



MINUTES OF THE BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

Sachi A. Hamai, Executive Officer-  
Clerk of the Board of Supervisors  
383 Kenneth Hahn Hall of Administration  
Los Angeles, California 90012

At its meeting held February 6, 2007 the Board took the following action:

25

The following item was called up for consideration:

County Counsel's recommendation to indicate that the Board has read and considered the Final Environmental Impact Report, Supplemental Environmental Impact Report and Addendum prepared for the project; certify that the Addendum has been completed in compliance with the California Environmental Quality Act, and the State and County Guidelines related thereto; and reflects the independent judgment of the Board; adopt findings and conditions approving Conditional Use Permit Case No. 00-194-(5), to authorize the continued operation of the Sunshine Canyon Landfill, a Class III non-hazardous solid waste landfill facility, and modifications to previously approved Conditional Use Permit Case No. 86-312-(5), to increase daily solid waste intake from 6,000 tons per day to 12,100 tons per day increasing the weekly intake from 36,000 to 66,000 tons and increase the working face area from two to three acres for a total of approximately 10 acres; and to update conditions associated with the permit for consistency with conditions approved by the City of Los Angeles, located at 14747 San Fernando Road, Newhall Zoned District, applied for by Dave Edwards on behalf of Browning Ferris Industries, Inc.

Dave Edwards, representing Browning Ferris Industries, Inc., Nicole Bernson representing Los Angeles City Councilman Greig Smith, Michael Tou representing Congressman Brad Sherman, Jan Chatten-Brown representing the North Valley Coalition and others addressed the Board.

After discussion, Supervisor Antonovich made a motion, seconded by Supervisor Yaroslavsky, that the Board deny the attached findings, conditions and order relating to Conditional Use Permit Case No. 00-194-(5), Newhall Zoned District, applied for by David Edwards on behalf of Browning Ferris Industries, Inc. Said motion failed to carry by the following vote: Ayes: Supervisors Antonovich and Yaroslavsky; Noes: Supervisors Molina, Burke and Knabe.

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After further discussion, Supervisor Molina made an amendment, seconded by Supervisor Burke, and unanimously carried, to add additional language to the Implementation and Monitoring Program, Part XII, Subsection E, to read as follows:

- Upon the effective date of this grant, the TAC shall retain the services of an independent consultant to monitor any and/or all of the Conditions and mitigation measures of this grant for a minimum of five years. After the commencement of City/County Project operations, it is anticipated that a single independent consultant, jointly chosen by the County and City, will monitor the conditions and mitigation measures of this grant and the City Ordinance, pursuant to a Joint LEA Agreement. However, if a single consultant is not retained for the City/County Project, or the City/County Project does not go forward, the Director of the Department, upon recommendation by the TAC, may continue to retain such services of an independent County consultant as necessary throughout the life of this grant. The Permittee shall pay all costs for the independent consultant within 30 days of receiving the invoice for the consultant's services.

On motion of Supervisor Burke, seconded by Supervisor Molina, duly carried by the following vote: Ayes: Supervisors Molina, Burke and Knabe; Noes: Supervisors Antonovich and Yaroslavsky, the Board took the following actions:

1. Considered the Final Environmental Impact Report, Supplemental Environmental Impact Report and Addendum prepared for the project; certified that the Addendum has been completed in compliance with the California Environmental Quality Act, and the State and County Guidelines related thereto; and reflects the independent judgment of the Board and approved the Addendum; and

(Continued on Page 3)

25 (Continued)

2. Adopted the attached findings and conditions and order approving Conditional Use Permit Case No. 00-194-(5), with the following additional language added to the Implementation and Monitoring Program, Part XII, Subsection E:
  - Upon the effective date of this grant, the TAC shall retain the services of an independent consultant to monitor any and/or all of the Conditions and mitigation measures of this grant for a minimum of five years. After the commencement of City/County Project operations, it is anticipated that a single independent consultant, jointly chosen by the County and City, will monitor the conditions and mitigation measures of this grant and the City Ordinance, pursuant to a Joint LEA Agreement. However, if a single consultant is not retained for the City/County Project, or the City/County Project does not go forward, the Director of the Department, upon recommendation by the TAC, may continue to retain such services of an independent County consultant as necessary throughout the life of this grant. The Permittee shall pay all costs for the independent consultant within 30 days of receiving the invoice for the consultant's services.

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Attachment

Copies distributed:

Each Supervisor  
County Counsel  
Director of Planning  
Director of Public Works  
Dave Edwards  
Nicole Bernson  
Michael Tou  
Jan Chatten-Brown



MINUTES OF THE BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

Sachi A. Hamai, Executive Officer-  
Clerk of the Board of Supervisors  
383 Kenneth Hahn Hall of Administration  
Los Angeles, California 90012

County Counsel  
Acting Director of Planning

At its meeting held June 7, 2006, the Board took the following action:

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At the time and place regularly set, notice having been duly given, the following item was called up:

De novo hearing on Conditional Use Permit Case No. 00-194-(5), and Addendum to Final Environmental Impact Report and Final Subsequent Environmental Impact Report, to authorize the continued operation of the Sunshine Canyon Landfill, a Class III non-hazardous solid waste landfill facility, and modifications to previously approved Conditional Use Permit Case No. 86-312-(5), to increase daily solid waste intake from 6,000 tons per day to 12,100 tons per day increasing the weekly intake from 36,000 to 66,000 tons and increase the working face area from two to three acres for a total of approximately 10 acres; and to update conditions associated with the permit for consistency with conditions approved by the City of Los Angeles, located at 14747 San Fernando Road, Newhall Zoned District, applied for by Dave Edwards on behalf of Browning Ferris Industries, Inc., as further described in the attached letter dated December 21, 2005, from the Director of Planning. (Appeal from Regional Planning Commission's denial)

All persons wishing to testify were sworn in by the Executive Officer of the Board. Frank Meneses and Maria Masis, representing the Department of Regional Planning testified. Opportunity was given for interested persons to address the Board. David Edwards, representing Browning Ferris Industries, Inc., Juan Noguez, Mayor of the City of Huntington Park, Gregory Nordback, Councilmember of the City of Whittier, Michael Tou, representing Congressman Brad Sherman, Wayde Hunter, representing the North Valley Coalition, Dr. Wayne Aller, representing Sunshine Canyon Landfill, and others addressed the Board. Written correspondence was presented.

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The following statement was entered into the record for Supervisor Antonovich:

"Residents in Granada Hills have suffered with the adverse impacts of living adjacent to the Sunshine Canyon Landfill for decades. Impacts associated with truck traffic, debris blowing into their neighborhoods, fumes, and other adverse impacts are well-documented in the public record. Concerns amongst my constituents about cancer rates and property values are understandable.

"There is broad opposition above and beyond local residents represented by the North Valley Coalition. This includes environmental groups, organized labor, elected officials, and many others.

"On a regional basis there is a question of fairness in terms of where trash is disposed. There is a high likelihood that trash generated in Los Angeles County will be disposed of in a landfill in the Fifth District. The Fifth District is host to several landfills in addition to Sunshine Canyon. These include Chiquita Canyon Landfill in Santa Clarita, Lancaster Landfill and Palmdale Landfill in the Antelope Valley, and smaller facilities such as Scholl Canyon in Glendale. While I recognize that Puente Hills is the largest landfill in the County, the intake at Puente Hills is less than the combined intake at all of the landfills in the Fifth District.

"The County's General Plan specifically states that 'the regional need should not outweigh the impact on the community.' The Regional Planning Commission conducted five separate public hearings. The Commission heard extensive public testimony and reviewed volumes of information, and concluded that the requested Conditional Use Permit does not meet the stated criteria in the County's General Plan. The Commission findings identify concerns both about the lack of a closure date and traffic impacts that have not been mitigated to acceptable levels. The Commission concluded that the applicant had not met the Burden of Proof. Today's testimony does not present any additional information demonstrating that the Burden of Proof has been met."

(Continued on Page 3)

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Therefore, Supervisor Antonovich made a motion, seconded by Supervisor Yaroslavsky, that the Board:

1. Close the public hearing;
2. Signify its intent to affirm the decision of the Regional Planning Commission denying Conditional Use Permit Case No. 00-194-(5);  
and
3. Instruct County Counsel to draft findings for denial.

Said motion failed to carry by the following vote: Ayes: Supervisors Yaroslavsky and Antonovich; Noes: Supervisors Molina, Burke and Knabe.

Supervisor Knabe made a motion for the Board to close the public hearing; and indicate its intent to approve Conditional Use Permit Case No. 00-194-(5), which replaces current Conditional Use Permit No. 86-312-(5) based on the Regional Planning Commission's recommended conditions, with the following revised closure language to be added to draft Condition 13:

- Assuming that a joint City/County landfill has become operational and the applicant has not otherwise exhausted the available landfill capacity as set forth in the permit, during the year following the 30<sup>th</sup> anniversary of this grant, the Board of Supervisors shall authorize a study to determine the remaining capacity authorized by this permit for the landfill. Premised upon the study's findings the Board of Supervisors will establish a date certain for the termination of the receipt of solid waste at the landfill. In no event shall that date exceed the 40<sup>th</sup> year of this grant.

After discussion, Supervisor Burke offered a suggestion that Supervisor Knabe's recommendation be amended to authorize a study during the year following the 25<sup>th</sup> anniversary of the grant, and in no event should the closure that date exceed the 30<sup>th</sup> year from the date of the grant. Supervisor Knabe accepted Supervisor Burke's amendment.

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The following statement was entered into the record for Supervisor Antonovich:

"Residents of Granada Hills have suffered with the adverse impacts of living adjacent to the Sunshine Canyon Landfill for decades. Impacts associated with truck traffic, debris blowing into their neighborhoods, fumes, and other adverse impacts are well-documented in the public record. Concerns amongst my constituents about cancer rates and property values are understandable.

"Perhaps no question is more important than that of a closure date. The County permit for the Puente Hills Landfill requires closure in 2013. The County permit for the Chiquita Canyon Landfill requires closure in 2019. Given projections by the Department of Public Works concerning when Sunshine Canyon will reach capacity, the Board should adopt a closure date of 20 years from the date of our final Board action.

"Additionally, portions of the Landfill are within the jurisdiction of the City of Los Angeles. Some residents are concerned about discrepancies between City and County conditions of approval. There is a simple solution: the condition that would result in greater protection for the surrounding community should apply. The operator is now accepting trash in the City portion of the Landfill and is complying with City regulations. The operator has complied with County regulations for years and is not objecting to the proposed conditions recommended by County staff. The operator can and should comply with the strictest conditions, regardless of whether the operator is working on one or the other side of a political boundary. Again, the primary obligation of this Board is to provide the greatest protection for the surrounding community.

"It is essential that we adopt a closure date and address potential discrepancies with City conditions. Additional recommended changes to conditions should also be included to further protect local residents living near the Landfill."

(Continued on Page 5)

Therefore, Supervisor Antonovich offered a suggestion that Supervisor Knabe's recommendation be amended to stipulate a 20 year closure date of 2026; and direct County Counsel to incorporate the following further revisions into the draft conditions of approval for the Sunshine Canyon Landfill as follows:

- Require double liners.
- Revise Condition 35 to require, at a minimum, a double liner for the County side of the Landfill, consistent with the requirements of the Los Angeles Regional Water Quality Control Board. Any existing requirements, as well as future requirements that may be imposed by the Regional Water Quality Control Board on the City side of the Landfill relative to a liner or liners, shall be implemented and installed on the County side of the Landfill. Nothing in this condition shall preclude a liner or liners that are more protective than that required for the City portion of the Landfill, if so required by the Water Quality Control Board.
- Add a new condition to read: "Wherever there is a discrepancy between conditions in County Conditional Use Permit No. 00-194-(5) and City of Los Angeles City Ordinance 172933 (or its successors or equivalent discretionary land-use approval), the condition that would result in greater protection for the surrounding community shall apply. If, following approval, the County Local Enforcement Agency (LEA) determines that there are remaining discrepancies between City and County conditions that will cause operational or oversight difficulties, those discrepancies shall be resolved through the required JPA between the City and County. All discrepancies identified at any time during the life of the grant, including all post-closure activities, shall be resolved in favor of the condition that the County LEA determines offers the greater protection to the community." Staff shall be directed to incorporate into the final conditions, specifically, the stricter City conditions relative to alternate fuel requirements, hours of operation, the Community Protection Program relative to public notice and emergency hot-lines, and prohibiting intake of certain specified cover materials.
- Revise any and all conditions, where appropriate, to conform to the new definition of "Closure Date."

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- Revise the conditions to prohibit the Director of Public Works or any other County employee from authorizing any activity that would in any way constitute an extension of the Closure Date.
- Revise the definition of "Landfill" in Condition 1 to clarify that the operator may not stockpile dirt above final elevations.
- Revise Conditions 11 and 12 to require that the operator correct all violations as soon as possible, in a time and manner determined by the Acting Director of Planning, but in no instance longer than 30 days.
- Revise the definition of "Landfill" in Condition 1 to clarify that the operator may not stockpile dirt above final elevations.
- Revise Condition 17-c to restrict overages to no more than 313 days during the term of the permit.
- Revise Conditions 54, 56 and 57 to require that these public improvements shall be installed to the satisfaction of the Director of Public Works.
- Revise Condition 62 to indicate that funds for planning studies and implementation shall be determined by the Acting Director of Planning and the Fifth Supervisorial District.
- Add a new condition requiring the operator to comply with all future applicable State laws concerning post-closure of landfills.
- Add a new condition to require video monitoring at the working face and at vehicle inspection locations, and to maintain video records for a period of not less than one year.

After discussion, there was a division of the question of Supervisor Antonovich's amendment to Supervisor Knabe's recommendation, to address his request to establish a 20 year closure date of 2026.

On motion of Supervisor Antonovich, seconded by Supervisor Yaroslavsky, said motion to establish 20 year closure date of 2026, failed to carry by the following vote: Ayes: Supervisors Yaroslavsky and Antonovich; Noes: Supervisors Molina, Burke and Knabe.

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Supervisor Yaroslavsky offered a suggestion, seconded by Supervisor Antonovich, that Supervisor Knabe's aforementioned recommendation be amended to authorize a study at 20 years with a closure date of 25 years. Said motion failed to carry by the following vote: Ayes: Supervisors Yaroslavsky and Antonovich; Noes: Supervisors Molina, Burke and Knabe.

Supervisor Knabe called for the question on his aforementioned recommendation as amended by Supervisor Burke.

On motion of Supervisor Knabe, with Supervisor Burke's suggested revision, seconded by Supervisor Burke, duly carried by the following vote: Ayes: Supervisors Molina, Burke and Knabe; Noes: Supervisors Yaroslavsky and Antonovich, the Board approved the following revised closure language to be added to draft Condition 13 as follows:

- Assuming that a joint City/County landfill has become operational and the applicant has not otherwise exhausted the available landfill capacity as set forth in the permit, during the year following the 25<sup>th</sup> anniversary of this grant, the Board of Supervisors shall authorize a study to determine the remaining capacity authorized by this permit for the landfill. Premised upon the study's findings the Board of Supervisors will establish a date certain for the termination of the receipt of solid waste at the landfill. In no event shall that date exceed the 30<sup>th</sup> year of this grant.

Supervisor Antonovich made a motion, seconded by Supervisor Yaroslavsky, to amend Supervisor Knabe's recommendation, to add a provision to the modified Conditional Use Permit to require the operation of alternative-fuel trucks at the entire landfill, consistent with alternative-fuel truck operation requirements that are applicable to the City's side of the landfill. Said motion was duly carried by the following vote: Ayes: Supervisors Molina, Burke, Yaroslavsky; Knabe and Antonovich; Noes: None.

In addition, Supervisor Antonovich offered a suggestion that Supervisor Knabe's recommendation be amended to direct County Counsel to incorporate the following revisions to the conditions of approval for the Sunshine Canyon Landfill. Supervisor Knabe accepted Supervisors Antonovich's amendment:

1. Require a liner of equal or better effectiveness as that required by the Regional Water Quality Control Board on the City portion of the landfill.

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2. Revise the conditions so that wherever there is a discrepancy between conditions in County Conditional Use Permit No. 00-194-(5) and City of Los Angeles City Ordinance 172933 (or its successors or equivalent discretionary land-use approval), the condition that would result in greater protection for the surrounding community shall apply.
3. Instruct the Acting Director of Planning to review whether the operator should be required to increase the radius of windblown trash removal up to a 1.5 mile radius and make a recommendation regarding an appropriate condition.
4. Revise Condition 17-c to restrict overages to no more than 313 days during the term of the permit, except overages which occur as the result of a declared disaster or national emergency shall not count toward the 313 day limit.

Therefore, on motion of Supervisor Knabe, seconded by Supervisor Burke, duly carried by the following vote: Ayes: Supervisors Molina, Burke and Knabe; Noes: Supervisors Yaroslavsky and Antonovich, the Board closed the hearing; indicated its intent to approve Conditional Use Permit Case No. 00-194-(5), which replaces current Conditional Use Permit Case No. 86-312-(5), as recommended by the Regional Planning Commission; and directed County Counsel to prepare the necessary findings and conditions, with the following revised conditions:

1. Revise Condition 13 to add language the following language:

Assuming that a joint City/County landfill has become operational and the applicant has not otherwise exhausted the available landfill capacity as set forth in the permit, during the year following the 25 anniversary of this grant, the Board of Supervisors shall authorize a study to determine the remaining capacity authorized by this permit for the landfill. Premised upon the study's findings the Board of Supervisors will establish a date certain for the termination of the receipt of solid waste at the landfill. In no event shall that date exceed the 30<sup>th</sup> anniversary of this grant.

2. Require a liner of equal or better effectiveness as that required by the Regional Water Quality Control Board on the City portion of the landfill.

(Continued on Page 9)

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3. Revise the conditions so that wherever there is a discrepancy between conditions in County Conditional Use Permit No. 00-194-(5) and City of Los Angeles City Ordinance 172933 (or its successors or equivalent discretionary land-use approval), the condition that would result in greater protection for the surrounding community shall apply.
4. Instruct the Acting Director of Planning to review whether the operator should be required to increase the radius of windblown trash removal up to a 1.5 mile radius and make a recommendation regarding an appropriate condition.
5. Revise Condition 17-c to restrict overages to no more than 313 days during the term of the permit, except overages required as a result of a declared disaster or national emergency shall not count toward the 313 day limit.

By unanimous vote, the Board directed County Counsel to include a provision that would require the operation of alternative-fuel trucks at the entire landfill, consistent with alternative-fuel truck operation requirements that are currently applicable to the City of Los Angeles side of the landfill.

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#### Attachments

#### Copies distributed:

Each Supervisor  
Director of Public Works  
Browning Ferris Industries, Inc.  
David Edwards  
Juan Noguez  
Gregory Nordback  
Michael Tou  
Wayne Hunter  
Dr. Wayne Aller



COUNTY OF LOS ANGELES  
OFFICE OF THE COUNTY COUNSEL

648 KENNETH HAHN HALL OF ADMINISTRATION  
500 WEST TEMPLE STREET  
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RAYMOND G. FORTNER, JR.  
County Counsel

January 29, 2007

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Agenda No. 68  
06/07/06

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, California 90012

**Re: CONDITIONAL USE PERMIT NUMBER 00-194-(5)  
FIFTH SUPERVISORIAL DISTRICT/THREE-VOTE MATTER**

Dear Supervisors:

Your Board previously conducted a public hearing on the appeal by Browning-Ferris Industries ("BFI") of the Regional Planning Commission's ("Commission") denial of the above-referenced conditional use permit ("CUP"). The requested CUP would modify the previously approved County conditional use permit for BFI's operation of the Sunshine Canyon Landfill.

The Sunshine Canyon Landfill is located in both the County and the City of Los Angeles ("City"), and BFI has also obtained entitlements from the City to conduct landfill operations in the City. The requested CUP will generally harmonize the respective City and County permits, and will also authorize BFI to operate an anticipated combined City/County landfill in the future.

At the conclusion of your hearing, your Board indicated its intent to grant BFI's appeal and approve the new CUP, subject to revised conditions, and instructed us to prepare the appropriate findings and conditions for approval. Your Board instructed that revised conditions be prepared which address: 1) a closure date for the Landfill; 2) the use of alternative fuel trucks at the landfill; 3) requirements for the landfill liner; 4) limitations on the number of days that waste overages are allowed; and 4) the required radius for BFI to remove wind-blown trash (which is based upon the results of an analysis that your Board directed the Department of Regional Planning to undertake).

The Honorable Board of Supervisors

January 29, 2007

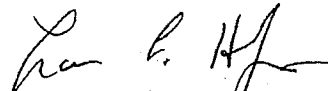
Page 2

Your Board also directed that the proposed project conditions be revised to incorporate provisions from the City permit for Sunshine Canyon where such provisions are more restrictive and would result in greater protection for the surrounding community. The enclosure to this letter discusses the manner in which County staff's proposed conditions have been modified and new conditions added in order to implement this "more restrictive condition" requirement.

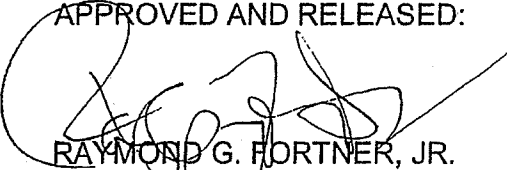
The enclosed findings and conditions are now presented to your Board for your consideration and possible adoption. The Department of Regional Planning will be providing the final environmental documentation to your Board under separate cover.

Very truly yours,

RAYMOND G. FORTNER, JR.  
County Counsel

By   
LAWRENCE L. HAFETZ  
Principal Deputy County Counsel  
Property Division

APPROVED AND RELEASED:

  
RAYMOND G. FORTNER, JR.  
County Counsel

LLH:di

Enclosures

## ATTACHMENT

In accordance with your Board's motion, the proposed conditions for Conditional Use Permit Number 00-194-(5) include the following revised/new provisions derived from the City of Los Angeles permit for the Sunshine Canyon Landfill based upon a determination by staff from the Departments of Regional Planning and Public Works, that such provisions would result in greater protection to the surrounding community than provisions originally proposed by County staff.

1. Condition No. 1LL - Definition of "Landfill" (revised). To be consistent with the City permit, the definition of "Landfill" in the County permit has been modified to prohibit the allowance of settlement to determine the final elevations or contours of the Landfill;
2. Condition No. 17(E) (new). Consistent with the City permit, a condition has been added to the County permit to require BFI to contact the Department of Parks and the Santa Monica Mountains Conservancy at the end of the post-closure maintenance period to determine if either agency would be interested in accepting the Landfill for parkland purposes;
3. Condition No. 19 (revised). Regarding possible expansion efforts by BFI, the first paragraph of Condition No. 19 originally provided that the conditions of approval do not prohibit BFI from applying for any new permit to expand the Facility or otherwise modify the conditions of the grant. To be consistent with the City permit, that provision has been deleted and replaced with a provision prohibiting BFI from seeking approval of any additional expansion of the Landfill in the County pending the establishment of a joint powers agreement with the City to operate the Landfill;
4. Condition No. 23(D) (revised). Regarding waste usage, County staff originally proposed requiring BFI to use all waste received and processed at the Landfill as an alternative to daily intermediate and final cover to the extent technically feasible. To be consistent with the City permit, this requirement has been revised to prohibit BFI from using contaminated soil or other specified materials for alternative cover material;
5. Condition No. 29 (revised). Regarding hours of operation, County staff originally proposed allowing the Landfill to conduct site preparation and maintenance activities one hour before the Landfill scales open at 6:00 a.m. The City permit does not allow these activities before the scales open. Accordingly, this allowance has been removed from the County permit;
6. Condition No. 49 (revised). Regarding community complaints, County staff originally proposed requiring BFI to maintain on-site staff to respond to community complaints. To be consistent with the City permit, this condition has been enhanced to also require BFI to maintain a hotline/emergency log to record these complaints and to record BFI's response;

7. Condition No. 78 (new). Consistent with the City permit, a condition has been added to the County permit to prohibit BFI from accepting waste that originates outside of Los Angeles County;
8. Condition No. 79 (new). Consistent with the City permit, a condition has been added to the County permit to require BFI to prepare and distribute a quarterly newsletter to interested parties addressing various activities at the Landfill for the quarter. In addition, this new condition requires BFI to notify all parties, including the Community Advisory Committee and the Granada Hills North Neighborhood Council, of all operational changes at the Landfill that were not fully evaluated in the environmental documentation for the project, and to allow these parties to comment on and request hearings regarding these operational changes;
9. Condition No. 80 (new). Consistent with the City permit, a condition has been added to the County permit to require BFI to remove graffiti at the Landfill and to establish a graffiti deterrent program;
10. Condition No. 81 (new). Consistent with the City permit, a condition has been added to the County permit to require BFI to conduct air quality monitoring at the Landfill and to retain an independent air quality consultant for that purpose. If the consultant's test results show that the air quality near the Landfill is inconsistent with the supporting environmental documentation for the City project, BFI will be required to develop a corrective action plan to reduce air quality impacts at the Landfill;
11. Condition No. 82 (new). Consistent with the City permit, a condition has been added to the County permit to require BFI to install video monitoring equipment at the Landfill to monitor the Landfill's operations and to ensure compliance with the permit conditions;
12. Condition No. 84 (new). Consistent with the City permit, a condition has been added to the County permit to require BFI to provide a back-up generator at the Landfill for emergency use in case of prolonged power outages at the Landfill; and
13. Part XII(E) of the Implementation and Monitoring Program ("IMP") (new). Consistent with the City permit, a condition has been added to the IMP to require the Technical Advisory Committee, at BFI's expense, to retain an independent consultant for at least five years to monitor BFI's compliance with the conditions and mitigation measures of the grant.



**FINDINGS OF THE BOARD OF SUPERVISORS  
AND ORDER  
CONDITIONAL USE PERMIT NUMBER 00-194-(5)**

1. The Los Angeles County ("County") Board of Supervisors ("Board") conducted a duly-noticed public hearing on proposed Conditional Use Permit 00-194-(5) ("Replacement CUP") on June 7, 2006. The hearing was an appeal by the applicant, Browning-Ferris Industries of California, Inc. ("BFI"), pursuant to Section 22.60.200, et seq., of the Los Angeles County Code ("County Code"), to challenge the December 21, 2005, final action of the Los Angeles County Regional Planning Commission ("Commission") which denied the Replacement CUP. The Commission's public hearing, continued over several dates, was held on December 1, 2004, January 12, 2005, April 6, 2005, August 10, 2005, and November 3, 2005. The Commission also conducted a site visit of the subject property on March 28, 2005.
2. The applicant is requesting the Replacement CUP to modify and supersede previously approved Conditional Use Permit 86-312-(5) ("Original CUP"), described further below, which authorized the operation of the Sunshine Canyon Landfill, a Class III (non-hazardous) solid waste landfill ("Landfill"). The Landfill crosses the jurisdictional boundary of the County and the City of Los Angeles ("City"). The applicant is the owner/operator of the Landfill.
3. The subject property is located adjacent to and southwest of the interchange between the Golden State ("I-5 Freeway") and Antelope Valley ("14 Freeway") Freeways, near the communities of Sylmar and Granada Hills in the Newhall Zoned District.
4. The overall area of the site is approximately 1,036 acres, approximately 542 acres of which are in unincorporated County territory, and approximately 494 acres of which are in the City.
5. The site is characterized by hilly terrain. The property takes access from San Fernando Road in the City. A paved driveway leads from a gated entry to the Landfill scale house and scales, and then to its administrative facilities and a caretaker house, all located in the County. As Landfill operations proceed, the administrative facilities, caretaker house, and scale house and scales will be relocated to the southeast of the property on the City side of the site, and the driveway will be realigned accordingly.
6. The subject property is zoned A-2-2 (Heavy Agricultural-Two-acre Required Area).
7. The surrounding properties are zoned as follows:  
  
North:           A-2;  
  
South:           [T] [Q] M3-1-0 (Heavy Industrial);

East: A-2; and

West: A-2.

8. Pursuant to the Original CUP, the subject property was developed as an operating Class III (non-hazardous) landfill.
9. The Landfill's surrounding land uses consist of:
  - North: Open Space and the I-5 Freeway;
  - South: Open Space (Bee Canyon - containing 490 acres of permanent open space), gas storage fields, O'Melveny Park, the City landfill, and a 100-acre buffer area, beyond which are single-family homes in Granada Hills;
  - East: City portion of the Landfill and the I-5 and 14 Freeways; and
  - West: Open Space (East Canyon - 426 acres of permanent open space).
10. In 1986, the applicant applied for its original entitlements to operate the Landfill in the County. At the time, landfill operations were occurring on the City side of the site, and the applicant sought to extend landfill capability into County unincorporated territory. Landfill operations in the City ceased in 1991 and were reactivated pursuant to certain City entitlements in 1999, discussed below.
11. The County entitlements requested in 1986 were the Original CUP, Oak Tree Permit 86-312-(5), Compound Plan Amendment 90-2-(5), and Sub-Plan Amendment 86-312-(5).
12. On February 19, 1991, the Board certified the project's Final Environmental Impact Report ("FEIR") pursuant to the California Environmental Quality Act ("CEQA"), and approved the Original CUP, Oak Tree Permit, Compound Plan Amendment, and Sub-Plan Amendment. Following the County approvals, the North Valley Coalition of Concerned Citizens, the community group representing several communities surrounding the Landfill ("North Valley Coalition"), and the City filed a lawsuit challenging the County approvals on CEQA grounds. On April 22, 1992, the County approvals were ordered vacated by the Los Angeles Superior Court pursuant to a Peremptory Writ of Mandate. In response to the Writ, the County prepared an Additional Environmental Analysis to supplement the FEIR. On November 30, 1993, with the additional environmental documentation, the Board re-certified the FEIR, and re-certified and re-approved the project and all of its entitlements.
13. The FEIR addressed the Landfill's environmental impacts with a combined waste capacity of 215 million tons in the County and the City. However, the County approvals authorized significantly less landfill capacity, discussed in paragraphs 15 and 16, below.