

The Project would extend the use period of this landfill. Therefore, the proposed project will result in an increase in the total amount of water needed over time for offices, earthwork, dust control, on-site road construction and other on-site improvements. However, the proposed expansion is not anticipated to result in a substantial increase in the amount of water currently used daily at the landfill. The existing water facilities and supplies are anticipated to be adequate to continue providing water to the landfill over the extended use period of Olinda Alpha Landfill under this proposed project. Therefore, the Project will not result in significant adverse impacts related to water treatment and distribution facilities.

The Project will increase the use period of the landfill and will result in an increase in the total amount of sewage generated over the life of the landfill. However, the proposed expansion is not anticipated to result in a substantial increase in the amount of sewage currently generated daily at Olinda Alpha Landfill. The existing wastewater facilities are anticipated to be adequate to accommodate the additional sewage generated at Olinda Alpha Landfill over the extended use period of the landfill under the Project. Therefore, the Project will not result in significant adverse impacts related to sewer or septic systems.

The Project will extend the use period of Olinda Alpha Landfill and will provide additional capacity for MSW. Therefore, the Project will not result in adverse impacts to MSW disposal.

Implementation of the Project will not result in a demand for additional utilities and service systems.

Where mitigation has been required to reduce a potential impact to a level of less than significance, those mitigation measures are described in the FEIR and in the following discussion. In the event any potential impact which is mitigated to a level of less than significance is not fully and correctly described in these Findings, the language of the EIR and the MMP should be considered to accurately reflect the findings of the Board of Supervisors and are adopted by this reference.

3.0 FINDINGS ON SIGNIFICANT IMPACTS OF THE PROPOSED PROJECT

3.1 IMPACTS RELATED TO LAND USE AND PLANNING

3.1.1 Potentially Significant Adverse Impacts Related to Land Use and Planning

Implementation of the proposed project would not be consistent with the existing Memorandum of Understanding (MOU) between the County of Orange and the City of Brea regarding Olinda Alpha Landfill.

3.1.2 Findings Related to Land Use and Planning

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FEIR.

3.1.3 Facts in Support of the Findings Related to Land Use and Planning

Implementation of the following mitigation measure has been proposed to reduce potential significant adverse impact of the proposed project related to land use and planning to a less than significant level. After mitigation, there would be no significant unavoidable adverse impacts of the proposed project related to land use.

LU-1 Prior to acquiring revised landfill permits and finalization of design plans for the project, the County of Orange and the City of Brea will renegotiate the details of the MOU to allow the disposal of MSW over a longer period of time. Under the proposed project, closure would be extended to approximately 2021 based on increasing the site's air space capacity and increased operational efficiencies, current population projections and existing disposal technologies.

In addition to the overall consistency with the existing MOU, the City has indicated, outside of the EIR process in discussions of a mutually acceptable agreement, that it believes that the County should pay some significant contribution to the acquisition, management and maintenance of additional open space and a wildlife corridor to offset asserted impacts. While the EIR did not find any impacts to land use, this has been one of the subjects discussed by City and County in the course of negotiations related to a new agreement between the parties. Since the EIR did not identify any land use impacts, there would be no reason or nexus for any mitigation or mitigation fee.

The County prepared complete responses to all of the comments received, including those of the City of Brea. The responses to comments addressed the City of Brea's concerns regarding the project. As part of its mitigation strategy, the County engaged in extensive negotiations with the City of Brea in order to develop an amendment to the existing MOU to address the City's concerns. As of this moment, the City and County have been unable to arrive at a mutually acceptable understanding. This means that, in some cases, identified mitigation measures cannot be implemented due to circumstances beyond the control of the County. Because this is an important public project necessary to provide for the public health, safety and welfare by providing cost effective trash disposal within the County of Orange for the benefit of its residents, a Statement of Overriding Considerations has been prepared describing the specific economic, legal, social, technological or other benefits of the project that outweigh the environmental impacts and support the decision to approve the project without mitigation of the impacts that cannot be avoided or reduced to an acceptable level, including all of the elements on which the County and City have been unable to arrive at an acceptable mitigation through development of a new agreement.

The fact that the County and City have not been able to agree on a mutually satisfactory agreement, means that the proposed mitigation of the asserted land use impacts based on that renegotiation cannot be carried out due to circumstances beyond the control of the County. Therefore, those impacts are included in the Statement of Overriding Considerations.

3.2 IMPACTS RELATED TO GEOLOGY AND SOILS

3.2.1 Potentially Significant Adverse Impacts Related to Geology and Soils

Implementation of the proposed project has the potential to impact the slope stability on the landfill site.

3.2.2 Findings Related to Geology and Soils

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FEIR.

3.2.3 Facts in Support of the Findings Related to Geology and Soils

Implementation of the following mitigation measures will reduce potential significant adverse impacts of the proposed project related to slope stability to a less than significant level. There are no significant unavoidable adverse project impacts related to slope stability after implementation of these mitigation measures.

G-1 Prior to construction of the lateral expansion area, additional geologic data will be obtained and subsequent slope stability analyses will be conducted to verify assumptions made for the stability analysis included in Appendix L of the Draft EIR.

G-2 Geologic mapping will be conducted during construction to identify any changes in geologic structure that may impact the stability analysis conducted for the lateral expansion design.

3.3 HYDROGEOLOGY AND WATER QUALITY

3.3.1 Potentially Significant Adverse Impacts Related to Hydrogeology and Water Quality

Implementation of the proposed project has the potential to adversely impact groundwater.

3.3.2 Findings Related to Hydrogeology and Water Quality

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FEIR.

3.3.3 Facts in Support of the Findings Related to Hydrogeology and Water Quality

Implementation of the following mitigation measures will reduce potential significant adverse project impacts related to groundwater to a less than significant level. There are no significant unavoidable adverse project impacts related to groundwater after implementation of these measures.

HW-1 A composite liner or an alternative to the prescriptive composite liner and leachate collection and recovery system (LCRS) will be placed in the lateral expansion area to intercept and collect leachate for disposal off-site or use as dust control, as approved by the Regional Water Quality Control Board-Santa Ana (RWQCB-SA). A subdrain system will be installed, as necessary, to intercept seeps below the liner. The prescriptive or alternative liner, LCRS and subdrain will be approved by the RWQCB-SA and comply with federal and state requirements (27 CCR).

HW-2 The site will continue to comply with the site's Waste Discharge Requirements and Monitoring and Reporting Program requirements imposed by the RWQCB-SA for the protection of water quality.

HW-3 The Corrective Action System in place at the landfill will continue operating during the extended landfill operations if detections of volatile organic compounds (VOCs) in groundwater continue.

3.4 SURFACE WATER HYDROLOGY

3.4.1 Potentially Significant Adverse Impacts Related to Surface Water Hydrology

Implementation of the proposed project has the potential to adversely impact the hydrological system.

3.4.2 Findings Related to Surface Water Hydrology

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant adverse environmental project impact related to hydrology as identified in the FEIR.

3.4.3 Facts in Support of the Findings Related to Surface Water Hydrology

Implementation of the following mitigation measures will reduce potential significant adverse project impacts to the hydrological system to a less than significant level. There are no significant unavoidable adverse project impacts to the hydrological system after implementation of these measures.

H-1 As part of a Joint Technical Document (JTD) to be prepared by IWMD in support of a revised Solid Waste Facility Permit (SWFP) and WDRs for the proposed expansion, the IWMD shall present the assumptions, methods and calculations used to calculate the potential flow quantities for run-on, run-off and sediment content of storm water flow used in sizing drainage and sediment control facilities for Olinda Alpha Landfill in conformance with 27 CCR regulations.

H-2 As part of a JTD to be prepared by IWMD in support of a revised SWFP and WDRs for the expansion, the IWMD shall include surface drainage plans for Olinda Alpha Landfill expansion final grading plans, including any berms, down drain systems, perimeter

drainage channel improvements and the location of off-site discharge points for run-off water in compliance with 27 CCR regulations.

- H-3 Diversion and drainage facilities shall be evaluated, designed, constructed and operated to accommodate the anticipated volume of precipitation and peak flows from surface run-off under the precipitation conditions specified in Title 27 of the CCR. Drainage facilities for the landfill expansion shall be designed to prevent washout of the waste management unit during a 100-year storm event.
- H-4 The landfill (including the expansion area) will continue to operate under a National Pollutant Discharge Elimination System Permit (NPDES) Permit to discharge storm flows. The criteria and restrictions of the NPDES Permit and the Storm Water Pollution Prevention Plan (SWPPP) and Best Management Practices (BMPs) that accompany the NPDES Permit will be adhered to.
- H-5 Positive drainage will be ensured in the expansion area by maintaining a two to three percent slope on all landfill deck surfaces.
- H-6 During all landfiling operations in the expansion area, sediment and erosion control plans will continue to be prepared and implemented on an annual basis to reduce sediment and control erosion on the landfill site.

3.5 TRANSPORTATION AND CIRCULATION

3.5.1 Potentially Significant Adverse Impacts Related to Transportation and Circulation

Implementation of the proposed project has the potential to create significant adverse traffic impacts. Imperial Highway at its intersections with Valencia Avenue and Kraemer Boulevard will experience a significant adverse impact as a result of project related traffic in 2021.

3.5.2 Findings Related to Transportation and Circulation

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant adverse project impact related to traffic as identified in the FEIR.

3.5.3 Facts in Support of the Findings Related to Transportation and Circulation

Implementation of the following mitigation measures will reduce potential significant adverse project traffic impacts to a less than significant level. There are no significant unavoidable adverse project impacts related to traffic after implementation of these mitigation measures.

- T-1 Imperial Highway at Valencia Avenue. IWMD will contribute a 9.2 percent fair share of the cost to modify the southbound Valencia Avenue approach at Imperial Highway. The fair share allocation is a standard Resources and Development Management Department (RDMD) guideline for intersections operating at a level of service (LOS) E without a

project and LOS F with a project as the LOS is unacceptable. Under both scenarios, IWMD will contribute its fair share to the incremental impact to the southbound Valencia Avenue approach at Imperial Highway which the project would change from LOS E to LOS F before mitigation (Refer to Appendix F-9 in the Draft EIR for supporting calculation sheets).

The proposed modifications include one additional southbound left turn lane and re-configuration of the rest of the southbound lanes (i.e. one through and one right turn lane) to one through lane and one optional through/right lane. This measure can be accomplished with re-striping only and with no additional street widening.

This improvement will result in an intersection capacity utilization (ICU) of 0.836 (LOS D) with mitigation compared to an ICU of 0.981 (LOS E) without mitigation.

- T-2 Imperial Highway and Kraemer Boulevard. IWMD will contribute a 100 percent fair share to the cost to modify the eastbound Imperial Highway approach at Kraemer Boulevard. The 100 percent fair share allocation is a standard County RDMD guideline for intersections operating at a LOS D without a project (an acceptable LOS) and LOS E with a project (an unacceptable LOS). Since the projected traffic associated with the Olinda Alpha Landfill expansion project, on its own, would cause the LOS D at the Imperial Highway and Kraemer Boulevard intersection to operate at LOS E, IWMD will contribute 100 percent of the cost to improve the LOS to an acceptable LOS D.

The proposed modifications are to provide an eastbound right turn only lane. This mitigation measure requires widening on the south side, relocation of street light poles and other street furniture.

3.6 AIR QUALITY

3.6.1 Potentially Significant Adverse Impacts Related to Air Quality

Implementation of the proposed project has the potential to result in short term significant adverse impacts associated with exceeding the South Coast Air Quality Management District (SCAQMD) thresholds for particulate matter (PM₁₀).

The proposed project also has the potential to result in long term significant adverse impacts associated with exceeding the SCAQMD thresholds for nitrogen oxides (NO_x), reactive organic compounds (ROC) and carbon monoxide (CO).

3.6.2 Findings Related to Air Quality

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FEIR. Complete mitigation is not possible to avoid or reduce these impacts to a less than significant level.

3.6.3 Facts in Support of the Findings Related to Air Quality

The Southern California Air Quality Management District (SCAQMD) and the Southern California Association of Governments (SCAG) have heretofore prepared/approved the 2003 Air Quality Management Plan (AQMP) for the Southern California region. The attainment goals/controls contained within the AQMP are based upon the agreed growth projections calculated for the region and subareas. A project is deemed compliant with the AQMP if the total population estimated for the project, when added to the existing and projected population within the relevant subarea, does not exceed the cumulative growth projections for the subregion. Implementation of the Project (when combined with existing and proposed growth) would not exceed the approved growth projections for the subarea. Accordingly, the Project is consistent with the AQMP and will not conflict with the goals/policies contained therein.

Implementation of the following mitigation measures will substantially lessen the adverse impacts of the proposed project related to air quality. However, these mitigation measures will not reduce these significant adverse impacts to below a level of significance. Therefore, the proposed project will result in significant short and long term unavoidable impacts to air quality even with implementation of these mitigation measures.

AQ-1 Applicable dust suppression techniques from Rule 403 are summarized below. Additional dust suppression measures in the SCAQMD CEQA Air Quality Handbook are also included as part of the project's mitigation. Implementation of these dust suppression techniques will reduce the fugitive dust generation (and thus the PM₁₀ component). Compliance with these rules will reduce impacts on nearby sensitive receptors.

Applicable Rule 403 measures:

- a. Apply nontoxic chemical soil stabilizers according to manufacturers' specifications to all inactive construction areas (previously graded areas inactive for 10 days or more).
- b. Water active sites at least twice daily. (Locations where grading is to occur will be thoroughly watered prior to earth moving).
- c. All trucks hauling dirt, sand, soil, or other loose materials are to be covered, or should maintain at least two feet of freeboard in accordance with the requirements of California Vehicle Code (CVC) section 23114 (freeboard means vertical space between the top of the load and top of the trailer).
- d. Pave construction access roads at least 100 feet onto the site from main road.
- e. Traffic speeds on all unpaved roads shall be reduced to 15 miles per hour (mph) or less.

Additional SCAQMD CEQA Air Quality Handbook dust measures:

- a. Revegetate disturbed areas as quickly as possible.
- b. All excavating and grading operations shall be suspended when wind speeds (as instantaneous gusts) exceed 25 mph and dust plumes are visible.
- c. All on-site streets shall be swept once a day if visible soil materials are carried to adjacent streets (recommend water sweepers with reclaimed water).
- d. Install wheel washers where vehicles enter and exit unpaved roads onto paved roads, or wash trucks and any equipment leaving the site each trip.

AQ-2 Dust generated by the construction activities shall be retained on-site and kept to a minimum by following the dust control measures listed below.

- a. During clearing, grading, earth moving, excavation, or transportation of cut or fill materials, water trucks or sprinkler systems shall be used to prevent dust from leaving the site and to create a crust after each day's activities cease.
- b. During construction, water trucks or sprinkler systems shall be used to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this would include wetting down such areas in the late morning and after work is completed for the day and whenever wind exceeds 15 mph.
- c. Immediately after clearing, grading, earthmoving, or excavation is completed, the entire area of disturbed soil shall be treated until the area is paved or otherwise developed so that dust generation will not occur.
- d. Soil stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation.
- e. Trucks transporting soil, sand, cut or fill materials, and/or construction debris to or from the site shall be tarped or maintain 6 inches of freeboard from the point of origin.

3.7 NOISE

3.7.1 Potentially Significant Adverse Impacts Related to Noise

Although construction of the proposed project would not result in significant adverse short term noise impacts, it is included in this discussion because construction related noise impacts can be reduced with mitigation included in the FEIR and described below.

Although the project will not increase noise above existing conditions because it would not change the volume of traffic as it is occurring in 2004, the continuation of landfill (long term) activities due to the project at 2013 would result in a 12 dBA increase above the no project scenario.

3.7.2 Findings Related to Noise

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the short term noise and long term significant adverse noise impacts of the project as identified in the FEIR.

3.7.3 Facts in Support of the Findings Related to Noise

Although construction of the proposed project would not result in significant adverse short term noise impacts, the following measures will further reduce short term construction related noise levels. There are no significant unavoidable adverse short term project noise impacts after mitigation.

- N-1 During all project site excavation and grading, the project contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards.
- N-2 The project contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the active construction areas.
- N-3 The construction contractor shall locate equipment staging in areas to result in the greatest distance between construction related noise sources and noise sensitive receptors nearest the active construction areas during all project construction.
- N-4 The construction contractor shall restrict all construction-related activities that would result in high noise levels between the hours of 8:00 PM and 7:00 AM on weekdays, including Saturday, or at any time on Sunday or a federal holiday.

Implementation of the following mitigation measure will reduce potential long term noise impacts to a less than significant level. There are no significant unavoidable adverse long term project noise impacts after implementation of this measure.

- N-5 For residential units on Valencia Avenue north of Carbon Canyon Road which are approved prior to any approval of an expansion at Olinda Alpha Landfill, which are constructed and occupied before 2013 and which would be impacted by 65 dBA CNEL or higher traffic noise, the County of Orange IWMD will contribute a fair share to a road noise reduction program for these residences, if such a program is implemented by the City of Brea. This program could potentially implement a variety of road noise reduction measures which may include reduction in road speeds on the segment of Valencia Avenue north of Carbon Canyon Road, construction of sound walls adjacent to the affected residences and/or installation of rubberized asphalt concrete on Valencia Avenue north of Carbon Canyon Road.

The County prepared complete responses to all of the comments received, including those of the City of Brea. The responses to comments addressed the City of Brea's concerns regarding the

project. As part of its mitigation strategy, the County engaged in extensive negotiations with the City of Brea in order to develop an agreement to address the City's concerns. As of this moment, the City and County have been unable to arrive at a mutually acceptable understanding. This means that, in some cases, identified mitigation measures, including fair share participation in a road noise reduction program, cannot be implemented due to circumstances beyond the control of the County. Because this is an important public project necessary to provide for the public health, safety and welfare by providing cost effective trash disposal within the County of Orange for the benefit of its residents, a Statement of Overriding Considerations has been prepared describing the specific economic, legal, social, technological or other benefits of the project that outweigh the environmental impacts and support the decision to approve the project without mitigation of the impacts that cannot be avoided or reduced to an acceptable level, including all of the elements on which the County and City have been unable to arrive at an acceptable mitigation through development of a new agreement.

Since the EIR found that any noise impacts would be avoided, there would be no reason or nexus for any mitigation or mitigation fee. The fact that the County and City have not been able to reach a mutually satisfactory agreement to provide for fair share participation in a road noise reduction program, the proposed mitigation of the noise impacts based on that renegotiation cannot be carried out as a result of circumstances beyond the control of the County. Therefore, those impacts are included in the Statement of Overriding Considerations.

3.8 AESTHETICS

3.8.1 Potentially-Significant Adverse Impacts Related to Aesthetics

Implementation of the proposed project has the potential to create adverse visual impacts if the surface of the landfill were vegetated with plant species that would highly contrast with the surrounding undeveloped hills. In addition, impacts associated with additional lighting would be considered substantially adverse if the light spilled over onto adjacent sensitive residential and wildlife habitat areas.

3.8.2 Findings Related to Aesthetics

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant adverse project impacts related to aesthetics and light and glare, as identified in the FEIR.

3.8.3 Facts in Support of the Findings Related to Aesthetics

Implementation of the following mitigation measures will reduce potential adverse project impacts related to aesthetics to a less than significant level. There are no significant unavoidable adverse project impacts related to aesthetics, light and glare following implementation of these mitigation measures.

AS-1 The existing Olinda Alpha Landfill Landscape Master Plan (LMP) that was developed in concert with IWMD and the City of Brea Citizens Advisory Committee in 1994 to address minimization of interim and permanent visual impacts will be revised to include the proposed vertical and horizontal expansion. The current seed mixes in the LMP will be identified for use on the appropriate areas of the expansion. The revised LMP will execute the original goal of blending the landfill property with the adjacent native open space area. The revised plan will be approved by IWMD and the City of Brea and will be included in the Closure Plan for the site as part of the SWFP and WDR revision application.

The phased interim landscape plan included as part of the LMP will be revised to continue visual screening of the landfill operations and facilities for the expansion and to assist in blending the manufactured slopes with surrounding open space prior to landfill closure.

AS-2 All outdoor lighting, including any construction-related lighting, shall be designed, installed and operated in a manner that ensures that all direct rays from project lighting are contained within the landfill and that residences and undeveloped areas that may provide wildlife value are protected from spillover light and glare.

The City has indicated, outside of the EIR process in discussions of a possible MOU amendment, that it believes that the County should pay some significant contribution to the installation and maintenance of landscaped medians along truck routes to offset asserted impacts. While the EIR did not find any impacts in to aesthetics or transportation noise, facilities, this subject has been one of the subjects discussed by City and County in the course of negotiations related to a new agreement between the parties. Since the EIR did not identify any aesthetic impacts, there would be no reason or nexus for any mitigation or mitigation fee.

The County prepared complete responses to all of the comments received, including those of the City of Brea. The responses to comments addressed the City of Brea's concerns regarding the project. As part of its mitigation strategy, the County engaged in extensive negotiations with the City of Brea in order to develop an agreement to address the City's concerns. As of this moment, the City and County have been unable to arrive at a mutually acceptable understanding. This means that, in some cases, identified mitigation measures cannot be implemented due to circumstances beyond the control of the County. Because this is an important public project necessary to provide for the public health, safety and welfare by providing cost effective trash disposal within the County of Orange for the benefit of its residents, a Statement of Overriding Considerations has been prepared describing the specific economic, legal, social, technological or other benefits of the project that outweigh the environmental impacts and support the decision to approve the project without mitigation of the impacts that cannot be avoided or reduced to an acceptable level, including all of the elements on which the County and City have been unable to arrive at an acceptable mitigation through development of an agreement.

The fact that the County and City have not been able to agree on a mutually satisfactory agreement, means that the proposed mitigation of the asserted aesthetic and transportation impacts based on that

renegotiation cannot be carried out due to circumstances beyond the control of the County. Therefore, those impacts are included in the Statement of Overriding Considerations.

3.9 CULTURAL AND SCIENTIFIC RESOURCES

3.9.1 Potentially Significant Adverse Impacts Related to Cultural and Scientific Resources

No cultural resources were identified on the proposed expansion site. However, there is the potential for uncovering previously unknown cultural resources during ground disturbing activities which would potentially result in significant adverse impacts on cultural resources.

No paleontological resources were identified on the proposed expansion site. However, there is the potential for uncovering paleontological resources during ground disturbing activities which would potentially result in significant adverse impacts on paleontological resources.

3.9.2 Findings Related to Cultural and Scientific Resources

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the potential for significant adverse project impacts on cultural and scientific resources, as identified in the FEIR.

3.9.3 Facts in Support of the Findings Related to Cultural and Scientific Resources

Implementation of the following mitigation measures will reduce potential significant adverse project impacts related to cultural and scientific resources to a less than significant level. There are no significant unavoidable adverse project impacts to cultural and scientific resources after implementation of these measures.

- C-1 The construction bid package, related construction and design plans, and specifications shall require that if buried cultural material is encountered during project construction, the County's construction contractor shall immediately stop work in the area. Work shall be halted until the County can retain a qualified archaeologist, and the nature and significance of the find are determined. If significant archaeological material is found, it shall be salvaged and collected in compliance with all applicable regulations and sent to a designated museum.
- C-2 If human remains are encountered during project construction, the County's construction contractor shall immediately stop work in the area. The County Coroner must be notified of the find immediately. If the remains are determined to be prehistoric, the Coroner will notify the Native American Heritage Commission (NAHC), which will determine and notify a Most Likely Descendant (MLD). With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 24 hours of notification by the NAHC. The

MLD may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials.

- C-3 A Paleontological Resources Impact Mitigation Program (PRIMP) will be implemented. The PRIMP shall include, but not be limited to, the following: paleontological monitoring, preparation of any collected specimens to the point of identification, curation of specimens to a museum or similar institution and preparation of a mitigation report documenting any findings.

3.10 HAZARDS

3.10.1 Potentially Significant Adverse Impacts Related to Hazards

No significant adverse impacts to public health and safety with respect to hazardous materials are anticipated to occur because the landfill expansion would comply with federal, state and local landfill regulations that govern landfill procedures. Therefore, no mitigation is required and no significant unavoidable adverse impacts will occur.

Implementation of the Project would not cause or otherwise result in the development of any improvements/facilities on any hazardous materials site listed pursuant to Government Code Section 65962.5. Furthermore, implementation of the Project would not result in the dedication of contaminated lands to the County of Orange.

No portion of the Project area appears on any of DTSC's hazardous materials lists. Accordingly, implementation of the Project would not produce any significant impacts related to the listing provisions of Government Code Section 65692.5.

3.11 PUBLIC SERVICES

3.11.1 Potentially Significant Adverse Impacts Related to Public Services

Implementation of the proposed project is not anticipated to result in significant adverse impacts on public services. Therefore, no mitigation is required and no significant unavoidable adverse impacts will occur.

3.12 BIOLOGICAL RESOURCES

3.12.1 Potentially Significant Adverse Impacts Related to Biological Resources

Implementation of the proposed project has the potential to adversely impact 1.3 acres of coast live oak, 4.0 acres of coastal sage scrub (CSS) and 10.4 acres of cut/slope revegetation.

3.12.2 Findings Related to Biological Resources

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant adverse project impacts on biological resources as identified in the FEIR.

3.12.3 Facts in Support of the Findings Related to Biological Resources

Implementation of the following mitigation measures will reduce the potential significant adverse project impacts related to biological resources to a less than significant level. There are no significant unavoidable adverse project impacts to biological resources with implementation of these measures.

- B-1 Prior to the removal of the 1.3 acres of coast live oak, IWMD shall prepare and submit a Mitigation Monitoring and Reporting Program (MMRP) to the California Department of Fish and Game (CDFG) for review and approval. In accordance with an approved MMRP, IWMD will replace the 1.3 acres of coast live oak woodland at a 1:1 ratio (or as otherwise approved by the CDFG). The location of coast live oak plantings on the landfill will be determined in consultation with CDFG and a qualified ecologist. However, if the ultimate location of these replacement oaks is within the disposal area of the landfill, the RWQCB-SA will need to approve the plan to ensure that the tree root system does not compromise landfill operations and/or closure (final cover) requirements.
- B-2 Prior to the removal of the 4.0 acres of CSS and the 10.4 acres of cut/slope revegetation, IWMD shall prepare and submit a Coastal Sage Scrub Mitigation Plan (CSSMP), to the CDFG for review and approval. In accordance with an approved CSSMP, the IWMD will replace the 4.0 acres of CSS and the 10.4 acres of cut/slope revegetation, which provide marginally suitable habitat for the California gnatcatcher, at a 1:1 ratio (or as otherwise approved by the CDFG). Guidelines for the CSSMP are:
- The mitigation areas/sites shall have been evaluated and selected on the basis of their suitability for use as coastal sage scrub revegetation areas. The parameters evaluated shall include but not be limited to soil conditions, slope aspect, proximity to adjacent coastal sage scrub, level of difficulty of site preparation, and ownership status.
 - The mitigation plan shall provide procedures to prepare the soils in the mitigation area, provide detailed seeding/planting mixtures, provide seeding/planting methods and provide any other procedures that will be used for successful revegetation.
 - Maintenance and monitoring goals shall be established.

In addition to the overall consistency with the existing MOU, the City has indicated, outside of the EIR process in discussions of a possible MOU amendment, that it believes that the County should pay some significant contribution to the acquisition, management and maintenance of additional open space and a wildlife corridor to offset asserted impacts. While the EIR did not find any impacts in to land use, this subject has been one of the subjects discussed by City and County in the course of negotiations related to a new agreement between the parties. Since the EIR did not