

CHAPTER 1

INTRODUCTION

This Environmental Impact Report (EIR) evaluates the impacts of the proposed West Contra Costa Sanitary Landfill (WCCSL) Bulk Materials Processing Center (BMPC) land use permit amendment changes and related actions (Project). The Lead Agency under the California Environmental Quality Act (CEQA) is the Contra Costa County (County) Community Development Department. The City of Richmond (City), Contra Costa County Health Services Department Environmental Health Division and other agencies are serving as Responsible Agencies under CEQA. The Project applicant is West Contra Costa County Sanitary Landfill, Inc. (Applicant). This chapter of the EIR provides an overview of the Project, the CEQA process, and the organization of this Draft EIR.

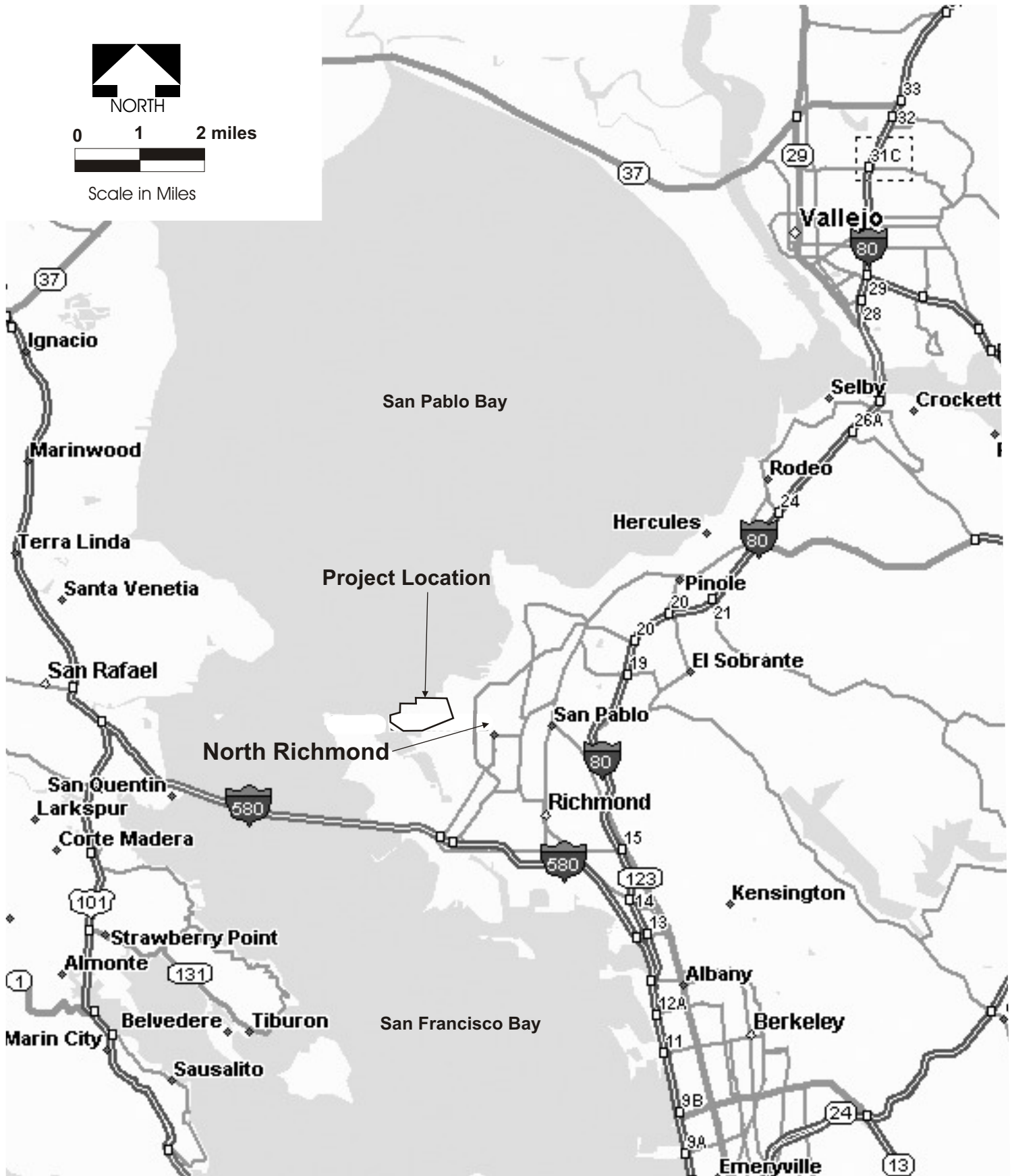
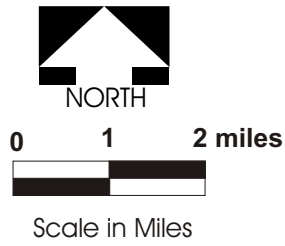
A. PROJECT OVERVIEW

The Applicant operates a Class II sanitary landfill at the foot of Parr Boulevard in Richmond, California. Figure 1-1 shows the regional location of the facility and Figure 1-2 shows the immediate vicinity surrounding the site, which is largely water and industrial uses. As indicated on Figure 1-2, the WCCSL site encompasses land in both the unincorporated area of the County and City.

Operational changes have occurred over time as new regulations, permits, and recycling operations have been implemented. Currently, the site includes several distinct operations:

- Solid waste disposal in a Class II sanitary landfill (including a waste shuttle facility).
- BMPC (wood recycling, composting, and asphalt/concrete crushing).
- Hazardous Waste Management Facility leachate treatment plant.

The existing BMPC is one component of the West County Integrated Resource Recovery Facility (IRRF). The second component, the Central Processing Facility (Central IRRF), is a permitted material recovery facility and transfer station located at 101 Pittsburg Avenue, several blocks from the WCCSL site. In 1992, the County certified the EIR for the West County IRRF.⁹ WCCSL is permitted to receive up to a maximum of 2,500 tons per day (TPD) of municipal solid waste (MSW). MSW is generated in various jurisdictions in the San Francisco Bay Area region. Wastes are delivered in a variety of vehicles, including large transfer trucks, garbage trucks, pickups, and passenger cars.



Source: Scheidegger & Associates, June 2003

Figure 1-1 Regional Location

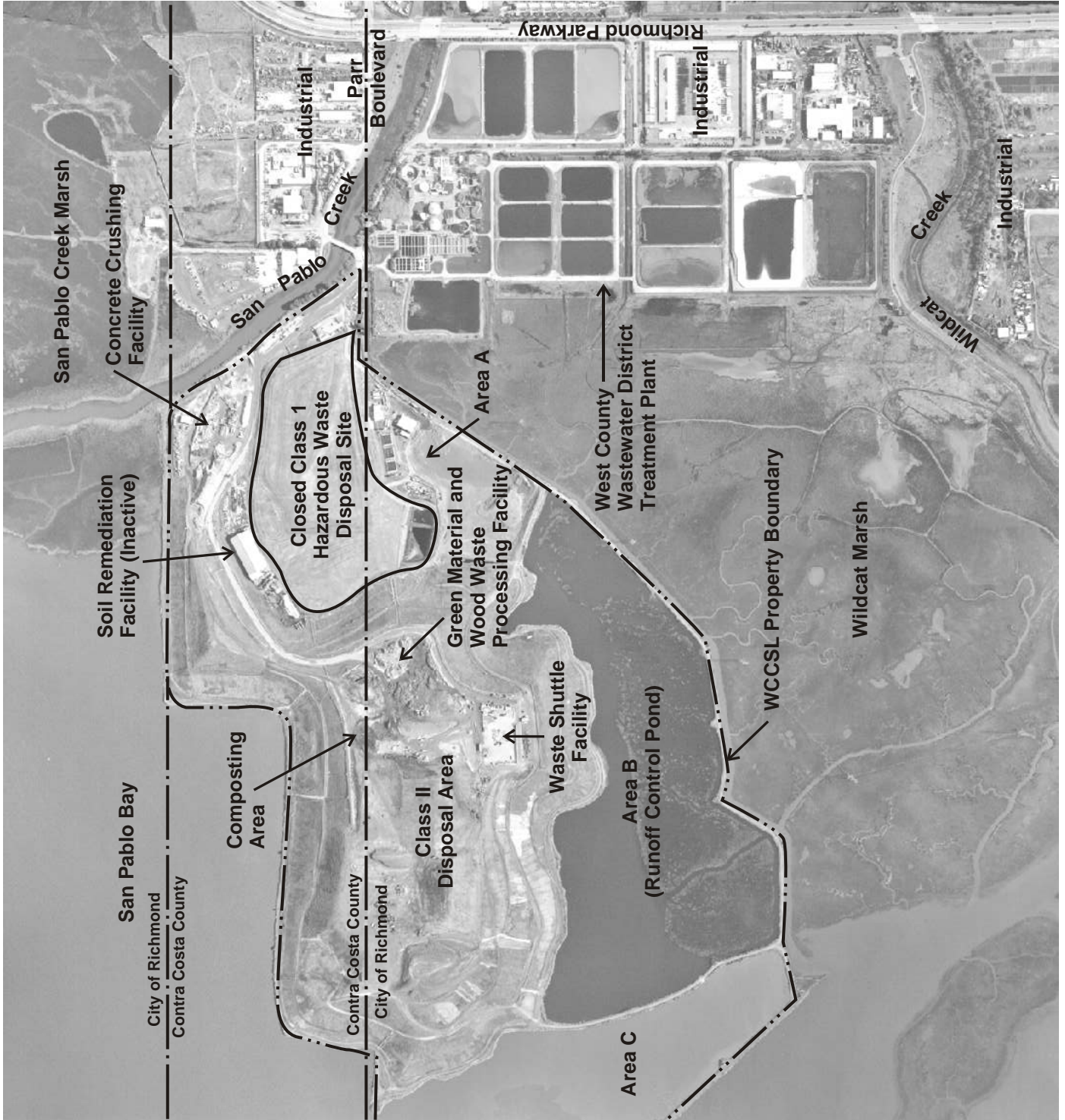


Figure 1-2 Vicinity Map

Source of aerial photo: WCL, January 2003

The Applicant is requesting amendments for their existing use permits for the BMPC. These permits were issued in 1993 by the County (under Land Use Permit [LUP] No. 2054-92, as amended by LUP 2043-94) and the City (under Conditional Use Permit [CUP] No. 92-53). Proposed changes in the BMPC include the following:

- **COMPOSTING:** Relocate operations and increase the amount and types of compostables processed.
- **ASPHALT/CONCRETE PROCESSING:** Relocate operations and increase the amount of asphalt/concrete processed.
- **WASTE RECYCLING CENTER:** Construction and operation of the Waste Recycling Center (WRC). The proposed WRC would be built through adaptive reuse of the former Soil Remediation Facility building to recycle, sort, and transfer for disposal of waste from self-haulers, industrial debris boxes, and other commercial customers that are not processed at the existing Central IRRF. An alternative on-site location for the WRC is being considered at Area A (see Figure 1-2) that would include construction of a new facility (in lieu of adaptive reuse of an existing building).
- **WET/DUSTY MATERIAL BLENDING:** Startup of a new wet waste/dusty material processing activity involving blending of high-moisture-content muds and sludges with waste soil and dusty wastes, producing a product at the WCCSL suitable for alternative daily cover, final cover, or off-site use. Possible off-site uses include ADC material for other landfills, trench backfill material or road or building subbase, and replacement backfill for brownfield sites where a soil backhaul is practiced to fill excavations where materials were excavated for treatment or disposal.
- **WOOD RECOVERY:** Relocate operation and increase the amount of wood waste processed and recovered.
- **SOIL RECLAMATION:** Startup of a new soil reclamation activity involving the reclamation of non-contaminated soils through screening and use on site, and the addition of sand and/or compost to produce top soil for off-site use.
- **BIOSOLIDS/DREDGED MATERIAL SPREADING:** Start up of a new activity involving the spreading of wet dredged materials and/or biosolids (sludge from wastewater treatment facilities) on the capped portions of the landfill, and the southern and eastern slopes.
- **CHANGE IN FACILITY OPERATING HOURS:** Expanded hours proposed for equipment maintenance, waste acceptance, materials processing, and transport.

There are also proposals included in the Project that are not part of the use permit amendments. These include an increase in the height of the landfill and the opening and maintenance of the Shoreline Public Access Trail. A revision of the Solid Waste Facilities Permit (SWFP) is required to allow an increase of the landfill height from its existing 130-foot above mean sea level (msl) elevation limit to 160 feet msl, which represents top of waste. The SWFP is issued by the County Health Services Department, Environmental Health Division, which serves as the Local Enforcement Agency (LEA), with concurrence by the California Integrated Waste Management Board (CIWMB). A 7-foot-deep soil cap (4 feet of state-required final cap plus a 3-foot protective soil layer) would be placed on top of the 160-foot msl elevation. This increased landfill height would correct unanticipated settlement problems that have occurred in the landfill's central plateau. Additional short-term disposal capacity would also result from the height increase.

Existing County and City use permits for the BMPC require the Applicant to submit plans to allow shoreline public access at the perimeter of the WCCSL. Since 1992, various iterations of the Shoreline Public Access Trail (Trail) Development Plan have been developed. The current alignment of the Trail reflects coordination with interested local citizens and agency representatives and is sensitive to other components of the proposed Project. Four phases of the Trail have been identified allowing development to progress clockwise around the landfill as final closure is completed (see Figure 3-7 in Chapter 3, Project Description).

B. INTENT OF CEQA

The EIR process as defined by CEQA requires the preparation of an objective, full-disclosure document to (1) inform agency decision makers and the general public of the direct and indirect environmental impacts of a proposed action, (2) provide mitigation measures to reduce or eliminate potential significant adverse impacts, and (3) identify and evaluate reasonable alternatives to the proposed project.

Significant adverse impacts may not always be mitigated to a less than significant level, and as such are considered significant unavoidable adverse impacts. In accordance with Section 15093(b) of the State CEQA Guidelines, if a public agency approves a project that has remaining adverse impacts which are not mitigated to insignificant levels, the agency shall state in writing the specific reasons for approving the project, based on the final EIR and any other public information. This is termed a Statement of Overriding Considerations per Section 15093 of the State CEQA Guidelines. Similarly, if a mitigation measure is available to reduce a significant impact to an insignificant level, and such a mitigation measure is not adopted, the impact would still be considered significant.

C. CEQA AND USE PERMIT PROCESSES

The County Community Development Department is the Lead Agency for the preparation of this EIR. As Lead Agency, the County has involved other government agencies having their own approval authority over the project (Responsible Agencies) so they can provide input to ensure this EIR meets their needs under CEQA. These agencies include the City, LEA, CIWMB, the Regional Water Quality Control Board (RWQCB), the Bay Area Air Quality Management District (BAAQMD), and the Bay Conservation and Development Commission (BCDC).

1. Overview of the CEQA Process

In order to solicit agency input into the CEQA process and to assist in scoping the EIR work program, the County held an agency scoping session and site tour on November 1, 2002. A Notice of Preparation (NOP) was prepared and the NOP process for this EIR was issued on October 10, 2002. The NOP was sent to Responsible Agencies and other interested parties. The purpose of the NOP process was to solicit input on areas of potential impact that should be addressed in the EIR.

The Draft EIR (circulation draft) must be available for public review by agencies, interested organizations, and individuals for at least a 45-day period following the filing of a notice of completion with the State's Office of Planning and Research, according to CEQA. During the 45-day period, the County will hold a public hearing to receive oral and written testimony on the Draft EIR. The County will accept all written comments received during the 45-day review/comment period.

Comments and questions raised during the public review period and at the public hearing relating to the project's analysis in the Draft EIR will be addressed in a Response Document unless the County, as Lead Agency, determines that a revised Draft EIR should be prepared. The Draft EIR and the Response Document will together constitute the Final EIR. The Final EIR will be considered for certification in accordance with CEQA and the State's CEQA Guidelines.

The County will certify the Final EIR as adequate and completed in compliance with CEQA. If the Project is approved, the County will certify that it has considered the information contained in the Final EIR incident to their approval of the document and findings will be made on significant impacts and the provision of the mitigation measures. When a decision is made on the proposed Project, the County will file a Notice of Determination with the State's Office of Planning and Research and the County Clerk to complete the CEQA process. As discussed in Chapter 3 Section C5, Responsible Agencies will utilize the Final EIR when considering their individual entitlements and permitting approval processes for the Project.

Public Resources Code Section 21081.6 and CEQA Guidelines Section 15097(1) require public agencies to adopt reporting or monitoring programs for projects for which findings have been adopted indicating that mitigation measures are required to reduce impacts to less than significant levels, (2) requires design of reporting or monitoring programs to ensure compliance during project implementation, and (3) provides a means by which lead or responsible agencies could require agencies “having jurisdiction over natural resources affected by the project” to also prepare and submit reporting or monitoring programs. A mitigation monitoring and reporting program will be adopted by the County in conjunction with adoption of the findings.

2. Review and Approval of the Land Use Permit Application and EIR

The WCCSL site encompasses two land use jurisdictional boundaries. Because of this, the approval process for the application for use permit amendments and issuance of a new Conditional Use Permit (CUP) will involve decision-making bodies from the County and City:

- Unincorporated portions of the WCCSL site are governed by the County’s General Plan and North Richmond Shoreline Specific Plan.
- The incorporated area is governed by the City’s General Plan.

The County will consider formally amending its LUP and the City will consider amending its CUP and possibly issuing a new CUP for the WCCSL site. The extent that each permit would be amended or new permit issued will depend on the final location of the proposed WRC. These use permit processes will involve public review, public hearings, and adoption by the County Board of Supervisors and Richmond City Council, respectively. The process for review and approval of the EIR and permit applications is described below:

- If the location for the proposed WRC in the unincorporated area is selected, the County will amend the LUP for the BMPC to include the new facility and related elements. If the WRC is located in the City, the County will still amend its LUP as needed to reflect the new and expanded resource recovery activities that would occur wholly, or partially, within the unincorporated area.
- If the location for the proposed WRC in the Richmond city limit is selected, the City will likely issue a new CUP to reflect the new facility and related elements. If the WRC is located in the unincorporated County area, the City will amend its CUP to reflect the new and expanded resource recovery activities that would occur wholly, or partially, within the Richmond city limit.

Table 1-1 summarizes the role of the Responsible Agencies involved in the Project as related to the Use Permit and CEQA process. The County Board of Supervisors will certify the EIR, while the City and other Responsible Agencies will consider the EIR when making decisions regarding Project entitlements. These specific entitlements are discussed in Chapter 3, Section C.

Table 1-1. Agency Roles in the Use Permit and CEQA Process

Agency	Use Permit application			Environmental Impact Report			
	Review/ comment	Public hearing/ recommend	Decision	Review/ comment	Public hearing/ recommend	Certification	Uses EIR
CONTRA COSTA COUNTY ^{a,b} County staff (various depts.) Zoning Administrator Planning Commission Board of Supervisors	✓	✓	✓	✓	✓	✓	✓
CITY OF RICHMOND ^{c,d} Planning Commission City Council		✓	✓	✓		✓	✓
LEA ^d	✓	✓		✓			✓
CIWMB ^d				✓			✓
RWQCB ^d				✓			✓
BAAQMD ^d				✓			✓
BCDC ^d				✓			✓

a. Contra Costa County will consider amending its LUP for the BMPC to allow proposed activities.

b. As Lead Agency, the County will use the EIR in making decisions about approval or implementation of the proposals in the Applicant's application for an amended use permit. The County will certify the EIR, make findings, adopt a Mitigation Monitoring Program, and file a Notice of Determination stating that the EIR complies with CEQA.

c. The City of Richmond will consider amending its CUP and possibly issuing a new CUP for the WCCSL site to allow proposed activities.

d. Per Sections 15050(b) and 15096 of the CEQA Guidelines, the City and other Responsible Agencies will use the EIR to make decisions regarding project entitlements.

Source: Community Development Department, January 2003

D. ORGANIZATION AND SCOPE OF THE DRAFT EIR

The Draft EIR is organized into 14 chapters. The chapters are as follows:

- Chapter 1 - Introduction
- Chapter 2 - Summary
- Chapter 3 - Project Description
- Chapter 4 - Land Use, Plans, and Policies
- Chapter 5 - Geology, Soils, and Seismicity
- Chapter 6 - Water Resources
- Chapter 7 - Aesthetics and Visual Quality
- Chapter 8 - Traffic and Safety
- Chapter 9 - Biological Resources
- Chapter 10 - Air Quality and Odor
- Chapter 11 - Health Risk and Safety
- Chapter 12 - Noise
- Chapter 13 - Alternatives
- Chapter 14 - Other Statutory Sections

Appendix 1A lists the reference sources used in the EIR. Common terms and definitions are included in Appendix 1B. Appendix 1C contains the Initial Study and Appendix 1D contains letters received from the NOP process. Appendix 1E is report preparation which lists the key individuals from the Lead Agency (County), the EIR authors and their responsibilities, and the persons and organizations consulted during EIR preparation. The remaining appendices contain various technical support information used in the environmental analysis.

E. INCORPORATION BY REFERENCE

Section 15050 of the CEQA Guidelines provides that an EIR may incorporate, by reference, all or portions of another document that is a matter of public record or is generally available to the public. Where all or part of another document is incorporated by reference, the incorporated language shall be considered to be set forth in full as part of the text of the EIR being prepared. The incorporated part of the referenced document should be briefly summarized.

CEQA documents have been prepared for previous WCCSL projects that are relevant to this EIR. These documents include:

- Draft EIR for the WCCSL Hazardous Waste Management Facility Closure and Post-Closure Plans, September 1998. State Clearinghouse Number 95063005.

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- Initial Study/Mitigated Negative Declaration for the WCCSL Solid Waste Facilities Permit and Landfill Closure and Post-Closure Maintenance Plans, May 1996. State Clearinghouse Number 96052032.
- Draft EIR for the West County Integrated Resource Recovery Facility (located at 101 Pittsburg Avenue), September 1991. State Clearinghouse Number 90030940.

Where appropriate, chapters of this EIR indicate when incorporation by reference is being used. Both of the above cited documents are available for review by appointment at the following location:

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4th Floor, North Wing
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(925) 335-1290