



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: General Services/ Public Works
Department No.: 063/054
For Agenda Of: December 9, 2008
Placement: Administrative
Estimated Tme:
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Bob Nisbet, Director (560-1011) General Services Department
Director(s) Scott McGolpin, Director (568-3010) Public Works Department
Contact Info: Paddy Langlands, (568-3096) Asst Director, Support Services
Mark Schleich, (568-3603) Deputy Director
**SUBJECT: Public Notice: Closure of the Foxen Canyon Landfill, 4004 Foxen Canyon Road;
near Los Olivos; Third Supervisorial District**

County Counsel Concurrence

As to form: Yes

Other Concurrence: N/A

As to form: No

Auditor-Controller Concurrence

As to form: N/A

Recommended Actions: That the Board of Supervisors:

Approve and authorizes the Chair of the Board of Supervisors to execute the attached Notice of Existence of Closed Landfill as Required by Title 27 CCR, Section 21170. CIWMB- Recording. (T14: Section 17787), regarding the closure of the inactive Foxen Canyon Landfill, 4004 Foxen Canyon Road, near Los Olivos.

Summary Text:

The Public Works Department, Resource Recovery and Waste Management Division, is in the process of preparing the documentation required by Title 27 CCR Section 21170 on completion of the final closure of the Foxen Canyon Landfill. The only outstanding component and final requirement of the California Integrated Waste Management Board (CIWMB) is acknowledgement of the existence of a landfill on the site. This will be accomplished by approving staff recommendations and recordation of the Public Notice. Certified copies will be distributed to the CIWMB and other agencies. Upon approval of the closure documentation by the various agencies, the Foxen Canyon Landfill will be deemed closed pursuant to the regulations and \$396,062 will be released from the closure fund for Foxen Canyon Landfill. These funds will become available for reimbursement of the Tajiquas Landfill fund.

Background:

Since 1986, the County has operated the Foxen Canyon Landfill under a Lease Agreement (herein the "Lease") with the "Foxen Canyon Landfill Limited Liability Corporation" on Assessor Parcel Numbers 133-151-074, -075, and -076 which are owned by the Chamberlin family, (herein the "Property"). The Lease has been amended on several occasions the most recent amendment extended the term, added options for future lease extensions, amended the lease boundary, amended the disposal fee schedule and various other things.

The environmental impacts associated with closure of the Landfill were addressed in 90-EIR-14 (Foxen Canyon Landfill Permit Review and Expansion Environmental Impact Report, October 1992), Addendum to 90-EIR-14 (October 24, 1996) and the Final Supplemental EIR (97-SD-02) to 90-EIR-14 (June 1997), all prepared for the Santa Ynez Valley Waste Management Plan.

The prior environmental review (90-EIR-14, Addendum to 90-EIR-14, and Final Supplemental EIR [97-SD-02]) conducted for the project site is adequate for the execution and recordation of the Notice.

The Santa Ynez Valley Recycling and Transfer Station has been in operation since July 8, 2003 and will continue operations after the Landfill has been closed.

Fiscal and Facilities Impacts:

Budgeted: Yes

Fiscal Analysis:

Narrative: The physical closure of the Landfill has been completed. The only funds being expended on the Notice are for staff time. Remaining funds being held in Restricted Cash for closure activities will be eligible for release upon the site's certification of final closure.

Special Instructions:

After Board action, distribute as follows:

- | | | |
|----|---------------------------------|--|
| 1. | Original Document& Minute Order | GS/Real Estate Services, Attn: Jeff Havlik |
| 2. | Copy of the Notice | Clerk of the Board Files |
| 3. | Minute Order | Public Works, Attn: Jeff Havlik |

NOTE: After execution of the Public Notice by the Chair of the Board, Office of Real Estate Services will deliver the original executed Public Notice with exhibits for recordation. After recordation the original Public Notice will be filed with the Clerk of the Board. Certified copies will be provided to the owner of the land impacted by the Order, the California Integrated Waste Management Board, the Regional Water Quality Control Board, the Local Enforcement Agency and copies will be retained by the Resource Recovery and Waste Management division in the Public Record for the Foxen Canyon Closed landfill, and by the Office of Real Estate Services of the General Services Department.

Attachments:

Public Notice with Exhibits

Authored by:

Ronn Carlentine, Office of Real Estate Services

cc: Mr. John Pet, Resource Recovery & Waste Management