

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or other entity making use of this grant.
2. This grant shall not be effective for any purpose until the permittee and the owner of the property involved (if other than the permittee) have filed at the office of the Department of Regional Planning their affidavit stating that they are aware of, and agree to accept, all of the conditions of this grant and the Board of Supervisors has adopted General Plan Amendments consistent with this grant.
3. The permittee shall defend, indemnify and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, annul or seek damages or compensation in connection with this permit approval or the conditions of permit approval, which action is brought within the applicable time period of Government Code Section 65907 or other applicable time period. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall cooperate fully in the defense. If the County fails to promptly notify the permittee of any claim action or proceeding, or if the County fails to cooperate fully in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
4. Attached to these conditions is a Monitoring Program which is incorporated into these conditions by reference. The permittee shall fully perform each action required of the permittee by the monitoring program as if it were specifically set forth in these conditions.
5. This grant will expire unless used within 2 years from the date of approval (excepting any period of time deemed "tolled" as provided by law). A one year time extension may be requested before the expiration date.
6. This grant will terminate upon completion of the approved County only fill design, as shown on Exhibit "A", or, if applicable, upon completion of a City-County fill within the limits shown on Exhibit "A" (Alternate). Exhibit "A" and Exhibit "A" (Alternate) are described in Condition 10b.

Should this grant terminate without new or additional permits having been granted, no further waste shall be accepted for filling or processing. However, the permittee is authorized to continue such facilities in operation as are necessary to

complete mitigation measures required by this grant or foreclosure or post closure maintenance required by federal, state and local agencies. All facilities not required for mitigation, closure or post closure maintenance shall be removed unless they are of a type permitted as a matter of course by the zoning regulations then in effect.

7. If any provision of this grant that is challenged by the permittee is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.
 8. The subject property shall be developed, maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance or other regulation applicable to any development or activity on the subject property, including but not limited to those permits issued by the following agencies:
 - a. The Local Enforcement Agency and the California Integrated Waste Management Board
 - b. The Los Angeles Regional Water Quality Control Board
 - c. The South Coast Air Quality Management District
 - d. The California Department of Fish and Game
 - e. The U.S. Army Corps of Engineers
 - f. The State Department of Health Services
- Failure of the permittee to cease any development of activity not in full compliance shall be a violation of these conditions.
9. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission or a hearing officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or hearing officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public health or safety or so as to be a nuisance.
 10. This grant allows the establishment and operation of a Class III nonhazardous landfill facility together with certain

ancillary and related activities, as enumerated herein, subject to the following restrictions as to use.

- a. Incinerator ash, sludge, radioactive material, hazardous waste, and medical waste as defined in Section 25023.2 of the California Health & Safety Code shall not be accepted. Should such waste be nevertheless received at the landfill, it shall be handled and disposed of as provided in Condition 26.
- b. The County wishes to conserve and, if possible, avert destruction of oak trees and other significant ecological resources within unincorporated territory and to encourage the City of Los Angeles to, insofar that it is environmentally and economically appropriate, permit landfill capacity within the City's need for such capacity. The County believes that these goals may be accomplished by the permitting of substantial additional fill on land within the City in the permittee's ownership and control. Therefore, the permittee shall diligently pursue its application to the City of Los Angeles to expand the landfill within the City (as necessary to accomplish the purpose of this condition) to the highest level of appeal within the City's decision making hierarchy.

Pending action by the City of Los Angeles on the permittee's application, no portion of the landfill may extend above the plain or outside of the surface area of the fill design shown as Sequence 1 on Drawing 3A, revised February 4, 1991, (containing an estimated 16.9 million tons of waste capacity), attached as Exhibit "A". Should the City of Los Angeles approve a fill design which, projected into unincorporated territory, would overlay the fill shown on Exhibit "A", without further action by the County to amend this grant the permittee may, as necessary to complete the City authorized design, extend the horizontal and vertical limits of fill in unincorporated territory to but not beyond those shown on Sequence 2, Drawing 3A, revised February 4, 1991, attached as Exhibit "A" (Alternate).

If the City of Los Angeles denies the permittee's request to expand into the City or grants a permit for a fill which does not overlay the project area shown on Exhibit "A", no portion of the landfill may extend above the

surface plain or outside of the surface area shown on Exhibit "A".

As used in this Condition 10b, "landfill" refers to the portion of the subject property in which waste is to be permanently placed and then buried under daily and interim cover material but excludes adjacent cut slopes, temporary storage areas and ancillary facilities authorized by this grant. The restrictions of Condition 10b do not apply to final cover which may be added as provided in Condition 16. Allowance for settlement of fill shall not be made in determining compliance with this Condition 10b.

The purpose of this condition is to minimize this destruction of oak trees while providing for the landfill capacity in both the City of Los Angeles and County of Los Angeles landfill operations.

c. Nothing in Condition 10b or elsewhere in these conditions shall be construed to prohibit the permittee from applying for new permits to expand the landfill or to otherwise modify the conditions of grant.

d. If within one year from the date of this grant, the City of Los Angeles has not granted a permit to expand the landfill within City territory by at least 20 million tons of waste capacity, the permittee shall thereafter exclude waste from City-operated trucks from any portion of the landfill within County territory. This exclusion shall continue in effect unless and until the City subsequently approves such a permit.

If within 18 months from the date of this grant, the City of Los Angeles has not granted a permit to expand the landfill within City territory by at least 20 million tons of waste capacity, the permittee shall exclude all waste collected within the corporate limits of the City and transported in City operated or commercial trucks from any portion of the landfill within County territory. This exclusion shall continue in effect unless and until the City subsequently approves such a permit.

For the purposes of this Condition 10d, the assumed weight to volume ratio shall be 0.71 tons per cubic yard.

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- e. The net tonnage placed in the landfill shall not exceed 36,000 tons per week (6,000 tons per day average based upon 6 working days per week).
- f. The net tonnage of waste placed in the landfill on any given day shall not exceed 6,600 tons.
- g. Net tonnage shall not include:
 - Clean dirt imported to cover and prepare interim and final fill slopes for planting;
 - Waste processed and put to a beneficial use on the landfill or separated or otherwise diverted from the waste stream and exported from the landfill for the purpose of recycling, in accord with the restrictions of Conditions 10k and 10m and the agreement entered into pursuant to the provisions of the attached monitoring program.
- h. The Board of Supervisors may increase the net tonnage allowed by Section 10e and 10f to 48,000 tons per week (8,000 tons per average day) and 8,800 tons maximum per day if the Board of Supervisors, upon the joint recommendation of the Local Enforcement Agency and the Director of Public Works, determines that an increase is necessary to appropriately manage the overall County waste stream for the protection of the public health and safety. No more than 313 days of overages (as provided for in this Condition 10h) may be granted over the term of this permit.
- i. The permittee shall by January 1, 1994 complete a comprehensive study of the feasibility of night time landfill operations as outlined in "Modification VIII, Attachment F" to the memorandum from the Director of Planning to the Board of Supervisors concerning the Sunshine Canyon Landfill, dated January 18, 1991. In the event the conclusion is reached that night time operations would be feasible, the permittee shall return to the County with an application to permit such operations. Such application shall be limited only to the request for night time operation. If approved, the permit shall be subject to the restrictions and requirements established by the Regional Planning Commission.

- j. The permittee shall operate the landfill in a manner which maximizes the amount of waste which can be placed within the available (approved) volume, including but not limited to the following:
- Implement methods of waste compaction which equal or exceed compaction rates achieved at comparable landfills operated by the County Sanitation Districts;
 - Investigate and implement, as appropriate, methods of diverting or reducing high volume - low density materials which are not capable of being readily compacted;
 - Investigate and implement, as permitted by the appropriate regulatory agencies, methods to reduce the volume of daily cover required;
 - Utilize waste materials received and processed at the landfill, such as shredded green waste, as a supplement to daily, intermediate and final cover, to the extent deemed technically feasible and acceptable by regulatory agencies.
- k. Notwithstanding any other provision of this grant, the permittee shall not knowingly deposit waste into the landfill which is required to be diverted or recycled in accord with City and County Source Reduction and Recycling Elements, the County Integrated Waste Management Plan adopted pursuant to Division 30 of the Public Resources Code, and the agreement entered into between the County and permittee pursuant to Part II of the attached monitoring program.
- l. The subject property may be used for the following ancillary facilities:
- Offices and employee facilities related directly to the landfill and waste handling and processing operations allowed under this grant, but excluding offices and other facilities related to any other enterprises operated by the permittee or others;
 - Two caretaker's residences or mobile homes;
 - Leachate collection and processing facilities;

- Facilities necessary for the collection, disposal, utilization and distribution of landfill gases as required and/or approved by the South Coast Air Quality Management District;
 - Facilities necessary for the maintenance of machinery and equipment employed at the landfill, excluding equipment or machinery utilized by the permittee in other enterprises, including refuse collection.
- m. The permittee shall maintain on-site waste diversion and recycling facilities consistent in scale and purpose with the provisions of Condition 10k and the agreement entered into pursuant to Part II of the attached monitoring program.
- n. The hours of operation for landfill activities shall be as follows:
- The landfill shall be closed on Sunday;
 - Refuse may be accepted at the landfill scales between the hours of 6:00 a.m. through 6:00 p.m., Monday through Saturday, provided, however, that the entrance gate at San Fernando Road shall be opened at least one hour before opening the scales to avert queuing of trucks on the public street and provided, further, that refuse or dirt may be accepted at other times if the Local Enforcement Agency determines that extended hours are necessary to handle emergency disposal for the preservation of the public health and safety;
 - Landfill operations such as site preparation and maintenance, the application of cover, and waste processing, but excepting activities such as gas control which require continuous operation, shall be conducted between the hours of 6:00 a.m. and 9:00 p.m., Monday through Saturday;
 - Equipment maintenance shall be limited to the hours of 4:00 a.m. through 9:00 p.m., Monday through Saturday;

- Mitigation and emergency operations which cannot be accomplished during the hours stated above may be performed at any time;
 - o. Nothing in this Condition 10 or elsewhere in these conditions of grant shall be construed to require the permittee to engage in any act which is in violation of any state or federal regulation.
 - p. The County reserves the right to exercise its police power to protect the public health, safety and general welfare by managing the County-wide waste stream, including such activities as the appropriate regulation of tipping fees and similar landfill rates.
11. If the landfill regularly meets its weekly and/or daily maximum limit, as set forth in Condition 10e-h, the permittee shall implement a program to avert wasted trips to the landfill and illegal disposal, which program shall include:
- a. Scheduling of regular users, such as commercial and municipal haulers, to avoid them from arriving at the landfill and being diverted to other landfills;
 - b. Reservation of capacity for small commercial and private users, unless an alternate landfill located within 5 miles of the permittee's landfill is available to accept such users;
12. The permittee shall charge differential tipping fees if necessary to discourage hauling of partially filled loads to the landfill.
13. The permittee shall install traffic improvements (as set forth below) at the landfill entrance and the local feeder highways to the landfill deemed warranted by the City of Los Angeles. As used in this condition "warranted" means justified on the basis of established standards of the City and/or accepted traffic engineering practice. Improvements may include, as determined by the City:
- a. Widening and/or restriping and installation of traffic signals at the landfill entrance on San Fernando Road;
 - b. Restriping turning lanes at the intersection of San Fernando Road and Balboa Boulevard;

- c. Traffic control signs and markers.
14. The permittee shall pay to the County of Los Angeles a fee equal to ten percent of the sum of the following:
- The net tipping fees collected at the landfill, (including any fees received as a part of a materials recovery program), the net tipping fee being the total collected less any other fees or taxes imposed by any federal, state or local agency and included in the fee charged at the landfill entrance;
 - Gas-to-energy or direct gas sale revenues, less any federal, state, or local fees or taxes included in such revenues.

Should the County impose a business tax on landfill revenues, the amount received from the permittee shall be credited against the fees required by this Condition 14.

If at any time during the life of this grant the permittee is operating the landfill within both unincorporated and City territory, the fee required by this Condition 14 shall be reduced in proportion to the relative amounts of waste placed or processed and the gas produced and used or sold in the two jurisdictions.

15. The permittee shall dedicate to the County of Los Angeles or to a public agency designated by the County of Los Angeles for open space and park and recreational use the westerly portion of the permittee's ownership, consisting of 507 acres (as determined by a certified land survey), primarily within an area referred to as East Canyon, with a smaller portion located in Sunshine Canyon.

Before commencing any site preparation work, excepting any work necessary to obtain permits for the landfill, the permittee shall either dedicate the property to the County or enter into an irrevocable agreement with the County to dedicate the property. The instrument of dedication or agreement may provide for the following:

- a. The right of the permittee and/or its contractors to enter on to the property to engage in oak tree, wetlands and other mitigation projects required by this grant or other permits;

- b. The right of the permittee to maintain such water tanks and fire access roads and other safety facilities as may be required in the operation of the landfill;
- c. A provision that no restriction upon landfill operations shall result from the dedication or agreement;
- d. A provision that the land be restricted to open space, wildlife preservation and recreational uses.

The agreement shall provide for riding and hiking trails to the satisfaction of the Director of Parks and Recreation within the limits of the area to be dedicated. The permittee shall further work with the Department of Parks and Recreation to identify, relocate where appropriate and dedicate the necessary rights-of-way for public use for the East Canyon, Bee Canyon and East Canyon/O'Melveny and Weldon Canyon Trails on other lands within the permittee's ownership and control.

The agreement shall also provide for the permittee to retain an individual who is well-qualified by education and training in the biological sciences, including local animal and plant communities, and whose duties shall include participation in the review of any installation of equipment or other activity in East Canyon and any resource assessment prepared in connection with such activity.

Within thirty days of the effective date of this grant and before commencement of disposal operations at the landfill under the terms of this grant, the permittee shall commence negotiations for the acquisition as public open space of the real property located in Upper Bee Canyon consisting of (1) the entirety of Parcels 335 and 337 on the submitted one half mile ownership map of file, and (2) the portion of Parcel 336 on that same map which lies easterly of the road commonly known as the East Canyon Motorway (hereafter collectively designated as open space parcels). After acquisition of open space parcels, the permittee shall dedicate the parcels to the County or such other public agency acceptable to the County. Within three months from the effective date of this grant, or before commencement of disposal operations, whichever event occurs sooner, and in the event permittee is unable to obtain the open space parcels, permittee shall enter into an off-site acquisition agreement with the County. Said agreement shall provide, among other things, that all acquisition costs and expenses are to be paid by permittee. Said agreement shall be in substantial conformity with the terms and form of the

