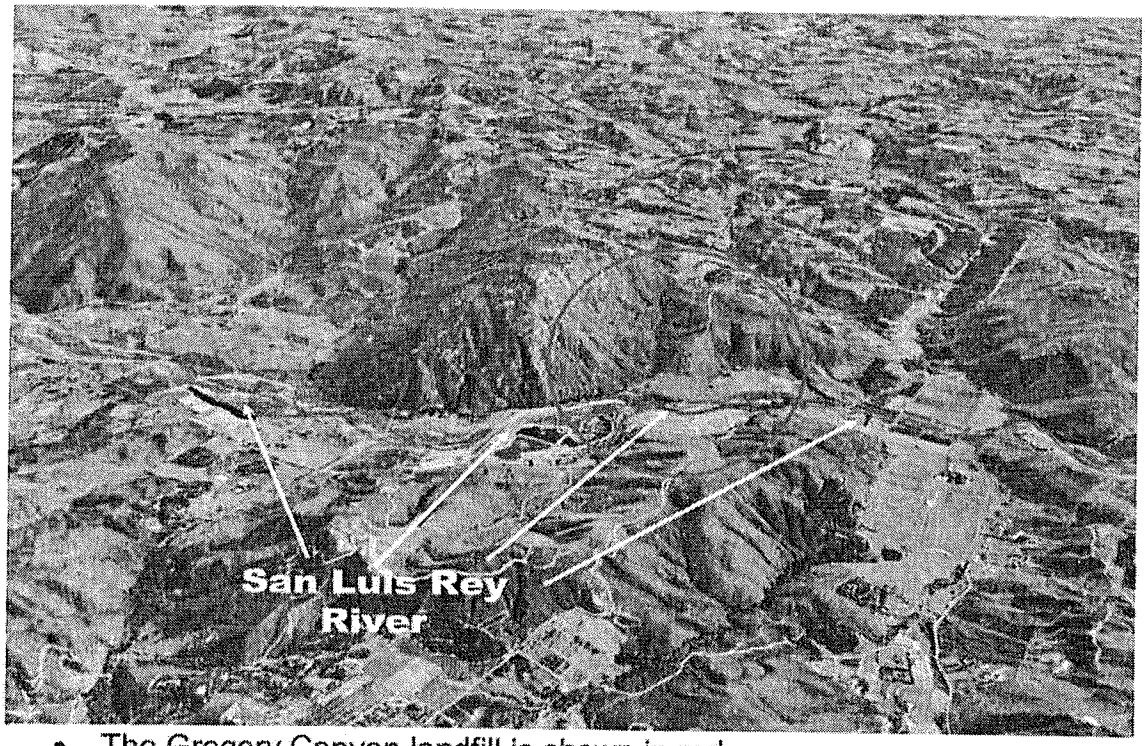
The Army Corps of Engineers (ACOE) has completed their determination of CWA geographic jurisdiction on the property. The (JD) identifies the location of "water of the United States." Under the Clean Water Act (CWA), discharges if dredged or fill material into waters of the United States require authorization from the ACOE through CWA section 404 permit. To provide comments to the ACOE regarding Gregory Canyon's permit please contact Therese O'Rourke at 760-602-4848 (therese.orourke@usace.army.mil). You can also sign up for the ACOE mailing list at: http://www.spl.usace.army.mil/regulatory/mailinglist.htm

We are asking for your support to get all permitting agencies to protect Tribal sacred sites and San Diego County's existing and future water supply by denying all permits for the Gregory Canyon Landfill.

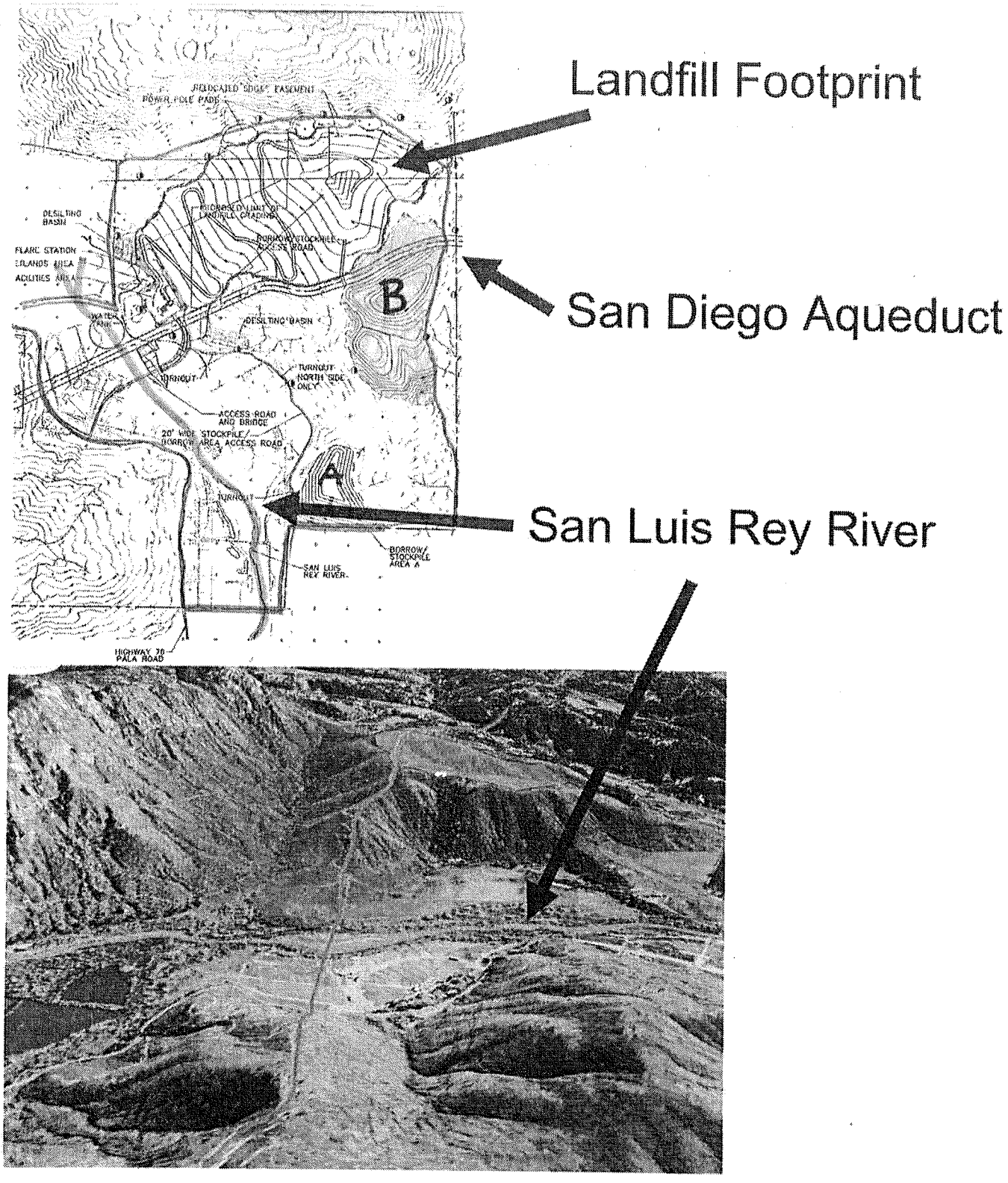
Please visit www.savegregorycanyon.org for more information.

PHOTOS OF THE PROPOSED GREGORY CANYON LANDFILL





- The Gregory Canyon landfill is shown in red.
- The San Luis Rey River is shown downstream from the landfill canyon
- The mountain on the left hand side is of the Canyon is called "Chokla" and is sacred to the Luiseño Indians



The proposed Gregory Canyon Landfill (red shade) and borrow pits (yellow) on the banks of the San Luis Rey River. The red line shows the CWA aqueducts' location running through the canyon and the river.

NATION

UT 3/23/2010 (16)

Safeguards on drinking water will be tightened

New EPA rules will target contaminants

ASSOCIATED PRESS AND
NEW YORK TIMES NEWS SERVICE

WASHINGTON — The Environmental Protection Agency is tightening drinking water standards to impose stricter limits on four contaminants that can cause cancer.

In a speech yesterday, EPA Administrator Lisa Jackson said the agency is developing stricter regulations for four chemical compounds: tetrachloroethylene, trichloroethylene, acrylamide and epichlorohydrin. The four compounds can cause cancer.

Trichloroethylene, also known as TCE, and tetrachloroethylene are used as industrial solvents and can seep into drinking water from contaminated groundwater or surface water. The other two compounds are impurities that can be introduced into drinking water during the treatment process.

Jackson said the EPA will issue new rules on TCE and tetrachloroethylene within the next year. Rules for the other two compounds will follow.

Jackson made the comments as she announced a new strategy to better protect public health from contaminants in drinking water. With budgets strained and threats emerging, the EPA, states and utilities need to foster innovation that can increase cost-effective measures to protect drinking water, Jackson said. "There are a range of chemicals that have become more prevalent in our products, our water and our bodies in the last 50 years," she said.

The new policies will probably force local water systems to use more effective cleaning technologies, but may raise water rates.

The new strategy would address contaminants as a group to improve efficiency; develop technologies to address health risks from a broad array of contaminants; use a combination of federal and state laws to protect drinking water; and form partnerships with states.

EPA's current approach to drinking water protection is focused on detailed assessments of individual contaminants and can take many years, Jackson said, resulting in "slow progress."

The announcements come amid growing complaints that systems across the nation are delivering tap water that poses health risks to residents. Government and other scientists have identified hundreds of chemicals that are linked to diseases in small concentrations and that are unregulated in drinking water, or policed at limits that still pose serious risks.

TCE is especially problematic. The compound was used to clean nuclear missiles and was frequently dumped at missile sites. Exposure to high concentrations of the chemical can cause nervous system problems, liver and lung damage, abnormal heartbeat, coma and death, according to the Department of Health and Human Services' Agency for Toxic Substances and Disease Registry.

The U.S. Army Corps of Engineers is identifying and cleaning up dozens of former nuclear missile sites in nine states, including one site in California.

Re MERCURY IN LIGHTBULBS

The light bulb goes off — sort of

In the name of conservation, California is correctly urging consumers to use energy-efficient compact fluorescent light bulbs, and leading the nation on an important environmentalist step.

But there's a problem: What to do with bulbs once they burn out? Fluorescent bulbs contain mercury, a highly toxic heavy metal.

Do not toss the bulbs into the garbage, lest they make their way to local dumps. But as most consumers have found, there is no easy way to dispose of them in an ecologically sound manner.

In too many areas, people must drive to the local landfills and other out-of-the-way sites to get rid of the bulbs. ...

A related problem is one of cost. Manufacturers don't want to add an extra charge for recycling, because that might discourage people from buying them.

Some hardware stores that once accepted them have ended the practice because they had to pay disposal costs of up to 50 cents per bulb.

Organizations including Californians Against Waste have been trying to find a solution. A new effort is under way this year, pushed by Sen. Alan Lowenthal, a Southern California Democrat.

Whatever the path, policymakers need to provide a convenient way of dumping old bulbs soon, or else the state will worsen one problem, mercury pollution, as it tries to alleviate another problem, overuse of electricity.

— *The Fresno Bee, April 14*

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NC Times 3/6/11

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LEAKING LANDFILLS

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SCS Services field technician Shannon Mahoney tests for methane gas at a gas well at the former San Marcos landfill site. HAYNE PALMOUR IV | hpalmour@nctimes.com

Seven former dumps are leaking contaminants

BY DEBORAH SULLIVAN BRENNAN | dbrennan@nctimes.com

Seven former North County dumps are leaking contaminants into surrounding groundwater as the decomposing remains of decades' worth of waste seep out of the unlined soil beds, water officials said in a series of recent interviews.

However, water quality officials said they know of no drinking water supplies in North County that have been contaminated by landfills.

NCT EXCLUSIVE

Because most residents receive piped water through the San Diego County Water Authority, "the risk to most county residents is very small or negligible, while local water supplies located in more rural areas may be at a somewhat elevated but unquantified level of risk," said John R. Odermatt, a senior engineering geologist for the California Regional Water Quality Control Board's San Diego region.

Since the seven landfills – in Bonsall, Valley Center, Poway, San Marcos, Oceanside and Carlsbad – closed more than a decade ago, an airport, parks, schools and homes have been built on or near the sites.

Officials said that while the former landfills are leaching chemicals known to cause cancer, reproductive harm and other health problems, all seven sites are tested regularly and the regional water board has ordered corrective measures to stop the seepage. Measures to extract hazardous gas and liquid from the sites have kept the contamination from spreading, they said.

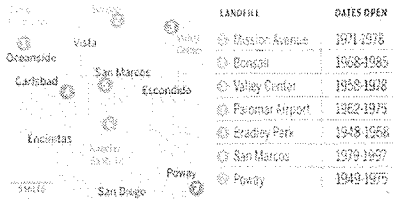
However, as county Supervisor Bill Horn and other officials push for more

See **Landfills, A5**

POSSIBLE HEALTH RISKS

- **Vinyl chloride:** Liver, brain and lung cancer; damage to nerves, skin, bones and blood vessels; possible reproductive damage
- **Tetrachloroethylene:** Kidney and liver damage; possible carcinogen; may cause reproductive damage
- **Trichloroethylene:** Kidney and liver damage, skin allergies; probable carcinogen
- **Benzene:** Leukemia, anemia; possible reproductive damage

LANDFILLS LEAKING CONTAMINANTS



LANDFILL	DATES OPEN
1 Mission Avenue	1971-1978
2 Bonsall	1968-1985
3 Valley Center	1958-1978
4 Palomar Airport	1962-1975
5 Bradley Park	1948-1958
6 San Marcos	1979-1997
7 Poway	1949-1975

Source: California Regional Water Quality Control Board, San Diego Region
NCTC/SL

Landfills

Continued from Page A1

reliance on groundwater sources as a hedge against limited water supplies, safe groundwater has become a pressing concern. And plans to build the Gregory Canyon Landfill on county land near the Pala Indian Reservation outside Fallbrook have focused attention on the long-term storage of trash, officials said.

A toxic mix

The landfills, built between the late 1940s and 1970s, preceded environmental rules that govern waste disposal today, and served as catch-all basins for a mix of routine trash and toxic chemicals.

"The hazardous-waste checks didn't start until the 1990s," said Michele Stress, a unit manager for the county Department of Public Works, which monitors and maintains the seven sites.

Residents and businesses are now required to discard hazardous materials at special sites, but landfills built before the '90s took in everything from yard clippings and food scraps to paint thinner, batteries, solvents, motor oil and dry-cleaning chemicals.

"Probably Jimmy Hoffa is buried in one of those things, producing methane," said Henry Cole, a Maryland-based environmental consultant, referring to the powerful Teamsters Union leader who disappeared under mysterious circumstances July 30, 1975.

Landfills that opened before the '90s also lacked bottom liners that modern landfills employ to keep pollution from seeping offsite.

"A lot of companies and businesses, big and small, in the post-World War II era up into the 1970s and 1980s routinely threw away really nasty stuff in landfills," said Jonathan Scott, a spokesman for Clean Water Action, a national environmental organization. "All landfills eventually leak over time, even modern ones with state-of-the-art liners and collection systems.

"But the older ones are really problematic because they don't have (liners), and because the stuff that went into them can be presumed to be really bad."

Stress said, however, that North County had little heavy industry during that period, so landfill contents likely contain more agricultural scraps than industrial waste.

Nonetheless, the brew of chemicals in the seven landfills is releasing methane gas from decomposing biological waste, along with volatile organic compounds — synthetic chemicals that evaporate easily and can pollute air and water supplies.

Recent monitoring tests at the former landfill sites in Poway and Bonsall and at McClellan-Palomar Airport in Carlsbad and Bradley Park in San Marcos showed that some pollutant levels exceeded state health limits.

Pollutants that registered levels above state limits included vinyl chloride, tetrachloroethylene, trichloroethylene and benzene. Those volatile organic compounds can cause liver, brain or lung cancer, anemia, skin allergies, bone and blood problems, liver and kidney damage and reproductive problems, according to the federal Agency for Toxic Substances and Disease Registry.

All seven landfills have registered some leaks of contaminants, however, and officials said that because those chemicals don't occur naturally, any leak exceeds standards set for those sites.

"Any volatile (organic compound) that's detected in groundwater is an indication of release from the landfills, which is a violation of their current discharge requirements," said Cheryl Prowell, a water resource control engineer for the regional water quality board.

Dealing with the dumps

As the dumps filled up from the late 1960s through the 1980s, the county covered them and found other uses for the sites.

Jefferson High School, Clair Bergener School and Mission Elementary School surround the former Mission Avenue landfill in Oceanside, water board documents show.

Bradley Park sits over a former county landfill in San Marcos, the Aerie Park equestrian facility operates on the site of the former Valley Center landfill, and Palomar Airport sits atop the former landfill in Carlsbad.

Rural homes and orchards have sprung up near the former Bonsall landfill, the San Elijo Hills neighborhood abuts the former San Marcos landfill, and homes surround the former Poway landfill, near the section of Poway Road between Espola Road and Highway 67 known as the Poway Grade.

In some instances, contaminated materials have risen to the surface.

A water board report on the Mission Avenue landfill in Oceanside noted that in 1978, the year the dump closed, there was not enough soil cover to prevent water from percolating through the waste. The report also noted that the closed landfill lacked erosion control and was polluting the San Luis Rey River.

"Bad smelling, dark leachate was flowing from several points in the landfill and mixing with the storm run-off flowing down the gully to the river," the report stated. "Paper, tires, tin cans and other debris were visible at least 2,000 feet beyond the base of the landfill."

In another document, the water board cited the county's concerns in 1996 about a fireworks display at Bradley Park in San Marcos, stating that the presence of methane gas at the site posed a risk of fire and explosion hazards.

That particular site has little or no gas emissions today, said Jason Forga, a senior civil engineer for the county.

A 2004 cleanup and abatement order for the Valley Center landfill stated that pollution from the site was seeping into the lower San Luis Rey River and surrounding areas.

To correct those problems, county officials have installed systems to remove contaminated water and built gas-extraction wells that suck methane and other harmful vapors from the landfills before burning them, Stress said.

At the former San Marcos landfill near San Elijo Hills, bright yellow wildflowers and other native brush grow atop a 5-foot layer of clay soil that contains the trash. A county contractor, SCS Engineers, manages gas emissions, operating a 24-hour flare that burns methane and volatile organic compounds before they reach the air or groundwater. Another company, Fortistar Methane Group, uses gas flares to generate power, which it sells to SDG&E.

Officials also inspect the topography above the landfills for places where contaminated water might be pooling, adding dirt as needed to prevent runoff, Forga said.

The county orders monthly gas checks and conducts semiannual tests for groundwater pollution, officials said, and spends $5 million a year on monitoring and maintenance of closed landfills and burn sites countywide.

Odermatt, the water board's senior engineering geologist, said it's unclear how long that will be the case, adding that the board does "not speculate on how long monitoring and maintenance may continue."

Leaky bathtubs

The corrective measures, including covering the top of the landfills, help control but don't actually contain the contamination, county officials said.

"You have to think of the landfill as kind of a leaky bathtub, particularly where the liner's on top," said Cole, the Maryland-based environmental consultant. "Usually, they're not well constructed. They tend to crack, they develop fissures, they get eroded. Water infiltrates constantly and picks up contamination."

Cole said the water pressure in landfills is usually higher than surrounding areas, and can force contaminated water into untainted wells. He also said that volatile chemicals can pose a problem known as "vapor intrusion," when chemicals evaporate from groundwater and contaminate the air in nearby homes.

In Bonsall, monitoring wells along the perimeter of the sites have shown elevated levels of three chemicals, including tetrachloroethylene, according to the water board's cleanup and abatement order for the site.

The chemical, which can cause kidney and liver damage, and may lead to cancer or reproductive harm, has also shown up in a private agricultural well in the area, Prowell said.

It could affect 34 other nearby wells, including seven domestic wells and a number of agriculture wells, she said.

The county has proposed improving drainage on the site to reduce moisture in the buried debris and prevent runoff.

Although officials said the threat to drinking water is low, that risk could rise if more communities tap into groundwater, as Supervisor Horn has suggested they do. In January, Horn convened a panel of water experts to talk about how the county should explore groundwater use in order to stretch the region's water supply in backcountry areas.

Local water district officials said their groundwater is limited or isolated from the former landfills. But Daniel Tartakovsky, a UC San Diego engineering professor who sat on Horn's water panel last month, said the county has been overly conservative in its groundwater estimate. Without studying areas site by site, Tartakovsky said, the county may have underestimated water sources.

The long-term safety of landfills also weighs heavily on the permitting process for the proposed Gregory Canyon Landfill outside Fallbrook. The landfill is proposed for 308 acres of undeveloped land near Pala, alongside the San Luis Rey River. The county Department of Environmental Health must decide whether to issue the permit by April 1.

At a meeting last month, speakers including Pala Band of Mission Indians Chairman Robert Smith, county Supervisor Pam Slater-Price and other officials said the project threatens habitat, water and air quality. No landfill liner is fail-safe, they argued.

Gregory Canyon Ltd. consultant Richard Pelago argued otherwise, saying the 8-foot-thick liner, composed of layers of gravel and synthetic material, would not leak.

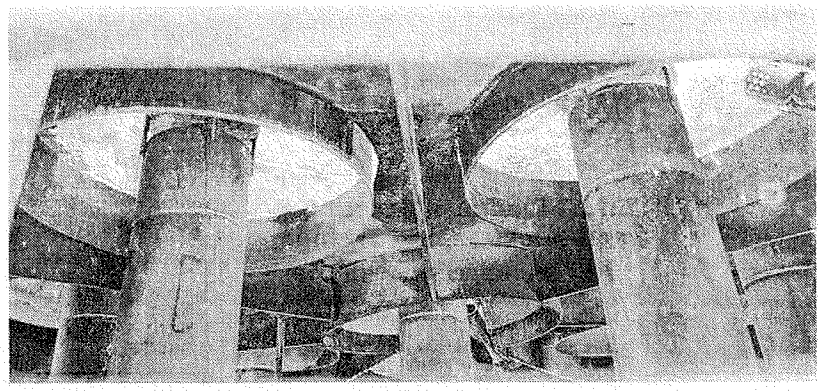
In addition to the five-layer composite liner, the company's website stated, landfill plans would include a system to collect and contain landfill liquids, and a groundwater treatment plant to protect water quality.

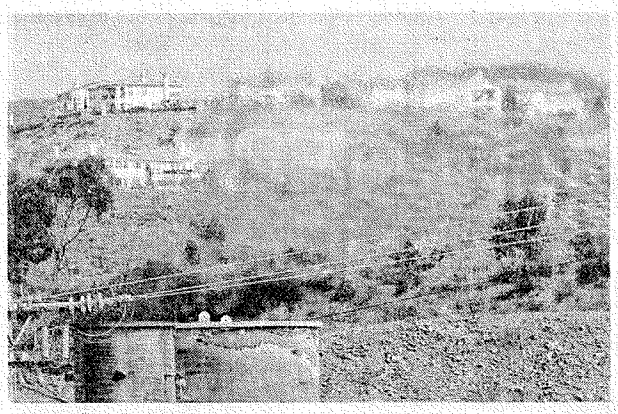
Odermatt said groundwater hazards posed by aging landfills have led to greater scrutiny of new landfill design.

"That's one reason we've been very critical, and are taking a very hard look at the proposed Gregory Canyon design," he said. "Because the people out there don't get piped-in water. They get water from wells, so we're really looking at that hard."

Stress, with the county Public Works Department, said the slow decay of past trash requires ongoing attention. She said the county expects to manage older landfills in perpetuity.

"This monitoring is long-term," Stress said. "It's going to be going on for years — we think forever. We're going to be doing this until the landfill is a dry tomb."





Above, methane gas burns inside a blower flare stack at the former San Marcos Landfill site. Left, heat rising from a flare stack distorts the view of homes in San Elijo Hills as methane gas, extracted from deep within the former landfill, is burned at a blower flare station in San Marcos on Thursday.

Photos by HAYNE PALMOUR IV | hpalmour@nctimes.com

Call staff writer Deborah Sullivan Brennan at 760-740-5420.

"Allowing the landfill to be built on the flanks of Chokla would be akin to building a trash dump around the walls of a cathedral." Shasta Gaughen • environmental director

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San Diego Union-Tribune
March 17, 2011

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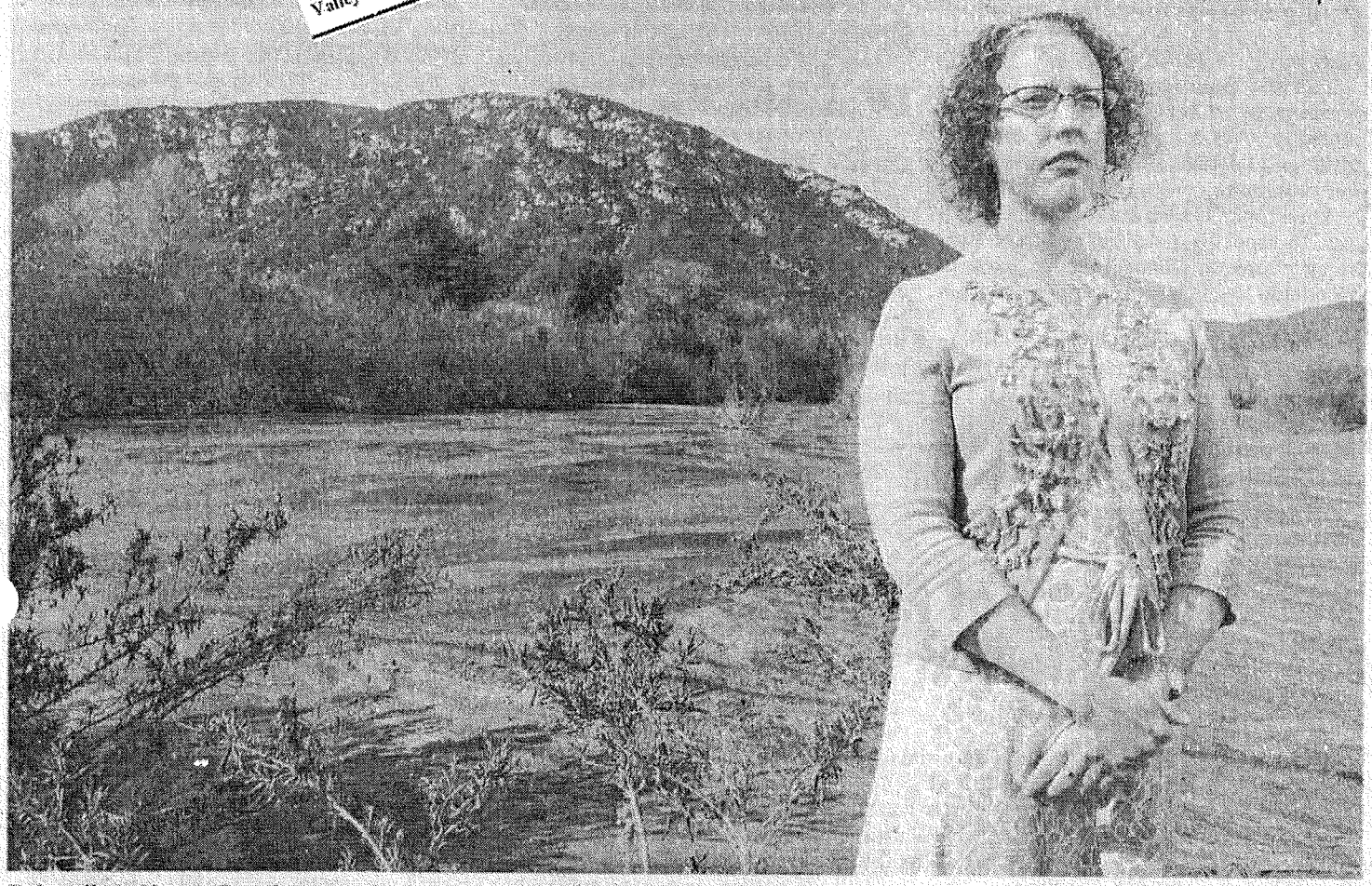

Pala tribe's Shasta Gaughen stands along the San Luis Rey River with Gregory Mountain in the distance. CHARLIE NEUMAN • U-T

DUMP, DEBATE & A SPIRIT

Pala official cites sacred nature of mountain next to planned landfill site as reason not to build it

J. HARRY JONES • U-T

Takwic is a balancing spirit. He can appear in human form, or as a ball of fire. One of his resting places is Gregory Mountain — right next to Gregory Canyon, where developers have tried for nearly 20 years to win permission to build a landfill.

You don't want to get Takwic mad, said Shasta Gaughen, environmental director and Tribal Historic Preservation Officer for the Pala Band of Mission Indians.

"Takwic gathers souls, so he can come and get you," she said. "This is from a cultural perspective, which is a fancy way of saying people do still believe this."

Ever since Gregory Canyon Ltd. announced plans to build a landfill off state Route 76 just west of the Pala reservation, the tribe has been fighting the developer. It has spent millions of dollars since 1993, yet the developer remains close to securing permits from a host of local and state agencies. A final permit from the federal government could be granted next year.

Other opponents include ecological groups and several North County cities that worry about environmental damage the landfill might cause to groundwater and the San Luis Rey River, which runs through the property.

But for Pala tribal members, it's the cultural aspects — the idea that a mountain they deem sacred would be desecrated by tons of garbage — that has them most upset.

"Allowing the landfill to be built on the flanks of Chokla (one of the mountain's other names) would be akin to building a trash dump around the walls of a cathedral," Gaughen told federal officials at a meeting last year.

Gregory Canyon Ltd. officials have been somewhat dismissive

SEE PALA • B4

PALA

With casino, hotel near, developer questions the tribe's motives

FROM B1

of the tribe's claims. They have implied that the tribe came up with the sacredness element only after the landfill plans were announced.

Gaughen said that's not true.

"We have written documentation of the sacred nature of the mountain and the surrounding area from anthropologists' accounts from the 1920s," she said. "And those accounts were taken from people who were very elderly at the time they gave those accounts."

Over the years, the developer also has questioned the tribe's motives, noting that to the east of the mountain sits a large hotel and casino.

Once Nancy Chase, a spokeswoman for the developer, said "Takwic would be appalled if he could look down from the mountain onto the casino," Gaughen recalled. "I nearly bled tears of rage when I read that because I'm so tired of correcting that misconception. The casino is not on sacred land."

On its website, Gregory Canyon Ltd. said the county's environmental report on the proposed landfill includes a detailed analysis of potential impacts on Indian culture and concludes that there are no objectively verifiable impacts.

"There are no physical archaeological resources of significance on the project site or at the top of Gregory Mountain, and no documented use of the top of Gregory Mountain for religious ceremonies for at least the past 70 years," according to the website. "Gregory Canyon respects the beliefs of Native American peoples, and the project has incorporated a variety of features to protect these cultural resources, even though they are subjective and cannot be verified."

Gaughen said while there are some grinding stones on the mountain and a rock a few hundred yards from the footprint of the landfill that has pictographs on it, the real importance of Gregory Mountain isn't something that can be easily quantified.

"Native ways of knowing and navigating the spiritual and sacred often leave no trace on the land," she said. "Yet the mark they leave on the cultural lives of the people is indelible."

Gaughen believes that in the end, the environmental concerns have the best chance of halting the landfill project. She said rarely in U.S. history do American Indians' cultural concerns stop big developments from happening.

Note:
The Pala Band of Mission Indians have opposed the dump for over 20 years long before there was even any thought of a Casino!

Ms. Ruth Harber
11132 San Antonio Way
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As told by Ruth Harber on 2/23/11 at Informational meeting

(20)

RUTH HARBER
11132 SAN ANTONIO WAY
VALLEY CENTER, CA 92082

February 23, 2011

Re: COUNTY OF SAN DIEGO
SOLID WASTE LOCAL ENFORCEMENT AGENCY (LEA)
Date of Notice: February 11, 2011
NOTICE OF FULL SOLID WASTE FACILITY PERMIT
FOR GREGORY CANYON LANDFILL

Gentlemen:

I have a sneaking suspicion that this is an exercise in futility and that your department has already decided to issue the Solid Waste Permit to Gregory Canyon Ltd. whose goal is to destroy the canyon and the environment.

Will you, as you did in the past, invoke "Overriding Considerations"?

What are they:

That there's a need for a dump in the North County – BUNK.

That the developers are in a bind because their investors are breathing down their necks for nearly 20 years of investments that have not produced one cent of revenue?

What exactly are the Overriding Considerations? What were they when Gary Erbeck, your previous director, invoked them

Here's an article from the North County Times February 6th "Seeking Water, water everywhere". Maybe you don't know or don't care that there is a real CRISIS in Southern California when it comes to water – any permit to open a dump at the San Luis Rey watershed will endanger our water supply for decades to come.

arber
2 - 2/23/11

I have here one of the new fangled light bulbs Congress orders us to use – did you know that they are full of mercury? Did you know that mercury will poison water? Even though the directives are for spent bulbs to be deposited in special containers at hardware stores, are you so naïve that you don't realize these will be tossed in the trash? These will be crushed by heavy garbage trucks and eventually find their way into our water supply. Liners do disintegrate after a while. We may not be poisoned now but our children and grandchildren will be.

Question: The Dept. of Environmental Health – a county agency – is in charge. But, the Lead Agency is a state agency. Correct? So, why (according to your lenghty Questions and Answers report) does the LEA work with County Counsel? Shouldn't it be a State Counsel? And who pays for Counsel's time? The people of San Diego County. Something is not right here.

This is a sample of a garbage dump liner. Large pieces are fused together. The manufacturers do not guarantee them. At the risk of running into problem here, I will make a little demonstration. The liner – a match – a needle.... It goes in like in butter. Anything sharp will cut the liner.

I was not able to say this. My time was up.

Is everyone so crazy that they would allow the destruction and rape of the Gregory Canyon and poisoning of our water?

Ruth Harber

Ruth Harber
RiverWatch

(online in LA Times) July 10, 2010

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latimes.com

The Gregory Canyon landfill plans should be dumped

There are so many problems with the proposed project that it should have been abandoned long ago.

Pam Slater-Price
July 10, 2010

Imagine arriving at your church only to find it filled to its rafters with garbage. Imagine being one of hundreds of thousands of people who depend on an aquifer for drinking water as out-of-town interests hatch plans to bury more than 30 million tons of trash on top of it.

Imagine a land-use debate that spans more than two decades, with dogged speculators pushing for a trash dump despite evidence that the spot they've picked is fatally flawed.

Welcome to Gregory Canyon in north San Diego County.

The Times' July 5 story, "San Diego County tribe says proposed landfill would be too close to sacred site," touches on the outrage felt among members of the Pala band of Mission Indians about a private developer's proposal to build a 1,770-acre landfill in a sparsely populated, unincorporated part of the county.

And why shouldn't they be angry? For the Pala Indians, Medicine Rock near the Gregory Canyon site is a holy place where rite-of-passage ceremonies are held and where Native Americans make contact with spiritual ancestors. Joining the Pala tribe in formal opposition are 18 other federally recognized tribes in Southern California. They are understandably incensed.

In addition to trampling on Native American heritage, the landfill threatens to spoil a rare local source of potable water — the San Luis Rey River and its underlying aquifer, which feeds dozens of household and agricultural wells and is blended into the city of Oceanside's tap water.

Proponents of the landfill say a modern liner would keep toxic liquid from leaching into the groundwater. Authorities, including the U.S. Environmental Protection Agency, insist there's no such thing as a fail-safe landfill liner.

The San Diego County Farm Bureau, on behalf of growers who tap the aquifer, has issued its own letter of concern. The cities of Oceanside, Carlsbad, Solana Beach and Del Mar have all adopted resolutions opposing the landfill.

The dump also would threaten our access to imported water. One of San Diego County Water Authority's massive aqueducts flanks the landfill site. The agency, which ensures water reliability for the region, has published its

own letter of strong concern over the landfill.
Ironically, water for the landfill's construction and operations also would be imported — by truck from a vendor in Los Angeles.
Landfill backers say we're running out of landfill space. That's just not true. Waste diversion and recycling rates are at an all-time high, and technology enables us to use existing landfill space more efficiently.
Last month, voters approved zoning for a landfill at the opposite end of the county, in an area where environmental impacts would be far less significant.
Proponents remind us that Gregory Canyon appears on a government list of potential landfill sites but ignore the fact that Gregory Canyon was at the bottom of the list because it failed seven of eight requirements for suitability.
After 20 years of trying, Gregory Canyon Ltd. could fill a dump truck with the $40 million it has spent to advance its plans.
Recently, a Superior Court judge invalidated a key permit for the landfill. This summer, the Army Corps of Engineers launched what will be an exhaustive environmental review of the proposal. In May, more than 300 people packed a hearing room to tell the Corps how strongly they opposed the landfill.
More hearings are certain, and so is a rehashing of the objections raised by environmental groups such as the Sierra Club, RiverWatch, the Natural Resources Defense Council, the Surfrider Foundation and San Diego Coastkeeper.
Regardless, Gregory Canyon Ltd., with dump trucks full of money, will continue to plow ahead with plans that should have been trashed long, long ago.
Pam Slater-Price is chairwoman of the San Diego County Board of Supervisors.

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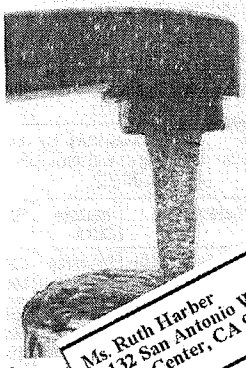
1991: The Metropolitan Water District supplied **95 percent** of the water used in San Diego County.

2011: MWD will supply **48 percent**

The Water Authority plans to get **23 percent** of its supply from MWD by **2020**

As the San Diego County Water Authority has shrunk the proportion of water it gets from the Metropolitan Water District, other sources have made up the difference.

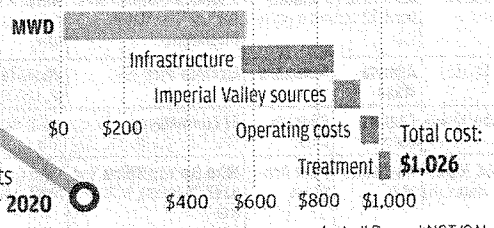
SOURCE		2020
Imperial Irrigation District transfer	13%	22%
Conservation	12%	17%
Seawater desalination	0%	10%
All American & Coachella canal lining	14%	9%
Local surface water	5%	7%
Recycled water	5%	6%
Groundwater	3%	6%



Source: S... Authority

WATER COSTS

MWD is not only the largest supplier, it also takes up more than half of the cost of each acre-foot of water the Water Authority treats.



Andrell Bower | NCT/CAL

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Seeking water, water everywhere

Officials have been on a two-decade quest for reliable H2O

BY BRADLEY J. FIKES
bfikes@nctimes.com

"We said, 'We'll never let this happen again.' That sentiment still is strong on the board: Never again."

JAMES BOND
San Diego County Water Authority board member

San Diego County brushed up against disaster in the drought winter of 1991. Its only supplier of imported water, Metropolitan Water District, imposed a 50 percent cut in the water it would provide.

Since Metropolitan supplied 95 percent of the county's water, that meant the county would lose half its water. Cuts of that magnitude would have caused a public uproar, not to mention massive business shutdowns.

Over the last 20 years, the San Diego County Water Authority, the county's water wholesaler, has achieved some impressive successes in developing a more reliable water supply. This includes conservation, which it counts as a new supply. But major challenges remain, and the county could still face water crises in the near future.

A lack of reliable water is far worse for business than other challenges, such as congested roads and airports, said Duane Roth, CEO of Connect, a San Diego-based nonprofit that supports technology innovation.

"You won't leave town over them," Roth said of those leave town over is not being able to get power or water."

The nascent biotech industry would have been especially damaged, said Roth, himself a biotech veteran who pleaded with local officials in 1991 to save biotech from the worst of the cuts.

The county's economy was rescued nearly at the last minute by downpours across the state that replenished reservoirs, an event known as "Miracle March."

Frightened by their narrow escape, business leaders and the San Diego County Water Authority, the county's water wholesaler, worked to engineer their own reliable water supply, independent of Metropolitan.

"We said, 'We'll never let this happen again,'" said James Bond, a long-time Water Authority board member from the San Dieguito Water District still is strong on the board: Never again."

Diversifying supply

The authority has reduced the proportion of water it buys from Metropolitan from 95 percent to about 50 percent. The rest of the county's water comes from a mix of sources, such as the Imperial Valley.

Under the Imperial Valley plan, the authority pays for installation of water-saving equipment for farmers in the Imperial Irrigation District, freeing water to be sent to San Diego. Under another agreement, the authority paid to line the All-American and Coachella canals for the same purpose.

The Imperial Irrigation District deal provides 13 percent of the water consumed in the county. The canal-lining proj-

Continued from Page D1

ect provides 14 percent of the water. They are part of a package of 35 contracts involving the state and federal government, called the Quantification Settlement Agreement.

The QSA took effect in 2003, and provides for water transfers for up to 75 years. The amounts ramp up over the first 19 years, from 10,000 acre-feet to 200,000 acre-feet. An acre-foot is about 326,000 gallons, a year's supply for two average single-home families of four.

By 2020, the authority calculates, it will get just 23 percent of its water from Metropolitan, which will still be its largest single supplier. By then, the authority expects a seawater desalination plant planned for Carlsbad to be providing 10 percent of the county's water.

The authority has also added reservoir space, providing a bigger margin of safety when droughts or disasters interrupt the supply of imported water. The authority's Emergency Storage Project, now nearing completion, will give the county enough capacity to supply its water needs for six months.

Metropolitan is still very much a part of the authority's plans, said Maureen Stapleton, the authority's general manager since 1995.

Metropolitan not only provides water, it has also spent billions on Lake, a reservoir near Hemet in Riverside County. It's intended mainly as a backup supply for San Diego County.

The $2.1 billion reservoir has a capacity of 800,000 acre-feet, enough to supply the county for more than a year. It's now 84 percent full.

Paying a price

However, water bills are skyrocketing, partly because of the massive infrastructure projects done by the authority and Metropolitan.

The authority's price for treated water has tripled since 1991, from $323 to $1,026 per acre-foot. Metropolitan, which buys water from Northern California and Colorado River sources, has also seen its bills increase.

And the authority is embroiled in two lawsuits, one over its Imperial Valley sources and the other over Metropolitan's charges for transporting water, which the authority says is unfairly high.

A pretrial meeting is scheduled this month in the Metropolitan lawsuit.

Losing either lawsuit would significantly hurt the authority's ability to reliably provide water at an affordable price, Stapleton said.

Besides the legal, engineering and financial challenges, the authority also faced internal dissent, pitting the city of San Diego against North County water districts, including Escondido, the Vallecitos Water

The North County districts objected to the plan to import water from Imperial Valley, a plan strongly supported by the city of San Diego.

"They felt we were moving forward with something that was very expensive, and it was unnecessary because Metropolitan would take care of us," said Bond, the authority board member from Encinitas, who is also the city's mayor.

The North County delegates also objected to what they said was excessive control of the board by San Diego.

A new weighted formula imposed in 1996 gave San Diego 48 percent of the authority's votes, virtually guaranteeing the city could impose its wishes on the authority.

In December 1996, North County board members walked out of an authority meeting in protest of San Diego's dominance. A North County Times editorial at the time called the city of San Diego a "water bully."

A compromise in July 2007 repaired the rift. The voting formula was altered to reduce San Diego's control, and the authority embarked on its ultimately successful quest to import water from Imperial Valley farmers.

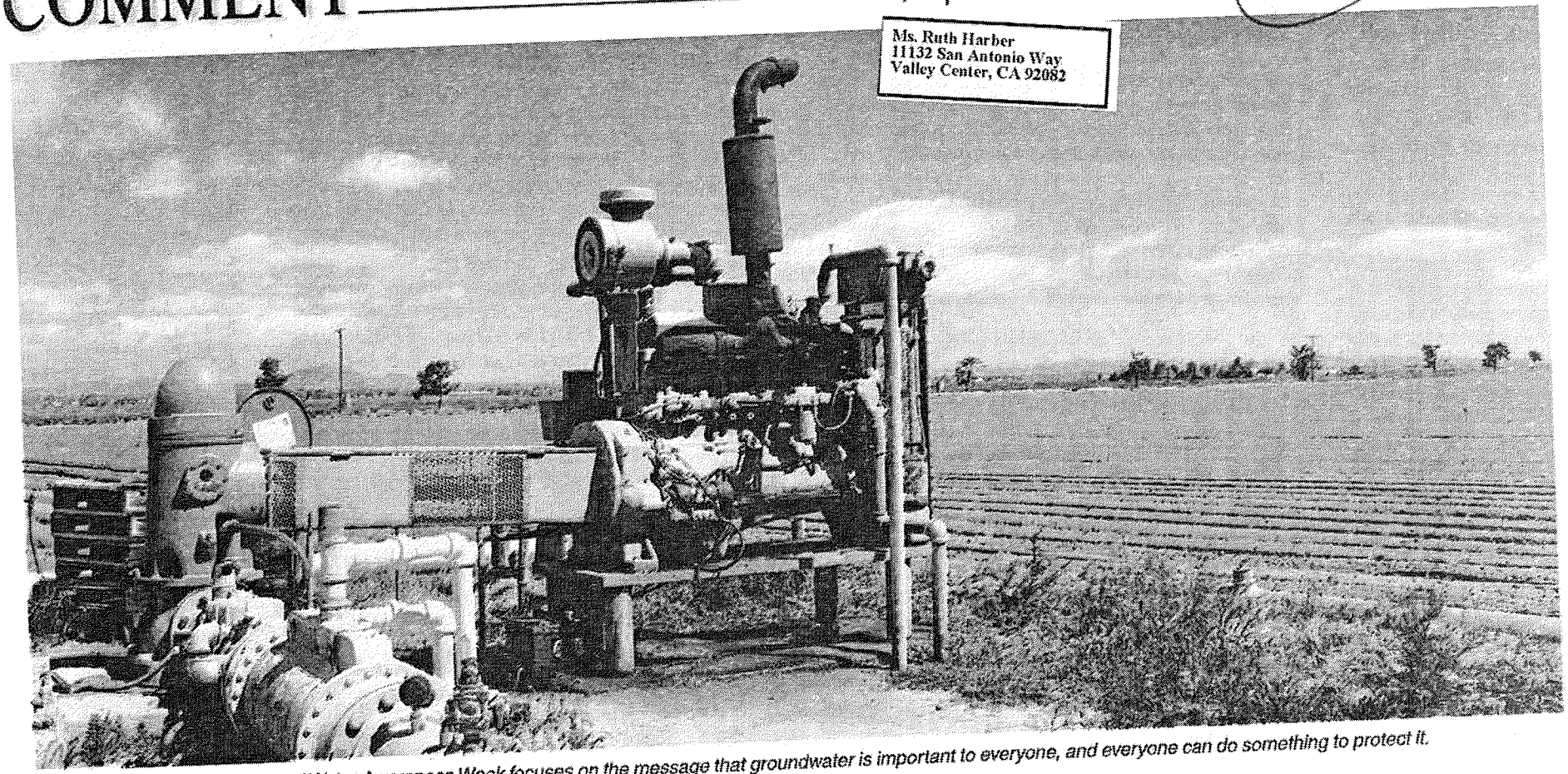
"Now I'm happy to report, I believe almost to a district, everybody is saying, boy, it was a good idea to do this transfer," Bond said.

Call staff writer Bradley J. Fikes at 760-739-6641.

COMMENT

Farm Bureau Publication AG Alert
3/9/2011
E-3

Ms. Ruth Harber
11132 San Antonio Way
Valley Center, CA 92082



The 2011 observance of Ground Water Awareness Week focuses on the message that groundwater is important to everyone, and everyone can do something to protect it.

Farmers know importance of protecting groundwater

By John Hart

John Hart

Americans have every confidence that clean, clear water will flow from the tap when they turn on the faucet in the morning, just as they have every confidence that the sun will come out tomorrow.

We Americans tend to take our water resources for granted. We often fail to appreciate the stewardship required to ensure a safe water supply. One group that never fails to understand the vital importance of water stewardship is America's farmers and ranchers. They take their roles as protectors of Earth's precious resources seriously. And they are responsible in knowing that their actions have the power to impact the water used by everyone.

In knowing what not to do, farmers and ranchers also are aware of what to do to protect and enhance water quality. When you consider that farmers and ranchers themselves depend on a clean and safe water supply each and every day, for their families, crops and animals, it further explains their motivation to strive for water protection, each and every day. Water is the lifeblood of agriculture.

Farmers and ranchers rely on groundwater for much of their production needs, while 96 percent of rural Americans depend on groundwater for their water supply. Irrigation accounts for the largest use of groundwater in the United States. Some 58 billion gallons of groundwater are used daily for agricultural irrigation from more than 374,000 wells.

Farmers all across America rely on groundwater for their livelihoods. That's why Farm Bureau supports National Ground Water Awareness Week every year. This year's Ground Water Awareness Week continues through March 12. The core message of this year's observance: Groundwater is important to every person, and there is something every person can do to be a good groundwater steward.

"One group that never fails to understand the vital importance of water stewardship is America's farmers and ranchers."

The National Ground Water Association uses National Ground Water Awareness Week to educate Americans about how issues such as water well flooding, abandoned water wells, naturally occurring contamination and poor well maintenance can affect water quality.

America's farm and ranch families know that their success depends on protecting the groundwater they and others rely on every day. That's why they take steps t manage crop protection products and nutrients level. It's why they regularly maintain their w and septic systems and properly decommission wells that can impact the groundwater that serv supplies for others.

Urban and suburban residents must also tal protect groundwater because heavily populated sume huge amounts of groundwater though pu systems. Just as farmers and ranchers work hard America's water supply, those who live and wor and cities must be dedicated groundwater prote

The National Ground Water Association has t es to help people protect groundwater. Its Grou Awareness Week webpage provides action steps two categories: groundwater protection and gr conservation; you can find the page at www. public/awarenessweek/index.aspx. Well owners more about groundwater stewardship at anoth website, www.wellowner.org. This site contains ful information about groundwater protection water testing and treatment.

Water that is "colorless, odorless and tasteles happen by accident. It requires good stewardship, a responsibility we all share before it reaches th

(John Hart is director of news services for the Farm Bureau Federation in Washington, D.C.)

Henderson, Jim

From: Henderson, Jim on behalf of LUEG, DEHComments
Sent: Thursday, February 17, 2011 7:47 AM
To: 'jeankaiwi@gmail.com'
Subject: RE: Solid Waste Facility Permit for Gregory Canyon Landfill

Thank you for your response. Your comment has been received.

Jim Henderson
County of San Diego
Department of Environmental Health
Local Enforcement Agency
5500 Overland Ave, Suite 110 MS 0560
San Diego, CA 92123
(858) 694-3607

-----Original Message-----
From: jackii [mailto:jeankaiwi@gmail.com]
Sent: Thursday, February 17, 2011 6:17 AM
To: LUEG, DEHComments
Subject: Solid Waste Facility Permit for Gregory Canyon Landfill

Jim Henderson
County of San Diego Local Enforcement Agency
5500 Overland Drive, Suite 110
San Diego, CA 92123
<DEHComments@sdcounty.ca.gov>
RE: Solid Waste Facility Permit for Gregory Canyon Landfill

I am writing to urge denial of the requested permit. The proposed landfill would threaten vital drinking water sources for the region. We have grave concerns about the landfill's potential to leak toxic pollutants into these critical groundwater supplies.

This site is unsuitable for a landfill - the County itself rejected the location because it failed seven out of eight siting criteria. It is impossible to engineer the site to make it safe for a landfill.

This landfill is not needed. Waste diversion and recycling rates in the County are at an all-time high, and disposal rates have decreased dramatically in recent years. The County has no need for any new landfills at this time, much less one that would destroy critical water resources.

Sincerely,
Jean Kaiwi

Henderson, Jim

From: Henderson, Jim on behalf of LUEG, DEHComments
Sent: Monday, February 14, 2011 3:33 PM
To: 'jamie p'
Subject: RE: Solid Waste Facility Permit for Gregory Canyon Landfill

Thank you for your response. Your comment has been received.

Jim Henderson
County of San Diego
Department of Environmental Health
Local Enforcement Agency
5500 Overland Ave, Suite 110 MS O560
San Diego, CA 92123
(858) 694-3607

From: jamie p [mailto:jsp2140@gmail.com]
Sent: Monday, February 14, 2011 12:17 PM
To: LUEG, DEHComments
Subject: Re: Solid Waste Facility Permit for Gregory Canyon Landfill

I am writing to urge denial of the requested permit. The proposed landfill would threaten vital drinking water sources for the region. We have grave concerns about the landfill's potential to leak toxic pollutants into these critical groundwater supplies.

This site is unsuitable for a landfill – the County itself rejected the location because it failed seven out of eight siting criteria. It is impossible to engineer the site to make it safe for a landfill.

This landfill is not needed. Waste diversion and recycling rates in the County are at an all-time high, and disposal rates have decreased dramatically in recent years. The County has no need for any new landfills at this time, much less one that would destroy critical water resources.

Sincerely,

Jamie

Henderson, Jim

From: Henderson, Jim on behalf of LUEG, DEHComments
Sent: Tuesday, April 05, 2011 8:23 AM
To: 'Glennis Jones'
Subject: RE: Gregory Canyon

Thank you for your response. Your comment has been received.

Jim Henderson
County of San Diego
Department of Environmental Health
Local Enforcement Agency
5500 Overland Ave, Suite 110 MS O560
San Diego, CA 92123
(858) 694-3607

From: Glennis Jones [mailto:glennis@ltol.com]
Sent: Saturday, April 02, 2011 11:58 AM
To: LUEG, DEHComments
Subject: Gregory Canyon

It is time to stop the obstructionist activities of casino funded special interests. Gregory Canyon's state of the art technology mitigates challenges to the environment far better than thousands of truck trips taking county trash to distant locations, fueled by every more expensive fossil fuels.

In addition, Gregory Canyon is developing a renewable energy source for San Diego County, not the least of which is to be able to provide fuel for trucks using the facility.

Glennis Jones

Henderson, Jim

From: Henderson, Jim on behalf of LUEG, DEHComments
Sent: Friday, February 18, 2011 6:29 PM
To: 'Michael Karp'
Subject: RE: Deny the Gregory Canyon Landfill Project

Thank you for your response. Your comment has been received.

Jim Henderson
County of San Diego
Department of Environmental Health
Local Enforcement Agency
5500 Overland Ave, Suite 110 MS O560
San Diego, CA 92123
(858) 694-3607

From: Michael Karp [mailto:mkarp_845@yahoo.com]
Sent: Friday, February 18, 2011 10:36 AM
To: LUEG, DEHComments
Subject: Deny the Gregory Canyon Landfill Project

Michael Karp

12115 Mesa Verde Drive

Valley Center, CA 92082

February 18, 2011

Jim Henderson

DEHComments@sdcounty.ca.gov

County of San Diego Local Enforcement Agency

5500 Overland Drive, Suite 110

San Diego, CA 92123

Concerning: Denying the Gregory Canyon Landfill Project

Dear Mr. Henderson and Public Decision Makers,

I am a new citizen of Valley Center, arriving in September, 2010. I relocated here to enjoy the peace and safety of a relatively pristine area. The Gregory Canyon Landfill Project would likely endanger both peace and safety.

First of all, I understand that the landfill would be close to the San Louis Rey River. I have my concerns that a plastic liner will keep toxic waste from leaking into the drinking water as well as separated from the wonderful wildlife that we have in the area. Then I am concerned with the impact of the many garbage trucks in the area. They would likely affect the safety and aesthetics here. I pause to wonder how much an effect they might have upon the many people who travel to and from the Indian Gaming resorts as well. In that way, this location for a landfill could affect the area economically.

I also understand that previous environmental reports have already detailed the devastating impacts that trucking and dumping huge amounts of trash into this sensitive area would have. Why is the current report so different from the previous ones?

I urge you to deny the Gregory Canyon Landfill Project.

Sincerely,

Michael Karp

Henderson, Jim

From: Henderson, Jim on behalf of LUEG, DEHComments
Sent: Wednesday, February 23, 2011 2:10 PM
To: 'Ed Kimura'
Subject: RE: Gregory Canyon SWFP

Thank you for your response. Your comment has been received.

Jim Henderson
County of San Diego
Department of Environmental Health
Local Enforcement Agency
5500 Overland Ave, Suite 110 MS O560
San Diego, CA 92123
(858) 694-3607

From: Ed Kimura [mailto:emkimura@earthlink.net]
Sent: Wednesday, February 23, 2011 9:57 AM
To: LUEG, DEHComments
Subject: Gregory Canyon SWFP

To Mr., Jim Henderson
County of San Diego Local Enforcement Agency

Attached are my comments on the Gregory Canyon Solid Waste Faculty Permit

Edward Kimura

Henderson, Jim

From: Henderson, Jim on behalf of LUEG, DEHComments
Sent: Wednesday, February 23, 2011 2:10 PM
To: 'Ed Kimura'
Subject: RE: Gregory Canyon SWFP

Thank you for your response. Your comment has been received.

Jim Henderson
County of San Diego
Department of Environmental Health
Local Enforcement Agency
5500 Overland Ave, Suite 110 MS O560
San Diego, CA 92123
(858) 694-3607

From: Ed Kimura [mailto:emkimura@earthlink.net]
Sent: Wednesday, February 23, 2011 9:57 AM
To: LUEG, DEHComments
Subject: Gregory Canyon SWFP

To Mr., Jim Henderson
County of San Diego Local Enforcement Agency

Attached are my comments on the Gregory Canyon Solid Waste Faculty Permit

Edward Kimura

6995 Camino Amero
San Diego, CA 92111
February 22, 2011

Mr. Jim Henderson
County of San Diego Local Enforcement Agency
5500 Overland Drive, Suite 110
San Diego, CA 92123

Subject: Gregory Canyon Landfill Project
Solid Waste Facilities Permit Application Package
(Dated Sept. 2010, updated Jan, 2011)

Dear Mr. Henderson:

I am strongly opposed to the adoption of the Solid Waste Facilities Permit Application. The key reasons are summarized below.

1. The chosen site is located over fractured bedrock and adjacent to the San Luis Rey River. This site is in direct conflict with the County of San Diego Integrated Waste Management Plan, Citing Element, which states[1]

Criterion No.1- Groundwater and Aquifers

The purpose of this criterion is to protect groundwater resources in the state. Alluvial aquifers and fractured rock aquifers are particularly sensitive to degradation; therefore, proposed sites which include these features are considered less desirable than sites without them.

The United States Geological Survey, USGS, has a research program devoted to gain an understanding and to characterize groundwater flow conditions in fractured rock aquifers necessary to make cost-effective and sound decisions in groundwater management. The hydrology of fractured rock is extremely complex. Research has found that no method can unambiguously map fractures and their capacity for fluid movement.[2] A California study also has found how complex it is to characterize fractured rock aquifers[3]. The unpredictability of fracture locations and groundwater flows means groundwater monitoring system cannot accurately test water quality. The groundwater monitoring wells are bored prior to the excavation of the landfill site. The Joint Technical Document fails to consider if the shockwaves from the explosive blasting used to excavate will cause additional and alter existing fractures and therefore, invalidate the monitoring well data.

2. The proposed landfill containment system relies on a double liner made of plastic (HDPE, high density polyethylene). The plastic liner being exposed over time to the toxic chemicals in the leachate and pressure of the overlying solid wastes will develop stress cracks causing leachate

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[1] County of San Diego Integrated Waste Management Plan Citing Element Chapter 5. Citing criteria
http://www.sdcounty.ca.gov/reusable_components/images/dpw/recyclingpdfs/2005_sitingelement.pdf

[2] U.S. Geological Survey Fractured-Rock Aquifers: Understanding an Increasing Important Source of Water
http://toxics.usgs.gov/pubs/FS-112-02/

[3] Evans, David and James W. Borchers. Challenges and Opportunities for Evaluating Groundwater Resources in Fractured-Rock Environments
http://www.lib.berkeley.edu/WRCA/WRC/pdfs/Evans.pdf

leaks, posing an unacceptable threat the region irreplaceable water resources. The National Research Council report Assessment of the Performance of Engineered Waste Containment Barriers notes that very few observational data exist on landfill barrier systems including liners and none of the data extend beyond 30 years.[4]

3. The industrial, mixed municipal solid wastes and sewage sludge contain toxic compounds. The Joint Technical Document Vol., I Part B, page B.1-8 Table 3A Gregory Canyon Landfill Typical Leachate Composition is based on a 1993 report (18 years old) and represents only a portion of the toxic constituents in the leachate It is outdated and fails to address household hazardous wastes[5] that are present in the leachate. These include emerging contaminants[6] such as those in pharmaceuticals and personal care products and electronic wastes

4. The Gregory Canyon Landfill proposed location is over an irreplaceable aquifer. The inevitable failure of liner will cause the toxic leachate to enter the aquifer and surrounding water basins endangering the drinking and irrigation water quality of this region. The water resources in this region that would be threatened by the Project include the:

- Pala Basin
- Bonsall Basin
- Pala/Pauma Basin
- Lower San Luis Rey River Basin

5. The Project proposes to take valuable local groundwater and surface water from San Luis Rey River in addition to recycled water for landfill operational needs. This is not acceptable given the scarcity of local water resources.

6. The proposed Gregory Canyon Landfill mitigation plan to provide "foreign water" in the event that the Landfill Project degrades the water quality of the Pala Basin making it unfit for domestic and irrigation is not reliable and not feasible. It ignores the importance of source water protection especially in light of the statewide growing shortage of potable water. The Groundwater Protection Council[7] in November 2007 released their Groundwater Report to the Nation: A Call to Action (Groundwater Protection Council). A short passage in this report indicates the importance of protecting groundwater resources.

> *All drinking water sources, both public and private, are vulnerable to contamination from an array of human activities such as septic system discharges, waste-site releases, underground storage system leaks, nonpoint-source pollution, and agricultural chemicals. Without diligent attention to managing these potential sources of contamination, our drinking water will come at a higher cost over time. This cost includes the increasing need for water treatment, monitoring, remediation, finding*

---

[4] National Research Council Assessment of the Performance of Engineered Waste Containment Barriers, Committee to Assess Performance of Engineered Barriers
http://books.nap.edu/openbook.php?record_id=11930&page=R

[5] Cabaniss, Amy D, Handbook on household hazardous waste

[6] See for example California Dept of Public Health Emerging Contaminants
http://www.cdph.ca.gov/certlic/drinkingwater/Pages/EmergingContaminants.aspx

[7] The Ground Water Protection Council is a national association of state ground water and underground injection control agencies whose mission is to promote the protection and conservation of ground water resources for all beneficial uses, recognizing ground water as a critical component of the ecosystem.
http://www.gwpc.org/about_us/about_us.htm

alternate water supplies, providing bottled water, consultants, staff time, and litigation. Source water protection is simpler, less expensive, and more reliable over the long term.

7. The types of wastes Permit Application to be received in the landfill includes agricultural, construction and demolition, dead animals, mixed municipal solid waste and sewage sludge; all of which are source matter that generate greenhouse gasses as they decay in the landfill. The permit places no restrictions on the weight of these greenhouse gas precursors that can be accepted except only on the total daily peak and average tonnage. This is not acceptable as it fails to recognize the urgent need to reduce the sources of greenhouse gas emissions.

Summary. The Gregory Canyon Landfill Project Solid Waste Facilities Permit Application should not be adopted for these key reasons:

- The proposed landfill site is not acceptable because it is located over an fractured bedrock aquifer,
- USGS research has found that it has not found methods that can accurately map fractures and hydrology necessary for effective groundwater management
- The proposed double liner system will eventually leak toxins into the fractured bedrock aquifer posing an unacceptable threat to the irreplaceable water resources of the surrounding region.
- The Joint Technical Document description of the leachate is obsolete and does not include the current information available on the toxic properties of the solid waste types in the Solid Waste Facility Permit Application.
- It proposes to extract the local groundwater and San Luis Rey River water for landfill operations; a misuse of this precious natural resource.
- The mitigation measures to protect the water quality are neither reliable nor sustainable. The Groundwater Protection Council point out that source water protection is simpler, less expensive and in the long term more reliable
- It fails to restrict greenhouse gas emissions by monitoring and controlling the acceptable weight of solid wastes received at the landfill that contains greenhouse gas precursors.

The landfill is not needed because County solid waste flows have been reduced. However, the County must implement solid waste management measures now to:

- Prevent hazardous wastes from entering the waste stream by source control.
- Conserve natural resources by reuse, recycling, and composting.

The goal should be to eliminate the need for future landfills.

Thank you for this opportunity to provide these comments,

Sincerely,

Ed Kimura

Edward Kimura

Henderson, Jim

From: Henderson, Jim on behalf of LUEG, DEHComments
ent: Tuesday, March 29, 2011 8:20 AM
To: 'Klaasmeurs@aol.com'
Subject: RE: (no subject)

Thank you for your response. Your comment has been received.

Jim Henderson
County of San Diego
Department of Environmental Health
Local Enforcement Agency
5500 Overland Ave, Suite 110 MS O560
San Diego, CA 92123
(858) 694-3607

From: Klaasmeurs@aol.com [mailto:Klaasmeurs@aol.com]
Sent: Monday, March 28, 2011 7:27 PM
To: LUEG, DEHComments
Subject: (no subject)

Please vote against a garbage dump along the San Luis Rey River as it will poison the river ,Oceanside Harbor and the beaches.

Henderson, Jim

From: Henderson, Jim on behalf of LUEG, DEHComments
Sent: Tuesday, February 22, 2011 6:41 PM
To: 'Krupnik, Valery Y. CTR'
Subject: RE: Grogory Cyn Landfill

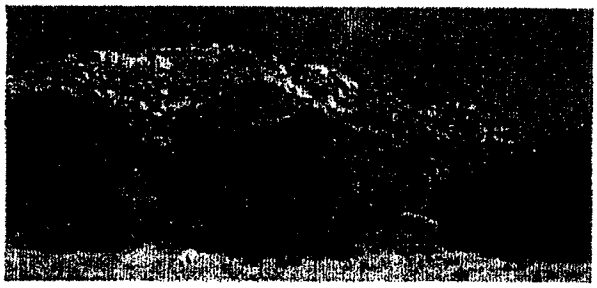
Thank you for your response. Your comment has been received.

Jim Henderson
County of San Diego
Department of Environmental Health
Local Enforcement Agency
5500 Overland Ave, Suite 110 MS 0560
San Diego, CA 92123
(858) 694-3607

-----Original Message-----
From: Krupnik, Valery Y. CTR [mailto:Valery.Krupnik@med.navy.mil]
Sent: Tuesday, February 22, 2011 4:39 PM
To: LUEG, DEHComments
Subject: Grogory Cyn Landfill

Dear Sir/Madam,
Please see attached. Thank you.

Valery Krupnik



Save Our Sacred Mountain
Save our Precious Water
DENY THE GREGORY CANYON DUMP

Dear Mr. Henderson and County of San Diego Solid Waste Local Enforcement Agency (LEA),

You and the LEA hold the fate of the San Luis Rey River, sacred Gregory Mountain, and the health and safety of our region's drinking water in your hands. The LEA has the opportunity to do the right thing and deny the Solid Waste Facility Permit to build a dump in Gregory Canyon.

THE BOTTOM LINE IS THAT GARBAGE AND WATER JUST DON'T MIX.

The proposed landfill would threaten vital drinking water sources for the region. The area houses several important drinking water sources that serve thousands of residents and businesses throughout the county. There are grave concerns about the landfill's potential to leak toxic pollutants into these critical groundwater supplies.

By approving this landfill, the County would be violating its duty to protect its precious natural resources, including water. This site is unsuitable for a landfill – the County itself rejected the location because it failed seven out of eight siting criteria. It is impossible to engineer the site to make it safe for a landfill.

San Diego County does not need this landfill. Waste diversion and recycling rates in the county are at an all-time high, and disposal rates have decreased dramatically in recent years. The County has no need for any new landfills at this time, much less one that would destroy critical water resources.

Gregory Mountain, known to local Native Americans as Chokla, and Medicine Rock are are both tribal sacred sites. Building a landfill at Gregory Canyon would irretrievably damage and desecrate these places.

Construction of the landfill means the loss of a tributary to the San Luis Rey River, threats of landslides, leachate, spills from trucks, and contaminated storm runoff. The Gregory Canyon Landfill is located on a fractured bedrock aquifer and threatens existing and future water supplies. It also poses harm to wildlife species that depend on the river for survival.

WHY THIS MATTERS TO ME: 1. It will destroy a part of the natural habitat, where I live.
2. It will destroy the quality of the vital water resources.
3. There is absolutely no reason to build a landfill in one of the few remaining valuable natural habitats, while there's neither shortage of space or need for an additional landfill.

PLEASE, deny the Solid Waste Facility Permit for the Gregory Canyon dump.

NAME Valery Krupnik

ADDRESS 650 Rice Cyn Rd City Fallbrook State/Zip CA 92028

PHONE (____) EMAIL valerykrupnik@hotmail.com

Mail to the LEA at 5500 Overland Drive, Suite 110, San Diego, CA 92123 OR E-mail to DEHComments@sdcounty.ca.gov
OR bring to the public meeting at the Fallbrook Library on February 23, 2011
For more information: visit www.savegregorycanyon.org or contact Shasta Gaughen @ 760-891-3515.

Henderson, Jim

rom: Henderson, Jim
Sent: Wednesday, February 16, 2011 4:40 PM
To: 'Gfredlee@aol.com'
Cc: annejlee23@sbcglobal.net
Subject: RE: Comments on the Proposed Gregory Canyon Landfill

Thank you for your response. Your comment has been received.

Jim Henderson
County of San Diego
Department of Environmental Health
Local Enforcement Agency
5500 Overland Ave, Suite 110 MS O560
San Diego, CA 92123
(858) 694-3607

From: Gfredlee@aol.com [mailto:Gfredlee@aol.com]
Sent: Wednesday, February 16, 2011 4:07 PM
To: Henderson, Jim
Cc: annejlee23@sbcglobal.net
Subject: Comments on the Proposed Gregory Canyon Landfill

Jim please find attached our comments on the significant deficiencies in the proposed Gregory Canyon Landfill in oviding public health, water resources and environmental protection for as long as the wastes in this landfill will be a reat. Fred

G. Fred Lee, PhD, AAEE Bd Cert. Env. Eng., F.ASCE
G. Fred Lee & Associates
27298 E. El Macero Dr.
El Macero, California 95618-1005
ph 530 753-9630
cell 530 400-4952
fx 530 753-9956 (turned on upon request)
em gfredlee@aol.com
www.gfredlee.com

G. Fred Lee & Associates

27298 East El Macero Drive
El Macero, CA 95618
530-753-9630 gfredlee@aol.com
www.gfredlee.com

February 16, 2011

Comments on the Deficiencies in the Development of the Gregory Canyon Landfill
G. Fred Lee, PhD, AAEE Bd Cert Env. Eng., F.ASCE
Anne Jones-Lee, PhD

Via email Jim.Henderson@sdcounty.ca.gov

Jim Henderson
County of San Diego
Department of Environmental Health
Local Enforcement Agency
5500 Overland Ave, Suite 110 MS O560
San Diego, CA 92123

Jim Henderson
We wish to provide the following comments on deficiencies in ability of the proposed Gregory Canyon Landfill to protect public health, water resources, and the environment for as long as the wastes deposited in that landfill will be a threat.

Background to these Comments
I (G. Fred Lee) have been involved in evaluating the potential impacts of landfills on groundwater quality and the environment since the mid-1960s, and have evaluated more than 80 landfills including the proposed Gregory Canyon Landfill. Much of my experience developed from more than five decades of involvement in evaluating the technical aspects of MSW landfill design, operation, closure, and post closure is synthesized in our "Flawed Technology" report available on our website [www.gfredlee.com] as:

> Lee, G. F., and Jones-Lee, A., "Flawed Technology of Subtitle D Landfilling of Municipal Solid Waste," Report of G. Fred Lee & Associates, El Macero, CA, December (2004). Updated June (2010).
> http://www.gfredlee.com/Landfills/SubtitleDFlawedTechnPap.pdf

In addition to providing discussion of key issues, the "Flawed Technology" report provides more than 140 references to the technology literature on issues that need to be reliably evaluated in evaluating the potential impacts of a proposed landfill, many of which are applicable to the proposed Gregory Canyon Landfill.

We have also developed guidance on evaluating potential impacts of landfills:

> Lee, G. F., and Jones-Lee, A., "Guidance for Evaluating the Potential Environmental Quality Impacts of a Landfill," Report of G. Fred Lee & Associates, El Macero, CA (2008). http://www.gfredlee.com/Landfills/EvaluationImpactLF.pdf

That review discusses a wide range of potential impacts of landfills on the health, water resources, and interests of those in the sphere of influence of a proposed landfill.

Many of the other papers and reports we have developed on these issues are available at: http://www.gfredlee.com/plandfil2.htm. Additional information on our qualifications to submit these comments is available on our website at: http://www.gfredlee.com/exp/lfimpactexp.pdf.

Unsuitable Location for a Landfill

A fundamental problem with the development of the proposed Gregory Canyon Landfill is the unsuitability of the Gregory Canyon area for a landfill. The fractured ground base for this proposed landfill coupled with the connection of the landfill base to high-value groundwaters and elevated groundwater table render this site unsuitable for any landfill. The landfill developer proposed an engineered barrier consisting of plastic sheeting and clay layers, and trenches to compensate for the unsuitability of the site. However, even if such a system were reliably constructed it would eventually deteriorate and fail to prevent landfill leachate from entering the groundwater system that is hydraulically connected to the base of the landfill.

Review of the Proposed Gregory Canyon Landfill

In the 1990s we submitted detailed comments on deficiencies in the proposed character of the Gregory Canyon Landfill for providing protection of public health, water resources, and the environment for as long as the wastes in the landfill would be a threat. We pointed out that that landfill would eventually pollute groundwaters that are of importance to the San Diego County Water Authority and North County residents. The original, and now revised, landfill liner design will not prevent groundwater pollution by landfill leachate for as long as the wastes in the landfill will be a threat, which will be forever. The revised liner design would only serve to postpone groundwater pollution; it will not prevent it. The characteristics of the hydrology of the area make it impossible to reliably monitor the eventual groundwater pollution before widespread pollution has occurred. The landfill proponent's claim that the proposed landfill would not be situated over an aquifer is misleading; the area under the landfill is hydraulically connected to a high value aquifer that will be polluted by landfill leachate as the liner system eventually fails.

Inadequate Assured Postclosure Funding

Another significant problem with the proposed landfill is that assured funding for postclosure landfill monitoring, maintenance, and groundwater remediation is provided for a limited portion of the time during which the wastes in this landfill would be a threat. The landfill developer claimed that the financial assurance will provide the required postclosure care. However, since the landfill would be a threat to pollute groundwaters for hundreds to thousands of years, there is no meaningful assurance that the financial instruments proposed will, in fact, be available for that period of time. Since the wastes in the landfill will be a threat essentially forever, the County could ultimately have to pay for the clean-up of the polluted groundwater that will occur at that landfill.

Inadequate Implementation of Regulatory Requirements

In the early 1995 I was a consultant to the California Water Resources Control Board on the development of Chapter 15 (now Title 27) the updated state landfilling regulations. Those

regulations were explicit in requiring that a landfill containment system prevent impairment of the groundwater resources that are potentially impacted by the failure of the landfill liner system. The importance of such provisions is discussed in:

Lee, G. F. and Jones-Lee, A., "Groundwater Quality Protection Issues," Report of G. Fred Lee & Associates, El Macero, CA, February 2007; Presented in part at CA/NV AWWA Fall Conference, Sacramento, CA, October (2007).
http://www.gfredlee.com/Groundwater/GWProtectionIssues.pdf

Lee, G. F., and Jones-Lee, A., "Groundwater Quality Protection Issues," Presented in part at CA/NV AWWA Fall Conference, Sacramento, CA, PowerPoint Slides, G. Fred Lee & Associates, El Macero, CA, October (2007).
http://www.gfredlee.com/Groundwater/GWProtectionIssues-sli.pdf

The Gregory Canyon Landfill solid waste facility permit (SWFP) application package was available at the County of San Diego Solid Waste Local Enforcement Agency (LEA) website [http://www.sdcounty.ca.gov/deh/waste/chd_gregory.html]. A critical review of that application reveals substantial amounts landfill advocacy propaganda and unreliable claims concerning the protective nature of the proposed landfill. That application should be rejected as being significantly deficient in providing adequate, reliable, and complete information on the ability of the proposed Gregory Canyon Landfill to provide protection of public health, water resources, and the environment from the wastes proposed for deposition in the landfill.

The State and Regional Water Boards have failed to implement the letter and intent of Chapter 15, Title 27 by permitting landfills that will obviously eventually pollute groundwaters and impair the use of those groundwaters for domestic and other uses. The permitting of the proposed Gregory Canyon Landfill will not comply with the requirements of state of California regulations for developing landfills. It should not be allowed to be developed.

G. Fred Lee and Anne Jones-Lee

Henderson, Jim

From: Henderson, Jim on behalf of LUEG, DEHComments
Sent: Tuesday, February 22, 2011 8:23 AM
To: 'Mary Hanson'
Subject: RE: League of Women Voters Statement for February 23 hearing on Gregory Canyon

Thank you for your response. Your comment has been received.

Jim Henderson
County of San Diego
Department of Environmental Health
Local Enforcement Agency
5500 Overland Ave, Suite 110 MS O560
San Diego, CA 92123
(858) 694-3607

From: Mary Hanson [mailto:mhanson@san.rr.com]
Sent: Monday, February 21, 2011 3:18 PM
To: LUEG, DEHComments
Subject: League of Women Voters Statement for February 23 hearing on Gregory Canyon

THE LEAGUE OF WOMEN VOTERS OF SAN DIEGO COUNTY

February 18, 2011

Jim Henderson
County of San Diego Local Enforcement Agency
5500 Overland Drive, Suite 110
San Diego, CA 92123

Re: February 23 hearing on solid waste permit for Gregory Canyon Landfill

The League of Women Voters of San Diego County urges the County to deny the Solid Waste Facility Permit that would allow operation of the Gregory Canyon Landfill. Our concerns are based on League positions regarding waste management and water quality that we have developed over many years of member study and consensus.

The need for this landfill has diminished as recycling rates have increased. The League supports public policies that reduce the generation and promote the reuse and recycling of solid and hazardous wastes, thereby reducing the need for additional landfills.

However. as we stated in 2009, our primary concern with the siting of the Gregory Canyon landfill is with water quality. The League has developed strong positions on protection and enhancement of water quality, and we believe that it is imperative that we protect the natural environment in areas of both water origin and water use.

We oppose issuing the permit for the landfill because current plans fail to adequately protect surface water, groundwater and drinking water. Even with the lining, the siting of this landfill on porous rock over a valuable aquifer has the potential to leach harmful toxins, hazardous materials and contaminants into the San Luis Rey River.

We believe that there is no urgency in opening the landfill, and that its location over an aquifer and next to a river threaten precious and limited sources of quality fresh water. Therefore the League of Women Voters asks the County not to proceed with a Solid Waste Facility Permit for the Gregory Canyon Landfill.

Thank you for your consideration.

Mary Hanson
Natural Resources Director
League of Women Voters of San Diego County

Henderson, Jim

From: Raptis, Pam
Sent: Wednesday, February 09, 2011 1:06 PM
To: Henderson, Jim
Subject: Gregory Canyon: Public Information Notice

FILE COPY

Jim,

I received a phone call from Marjorie Lopez at 760 510-2115, she has a few questions on the public notice for the February 23 meeting and how to get more information.

Would you give her a call back at your earliest convenience.

Thank you

Pamela Raptis
Solid Waste Local Enforcement Agency
5500 Overland Drive Suite 110
San Diego, CA 92123
(858) 495-5093
(858) 495-5004 fax

RETURNED CALL TOLD HER THAT THE NOTICE WOULD BE ON-LINE AT THE GREGORY PAGE BY THIS FRIDAY.

Henderson, Jim

From: Henderson, Jim on behalf of LUEG, DEHComments
Sent: Monday, March 07, 2011 12:40 PM
To: 'Lynne'
Subject: RE: GCL Informational Meeting 2/23/2011

Thank you for your response. Your comment has been received.

Jim Henderson
County of San Diego
Department of Environmental Health
Local Enforcement Agency
5500 Overland Ave, Suite 110 MS 0560
San Diego, CA 92123
(858) 694-3607

-----Original Message-----
From: Lynne [mailto:lhcrick@san.rr.com]
Sent: Friday, March 04, 2011 5:14 PM
To: LUEG, DEHComments
Subject: GCL Informational Meeting 2/23/2011

As a representative of the San Diegans for Safe Drinking Water Coalition, I attended the meeting on February 23, 2011 in the Fallbrook Library Community Room. After hearing all the public comments from all the speakers that night, I must say that I am opposed to this proposed landfill site at Gregory Canyon. It is the wrong location for a landfill for all the reasons brought out at the meeting by the opponents. The San Diego County Water Authority has a very strong point about how important it is to protect our aquifers from cracking by the blasting as well as the chances of having another California earthquake. There really is no guarantee of leaking liners once an earthquake hits. Insurance policies do not fix the damage done once our water is contaminated.

I felt so much compassion for all the neighbors who live next door to the canyon after hearing all of their sad stories of what has been happening to them so far as a result of this confusion. I would like to see more public hearings on this issue and hope that we can all come together with better ways of communicating that would get both sides needs met.

While I can appreciate all the hard work that the team of engineers have put out in the planning and design of this project, I would like to suggest that they might want to check into a much better investment in something like the new San Diego biotech Genomatica that is capable of processing waste to make useful chemical that comes from oil products. Please check out the article about it in the U-T news on Friday, February 25, 2011 just two days after the information meeting in Fallbrook. Also, there is another idea that has been invented by the Japanese to convert plastics from all the trash into oil that can be used as alternative energy. See this great discovery at http://www.flixxy.com/convert-plastic-to-oil.htm We all need to really open our eyes and take a look at what's going on today in science technology such as these two great discoveries.

This is what our country needs most of all now that we have already been finding how successful recycling has reduced the amount of our trash and garbage. It seems to me that what the opponents said is true about how landfills are now an outdated technology and how there really is not going to be any more need for landfills in the near future especially if these kinds of discoveries are inevitable.

Lynne M. Harrington-Crick, lhcrick@san.rr.com
San Diegans for Safe Drinking Water Coalition (SDSDW.org)

Henderson, Jim

From: Henderson, Jim on behalf of LUEG, DEHComments
Sent: Tuesday, March 08, 2011 3:07 PM
To: 'Lynne'
Subject: RE: GCL Informational Meeting 2/23/2011

The LEA will consider written comments received by March 24 when writing the proposed permit and making its decision. All comments received by March 30 will be included in the package to CalRecycle. As required by regulation, all written comments received after the package has been submitted will also be provided to CalRecycle for consideration by that agency. Relevant dates, if the permit goes forward and the applicant does not waive the timeline, are as follows:
LEA submits proposed permit and application package to CalRecycle by April 1, 2011.
CalRecycle concurs or objects on the proposed permit by May 31, 2011.

Jim Henderson
County of San Diego
Department of Environmental Health
Local Enforcement Agency
5500 Overland Ave, Suite 110 MS 0560
San Diego, CA 92123
(858) 694-3607

-----Original Message-----
From: Lynne [mailto:lhcrick@san.rr.com]
Sent: Monday, March 07, 2011 1:55 PM
To: LUEG, DEHComments
Subject: Re: GCL Informational Meeting 2/23/2011

Thank you for this response back about my comments having been received. My question is now "Will these comments be attached along with the others to the transcript that will be sent on to CalRecycle for approval or objection of the permit?"
Sincerely with much appreciation, Lynne

On Mar 7, 2011, at 12:40 PM, LUEG, DEHComments wrote:

> Thank you for your response. Your comment has been received.
>
> Jim Henderson
> County of San Diego
> Department of Environmental Health
> Local Enforcement Agency
> 5500 Overland Ave, Suite 110 MS 0560
> San Diego, CA 92123
> (858) 694-3607
>
> -----Original Message-----
> From: Lynne [mailto:lhcrick@san.rr.com]
> Sent: Friday, March 04, 2011 5:14 PM
> To: LUEG, DEHComments
> Subject: GCL Informational Meeting 2/23/2011
>
> As a representative of the San Diegans for Safe Drinking Water

> Coalition, I attended the meeting on February 23, 2011 in the
> Fallbrook Library Community Room. After hearing all the public
> comments from all the speakers that night, I must say that I am
> opposed to this proposed landfill site at Gregory Canyon. It is the
wrong location for a landfill for all the reasons brought out at the
> meeting by the opponents. The San Diego County Water Authority has a
> very strong point about how important it is to protect our aquifers
> from cracking by the blasting as well as the chances of having
> another California earthquake. There really is no guarantee of
> leaking liners once an earthquake hits. Insurance policies do not
> fix the damage done once our water is contaminated.
>
> I felt so much compassion for all the neighbors who live next door to
> the canyon after hearing all of their sad stories of what has been
> happening to them so far as a result of this confusion. I would like
> to see more public hearings on this issue and hope that we can all
> come together with better ways of communicating that would get both
> sides needs met.
>
> While I can appreciate all the hard work that the team of engineers
> have put out in the planning and design of this project, I would like
> to suggest that they might want to check into a much better
> investment in something like the new San Diego biotech Genomatica
> that is capable of processing waste to make useful chemical that
> comes from oil products. Please check out the article about it in
> the U-T news on Friday, February 25, 2011 just two days after the
> information meeting in Fallbrook. Also, there is another idea that
> has been invented by the Japanese to convert plastics from all the
trash into oil that can be used as alternative energy. See this
great discovery at http://www.flixxy.com/convert-plastic-to-oil.htm
> We all need to really open our eyes and take a look at what's going
> on today in science technology such as these two great discoveries.
> This is what our country needs most of all now that we have already
> been finding how successful recycling has reduced the amount of our
> trash and garbage. It seems to me that what the opponents said is
> true about how landfills are now an outdated technology and how there
> really is not going to be any more need for landfills in the near
> future especially if these kinds of discoveries are inevitable.
>
> Lynne M. Harrington-Crick, lhcrick@san.rr.com
> San Diegans for Safe Drinking Water Coalition (SDSDW.org)
>
>

Henderson, Jim

From: Henderson, Jim on behalf of LUEG, DEHComments
Sent: Monday, February 28, 2011 7:33 AM
To: 'Bob & Mackie'
Subject: RE: Gregory Canyon

Thank you for your response. Your comment has been received.

Jim Henderson
County of San Diego
Department of Environmental Health
Local Enforcement Agency
5500 Overland Ave, Suite 110 MS O560
San Diego, CA 92123
(858) 694-3607

From: Bob & Mackie [mailto:Mackie-Bob@roadrunner.com]
Sent: Friday, February 25, 2011 5:14 PM
To: LUEG, DEHComments
Subject: Gregory Canyon

To whom it may concern

I would like to add my comments as to why a permit should NOT be granted to the Gregory Canyon Dump.

Anyone who has ever driven Highway 76 between the quarry and where the dump is proposed knows how dangerous this road is to drive, it is only two lanes with many curves, and a whole lot of stupid drivers in a hurry to deposit their money at the casinos, or going home after drinking more than they should.

They have proposed to have a total of 647 trucks a day going and coming on this road, they propose to work about 10 hours a day, that is 64+ trucks an hour, that comes out to be over 1 truck per minute. This is unacceptable under the traffic situation. This is a truck going and coming every minute from sun up to past sun set six days a week.

Please, before you give them a permit, go drive this road and see for yourself what a truck a minute would do on this road, if you check with the authorities you will find there have been many wrecks on this highway, we have been behind 2 such, the traffic was held up for over an hour, both ways.

Thank you for reading this

Bob Thompson
Rancho Monserate Mobile home park
Fallbrook CA

Henderson, Jim

From: Henderson, Jim on behalf of LUEG, DEHComments
Sent: Thursday, March 03, 2011 8:50 AM
To: 'Bob & Mackie'
Subject: RE: Gregory Canyon Dump

Thank you for your response. Your comment has been received.

Jim Henderson
County of San Diego
Department of Environmental Health
Local Enforcement Agency
5500 Overland Ave, Suite 110 MS O560
San Diego, CA 92123
(858) 694-3607

From: Bob & Mackie [mailto:Mackie-Bob@roadrunner.com]
Sent: Wednesday, March 02, 2011 3:48 PM
To: LUEG, DEHComments
Subject: Gregory Canyon Dump

Hi again

I sent an email before referring to the bad traffic on highway 76. I completely forgot to ention a few very important items. They are as follows.

1. No one has mentioned the rock quarry that when the economy returns could add several hundred more trucks to the highway each day.

2. They are right now in the process of building a community college just east of the 15 freeway which will probably have the entrance off of highway 76.

3. There is a planed community just North of highway 76, east of the 15 freeway which the main entrance to this development and the proposed shopping complex
will be off of highway 76.

4. With the college and a new housing development, a traffic signal will have to be installed. If this is the case, the normal flow of traffic will be stopped, this will have an impact not only on private vehicles going and coming from the casinos but the gravel trucks and dump trucks.

As you can see, there is absolutely no way highway 76 will be able to handle all of this and as the proponents of the dump has declared, one dump truck every minute,
Please give this your utmost consideration when deciding whether or not to give a permit to this mp.

Robert Thompson

Rancho Monserate mobile home park
Mackie-bob@roadrunner.com

Henderson, Jim

From: Henderson, Jim on behalf of LUEG, DEHComments
Sent: Friday, February 18, 2011 6:29 PM
To: 'Wesley Marx'
Subject: RE: Solid Waste Facility Permit for Gregory Canyon Landfill

Thank you for your response. Your comment has been received.

Jim Henderson
County of San Diego
Department of Environmental Health
Local Enforcement Agency
5500 Overland Ave, Suite 110 MS O560
San Diego, CA 92123
(858) 694-3607

From: Wesley Marx [mailto:wmarx33@sbcglobal.net]
Sent: Friday, February 18, 2011 12:36 PM
To: LUEG, DEHComments
Subject: Solid Waste Facility Permit for Gregory Canyon Landfill

I urge denial of this permit because the project would endanger regional water supplies and could leak toxic pollutants to critical groundwater sources. Wesley Marx, 2995 Ocean St. Carlsbad, CA 92008.

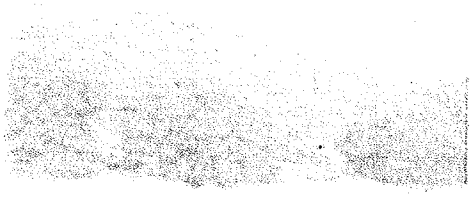
Henderson, Jim

From: Henderson, Jim on behalf of LUEG, DEHComments
Sent: Wednesday, February 23, 2011 7:49 AM
To: 'maryp'
Subject: RE:

Thank you for your response. Your comment has been received.

Jim Henderson
County of San Diego
Department of Environmental Health
Local Enforcement Agency
5500 Overland Ave, Suite 110 MS O560
San Diego, CA 92123
(858) 694-3607

From: maryp [mailto:maryp@tfb.com]
Sent: Tuesday, February 22, 2011 10:28 PM
To: LUEG, DEHComments
Subject:



Henderson, Jim

From: Henderson, Jim on behalf of LUEG, DEHComments
Sent: Tuesday, March 01, 2011 5:12 PM
To: 'Ally Mazzetti'
Subject: RE: OPPOSING GREGORY LANDFILL!!!!!!

Thank you for your response. Your comment has been received.

Jim Henderson
County of San Diego
Department of Environmental Health
Local Enforcement Agency
5500 Overland Ave, Suite 110 MS O560
San Diego, CA 92123
(858) 694-3607

From: Ally Mazzetti [mailto:ayemazzettset@gmail.com]
Sent: Tuesday, March 01, 2011 1:01 PM
To: LUEG, DEHComments
Subject: OPPOSING GREGORY LANDFILL!!!!!!

This land fill does not respect our sacred land! This should not be passed!!!!! It will endanger wildlife, plants, and other natural resources!

PLEASE DO NOT ALLOW THIS TO PASS!

Henderson, Jim

From: Henderson, Jim on behalf of LUEG, DEHComments
Sent: Monday, February 28, 2011 7:34 AM
To: 'Michelle McCurter'
Subject: RE: Don't put the dump in our backyard!

Thank you for your response. Your comment has been received.

Jim Henderson
County of San Diego
Department of Environmental Health
Local Enforcement Agency
5500 Overland Ave, Suite 110 MS 0560
San Diego, CA 92123
(858) 694-3607

-----Original Message-----
From: Michelle McCurter [mailto:Redblondebrown1@aol.com]
Sent: Friday, February 25, 2011 9:48 PM
To: LUEG, DEHComments
Subject: Don't put the dump in our backyard!

Putting trash where water flows is not only bad for our environment but could potentially pollute our entire water system.

'o!

Sent from my iPhone

Henderson, Jim

From: Henderson, Jim on behalf of LUEG, DEHComments
Sent: Tuesday, February 15, 2011 9:09 AM
To: 'Lael Montgomery'
Subject: RE: Deny a Solid Waste Facility Permit for a landfill at Gregory Canyon

Thank you for your response. Your comment has been received.

Jim Henderson
County of San Diego
Department of Environmental Health
Local Enforcement Agency
5500 Overland Ave, Suite 110 MS O560
San Diego, CA 92123
(858) 694-3607

From: Lael Montgomery [mailto:laelmontgomery@aol.com]
Sent: Monday, February 14, 2011 4:08 PM
To: LUEG, DEHComments
Cc: 'Lael Montgomery'
Subject: Deny a Solid Waste Facility Permit for a landfill at Gregory Canyon

February 14, 2011

Jim Henderson
County of San Diego Local Enforcement Agency
5500 Overland Drive, Suite 110
San Diego, CA 92123
<DEHComments@sdcounty.ca.gov>

RE: Solid Waste Facility Permit for Gregory Canyon Landfill

I am writing to urge denial of the requested permit. The proposed landfill would threaten vital drinking water sources for the region. We have grave concerns about the landfill's potential to leak toxic pollutants into these critical groundwater supplies.

This site is unsuitable for a landfill – the County itself rejected the location because it failed seven out of eight siting criteria. It is impossible to engineer the site to make it safe for a landfill.

This landfill is not needed. Waste diversion and recycling rates in the County are at an all-time high, and disposal rates have decreased dramatically in recent years. The County has no need for any new landfills at this time, much less one that would destroy critical water resources.

Sincerely,

Lael Montgomery

Lael Montgomery

13678 McNally Road, Valley Center 92082

Henderson, Jim

rom: Henderson, Jim on behalf of LUEG, DEHComments
Sent: Friday, February 18, 2011 8:14 AM
To: 'Lael Montgomery'
Subject: RE: Deny permit for landfill to destroy Gregory Canyon

Thank you for your response. Your comment has been received.

Jim Henderson
County of San Diego
Department of Environmental Health
Local Enforcement Agency
5500 Overland Ave, Suite 110 MS O560
San Diego, CA 92123
(858) 694-3607

From: Lael Montgomery [mailto:laelmontgomery@aol.com]
Sent: Friday, February 18, 2011 7:43 AM
To: LUEG, DEHComments
Cc: 'Lael Montgomery'
Subject: Deny permit for landfill to destroy Gregory Canyon

Letter is attached. Kindly add to the public record.

Lael Montgomery
13678 McNally Road
Valley Center, CA 92082
760-751-0300

February 18, 2011

Mr. Jim Henderson
County of San Diego Local Enforcement Agency
5500 Overland Drive, Suite 110
San Diego, CA 92123
Via DEHComments@sdcounty.ca.gov

RE: Deny the Gregory Canyon Landfill Project

Dear Mr. Henderson and Decision Makers,

I am a former member of the Valley Center Planning Group and the current chair of the Valley Center Design Review Board, representing myself, writing to urge decision makers to deny a permit for a dump in Gregory Canyon along the San Luis Rey River.

The Valley Center Community Planning Area abuts Pala/Pauma and is immediately south of the project area. My comments are based on my knowledge of planning in the area; and on the high probability that the extremely significant and unmitigated impacts of this project will bring devastating and everlasting effects to Valley Center, Pauma Valley, Pala, Rainbow, Fallbrook, Bonsall and Oceanside.

We've all heard with growing disgust and despair, especially recently because reports articles have been so plentiful, about the relationship of private profiteering to projects that "benefit" the public. Most people recognize the difference between a sham to enrich a few out-of-towners and what is genuinely the public interest.

The public interest clearly is NOT to build an unnecessary landfill in the middle of one of the most scenic watersheds in Southern California. Rather, the public interest IS to:

- protect the watershed; reject the absurd claims that a plastic liner will keep toxic waste from leaking into the drinking water,
- protect drivers and residents along this scenic highway from a daily assault of several thousand thundering garbage and water trucks,
- protect air and environmental quality of this unique, precious and scenic natural area from the degradation of a 24-hour industrial operation,
- build necessary facilities in appropriate places; this landfill is neither necessary, nor is it proposed for an appropriate location

It is true that the history of this project is convoluted, complicated and profoundly tainted by private financial interests, individual and corporate, and by way-too-cozy relationships between decision makers, regulators and the few investors who will profit from the destruction of this area. There has been plenty of money spent to manipulate the approval of this project. Evidently a few well-connected, wealthy investors intend to make a bundle on this dump.

Remember, the "ballot initiative" upon which this project's legitimacy is based is itself entirely illegitimate. It was a textbook example of voter manipulation through twisted-up language: *vote yes if you mean no; vote no if you mean yes.* The PR people are clapping their hands at their triumphant confusion of the facts. But the public has been here already with the tobacco and pharmaceutical industries, and most recently Wall Street! People are more aware and less tolerant of unethical corporate behavior. Public deception is not a CEQA issue; perhaps it should be. At the very least, specious arguments that the voters "want" the dump should be set-aside.

The citizens depend upon the County to transcend political pressure purchased by buckets of private money - applied freely and without conscience, and so often in the name of the public interest, fairness and due process! It is critical for decision makers not to be swayed by these arguments.

Previous environmental reports have already detailed the devastating impacts of trucking, dumping, watering and packing huge amounts of trash into a uniquely precious canyon that our generation should be protecting NOT trashing.

Just a year ago we had daily news from the Gulf of Mexico that all protections and back-up protections failed to prevent a gushing deep-water oil well from creating the largest man-made environmental disaster in history. The track record of our generation of leaders to support the self-interested has been disappointingly. It's time now to learn from our experience and to take the action necessary to prevent the PREDICTABLE destruction of the San Luis Rey Watershed for the sake of building a superfluous dump that will enrich a few private investors while it obliterates a pristine valley, rich with wildlife and natural beauty.

In this context especially, the hopes of our community rest now with the County to prevent another yet another immitigable environmental catastrophe.

Godspeed.

Sincerely,

Lael Montgomery

Lael Montgomery, Ph.D.

Henderson, Jim

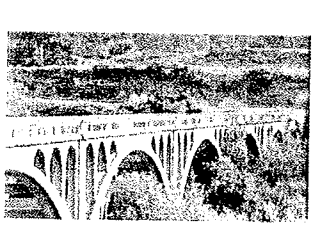
From: Margarette Morgan [morgan7070@cox.net]
Sent: Saturday, March 12, 2011 7:32 PM
To: LUEG, DEHComments
Subject: Bonsall Community Sponsor Group comments
Attachments: Dump BCSG letter.docx

Thank you for the opportunity to provide comments.

Margarette Morgan

BONSALL COMMUNITY SPONSOR GROUP

Dedicated to enhancing and preserving a rural lifestyle



March 11, 2011

County of San Diego Department of Environmental Health
Local Enforcement Agency
5500 Overland Drive, Suite 110
San Diego, CA 92123

On behalf of the members of the Bonsall Community Sponsor Group (BCSG) and its constituents I am writing to present our opposition to Gregory Canyon Limited's (GCL) application to the County of San Diego Department of Environmental Health for a solid waste facility permit for the Gregory Canyon Landfill in the San Luis Rey watershed.

One of the main concerns regarding Gregory Canyon Limited is that it is a limited liability company. If GCL is so sure that there will be no impacts to people, property and the environment, as they have stated numerous times during public hearings, they should not have formed as a limited labiality company.

Attachment 6 of the Solid Waste Facility Permit Application updated January 2011 provides a proposed Certificate of Liability Insurance for the Gregory Canyon Landfill. The coverage listed on page 1 of 2 lists $1,000,000 per occurrence and an annual aggregate of $2,000,000 to cover bodily injury and property damage.

Excess insurance coverage is being provided: with the following sentence under number 3 of page 1: $10,000,000 per occurrence and $10,000,000 annual aggregate (less $10,000 self insured retention) in excess underlying limits of $1,000,000 per occurrence and $2,000,000 annual aggregate.

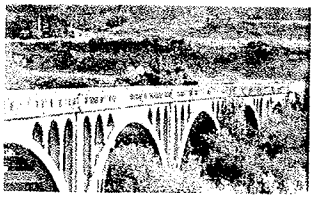
These coverage amounts are ridiculously low for an operation of this size and the potential for significant impacts bodily injury and property and environmental damage. And by allowing a $10,000,00 per occurrence and a $10,000,000 annual aggregate this could cover only one incident that has the chance to exceed $10,000,000.

The BCSG requests that this permit only be allowed if the following overages are provided in the insurance policy and not limited to just operation and closure period of time, but in perpetuity:

Per Occurrence: $100,000,000
Aggregate: Unlimited

BONSALL COMMUNITY SPONSOR GROUP

Dedicated to enhancing and preserving a rural lifestyle



The BCSG requests that the San Diego County DEH deny this permit and recommend that CalRecyle deny this permit because of its proposed location next to the San Luis Rey River.

The simple statement that you don't put the outhouse next to the well is straight to the point. If this landfill is permitted, operates for 30 years and monitors 30 years after who is liable for any problems after this time period? If the landfill infrastructure fails who will cover the costs for repairing the problems. The BCSG requests this question be answered.

Sincerely,

Margarette Morgan. Chair
Bonsall Community Sponsor Group

Henderson, Jim

From: Henderson, Jim on behalf of LUEG, DEHComments
Sent: Thursday, April 21, 2011 3:59 PM
To: 'Nagami, Damon'
Subject: RE: NRDC's Comments on Gregory Canyon Ltd.'s Solid Waste Facility Permit Application

Thank you for your response. Your comment has been received.

Jim Henderson
County of San Diego
Department of Environmental Health
Local Enforcement Agency
5500 Overland Ave, Suite 110 MS O560
San Diego, CA 92123
(858) 694-3607

From: Nagami, Damon [mailto:dnagami@nrdc.org]
Sent: Thursday, April 21, 2011 12:58 PM
To: LUEG, DEHComments
Subject: NRDC's Comments on Gregory Canyon Ltd.'s Solid Waste Facility Permit Application

Via U.S. Mail and Email (DEHComments@sdcounty.ca.gov)

April 21, 2011

Mr. Jack Miller
Director, Solid Waste Local Enforcement Agency
San Diego County Department of Environmental Health
5500 Overland Drive, Suite 110
San Diego, CA 92123

Dear Mr. Miller:

Attached please find the Natural Resources Defense Council's comments on Gregory Canyon Ltd.'s application for a new Solid Waste Facility Permit for the proposed Gregory Canyon Landfill. A hard copy will follow by mail.

Thank you for considering our comments.

Best regards,

Damon Nagami
Staff Attorney
Natural Resources Defense Council
1314 Second Street
Santa Monica, CA 90401
Tel (310) 434-2300
Fax (310) 434-2399

NRDC
THE EARTH'S BEST DEFENSE

NATURAL RESOURCES DEFENSE COUNCIL

Via U.S. Mail and Email (DEHComments@sdcounty.ca.gov)

April 21, 2011

Mr. Jack Miller
Director, Solid Waste Local Enforcement Agency ("LEA")
San Diego County Department of Environmental Health
5500 Overland Drive, Suite 110
San Diego, CA 92123

Re: Comments on Gregory Canyon Ltd.'s Solid Waste Facility Permit Application for the Proposed Gregory Canyon Landfill

Dear Mr. Miller:

On behalf of the Natural Resources Defense Council ("NRDC"), I am writing to comment on Gregory Canyon Ltd.'s ("GCL") application for a new Solid Waste Facility Permit ("Permit") for the proposed Gregory Canyon Landfill. For your reference, NRDC is a national, nonprofit organization of lawyers, scientists and environmental specialists dedicated to protecting public health and the environment, with over 1.3 million members and activists, some 250,000 of whom live in California.

We note at the outset that this letter incorporates by reference the comments we presented at the public meeting on the Permit application held in Fallbrook in February. In addition, we agree with, adopt, and hereby incorporate by reference the comments provided by the Pala Band of Mission Indians ("Pala Band") in a letter to you dated February 23, 2011, and in a letter dated April 21, 2010, which was included as Exhibit A to the Pala Band's February letter.

While we believe that all of the issues raised by the Pala Band indicate that there are serious problems with the Permit application and the project, we especially are concerned with the LEA's refusal to comply with its obligations under the California Environmental Quality Act ("CEQA"). It is our understanding that the last time public comment was allowed on the draft final environmental impact report ("FEIR") was nearly ten years ago, and that while comments on the revised FEIR ("RFEIR") were provided in July and August of 2006, they were limited only to the issues of traffic, water supply, and biological resources, as identified in the Superior Court's order finding the FEIR inadequate.

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During those intervening ten years, the applicant has provided significant new information in various permit application documents, and changes have occurred in regulatory requirements as well. Even so, the LEA has insisted that additional analysis is not required under CEQA to address those changes. We believe that the LEA's position fundamentally misinterprets CEQA.

A. Some Analysis of the Impacts of Greenhouse Gases ("GHGs") From the Proposed Landfill is Required.

In reviewing the FEIR, the RFEIR, and the subsequent addendums to the RFEIR, we are struck by the fact that none of these documents acknowledges, let alone analyzes, the significant impacts that would be caused by GHG emissions from the proposed landfill. As you likely are aware, as of March 2010, the CEQA Guidelines require an analysis of whether a project's GHG emissions would cause a significant impact. (14 Cal. Code Regs. §§ 15000-15387 ["CEQA Guidelines"], § 15064.4.) Project proponents are required to analyze the direct, indirect, and cumulative impacts of GHG emissions and to mitigate for any significant impacts. (CEQA Guidelines §§ 15126.4(c), 15130.)

Although the FEIR did acknowledge that the proposed landfill would generate and emit landfill gases ("LFGs"), including methane, one of the most-potent GHGs, the FEIR only discussed those emissions in terms of odors from the proposed landfill and the health risks from toxic air contaminants ("TACs") in the LFGs. While the fact that the FEIR did not address impacts from GHGs is not unusual given that the document was certified in February 2003 and the last public comment on the document was in 2001, new information on the impacts of GHGs and the changed regulatory focus on GHGs demand some analysis be conducted of a proposed landfill that will emit enormous amount of GHGs. We are aware that air quality impacts were not evaluated in the RFEIR and that the LEA's responses to comments made clear that the RFEIR was only required to address those deficiencies identified in the Court's 2006 order.

In the almost ten years since the comment period ended on the FEIR, two important changes have occurred. First, the applicant has revised its analysis of the amount of LFGs and GHGs that would be emitted by the proposed landfill. While the text of the FEIR never identified the amount of LFG that would be generated, Appendix K of the FEIR calculated LFG emissions for 70 years. This amount of LFG emissions, however, was significantly smaller than the amount identified in Appendix J of the applicant's "Air Quality Impact Analysis and Health Risk Assessment for the Proposed Gregory Canyon Landfill," dated September 14, 2010 ("AQIA," attached hereto as Exhibit 1), which GCL submitted to the San Diego Air Pollution Control District as part of its air quality permit application. As an example, the FEIR estimated that 3.2 million cubic meters of LFGs would be generated in year two, while the AQIA calculated that amount as 6.9 million, more than double. In year 10 of operation, the amount of LFGs generated was calculated as 29.9 million cubic meters in the FEIR and 63.3 million in the AQIA, again more than double. Even the highest yearly emission total in the FEIR, 74.5

million cubic meters, is significantly less than the 124.3 million cubic meters calculated in the AQIA for that same year.

Since the information from this 2010 report was not known and could not have been known at the time that the original analysis was done in the FEIR, this information must be analyzed now and provided for public review and comment. The significant increase in LFGs generated requires that the LEA re-analyze the impacts of odor from the proposed landfill and the risks from TACs included in the LFGs being emitted.

The presence of significant GHGs in the LFGs and the fact that no analysis has been conducted of the impact of the emissions of GHGs from the proposed landfill clearly demands that the significant impacts of those emissions be analyzed and mitigated. The AQIA indicates that during the year after the proposed landfill would stop receiving solid waste, 36,490 tons of methane and 127,400 tons of carbon dioxide would be generated. That is a combined total of more than 1,000,000 tons of carbon dioxide equivalent emissions in one year alone. While gas control systems will be in place, some analysis is needed of what emissions would occur.[1]

In addition, the AQIA indicates that in 2083, which is 50 years after the proposed closure, the proposed landfill still would be generating more than 350,000 tons of carbon dioxide equivalent GHGs. Neither the FEIR nor any information in the solid waste facility permit application indicates that the LFG management system would still be in place 50 years after the proposed landfill no longer is accepting waste. Consequently, it must be assumed that these GHG emissions would be uncontrolled. The AQIA data indicates that significant GHG emissions would occur at least 100 years after closure, but no mitigation has been proposed to address any of those emissions.

The second change in the last ten years was the addition of language to the CEQA Guidelines confirming the need for analysis of GHG impacts – a change that occurred long after the public comment period ended in 2006. Between March 2010, when the revisions to the CEQA Guidelines requiring projects to undertake a GHG significance analysis were issued, and February 2011, when GCL submitted its Permit application, the LEA had ample time to analyze the Project's considerable GHG impacts. The LEA has simply refused to do so. As there is no credible argument that construction and operation of the proposed landfill would not cause significant impacts due to the release of GHGs and the generation of LFGs, failure to analyze those impacts violates CEQA.

---

[1] In addition, the Joint Technical Document ("JTD") now states that 130 to 260 tons of processed green material ("PGM") would be used as alternative daily cover, or approximately 7,000 tons per year. No CEQA document analyzed the impacts of GHGs from this PGM, and that analysis should be included in a supplemental EIR.

B. New Information on the Amount of Blasting Requires Further Analysis.

As you are aware, the San Diego County Water Authority ("CWA") has raised concerns regarding the impacts of the proposed landfill on the CWA First Aqueduct, which runs just west of the proposed landfill footprint. One of the concerns the CWA raised is the impact that blasting to mine material from the proposed landfill footprint would have on those pipelines.

In addressing the issue, the text of the FEIR stated that "no data is currently available regarding the locations of blasting or the charge sizes necessary." (FEIR at 4.6-34.) Even so, the FEIR still concluded there would be no significant impacts on the pipelines from the blasting. That conclusion was based on test blasts consisting of 30 lbs of ammonium nitrate/fuel oil ("ANFO").

However, the May 2008 Air Emissions Inventory ("AEI") for the proposed landfill stated that 40% of the area to be excavated would require blasting, and that the blasts require three to eight tons of ANFO per blast. The AEI also identified the areas where blasting would occur. (The relevant portion of the AEI is attached hereto as Exhibit 2.) This additional information identifying the size of the blast and the locations of the blast requires that additional analysis of this issue be conducted. Clearly, blasting that would damage these two pipelines that supply the sole source of water for areas of San Diego County would be a significant impact. As this new information was generated by the applicant, the LEA should have required additional analysis in a supplemental EIR.

C. Impacts of the New Litter Fence Should Be Analyzed.

Another change to the project that has never been analyzed in any CEQA document is identified in the JTD as a 12-foot high litter fence that would be installed on the bridge across the San Luis Rey River. Appendix T of the 2010 JTD provides the first publicly available depiction and description of this proposed fence. The JTD indicates that the proposed fence would be 12 feet high and sit on a three-foot high concrete barrier on the bridge. As the FEIR states that the bridge would be 17.5 feet above the riverbed, the fence would be approximately 32 feet above the riverbed. Assuming that it is placed along the entire bridge, that would create a 640-foot or longer barrier across the entire river channel.

This feature was added without any opportunity for public comment, and no one has analyzed the impact that the fence might have on endangered and other birds that use the river as a flyway. As the LEA is aware, the area is critical habitat for the least Bell's vireo, the California gnatcatcher, and the southwestern willow flycatcher, all of which use this riparian corridor. Given the presence of these sensitive species, a full analysis should be conducted to determine whether or not the placement of this barrier thirty feet high over the river bottom would result in the "take" of these species.

D. The May 2010 Addendum Was Inadequate.

We also question the analysis in the May 2010 Addendum addressing the decision by the Army Corps of Engineers ("Corps") that the stream in Gregory Canyon is jurisdictional "waters of the United States" under the federal Clean Water Act. The Addendum argues that the Corps' jurisdictional determination was inconsequential, and relies on a 2010 report by Bill Magdych Associates that attempts to downplay the ecological significance of the stream in the canyon.

In its comments, the Pala Band included a letter report by Dr. Richard Horner that challenged those findings, and that report is incorporated by reference in these comments. In addition, a report prepared by Winfield & Associates dated April 4, 2011 (attached hereto as Exhibit 3) addresses the inadequacies in the Magdych analysis of ecological values and beneficial uses in the canyon. This report points out deficiencies in the Addendum that need to be addressed.

Moreover, the Addendum fails to acknowledge that the Regional Water Quality Control Board has identified that approximately 16,000 linear feet of federal and state waters would be destroyed by the construction of the proposed landfill. Under new mitigation requirements adopted by the Corps in 2008, mitigation for resources such as ephemeral streams must be provided "through in-kind rehabilitation, enhancement or preservation since there is greater certainty that these methods of compensation will successfully offset permitted impacts." (33 C.F.R. § 332.3(e)(3).) However, the Addendum admits that such mitigation has not been proposed and thus fails to consider this significant change in the circumstances surrounding the project. Such mitigation must be identified and discussed in a supplemental EIR.

The Addendum is inadequate in several other respects as well. It acknowledges that the Corps' jurisdictional delineation (hereby incorporated by reference into these comments) "noted the presence or potential presence of steelhead trout downstream of the landfill site" in the river, and that the Department of Fish & Game ("DFG") "has noted the presence of steelhead trout upstream of the landfill site in September 2005." The Addendum failed to note, however, that the Corps stated that DFG saw the steelhead, which is a federally endangered species, in Gomez Creek, which flows into the river only a couple of miles upstream of the proposed landfill site, or that the DFG also saw steelhead in 2007 just seven miles upstream of the site. (Corps, Memorandum For Record, Dec. 14, 2009, at 7.)

The Addendum also failed to mention the fact that the Corps' report stated that the San Luis Rey River "is important for the recovery of the Southern California steelhead trout" based on the findings of the National Marine Fisheries Service ("NMFS") that the San Luis Rey River "has the highest intrinsic potential rating in the Santa Catalina Gulf Coast Biogeographic Population Group to support an independent viable population of steelhead trout." (*Id.*) NMFS has proposed a recovery plan for steelhead on the river (Southern California Steelhead Recovery Plan, July 2009, hereby

incorporated by reference), which specifically identifies the San Luis Rey River as being currently occupied by steelhead trout. (Recovery Plan at 17.)

The Addendum also fails to mention the NMFS study and dismisses these sightings of steelhead as not proving the "actual presence" of steelhead on the site (without explaining how they got upstream of the site). The Addendum also claims that the presence of steelhead would only be for a "limited duration" because water temperatures are too high based on a 2007 URS Report.

The Addendum's reliance on the analysis in the FEIR that never addressed potential impacts to steelhead trout and on the 2007 URS Report is insufficient. As the letter reports from Dr. Horner and Winfield & Associates note, the hydrologic analysis of flows in the canyon prepared by URS are faulty as the Corps itself has indicated in the Memorandum. Whereas the URS Report claims little or no flow in the stream in Gregory Canyon or the river, the Corps notes the "relatively large size and discharge capacity" of the stream (Memorandum at 2), and that the river at its confluence with the stream "flows a minimum of 11 months of the year." (*Id.* at 5.)

Because the Addendum did not fully disclose the information included in the Corps' documents, and because the proposed project could adversely impact a listed species, attempting to analyze those potential impacts in two brief pages in the Addendum was not an adequate analysis. (CEQA Guidelines § 15065(a).) Public comment and input from trustee agencies should have been sought, and the analysis of the issue should have been provided in a supplemental EIR.

E. Conclusion

The above comments, and all of the previous comments provided by NRDC, the Pala Band, and other commenters on GCL's solid waste facility permit application and CEQA issues identify numerous reasons why the application is incomplete and why the LEA must conduct additional analyses under CEQA before it makes the discretionary decision to forward the solid waste permit application to CalRecycle. Failure to complete these analyses will constitute a violation of CEQA. We urge the LEA to follow CEQA and conduct these analyses.

Very truly yours,

Damon K. Nagami

Damon Nagami
Staff Attorney

Cc: Pam Slater-Price, District 3 Supervisor, County of San Diego
Mr. Robert Smith, Tribal Chairman, Pala Band of Mission Indians
Ms. Shasta Gaughen, Pala Band of Mission Indians

Walter E. Rusinek, Esq., Procopio, Cory, Hargreaves & Savitch LLP
Ted J. Griswold, Esq., Procopio, Cory, Hargreaves & Savitch LLP
Pamela Epstein, Esq., Sierra Club
Everett DeLano, Esq., RiverWatch
Mr. Johnny Pappas, Surfrider Foundation
Ms. Laura Hunter, Environmental Health Coalition

EXHIBIT 1

INTRODUCTION

LandGEM - Landfill Gas Emissions Model, Version 3.02

U.S. Environmental Protection Agency

Model Design:

Worksheet Name	Function
INTRO	Contains an overview of the model and important notes about using LandGEM
USER INPUTS	Allows users to provide landfill characteristics, determine model parameters, select up to four gases/pollutants (total landfill gas, methane, carbon dioxide, NMOC, and 46 air pollutants), and enter waste acceptance rates
POLLUTANTS	Allows users to edit air pollutant concentrations and molecular weights for existing pollutants and add up to 10 new pollutants
INPUT REVIEW	Allows users to review and print model inputs
METHANE	Calculates methane emission estimates using the first-order decomposition rate equation
RESULTS	Shows tabular emission estimates for up to four gases/pollutants (selected in the USER INPUTS worksheet) in megagrams per year, cubic meters per year, and user's choice of a third unit of measure (average cubic feet per minute, cubic feet per year, or short tons per year)
GRAPHS	Shows graphical emission estimates for up to four gases/pollutants (selected in the USER INPUTS worksheet) in megagrams per year, cubic meters per year, and user's choice of a third unit of measure (selected in the RESULTS worksheet)
INVENTORY	Displays tabular emission estimates for all gases/pollutants for a single year specified by users
REPORT	Allows users to review and print model inputs and outputs in a summary report

IMPORTANT NOTES!

The following user inputs MUST be completed in the USER INPUTS worksheet:

- Landfill open year
- Landfill closure year or Waste design capacity
- Annual waste acceptance rates from open year to current year or closure year

Other Important Notes:

- LandGEM is based on the gas generated from anaerobic decomposition of landfilled waste which has a methane content between 40 and 60 percent.
- When using LandGEM to comply with the CAA, the methane content of the landfill gas must remain fixed at 50% by volume (the model default value).
- Default pollutant concentrations used by LandGEM have already been corrected for air infiltration, as stated in AP-42. If a user-specified value for NMOC concentration is used based on site-specific data, then it must be corrected for air infiltration.
- When comparing results from LandGEM with measurements of extracted gas collected at a site, the landfill owner/operator must adjust for air infiltration prior to any comparisons.
- One megagram is equivalent to one metric ton.

About LandGEM:

LandGEM is based on a first-order decomposition rate equation for quantifying emissions from the decomposition of landfilled waste in municipal solid waste (MSW) landfills. The software provides a relatively simple approach to estimating landfill gas emissions. Model defaults are based on empirical data from U.S. landfills. Field test data can also be used in place of model defaults when available. Further guidance on EPA test methods, Clean Air Act (CAA) regulations, and other guidance regarding landfill gas emissions and control technology requirements can be found at http://www.epa.gov/ttnatw01/landfill/landflpg.html

LandGEM is considered a screening tool — the better the input data, the better the estimates. Often, there are limitations with the available data regarding waste quantity and composition, variation in design and operating practices over time, and changes occurring over time that impact the emissions potential. Changes to landfill operation, such as operating under wet conditions through leachate recirculation or other liquid additions, will result in generating more gas at a faster rate. Defaults for estimating emissions for this type of operation are being developed to include in LandGEM along with defaults for convential landfills (no leachate or liquid additions) for developing emission inventories and determining CAA applicability. Refer to the Web site identified above for future updates.

USER INPUTS

Landfill Name or Identifier: Gregory Canyon Landfill

Clear ALL Non-Parameter Inputs/Selections

1: PROVIDE LANDFILL CHARACTERISTICS

Landfill Open Year	2012	Landfill Closure Year entered is not used by the model unless 'Have Model Calculate Closure Year?' option is No.
Landfill Closure Year	2033	
Have Model Calculate Closure Year?	(•) Yes ( ) No	
Waste Design Capacity	33,770,000	*short tons*

Restore Default Model Parameters

2: DETERMINE MODEL PARAMETERS

Methane Generation Rate, k (*year*$^{-1}$)

CAA Arid Area - 0.02

Potential Methane Generation Capacity, L_o (*m*^{3}/*Mg*)

User-specified

User-specified Lo value should be based on site-specific data and determined by waste type and composition.

User-specified value: 110

NMOC Concentration (*ppmv as hexane*)

CAA - 4,000

Methane Content (*% by volume*)

User-specified

User-specified value: 44

3: SELECT GASES/POLLUTANTS

Gas / Pollutant #1

Total landfill gas

Default pollutant parameters are currently being used by model.

Edit Existing or Add New Pollutant Parameters

Gas / Pollutant #2

Methane

Gas / Pollutant #3

Carbon dioxide

Restore Default Pollutant Parameters

Gas / Pollutant #4

NMOC

Description/Comments:

4: ENTER WASTE ACCEPTANCE RATES

Input Units: *short tons/year*

Year	Input Units *(short tons/year)*	Calculated Units *(Mg/year)*
2012	1,535,000	1,395,455
2013	1,535,000	1,395,455
2014	1,535,000	1,395,455
2015	1,535,000	1,395,455
2016	1,535,000	1,395,455
2017	1,535,000	1,395,455
2018	1,535,000	1,395,455
2019	1,535,000	1,395,455
2020	1,535,000	1,395,455
2021	1,535,000	1,395,455
2022	1,535,000	1,395,455
2023	1,535,000	1,395,455
2024	1,535,000	1,395,455
2025	1,535,000	1,395,455
2026	1,535,000	1,395,455
2027	1,535,000	1,395,455
2028	1,535,000	1,395,455
2029	1,535,000	1,395,455
2030	1,535,000	1,395,455
2031	1,535,000	1,395,455
2032	1,535,000	1,395,455
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4: ENTER WASTE ACCEPTANCE RATES

Input Units: *short tons/year*

Year	Input Units *(short tons/year)*	Calculated Units *(Mg/year)*
2052		
2053		
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2055		
2056		
2057		
2058		
2059		
2060		
2061		
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2091		

POLLUTANTS

Landfill Name or Identifier: Gregory Canyon Landfill

Enter New Pollutant Parameters | **Edit Existing Pollutant Parameters**

Default parameters will be used by model unless alternate parameters are entered.

Gas / Pollutant Default Parameters:

Enter User-specified Pollutant Parameters for Existing Pollutants:

	Compound	Concentration (ppmv)	Molecular Weight	Notes	Concentration (ppmv)	Molecular Weight
Gases	Total landfill gas		29.06			
	Methane		16.04			
	Carbon dioxide		44.01			
	NMOC	4,000	86.18			
Pollutants	1,1,1-Trichloroethane (methyl chloroform) - HAP	0.48	133.41	A		
	1,1,2,2-Tetrachloroethane - HAP/VOC	1.1	167.85	A, B		
	1,1-Dichloroethane (ethylidene dichloride) - HAP/VOC	2.4	98.97	A, B		
	1,1-Dichloroethene (vinylidene chloride) - HAP/VOC	0.20	96.94	A, B		
	1,2-Dichloroethane (ethylene dichloride) - HAP/VOC	0.41	98.96	A, B		
	1,2-Dichloropropane (propylene dichloride) - HAP/VOC	0.18	112.99	A, B		
	2-Propanol (isopropyl alcohol) - VOC	50	60.11	B		
	Acetone	7.0	58.08			
	Acrylonitrile - HAP/VOC	6.3	53.06	A, B		
	Benzene - No or Unknown Co-disposal - HAP/VOC	1.9	78.11	A, B		
	Benzene - Co-disposal - HAP/VOC	11	78.11	A, B		
	Bromodichloromethane - VOC	3.1	163.83	B		
	Butane - VOC	5.0	58.12	B		
	Carbon disulfide - HAP/VOC	0.58	76.13	A, B		
	Carbon monoxide	140	28.01			
	Carbon tetrachloride - HAP/VOC	4.0E-03	153.84	A, B		
	Carbonyl sulfide - HAP/VOC	0.49	60.07	A, B		
	Chlorobenzene - HAP/VOC	0.25	112.56	A, B		
	Chlorodifluoromethane	1.3	86.47			
	Chloroethane (ethyl chloride) - HAP/VOC	1.3	64.52	A, B		
	Chloroform - HAP/VOC	0.03	119.39	A, B		
	Chloromethane - VOC	1.2	50.49	B		
	Dichlorobenzene - (HAP for para isomer/VOC)	0.21	147	B, C		
	Dichlorodifluoromethane	16	120.91			
	Dichlorofluoromethane - VOC	2.6	102.92	B		
	Dichloromethane (methylene chloride) - HAP	14	84.94	A		
	Dimethyl sulfide (methyl sulfide) - VOC	7.8	62.13	B		
	Ethane	890	30.07			
	Ethanol - VOC	27	46.08	B		
	Ethyl mercaptan (ethanethiol) - VOC	2.3	62.13	B		
	Ethylbenzene - HAP/VOC	4.6	106.16	A, B		
	Ethylene dibromide - HAP/VOC	1.0E-03	187.88	A, B		
	Fluorotrichloromethane - VOC	0.76	137.38	B		
	Hexane - HAP/VOC	6.6	86.18	A, B		
	Hydrogen sulfide	36	34.08			
	Mercury (total) - HAP	2.9E-04	200.61	A		
	Methyl ethyl ketone - HAP/VOC	7.1	72.11	A, B		
	Methyl isobutyl ketone - HAP/VOC	1.9	100.16	A, B		
	Methyl mercaptan - VOC	2.5	48.11	B		
	Pentane - VOC	3.3	72.15	B		
	Perchloroethylene (tetrachloroethylene) - HAP	3.7	165.83	A		
	Propane - VOC	11	44.09	B		
	t-1,2-Dichloroethene - VOC	2.8	96.94	B		
	Toluene - No or Unknown Co-disposal - HAP/VOC	39	92.13	A, B		
	Toluene - Co-disposal - HAP/VOC	170	92.13	A, B		
	Trichloroethylene (trichloroethene) - HAP/VOC	2.8	131.40	A, B		
	Vinyl chloride - HAP/VOC	7.3	62.50	A, B		
	Xylenes - HAP/VOC	12	106.16	A, B		

Enter New Compound	Enter Concentration (ppmv)	Enter Molecular Weight

Return to USER INPUTS

A. Hazardous air pollutants (HAP) listed in Title III of the 1990 Clean Air Act Amendments.
B. Considered volatile organic compounds (VOC), as defined by U.S. EPA in 40 CFR 51.100(s).
C. Source tests did not indicate whether this compound was the para- or ortho- isomer. The para-isomer is a Title III-listed HAP.

Source: Tables 2.4-1 and 2.4-2 of *Compilation of Air Pollutant Emission Factors, AP-42, Volume 1: Stationary Point and Area Sources*, 5th ed., Chapter 2.4 Municipal Solid Waste Landfills. U.S. EPA, Office of Air Quality Planning and Standards. Research Triangle Park, NC. November 1998. http://www.epa.gov/ttn/chief/ap42/ch02/final/c02s04.pdf

INPUT REVIEW

Landfill Name or Identifier: Gregory Canyon Landfill

LANDFILL CHARACTERISTICS

Landfill Open Year	**2012**	
Landfill Closure Year (with 80-year limit)	**2033**	
Actual Closure Year (without limit)	***2033***	
Have Model Calculate Closure Year?	**Yes**	
Waste Design Capacity	**33,770,000**	*short tons*

MODEL PARAMETERS

Methane Generation Rate, k	**0.020**	$year^{-1}$
Potential Methane Generation Capacity, L_o	**110**	m^3/Mg
NMOC Concentration	**4,000**	*ppmv as hexane*
Methane Content	**44**	*% by volume*

GASES / POLLUTANTS SELECTED

Gas / Pollutant #1:	**Total landfill gas**
Gas / Pollutant #2:	**Methane**
Gas / Pollutant #3:	**Carbon dioxide**
Gas / Pollutant #4:	**NMOC**

Description/Comments:

WASTE ACCEPTANCE RATES

Year	(Mg/year)	(short tons/year)
2012	1,395,455	1,535,000
2013	1,395,455	1,535,000
2014	1,395,455	1,535,000
2015	1,395,455	1,535,000
2016	1,395,455	1,535,000
2017	1,395,455	1,535,000
2018	1,395,455	1,535,000
2019	1,395,455	1,535,000
2020	1,395,455	1,535,000
2021	1,395,455	1,535,000
2022	1,395,455	1,535,000
2023	1,395,455	1,535,000
2024	1,395,455	1,535,000
2025	1,395,455	1,535,000
2026	1,395,455	1,535,000
2027	1,395,455	1,535,000
2028	1,395,455	1,535,000
2029	1,395,455	1,535,000
2030	1,395,455	1,535,000
2031	1,395,455	1,535,000
2032	1,395,455	1,535,000
2033	1,395,455	1,535,000
2034	0	0
2035	0	0
2036	0	0
2037	0	0
2038	0	0
2039	0	0
2040	0	0
2041	0	0
2042	0	0
2043	0	0
2044	0	0
2045	0	0
2046	0	0
2047	0	0
2048	0	0
2049	0	0
2050	0	0
2051	0	0
2052	0	0
2053	0	0
2054	0	0

WASTE ACCEPTANCE RATES

Year	(Mg/year)	(short tons/year)
2055	0	0
2056	0	0
2057	0	0
2058	0	0
2059	0	0
2060	0	0
2061	0	0
2062	0	0
2063	0	0
2064	0	0
2065	0	0
2066	0	0
2067	0	0
2068	0	0
2069	0	0
2070	0	0
2071	0	0
2072	0	0
2073	0	0
2074	0	0
2075	0	0
2076	0	0
2077	0	0
2078	0	0
2079	0	0
2080	0	0
2081	0	0
2082	0	0
2083	0	0
2084	0	0
2085	0	0
2086	0	0
2087	0	0
2088	0	0
2089	0	0
2090	0	0
2091	0	0

METHANE

Landfill Name or Identifier: Gregory Canyon Landfill

First-Order Decomposition Rate Equation:

$$Q_{CH_4} = \sum_{i=1}^{n} \sum_{j=0.1}^{1} kL_o \left(\frac{M_i}{10}\right) e^{-kt_{ij}}$$

Where,

Q_{CH4} = annual methane generation in the year of the calculation ($m^3/year$)

i = 1-year time increment

n = (year of the calculation) - (initial year of waste acceptance)

j = 0.1-year time increment

k = methane generation rate ($year^{-1}$)

L_o = potential methane generation capacity (m^3/Mg)

M_i = mass of waste accepted in the ith year (Mg)

t_{ij} = age of the jth section of waste mass M_i accepted in the ith year (*decimal years*, e.g., 3.2 years)

Model Parameters from User Inputs:

k = 0.020 $year^{-1}$

L_o = 110 m^3/Mg

When Model Calculates Closure Year...

Final Non-Zero Acceptance Entered =	1,395,455 *megagrams* in	2033
Waste Design Capacity =	30,700,000 *megagrams*	
Closure Year (with 80-year limit) =	2033	
Actual Closure Year (without limit) =	2033	
Model Waste Acceptance Limit =	80 *years*	

Year	User Waste Acceptance Inputs (Mg/year)	User Waste-In Place (Mg)	Waste Acceptance (Mg/year)	Waste-In-Place (Mg)
2012	1,395,455	0	1,395,455	0
2013	1,395,455	1,395,455	1,395,455	1,395,455
2014	1,395,455	2,790,909	1,395,455	2,790,909
2015	1,395,455	4,186,364	1,395,455	4,186,364
2016	1,395,455	5,581,818	1,395,455	5,581,818
2017	1,395,455	6,977,273	1,395,455	6,977,273
2018	1,395,455	8,372,727	1,395,455	8,372,727
2019	1,395,455	9,768,182	1,395,455	9,768,182
2020	1,395,455	11,163,636	1,395,455	11,163,636
2021	1,395,455	12,559,091	1,395,455	12,559,091
2022	1,395,455	13,954,545	1,395,455	13,954,545
2023	1,395,455	15,350,000	1,395,455	15,350,000
2024	1,395,455	16,745,455	1,395,455	16,745,455
2025	1,395,455	18,140,909	1,395,455	18,140,909
2026	1,395,455	19,536,364	1,395,455	19,536,364
2027	1,395,455	20,931,818	1,395,455	20,931,818
2028	1,395,455	22,327,273	1,395,455	22,327,273
2029	1,395,455	23,722,727	1,395,455	23,722,727
2030	1,395,455	25,118,182	1,395,455	25,118,182
2031	1,395,455	26,513,636	1,395,455	26,513,636
2032	1,395,455	27,909,091	1,395,455	27,909,091
2033	1,395,455	29,304,545	1,395,455	29,304,545
2034	0	30,700,000	0	30,700,000
2035	0	30,700,000	0	30,700,000
2036	0	30,700,000	0	30,700,000
2037	0	30,700,000	0	30,700,000
2038	0	30,700,000	0	30,700,000
2039	0	30,700,000	0	30,700,000
2040	0	30,700,000	0	30,700,000
2041	0	30,700,000	0	30,700,000
2042	0	30,700,000	0	30,700,000
2043	0	30,700,000	0	30,700,000
2044	0	30,700,000	0	30,700,000
2045	0	30,700,000	0	30,700,000
2046	0	30,700,000	0	30,700,000
2047	0	30,700,000	0	30,700,000
2048	0	30,700,000	0	30,700,000
2049	0	30,700,000	0	30,700,000
2050	0	30,700,000	0	30,700,000
2051	0	30,700,000	0	30,700,000
2052	0	30,700,000	0	30,700,000
2053	0	30,700,000	0	30,700,000
2054	0	30,700,000	0	30,700,000
2055	0	30,700,000	0	30,700,000
2056	0	30,700,000	0	30,700,000
2057	0	30,700,000	0	30,700,000
2058	0	30,700,000	0	30,700,000
2059	0	30,700,000	0	30,700,000
2060	0	30,700,000	0	30,700,000
2061	0	30,700,000	0	30,700,000
2062	0	30,700,000	0	30,700,000
2063	0	30,700,000	0	30,700,000
2064	0	30,700,000	0	30,700,000
2065	0	30,700,000	0	30,700,000
2066	0	30,700,000	0	30,700,000
2067	0	30,700,000	0	30,700,000
2068	0	30,700,000	0	30,700,000
2069	0	30,700,000	0	30,700,000
2070	0	30,700,000	0	30,700,000
2071	0	30,700,000	0	30,700,000

Year	User Waste Acceptance Inputs *(Mg/year)*	User Waste-In Place *(Mg)*	Waste Acceptance *(Mg/year)*	Waste-In-Place *(Mg)*
2072	0	30,700,000	0	30,700,000
2073	0	30,700,000	0	30,700,000
2074	0	30,700,000	0	30,700,000
2075	0	30,700,000	0	30,700,000
2076	0	30,700,000	0	30,700,000
2077	0	30,700,000	0	30,700,000
2078	0	30,700,000	0	30,700,000
2079	0	30,700,000	0	30,700,000
2080	0	30,700,000	0	30,700,000
2081	0	30,700,000	0	30,700,000
2082	0	30,700,000	0	30,700,000
2083	0	30,700,000	0	30,700,000
2084	0	30,700,000	0	30,700,000
2085	0	30,700,000	0	30,700,000
2086	0	30,700,000	0	30,700,000
2087	0	30,700,000	0	30,700,000
2088	0	30,700,000	0	30,700,000
2089	0	30,700,000	0	30,700,000
2090	0	30,700,000	0	30,700,000
2091	0	30,700,000	0	30,700,000

RESULTS

Landfill Name or Identifier: Gregory Canyon Landfill

Closure Year (with 80-year limit) = 2033

Methane = 44 % by volume

Please choose a third unit of measure to represent all of the emission rates below.

User-specified Unit: av ft^3/min

Year	Waste Accepted		Waste-In-Place		Total landfill gas			Methane			Carbon dioxide			NMOC		
	(Mg/year)	(short tons/year)	(Mg)	(short tons)	(Mg/year)	(m^3/year)	(av ft^3/min)	(Mg/year)	(m^3/year)	(av ft^3/min)	(Mg/year)	(m^3/year)	(av ft^3/min)	(Mg/year)	(m^3/year)	(av ft^3/min)
2012	1,395,455	1,535,000	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2013	1,395,455	1,535,000	1,395,455	1,535,000	8.359E+03	6.915E+06	4.646E+02	2.030E+03	3.043E+06	2.044E+02	7.058E+03	3.872E+06	2.602E+02	9.914E+01	2.766E+04	1.858E+00
2014	1,395,455	1,535,000	2,790,909	3,070,000	1.665E+04	1.369E+07	9.200E+02	4.019E+03	6.025E+06	4.048E+02	1.404E+04	7.668E+06	5.152E+02	1.963E+02	5.477E+04	3.680E+00
2015	1,395,455	1,535,000	4,186,364	4,605,000	2.458E+04	2.034E+07	1.366E+03	5.970E+03	8.948E+06	6.012E+02	2.085E+04	1.139E+07	7.652E+02	2.916E+02	8.135E+04	5.468E+00
2016	1,395,455	1,535,000	5,581,818	6,140,000	3.245E+04	2.685E+07	1.804E+03	7.881E+03	1.181E+07	7.937E+02	2.752E+04	1.504E+07	1.010E+03	3.850E+02	1.074E+05	7.216E+00
2017	1,395,455	1,535,000	6,977,273	7,675,000	4.017E+04	3.323E+07	2.233E+03	9.755E+03	1.462E+07	9.825E+02	3.407E+04	1.861E+07	1.250E+03	4.765E+02	1.329E+05	8.931E+00
2018	1,395,455	1,535,000	8,372,727	9,210,000	4.773E+04	3.949E+07	2.653E+03	1.159E+04	1.738E+07	1.167E+03	4.048E+04	2.211E+07	1.486E+03	5.662E+02	1.580E+05	1.061E+01
2019	1,395,455	1,535,000	9,768,182	10,745,000	5.515E+04	4.562E+07	3.065E+03	1.339E+04	2.007E+07	1.349E+03	4.677E+04	2.555E+07	1.717E+03	6.541E+02	1.825E+05	1.228E+01
2020	1,395,455	1,535,000	11,163,636	12,280,000	6.241E+04	5.163E+07	3.469E+03	1.516E+04	2.272E+07	1.526E+03	5.293E+04	2.891E+07	1.943E+03	7.403E+02	2.065E+05	1.388E+01
2021	1,395,455	1,535,000	12,559,091	13,815,000	6.954E+04	5.753E+07	3.865E+03	1.688E+04	2.531E+07	1.701E+03	5.897E+04	3.221E+07	2.164E+03	8.248E+02	2.301E+05	1.546E+01
2022	1,395,455	1,535,000	13,954,545	15,350,000	7.652E+04	6.330E+07	4.253E+03	1.856E+04	2.785E+07	1.871E+03	6.489E+04	3.545E+07	2.382E+03	9.076E+02	2.532E+05	1.701E+01
2023	1,395,455	1,535,000	15,350,000	16,885,000	8.336E+04	6.896E+07	4.634E+03	2.024E+04	3.034E+07	2.039E+03	7.069E+04	3.862E+07	2.595E+03	9.888E+02	2.759E+05	1.853E+01
2024	1,395,455	1,535,000	16,745,455	18,420,000	9.007E+04	7.451E+07	5.006E+03	2.187E+04	3.279E+07	2.203E+03	7.638E+04	4.173E+07	2.804E+03	1.068E+03	2.980E+05	2.003E+01
2025	1,395,455	1,535,000	18,140,909	19,955,000	9.665E+04	7.995E+07	5.372E+03	2.347E+04	3.518E+07	2.364E+03	8.195E+04	4.477E+07	3.008E+03	1.146E+03	3.198E+05	2.140E+01
2026	1,395,455	1,535,000	19,536,364	21,490,000	1.031E+05	8.528E+07	5.730E+03	2.503E+04	3.752E+07	2.521E+03	8.742E+04	4.776E+07	3.209E+03	1.223E+03	3.411E+05	2.262E+01
2027	1,395,455	1,535,000	20,931,818	23,025,000	1.094E+05	9.051E+07	6.081E+03	2.657E+04	3.982E+07	2.676E+03	9.278E+04	5.069E+07	3.406E+03	1.298E+03	3.620E+05	2.433E+01
2028	1,395,455	1,535,000	22,327,273	24,560,000	1.156E+05	9.563E+07	6.426E+03	2.807E+04	4.208E+07	2.827E+03	9.803E+04	5.355E+07	3.598E+03	1.371E+03	3.825E+05	2.576E+01
2029	1,395,455	1,535,000	23,722,727	26,095,000	1.217E+05	1.007E+08	6.763E+03	2.955E+04	4.429E+07	2.976E+03	1.032E+05	5.637E+07	3.787E+03	1.443E+03	4.026E+05	2.706E+01
2030	1,395,455	1,535,000	25,118,182	27,630,000	1.276E+05	1.056E+08	7.094E+03	3.099E+04	4.645E+07	3.121E+03	1.082E+05	5.912E+07	3.972E+03	1.514E+03	4.223E+05	2.837E+01
2031	1,395,455	1,535,000	26,513,636	29,165,000	1.335E+05	1.104E+08	7.418E+03	3.241E+04	4.856E+07	3.264E+03	1.132E+05	6.182E+07	4.154E+03	1.583E+03	4.416E+05	2.967E+01
2032	1,395,455	1,535,000	27,909,091	30,700,000	1.392E+05	1.151E+08	7.735E+03	3.380E+04	5.066E+07	3.404E+03	1.180E+05	6.447E+07	4.332E+03	1.651E+03	4.605E+05	3.084E+01
2033	1,395,455	1,535,000	29,304,545	32,235,000	1.448E+05	1.198E+08	8.047E+03	3.516E+04	5.270E+07	3.541E+03	1.228E+05	6.707E+07	4.506E+03	1.717E+03	4.791E+05	3.219E+01
2034	0	0	30,700,000	33,770,000	1.503E+05	1.243E+08	8.352E+03	3.649E+04	5.470E+07	3.675E+03	1.274E+05	6.961E+07	4.677E+03	1.782E+03	4.972E+05	3.341E+01
2035	0	0	30,700,000	33,770,000	1.473E+05	1.218E+08	8.187E+03	3.577E+04	5.361E+07	3.602E+03	1.249E+05	6.823E+07	4.585E+03	1.747E+03	4.874E+05	3.276E+01
2036	0	0	30,700,000	33,770,000	1.444E+05	1.194E+08	8.025E+03	3.506E+04	5.255E+07	3.531E+03	1.224E+05	6.688E+07	4.494E+03	1.712E+03	4.777E+05	3.210E+01
2037	0	0	30,700,000	33,770,000	1.415E+05	1.171E+08	7.866E+03	3.436E+04	5.151E+07	3.461E+03	1.200E+05	6.556E+07	4.405E+03	1.678E+03	4.683E+05	3.146E+01
2038	0	0	30,700,000	33,770,000	1.387E+05	1.147E+08	7.710E+03	3.368E+04	5.049E+07	3.392E+03	1.176E+05	6.426E+07	4.318E+03	1.645E+03	4.590E+05	3.084E+01
2039	0	0	30,700,000	33,770,000	1.360E+05	1.125E+08	7.557E+03	3.302E+04	4.949E+07	3.325E+03	1.153E+05	6.299E+07	4.232E+03	1.613E+03	4.499E+05	3.023E+01
2040	0	0	30,700,000	33,770,000	1.333E+05	1.103E+08	7.408E+03	3.236E+04	4.851E+07	3.259E+03	1.130E+05	6.174E+07	4.148E+03	1.581E+03	4.410E+05	2.963E+01
2041	0	0	30,700,000	33,770,000	1.306E+05	1.081E+08	7.261E+03	3.172E+04	4.755E+07	3.195E+03	1.108E+05	6.052E+07	4.066E+03	1.549E+03	4.323E+05	2.904E+01
2042	0	0	30,700,000	33,770,000	1.280E+05	1.059E+08	7.117E+03	3.109E+04	4.661E+07	3.132E+03	1.086E+05	5.932E+07	3.986E+03	1.519E+03	4.237E+05	2.847E+01
2043	0	0	30,700,000	33,770,000	1.255E+05	1.038E+08	6.976E+03	3.048E+04	4.569E+07	3.070E+03	1.064E+05	5.814E+07	3.907E+03	1.489E+03	4.153E+05	2.791E+01
2044	0	0	30,700,000	33,770,000	1.230E+05	1.018E+08	6.838E+03	2.988E+04	4.478E+07	3.009E+03	1.043E+05	5.699E+07	3.829E+03	1.459E+03	4.071E+05	2.735E+01
2045	0	0	30,700,000	33,770,000	1.206E+05	9.976E+07	6.703E+03	2.928E+04	4.389E+07	2.949E+03	1.023E+05	5.586E+07	3.754E+03	1.430E+03	3.990E+05	2.681E+01
2046	0	0	30,700,000	33,770,000	1.182E+05	9.778E+07	6.570E+03	2.870E+04	4.302E+07	2.891E+03	1.002E+05	5.476E+07	3.679E+03	1.402E+03	3.911E+05	2.626E+01
2047	0	0	30,700,000	33,770,000	1.159E+05	9.585E+07	6.440E+03	2.814E+04	4.217E+07	2.834E+03	9.825E+04	5.367E+07	3.606E+03	1.374E+03	3.834E+05	2.576E+01
2048	0	0	30,700,000	33,770,000	1.136E+05	9.395E+07	6.312E+03	2.758E+04	4.134E+07	2.777E+03	9.631E+04	5.261E+07	3.535E+03	1.347E+03	3.758E+05	2.525E+01
2049	0	0	30,700,000	33,770,000	1.113E+05	9.209E+07	6.187E+03	2.703E+04	4.052E+07	2.722E+03	9.440E+04	5.157E+07	3.465E+03	1.320E+03	3.684E+05	2.475E+01
2050	0	0	30,700,000	33,770,000	1.091E+05	9.027E+07	6.065E+03	2.650E+04	3.972E+07	2.669E+03	9.253E+04	5.055E+07	3.396E+03	1.294E+03	3.611E+05	2.426E+01
2051	0	0	30,700,000	33,770,000	1.070E+05	8.848E+07	5.945E+03	2.597E+04	3.893E+07	2.616E+03	9.070E+04	4.955E+07	3.329E+03	1.269E+03	3.539E+05	2.378E+01
2052	0	0	30,700,000	33,770,000	1.048E+05	8.673E+07	5.827E+03	2.546E+04	3.816E+07	2.564E+03	8.890E+04	4.857E+07	3.263E+03	1.243E+03	3.469E+05	2.331E+01
2053	0	0	30,700,000	33,770,000	1.028E+05	8.501E+07	5.712E+03	2.495E+04	3.740E+07	2.513E+03	8.714E+04	4.760E+07	3.199E+03	1.219E+03	3.400E+05	2.285E+01
2054	0	0	30,700,000	33,770,000	1.007E+05	8.333E+07	5.599E+03	2.446E+04	3.666E+07	2.463E+03	8.542E+04	4.666E+07	3.135E+03	1.195E+03	3.333E+05	2.239E+01
2055	0	0	30,700,000	33,770,000	9.873E+04	8.168E+07	5.488E+03	2.398E+04	3.594E+07	2.415E+03	8.372E+04	4.574E+07	3.073E+03	1.171E+03	3.267E+05	2.195E+01
2056	0	0	30,700,000	33,770,000	9.677E+04	8.006E+07	5.379E+03	2.350E+04	3.523E+07	2.367E+03	8.207E+04	4.483E+07	3.012E+03	1.148E+03	3.202E+05	2.152E+01
2057	0	0	30,700,000	33,770,000	9.486E+04	7.847E+07	5.273E+03	2.304E+04	3.453E+07	2.320E+03	8.044E+04	4.394E+07	2.953E+03	1.125E+03	3.139E+05	2.109E+01
2058	0	0	30,700,000	33,770,000	9.298E+04	7.692E+07	5.168E+03	2.258E+04	3.384E+07	2.274E+03	7.885E+04	4.307E+07	2.894E+03	1.103E+03	3.077E+05	2.067E+01
2059	0	0	30,700,000	33,770,000	9.114E+04	7.540E+07	5.066E+03	2.213E+04	3.317E+07	2.229E+03	7.729E+04	4.222E+07	2.837E+03	1.081E+03	3.016E+05	2.026E+01
2060	0	0	30,700,000	33,770,000	8.933E+04	7.390E+07	4.966E+03	2.169E+04	3.252E+07	2.185E+03	7.576E+04	4.139E+07	2.781E+03	1.060E+03	2.956E+05	1.986E+01
2061	0	0	30,700,000	33,770,000	8.756E+04	7.244E+07	4.867E+03	2.126E+04	3.187E+07	2.142E+03	7.426E+04	4.057E+07	2.726E+03	1.039E+03	2.898E+05	1.947E+01
2062	0	0	30,700,000	33,770,000	8.583E+04	7.101E+07	4.771E+03	2.084E+04	3.124E+07	2.099E+03	7.279E+04	3.976E+07	2.672E+03	1.018E+03	2.840E+05	1.908E+01
2063	0	0	30,700,000	33,770,000	8.413E+04	6.960E+07	4.676E+03	2.043E+04	3.062E+07	2.058E+03	7.134E+04	3.898E+07	2.619E+03	9.979E+02	2.784E+05	1.871E+01
2064	0	0	30,700,000	33,770,000	8.247E+04	6.822E+07	4.584E+03	2.003E+04	3.002E+07	2.017E+03	6.993E+04	3.820E+07	2.567E+03	9.781E+02	2.729E+05	1.834E+01
2065	0	0	30,700,000	33,770,000	8.083E+04	6.687E+07	4.493E+03	1.963E+04	2.942E+07	1.977E+03	6.855E+04	3.745E+07	2.516E+03	9.588E+02	2.675E+05	1.797E+01
2066	0	0	30,700,000	33,770,000	7.923E+04	6.555E+07	4.404E+03	1.924E+04	2.884E+07	1.938E+03	6.719E+04	3.671E+07	2.466E+03	9.398E+02	2.622E+05	1.762E+01
2067	0	0	30,700,000	33,770,000	7.766E+04	6.425E+07	4.317E+03	1.886E+04	2.827E+07	1.899E+03	6.586E+04	3.598E+07	2.417E+03	9.212E+02	2.570E+05	1.727E+01
2068	0	0	30,700,000	33,770,000	7.613E+04	6.298E+07	4.231E+03	1.849E+04	2.771E+07	1.862E+03	6.456E+04	3.527E+07	2.370E+03	9.029E+02	2.519E+05	1.693E+01
2069	0	0	30,700,000	33,770,000	7.462E+04	6.173E+07	4.148E+03	1.812E+04	2.716E+07	1.825E+03	6.328E+04	3.457E+07	2.323E+03	8.851E+02	2.469E+05	1.659E+01
2070	0	0	30,700,000	33,770,000	7.314E+04	6.051E+07	4.066E+03	1.776E+04	2.662E+07	1.789E+03	6.202E+04	3.389E+07	2.277E+03	8.675E+02	2.420E+05	1.626E+01
2071	0	0	30,700,000	33,770,000	7.169E+04	5.931E+07	3.985E+03	1.741E+04	2.610E+07	1.753E+03	6.080E+04	3.321E+07	2.232E+03	8.504E+02	2.372E+05	1.594E+01
2072	0	0	30,700,000	33,770,000	7.027E+04	5.813E+07	3.906E+03	1.707E+04	2.558E+07	1.719E+03	5.959E+04	3.256E+07	2.187E+03	8.335E+02	2.325E+05	1.562E+01
2073	0	0	30,700,000	33,770,000	6.888E+04	5.698E+07	3.829E+03	1.673E+04	2.507E+07	1.685E+03	5.841E+04	3.191E+07	2.144E+03	8.170E+02	2.279E+05	1.531E+01
2074	0	0	30,700,000	33,770,000	6.752E+04	5.585E+07	3.753E+03	1.640E+04	2.458E+07	1.651E+03	5.726E+04	3.128E+07	2.102E+03	8.008E+02	2.234E+05	1.501E+01
2075	0	0	30,700,000	33,770,000	6.618E+04	5.475E+07	3.679E+03	1.607E+04	2.409E+07	1.619E+03	5.612E+04	3.066E+07	2.060E+03	7.850E+02	2.190E+05	1.471E+01
2076	0	0	30,700,000	33,770,000	6.487E+04	5.366E+07	3.606E+03	1.575E+04	2.361E+07	1.587E+03	5.501E+04	3.005E+07	2.019E+03	7.694E+02	2.147E+05	1.442E+01
2077	0	0	30,700,000	33,770,000	6.359E+04	5.260E+07	3.534E+03	1.544E+04	2.314E+07	1.555E+03	5.392E+04	2.946E+07	1.979E+03	7.542E+02	2.104E+05	1.414E+01
2078	0	0	30,700,000	33,770,000	6.233E+04	5.156E+07	3.464E+03	1.514E+04	2.269E+07	1.524E+03	5.285E+04	2.887E+07	1.940E+03	7.393E+02	2.062E+05	1.386E+01
2079	0	0	30,700,000	33,770,000	6.109E+04	5.054E+07	3.396E+03	1.484E+04	2.224E+07	1.494E+03	5.181E+04	2.830E+07	1.902E+03	7.246E+02	2.022E+05	1.358E+01
2080	0	0	30,700,000	33,770,000	5.988E+04	4.954E+07	3.328E+03	1.454E+04	2.180E+07	1.465E+03	5.078E+04	2.774E+07	1.864E+03	7.103E+02	1.982E+05	1.331E+01
2081	0	0	30,700,000	33,770,000	5.870E+04	4.856E+07	3.263E+03	1.425E+04	2.137E+07	1.436E+03	4.978E+04	2.719E+07	1.827E+03	6.962E+02	1.942E+05	1.305E+01
2082	0	0	30,700,000	33,770,000	5.753E+04	4.760E+07	3.198E+03	1.397E+04	2.094E+07	1.407E+03	4.879E+04	2.665E+07	1.791E+03	6.824E+02	1.904E+05	1.279E+01
2083	0	0	30,700,000	33,770,000	5.639E+04	4.665E+07	3.135E+03	1.369E+04	2.053E+07	1.379E+03	4.782E+04	2.613E+07	1.756E+03	6.689E+02	1.866E+05	1.254E+01
2084	0	0	30,700,000	33,770,000	5.528E+04	4.573E+07	3.073E+03	1.342E+04	2.012E+07	1.352E+03	4.688E+04	2.561E+07	1.721E+03	6.557E+02	1.829E+05	1.229E+01
2085	0	0	30,700,000	33,770,000	5.418E+04	4.482E+07	3.012E+03	1.316E+04	1.972E+07	1.325E+03	4.595E+04	2.510E+07	1.687E+03	6.427E+02	1.793E+05	1.205E+01
2086	0	0	30,700,000	33,770,000	5.311E+04	4.394E+07	2.952E+03	1.290E+04	1.933E+07	1.299E+03	4.504E+04	2.460E+07	1.653E+03	6.300E+02	1.757E+05	1.181E+01
2087	0	0	30,700,000	33,770,000	5.206E+04	4.307E+07	2.894E+03	1.264E+04	1.895E+07	1.273E+03	4.415E+04	2.412E+07	1.620E+03	6.175E+02	1.723E+05	1.157E+01
2088	0	0	30,700,000	33,770,000	5.103E+04	4.221E+07	2.836E+03	1.239E+04	1.857E+07	1.248E+03	4.327E+04	2.364E+07	1.588E+03	6.053E+02	1.689E+05	1.135E+01
2089	0	0	30,700,000	33,770,000	5.002E+04	4.138E+07	2.780E+03	1.215E+04	1.821E+07	1.223E+03	4.242E+04	2.317E+07	1.557E+03	5.933E+02	1.655E+05	1.112E+01
2090	0	0	30,700,000	33,770,000	4.903E+04	4.056E+07	2.725E+03	1.191E+04	1.785E+07	1.199E+03	4.158E+04	2.271E+07	1.526E+03	5.815E+02	1.622E+05	1.090E+01

RESULTS

Landfill Name or Identifier: Gregory Canyon Landfill

Closure Year (with 80-year limit) = 2035

Methane = 44 % by volume

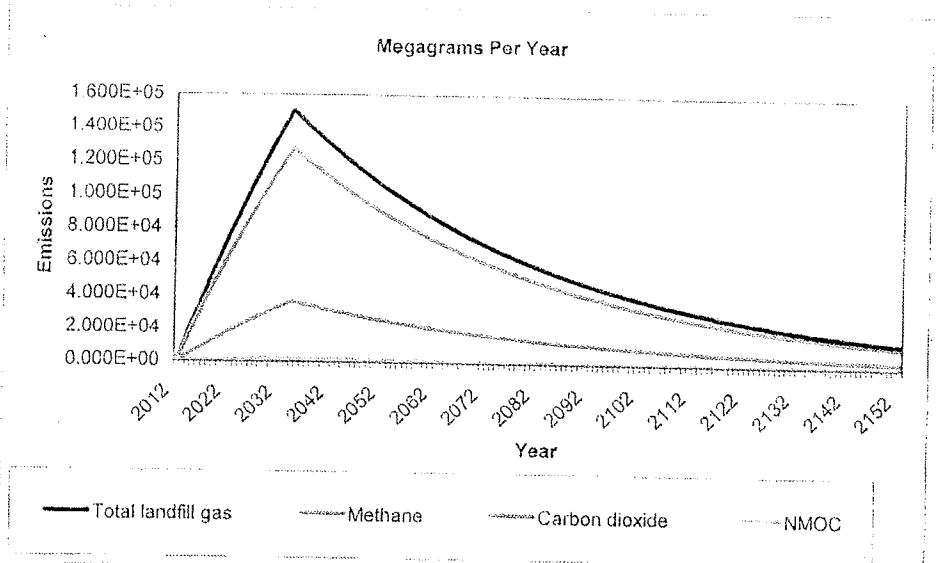
Please choose a third unit of measure to represent all of the emission rates below.

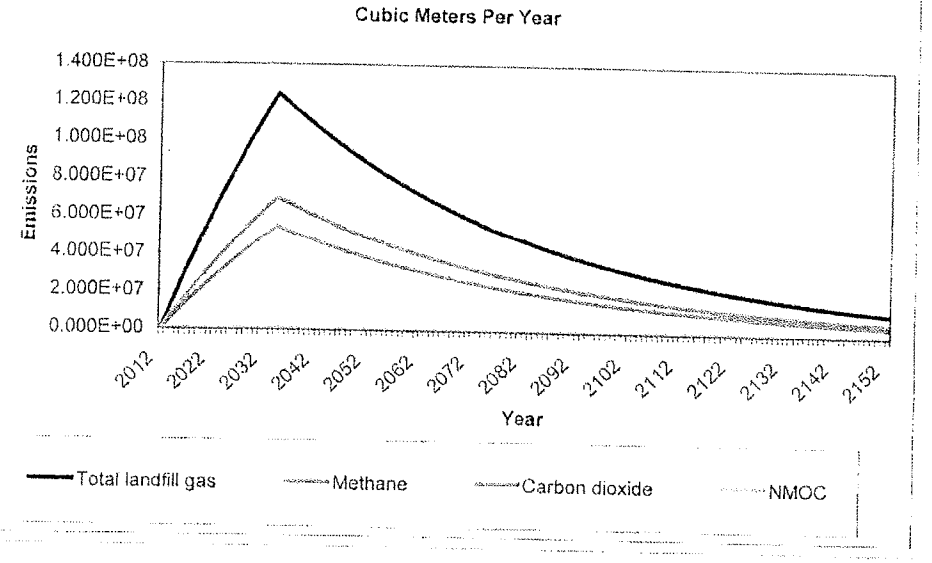
User-specified Unit: av ft^3/min

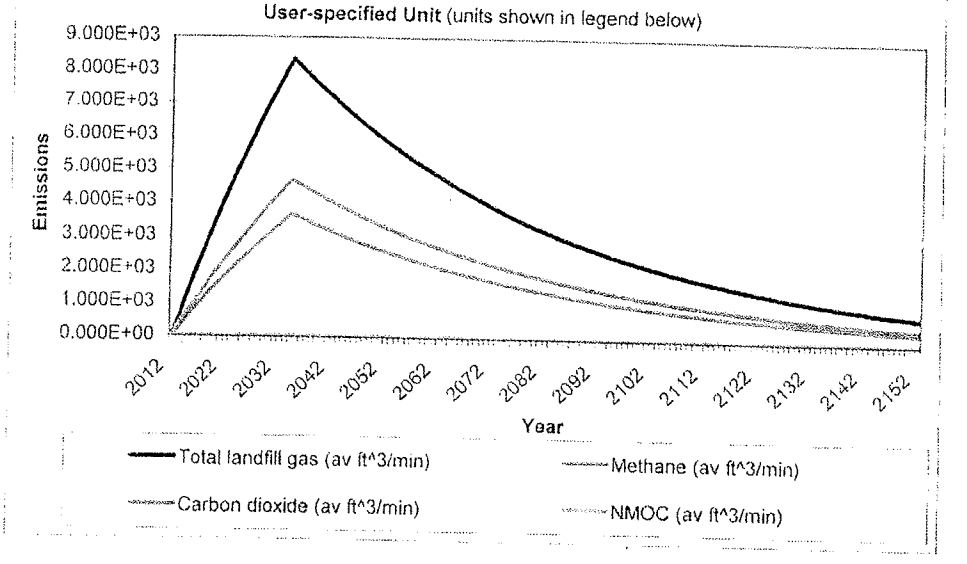
Year	Waste Accepted		Waste-In-Place		Total landfill gas			Methane			Carbon dioxide			NMOC		
	(Mg/year)	(short tons/year)	(Mg)	(short tons)	(Mg/year)	(m^3/year)	(av ft^3/min)	(Mg/year)	(m^3/year)	(av ft^3/min)	(Mg/year)	(m^3/year)	(av ft^3/min)	(Mg/year)	(m^3/year)	(av ft^3/min)
2091	0	0	30,700,000	33,770,000	4.806E+04	3.976E+07	2.671E+03	1.167E+04	1.749E+07	1.175E+03	4.075E+04	2.226E+07	1.496E+03	5.700E+02	1.590E+05	1.068E+01
2092	0	0	30,700,000	33,770,000	4.710E+04	3.897E+07	2.618E+03	1.144E+04	1.715E+07	1.152E+03	3.995E+04	2.182E+07	1.466E+03	5.587E+02	1.559E+05	1.047E+01
2093	0	0	30,700,000	33,770,000	4.617E+04	3.820E+07	2.566E+03	1.121E+04	1.681E+07	1.129E+03	3.915E+04	2.138E+07	1.437E+03	5.477E+02	1.528E+05	1.027E+01
2094	0	0	30,700,000	33,770,000	4.526E+04	3.744E+07	2.516E+03	1.099E+04	1.647E+07	1.107E+03	3.838E+04	2.097E+07	1.409E+03	5.368E+02	1.498E+05	1.006E+01
2095	0	0	30,700,000	33,770,000	4.436E+04	3.670E+07	2.466E+03	1.077E+04	1.615E+07	1.085E+03	3.762E+04	2.055E+07	1.381E+03	5.262E+02	1.468E+05	9.863E+00
2096	0	0	30,700,000	33,770,000	4.348E+04	3.597E+07	2.417E+03	1.056E+04	1.583E+07	1.063E+03	3.687E+04	2.014E+07	1.354E+03	5.158E+02	1.439E+05	9.668E+00
2097	0	0	30,700,000	33,770,000	4.262E+04	3.526E+07	2.369E+03	1.035E+04	1.551E+07	1.042E+03	3.614E+04	1.975E+07	1.327E+03	5.056E+02	1.410E+05	9.477E+00
2098	0	0	30,700,000	33,770,000	4.178E+04	3.456E+07	2.322E+03	1.015E+04	1.521E+07	1.022E+03	3.543E+04	1.935E+07	1.300E+03	4.955E+02	1.382E+05	9.289E+00
2099	0	0	30,700,000	33,770,000	4.095E+04	3.388E+07	2.276E+03	9.945E+03	1.491E+07	1.002E+03	3.473E+04	1.897E+07	1.275E+03	4.857E+02	1.355E+05	9.105E+00
2100	0	0	30,700,000	33,770,000	4.014E+04	3.321E+07	2.231E+03	9.748E+03	1.461E+07	9.817E+02	3.404E+04	1.860E+07	1.249E+03	4.761E+02	1.328E+05	8.925E+00
2101	0	0	30,700,000	33,770,000	3.935E+04	3.255E+07	2.187E+03	9.555E+03	1.432E+07	9.623E+02	3.337E+04	1.823E+07	1.225E+03	4.667E+02	1.302E+05	8.748E+00
2102	0	0	30,700,000	33,770,000	3.857E+04	3.190E+07	2.144E+03	9.366E+03	1.404E+07	9.432E+02	3.270E+04	1.787E+07	1.200E+03	4.574E+02	1.276E+05	8.575E+00
2103	0	0	30,700,000	33,770,000	3.780E+04	3.127E+07	2.101E+03	9.180E+03	1.376E+07	9.245E+02	3.206E+04	1.751E+07	1.177E+03	4.484E+02	1.251E+05	8.405E+00
2104	0	0	30,700,000	33,770,000	3.705E+04	3.065E+07	2.060E+03	8.998E+03	1.349E+07	9.062E+02	3.142E+04	1.717E+07	1.153E+03	4.395E+02	1.226E+05	8.238E+00
2105	0	0	30,700,000	33,770,000	3.632E+04	3.005E+07	2.019E+03	8.820E+03	1.322E+07	8.883E+02	3.080E+04	1.683E+07	1.131E+03	4.308E+02	1.202E+05	8.075E+00
2106	0	0	30,700,000	33,770,000	3.560E+04	2.945E+07	1.979E+03	8.645E+03	1.296E+07	8.707E+02	3.019E+04	1.649E+07	1.108E+03	4.223E+02	1.178E+05	7.915E+00
2107	0	0	30,700,000	33,770,000	3.490E+04	2.887E+07	1.940E+03	8.474E+03	1.270E+07	8.535E+02	2.959E+04	1.617E+07	1.086E+03	4.139E+02	1.155E+05	7.759E+00
2108	0	0	30,700,000	33,770,000	3.421E+04	2.830E+07	1.901E+03	8.306E+03	1.245E+07	8.366E+02	2.901E+04	1.585E+07	1.065E+03	4.057E+02	1.132E+05	7.605E+00
2109	0	0	30,700,000	33,770,000	3.353E+04	2.774E+07	1.864E+03	8.142E+03	1.220E+07	8.200E+02	2.843E+04	1.553E+07	1.044E+03	3.977E+02	1.109E+05	7.454E+00
2110	0	0	30,700,000	33,770,000	3.286E+04	2.719E+07	1.827E+03	7.981E+03	1.196E+07	8.038E+02	2.787E+04	1.522E+07	1.023E+03	3.898E+02	1.087E+05	7.307E+00
2111	0	0	30,700,000	33,770,000	3.221E+04	2.665E+07	1.791E+03	7.823E+03	1.173E+07	7.878E+02	2.732E+04	1.492E+07	1.003E+03	3.821E+02	1.066E+05	7.162E+00
2112	0	0	30,700,000	33,770,000	3.158E+04	2.612E+07	1.755E+03	7.668E+03	1.149E+07	7.722E+02	2.678E+04	1.463E+07	9.829E+02	3.745E+02	1.045E+05	7.020E+00
2113	0	0	30,700,000	33,770,000	3.095E+04	2.560E+07	1.720E+03	7.516E+03	1.127E+07	7.569E+02	2.625E+04	1.434E+07	9.634E+02	3.671E+02	1.024E+05	6.881E+00
2114	0	0	30,700,000	33,770,000	3.034E+04	2.510E+07	1.686E+03	7.367E+03	1.104E+07	7.420E+02	2.573E+04	1.405E+07	9.443E+02	3.598E+02	1.004E+05	6.745E+00
2115	0	0	30,700,000	33,770,000	2.974E+04	2.460E+07	1.653E+03	7.221E+03	1.082E+07	7.273E+02	2.522E+04	1.378E+07	9.256E+02	3.527E+02	9.840E+04	6.612E+00
2116	0	0	30,700,000	33,770,000	2.915E+04	2.411E+07	1.620E+03	7.078E+03	1.061E+07	7.129E+02	2.472E+04	1.350E+07	9.073E+02	3.457E+02	9.645E+04	6.481E+00
2117	0	0	30,700,000	33,770,000	2.857E+04	2.364E+07	1.588E+03	6.938E+03	1.040E+07	6.988E+02	2.423E+04	1.324E+07	8.893E+02	3.389E+02	9.454E+04	6.352E+00
2118	0	0	30,700,000	33,770,000	2.800E+04	2.317E+07	1.557E+03	6.801E+03	1.019E+07	6.849E+02	2.375E+04	1.297E+07	8.717E+02	3.322E+02	9.267E+04	6.227E+00
2119	0	0	30,700,000	33,770,000	2.745E+04	2.271E+07	1.526E+03	6.666E+03	9.992E+06	6.714E+02	2.328E+04	1.272E+07	8.545E+02	3.256E+02	9.084E+04	6.103E+00
2120	0	0	30,700,000	33,770,000	2.691E+04	2.226E+07	1.496E+03	6.534E+03	9.794E+06	6.581E+02	2.282E+04	1.247E+07	8.375E+02	3.191E+02	8.904E+04	5.982E+00
2121	0	0	30,700,000	33,770,000	2.637E+04	2.182E+07	1.466E+03	6.405E+03	9.600E+06	6.450E+02	2.237E+04	1.222E+07	8.209E+02	3.128E+02	8.727E+04	5.864E+00
2122	0	0	30,700,000	33,770,000	2.585E+04	2.139E+07	1.437E+03	6.278E+03	9.410E+06	6.323E+02	2.192E+04	1.198E+07	8.047E+02	3.066E+02	8.555E+04	5.748E+00
2123	0	0	30,700,000	33,770,000	2.534E+04	2.096E+07	1.408E+03	6.154E+03	9.224E+06	6.197E+02	2.149E+04	1.174E+07	7.888E+02	3.006E+02	8.385E+04	5.634E+00
2124	0	0	30,700,000	33,770,000	2.484E+04	2.055E+07	1.381E+03	6.032E+03	9.041E+06	6.075E+02	2.106E+04	1.151E+07	7.731E+02	2.946E+02	8.219E+04	5.522E+00
2125	0	0	30,700,000	33,770,000	2.435E+04	2.014E+07	1.353E+03	5.912E+03	8.862E+06	5.954E+02	2.065E+04	1.128E+07	7.578E+02	2.888E+02	8.056E+04	5.413E+00
2126	0	0	30,700,000	33,770,000	2.386E+04	1.974E+07	1.326E+03	5.795E+03	8.687E+06	5.836E+02	2.024E+04	1.106E+07	7.428E+02	2.831E+02	7.897E+04	5.306E+00
2127	0	0	30,700,000	33,770,000	2.339E+04	1.935E+07	1.300E+03	5.680E+03	8.515E+06	5.721E+02	1.984E+04	1.084E+07	7.281E+02	2.775E+02	7.740E+04	5.201E+00
2128	0	0	30,700,000	33,770,000	2.293E+04	1.897E+07	1.274E+03	5.568E+03	8.346E+06	5.608E+02	1.944E+04	1.062E+07	7.137E+02	2.720E+02	7.587E+04	5.098E+00
2129	0	0	30,700,000	33,770,000	2.247E+04	1.859E+07	1.249E+03	5.458E+03	8.181E+06	5.497E+02	1.906E+04	1.041E+07	6.996E+02	2.666E+02	7.437E+04	4.997E+00
2130	0	0	30,700,000	33,770,000	2.203E+04	1.822E+07	1.224E+03	5.350E+03	8.019E+06	5.388E+02	1.868E+04	1.021E+07	6.857E+02	2.613E+02	7.290E+04	4.898E+00
2131	0	0	30,700,000	33,770,000	2.159E+04	1.786E+07	1.200E+03	5.244E+03	7.860E+06	5.281E+02	1.831E+04	1.000E+07	6.721E+02	2.561E+02	7.145E+04	4.801E+00
2132	0	0	30,700,000	33,770,000	2.117E+04	1.751E+07	1.176E+03	5.140E+03	7.704E+06	5.176E+02	1.795E+04	9.805E+06	6.588E+02	2.511E+02	7.004E+04	4.706E+00
2133	0	0	30,700,000	33,770,000	2.075E+04	1.716E+07	1.153E+03	5.038E+03	7.552E+06	5.074E+02	1.759E+04	9.611E+06	6.458E+02	2.461E+02	6.865E+04	4.613E+00
2134	0	0	30,700,000	33,770,000	2.034E+04	1.682E+07	1.130E+03	4.938E+03	7.402E+06	4.974E+02	1.725E+04	9.421E+06	6.330E+02	2.412E+02	6.729E+04	4.521E+00
2135	0	0	30,700,000	33,770,000	1.993E+04	1.649E+07	1.108E+03	4.841E+03	7.256E+06	4.875E+02	1.690E+04	9.234E+06	6.205E+02	2.364E+02	6.596E+04	4.432E+00
2136	0	0	30,700,000	33,770,000	1.954E+04	1.616E+07	1.086E+03	4.745E+03	7.112E+06	4.779E+02	1.657E+04	9.052E+06	6.082E+02	2.317E+02	6.465E+04	4.344E+00
2137	0	0	30,700,000	33,770,000	1.915E+04	1.584E+07	1.065E+03	4.651E+03	6.971E+06	4.684E+02	1.624E+04	8.872E+06	5.961E+02	2.272E+02	6.337E+04	4.258E+00
2138	0	0	30,700,000	33,770,000	1.877E+04	1.553E+07	1.043E+03	4.559E+03	6.833E+06	4.591E+02	1.592E+04	8.697E+06	5.843E+02	2.227E+02	6.212E+04	4.174E+00
2139	0	0	30,700,000	33,770,000	1.840E+04	1.522E+07	1.023E+03	4.468E+03	6.698E+06	4.500E+02	1.560E+04	8.524E+06	5.728E+02	2.183E+02	6.089E+04	4.091E+00
2140	0	0	30,700,000	33,770,000	1.804E+04	1.492E+07	1.003E+03	4.380E+03	6.565E+06	4.411E+02	1.529E+04	8.356E+06	5.614E+02	2.139E+02	5.968E+04	4.010E+00
2141	0	0	30,700,000	33,770,000	1.768E+04	1.463E+07	9.827E+02	4.293E+03	6.435E+06	4.324E+02	1.499E+04	8.190E+06	5.503E+02	2.097E+02	5.850E+04	3.931E+00
2142	0	0	30,700,000	33,770,000	1.733E+04	1.434E+07	9.632E+02	4.208E+03	6.308E+06	4.238E+02	1.470E+04	8.028E+06	5.394E+02	2.055E+02	5.734E+04	3.853E+00
2143	0	0	30,700,000	33,770,000	1.699E+04	1.405E+07	9.441E+02	4.125E+03	6.183E+06	4.154E+02	1.440E+04	7.869E+06	5.287E+02	2.015E+02	5.621E+04	3.777E+00
2144	0	0	30,700,000	33,770,000	1.665E+04	1.377E+07	9.254E+02	4.043E+03	6.060E+06	4.072E+02	1.412E+04	7.713E+06	5.183E+02	1.975E+02	5.509E+04	3.702E+00
2145	0	0	30,700,000	33,770,000	1.632E+04	1.350E+07	9.071E+02	3.963E+03	5.940E+06	3.991E+02	1.384E+04	7.560E+06	5.080E+02	1.936E+02	5.400E+04	3.628E+00
2146	0	0	30,700,000	33,770,000	1.600E+04	1.323E+07	8.892E+02	3.885E+03	5.823E+06	3.912E+02	1.357E+04	7.411E+06	4.979E+02	1.897E+02	5.293E+04	3.557E+00
2147	0	0	30,700,000	33,770,000	1.568E+04	1.297E+07	8.716E+02	3.808E+03	5.707E+06	3.835E+02	1.330E+04	7.264E+06	4.881E+02	1.860E+02	5.188E+04	3.486E+00
2148	0	0	30,700,000	33,770,000	1.537E+04	1.271E+07	8.543E+02	3.732E+03	5.594E+06	3.759E+02	1.303E+04	7.120E+06	4.784E+02	1.823E+02	5.086E+04	3.417E+00
2149	0	0	30,700,000	33,770,000	1.507E+04	1.246E+07	8.374E+02	3.658E+03	5.484E+06	3.684E+02	1.278E+04	6.979E+06	4.689E+02	1.787E+02	4.985E+04	3.350E+00
2150	0	0	30,700,000	33,770,000	1.477E+04	1.222E+07	8.208E+02	3.586E+03	5.375E+06	3.612E+02	1.252E+04	6.841E+06	4.596E+02	1.752E+02	4.886E+04	3.283E+00
2151	0	0	30,700,000	33,770,000	1.447E+04	1.197E+07	8.045E+02	3.515E+03	5.269E+06	3.540E+02	1.227E+04	6.706E+06	4.505E+02	1.717E+02	4.790E+04	3.218E+00
2152	0	0	30,700,000	33,770,000	1.419E+04	1.174E+07	7.886E+02	3.445E+03	5.164E+06	3.470E+02	1.203E+04	6.573E+06	4.416E+02	1.683E+02	4.695E+04	3.154E+00

GRAPHS

Landfill Name or Identifier: Gregory Canyon Landfill





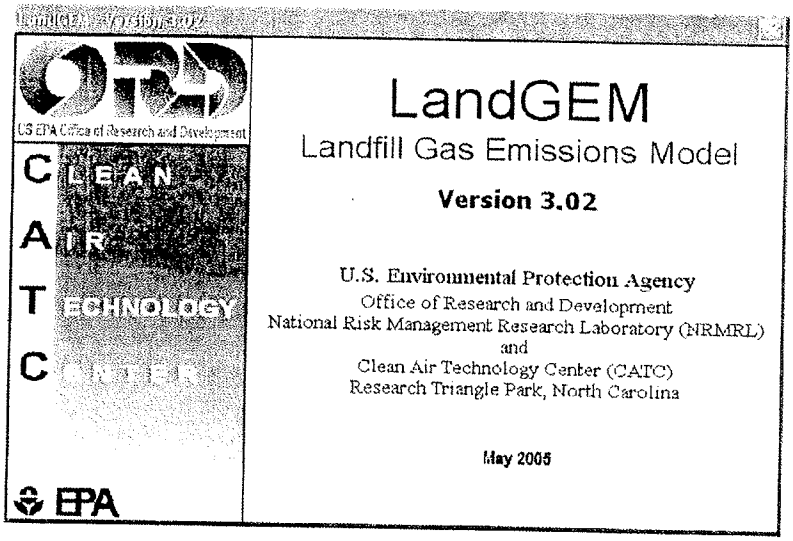


INVENTORY

Landfill Name or Identifier: Gregory Canyon Landfill

Enter year of emissions inventory: 2100

Gas / Pollutant	Emission Rate				
	(Mg/year)	(m^3/year)	(av ft^3/min)	(ft^3/year)	(short tons/year)
Total landfill gas	4.014E+04	3.321E+07	2.231E+03	1.173E+09	4.415E+04
Methane	9.748E+03	1.461E+07	9.817E+02	5.160E+08	1.072E+04
Carbon dioxide	3.404E+04	1.860E+07	1.249E+03	6.567E+08	3.744E+04
NMOC	4.761E+02	1.328E+05	8.925E+00	4.691E+06	5.237E+02
1,1,1-Trichloroethane (methyl chloroform) - HAP	8.845E-02	1.594E+01	1.071E-03	5.629E+02	9.729E-02
1,1,2,2-Tetrachloroethane - HAP/VOC	2.550E-01	3.653E+01	2.454E-03	1.290E+03	2.805E-01
1,1-Dichloroethane (ethylidene dichloride) - HAP/VOC	3.281E-01	7.970E+01	5.355E-03	2.814E+03	3.609E-01
1,1-Dichloroethene (vinylidene chloride) - HAP/VOC	2.678E-02	6.641E+00	4.462E-04	2.345E+02	2.946E-02
1,2-Dichloroethane (ethylene dichloride) - HAP/VOC	5.604E-02	1.361E+01	9.148E-04	4.808E+02	6.164E-02
1,2-Dichloropropane (propylene dichloride) - HAP/VOC	2.809E-02	5.977E+00	4.016E-04	2.111E+02	3.090E-02
2-Propanol (isopropyl alcohol) - VOC	4.151E+00	1.660E+03	1.116E-01	5.863E+04	4.566E+00
Acetone	5.615E-01	2.324E+02	1.562E-02	8.209E+03	6.177E-01
Acrylonitrile - HAP/VOC	4.617E-01	2.092E+02	1.406E-02	7.388E+03	5.079E-01
Benzene - No or Unknown Co-disposal - HAP/VOC	2.050E-01	6.309E+01	4.239E-03	2.228E+03	2.255E-01
Benzene - Co-disposal - HAP/VOC	1.187E+00	3.653E+02	2.454E-02	1.290E+04	1.305E+00
Bromodichloromethane - VOC	7.015E-01	1.029E+02	6.917E-03	3.635E+03	7.716E-01
Butane - VOC	4.014E-01	1.660E+02	1.116E-02	5.863E+03	4.415E-01
Carbon disulfide - HAP/VOC	6.099E-02	1.926E+01	1.294E-03	6.802E+02	6.708E-02
Carbon monoxide	5.416E+00	4.649E+03	3.124E-01	1.642E+05	5.958E+00
Carbon tetrachloride - HAP/VOC	8.499E-04	1.328E-01	8.925E-06	4.691E+00	9.349E-04
Carbonyl sulfide - HAP/VOC	4.065E-02	1.627E+01	1.093E-03	5.746E+02	4.472E-02
Chlorobenzene - HAP/VOC	3.887E-02	8.302E+00	5.578E-04	2.932E+02	4.275E-02
Chlorodifluoromethane	1.553E-01	4.317E+01	2.901E-03	1.525E+03	1.708E-01
Chloroethane (ethyl chloride) - HAP/VOC	1.158E-01	4.317E+01	2.901E-03	1.525E+03	1.274E-01
Chloroform - HAP/VOC	4.947E-03	9.962E-01	6.693E-05	3.518E+01	5.442E-03
Chloromethane - VOC	8.368E-02	3.985E+01	2.677E-03	1.407E+03	9.205E-02
Dichlorobenzene - (HAP for para isomer/VOC)	4.264E-02	6.973E+00	4.685E-04	2.463E+02	4.690E-02
Dichlorodifluoromethane	2.672E+00	5.313E+02	3.570E-02	1.876E+04	2.939E+00
Dichlorofluoromethane - VOC	3.696E-01	8.634E+01	5.801E-03	3.049E+03	4.065E-01
Dichloromethane (methylene chloride) - HAP	1.642E+00	4.649E+02	3.124E-02	1.642E+04	1.807E+00
Dimethyl sulfide (methyl sulfide) - VOC	6.693E-01	2.590E+02	1.740E-02	9.147E+03	7.363E-01
Ethane	3.696E+01	2.955E+04	1.986E+00	1.044E+06	4.066E+01
Ethanol - VOC	1.713E+00	8.966E+02	6.024E-02	3.166E+04	1.890E+00
Ethyl mercaptan (ethanethiol) - VOC	1.974E-01	7.638E+01	5.132E-03	2.697E+03	2.171E-01
Ethylbenzene - HAP/VOC	6.745E-01	1.528E+02	1.026E-02	5.394E+03	7.419E-01
Ethylene dibromide - HAP/VOC	2.595E-04	3.321E-02	2.231E-06	1.173E+00	2.854E-04
Fluorotrichloromethane - VOC	1.442E-01	2.524E+01	1.696E-03	8.913E+02	1.586E-01
Hexane - HAP/VOC	7.856E-01	2.192E+02	1.473E-02	7.740E+03	8.641E-01
Hydrogen sulfide	1.695E+00	1.195E+03	8.032E-02	4.222E+04	1.864E+00
Mercury (total) - HAP	8.035E-05	9.630E-03	6.470E-07	3.401E-01	8.839E-05
Methyl ethyl ketone - HAP/VOC	7.071E-01	2.358E+02	1.584E-02	8.326E+03	7.778E-01
Methyl isobutyl ketone - HAP/VOC	2.628E-01	6.309E+01	4.239E-03	2.228E+03	2.891E-01
Methyl mercaptan - VOC	1.661E-01	8.302E+01	5.578E-03	2.932E+03	1.827E-01
Pentane - VOC	3.288E-01	1.096E+02	7.363E-03	3.870E+03	3.617E-01
Perchloroethylene (tetrachloroethylene) - HAP	8.474E-01	1.229E+02	8.255E-03	4.339E+03	9.322E-01
Propane - VOC	6.699E-01	3.653E+02	2.454E-02	1.290E+04	7.368E-01
t-1,2-Dichloroethene - VOC	3.749E-01	9.298E+01	6.247E-03	3.284E+03	4.124E-01
Toluene - No or Unknown Co-disposal - HAP/VOC	4.963E+00	1.295E+03	8.702E-02	4.574E+04	5.459E+00
Toluene - Co-disposal - HAP/VOC	2.163E+01	5.645E+03	3.793E-01	1.994E+05	2.380E+01
Trichloroethylene (trichloroethene) - HAP/VOC	5.082E-01	9.298E+01	6.247E-03	3.284E+03	5.590E-01
Vinyl chloride - HAP/VOC	6.302E-01	2.424E+02	1.629E-02	8.561E+03	6.932E-01
Xylenes - HAP/VOC	1.759E+00	3.985E+02	2.677E-02	1.407E+04	1.935E+00



Summary Report

Landfill Name or Identifier: Gregory Canyon Landfill

Date: Wednesday, February 23, 2011

Description/Comments:

About LandGEM:

First-Order Decomposition Rate Equation:

$$Q_{CH_4} = \sum_{i=1}^{n} \sum_{j=0.1}^{1} kL_o \left(\frac{M_i}{10} \right) e^{-kt_{ij}}$$

Where,

Q_{CH4} = annual methane generation in the year of the calculation ($m^3/year$)
i = 1-year time increment
n = (year of the calculation) - (initial year of waste acceptance)
j = 0.1-year time increment
k = methane generation rate ($year^{-1}$)
L_o = potential methane generation capacity (m^3/Mg)
M_i = mass of waste accepted in the ith year (Mg)
t_{ij} = age of the jth section of waste mass M_i accepted in the ith year (*decimal years*, e.g., 3.2 years)

LandGEM is based on a first-order decomposition rate equation for quantifying emissions from the decomposition of landfilled waste in municipal solid waste (MSW) landfills. The software provides a relatively simple approach to estimating landfill gas emissions. Model defaults are based on empirical data from U.S. landfills. Field test data can also be used in place of model defaults when available. Further guidance on EPA test methods, Clean Air Act (CAA) regulations, and other guidance regarding landfill gas emissions and control technology requirements can be found at http://www.epa.gov/ttnatw01/landfill/landflpg.html.

LandGEM is considered a screening tool — the better the input data, the better the estimates. Often, there are limitations with the available data regarding waste quantity and composition, variation in design and operating practices over time, and changes occurring over time that impact the emissions potential. Changes to landfill operation, such as operating under wet conditions through leachate recirculation or other liquid additions, will result in generating more gas at a faster rate. Defaults for estimating emissions for this type of operation are being developed to include in LandGEM along with defaults for convential landfills (no leachate or liquid additions) for developing emission inventories and determining CAA applicability. Refer to the Web site identified above for future updates.

Input Review

LANDFILL CHARACTERISTICS

Landfill Open Year	2012	
Landfill Closure Year (with 80-year limit)	2033	
Actual Closure Year (without limit)	*2033*	
Have Model Calculate Closure Year?	Yes	
Waste Design Capacity	33,770,000	*short tons*

MODEL PARAMETERS

Methane Generation Rate, k	0.020	*year^{-1}*
Potential Methane Generation Capacity, L_o	110	*m^3/Mg*
NMOC Concentration	4,000	*ppmv as hexane*
Methane Content	44	*% by volume*

GASES / POLLUTANTS SELECTED

Gas / Pollutant #1:	Total landfill gas
Gas / Pollutant #2:	Methane
Gas / Pollutant #3:	Carbon dioxide
Gas / Pollutant #4:	NMOC

WASTE ACCEPTANCE RATES

Year	Waste Accepted		Waste-In-Place	
	(Mg/year)	*(short tons/year)*	*(Mg)*	*(short tons)*
2012	1,395,455	1,535,000	0	0
2013	1,395,455	1,535,000	1,395,455	1,535,000
2014	1,395,455	1,535,000	2,790,909	3,070,000
2015	1,395,455	1,535,000	4,186,364	4,605,000
2016	1,395,455	1,535,000	5,581,818	6,140,000
2017	1,395,455	1,535,000	6,977,273	7,675,000
2018	1,395,455	1,535,000	8,372,727	9,210,000
2019	1,395,455	1,535,000	9,768,182	10,745,000
2020	1,395,455	1,535,000	11,163,636	12,280,000
2021	1,395,455	1,535,000	12,559,091	13,815,000
2022	1,395,455	1,535,000	13,954,545	15,350,000
2023	1,395,455	1,535,000	15,350,000	16,885,000
2024	1,395,455	1,535,000	16,745,455	18,420,000
2025	1,395,455	1,535,000	18,140,909	19,955,000
2026	1,395,455	1,535,000	19,536,364	21,490,000
2027	1,395,455	1,535,000	20,931,818	23,025,000
2028	1,395,455	1,535,000	22,327,273	24,560,000
2029	1,395,455	1,535,000	23,722,727	26,095,000
2030	1,395,455	1,535,000	25,118,182	27,630,000
2031	1,395,455	1,535,000	26,513,636	29,165,000
2032	1,395,455	1,535,000	27,909,091	30,700,000
2033	1,395,455	1,535,000	29,304,545	32,235,000
2034	0	0	30,700,000	33,770,000
2035	0	0	30,700,000	33,770,000
2036	0	0	30,700,000	33,770,000
2037	0	0	30,700,000	33,770,000
2038	0	0	30,700,000	33,770,000
2039	0	0	30,700,000	33,770,000
2040	0	0	30,700,000	33,770,000
2041	0	0	30,700,000	33,770,000
2042	0	0	30,700,000	33,770,000
2043	0	0	30,700,000	33,770,000
2044	0	0	30,700,000	33,770,000
2045	0	0	30,700,000	33,770,000
2046	0	0	30,700,000	33,770,000
2047	0	0	30,700,000	33,770,000
2048	0	0	30,700,000	33,770,000
2049	0	0	30,700,000	33,770,000
2050	0	0	30,700,000	33,770,000
2051	0	0	30,700,000	33,770,000

WASTE ACCEPTANCE RATES (Continued)

Year	Waste Accepted		Waste-In-Place	
	(Mg/year)	*(short tons/year)*	*(Mg)*	*(short tons)*
2052	0	0	30,700,000	33,770,000
2053	0	0	30,700,000	33,770,000
2054	0	0	30,700,000	33,770,000
2055	0	0	30,700,000	33,770,000
2056	0	0	30,700,000	33,770,000
2057	0	0	30,700,000	33,770,000
2058	0	0	30,700,000	33,770,000
2059	0	0	30,700,000	33,770,000
2060	0	0	30,700,000	33,770,000
2061	0	0	30,700,000	33,770,000
2062	0	0	30,700,000	33,770,000
2063	0	0	30,700,000	33,770,000
2064	0	0	30,700,000	33,770,000
2065	0	0	30,700,000	33,770,000
2066	0	0	30,700,000	33,770,000
2067	0	0	30,700,000	33,770,000
2068	0	0	30,700,000	33,770,000
2069	0	0	30,700,000	33,770,000
2070	0	0	30,700,000	33,770,000
2071	0	0	30,700,000	33,770,000
2072	0	0	30,700,000	33,770,000
2073	0	0	30,700,000	33,770,000
2074	0	0	30,700,000	33,770,000
2075	0	0	30,700,000	33,770,000
2076	0	0	30,700,000	33,770,000
2077	0	0	30,700,000	33,770,000
2078	0	0	30,700,000	33,770,000
2079	0	0	30,700,000	33,770,000
2080	0	0	30,700,000	33,770,000
2081	0	0	30,700,000	33,770,000
2082	0	0	30,700,000	33,770,000
2083	0	0	30,700,000	33,770,000
2084	0	0	30,700,000	33,770,000
2085	0	0	30,700,000	33,770,000
2086	0	0	30,700,000	33,770,000
2087	0	0	30,700,000	33,770,000
2088	0	0	30,700,000	33,770,000
2089	0	0	30,700,000	33,770,000
2090	0	0	30,700,000	33,770,000
2091	0	0	30,700,000	33,770,000

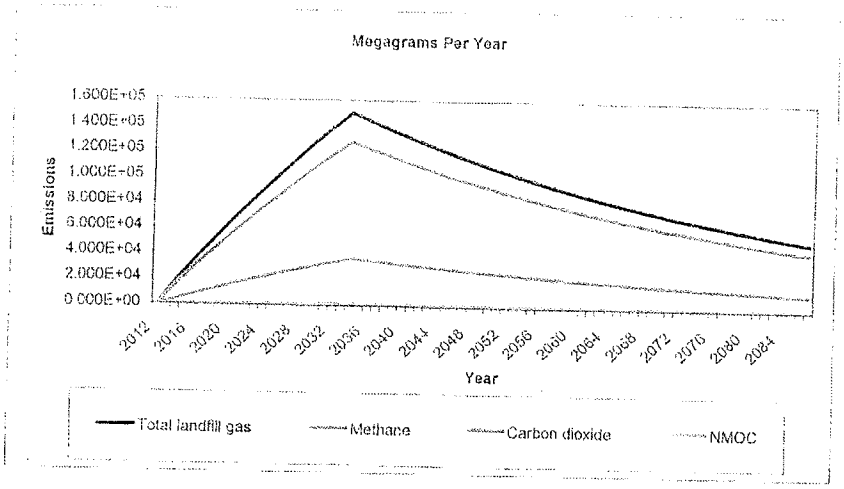
Pollutant Parameters

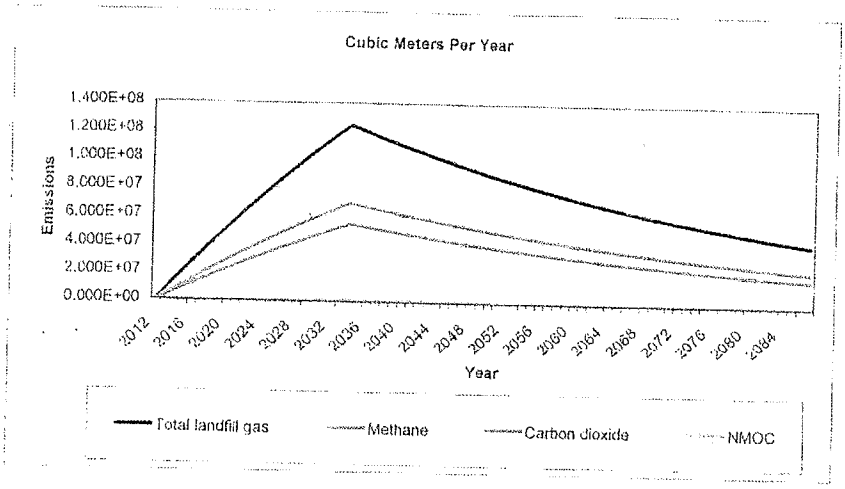
		Gas / Pollutant Default Parameters:		User-specified Pollutant Parameters:	
	Compound	Concentration (ppmv)	Molecular Weight	Concentration (ppmv)	Molecular Weight
Gases	Total landfill gas		0.00		
	Methane		16.04		
	Carbon dioxide		44.01		
	NMOC	4,000	86.18		
Pollutants	1,1,1-Trichloroethane (methyl chloroform) - HAP	0.48	133.41		
	1,1,2,2-Tetrachloroethane - HAP/VOC	1.1	167.85		
	1,1-Dichloroethane (ethylidene dichloride) - HAP/VOC	2.4	98.97		
	1,1-Dichloroethene (vinylidene chloride) - HAP/VOC	0.20	96.94		
	1,2-Dichloroethane (ethylene dichloride) - HAP/VOC	0.41	98.96		
	1,2-Dichloropropane (propylene dichloride) - HAP/VOC	0.18	112.99		
	2-Propanol (isopropyl alcohol) - VOC	50	60.11		
	Acetone	7.0	58.08		
	Acrylonitrile - HAP/VOC	6.3	53.06		
	Benzene - No or Unknown Co-disposal - HAP/VOC	1.9	78.11		
	Benzene - Co-disposal - HAP/VOC	11	78.11		
	Bromodichloromethane - VOC	3.1	163.83		
	Butane - VOC	5.0	58.12		
	Carbon disulfide - HAP/VOC	0.58	76.13		
	Carbon monoxide	140	28.01		
	Carbon tetrachloride - HAP/VOC	4.0E-03	153.84		
	Carbonyl sulfide - HAP/VOC	0.49	60.07		
	Chlorobenzene - HAP/VOC	0.25	112.56		
	Chlorodifluoromethane	1.3	86.47		
	Chloroethane (ethyl chloride) - HAP/VOC	1.3	64.52		
	Chloroform - HAP/VOC	0.03	119.39		
	Chloromethane - VOC	1.2	50.49		
	Dichlorobenzene - (HAP for para isomer/VOC)	0.21	147		
	Dichlorodifluoromethane	16	120.91		
	Dichlorofluoromethane - VOC	2.6	102.92		
	Dichloromethane (methylene chloride) - HAP	14	84.94		
	Dimethyl sulfide (methyl sulfide) - VOC	7.8	62.13		
	Ethane	890	30.07		
	Ethanol - VOC	27	46.08		

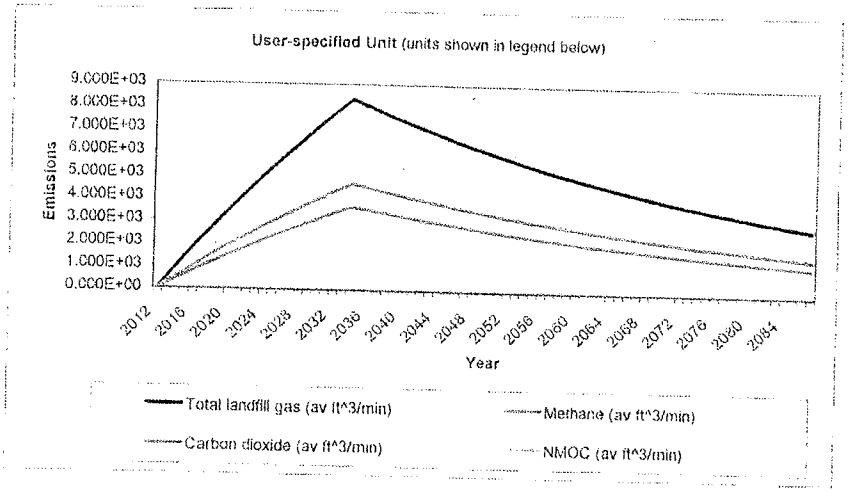
Pollutant Parameters (Continued)

	Gas / Pollutant Default Parameters:			User-specified Pollutant Parameters:	
	Compound	Concentration (ppmv)	Molecular Weight	Concentration (ppmv)	Molecular Weight
Pollutants	Ethyl mercaptan (ethanethiol) - VOC	2.3	62.13		
	Ethylbenzene - HAP/VOC	4.6	106.16		
	Ethylene dibromide - HAP/VOC	1.0E-03	187.88		
	Fluorotrichloromethane - VOC	0.76	137.38		
	Hexane - HAP/VOC	6.6	86.18		
	Hydrogen sulfide	36	34.08		
	Mercury (total) - HAP	2.9E-04	200.61		
	Methyl ethyl ketone - HAP/VOC	7.1	72.11		
	Methyl isobutyl ketone - HAP/VOC	1.9	100.16		
	Methyl mercaptan - VOC	2.5	48.11		
	Pentane - VOC	3.3	72.15		
	Perchloroethylene (tetrachloroethylene) - HAP	3.7	165.83		
	Propane - VOC	11	44.09		
	t-1,2-Dichloroethene - VOC	2.8	96.94		
	Toluene - No or Unknown Co-disposal - HAP/VOC	39	92.13		
	Toluene - Co-disposal - HAP/VOC	170	92.13		
	Trichloroethylene (trichloroethene) - HAP/VOC	2.8	131.40		
	Vinyl chloride - HAP/VOC	7.3	62.50		
	Xylenes - HAP/VOC	12	106.16		

Graphs


Megagrams Per Year
Emissions
1.600E+05
1.400E+05
1.200E+05
1.000E+05
8.000E+04
6.000E+04
4.000E+04
2.000E+04
0.000E+00
2012
2016
2020
2024
2028
2032
2036
2040
2044
2048
2052
2056
2060
2064
2068
2072
2076
2080
2084
Year
Total landfill gas
Methane
Carbon dioxide
NMOC


Cubic Meters Per Year
Emissions
1.400E+08
1.200E+08
1.000E+08
8.000E+07
6.000E+07
4.000E+07
2.000E+07
0.000E+00
2012
2016
2020
2024
2028
2032
2036
2040
2044
2048
2052
2056
2060
2064
2068
2072
2076
2080
2084
Year
Total landfill gas
Methane
Carbon dioxide
NMOC


User-specified Unit (units shown in legend below)
Emissions
9.000E+03
8.000E+03
7.000E+03
6.000E+03
5.000E+03
4.000E+03
3.000E+03
2.000E+03
1.000E+03
0.000E+00
2012
2016
2020
2024
2028
2032
2036
2040
2044
2048
2052
2056
2060
2064
2068
2072
2076
2080
2084
Year
Total landfill gas (av ft^3/min)
Methane (av ft^3/min)
Carbon dioxide (av ft^3/min)
NMOC (av ft^3/min)

Results

Year	Total landfill gas			Methane		
	(Mg/year)	(m^3/year)	(av ft^3/min)	(Mg/year)	(m^3/year)	(av ft^3/min)
2012	0	0	0	0	0	0
2013	8.359E+03	6.915E+06	4.646E+02	2.030E+03	3.043E+06	2.044E+02
2014	1.655E+04	1.369E+07	9.200E+02	4.019E+03	6.025E+06	4.048E+02
2015	2.458E+04	2.034E+07	1.366E+03	5.970E+03	8.948E+06	6.012E+02
2016	3.245E+04	2.685E+07	1.804E+03	7.881E+03	1.181E+07	7.937E+02
2017	4.017E+04	3.323E+07	2.233E+03	9.755E+03	1.462E+07	9.825E+02
2018	4.773E+04	3.949E+07	2.653E+03	1.159E+04	1.738E+07	1.167E+03
2019	5.515E+04	4.562E+07	3.065E+03	1.339E+04	2.007E+07	1.349E+03
2020	6.241E+04	5.163E+07	3.469E+03	1.516E+04	2.272E+07	1.526E+03
2021	6.954E+04	5.753E+07	3.865E+03	1.689E+04	2.531E+07	1.701E+03
2022	7.652E+04	6.330E+07	4.253E+03	1.858E+04	2.785E+07	1.871E+03
2023	8.336E+04	6.896E+07	4.634E+03	2.024E+04	3.034E+07	2.039E+03
2024	9.007E+04	7.451E+07	5.006E+03	2.187E+04	3.279E+07	2.203E+03
2025	9.665E+04	7.995E+07	5.372E+03	2.347E+04	3.518E+07	2.364E+03
2026	1.031E+05	8.528E+07	5.730E+03	2.503E+04	3.752E+07	2.521E+03
2027	1.094E+05	9.051E+07	6.081E+03	2.657E+04	3.982E+07	2.676E+03
2028	1.156E+05	9.563E+07	6.426E+03	2.807E+04	4.208E+07	2.827E+03
2029	1.217E+05	1.007E+08	6.763E+03	2.955E+04	4.429E+07	2.976E+03
2030	1.276E+05	1.056E+08	7.094E+03	3.099E+04	4.645E+07	3.121E+03
2031	1.335E+05	1.104E+08	7.418E+03	3.241E+04	4.858E+07	3.264E+03
2032	1.392E+05	1.151E+08	7.735E+03	3.380E+04	5.066E+07	3.404E+03
2033	1.448E+05	1.198E+08	8.047E+03	3.516E+04	5.270E+07	3.541E+03
2034	1.503E+05	1.243E+08	8.352E+03	3.649E+04	5.470E+07	3.675E+03
2035	1.473E+05	1.218E+08	8.187E+03	3.577E+04	5.361E+07	3.602E+03
2036	1.444E+05	1.194E+08	8.025E+03	3.506E+04	5.255E+07	3.531E+03
2037	1.415E+05	1.171E+08	7.866E+03	3.436E+04	5.151E+07	3.461E+03
2038	1.387E+05	1.147E+08	7.710E+03	3.368E+04	5.049E+07	3.392E+03
2039	1.360E+05	1.125E+08	7.557E+03	3.302E+04	4.949E+07	3.325E+03
2040	1.333E+05	1.103E+08	7.408E+03	3.236E+04	4.851E+07	3.259E+03
2041	1.306E+05	1.081E+08	7.261E+03	3.172E+04	4.755E+07	3.195E+03
2042	1.280E+05	1.059E+08	7.117E+03	3.109E+04	4.661E+07	3.132E+03
2043	1.255E+05	1.038E+08	6.976E+03	3.048E+04	4.569E+07	3.070E+03
2044	1.230E+05	1.018E+08	6.838E+03	2.988E+04	4.478E+07	3.009E+03
2045	1.206E+05	9.976E+07	6.703E+03	2.928E+04	4.389E+07	2.949E+03
2046	1.182E+05	9.778E+07	6.570E+03	2.870E+04	4.302E+07	2.891E+03
2047	1.159E+05	9.585E+07	6.440E+03	2.814E+04	4.217E+07	2.834E+03
2048	1.136E+05	9.395E+07	6.312E+03	2.758E+04	4.134E+07	2.777E+03
2049	1.113E+05	9.209E+07	6.187E+03	2.703E+04	4.052E+07	2.722E+03
2050	1.091E+05	9.027E+07	6.065E+03	2.650E+04	3.972E+07	2.669E+03
2051	1.070E+05	8.848E+07	5.945E+03	2.597E+04	3.893E+07	2.616E+03
2052	1.048E+05	8.673E+07	5.827E+03	2.546E+04	3.816E+07	2.564E+03
2053	1.028E+05	8.501E+07	5.712E+03	2.495E+04	3.740E+07	2.513E+03
2054	1.007E+05	8.333E+07	5.599E+03	2.446E+04	3.666E+07	2.463E+03
2055	9.873E+04	8.168E+07	5.488E+03	2.398E+04	3.594E+07	2.415E+03
2056	9.677E+04	8.006E+07	5.379E+03	2.350E+04	3.523E+07	2.367E+03
2057	9.486E+04	7.847E+07	5.273E+03	2.304E+04	3.453E+07	2.320E+03
2058	9.298E+04	7.692E+07	5.168E+03	2.258E+04	3.384E+07	2.274E+03
2059	9.114E+04	7.540E+07	5.066E+03	2.213E+04	3.317E+07	2.229E+03
2060	8.933E+04	7.390E+07	4.966E+03	2.169E+04	3.252E+07	2.185E+03
2061	8.756E+04	7.244E+07	4.867E+03	2.126E+04	3.187E+07	2.142E+03

Results (Continued)

Year	Total landfill gas			Methane		
	(Mg/year)	(m^3/year)	(av ft^3/min)	(Mg/year)	(m^3/year)	(av ft^3/min)
2062	8.583E+04	7.101E+07	4.771E+03	2.084E+04	3.124E+07	2.099E+03
2063	8.413E+04	6.960E+07	4.676E+03	2.043E+04	3.062E+07	2.058E+03
2064	8.247E+04	6.822E+07	4.584E+03	2.003E+04	3.002E+07	2.017E+03
2065	8.083E+04	6.687E+07	4.493E+03	1.963E+04	2.942E+07	1.977E+03
2066	7.923E+04	6.555E+07	4.404E+03	1.924E+04	2.884E+07	1.938E+03
2067	7.766E+04	6.425E+07	4.317E+03	1.886E+04	2.827E+07	1.899E+03
2068	7.613E+04	6.298E+07	4.231E+03	1.849E+04	2.771E+07	1.862E+03
2069	7.462E+04	6.173E+07	4.148E+03	1.812E+04	2.716E+07	1.825E+03
2070	7.314E+04	6.051E+07	4.065E+03	1.776E+04	2.662E+07	1.789E+03
2071	7.169E+04	5.931E+07	3.985E+03	1.741E+04	2.610E+07	1.753E+03
2072	7.027E+04	5.813E+07	3.906E+03	1.707E+04	2.558E+07	1.719E+03
2073	6.888E+04	5.698E+07	3.829E+03	1.673E+04	2.507E+07	1.685E+03
2074	6.752E+04	5.585E+07	3.753E+03	1.640E+04	2.458E+07	1.651E+03
2075	6.618E+04	5.475E+07	3.679E+03	1.607E+04	2.409E+07	1.619E+03
2076	6.487E+04	5.366E+07	3.606E+03	1.575E+04	2.361E+07	1.587E+03
2077	6.359E+04	5.260E+07	3.534E+03	1.544E+04	2.314E+07	1.555E+03
2078	6.233E+04	5.156E+07	3.464E+03	1.514E+04	2.269E+07	1.524E+03
2079	6.109E+04	5.054E+07	3.396E+03	1.484E+04	2.224E+07	1.494E+03
2080	5.988E+04	4.954E+07	3.328E+03	1.454E+04	2.180E+07	1.465E+03
2081	5.870E+04	4.856E+07	3.263E+03	1.425E+04	2.137E+07	1.436E+03
2082	5.753E+04	4.760E+07	3.198E+03	1.397E+04	2.094E+07	1.407E+03
2083	5.639E+04	4.665E+07	3.135E+03	1.369E+04	2.053E+07	1.379E+03
2084	5.528E+04	4.573E+07	3.073E+03	1.342E+04	2.012E+07	1.352E+03
2085	5.418E+04	4.482E+07	3.012E+03	1.316E+04	1.972E+07	1.325E+03
2086	5.311E+04	4.394E+07	2.952E+03	1.290E+04	1.933E+07	1.299E+03
2087	5.206E+04	4.307E+07	2.894E+03	1.264E+04	1.895E+07	1.273E+03
2088	5.103E+04	4.221E+07	2.836E+03	1.239E+04	1.857E+07	1.248E+03
2089	5.002E+04	4.138E+07	2.780E+03	1.215E+04	1.821E+07	1.223E+03
2090	4.903E+04	4.056E+07	2.725E+03	1.191E+04	1.785E+07	1.199E+03
2091	4.806E+04	3.976E+07	2.671E+03	1.167E+04	1.749E+07	1.175E+03
2092	4.710E+04	3.897E+07	2.618E+03	1.144E+04	1.715E+07	1.152E+03
2093	4.617E+04	3.820E+07	2.566E+03	1.121E+04	1.681E+07	1.129E+03
2094	4.526E+04	3.744E+07	2.516E+03	1.099E+04	1.647E+07	1.107E+03
2095	4.436E+04	3.670E+07	2.466E+03	1.077E+04	1.615E+07	1.085E+03
2096	4.348E+04	3.597E+07	2.417E+03	1.056E+04	1.583E+07	1.063E+03
2097	4.262E+04	3.526E+07	2.369E+03	1.035E+04	1.551E+07	1.042E+03
2098	4.178E+04	3.456E+07	2.322E+03	1.015E+04	1.521E+07	1.022E+03
2099	4.095E+04	3.388E+07	2.276E+03	9.945E+03	1.491E+07	1.002E+03
2100	4.014E+04	3.321E+07	2.231E+03	9.748E+03	1.461E+07	9.817E+02
2101	3.935E+04	3.255E+07	2.187E+03	9.555E+03	1.432E+07	9.623E+02
2102	3.857E+04	3.190E+07	2.144E+03	9.365E+03	1.404E+07	9.432E+02
2103	3.780E+04	3.127E+07	2.101E+03	9.180E+03	1.376E+07	9.245E+02
2104	3.705E+04	3.065E+07	2.060E+03	8.998E+03	1.349E+07	9.062E+02
2105	3.632E+04	3.005E+07	2.019E+03	8.820E+03	1.322E+07	8.883E+02
2106	3.560E+04	2.945E+07	1.979E+03	8.645E+03	1.296E+07	8.707E+02
2107	3.490E+04	2.887E+07	1.940E+03	8.474E+03	1.270E+07	8.535E+02
2108	3.421E+04	2.830E+07	1.901E+03	8.306E+03	1.245E+07	8.366E+02
2109	3.353E+04	2.774E+07	1.864E+03	8.142E+03	1.220E+07	8.200E+02
2110	3.286E+04	2.719E+07	1.827E+03	7.981E+03	1.196E+07	8.038E+02
2111	3.221E+04	2.665E+07	1.791E+03	7.823E+03	1.173E+07	7.879E+02
2112	3.158E+04	2.612E+07	1.755E+03	7.668E+03	1.149E+07	7.722E+02

Results (Continued)

Year	Total landfill gas			Methane		
	(Mg/year)	(m^3/year)	(av ft^3/min)	(Mg/year)	(m^3/year)	(av ft^3/min)
2113	3.095E+04	2.560E+07	1.720E+03	7.516E+03	1.127E+07	7.569E+02
2114	3.034E+04	2.510E+07	1.686E+03	7.367E+03	1.104E+07	7.420E+02
2115	2.974E+04	2.460E+07	1.653E+03	7.221E+03	1.082E+07	7.273E+02
2116	2.915E+04	2.411E+07	1.620E+03	7.078E+03	1.061E+07	7.129E+02
2117	2.857E+04	2.364E+07	1.588E+03	6.938E+03	1.040E+07	6.988E+02
2118	2.800E+04	2.317E+07	1.557E+03	6.801E+03	1.019E+07	6.849E+02
2119	2.745E+04	2.271E+07	1.526E+03	6.666E+03	9.992E+06	6.714E+02
2120	2.691E+04	2.226E+07	1.496E+03	6.534E+03	9.794E+06	6.581E+02
2121	2.637E+04	2.182E+07	1.466E+03	6.405E+03	9.600E+06	6.450E+02
2122	2.585E+04	2.139E+07	1.437E+03	6.278E+03	9.410E+06	6.323E+02
2123	2.534E+04	2.096E+07	1.408E+03	6.154E+03	9.224E+06	6.197E+02
2124	2.484E+04	2.055E+07	1.381E+03	6.032E+03	9.041E+06	6.075E+02
2125	2.435E+04	2.014E+07	1.353E+03	5.912E+03	8.862E+06	5.954E+02
2126	2.386E+04	1.974E+07	1.326E+03	5.795E+03	8.687E+06	5.836E+02
2127	2.339E+04	1.935E+07	1.300E+03	5.680E+03	8.515E+06	5.721E+02
2128	2.293E+04	1.897E+07	1.274E+03	5.568E+03	8.346E+06	5.608E+02
2129	2.247E+04	1.859E+07	1.249E+03	5.458E+03	8.181E+06	5.497E+02
2130	2.203E+04	1.822E+07	1.224E+03	5.350E+03	8.019E+06	5.388E+02
2131	2.159E+04	1.786E+07	1.200E+03	5.244E+03	7.860E+06	5.281E+02
2132	2.117E+04	1.751E+07	1.176E+03	5.140E+03	7.704E+06	5.176E+02
2133	2.075E+04	1.716E+07	1.153E+03	5.038E+03	7.552E+06	5.074E+02
2134	2.034E+04	1.682E+07	1.130E+03	4.938E+03	7.402E+06	4.974E+02
2135	1.993E+04	1.649E+07	1.108E+03	4.841E+03	7.256E+06	4.875E+02
2136	1.954E+04	1.616E+07	1.086E+03	4.745E+03	7.112E+06	4.778E+02
2137	1.915E+04	1.584E+07	1.065E+03	4.651E+03	6.971E+06	4.684E+02
2138	1.877E+04	1.553E+07	1.043E+03	4.559E+03	6.833E+06	4.591E+02
2139	1.840E+04	1.522E+07	1.023E+03	4.468E+03	6.698E+06	4.500E+02
2140	1.804E+04	1.492E+07	1.003E+03	4.380E+03	6.565E+06	4.411E+02
2141	1.768E+04	1.463E+07	9.827E+02	4.293E+03	6.435E+06	4.324E+02
2142	1.733E+04	1.434E+07	9.632E+02	4.208E+03	6.308E+06	4.238E+02
2143	1.699E+04	1.405E+07	9.441E+02	4.125E+03	6.183E+06	4.154E+02
2144	1.665E+04	1.377E+07	9.254E+02	4.043E+03	6.060E+06	4.072E+02
2145	1.632E+04	1.350E+07	9.071E+02	3.963E+03	5.940E+06	3.991E+02
2146	1.600E+04	1.323E+07	8.892E+02	3.885E+03	5.823E+06	3.912E+02
2147	1.568E+04	1.297E+07	8.716E+02	3.808E+03	5.707E+06	3.835E+02
2148	1.537E+04	1.271E+07	8.543E+02	3.732E+03	5.594E+06	3.759E+02
2149	1.507E+04	1.246E+07	8.374E+02	3.658E+03	5.484E+06	3.684E+02
2150	1.477E+04	1.222E+07	8.208E+02	3.586E+03	5.375E+06	3.612E+02
2151	1.447E+04	1.197E+07	8.045E+02	3.515E+03	5.269E+06	3.540E+02
2152	1.419E+04	1.174E+07	7.886E+02	3.445E+03	5.164E+06	3.470E+02

Results (Continued)

Year	Carbon dioxide			NMOC		
	(Mg/year)	(m^3/year)	(av ft^3/min)	(Mg/year)	(m^3/year)	(av ft^3/min)
2012	0	0	0	0	0	0
2013	7.088E+03	3.872E+06	2.602E+02	9.914E+01	2.766E+04	1.858E+00
2014	1.404E+04	7.668E+06	5.152E+02	1.963E+02	5.477E+04	3.680E+00
2015	2.085E+04	1.139E+07	7.652E+02	2.916E+02	8.135E+04	5.466E+00
2016	2.752E+04	1.504E+07	1.010E+03	3.850E+02	1.074E+05	7.216E+00
2017	3.407E+04	1.861E+07	1.250E+03	4.765E+02	1.329E+05	8.931E+00
2018	4.048E+04	2.211E+07	1.486E+03	5.662E+02	1.580E+05	1.061E+01
2019	4.677E+04	2.555E+07	1.717E+03	6.541E+02	1.825E+05	1.226E+01
2020	5.293E+04	2.891E+07	1.943E+03	7.403E+02	2.065E+05	1.388E+01
2021	5.897E+04	3.221E+07	2.164E+03	8.248E+02	2.301E+05	1.546E+01
2022	6.489E+04	3.545E+07	2.382E+03	9.076E+02	2.532E+05	1.701E+01
2023	7.069E+04	3.862E+07	2.595E+03	9.888E+02	2.759E+05	1.853E+01
2024	7.638E+04	4.173E+07	2.804E+03	1.068E+03	2.980E+05	2.003E+01
2025	8.196E+04	4.477E+07	3.008E+03	1.146E+03	3.198E+05	2.149E+01
2026	8.742E+04	4.776E+07	3.209E+03	1.223E+03	3.411E+05	2.292E+01
2027	9.278E+04	5.069E+07	3.406E+03	1.298E+03	3.620E+05	2.433E+01
2028	9.803E+04	5.355E+07	3.598E+03	1.371E+03	3.825E+05	2.570E+01
2029	1.032E+05	5.637E+07	3.787E+03	1.443E+03	4.026E+05	2.705E+01
2030	1.082E+05	5.912E+07	3.972E+03	1.514E+03	4.223E+05	2.837E+01
2031	1.132E+05	6.182E+07	4.154E+03	1.583E+03	4.416E+05	2.967E+01
2032	1.180E+05	6.447E+07	4.332E+03	1.651E+03	4.605E+05	3.094E+01
2033	1.228E+05	6.707E+07	4.506E+03	1.717E+03	4.791E+05	3.219E+01
2034	1.274E+05	6.961E+07	4.677E+03	1.782E+03	4.972E+05	3.341E+01
2035	1.249E+05	6.823E+07	4.585E+03	1.747E+03	4.874E+05	3.275E+01
2036	1.224E+05	6.688E+07	4.494E+03	1.712E+03	4.777E+05	3.210E+01
2037	1.200E+05	6.556E+07	4.405E+03	1.679E+03	4.683E+05	3.146E+01
2038	1.176E+05	6.426E+07	4.318E+03	1.645E+03	4.590E+05	3.084E+01
2039	1.153E+05	6.299E+07	4.232E+03	1.613E+03	4.499E+05	3.023E+01
2040	1.130E+05	6.174E+07	4.148E+03	1.581E+03	4.410E+05	2.963E+01
2041	1.108E+05	6.052E+07	4.066E+03	1.549E+03	4.323E+05	2.904E+01
2042	1.086E+05	5.932E+07	3.986E+03	1.519E+03	4.237E+05	2.847E+01
2043	1.064E+05	5.814E+07	3.907E+03	1.489E+03	4.153E+05	2.791E+01
2044	1.043E+05	5.699E+07	3.829E+03	1.459E+03	4.071E+05	2.735E+01
2045	1.023E+05	5.586E+07	3.754E+03	1.430E+03	3.990E+05	2.681E+01
2046	1.002E+05	5.476E+07	3.679E+03	1.402E+03	3.911E+05	2.628E+01
2047	9.825E+04	5.367E+07	3.606E+03	1.374E+03	3.834E+05	2.576E+01
2048	9.631E+04	5.261E+07	3.535E+03	1.347E+03	3.758E+05	2.525E+01
2049	9.440E+04	5.157E+07	3.465E+03	1.320E+03	3.684E+05	2.475E+01
2050	9.253E+04	5.055E+07	3.396E+03	1.294E+03	3.611E+05	2.426E+01
2051	9.070E+04	4.955E+07	3.329E+03	1.269E+03	3.539E+05	2.378E+01
2052	8.890E+04	4.857E+07	3.263E+03	1.243E+03	3.469E+05	2.331E+01
2053	8.714E+04	4.760E+07	3.199E+03	1.219E+03	3.400E+05	2.285E+01
2054	8.542E+04	4.666E+07	3.135E+03	1.195E+03	3.333E+05	2.239E+01
2055	8.372E+04	4.574E+07	3.073E+03	1.171E+03	3.267E+05	2.195E+01
2056	8.207E+04	4.483E+07	3.012E+03	1.148E+03	3.202E+05	2.152E+01
2057	8.044E+04	4.394E+07	2.953E+03	1.125E+03	3.139E+05	2.109E+01
2058	7.885E+04	4.307E+07	2.894E+03	1.103E+03	3.077E+05	2.067E+01
2059	7.729E+04	4.222E+07	2.837E+03	1.081E+03	3.016E+05	2.026E+01
2060	7.576E+04	4.139E+07	2.781E+03	1.060E+03	2.956E+05	1.986E+01
2061	7.426E+04	4.057E+07	2.726E+03	1.039E+03	2.898E+05	1.947E+01

Results (Continued)

Year	Carbon dioxide			NMOC		
	(Mg/year)	(m^3/year)	(av ft^3/min)	(Mg/year)	(m^3/year)	(av ft^3/min)
2062	7.279E+04	3.976E+07	2.672E+03	1.018E+03	2.840E+05	1.908E+01
2063	7.134E+04	3.898E+07	2.619E+03	9.979E+02	2.784E+05	1.871E+01
2064	6.993E+04	3.820E+07	2.567E+03	9.781E+02	2.729E+05	1.834E+01
2065	6.855E+04	3.745E+07	2.516E+03	9.588E+02	2.675E+05	1.797E+01
2066	6.719E+04	3.671E+07	2.466E+03	9.398E+02	2.622E+05	1.762E+01
2067	6.586E+04	3.598E+07	2.417E+03	9.212E+02	2.570E+05	1.727E+01
2068	6.456E+04	3.527E+07	2.370E+03	9.029E+02	2.519E+05	1.693E+01
2069	6.328E+04	3.457E+07	2.323E+03	8.851E+02	2.469E+05	1.659E+01
2070	6.202E+04	3.388E+07	2.277E+03	8.675E+02	2.420E+05	1.626E+01
2071	6.080E+04	3.321E+07	2.232E+03	8.504E+02	2.372E+05	1.594E+01
2072	5.959E+04	3.256E+07	2.187E+03	8.335E+02	2.325E+05	1.562E+01
2073	5.841E+04	3.191E+07	2.144E+03	8.170E+02	2.279E+05	1.531E+01
2074	5.726E+04	3.128E+07	2.102E+03	8.008E+02	2.234E+05	1.501E+01
2075	5.612E+04	3.066E+07	2.060E+03	7.850E+02	2.190E+05	1.471E+01
2076	5.501E+04	3.005E+07	2.019E+03	7.694E+02	2.147E+05	1.442E+01
2077	5.392E+04	2.946E+07	1.979E+03	7.542E+02	2.104E+05	1.414E+01
2078	5.285E+04	2.887E+07	1.940E+03	7.393E+02	2.062E+05	1.386E+01
2079	5.181E+04	2.830E+07	1.902E+03	7.246E+02	2.022E+05	1.358E+01
2080	5.078E+04	2.774E+07	1.864E+03	7.103E+02	1.982E+05	1.331E+01
2081	4.978E+04	2.719E+07	1.827E+03	6.962E+02	1.942E+05	1.305E+01
2082	4.879E+04	2.665E+07	1.791E+03	6.824E+02	1.904E+05	1.279E+01
2083	4.782E+04	2.613E+07	1.755E+03	6.689E+02	1.866E+05	1.254E+01
2084	4.688E+04	2.561E+07	1.721E+03	6.557E+02	1.829E+05	1.229E+01
2085	4.595E+04	2.510E+07	1.687E+03	6.427E+02	1.793E+05	1.205E+01
2086	4.504E+04	2.460E+07	1.653E+03	6.300E+02	1.757E+05	1.181E+01
2087	4.415E+04	2.412E+07	1.620E+03	6.175E+02	1.723E+05	1.157E+01
2088	4.327E+04	2.364E+07	1.588E+03	6.053E+02	1.689E+05	1.135E+01
2089	4.242E+04	2.317E+07	1.557E+03	5.933E+02	1.655E+05	1.112E+01
2090	4.158E+04	2.271E+07	1.526E+03	5.815E+02	1.622E+05	1.090E+01
2091	4.075E+04	2.226E+07	1.496E+03	5.700E+02	1.590E+05	1.068E+01
2092	3.995E+04	2.182E+07	1.466E+03	5.587E+02	1.559E+05	1.047E+01
2093	3.915E+04	2.139E+07	1.437E+03	5.477E+02	1.528E+05	1.027E+01
2094	3.838E+04	2.097E+07	1.409E+03	5.368E+02	1.498E+05	1.006E+01
2095	3.762E+04	2.055E+07	1.381E+03	5.262E+02	1.468E+05	9.863E+00
2096	3.687E+04	2.014E+07	1.354E+03	5.158E+02	1.439E+05	9.668E+00
2097	3.614E+04	1.975E+07	1.327E+03	5.056E+02	1.410E+05	9.477E+00
2098	3.543E+04	1.935E+07	1.300E+03	4.955E+02	1.382E+05	9.289E+00
2099	3.473E+04	1.897E+07	1.275E+03	4.857E+02	1.355E+05	9.105E+00
2100	3.404E+04	1.860E+07	1.249E+03	4.761E+02	1.328E+05	8.925E+00
2101	3.337E+04	1.823E+07	1.225E+03	4.667E+02	1.302E+05	8.748E+00
2102	3.270E+04	1.787E+07	1.200E+03	4.574E+02	1.276E+05	8.575E+00
2103	3.206E+04	1.751E+07	1.177E+03	4.484E+02	1.251E+05	8.405E+00
2104	3.142E+04	1.717E+07	1.153E+03	4.395E+02	1.226E+05	8.238E+00
2105	3.080E+04	1.683E+07	1.131E+03	4.308E+02	1.202E+05	8.075E+00
2106	3.019E+04	1.649E+07	1.108E+03	4.223E+02	1.178E+05	7.915E+00
2107	2.959E+04	1.617E+07	1.086E+03	4.139E+02	1.155E+05	7.759E+00
2108	2.901E+04	1.585E+07	1.065E+03	4.057E+02	1.132E+05	7.605E+00
2109	2.843E+04	1.553E+07	1.044E+03	3.977E+02	1.109E+05	7.454E+00
2110	2.787E+04	1.522E+07	1.023E+03	3.898E+02	1.087E+05	7.307E+00
2111	2.732E+04	1.492E+07	1.003E+03	3.821E+02	1.066E+05	7.162E+00
2112	2.678E+04	1.463E+07	9.829E+02	3.745E+02	1.045E+05	7.020E+00

Results (Continued)

Year	Carbon dioxide			NMOC		
	(Mg/year)	(m^3/year)	(av ft^3/min)	(Mg/year)	(m^3/year)	(av ft^3/min)
2113	2.625E+04	1.434E+07	9.634E+02	3.671E+02	1.024E+05	6.881E+00
2114	2.573E+04	1.405E+07	9.443E+02	3.598E+02	1.004E+05	6.745E+00
2115	2.522E+04	1.378E+07	9.256E+02	3.527E+02	9.840E+04	6.612E+00
2116	2.472E+04	1.350E+07	9.073E+02	3.457E+02	9.645E+04	6.481E+00
2117	2.423E+04	1.324E+07	8.893E+02	3.389E+02	9.454E+04	6.352E+00
2118	2.375E+04	1.297E+07	8.717E+02	3.322E+02	9.267E+04	6.227E+00
2119	2.328E+04	1.272E+07	8.545E+02	3.256E+02	9.084E+04	6.103E+00
2120	2.282E+04	1.247E+07	8.375E+02	3.191E+02	8.904E+04	5.982E+00
2121	2.237E+04	1.222E+07	8.209E+02	3.128E+02	8.727E+04	5.864E+00
2122	2.192E+04	1.198E+07	8.047E+02	3.066E+02	8.555E+04	5.748E+00
2123	2.149E+04	1.174E+07	7.888E+02	3.006E+02	8.385E+04	5.634E+00
2124	2.106E+04	1.151E+07	7.731E+02	2.946E+02	8.219E+04	5.522E+00
2125	2.065E+04	1.128E+07	7.578E+02	2.888E+02	8.056E+04	5.413E+00
2126	2.024E+04	1.106E+07	7.428E+02	2.831E+02	7.897E+04	5.306E+00
2127	1.984E+04	1.084E+07	7.281E+02	2.775E+02	7.740E+04	5.201E+00
2128	1.944E+04	1.062E+07	7.137E+02	2.720E+02	7.587E+04	5.098E+00
2129	1.906E+04	1.041E+07	6.996E+02	2.666E+02	7.437E+04	4.997E+00
2130	1.868E+04	1.021E+07	6.857E+02	2.613E+02	7.290E+04	4.898E+00
2131	1.831E+04	1.000E+07	6.721E+02	2.561E+02	7.145E+04	4.801E+00
2132	1.795E+04	9.805E+06	6.588E+02	2.511E+02	7.004E+04	4.706E+00
2133	1.759E+04	9.611E+06	6.458E+02	2.461E+02	6.865E+04	4.613E+00
2134	1.725E+04	9.421E+06	6.330E+02	2.412E+02	6.729E+04	4.521E+00
2135	1.690E+04	9.234E+06	6.205E+02	2.364E+02	6.596E+04	4.432E+00
2136	1.657E+04	9.052E+06	6.082E+02	2.317E+02	6.465E+04	4.344E+00
2137	1.624E+04	8.872E+06	5.961E+02	2.272E+02	6.337E+04	4.258E+00
2138	1.592E+04	8.697E+06	5.843E+02	2.227E+02	6.212E+04	4.174E+00
2139	1.560E+04	8.524E+06	5.728E+02	2.183E+02	6.089E+04	4.091E+00
2140	1.529E+04	8.356E+06	5.614E+02	2.139E+02	5.968E+04	4.010E+00
2141	1.499E+04	8.190E+06	5.503E+02	2.097E+02	5.850E+04	3.931E+00
2142	1.470E+04	8.028E+06	5.394E+02	2.055E+02	5.734E+04	3.853E+00
2143	1.440E+04	7.869E+06	5.287E+02	2.015E+02	5.621E+04	3.777E+00
2144	1.412E+04	7.713E+06	5.183E+02	1.975E+02	5.509E+04	3.702E+00
2145	1.384E+04	7.560E+06	5.080E+02	1.936E+02	5.400E+04	3.628E+00
2146	1.357E+04	7.411E+06	4.979E+02	1.897E+02	5.293E+04	3.557E+00
2147	1.330E+04	7.264E+06	4.881E+02	1.860E+02	5.189E+04	3.486E+00
2148	1.303E+04	7.120E+06	4.784E+02	1.823E+02	5.086E+04	3.417E+00
2149	1.278E+04	6.979E+06	4.689E+02	1.787E+02	4.985E+04	3.350E+00
2150	1.252E+04	6.841E+06	4.596E+02	1.752E+02	4.886E+04	3.283E+00
2151	1.227E+04	6.706E+06	4.505E+02	1.717E+02	4.790E+04	3.218E+00
2152	1.203E+04	6.573E+06	4.416E+02	1.683E+02	4.695E+04	3.154E+00

EXHIBIT 2

Maximum daily emissions from new cell excavation (Years -2 to 3) are calculated based on a maximum daily excavation rate of 10,000 CY/day excavation of 6,000 CY/day in Years 23 and 24 for landfill closure activities. For those years where excavation is only being used to address daily cover needs (i.e., Years 4-7 and 9-21), the maximum daily amount of excavated material is based on the maximum daily use of daily cover materials, which is calculated based on a maximum waste throughput of 5,000 tons of waste/day and assuming no ADC is used (i.e., a 4:1 volume ratio of trash to soil). This will result in a maximum excavation rate of 1,852 CY of soil/day for cover material calculated as follows:

5,000 tons trash/day x 2,000 lbs/ton x 1 CY trash/1,350 lbs trash x 1 CY soil/4 CY trash
= 1,852 CY of soil/day

Hourly emissions are scaled from the maximum daily emissions based on a construction schedule of 9 hours/day for all years except Year -2, -1, 23 and 24, where a 10 hour/day schedule will be used.

Tables F-1-1 through F-1-10 of Appendix F presents estimates of the annual, daily and hourly excavation emissions for PM_{10} and toxic air contaminants for each year of the landfill life.

3.1.2 Blasting

As discussed in Section 2.0, the first two phases of construction (Phase 1 and 2) at the GCLF constitute the majority of the excavation within the landfill footprint. Based on a rippability study conducted by GeoLogic Associates (see Appendix A), it is estimated that 40 percent of the material to be excavated would be hard rock. It is assumed that all of the hard rock material to be excavated will require drilling and blasting, which will occur during Years -2 to 2.

3.1.2.1 ANFO Emissions

ANFO will be used in Years -2 to 2. No blasting is anticipated during other years of GCLF's operating life. Emissions of NOx, CO, and SOx from the detonation of ANFO explosives used in blasting depend on the mass of ANFO (in tons) detonated per blast. The allowable amount of ANFO to be used at GCLF will be determined based on modeling results to ensure that ambient air quality standards are not exceeded. Impacts from a range of ANFO quantities (2 to 8 tons) will be modeled at the various construction stages of the landfill. Table 3-2 shows the projected amount of ANFO required to blast surface area of various sizes.

It is anticipated that for Year -2, since the area that may be blasted would be closest to the facility boundary/fence line, the blast size will have to be limited to 3/8 acre per blast. That will be determined based on modeling results and may be set as a permit condition in the permit. For the remaining years, it is anticipated that a 1/2-acre/ blast would be acceptable as far as potential

air quality impacts. Nonetheless, the largest potential amount of ANFO to be used at the facility was assumed to be 8 tons per blast and included in the emission calculations (even though in the case of Year -2 a smaller blast size may be used). The "theoretical" number of blasts is calculated based on the volume of rock to be blasted and the average volume per blast. The projected total number of blasts is then estimated by multiplying the "theoretical" number of blasts by a scaling factor to account for potentially smaller blasts than a ½ acre blast area. As an example, for Year -2 using a 1/2-acre blast area and 30 ft depth for the blast:

Blast Volume = 0.5 acre × 43,560 ft^2/acre × 30 ft = 654,750 ft^3
= 654,750 ft^3 × 1 CY/27 ft^3 = 24,250 yd^3
Theoretical blasts/year = 530,998 yd^3 of rock/year ÷ 24,250 yd^3/blast = ~ 22 blasts/year
Projected blasts/year = 22 × 4 (scaling factor for Year -2) = 88 blasts in Year -2

Based on the use of "smaller" blasts (e.g., 88 blasts in Year -2 instead of the "theoretical" number of blasts which is 22, the amount of ANFO used per blast would be less than the maximum 8 tons of ANFO/blast. Assuming that the average tons of ANFO used per "smaller" blast is 3 tons, the emission can be calculated as follows using the annual emissions of NOx emissions from ANFO for Year -2 as an example:

E = (88 blasts/year) × (3 tons ANFO/blast) × (17 lbs NOx/ton ANFO)

Annual NOx emissions = 4,488 lbs NOx/year for Year -2.

In this example, since the emissions resulting from ANFO will only occur when a blast takes place, maximum daily blasting emissions are calculated under the assumption that only one blast would occur per day (i.e., based on the maximum 8 tons of ANFO used per day). Maximum hourly emissions are equivalent to the maximum daily emissions (i.e., it is assumed the total release occurs within one hour of detonation).

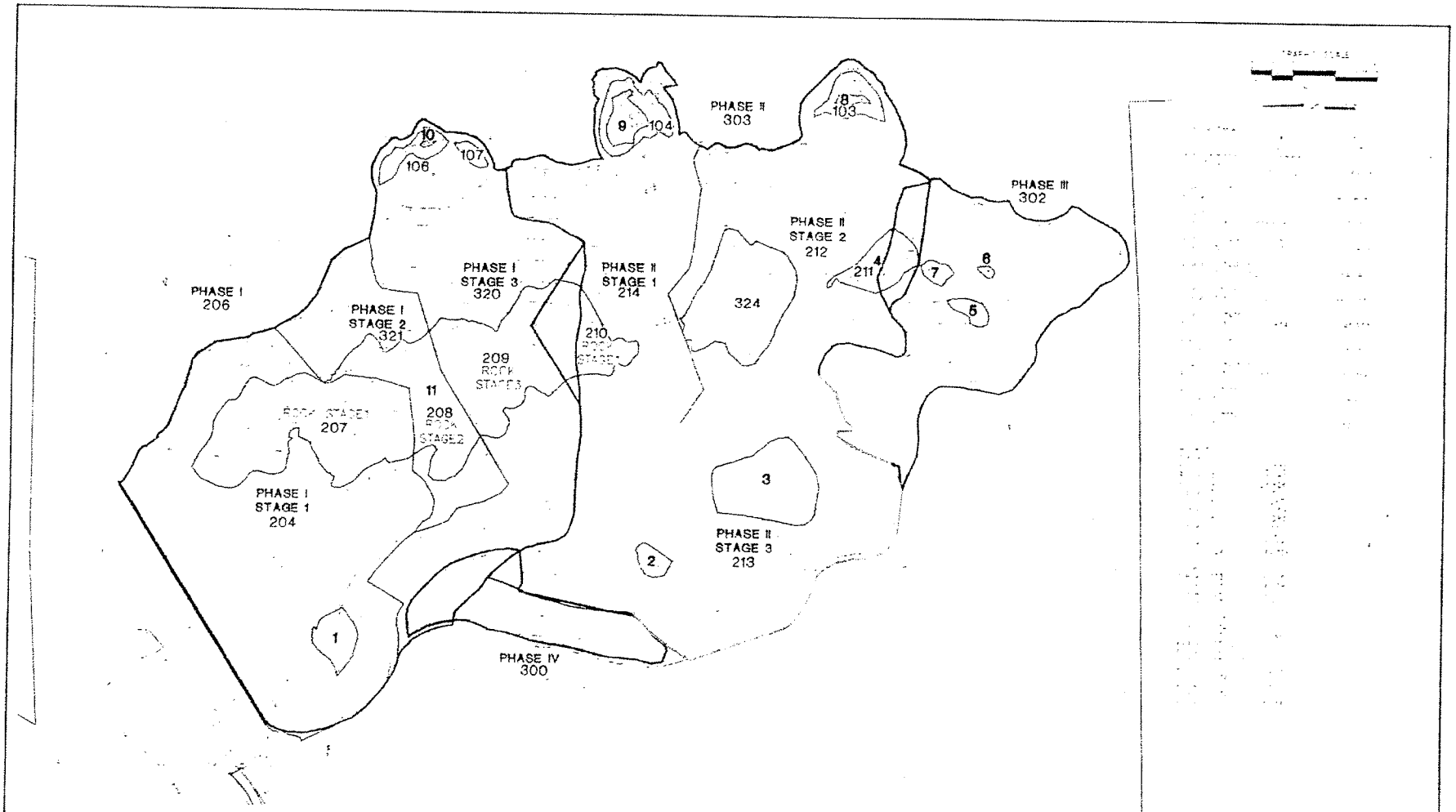
Tables F-2-1 to F-2-8 of Appendix F shows the annual, daily and hourly emissions of criteria and toxic air pollutants from usage of ANFO for each year of landfill operation.

3.1.2.2 PM_{10} Emissions

Blasting PM_{10} emissions are calculated based on the area to be blasted. Even though the number of blasts was increased to account for "smaller" size blasts, the emissions were calculated based on a constant ½ acre blast area which is the maximum area that will be blasted in one blast. Thus, the blast area is:

A = 21,780 ft^2 (or 1/2-acre) for Years -2 to 2.

Since "$C/10^6$" equals 1 for PM_{10}, the calculation for the annual PM_{10} emissions from blasting during Year -2:



GREGORY CANYON LANDFILL
EXCAVATION OVER 50 FEET DEEP

EXHIBIT 3

Ted Winfield & Associates
1455 Wagoner Drive, Livermore, CA 94550 • (925) 371-6379 • (925) 371-6333 (fax)

April 4, 2011

Mr. Mike Porter
Regional Water Quality Control Board, San Diego Region
9174 Sky Park Court, Suite 100
San Diego, CA 92123

Re: Gregory Canyon Assessment of Beneficial Uses

Dear: Mr. Porter

The purpose of this letter is to provide you with an independent scientific assessment of the various documents and analyses that purportedly evaluate the beneficial uses and other functional attributes (ecological services) of waters of the state occurring in Gregory Canyon, and impacts to these beneficial uses and functional attributes that would result from implementation of the proposed Gregory Canyon Landfill project. In formulating the opinions expressed in this letter, I reviewed the following documents:

- Final Environmental Impact Report, Gregory Canyon Landfill, Section 4.9 Biological Resources (December 2002)
- Final Environmental Impact Report, Gregory Canyon Landfill, Section 3.0 Project Description (December 2002)
- Final Environmental Impact Report, Gregory Canyon Landfill, Volume IV, Appendix L Biological Resources (December 2002)
- Revised Final Environmental Impact Report, Volume I (March 2007)
- Revised Final Environmental Impact Report, Volume I, Appendix B Biological Technical Report (June 16, 2006, revised February 20, 2007)
- Revised Final Environmental Impact Report, Volume IV, Appendix L Field Report to Map Potential Waters of the United States for the Gregory Landfill Project. Report prepared for Gregory Landfill, Ltd. By URS (May 18, 2004)
- Joint Technical Document, Volume II-A, Appendix D-2, Gregory Canyon Landfill, San Diego County, California. prepared for Gregory Canyon Limited by Bryan A. Stirrat & Associates (November 2004, revised September 2010)
- Habitat Restoration and Resource Management Plan for Gregory Canyon Landfill Property. Prepared for Gregory Canyon Ltd. by URS. Final Report. (October 7, 2008)

- Department of the Army. Approved Jurisdictional Determination Regarding Presence/Absence of Geographic Jurisdiction. Letter dated January 13, 2010, submitted to Mr. Jerry Riessen, Gregory Canyon, Limited

- Evaluation of Hydrogeomorphology and Beneficial Uses at Gregory Canyon. Report prepared for Gregory Canyon Landfill, Ltd by URS (January 14, 2008)

- Multiple Species Conservation Program, Draft North County Plan dated February, 2009, including maps and related documents

- Addendum to the Certified Final Environmental Impact Report, Gregory Canyon Landfill, dated May 2010 (SCH # 1995061007)

- Updated Evaluation of Hydrogeomorphology and Beneficial Uses at Gregory Canyon prepared for Gregory Canyon Landfill, Ltd. by Bill Magdych Associates (September 15, 2010)

- Letter from Alexis Strauss, Director of the Water Division, U.S. Environmental Protection Agency, Region IX, to Colonel Thomas H. Magness, District Engineer, U.S. Army Corps of Engineers, Los Angeles District dated December 23, 2009 in reference to U.S. Army Corps of Engineers (Corps) File No. SPL-1998-2007000-TO

PROFESSIONAL BACKGROUND

The following assessment and conclusions expressed are based on my nearly 39 years of professional experience as an environmental consultant dealing with issues affecting aquatic and wetland biological resources, including nearly 14 years working in the San Diego area. I received my Ph.D. in Ecology in the Joint Doctoral Program at the University of California, Riverside/San Diego State University, and did my dissertation research in the Tijuana River Estuary. Over the course of my professional and academic career I have completed dozens of projects, including research projects, in coastal lagoons and associated watershed and riparian areas, and estuarine systems along the coastal area of San Diego County, including the Tijuana River Estuary, San Diego Bay, Los Penisquitos Lagoon, Batiquitos Lagoon, San Dieguito Lagoon, San Elijo Lagoon, Aqua Hedionda Lagoon, and elsewhere along the California coastline. Over the course of my career I have consulted on numerous projects dealing with assessment of resource issues and permitting challenges related to actions impacting aquatic and upland systems and transitional systems between aquatic and upland systems, and have been responsible for the development of programs to mitigate for impacts to these systems. I have also prepared and supervised the implementation of numerous mitigation projects, including construction of wetland systems. Appended to this letter is a copy of my resume that presents a more complete description of my professional experience.

SUMMARY OF CONCLUSIONS

Based on my review, I conclude the following:

- The evaluation of the beneficial uses and other functional attributes of waters of the state in Gregory Canyon is inadequate as it fails to provide any support for the conclusions reached concerning the beneficial uses of waters in Gregory Canyon.
    - The report on beneficial uses prepared by URS (2008)[1] and the update to this report prepared by Bill Magdych Associates (2010)[2] does not present quantitative data or focused observational data to support the conclusions concerning the lack of beneficial uses of waters of the state in Gregory Canyon, particularly the beneficial use associated with wildlife habitat. The applicant should be required to provide quantitative data to support its findings concerning the lack of beneficial uses of waters of the state in Gregory Canyon and associated channels with sufficient detail to fully rebut the presumption and designation that such beneficial uses are present in Gregory Canyon, a tributary to the San Luis Rey River.
    - The URS (2008) analysis of beneficial uses relies primarily on the hydrologic modeling to reach its conclusions, and not on actual studies to quantify the presence and extent of beneficial uses and other functional attributes of waters of the state in Gregory Canyon. The validity of the hydrologic modeling presented in URS (2008) was found to be seriously flawed by the U.S. Army Corps of Engineers (Corps) in its formal jurisdictional determination, and by Dr. Richard R. Horner (Beneficial Uses of Gregory Canyon). Since the updated report prepared by Magdych (2010) did not directly address the critical comments by the Corps concerning URS's hydrologic modeling, and because of the several orders of magnitude difference in predicted flow between the Corps' modeling and that performed by URS (2008), any conclusions reached based on the initial URS hydrologic modeling or reliant on the model results to support conclusions is questionable. A full re-evaluation of the hydrologic modeling should be required along with a re-evaluation of beneficial uses based on the revised modeling and quantitative studies of the use of Gregory Canyon by wildlife. The use of hydrologic modeling absent any other quantitative data or direct field studies to assess wildlife beneficial uses (WILD) is not appropriate

[1] Evaluation of Hydrogeomorphology and Beneficial Uses at Gregory Canyon. Report prepared for Gregory Canyon Landfill, Ltd by URS (January 14, 2008)

[2] [2] Updated Evaluation of Hydrologeomorphology and Beneficial Uses at Gregory Canyon. Report prepared for Gregory Canyon Landfill, Ltd by Bill Magdych Associates (September 15, 2010)

approach as it fails to provide actual information concerning use of waters of the state in Gregory Canyon by wildlife, and the possible presence of the present habitat due to the presence of waters of the state in Gregory Canyon.

- The analysis of beneficial uses of Gregory Canyon does not recognize the cumulative and contributory effects of Gregory Canyon to the overall beneficial uses attributed to the San Luis Rey River system. Any analysis of beneficial uses of the waters of the state in Gregory Canyon must evaluate the contribution of Gregory Canyon to the beneficial uses of the San Luis Rey River system, especially along the stretch of the San Luis Rey River where Gregory Canyon waters flows into the San Luis Rey River.

- The proposed out-of-kind mitigation for the filling of waters of the state in Gregory Canyon is not justified because the report on beneficial uses fails to adequately characterize the beneficial uses and other functional attributes of waters of the state that would be lost in and around Gregory Canyon, and until these beneficial uses and attributes are properly evaluated the acceptability of any proposed mitigation cannot be evaluated. Analysis of the beneficial uses is the first step, followed by an assessment of impacts, and then evaluation of mitigation beginning with avoidance as the first step, followed by minimization of the impacts, and then compensatory mitigation for those impacts that could not be avoided or minimized.

- The jurisdiction of the Regional Water Quality Control Board over Gregory Canyon, including the possible jurisdiction over those channels that are tributary to the main Gregory Canyon channel that the Corps did not exert its jurisdiction, and other linear drainage features that are not directly associated with the main channel in Gregory Channel that the Corps determined are non-jurisdictional, is not directly addressed in the documents reviewed. The Regional Board's authority and scope of review is not bound by the findings of the Corps relative to the extent of jurisdictional waters of the United States. The Regional Board is required to make independent findings regarding the presence of waters of the state of those features the Corps determined were not subject to its jurisdiction pursuant to Section 404 of the Clean Water Act.

    - The Regional Board is obligated to make an independent determination of the extent of waters of the state in Gregory Canyon and elsewhere on the project site, and, further, the Regional Board is obligated to provide for public review the basis for its findings regarding the status of all of the linear drainage features identified in the Corps formal jurisdictional determination, including Drainages A, B, and C,

and those linear drainage features that are tributary to the main stem of Gregory Canyon.

- Any analysis of beneficial uses of waters of the state and mitigation to impacts to waters of the state and its beneficial uses must speak to the full extent of waters of the state that would be impacted by the proposed Gregory Canyon Landfill project, and until the Regional Board makes and documents its finding in detail as to the full extent of waters of the state the adequacy of any analysis of beneficial uses and proposed mitigation for impacts to waters of the state cannot be determined.

- The proposed phasing of mitigation for project impacts is inconsistent with state and federal regulatory guidance, has not been justified, and should not be permitted. Unless the different phases of the project can be shown to be independent from one another, which has not been demonstrated, such phasing of mitigation should not be approved. Because of the magnitude of the projected project impacts on sensitive biological resources, the full implementation of the mitigation program should be required prior to or coincident with implementation of the project. If phasing of the mitigation program were to be approved, it should be done with the requirement that the mitigation for a particular phase be deemed a functionally "successful" and viable replacement habitat by an independent panel of experts following an adequate monitoring period before subsequent phases would be allowed to proceed.

BENEFICIAL USES OF GREGORY CANYON

In the Basin Plan[3] the Regional Board has determined that the following beneficial uses occur in the San Luis Rey River in the vicinity of the proposed Gregory Canyon Landfill project, and are assumed to occur in the waters of the state that are tributary to the San Luis Rey River, including Gregory Canyon:

- Municipal and Domestic Supply
- Agricultural Supply
- Industrial Service Supply
- Contact Water Recreation
- Non-contact Water Recreation
- Warm Freshwater Habitat

[3] Water Quality Control Plan for the San Diego Basin (9). September 8, 1994 (with amendments effective prior to April 25, 2007). California Regional Water Quality Control Board, San Diego Region

- Cold Freshwater Habitat
- Wildlife Habitat

The beneficial uses of Gregory Canyon are discussed in URS (2008) and updated by Magdych (2010). Specifically, these reports are supposed to describe "*...existing hydrogeomorphology and beneficial uses that may be affected by the Gregory Canyon Landfill Project at Gregory Canyon in northern San Diego County...* ." (URS 2008 and Magdych 2010, Section One, page 1 first paragraph, first sentence) These reports rely heavily on hydrologic modeling presented in URS (2008), which appears to be tailored to addressing issues related to determining the presence of waters of the United States in Gregory Canyon, and hydrogeomorphological analysis in evaluating beneficial uses and other functional attributes of waters of the state in Gregory Canyon. URS (2008) and Magdych (2010) bootstrap the hydrologic modeling results in an attempt to downplay the presence of beneficial uses in waters of the state in Gregory Canyon, especially the Wildlife Habitat (WILD) beneficial use. The validity of the hydrologic modeling used to predict the hydrology of Gregory Canyon presented in URS (2008) was challenged and essentially invalidated by the analyses provided in the most recent verified jurisdictional determination performed by the Corps[4] and the evaluation of hydrologic modeling done for the project by Dr. Richard R. Horner[5]. To then apply this same model, which was used by URS to try and build a case that waters of the United States were not present in Gregory Canyon, that was discredited by the Corps and Dr. Horner to assess the presence and extent of beneficial uses in Gregory Canyon is not defensible.

In his detailed evaluation of the possible impacts to water quality that would result from implementation of the proposed Gregory Canyon Landfill as currently planned, Dr. Horner concluded that the "*project proponent has failed to model stormwater in the canyon properly because of the use of out-dated and poorly applied modeling techniques.*" Dr. Horner noted that there was a wide discrepancy between the modeled flow rates for Gregory Canyon for different storm events for the two different models used by URS in its analysis, and that the Corps analysis differs substantially from that of URS (2008). For example, URS (2008) determined the runoff in Gregory Canyon for a five (5)-year, six (6)-hour storm event yields no runoff, while the Corps' modeled flow for the five-year, six-hour storm event was significantly higher at 343.50 cfs. The Corps further states that their findings fit with what they observed in the field relative to the location of ordinary high water in Gregory Canyon.

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[4] Department of the Army. Approved Jurisdictional Determination Regarding Presence/Absence of Geographic Jurisdiction. Letter ,dated January 13, 2010, submitted to Mr. Jerry Riessen, Gregory Canyon, Limited.

[5] Richard R. Horner, PhD. Letter to Mr. Mike Porter, San Diego Regional Water Quality Control Board dated January 3, 2011.

Turning to the Corps' recent verified jurisdictional delineation, the Corps determined that the "*...potentially jurisdictional water, Gregory Canyon, in evaluating its water flow characteristics with its functions and values, has more than an insubstantial or speculative effect on the chemical, physical, and/or biological integrity of the San Luis Rey River estuary,...*" and based their decision on a number of findings related to the physical, chemical and biological characteristics observed along Gregory Canyon. The findings of the Corps are contrary to earlier delineations submitted to the Corps on behalf of the project proponents wherein jurisdictional waters of the United States were not determined to be present in Gregory Canyon. The difference in modeled surface water flow in Gregory Canyon between URS (2008) and the Corps is significant and the critical comments by Dr. Horner concerning the URS (2008) modeling invalidates the approach and resulting output of the URS (2008) hydrologic modeling and conclusions concerning the presence of beneficial uses of waters of the state in Gregory Canyon that rely on the results of the hydrologic modeling.

The updated report Magdych (2010) should have directly addressed the critical comments of the Corps concerning the hydrologic modeling but failed to present any direct response to the Corps' comments. Instead the Magdych (2010) report presented some observations made during and following storm events in 2010, made no attempt to rectify these observations with the critical comments presented by the Corps, but merely repeated the same hydrologic modeling results that was found to be flawed by the Corps almost verbatim. The subsequent critique of the hydrologic modeling by Dr. R. Horner raised other issues with the hydrologic modeling approach and supports the Corps' critique, and the question about the validity of the hydrologic modeling reported in URS (2008) remains and has yet to be satisfactorily addressed.

The new information relative to flows in the canyon that was presented in Magdych (2010) dealt with the reported direct observation of flow out of Gregory Canyon during and following an exceptional rainfall event during January 15-22, 2010. While Magdych (2010) presented details about the actual rainfall event and "*peak instantaneous discharge from Gregory Canyon*," details, such as field notes, about the actual observations are lacking, and there was no technical analysis of the new information relating these observations to the critical comments of the Corps concerning the hydrologic modeling reported in URS (2008). What were the dates of observations of flow from the canyon? How were the flows measured? Where along the canyon were the observations made? Without supporting analysis and more detailed information on how and when the measurements were made, these new observations provide nothing more than anecdotal information with no informational value for the decision maker.

The use of hydrologic modeling data as a surrogate for actual field studies to determine if WILD beneficial use is associated with waters of the state in Gregory Canyon misses the purpose of the designation. The statement in URS (2008), which remains essentially unchanged in Magdych (2010), that "*...Gregory Canyon does not support surface water flows of sufficient frequency of recurrence, magnitude, or duration to support WILD[6] uses, and such uses are not reasonably expected in Gregory Canyon at most times in most years.*" (URS 2008, Section Three, Page 3-5, first paragraph, first sentence) is not supported by the assessment presented in URS (2008) or Magdych (2010). The use of the hydrologic modeling results would only contribute to an understanding of the physical conditions in Gregory Canyon, but to assess the actual wildlife use of the waters of the state in Gregory Canyon or the contribution of the waters of the state in Gregory Canyon to immediate area of the San Luis Rey River into which Gregory Canyon drains, quantitative studies of wildlife use along the canyon are absolutely essential. No such information is forthcoming in the Magdych (2010) or URS (2008) report, or the other environmental documents prepared for the project.

The Magdych (2010) report also states without presenting any supporting data or analysis that " *Gregory Canyon ... does not form a unique landscape component that would be considered a corridor from or to major wildlife habitats or within a greater wildlife corridor...*" (Magdych 2010, Section Two, Subsection 2.5 Summary, page 2-12, last full paragraph, fourth sentence, in part). This statement is contradicted by the vegetation mapping completed for the project and fails to recognize that the it is the mosaic of habitat types, including the canyons such as Gregory Canyon, that has lead to the designation of the project area as a "Pre-approved Mitigation Area" under the draft Multiple Species Conservation Plan for the North County.

The vegetation map shows that the largest contiguous areas of coast live oak woodland habitat type occurs along Gregory Canyon, along the edge of the San Luis Rey River, and other large areas of coast live oak woodlands are associated with other linear drainage features identified by the Corps as non-jurisdictional features. The distribution pattern of the larger contiguous areas of coast live oak woodlands along linear drainage features suggests that there are environmental factors at play that contribute to the observed patterns, but there are no studies presented in any of the documents reviewed that explores the factors responsible for the observed distribution pattern.

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[6] WILD (wildlife habitat) is defined in the Water Quality Control Plan for the San Diego Basin (9) (September 8, 1994) as "*uses of water that support terrestrial ecosystems including, but not limited to, preservation and enhancement of terrestrial habitats, vegetation, wildlife (e.g., mammals, birds, reptiles, amphibians, invertebrates), or wildlife water and food sources.*"

Lichvar and Dixon (2007)[7] investigated wetland plants found in specialized habitats in the arid west. The Gregory Canyon Landfill project site and much of California (except the Sierra Nevada Mountains) occur within what is defined by the Corps as the Arid West region[8]. In the discussion on dry wash phreatophytes, Lichvar and Dixon (2007) identified two types of dry wash phreatophytes, obligate phreatophytes and facultative phreatophytes. Facultative phreatophytes are species that "*...are able to take advantage of groundwater when present but can also tolerate periods of low water availability*" (Lichvar and Dixon 2007). Table 4 in Lichvar and Dixon (2007) lists dry wash phreatophytes, which includes coast live oak (*Quercus agrifolia*). This information and the observed distribution pattern for much of the coast live oak woodlands in Gregory Canyon and elsewhere at the Gregory Canyon Landfill project site, strongly suggests that the occurrence of coast live oak in Gregory Canyon and along the other linear drainages at the proposed Gregory Canyon Landfill project site is related, at least in part, to the presence of waters of the state. No data or analysis has been presented in URS (2008) or Magdych (2010) to counter this position.

The URS (2008) and Magdych (2010) reports also state that "*The limited ephemeral flows that may occur in the canyon during extreme rain event do not persist for long enough periods to support aquatic life on a regular basis.*" (URS 2008, Section Two, Subsection 2.3 Biology, page 2-8, second paragraph, second sentence; Magdych 2010, Section Two, Subsection 2.3 Biology, page 2-9, second paragraph, second sentence), no doubt basing this conclusion in part on the discredited hydrologic modeling and anecdotal observations reported in Magdych (2010) during and following a rainfall event in January 2010, but provide no basis for this conclusion beyond observations of the physical structure of Gregory Canyon. Were any surveys conducted to determine if there were any organisms present in the step pools and other parts of the canyon bottom characteristic of ephemeral aquatic systems? Any evaluation of aquatic life, however defined, in the canyon needs to look at all levels of the food chain, not just vertebrates. There are a whole host of invertebrate species and plants adapted to such ephemeral environments and there is no record in the URS (2008), Magdych (2010) or other documents prepared in support of the Gregory Canyon Landfill project that any such studies have been conducted to determine the possible presence and abundance of such species.

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[7] R. Lichvar and R. Dixon. 2007. Wetland Plants of Specialized Habitats in the Arid West. U.S. Army Corps of Engineers, Engineer Research and Development Center. EERDC/CRREL TR-07-8.

[8] U.S. Army Corps of Engineers. 2008. *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region (Version 2.0),* ed. J.S. Wakeley, R.W. Lichvar, and C.V. Noble. ERDC/EL TR-08-28. Vicksburg, MS: U.S. Army Corps of Engineers, Engineer Research and Development Center.

There is no indication that the project proponent has investigated micro-climatic differences between the immediate area of the drainages in Gregory Canyon and the surrounding upland areas, especially during the winter and spring months. Certainly a difference in the micro-climate of the canyon bottom compared to the surrounding slopes could have a measurable effect on wildlife species or their prey species (e.g., insectivorous wildlife (birds, bats) feeding on insects from temporary ponded areas). In light of the research reported in Lichvar and Dixon (2007) concerning dry wash phreatophytes, which includes coast live oak, the occurrence of coast live oak woodlands along Gregory Canyon and associated with other linear drainage features may be more than just circumstantial, which is the position espoused in URS (2008) and Magdych (2010).

For the same reasons, the dismissal of Biological Habitat Consideration (functional attribute/ecological services) is not supported by factual arguments and must be re-evaluated. In dismissing Biological Habitat Consideration, URS (2008) and Magdych (2010) base their conclusions in large part on the physical nature of the canyon and not on any actual surveys. For example, they state that the "*...thalweg itself in this portion of the canyon does not provide a unique corridor that supports focused movement from one habitat area of concern to another, nor does it promote or diminish wildlife movement in this area*" (URS 2008, Section Three, Subsection 3.1.2 Other Beneficial Use and Functional Considerations, page 3-6, bottom paragraph, third sentence) but provides no observational data to support this statement and merely state that the habitat along the canyon bottom is "*..just the same as the rest of the upland habitats that surround it with regard to wildlife movement.*" (URS 2008, Section Three, Subsection 3.1.2 Other Beneficial Use and Functional Considerations, page 3-6, bottom paragraph, fourth sentence) This statement is not supported by the actual vegetation data for the proposed project site. The presence of coast live oak in Gregory Canyon creates a vertical structure in the vegetation that is lacking in the surrounding coastal sage scrub and chaparral vegetation cover. Certainly, bird species characteristic of tree canopies would use the Gregory Canyon coast live oak woodlands selectively as they forage up and down the canyon in the tree canopy in search of food and for nesting, and the coast live oak trees may provide suitable roosting habitat for one or more species of bats that are known to occur in the area.

Noting that the upper part of the canyon has high terraces on both sides of the canyon bottom, URS (2008) (and Magdych 2010) further states that the "*...terraces are sufficiently high to preclude movement of many mammals across the canyon and thus forms a barrier to wildlife movement in cross-canyon directions. The upper area is also effectively closed, such that large wildlife entering this incised area will be boxed in. Therefore, the thalweg in the upper canyon does not serve as a corridor to larger wildlife movement to the south along the thalweg.*" (URS 2008, Section Three, Subsection 3.1.2 Other

Beneficial Use and Functional Considerations, page 3-7, top paragraph from previous page, first through third complete sentences), but provide no observation or other data directly related to possible differential wildlife use of the canyon bottom or that the topography of the upper canyon area provides a barrier to wildlife movements. It should be noted that the Corps, in the formal jurisdictional determination[9], stated that first-order drainages G2, G6, G6, G7 and G9 provide habitat for "*Several species of reptiles, birds, and mammals use the site and **most likely use washes as corridors***." (emphasis added)

The evaluation of beneficial uses related to wildlife habitat of Gregory Canyon in URS (2008) and Magdych (2010) ignores the fact that the canyon is part of a larger watershed or landscape structure that combines to provide the functional attributes associated with San Luis Rey River. Any evaluation of the beneficial uses of waters of the state relative to wildlife habitat in Gregory Canyon, or other similar feature that is tributary to the San Luis Rey River, cannot look at such features in isolation, but must take a broader view and recognize that the beneficial uses attached to the San Luis Rey River result from the combined features in its watershed, including Gregory Canyon and surrounding slopes. As stated previously, the Corps recognized this relationship in its formal jurisdictional determination by stating that "*...potentially jurisdictional water, Gregory Canyon, in evaluating its water flow characteristics with its functions and values, has more than an insubstantial or speculative effect on the chemical, physical, and/or biological integrity of the San Luis Rey River estuary,...*"

The need to look at the watershed or landscape scale within which these aquatic systems occur is the message that was put forth by the Technical Advisory Team (TAT), which was been established to provide input to the Policy Development Team of the California Wetland and Riparian Protection Policy[10]. The TAT recognizes the need for evaluating such features as a landscape unit, and recognized the importance of ephemeral and intermittent washes, like Gregory Canyon, by concluding that "*...non-vegetated playas, tidal flats, river bars, and **ephemeral or intermittent washes** provide a variety of wetland functions, including water filtration, groundwater recharge, and the support of wetland wildlife" (emphasis added)* and that "*...the California wetland definition should clearly include these non-vegetated areas that mainly provide wetland functions."*[11] Obviously the team of scientists that make up the TAT feel that ephemeral or intermittent washes, such as Gregory Canyon, provide ecological

[9] Statements found in "Approved Jurisdictional Determination Form" submitted as part of the formal jurisdictional determination.

[10] The TAT consists of scientists and regulatory personnel assembled by the San Francisco Estuary Institute for the purpose of providing the breadth and depth of scientific understanding about wetlands and riparian areas needed to assure the scientific credibility of the policy (California Wetland and Riparian Area Protection Policy).

[11] TAT Technical Memorandum No. 2: Wetland Definition. Final (June 25, 2009).

services within the watershed they serve even though these features may lack obvious or readily visible aquatic habitat features.

The importance of ephemeral and intermittent drainages was recently evaluated in a report prepared for the EPA by Levick, et al. (2008)[12] in which they concluded that ephemeral and intermittent drainages *"...provide the same ecological and hydrological functions as perennial streams by moving water, nutrients, and sediment throughout the watershed."* Similar conclusions were reached in a report authored by Vyverberg (2010)[13] wherein he stated that ephemeral and intermittent streams (drainages) *"...perform the same critical hydrologic functions as perennial streams."* The Corps in its formal jurisdictional determination for the Gregory Canyon Landfill project concluded that *"The entire length of the second-order channel and several feeder first-order channels connected to the main stem have strong evidence of "ordinary" flow..."* and that *"The characteristics identified during the site visit indicate that GC conveys flows and sediment to the SLRR."*

The URS (2008) and Magdych (2010) reports fail to adequate demonstrate that the values ascribed to ephemeral and intermittent drainages are not present in Gregory Canyon, and given the position of the TAT described in the previous paragraph and the conclusions on the critical functions provided by these systems in Levick, et al. (2008) and Vyverberg (2010), the assumption should be that Gregory Canyon supports some or all of these function until a quantitative assessment of Gregory Canyon proves otherwise. The URS (2008)and Magdych (2010) reports fail to provide any compelling argument that refutes the supposition that the functions attributed to ephemeral and intermittent drainages are not present in Gregory Canyon.

Based on the foregoing discussion, it is my professional opinion that the conclusions reached in the URS (2008) and Magdych (2010) reports concerning beneficial uses of the waters of the state in Gregory Canyon do not present any compelling argument that beneficial uses related to wildlife habitat and other functions that have been attributed to ephemeral drainages by TAT (2009), Levick et al. (2008), and Vyverberg (2010) are not present in Gregory Canyon. The reliance on questionable modeling, the results of which have been refuted by the Corps and Dr. Horner, in reaching their conclusions concerning the presence of certain beneficial uses (wildlife habitat) of waters of the state in Gregory

[12] Levick, L., J. Fonseca, D. Goodrich, M. Hernandez, D. Semmens, J. Stromberg, R. Leidy, M. Scianni, D. P. Guertin, M. Tluczek, and W. Kepner. 2008. The Ecological and Hydrological Significance of Ephemeral and Intermittent Streams in the Arid and Semi-arid American Southwest. U.S. Environmental Protection Agency and USDA/ARS Southwest Watershed Research Center, EPA/600/R-08/134, ARS/233046, 116 pp

[13] Vyverberg, K. 2010. A Review of Stream Processes and Forms in Dryland Watersheds. California Department of Fish and Game report.

Canyon, and the lack of site-specific surveys or studies to document the extent of use of Gregory Canyon by wildlife or the presence of organisms characteristic of ephemeral aquatic systems invalidates the conclusions reached in the URS (2008) report.

Both URS (2008) and Magdych (2010) attempt to apply an additional condition to the definition of WILD as presented in the Basin Plan. The WILD (Wildlife Habitat) beneficial use is defined in the Basin Plan as follows:

> *Includes uses of water that support terrestrial ecosystems including, but not limited to, preservation and enhancement of terrestrial habitats, vegetation, wildlife (e.g., mammals, birds, reptiles, amphibians, invertebrates), or wildlife water and food sources.*

Nowhere in this definition is there a reference to "aquatic features," which appears to be a modifier applied throughout URS (2008) and Magdych (2010) in their discussions concerning wildlife habitat and related uses of waters of the state in Gregory Canyon. The main stem area of Gregory Canyon has been determined to be waters of the United States and waters of the state. There is an assumption in the Basin Plan that beneficial uses assigned to the San Luis Rey River also exist in tributaries to this river, and Gregory Canyon is a tributary to the San Luis Rey River. The reports by the TAT (2009), Levick et al. (2008) and Vyverberg (2010) highlight the value of ephemeral drainages. While some of the beneficial uses assigned to the San Luis Rey River may not be present in Gregory Canyon, a tributary to the San Luis Rey River, it is the responsibility of the applicant to rebut the presumption that these beneficial uses are present. URS (2008) and Magdych (2010) fail to present any cogent or fact-based argument to rebut this presumption.

Before leaving the discussion on beneficial uses of waters of the state in Gregory Canyon, it is necessary to also provide comments in the Addendum to the Certified Final Environmental Impact Report, Gregory Canyon Landfill, dated May 2010 (SCH # 1995061007) (Addendum FEIR) because of the reliance of the Regional Board on the CEQA document prepared for the proposed Gregory Canyon Landfill project in supporting its decision on whether or not to issue a 401 Water Quality Certification for the project. The stated purpose of this Addendum FEIR was to provide the most up-to-date information on the scope of federal and state jurisdiction over waters on the landfill site, and to analyze any impacts arising from the updated information.

On page 10 of the Addendum FEIR, it states that water *"that drains Gregory Canyon is considered ephemeral (i.e. flows briefly in direct response to precipitation in the vicinity). Surface flow occurs during moderate to large storm events." This is consistent with the findings made by ACOE."* The Addendum

statement that the findings in the earlier Draft EIR completed in 2003 is consistent with the findings by the Corps relative to surface water is misleading and incorrect. The Corps found significantly greater flow for comparable storm events that was reported in the Draft EIR, a finding that was supported by Dr. R. Horner's evaluation of the URS (2008) report. This clarification and correction should be part of the errata included in the Addendum.

The significantly higher flows predicted by the Corps' modeling should have resulted in a change in the conclusions reached by URS (2008) relative to beneficial uses of waters of the state in Gregory Canyon. However, the updated analysis of hydrogeomorphology and beneficial uses at Gregory Canyon by Magdych (2010) presents no such correction or direct rebuttal to the critical analysis of the URS (2008) hydrologic modeling presented by the Corps. The Regional Board in evaluating the applicability of the Addendum FEIR for its purpose must recognize the inadequacies in URS (2008), Magdych (2010) and other environmental documents relying on the hydrologic modeling reported in URS (2008) to characterizing the hydrology of Gregory Canyon, and the lack of any supporting quantitative data in URS (2008) and Magdych (2010) to support arguments about the lack of beneficial uses of waters of the state in Gregory Canyon.

REGIONAL BOARD JURISDICTION

Following the January 9, 2001 the United States Supreme Court decision in *Solid Waste Agency of Northern Cook County v. U.S. Army Corps of Engineers* (2001) (*SWANCC*) the State Water Resources Control Board (SWRCB) issued several memorandums concerning the role of the State in regulating those waters that the SWANCC decision precluded the Corps from regulating. On January 25, 2001, the Office of Chief Counsel of State Water Resources Control Board (SWRCB) issued a legal memorandum confirming the State had jurisdiction over such waters pursuant to the California Porter-Cologne Water Quality Control Act (Porter Cologne; Ca. Water Code, Div. 7, §13000 *et seq.*), which regulates discharges to wetlands and other "waters of the state." The opinion also stated that "...*since Porter-Cologne was enacted California always had and retains authority to regulate discharges of waste into any waters of the state, regardless of whether the COE* [Corps] *has concurrent jurisdiction under section 404.*" Finally, the legal memorandum stated that "...*all waters of the United States that are within the borders of California are also waters of the state, the converse is not true—waters of the United States is a subset of waters of the state.*"

There should be no debate as to the jurisdiction of the Regional Board over the main stem channel in Gregory Canyon and the first-order channels that are tributary to the main secondary channel in Gregory Canyon. The Corps has determined that the main stem of Gregory Canyon and several of the first order drainages that flow into

Gregory Canyon are waters of the United States, and, therefore, waters of the state per the opinion expressed in the aforementioned legal memorandum issued by the Office of Chief Counsel of SWRCB. The only question is the extent of the Regional Board's jurisdiction in the first-order channels, and the linear drainage features (Drainages A, B and C) identified in the Corps formal jurisdictional determination as non-jurisdictional features. As stated in the Corps delineation, not all of the first-order drainages were visited and verified as having OHWM indicators, so additional work was needed to determine the full extent of the Corps over the first-order channels in Gregory Canyon. Since the definition of "waters of the state" has no defined procedure for determining what are "waters of the state," the Regional Board needed to determine the extent of its jurisdiction in all of the first-order channels that are tributary to the second-order channel in Gregory Canyon that the Corps has determined are not subject to its jurisdiction pursuant to Section 404 of the Clean Water Act, and those linear drainage features identified in the Corps formal jurisdictional determination as Drainage A and its side channels, Drainage B and Drainage C.

I find no record that the Regional Board has conducted a comprehensive analysis of the features that the Corps determined were not subject to its (Corps) jurisdiction to determine if these features (Drainages A, B and C) were waters of the state. Based on the information presented in Table 4.9-5 in the Addendum FEIR it appears that the Regional Board has exerted jurisdiction over only those areas of Gregory Canyon that the Corps determined to be waters of the United States. Further, the waters of the state shown in Figure 1 of the Addendum FEIR, which was prepared by URS, shows waters of the state extending up only two of the first order channels in Gregory Canyon, Drainages G6 and G7, both drainages characterized by the Corps as having ordinary high water marks but no significant nexus, but some or all of three other drainages, Drainages G2, G5 and G9, with the same designation by the Corps are not shown on Figure 1 as being waters of the state, If this figure correctly shows the extent of waters of the state, as determined by the Regional Board, it raises a number of questions that must be addressed by the Regional Board.

- How does the Regional Board determine which of the first order drainages to the Gregory Canyon main stem are waters of the state and which ones are not waters of the state?

- How does the Regional Board address those drainages off the main stem of Gregory Canyon that the Corps did not evaluate in its formal jurisdictional determination?

- Does the Regional Board staff actually visit each of these features in making its determination and, if so, where are the records supporting the Regional Boards decision?

- What procedures does the Regional Board employ to determine that the other drainages that the Corps found to not be subject to its jurisdiction are not waters of the state?

With respect to this last question, the Regional Board needs to independently evaluate the status of Drainages A, B and C. Take for example the western terminus of Drainage A as mapped by the Corps. Drainage A should be considered a waters of the state as the drainage would have extended to the main drainage in Couser Canyon but for the agricultural activity on the intervening land. Designating this and other drainages as waters of the state would be consistent with the position of the EPA expressed in its letter to the Corps dated December 23, 2009[14] which challenges the Corps' findings that Drainage A and other drainages (Drainage B, and several first-order drainages feeding into Drainage A) were not waters of the United States. As the EPA rightly points out in its letter, the mere imposition of land use practices that creates a break in the ordinary high water mark does not necessarily extinguish the Corps' Clean Water Act jurisdiction over the drainage displaying ordinary high water marks, and the same position should hold true for the Regional Board in its evaluation of the jurisdictional status of Drainage A, and other drainages not identified by the Corps as waters of the United States, as a water of the state.

The Regional Board is obligated to provide the rationale and detailed analysis supporting its decision of what constitutes waters of the state at the Gregory Canyon Landfill project site. Waters of the state are public resources that have been entrusted to the Regional Board to protect and failure to adequately protect such resources is a violation of the public trust.

MITIGATION FOR IMPACTS TO WATERS OF THE STATE

The question now turns to whether impacts to waters of the state within Gregory Canyon are being properly and fully mitigated. It has been my professional experience that the Regional Boards require compensatory mitigation for those beneficial uses that are impacted by a project. They also require in-kind mitigation for impacts to waters of the state, which was acknowledged in the letter from the Regional Board to Ms. Kerry McNeill with the Solid Waste Local Enforcement Agency with the County of San Diego's Department of Environmental Health[15] wherein the Regional Board states "*...the Regional Board claims jurisdiction over Gregory*

[14] Letter from Alexis Strauss, Director of the Water Division, U.S. Environmental Protection Agency, Region IX, to Colonel Thomas H. Magness, District Engineer, U.S. Army Corps of Engineers, Los Angeles District dated December 23, 2009 in reference to U.S. Army Corps of Engineers (Corps) File No. SPL-1998-2007000-TO

[15] California Regional Water Quality Control Board, San Diego Region. Letter to Ms. Kerry McNeill, Supervisor, Solid Waste Local Enforcement Agency, County of San Diego, Department of Environmental Health, 9325 Hazard Way, San Diego, CA 92123-1217. Subject: Regional Board Comments on Revised Partial Draft Environmental Impact Report (EIR) for the Proposed Gregory Canyon Landfill, LDU: File 06-0024:ctamaki, dated August 23, 2006

Canyon Creek as waters of the State and ***equivalent, functional, and like mitigation*** *will be required to compensate for the loss of the creek.*" (emphasis added) The Regional Board goes on to define "*Functional and like mitigation*" to mean "*...morphologically recreating the Creek onsite or nearby and recreating the functions that would be lost.*"

The proposed mitigation summarized in Section Four of Magdych (2010) perpetuates the unsupported conclusion that Gregory Canyon does not support beneficial uses of waters of the state, particularly WILD beneficial use. In fact the discussion in Magdych (2010) (and URS 2008) equates the function of waters of the state in Gregory Canyon to that of a simple drainage channel that transports occasional shallow flows. For example, the summary discussion of mitigation in Magdych (2010) (Section Four Evaluation of Mitigation Measures, page 4-1 through 4-2) concerning the thalweg of Gregory Canyon states that "*Development of the landfill will result in creation of similar channels around both sides of the landfill to direct occasional shallow concentrated flows past the landfill.*" (Magdych 2010, page 4-1, second paragraph, fourth sentence) These constructed channels will not approximate the natural undisturbed system found in Gregory Canyon. These channels would not support coast live oak woodland habitat similar to what currently occurs in Gregory Canyon and, thus, would not provide any of the current habitat values present in Gregory Canyon. These constructed channels would not provide "*equivalent, functional, and like mitigation*" that the Regional Board is requiring to compensate for the loss of the main stem of Gregory Canyon as stated in the Regional Board's August 23, 2006 letter to Ms. Kerry McNeill with the Solid Waste Local Enforcement Agency.

Further, in its discussion of mitigation for the Gregory Canyon and other channels considered to be waters of the state, Magdych (2010) (and URS 2008) equate the drainages to nothing more than drainage swales and state that these "*...drainage swales will cover 1.19 acres, which is greater than the disturbance of 0.94 acres of ephemeral drainages, and they will be dominated by upland vegetation communities, as are the drainage and erosion features in the canyon and borrow areas.*" (Magdych 2010, Section Four Evaluation of Mitigation Measures, page 4-2, last paragraph, seventh sentence) But how does the creation of a channel without the same vegetation community compensate for the loss of coast live oak woodland that surrounds the thalweg of Gregory Canyon (and other drainage features) and replace the wildlife uses associated with waters of the state in Gregory Canyon? How can a mitigation program that purports to fully compensates for the ecological services provided by an impacted resource, complete with quantitative performance criteria, if the basic ecological services provided by the impacted resource, in this case coast live oak woodland habitat along Gregory Canyon and other drainage features, have not been adequately evaluated? Based on my professional experience, this cannot be done. Without a thorough and comprehensive study of the beneficial uses of waters of the state in Gregory Canyon that rebuts the

presumption in the Basin Plan that these beneficial uses are present, particularly the WILD beneficial use, the magnitude of the projects impacts on beneficial uses of waters of the state cannot be determined and without a full understanding of the probable impacts, compensatory mitigation cannot be defined.

Development of an acceptable mitigation plan first requires a full understanding of the biological resources being impacted and the extent to which these resources would be directly and indirectly impacted. For the Gregory Canyon Landfill project, the conclusions reached Magdych (2010) (and URS 2008), in its assessment of beneficial uses, especially as it relates to wildlife habitat, was not based on direct studies of wildlife use of Gregory Canyon, but relied on unsubstantiated statements concerning possible wildlife use and hydrologic modeling that has been shown by the Corps and Dr. Richard Horner to be based on invalid assumptions and mis-application of the hydrologic model. It is difficult, therefore, to define a compensatory mitigation program that would compensate for impacts to beneficial uses of waters of the state in Gregory Canyon without a credible analysis of beneficial uses of waters of the state in Gregory Canyon. Certainly, the proposal in the URS (2008) (and Magdych 2010) report that the mitigation for surrounding uplands would serve to mitigate for impacts to the Gregory Canyon channels is not defensible.

CONCLUSIONS

The following conclusions, which I elucidated at the beginning of this letter bear repeating:

- The evaluation of the beneficial uses of Gregory Canyon is inadequate and fails to provide any support for the conclusions reached concerning the beneficial uses of waters in Gregory Canyon. There does not appear to have been any attempt to obtain quantitative data or even observational data to support the conclusions concerning the beneficial uses of Gregory Canyon and these conclusions appear to rely, in part, on hydrologic modeling the validity of which has been questioned by the Corps experts and Dr. Richard R. Horner.

- The jurisdiction of the Regional Water Quality Control Board over Gregory Canyon, including the possible jurisdiction over those channels that are tributary to the main Gregory Canyon channel that the Corps did not exert its jurisdiction, is underplayed, especially the emerging requirement by Regional Boards throughout California to require in-kind mitigation for impacts to such drainage features.

- The proposed out-of-kind mitigation for the filling of waters of the state in Gregory Canyon is not justified because the report on beneficial uses fails to adequately characterize the beneficial uses of waters of the state that would be filled in Gregory Canyon, and until these beneficial uses are properly

evaluated the acceptability of any proposed mitigation cannot be evaluated. Further, the proposed mitigation for Gregory Canyon is out-of-kind, which will result in the net loss of habitat values of Gregory Canyon.

- The proposed phasing of mitigation for project impacts should not be permitted unless the different phases of the project can be shown to be independent from one another, which, in my opinion, has not been demonstrated. Because of the magnitude of the projected project impacts on sensitive biological resources, full implementation of the mitigation program should be required prior to or coincident with implementation of the project. If phasing of the mitigation program were to be approved, it should be done with the requirement that the mitigation for a particular phase be deemed "successful" by an independent panel of experts before subsequent phases would be allowed to proceed, and the mitigation for each phase would need to account for direct and indirect impacts and not just direct impacts resulting from a particular phase.

The Regional Board should recognize the existing beneficial uses of Gregory Canyon and develop appropriate mitigation for impacts to the beneficial uses of waters of the state. Sufficient questions have been raised by the Corps and Dr. Horner about the validity of the hydrologic modeling performed by URS to completely remove that analysis from the assessment process. The conclusions reached by URS (2008) regarding the lack of beneficial uses in waters of the state in Gregory Canyon relies heavily on the discredited hydrologic modeling results and fails to provide any other quantitative data to support a change in the existing designated beneficial uses in Gregory Canyon. If there is any consideration for a change from the currently designated beneficial uses in Gregory Canyon, the Regional Board should independently conduct such an analysis.

Please feel free to contact me if you have any questions concerning the contents of this letter.

Sincerely,

Ted P. Winfield, Ph.D.

Attachment: Resume

THEODORE P. WINFIELD, JR.

wetland ecology
Wetland habitat restoration
Wetland delineation and permitting
Wetland mitigation planning
Wildlife surveys
Endangered species process
NEPA and CEQA
Natural Resource Damage Assessment

ACADEMIC HISTORY

University of California, Riverside and San Diego State University: Ph.D., Ecology, 1980
Brigham Young University, Provo, UT: M.S., Invertebrate Zoology (Paleontology minor), 1971
Brigham Young University, Provo, UT: B.S., Invertebrate Zoology (Chemistry minor), 1967

PROFESSIONAL WORK HISTORY

Ted Winfield & Associates, /Sole Proprietor and Senior Wetland Consultant - 1998-Present
ENTRIX, Inc, Senior Consultant/Associate - 1989-1998
Woodward-Clyde Consultants, Senior Project Scientist - 1972-1989

CERTIFICATION AND TRAINING

Certified in Habitat Evaluation Procedures (HEP), U.S. Fish and Wildlife Service
Wetland Evaluation Technique (WET)
Multiparameter Approach For Delineating Wetlands (1987 Corps Manual)
New Federal Method For Delineating Wetlands (1989 Federal Manual)
OSHA 40-hr. Health and Safety Training and 8-hr. Refresher Courses

REPRESENTATIVE EXPERIENCE

Dr. Ted P. Winfield has been engaged as a consultant since 1972 and has consulted on projects throughout the United States, including Washington, Oregon, Idaho, Colorado, New Mexico, Arizona, Texas, Louisiana, Alabama, Virginia, New York/New Jersey, Ohio/West Virginia, Wisconsin, Illinois and Indiana, and outside of the United States in Germany and Colombia. He completed his Ph.D. program at the University of California, Riverside/San Diego State University under the direction of Dr. Joy Zedler (San Diego State University). His dissertation research investigated carbon and inorganic nitrogen cycling in a salt marsh habitat in the lower Tijuana Estuary on the California and Mexico border. He worked with Dr. Joy Zedler on the design and establishment of a tidal salt marsh on dredged spoil material at the Chula Vista Wildlife Reserve in south San Diego Bay. Dr. Winfield also worked with Dr. Ron Phillips to design and implement a program to investigate the potential effects of an oil spill on an eelgrass bed in Puget Sound, Washington. Dr. Winfield was the project manager and primary author of the Tijuana Estuary tidal Restoration Program draft Environmental Impact Report/Environmental Impact Statement. Dr. Winfield also provided expert technical consulting to a law firm on a lawsuit in Texas related to impacts to seagrass beds resulting from oil exploration in Laguna Madre.

Since 1979, Dr. Winfield has been involved in a number of projects requiring some form of wetland permit, including Section 404 permit (Clean Water Act) and/or Section 10 permit (Rivers and Harbors Act). His responsibilities have included delineating the boundary of wetlands subject to the Corps jurisdiction pursuant to Section 404 of the Clean Water Act in California, Texas, Oregon, Washington, Wisconsin and Alabama, development of alternatives analyses to demonstrate compliance with the 404 (b)(1) (Clean Water Act) guidelines, development of mitigation plans, and ongoing negotiations with agencies to resolve issues as they arise. Dr. Winfield's in-depth knowledge of the functional attributes of wetlands and his knowledge of the

permitting process and the policies of the pertinent agencies (EPA, U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service, National Marine Fisheries Service, and state resources agencies) contribute to his ability to anticipate project-related issues and work with clients to develop acceptable project designs.

He has conducted several wetland research programs investigating functional aspects of wetlands, including nutrient cycling and primary production in a coastal tidal marsh in southern California (dissertation research) and primary production in estuarine tidal marshes along the lower Columbia River. Dr. Winfield also has completed a number of wetland restoration and enhancement projects. He developed the conceptual design and worked with a civil engineer to develop the specific restoration plan for a pond/marsh creation project near the City of Yoncalla, Oregon. He developed a riparian restoration plan for re-vegetating a section of river that was to be mined for aggregate for dam construction. He was the project director for the Sonoma Bayland Project in San Francisco Bay. This project utilized dredged material to hasten restoration of a former agricultural field to tidal marsh. Dr. Winfield also worked with Amador County to create a riparian enhancement/restoration plan to help improve habitat for trout along a degraded creek.

Dr. Winfield has also helped design and conduct numerous wildlife surveys throughout the western United States. He was the lead biologist on the wildlife studies conducted along the proposed Gas Arctic Pipeline that was to run from Cajon Pass in southern California to the Idaho-Canadian border. He conducted live trapping of small mammals, bird surveys, and surveys for other wildlife along the pipeline route, which was to have gone through southern California, Nevada, eastern Oregon and Washington, and Idaho. He also conducted wildlife surveys for several projects related to electric utility development, including power plants and transmission lines throughout southern California.

Currently, Dr. Winfield is assisting in the development of Conservation Banks in the Santa Rosa area designed to conserve and restore habitat for several endangered plant species and the endangered California tiger salamander. He has been responsible for development of banking documents, including interim and long-term monitoring and management plans, biological assessments, Conservation Bank Agreements, and Table of Credits that define the number of credits the individual banks can sell for each of the conserved species. He is also working as part of a team designing and implementing a program to "close" a tailings impoundment for a gold mine in the Clear Lake area. His responsibilities include design and implementation of a program to vegetate the cover being placed over the mine tailings, including upland and wetland habitats. This work includes a pilot program to investigate different approaches for establishing vegetation on the cover material placed over the mine tailings. A key focus of this effort is the establishment of seasonally ponded wetland habitat on the periphery of the tailing area.

A listing of project relevant experience for Dr. Winfield can be found below.

RELEVANT PROJECT EXPERIENCE

- ☐ Sundesert Nuclear Power Plant and Transmission Line Network, Southern California - designed and performed biological resource studies for the proposed facility. Biological resource issues included impacts on the desert ecosystem and listed species.
- ☐ HTGR Nuclear Power Plant and Transmission Line Network, Southern California - the proposed project would have been located near Parker, Arizona with transmissions lines extending to the the west across the desert. Assisted in designing extensive studies of the biological resources that would have been impacted by the project, including the desert tortoise. Studies included an extensive small mammal population study. Also involved in data analysis and preparation of environmental documents for the project.
- ☐ Gas Arctic Pipeline, Cajon Pass to Idaho-Canadian Border - designed and conducted wildlife studies for pipeline corridor extending from the Cajon Pass near San Bernardino to the Idaho-Canadian border, including the colder desert region of southeastern California. Surveys included small mammal trapping program and walking surveys to identify larger mammals, bird, reptiles, and amphibians.

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- ☐ Harry Allen and Warner Valley Generating Projects, Western Transmission Line Corridors, Southern California Desert (includes Mountain Pass Area) - Designed and conducted surveys of four alternative transmission line corridors from southern Nevada to Southern California along the I-10 and I-15 corridor. Studies included small mammal trapping surveys and walking surveys for other wildlife, including desert tortoise, and vegetation. Responsible for analysis of data and writing report.
- ☐ Threatened and Endangered Species Issues Relating to Upgrading an Existing Dam and the Potential Impacts on the Least Bell's Vireo - worked with USFWS to identify and resolve possible impacts to the endangered least Bell's vireo associated with upgrading of dam.
- ☐ Technical Input and Advice regarding Threatened and Endangered Species Issues Associated with Linear Facilities including Transmission Corridors and Pipelines. This includes both animal and plant species.
- Threatened and Endangered Species issues related to several types of development in California, including rare plant surveys, wildlife surveys (amphibians, burrowing owls), preparation of biological assessments, and negotiations with agency personnel.
- Preparation of biological assessment of project impacts on four listed species (California tiger salamander, San Joaquin kit fox, California red-legged frog, vernal pool crustaceans) in eastern Contra Costa County resulting from construction of two schools. Duties included coordination and negotiation with agencies regarding mitigation for impacts to the listed species and preparing the draft Biological Opinion for the U.S. Fish and Wildlife Service's use and approval.
- Delineation of jurisdictional features subject to the authority of the U.S. Army Corps of Engineers and Regional Water Quality Control Board for numerous projects throughout California using the 1987 Wetland Delineation Manual and the Regional Supplement to the Corps of Engineers Wetland Manual: Arid West Region.
- Pre-construction surveys for burrowing owls, San Joaquin kit fox, California red-legged frog and California tiger salamander for development project in Brentwood, CA. Work also included passive relocation of burrowing owls.
- Pre-construction surveys for burrowing owls for school project in Brentwood, CA. Work also included passive relocation of burrowing owls.
- Pre-construction surveys for burrowing owls, ground-nesting birds and western pond turtles for a development project in Rohnert Park, CA
- Pre-construction surveys for burrowing owls for development project in Dixon, CA.

ADDITIONAL PROJECT EXPERIENCE

Wetland Research Projects

- Functional Ecology of Tijuana Estuary – research on the carbon and nitrogen cycle in a tidal salt marsh (dissertation research)
- Productivity of Wetlands in Columbia River Estuary - design, implement, analyze data and prepare project report.
- Functional Relationship Between Surrounding Wildlife and Various Types of Small Isolated Wetlands (Vernal Pools) – design, implement, analyze data and prepare project report.
- Effects of Altered Tidal Regimes on Coastal Wetlands in San Diego County – research study in two coastal marsh systems in southern California - with Dr. Joy Zedler and Phil Williams.
- Effects of Crude Oil Spill and Cleanup Procedures on Emergent Marsh in Suisun Bay Vicinity, California – design, implement, analyze data and prepare project report following spill of crude oil in brackish water bay in the San Francisco Bay region.

- Comparison of Tidal Marsh Habitat on Dredged Material Relative to Natural Tidal Marsh Habitat – manager and responsible for biological input on study of tidal salt marsh habitat development on dredged material compared to natural tidal salt marsh habitat.
- Re-vegetation of mine tailing cover for a gold mine – design of pilot program to investigate different approaches for establishing vegetation on cover placed over mine tailings.

Wetland Restoration/Enhancement/Creation Projects

- Eelgrass Transplant Study, San Diego Bay, CA – assisted in project design, implementation of project, monitoring and analysis of result.
- Los Penasquitos Lagoon Enhancement Plan, San Diego County, CA – input on biological aspects of enhancement plan.
- Batiquitos Lagoon Enhancement Plan, San Diego County, CA – input on biological aspects of enhancement plan.
- Management Plan for Tijuana River National Estuarine Sanctuary, San Diego County, CA – input on biological aspects of management plan.
- Chula Vista Wildlife Reserve, south San Diego Bay, CA – developed design of restoration project on dredge spoil island, provided oversight on the implementation of the plan, and monitored the progress of the restored habitat (tidal salt marsh). Coordinated several studies related to various aspects of tidal marsh ecology. Initial work completed in coordination with Dr. Joy Zedler.
- Tidal Salt Marsh Restoration using Dredged Materials, San Francisco Bay, CA – manager and responsible for biological input to project designed to use dredged material to restore agricultural land to tidal marsh in northern San Francisco Bay (Sonoma Baylands Project).
- Tidal and non-tidal salt marsh restoration following spill of gasoline, Gertrude St. Ditch for Chevron, San Francisco Bay – provided technical advice and planning on design of study to restore tidal and non-tidal salt marsh habitat affected by gasoline spill, assisted with implementation of study, analysis of data, and provided input and peer review of reports.
- Restoration of tidal brackish marsh (pilot study) impacted by spill of crude oil, Suisun Bay, CA – designed, implemented and monitored restoration of shoreline that had been impacted by crude oil following the 1988 Shell Oil spill in Suisun Bay, CA.
- Sand Dune Restoration, Humboldt Bay, CA – designed conceptual dune restoration plan with emphasis to restore habitat conditions for a plant species of concern.
- Riparian Revegetation Plan, Santa Barbara County, CA – manage development of plan to restore riparian habitat in burrow pit area of coastal California river.
- Freshwater Marsh/Pond Habitat Creation, Yoncalla, OR – developed design for pond/freshwater marsh designed to offset impacts to creek from diesel spill.
- Tidal Brackish Marsh, Solano County, CA – developing conceptual design for biological component of tidal marsh restoration project on lands owned by State of California.
- Tidal Marsh, Washington State – developing tidal marsh restoration plan to offset natural resource injury to aquatic system in state of Washington.
- Tidal Brackish Marsh, Lake Merritt, Oakland, CA – develop design for demonstration tidal marsh in Lake Merritt, located in heavily urbanized area of Oakland.
- Enhancement and Management Plan for tidal lagoon system in Berkeley, CA – provide biological evaluation and recommendations for improvement to quality of tidal lagoon in Berkeley, CA
- Assist with development design of seasonally ponded wetland habitat and monitoring of performance of created wetland for construction of an industrial facility in American Canyon, CA.
- Assist with development of design of vernal pool and swale habitat creation project and construction supervision for several mitigation banks and preserves in Sonoma County, CA. Work included development and assessment of soil profiles to determine which soils could support vernal pool habitat, and supervision of construction

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- Preparation of documents to supporting fee title transfer to State of California of 10 properties (mitigation and conservation banks, and preserves), including preparation of a Biological Assessment, Interim Management Plan and Long-term Monitoring and Management Plans and the agreement document.
- Design and implement program to monitor vegetation colonization of cover material placed over mine tailings at a mine site in Lake County. Responsibility also includes defining actions to vegetate areas that are not colonized naturally.

Special-status Species

Responsibilities for the following include consultation with the Fish and Wildlife Service, California Department of Fish and Game and other involved agencies concerning the possible impacts to listed species, development of acceptable mitigation and preparation of the necessary reports.

- Biological Assessment for Dredging and Potential Impacts on the California Least Tern.
- Threatened and Endangered Species Issues Relating to Upgrading an Existing Dam and the Potential Impacts on the Least Bell's Vireo.
- Various Coastal Wetlands Projects involving California Clapper Rails, Light-footed Clapper Rails, and the Salt Marsh Harvest Mouse.
- Technical Input and Advice regarding Threatened and Endangered Species Issues Associated with Linear Facilities including Transmission Corridors and Pipelines. This includes both animal and plant species.
- Preparation of biological assessment of project impacts on the endangered California tiger salamander in Sonoma County resulting from mixed use development.
- Assessment of effect of diesel spill on wildlife, including the northwestern pond turtle, which included participating in surveys to capture and relocate turtles in the impact area.
- Preparation of biological assessment of project impacts on four listed species (California tiger salamander, San Joaquin kit fox, California red-legged frog, vernal pool crustaceans) in eastern Contra Costa County resulting from construction of two schools. Duties included coordination and negotiation with agencies regarding mitigation for impacts to the listed species and preparing the draft Biological Opinion for the U.S. Fish and Wildlife Service's use and approval.
- California tiger salamander survey design and implementation on school project in Brentwood, CA.
- Preparation of biological assessment (and draft Biological Opinion for submittal to the USFWS for its use) for three federally endangered plant species and the federally threatened California tiger salamander for a residential development in Santa Rosa, CA.
- Preparation of a master biological assessment for three federally endangered plant species and the federally endangered California tiger salamander to cover eleven residential development projects in Santa Rosa, CA.
- Preparation of biological assessment for three federally endangered plant species and the federally endangered California tiger salamander for several residential development projects in Santa Rosa, CA.
- Preparation of documents for the establishment of Conservation Banks on the Santa Rosa Plain (CA) to preserve several endangered species of plants and the endangered California tiger salamander.
- Conduct surveys for burrowing owls and implementing a passive relocation program for owls for two projects in east Contra Costa County.

Projects with Wetland Impacts

Responsibilities on the following projects included determination of the presence and extent of wetlands and presence of other biological resources in the project area, prediction of possible impacts of the project on biological resources and preparation of project report.

THEODORE P. WINFIELD, JR.

- Technical guidance and peer review for addressing impacts of proposed remediation at Hunters Point Shipyard BRAC site, San Francisco, CA
- Natural Resource Management Plan, Two NATO facilities, Germany
- BECO Oil Refinery, Cape Fear River, North Carolina
- Cerrejon Marine Terminal, Baja Portete, Colombia, South America
- El Paso Natural Gas LNG Plant, Matagorda Bay, Texas
- Petrochemical Plant, Coastal Texas
- SDG&E Encina Power Plant, Effect of Dredging, Southern California
- Kiewit Facilities, Vallejo, California
- Shorebase Facility Siting, Corpus Christi Area, Texas
- Dam Strengthening Project, Santa Barbara County, California
- Waste-to-Energy Plant, San Francisco Bay, California
- Office Building Complex, King County, Washington
- Industrial Facility, Humboldt Bay, California
- Residential Development, Redwood City, California
- Campus Industrial Park, San Jose, California
- Resort Hotel and Golf Course, Napa, California
- MOTCO Waste Disposal Facility, Galveston Bay, Texas
- Oil Spill Impact and Recovery, Suisun Bay, California
- Tijuana Estuary Tidal Restoration Plan EIR/EIS, San Diego County, California
- System Master Plan for Sanitary District, Alameda County, California
- Batiquitos Lagoon Enhancement Plan EIR/EIS, San Diego County, California
- Tailing Modernization Project, Kennecott, Magna, Utah
- WNC & Associates, Commercial Development, Wisconsin
- Amoco Pipeline, pipline maintenance Indiana and Illinois
- Fort Wayne Reduction Facility, Waste Management, Inc., Indiana, environmental liability management/restoration of habitats
- Wetland Permitting Strategy for RCRA Clean-up Activities at an Oil Refinery near Port Arthur, Texas
- Residential/Commercial development in Alameda County
- Wetland Permitting Strategy for golf course in Fremont, CA
- Wetland and other Natural Resource Impacts resulting from alternative runway alignments at Oakland Airport (with Laurel Marcus & Associates)
- Wetland permitting for vineyard in Lake County, CA, including filing and prevailing on appeal of permit conditions
- Wetland permitting and endangered species consultation for high school and middle school in Brentwood, CA
- Wetland permitting and endangered species consultation for mitigation project in Sonoma County, CA
- Wetland permitting for several residential projects in Sonoma County, CA.

Wetland Delineation

The following delineations were completed using the Corps 1987 Wetland Delineation Manual. The Corps verified each of the following delineations, although not all of the projects have been constructed.

- Tijuana River National Estuarine Research Sanctuary, San Diego County, California
- Government Property, lower Tijuana River Valley
- Airport Expansion, Santa Barbara, California
- Residential Development, North Livermore, California
- Residential Development, Pleasanton, California
- Residential/Office Park Development, Milpitas, California

THEODORE P. WINFIELD, JR.

- Residential Development, Reassessment of Delineation, Folsom, California
- Industrial Complex, Folsom, California
- Office Building, Pleasanton, California
- Residential/School Development, Lincoln, California
- Highway Expansion, Contra Costa County, California
- Highway Interchange, Fremont, California
- Highway Interchange, South San Jose, California
- Equestrian Trail along Creek, San Jose, California
- Slurry Wall for Remediation of Contaminated Groundwater, Richmond, California
- Industrial Park, Reassessment – Prior Converted Cropland, South San Jose, California
- Gravel Pit, Expert Witness, Fremont, California
- J. H. Baxter Superfund Site, Weed, California
- Ballona Development Project, California (Coastal Act wetlands under Coastal Commission)
- Products Pipeline, Southwest Texas
- Mixed Development Site, Fremont, CA
- RCRA site at Refinery, Southeast Texas
- Playa Vista development – delineation of wetlands under jurisdiction of Coastal Commission pursuant to California Coastal Act.
- Delta Breeze Vineyard – delineation of waters of the United States at proposed vineyard site in Lake County, CA
- Delineation of waters of the United States for storage facilities in Napa County
- Residential development in Pittsburg, CA
- Re-evaluation of jurisdictional delineation in North Livermore (California) pursuant to U.S. Supreme Court decision in SWANCC
- Re-evaluation of jurisdictional delineation in Pleasanton (California) pursuant to U.S. Supreme Court decision in SWANCC
- Re-evaluation of jurisdictional delineation in central California pursuant to U.S. Supreme Court decision in SWANCC
- James Ranch – delineation of waters of the United States on approximately 2100 acres in Lake County, CA
- Industrial Complex (2) – delineation of waters of the United States at site of two industrial complexes in American Canyon, CA.
- High school and middle school in Brentwood, CA
- Future vineyard site in hills east of the Napa Valley, CA
- Several residential developments in Santa Rosa, CA
- Residential subdivision in Winters, CA

Projects with Linear Features

Responsibilities on the following projects included determination of the presence and extent of wetlands in the project area, determination of presence of biological resources in the project area, prediction of possible impacts of the project on biological resources and preparation of project report.

- Widening of Highway, Contra Costa County, California
- Lowering of Highway, Contra Costa County, California
- Widening of Major Surface Street, Contra Costa County, California
- Sundesert Nuclear Power Plant, Transmission Line Network, Southern California
- HTGR Transmission Line Network, Southern California
- Gas Arctic Pipeline, Cajon Pass to Idaho-Canadian Border
- Jamul Alternative Transmission Line Corridor, San Diego County, California

- Harry Allen and Werner Valley Generating Projects, Western Transmission Line Corridors, Southern California Desert
- Biological Sensitivity/Oil Residence Study, Central and Northern California Coastline
- American High-Speed Rail, San Diego, Orange, Los Angeles County, California

Oil and Chemical Spill Assessments and Recovery Planning

Responsibilities on the spill responses listed below include initial assessment of possible impact(s) of spilled material on biological resources, work with the trustees to develop and implement studies to document possible impacts and recovery from impacts, and involvement in the natural resource damage assessment process designed to develop a monetary value for impacts (injury) to the services (functions) provided by biological resources affected by the release of oil or other materials.

- Puerto Rican, San Francisco, California
- Shell Oil Spill, Suisun Bay [San Francisco], California
- American Trader, Huntington Beach, California
- Exxon Bayway, Arthur Kill, New Jersey/New York
- Texaco – Fidalgo Bay, Anacortes, Washington
- Colonial Pipeline, Virginia/Maryland
- Southern Pacific Railroad Yoncalla Diesel Spill, Yoncalla, Oregon
- Chevron Pipeline Break, Richmond, California
- Chevron USA Tanker Truck Spill, Contra Costa County, California
- UNOCAL Avila Beach, California
- UNOCAL Nederland, Texas
- Exxon Pipeline, Chiltipin Creek, Texas
- Shell Chemical Plant, Belpre, Ohio
- Colonial/Texaco Pipeline, San Jacinto River, Texas
- Koch Oil Spill, Corpus Cristi Bay Region, Texas
- Chevron Pipeline Break, Arroyo Pasajaro, California
- UNOCAL Guadalupe Oil Field, California
- Torch Oil Spill, Vandenberg AFB, Central CA Coast
- MV Kure Oil Spill in Humboldt Bay, CA
- Texaco Mococco Marsh Oil Spill (Brackish Marsh), Martinez, CA
- Hunter's Point Naval Ship Yard remediation and wetland creation opportunities, San Francisco, CA

Henderson, Jim

From: Henderson, Jim on behalf of LUEG, DEHComments
Sent: Thursday, April 21, 2011 4:00 PM
To: 'Anna Hoover'; Miller, Jack; LUEG, DEHComments
Cc: Michele Fahley; Marcy Hernandez; Syndi Smallwood; Gary Dubois; Paul Macarro
Subject: RE: Pechanga Cultural Resources Comments on Permit #37-AA-0032, Gregory Canyon Landfill

Thank you for your response. Your comment has been received.

Jim Henderson
County of San Diego
Department of Environmental Health
Local Enforcement Agency
5500 Overland Ave, Suite 110 MS O560
San Diego, CA 92123
(858) 694-3607

From: Anna Hoover [mailto:ahoover@pechanga-nsn.gov]
Sent: Thursday, April 21, 2011 2:39 PM
To: Miller, Jack; LUEG, DEHComments
Cc: Henderson, Jim; Michele Fahley; Marcy Hernandez; Syndi Smallwood; Gary Dubois; Paul Macarro
Subject: Pechanga Cultural Resources Comments on Permit #37-AA-0032, Gregory Canyon Landfill

Mr. Miller;

Electronically attached are the Pechanga Tribe's Cultural Resources Department comments regarding the above named project. Please respond to this e-mail for confirmation of receipt. A hard copy will also follow via USPS.

Please do not hesitate to contact me should the attachment not open or if you have any questions or comments.

Thank you!

Anna M. Hoover
Cultural Analyst
Pechanga Band of Luiseno Mission Indians
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Richard B. Scearce, III

Director:
Gary DuBois

Coordinator:
Paul Macarro

Cultural Analyst:
Anna Hoover

Monitor Supervisor:
Jim McPherson

April 21, 2011

VIA USPS and E-MAIL
(jack.miller@sdcounty.ca.gov)

Mr. Jack Miller
Department of Environmental Health
Solid Waste Local Enforcement Agency
5500 Overland Ave, Ste 110
San Diego, CA 92123

Re: Pechanga Cultural Resources Department Comments on the Notice of Action Related to the Request for a Solid Waste Facility Permit (#37-AA-0032) for the Gregory Canyon Landfill Project

Mr. Miller:

This comment letter is written on behalf of the Pechanga Band of Luiseño Indians (hereinafter, "the Tribe"), a federally recognized Indian tribe and sovereign government. The Tribe formally requests to receive all public notices and circulation of all documents regarding the Solid Waste Local Enforcement Agency's (LEA) consideration of Gregory Canyon Ltd's application for a Solid Waste Facility Permit (#37-AA-0032) (hereafter referred to as "Project" or "Permit").

The Tribe further requests to be directly notified of all public hearings and decisions concerning the Permit as well as incorporating these comments into the record of decision for this Project. In addition, the Tribe requests that the LEA closely evaluate the Project and the permit application to determine whether the proposed actions are environmentally sound and whether the application is consistent with Public Resources Code §44012 and furthers the mission statement of the LEA.

The Tribe submits these comments concerning the Project's potential impacts to cultural resources, which impacts will only occur should the LEA approve the requested permit. The Tribe reserves the right to fully participate in the permitting process, as well as to provide further comment on the Project's impacts to cultural resources.

PECHANGA CULTURAL AFFILIATION TO PROJECT AREA

The Pechanga Tribe has previously submitted comments regarding the importance of the Gregory Canyon area to the Luiseño People and we would be happy to provide the LEA with copies of those comments upon request. Below, we reiterate this information and assert that not only is the Project area part of Luiseño aboriginal territory but it is a Traditional Cultural Property (TCP) containing Luiseño place names, *tóota yixélval* (rock art, pictographs, petroglyphs) and a large Village Complex with an associated archaeological artifact record.

Our songs and oral accounts have transferred history and knowledge through the generations for thousands of years. The origin of the Luiseño people is the single most important account in our culture. Our present-day practices, beliefs and social structure are directly related to our creation. Luiseño history begins with the creation of all things at *'éxva Teméeku* and its surrounding environs. The name *'éxva* (EXH-vah) can be translated as a "place of sand" and *Teméeku* (Teh-MEH-koo) means "sun place." In fact, the place known today as Temecula derives its etymology from this physical location where the Murrieta and Temecula Creeks converge to form the Santa Margarita River, which flows onto the Pacific Ocean.

Many of our traditional songs specifically mention the *'éxva Teméeku* area. This is where our Origin Story and ancestral songs say *Túukumit* (TOO-koo-mit, Father Night Sky) and *Tamáayawut* (Ta-MAI-yah-whoot, Mother Day Earth) created the world. The Sun, *Temét* (teh-MET), was a gift brought by *Túukumit* to *Tamáayawut*. When *Túukumit* and *Tamáayawut* became one, their first offspring were earth and sand, which in Luiseño are *'éxla* (EXH-la) and *'éxval* (EXH-vol). *'éxva Teméeku* is therefore in reference to the first offspring of *Túukumit* and *Tamáayauwt* (Elliott n.d., 1069). Their children were known as the first people or *Káamalam* (KAH-mah-lam) and were all creatures, including trees, rocks, fog, mammals and birds.

Many traditions and stories are passed from generation to generation by songs. One of the Luiseño songs recounts the travels of the people to Elsinore after a great flood (DuBois 1908). From here, they again spread out to the north, south, east and west. Three songs, called *Monívol*, are songs of the places and landmarks that were destinations of the Luiseño ancestors. They describe the exact route of the Temecula (Pechanga) people and the landmarks made by each to claim title to places in their migrations (DuBois 1908:110).

The proposed Gregory Canyon Landfill lies within what the Luiseño People deem a Traditional Cultural Property and which is related to the Luiseño Ancestral Origin Landscape. Our traditions tell us that for thousands of years our Luiseño Ancestors lived in the valley at *Páala* (PAH-lah; meaning water in Luiseño). Bounded by *Tómkav* (TOWM-cauve) to the north and *Yáaraxuna* (YAH-rah-hooh-nah) to the south, the area was a significant cultural hub of activity. Almost every peak, hill, large boulder or gathering location in the valley is described with Luiseño place names. Place names not only portray the importance of our Luiseño Ancestral Religion but speak about the richness of *Páala* and the vast natural resources there.

Kelley and Francis (in King 2003:69[1]) eloquently express the understanding that, "'sacred places' aren't isolated little pieces of land, spots of sanctity in a spiritually neutral landscape. Instead, they comprise coherent networks, which impart significance to – or derive significance from, or share it with – the landscape over which they are cast." The significant cultural resources found in this area are not a pinpoint, not a dot on the map that can be defined by distances and boundaries, nor can they be mitigated by using a buffer zone. These resources do not exist in a vacuum but are vibrant and so connected that the destruction of one place ensures destruction of all of them.

This valley is bounded by *Tómkav*. Meaning 'meeting place' and referencing a very large area, *Tómkav* in addition marks the location where our ancestral religious figure-head was poisoned. His name was *Wuyóot* (we-YAUGHT). *Wuyóot* was a combination of Moses and Jesus because he both physically led the people and spiritually nourished them. He accomplishes this task with knowledge/*ayélkwish* (ah-YELL-kwish) from the Creator. He was the first born human of Earth Mother and Father Sky. He would eventually succumb to the first death of the world and thereby set into motion the way the world is now.

In all religions, there is a yin and yang, a balance between good and evil. To the south of the valley is one of three *Táakwish Poshápila* (TALK-wish po-SSHOP-pea-lah: Táakwish pounding places). *Táakwish* is the embodiment of evil, our culture's devil. He only frequents places where many people are located. Having a *poshápila* near your living area served as an important warning to live a just life or your soul would be taken, your flesh pounded and summarily eaten by *Táakwish*. Today, the identification of a *poshápila* in this area enforces our belief that a large population lived here as there would have been ample food for *Táakwish*.

To the south of the project and at the base of *Chókla* Mountain/*Táakwish* landing place, is *Yáaraxuna*, which means "place where one is shaken." This shaking does not derive from an earthquake but refers to an internal shaking, a spiritual quivering. Our Creation Account tells of a transition-point in *Wuyóot's* life, when he becomes a teacher to the *Kaamalam*. The story goes: *"Tolmul pi' la' ngorooraxmuk, pi; yaraaraxmuk pi; nomaanga pi' la noqwa'qala."* Roughly translated, this means: "Afterlife rumbled and quivered in my hands as I ate." The *Kaamalam* were starving and Wuyóot used *tóovish* (TOW-vish: white clay) to nourish the people both spiritually and physically. We believe *Yáaraxuna* possibly marks the specific location where the people were first saved with food made by *Wuyóot*. This, too, is the specific location where the bridge for the proposed landfill project will be placed, which will directly, irrevocably and negatively impact our Ancestor's religion and the Tribe's cultural past, present and future.

It is believed that living near or a demarking of religious ceremonies at a sacred location gives it a deeper meaning because of the place's religious recollection. Because of the epiphany imparted at the place, this concept is often called 'second sight.' Mt. Sinai, the Wailing Wall, the River Jordan, Golgotha and St. Peter's Basilica are a few examples of places in the Judeo-

[1] *Places That Count: Traditional Cultural Properties in Cultural Resource Management*, King, Thomas F, 2003

Christian-world where religion and location combine to make the place more significant. Our Luiseño Ancestors were no different and seemed particularly drawn to live their lives near locations both steeped in the Creation Story and with a plethora of natural resources.

Tóota yixélval (rock art) is also an important element in the determination of Luiseño territorial boundaries. *Tóota yixélval* can consist of petroglyphs (incised) elements, or pictographs (painted) elements. The science of archaeology tells us that places can be described through these elements. Riverside and Northern San Diego Counties are home to red-pigmented pictograph panels. Archaeologists have adopted the name for these pictograph-versions, as defined by Ken Hedges of the Museum of Man, as the San Luis Rey style. The San Luis Rey style incorporates elements which include chevrons, zig-zags, dot patterns, sunbursts, handprints, net/chain, anthropomorphic (human-like) and zoomorphic (animal-like) designs. Tribal historians and photographs inform us that some design elements are reminiscent of Luiseño ground paintings. A few of these design elements, particularly the flower motifs, the net/chain and zig-zags, were sometimes depicted in Luiseño basket designs and can be observed in remaining baskets and textiles today.

An additional type of *tóota yixélval*, identified by archaeologists also as rock art or petroglyphs, are cupules. Throughout Luiseño territory, there are certain types of large boulders, taking the shape of mushrooms or waves, which contain numerous small pecked and ground indentations, or cupules. Additionally, according to historian Constance DuBois:

> When the people scattered from Ekvo Temeko, Temecula, they were very powerful. When they got to a place, they would sing a song to make water come there, and would call that place theirs; or they would scoop out a hollow in a rock with their hands to have that for their mark as a claim upon the land. The different parties of people had their own marks. For instance, Albañas's ancestors had theirs, and Lucario's people had theirs, and their own songs of Munival to tell how they traveled from Temecula, of the spots where they stopped and about the different places they claimed (1908:158).

Within a two mile radius of the project there are two distinct and well known *tóota yixélval;* however, we are aware that there are others within the area. One is located at *Tómkav* and the other at *Yáaraxuna*. Also known as the Medicine Rock, we Luiseño call this *tóota wanáwmawish* (TOW-tah won-OW-mah-wish), or the rock connecting heaven and earth. *Wanáwmawish* describes the Milky Way Galaxy, represented to our Ancestors as a net.

Within the Milky Way 'net' are safely kept the spirits of our departed ancestors—the stars. The large scale of *tóota wanáwmawish* and its painted net indicates to Luiseño People that ceremonies for a large population near *Tómkav* were conducted. This population was kept in check by *Táakwish Poshápila* near *Páala* (and the San Luis Rey River), which also indicates the potential for many burial locations, both of the *Kaamalam* and of humans. We know that where the People lived, they also died.

The Luiseño Ancestral Origin Landscape is not a particular archaeological site or village, or a specific landmark in the natural environment, though it contains many such sites and landmarks; it is a region or area in which were played out some of the most sacred events of Luiseño creation, as well as some of the most desperate events in our more recent history. The whole region has been used not only by the *Káamalam* but throughout the course of time, down to our great-grandfathers and grand-fathers and fathers. The area also contains our ancestors, the *Káamalam* themselves, in the rock formations, in the hills, in the landscape. This area holds special and significant meaning for all Luiseño that, if destroyed, would devastate our very core beliefs.

Over the course of the last two centuries, the Luiseño Ancestral Origin Landscape has suffered greatly from the effects of development, and it continues to experience such effects today. However, the integrity of these important places has not been disrupted. Integrity, as defined in the National Register Bulletin 38, is "analyzed from the viewpoint of the group that ascribes significance to the property."[2] Controlling the quick and far-reaching impacts of increasing development, while surviving as a People in the modern world, is one of the great challenges faced by the Pechanga Tribe.

It is our belief that any project in this area will impact the religious and sacred areas of our Ancestors (their integrity), which include burials. To us, the known archaeological records, ethnographic accounts, Luiseño Place Names and our oral traditions coalesce here at the Project site to describe the importance of this place to us and to others in our modern time, as well as preserving our knowledge for our future generations. These examples illustrate a direct correlation between the oral tradition and the physical place; proving the importance of songs and stories as a valid source of information outside of the published anthropological data.

The Tribe has further specific information that is too sensitive to release in general public comments and would welcome the opportunity to meet with the LEA, and any other agency involved, to further explain and provide confidential documentation concerning specific cultural significance for this Project.

PROJECT IMPACTS TO CULTURAL RESOURCES

The proposed Project is on land that is within the traditional territory of the Luiseño and therefore, the Pechanga Band of Luiseño Indians. The Tribe's primary concerns stem from the Project's certain impacts on Native American cultural resources and the larger Luiseño Ancestral Origin Landscape. The Tribe is concerned about both the protection of unique and irreplaceable cultural resources which will be impacted and displaced by ground disturbing work on the Project, and on the proper and lawful treatment of cultural items, Native American human remains and sacred items likely to be discovered in the course of the work. The Permit is the

[2] National Register n.d., Bulletin 38, page 10.

first step in moving the Project forward and because of the impacts described herein, we urge the LEA to reject the permit application submitted by the Applicant.

The Pechanga Tribe has opposed the Gregory Canyon Landfill since its inception because of the certain and irreversible impacts to the Luiseño Ancestral Origin Landscape, numerous cultural resources, and multiple potentially devastating environmental issues. For these reasons, we believe the LEA cannot approve the permit without violating its own mandate to "protect public health, safety and the environment by ensuring safe and proper solid waste management practices..."

Gregory Mountain and its surrounding environs embody what archaeologists call Traditional Cultural Properties or TCP's. National Register Bulletin 38 defines a TCP as: "...one that is eligible for inclusion in the National Register because of its association with cultural practices or beliefs of a living community that (a) are rooted in that community's history, and (b) are important in maintaining the continuing cultural identity of the community." Gregory Canyon, Gregory Mountain, the San Luis Rey River and other bodies of water, and the surrounding landscape are essential to Luiseño traditional customs and beliefs that continue to this day.

This TCP encompasses within its boundaries a large Village Complex that contains all aspects of aboriginal life including the secular, such as tool production and food preparation as well as the spiritual and ceremonial. Habitation sites and Village Complexes are of utmost importance to the Tribe because they are the last physical remains of where the ancestors lived. They contain information and data that are reflective of every aspect of tribal culture. It is well known that native village and habitation complexes enveloped large areas of land, sometimes several square miles. The Tribe believes that any impacts and/or destruction to this area are a great irreparable loss to tribal culture and scientific knowledge.

We believe that this Project will desecrate Gregory Mountain, Gregory Canyon and the surrounding Village Complex, and what it represents to the Luiseño people. Implementation of the landfill will impact not only sacred sites but the air, water, plant and animal resources in the area as well, which issues will be addressed separately by our Environmental Department. The planning process supposes that tribes are only concerned about the tangible remains of their ancestors such as bedrock milling features, *tóota yixélval*, etc. However, our concerns also focus upon the impacts to natural resources, the 'sense of place,' continuing tribal traditions and the spirituality of a location, all of which is a part of the cultural landscape as a whole and make this area a TCP. Our ancestors were a part of the larger environment and as such, all parts of that landscape are important.

The mitigation factors proposed by the Developer are insufficient. For example, although they have assured Public Agencies and others that the doubled plastic liner meets and exceeds landfill standards, they fail to mention that this new liner has never been tested in field conditions. In truth, we do not know that this liner will actually be an acceptable barrier between

the one million tons of trash that will be dumped in Gregory Canyon every year for the next 30 years and the precious groundwater below the waste. In fact, testimony during the February 23, 2011 hearing on this permit indicated that *every* liner leaks. It is not a question of whether, but rather a question of *when*. No mitigation efforts can stop a leak in the liner and the devastating impacts to vital drinking water sources for many residents.

We have also been continually reassured that potential earthquakes in the area will not affect the liner. According to testimony presented at the February 23, 2011 Fallbrook meeting, the magnitude capability of the Elsinore Fault that runs approximately five miles from Gregory Canyon has recently been upgraded to a 7.0 potential. The liner has never been tested in real-world conditions and there is no evidence that any testing done on the liner accounted for earthquake activity at any level, and certainly not at a 7.0 level. Because there is no data supporting the Applicant's assertions and because we know *by practical experience* that all liners leak, this means that the liner will fail and will leak and will result in contamination of the groundwater as well as other potential environmental impacts (i.e., on critical habitat for endangered species). All of this will occur in addition to the Project's devastating impacts to our irreplaceable cultural landscape.

Further, the Tribe has reviewed the ethnographic document prepared for the Project in 1999 by Tierra Environmental. In summary, this document showed that Gregory Mountain and the area around it is highly significant to the Luiseño Peoples and that destruction of this place or any portion thereof, is absolutely unacceptable and undesired. In fact, there are currently Luiseño elders that seek this place as one of healing and solace. Placement of a landfill anywhere near this site is disrespectful and a complete desecration to the land, its People, and their religious practices and beliefs. The Pechanga Tribe believes that this Project should be removed to another, more acceptable location (one without multiple environmental issues), away from Gregory Mountain, Gregory Canyon and the associated Village Complex.

Based on the numerous devastating impacts identified in our comments above we urge the LEA to reject the permit and keep our cultural landscape from further degradation, while further preserving precious water resources and preventing damage to the environment. The LEA must also consider that Proposition C requires the Landfill to be completed in an "environmentally sound" manner. Clearly the issues raised herein, as well as the comments of countless other community leaders and residents demonstrates without a doubt that there is no way that the Gregory Canyon Landfill can be developed in a manner that is "environmentally sound" and which furthers the requirements of the LEA's mandate.

REQUESTED TRIBAL INVOLVEMENT

The Tribe's urgent and primary concerns stem from the Project's proposed impacts to sacred and secular Native American cultural resources. We are highly concerned about both the protection of these unique and irreplaceable cultural resources, including the Luiseno Ancestral Origin Landscape, a Luiseño Village Complex, tangible and intangible sacred sites and

archaeological items which would be impacted and displaced by ground disturbing work on the Project, and on the proper and lawful treatment of cultural items, Native American human remains and sacred items likely to be discovered in the course of the work.

While we understand that the current process is only for a permit and that there is no "development" per se contemplated herein, we urge the LEA to think ahead about the impacts this one decision will have on numerous and invaluable resources. The Tribe commits to continue working with the LEA, other Luiseño tribes and implementing agencies to adequately address the sacred resources that may be destroyed and to provide further information that may be of assistance. We further maintain our opposition to the Gregory Canyon Landfill and will continue our efforts to ensure it does not move forward.

Finally, the Pechanga Tribe believes that the potential for human remains to be discovered in this area is high. In our experience, the Project area contains numerous indicators that increase the likelihood that human burials and cremations may have occurred in this area. The Project has the potential to disturb human remains and in addition to the considerations above, both federal and state law provide for substantial protections in the event remains are disturbed. We ask that the LEA consider this impact in addition to the other impacts identified herein.

The Pechanga Tribe looks forward to working together with the LEA in protecting the invaluable Luiseño cultural resources found in the Project area. Please contact Michele Fahley, Deputy General Counsel, at 951-770-6179 or Anna Hoover, Cultural Analyst, at 951-770-8104 once you have had a chance to review these comments so that we might address the issues at hand and schedule additional consultation. Thank you.

Sincerely,

Gary DuBois
Cultural Resources Director

Cc Pechanga Office of the General Counsel

Henderson, Jim

From: Henderson, Jim on behalf of LUEG, DEHComments
Sent: Friday, April 22, 2011 9:17 AM
To: 'Syndi Smallwood'; Miller, Jack; LUEG, DEHComments
Cc: mfahley@pechanga-nsn.gov; Amy Nelson (Amy Nelson); ahoover@pechanga-nsn.gov; pmacarro@pechanga-nsn.gov
Subject: RE: Pechanga Band of Luiseno Indians Environmental Department Comments on Permit #37-AA-0032, Gregory Canyon Landfill

Thank you for your response. Your comment has been received.

Jim Henderson
County of San Diego
Department of Environmental Health
Local Enforcement Agency
5500 Overland Ave, Suite 110 MS O560
San Diego, CA 92123
(858) 694-3607

From: Syndi Smallwood [mailto:ssmallwood@pechanga-nsn.gov]
Sent: Thursday, April 21, 2011 7:56 PM
To: Miller, Jack; LUEG, DEHComments
Cc: Henderson, Jim; mfahley@pechanga-nsn.gov; Amy Nelson (Amy Nelson); ahoover@pechanga-nsn.gov; pmacarro@pechanga-nsn.gov
Subject: Pechanga Band of Luiseno Indians Environmental Department Comments on Permit #37-AA-0032, Gregory Canyon Landfill
Importance: High

Mr. Miller,

Attached are the Pechanga Band of Luiseno Indians Environmental Department comments in regards to the Gregory Canyon Landfill Permit #37-AA-0032.

Please reply to this email to confirm receipt. A hard copy of the letter will be sent via USPS.

Please feel free to contact me if you have any questions or comments.

Thank you,

Syndi Smallwood
Director, Environmental Department
Pechanga Band of Luiseno Indians
(951) 770-6150 Direct Please note new number
(951) 695-5568 FAX
(909) 732-8483 Cell

PECHANGA INDIAN RESERVATION
Temecula Band of Luiseño Mission Indians

Post Office Box 1477 • Temecula, CA 92593
Telephone (951) 770-6000 Fax (951) 695-1778

Tribal Chairman:
Mark Macarro

Council Members:
Mark Calac
Corrine Garbani
Andrew Masiel, Sr.
Russell "Butch" Murphy
Kenneth Perez
Benjamin "Ben" Vasquez

Tribal Treasurer
Christina McMenamin

Tribal Secretary:
Darlene Miranda

April 21, 2011

Jack Miller
County of San Diego Director
Solid Waste Local Enforcement Agency
5500 Overland Drive, Suite 110
San Diego, CA 92123

RE: Pechanga Tribe's Environmental Department's Comments on Proposed Solid Waste Facility Permit Gregory Canyon Landfill (37-AA-0032)

Dear Mr. Miller:

The Pechanga Band of Luiseño Indians ("Tribe"), a sovereign Indian Nation, respectfully requests that the County of San Diego Solid Waste Local Enforcement Agency ("LEA") accept this letter as formal comments on the proposed Solid Waste Facility Permit for the Gregory Canyon Ltd. ("GCL") Landfill ("Landfill" or "Project").

The Tribe strongly believes that allowing a landfill in Gregory Canyon adjacent to the San Luis Rey River, in an area that is environmentally, biologically, seismically, and culturally sensitive would have disastrous consequences for every aspect of the Canyon's environment. The Tribe has, since the inception of this ill-conceived Project, opposed the landfill because of its assured impacts to cultural resources which are vital to the core of our Luiseño spiritual beliefs and which will further impact precious and non-renewable environmental resources (such as water and endangered species, to name two).

If the LEA approves the permit for this Project, it will eviscerate its own mandate to protect the public health and safety and the environment itself, in addition to violating state law.[1] Without a permit from the LEA, the Project cannot move forward. Given the plethora of issues presented by the Tribe, in addition to those identified by countless other community leaders and residents, this Project should be stopped before GCL has the opportunity to devastate the culturally and environmentally sensitive and significant landscape that is Gregory Canyon. As such, the Tribe urges the LEA to deny the Solid Waste Facility permit requested by GCL.

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[1] *See* California Public Resources Code §44012 which requires the agency issuing a solid waste permit to ensure that primary consideration is given to protecting the public and preventing environmental damage, and that long-term protection of the environment be a guiding factor in such decisions.

The Tribe is deeply concerned about the detrimental and negative cumulative effects to the environment and cultural resources that will occur during both the construction and future operation of the Landfill. Environmental impacts, in addition to the destruction of an area which is not only sacred to the Luiseño people, but which is also of ongoing and vital cultural and historical importance to our People is immeasurable and holds unknown, and we believe immitigable, consequences to both the cultural landscape and the environment.

The proposed landfill will have devastating effects to the environment and further creates the potential for unknown future damage – the result of wildfires, flooding, and earthquakes, to name a few – which are real and documented dangers in this area. These issues, when taken as a whole, demonstrate how environmentally hazardous this Project is and must play a key role in the LEA's decision to approve or reject the permit. During this process, we urge the LEA to consider these detrimental and known impacts with the knowledge that allowing the Landfill to go forward will have irreversible consequences for the environment (including biological, hydrological, and cultural concerns), which we will discuss in more detail below.

I. Gregory Canyon Landfill Will Devastate Scarce Water Supplies

Water is the life-blood for all humans, plants and animals and their environment; it is a scarce resource and must be protected at all costs. The San Luis Rey River is the source of more than 25% of potable water to the City of Oceanside and to 47 domestic and industrial wells. The groundwater basin is the sole source of water for the Pala Indian Reservation and the San Luis Rey Municipal Water District. Southern California is in a perpetual drought and has been for decades, with no sign there will ever be sufficient water to meet the growing needs of the region. Approving a permit that would allow certain contamination of this vital water source, particularly in a time of a seemingly endless drought violates the objectives and goals of the LEA's charge to protect the environment in the face of known and immitigable environmental destruction.

The concerns over the Project's impacts to water resources are compounded further by the fact that the liner proposed by the Applicant has never been tested in real world conditions. As we explain below, flooding and earthquake activity are well known and documented events in this area. There is no evidence that the liner can withstand significant flooding or hold up during a 7.0 or greater earthquake (which is the magnitude of the Elsinore Fault line which runs only a mere 5 miles from the project site). Even a partial failure of the liner will result in contamination of surface and underground water resources, as well as the larger San Luis Rey River and connecting tributaries.

In addition to these potentially devastating impacts to invaluable water resources, the Tribe is further concerned that the proposed project needs 73 million gallons of water a year to even begin construction of the Landfill. This makes the Project extremely water dependent, especially when there is no water source identified to meet this need. The San

Diego Regional Water Quality Control Board also noted that two major San Diego County Water Authority pipelines will need to be moved at GCL's expense; a fact now being denied by GCL even with the recent testimony of Mr. Purcell on February 23, 2011. Without a resolution to this issue, the Tribe fails to see how the LEA can approve a permit for this Project.

Another issue that GCL has not addressed is the concern of untreated storm water. It is a well-known fact that it does not take much rain to cause runoff in Southern California. It is further documented that a creek runs through the proposed landfill area. During normal and heavy rain events, this creek will form smaller branches, which will in turn carry pollutants from the Landfill to the San Luis Rey River. In addition to the impacts noted above, this will cause serious degradation to the water quality and will further negatively impact humans, plants, and animals that rely on the river and other water and food resources in the area.

In the FEDERAL REGISTER Feb. 5, 1981, the EPA first opined that all landfills will eventually leak by stating three conclusions:

> "There is good theoretical and empirical evidence that the hazardous constituents that are placed in land disposal facilities very likely will migrate from the facility into the broader environment. This may occur several years, even many decades, after placement of the waste in the facility, but data and scientific prediction indicate that, in most cases, even with the application of best available land disposal technology, it will occur eventually." [pg. 11128] "Manmade permeable materials that might be used for liners or covers (e.g., membrane liners or other materials) are subject to eventual deterioration, and although this might not occur for 10, 20 or more years, it eventually occurs and, when it does, leachate will migrate out of the facility." [pg. 11128] "Consequently, the regulation of hazardous waste land disposal facilities must proceed from the assumption that migration of hazardous wastes and their constituents and by-products from a land disposal facility will inevitably occur." [pg. 11129]

Again, even though GCL attempts to hide behind their "state of the art" liner, they really have no guarantee that it will not leak, whether from natural deterioration or catastrophic natural disasters. It is of no relevance that GCL carries a $100 million dollar insurance policy. As one speaker so eloquently summarized at the February 23rd hearing, "Once the endangered species are gone, we can't bring them back. Once you destroy the canyon, you can't bring it back. Once the water is unfit to drink, what then? Remember, you never place the outhouse next to the well." No insurance policy can ever cover the damages that can and will result from a landfill located in an environmentally unfit location such as Gregory Canyon.

We must note the irony of GCL's argument that there is an ever-increasing need for a landfill – a premise that has proven false during the life of this ill-conceived Project

– when in reality, the one resource we *know* is already in short supply, while continually facing an increased demand, is water and which is one of the main resources that will be impacted and potentially devastated by this Project. It is imperative that the LEA not ignore this fact and realize the inherent contradiction in approving a permit for a Project with no documented public need while sacrificing resources that are of the utmost importance to San Diego's residents. This, in addition to the numerous other environmental concerns raised by this application, can only lead the LEA to the correct decision per its own mandate to protect the people and the environment and deny the Solid Waste Permit for GCL.

II. Flooding Will Affect Water Quality and the Environment

In 2009 Sara Agahi, County of San Diego Watershed Protection Program, Floodplain Management Association stated, the sixth greatest flood in Southern California history occurred on the San Luis Rey River in 1916. Further, the National Oceanic and Atmospheric Association (NOAA) has reported that the rains of January 1916 caused pine trees from Palomar Mountain to float down the San Luis Rey River through Oceanside and resulted in the drowning deaths of several people. Agahi also noted that a large bridge near Pala and the Oceanside Pumping Station were completely obliterated by this event. This is timely, and potentially new information since it has almost been 100 years since that flood and may indicate the potential for a serious flooding event in the near future.

It is also important to note that the San Luis Rey River also had major flooding in 1926, 1980 and 1993. The flood of 1993 was considered only a 20-year event and it destroyed seven bridges up and down the San Luis Rey River. Brush fires in the area further caused severe debris floods in both 2003 and 2007.

With this information the LEA cannot ignore the reality of the destruction that will occur during a 10-15-20 year flood event, not to mention a 100-year event which would be similar to the flood of 1916 in terms of impacts. All of these events are another indication, one which cannot be taken lightly by the LEA, that Gregory Canyon is simply an inappropriate location to site a landfill. Again, we urge the LEA to deny GCL's permit application.

III. Gregory Canyon Includes Critical Habitats

In addition to water and other environmental concerns, Gregory Canyon has been determined as a critical habitat for the federally endangered southwestern arroyo toad (an aquatic species), least Bell's vireo, the southwest willow flycatcher, and the California gnatcatcher. The Tribe is deeply concerned that these species will be further threatened, if not irreparably so, as a result of the direct and indirect impacts of the Landfill. Not only are we concerned with the immediate loss of habitat for these biological resources because of the construction of the Landfill itself, but also the potential impacts to these

resources as a result of its ensuing environmental destruction through indirect impacts (i.e., leaking of the liner and contamination of water and food resources).

The Tribe hopes that, in addition to the numerous other concerns we have raised in our comments, the LEA will acknowledge the impacts that this Project will have on these already endangered species. To do any less would not only fail to protect these environmental resources, but would further violate the LEA's legal mandate and mission statement.

IV. Gregory Canyon Poses Earthquake Concerns

As if the above concerns were not sufficient to demonstrate the foolish location of this Landfill, it is further compounded by seismic issues. The Tribe notes that with the amount of seismic activity experienced in Southern California, the Elsinore Fault Line is approximately five miles from the project area, and is known to be the fourth most active fault behind the San Andreas, San Jacinto, and Imperial Valley faults. The Elsinore Fault's probable magnitude is listed at 6.5 to 7.5.

The more than likely devastation to the area that could result from an earthquake poses problems for the aquifer beneath the proposed Landfill area which is made up of fractured bedrock. This increases the destructive risks posed by the Landfill and would result in the contamination of vital water resources and the entire environmental landscape of Gregory Canyon. Even a small seismic event could result in the contamination of the river and surrounding areas by unknown toxic substances. Furthermore, waste and leachate from the Landfill could invade and imperil the quality of the surface and ground water in the San Luis Rey Watershed.

As such, the LEA must consider the potential dangers due to seismic activity and, as the Tribe believes, the catastrophic contamination to the surrounding environment and natural and cultural resources.

V. The Gregory Canyon Landfill Will Cause Air Pollution

The proposed Landfill's effect on air quality will be immitigable. It is a well documented fact that landfills are one of the largest contributors to greenhouse gas emissions ("GHG").

According to the USEPA, landfills accounted for 23 percent of all methane gas emissions in 2007. Methane gas, which landfills produce more than any other GHG, causes the most destruction to the quality of our air and according to the Intergovernmental Panel on Climate Change is more than 20 times as effective as CO2 in contributing to climate change issues. Further, methane released into the atmosphere is estimated to remain for approximately 12 years. Given the size of the Landfill and the number of years it will be in operation, methane gas released will have detrimental

effects on the quality of air and local climate for decades, even after the Landfill ceases operation. Climate change in the Southern California region has the potential to damage sensitive ecosystems, threaten traditional and cultural practices, increase occurrence of wildfires, decrease water availability, degrade water quality, as well as many other effects not yet known.

Under its state law mandate, the LEA must consider the long-term protection of the environment when considering granting or denying a solid waste permit. To approve this permit when there are a multitude of environmental concerns not only violates state law but also ensure the destruction of a unique, irreplaceable and sensitive environmental and cultural setting.

Finally, the Tribe notes that Proposition C itself requires that the Landfill be constructed in an "environmentally sound" manner. It is inconceivable that Gregory Canyon, with a host of environmental issues and potentially devastating impacts, can safely accommodate a landfill. This Project is not, and cannot be, environmentally sound. As such, to approve a permit and move this project along not only violates the LEA's mandate, but defies Proposition C.

The Tribe urges the LEA to properly consider all the negative cumulative environmental impacts that will occur as a result of the Landfill and deny the permit. We further request the opportunity to consult in confidence with the LEA to provide additional information regarding the sensitive nature of this area, some of which is discussed in more detail in comments from the Tribe's Cultural Resource Department.

If you have any questions please contact Syndi Smallwood, Environmental Director at (951) 770-6158.

Sincerely,

Mark Macarro
Tribal Chairman

Cc: Pechanga Office of the General Counsel
Mr. Jim Henderson, San Diego County LEA
Mr. Robert Eben, Superintendent Southern California Agency, Bureau of Indian Affairs
Ms. Lisa Jackson, Administrator U.S. Environmental Protection Agency
Mr. Peter S. Silva, Assistant Administrator for Water, U.S. Environmental Protection Agency

Mr. Jared Blumenfeld, Regional Administrator, U.S. Environmental Protection Agency Region IX
Ms. Alexis Strauss, Director for Water, U.S. Environmental Protection Agency Region IX

COPY

County of San Diego

JACK MILLER
DIRECTOR

SOLID WASTE LOCAL ENFORCEMENT AGENCY
5500 OVERLAND AVENUE, SUITE 110 SAN DIEGO, CA 92123
(858) 694-2888 FAX (858) 495-5004
1-800-253-9933
www.sdcdeh.org

ELIZABETH POZZEBON
ASSISTANT DIRECTOR

February 14, 2011

Shasta C. Gaughen, Environmental Director
Pala Environmental Department
PMB 50
35008 Pala Temecula Road
Pala, CA 92059

Proposed Gregory Canyon Landfill Informational Meeting / Hearing

Dear Ms. Gaughen

The County of San Diego Department of Environmental Health Local Enforcement Agency has received your letter dated February 9, 2011 with questions about the informational meeting on the proposed Solid Waste Facility Permit for the Gregory Canyon Landfill scheduled for February 23, 2011 in Fallbrook. The LEA offers the following responses:

- The solid waste application package has been and continues to be available for review at the LEA office. Permit related activity is maintained on the LEA's Gregory Canyon website and interested parties are notified through the Gregory Canyon listserv. Additionally, the application package is posted on the LEA's Gregory Canyon webpage at http://www.sdcounty.ca.gov/deh/waste/chd_gregory.html.

- The meeting is being held pursuant to section 44004(h) of the Public Resources Code, which requires at least one public hearing on the LEA's proposed determination concerning this permit application. The meeting is strictly informational and no official decision is made at the meeting. The meeting will provide the public an opportunity to hear about the proposed solid waste facility and to provide oral and written comments. The LEA will not respond to comments or questions during the public meeting.

- Written and oral comments will be accepted at the meeting. Oral comments will be recorded by a court reporter. Comments and LEA decisions in response to comments will become part of the record through Section 21650(g)(5) of Title 27 of the California Code of Regulations. That section requires the LEA to include as part of its proposed permit package to CalRecycle "any written public comments received on a pending application and a summary of comments received at the informational meeting and, where applicable, any steps taken by the EA relative to those comments." In addition to the required summary of comments received the LEA will provide CalRecyle a transcript of the meeting, and copies of all written comments received at or after the meeting. The LEA will consider comments received in drafting the proposed Solid

Waste Facility Permit, and will summarize "steps taken" based on those comments where applicable.

- Pursuant to Title 27, California Code of Regulations, informational meetings are to be held in a suitable location not more than one mile from the facility that is the subject of the meeting; if no suitable and available location exists within one mile of the facility, the LEA may designate an alternative suitable location that is as close to the facility as reasonably practical. The new Fallbrook County Library Meeting room was determined to be a suitable location. Historically, other Gregory Canyon public meetings were held in Escondido City Hall; Fallbrook offers a larger venue.

Enclosed for your convenience is an information meeting notice.
For additional information on the Gregory Canyon Landfill Project, please visit:
http://www.sdcounty.ca.gov/deh/waste/chd_gregory.html.

If you would like to schedule an appointment to review the application package, please call Jim Henderson at (858) 694-3607.

Sincerely,

Karilyn A. Merlos

KARILYN MERLOS, Supervising EHS
Solid Waste Local Enforcement Agency

Enclosure: Informational Meeting Notice

NOTICE OF INFORMATIONAL MEETING

COUNTY OF SAN DIEGO
SOLID WASTE LOCAL ENFORCEMENT AGENCY (LEA)
Date of Notice: February 11, 2011
NOTICE OF FULL SOLID WASTE FACILITY PERMIT
FOR GREGORY CANYON LANDFILL

DATE OF MEETING:	Wednesday, February 23, 2011
TIME OF MEETING:	6:30 PM
LOCATION OF MEETING:	San Diego County Public Library Community Room 124 S. Mission Rd Fallbrook, CA 92028
PROJECT TYPE / NUMBER:	Gregory Canyon Landfill / SWIS #37-AA-0032
APPLICANT:	Gregory Canyon Ltd.
COUNTY LEA CONTACT:	Jim Henderson
PHONE NUMBER:	858-694-3607

Please be advised that the County of San Diego Department of Environmental Health, Solid Waste Local Enforcement Agency (LEA) will be holding an informational public meeting in compliance with Public Resource Code §44004(h) regarding a new proposed Solid Waste Facility Permit for the proposed Gregory Canyon Landfill, SWIS #37-AA-0032. The LEA is certified by the California Department of Resources Recycling and Recovery (CalRecycle), formerly known as the California Integrated Waste Management Board, to enforce state laws and regulations at solid waste facilities.

The proposed 1,770 acre Gregory Canyon Landfill site is currently owned by Gregory Canyon Ltd., the project applicant. The landfill site is located in northern San Diego County on State Route (SR 76), approximately three miles east of Interstate 15 (I-15) and two miles southwest of the community of Pala (9708 Pala Road, Pala California). Gregory Canyon Landfill is a proposed municipal solid waste (MSW) landfill with a facility area of 308 acres and a disposal footprint of 183 acres. The facility would operate Monday through Saturday and receive up to 1,000,000 tons of MSW per year. On August 5, 2010 the LEA accepted the Solid Waste Facility Permit (SWFP) application package for Gregory Canyon Landfill as incomplete. The applicant has since updated the package to conform to the California Code of Regulations Title 27 §21570. On February 1, 2011 the LEA found the SWFP application package complete and correct and will be drafting a proposed SWFP.

The proposed SWFP #37-AA-0032 would establish the following specifications:

- Allow for operation of a municipal solid waste disposal site and recycling center;
- Days and hours for waste receipt;
  - Monday - Friday, 7:00 am to 6:00 pm; Saturday, 8:00 am to 5:00 pm;
- Limit the receipt of municipal solid waste to:
  - an average daily tonnage of 3,200 tons per day;
  - a peak daily tonnage of 5,000 tons per day; and,
  - a maximum of 1,000,000 tons per year;
- Limit traffic volume to 675 vehicles per day;
- Identify design parameters:
  - Total Permitted Area – 308 acres;
  - Disposal Permitted Area – 183 acres;
  - Design Capacity – 59,500,000 cubic yards;
  - Maximum Elevation – 1,100 feet above mean sea level;
  - Maximum Depth - 523 feet above mean sea level; and,
  - Estimated closure date – 2040.

The LEA Staff's preliminary determination is to recommend approval of the new proposed Solid Waste Facility Permit.

This Public Meeting is for interested parties to learn more about the new proposed SWFP and to provide comments. The decision to approve or deny the new SWFP will be made by the LEA within 120 days of the date the application was deemed complete and correct as required by State statute, and will be submitted to the California Department of Recycling and Recovery (CalRecycle) for concurrence.

Where a copy of the permit application can be reviewed

A copy of the SWFP application package for Gregory Canyon Landfill is available for review in the LEA office located at 5500 Overland Ave, Ste 110, San Diego, CA 92123, and is also available on-line at http://www.sdcounty.ca.gov/deh/waste/chd_gregory.html. For an appointment to review the package please contact the LEA at (858) 694-2888.

Options for submitting comments, appeals and other contact information

Comments received during the Informational Meeting will be included in the summary of comments as part of the permit package sent to CalRecycle. Written comments will be considered and included with the permit package sent to CalRecycle. For further information on submitting comments or requesting appeals, please contact the LEA at DEH Comments (DEHComments@sdcounty.ca.gov) by e-mail, telephone at (858) 694-2888, or by mail at 5500 Overland Drive, Suite 110, San Diego, CA 92123.

Henderson, Jim

From: Henderson, Jim
Sent: Tuesday, March 15, 2011 3:55 PM
To: 'Johnny Pappas'
Subject: RE: Gregory Informational Meeting

Noted, thank you.

Jim Henderson
County of San Diego
Department of Environmental Health
Local Enforcement Agency
5500 Overland Ave, Suite 110 MS O560
San Diego, CA 92123
(858) 694-3607

From: planetjohnny@gmail.com [mailto:planetjohnny@gmail.com] **On Behalf Of** Johnny Pappas
Sent: Monday, March 14, 2011 7:28 PM
To: Henderson, Jim
Subject: Re: Gregory Informational Meeting

Also it's Surfrider, one word.

Johnny Pappas
Advisory Committee
Surfrider Foundation
San Diego County Chapter

On Mon, Mar 14, 2011 at 7:05 PM, Johnny Pappas <john@surfridersd.org> wrote:
You guys misspelled my name in the 2/21 transcript. It's Pappas, not Puppas.

Johnny Pappas
Advisory Committee
Surfrider Foundation
San Diego County Chapter

On Mon, Feb 14, 2011 at 3:30 PM, Henderson, Jim <Jim.Henderson@sdcounty.ca.gov> wrote:
Pursuant to Title 27, written comments can be provided before, during or after the meeting. Written comments received after the proposed permit is sent to CalRecycle for concurrence will be forwarded to CalRecycle within 5 days of receipt.

Jim Henderson
County of San Diego
Department of Environmental Health
Local Enforcement Agency
5500 Overland Ave, Suite 110 MS O560
San Diego, CA 92123
(858) 694-3607

-----Original Message-----
From: Johnny Pappas [mailto:jpappas@seasandiego.com]
Sent: Sunday, February 13, 2011 1:06 PM
To: Henderson, Jim
Subject: Gregory Informational Meeting

Hello,

What is the deadline for written comments directed to the LEA regarding this project?

J.

Johnny Pappas

sustainable environment advocates
po box 502764
san diego, ca 92150

p: 619.537.6732

Henderson, Jim

From: Henderson, Jim
Sent: Tuesday, March 15, 2011 4:00 PM
To: 'Johnny Pappas'
Subject: RE: Gregory Informational Meeting
Attachments: Speaker Pappas.pdf

Sorry about that, the professional court reporter that was contracted for the event used the speaker forms to check spelling, yours (attached) is a little fuzzy on the first A.

Jim Henderson
County of San Diego
Department of Environmental Health
Local Enforcement Agency
5500 Overland Ave, Suite 110 MS O560
San Diego, CA 92123
(858) 694-3607

From: planetjohnny@gmail.com [mailto:planetjohnny@gmail.com] **On Behalf Of** Johnny Pappas
Sent: Monday, March 14, 2011 7:05 PM
To: Henderson, Jim
Subject: Re: Gregory Informational Meeting

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Johnny Pappas
Advisory Committee
Surfrider Foundation
San Diego County Chapter

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Pursuant to Title 27, written comments can be provided before, during or after the meeting. Written comments received after the proposed permit is sent to CalRecycle for concurrence will be forwarded to CalRecycle within 5 days of receipt.

Jim Henderson
County of San Diego
Department of Environmental Health
Local Enforcement Agency
5500 Overland Ave, Suite 110 MS O560
San Diego, CA 92123
(858) 694-3607

-----Original Message-----
From: Johnny Pappas [mailto:jpappas@seasandiego.com]
Sent: Sunday, February 13, 2011 1:06 PM
To: Henderson, Jim
Subject: Gregory Informational Meeting

COUNTY OF SAN DIEGO
SOLID WASTE LOCAL ENFORCEMENT AGENCY (LEA)
INFORMATION MEETING
SOLID WASTE FACILITY PERMIT
FOR GREGORY CANYON LANDFILL
SPEAKER SLIP / COMMENT SLIP
February 23, 2011, 6:30 pm to 9:30 pm

8

☒ **Public**

☐ **Written Comment**

☒ **I Want to Speak**

Time limits will be established for officials, other speakers and organized presentations based on the number of speaker slips submitted at the beginning of the meeting.

*NAME: Johnny Pappas Surfrider Foundation and Sustainable Environment Advocates

*CITY OF RESIDENCE: Escondido

*PHONE: _____

*Note: This information is optional. However, for transcript preparation, we request that this form be completed. Once it has been submitted the information becomes public record.

Comments: _____

County of San Diego

DEPARTMENT OF PARKS AND RECREATION

BRIAN ALBRIGHT
DIRECTOR

Administrative Office: (858) 694-3030
Fax: (858) 495-5841
Reservations: (858) 565-3600

www.sdparks.org

HAND-DELIVERED

April 21, 2011

Jack Miller, County of San Diego
Solid Waste Local Enforcement Agency
5500 Overland Drive, Suite 110
San Diego, CA 92123

Dear Mr. Miller:

Last week, Solid Waste Local Enforcement Agency (LEA) staff advised the Department of Parks and Recreation (DPR) that the provision of trails is being included in the Statement of Overriding Considerations (SOC) as a benefit of the Gregory Canyon Landfill project. This letter is to let you know that although DPR had brief discussions and a site visit with the project applicant on July 10, 2009 to discuss a potential trails alignment, it was not until we received the phone call from LEA staff last week that DPR became aware that the trails were being included in the SOC.

On April 19, 2011 DPR staff called Bill Hutton, the attorney for the applicant to obtain a copy of the proposed trails plan. Bill Hutton advised us that the applicant has not prepared a trails plan. DPR staff indicated to Mr. Hutton that DPR is willing to work with the applicant to identify a proposed trail alignment to be dedicated to and maintained by the County DPR. Mr. Hutton indicated that he needed to talk with his client and that he would get back to us.

It is our understanding that the LEA will consider written comments received by April 21, 2011 in making its recommendation of approval/disapproval of the permit for Gregory Canyon Landfill project. DPR recommends that the LEA not include public trails as a benefit in the SOC for the Gregory Canyon Landfill project for the following reasons:

1. The applicant has not prepared a trails plan that has been reviewed or approved by DPR which is charged with maintaining public community trails by the County; and

2. The applicant has not formally agreed to dedicate a trails easement to the County.

If the LEA decides to approve the project, the provision of a trails plan to be approved by DPR should be included as a permit condition. As we stated to Mr. Hutton on April 20th, we are willing to work with the applicant on a identifying a trail alignment, but to include it as a benefit at this time would be premature.

If you have any questions, please contact me at (858) 966-1301 or brian.albright@sdcounty.ca.gov.

Sincerely,

B. Albright

BRIAN ALBRIGHT, Director
Department of Parks and Recreation

Henderson, Jim

From: Henderson, Jim on behalf of LUEG, DEHComments
Sent: Tuesday, February 22, 2011 8:23 AM
To: 'Elin Pierce'
Subject: RE: Solid Waste Facility Permit for Gregory Canyon Landfill

Thank you for your response. Your comment has been received.

Jim Henderson
County of San Diego
Department of Environmental Health
Local Enforcement Agency
5500 Overland Ave, Suite 110 MS O560
San Diego, CA 92123
(858) 694-3607

From: Elin Pierce [mailto:elpier@roadrunner.com]
Sent: Monday, February 21, 2011 10:35 AM
To: LUEG, DEHComments
Subject: Solid Waste Facility Permit for Gregory Canyon Landfill

Jim Henderson
County of San Diego Local Enforcement Agency
5500 Overland Drive, Suite 110
San Diego, CA 92123

RE: Solid Waste Facility Permit for Gregory Canyon Landfill

I am writing to urge denial of the requested permit. The proposed landfill would threaten vital drinking water sources for the region. We have grave concerns about the landfill's potential to leak toxic pollutants into these critical groundwater supplies.

This site is unsuitable for a landfill – the County itself rejected the location because it failed seven out of eight siting criteria. It is impossible to engineer the site to make it safe for a landfill.

This landfill is not needed. Waste diversion and recycling rates in the County are at an all-time high, and disposal rates have decreased dramatically in recent years. The County has no need for any new landfills at this time, much less one that would destroy critical water resources.

Sincerely,

Elin Pierce, Ph.D.

Henderson, Jim

rom: Henderson, Jim on behalf of LUEG, DEHComments
Sent: Wednesday, February 16, 2011 8:42 AM
To: 'Bethany Principe'
Subject: RE: Solid Waste Facility Permit for Gregory Canyon Landfill

Thank you for your response. Your comment has been received.

Jim Henderson
County of San Diego
Department of Environmental Health
Local Enforcement Agency
5500 Overland Ave, Suite 110 MS O560
San Diego, CA 92123
(858) 694-3607

From: Bethany Principe [mailto:bprincipe@att.net]
Sent: Tuesday, February 15, 2011 5:00 PM
To: LUEG, DEHComments
Subject: RE: Solid Waste Facility Permit for Gregory Canyon Landfill

I am writing to urge denial of the requested permit. The proposed landfill would threaten vital drinking water ?ources for the region. We have grave concerns about the landfill's potential to leak toxic pollutants into these itical groundwater supplies.

This site is unsuitable for a landfill – the County itself rejected the location because it failed seven out of eight siting criteria. It is impossible to engineer the site to make it safe for a landfill.

This landfill is not needed. Waste diversion and recycling rates in the County are at an all-time high, and disposal rates have decreased dramatically in recent years. The County has no need for any new landfills at this time, much less one that would destroy critical water resources.

Sincerely,

Beth Principe

Henderson, Jim

From: Henderson, Jim on behalf of LUEG, DEHComments
Sent: Wednesday, February 23, 2011 7:48 AM
To: 'Bethany Principe'
Subject: RE: Solid Waste Facility Permit for Gregory Canyon Landfill

Thank you for your response. Your comment has been received.

Jim Henderson
County of San Diego
Department of Environmental Health
Local Enforcement Agency
5500 Overland Ave, Suite 110 MS O560
San Diego, CA 92123
(858) 694-3607

From: Bethany Principe [mailto:bprincipe@att.net]
Sent: Tuesday, February 22, 2011 10:02 PM
To: LUEG, DEHComments
Subject: RE: Solid Waste Facility Permit for Gregory Canyon Landfill

Jim Henderson

County of San Diego Local Enforcement Agency

5500 Overland Drive, Suite 110

San Diego, CA 92123

Mr. Henderson,

As a resident of the Fallbrook area, I am writing to urge denial of the requested permit for the Gregory Canyon Landfill. The proposed landfill would threaten vital drinking water sources for the region. We have serious concerns about the landfill's potential to leak toxic pollutants into these critical groundwater supplies.

This site has been shown to be unsuitable for a landfill with the County itself rejecting the location because it failed seven out of eight siting criteria. It impossible to engineer the site to make it safe for a landfill.

The need for this landfill is highly questionable. Waste diversion and recycling rates in San Diego County are at an all-time high, and disposal rates have decreased dramatically in recent years. The County has no need for any new landfills at this time, much less one that would destroy critical water resources.

Henderson, Jim

From: Henderson, Jim on behalf of LUEG, DEHComments
Sent: Tuesday, February 22, 2011 8:23 AM
To: 'Minna Riber'
Subject: RE: Deny Solid Waste Permit

Thank you for your response. Your comment has been received.

Jim Henderson
County of San Diego
Department of Environmental Health
Local Enforcement Agency
5500 Overland Ave, Suite 110 MS O560
San Diego, CA 92123
(858) 694-3607

From: Minna Riber [mailto:minna@earthlink.net]
Sent: Monday, February 21, 2011 9:12 PM
To: LUEG, DEHComments
Subject: Deny Solid Waste Permit

It has come to our attention that the permit for a waste facility in Gregory Canyon is again on the table.

We oppose the permit because of the following reasons:

A. Poor choice of location due to:
   1. fractured rockbed
   2. sacred land of Native Americans, they were here first.
   3. possibility of leaking pollutants into ground water.

B. The project failed 7 of the 8 criteria for a landfill and the County Rejected the site.

Please consider our opinion and reject the permit.

Michael & Minna Riber
1355 Kelglen Lane
Vista CA 92084

760-724-5037

Henderson, Jim

From: Henderson, Jim on behalf of LUEG, DEHComments
Sent: Friday, February 18, 2011 8:14 AM
To: 'Colin Richard'
Subject: RE: Solid Waste Facility Permit for Gregory Canyon Landfill

Thank you for your response. Your comment has been received.

Jim Henderson
County of San Diego
Department of Environmental Health
Local Enforcement Agency
5500 Overland Ave, Suite 110 MS O560
San Diego, CA 92123
(858) 694-3607

From: Colin Richard [mailto:colinhrichard@gmail.com]
Sent: Thursday, February 17, 2011 4:03 PM
To: LUEG, DEHComments
Subject: RE: Solid Waste Facility Permit for Gregory Canyon Landfill

Dear Mr. Henderson,

I am writing to urge denial of the requested permit. The proposed landfill would threaten vital drinking water sources for the region. We have grave concerns about the landfill's potential to leak toxic pollutants into these critical groundwater supplies.

This site is unsuitable for a landfill – the County itself rejected the location because it failed seven out of eight siting criteria. It is impossible to engineer the site to make it safe for a landfill.

This landfill is not needed. Waste diversion and recycling rates in the County are at an all-time high, and disposal rates have decreased dramatically in recent years. The County has no need for any new landfills at this time, much less one that would destroy critical water resources.

Sincerely,

Colin Richard

6255 Radio Dr.
San Diego, CA 92114

--
colinhrichard@gmail.com
http://www.facebook.com/colinhrichard
http://colinhrichard.blogspot.com/

Henderson, Jim

From: Everett DeLano [everettdelano@yahoo.com]
Sent: Thursday, April 21, 2011 4:02 PM
To: LUEG, DEHComments
Subject: RE: proposed Gregory Canyon permit

Thank you. Please keep me apprised of developments in the matter, including any decision of the LEA and forwarding to CalRecycle, etc.

Everett DeLano
DeLano & DeLano
220 W. Grand Avenue
Escondido, CA 92025
(760) 510-1562
(760) 510-1565 (fax)

From: Henderson, Jim [mailto:Jim.Henderson@sdcounty.ca.gov] **On Behalf Of** LUEG, DEHComments
Sent: Thursday, April 21, 2011 3:56 PM
To: Everett DeLano
Subject: RE: proposed Gregory Canyon permit

Thank you for your response. Your comment has been received.

Jim Henderson
County of San Diego
Department of Environmental Health
Local Enforcement Agency
5500 Overland Ave, Suite 110 MS O560
San Diego, CA 92123
(858) 694-3607

From: Everett DeLano [mailto:everettdelano@yahoo.com]
Sent: Thursday, April 21, 2011 12:54 PM
To: LUEG, DEHComments
Subject: proposed Gregory Canyon permit

Please see attached letter.

Everett DeLano
DeLano & DeLano
220 W. Grand Avenue
Escondido, CA 92025
(760) 510-1562
(760) 510-1565 (fax)

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Henderson, Jim

From: Henderson, Jim on behalf of LUEG, DEHComments
Sent: Thursday, April 21, 2011 3:56 PM
To: 'Everett DeLano'
Subject: RE: proposed Gregory Canyon permit

Thank you for your response. Your comment has been received.

Jim Henderson
County of San Diego
Department of Environmental Health
Local Enforcement Agency
5500 Overland Ave, Suite 110 MS O560
San Diego, CA 92123
(858) 694-3607

From: Everett DeLano [mailto:everettdelano@yahoo.com]
Sent: Thursday, April 21, 2011 12:54 PM
To: LUEG, DEHComments
Subject: proposed Gregory Canyon permit

Please see attached letter.

Everett DeLano
DeLano & DeLano
220 W. Grand Avenue
Escondido, CA 92025
(760) 510-1562
(760) 510-1565 (fax)

LAW OFFICES OF EVERETT L. DELANO III
220 W. Grand Avenue
Escondido, California 92025
(760) 510-1562
(760) 510-1565 (fax)

April 21, 2011

VIA E-MAIL AND U.S. MAIL

County of San Diego
DEH Local Enforcement Agency
5500 Overland Drive, Suite 110
San Diego, CA 92123

Re: Solid Waste Facility Permit for the Gregory Canyon Landfill Project

Dear Department of Environmental Health:

This letter is submitted on behalf of RiverWatch in connection with the proposed solid waste facility permit for the Gregory Canyon Landfill Project. RiverWatch is a non-profit, public benefit corporation, whose mission is to protect and preserve the environmental health of the San Luis Rey River and valley.

RiverWatch joins in the objections and concerns expressed in comments submitted on behalf of the Pala Band of Mission Indians and the Natural Resources Defense Council, as well as the many other parties who have expressed concerns about this proposed project and the lack of adequate protection for the environment. Indeed, many of the prior comments submitted on behalf of RiverWatch, noting the many problems with the proposed project and its processing, are still applicable.

RiverWatch has been, and remains, opposed to approval of a permit for the proposed Gregory Canyon landfill. Thank you for your consideration of these objections and concerns.

Sincerely,

Everett DeLano

Henderson, Jim

From: Henderson, Jim on behalf of LUEG, DEHComments
Sent: Tuesday, February 15, 2011 9:10 AM
To: 'Roberts, David'
Subject: RE: Solid Waste Facility Permit for Gregory Canyon Landfill

Thank you for your response. Your comment has been received.

Jim Henderson
County of San Diego
Department of Environmental Health
Local Enforcement Agency
5500 Overland Ave, Suite 110 MS O560
San Diego, CA 92123
(858) 694-3607

From: Roberts, David [mailto:droberts@himss.org]
Sent: Monday, February 14, 2011 6:42 PM
To: LUEG, DEHComments
Subject: Solid Waste Facility Permit for Gregory Canyon Landfill

February 14, 2011

Jim Henderson
County of San Diego Local Enforcement Agency
5500 Overland Drive, Suite 110
San Diego, CA 92123

Dear Mr. Henderson - I am writing to urge denial of the requested solid waste facility permit for Gregory Canyon Landfill. The proposed landfill would threaten vital drinking water sources for the region. Many of my constituents and I have grave concerns about the landfill's potential to leak toxic pollutants into these critical groundwater supplies.

Many agree with me that this site is unsuitable for a landfill – the County itself rejected the location because it failed seven out of eight criteria for this location. It is impossible to engineer the site to make it safe for a landfill.

This landfill is not needed. Waste diversion and recycling rates in the County are at an all-time high, and disposal rates have decreased dramatically in recent years. The County has no need for any new landfills at this time, much less one that would destroy critical water resources. Unfortunately, I will be out of state on business on February 23, but I hope you will include my letter in the submitted testimony to encourage you to deny this permit.

Sincerely,

David W. Roberts
Councilmember, City of Solana Beach and
Executive Committee, North County Transit District and
Member, California Biodiversity Council

653 S. Highway 101
Solana Beach, CA 92075
858-775-9241 (cell)
858-720-2496 (office)
858-793-7932 (fax)

Henderson, Jim

From: Henderson, Jim on behalf of LUEG, DEHComments
Sent: Tuesday, March 22, 2011 1:02 PM
To: 'Alan Russell'
Subject: RE: Comment re Gregory Canyon

Thank you for your response. Your comment has been received.

Jim Henderson
County of San Diego
Department of Environmental Health
Local Enforcement Agency
5500 Overland Ave, Suite 110 MS O560
San Diego, CA 92123
(858) 694-3607

From: Alan Russell [mailto:alanruss@roadrunner.com]
Sent: Monday, March 21, 2011 1:21 PM
To: LUEG, DEHComments
Subject: Comment re Gregory Canyon

To whom it may concern:

When the decision makers finally decide whether the Gregory Canyon Landfill goes through or not, I hope they take into account the will of the people. Voters in San Diego have voted overwhelmingly on two occasions in favor of the landfill (despite all the money spent by the casino opposition).

The smokescreen of sacred tribal land, and worry over a suddenly important aquifer, cover up the real point of opposition to the landfill: NIMBY. Even though San Diego County needs a landfill, no one wants it in their backyard.

Several weeks ago the San Diego Union Tribune ran an editorial decrying the "Potemkin Village" erected by the opponents. History tells us Potemkin Villages were fake settlements put up to impress Catherine II. The opposition has created their Potemkin Village in order to try and intimidate the decision makers. The real "people" want the landfill.

Does government still work in California? Or is it ruled by special interests? If government is still viable, then the Gregory Canyon Landfill should go forward.

Sincerely,

Alan Russell
1570 Old Creek Court
Cardiff by the Sea, CA 92007
(760) 942-5665

Henderson, Jim

From: Henderson, Jim
ent: Wednesday, February 23, 2011 2:48 PM
To: 'Tina Estell'
Subject: RE: Gregory Canyon Landfill

Thank you for your response. Your comment has been received.

Jim Henderson
County of San Diego
Department of Environmental Health
Local Enforcement Agency
5500 Overland Ave, Suite 110 MS O560
San Diego, CA 92123
(858) 694-3607

From: Tina Estell [mailto:testell@cosb.org]
Sent: Wednesday, February 23, 2011 2:41 PM
To: Henderson, Jim
Cc: lheebnerco@aol.com; David Ott
Subject: Gregory Canyon Landfill

Good Afternoon Mr. Henderson,

The attached letter is submitted on behalf of Mayor Lesa Heebner for the City of Solana Beach regarding the olid Waste Facility Permit for the Gregory Canyon Landfill.

Regards,
Tina Estell
City Manager's Office
City of Solana Beach
635 S. Highway 101
Solana Beach, CA 92075
P:858-720-2431
F:858-720-2437

Be Green. Please don't print this e-mail unless you really need to

CITY OF SOLANA BEACH
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www.ci.solana-beach.ca.us FAX (858) 792-6513 / (858) 755-1782

February 23, 2011

Jim Henderson
County of San Diego Local Enforcement Agency
5500 Overland Drive, Ste. 110
San Diego, CA 92123

RE: Solid Waste Facility Permit for Gregory Canyon Landfill

Dear Mr. Henderson;

The City of Solana Beach has been consistent in its opposition to the Gregory Canyon Landfill. On October 5, 2004 the Solana Beach City Council unanimously passed and adopted Resolution No. 2004-140 which supports Proposition B to repeal the North County Recycled Solid Waste Disposal Initiative (Prop C Adopted 1994). As a part of Resolution No. 2004-140, the City Council strongly opposed the sighting of solid waste disposal operations at the Gregory Canyon site.

On April 22, 2009 the City Council passed and adopted Resolution No. 2009-043, which affirms its continued opposition to the sighting of solid waste disposal operations at the Gregory Canyon Site.

Over the years I have attended numerous hearings to speak in opposition to the Gregory Canyon Landfill, and I would be there this evening to voice our opposition yet again, but we have a City Council meeting. With this letter, the City Council continues its opposition to this and any future landfill sites that would jeopardize the San Luis Rey watershed and urges all those involved to seek alternate sites as a means for the collection and disposal of solid waste generated in North County San Diego.

Yours very truly,

Lesa Heebner
Mayor
City of Solana Beach

Henderson, Jim

From: Henderson, Jim on behalf of LUEG, DEHComments
Sent: Thursday, April 21, 2011 4:01 PM
To: 'Wesley A. Miliband'; LUEG, DEHComments
Cc: Victor Pankey
Subject: RE: Solid Waste Facility Permit, Permit #37-AA-0032, for the Gregory Canyon Landfill

Thank you for your response. Your comment has been received.

Jim Henderson
County of San Diego
Department of Environmental Health
Local Enforcement Agency
5500 Overland Ave, Suite 110 MS O560
San Diego, CA 92123
(858) 694-3607

From: Wesley A. Miliband [mailto:wmiliband@awattorneys.com]
Sent: Thursday, April 21, 2011 2:42 PM
To: LUEG, DEHComments; Henderson, Jim
Cc: Victor Pankey
Subject: Solid Waste Facility Permit, Permit #37-AA-0032, for the Gregory Canyon Landfill
Importance: High

Dear Mr. Henderson,

Attached for your Agency's handling and consideration are comments and supporting documents submitted on behalf of San Luis Rey Municipal Water District relating to the above-referenced proposed Permit.

Please confirm receipt of this email and the attachments, as well as confirm that your Agency will forward the same to CalRecycle before the currently scheduled deadline of April 29, 2011. Thank you for your assistance, and please feel free to contact me with any questions or concerns.

Best,
Wes Miliband

Wesley A. Miliband, Esq. || Aleshire & Wynder, LLP || 18881 Von Karman Avenue, Suite 1700 Irvine, California 92612
Tel: (949) 223-1170 || Direct: (949) 250-5416 || Facsimile: (949) 223-1180 || Email: wmiliband@awattorneys.com || website: www.awattorneys.com

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ALESHIRE & WYNDER, LLP
ATTORNEYS AT LAW
www.awattorneys.com

RESPOND TO ORANGE COUNTY OFFICE

Email: wmiliband@awattorneys.com
Direct Dial: (949) 250-5416

Orange County
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Gardena, CA 90248
P 310.527.6660 • F 310.532.7395

Sacramento
980 9th St., 16th Floor
Sacramento, CA 95814
P 916.449-9690 • F 916.449.9689

April 21, 2011

VIA E-MAIL AND OVERNIGHT MAIL (dehcomments@sdcounty.ca.gov; jim.henderson@sdcounty.ca.gov)

Mr. Jim Henderson
County of San Diego
Department of Environmental Health
Solid Waste Local Enforcement Agency
5500 Overland Drive, Suite 1100
San Diego, CA 92123

Re: Solid Waste Facility Permit, Permit #37-AA-0032, for the Gregory Canyon Landfill

Dear Mr. Henderson:

As legal counsel for San Luis Rey Municipal Water District ("SLRMWD"), we submit to the County of San Diego, Department of Environmental Health, Solid Waste Local Enforcement Agency ("LEA") the following documents, primarily consisting of comments, for LEA's handling, review, and implementation in formulating the proposed Solid Waste Facility Permit for the Gregory Canyon Landfill:

- Letter dated April 8, 2011, prepared by Strategic Engineering & Science, Inc. ("SES") regarding Gregory Canyon Landfill Waste Review of 2011 Version of the Joint Technical Document; and
- Letter dated July 13, 2009 also prepared by SES regarding Evaluation of Gregory Landfill Waste Discharge Requirements – Design and Operations; and
- Mitigation Monitoring Measures, identified as "Exhibit A" to the 2004 Agreement between SLRMWD and Gregory Canyon, Ltd. and surrounding landowners.

In addition to the LEA's review in this process, please include all of the enclosures herein with the package that the LEA is preparing for delivery to the Department of Resources Recycling and Recovery ("CalRecycle") for CalRecycle's consideration of this proposed Solid Waste Facility Permit.

Thank you for your handling and consideration of this matter. Please feel free to contact me with any questions or concerns.

Very truly yours,

ALESHIRE & WYNDER, LLP

Wesley A. Miliband

Enclosures

4/8/2011 SES Letter
7/23/2009 SES Letter
"Exhibit A," 2004 Mitigation Monitoring Measures

cc: Victor Pankey, President, San Luis Rey Municipal Water District

4/8/2011 SES LETTER

SES
STRATEGIC ENGINEERING & SCIENCE

April 8, 2011

Wesley A. Miliband, Esq.
Aleshire & Wynder, LLP
18881 Von Karman Avenue,
Suite 1700
Irvine, CA 92612

Subject: Gregory Canyon Landfill Waste
Review of 2011 Version of Joint Technical Document

Dear Mr. Miliband:

INTRODUCTION

On behalf of the San Luis Rey Municipal Water District (SLRMWD), Strategic Engineering and Science, Inc. (SES) has prepared this letter commenting on the updated Joint Technical Document (JTD) prepared for the Gregory Canyon Landfill (GCL), San Diego County, California by Bryan A. Stirrat and Associates, and dated September 2010 and January 2011 (2011 JTD).

This letter was prepared by Tarik Hadj-Hamou, Ph.D., P.E., and Mark Trevor P.G, with input by Ian Hutchison, Ph.D., P.E. and Tom Patterson, Ph.D. These individuals are employed by SES and have expertise in landfill design and operation, hydrogeology and regulatory requirements. This letter is a follow up to the letter-report prepared by SES in July 2009 (2009 Letter-Report) commenting on: *"Tentative Order No. R9-2009-04 Waste Discharge Requirements for the Gregory Canyon Ltd., Gregory Canyon Landfill, San Diego County,"* (Tentative Waste Discharge Requirements [Tentative WDRs]).

These Tentative WDRs were based on the Report of Waste Discharge dated June 4, 2003 and an earlier JTD that was completed on March 1, 2005, which in the balance of this letter is referred to as the 2005 JTD.

In the 2009 Letter-Report, SES expressed the following concerns about the Tentative WDRs:

- The site hydrogeologic characterization was incomplete,
- The proposed groundwater monitoring program was inadequate and in need of revision,
- Several key landfill design issues had not yet been resolved; and

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SUITE 210
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CALIFORNIA 92614

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Fax: 949.553.8423

www.sesinconline.net

- The required contingency plans, which are vital to protecting the surface and groundwater resources in the area, had not yet been developed.

SES reviewed the 2011 JTD and compared its content to the 2005 JTD with a focus on determining whether the concerns raised in our 2009 Letter-Report had been addressed. The results of this review are discussed below under the headings: hydrologic characterization, landfill design, groundwater monitoring, contingency plans, corrective action and financial information.

HYDROLOGIC CHARACTERIZATION

Changes and Modification between 2011 JTD and the 2005 JTD:

- Section B3.1.11 "Temporary Construction Storage" was added. This section has merit since the temporary construction storage one will be come part of the habitat restoration area. Two new appendices, Appendix I-2 "Biological Assessment for the Gregory Canyon San Luis Rey River Bridge Replacement" and Appendix I-3" Habitat Restoration and Resources Management Plan for Gregory Canyon Landfill Property" details the habitat restoration and its phasing throughout the construction and operation of the GCL.

- Section B.3.1.4 "Utilities" was modified and extended to include Subsection 3.1.4.1 "Recycled Water" which describe the operation of a 20,000 and a 10,000 gallon tank and discusses the water consumption on site during construction. The discussions in this section are far more detailed than those in the 2005 JTD and address some of the issues associated with providing enough water for the GCL and explain that recovered groundwater rather than recycled water will be used for riparian habitat and biological mitigation.

- Section B5.1.1.14 "Analysis of Potential Impairment to Groundwater" was expanded and refers to a new appendix, Appendix C-2, which contains a Technical Memorandum "Review of Issues Related to Proposed Gregory Canyon Landfill" prepared by Dr. David Huntley. This Technical Memorandum (the Huntley Memorandum) expresses concerns about the absence of discreet water-bearing zone monitoring in the thalweg and adjacent areas immediately north of the proposed landfill. This memorandum proposes the installation of five monitoring wells. All of the proposed monitoring wells (and only those wells) are included in the new Well Installation Workplan included as Appendix G-2 in the 2011 JTD. The concerns raised by Dr. Huntley are valid and his recommendations have been addressed by the Workplan in the new Appendix G-2. However, the Huntley Memorandum did not address all of SES's concerns expressed in our July 2009 Letter-Report. It did not deal with the need to better characterize groundwater in the thalweg under the GCL footprint and along the western ridgeline, and it did not address the need to get sufficient groundwater monitoring done prior to construction and operation of the landfill to establish statistically significant baseline water quality.

- In Section D.5.1.2 "Local Hydrologic Setting; Subsection "Springs" beginning page D.5.8, the text "the vigorous development of riparian vegetation along the thalweg of the canyon and its main tributaries, suggests that the piezometric level of the underlying aquifer is close to the surface along the lowest points of the canyon" was eliminated. This observation was important as it reinforced the concern that seasonal shallow groundwater occurs in the canyon which will need to drained off, or otherwise managed, to ensure the integrity of the liner to be constructed under the GCL.

- Section D.5.6 "Water Usage" includes a reference to a new study "Updated Evaluation of Hydrogeomorphology and Beneficial Uses of Gregory Landfill" included in Appendix I-1. This new study concludes that following implementation of all mitigation measures there will be no changes to the in stream beneficial uses. We concur with this conclusion, but stress that successful implementation of the mitigation measures is necessary.

- Two new Appendices have been added to Appendix I.

  - Appendices I-1 includes the Stormwater Management Plan (SWMP) developed in accordance with the San Diego County regulations. It describes the drainage features and the Best Management Practices (BMPs) that will be installed during operation of the GCL.

  - Appendix I-2 addresses biological assessment, and habitat restoration within the GCL footprint. These two appendices are appropriate enhancement over the 2005 JTD as they provide more details about the management of stormwater at the GCL and the plan for habitat protection and restoration.

- Two new Appendices have also been added to Appendix G:

  - Appendix G1 (New): *Water Supply Report.* A new document prepared in response to a court order and provides additional documentation regarding the water needs at the GCL.

  - Appendix G2 (New): *Workplan for additional Groundwater Monitoring Wells Installation and Wellhead Protection Area Identification at the Proposed Gregory Canyon Landfill.* This Workplan provides for additional monitoring wells as discussed previously.

SES Comments

In our 2009 Letter-Report, we identified four major concerns with the hydrogeologic characterization of the site:

- **Groundwater Elevation.** The groundwater monitoring well network is sparse, making predictions of depth-to-groundwater difficult in many locations. Combined

with the known fluctuation in groundwater level between wet and dry years (of up to 19 feet), SES estimated that errors in predicting design groundwater levels of more than 10 to 15 feet are likely at any given location. This is a critical factor in the design of the base grading plan of the GCL, since the base of the liner system must be at least 5 feet above the highest groundwater level.

Addressing this deficiency now would allow for some time to evaluate maximum and minimum water levels. Note however, that this deficiency can also be overcome during the design and construction stage by providing an overly conservatively designed under-drain system that would be able to safely drain out the highest possible assumed groundwater conditions.

- **Groundwater Flow Boundary.** The supplemental hydrogeologic study (GLA, 2004) implied the presence of a "groundwater flow boundary" along the western ridgeline that would contain a potential seepage release to groundwater from within the GCL. The available data did not necessarily support this conclusion and SES was able to draw an alternative groundwater contour map (based on the same data) that resulted in the exact opposite conclusion as that reported by GLA.

  As a result of this misleading interpretation, no provision was made for monitoring or contingency seepage extraction wells along the western side of the GCL. As described above, further discussion of the hydrologic conditions in the western ridgeline has been provided in Appendix C-2, but the scarcity of the field data has not been addressed.

- **Groundwater in the GCL Thalweg (valley center).** Based on our review of the 2011 JTD, it does not appear that additional work was conducted that would improve estimates of groundwater levels and the seasonal fluctuations of these, along the thalweg of Gregory Canyon. In the middle reaches of Gregory Canyon, there is particular concern due to the close proximity between the estimated groundwater elevation and the base grading plan elevation. The distance between monitoring wells in this area of the thalweg (i.e. between GLA-8 and GMP-2) is too great to allow accurate groundwater elevation estimates.

  Therefore, SES recommends the installation of additional monitoring wells as a minimum between GLA-8 and GMP-2, screened to gauge the water bearing zones within which the groundwater levels are expected to fluctuate. In our 2009 Letter Report we had suggested four to six wells.

- **Groundwater flow direction along the western ridgeline.** This flow is not well understood. Two of the existing wells fail to yield data (GWP-3 and GLA-17) and a third (GLA-9) is frequently dry, despite its total depth of 300 feet below ground surface. While we agree this suggests there is very low permeability rock in these areas, it does not conclusively support the groundwater flow boundary hypothesis put

forward by GLA (2004). As a result the Monitoring and Reporting Plan (MRP), which is based on this hypothesis is therefore incomplete.

Therefore, SES recommends that additional monitoring wells be installed along this western ridgeline. Specifically, two bedrock-monitoring wells should be installed between GLA-A and GLA-17 and an additional well should be installed between GLA-17 and GLA-4. If these wells fail to demonstrate the accuracy of the above flow boundary hypothesis, then the MRP must be modified to account for the possibility of westward and northwestward migration of leachate should a release occur.

While the Monitoring Reporting Plan (MRP) was not revised, a Work Plan is presented that provides for five additional monitoring wells in the thalweg area to the north of the proposed landfill. These additional wells address some of SES's concerns regarding the robustness of the monitoring program, particularly north of the toe of the GCL, and also those expressed in the Huntley Memorandum, but do not address SES's concerns regarding the lack of data in the western ridgeline or the thalweg in the southern portion of the proposed landfill. It also does not explain how sufficient monitoring data will be collected over time in order to characterize baseline groundwater quality.

Consequently, SES recommends that the MRP be modified to include all new wells to be installed either as a result of the newly added workplan (Appendix G-2), or in response to the recommendations made in this memo (specifically those monitoring wells along the western flank and within the southern thalweg of the GCL). SES also recommends a monitoring schedule be provided that demonstrates how much monitoring will be conducted prior to construction and operation of the landfill.

LANDFILL DESIGN

The landfill design issues identified in the 2009 Letter-Report included the concern for the long-term stability of large stockpiles generated by the excavation for construction of the wells. The 2005 JTD did discuss the stability of those stockpiles in Section C.2.2.4. This Section was revised in the 2011 JTD and refers to the appropriate figures and calculations in Appendix E. The long-term stability of the stockpiles was evaluated and the results reported in Section C.2.2.4 of the 2011 JTD indicates that the slopes of the stockpiles meet the specified stability requirements. Notably, the construction drawings submitted with the 2011 JTD are the same as those submitted with the 2005 JTD.

The analysis of material availability is discussed in Section B.4.4.8 and Section C.2.2.3 of both JTDs. The air space was calculated to be 57.5 million cubic yards (mcy) in the 2005 JTD and was reduced to 57 mcy in the 2011 version based on the some set of construction drawings. Therefore this reduction less then 1% is, in our opinion, related to numerical and or CAD round off errors. However, the data presented in the 2011 JTD indicate that the GCL will experience a soil deficit of 4.7 mcy whereas in the 2005 JTD the soil deficit was estimated to be 3.1 mcy. To make up for this deficit in soil, which

would impact daily operations, it is proposed in the 2011 JTD to make extensive usage of alternative daily cover (ADC) including Processed Green Materials (PGM). The use of ADC which allows a ratio of waste to daily cover of 7:1 rather than 4:1 when using soil, will allow GCL to landfill an additional 1 mcy of permitted waste within the permitted airspace. There are no regulatory issues associated with increasing the amount of municipal solid waste (msw) landfilled at the GCL since the application for solid waste permit is written in terms of cubic yards of airspace and does not identify the volume of MSW. However, an additional million cubic yards of waste could translate into thousands of additional truck trips through the area and potentially the local community.

A concern about the overall drainages of surface water at GCL was raised in our 2009 review, in particular with respect to the drainage of the desilting basins. Appendix I-1 "Stormwater Management Plan and Hydrogeomorphology Report" was prepared in 2008 to satisfy the County of San Diego requirements for Stormwater discharge. This Stormwater Management Plan (SWMP) is included in the 2011 JTD and addresses the overall drainage at the landfill but recognizes (Page 8-7 in Appendix I-1) that the final discharge from that basin is not yet well-defined. This is an issue brought up in our 2009 Letter-Report. Infiltration is suggested as the water management option, but there is no discussion of the potential issues associated with infiltrating water, namely a rise in groundwater under the landfill.

Therefore, SES recommends that the consequences of infiltration be examined and the potential effect on the groundwater under the landfill be assessed before the WDRs are issued.

GROUNDWATER MONITORING PROGRAM

The monitoring plan in the 2011 JTD is the same as the plan presented in the 2005 JTD and therefore does not account for the additional wells that we recommend adding as well as those that may added based on the Workplan and the Huntley Memorandum.

We recommend the monitoring program modifications be fully documented in a revised monitoring plan which also addresses our remaining concerns discussed above.

CONTINGENCY PLANS

There were no site-specific contingency plans included in the 2005 JTD or the 2011 JTD. The generic plan included with the 2005 version in Appendix F-2 was not modified to be site specific as was recommended in our 2009 Letter-Report. We recommend that the Water Replacement Contingency Plan and the Emergency Response Plan be developed and approved before construction is allowed to commence. We also recommended that the proposed Contingency Plan in the JTD be expanded. Typically the approach could include water quality trigger levels, that if exceeded would require verification monitoring, followed by if necessary data collection to characterize the problem and then

to design, obtain approval for, and construct and operate a mitigation system such as "pump and treat".

CORRECTIVE ACTION

In accordance with Title 27 Chapter 4 Subchapter 5, a cost estimate and a Corrective Action Plan should be prepared to address known or reasonably foreseeable corrective actions. Water releases and non-water releases corrective actions should be considered. The SWFP submitted by GCL does not include such plans.

SES recommends that a Corrective Action Plan be prepared along with detailed cost estimates.

FINANCIAL INFORMATION

SES reviewed the financial data provided in the 2011 JTD to verify that the regulatory requirements (Title 27 Sections 21820 through 21840) for funding the closure and the post closure operation and maintenance of the GCL are met and that these costs are reasonable.

The details of a trust set-up by the GCL with Wells Fargo bank are provided in Appendix P *Financial Assurance Documentation* of the 2011 JTD. The Department of Resources Recycling and Recovery (CalRecycle) of the Natural Resources Agency of the Sate of California review the terms of the trust and approved it. Therefore, the GCL has met the regulatory financial assurance requirements.

SES reviewed the cost estimates and has the following comments:

- The closure cost of $26,037,130 is, in our opinion, underestimated by up to approximately 25%. Elements that contribute to this underestimation include the costs of geosynthetics which have risen in the past few years due to the increase in price of petroleum product and we do not believe that the trend will not be reversed in the near future, the cost for the flare station also appears to be on the low end for flare systems for the landfills the size of the GCL. The estimate for engineering, construction management, procurement and Construction Quality Assurance is approximately 8.75% of the direct construction cost. This is a very low number. The typical range is 12-15%.

- The post closure maintenance cost is just under one million US dollars per year for a total of $29,555,100 for the 30-year post closure maintenance period. However, we have some concerns with some of the individual items contained in this estimate.

    - 5% of the capital cost of the gas control system has been budgeted leading to a replacement over 20 years. We believe that some of the parts will not last 20

years and would recommend a 10 year life or a 10% per year of capital cost for replacement monies.

- It is assumed that after filling, the leachate will be disposed off though injection in the flare system. This could be risky is the volume of leachate generated especially the first few years following closure is still important. We would recommend increasing the budget so other options could be considered and paid for.

- Fence replacement cost is based on 150 linear feet per year or 1% of the toal length. This is an aggressive assumption. We believe that a fence last 15 may be 20 years but not a hundred.

- We did not see provision for mowing and cutting excess vegetation. With a plan that calls for aboveground headers and over 200 gas wells it will not be good practice to let the vegetation grow tall because of fire hazards and accessibility of the gas system collection components.

The Trust Agreement/Depository Trust included in Appendix P list three amounts:

- Closure $26,037,130
- Postclosure $29,555,100
- Corrective Action: $ 7,618,060

The basis for the Corrective Action amount was not found in Appendix P or in other sections of the 2011 JTD. If this amount represents the cost estimate for corrective actions in the sense of Title 27 Chapter 4 Subchapter 5, then it should be prepared in accordance with paragraph 22101 and substantiated by a plan for each known or reasonably foreseeable corrective action.

As stated in the previous section of this letter, SES recommends that a Corrective Action Plan be prepared along with cost estimates.

In terms of overall protection against potential environmental damage from the GCL, SES believes that the SLRMWD is adequately protected through the 1996 agreement and the First Supplement that provides for 100 million US dollars of insurance policy.

CONCLUSIONS

The 2011 JTD is a more complete document than the 2005 JTD. The 2011 JTD addresses water supply and water management during construction and operation of the GCL, it includes a complete stormwater management plan, and it includes a habitat mitigation and restoration plan.

A significant change to the JTD between the 2005 version and the 2011 version is the inclusion of Appendix C-2 (the Huntley Memorandum) which contains some recommendations generally in line with our recommendations for the installation of additional wells.

However, the 2011 JTD does not address our concerns expressed in out 2009 Letter-Report about the groundwater regime along the western flank and the southern portion of the landfill thalweg.

Drainage of stormwater from the desilting basins during and after the active life of the landfill has not been fully addressed either. Appendix I-1 suggests infiltration of water from the desilting basin as an option, but does not elaborate on the issues that may be associated with such a practice.

Finally, the Corrective Action plans have not been developed to the level of details necessary to ensure they will be feasible and implementable in the event they were required.

THIRD PARTY REVIEW

SES recommends that the SLRMWD consider negotiating an agreement with the GCL for the employment of an independent engineering consulting firm (i.e. a firm not involved in the design of the landfill or having had business relationships with the GCL) to provide third-party review of the design documents as they are prepared and prior to submittal to the regulatory agencies. This independent engineering consulting firm would also monitor whether the landfill is operated in conformance with the WDRs and the conditions in the CUP, and would also review the monitoring data as they are collected during landfill operation to monitor the performance of the landfill and the environmental control systems. We suggest that the fees associated with the employment of this independent engineering consulting firm would be born by the GCL, consistent with the 1996 agreement and the First Supplement to the Agreement between SLRMWD and the GCL.

CLOSING

We appreciate the opportunity to provide these comments on the 2011 JTD prepared for Gregory Canyon Landfill. Please let us know if we need to provide additional discussion or details on our issues, or whether a meeting would be required to discuss the issues further.

Yours Sincerely,
Strategic Engineering & Science, Inc.

Tarik Hadj-Hamou, Ph.D., P.E.
Principal

Ian Hutchison, Ph.D, P.E.
Principal/President

7/23/2009 SES LETTER

July 13, 2009

Susan M. Trager, Esq.
Principal
SmithTrager LLP
19712 MacArthur Blvd.
Suite 120
Irvine, CA 92612

Subject: Evaluation of Gregory Landfill Waste Discharge Requirements -- Design and Operations

Dear Ms. Trager:

INTRODUCTION

On behalf of SmithTrager LLP and the San Luis Rey Municipal Water District (SLRMWD), Strategic Engineering and Science, Inc. (SES) has prepared this letter-report and the attached detailed comments to the Draft Waste Discharge Requirements (WDRs) No. R9-2009-04: *"Tentative Order No. R9-2009-04 Waste Discharge Requirements for the Gregory Canyon Ltd., Gregory Canyon Landfill, San Diego County."* For the reasons discussed in this letter-report and in the attached comments, we are concerned about the Regional Water Quality Control Board (RWQCB) issuing WDRs at this time.

This letter report was prepared by Ian Hutchison, Ph.D., P.E., Tarik Hadj-Hamou, Ph.D., P.E., and Mark Trevor P.G. These individuals are all from SES with expertise in landfill design and regulatory oversight, as demonstrated by their resumes included in Attachment A.

Our concerns arise from the fact that the site hydrogeologic characterization is still incomplete, that the proposed groundwater monitoring program is inadequate and may need complete revision, that there are several landfill design issues that have not yet been resolved, and that the required contingency plans, which are vital to protecting the surface and groundwater resources in the area, have not yet been developed. Finalizing the WDRs at this stage would expose the RWQCB to the risk of having to deal at a later time with needed site investigations and design and operational changes that cannot be resolved to its satisfaction under the current timeline for approving the WDRs.

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While it is recommended the project and the WDRs be deferred until the issues we have identified thus far are resolved, we understand that this may not be possible. As an alternative approach we recommend that once the RWQCB staff have resolved the issues identified, the approved WDRs include the requirement that the resolution of the issues that involve changes to the current site characterization, the monitoring plan, the design of the Landfill, and the finalized contingency plans be presented to the Board for approval and that there be an opportunity for public notice and comment prior to the Board's action. We believe that these issues are so critical to the long-term successful operation of the Landfill that they should not be left to the unreviewed authority of the Executive Officer of the RWQCB.

The Gregory Canyon Landfill (Landfill) lies in an area where any releases of waste material could impact vital ground and surface water resources. It is therefore imperative that the RWQCB does everything possible to ensure that the construction, operational, monitoring and contingency plans are sound.

In our detailed comments we have included suggested additions and modifications to the Draft WDRs. We believe that the changes and additions we have recommended will strengthen the WDRs resulting in better protection of groundwater allowing for the issues we have identified to be addressed and resolved in an appropriate, public manner.

In developing our comments on the Landfill design and the WDRs, we have reviewed the documents listed at the end of this letter-report. We have divided our concerns and comments into four categories: Site Characterization, Landfill Design, Environmental Monitoring, and Contingency Plans. We have focused our review and comments on the potential impacts the proposed Landfill could have on the groundwater and surface water resources in the area. As shown in Figure 1, groundwater supply wells are located approximately 2,000 to 3,000 feet downgradient from the proposed Landfill. Surface water from the San Luis Rey River, located immediately north of the site, is also used for water supply purposes.

SUMMARY OF COMMENTS SITE CHARACTERIZATION

Hydrogeologic Characterization

The hydrogeologic characterization of the Landfill site is incomplete and may be flawed. As a result, there is no assurance the proposed groundwater monitoring program will be effective and it may not be possible to design and install an effective subdrain system, which is a key element in a safe landfill design. The potentially incomplete characterization also creates the false impression that there is no possibility that (should the Landfill leak) seepage could migrate to the west and northwest where no monitoring wells are planned.

The monitoring wells installed in the canyon's Thalweg (the bottom of the natural channel draining the canyon) are approximately 2000 feet apart, which makes it

difficult to project water levels in between the wells to accuracy better than 10 feet. In addition, based on a review of the sparse available data, groundwater levels in these areas can fluctuate by up to 19 feet from a series of dry to wet years. This makes predicting the maximum groundwater elevations at a specific location very difficult, and errors of more than 10 to 15 feet are likely. This is a critical factor in the design of the base grading plan of the Landfill since the base of the liner system must be at least 5 feet above the highest groundwater level. Because every foot rise in the elevation of the bottom of the Landfill represents an equivalent loss of air space and therefore a loss of revenue, there will always be a tendency to design the liner system as close to the groundwater level as possible.

Significantly more field work (four to six monitoring wells) and consistent monitoring over several years is needed to assess if the proposed design is appropriate.

The supplemental hydrogeologic study (GLA, 2004) implies there is a *"groundwater flow boundary"* along the western ridgeline that would contain a hypothetical seepage release to groundwater from within the Landfill. Portraying this barrier as a complete impervious feature is incorrect and misleading. Such geologic features tend not to occur in nature. Furthermore, with the limited available data, the exact opposite conclusion could be drawn: i.e. that the western flank of Gregory Canyon is a permeable fractured rock system that could convey seepage from the Landfill to the west. As a result of this misleading interpretation no provision is made for monitoring or contingency seepage extraction wells along the western side of the Landfill.

The groundwater contour map provided in the supplemental hydrogeologic study (GLA, 2004) along the western side of the Landfill (Figure 2) is based largely on speculation and the assumption that groundwater levels very often follow topography. However, when one views the Landfill site in a three dimensional perspective as shown on Figure 3, it becomes evident that the western flank is a relatively small bedrock mound when compared to Gregory Mountain on the east side. This western flank therefore receives much less rainfall recharge. In the event the limited recharge it received was readily conducted to the west by the fractured rock, there would be no groundwater mound in this area as shown on Figure 2. Quite the contrary, as shown by the alternative contours drawn on Figure 2, the groundwater could be migrating from the Landfill site toward the west.

Both depictions of groundwater contours on Figure 2 are based on the available data. Neither can be refuted or supported unless significantly more field data is collected and evaluated. In the event the alternative depiction or some depiction between the two shown on Figure 2, prove to be correct, the groundwater monitoring program would have to be revised and expanded considerably.

Geologic Hazards

The north end of the canyon, where the administration pad and the permanent east and west desilting basins will be located is within the 100-year Flood Zone. The Joint Technical Document (JTD) does not address the situation nor does it contain any evaluations to determine whether flooding of the desilting basins would affect operations of the Landfill and overall water quality. Because it is likely that flooding in the river will occur at the same time the desilting basins are needed to control runoff from the Landfill, it is imperative that these basins be designed not to fill up with floodwater and remain available to control Landfill runoff. Otherwise Landfill runoff water will comingle with the River flood water and water quality will not be monitored and may therefore be impacted.

The north end of the Landfill where the administration pad will be located is underlain by alluvium with a water table within 20 ft of the ground surface. As discussed previously, the data pertaining groundwater elevation is incomplete and higher elevations are plausible making liquefaction of these materials during an earthquake more likely. These potentially higher groundwater elevations are not addressed in the liquefaction analyses presented in the JTD or the stability analyses of the administration pad.

LANDFILL DESIGN

Staging

The Phasing Plan presented in the JTD includes four phases labeled Phase I through Phase IV. Phase I will cover approximately 50 acres of which 34 acres are lined. It is anticipated that Phase I will be further subdivided into stages, with each stage accommodating typically two years of waste. Based on anticipated daily waste intake and size of Phase I, it is expected that Phase I will be developed in three to four stages. Phase I is the most critical phase in the development of the Landfill. It is the first phase of the entire operation and most of waste mass will be stacked behind and above it. The subdrain and Leachate Collection and Recovery System (LCRS) installed during Phase I will need to convey all the water that may reach the drain and all the leachate generated by the 31 millions tons of waste. It also has to be sufficiently durable to perform for well over 60 years (30 years of landfilling and 30 years of post-closure monitoring). Consequently, the staged construction of Phase I is critical and therefore staging plans and design details should be reviewed and approved by the RWQCB Board following public notice and comment, not just by the RWQCB Executive Officer. This staging plan should provide details for the connection of the liner system from one stage to the next, location of leachate collection sumps, management of stormwater during the operation of each stage and other pertinent information.

Desilting Basins

Based on the JDT, Phase I will behave as a large dam isolating the south end of the canyon. Although it appears that all stormwater from the south end and the south-facing slope of Phase I will drain to the temporary desilting basin, it is not clear how this temporary desilting basin drains. The damming effect of Phase I may lead to increased water infiltration into the subgrade in the south end of the canyon, which may in turn lead to an increase in groundwater elevation at the south end with water penetrating the subdrain. Further, the excavation and fill plan of Phase II eliminates the temporary desilting basin. It is not clear then how stormwater will be managed during construction and landfilling of Phases II, III, and IV.

Cover

There are discrepancies with the design of the final cover. Section E.1.3.1.2 of the JTD describes the final cover as consisting (from top to bottom) of two feet of vegetative cover, an HDPE (High Density Polyethilene)drainage layer (on the top deck only), a 60 mil LLDPE (Low Linear Density Polyethilene) geomembrane, and two feet of foundation layer. Section G.2 of the Tentative WDRs describes the cover as consisting (from top to bottom) of one foot of vegetative cover, two feet of clay, and two feet of foundation soil. Title 27 (§ 21090) requires that the permeability of the final cover be at least equal to that of the bottom liner system. The cover described in the WDRs does not meet this regulatory requirement and no engineering analysis to demonstrate equivalence of the final cover described in the WDRs is available. Furthermore, the final cover proposed in the JTD may not even to meet the Title 27 requirements that the cover be less permeable that the underlying liner system; a double composite liner system with two geomembranes, a geocomposite clay liner, and two feet of clay.

ENVIRONMENTAL MONITORING

One of the most important aspects of a groundwater monitoring program is the establishment of baseline water quality conditions. These are typically determined by performing statistical analyses on groundwater quality data collected from wells a year or more before the start of landfill construction and operation. This aspect is particularly important at this Landfill site as the groundwater quality naturally varies significantly from one location to the next. If statistically sound baseline concentrations of key constituents that also occur in landfill leachate are not determined now, it will be almost impossible to later determine whether water quality changes at any one well are due to either natural fluctuations, changes in recharge patterns caused by the large impermeable liner of the Landfill, and/or the impact of seepage from the Landfill.

A number of monitoring wells have already been installed along the toe of the Landfill (Figure 5). However, these do not include any wells along the west side of the Landfill and no statistically-based baseline concentrations have been established.

It appears that the last time the wells were monitored was in 2004, over four years ago. The proposal in the Monitoring and Reporting Program to monitor these wells for a year during construction is totally inadequate. First, the quality in these wells may be affected by the construction activities and therefore of no use in a statistical evaluation and second, the wells are located within a large pad or working platform to be constructed at the toe of the Landfill. It will be extremely difficult if not impossible to preserve the integrity of all of these wells in an area that will be subjected to up to 40 feet of fill. There are other issues with the proposed monitoring plan which are discussed in the comments attached.

A more robust monitoring system is required; one that would not be affected by construction and that includes all necessary provisions to monitor along the western side of the Landfill. Furthermore, one to two years of water quality data are required under undisturbed, i.e. pre-landfill construction conditions.

CONTINGENCY PLANS

The WDRs require a Water Replacement Contingency Plan within one year of completing construction of Phase I and reference a Contingency Water Treatment System without providing any specifics. Furthermore the WDRs require the construction of a contingency water treatment system. However it does not appear that there is a requirement detailing its operation. There is a contingency plan in the JTD (Appendix F-2), however it is generic in nature and does deal with some of the key water management requirements at the landfill. Furthermore there is no requirement for an Emergency Response Plan or and Emergency Preparedness Plan to address catastrophic events such as fire, earthquake, and flood. As these plans are all vital to the safe containment of wastes and the prevention of water quality impacts it is imperative that they be established and approved by the RWQCB before either construction starts or waste landfilling begins. Once construction is completed and waste disposal begins, it will be much more difficult for the RWQCB to obtain concurrence on effective plans.

We recommend that the Water Replacement Contingency Plan and the Emergency Response Plan be developed and approved before construction is allowed to commence. Furthermore, we recommend that the proposed Contingency Plan in the JTD be expanded to include more details on how the subdrain flows, potential pump back from the detection monitoring wells, and the contingency water treatment systems will be operated be provided before waste landfilling begins. We also request that the public be provided an opportunity to comment on these plans. Furthermore, we recommend that the WDRs be more specific regarding the Contingency Water Treatment System, and require that it be constructed and be ready to operate before waste disposal occurs, and that furthermore an NPDES Permit be obtained for the discharge of treated effluent from the plant be obtained at this time.

CONCLUSIONS

We appreciate the opportunity to provide these comments on the Gregory Canyon Landfill. Because of the proximity to local water resources and the potential impacts Landfill operations may have on these it is imperative that the issues we have outlined in these documents be adequately addressed. Please let us know if we need to provide additional discussion or details on our issues or whether a meeting would be required to discuss the issues further.

Yours Sincerely,
Strategic Engineering & Science, Inc.

Tarik Hadj-Hamou, Ph.D., P.E.
Principal

Ian Hutchison, Ph.D, P.E.
Principal/President

Enclosures:

Attachment A: Resumes
Attachment B: Detailed Comments

Figure 1: Gregory Canyon Landfill Site and Local Water Supply Wells.

Figure 2: Groundwater Monitory Wells and Potential Groundwater Contours.

Figure 3: Aerial (3-D) View of Landfill Site.

Figure 4: Groundwater Quality.

Figure 5: Proposed Groundwater Monitoring Program (Including Landfill Construction)

References:

Bryan A. Stirratt & Associates, 2004. Joint Technical Document for the Gregory Canyon Landfill, Sand Diego County. January.

CRWQCB San Diego Region, 2009. Tentative Order No. R9-2009-004, Waste Discharge Requirements for the Gregory Canyon Ltd., Gregory Canyon Landfill, San Diego County.

GeoLogic Associates, 2003. Geologic, Hydrogeologic and Geotechnical Investigations Report for the Gregory Canyon Landfill, in Joint Technical Document for the Gregory Canyon Landfill, Sand Diego County, by Bryan Stirrat & Associates, January 2004 (included as Appendix C)

GeoLogic Associates, 2004. Supplemental Hydrogeologic Investigation Report for the Gregory Canyon Landfill, in Joint Technical Document for the Gregory Canyon Landfill, Sand Diego County, by Bryan Stirrat & Associates, January 2004 (included as Appendix C-1)

ATTACHMENT A
EVALUATION OF GREGORY LANDFILL WASTE DISCHARGE REQUIREMENTS
RESUMES
IAN HUTCHISON, PH.D, P.E.
TARIK HADJ-HAMOU, PH.D., P.E.
MARK TREVOR, P.G.

Ian Hutchison, Ph.D., P.E.

Principal

Education

B.S., Civil Engineering, University of Capetown, South Africa, 1967
Graduate Diploma, Hydraulic and Soils Engineering, University of the Witwatersrand, South Africa, 1974
Ph.D., Hydrology, University of the Witwatersrand, South Africa, 1976

Professional History

2005 – Present: President, Strategic Engineering and Science (SES) Inc.

- Expert witness for the following:
  - City of Pomona vs. Industrial Development Agency on the remediation and closure requirements for a landfill. Expert Report and Deposition.
- Peer Reviewer for the following:
  - Closure plans and designs for the Elizabeth Gold Mine, Vermont
- Management Consulting and Strategic Planning:
  - Development of plans for the remediation of Honolulu Harbor, Hawaii
  - Development of strategic plans for regional water supply management and groundwater remediation for TCE and perchlorate.
  - Environmental audits and closure plan development and costing for mines in Quebec, Canada, Mexico, Argentina, Chile, Surinam and Guyana in South America
- Project Director or Senior Peer Reviewer for the following projects:
  - Permitting and infrastructure and waste management engineering for an international precious metal mine.
  - Closure of mines in California and Idaho.
  - Groundwater supply development in Southern California.
  - Remediation of a gas processing plant in Wyoming.
  - Remediation of a wood treatment site in Delaware.

1989-2004: Senior Vice President, TRC

- Expert witness for the following:
  - Mission Valley Terminal Site Cleanup (Cost of cleanup for MTBE, Benzene, TPH, ground water and soil). Expert Report, Deposition, and Arbitration Hearing Testimony, 2003.
  - Buena Vista Mine Site (Mercury, sediment erosion, surface and ground water impact). Expert Report, Deposition, 2002.
  - Questa Mine Site, New Mexico (metals, TDS, and sulfate, closure cost estimate clean water act issues, closure plan and costs). Expert Report and

Deposition, 1997. Testimony at administrative permit hearing May and July 2000.
- Cal Sierra, California (Placer mining - mercury fate and transport). Testimony at permit hearing June 2000.
- Gainesville Superfund Site, Florida (creosote migration and ground water extraction issues). Expert Report and Deposition, 1997.
- Confidential gold mine site in the southwestern United States (mine waste management, surface and ground water). Expert Review, 1996.
- Hattiesburg Wood Treatment Site, Mississippi (soil and ground water - wood treatment chemicals). Expert Review, 1995 to 1996.
- Meyer's Drum Reprocessing Facilities (soil and ground water PCBs, Bunker C, metals and COCs). Expert Report and Deposition, 1996.
- Testimony to the County Supervisors on the Briggs Mine EIR, Inyo County, California (mine waste management). Hearing Testimony, 1995.
- Hope Brook Gold Mine in Newfoundland, Canada (mine waste management, surface water). Expert Report, 1995.
- Iron Mountain Mine site, California (acid drainage, metals). Expert Review, 1994.
- Stringfellow Superfund site, California (surface water - VOCs and metals). Deposition and Trial Testimony, 1987 through 1993.
- Stanford Research Park Industrial Complex in Palo Alto, California (ground and surface VOCs, DNAPLs). Expert Report, 1993.
- John Wayne Airport site, California (ground water - VOCs, DNAPLs). Expert Report, 1990.
- Rancho California Airport site, California (ground water - hydrocarbons). Deposition.

- Management Consulting and Strategic Planning:
  - Development of risk-based life-cycle cost estimating procedures used for lump-sum-insured pricing of site remedies.
  - Application of decision tree and risk-based decision methodologies to strategic decision making and in support of liability transfer negotiations at a Superfund sediment site.
  - Strategic planning for obtaining remedy approvals and for cost allocation negotiations at impacted sites.
  - Business and financial modeling of performance-based contracts in power generation improvement, infrastructure development, and environmental remediation.
  - Application and evaluation of a range of cost allocation methodologies for complex VOC-impacted ground water at a large industrial complex.
- Project Director or Principal-in-Charge for the following remediation projects:
  - Site characterization and remedial design for the historic Pacific Coast Pipeline Refinery/Superfund site in Fillmore, California involving heavy and light hydrocarbon fuels. Remediation included soil vapor extraction and ground water pump and treat.

- Site characterization and remedial design for the Purity Oil Recycling Facility Superfund site which is impacted by hydrocarbons and volatile organics (VOCs). Remedial technologies included soil vapor extraction; capping and ground water pump and treat.
- Site characterization, risk assessments and remedial planning for the large operating Unocal refinery at Wilmington. Constituents of concern included benzene, hydrocarbons and lead. Remedial technologies included capping, soil excavation and treatment, and in-situ ground water treatment.
- Management and remediation of perchlorate and TCE ground water plumes in Redlands, California for Lockheed Martin Corporation. Program included aquifer modeling, design and implementation of new ground water supply systems, modifications to water supply delivery systems, water treatment for VOCs and development of technologies for perchlorate treatment.
- Remediation planning, design and construction, and life cycle cost estimating for sediment cleanup at the Harbor Island Superfund Site in Washington for Lockheed Martin Corporation.
- Site characterization and remedial design, and record of decision (ROD) changes, for the J.H. Baxter Superfund site (Wood Treatment Plant) in northern California. Constituents of concern include dense nonaqueous phase liquids (DNAPLs); i.e., creosote, polychlorinated phenols (PCP), and metals including arsenic, chromium and zinc. Remedial elements included soil excavation, ex-situ biotreatment, onsite disposal in an RCRA-equivalent cell, in-situ biotreatment, slurry wall and limited ground water extraction and treatment.
- Site characterization, remedial design, and ROD changes for the Cabot Carbon/Koppers Superfund site (Wood Treatment Plant) in Gainesville, Florida involving creosote, PCP and metals. Remedial technologies included capping and "passive" slurry wall systems.
- Site characterization and remedial design, and construction oversight for the Feather River Wood Treatment site in Oroville, California which involves creosote, PCP and metals. Remediation included soil excavation and disposal in onsite RCRA-equivalent cells.
- Site characterization and remediation planning at the Vega Alta industrial site in Puerto Rico (VOCs). Remediation included selective ground water pump and treat.
- Site characterization and remediation planning at the Boricua Wood Treatment site in Puerto Rico (arsenic). Remedial technologies included soil excavation, offsite disposal and capping.
- Site characterization, remedial planning and design, and remediation construction at a mercury mine and processing facility in California.

- Technologies employed included building decontamination and demolition, soil excavation stabilization and offsite disposal, and buried drum location and removal.
- Remedial design for closure of tailings piles at the Shafter Silver Mine in Texas. Closure included regrading and capping.
- Corrective action planning and design for a RCRA wood treatment facility in Montgomery, Alabama (constituents of concern include PAHs, PCP, metals and dioxins). Corrective action technologies include a "passive" slurry wall.
- Site characterization and interim measures implementation and evaluation at the Charleston Superfund site (wood treatment plan) in South Carolina. The technology tested involved NAPL removal well systems.

• Project Director or Principal-in-Charge for the following mining projects:
- Closure of acid generating waste rock dumps, Beartrack Mine, Idaho.
- Project development plans and financial analyses, and establishment of water control, waste management and closure plans for a new gold mine in Argentina.
- Development of closure plans for the Cactus Gold Heap Leach Mine in Lancaster, California. Closure elements included regrading and backfilling of pond areas.
- Development of closure plans for wastewater ponds and tailing impoundments, tailings impoundment corrective actions, and ground water impact characterization for the Molycorp Mountain Pass rare earth mine, California. Characterization involved demonstration of limited seepage migration from tailings impoundment, and remedial/ closure technologies included a seepage interception well system, innovative cost-effective silty material caps for landfills and tailings ponds, and improvements to the wastewater treatment system (neutralization and settling).
- Development of closure plans for an acidic waste rock disposal pile at the Homestake Mine, California. Closure technologies included short-term leachate collection and return systems and long-term control by encapsulation of the waste rock in clay cells.
- Assessment of closure liability and costs including conceptual designs and cost estimates for acid mine drainage control and treatment systems at mines in Colorado, Idaho and Nevada as part of a corporate acquisition. Closure technologies included physical, chemical and wetlands (biological) treatment, regrading and capping.
- Development of closure plans and designs, and permitting of wastewater transfers at the Royal Mountain King Gold Mine, California. Operation of mine site during closure period. Technologies employed included RO treatment and solar evaporation of wastewater, regrading, soil and composite covers for tailings ponds and earthfill dam construction to contain pit lake levels.

- Planning and conceptual design of wastewater disposal systems for the Sonora Gold Mine, California. Systems permitted included land application on waste rock piles and blending and discharge under the NPDES program.
- Seepage evaluations, design of seepage control systems and a spill control dam at the Cerro Verde Mine in Peru.
- Assessment of closure liability and costs including conceptual designs and cost estimates for acid mine drainage control and treatment systems at mines in Colorado, Idaho and Nevada as part of a corporate acquisition. Closure technologies included physical, chemical and wetlands (biological) treatment, regrading and capping.
- Briggs Gold Mine heap leach environmental impact report (EIR), California.
- Soledad Canyon gravel mine and site infrastructure design for TMC.
- Permitting of three copper mines and associated processing plants (heap leaching, SX/copper sulfate and EW facilities) in COREMA Region II (Atacama Desert) in Chile.
- Remediation designs and closure plan development for four lead/zinc/copper mines in the Peruvian Andes. Technologies included regrading, capping, underground mine sealing and wetlands treatment systems.
- Characterization and remedial planning for the control of acid drainage from historic mines in the Moche, Llaucano, and Parcoy River Basins in northern Peru.

• Regulatory development activities, including:
  - Senior editor and author of a 650-page textbook on mine waste management.
  - Preparation of industry "strawman" mine waste regulations for California.
  - Senior editor and reviewer of the Arizona BADCT mine waste regulations.
  - Presentation of testimony on mine waste management to State Hearing Boards in California.

• Senior Review Consultant on the following projects:
  - Rancho California MTBE ground water characterization and cost allocation support.
  - OII municipal/industrial landfill Superfund site in California (cover design, leachate collection and treatment and ground water characterization and remediation).
  - Site characterization and remedial planning at the closed Casmalia RCRA hazardous waste landfill site, California. Remediation includes ground water trench collection systems and capping.
  - Design of the B-18 hazardous waste disposal cell at Kettleman Hills, California.
  - Expansion plans for the McFarland-Delano Municipal Landfill, California.

- Lead-zinc mining district Superfund site RI/FS in Kansas and Missouri (Jasper County and the Baxter Springs-Treece Superfund sites).
- Development of a strategic RCRA compliance plan and designs for FMC's lithium production facility in Bessemer, North Carolina.
- Site characterization and remedial planning including technology impracticability evaluations for Bristol Meyers' Weck Industrial site in North Carolina.
- Site characterization and remedial design for two drum recycling facilities in Oakland and Emeryville, California (VOCs, PCB, heavy hydrocarbons and metals).
- San Fernando Valley Superfund Site (Glendale Operable Unit) 5,000 gpm ground water remediation project.
- Reassessment of proposed remedial ground water pumping at an industrial site in Ontario, California. Alternative proposed utilized natural attenuation to limit ground water extraction and treatment.
- Characterization of waste rock for the Mule Canyon Mine in Nevada.

1981-1989: Managing Principal and Division Head, Water Engineering, Steffen Robertson and Kirsten, Denver, Colorado

- Responsible for the U.S. operations of the company, including several hundred projects involving waste management, water pollution control, land use and air quality permitting, and open pit mining.
- Direct technical management of solid waste disposal, hazardous waste and hydrologic work carried out by the company.
- Project principal in charge of the design and construction of mine tailings and waste rock disposal facilities in Alaska, Washington, California, Colorado, Utah, and Nevada.
- Expert witness on the Stringfellow Superfund Site.
- Technical oversight on investigations carried out on the Boulder Marshall Municipal Waste Landfill Superfund site in Colorado.
- Technical expert review work on ground and surface water and soil pollution problems on mining Superfund sites including California Gulch, Colorado, and Galena, Kansas. Development of a comprehensive approach for the development of ARARs.
- Presentation of specialist technical evidence for ground and surface water contamination problems at mine sites in California and New Mexico.
- Supervision of regional hydrologic and water balance studies for the Rio Grande River basin.
- Embankment dam design and construction in California and Washington (fill dam heights of up to 400 feet).
- Project management of the design of 100-acre waste water disposal ponds in California.

- Testimony on water quality and waste management issues at the State and Regional Water Quality Control Boards in California.

1976-1981: Hydraulics Department Head/Project Engineer, Acres International, Buffalo, New York

- Hydrologic and hydraulic engineering aspects of all projects conducted in the United States, and maintaining a staff team to undertake the work.
- Hydroelectric projects in New York, Maine, Vermont, and Alaska, including the Susitna River project in Alaska.
- Industrial process plants and tailings disposal systems in Ohio and Colorado.
- Streamwater quality studies in New York.
- FEMA flood plain mapping studies.
- The hydrologic and hydraulic engineering associated with a wide range of irrigation, navigation, hydroelectric, and industrial projects throughout Canada, the United States, and South America.
- Irrigation schemes in the Dominican Republic and Bolivia.
- Design and construction of three ports on the Amazon River in Peru.
- Design and construction of hydroelectric generating stations in Newfoundland, Ontario, and Alberta, Canada.
- Large-scale river basin water balance studies in Alberta, Canada.
- Regional flood studies for the province of New Brunswick, Canada.

1970-1976: Research Officer, Hydrological Research Unit, University of the Witwatersrand, Johannesburg, South Africa

- The development and application of river basin catchments, ground water, lake and estuary computer models for the evaluation of salinity control measures of the St. Lucia Lake system.
- Provided input to the update of national design flood manuals.
- Numerous consulting assignments involving the development of surface water supplies and implementation of flood control measures for projects in South Africa, Botswana, and Lesotho.
- Conducted graduate courses in computer modeling of surface water systems and water resources project economics.
- Conducted a study tour of the United States and Canada to review available technology for the modeling of flow and water quality of surface systems.

1968-1970: Engineer, Technical Computing Company, Johannesburg, South Africa

- Development and application of structural analysis computer software for the design of bridge decks and pile groups, and one-dimensional tidal propagation modeling in estuaries.

Registrations

Professional Engineer in California and seven other states.

Professional Affiliations

American Society of Civil Engineers
American Water Resources Association
International Mine Water Association

Selected Publications

Author and presenter of more than 25 publications and seminar presentations on the subjects of waste management, hydrology, and regulatory development.

A Mathematical Model to Aid Management of Outflow from the Okavango Swamp, Botswana. Journal of Hydrology, Vol. 19, No. 2, June 1973.

The Okavango Delta - Ways of Evaluating the Economic and Environmental Impact of Mass Transport of Water. Presented at the 5th Quinquennial Convention of the South African Institution of Civil Engineering, South Africa, August 1973.

A Mathematical Sediment Model for a Sea Water Intake Basin. Presented at the Conference on Marine and Fresh Water Research in Southern Africa, Port Elizabeth, South Africa, July 1976.

Lake St. Lucia - Mathematical Modeling and Evaluation of Ameliorative Measures. The Civil Engineer in South Africa, Transactions of the South African Institution of Civil Engineering, South Africa, Vol. 19, No. 4, April 1977.

Lake St. Lucia - The Computer Points the Way. African Wildlife, Vol. 31, No. 2, April/May 1977.

Mathematical Modeling of Water Level and Salinity Regions in Some Southern African Lake and Estuary Systems. Presented at the Seventeenth Congress of the International Association for Hydraulic Research (IAHR), Baden-Baden, Federal Republic of Germany, August 1977.

Regional Flood Frequency Analysis for New Brunswick. Presented at the Canadian Hydrology Symposium: 77-Floods, in Edmonton, Alberta, Canada, August 1977.

A Systematic Approach to Flood Risk Mapping. Presented at the International Symposium on Risk and Reliability in Water Resources, in Waterloo, Ontario, Canada, June 1978.

Modeling the Water and Salt Balance in a Shallow Lake. Ecological Modeling, Vol. 4, 1978, pp. 21-235.

Aspects of Phosphogypsum Waste Disposal. Presented at the Seventh Annual Madison Waste Conference, Dept. of Engineering and Applied Science, University of Wisconsin-Extension, Madison, Sept. 11-12, 1984.

Cyanide Control Options - Lessons From Case Histories. Presented at the Tucson Cyanide Conference, December 1985.

Legal Allocation of Augmented Water Supply Due to Silvacultural Activity in the Upper Rio Grande River Basin. Fourth International Hydrology Symposium on "Multivariate Analysis of Hydrologic Process: Stochastic-Deterministic," Colorado State University, Fort Collins, Colorado, July 15-17, 1985.

Introduction to Evaluation, Design and Operation of Precious Metal Heap Leaching Projects, Editor and Author of Chapter on "Surface Water Balance," 1988.

Management for Hazardous Waste Liability at Mining Sites. Colorado State University Symposium, January 1991.

Mine Waste Management. Editors: I.P. Hutchison and R.D. Ellison. Lewis Publishers, Inc. 1992. pp. 652.

Summitville Mine - Remedial Alternatives Identification and Evaluation. I.P. Hutchison, Michael L. Leonard, Sr. and David P. Cameron. Summitville Forum 95: A Forum held in Conjunction with Tailings and Mine 1995, Colorado State University, Fort Collins, Colorado, January 1995.

Tarik Hadj-Hamou, Ph.D., P.E.

Principal

Education

Stanford University: Ph.D., Civil Engineering, 1983
Stanford University: M.S., Civil Engineering, 1978
National Polytechnic School, Algeria: Civil Engineering Diploma, 1975

Professional History

Consulting:

Strategic Engineering & Science, Inc.
Principal, 2007-Present
GeoSyntec Consultants, Huntington Beach, California:
Associate, 2001-2006
Senior Project Engineer, 1996-2000
SIMECSOL (now part of ARCADIS), Paris, France:
Founder and Head of Research and Development Department 1993-1995
Senior Project Manager 1992-1993
BEREG (Structural Engineering Consulting Firm), Algiers, Algeria:
Staff Engineer, 1975-1977

Teaching Positions:

Ecole Nationale des Ponts et Chaussées, Paris, France:
Adjunct Professor of Geotechnical Engineering, 1992-1995.
Department of Civil Engineering, Tulane University, New Orleans, Louisiana:
Associate Professor 1989-1992
Assistant Professor 1983-1989
Department of Civil Engineering, Ecole Centrale de Paris, Paris, France:
Visiting Professor, 1990-1991
Department of Civil Engineering, Stanford University, Stanford, California:
Research Assistant, 1978-1983

Research Positions:

Ecole Centrale de Paris, Paris, France:
Visiting Research Professor of Geotechnical Engineering, 1990-1991
US Corps of Engineer, Waterways Experiment Station, Vicksburg Mississippi,
Research Engineer June-August 1985

Professional Registration

Registered Professional Engineer, Civil, California, No. C 57307

Awards

Recipient of the 1990 Transportation Research Board K.B. Woods Award for the paper entitled "Field Test of a Geotextile Reinforced Layer"

Representative Experience

Dr. Hadj-Hamou's experience with landfill covers the full spectrum of the activities required throughout the economic life of a landfill: siting, permitting, design, performance assessment, construction monitoring, preparation of closure and post-closure plans, and regulatory interface.

Selected Landfill Project Experience (in alphabetical order)

Azusa Landfill, Azusa, California

Project Manager for design of the liner system for Phase I, Zone 4. The work involved extending the liner up an 80-ft high slope at a 1.75 to 1 inclination. Stability analyses were performed to evaluate the stability of the slopes. The design included a shingle design of the liner system to address the construction difficulties associated with the steep slope.

Bakersfield Metropolitan Landfill, Kern County, California

Project Manager for the alternative final cover performance analysis of the Phase I cover at the Bakersfield Metropolitan Sanitary Landfill (BENA Landfill). The scope of work included a comprehensive geotechnical investigation to assess the existing interim cover in place to qualify as in place an evapotranspirative final cover and identify borrow sources, performing laboratory testing, negotiating with the Central Valley RWQCB for design criteria, performing water balance analyses, and preparing a final report. The effect of the alternative final cover on the leachate production was evaluated to verify that the existing LCRS was adequate.

Bradley Landfill, Sun Valley, California

Project Manager for revision of the Joint Technical Document (JTD), The JTD addresses all permitting agency requirements as well as the technical issues at the landfill, such as siting, seismic stability, leachate management, landfill gas management, and stormwater management.

Bishops Canyon Landfill, Los Angeles, California

Project Manager for analysis of the final cover. Responsibilities included development of a field investigation program, review of existing data, review of the water balance analysis, preparation of a technical report, interaction with the client, the Local Enforcement Agency, and the LARWQCB. The project involved qualifying the existing soil cover at the inactive landfill as an alternative engineering cover. The scope of work included reviewing the existing data, performing a site geotechnical exploration, and performing a water balance analysis. The geotechnical investigation included collecting samples and performing pressure plate tests to obtain the soil-water retention properties of the existing soil cover. A comparative water balance analysis was performed and indicated that the existing soil cover qualified as an engineered alternative final cover.

Branford Landfill, Los Angeles, California

Project Manager for the stability analyses conducted in support of closure of the landfill. The work included review of existing geology and geotechnical information, evaluation of the seismic hazard at the site, establishment of stability criteria, static and pseudo-static stability analyses, and seismic deformation analyses. The Branford Landfill is an inactive landfill owned by BOS, located in a former sand and gravel quarry pit.

California Valley Landfill, California Valley, California

Project Manager for the design of the cover, preparation of the Final Closure and Post Closure Maintenance Plan (FCPPCMP), and construction management and construction quality. The project involved closing the landfill using an engineering alternative cover. The monolithic soil cover and the FCPPCMP were approved by the RWQCB.

Camp Roberts Landfill, San Luis Obispo County, California

Project Manager for design of an evapotranspirative cover for six inactive waste management units in the camp. Responsibilities included developing and executing a soil testing program, review of the laboratory data, selection of design parameters, supervision of water balance analyses, interaction with the Central Coast RWQCB, preparation of a final report demonstrating that the alternative final cover outperformed the prescriptive final cover. As part of the work, two technical presentations were made to the Central Coast RWQCB describing the approach and presenting the results. The Central Coast RWQCB approved the evapotranspirative final cover as an alternative to the prescriptive Title 27 final cover.

Del Rio Landfill, Phoenix, Arizona

Project Manager for third-party review of the proposed alternative final cover design for the Del Rio Landfill. The Del Rio landfill is located along the bank of the Salt River Channel in Phoenix and is slated for development as a golf course. The developer is proposing the installation of a monolithic soil cover over the landfill prior to installation of the golf course. The scope of work includes reviewing the golf course design and reviewing the existing site data and the water balance analyses performed in support of the proposed design. In particular, the third-party review will focus on the applicability of the infiltration model selected to model irrigation.

Fort Irwin Sanitary Landfill, Barstow, California

Engineer of record, directed static and pseudo-static stability analysis of the composite liner on the base and side slopes of the landfill saturated and unsaturated conditions for the geosynthetic clay liner (GCL) used in the liner system. Performed the static and seismic stability analyses in support of the liner design.

Foxen Canyon Landfill, Santa Barbara County

Project manager for the design of a monolithic final soil cover for the Foxen Canyon Landfill. The work involved geotechnical investigations of borrow sources,; laboratory testing of bulk samples for saturated and unsaturated hydraulic conductivity characteristics, grain size, Atterberg Limits, and compaction; comparative water balance analyses of the Title 27 cover and engineered alternative final covers; preparing a final report for submittal to the Central Coast RWQCB; and developing technical specifications and the CQA Plan.

Gaffey Street Landfill, Los Angeles, California

Project Manager for the slope stability evaluation conducted at the Gaffey Street Landfill in support of closure and of the evaluation and design of an alternative final soil cover. The slope stability evaluation included a seismic hazard analysis to estimate peak ground acceleration, static and pseudo-static stability analyses, and seismic deformation analyses of the proposed final grading plan. The evaluation and design of the alternative final soil cover included reviewing existing data, developing the design, supervising the water balance analysis, writing the technical report, interacting with the client and with the regulatory agencies. The project consisted of developing an alternative final cover to the Title 27 prescriptive cover for the inactive landfill that would meet both regulatory requirements and the intended use of the site by the City of Los Angeles. The alternative engineered cover selected is a capillary barrier type cover. A water balance analysis was carried out to establish design thickness and properties of the various cover layers and to show regulatory compliance.

Integrated Waste Management Department, Orange County, California

Project Manager for the On-Call Multidiscipline Engineering Support Service Contract serving the South and Central Regions for a total of 2 active and 11 inactive or undergoing closure landfills. Dr. Hadj-Hamou managed task in the following services:

- Solid Waste Services
- Hydrology and Hydrogeology Services
- Architect/Engineering Services
- Geotechnical Engineering Services
- Real-Estate Related Services
- Public Outreach
- Biological Services
- Construction Management

Projects have included providing CQA services, performing moisture monitoring data collection and interpretation, managing subconsultants providing biological services, design of new drainage system, designing a new potable water system, preparation of Compliance Action Plans that were successfully submitted to the Local Enforcement Agency, and providing other engineering support services.

Landfill 8, 10, and Graded Area 9, Presidio, San Francisco, California

Project manager and engineer of record for the design of the closure of 3 small landfills. The work included developing a grading plan, performing static and seismic stability analyses and preparing the construction documents, and interacting with multiple parties including the Department of Toxic Substance Control (the lead agency), the National Park Service and the Restoration Advisory Board (a community action group). Through consensus building am innovative conceptual design was developed and accepted by the multiple parties resulting in a potential cost saving in excess of 3 millions US Dollars for the Presidio Trust.

Lopez Canyon, City of Los Angeles – Bureau of Sanitation, California

Engineer of Record and Project Manager. Dr. Hadj-Hamou's responsibilities have included overseeing all engineering services in support of closure and the Construction Quality Assurance (CQA) program for closure of the landfill, preparing the CQA reports that were submitted to regulatory agencies. These services have included developing and modifying grading plans, organizing and monitoring the geotechnical investigations carried out along the North Road and the access road to determine the extent of waste, developing a repair for a landslide slide in the cover in Disposal Area B, organizing and monitoring the geologic investigation of the western ridge to assess the suitability of the soils for use as monolithic soil cover, developing repair protocols for the minor tears caused by a non BOS contractor in the liner at the toe of Disposal Area C, identifying and qualifying soil covers, and attending quarterly meetings (when requested) with the community, and performing slope stability analyses to assess the static and seismic stability of the West Ridge.

Los Alamitos Joint Forces Training Base, Los Angeles County, California

Project Manager for the design of a new lined cell built to receive the waste excavated from ten unlined trenches. The scope of work involved the associated grading work, designing the liner system, the Leachate Collection and Recovery System (LCRS), and the final cover. The LCRS was designed using the US EPA computer program HELP with site specific weather data, refuse properties and soil characteristics. The LCRS will rely on solar activated pumps to drain the sumps towards storage tanks.

Mecca II, Edom Hill and Lamb Canyon Landfills, Riverside County, California

Project Manager for the design of an evapotranspirative final cover for each landfill. Dr. Hadj-Hamou's responsibilities included development of a field investigation and laboratory testing program, review of existing data, review of the water balance analysis, preparation of a technical report, and interaction with the Riverside County waste Management Department. The scope of work included performing a site geotechnical exploration, developing a laboratory testing program, performing a water balance analysis, and preparing a final report with design recommendation. The geotechnical investigation included collecting samples and performing pressure plate tests to obtain the soil-water retention properties of the existing soil cover. The water balance analyses indicated that evapotranspirative covers could be constructed at each of the three landfills.

Operating Industries, Inc. Landfill Superfund Site, Monterey Park, California

Responsible for supervising static and seismic slope stability analysis of the cover soil and presentation of the results to the USEPA board consultants. The OII Superfund Site is located approximately 10 miles (16 km) east of downtown Los Angeles in an area of relatively high seismicity. Slopes on the perimeter of the landfill are relatively steep and are benched. The overall steepness of the slopes ranges from 1.9:1 (horizontal:vertical) to 3.1:1 with slope heights ranging from 72 to 225 ft (22 to 69 m). Intermediate slopes between benches are up to 100 ft (30 m) high and range in steepness between 1.3:1 to 3.6:1. Technical services provided by GeoSyntec include the evaluation of site seismicity, seismic response analysis of the landfill, long-term landfill settlements, deformations of the waste mass, and static and seismic slope stability.

Puente Hills Landfill, Los Angeles County

Project manager to evaluate the in-situ performance of a constructed final soil cover. The evaluation consists of monitoring the instrumentation installed in the cover to measure soil moisture and a weather station installed at the Los Angeles County Sanitation Districts. Using the data collected during the first year, the numerical modeling of the cover was calibrated. Using only the weather data of the second year the soil moisture content variations in the profile were predicted. The predicted moisture content agreed with measured moisture content thereby validating use of the numerical model to predict long term performance of the monolithic final soil cover. Both the numerical prediction of the two years of data indicated that the monolithic final soil cover at the Puente Hills Landfill outperformed the Title 27 cover.

Redwood Landfill, Marin County, California

Project Manager for development of a fill sequencing plan for the Redwood Landfill. Project Manager for preparation of a Report of Disposal Site Information for the composting facility operating at the landfill.

Simi Valley Landfill and Recycling Center Expansion, Simi Valley, California

Project Manager for preparation of the Joint Technical Document (JTD) and the Master Development Plan (MDP) for the 300 acre expansion of the Simi Valley Landfill and Recycling Center. Project Manager for preparation of the Closure Plan and Post Closure Maintenance Plan for existing Waste Management Units

Spadra Landfill, Walnut, California

Project Manager for the development of a grading plan designed to optimize the amount of soil that could be mined from the South Cut Excavation. The work included review of existing data and development of a geotechnical exploration program, detailed surficial mapping of the exposed geology, and downhole logging. A comprehensive laboratory testing program on remolded, intact, and block samples was carried out to estimate the strength properties of the Puente formation present at the site, static and pseudo-static stability analyses in support of grading plan, and the evaluation of stabilization options by either berms or nails/anchors to see if near vertical slopes could be cut in order to yield higher volume of soils without appreciable additional construction cost.

Sunshine Canyon Landfill, Los Angeles County, California

Engineer of record for the static and seismic stability analyses during landfill development, development of a grading plan for Flare #3 that included natural cut slopes and engineered fill slopes. Static and pseudo-static slope stability analyses were performed to establish the grading plan. For Flare #8, Dr. Hadj Hamou developed a grading plan that included placement of a buttress fill in a side canyon to enhance stability. Static and pseudo-static stability analyses were carried out to determine the buttress dimensions required to increase the factor of safety to the required minimum value. For the Administration Pad, located on the edge of a historic landslide, Dr. Hadj-Hamou designed a shear key to provide adequate stability to the pad under seismic loading conditions. In addition, he performed static and seismic stability analyses of the fill areas and of the steepest rock slopes that border the Access Road at Sunshine Canyon. The work also included meetings with the Department of Public Works of the City of Los Angeles and of the County of Los Angeles to review the stability analyses and the grading plans.

Taft Landfill, Kern County, California

Project Manager for the stability evaluation of the landfill. The southern edge of the landfill abuts an active sand and gravel quarry, and Kern County was concerned about the potential effect of the quarrying operation on the stability of the landfill. Dr. Hadj-Hamou directed the static and seismic slope stability analyses carried out to develop a set of criteria for excavation operations at the quarry. The set of criteria was developed through a sensitivity analysis carried out to evaluate the optimum combination of excavation depth and slope inclination that would result in adequate factors of safety of the landfill slopes.

Tajiguas Landfill, Goleta, California

Project Manager for the design of the final cover. Dr. Hadj-Hamou's responsibilities included development of a field investigation and laboratory testing program, review of existing data, review of the water balance analysis, preparation of a technical report, and interaction with the client. The project involved designing an evapotranspirative final cover for use over the unlined portion of the landfill. The scope of work included performing a site geotechnical exploration, developing a laboratory testing program, performing a water balance analysis, and preparing a final report with design recommendation. The geotechnical investigation included collecting samples and performing pressure plate tests to obtain the soil-water retention properties of the existing soil cover. The water balance analyses indicated that an adequate cover soil for use in the evapotranspirative could be prepared by mixing two different soils readily available at the landfill.

Waste Management Unit 3 (Process Water Pond), RMK Mine, Copperopolis, California

Project manager for the design and implementation of an in-place closure as an alternative to the approved clean closure. Work involved preparation of design documents (Drawings, technical specification, and construction quality assurance plan) and preparing sections of the Report of Waste Discharge (ROWD) for submittal to the Central Valley Regional Water Quality Control Board (RWQCB). The RWQCB approved the proposed alternative in the revised waste discharge requirements issued for the site.

Selected Publications

Evans T. M., Meyers D., Gharios K., Hadj-Hamou T., and Kavazanjian E. (2000), "The Use of a Capillary Barrier Final Cover for Reclamation of a Closed Municipal Solid Waste Landfill", 3rd Arid Climate Symposium, SWANA, 12 14 April 2000, Albuquerque, New Mexico.

Walters, D.; Goldfield, T.; Luccioni, L.; Hadj-Hamou T.; and Kavazanjian, Jr. (2002) " Design, Performance Monitoring, And Evaluation Of An Evapotranspirative Cover At A Municipal Solid Waste Landfill", Proceedings, 7th Annual Landfill Symposium, Solid Waste Association of North America, Lexington, Kentucky, June

Hadj-Hamou, T.A., and Dobrowolski, J. (2002), "Application of Alternative Final Covers in Southern California", WASTECON 2002, Long Beach, California, November

Hadj-Hamou, T.A., and Kavazanjian, E, Jr.(2003), "Monitoring and Evaluation of Evapotranspirative Cover Performance," Proceedings of the 9th International Waste Management and Landfill Symposium; Sardinia, Italy, 6 - 10 October.

Goldfield, T Walters, D.; and Hadj-Hamou T.; (2005) "Validation Though Instrumentation Of an Evapotranspirative Cover Performance" Proceedings, 10th Annual Landfill Symposium, Solid Waste Association of North America, Boulder, Colorado, May.

Kavazanjian, Jr., Gross, B.A. and Hadj-Hamou, T. (2006) "Unsaturated Flow Flux Assessment fro Evapotranspirative Cover Compliance"", Proceedings of the Unsaturated Soils Conference, Carefree, Arizona April, 2-5.

Hadj-Hamou, T.A., Zemuy, Y. (2007), "Feasibility Study for Final Covers in Central California", Proceedings of the 11th International Waste Management and Landfill Symposium; Sardinia, Italy, 1 - 5 October.

Mark Trevor, P.G.

Senior Project Geologist

Education

Humboldt State University, B.S., 1998
University of Nevada, Research Associate, 1999 to 2001

Professional History

SES, Senior Project Geologist, Oakland, CA, 2006 to present
TRC, Project Geologist, 2001 to 2006
Mendocino Redwood Company, Watershed Specialist, 1998 to 1999

Professional Experience

Mr. Trevor has 7 years of experience in the environmental field ranging from field sampling and assessment in watershed management applications to remedial oversight and project management on contaminated soil and groundwater sites. He has conducted project management responsibilities for various PCE, VOC and petroleum hydrocarbon release sites in Northern California, has overseen field operations for several large soil and groundwater remediation projects involving soil and managed day-to-day operations of a mobile dual-phase extraction system. Among his current projects, Mr. Trevor manages hydrogeologic operations for a Class I hazardous waste leachate extraction well field and provides evaluations for the short and long term maintenance of the site.

Project Specific Experience

Republic Services Inc., Class I Landfill, Richmond, California

Site Geologist for post-closure operations. Principal responsibilities include field-activities oversight, wellfield management, daily, monthly and annual evaluations of leachate extraction from approximately 30 extraction wells, analysis of past, current and projected hydraulic gradient conditions around perimeter of the site, hydrogeologic evaluations and reports, regulatory correspondence, and guidance for future pumping and infrastructure.

Southwest Conservation Landfill

Field geologist responsible for soil and groundwater investigation at a portion of the hazardous and non-hazardous waste facility operating in the 1960's. Activities included vertical and lateral delineation of waste and characterization of impacted soil and groundwater.

Royal Mountain King Mine, Copperopolis, California

Geologist responsible for oversight of environmental monitoring program including coordination, oversight and review of quarterly and annual water quality monitoring program and special correspondence with RWQCB regarding ongoing site activities.

PCE and VOC Release Sites, Modesto, Emeryville and Oakland, California

Project Geologist for several sites including a dry cleaner in Modesto and former drum recycling facilities in Emeryville and Oakland.

Remediation Project, San Jose, California

Field Geologist for environmental oversight of 5 million dollar remediation project at 13 acre site for residential development. Responsibilities included oversight of soil excavation crews, soil sampling personnel, communication with construction foreman excavation and remedial design plans, on-site truck routing, excavation planning and scheduling, dust monitoring and health and safety. During the 3-month field project, more than 50,000 cubic yards of Class II and Class I material were transported off-site. His oversight of confirmation soil sampling and analysis aided in determination of further excavation based on analytical results.

Transformer manufacturing facility, Milpitas, California

Field Geologist responsible for environmental oversight of remedial soil excavation of hazardous and non-hazardous materials. Field oversight of excavation and off-site disposal of 5,000 cubic yards of VOC impacted soil for residential development. Preparation of associated Workplans and Reports with various city, county, and state agencies regarding site closure and remediation.

Fuel Transfer Station, Oakland International Airport, Oakland, California

Project Geologist responsible for coordination and execution of ongoing environmental assessment, monitoring and remediation activities. Report and workplan preparation, quarterly monitoring and sampling coordination, data management and oversight of site assessment field activities.

Northern California Hydrocarbon Release Sites

Geologist responsible for oversight of environmental assessment activities at various Northern California hydrocarbon release sites including a PCE release in Modesto, asphalt-impacted soil in South San Francisco, hydraulic oil release in Redwood City, and gasoline hydrocarbon releases at various retail service stations for ConocoPhillips, ExxonMobil, Tesoro, Ultramar and Quikstop.

Professional Registration

Professional Geologist, No. 8146

ATTACHMENT B
EVALUATION OF GREGORY LANDFILL WASTE DISCHARGE REQUIREMENTS
DETAILED COMMENTS

1. WDR FINDINGS

1.1. Comments/Revisions

1.1.1. Finding 6: LOCAL HYDROGEOLOGY

Comment
The hydrogeologic characterization of the site is incomplete and should be completed before the WDRs are finalized. Alternatively, this finding could be revised to indicate that the characterization is incomplete and that it and the groundwater monitoring plan needs to be completed or revised, and approved by the Board following public notice and comment prior to landfill construction.

Proposed Revision/Addition to WDRs
LOCAL HYDROGEOLOGY.

Groundwater within Gregory Canyon occurs in two aquifers: An alluvial aquifer, composed of unconsolidated colluvial and alluvial deposits (coarse gravels, sands and silts) and a fractured bedrock aquifer composed of both weathered and unweathered igneous rocks (tonalite and leucogranodiorite). Because groundwater recharge is seasonal and varies from year to year, groundwater levels can fluctuate by as much as 19 feet over the period of a few years. Both the JTD and the EIR hypothesize that the riparian vegetation in the canyon bottom could be attributable to shallow groundwater. This model is counter to that proposed in the hydrogeologic evaluations in the JTD.

Alluvial Aquifer. The alluvial aquifer is present in the lower area of Gregory Canyon where it thickens northward and merges with the alluvial aquifer of the San Luis Rey River. The alluvium has an average thickness of 150 feet and a maximum thickness of 240 feet approaching the San Luis River aquifer. Depth to groundwater in the alluvial aquifer typically ranges from 20 to 40 feet below ground surface.

Fractured Bedrock Aquifer. Groundwater in the upper area of Gregory Canyon occurs predominantly in the upper, weathered portions of the bedrock units where interconnected fractures allow for groundwater movement. The piezometric surface in the bedrock aquifer has been estimated at depths of 20 to 70 feet below ground surface.

Additional monitoring wells and monitoring are required to provide groundwater gradient information and better define movement and occurrence of groundwater in Gregory Canyon, particularly in the canyon bottom where the future Landfill subdrain is to be located and the western flank of the canyon to determine whether additional detection monitoring will be required in this area.

1.1.2. Finding 7: GROUNDWATER USE

Comment
This Finding should include some information on the hydrologic classification and the uses associated with the San Luis Rey Municipal Water District.

Proposed Revision/Addition to WDRs:
GROUNDWATER USE. Gregory Canyon is within the Pama Hydrologic Subarea of the San Luis Rey Hydrologic unit and has designated beneficial uses including municipal, agricultural and industrial. According to Appendix C of the JTD (Section 2.1.2) the Pala basin groundwater provides nearly all of the potable water supply for the Pala Indian Reservation, the SLRMWD and for other municipal and agricultural purposes within the basin. Approximately 17 domestic wells and 31 irrigation wells are located within one mile of the Gregory Canyon Landfill. The majority of irrigation wells are located in the alluvial basin of the San Luis Rey River where orchards exist in Rice and Couser Canyons. The San Luis Rey Municipal Water District maintains 4 wells within 1 mile of the mouth of Gregory Canyon, three of which are in a downgradient direction from the confluence of Gregory Canyon and the San Luis Rey River.

1.1.3. Finding 10e: SUBDRAIN SYSTEM

Comment
According to Section C.1-1 of the Joint Technical Document, "the bottom subgrade will be a minimum of 5 feet above the highest anticipated groundwater level." Plate 2 of the Supplemental Investigation Hydrogeologic Investigation Report (GLA, 2004) (included as Appendix C-1 to the JTD) shows the base grading contours overlain by an estimated piezometric surface elevation contour map. This surface is based on groundwater elevation data from October, 2004. Review of the groundwater elevation data set indicates groundwater elevation in some wells has varied by as much as 19 feet. Specifically, GLA-7 (located in the lower reaches of Gregory Canyon) has a historical high groundwater elevation 18.95 feet above the elevation used in contouring. Similarly, groundwater elevation at GLA-8 (located approximately 1,800 feet south of GLA-8, in the middle of Gregory Canyon) has a historical maximum groundwater elevation of 570.71 feet (December 16, 1996), 11.49 feet higher than the value used for the piezometric surface estimate of 2004. The grading plan for the Landfill indicates that the base grade may come within 10-20 feet of the 2004 piezometric surface at certain locations (such as 600 feet southeast of GLA-8). Based on the variance in groundwater elevation, and the relative lack of groundwater elevation data, there is a justifiable concern that the current base grading plan will result in the subgrade intersecting the piezometric surface either during or after construction.

Furthermore, it is not clear that providing for 10,000 gallons of above storage tank capacity is sufficient. Assume the subdrain flows at between 5 gpm (dry weather) and 50 gpm (wet weather), this storage capacity would be sufficient for 3 hours to 1.4 days which is not likely to be sufficient to make decisions on what to do with the flow, unless there is a comprehensive plan in place to provide for early characterization and decisions on subdrain flow management. It is therefore important that the RWQCB review and approve these plans before waste is deposited in the Landfill.

It is assumed that the required plans can be incorporated in a Contingency Waste Management Plan that would document how the subdrain flow would be managed and how the Contingency Water Treatment System would be operated, amongst other requirements.

Proposed Revision/Addition to WDRs:

As required by the Orders, the Discharger will submit for review and approval by the RWQCB Board following public notice and comment a Contingency Waste Management Plan that will include estimates of the range of groundwater seepages and the quality of these seepages into the subdrain system based on a reasonable worst-case scenario rise in groundwater elevation and wet weather conditions.

1.1.4. Finding 12 BORROW/STOCKPILE SOIL

Comment
A seismic stability analysis of Stockpile A, slated to remain in place for 25 years, was not performed.

Proposed Revision/Addition to WDRs
Text has been suggested under the Order Section below.

1.1.5. Finding 14: CONTINGENCY WATER TREATMENT SYSTEM

Comment
This finding should be reworded to indicate that the Contingency Water Treatment System will be constructed and will be ready to operate with an approved NPDES permit before any waste is placed in the landfill. It is not clear from this finding that this will be the case or that there is a requirement for an NPDES permit. Without an NPDES, the treatment system would be ineffective.

We propose the following revision to the first and last sentences of Finding 14:

CONTINGENCY WATER TREATMENT SYSTEM: An Agreement between the San Luis Rey Municipal Water District and the Discharger requires that a contingency water treatment system is provided.

The treatment system will be required to be operational before any waste is disposed of and an NPDES permit would have been obtained at this time to allow the discharge of treated water.

1.1.6. Finding 19: Replacement Water Contingency Plan

Comment
It appears that the plan has not been prepared. It should be developed and approved before construction can commence.

Proposed Revision

See discussion under Orders.

1.2. Proposed Additions to Findings

We propose the following Finding be added after the existing Finding 2.

PHASING PLAN. The Gregory Canyon Landfill includes a single 183 acre class III Waste Management Unit comprised of four phases. Each phase will be constructed on an as-needed basis as shown in Attachment **XXX (attachment to be included in the WDRs showing detailed phasing)** which is incorporated herein and made part of this order. Each phase will be further developed in stages lined at the time they will be needed.

We propose the following Finding be added after the existing Finding 3.

WASTE INTAKE. The waste intake rate is anticipated to be 1,950 tons per day (tpd) in year 1 and ramp up to an average of 3,200 tpd from year 2 through year 5.

We propose the following Finding be added between existing Findings 6 and 7:

LOCAL GEOLOGY. Gregory Canyon is composed of Mesozoic igneous and meta-volcanic bedrock formations and Cenozoic (predominantly Tertiary) alluvial deposits. The middle and upper reaches of the canyon are dominated by the bedrock formations,

covered in some locations by a thin colluvial veneer. The lowest (northernmost) portions of the canyon are host to the younger alluvial wedge that overlies weathered bedrock. Top soil varies in thickness from six inches to three feet and are composed of silty sand, silty sand with clay, and silty sand with cobbles and boulders.

Cenozoic Alluvium. In the lower area of Gregory Canyon, a thin (50-foot thick) veneer of unconsolidated residual soils, colluvial, and alluvial deposits covers weathered bedrock. The unit is formed by silty sand with rock fragments varying from cobble to boulder sized. This alluvial wedge pinches out to the south as it approaches the steeper portions of Gregory Canyon.

Mesozoic Bedrock Formations. The upper area of Gregory Canyon is comprised of three bedrock units: two of which are igneous, and one which is metamorphic. The western portion of the canyon is composed of igneous tonalite, whereas the eastern ridge is igneous leucogranodiorite. Between the two, along the eastern slope of the canyon, is a wedge of metamorphic rock of volcanic and sedimentary origin. The bedrock is further divided by its weathering pattern as follows:

- An upper weathered bedrock unit that contains weathered igneous rocks (i.e., tonalite and leucogranodiorite); and
- An underlying unweathered fractured bedrock unit that contains fractured igneous rocks (i.e., tonalite and leucogranodiorite) forming the basement rock of most of the canyon.

We propose the following Finding be added between existing Findings 6 and 7:

GROUNDWATER MOVEMENT. Groundwater in the alluvial and fractured bedrock aquifers is in hydraulic communication. Groundwater is estimated to flow towards the north, generally following topography, at gradients ranging from 0.1-0.2 in the bedrock aquifer to 0.045 in the alluvial aquifer. However, piezometric surface contours are constrained by limited data. Groundwater movement throughout the western side of the canyon requires further characterization which is provided for in these WDRs.

We propose the following Finding be added between existing Findings 6 and 7:

GROUNDWATER QUALITY. A limited water quality evaluation was performed in August 1999 and a 1-year, quarterly program was conducted between 2000 and 2001. The study included 3 wells in the alluvial aquifer and 8 wells in the bedrock aquifer. Water quality within the alluvial wells was found to meet state and federal MCLs and San Diego RWQCB Basin Objectives. At both upgradient and downgradient locations within the bedrock aquifer, exceedances to either basin objective and/or state or federal MCL's were reported for Chloride, Nitrate and Total Dissolved Solids. The highest

reported median TDS concentration was 1,410(mg/L) in downgradient well GLA-2. Upgradient well GLA-5 had a similar median concentration of 1,120 mg/L.

The current data set needs to be augmented in order to statistically determine long-term variability and both background and baseline conditions. These WDRs provide for the collection and evaluation of additional background and baseline data.

We propose the following Finding be added between existing Findings 6 and 7:

HYDROLOGY. Gregory Canyon is a north-draining tributary canyon of the San Luis Rey River valley with a catchment area of approximately 458 acres. An ephemeral stream drains Gregory Canyon, flowing only in direct response to precipitation events. Neither frequency nor seasonal flow volume within the ephemeral stream has been quantified. A hydrologic evaluation estimated the peak flow rate (during a 100-year, 24-hour precipitation event) to be approximately 765 cubic feet per second (cfs) or 343,000 gallons per minute (gpm). The estimated peak flow for post-developed conditions is 807 cfs, or 362,000 gpm.

We propose the following Finding be added between existing Findings 6 and 7:

SURFACE WATER QUALITY. Surface water in San Luis Rey River both up and downstream of Gregory Canyon was analyzed for water quality parameters in 1999 and 2000-2001. Both locations exceeded Basin Objectives for TDS. Other water quality parameters besides TDS were similar both above and below Gregory Canyon and were below Basin objectives. However, the monitoring period is not sufficient to adequately establish statistically based background conditions and these WDRs provide for additional data collection and evaluation.

We propose the following Finding be added between existing Findings 6 and 7:

SEISMICITY. The site is located within the southern portion of the San Andreas transform system. The nearest fault within the system is the Elsinore Fault, located approximately 6 miles to the northeast. The expected peak horizontal ground acceleration for the maximum credible event (i.e. large rupture on the Elsinore fault) at the Gregory Canyon site is 0.2 to 0.4 g.

We propose the following Finding be added after the existing Finding 8.

FLOOD ZONE. The Gregory Canyon Landfill borders the 100-year flood zone of the San Luis Rey River. The landfill facility and desilting basin are located within the flood zone.

We propose the following Finding be added after the existing Finding 8.

LIQUEFACTION. The northern most of the Gregory Canyon Landfill administrative and facility pad as well as the access road lies over alluvium with the highest groundwater elevation recorded at wells GLA-3, GMW-1 and GLA-10 on the order of 20ft below ground surface. This area of the site may be subject to liquefaction or seismically induced high pore water pressure that could lead to settlement.

We propose the following Finding be added after the existing Finding 18.

LANDFILL GAS SYSTEM - The Landfill gas extraction and recovery system will consist of vertical extraction wells joined through a system of above-ground lateral pipes which will then connect to a main leader pipe leading to the flare station. A perimeter landfill gas migration monitoring network will also be installed.

2. WDR ORDERS

2.1. Comments/Revisions to Order

B. GENERAL DISCHARGE SPECIFICATIONS

Comments On Order 1:
Requiring the discharge of waste to not cause any exceedances of background concentrations is not a workable concept for major cations and anions. As shown on Figure 4, several downgradient monitoring wells naturally exceed a background value, depending on which value is used.

In order to achieve an effective monitor program "baseline" conditions need to be defined. This requires that several years of quarterly data (or more frequently samples) be collected from the proposed detection monitoring wells before construction of the landfill occurs. After construction the changes in water quality, these wells can then be monitored. Baseline may also be affected by the presence of the landfill which because of its large impermeable area will result in changes in recharge and groundwater flow patterns. It may, therefore, also be necessary to monitor the wells for a period after landfill construction and before the placement of waste.

The discharge specifications should be modified to include requirements to a hydrogeologic investigation and evaluation report to address the above and other hydrogeologic issues raised in these comments. The proposed language for this is provided in Section 2.2 below.

Comments On Order 5:
This specification is unclear and can lead to disposal of liquids that could report to the primary and secondary LCRSs. It is not the intent of the WMU to contain liquids. The order should be modified as follows:

Add the following wording:

In the event liquid is disposed of the Discharger shall request approval from the RWQCB in writing for such disposal. The request should include a description of the quantity and quality of the waste liquids, the procedures used to dispose of these liquids in the landfill including a description on how these would assure the liquids are absorbed by the waste in the landfill, and the supporting evaluations and/or test information demonstrating any liquids will not report to the primary LCRS.

C. DISCHARGE SPECIFICATION FOR SPECIFIC TYPES OF WASTE

Comments On Order 2: SEWAGE SLUDGE
It is not clear how this specification will be achieved and how the landfill operator will determine what portion of the non-hazardous solid waste that can be taken into account when determining how much sludge can be co-disposed. As a minimum, it should be specified that the wastes need to be co-disposed in such a way that the solid waste can absorb the liquid and that there be a minimum thickness of solid waste underlying a specified thickness of sludge.

The baseline 5:1 solids-to-liquid ratio required should be changed to 10 to 1, to allow for more absorption capacity to be available and to accommodate inefficiencies in the mixing of the sludge and the solid waste. The following words should be added to provide for additional flexibility.

The order should be modified as follows:

Solids-to liquid ratios of between 5 and 10 to 1 can be permitted provided the Discharger completes representative site specific testing to demonstrate that the liquids will be absorbed as allowed in Title 27, Section 20220(c)(3). This site specific testing shall take into account the procedures proposed to mix the sludge with the solid waste.

D. LANDFILL OPERATION SPECIFICATIONS

Comments On Order 4: VERTICAL SEPARATION
This is a critical element of the design, particularly in the steep canyon environment. Referring to our comment on Finding 6 above, the hydrologic study is incomplete and may not be representative of maximum groundwater elevation. Further, this specification implies that part of the liner system, which has a total thickness of 81 inches, could be in water (namely the subdrain and the low permeability material). Based on the paucity of data available as to groundwater elevation within the canyon, it will be difficult to determine what the maximum future groundwater level will be without collecting and evaluating additional data.

The specifications should therefore require that the discharger collects sufficient additional data to accurately determine the maximum groundwater level and to submit these evaluations and the proposed liner design for each stage of landfill construction to the RWQCB for review and approval before construction.

The orders should be modified as follows:

The Discharger shall submit the Master Excavation Plan with cross sections showing the location of the limits of excavation and the maximum anticipated groundwater elevations for approval by the RWQCB Board following public notice and comment. These groundwater elevations will be based on the results of the hydrogeologic characterization required in these orders.

Comments On Order 6 (a) and (f): SURFACE DRAINAGE
It does not appear that the current proposed design will meet the requirements specified. As shown on Drawing 10 of the construction Drawings, the Phase I will act as a dam across the Canyon and despite a temporary desilting basin, a large portion of the watershed to the south of Phase II will be without active stormwater control structures. This condition may in fact lead to accumulation of surface water (undesirable conditions as stated in subparagraph f) and in an increase in infiltration, which could lead to an increase in groundwater elevation under the liner system. These design elements appear to require significant modification and are related to the Phasing Plan.

The orders should be modified to include the following:

A phase by phase drainage plan with accompanying documents detailing the rationale for the plan shall be submitted with the construction drawings to the RWQCB for approval by the Board following public notice and comment before construction of each phase.

G. CLOSURE AND POST-CLOSURE SPECIFICATIONS

Comments On Order 2:
The proposed final cover consisting of 2 ft of foundation, 2 ft of clay, and 1 ft of vegetation is in disagreement with the final cover proposed in the JTD which includes a geomembrane. This clay-based cover will not satisfy 2109 (a)(2) requiring that the hydraulic conductivity of the cover be less than that of "any bottom liner or underlying natural geologic materials, whichever is less".

There is a concern that clay covers in semi-arid and arid climate tend to dry, leading to the opening of cracks, especially under the expected large settlements possible.

The cover design should be revised and provided to the RWQCB for review and approval. The design should demonstrate that the final cover would provide the same or better level of protection against infiltration of water than the liner system provides against seepage loss. The design should also demonstrate the cover will be durable in the long-term, i.e. for over 60 years.

Change wording to read:

Prior to deposition of waste in the landfill the Discharger shall provide to the RWQCB Board for its approval following public notice and comment a final closure cover design that meets the requirements Title 27, Section 2109(a)(2) and is demonstrated to be durable for the long-term; and a period exceeding 60 years. Supporting test information and analyses shall be provided to demonstrate that these requirements can be met.

H. PROVISIONS

Comments On Order 8: CHANGE IN OWNERSHIP
In addition to the provisions for the transfer of the order, the discharger should also be required to place appropriate deed restrictions on the property title. These restrictions should prevent any future land use or activities that could jeopardize the integrity of the landfill.

The orders should be modified to include the following:

The appropriate deed restrictions shall be added to the property title prior to the start of construction of the Landfill. The RWQCB will be provided with the deed restriction language for approval.

2.2. Proposed Additions to the Order

D. LANDFILL OPERATION SPECIFICATIONS

(NEW SECTION) **HYDROGEOLOGY.** Prior to construction, the Discharger will submit for Board approval following public notice and comment a Hydrogeologic Assessment Workplan that will address the additional data and evaluation requirements for the subdrain design, the hydrogeologic of the western flank, and the monitoring system design. This assessment should be designed to address the following:

- The piezometric surface in the middle and upper portions of Gregory Canyon should be me more clearly delineated. A network of wells on the order of 2 to 3 times the size of the existing network would more accurately define the hydraulic regime in these area.
- The piezometric surface and groundwater conditions in the western flank of the Landfill site.

- A minimum of 2 consecutive years of groundwater elevation data, collected quarterly for all wells, and collected within the last 4 years will better characterize the potential changes in groundwater elevation.

On approval of the Work Plan by the RWQCB the Discharger shall complete the necessary filed investigations and evaluations and shall submit the results in a Hydrogeologic Investigation Report to the RWQCB. This report shall be reviewed and approved by the RWQCB with or without requirements for additional data and/or evaluations. The initial Hydrologic Investigation Report shall be submitted prior to construction of the Landfill.

The Contingency Water Treatment System must be fully operation and ready to be used on a moment notice. Therefore all hook-ups need to be installed and all permits on file as discuss previously in these detailed comments.

(NEW SECTION) **CONTINGENCY WATER TREATMENT SYSTEM.** The Discharger shall install construct and commission the Contingency Water Treatment System described in the Findings Prior to the acceptance of waste in the first stage of Phase I. The associated NPDES permit shall also be approved prior to acceptance of waste.

E. LANDFILL CONSTRUCTION SPECIFICATIONS

Phase I of the Landfill Construction is the most critical and all the systems (liner, LCRS, LFG collection) will be connected and be buried under Phase I. Also the interconnection between stages and the management need to be detailed an understood.

(NEW SECTION) **PHASING PLAN.** The discharger shall submit for RWQCB Board approval following public notice and comment a detailed phasing plan for Phase I. The plan shall show the different stages within Phase I. The phasing plan shall include the anticipated life of each stages and the anticipated tonnage of waste to be received.

(NEW SECTION) **DESIGN DOCUMENTS:** The discharger shall submit for RWQCB review and public notice review and approval prior to construction, design documents for each new stage. The design documents shall include the construction drawings, the technical specifications, a Construction Quality Assurance Plan, specific to the construction, meeting the requirements of § 20324 of Title 27, and a Design Report with the following engineering calculations:

- Geomembrane puncture resistance
- Anchor trench design
- Wind uplift resistance
- Pipe strength calculations
- Leachate collection and removal system design calculation
- Hydrologic and Stormwater control system design
- Geotechnical analyses

— Cut slope stability analysis
— Seismic parameter selection
— Waste slope stability analyses
— Veneer stability analyses (if applicable)
— Interim waste slope stability analyses

This design shall also address how the construction and operation of the desilting basins will be safely conducted in the 100-year flood zone and the seismic stability analyses for the soil stockpile.

This design report shall include all pertinent supporting data. The analyses shall be performed using geomechanical properties obtained using the materials (soils and geosynthetics) that will be used on site. GCL hydration effect shall be included in the analyses.

All design documents will be kept in both paper and electronic format until final closure of the Landfill.

(NEW SECTION) **LIQUEFACTION ANALYSIS:** The Discharger shall submit for RWQCB Board approval following public notice and comment a liquefaction analysis that updates and complete the analysis submitted in the JTD. The discharger is required to provide a complete liquefaction analysis for the alluvial soils underlying the site or the "alluvial wedge" as described in Section 3.4 of Appendix C. This analysis should include as a minimum:

- Boring logs documenting raw, uncorrected standard penetration resistance, Nm, values for the entire boring log profile (from ground surface to depths of 50 below grade).
- Boring logs should also clearly document drilling methods (mud-rotary, or hollow-stem auger).
- Results of all laboratory classification tests (% fines, Atterberg limits) performed should be provided.
- The analysis should document corrections applied and should provide a summary of corrected standard penetration resistance, (N1)60 and (N1)60cs values used. The analysis should specifically address corrections, if applicable, for effects of gravel/cobbles and other stratigraphic details on the raw blow counts.
- The analysis should document the assumptions regarding historic high groundwater levels at the site, and if appropriate provide liquefaction evaluations considering the potential for seasonally elevated (above 20 feet below ground surface) groundwater levels.

ALTERNATIVE DAILY COVER: The Discharger shall submit supporting for the use of alternative daily cover in accordance with §20690 of CCR 27.

Reason: A regulatory requirement

3. MONITORING AND REPORTING PLAN

3.1. Comments/Revisions to Monitoring and Reporting Plan

B. DETECTION MONITORING PROGRAM

General Comment:
There are several issues with the proposed monitoring wells and as a result, the

monitoring plan should be completely revised and sufficient time should be allowed to collect sufficient baseline data:

- There are insufficient alluvial monitoring wells and the background well is in the wrong location. As shown on Attachment No. 1 to the WRP, the only alluvial detection well is GMW-3. Typically two to three wells would be more appropriate in order to protect the alluvial water.

- The background alluvial well LUC10#2R is located on the wrong side of the San Luis Rey River, i.e. it is located north of the river while the landfill is located south of the river. A different existing or new well on the same side of the river, but upstream of the landfill should be used.

- As discussed in the cover letter and in comments on the WDR Findings, the hydrogeologic characterization of the west flank of the landfill is incomplete. Once completed, it may be necessary to add additional bedrock and alluvial monitoring wells to the west of the landfill.

While the Discharges Monitoring and Reporting Program (Appendix G of the JTD) proposes geologic mapping of the western flank during the early phases of landfill construction, the WDR's do not require such evaluations. The WDRs should be modified to require that such an evaluation be completed before landfill construction and that it be augmented by deep baring and hydraulic testing. Geologic mapping is not sufficient and will not establish whether there is a deeper water table in this area and should be supplemented with a drilling campaign

Ten or eleven of the proposed twelve bedrock detection wells are located in an area where the administration pad will be constructed. There appear to be no requirements to protect these wells during construction. Details on how to extend them through the fill that will be placed, how they will be replaced in the event that they are destroyed during construction (a frequent occurrence), and how much new baseline monitoring would be required for these well replacement should be provided

The second downstream surface water monitoring location (GCSW-2) is not shown on Attachment No. 1. The upgradient location, SLRSW-1 appears to be very close to the surface drainage from the landfill and its location should be reviewed to assure it is far enough upstream.

It is not clear how the proposed bedrock or alluvial detection wells can be used to determine groundwater flow rate and direction. The bedrock wells are generally in a row and additional wells further downgradient would be used to establish reliable gradients. For only one alluvial well it will not be possible to establish gradients.

As indicated above, the monitoring program needs to be revised. Also the RWQCB needs to be satisfied that there is sufficient reliable hydraulic conductivity data available with which to calculate flow rates. The requirements to submit a revised monitoring plan are covered by the changes recommended earlier in these detailed comments.

8. SURFACE WATER MONITORING
Quarterly monitoring for surface water is not adequate. Monthly monitoring should be required.

10. SUBDRAIN MONITORING
Subdrain flow monitoring (when flow occurs) is critical and should be performed monthly rather than quarterly. It should also be initiated as soon as construction is completed and not when flow appears in the secondary LCRS. The physical presence of the landfill itself may change the water quality in the subdrain and these changes should be monitored.

12. REPORT OF RESULTS FROM FIVE-YEARLY COC SCAN
Due to the importance of the water resources adjacent to the landfill, it is recommended that the COC scan be done more frequently than every fifth year. It is recommended this monitoring be done at least once every year.

C. DETECTION MONITORING SPECIFICATIONS

1.b. Surface water samples should include estimates of flow; the standard should not be whenever possible. The value of surface water data is not very significantly if there is no corresponding flow data.

2.b. Concentration limits. The use of background only concentrations will be limiting, naturally since some of the detection monitoring well concentrations are already higher than in the background wells. As discussed previously, provision needs to be made for establishing baseline water quality and for providing sufficient time to conduct the monitoring for these values. Data supplied by the discharger extend through 2004 and several wells (GLA-A through GMP-2) have less than one year worth of data (Appendix G, Monitoring and Reporting Plan).

The discharger should be required to collected sufficient current ground water quality data before construction starts.

6. CALIFORNIA NON-STATISTICAL DATA ANALYSIS METHOD

b.i. Because of the sensitive nature regarding the local water supplies and as it can take several months or longer to reconcile and finalize evaluation of "tentative"

indications of a release, the discharger should also provide the San Luis Rey Municipal Water District with these notices so the district can take appropriate measures to protect its water supplies.

D. RESPONSE TO A RELEASE

1.a. The discharger should notify the San Luis Rey Municipal Water District immediately and inform the San Luis Rey Municipal Water District of the day of the retest.

2.b. Waiting 180 days after the discovery of a release before a preliminary engineering feasibility study is submitted may be for to long and could result in corrective action being delayed by a year or more. The discharger should be required to implement an in-term corrective measure as needed within 30 days of discovery of the release. Furthermore, the San Luis Rey Municipal Water District should be informed of any releases and corrective measures that are installed.

J. REPORTING SCHEDULE

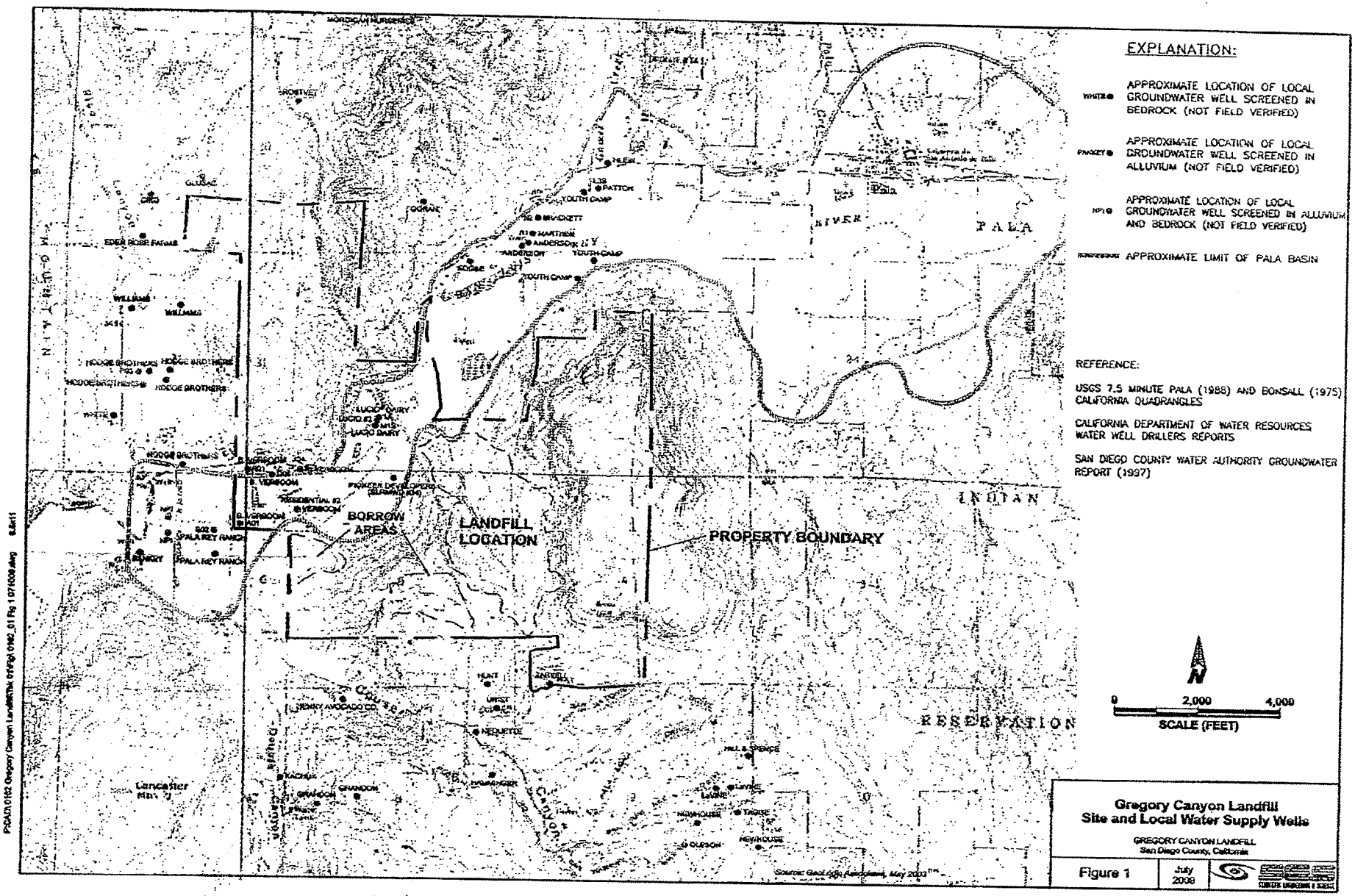
"Final Engineering Specifications for Foundations/Subgrade and Liner System" The above activity should be completed before and approved by the RWQCB, not after construction.

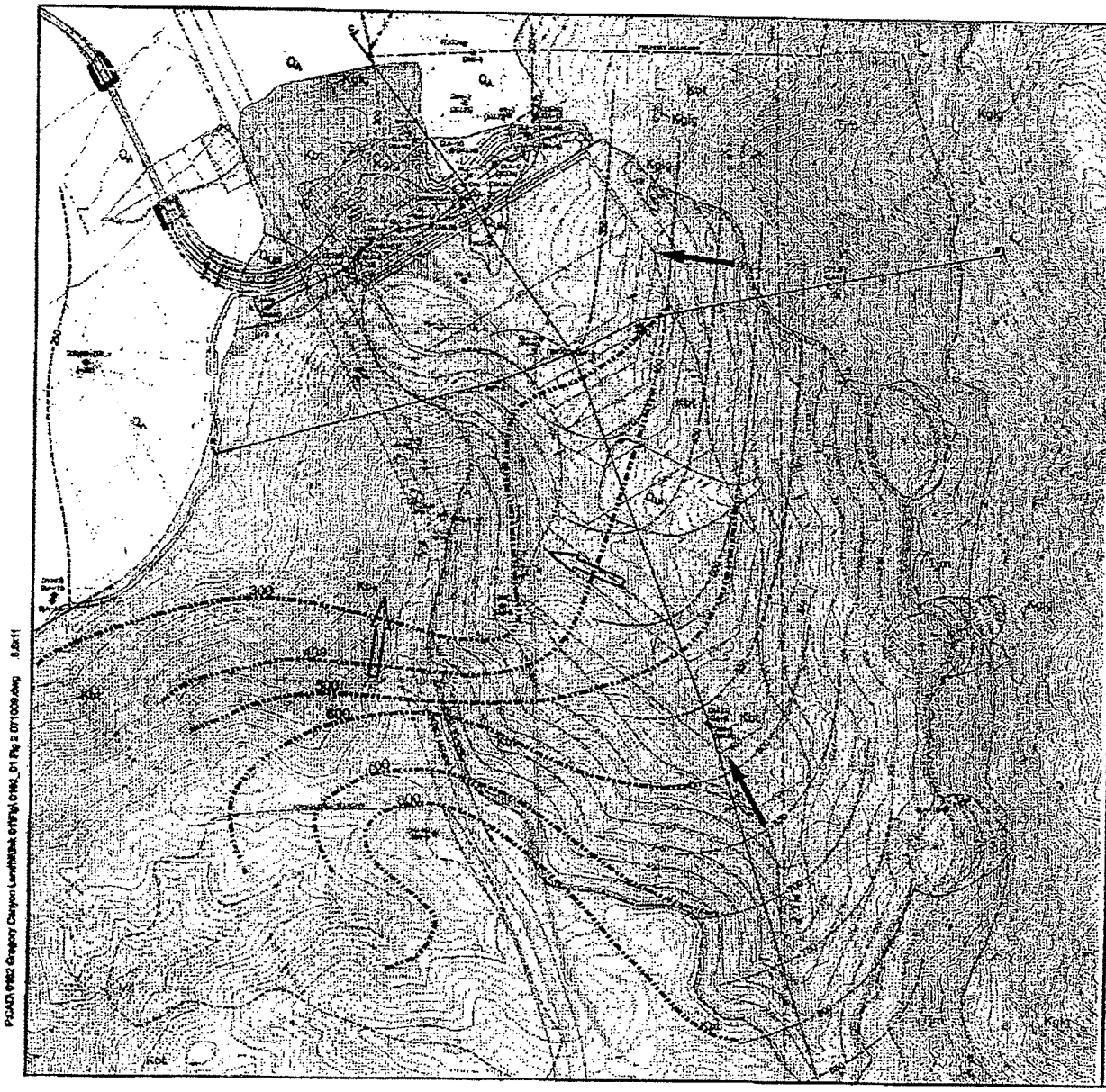
"Work Plan for improving groundwater Detection Monitory Program" - Within 90-days of adoption of this order.

This Work Plan and the associated work should be completed well before construction of the landfill starts in order to allow for time to install borings and wells and collect sufficient baseline data.

"Contingency Plan for management/and NPDES permitting of discharges of treated water" - Within 1 year of initiation of construction of the waste containment system for Phase 1 of the WMU.

These activities should be completed and approved before any waste is disposed of in the WMU.


EXPLANATION:
APPROXIMATE LOCATION OF LOCAL GROUNDWATER WELL SCREENED IN BEDROCK (NOT FIELD VERIFIED)
APPROXIMATE LOCATION OF LOCAL GROUNDWATER WELL SCREENED IN ALLUVIUM (NOT FIELD VERIFIED)
APPROXIMATE LOCATION OF LOCAL GROUNDWATER WELL SCREENED IN ALLUVIUM AND BEDROCK (NOT FIELD VERIFIED)
APPROXIMATE LIMIT OF PALA BASIN
REFERENCE:
USGS 7.5 MINUTE PALA (1988) AND BONSALL (1975) CALIFORNIA QUADRANGLES
CALIFORNIA DEPARTMENT OF WATER RESOURCES WATER WELL DRILLERS REPORTS
SAN DIEGO COUNTY WATER AUTHORITY GROUNDWATER REPORT (1997)
BORROW AREAS
LANDFILL LOCATION
PROPERTY BOUNDARY
PALA
INDIAN
RESERVATION
RIVER
N
0
2,000
4,000
SCALE (FEET)
Gregory Canyon Landfill
Site and Local Water Supply Wells
GREGORY CANYON LANDFILL
San Diego County, California
Figure 1
July 2008



LEGEND:

SURFICIAL DEPOSITS (DENOTED AS Q_S ON SOME SECTIONS AND FIGURES):

Q_A — ALLUVIUM DEPOSITED AT THE MOUTH OF GREGORY CANYON CONTIGUOUS WITH THE SAN LUIS REY RIVER FLOODPLAIN. UNCONSOLIDATED DEPOSITS OF SAND, SILT AND GRAVEL WITH VARIABLE AMOUNTS OF COBBLES AND BOULDERS.

Q_{UN} — UNDIFFERENTIATED COLLUVIUM, SLOPE WASH, TALUS AND CEMENT FLOW DEPOSITS THAT FORM A VENEER OVER MOST OF THE AREA SHOWN IN THE MAP. ON THE EAST FLANK OF THE CANYON THEY COMPRISE COBBLES AND BOULDERS OF LEUCOGRANODIORITE SET IN A LOCALLY CONSOLIDATED MATRIX OF SAND AND SILT. ON THE WEST FLANK OF THE CANYON THEY INCLUDE MOSTLY SAND AND SILT DERIVED FROM WEATHERED TONALITE.

BEDROCK:

Kgig — GREGORY MOUNTAIN LEUCOGRANODIORITE. PHANERITIC TEXTURE WITH MEDIUM TO COARSE CRYSTALLINITY. LIGHT GRAY TO BUFF WITH LESS THAN 3% DARK MINERALS. FORMS THE CORE OF GREGORY MOUNTAIN, AND ALSO FORMS BIGGS THAT CUT OLDER UNITS.

Kbt — BONSALL TONALITE. PHANERITIC TEXTURE WITH MEDIUM TO COARSE CRYSTALLINITY. DARK GRAY, TYPICALLY DEEPLY WEATHERED AND FRIABLE.

Tjm — METAMORPHIC ROCKS. AMPHIBOLITES AND METAVOLCANIC ROCKS IN SOME LOCATIONS WITH MIGMATIC STRUCTURE THAT RESEMBLES GNEISSIC BANDING. APHANITIC TO PORPHYROBLASTIC TEXTURE. RELICT PORPHYRITIC TEXTURES SUGGEST A VOLCANIC PROTOLITH FOR SOME OF THE UNITS. MEDIUM TO DARK BLUISH GRAY, GENERALLY MASSIVE AND HARD.

APPROXIMATE GEOLOGIC CONTACT
APPROXIMATE GEOLOGIC CONTACT OBSCURED BY SURFICIAL DEPOSITS
STRIKE AND DIP OF FOLIATION
VERTICAL FOLIATION
STRIKE AND DIP OF JOINTS
STRIKE AND DIP OF DIKE
NEW GROUNDWATER MONITORING WELL BY GLA
GROUNDWATER MONITORING WELL BY GLA
EXPLORATORY BORING (GLA, 2004)
PROPOSED GROUNDWATER MONITORING WELL
GROUNDWATER MONITORING WELL BY OTHERS
(682.30) GROUNDWATER ELEVATION (OCTOBER 2004)
700 PIEZOMETRIC SURFACE ELEVATION CONTOUR (OCTOBER 2004)
GROUNDWATER FLOW DIRECTION
GROUNDWATER BARRIER (QUEUED WHERE UNCERTAIN OF SOUTHERN EXTENSION)
LOW PERMEABILITY ZONE
700 BOTTOM GRADE CONTOURS
B B' LOCATION OF CROSS-SECTION.

900 ALTERNATIVE PIEZOMETRIC SURFACE CONTOURS

ALTERNATIVE GROUNDWATER FLOW DIRECTION

0 500 1,000
SCALE (FEET)

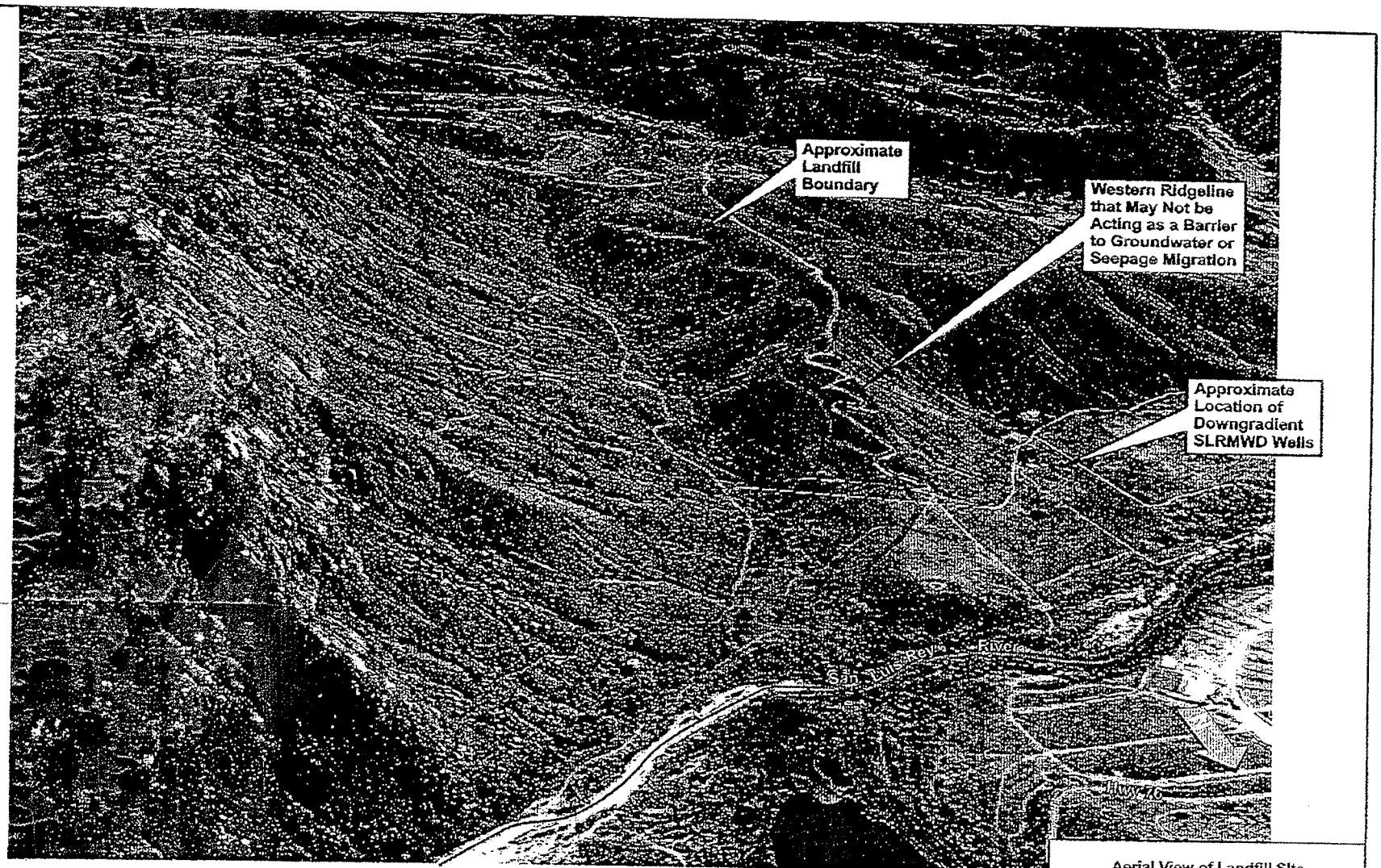
Source:
GeoLogic Associates,
October 2004

Groundwater Monitoring Wells and Alternative Groundwater Contours

GREGORY CANYON LANDFILL
San Diego County, California

Figure 2 | July 2009 | SEC STRATEGIC ENGINEERING & SCIENCE

P:\CAD\0162 Gregory Canyon Landfill\Unit 01\Fig\0162_01 Fig 2 071009.dwg 8.5x11



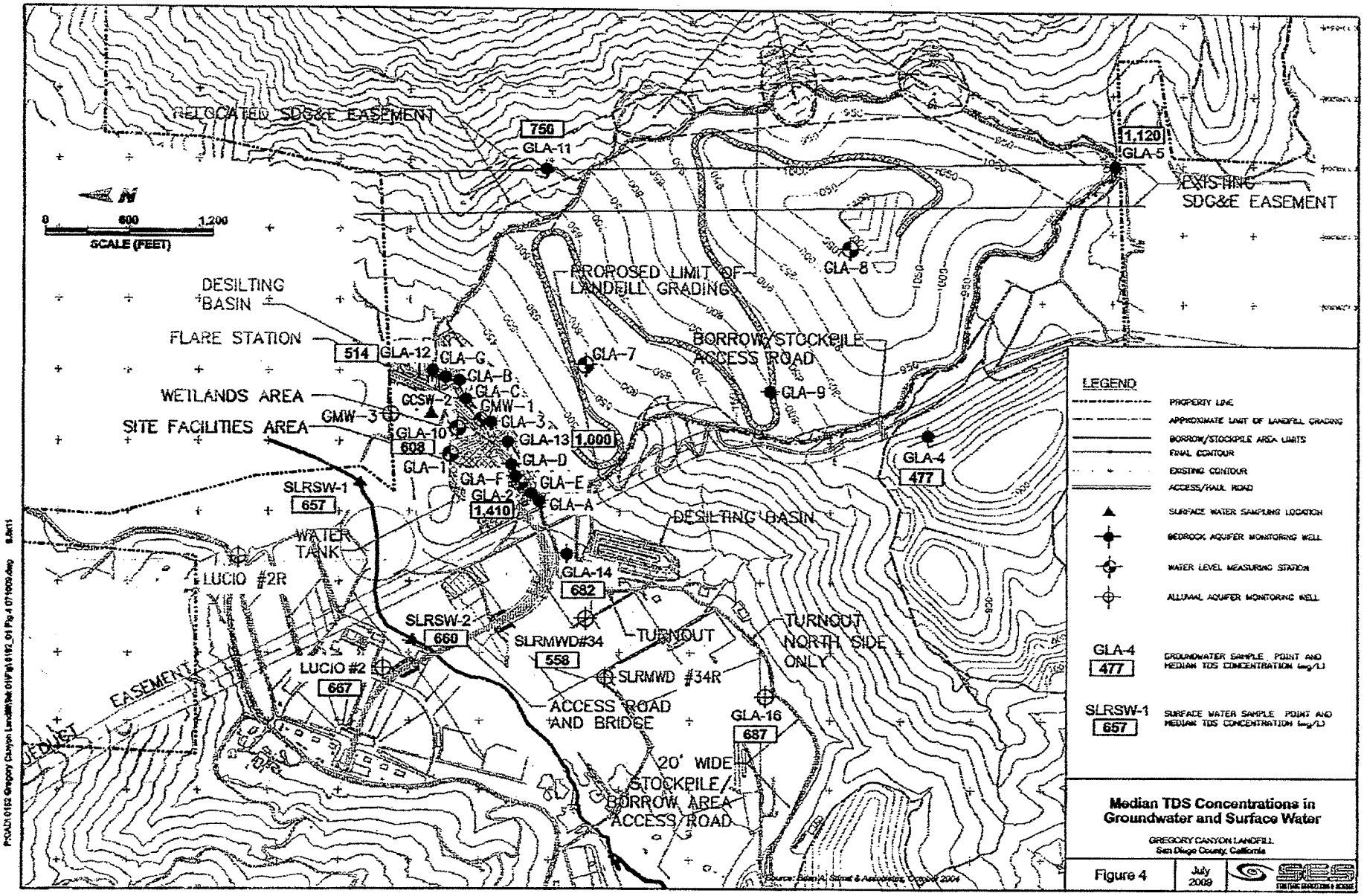
Source: Google-Earth

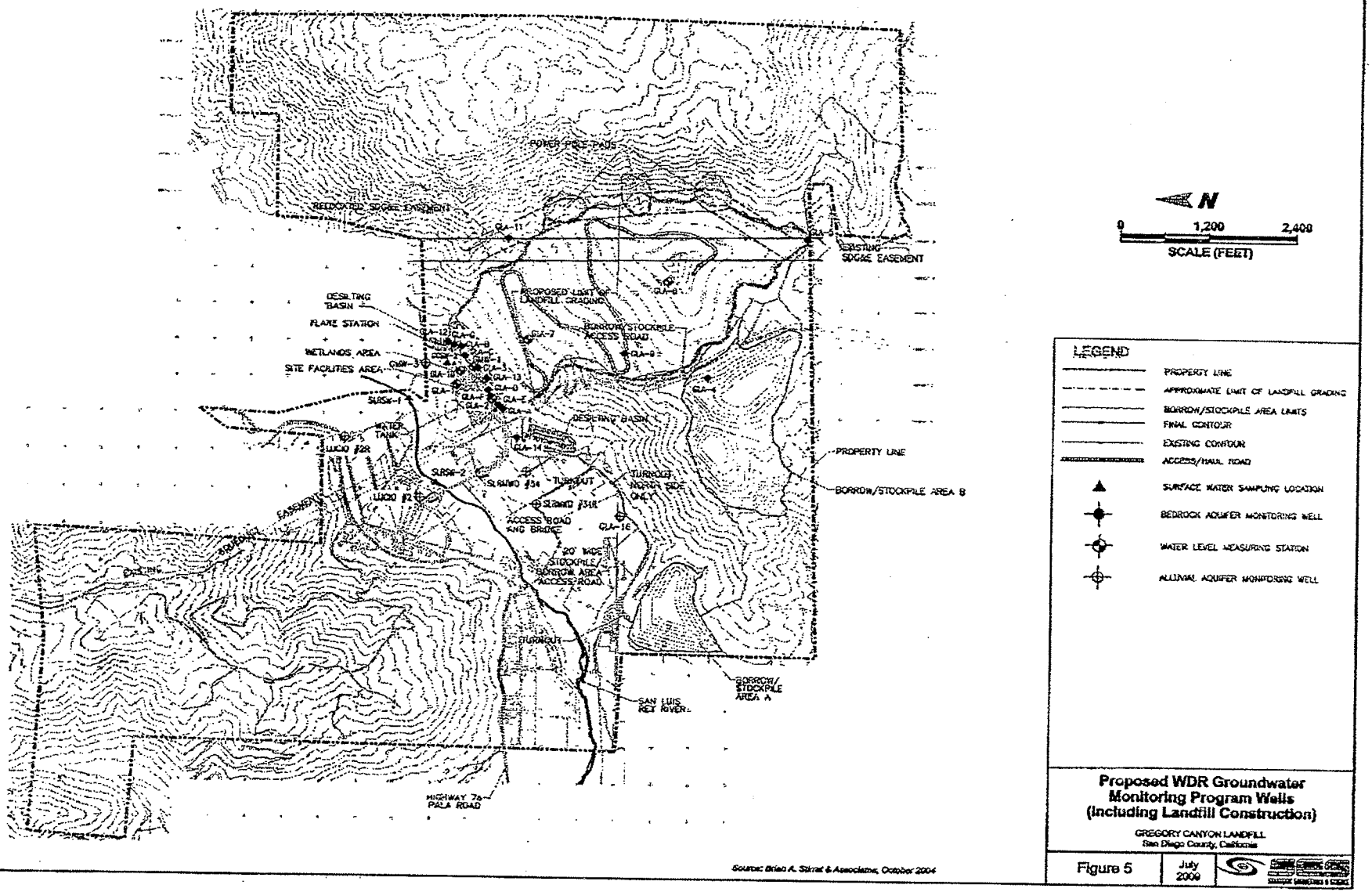
Aerial View of Landfill Site
View Looking South

GREGORY CANYON LANDFILL
San Diego County, California

Figure 3 | July 2009

P:\CAD\0162 Gregory Canyon Landfill\Tek 01\Fig\0162_01 Fig 3 071009.dwg 8.5x11


RELOCATED SDG&E EASEMENT
750
GLA-11
1,120
GLA-5
EXISTING SDG&E EASEMENT
N
0
600
1,200
SCALE (FEET)
PROPOSED LIMIT OF LANDFILL GRADING
GLA-8
DESILTING BASIN
FLARE STATION
514
GLA-12
GLA-G
GLA-B
GLA-C
GLA-7
BORROW/STOCKPILE ACCESS ROAD
GLA-9
WETLANDS AREA
GCSW-2
CMW-1
CMW-3
GLA-3
SITE FACILITIES AREA
GLA-10
608
GLA-13
1,000
GLA-D
GLA-1
GLA-F
GLA-E
GLA-4
477
SLRSW-1
657
GLA-2
1,410
GLA-A
DESILTING BASIN
WATER TANK
LUCIO #2R
GLA-14
682
SLRSW-2
660
SLRMWD#34
558
TURNOUT
TURNOUT NORTH SIDE ONLY
SLRMWD #34R
LUCIO #2
667
EASEMENT
ACCESS ROAD AND BRIDGE
GLA-16
687
20' WIDE STOCKPILE/ BORROW AREA ACCESS ROAD
LEGEND
PROPERTY LINE
APPROXIMATE LIMIT OF LANDFILL GRADING
BORROW/STOCKPILE AREA LIMITS
FINAL CONTOUR
EXISTING CONTOUR
ACCESS/HAUL ROAD
SURFACE WATER SAMPLING LOCATION
BEDROCK AQUIFER MONITORING WELL
WATER LEVEL MEASURING STATION
ALLUVIAL AQUIFER MONITORING WELL
GLA-4
477
GROUNDWATER SAMPLE POINT AND MEDIAN TDS CONCENTRATION (mg/L)
SLRSW-1
657
SURFACE WATER SAMPLE POINT AND MEDIAN TDS CONCENTRATION (mg/L)
Median TDS Concentrations in Groundwater and Surface Water
GREGORY CANYON LANDFILL
San Diego County, California
Figure 4
July 2009



Source: Brian A. Stirrat & Associates, October 2004

Proposed WDR Groundwater Monitoring Program Wells (Including Landfill Construction)

GREGORY CANYON LANDFILL
San Diego County, California

Figure 5 | July 2009

P:\CAD\.0162 Gregory Canyon Landfill\Wk 01\Fig\0162_01 Fig 5 071009.dwg 8.5x11

"EXHIBIT A," 2004 MITIGATION MONITORING MEASURES

EXHIBIT A

MITIGATION MONITORING MEASURES RELATED TO SLRMWD AGREEMENT

MITIGATION MEASURE NO.	MITIGATION MEASURE	METHOD OF VERIFICATION	TIMING OF VERIFICATION	RESPONSIBLE PARTY
MM 4.3-1a	For the purpose of providing additional environmental assurance to the San Luis Rey Municipal Water District, in addition to the 13 monitoring wells surrounding the landfill, the water quality monitoring shall include at a minimum monitoring of two production wells (downgradient SLRMWD well #34 and upgradient Lucio well #2), upgradient alluvial monitoring well GMW-3, and downgradient alluvial monitoring well GLA-16 located within the project boundary).	Written report by applicant's hydrogeologist	Annually	San Luis Rey Municipal Water District
MM 4.3-1b	If contamination is detected in any monitored well, the landfill operator shall be responsible for treatment and disposal of contaminated water. The landfill operator shall ensure that impacted water is treated to acceptable water quality standards, consistent with existing background water quality as provided in CCR Title 27, Section 20400 (a)(1). Adequate treatment shall be implemented to maintain background levels established by the RWQCB at the time of issuance of the waste discharge requirements.	Field inspection and monitoring by applicant's hydrogeologist	If contamination is detected	Regional Water Quality Control Board and San Luis Rey Municipal Water District
MM 4.3-1c	The Applicant shall provide to the San Luis Rey Municipal Water District simultaneously with the submission to the RWQCB data collected from the groundwater monitoring program and shall provide to the District and its consultants split samples from any groundwater monitoring station upon reasonable notice given before the next regularly scheduled sampling to enable the District to verify the data collected.	Data prepared by applicant's hydrogeologist	Simultaneously with submission to Regional Water Quality Control Board	San Luis Rey Municipal Water District

Mitigation Measure No.	Mitigation Measure	Method of Verification	Timing of Verification	Responsible Party
MM 4.3-1d	Prior to the commencement of Phase I construction project grading, the Applicant shall provide the San Luis Rey Municipal Water District and the other parties to the Mitigation agreement with an irrevocable letter of credit in accordance with Section 9 and Exhibit C of the Mitigation Agreement. The Letter of Credit shall be automatically renewed annually.	Irrevocable letter of credit	Prior to commencement of Phase 1 construction grading	San Luis Rey Municipal Water District and other parties to the agreement [1]
MM 4.3-1e	Prior to commencement of project operation, the Applicant shall establish, maintain, and administer a trust fund or third party custodial account for the benefit of the San Luis Rey Municipal Water District and the other parties to the Mitigation Agreement in accordance with Section 9 and Exhibit C of the Mitigation Agreement.	Verification of establishment of trust fund	Prior to commencement of operation	San Luis Rey Municipal Water District and other parties to the agreement
MM 4.3-1f	As a condition of any water rights appropriation permit that may be granted by the State Water Resources Control Board, the Applicant shall reduce its diversion of water if the amount of groundwater available within the San Luis Rey Municipal Water District based upon water rights as they existed on April 15, 1996 within the boundaries defined in the Mitigation Agreement, is insufficient to meet the reasonable and beneficial needs of the District or any of the landowners within the District.	Written verification of water usage	If groundwater supply is deemed to be insufficient	San Luis Rey Municipal Water District and other parties to the agreement
MM 4.3-1g	The Applicant shall identify and use an alternate water supply for construction and operation of the project if the amount of groundwater available within the San Luis Rey Municipal Water District is insufficient to meet the reasonable and beneficial needs of the District or any of the landowners within the District.	Written verification of alternate supply	If groundwater supply is deemed to be insufficient	San Luis Rey Municipal Water District

[1] The Agreement is between the San Luis Rey Municipal Water District, certain surrounding landowners, and Gregory Canyon, Ltd.

Mitigation Measure No.	Mitigation Measure	Method of Verification	Timing of Verification	Responsible Party
MM 4.3-1h	If the construction, operation, or closure of the landfill causes degradation of the Pala Basin water or quality of foreign water stored in the Pala Basin for use within the Pala Basin so that it cannot be used for domestic uses and for irrigation, the Applicant shall be liable to the San Luis Rey Municipal Water District to the extent of any degradation of the quality of Pala Basin water or the quality of foreign water stored in the Pala Basin caused by the construction, operation or closure of the landfill, including the cost of remediating the degradation of water quality attributable to the construction, operation or closure of the landfill, or if such remediation is not technologically or economically feasible, of providing an alternative water supply pending permanent remediation measures to the extent necessary to meet the reasonable needs for domestic and irrigation uses of the parties who signed the Mitigation Agreement. The applicant's liability with respect to foreign water shall be limited to remediation of a maximum of 17,694 acre-feet. Remediating the water quality of the Pala Basin or providing an alternative water supply, shall be part of the closure plan and part of the cost estimate required by 14 CCR § 17782.	Testing as required by RWQCB after consultation with SLRMWD	Reporting as required by RWQCB or SLRMWD Agreement	Regional Water Quality Control Board; San Luis Rey Municipal Water District
MM 4.3-1i	The Applicant shall notify the San Luis Rey Municipal Water District and each of the parties to the Mitigation Agreement of any request to modify or to be released from the requirements of the closure plan or the post closure maintenance plan for the project.	Copy of request	At time of request	San Luis Rey Municipal Water District and other parties to SLRMWD Agreement
MM 4.3-1j	The Applicant shall consult with the San Luis Rey Municipal Water District concerning the number, specifications, location, and frequency of data collection at the monitoring stations. The final decision regarding the need for and adequacy of the number, specifications, location of and frequency of data collection from the monitoring stations will be made by the RWQCB.	Discussion with SLRMWD	During discussions of monitoring with RWQCB	Regional Water Quality Control Board; San Luis Rey Municipal Water District

Henderson, Jim

From: Henderson, Jim on behalf of LUEG, DEHComments
Sent: Thursday, February 17, 2011 7:49 AM
To: 'Dana Sanchez'
Subject: RE: Meeting
Attachments: GCL Meeting Notice Final 2.11.11.pdf

Meeting notice attached.

Jim Henderson
County of San Diego
Department of Environmental Health
Local Enforcement Agency
5500 Overland Ave, Suite 110 MS O560
San Diego, CA 92123
(858) 694-3607

From: Dana Sanchez [mailto:danasancheznotary@gmail.com]
Sent: Wednesday, February 16, 2011 6:12 PM
To: LUEG, DEHComments
Subject: Meeting

Hi, when is the informative meeting going to take place for the public? Where/when?

Thank you & god bless,
Dana

Henderson, Jim

From: Henderson, Jim on behalf of LUEG, DEHComments
Sent: Monday, February 14, 2011 3:33 PM
To: 'J&L Sandschulte'
Subject: RE: Solid Waste Facility Permit for Gregory Canyon Landfill

Thank you for your response. Your comment has been received.

Jim Henderson
County of San Diego
Department of Environmental Health
Local Enforcement Agency
5500 Overland Ave, Suite 110 MS 0560
San Diego, CA 92123
(858) 694-3607

-----Original Message-----
From: J&L Sandschulte [mailto:jandlsand@roadrunner.com]
Sent: Monday, February 14, 2011 11:43 AM
To: LUEG, DEHComments
Subject: Solid Waste Facility Permit for Gregory Canyon Landfill

Please protect our drinking water here in Bonsall and Fallbrook. Do not let the Landfill ruin our precious resource.
Thank you.
ıck and Lila
ɔandschulte
3140 Cherrypoint Ct.
Fallbrook

Henderson, Jim

From: Henderson, Jim on behalf of LUEG, DEHComments
Sent: Friday, April 22, 2011 9:18 AM
To: 'Pamela Epstein'
Subject: RE: GCL Comments

Thank you for your response. Your comment has been received.

Jim Henderson
County of San Diego
Department of Environmental Health
Local Enforcement Agency
5500 Overland Ave, Suite 110 MS O560
San Diego, CA 92123
(858) 694-3607

From: Pamela Epstein [mailto:pnepstein@gmail.com]
Sent: Thursday, April 21, 2011 10:57 PM
To: LUEG, DEHComments
Subject: GCL Comments

Dear Director Miller,

Please, see attached comments for the GCL proposed application for a SWFP.

Pamela

--
--
Pamela N. Epstein, Esq., LL.M
Staff Attorney & Legal Intern Program Manager
Sierra Club, San Diego Chapter
8304 Clairemont Mesa Blvd., Ste. 101
San Diego, CA 92101
C: 1.520.904.1482
O: 1.858.569-6005
E: pepstein@sierraclubsandiego.org
E: pnepstein@gmail.com

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SIERRA CLUB
FOUNDED 1892

San Diego Chapter
8304 Clairemont Mesa Blvd., Ste 101
San Diego, CA 92111
http://www.sandiego.sierraclub.org

April 21, 2011

Mr. Jack Miller
County of San Diego
Director, Solid Waste Local Enforcement Agency
5500 Overland Drive, Suite 110
San Diego, CA 92123

Via U.S. Mail and Electronic Mail [DEHComments@sdcounty.ca.gov)

RE: ***Comments on Gregory Canyon Ltd.'s Solid Waste Facilities Permit for the Proposed Gregory Canyon Landfill Project***

Dear Director Miller:

On behalf of the San Diego Chapter of the Sierra Club (SCSD), San Diego's oldest and largest grassroots environmental organization, with more than 14,000 members, we are writing to express our comments regarding Gregory Canyon Ltd.'s (GCL) application for a new Solid Waste Facility Permit (Permit) for the proposed Gregory Canyon Landfill. The environmental protection and preservation of the San Luis Rey River and valley is of paramount concern to SDSC and its members.

SDSC strongly supports, adopts and incorporates by reference the letters, objections and concerns submitted on behalf of the Pala Band of Mission Indians and the Natural Resources Defense Council, as well as the many other parties who have expressed concerns regarding this proposed project and the lack of adequate protection for the environment.

The proposed location for the 300-acre Gregory Canyon Landfill directly threatens critical and finite drinking water resources and sacred Native American sites. The location of the landfill is ill advised and ill conceived. Any breach in the landfill liner would be catastrophic, as toxic pollutants would be released into the river and the aquifers that lie beneath it. The likelihood of contamination if a question of when, not if, as the U.S. EPA has elucidate that **all** landfill lines leak. Furthermore, the proponent's intent to rely on a new untested liner system. It is unconscionable to unnecessarily jeopardize an essential natural resources, especially given the precarious makeup of the canyon itself – the landfill is to be erected on top of fractured bedrock.

SDSC's primary concern is the LEA's refusal to comply with its obligations under the California Environmental Quality Act (CEQA). It has been over a decade since the public has been able to provide comments on the project's final environmental impact report (FEIR). Whereas, a revised FEIR was released in 2006 and an opportunity to provide comment was briefly provided comments were limited to only issues falling into three constrained categories – traffic, water supply and biological resources.

Over the course of subsequent ten years GCL has provided significant new information, the environmental baselines have changed and new regulatory requirements have been implemented. The environmental rhetoric provided by CEQA demands a comprehensive accounting and analysis of the newly provided information. The LEA's interpretation of CEQA requiring anything less is fundamentally flawed and adverse to the spirit and intent of the statute.

SDSC's recommendation to the rejections of the requested permit focuses on the lack of Greenhouse Gas (GHG) analysis and the inadequacy of the May 2010 Addendum addressing the decision by the Army Corps of Engineers that the stream in Gregory Canyon is jurisdictional "waters of the United States" under the federal Clean Water Act. The obvious lack of acknowledgment or analysis of the significant impacts that would be caused by the proposed Project's greenhouse gas emissions was truly egregious. In compliance with the March 2010 GHG amendments GCL as the project proponents should be required to analyze the direct, indirect and cumulative impacts of GHG emissions and to provide mitigation measure for any significant impacts. 14 Cal. Code Regs. §§ 15000-15387 and CEQA Guidelines 15126.4(c), 15130).

The SDSC continues to steadfastly oppose the approval of a permit for the proposed Gregory Canyon landfill and recommends that the LEA reject the Solid Waste Facilities permit and direct fully compliance with CEQA. If the LEA were to take discretionary action to approve they Project without first satisfying the necessary CEQA requirements, the LEA does so in violation. Thank you for your consideration of these objections and concerns.

Respectfully Submitted,

Pamela N. Epstein, Esq., LL.M
Attorney & Legal Intern Program Manager
Sierra Club, San Diego Chapter
pepstein@sierraclubsandiego.org
8304 Clairemont Mesa Blvd., Ste 101
San Diego, CA 92111

The San Diego Chapter of the Sierra Club is San Diego's oldest and largest grassroots environmental organization, founded in 1948. Encompassing San Diego and Imperial Counties, the San Diego Chapter seeks to preserve the special nature of the San Diego and Imperial Valley area through education, activism, and advocacy. The Chapter has over 14,000 members. The National Sierra Club has over 700,000 members in 65 Chapters in all 50 states, and Puerto Rico.

SIERRA CLUB
FOUNDED 1892

ENDANGERED HABITATS LEAGUE
DEDICATED TO ECOSYSTEM PROTECTION AND SUSTAINABLE LAND USE

February 17, 2011

Jim Henderson
County of San Diego Local Enforcement Agency
5500 Overland Drive, Suite 110
San Diego, CA 92123

RE: Solid Waste Facility Permit for Gregory Canyon Landfill

The Endangered Habitats League (EHL) writes to urge denial of the requested permit. For your reference, EHL is Southern California's only regional conservation group.

The proposed landfill would threaten vital drinking water sources for the region. We have grave concerns about the landfill's potential to leak toxic pollutants into these critical groundwater supplies.

This site is unsuitable for a landfill – the County itself rejected the location because it failed seven out of eight siting criteria. It is impossible to engineer the site to make it safe for a landfill.

This landfill is not needed. Waste diversion and recycling rates in the County are at an all-time high, and disposal rates have decreased dramatically in recent years. The County has no need for any new landfills at this time, much less one that would threaten critical water resources.

Sincerely,

Dan Silver
Executive Director

8424-A SANTA MONICA BLVD., #592, LOS ANGELES, CA 90069-4267 ♦ WWW.EHLEAGUE.ORG ♦ PHONE 213.804.2750 ♦ FAX 323.654.1931

NATIVE AMERICAN HERITAGE COMMISSION
915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5390
Web Site www.nahc.ca.gov
e-mail: ds_nahc@pacbell.net

February 15, 2011

Mr. Jim Henderson
SAN DIEGO DEPARTMENT OF ENVIRONMENTAL HEALTH
SOLID WASTE LOCAL ENFORCEMENT AGENCY (LEA)
5500 Overland Avenue, Suite 110
San Diego, CA 92123

Director
CALIFORNIA DEPARTMENT OF RESOURCES RECYCLING & RECOVERY
HEADQUARTERS
801 "K" Street, MS 19-01
Sacramento, CA 95814

Re: **Gregory Canyon Landfill Project, SWIS #37-AA-0032;** located in northern San Diego County, California on 1,770-acres owned by Gregory Canyon Ltd, the Project Applicant. The project site is near the San Luis Rey River, State Route 76 and the Pala Indian Reservation; Current consideration of a Solid Waste Facility Permit

Dear Dear County of San Diego Department of Environmental Health LEA and CalRecycle:

The California Native American Heritage Commission (NAHC) wishes to comment, pursuant to California Public Resources Code §44004(h) on the proposed plan of the San Diego County Local Enforcement Agency (LEA) to issue a Solid Waste Facility Permit of the above-referenced project

The Native American Heritage Commission (NAHC) is the state 'trustee agency' pursuant to Public Resources Code §21070 for the protection and preservation of California's Native American Cultural Resources.. (Also see *Environmental Protection Information Center v. Johnson (1985) 170 Cal App. 3rd 604).* Notwithstanding that this public hearing is focused on the issuance of a Solid Waste Facility Permit, State of California standards regarding the significance of and protection of Native American cultural resources may be advised. The California Environmental Quality Act (CEQA - CA Public Resources Code §21000-21177, amended in 2009) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the California Code of Regulations §15064.5(b)(c)(f) CEQA guidelines). Section 15382 of the CEQA Guidelines defines a significant impact on the environment as "a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ...objects of historic or aesthetic significance."

A Sacred Place

In the opinion of the NAHC, the proposed project, Gregory Landfill Project (and its defined 'area of potential effect' or APE) threatens a sacred place, one of *significant effect,* as defined by the CEQA Guidelines §15064.5(b) (c) (f)., and by the National Historic Preservation Act (16 U.S.C. 470 [f] *et seq.*)and the President's Council on Environmental Quality (SSQ; 42 U.S.C. 4371 *et seq.*) This sacred place, Gregory Mountain and environs is a Native American cultural landscape, a term applied to all historic resource types pursuant to the 1992 revised *Secretary of the Interior's Standards for the Treatment of Historic Properties.* Luiseño tribal Elders placed this site into the NAHC Sacred Lands File Inventory in 1984 with subsequent submissions, The NAHC Sacred Lands File is an inventory database established by the California Legislature pursuant to California Public Resources Code §§5097.94(a) and 5097.96. Gregory Mountain and its ceremonial sites are important to the cultural practices of present-day Luiseño people. This site is currently still in use by Luiseño people ; it is still of religious and cultural significance

as defined by the National Historic Preservation Act (16 U.S.C 470 [f] *et seq.)*.. In reviewing the DEIS, the proposed project does not adequately mitigate the effects of the project to a 'less than significant level,' to the satisfaction of the NAHC; in fact the NAHC preference, regarding this project is *avoidance* as defined by the California Code of Regulations §15370[a]. If it is not possible to locate the project on an alternative site, then, the NAHC urges the disapproval of the proposed Solid Waste Facility Permit for the project.

While the NAHC, as a State of California trustee agency' with a statutory role for the protection of Native American cemeteries and sacred sites, must be fair to all parties in cases such as the proposed project, in compliance with state law. The NAHC, as a Native American organization with state government must take seriously the advice and opinions of the native communities, articulated by the songs and oral tradition of Tribal Elders who pass along their strong, heart-felt knowledge of sacred places. The NAHC urges the cooperation of CalRecycle pursuant to California Public Resources Code §5097.95 in considering this matter. The NAHC respects Native American tradition and is advised by the Pala Band of Mission Indians that urges, unequivocally, disapproval of the project, the Gregory Landfill. The NAHC, while cognizant of the public benefit of proposed development projects, as a standard policy, always urges that avoidance as its preference when Native American cultural resources are at-risk.

Cumulative Effects of the Proposed Project

The Native American Heritage Commission also, in its review of the Gregory Landfill Project, is of the opinion that the *cumulative effects* of the proposed project are not adequately addressed. This is a very sizable project including the construction of an access road, a bridge that crosses the San Luis Rey River (that is considered sacred by Luiseño people), construction of berms and ancillary facilities, all on approximately 200-acres. The construction of the facilities in the landfill footprint and the daily operations of the landfill including the truck traffic, may have a significant adverse impact on the environment in the opinion of the NAHC.

A Cultural Landscape

The NAHC is aware that Native Americans take a broad view of cultural resources of the areas they inhabit, and recount stories and songs of the cultural aspects of the rivers, streams, air, and visual effects of their environment. The Native American cultural resources in this area not only includes Gregory Mountain and environs which is still used for religious and ceremonial purposes, but the nearby San Luis Rey River; water is considered a 'cultural resource.' Therefore, it is recommended that the project's impact on water, not only by the scope of the Section 404 (b) (1) Guidelines of the federal Clean Water Act (40 CFR part 230, but also from the Luiseño view of water as a cultural resource.

The proposed project may also be advised by the federal Indian Religious Freedom Act (42 U.S.C, 1996), in issuing a decision on whether or not any nearby sites of religious and/or cultural significance identified near the APE are threatened by proposed project activity.

Finally, the NAHC recommends, if mitigation measures cannot be addressed tp the satisfaction of local Luiseño tribes that the County of San Diego and the California Department of Resources, Recycling & Recovery consider "avoidance," as defined in §15370 of the California Code of Regulations (CEQA Guidelines), because the project represents a major threat to significant and important Native American cultural resources.

If you have any questions concerning these remarks, do not hesitate to contact me at (916) 653-6251.

Sincerely,

Dave Singleton
Program Analyst

Henderson, Jim

From: Henderson, Jim on behalf of LUEG, DEHComments
Sent: Monday, February 14, 2011 3:32 PM
To: 'Bob Ames Smith'
Subject: RE: Solid Waste Facility Permit for Gregory Canyon Landfill

Thank you for your response. Your comment has been received.

Jim Henderson
County of San Diego
Department of Environmental Health
Local Enforcement Agency
5500 Overland Ave, Suite 110 MS 0560
San Diego, CA 92123
(858) 694-3607

-----Original Message-----
From: Bob Ames Smith [mailto:radeeoh@sbcglobal.net]
Sent: Sunday, February 13, 2011 11:07 PM
To: LUEG, DEHComments
Subject: Solid Waste Facility Permit for Gregory Canyon Landfill

February 14, 2011

Jim Henderson
County of San Diego Local Enforcement Agency
5500 Overland Drive, Suite 110
San Diego, CA 92123

RE: Solid Waste Facility Permit for Gregory Canyon Landfill
I am writing to urge denial of the requested permit. The proposed landfill would threaten vital drinking water sources for the region. We have grave concerns about the landfill's potential to leak toxic pollutants into these critical groundwater supplies.

This site is unsuitable for a landfill - the County itself rejected the location because it failed seven out of eight siting criteria. It is impossible to engineer the site to make it safe for a landfill.

This landfill is not needed. Waste diversion and recycling rates in the County are at an all-time high, and disposal rates have decreased dramatically in recent years. The County has no need for any new landfills at this time, much less one that would destroy critical water resources.

Sincerely,

Bob Smith

Pine Valley

Henderson, Jim

From: SmithTrager LLP - MacArthur Office [smt@smithtrager.com]
Sent: Saturday, March 05, 2011 11:15 AM
To: LUEG, DEHComments
Subject: Commenting on the Solid Waste Facility Permit - Gregory Canyon Landfill

Mr. Gregory - Could you please provide me with the deadline date to comment on the permit for Gregory Canyon Landfill.

Thank you for your help in this matter.

Marie Young, Paralegal
SmithTrager LLP (general counsel for San Luis Rey Municipal Water District)
(949) 752-8971

Henderson, Jim

From: SmithTrager LLP - MacArthur Office [smt@smithtrager.com]
Sent: Saturday, March 05, 2011 11:32 AM
To: LUEG, DEHComments
Subject: FW: Commenting on the Solid Waste Facility Permit - Gregory Canyon Landfill

Mr. Gregory - would you please kindly ignore this e-mail. I have read the FAQ and now know that the deadline date is 3/24/2011. Thank you for your patience.

Marie

From: SmithTrager LLP - MacArthur Office
Sent: Saturday, March 05, 2011 11:15 AM
To: 'DEHComments@sdcounty.ca.gov'
Subject: Commenting on the Solid Waste Facility Permit - Gregory Canyon Landfill

Mr. Gregory - Could you please provide me with the deadline date to comment on the permit for Gregory Canyon Landfill.

Thank you for your help in this matter.

Marie Young, Paralegal
SmithTrager LLP (general counsel for San Luis Rey Municipal Water District)
(949) 752-8971

Henderson, Jim

From: Lafreniere, Rebecca
Sent: Tuesday, February 15, 2011 3:29 PM
To: Merlos, KariLyn; Henderson, Jim
Cc: Lorang, Rodney F
Subject: FW: Surfrider Newsletter - busses to GC forum Feb 23

Fyi-

Rebecca Lafreniere, Chief
County of San Diego
Department of Environmental Health
Community Health Division
5570 Overland Avenue, Suite 102
San Diego, CA 92123-1215
(858) 694-3595
fax (858) 571-4268

From: Drake, Michael
Sent: Tuesday, February 15, 2011 5:20 AM
To: Miller, Jack; Lafreniere, Rebecca; Pozzebon, Liz
Cc: Aghassi, Sarah; Brownyard, Teresa; Flannery, Kathleen; Games, Cindy; Jones, Megan; Lardy, Eric; Lindsay, David; Ortiz, Moises
Subject: Surfrider Newsletter - busses to GC forum Feb 23

ırfrider opposes Gregory Canyon, advises members to attend Feb 23 public meeting.

http://www.surfline.com/surf-news/press-release/surfrider-san-diego-chapter-meeting-this-wednesday-do-you-know-your-h2o_52519/
Surfrider San Diego Chapter Meeting This Wednesday: Do you Know Your H2O?
February 14, 2011
PRESS RELEASE

Chapter Meeting This Wednesday
Do you Know Your H2O?
San Diego imports 80% of its water, the majority of which comes from the arid Southwestern U.S. Climate change, increasing population, and development are putting strains on our water supply. This month's chapter meeting (open to the public) will outline how our water supply might change in the future, and the water-related challenges San Diego faces.

SurfriderSD is excited to welcome David Pierce from the Scripps Institution of Oceanography Division of Climate, Atmospheric Science, and Physical Oceanography.

Wednesday Feb. 16th, 7pm at Forum Hall in UTC. We'll have pizza, snack and refreshments. We'll cover other local updates and volunteer opportunities.

Gregory Canyon Landfill Update
You may have heard that the County of San Diego Solid Waste Local Enforcement Agency (LEA) has scheduled an information meeting on the proposed Gregory Canyon Landfill for February 23 at 6:30 PM in Fallbrook. Opposition to this project just east of Escondido fits squarely in Surfrider's Know Your H2O mpaign since the landfill would adversely affect fresh water supplies for county municipalities draw on ıne San Luis Rey River and its tributaries.

We need your help once again to help protect critical drinking water sources in northern San Diego

County. The proposed 300-acre Gregory Canyon Landfill would be built on the banks of the San Luis Rey River, threatening a major drinking water source for thousands of people. Local agencies, elected officials, environmental groups and Native Americans agree that these essential water supplies must be protected and preserved at all costs.

The County of San Diego is deciding whether to approve a key permit that the landfill needs in order to operate. We need to make sure the County gets the message that placing a garbage dump on the banks of a river is not the best option. The bottom line is that garbage and water just don't mix. Visit www.savegregorycanyon.org for more info.

What to Do: Attend the public meeting and tell the County of San Diego to protect the region's precious drinking water supplies. Help ensure safe and clean drinking water for San Diego families and businesses -- the more people we can turn out to this meeting, the louder our message will be.

When & Where: Wednesday, February 23rd, 2011 at 6:30pm at the Fallbrook Public Library (Community Room) located at 124 S. Mission Road in Fallbrook. Sierra Club is organizing buses to the meeting, stay tuned for details.

South County Updates

The Tijuana River National Estuarine Research Reserve is hosting a Tijuana River Mouth Clean-up this Thursday Feb 17th from 2-4pm (low tide) for Ocean, Beach, and Bird Lovers Alike. Now is the chance to clean up the river mouth beach and dune habitat before shorebirds begin nesting for the season. High tides have brought in quite a bit of marine debris, so we'll take advantage of an afternoon low tide to get in there and clean it up! Meet at the south end of Seacoast Drive in Imperial Beach, click on the image for more info.

No Border Sewage Quarterly Workshop: Wednesday March 9th from 6-7:30pm at Tijuana Estuary Visitor Center, 301 Caspian Way, Imperial Beach. Email dan@surfriderSD.org to rsvp, more details soon.

Also in South County, Volunteer Water Quality Monitor Training on Wednesday, March 23rd from 6:30 - 9:00 p.m. at the Tijuana Estuary Training Center in imperial Beach. It's over a month away but space is quite limited so sign up now if you can make it. Email Dylan at Dylan@sdcoastkeeper.org to register.

Residents are encouraged to get involved and learn the science tools they need to understand their watersheds and directly influence local resource management. Once trained, volunteers have the opportunity to collect samples once per month (usually the 3rd Saturday). While in the field, teams will use sampling poles, bottles and meters to collect and analyze water.

New volunteers will work with the Tijuana River Watershed Captain to learn how to properly collect water samples. Additional water is collected for other measurements that cannot be done in the field. At the end of sampling days, site teams return the samples to the lab for analysis. Another smaller group of volunteers will then analyze the water samples for the more complex laboratory analysis. The data collected by these volunteers is a powerful tool - it will fill in the gaps created by the limited agency resources. This information can then be used to help protect sensitive ecosystems, identify and abate pollution sources, track the effectiveness of pollution prevention plans, and prevent further degradation of our precious water resources. Please forward to others who may be interested in becoming regular water monitor volunteers in the Tijuana Estuary and Tijuana River Valley. Thank you!

Photos Wanted: King Tides This Week

This Wed-Fri February 16-18, early in the morning between dawn and 9am, you have the chance to witness higher-than-normal tides on our coastline. To capture a visual approximation of the increasing sea levels in San Diego, we are asking you to participate in the King Tides Photo Initiative. Grab your camera, get out to your favorite spot on the coastline and send in your photos to help compile an online catalog and potentially win a prize. Organized by our friends at San Diego Coastkeeper, Click Here for more info.

Upcoming Beach Cleanups:

Saturday the 19th at Moonlight Beach in Encinitas and Saturday the 26th at Tourmaline Beach in Pacific Beach. Both are from 9-11am, more info and directions can be found here.

Stay Connected With SurfriderSD:

Join our MeetUp.com group or Fan Us on Facebook, Follow Us on Twitter and/or join our Linkedin group for more ways to stay connected with SurfriderSD!

' you would like to sign up for volunteer opportunities, help organize our beach cleanups, help at fun events and much more, then Volgistics is for you. For all volunteers without a Surfrider Volgistics account, please fill out our volunteer form now and choose the opportunities that interest you: Click Here for the Volunteer Application Form Once you have an account you can post hours, sign up for new assignments or set your preferences. Click Here to Log Into Your Account. We will be sure to keep a reminder for you at the bottom of these chapter emails. (Ongoing events such as our beach cleanups, chapter meetings and committee meetings don't require a sign up or rsvp, the more the merrier!)

MICHAEL DRAKE
LUEG Public Affairs Officer
County of San Diego - Land Use and Environmental Group
858.495.5736 (office)
858.740.0339 (cell)
5500 Overland Avenue | Suite 373 | San Diego, California 92123
Michael.Drake@sdcounty.ca.gov

Land - Environment - Recreation - Infrastructure

Henderson, Jim

From: Henderson, Jim on behalf of LUEG, DEHComments
Sent: Wednesday, March 30, 2011 7:40 AM
To: 'Pete Trujuillo'
Subject: RE: Gregory Canyon Landfill

Thank you for your response. Your comment has been received.

Jim Henderson
County of San Diego
Department of Environmental Health
Local Enforcement Agency
5500 Overland Ave, Suite 110 MS O560
San Diego, CA 92123
(858) 694-3607

From: Pete Trujuillo [mailto:pete_1948@yahoo.com]
Sent: Wednesday, March 30, 2011 3:31 AM
To: LUEG, DEHComments
Subject: Gregory Canyon Landfill

I am a resident of Pala,and I have lived here all my life (62yrs). A few years ago, when the Dairies were in operation , we all had to put up will the bad smell from the cows. It was so bad at times that we could not even enjoy eating outdoors. the flys were also real bad. I, as a concerned citizen and a Grandfather of 37 Grandchildren,oppose this landfill for many reasons.#1 the smell will be very bad. #2,the flys will be worse an before.#3,I know for a fact that there are many, many children with breathing problems that live in the area, and no dout the landfill would make it very hard for these children to enjoy playing outdoors.#4,I know that there are also many elders that live in the area that also have breathing problems and they also would be affected by this landfill.#5,those linners are not 100% leak proof so there would be a chance of the water which many people depend on, would be in danger of contamination.Even today,after it rains for a few days, you can still smell the cow manure when it starts to dry out if you drive by the old dairys.I hope and pray that the county realizes the real harm this landfill will cause the community and the children and the elderly who have health problems.And also think about the smell and dust that will without dout ,be very bad when they use the bulldozers to move the trash around. I don't think we should given this life sentence of living in fear of BAD SMELL, BAD DUST,POSSIBLE CONTAMINATION OF OUR WATER SUPPLY. Thank for the giving me chance to voice my concerns for this landfill. NO MORE TRASH TALK,,,+,,NO PERMIT=happy safe community. Again, thank you, PETER F TRUJILLO SR. PO BOX 108, PALA CA. 92059.

Henderson, Jim

From: Henderson, Jim on behalf of LUEG, DEHComments
Sent: Thursday, February 17, 2011 10:36 AM
To: 'jonvick2@aol.com'
Subject: RE: Gregory Canyon

Thank you for your response. Your comment has been received.

Jim Henderson
County of San Diego
Department of Environmental Health
Local Enforcement Agency
5500 Overland Ave, Suite 110 MS O560
San Diego, CA 92123
(858) 694-3607

From: jonvick2@aol.com [mailto:jonvick2@aol.com]
Sent: Thursday, February 17, 2011 10:07 AM
To: LUEG, DEHComments
Subject: Gregory Canyon

February 17, 2011

Mr. Jim Henderson
County of San Diego Local Enforcement Agency
5500 Overland Drive, Suite 110
San Diego, CA 92123

RE: Solid Waste Facility Permit for Gregory Canyon Landfill

Dear Mr. Henderson,

I am writing to urge denial of the requested permit. The proposed landfill would threaten vital drinking water sources for the region. We have grave concerns about the landfill's potential to leak toxic pollutants into these critical groundwater supplies.

This site is unsuitable for a landfill – the County itself rejected the location because it failed seven out of eight siting criteria. It is impossible to engineer the site to make it safe for a landfill.

This landfill is not needed. Waste diversion and recycling rates in the County are at an all-time high, and disposal rates have decreased dramatically in recent years. The County has no need for any new landfills at this time, much less one that would destroy critical water resources.

Thank you.

Sincerely,

Jon Vick

13678 McNally Road
Valley Center, CA 92082
Tel 760-751-0250

Henderson, Jim

From: Henderson, Jim on behalf of LUEG, DEHComments
Sent: Tuesday, March 22, 2011 1:02 PM
To: 'Welsh Pat'
Subject: RE: Comment regarding Gregory Canyon Solid Waste Facility

Thank you for your response. Your comment has been received.

Jim Henderson
County of San Diego
Department of Environmental Health
Local Enforcement Agency
5500 Overland Ave, Suite 110 MS 0560
San Diego, CA 92123
(858) 694-3607

-----Original Message-----
From: Welsh Pat [mailto:patwgrdn@mac.com]
Sent: Monday, March 21, 2011 2:04 PM
To: LUEG, DEHComments
Subject: Comment regarding Gregory Canyon Solid Waste Facility

From:
Pat Welsh
Postal address:
P.O. Box 2509
Del Mar, CA92014
Street Address:
1825 Zapo Street
Del Mar, CA 92014
patwgrdn@mac.com
www.patwelsh.com

To: The San Diego County Solid Waste Local Enforcement Agency (LEA)

Date:
March 19, 2011

Dear Sirs:

Once again I voice my strong, written objection to the building of a Solid Waste Facility in Gregory Canyon.

The reasons for my objection are as follows:
1. This project is for the purpose of enriching people, most of whom are outside our county.
2. If people within our county are enriched through this project, graft or other wrong doing may be involved.
3. The drainage from Gregory Canyon feeds directly into a major natural resource and running stream.
4. We cannot rely on a plastic or any other kind of membrane and subterranean drain to protect this watershed.
5. All man-made membranes eventually leak. It is just a matter of time. (think of Japan.)
6. There are plenty of other far safer places for a dump.

Please vote no on the Gregory Canyon Solid Waste Facility and ensure that this environmentally disastrous scheme never comes into being.

Please make sure that it never again threatens to be brought back for review. Just vote it down and get rid of it for all time.

Sincerely,

Pat Welsh

(I am attaching a longer letter for print.)

Pat Welsh
Postal address:
P.O. Box 2509
Del Mar, CA 92014
Street Address:
1825 Zapo Street
Del Mar, CA 92014
patwgrdn@mac.com
www.patwelsh.com

The San Diego County Solid Waste Local Enforcement Agency.
San Diego, CA

March 19, 2011

Dear Sirs:

Once again I voice my strong, written objection to the building of a Solid Waste Facility in Gregory Canyon.

Reasons for my objection are as follows:

1. This project is for the purpose of enriching people at the expense of the public good, and the main people who stand to gain are outside our county.
2. It is quite likely that there is hidden graft or other wrongdoing connected to this ill-conceived scheme. The public is being fooled.
3. The drainage from Gregory Canyon feeds directly into the San Luis Rey watershed, a major natural resource and running stream.
4. It is against common sense to rely on subterranean back-up drains and a plastic or any other kind of membrane, no matter how many layers thick to protect this watershed.
5. All man-made membranes eventually leak. It is just a matter of time. (Consider what is now happening in Japan.) Drainage pipes eventually break as we have seen again and again in San Diego especially where ground is prone to slippage and earthquakes are rife.
6. There are plenty of other far safer places for a dump. This one will clog our highways with trucks from outside our county.

Please VOTE NO on the Gregory Canyon Solid Waste Facility and ensure that this environmentally disastrous scheme never comes into being.

Please make sure to kill this scheme forever and do all you can to ensure that it will never again threaten to be brought back for review. Just vote it down and get rid of it for all time.

Sincerely,

Pat Welsh
(Author of "Pat Welsh's Southern California Organic Gardening, Month by Month" and other books.)

Henderson, Jim

From: Henderson, Jim on behalf of LUEG, DEHComments
Sent: Thursday, March 10, 2011 12:23 PM
To: Winfrey, Jennifer
Subject: RE:

No you are the first but, I see your point will try to spell it out a little better in the future.

Jim Henderson
County of San Diego
Department of Environmental Health
Local Enforcement Agency
5500 Overland Ave, Suite 110 MS O560
San Diego, CA 92123
(858) 694-3607

From: Winfrey, Jennifer
Sent: Thursday, March 10, 2011 11:16 AM
To: LUEG, DEHComments
Subject:

Has anyone commented that this email doesn't say in text what permit is being considered? The only place Gregory Canyon Landfill is mentioned is in the subject line.

J

n Winfrey
County of San Diego | Public Works | ***Solid Waste Planning and Recycling***
office: 858.694.2463
fax: 858.694.2807
5201 Ruffin Road | Suite D | M.S. O-336| San Diego, CA 92123
Is it worth a tree to print me?

Henderson, Jim

From: Henderson, Jim on behalf of LUEG, DEHComments
Sent: Monday, February 14, 2011 3:32 PM
To: 'Sandra Zelasko'
Subject: RE: Solid Waste Facility Permit for Gregory Canyon Landfill

Thank you for your response. Your comment has been received.

Jim Henderson
County of San Diego
Department of Environmental Health
Local Enforcement Agency
5500 Overland Ave, Suite 110 MS O560
San Diego, CA 92123
(858) 694-3607

From: Sandra Zelasko [mailto:slzphoto@sbcglobal.net]
Sent: Sunday, February 13, 2011 9:52 PM
To: LUEG, DEHComments
Subject: Solid Waste Facility Permit for Gregory Canyon Landfill

I am writing to urge denial of the requested permit. The proposed landfill would threaten vital drinking water sources for the region. We have grave concerns about the landfill's potential to leak toxic pollutants into these critical groundwater supplies.
This site is unsuitable for a landfill – the County itself rejected the location because it failed seven out of eight siting criteria. It is impossible to engineer the site to make it safe for a landfill.
This landfill is not needed. Waste diversion and recycling rates in the County are at an all-time high, and disposal rates have decreased dramatically in recent years. The County has no need for any new landfills at this time, much less one that would destroy critical water resources.
Sincerely,

Sandy Zelasko
Valley Center, CA 92082

Henderson, Jim

From: Henderson, Jim on behalf of LUEG, DEHComments
Sent: Monday, February 14, 2011 3:32 PM
To: 'JoZimmerman@aol.com'
Subject: RE: Please Deny Solid Waste Facility Permit for Gregory Canyon Landfill

Thank you for your response. Your comment has been received.

Jim Henderson
County of San Diego
Department of Environmental Health
Local Enforcement Agency
5500 Overland Ave, Suite 110 MS O560
San Diego, CA 92123
(858) 694-3607

From: JoZimmerman@aol.com [mailto:JoZimmerman@aol.com]
Sent: Monday, February 14, 2011 9:12 AM
To: LUEG, DEHComments
Subject: Please Deny Solid Waste Facility Permit for Gregory Canyon Landfill

February 14, 2011

Jim Henderson
County of San Diego Local Enforcement Agency
5500 Overland Drive, Suite 110
San Diego, CA 92123
<DEHComments@sdcounty.ca.gov>

RE: Solid Waste Facility Permit for Gregory Canyon Landfill

I am writing to urge denial of the requested permit. The proposed landfill would threaten vital drinking water sources for the region. We have grave concerns about the landfill's potential to leak toxic pollutants into these critical groundwater supplies.

This site is unsuitable for a landfill – the County itself rejected the location because it failed seven out of eight siting criteria. It is impossible to engineer the site to make it safe for a landfill.

Sincerely,

Joan Zimmerman, Fallbrook