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3 RESOLUTION OF THE BOARD OF SUPERVISORS OF
4 ORANGE COUNTY, CALIFORNIA

5 April 17, 2007

6 WHEREAS, the County of Orange ("County") prepared the Regional Landfill Options for the
7 Orange County (RELOOC) Strategic Plan which assessed existing disposal system capacity in Orange
8 County, assessed future system demands and developed viable short and long-term strategies and
9 options for meeting the County's solid waste disposal needs; and

10 WHEREAS, the RELOOC Strategic Plan recommended the expansion of the Olinda Alpha
11 Landfill to provide for short and long-term solid waste disposal capacity in Orange County; and

12 WHEREAS, the Board of Supervisors of Orange County approved the RELOOC Strategic Plan
13 by a minute order adopted May 21, 2002; and

14 WHEREAS, the Olinda Alpha Landfill is entirely located within the unincorporated Orange
15 County; and

16 WHEREAS, on January 8th, 2004, the County as lead agency under the California Environmental
17 Quality Act ("CEQA") issued a Notice of Preparation ("NOP") for the RELOOC Strategic Plan- Olinda
18 Alpha Landfill Implementation Environmental Impact Report No. 588 ("Project") and caused the NOP
19 to be distributed to all the responsible agencies, trustee agencies and the interested parties for the review
20 and comment; and

21 WHEREAS, the County, in an effort to provide further opportunity for the public review and
22 solicit public comments relative to Environmental Impact Report (EIR) No. 588, conducted a public
23 scoping meeting on January 22, 2004; and

24 WHEREAS, pursuant to the NOP for the RELOOC Strategic Plan – Olinda Alpha Landfill
25 Implementation EIR No. 588, and the recognition of the comments received in the response to the NOP,
26 the County determined that the Project may result in significant adverse effects and therefore Draft EIR
27 No. 588 (State Clearinghouse Number SCH No. 2004011055), dated June 2004; and

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1 WHEREAS, a Notice of Completion for the Draft EIR 588 was filed on June 16, 2004 giving the
2 public notice of the availability of Draft EIR 588 for review and comment; and

3 WHEREAS, copies of Draft EIR 588 were circulated and made available for the public review
4 and comment between June 17, 2004 and August 02, 2004 (the "Comment Period"); and

5 WHEREAS, during the Comment Period, comment letters were received from the public and
6 interested agencies relative to Draft EIR 588; and

7 WHEREAS, in accordance with the requirements of CEQA, responses to those comments were
8 prepared, and said comments and responses were provided to the Planning Commission in a separate
9 document entitled "Environmental Impact Report No. 588 Responses and Comments" ("Responses and
10 Comments"); and

11 WHEREAS, in furtherance of CEQA's goal of promoting public participation in the
12 environmental review process. The Orange County Planning Commission conducted a public hearing on
13 November 17, 2004 to solicit comment thereon; and

14 WHEREAS, in connection with said hearings, IWMD prepared a proposed Final EIR 588 for
15 Planning Commission review, comment and recommendation, all in accordance with the Planning
16 Commission's role as an advisory body to the Board of Supervisors on such matters; and

17 WHEREAS, the proposed Final EIR 588 is comprised of (i) Draft EIR 588 text with appendices,
18 (ii) clarifications and revisions to Draft EIR 588, (iii) comments received from the public and interested
19 agencies and the Responses to Comments, (iv) Mitigation Monitoring and Reporting Program, (v)
20 Statement of Findings and Facts in Support of Findings and (vi) Statement of Overriding
21 Considerations; and

22 WHEREAS, the Planning Commission reviewed all documentation and materials comprising the
23 EIR and found that proposed Final EIR 588 identifies all significant environmental effects of the project,
24 and that there are no known potential environmental impacts which are not specifically and adequately
25 addressed in proposed Final EIR 588; and

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1 WHEREAS, the Planning Commission found that although proposed Final EIR 588 identifies
2 certain significant environmental effects that will result if the Project is approved, those significant
3 effects which can be feasible mitigated or avoided have been reduced to an acceptable level by the
4 incorporation of mitigation measures on the approved Project. The individual mitigation measures the
5 identified for the Project are incorporated into the Statement of Findings (see Exhibit A) as a part of
6 MMRP (see Exhibit B). For those Project significant effects that cannot be reduced to less than
7 significant level, even after the incorporation of mitigation measures, a Statement of Overriding
8 Consideration has been prepared and is included as Exhibit C; and

9 Whereas, the Planning Commission reviewed all documentation and materials comprising the
10 Final EIR 588 considers all environmental effects of the Recommended Project and is complete and
11 adequate and fully complies with all requirements of CEQA, the CEQA Guidelines and the County's
12 environmental analysis procedures; and

13 WHEREAS, the Planning Commission reviewed the findings contained in the "Settlement of
14 Findings and the Facts in Support of the Findings" with the respect to the significant impacts identified
15 in proposed Final EIR 588. The Statement of Findings is attached hereto as Exhibit A and incorporated
16 herein by this reference; and

17 WHEREAS; the Planning Commission, in the conformity with IWMD's recommendation,
18 recommended that the Board of Supervisors find the Proposed Final EIR adequate and complete and
19 certify it as a Final EIR 588 in the compliance with CEQA Guidelines Section 15090;

20 WHEREAS; the Board of Supervisors held a meeting on April 17, 2007 to consider the
21 recommendation of the Planning Commission relative to certification of proposed Final EIR 588; and

22 WHEREAS, a Mitigation Monitoring and Reporting Program ("MMRP") has been drafted to
23 Meet the requirements of CEQA Section 21081.6 as a mitigation measure monitoring program. The
24 MMRP is designed to ensure compliance with the mitigation measures imposed upon the Project to
25 avoid of substantially lessen the significant effects identified in the proposed Final EIR 588. The MMRP
26 checklist, which is incorporated into the MMRP, defines the following for each mitigation measure:

- 27 • Method and Timing of Verification – In each case, a method and time for verification of the
28 mitigation, or review of evidence that mitigation has taken place, is provided. The method and

1 verification points selected are designed to ensure that impact-related components of Project
2 implemented are adequately addressed and do not proceed without establishing that the
3 mitigation is assured.

- 4 • Responsible Person – In each case, an IWMD employee or designee (i.e., qualified construction
5 monitor) is named by title to ensure that each mitigation measure is carried out.
- 6 • Definition of mitigation – In each case, the mitigation measure contains the criteria for
7 mitigation, either in the form of adherence to certain adopted regulations or identification of the
8 steps to be taken to mitigation.

9 WHEREAS, a copy of the MMRP is attached hereto as Exhibit B and incorporated herein by this
10 reference; and

11 WHEREAS, Section 21081 of CEQA and Section 15091 of the CEQA Guidelines require that the
12 Board of Supervisors make one or more of the following findings prior to approval of a project of which
13 an environmental impact report has been completed, identifying one or more significant effects of the
14 project, along with statements of fact supporting each finding;

15 Finding 1 – Changes or alterations have been required in, or incorporated into the project
16 which avoid substantially lesson the significant environmental effects as identified in the
17 environmental impact report.

18 Finding 2 – Such changes or alterations are within responsibility and jurisdiction of
19 another public agency and not the agency making the finding. Such changes have been
20 adopted by such other agency or can and should be adopted by such other agency.

21 Finding 3 – Specific economic, legal, social, technological or other considerations make
22 infeasible the mitigation measures or project alternatives identified in the environmental
23 impact report.

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1 WHEREAS, THEREFORE, BE IT RESOLVED THAT:

- 2 1. The Board of Supervisors certifies Final EIR 588 as complete and adequate in that it
3 addresses all environmental effects of the project and fully complies with the
4 requirements of CEQA, the CEQA guidelines and the County's environmental
5 analysis procedures. All of the information comprising Final EIR 588 is on file with
6 the County of Orange Integrated Waste Management Department, 320 N. Flower
7 Street, Suite 400, Santa Ana, California.
- 8 2. The Board of Supervisors makes the findings contained in the "Statement of Findings
9 and Fact in Support of Findings" (collectively "Statement of Findings"), including the
10 findings required by Section 21081 of CEQA and Section 15091 of the CEQA
11 guidelines, with respect to the significant impacts identified in Final EIR 588.
12 Specifically, the Board of Supervisors finds that each fact in support of the individual
13 findings is true and based upon substantial evidence in the record, including Final
14 EIR 588. The Statement of Findings is attached hereto as Exhibit A and incorporated
15 herein by this reference.
- 16 3. The Board of Supervisors finds that the Final EIR 588 identifies all significant
17 environmental effects of the Project, and that there are no known potential
18 environmental impacts which are not specifically and adequately addressed in the
19 Final EIR.
- 20 4. The Board of Supervisors finds that although Final EIR 588 identifies certain
21 significant environmental effects that will result if the Project is approved, those
22 significant effects which can be feasibly mitigated or avoided have been reduced to
23 an acceptable level by the incorporation of the project design features (PDF's"),
24 standard conditions of approval ("SCA's") and requirements, and by the imposition
25 of mitigation measures ("MMs") on the approved Project. The individual PDFs,
26 SCAs and mitigation measures identified for the Project are incorporated into the
27 Statement of Findings, included as Exhibit A and the MMRP included as Exhibit B,
28 and incorporated herein by reference.

- 1 5. The Board of Supervisors finds that the Final EIR 588 describes a reasonable range of
2 alternatives to the Project that could feasibly obtain most of the basis objectives of the
3 Project but would avoid or substantially lessen one or more of the significant effects
4 associated with the proposed Project (including the "No Project Alternative"), even
5 though these alternatives might be more costly or infeasible.
- 6 6. The Board of Supervisors finds that no substantial evidence has been presented which
7 would call into question the facts and conclusions appearing in the Final EIR 588.
- 8 7. The Board of Supervisors finds that no significant new information has been added to
9 the Final EIR 588 such that recirculation for additional public review is necessary or
10 required pursuant to CEQA Guidelines Section 15088.5.
- 11 8. The Board of Supervisors finds that the MMRP established a mechanism and
12 procedures for implementing and verifying the Project prior to or concurrent with the
13 Project approval and implementation.
- 14 9. The Board of Supervisors hereby adopts the MMRP, and directs that the mitigation
15 measures be incorporated into the Project prior to or concurrent with the Project
16 approval and implementation.
- 17 10. The Board of Supervisors finds that the unavoidable adverse effects of the Project (as
18 identified in the "Statement of Overriding Considerations", included as Exhibit C)
19 that have not been reduced to a level of less than significant have been, nonetheless,
20 lessened in their severity by the imposition of the mitigation measures identified in
21 the MMRP, included as Exhibit B. the Board further finds that the remaining,
22 unavoidable significant impacts are either (i) clearly outweighed by the economic
23 social, and other benefits of the Project (as more particularly described in the
24 Statement of Overriding Considerations) or (ii) subject to mitigation pursuant to
25 changes, alterations or actions that are within the responsibility and jurisdiction of
26 another public agency.

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1 11. The Board of Supervisors adopts the Statement of Overriding Considerations,
2 included as Exhibit C, which provides the basis for approval of the Project
3 notwithstanding certain unavoidable significant environmental effects which cannot
4 be feasible and substantially mitigated, as set forth in the Statement of Overriding
5 Considerations. Board of Supervisors finds that the Statement of Overriding
6 Considerations sets forth all of the facts upon which it is based

7 12. The Board of Supervisors finds that refinements that have been made in the Project do
8 not amount to significant new information concerning the Project, nor has any
9 significant new information concerning the Project become known to the Board of
10 Supervisors through the public hearings held on the Project, through the comments
11 received on Final EIR 588, or through the Responses to Comments prepared by the
12 County.

13 13. The Board of Supervisors finds that Final EIR 588 reflects the independent review
14 and judgement of the County of Orange.

15 14. The Board of Supervisors finds that Final EIR 588 serves as adequate and appropriate
16 environmental documentation for the Project.

17 BE IT FURTHER RESOLVED THAT the Board of Supervisors certifies that Final EIR 588 was
18 presented to the Board of Supervisors and that the Board of Supervisors reviewed and considered the
19 information contained in Final EIR 588 prior to approving the RELOOC Strategic Plan – Olinda Alpha
20 Landfill Implementation

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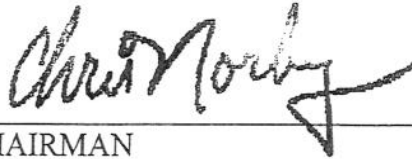
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The foregoing was passed and adopted by the following vote of the Orange County Board of Supervisors, on April 17, 2007, to wit:

AYES: Supervisors: JOHN M. W. MOORLACH, BILL CAMPBELL, JANET NGUYEN
PATRICIA BATES, CHRIS NORBY
NOES: Supervisor(s):
EXCUSED: Supervisor(s):
ABSTAINED: Supervisor(s):



CHAIRMAN

STATE OF CALIFORNIA)
COUNTY OF ORANGE)

I, DARLENE J. BLOOM, Clerk of the Board of Orange County, California, hereby certify that a copy of this document has been delivered to the Chairman of the Board and that the above and foregoing Resolution was duly and regularly adopted by the Orange County Board of Supervisors .

IN WITNESS WHEREOF, I have hereto set my hand and seal.



DARLENE J. BLOOM
Clerk of the Board
County of Orange, State of California



Resolution No: 07-044
Agenda Date: 04/17/2007
Item No: 23



I certify that the foregoing is a true and correct copy of the Resolution adopted by the Board of Supervisors , Orange County, State of California

DARLENE J. BLOOM, Clerk of the Board of Supervisors

By: _____
Deputy