

Prop A: East Otay Mesa Recycling Collection Center and Landfill Ordinance

April 2010

Board Recommendation: NO POSITION. SDCTA does not weigh in on land use measures and we generally do not recommend or support ballot box planning.

Background:

The County of San Diego currently has five active landfills for municipal solid waste: Miramar Landfill (City of San Diego), Sycamore Landfill (Santee), Ramona Landfill (Ramona), Otay Landfill (Chula Vista), and Borrego Landfill (Borrego Springs). Additionally, Las Pulgas and San Onofre Landfills (Camp Pendleton) accept solid waste generated by military facilities.

In November of 1994, San Diego County voters approved Prop C which proposed the Gregory Canyon Landfill project. The project intends to develop 1,770 acre solid waste disposal site in rural San Diego County. 196 acres is to be used for solid waste disposal and 112 for a recycling center. Development has been delayed by subsequent lawsuits and mandated revisions of the environmental impact report, and is still pending final judicial review.¹

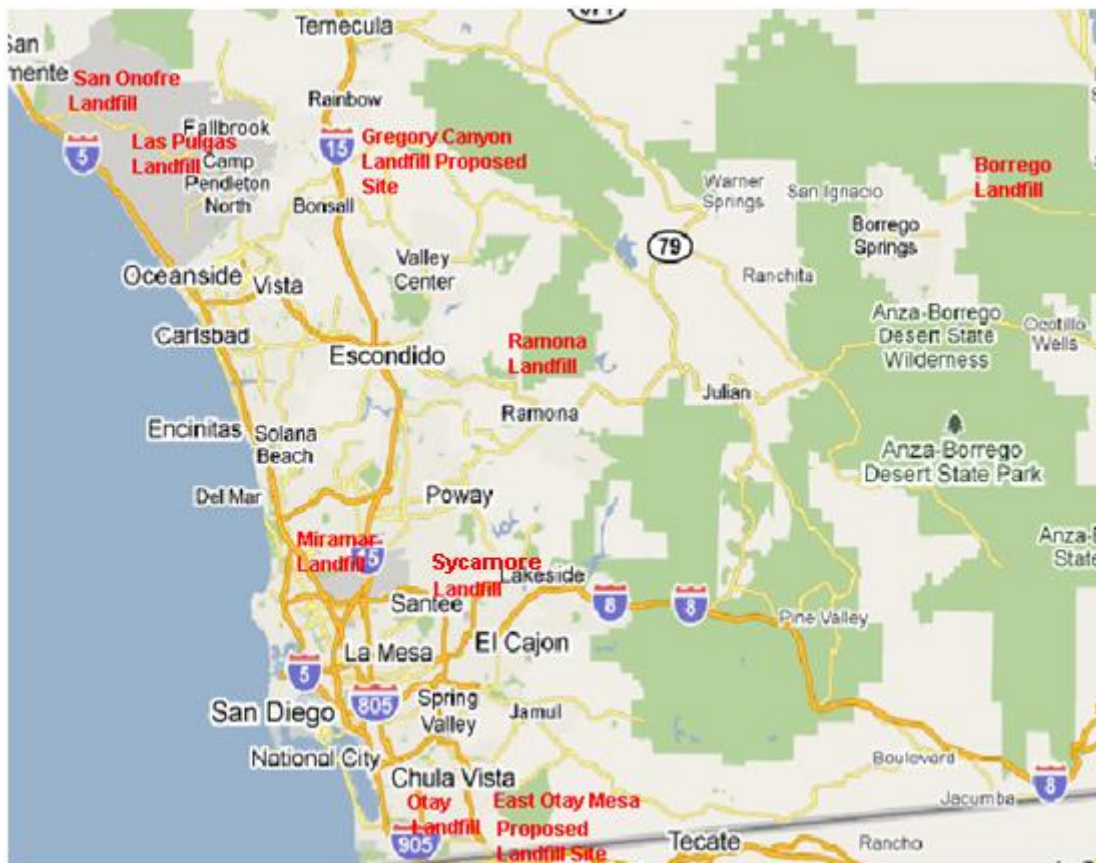
Year	In-County Landfill Rate of Disposal	Existing Physical Capacity	In-County Excess ¹	Sycamore Canyon Expansion ²		Proposed Gregory Canyon ²		In-County Excess ¹ (Existing + Sycamore + Gregory)
				Proposed Expansion Capacity	In-County Excess ¹ (Existing + Sycamore)	Proposed Additional Capacity	In-County Excess ¹ (Existing + Gregory)	
1995	2.4							
1996	2.4							
1997	2.5							
1998	2.7							
1999	2.8							
2000	3.2							
2001	3.6							
2002	3.5	62.9	59.4					59.4
2003	3.6	59.4	55.8					55.8
2004	3.8	55.8	52.0					52.0
2005	3.8	52.0	48.2	116.6	164.9			164.9
2006	3.9	48.2	44.3		160.9	33.4	77.7	194.3
2007	4.1	44.3	40.2		156.8		73.6	190.2
2008	4.3	40.2	35.9		152.6		69.3	186.0
2009	4.4	35.9	31.5		148.2		64.9	181.6
2010	4.6	31.5	27.0		143.6		60.4	177.0
2011	4.7	27.0	22.3		138.9		55.7	172.3
2012	4.9	22.3	17.4		134.0		50.8	167.4
2013	5.0	17.4	12.4		129.0		45.8	162.4
2014	5.2	12.4	7.2		123.8		40.6	157.2
2015	5.3	7.2	1.8		118.5		35.2	151.9
2016	5.5	1.8	-3.6		113.0		29.8	146.4
2017	5.6	-3.6	-9.3		107.4		24.1	140.8
2018	5.8	-9.3	-15.1		101.6		18.3	135.0
2019	5.9	-15.1	-21.0 ¹		95.6		12.4	129.0
2020	6.1	-21.0	-27.1		89.6		6.3	123.0

The most recent San Diego County Integrated Waste Management Plan (2005) forecasted solid waste generation and disposal capacity through 2020. The report states that with only the five currently active landfills, the County would be projected to run out of physical disposal capacity by 2016. Two potential projects, the Gregory Canyon Landfill and expansion of the existing Sycamore Landfill, could significantly expand the County's current disposal facilities. These projects could potentially provide the County with necessary capacity to avoid projected shortfalls in 2016; however both have been delayed by subsequent lawsuits regarding stated environmental impacts. Figure 1 details the County's excess (deficit) disposal capacity through 2020.

¹ http://www.sdcounty.ca.gov/deh/waste/chd_gregory.html, County of San Diego, Accessed 3/22/10, Updated 3/22/10

Figure 2: Map of current and proposed landfills in San Diego County

Source: 2005 San Diego County Integrated Waste Management Plan



The landfill proposed through Proposition A is located in the East Otay Mesa specific plan area. The current specific plan-designated land uses are a mix of rural residential and mixed industrial. The General Plan Update has not changed this land use. The area is also subject to significant changes in elevation—i.e. steep slopes—as well as biologically sensitive habitat² including the presence of some plants of “special concern” and black-tail gnatcatcher habitat.³

Portions of the proposed site have been considered for others types of development including the American International Raceway, an Emergency Vehicle Operation Center, or a recreation site for off-highway vehicle riders.⁴

Proposal:

Proposition A titled “East Otay Mesa Recycling Collection Center and Landfill Ordinance” is a countywide proposition that proposes to develop an unincorporated 450 acre site in eastern Otay Mesa into a privately owned and operated recycling collection center and solid waste disposal site. The proposal would amend the County General Plan, County Zoning Ordinance, and San Diego County Integrated Waste Management Plan to change the designation of the 450 acre site to a Solid Waste Facility. However, only 340 acres would actually be used to develop the facility, while the remaining

² East Otay Mesa Subarea 2 Specific Plan. Figure 3-33.

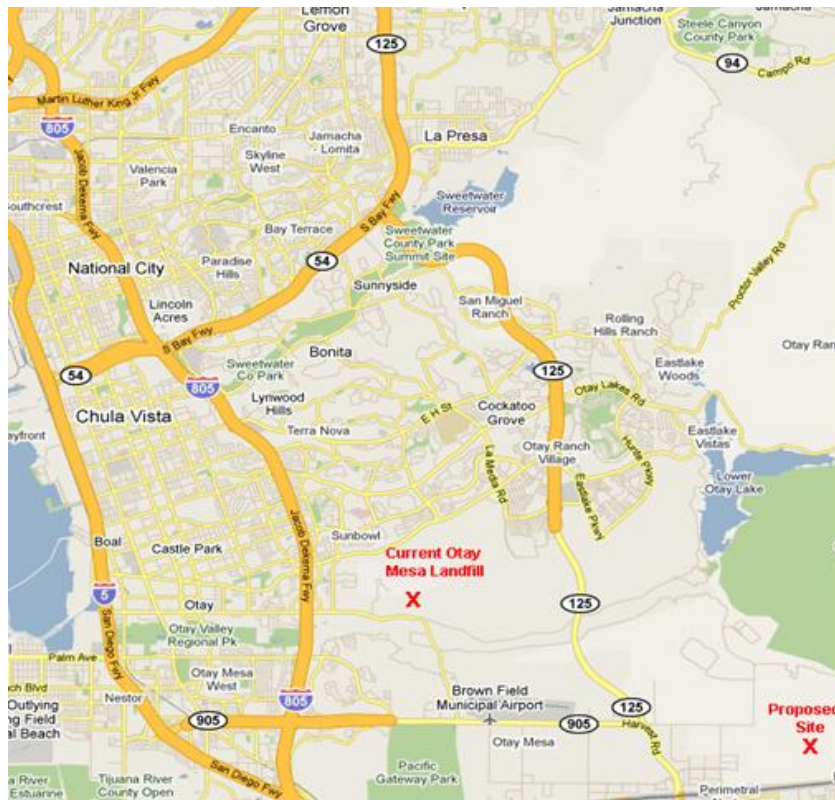
³ Source: Southwest San Diego County Solid Waste Facility Siting Study, Dames & Moore, 1990; Correspondence with the proponents

⁴ Ibid.

110 acres would remain undeveloped. The project would be required to comply with all local, state, and federal regulations regarding development practices and environmental mitigation.

Specifically, the main facilities would include a recycling collection center, lined landfill, scale area, facilities and operation area, borrow and stockpile area, leachate collection system, chipping and grinding area, and storm-water retention facilities. The facilities and operation area would in consist of a visitor center, office building, maintenance office, shop and yard, fueling station, storage area, water tank truck wash and wash-water treatment area, landfill gas collection and recovery system, and leachate collection tank.

Figure 3: Map of proposed landfill site
 Source: East Otay Mesa Recycling Center and Landfill Ordinance



The project proponents would retain the right to adjust the size and location of the solid waste collection site and/or adjust the proposed facilities listed above. Adjustments are to be included in a detailed plan that will be submitted to the Integrated Waste Management Board for review and approval.

The project was submitted to the San Diego County Board of Supervisors as a certified initiative on October 13, 2009. The Board of Supervisors had the option to adopt the initiative or place it on the June 8, 2010 primary election ballot. After receiving the County staff Impact Report on November 4, 2009, the Board of Supervisors elected to place the initiative on the primary election ballot.

The official proponent of the ordinance is David Wick President of National Enterprises, the firm that would be the primary developer of the project.⁵

Policy Implications:

On November 4, 2009, the County of San Diego presented an impact report regarding the proposed development. The key findings of the report were:

- A full assessment of the County's solid waste disposal needs has not been conducted since 2005. Therefore, it is difficult to determine the full extent of the County's need for increased disposal capacity.
- Directly amending the County General Plan allows the developer to avoid an approval process through which the County would evaluate the merit of the project based on General Plan goals and policies, as well as surrounding infrastructure and land uses of adjacent property.
- The proposed amendment to the County Zoning Ordinance would designate the site as a "by right" use. The developers would therefore not be subject to the County's Major Use Permit process. This would limit the County's ability to impose requirements related to infrastructure improvements, environmental mitigation, and operation practices.
- The necessary staffing costs to update the County General Plan and Zoning Ordinance will be approximately \$200,000.

Many of the unanswered questions regarding Prop A would have likely been answered had the proponent gone through the established County process.

In 1994, the Gregory Canyon Landfill project similarly asked voters to approve the rezoning of a potential waste disposal site without going through the County's review and permitting procedures. The project has since been delayed on numerous occasions due to lawsuits regarding proper environmental mitigation.

The proponent, National Enterprises, has provided limited information as to the specifics of the plan to develop the site. It is not clear whether National Enterprises has conducted adequate planning and preparation to ask San Diego County citizens to support the validity of their plans to develop the East Otay Mesa site. Many possible questions must be addressed, such as whether or not existing infrastructure can support the site and if the landfill is compatible with the County's General Plan goals and zoning designations of adjacent properties.

According to the proponent's preliminary estimates, the 340 acre site would provide a physical solid waste disposal capacity of 180 million tons. However, the 308 acre Gregory Canyon recycling center and landfill site is projected to provide a physical capacity of only 33.4 million tons.

There are fairness concerns regarding a county-wide measure that would directly impact a select few in the Otay Mesa specific plan area.

Proponents

East Otay Mesa Property Owners' Association

Opponents

No organized campaign against this measure has been established.

⁵ The proponent has owned the proposed site and surrounding land of approximately 900 acres for 28 years, according to SDCTA correspondence with the proponent, April 9, 2010.