



Mendocino County

Legislation Details (With Text)

File #: 17-0108 **Version:** 1 **Name:**
Type: Resolution **Status:** Adopted
File created: 2/7/2017 **In control:** Transportation
On agenda: 3/7/2017 **Final action:**
Title: Adoption of Resolution Establishing the South Coast Landfill Closure Account as the Financial Assurance Mechanism for Closure of the South Coast Landfill (Gualala Area)
Sponsors: Transportation
Indexes:
Code sections:
Attachments: 1. Resolution 17-030, 2. Letter - Enterprise Fund

Date	Ver.	Action By	Action	Result
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To: Board of Supervisors

From: Transportation

Meeting Date: March 7, 2017

Department Contact: Howard N. Dashiell

Phone: 463-4363

Item Type: Consent Agenda

Time Allocated for Item: N/A

Agenda Title:

Adoption of Resolution Establishing the South Coast Landfill Closure Account as the Financial Assurance Mechanism for Closure of the South Coast Landfill (Gualala Area)

Recommended Action/Motion:

Adopt Resolution establishing the South Coast Landfill Closure Account as the financial assurance mechanism for closure of the South Coast Landfill (Gualala Area); and authorize Chair to sign same.

Previous Board/Board Committee Actions:

By Resolution Number 05-052 (April 12, 2005), the Board of Supervisors approved a Pledge of Revenue Agreement as the financial assurance mechanism for the post-closure maintenance and corrective action for the Caspar, Laytonville and South Coast Landfills.

Summary of Request:

Public Resources Code sections 43500 through 43610.1 and Title 27, California Code of Regulations, Division 2, Subdivision 1, Chapter 6 (Regulations), require operators of solid waste landfills to demonstrate the availability of financial resources to conduct closure, post-closure maintenance, and corrective action activities. By Resolution Number 05-052 (adopted April 12, 2005) the Board of Supervisors approved a Pledge of Revenue Agreement between the County of Mendocino and the California Integrated Waste Management Board, which provides an acceptable financial assurance mechanism to demonstrate financial responsibility for financing the post-closure maintenance and corrective action for the Laytonville, South Coast and Caspar

Landfills, however did not provide a financial assurance mechanism for closure activities. The California Department of Resources Recycling and Recovery has notified the County that Caspar and Laytonville Landfills are certified closed but the County has not met requirements to provide financial assurance demonstration for the closure of South Coast Landfill. Sections 22228 and 22241 of the Regulations specify an enterprise fund as an acceptable mechanism to demonstrate financial responsibility for financing the closure of a solid waste landfill. It is now appropriate to establish an account within the current Landfill Closure Fund as a financial assurance mechanism for the closure of South Coast Landfill and to transfer to it funds sufficient to meet the requirements of sections 22225 and 22241 of the California Code of Regulations.

Alternative Action/Motion:

Postpone establishing a financial assurance mechanism for closure of the South Coast Landfill.

Supplemental Information Available Online at: N/A

Fiscal Impact:

Source of Funding: BU 4511 Landfill Closure Fund **Budgeted in Current F/Y:** N/A

Current F/Y Cost: N/A **Annual Recurring Cost:** N/A

Supervisory District: District 5 **Vote Requirement:** Majority

Agreement/Resolution/Ordinance Approved by County Counsel: Yes

CEO Liaison: Janelle Rau, Deputy CEO

CEO Review: Yes

Comments: