

September 21, 2015

Chairperson John Gioia
Members of the Board of Supervisors
Contra Costa County
651 Pine Street, First Floor
Martinez, California 94553-1293

Re: Agenda Item: D. 3/Permit Review to Consider New and Modified Conditions of Approval for Keller Canyon Landfill's Land Use Permit

Dear Chairperson Gioia and Members of the Board:

I am writing to provide comments regarding the County's review of the proposed new and modified Conditions of Approval for Keller Canyon Landfill's Land Use Permit, which is set for public hearing before the Board of Supervisors on September 22, 2015.

More specifically, this letter is sent to comment on "Directive 5: Identify CEQA implications associated with approving staff's recommended new and modified conditions" as discussed in the Staff Report for the September 22, 2015 hearing on this matter. Staff concluded that the revised new and modified conditions for Eligible Vehicles, Direct Haul procedures and Materials Recovery Program under Option B (regarding requested changes submitted by the landfill operator to allow continued acceptance of direct haul loads of construction and demolition wastes ["C&D"] subject to on-site material recovery requirements) would not require additional CEQA analysis or create a new project with significant environmental impacts. Staff further concluded that as currently proposed neither version of the new and modified conditions in Options A and B would require further CEQA analysis, or have potentially significant impacts on the environment in accordance with CEQA Guidelines.

As a resident living nearby and using the roads by Keller Canyon Landfill, I have several concerns regarding the proposed activities described in Option B. For one, allowing the continued direct haul of C&D material to Keller Canyon and the eventual operation of the on-site material recovery facility would result in serious impacts that have not been sufficiently addressed nor remedied. For example, I use Bailey Road on a near daily basis and there would be additional truck traffic as well as increased traffic pollution, the potential for increased accidents and hazards, and deterioration of our streets near and around our residences.

to at least 10 trips per day. In addition, the Staff Report also explains “the number of outgoing truck trips are projected to increase slightly (4-10 per month) due to transport of C&D materials recovered that would not be used on-site compared to existing conditions”. While direct-haul of C&D material was minimal back when the EIR was originally presented, the activity has since doubled *and changed* and will potentially involve the operations of the proposed on-site material recovery facility as well. These factors were not reviewed and considered in the original EIR.

Another factor to consider is that there is no adequate description and analysis of the impacts from the apparent “large-scale construction and landscaping material haulers” including the size, function, etc. of such vehicles because the EIR analysis was based primarily on the impacts of *transfer trucks*. For example, while Staff says in its report that the “original EIR addressed impacts for daily truck trips up to a maximum of 340, which is well above the current number of truck trips reported by the landfill,” it should be noted that such reference of the traffic impacts is with regards to the daily traffic at peak weekday time periods for *transfer trucks trips*. In the discussion on the specific impact of pavement deterioration on page 3-188 of the DEIR, the analysis of such impact is also with reference to *transfer truck vehicles*.³

Additional examples of how the review of the environmental impacts in the EIR dealt with only transfer trucks rather than trucks that would direct haul C&D material include:

- The FEIR discussed that one mitigation measure for the new traffic that is generated on Highway 4 involves developing schedules for transfer trucks that limit trips during certain hours in the day. Another mitigation measure states that “[t]he amount of traffic would also be reduced by the proposed use of transfer stations and by prohibiting self-haul to the landfill.” Another impact discussed was that “[t]he additional landfill traffic, which primarily involves transfer trucks weighing up to 38 tons, would cause damage and wear to roadway pavements, particularly Bailey Road.”⁴
- With regards to the impact of emissions from cumulative traffic that would allegedly not result in violations of certain standards, the use of transfer trucks again is referenced as one mitigation measure for this impact as it would reduce traffic emissions at the landfill.⁵

³ The transfer trucks are described as “anticipated to be ‘live-floor’ (self-unloading) single trailers. ‘Possum-belly’ single trailers have more clearance and might be used in the future. Fully-loaded, these vehicles would weigh about 38 tons....the traffic forecasts are that there would be 110 one-way transfer truck trips per day in the initial stages, growing up to 140 trips per day by...2005”. (Page 3-188 of DEIR.)

⁴ Table 1.1 “Revised Summary of Environmental Impacts and Mitigation Measures” on page 1-11 of the FEIR.

⁵ *Id.* at page 1-16 of FEIR.

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- In discussing the noise impact, “the impact of project-generated traffic noise was found to be barely perceptible...” and that “[t]ransfer vehicles should be equipped with proper noise suppressors” as one of the mitigation measures.⁶

Again, as seen from the above examples, the original EIR does not provide sufficient and thorough analysis of the impacts of C&D direct haul to Keller Canyon Landfill as well as the proposed on-site material recovery facility.

The activities discussed in Option B of the proposed new and modified land use permit conditions for Keller Canyon Landfill are not what was originally contemplated and intended in the original EIR. Therefore, any analysis and assumptions contained in it cannot be used as the basis for environmental review of the currently proposed activities involving C&D direct haul and an on-site material recovery facility at Keller Canyon Landfill.

Further review and consideration of the matters and issues is needed in order to ensure that there is adequate and sufficient environmental review of such activities. Otherwise, residents such as myself will have to deal with the negative impacts from those activities when such matters should have been already addressed and resolved.

I appreciate the opportunity to comment on the above-referenced matter and look forward to the County addressing the concerns and issues discussed herein.

Respectfully submitted,



Lisa Della Rocca

⁶ *Id.*