



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: Public Works
Department No.: 054
For Agenda Of: March 19, 2024
Placement: Departmental
Estimated Time: 1 hr 15 minutes
Continued Item: Yes
If Yes, date from: March 5, 2024
Vote Required: Majority

TO: Board of Supervisors

FROM: Department Scott D. McGolpin, Public Works Director, 805-568-3010
Director(s)
Contact Info: Jeanette Gonzales-Knight, P.E., Interim Deputy Director,
(805) 882-3605

SUBJECT: Consider Approval of the Tajiguas Landfill Capacity Increase Project, Third
Supervisory District

County Counsel Concurrence

As to form: Yes

Other Concurrence: Risk Management
As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Recommended Actions:

That the Board of Supervisors:

- a) Certify that the Final Subsequent Environmental Impact Report (SEIR), 23EIR-00001, for the Tajiguas Landfill Capacity Increase Project has been completed in compliance with the California Environmental Quality Act (CEQA);
- b) Certify that the Board has reviewed and considered the information contained in the Final SEIR, 23EIR-00001, as well as information presented during the public hearing prior to the approval of the project, and make and adopt the CEQA Findings and Statement of Overriding Considerations;
- c) Approve the Tajiguas Landfill Capacity Increase Project, which provides an additional capacity of 6.1 million cubic yards, increasing the permitted total design capacity of the Tajiguas Landfill from 23.3 million cubic yards to 29.4 million cubic yards;
- d) Adopt the mitigation measures, with their corresponding monitoring requirements, as the Mitigation Monitoring Program for this project;

- e) Direct the Resource Recovery and Waste Management Division to acquire local, State and Federal permits and approvals to the extent required by law for implementation of the project; and
- f) Authorize the Resource Recovery and Waste Management Division to advertise/solicit for bids/proposals for construction of the project and for other contracts that may be required to implement the project.

Summary Text:

This item is on the agenda to consider approval of the Tajiguas Landfill Capacity Increase Project. The Tajiguas Landfill was last approved for expansion in 2002, a reconfiguration of the waste footprint (with no change in capacity) was approved in 2009 and the ReSource Center (formerly the Tajiguas Resource Recovery Project) consisting of a Materials Recovery Facility (MRF), Anaerobic Digestion Facility (ADF) and Compost Management Unit (CMU) was approved in 2016/2017 to extend the Tajiguas Landfill life by increasing diversion of waste away from the landfill disposal, without expansion. Waste is currently being disposed of in the expansion area and reconfigured area approved in 2002 and 2009 and the ReSource Center has been in limited service since fall of 2021.

When the ReSource Center was approved in 2016/17¹ it was anticipated that with the added diversion, the Tajiguas Landfill's service life would be extended to approximately 2038 concurrent with the completion of debt service for the ReSource Center. However, due to numerous factors, recent remaining capacity analyses show that landfill capacity will be exhausted in 2026. Therefore, Public Works Department, Resource Recovery and Waste Management Division (RRWMD) is now proposing to construct a Tajiguas Landfill limited Capacity Increase Project to provide the capacity that was expected to be provided through additional diversion from the ReSource Center and to avoid the financial impacts and environmental impacts associated with off-site transportation and disposal of the community's waste, concurrent with paying debt service. The limited capacity increase would be located largely in areas previously disturbed by existing permitted Tajiguas Landfill operations. The project would increase the permitted design capacity from 23.3 million cubic yards (mcy) to 29.4 mcy, the permitted disposal area from 118 acres to 132.25 acres, and change the maximum permitted elevation of the Landfill from 620 feet above mean sea level (amsl) to 650 feet amsl. The project also includes a change to the operating hours for waste receipt at the Tajiguas Landfill scale house (increasing the scale house operating hours from 56 to 60 hours) and changes the permitted tons allowed to be received from a daily maximum of 1500 tons/day to a weekly maximum of 9000 tons per week (with the total weekly maximum (1500 tons/day x 6 working days) remaining the same as currently permitted). The change in the scale house operating hours is primarily to allow the MRF to begin processing waste one hour earlier each day; however, landfilling operations would still occur between 7:00 am and 4:00 pm.

Approval and implementation of the proposed Tajiguas Landfill Capacity Increase Project is time critical as the Tajiguas Landfill continues to receive the community's waste and capacity continues to be exhausted. Because of the lead time required to prepare new waste disposal areas (e.g., construct the new waste cells and install the groundwater protection system), construction must be initiated well in

¹ The ReSource Center project and contract was initially approved in 2016, and then an amended contract was approved in 2017 to address the relocation of the ADF to the east side of the Landfill property.

advance before waste placement can occur. Therefore, in order to accept waste in March 2026 when capacity is projected to be reached, construction must begin in summer 2024.

The proposed project reduces impacts to the maximum extent feasible and meets all of the environmental and financial objectives of the project. Therefore, staff recommends that the Board approve the limited capacity increase. Pursuant to the requirements of the California Environmental Quality Act, approval of the project will require that the Board certify the SEIR and make a series of CEQA findings.

Background:

Introduction

The RRWMD is responsible for the management of solid waste resources in Santa Barbara County with its mission to protect the public health and safety by providing County residents with cost effective, innovative, and environmentally sound solutions for waste management. The RRWMD provides an integrated waste management system consisting of: recycling programs for curbside commingled recyclables and green-waste collection, food waste collection from businesses, backyard composting for residents, programs for residential and small business hazardous waste collection, sharps and pharmaceutical collection, electronic waste, construction & demolition material, mattress, carpet and textile collection and recycling, education activities, the operation of four recycling and transfer stations, the operation of one household hazardous waste collection center, the operation of the Tajiguas Landfill, and management of ten closed landfills. In addition, the RRWMD is responsible for administering the franchise agreements for the collection of solid waste materials from residents and businesses in the unincorporated areas of the County by private solid waste collection firms, as well as the enforcement of local solid waste management ordinances.

The Tajiguas Landfill has been in continuous operation since 1967. Tajiguas Landfill construction and operation pre-dates the Coastal Act and CEQA. An expansion of the Tajiguas Landfill (Tajiguas Landfill Expansion Project) was approved in 2002. Minor changes to the Tajiguas Landfill Expansion Project were approved in 2006, a reconfiguration of the waste footprint associated with the Expansion Project (Tajiguas Landfill Reconfiguration and Baron Ranch Restoration Project) was approved in 2009, and the ReSource Center was approved in 2016/17, with each project being first analyzed pursuant to the requirements of the CEQA.

The ReSource Center was publicly financed and the financial models assumed that residuals and bypass waste that could not be processed in the ReSource Center facilities would be disposed of in the Tajiguas Landfill. It was also assumed based on information that was available at the time the ReSource Center was proposed, that the diversion from operation of the facilities would extend the Tajiguas Landfill service life to a time consistent with the completion of debt service for the facilities (December 2038). Due to a number of factors discussed below and based on updated calculations of remaining capacity, the Tajiguas Landfill is now expected to reach capacity in March 2026.

The RRWMD has prepared a Final Subsequent Environmental Impact Report (SEIR) (23EIR-00001) (available for review at <https://www.countyofsb.org/1165/Environmental-Documents>) for a proposed limited capacity increase of the permitted waste footprint at the Tajiguas Landfill. The Tajiguas Landfill Capacity Increase Project is proposed to extend the life of the Tajiguas Landfill, that was

projected to be provided through diversion associated with operation of the ReSource Center, and reduce the rate-payer burden associated with paying debt service concurrently with off-site transport and disposal of residual and bypass waste.

ReSource Center Operations

The ReSource Center was approved to allow the County to comply with various state regulations regarding Greenhouse Gas (GHG) emissions from burial of organic waste (per SB1383), further recover recyclable material and generate green energy. The facility is a major component of the county and city's climate action plans aimed at addressing GHG emissions. The facility was designed, built and was operated by a private contractor. Construction has been completed but the facilities have not obtained Final Acceptance nor a Full Operations status. There have been ongoing odor and other operational issues with the ReSource Center, particularly the facilities (ADF and CMU) that manage the organics from the community's waste. The effort to control those odors is necessary regardless of this project, and the RRWMD is actively working on addressing the odor issue. Most recently the Board of Supervisors approved the purchase and installation of a GORE Cover System, which will convert the current open-air windrow compost curing process into a covered aerated static piles curing system. The GORE system was evaluated and chosen, based on pilot studies conducted at the ReSource Center CMU and on information from other facilities using this technology. The GORE system was thoroughly evaluated and chosen as it is the best technology to reduce odors from the compost curing process. Further, on December 12, 2023 the County terminated the contract with MSB Investors, LLC for operation of the ReSource Center, which will allow the RRWMD to take a more active role in addressing odor and other violations associated with the ADF and CMU. It should be noted that much of the opposition to the Tajiguas Landfill Capacity Increase Project has been related to the ReSource Center operational issues, which are not impacted by the proposed project.

The Board of Supervisors adopted a resolution (Resolution 18-50) that established a policy to cease burial of residuals and solid waste at the Tajiguas Landfill when the existing permitted capacity was reached and not to seek expansion of the Landfill. On January 23, 2024 the Board adopted an updated resolution (Resolution 24-12) to cease burial of residuals and municipal solid waste at the Tajiguas Landfill and not seek expansion as of January 1, 2039. The proposed project is consistent with this policy as it is designed to provide capacity to approximately December 2038.

Factors Affecting the Tajiguas Landfill Life

Based on recent calculations of remaining capacity, the Tajiguas Landfill is expected to reach capacity in approximately March 2026. A number of factors have affected the landfill capacity and how long it is projected to serve our community including but not limited to:

- Delays in initiating construction of the ReSource Center due to discrepancies in the coastal zone boundary and litigation;
- Delays in completing construction of the ReSource Center and achieving full operations;
- More waste was received from the community at the Tajiguas Landfill than projected while the ReSource Center was under construction; and
- More bypass waste (waste that can't be processed in the MRF) is being received from community at the transfer stations than was anticipated.

Project Objectives

The objectives for the project are to meet local and regional solid waste disposal and recycling needs, including the following specific objectives:

- Regain Tajiguas Landfill service life that was planned to be provided by enhanced recovery of recyclable materials and associated reduction in burial of solid waste provided by the ReSource Center.
- Avoid the ratepayer burden of paying for debt service for the ReSource Center simultaneously with cost for transportation and disposal of residual waste (post-ReSource Center processing) and bypass waste (waste that can't be processed at the ReSource Center) at alternative landfills.
- Maximize disposal opportunities at the Tajiguas Landfill and avoid environmental impacts associated with off-site hauling and disposal when the Tajiguas Landfill reaches its current permitted capacity.
- Provide local facilities for an efficient, combined resource recovery and disposal operation to reduce or eliminate the need for solid waste to be delivered to multiple locations for residuals disposal.

Proposed Project Description

The proposed 14.25-acre Tajiguas Landfill Capacity Increase Project would largely be in areas previously disturbed by existing permitted operations. The project would provide approximately 6.1 mcy of additional airspace for burial of solid waste, which includes bypass waste and residual waste (non-recyclable and non-compostable residual produced by sorting at the MRF, and residual from the ADF and CMU [mostly plastics]). The 6.1 mcy additional air space would provide approximately 5.0 mcy of net capacity increase after accounting for the liner protective soil, closure cover, disaster capacity, etc.

The proposed project would increase the permitted height, disposal area footprint, and design capacity of the Tajiguas Landfill to extend the estimated closure year to approximately 2038. The area proposed for the increase in permitted height and disposal area is shown in Attachment D. The increased capacity would be provided by increasing the maximum elevation of the Tajiguas Landfill by approximately 30 feet, from 620 to 650 feet above mean sea level. In addition, the permitted disposal area footprint would be expanded to the north and east by approximately 14.25 acres, which would increase the total permitted disposal area from 118 acres to 132.25 acres. There would be no change to the overall permitted operational area of 357 acres and the increase would be within the "Waste Disposal" overlay area designated in the County's Comprehensive Plan. Other minor operational changes include modifying the hours of waste receipt to 6 am to 4 pm, Monday through Saturday (with no change to community collection hours) and moving from a daily maximum tonnage of 1,500 tons per day to a weekly maximum of 9,000 tons per week, to account for daily variability in waste received at the facility.

The additional waste disposal capacity would be created by placing waste on top of the existing permitted waste disposal area and by excavating a new fill area (Phase IV) to the north of the existing waste footprint. To provide the additional disposal capacity, approximately 566,400 cy of grading (excavation) would be required. Groundwater protection, landfill gas collection and other

environmental control systems would be extended into the new disposal area.

Project Impacts

The proposed Tajiguas Landfill Capacity Increase Project would largely be located in areas previously disturbed by permitted landfill activities and therefore according to the SEIR analysis, the proposed project would result in the following two new project specific significant and unavoidable impacts:

- Greenhouse gas emissions generated by construction equipment and decomposition of the community's municipal solid waste.
- Loss of suitable habitat and potential loss of individual Crotch's Bumblebees (candidate species² for listing by the California Department of Fish & Wildlife under the California Endangered Species Act).

The greenhouse gas emissions are the result of disposal of residual organic material in the waste and would occur wherever the waste is landfilled. The potential loss of habitat and potential loss of individual Crotch's Bumblebees is a result of the successful hydroseeding of previously disturbed slopes with native vegetation that has become attractive to the bumblebee for foraging.

Two significant and unavoidable impacts (continued indirect biological impacts in adjacent areas due to delayed closure and revegetation and extended GHG emissions) would also occur as result of the extension of life of the Tajiguas Landfill beyond 2026.

Several other project specific and/or extensions of life biological, hazardous materials, cultural resource, noise, nuisance, and land use impacts would also result from implementation of the Tajiguas Landfill Capacity Increase Project, but feasible mitigation measures are available as discussed below and in the attached SEIR and mitigation and monitoring plan to reduce these impacts to an insignificant level.

Project Alternatives and Financial Considerations

As required by CEQA, alternatives to the project were analyzed with the goal of reducing or avoiding the significant effects of the project and to promote informed decision-making and public participation. Alternatives analyzed include the CEQA required "no project" alternative, two on-site reduced project (horizontal only and vertical only) alternatives, and two off-site landfill waste exportation/disposal alternatives (disposal at the Chiquita Canyon Landfill in Los Angeles or a combination of the Chiquita Canyon Landfill and Santa Maria Regional Landfill or proposed Santa Maria Integrated Waste Management Facility).

Specific financial considerations related to the off-site exportation/disposal options are included in in Section 5.3 of the SEIR. In summary, costs of the proposed project and alternatives are:

- \$1.6 million annual cost of the Tajiguas Landfill Capacity Increase Project, based on an extended service life of 12.75 years

² Although not formally listed, under Section 2085 of the California Fish and Game Code, a candidate species receives the same level of protection as a fully listed species. The RRWMD has initiated consultation with CDFW regarding California Endangered Species Act permitting for potential impacts to Crotch's bumblebee.

- \$13.4 million annual cost to export the County's waste to the Chiquita Canyon Landfill (SEIR Alternative D)
- \$13.1 million annual cost to export the County's waste to the Chiquita Canyon and Santa Maria Landfills (SEIR Alternative E)
- Waste export costs to the alternative landfills would be in addition to existing debt service payments for the ReSource Center
- Increased cost to residential and commercial rate payers due to waste export to alternative landfills (up to ~25% increase)
- These increased costs would require a substantial increase in tipping fees, which requires approval by the affected cities.

Alternatives that were considered but not studied in detail include construction of a new landfill and enhanced source separation/collection. Construction of a new landfill is not a feasible alternative because of the time it takes to site and fully permit a new landfill and because a new landfill would likely result in greater environmental impacts than the proposed project. Due to the documented low community participation rates and high contamination rates, enhancing source separation will not provide sufficient diversion to result in a landfill service life through approximately 2038, and was also determined to not be feasible and not studied in detail in the SEIR.

Waste exportation would contribute to significant and unavoidable impacts at the other landfill sites. Waste export would also increase haul distances, vehicle miles travelled and associated air pollutant and GHG emissions. Further, waste exportation is considered financially infeasible and does not meet most of the project objectives.

The vertical-only reduced project alternative would avoid most biological impacts associated with the proposed project and was identified as the CEQA environmentally superior alternative. However, due to the reduced landfill service life from approximately December 2038 to approximately November 2031, implementation of a vertical-only reduced project alternative would ultimately require export of solid waste and associated transportation and off-site impacts.

Therefore, the proposed Tajiguas Landfill Capacity Increase Project with the mitigation identified in Attachment D reduces impacts to the maximum extent feasible and meets operational, engineering and financial objectives associated with continued management and disposal of the community's waste.

Public Noticing and Comments

The RRWMD complied with the public noticing requirements of the State and County CEQA Guidelines. A Notice of Preparation (NOP) was distributed to responsible and trustee agencies, and members of the public on March 23, 2023 for a 30-day comment period. The comment period closed on April 21, 2023. The NOP was mailed or emailed to occupants and property owners within 1,000 feet of the exterior boundary of the Landfill property, to other permitting agencies by certified mail, to community groups based on lists compiled by the County Planning and Development Department, and to members of the Board of Supervisors. A copy of the NOP was also posted electronically on the State Clearinghouse CEQAnet website, the RRWMD website and a printed copy was posted at the Clerk of the Board of Supervisors. A virtual public scoping meeting was held on April 10, 2023 to accept input on the scope and content of this Subsequent EIR.

The Notice of Availability of the Draft SEIR and public hearing was published in the newspaper (Santa Barbara Independent) on the same day the Draft SEIR was released (September 26, 2023), mailed to all property owners and occupants within 1,000 feet of the exterior boundary of the Landfill property (extended to ensure that all parcels in the Arroyo Quemada neighborhood were noticed if they were not within 1,000 feet) and emailed directly to interested residents of the Arroyo Quemada community. The Notice of Availability was mailed and/or emailed to responsible and interested agencies, neighboring counties and cities, community groups based on lists compiled by the County Planning and Development Department, members of the Board of Supervisors and to any individual or group who requested to be noticed. The Notice of Availability was posted at the Clerk of the Board and the notice and Draft SEIR were posted on CEQAnet. The Notice of Availability was posted on the County of Santa Barbara RRWMD's website along with the Draft SEIR. A hybrid public hearing (Zoom and in-person at the ReSource Center Education Room) was held on October 26, 2023 to accept oral comments on the Draft SEIR. In addition to comments accepted at the public hearing, written comments were accepted during the 45-day public comment period.

Public comments on the Draft SEIR largely focused on issues related to odors and litter associated with the operation of the ReSource Center ADF and CMU, and concerns of expanding the Tajiguas Landfill while these issues were outstanding. Other comments were in regards to biological impacts, consideration of enhanced source separation and waste reduction alternatives and prior policy commitments regarding landfill expansion. The Final SEIR includes all public and responsible agency comments received and responses to those comments.

Mitigation Measures/Mitigation Monitoring Program

Mitigation measures have been developed to address significant unavoidable impacts in the issue areas of GHG emissions and biological resources, and significant but mitigable impacts in the issue areas of biological resources, hazardous materials, cultural resource, noise, nuisance, and land use impacts. These measures include:

- Construction-related GHG Emissions Reduction Measures
- Crotch's Bumblebee Training and Construction Phasing
- Crotch's Bumblebee Habitat Replacement
- Crotch's Bumblebee Habitat Usage Study
- Habitat Replacement; Minimize Impact to Adjacent Habitats; Control of Highly Invasive Plants
- Breeding Bird Surveys and Protection
- Rare Plant Replacement
- California Red Legged Frog (CRLF) Avoidance Measures
- Hazardous Materials Assessment and Remediation
- Cultural Resources Awareness Program and Evaluation and Protection of Discovered Resources; and
- Restricted Blasting (required for soil excavation) Hours and Community Notification

Other measures (e.g., litter and dust control, limitations on night lighting, etc.) implemented as a part of the current landfill operations would also continue to be implemented as a part of the Tajiguas Landfill Capacity Increase Project.

CEQA Guidelines Section 15091(d) requires “When making the findings required in subsection (a)(1), the agency shall also adopt a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to avoid or substantially lessen significant environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures.” CEQA Guidelines Section 15097(a) ensures “... that the mitigation measures and project revisions identified in the EIR or negative declaration are implemented, the public agency shall adopt a program for monitoring or reporting on the revisions which it has required in the project and the measures it has imposed to mitigate or avoid significant environmental effects.”

The mitigation measures, monitoring methods and timing, and the enforcement agency are designated in the attached Mitigation and Monitoring Reporting Program (Attachment C). This Mitigation and Monitoring Reporting Program would ensure compliance with the mitigation measures during project implementation.

Conclusions and Recommendations

As discussed in detail in Attachment B (CEQA Findings and Statement of Overriding Considerations), the project would allow the RRWMD to continue to: provide safe, cost effective, environmentally sound and legally mandated waste disposal capabilities; extend the life of the Tajiguas Landfill (avoid/postpone impacts and costs associated with off-site disposal), extend and increase the implementation of advanced waste recovery technologies, increase the efficiency of waste burial operations, contribute to the local economy and provide continued employment of the RRWMD staff while also providing work for local contractors and consultants. Each benefit constitutes an overriding consideration warranting approval of the Tajiguas Landfill Capacity Increase Project, despite the unavoidable impacts.

The Tajiguas Landfill Capacity Increase Project balances environmental impacts with the project benefits and the obligation to provide reliable solid waste disposal for the citizens of Santa Barbara County, necessary for the protection of life and property. Therefore, staff recommends that the Board approve the proposed Tajiguas Landfill Capacity Increase Project.

Fiscal and Facilities Impacts:

Budgeted: Yes

The RRWMD Enterprise Fund will provide 100% of the project funding, and the initial costs (i.e. Phase 4A liner) are included in the proposed FY 24-25 budget and will be included in the FY 25-26 proposed budget, with phased capital projects (e.g. Phase 4B through 4D liners and partial closures of disposal area) occurring in future fiscal years.

Fiscal Analysis:

Funding Sources	FY 2024-2025	FY 2025-2026
	Cost:	Cost:
General Fund		
State		
Federal		
Fees		
RR&WM Fund 1930: \$	10,490,000.00	\$ 4,250,000.00
Total \$	10,490,000.00	\$ 4,250,000.00

Fiscal Narrative:

Certification of the Final SEIR will allow staff to develop, permit, and operate the Tajiguas Landfill Capacity Increase Project in an efficient manner. The Project is identified in the Santa Barbara County Capital Improvements Plan (CIP). The total cost of the proposed Tajiguas Landfill Capacity Increase Project is approximately \$20 million with phased capital projects (e.g. Phase 4B through 4D liners and partial closures of disposal area) occurring in future fiscal years, for an average annual cost of 1.6 million, based on an extended service life of 12.75 years.

The Tajiguas Landfill tipping fees have been structured to support the costs of the Tajiguas Landfill Capacity Increase Project. Funding for the Project, pending approval, and any ongoing maintenance costs will be supported by the Tajiguas Landfill tipping fees.

Special Instructions:

Following Board approval Clerk of the Board to forward a copy the Minute Order approving this action to Jamie R. Perry and Joddi Leipner at Public Works, Resource Recovery and Waste Management Division.

Following Board approval RRWMD will hand deliver the CEQA Notice of Determination for posting at the Clerk of the Board.

Attachments:

- Attachment A: Final SEIR (23EIR-00001) Volumes 1 and 2
<https://www.countyofsb.org/1165/Environmental-Documents>
- Attachment B: CEQA Findings and Statement of Overriding Considerations
- Attachment C: Mitigation Monitoring Program
- Attachment D: Project Figures

Authored by:

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