



County of Monterey

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Board Report

File #: RES 19-170, **Version:** 1

Adopt a Resolution:

Authorizing and directing the Auditor-Controller to amend the FY 2019-20 Adopted Budget for County Disposal Sites, General Fund 001, Unit 8175, Appropriation Unit RMA039, to increase appropriations by \$157,523, financed by an operating transfer from General Fund Contingencies, Fund 001, Appropriation Unit CAO020, of \$157,523 (4/5th vote required).

RECOMMENDATION:

It is recommended that the Board of Supervisors adopt a resolution authorizing and directing the Auditor-Controller to amend the FY 2019-20 Adopted Budget for County Disposal Sites, General Fund 001, Unit 8175, Appropriation Unit RMA039, to increase appropriations by \$157,523, financed by an operating transfer from General Fund Contingencies, Fund 001, Appropriation Unit CAO020, of \$157,523 (4/5th vote required).

SUMMARY:

The County is required to maintain permits and perform mandated monitoring and reporting activities for eleven (11) closed landfills and two (2) lift stations. Resource Management Agency (RMA) contracts with an environmental consultant with the required credentials to prepare the required technical reports for the closed landfills. The consultant identified the need for additional reporting and best management practices (BMPs) implementation activities this year to meet regulatory compliance for closed landfills at Lake San Antonio-North Shore (LSA-NS), San Ardo, and Bradley. Additionally, a Closure/Postclosure Report Update identified that Lake San Antonio-South Shore (LSA-SS) closed landfill is currently out of compliance. This is the first report at LSA-SS making the RMA aware of this compliance issue since taking over management of LSA in 2016. These activities add unanticipated costs that were not included in the Fiscal Year 2019-2020 Adopted Budget. Staff requests an increase to the FY2019-20 Adopted Budget for County Disposal Sites, General Fund 001, Unit 8175, Appropriation Unit RMA039, of \$157,523 to perform the required tasks financed by General Fund Contingencies, Fund 001, Appropriation Unit CAO020.

DISCUSSION:

Currently, RMA actively manages ten (10) County closed landfills and two (2) lift stations regulated by the Federal Environmental Protection Agency (EPA) and State of California Water Resources Control Board (Water Board). The Monterey County Health Department (Health Department) is the Local Enforcement Agency. All closed landfill sites require permitting and at certain landfill sites, state and federal laws mandate additional postclosure monitoring and reporting activities including, but not limited to, annual water quality monitoring, preparation and implementation of Storm Water Pollution Prevention Plans (SWPPs), wet weather monitoring well inspections and reports, biannual dry weather inspections, and stormwater collection and analysis.

The consultant has identified the following requirements that were not anticipated when the FY 2019-20 budget for County Disposal Sites was prepared:

Lake San Antonio-North Shore - During the 2018-19 Reporting Season, high levels of total suspended solids (TSS) were detected in one stormwater quality sample at LSA-NS, placing the site into Level 1 protocol. Water Board Level 1 protocol mandates the completion of an updated SWPPP to address and prevent increased TSS levels and a Level 1 Exceedance Response Action

(ERA) Report. Estimated costs of this additional reporting is \$10,245.

Lake San Antonio-North Shore, Bradley, and San Ardo - BMPs were in place at LSA-NS, Bradley, and San Ardo. In September 2019, RMA technical and engineering staff met on-site with the consultant to discuss the BMPs and evaluate how they may need to be improved to prevent future TSS exceedances.

Of concern are storm water samples containing high TSS readings that are more common after the first rainstorms of each season. Increased maintenance and annual refreshment or replacement of BMPs can limit high TSS samples and the added costs of increased reporting upon threshold exceedances. Based on this site visit, it was recognized that the existing BMPs had degraded to a point that they warranted replacement and enhancement. In coordination with the consultant, the RMA Special District Engineer developed BMP plans for each of the three sites. This work includes installation and maintenance of silt fences, straw matting, and straw wattles to ensure the TSS threshold levels are not exceeded.

BMPs are required to be in place by October 15th prior to the commencement of the rainy season each year; therefore, the BMP installation work needs to be completed immediately. Due to the lack of rain and other time sensitive projects including fire fuel management activities, RMA was prepared to install the BMPs this month when we realized our oversight to bring forward a funding request and budget appropriation. RMA placed temporary BMPs at LSA-NS during the week of November 18, 2019. The full BMP scope of work will be completed under the Job Order Contracting (JOC) process at an estimated cost of \$94,034 (LSA-NS \$58,938/Bradley \$27,746/San Ardo \$7,350). The estimated cost of additional staff time is \$25,000. Ongoing annual maintenance of BMPs will be included in future budgets.

Lake San Antonio-South Shore (LSA-SS) - A Closure/Postclosure Report Update identified that LSA-SS Closed Landfill is currently out of compliance. The Final Closure/Postclosure Maintenance Plan Final Report for LSA-SS was prepared in June 1991 by the County Parks Department, which was the last report completed. As such, this was the first report making RMA aware of the compliance issues since taking over management of Lake San Antonio in 2016. The Heath Department requires the submittal of updated closure plan revisions pursuant to 27 CCR 21865(a)(1)(C) and submittal of the overdue Non-Water Correction Action plan pursuant to 27 CCR 22101. The estimated cost of this additional reporting is \$28,244. Depending on the outcome of these plan updates, there may be ongoing annual monitoring, reporting, and BMP requirements. The addition of LSA-SS means moving forward RMA will manage eleven (11) County closed landfills and will include these costs in future County Disposal Site budgets.

OTHER AGENCY INVOLVEMENT:

The Monterey County Health Department is the local enforcement agency for State and Federally mandated reporting requirements. RMA was unable to process this request in time for the November 21, 2019 Budget Committee, and due to the urgency to install the BMPs prior the on-set of the rains, this item cannot wait for the next Budget Committee. RMA requested approval for this item to bypass the Budget Committee, and the Chair approved the request on November 20, 2019.

FINANCING:

Expenses related to closed landfills are funded by the General Fund 001. The FY 2019-20 Adopted Budget for County Disposal Sites, General Fund 001, Unit 8175, Appropriation Unit RMA039, had sufficient funding for

the recent installation of temporary BMPs. An amendment to the FY 2019-20 Adopted Budget for County Disposal Sites, General Fund 001, Unit 8175, Appropriation Unit RMA039, is needed to increase appropriations by \$157,523 to cover the full costs for closed landfill regulatory compliance reporting and BMP installation, financed by an operating transfer from General Fund Contingencies, Fund 001, Appropriation Unit CAO020, of \$157,523. The current Contingencies balance is \$3,393,567. The budget increase could also be financed by a release from the General Fund Cannabis Tax Assignment, Fund 001, Balance Sheet Account 3132, should the Board prefer. The current Cannabis Tax Assignment balance is \$27,792,651.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

The requested appropriation for Closed Landfills adheres to numerous Monterey County Board of Supervisors Strategic Initiatives. Reporting, sampling, and proper maintenance of BMPs ensures closed landfills maintain their integrity and pose no contamination risks to the environment or public safety.

- Economic Development
- Administration
- Health & Human Services
- Infrastructure
- Public Safety

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Approved by: Shawne Ellerbee, RMA Deputy Director of Administrative Services
Approved by: Carl P. Holm, AICP, RMA Director

Attachments

Attachment A-Financial Summary for Fiscal Year Ending 6/30/20
Attachment B-Draft Resolution
(Attachments are on file with the Clerk of the Board)