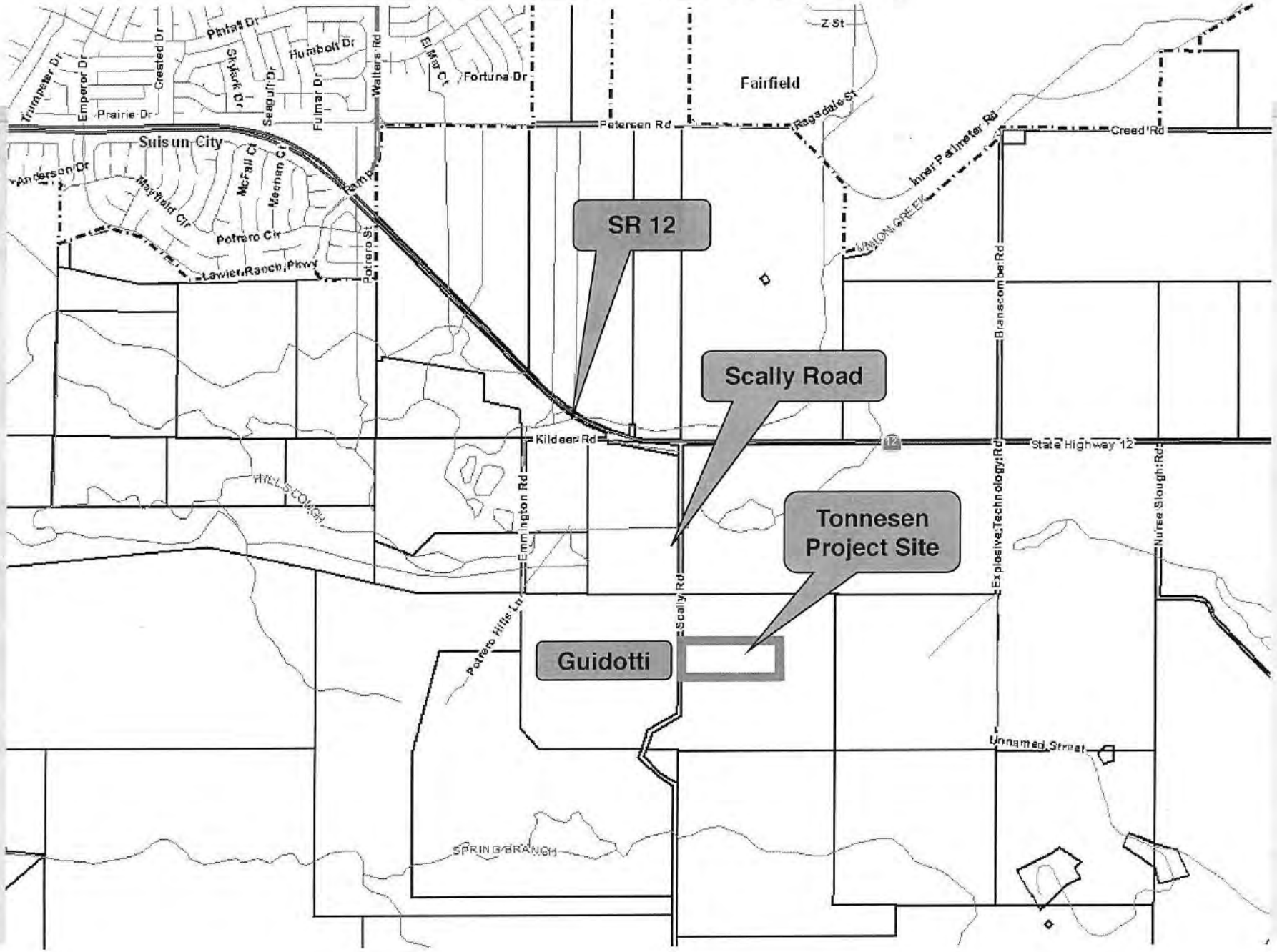
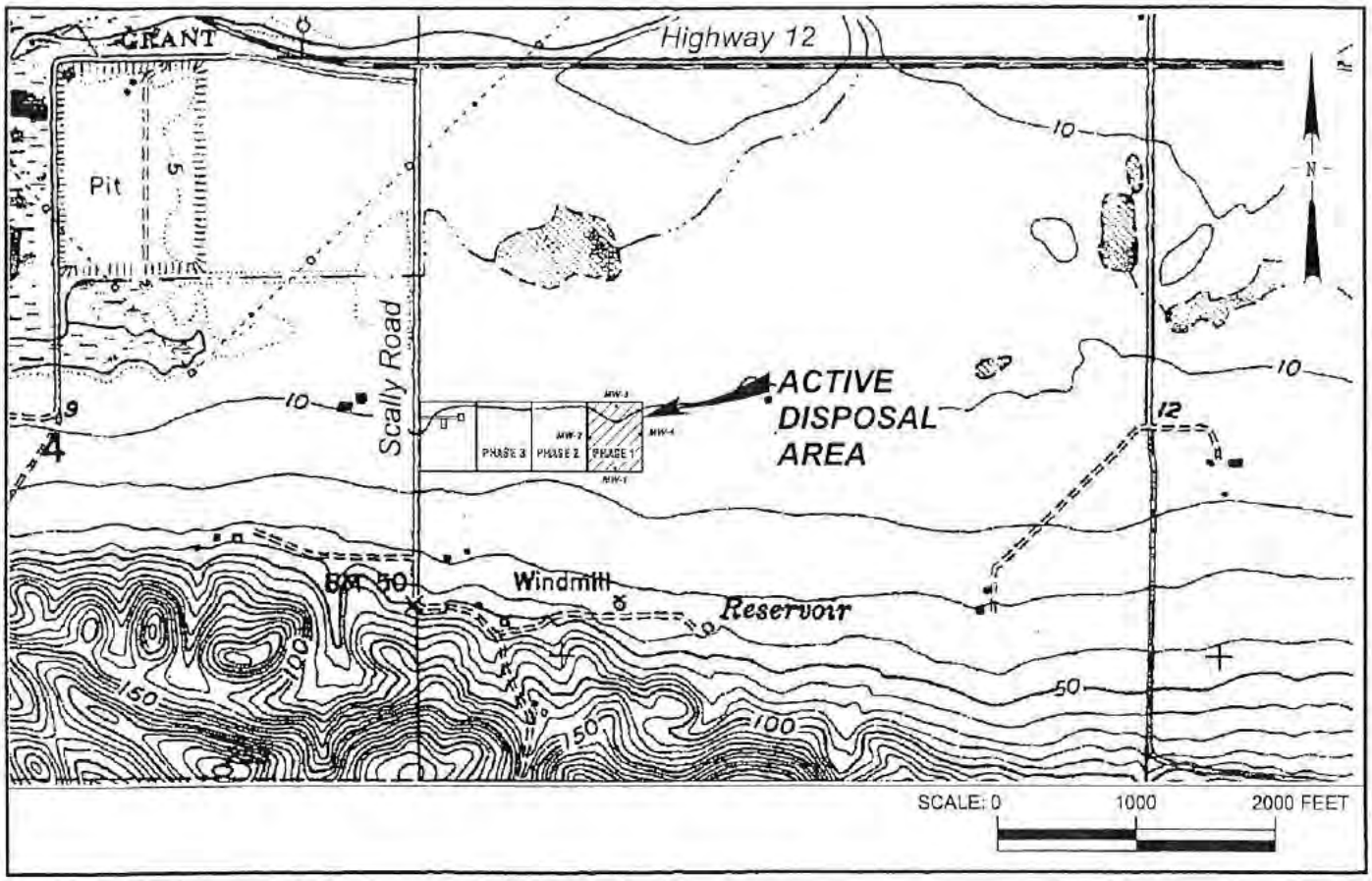
Exhibit A

LOCATION



SR 12
Scally Road
Tonnesen Project Site
Guidotti
Fairfield
Suisun City
Petersen Rd
Creed Rd
Kildeer Rd
State Highway 12
Emmington Rd
Scally Rd
Potrero Hills Ln
Explosive Technology Rd
Nurse Slough Rd
Branscombe Rd
Unnamed Street
Inner Perimeter Rd
Ragsdale St
Z St
Fortuna Dr
Walters Rd
Potrero St
Lawler Ranch Pkwy
Potrero Cir
Mayfield Cir
Anderson Dr
Prairie Dr
Emperor Dr
Trumpeter Dr
Crested Dr
Skylark Dr
Seagull Dr
Fulmar Dr
Humbolt Dr
Pintail Dr
El Mar Ct
Ramp
HILLS LOUGH
SPRING BRANCH

Exhibit B



Golder Associates	TONNESEN PET CEMETERY SUISUN CITY, CALIFORNIA SITE LOCATION	FIGURE 1 PROJECT NO. 053-7012-07

G:\053-7012-07\FIGURES\SITE LOCATION.DSF 7/30/07

EXHIBIT B

Exhibit C

Department Of
Resource Management
675 Texas Street, Suite 5500
Fairfield, CA 94533

Planning Division
(707) 784-6765

RECEIVED
DEC 4 2013
SAN FRANCISCO BAY CONSERVATION & DEVELOPMENT COMMISSION

NOTICE OF FINAL ACTION

November 27, 2013

San Francisco Bay Conservation and
Development Commission
Attn: Permits Manager
50 California Street, Suite 2600
San Francisco, CA 94102

Re: Extension No. 6 to Use Permit No. U-82-42/Marsh Development Permit No. MD-82-12

Dear Permits Manager:

Enclosed for your information and review is a copy of the resolution (unsigned) and staff report for the above referenced project that was approved by the Solano County Board of Supervisors on November 26, 2013.

Very truly yours,

Kristine Letterman
Office of the Planning Commission/Zoning Administrator

Enclosure

Solano County

675 Texas Street
Fairfield, California 94533
www.solanocounty.com

RECEIVED
DEC - 9 2013
SAN FRANCISCO BAY CONSERVATION & DEVELOPMENT COMMISSION

Agenda Submittal

Agenda #:	31	**Status:**	Time Set
Type:	Resolution	**Department:**	Board of Supervisors
File #:	13-0927	**Contact:**	Karen Avery, 784-6765
Agenda date:	11/26/2013	**Final action:**	
Title:	Public hearing to consider an appeal of the Planning Commission's approval of Extension No. 6 of U-82-42/MD-82-12 to continue operations of a pet cemetery at 3700 Scally Road in unincorporated Suisun City		
Governing body:	Board of Supervisors		
District:	District 2		
Attachments:	A - Resolution B - Detailed Response to Appeal C - Guidotti Appeal 09252013 D - Planning Commission Staff Report E - Guidotti Submittal at PC 09192013 F - September 19 2013 PC minutes - excerpt G - PowerPoint		

Date	Ver.	Action By	Action	Result

Published Notice Required? Yes _X_ No ___
Public Hearing Required? Yes _X_ No ___

DEPARTMENTAL RECOMMENDATION:

The Department of Resource Management recommends that the Board:

1. Conduct a noticed public hearing to consider an appeal of the Planning Commission's approval of Extension No. 6 of U-82-42/MD-82-12 to continue operations of a pet cemetery at 3700 Scally Road, in unincorporated Suisun City, and

2. Uphold the Planning Commission action to approve Extension No. 6 of U-82-42/MD-82-12 12 to continue operations of a pet cemetery at 3700 Scally Road in unincorporated Suisun

SUMMARY:

The Planning Commission, at its meeting of September 19, 2013, approved Extension No. 6 of U-82-42/MD-82-12 of Lois Tonnesen for the continued operation of a pet cemetery at 3700 Scally Road. June Guidotti, whose residence at 3703 Scally Road is directly across Scally Road from the project site, has appealed the Planning Commission's decision to the Board.

FINANCIAL IMPACT:

Costs associated with the extension of the Use Permit No. 82-42 have been paid by the applicant, and the cost associated with filing an appeal of said permit to the Board has been paid by the appellant.

DISCUSSION:

Background

The project was first submitted to the County in 1980 and conditionally approved by the Board of Supervisors, prior to certification of the County's Suisun Marsh Local Protection Program. An appeal was filed to the San Francisco Bay Conservation and Development Commission (BCDC) which denied the marsh development permit in early 1981 due to concerns that the project would establish a precedent for the establishment of class II disposal sites in the secondary management area of the Suisun Marsh. The County adopted the Suisun Marsh Local Protection Program in 1982 which limited the types and number of uses in the Marsh. BCDC certified the Local Protection Plan (LPP) as consistent with the Suisun Marsh Preservation Act and Plan.

After certification of the LPP, the County approved Use Permit U-82-42 and Marsh Development Permit MD-82-12. One of the conditions of approval requires that the use permit be extended every five years. The term of the marsh development permit is concurrent with the use permit and remains valid as long as the use permit is periodically extended and remains in effect. The applicant has applied for and been granted administrative extensions of the use permit every 5 years from 1983 to 2008, with no known issues, public controversy or appeals.

In 2008, the Planning Commission approved the fifth extension of the use permit. The Planning Commission decision was appealed to the Board of Supervisors. On August 5, 2008, the Board of Supervisors upheld the Planning Commission's approval and the use permit extension was granted.

On April 8, 2009, the San Francisco Regional Water Quality Control Board staff determined that the pet cemetery is an animal waste disposal facility best classified under Title 27 regulations as a non-municipal solid waste, Class III Nonhazardous Solid Waste Disposal Facility. In response to that classification, CalRecycle (formerly the Integrated Waste Management Board) staff determined that they must also regulate the pet cemetery as a solid waste disposal facility. CalRecycle directed the Solano County Department of Resource Management, the Local Enforcement Agency (LEA) to require the operator (Tonnesen Pet Cemetery) to apply to the LEA for a solid waste facility permit to continue to dispose of solid waste for waste management in Solano County to issue a Solid Waste Facility Permit for the facility.

Tonnesen Pet Cemetery was added to the amended Countywide Siting Element of the Solano County Integrated Waste Management Plan that was approved by CalRecycle on July 17, 2012.

The applicant is currently working with the Local Enforcement Agency in regards to obtaining a Solid Waste Facility Permit.

Project Description

The use permit allows the owner to operate a pet cemetery for the burial of small pets in common graves. The pet cemetery is not a typical type of pet cemetery operation in that pet owners cannot visit the site. Animal remains from veterinarian offices, animal shelters and crematoriums are brought to the site by truck and buried. Currently, 90 percent of the animal remains buried are ash.

The animal remains are placed in pits approximately 7 feet by 7 feet by 10 feet deep with six pits being excavated at a time. The pet cemetery was permitted to operate in three phases. Phase I is in the process of closing and the operator has begun burial in Phase II. The conditions of approval of the use permit require that the area disturbed by burial disposal was limited to six pits at any time to minimize visual and physical disturbances. Each area disturbed is required to be recovered, contoured, and vegetated prior to disturbance of any new burial area on the site.

The applicant requested the sixth extension of Use Permit U-82-42 in May 2013. Pursuant to Section 28.106 (N) of the Solano County Code, use permits approved prior to October 28, 2010, and which include a condition allowing a time extension of the permit are now subject to the renewal period and procedure. A request for renewal of a use permit shall be approved if the following conditions are satisfied:

1) The permittee has requested renewal;
2) The permittee has paid the applicable renewal fee; and
3) The use is being conducted in full compliance with all conditions of the use permit

The applicant filed the requested extension application and paid the required fees. Staff conducted a project review which included review by the Development Review Committee. The Building Division, Public Works Engineering, and Department of Agriculture had no additional comments. The Environmental Health Division stated that the applicant was in compliance with the Regional Water Quality Control Board for water discharge requirements (WDRs) and water well monitoring. The applicant is currently working with the Lead Enforcement Agency toward submitting a Solid Waste Facility Permit.

A site inspection was conducted by staff from Environmental Health and Planning on May 29, 2013 and no violations were noted.

Staff determined that the pet cemetery is being operated in full compliance and the extension was approved administratively by the Zoning Administrator on July 18, 2013.

An appeal of the Zoning Administrator decision was filed by June Guidotti on July 26, 2013.

The Planning Commission heard the appeal at the September 19, 2013 Planning Commission meeting. The Planning Commission approved the extension by a 4-0 vote. The Planning Commission's approval was appealed to the Board by June Guidotti on September 25, 2013.

Appeal

Staff has included a point-by-point response to Ms. Guidotti's appeal (See Attachment B) and has determined that the appellant failed to show any valid reasons for denying the extension of time based upon the findings pertinent to a time extension for the use permit. As noted earlier, use permits are extended based upon findings that:

1. an extension application has been filed,
2. the fees for the extension have been paid, and
3. the applicant is operating in compliance with the conditions of approval.

The applicant has met each of these statutory requirements.

Public Noticing Requirement

In accordance with Solano County Zoning Regulations, notice of a public hearing was published at least 15 days before the scheduled hearing in the Fairfield Daily Republic. In addition, the appellant and all property owners of real property as shown on the latest equalized assessment roll within one-half mile of the property and all persons requesting notice of the public hearing were mailed notices of the Board hearing.

Environmental Review and CEQA

This project was the subject of a Negative Declaration pursuant to the California Environmental Quality Act at the time of project approval. The current request is for a time extension to the original Use Permit is a ministerial action; no additional impacts or increases in the severity of previously identified impacts are

expected and no further environmental review is necessary.

ALTERNATIVES:

There are two alternatives for the Board of Supervisors to consider:

1. Continue this item to another date for further consideration. This option is not recommended unless the Board specifically wants additional information which cannot be obtained during the public hearing.

2. Uphold the appeal of June Guidotti and deny the Extension No. 6 to U-82-42/MD-82-12 of Lois Tonnesen. This option is not recommended since the use permit extension meets the three requirements for an extension per the Solano County Zoning Ordinance.

OTHER AGENCY INVOLVEMENT:

County Counsel has reviewed this item and concurs with the recommended action.

CAO RECOMMENDATION:

APPROVE DEPARTMENTAL RECOMMENDATION

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DEC - 9 2013
SAN FRANCISCO BAY CONSERVATION
& DEVELOPMENT COMMISSION

RESOLUTION NO. 2013 -

RESOLUTION OF THE BOARD OF SUPERVISORS OF SOLANO COUNTY CONSIDERING AN APPEAL OF EXTENSION NO. 6 TO USE PERMIT NO. U-82-42 OF LOIS TONNESEN

WHEREAS, the Solano County Board of Supervisors has considered an appeal of the Planning Commission's approval of Extension No. 6 to Use Permit No. U-82-42/Marsh Development Permit No. MD-82-12 of **Lois Tonnesen** for the continued operation of a pet cemetery located at 3700 Scally Road, 2 miles southeast of the City of Suisun in an "A-SM-160" Suisun Marsh Agricultural Zoning District, APN: 0046-120-410, and;

WHEREAS, said Board has reviewed the report of the Department of Resource Management and heard testimony relative to the subject application at the duly noticed public hearing held on November 26, 2013, and;

WHEREAS, after due consideration, the said Board has made the following findings in regard to said proposal:

1. The permittee has requested renewal;

2. The permittee has paid the applicable renewal fee; and

3. The use is being conducted in full compliance with all conditions of the use permit.

BE IT, THEREFORE, RESOLVED, that the Board of Supervisors of the County of Solano does hereby deny the appeal and uphold the Planning Commission's decision approving the requested Extension No. 6 of U-82-42/MD-82-12, subject to the following conditions of approval:

1. The use shall be established in accord with the plan submitted with the Use Permit Application No. U-82-42/MD-82-12 and approved by the Board of Supervisors except as may be changed by the Division of Environmental Health pursuant to Condition No. 4.

2. The visual and physical disturbance shall be minimized by the following measures:

   a. The area disturbed by burial disposal at any time shall be limited to six pits.

   b. Each area disturbed by burial disposal shall be recovered, recontoured and revegetated prior to disturbance of any new burial area on the site.

   c. Each burial disposal area shall be screened to eliminate dust and visual impacts during burial operation until compliance with Condition No. 2b occurs.

3. All requirements of the County Department of Resource Management, Regional Water Quality Control Board, and County Animal Control Officer shall be met.

4. All requirements of the County Division of Environmental Health shall be met including but not limited to the following conditions:

   a. There shall be 12 inches of soil placed on the remains at the time of disposal. There shall be 24 inches of final cover placed over the animals' remains and the remains shall not be placed higher than 2 feet below the ground surface.

   b. The excavation shall be no deeper than 10 feet and not below the level of groundwater. The presence of groundwater shall preclude any burial disposal.

   c. An uphill drainage diversion ditch shall be constructed prior to any excavations.

   d. All excavations shall be kept covered by materials which would prevent persons from accidently falling in.

   e. A supply of slaked lime shall be available at the site at all times.

   f. Measures shall be taken to prevent vermin and odor problems.

   g. The number of animals buried each month shall be recorded monthly and written report of same submitted to the Division of Environmental Health shall be conducted semi-annually.

5. The permit shall be valid for a period of five years. Prior to the expiration of the permit, the permittee may apply for an extension of said permit. Any extension must be applied for in writing at least 60 days prior to the expiration date of June 5, 2018.

****

Passed and adopted by the Solano County Board of Supervisors on November 26, 2013 by the following vote:

AYES: Supervisors _____

_____

NOES: Supervisors _____

EXCUSED: Supervisors _____

_____
Linda J. Seifert, Chair
Solano County Board of Supervisors

ATTEST:
Birgitta E. Corsello, Clerk
Board of Supervisors

By: _____
Patricia J. Crittenden, Chief Deputy Clerk

Exhibit D

California Regional Water Quality Control Board
San Francisco Bay Region

Linda S. Adams
Acting Secretary for Environmental Protection

1515 Clay Street, Suite 1400, Oakland, California 94612
(510) 622-2300 • Fax (510) 622-2460
http://www.waterboards.ca.gov/sanfranciscobay

Edmund G. Brown, Jr.
Governor

Date: January 20, 2011
File No. 2129.2053 (KER)
CIWQS Place No. 645711

Ms. June Guidotti
3703 Scally Road
Suisun, CA 94585

SUBJECT: Regulation of Tonnesen Pet Cemetery

Dear Ms. Guidotti:

This letter responds to your voicemail of January 17, 2011, in which you asked for an explanation of why the Water Board considers the Tonnesen Pet Cemetery to be a solid waste disposal facility rather than a cemetery. You expressed concern that our classification of the facility is not consistent with the Suisun Marsh Local Protection Plan and that "nothing more can be made of the cemetery." We appreciate your concerns, and we are committed to the goal of protecting water quality in Suisun Marsh. Please understand that our classification of the Tonnesen Pet Cemetery as a waste disposal facility does not open the door to the disposal of municipal solid waste at this facility.

The nine Regional Water Quality Control Boards across the state of California, including the San Francisco Bay Regional Water Board, regulate solid waste disposal facilities (i.e., landfills) under Title 27 of the California Code of Regulations because of abundant evidence that improperly regulated landfills can cause water quality impacts. In contrast, the Regional Water Boards generally do not regulate cemeteries because of a lack of evidence that cemeteries cause significant water quality impacts. From the Water Boards' perspective, a threat to water quality is one of the primary differences between waste disposal sites and cemeteries. After carefully considering the available information about the Tonnesen Pet Cemetery, the staff at the San Francisco Bay Regional Water Board determined that this facility has the *potential* to negatively impact water quality if it were to operate without proper regulatory oversight. We have chosen to continue to regulate the facility as a solid waste disposal facility so that we may better protect water quality under the authority of California's water code.

The Waste Discharge Requirements (WDRs) for Tonnesen Pet Cemetery (Order No. R2-2009-0034), adopted by the Water Board on April 8, 2009, contained a detailed discussion of our rationale in classifying the pet cemetery as a waste disposal facility. After considering the options available under Title 27, we classified the facility as a non-municipal solid waste (MSW), Class III non-hazardous waste disposal facility. In response to our classification, CalRecycle (formerly the Integrated Waste Management Board) staff determined that, in order to maintain regulatory consistency, they must also regulate the pet cemetery as a solid waste

disposal facility. Accordingly, CalRecycle has directed the County of Solano Department of Resource Management, the Local Enforcement Agency for waste management in Solano County, to issue a Solid Waste Facility Permit (SWFP) for the facility.

It is our understanding that you oppose the County's issuance of a SWFP for the Tonnesen Pet Cemetery, and your opposition is based, in part, on your concerns about potential water quality impacts at the site. However, in order for the facility to operate without an SWFP, the Water Board would have to rescind the WDRs and allow the facility to operate without water quality monitoring. We cannot do this because we are obligated under Title 27 to regulate disposal sites that we consider to pose a threat to water quality. We will reconsider our position that the Tonnesen Pet Cemetery is a waste disposal facility only if we become convinced that the facility does NOT pose a threat to water quality.

Regarding your concern that the Tonnesen Pet Cemetery could be used to dispose of garbage and other wastes, please note that our WDRs clearly address what types of wastes the facility can and cannot accept. Finding 5 of the WDRs specifically states, "This Order permits the operator to dispose of cremated and whole animal bodies. The facility is not permitted to receive typical municipal solid wastes (MSW)." Furthermore, the SWFP proposed by Solano County will require that the Tonnesen Pet Cemetery continue to operate as it has in the past, as a disposal site for animal remains. Thus, neither our WDRs nor the proposed SWFP authorize any change in the use of the facility or expansion of the acceptable waste stream beyond animal remains.

We hope this addresses your concerns. If you have any questions, please contact me at (510) 622-2404, or via e-mail at KRoberson@waterboards.ca.gov.

Sincerely,

Keith E. Roberson
Engineering Geologist
Groundwater Protection Division

cc:

Narcisa Untal, Solano County (Nuntal@solanocounty.com)
Ed Padilla, Solano County (Epadilla@solanocounty.com)

Greg Tonnesen
3700 Scally Road
Suisun, CA 94585

William S. Reustle
609 Jefferson Street, Suite G-1
Fairfield, CA 94533

Exhibit E

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION**

ORDER NO. R2-2009-0034

**UPDATED WASTE DISCHARGE REQUIREMENTS AND
RESCISSION OF ORDER NO. 87-105 FOR:**

**MRS. LOIS AND MR. GREG TONNESEN
TONNESEN PET CEMETERY
CLASS III WASTE DISPOSAL SITE
SUISUN CITY, SOLANO COUNTY**

The California Regional Water Quality Control Board, San Francisco Bay Region, (hereinafter called the Water Board), finds that:

DISCHARGER AND LOCATION

1. Owner, operator, and discharger named: The Tonnesen Pet Cemetery is owned by Mrs. Lois Tonnesen and operated by Mr. Greg Tonnesen. Lois and Greg Tonnesen are hereinafter referred to as the Discharger.

2. Site location: The Tonnesen Pet Cemetery is located in Solano County, approximately one mile south of Travis Air Force Base and two miles southeast of Suisun City (Figure 1). The site is at the end of Scally Road, approximately one-half mile south of Highway 12 at the base of the Potrero Hills. The site occupies about 15 acres with a surface elevation between 10 and 20 feet above sea level. The site occurs within the Secondary Management Area of the Suisun Marsh, and much of the area surrounding the site is protected under the Suisun Marsh Preservation Act, which was adopted by the California Legislature in 1977. This area is under developmental restrictions enforced by the San Francisco Bay Conservation and Development Commission (BCDC). Land uses near the site are predominantly seasonal cattle grazing and open space (marsh and wetlands). However, one active municipal waste landfill (Potrero Hills Landfill) and one closed landfill (Solano Garbage Company Landfill) occur within one-half mile of the site.

3. The 15-acre site is divided into three adjacent 5-acre segments (Figure 2). The original site design approved by Solano County called for site development to occur in three phases, with each phase consisting of filling a 5-acre plot. To date, waste disposal operations have been conducted only in Phase I, which lies on the east side of the site.

PURPOSE OF ORDER UPDATE

4. This Order:
   - updates the facility's Waste Discharge Requirements (WDRs) and rescinds Board Order No. 87-105;
   - directs the Discharger to close the Phase I portion of the site and requires submittal of a final closure and post-closure maintenance plan for the Phase I portion of the site;
   - authorizes the Discharger to begin Phase II disposal operations;
   - establishes new best management practices (BMPs) for Phase II disposal operations; and
   - revises the facility's groundwater monitoring program to expand monitoring into the Phase II area.

FACILITY CLASSIFICATION

5. A review performed by BCDC in 1981 concluded that the Tonnesen Pet Cemetery is not a cemetery in the conventional sense, but rather is an animal waste disposal facility. The facility is permitted to receive only the remains of small animals (e.g., cats and dogs). Typically, between 1,500 and 2,000 animal bodies are disposed per month. The facility buries between 400 to 500 cubic yards of animal remains per year. In the past, loads of animal bodies from veterinary clinics and animal shelters around the Bay Area and Sacramento area were delivered sporadically to the site by refrigerator trucks. For the past several years, an estimated 90 percent of the buried volume has consisted of cremated animal remains. The bodies are cremated prior to delivery to the site. Thus, the materials currently disposed at the site consist of about 90% ash and 10% whole animal bodies. This ratio is expected to remain similar for the foreseeable future. This Order permits the operator to dispose of cremated and whole animal bodies.

   The facility is not permitted to receive typical municipal solid wastes (MSW). The facility is best classified under current Title 27 regulations as a non-MSW, Class III Nonhazardous Solid Waste Disposal Facility. The type of containment system that is required for the facility is based upon this classification.

WASTE CONTAINMENT REQUIREMENTS

6. The Phase I portion of the disposal facility is unlined and has no leachate collection and recovery system. Animal remains have been buried in mass disposal trenches about 15 feet long by 3 feet across. Waste burial trenches are no more than 10 feet deep, and the pit floors are generally at least 10 feet above the elevation of the groundwater table.

Immediately after disposal, the Discharger is required to cover disposed materials with a minimum of one foot of soil. Upon filling each individual burial trench, the Discharger is required to cover the disposal trench with an interim cover consisting of at least two feet of soil. This Order requires that all wastes must be placed a minimum of 5 feet above the highest anticipated water level and no deeper than 10 feet below ground surface (Specification B.5). This Order also establishes new BMPs for the disposal and burial of animal remains (see Specification B.6).

7. Consistent with the facility's classification as a non-MSW, Class III Nonhazardous Solid Waste Disposal Facility (Finding 5), the composite liner and leachate collection system requirements for MSW landfills do not apply at this site. The facility's long operational history with no indication of water quality impacts (summarized in Findings 15, 16, and 17), coupled with a new requirement for improved operational practices to reduce the potential for leachate formation (Specification B.6), indicate that a composite liner and a leachate collection system are not necessary to protect water quality at this site. The Water Board believes the presence of a low-permeability composite liner beneath this site would promote the formation and accumulation of fluids and inhibit the rapid biodegradation of animal remains that typically occurs due to microbial activity in soil. Implementation of the specified BMPs at the time of disposal is expected to be more protective of water quality than a composite liner and leachate collection system.

OPERATIONAL AND REGULATORY HISTORY

8. Operational history: The facility began animal disposal operations around 1980. The cumulative, historical operations at the facility have impacted less than five acres. Disposal operations are still being conducted in the Phase I area; however, Phase I is expected to reach capacity within two years. This Order authorizes the Discharger to begin disposal operations in the Phase II area.

9. Regulatory history: The facility has been regulated by the Water Board under WDRs Order No. 87-105, which was adopted on August 19, 1987. This Order updates the WDRs and rescinds Order No. 87-105. The new WDRs will apply to disposal operations for the remainder of Phase I operations and the Phase II portion of the site. The attached Self-Monitoring Program (Attachment A) will apply to groundwater monitoring of the Phase I and Phase II areas.

The site is also regulated by the Solano County Department of Resource Management, Environmental Health Division under Marsh Development Permit No. MD-82-12 and Land Use Permit U-82-42. The Solano County Planning Department extended these operational

permits in 1987, 1992, 1997, and 2002. On August 8, 2008, the Planning Department approved another five-year extension of Marsh Development Permit MD-82-12 (until August 2013).

SITE GEOLOGIC AND HYDROGEOLOGIC SETTING

10. Stratigraphy: The site is underlain by estuarine Holocene Bay Mud and Pleistocene alluvial deposits derived from exposed bedrock in the Potrero Hills.

11. Groundwater: Groundwater is present in the alluvial sediments beneath and adjacent to the site. The water table is typically encountered at a depth of 15 to 20 feet below ground surface. The predominant groundwater flow direction is primarily north-northwestward toward the marsh from the base of the Potrero Hills. The hydraulic conductivity of the water-bearing material is estimated to be 5×10^{-4} centimeters per second. Groundwater flow velocity beneath the site is calculated to be about 30 feet per year.

12. Surface water: The site is located in an area that slopes gently to the north. The southern boundary of the site is about 15 feet higher than the northern boundary. Surface runoff from the Potrero Hills south of the disposal area is diverted around the site by a 1-1/2 foot high berm constructed along the southern edge of the site. Surface runoff from the site flows northwestward into Suisun Marsh. Surface water north of the site is tidally influenced and saline (containing high total dissolved solids [TDS] content), and is not considered a potential source of drinking water.

13. Geologic structure and seismic stability: The site is located on the north side of the Potrero Hills anticline. Geologic strata dip to the north beneath the site. The nearest active fault is the Green Valley Fault, which is located approximately 10 miles west of the site. The Hayward-Rodgers Creek Fault is located approximately 26 miles west of the site, and the San Andreas Fault is located 43 miles west of the site.

WATER QUALITY AND SITE CONTAMINATION

14. Ambient water quality: Board Resolution No. 89-39, "Sources of Drinking Water," defines potential sources of drinking water to include all groundwater in the region, with limited exceptions for areas containing high TDS (greater than 3,000 milligrams per liter (mg/L) TDS), high background contaminant levels, or those areas with a low yield. Based on the ambient TDS concentrations in site monitoring wells, groundwater beneath the site is considered a potential source of drinking water. One private supply well is located approximately 500 feet

southwest (upgradient) of the facility. To the north of the site, surface water and shallow groundwater are characterized by high TDS, reflecting the proximity to Suisun Marsh.

15. Impacts to water quality: There have been no confirmed impacts to groundwater or surface water quality from disposal operations at this facility. However, as discussed below, coliform bacteria and low levels of certain volatile organic compounds (VOCs) have recently been detected in site groundwater monitoring wells, including the background well. These contaminants do not appear to be sourced from the facility, as explained in Findings 16 and 17.

16. Coliform Investigation: In 2006 and 2007, coliform bacteria was detected in three of the four groundwater monitoring wells at the facility, including the site background well that is located upslope from the disposal area. At the request of Water Board staff, the Discharger performed a focused groundwater investigation to determine whether the shallow water-bearing zone beneath the facility has been impacted by releases of coliform bacteria from the facility. This investigation was initiated in November 2007 and completed in January 2008. The primary objectives of the investigation were:

- to determine if the coliform bacterial contamination was present in the groundwater beneath and outside the facility, or restricted to water inside the well casings; and
- to determine the extent of contamination and identify potential coliform sources.

To determine whether the bacterial contamination was restricted to the well casings, the four groundwater monitoring wells located within the facility (MW-1, MW-2, MW-3, and MW-4) were disinfected with chlorine bleach to kill the bacteria present, and then redeveloped prior to sampling on November 30, 2007. The wells were disinfected to ensure that the water samples represented water drawn from the aquifer and not water that had a long residence time inside the well casings. None of the initial samples collected in November 2007 from these wells showed the presence of coliform bacteria. Follow-up samples collected from the four wells in January 2008 also yielded no coliform bacteria in excess of the minimum detection limit.

In addition to the samples collected from monitoring wells, the investigation included collection of samples from temporary boreholes drilled around the perimeter of the disposal area. Of the eight shallow groundwater grab samples, four showed no detectable coliform bacteria. Four groundwater samples (three from temporary boreholes and one from a shallow agricultural water supply well on the adjacent Griffith property) yielded low-level coliform detections. Two of these detections, including the highest concentration, were from locations upgradient from the facility, while two coliform detections were in locations downgradient from the facility. Overall, the distribution of coliform in shallow groundwater outside and upslope from the facility, coupled with the absence of coliform in the shallow groundwater

beneath the facility, indicates a high likelihood that the coliform is from a source unrelated to the animal disposal operations.

17. Comprehensive Groundwater Assessment: In addition to the coliform investigation, another groundwater investigation was performed at the site in November 2007 to support final closure of the Phase I portion of the facility. To ensure that groundwater has not been impacted by disposal operations in the Phase I area, groundwater samples were collected from the four site monitoring wells and analyzed for the following potential constituents of concern:

- volatile organic compounds (VOCs)
- semi-volatile organic compounds (SVOCs)
- dissolved metals (arsenic, barium, cadmium, copper, chromium, lead, mercury, nickel, vanadium, and zinc)
- other metals (antimony, beryllium, cobalt, selenium, silver, and thallium)
- pesticides
- chlorophenoxy herbicides
- cyanide
- sulfide.

The results of this one-time sampling for potential constituents of concern showed no evidence of impacts to groundwater from disposal operations at the facility. No SVOCs, PCBs, pesticides, herbicides, cyanide, or sulfides were detected. Certain metals (barium, nickel, mercury, and chromium) exceeded the reporting limit in some wells; however, metals concentrations were generally within the normal range of background concentrations. Some VOCs were detected at elevated concentrations. The detected chemicals (primarily chloroform, bromoform, bromodichloromethane, and dibromochloromethane) are common disinfection by-products, and the presence of this suite of trihalomethanes is consistent with the chlorine disinfection of wells MW-1 through MW-4 prior to the coliform investigation in November 2007. To evaluate this interpretation, additional samples were collected from the four monitoring wells on January 17, 2008, and analyzed for VOCs. In general, the January samples contained the same compounds but at significantly lower concentrations, indicating dilution and/or rapid breakdown of these chemicals.

BASIN PLAN

18. The Water Quality Control Plan for the San Francisco Bay Basin (Basin Plan) is the Board's master water quality control planning document. It designates beneficial uses and water quality objectives for waters of the State, including surface waters and groundwater. It also includes programs of implementation to achieve water quality objectives. The Basin Plan was duly adopted by the Board and approved by the State Water Resources Control Board, U.S. EPA, and the Office of Administrative Law where required.

BENEFICIAL USES

19. The beneficial uses of groundwater beneath the facility include:

    a. Municipal and domestic water supply
    b. Agricultural supply
    c. Industrial process and service supply
    d. Discharge to Suisun Marsh

20. The beneficial uses of surface water in Suisun Marsh include:

    a. Wildlife and estuarine habitat
    b. Contact and non-contact water recreation
    c. Fish migration and spawning
    d. Preservation of rare and endangered species
    e. Groundwater recharge
    f. Agricultural supply

MONITORING PROGRAMS

21. Groundwater monitoring: Since 1987, groundwater beneath the facility has been monitored by four groundwater monitoring wells on the facility perimeter (Wells MW-1 through MW-4). Site monitoring well locations are indicated on Figure 2. Well MW-1 on the south perimeter of the site is designated a background well while wells MW-2, MW-3, and MW-4 are compliance wells used to monitor for potential releases from the facility. Significant impacts to groundwater from migration of leachate would likely be detected in the perimeter compliance wells. To assess potential discharges from the facility, groundwater samples are to be analyzed semi-annually for pH, turbidity, electrical conductivity, total dissolved solids, dissolved oxygen, chloride, sodium, potassium, calcium, magnesium, bicarbonate, carbonate, sulfate, nitrate, total Kjeldahl nitrogen, total organic carbon, and total coliform. A revised Self-Monitoring Program for the facility is attached to this Order (Attachment A).

22. This Order (Specification 12) requires the Discharger to install additional groundwater wells to allow adequate monitoring of the expansion (Phase II) area.

CALIFORNIA ENVIRONMENTAL QUALITY ACT

23. CEQA: This action is an order to enforce the laws and regulations administered by the Water Board. As such, this action is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15301 of the Resources Agency Guidelines.

24. Public notice: The Water Board has notified the Discharger and interested agencies and persons of its intent to adopt updated WDRs for the facility and has provided them with an opportunity for a public hearing and an opportunity to submit their written views and recommendations.

25. Public meeting: The Water Board, in a public meeting, heard and considered all comments pertaining to the discharge.

IT IS HEREBY ORDERED that the Discharger, its agents, successors and assigns shall meet the applicable provisions contained in Title 27, Division 2, Subdivision 1 of the California Code of Regulations and Division 7 of the California Water Code and shall comply with the following:

A. PROHIBITIONS

1. The disposal of animal remains shall not create a condition of pollution or nuisance as defined in Section 13050 (l) and (m) of the California Water Code.

2. The disposal of laboratory animals, or other animals that may be contaminated with radioactive or hazardous constituents, is prohibited.

3. Wastes shall not be placed in or allowed to contact ponded water from any source whatsoever. Wastes shall not be placed in any location where they can be discharged into waters of the State or of the United States.

4. Leachate and ponded water containing leachate or in contact with waste shall not be discharged to waters of the State or of the United States unless specifically authorized under an NPDES permit.

5. The Discharger shall not excavate within or reconfigure any existing waste management unit without prior Water Board approval.

6. Disposal of waste shall not degrade the quality of groundwater beneath and in the vicinity of the site.

7. Expansion of disposal operations outside the Phase II area without advance approval from the Water Board is prohibited.

8. The Discharger, or any future owner or operator of the site, shall not cause the following conditions to exist in waters of the State at any place outside the facility:

   a) Floating, suspended, or deposited macroscopic particulate matter or foam;
   b) Bottom deposits or aquatic growths;
   c) Alteration of temperature, turbidity, or apparent color beyond natural background levels;
   d) Visible, floating, suspended or deposited oil or other petroleum products;
   e) Toxic or other deleterious substances to be present in concentrations or quantities which may cause deleterious effects on aquatic biota, wildlife or waterfowl, or which render any of these unfit for human consumption either at levels created in the receiving waters or as a result of biological concentrations.

B. SPECIFICATIONS

1. All reports pursuant to this Order shall be prepared under the supervision of a California registered professional civil engineer, professional geologist, or certified engineering geologist.

2. The Discharger shall maintain existing containment, drainage, and monitoring systems at the facility for as long as disposed wastes pose a threat to water quality.

3. The site shall be protected from any washout or erosion of wastes or cover material and from inundation that could occur as a result of a 100-year, 24-hour precipitation event, or as the result of flooding with a return frequency of 100 years.

4. The Discharger shall ensure that the structures which control surface drainage and erosion are constructed and maintained to withstand conditions generated during the maximum probable earthquake.

5. The site shall be operated to ensure that all wastes will be a minimum of five feet above the highest anticipated elevation of underlying groundwater, with the excavated pits being no deeper than 10 feet below ground surface.

6. The facility is authorized to accept cremated animal remains and whole animal bodies. Henceforth, each semi-annual monitoring report must provide the volume of cremated animal remains buried during each monitoring period in addition to the volume of whole animal bodies buried.

7. Disposal of whole (uncremated) animal remains at the site will require, as an operational BMP, the placement of highly absorbent, high-carbon material such as wood chips, sawdust, rice hulls, or shredded newspaper beneath and above the animal remains at the time of disposal. This material is intended to absorb produced liquids and facilitate biologic breakdown of the remains, producing a benign, soil-like organic end-product that poses no chemical or biologic threat to water quality. A minimum of 12 inches of absorbent material must be placed beneath each waste load that includes uncremated animal bodies, and a minimum of 6 inches of absorbent material must be placed over the top of each load prior to placement of soil cover.

8. Immediately after disposal, animal remains shall be covered with at least 12 inches of soil (in addition to the 6 inches of absorbent material if uncremated remains were disposed). Upon filling, each completed disposal pit shall have an interim cover of at least 24 inches of soil.

9. The Discharger shall remove and relocate any wastes which are discharged at this site in violation of these requirements.

10. Upon closure of each disposal Phase, disposal areas shall be graded and covered with a final cap system consisting of a minimum of four feet of cover material. The cover material shall include, from top to bottom, a minimum of one foot of vegetative or erosion-resistant material, at least one foot of clay with 10^{-6} cm/sec permeability, and two feet of cap foundation material between the clay layer and buried animal remains.

11. Upon closure, the final cap system shall be constructed and maintained to promote lateral runoff and prevent ponding and infiltration of water. The elevation of the final capped surface must be at least as high as the ground surface outside the disposal area.

12. A drainage diversion berm shall be constructed along the uphill (southern) edge of the Phase II disposal area prior to placement of any waste in the Phase II area.

13. Three new groundwater monitoring wells designed for detection monitoring must be installed around the perimeter of the Phase II area prior to disposal of any wastes in new cells. These new wells shall include one background well located outside the disposal area upslope (to the south) of the Phase II area and two downgradient wells to serve as Point of Compliance wells around the western and northern margins of the Phase II area. Existing well MW-2 shall be used to monitor the interior of the facility.

14. The Discharger shall implement a Discharge Monitoring Program (DMP), pursuant to Title 27, Section 20420. The DMP shall be designed to provide prompt detection of any water quality impacts from disposal operations and demonstrate compliance with the Water Quality Protection Standard (WQPS), which is required pursuant to Title 27, Section 20390. The attached Self-Monitoring Program (SMP) (Attachment A) will constitute the DMP for the facility and is hereinafter a part of this Order. The purpose of the SMP is to detect, at the

earliest opportunity, any unauthorized discharge of waste constituents from the facility, or any unreasonable impairment of beneficial uses associated with the facility's past or present activities.

15. Water Quality Protection Standard: The facility's Water Quality Protection Standard (WQPS) consists of the following elements:

a) Constituents of Concern: Section 20395 of Title 27 defines Constituents of Concern (COCs) as "all waste constituents, reaction products, and hazardous constituents that are reasonably expected to be in or derived from waste contained in the Unit." For this facility, the COCs are the same as the Monitoring Parameters (MPs), and thus all COCs are monitored each reporting period. MPs include pH, turbidity, electrical conductivity, total dissolved solids, dissolved oxygen, chloride, sodium, potassium, calcium, magnesium, bicarbonate, carbonate, sulfate, nitrate, total kjeldahl nitrogen, total organic carbon, and total coliform. The Discharger may propose modification to the MPs as additional data become available concerning site-specific source characteristics and natural background water quality. However, any modifications shall require written concurrence from the Executive Officer.

b) Concentration Limits: At any given time, the Concentration Limit for each MP is based upon an evaluation of all data collected for that parameter from the designated background well, pursuant to Title 27, Section 20400. In an appendix to each monitoring report, the Discharger shall list all background concentration data used as the Concentration Limit for each MP, along with the mean and standard deviation of the Concentration Limit. A parametric upper prediction limit shall be calculated from the background data set using statistical methods as appropriate.

c) Point of Compliance: Title 27 defines the Point of Compliance (POC) as the vertical surface located at the hydraulically downgradient limit of the disposal unit that extends through the uppermost aquifer underlying that unit. For this site, the POC shall be the northern (downgradient) perimeter of the facility.

d) Monitoring Points: The compliance monitoring points for the facility are located along the POC and at additional locations, and include the existing downgradient wells MW-2, MW-3, and MW-4, plus any new monitoring wells that are installed along the downgradient boundary of the Phase II area.

16. The Discharger shall operate the facility to prevent any exceedance of the WQPS as specified in Specification B.15. Any statistically significant increase in the concentration of any MP at the POC above its respective Concentration Limit in the designated background well, or any exceedance of the approved numeric Concentration Limit for the MP at the POC, is considered an exceedance of the WQPS, consistent with Section 20420 of Title 27.

17. The Discharger shall install any reasonable additional groundwater and leachate monitoring devices required to fulfill the terms of any future DMP issued by the Executive Officer.

18. All monitoring instruments and devices used by the Discharger to fulfill the prescribed monitoring program shall be properly maintained and calibrated as necessary to ensure their continued accuracy.

19. The Water Board shall be notified immediately of any failure occurring at the facility. Any failure that threatens water quality shall be promptly corrected after approval of the method and schedule by the Executive Officer.

20. The Discharger shall comply with all applicable provisions of Title 27 that are not specifically referred to in this Order.

21. The Discharger shall submit to the Water Board a report of any material change or proposed change in the character, location, or quantity of this waste discharge, including any proposed change in the boundaries of the disposal area.

22. Three months prior to discontinuing waste disposal in each Phase of this facility, the Discharger shall submit a closure plan that will provide for final closure of that Phase, according to the closure requirements of Title 27. The closure plan shall include a plan to install a final cover and to configure the facility surface to facilitate proper drainage and minimize infiltration.

C. PROVISIONS

1. The Discharger shall comply immediately, or as prescribed by the time schedule below, with all Prohibitions, Specifications and Provisions of this Order. All required submittals must be acceptable to the Executive Officer. The Discharger must also comply with all conditions of these WDRs. Violations may result in enforcement actions, including Board orders or court orders requiring corrective action or imposing civil monetary liability, or in modification or revocation of these waste discharge requirements by the Board. [CWC Section 13261, 13263, 13265, 13267, 13268, 13300, 13301, 13304, 13340, 13350].

2. All technical reports required pursuant to this Order are being requested pursuant to Section 13267 of the California Water Code. Failure to submit reports in accordance with schedules established by this Order or failure to submit a report of sufficient technical quality acceptable to the Executive Officer may subject the Discharger to enforcement action pursuant to Section 13268 of the California Water Code.

3. Electronic Reporting Format: In addition to print submittals, all reports submitted pursuant to this Order must be submitted as electronic files in PDF format. Electronic files shall be submitted via the Water Board's file transfer protocol (FTP) site, email (if the file size is less than 3 MB), or on CD. CD submittals may be included with the print report. Email notification should be provided to Water Board staff whenever a file is uploaded to the Water Board's FTP site. All reports must also be entered electronically into the Water Board's GeoTracker database (http://geotracker.waterboards.ca.gov). Upon request by Water Board staff, monitoring results, including water level measurements, sample analytical results, coordinates, elevations, etc., shall be provided electronically in Microsoft Excel® or similar spreadsheet format, or in a format compatible with Sanitas® water quality data analysis software. These formats facilitate data computations and/or plotting that Water Board staff may undertake during review.

4. **PLAN FOR CLOSURE AND POST-CLOSURE MAINTENANCE OF PHASE I**
The Discharger must submit a report, acceptable to the Executive Officer, which describes a detailed plan for final closure of the Phase I portion of the facility according to Specifications B.10 and B.11 of this Order. The closure plan shall propose installation of a final cover on the Phase I area and the configuration of this portion of the facility surface to facilitate proper drainage and minimize infiltration. This report must also describe a plan for post-closure maintenance and monitoring of the Phase I area.

COMPLIANCE DATE: 90 days prior to closure of Phase I

5. **FINANCIAL ASSURANCE FOR CLOSURE, POST-CLOSURE MONITORING AND MAINTENANCE**
The Discharger shall submit evidence of an Irrevocable Fund, acceptable to the Executive Officer, to ensure that funds are available for proper closure of each Phase of the facility, as well as for monitoring and maintenance of the facility during the post-closure period. Every five years, for the duration of the post-closure monitoring period, the Discharger shall submit a report that includes an outline of the financial assurance mechanism and verification that the fund has been created. Fund value should be supported by calculations, to be included with this submittal, providing cost estimates for all post-closure monitoring, maintenance, repair and replacement of facility containment, cover, and monitoring systems. The fund value should be based on the sum of these estimates. The cost estimates and funding should be updated to reflect change to monitoring systems as they occur. The post-closure maintenance period shall extend as long as disposed wastes pose a threat to water quality, however for purposes of calculating cost estimates, a period of no less than 30 years may be used.

COMPLIANCE DATE: October 1, 2009, then every five years thereafter

6. **FINANCIAL ASSURANCE FOR CORRECTIVE ACTIONS**

The Discharger shall submit evidence of an Irrevocable Fund, acceptable to the Executive Officer, to ensure any corrective action and remediation actions that may be necessary as a result of current or future unforeseen releases from the facility. Every five years, for the duration of the post-closure monitoring period, the Discharger shall submit a report that includes an outline of the financial assurance mechanism and verification that the fund has been created. Fund value should be supported by calculations, to be included with this submittal, providing cost estimates for all corrective action measures and remediation that may be required at the facility. The fund value should be based on the sum of these estimates. The cost estimates and funding should be updated as necessary. The post-closure maintenance period shall extend as long as disposed wastes pose a threat to water quality, however for purposes of calculating cost estimates, a period of no less than 30 years may be used.

COMPLIANCE DATE: October 1, 2009, then every five years thereafter

7. **WELL INSTALLATION REPORT**

The Discharger shall submit a technical report, acceptable to the Executive Officer, that provides well construction details, geologic boring logs, and well development logs for all new wells installed for routine site monitoring (including wells installed to monitor the Phase II area) or for non-routine site investigations.

COMPLIANCE DATE: 45 days following completion of well installation activities

8. **ANNUAL MONITORING REPORT**

The Discharger shall submit an Annual Monitoring Report, acceptable to the Executive Officer, by January 31 of each year in accordance with the attached SMP (Attachment A). The annual report to the Water Board shall cover the previous calendar year as described in Part A of the SMP.

COMPLIANCE DATE: January 31 of each year

9. **SEMI-ANNUAL MONITORING REPORT**

The Discharger shall submit semi-annual groundwater monitoring reports, no later than January 31 and July 31 of each year in accordance with the attached SMP (Attachment A). In accordance with the SMP, the Discharger must perform quarterly groundwater elevation measurements and semi-annual groundwater quality monitoring in all facility monitoring wells. Routine monitoring shall consist of collection and analysis of samples for the monitoring parameters listed in Table 1 of the SMP. The January 31 semi-annual report may be combined with the annual report.

COMPLIANCE DATE: January 31 and July 31 of each year

10. **ANNUAL MAINTENANCE REPORT**
The Discharger shall submit a technical report to the Board, acceptable to the Executive Officer, detailing the repair and maintenance activities that need to be completed prior to the commencement of the next rainy season (starting October 15 of each year). This letter report shall also include a description and schedule for repair and maintenance activities, and a cost analysis detailing the anticipated expense for all repairs, maintenance and monitoring during the next 12 months. Repair and maintenance estimates shall be based on rainy season inspections conducted throughout the winter as required in the SMP.

COMPLIANCE DATE: January 31 of each year

11. Change In Site Conditions: The Discharger shall immediately notify the Board of any flooding, ponding, settlement, equipment failure, exposure of waste, or other change in site conditions that could impair the integrity of the facility cap, waste containment facilities, and/or drainage control structures and shall immediately make repairs. Within 30 days, the Discharger shall prepare and submit a technical report, acceptable to the Executive Officer, documenting the corrective measures taken.

NOTIFICATION DUE DATE:	Immediately upon occurrence
REPORTING DUE DATE:	30 days after initial notification

12. The Discharger shall maintain a copy of these WDRs and it shall be available to operating personnel at all times [CWC Section 13263].

13. The Discharger shall permit the Water Board or its authorized representative, upon presentation of credentials:
    a. Immediate entry upon the premises on which wastes are located or in which any required records are kept.
    b. Access to copy any records required under the terms and conditions of this Order.
    c. Inspection of any treatment equipment, monitoring equipment, or monitoring methods required by this Order or by any other California State Agency.
    d. Sampling of any discharge or groundwater governed by this Order.

14. Change in Ownership: In the event of any change in control/operator or ownership of land or parcel of land, or waste discharge facilities presently owned or controlled by the Discharger, the Discharger shall notify the succeeding owner or operator of the existence of this Order by letter, a copy of which shall be immediately forwarded to this office. The Discharger must notify the Executive Officer, in writing at least 30 days in advance of any proposed transfer of this Order's responsibility and coverage to a new Discharger. The notice must include a written agreement between the existing and new Discharger containing a specific date for the transfer of this Order's responsibility and coverage between the current Discharger and the new Discharger. This agreement shall include an acknowledgment that the existing Discharger is

liable for violations up to the transfer date and that the new Discharger is liable from the transfer date forward. [CWC Sections 13267 and 13263]. The request must contain the requesting entity's full legal name and the address(es) and telephone number(s) of the persons responsible for contact with the Water Board. Failure to submit the request shall be considered a discharge without requirements, a violation of the California Water Code.

15. This Order is subject to Board review and updating, as necessary, to comply with changing State and federal laws, regulations, policies, or guidelines; changes in the Water Board's Basin Plan; or changes in the discharge characteristics [CWC Section 13263]. The Executive Officer may specify minor changes to the DMP as necessary.

16. Where the Discharger becomes aware that if they failed to submit any relevant facts in a Report of Waste Discharge or submitted incorrect information in a Report of Waste Discharge or in any report to the Water Board, shall promptly submit such facts or information [CWC Sections 13260 and 13267].

17. This Order does not convey any property rights of any sort or any exclusive privileges. The requirements prescribed herein do not authorize the commission of any act causing injury to persons or property, do not protect the Discharger from its liability under federal, State or local laws, nor do they create a vested right for the to continue the waste discharge [CWC Section 13263(g)].

18. Provisions of these WDRs are severable. If any provision of these WDRs is found invalid, the remainder of the WDRs shall not be affected.

19. The Discharger shall, at all times, properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the Discharger to achieve compliance with conditions of this Order. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls including appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of this Order [CWC Section 13263(f)].

20. Except for a discharge which is in compliance with these WDRs, any person who, without regard to intent or negligence, causes or permits any hazardous substance or any sewage to be discharged in or on any waters of the State, or discharged or deposited where it is, or probably will be, discharged in or on any waters of the State, shall, as soon as (a) that person has knowledge of the discharge, (b) notification is possible, and (c) notification can be provided without substantially impeding cleanup or other emergency measures, immediately notify the Office of Emergency Services of the discharge in accordance with the spill reporting provision of the state toxic disaster contingency plan adopted pursuant to Article 3.7 (commencing with

Section 8574.7) of Chapter 7 of Division 1 of Title 2 of the Government Code, and immediately notify the Water Board of the discharge. This provision does not require reporting of any discharge of less than a reportable quantity as provided for under subdivisions (f) and (g) of Section 13271 of the Water Code unless the Discharger is in violation of a prohibition in the applicable Water Quality Control Plan [CWC Section 13271(a)].

21. The Discharger shall report any noncompliance that may endanger public health or the environment. Any such information shall be provided orally to the Executive Officer within 24 hours from the time the Discharger becomes aware of the circumstances. A written submission shall also be provided within five days of the time the Discharger becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected; the anticipated time it is expected to continue and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance. The Executive Officer, or an authorized representative, may waive the written report on a case-by-case basis if the oral report has been received within 24 hours [CWC Sections 13263 and 13267].

22. Water Board Order No. 87-105 is hereby rescinded.

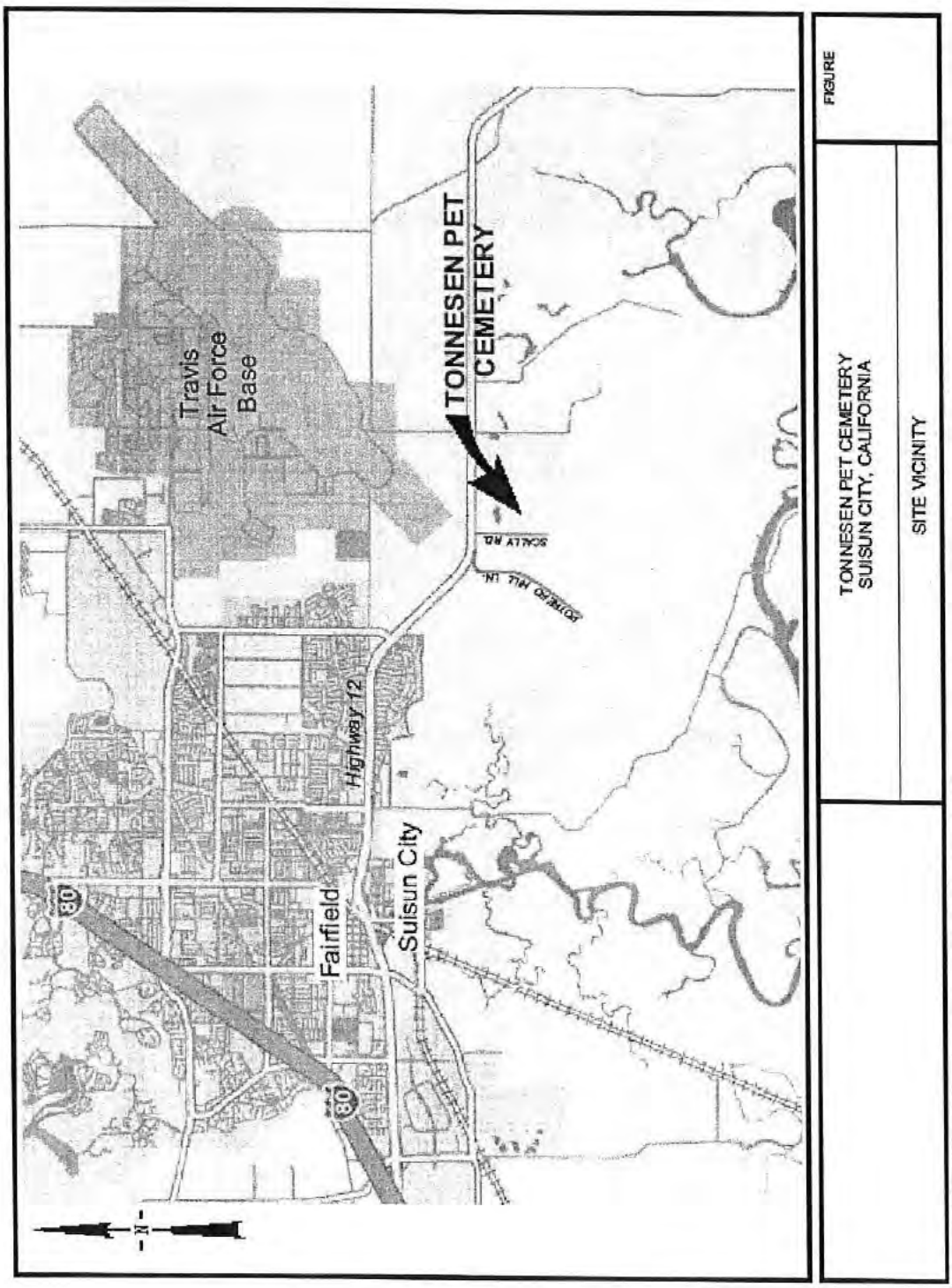
I, Bruce H. Wolfe, Executive Officer, do hereby certify that the foregoing is a full, complete, and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on April 8, 2009.

Digitally signed
by Bruce Wolfe
Date: 2009.04.13
12:55:16 -07'00'

Bruce H. Wolfe
Executive Officer

Figures: Figure 1 – Site Location Map
Figure 2 – Site Layout Map
Attachment: Attachment A – Self-Monitoring Program

FIGURES


Travis
Air Force
Base
TONNESEN PET
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POTRERO HILL LN.
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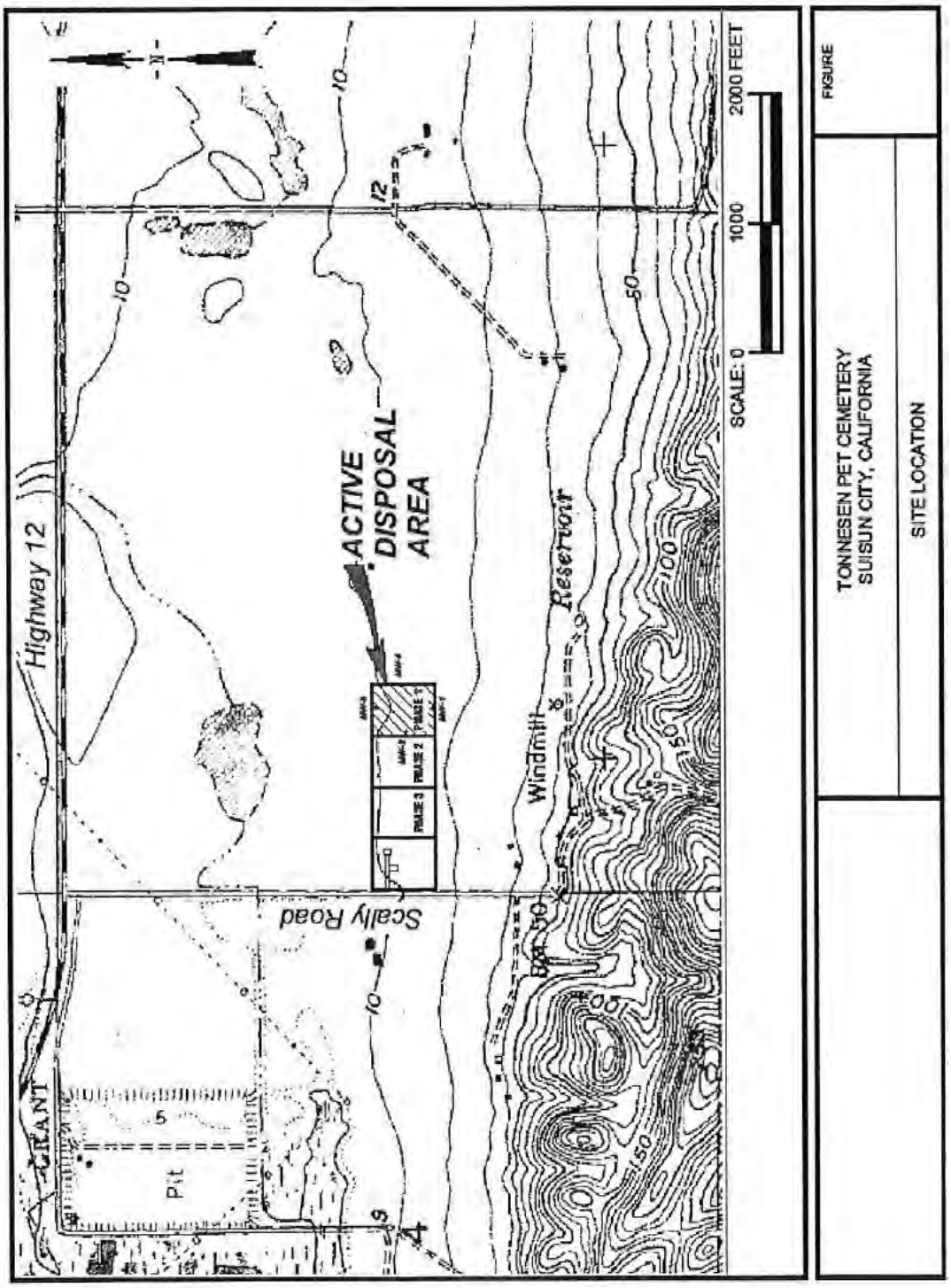
FIGURE
TONNESEN PET CEMETERY
SUISUN CITY, CALIFORNIA
SITE VICINITY


Highway 12
Scally Road
ACTIVE DISPOSAL AREA
Windmill
Reservoir
Pit
GRANT
PHASE 1
PHASE 2
PHASE 3
SCALE: 0
1000
2000 FEET
FIGURE
TONNESEN PET CEMETERY
SUISUN CITY, CALIFORNIA
SITE LOCATION

ATTACHMENT A

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

SELF-MONITORING PROGRAM

FOR

TONNESEN PET CEMETERY
SUISUN CITY, SOLANO COUNTY

ORDER NO. R2-2009-0034

CONSISTS OF

PART A

AND

PART B

PART A

A. GENERAL

Reporting responsibilities of waste discharges are specified in Sections 13225(a), 13267(b), 13383, and 13387(b) of the California Water Code and this Board's Resolution No. 73-16. This Self-Monitoring Program (SMP) is issued in accordance with Title 27 of the California Code of Regulations.

The principal purposes of a discharge monitoring program are: (1) to document compliance with waste discharge requirements and prohibitions established by the Board, (2) to facilitate self-policing by the waste dischargers in the prevention and abatement of pollution arising from waste discharge, (3) to develop or assist in the development of standards of performance, and toxicity standards, and (4) to assist dischargers in complying with the requirements of Title 27.

B. SAMPLING AND ANALYTICAL METHODS

Sample collection, storage, and analyses shall be performed according to the most recent version of U.S. EPA Standard Methods and in accordance with an approved sampling and analysis plan.

Water and waste analysis shall be performed by a laboratory approved by the State of California for these analyses. The director of the laboratory whose name appears on the certification shall supervise all analytical work in his/her laboratory and all reports of such work submitted to the Water Board shall be signed by a duly authorized representative of the laboratory.

All monitoring instruments and equipment shall be properly calibrated and maintained to ensure accuracy of measurements.

C. DEFINITION OF TERMS

1. A grab sample is a discrete sample collected at any time.

2. Receiving waters refers to any surface that actually or potentially receives surface or groundwaters that pass over, through, or under waste materials or contaminated soils. In this case the groundwater beneath and adjacent to the landfill areas and the surface runoff from the site are considered receiving waters.

3. Standard observations refer to:
   a. Receiving Waters:
      1) Floating and suspended materials of waste origin: presence or absence, source, and size of affected area;

2) Discoloration and turbidity: description of color, source, and size of affected area;
3) Evidence of odors, presence or absence, characterization, source, and distance of travel from source;
4) Evidence of beneficial use: presence of water associated wildlife;
5) Flow rate;
6) Weather conditions: wind direction and estimated velocity, total precipitation during the previous five days and on the day of observation.

b. Perimeter of the waste management unit:
1) Evidence of liquid leaving or entering the waste management unit, estimated size of affected area and flow rate;
2) Evidence of odors, presence or absence, characterization, source, and distance of travel from source;
3) Evidence of erosion and/or daylighted refuse.

c. The waste management unit:
1) Evidence of ponded water at any point on the waste management facility;
2) Evidence of odors, presence or absence, characterization, source, and distance of travel from source;
3) Evidence of erosion, slope or ground movement, and/or daylighted refuse;
4) Adequacy of access road;
5) Standard Analysis and measurements are listed on Table A (attached).

D. SAMPLING, ANALYSIS, AND OBSERVATIONS

The Discharger is required to perform sampling, analyses, and observations in groundwater and leachate per the general requirements specified in Section 20415(e) of Title 27.

E. RECORDS TO BE MAINTAINED

Written reports shall be maintained by the Discharger or laboratory, and shall be retained for a minimum of five years. This period of retention shall be extended during the course of any unresolved litigation regarding this discharge or when requested by the Water Board. Such records shall show the following for each sample:

1. Identity of sample and sample station number

2. Date and time of sampling

3. Date and time that analyses are started and completed, and name of the personnel performing the analyses

4. Complete procedure used, including method of preserving the sample, and the identity and volumes of reagents used

5. Calculation of results

6. Results of analyses, and detection limits for each analysis.

F. REPORTS TO BE FILED WITH THE BOARD

1. Electronic Reporting Format

In addition to print submittals, all reports submitted pursuant to this SMP must be submitted as electronic files in PDF format. Electronic files shall be submitted via the Water Board's file transfer protocol (FTP) site, email (if the file size is less than 3 MB), or on CD. CD submittals may be included with the print report. Email notification should be provided to Water Board staff whenever a file is uploaded to the Water Board's FTP site. All reports must also be entered electronically into the Water Board's GeoTracker database (http://geotracker.waterboards.ca.gov). Upon request by Water Board staff, monitoring results, including water level measurements, sample analytical results, coordinates, elevations, etc., shall be provided electronically in Microsoft Excel® or similar spreadsheet format, or in a format compatible with Sanitas® water quality data analysis software. These formats facilitate data computations and/or plotting that Water Board staff may undertake during review.

2. Monitoring Reports

Written monitoring reports shall be filed by January 31 and July 31 of each year. In addition, an annual report shall be filed by January 31 of each year. The semi-annual monitoring report due on January 31 of each year can be combined with the annual report. The reports shall be comprised of the following:

a. Letter of Transmittal: A letter transmitting the essential points in each report should accompany each report. Such a letter shall include a discussion of any requirement violations found during the last report period, and any actions taken or planned for correcting the violations. If the Discharger has previously submitted a detailed time schedule for correcting requirement violations, a reference to the correspondence transmitting such schedule will be satisfactory. If no violations have occurred in the last report period this shall be stated in the letter of transmittal. Monitoring reports and the letter transmitting the monitoring

reports shall be signed by a principal executive officer at the level of vice president or his duly authorized representative, if such representative is responsible for the overall operation of the facility from which the discharge originates. The letter shall contain a statement by the official, under penalty of perjury, that to the best of the signer's knowledge the report is true, complete, and correct.

b. Compliance Evaluation Summary: The summary shall contain:

1) Graphic descriptions of the direction of groundwater flow during each quarter under/around the waste management unit, based upon the past and present water level elevations and pertinent visual observations.

2) The method and time of water level measurement, the type of pump used for purging, pump placement in the well; method of purging, pumping rate, equipment and methods used to monitor field pH, temperature, and conductivity during purging, calibration of the field equipment, results of the pH, temperature conductivity and turbidity testing, well recovery time, and method of disposing of the purge water.

3) Type of pump used and pump placement for sampling, and a detailed description of the sampling procedure; number and description of equipment, field and travel blanks; number and description of duplicate samples; type of sample containers and preservatives used, the date and time of sampling, the name and qualifications of the person actually taking the samples, and any other observations.

4) A written discussion of the groundwater analyses indicating any change in the quality or characteristics of the groundwater.

c. A comprehensive discussion of the compliance record and status, as well as any corrective actions taken or planned which may be needed to bring the Discharger into full compliance with the Waste Discharge Requirements and 27CCR.

d. A map or aerial photograph shall accompany each report showing observation and monitoring station locations.

e. Laboratory statements with the results of analyses specified in Part B must be included in each report. The director of the laboratory whose name appears on the laboratory certification shall supervise all analytical work in his/her laboratory and all reports of such work submitted to the Board shall be signed by a duly authorized representative of the laboratory.

1) The methods of analyses and detection limits must be appropriate for the expected concentrations. Specific methods of analyses must be identified. If methods other than U.S. EPA approved methods or Standard Methods are used, the exact methodology must be submitted for review and approved by the Executive Officer prior to use.

2) In addition to the results of the analyses, laboratory quality assurance/quality control (QA/QC) information must be included in the monitoring report. The laboratory QA/QC information should include the method, equipment and analytical detection limits; the recovery rates; an explanation for any recovery rate that are outside laboratory control limits; the results of equipment and method blanks; the results of spiked and surrogate samples; the frequency of quality control analysis; and the name and qualifications of the person(s) performing the analyses.

f. A summary and certification of completion of all standard observations for the waste management unit, the perimeter of the waste management unit, and the receiving waters.

g. The Annual Monitoring Report shall be submitted to the Board no later than January 31 covering the previous year. The Report shall include, but is not limited to, the following:

1) A graphical presentation of the analytical data [Board-approved alternate procedure per 27CCR, Section 20415(e)(14)] for monitoring locations that have shown detectable concentrations during two consecutive monitoring events, or greater than ten percent detection frequency for any organic compound. Graphical representation must be provided for monitoring locations with metals and general chemistry analytical parameters that have an increasing trend for three consecutive monitoring events;

2) A tabular summary of all the monitoring data obtained during the previous year;

3) A comprehensive discussion of the compliance record, and the corrective actions taken or planed which may be needed to bring the Discharger into full compliance with the waste discharge requirements;

4) A written summary of the groundwater analyses indicating any change in the quality of the groundwater;

5) A list of Concentration Limits for each monitoring parameter, based on the historical monitoring data from the background well; and

6) Tabular and graphical summaries of the monitoring data obtained during the previous year. The report should include a compact disc tabulating the year's data in MS-EXCEL® or Sanitas® format.

3. **Discharge Reporting**

A report shall be made by telephone of any discharge or migration of any waste or water that has been in contact with waste from the disposal area immediately after it is discovered. A written report shall be filed with the Board within five days thereafter. This report shall contain the following information:

a. a map showing the location(s) of discharge, if any;
b. approximate flow rate;
c. nature of effects (i.e., all pertinent observations and analyses); and
d. corrective measures underway, proposed, or as specified in the Waste Discharge Requirements.

4. **Well Logs**

A boring log and a monitoring well construction log shall be submitted for each new sampling well established for this monitoring program, as well as a report of inspection or certification that each well has been constructed in accordance with the construction standards of the State Department of Water Resources. These shall be submitted within 45 days after well installation.

G. WATER QUALITY PROTECTION STANDARD

The Water Quality Protection Standard (WQPS) for this facility is described in Specification B.15 of the WDRs.

PART B

1. DESCRIPTION OF OBSERVATION STATIONS AND SCHEDULE OF OBSERVATIONS

A. GROUNDWATER MONITORING:

Semi-Annual Report: **due January 31 and July 31 of each year**
Annual Report: **due January 31 of each year**

Groundwater levels shall be measured quarterly using all available groundwater wells. Groundwater shall be sampled and analyzed semi-annually for the parameters specified in Table 1. Data collected during January through June are to be submitted in a semi-annual report by July 31 of each year. Data collected during July through December are to be submitted by January 31st of the following year. The semi-annual report for the 2nd monitoring period can be combined with the annual groundwater monitoring report. The DMP includes existing wells MW-1, MW-2, MW-3, and MW-4, plus any new wells installed to provide monitoring for the Phase II expansion area. Semi-annual reports must include the volumes of cremated and uncremated wastes disposed during the reporting period.

B. FACILITY MONITORING:

Annual Report: **due January 31 of each year**

The Discharger shall inspect the facility quarterly to ensure proper maintenance and report the inspection results annually. The facility monitoring shall include, but not be limited to, visual inspection of:

1. Surface water ponding
2. Perimeter diversion channels and run-on/run-off control features
3. Interim and final cover placement.

The Facility Monitoring Report shall provide photodocumentation of conditions at the facility. Locations from which photographs are taken should be permanent stations such that they can be used for comparison in successive reports.

The foregoing Self-Monitoring Program:

1. Has been developed in accordance with the procedures set forth in this Board's Resolution No. 73-16 in order to obtain data and document compliance with WDRs established in this Board's Order No. R2-2009-0034.

2. Is effective on the date shown below.

3. May be reviewed or modified at any time subsequent to the effective date, upon written notice from the Executive Officer.

Date Ordered: April 8, 2009

Attachments: Table 1

Table 1
Groundwater Monitoring Points, Parameters and Sampling Frequency
Tonnesen Pet Cemetery

Detection Monitoring Program

Wells MW-1, MW-2, MW-3, MW-4 and all new wells installed to monitor the Phase II area shall be sampled for the following parameters:

Monitoring Parameters	Laboratory Method	Sampling Frequency
• pH • Turbidity • Electrical Conductivity • Total Dissolved Solids • Dissolved Oxygen • Chloride • Sodium • Potassium • Calcium • Magnesium • Bicarbonate • Carbonate • Sulfate • Nitrate • Total Kjeldahl Nitrogen • Total Organic Carbon • Total Coliform	various field and laboratory methods	Semi-Annually

Exhibit F

SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION
455 Golden Gate Avenue, Suite 10600
San Francisco, California 94102
Telephone: (415) 557-3686

TO BE FILLED OUT BY BCDC:

1. **Appeal Number:** _____
2. **Filed** _____
3. **Notice Received:** . _____
4. **Twenty-First Day:** _____
5. **Forty-Second Day:** _____
6. **Staff Assigned:** _____

RECEIVED
DEC 18 2013
SAN FRANCISCO BAY CONSERVATION & DEVELOPMENT COMMISSION

APPEAL FROM MARSH DEVELOPMENT PERMIT DECISION OF LOCAL GOVERNMENT

APPELLANT(S):

1. Name(s), address(es), and telephone number(s) of appellant(s): JUNE GUIDOTTI, 3703 Scally Road, Suisun, CA 94585; 707 429-0893

2. Name(s), address, and telephone number of appellants* representative, if any:

3. The local governmental action was taken by Solano County Board of Supervisors The action was taken on 9/26/2013 and is final. If the action is not final, an appeal may be taken to San Francisco Bay Conservation and Development Commission Within 30 days of passage. The knowledgeable local official is MIKE YANKOVICH who may be contacted at 707 784-6765.

4. Name of development and Marsh Development Permit Number, if any: Tonneson Pet Cemetery, Land Use Permit Extension, U-82-42 / MD-82-12.

6. Brief description of development location (city or county, nearest roads, etc.)-3700 Scally Road, Suisun, CA 94585.

7. Describe the marsh development permit action of the local government (e.g., approval, approval with conditions, etc.): Permit Approved. Water permit required.

8. Attach a complete, but brief, statement of facts explaining and substantiating why the proposed development does not conform with the certified Suisun Marsh Local Protection Program or Program Component. The statement should refer to all applicable policies, ordinances, and regulations by name and page number. The appellant must demonstrate to the Commission that the appeal raises a substantial issue. The Commission shall hear an appeal unless it determines that the appeal raises no substantial issue as to conformity of the proposed development with the provisions of the certified Suisun Marsh Local Protection Program. * See attached statement.

* The Suisun Marsh Preservation Act provides that the Commission must hear an appeal if a substantial issue of compliance exists with either the Marsh Act, the Marsh Plan, or the certified Local Protection Program. However, the Act also provides that the Commission must issue a marsh development permit on appeal unless a substantial issue of compliance exists with the certified Local Protection Program. Therefore, this appeal form strongly encourages an appellant to limit his or her discussion and analysis to issues of compliance with the certified Local Protection program.

CERTIFICATION: I declare that the foregoing is true and correct to the best of my knowledge and I understand that any misstatement or omission of the information requested may be grounds for rejection of this appeal.

Dated: 12/9/2013

June Guidotti / Family and for the Public

(Signature of appellant or representative)

Attachment 8.

The attached appeal is based upon the lack of any compliance with CEQA. No environmental impact studies have been completed.

The permitted activities are not in conformance with Solano County Policies and Regulations Governing the Suisun Marsh and are inconsistent with the Solano County General Plan.

"Water Quality ..... 5. Any development in the Suisun Marsh watershed or secondary management area proposed for areas that have poor soil conditions for construction or that are seismically active, should be controlled to prevent or minimize earth disturbance, erosion, water pollution, and hazards to public safety. Local run-off, erosion, and sediment control ordinances should be established in the immediate Suisun Marsh watershed to protect the Marsh from these potential adverse effects." (Solano County Policies and Regulations Governing the Suisun Marsh, page 19, as amended February 2, 1999.

I believe that the proposed permitted use violates these regulations in that the Pet Cemetery does not have a lining to keep run-off from this activity from adversely affecting the Marsh. The permit application states that there are no changes with which I heartily disagree. There have been many changes.

The Suisun Marsh Protection Plan (Page 64) says, "*a number of the uses presently allowed under an agricultural zoning district are inconsistent with the objectives of this plan.*" ..... and, "*no expansion of these uses would be permitted pursuant to the establishment of the conservation zone, and at any future time when any of these uses are terminated, it would be desirable that the areas be restored, to the maximum extent possible, to their natural state.*"

Furthermore, I refer to the Plan of Protection for the Suisun Marsh including Environmental Impact Report, prepared by the California Department of Water Resources, Central District, February, 1984.

I incorporate herein the information from my appeal to the Planning Commission and my appeal to the Board of Supervisors as part of this record.

I reserve the right to amend or supplement this appeal as further information may become available.

DEPARTMENT OF RESOURCE MANAGEMENT
Planning Services Division
675 Texas Street, Suite 5500, Fairfield, CA 94533
Phone (707) 784-6765 Fax (707) 784-4805
www.solanocounty.com

FILED

SEP 25 2013

Birgitta E. Corsello, Clerk of the Board of Supervisors of the County of Solano, State of California

Deputy: Myra Chiula

APPEAL REQUEST FORM

1. Name of Appellant: JUNE GUIDOTTI & FAMILY Telephone: 707 631-9365

   Email address: None

2. Mailing Address: 3703 Scally Road City : Suisun State: CA Zip:94585

3 Appealed to: □ Planning Commission , X Board of Supervisors

4. Appeal Fee: $150.00 975160 Receipt*

5. State the application name and reason(s) why the decision making body erred in its decision. Attach additional sheets if necessary:

Application: Tonneson Pet Cemetery, Land Use Permit Extension, APN 0046-120-410, U-82-42 / MD-82-12.

Appellant hereby appeals from the action of Solano County Planning Commission regarding staff approval on the grounds that:

1. Failure to disclose & withholding of documents of Water Board regarding Phase One alleged completion and Phase Two approval.

2. Water Testing was reported verbally by Brian West, PE. Mr. West has a conflict of interest as he was on the Citizen's Advisory Board and was involved in the planning decisions affecting this Permit Extension. A second opinion must be obtained and testing be done to determine effects on protected creatures and the U.S. waters generally. Mr. Gary Tonnesen was very concerned of the leakage from the pet cemetery to Jeanine Scally's trailer to the South (down-hill) and the effects upon the water well used by their children.

Staff Report, Page 3, Paragraph VI, B. states:

> "On April 8, 2009, the San Francisco Regional Water Quality Control Board staff determined that the pet cemetery is an animal waste disposal facility best classified under Title 27 regulations as a non-municipal solid waste, Class III Nonhazardous Solid Waste Disposal Facility. In response to that classification, CalRecycle (formerly the Integrated Waste 'Management Board) staff determined that they must also regulate the pet cemetery as a solid waste disposal facility. CalRecycle directed the Solano County Department of Resource Management, the Local Enforcement Agency (LEA) to require the operator (Tonnesen Pet Cemetery) to apply to the LEA for a solid waste facility permit to continue to dispose of solid waste for waste management in Solano County to issue a Solid Waste Facility Permit for the facility."

Yet the Land Use Permit Extension Application in concern here states: *"Pet Cemetery been is business for 30+ yrs NO changes."*

Clearly the statement of 'NO changes' on the permit application is not correct and the facility is to be designated a 'solid waste facility' which is not allowed under the Marsh Protection Plan.

> "Tonnesen Pet Cemetery was added to the amended Countywide Siting Element of the Solano County Integrated Waste Management Plan that was approved by CalRecycle on July 17,2012.
> Currently, the applicant is currently working with the Local Enforcement Agency in regards to applying for a Solid Waste Facility Permit." (Staff Report, Page 4, VI, B.)

A new solid waste facility is inconsistent with the general plan and therefore must be *void ab initio*. See CCP-1094.5. Further, a zoning ordinance that conflicts with the general plan is invalid at the time it is passed. (Lesher, 52 Cal.3d @ 544)

3. The Planning Commission did not clarify for the Board and the Public that CEQA must be done to protect existing water uses and future water use for any unavoidable impacts to waters of the State from lack of monitoring and chemical analysis. The Lois Tonnesen project is a non-water dependent project. It is assumed that there are less damaging alternatives, and the burden is on the applicant to demonstrate otherwise.

4. For Example, the LPP, The County shall preserve and enhance wherever possible the diversity of wildlife and aquatic habitats found in... the uplands areas to maintain these unique wildlife resources." [Policy 1]. "...Where feasible, the value of the upland grasslands and cultivated lands as habits for marsh-related wildlife should be enhanced." [Policy 3].

5. It is my information that the permitted project does not address frozen animals with pharmaceutical drugs or radiation for contamination of groundwater leaking or the watershed runoff from the Potrero Hills, into Hill Slough in Suisun Marsh from the Tonnesen Site. Also, the Regional Water Board must issue revised Waste Discharge Requirements for the facility, per Curtis T. Scott letter dated March 12, 2008.

6. Adopted in 1982, the essence of the Local Protection Plan (LPP) is the coordination of land use regulations and standards applicable to management of the Suisun Marsh and future development therein. The LPP contains extensive findings and policy recommendations designed to preserve and protect the Suisun Marsh. Permits for development within the Suisun Marsh must contain terms consistent with the LPP. LPP Findings that Tonnesen Project; does not conform with the certified LPP:

   a. "The Suisun Marsh represents an area of significant aquatic and wildlife habitat and is an irreplaceable and unique resource to the residents of Solano County, the State and Nation." [LPP, p. 1,]

   b. "The Secondary Management area serves as a significant buffer to the wetlands area." [LPP, p,1].

   c. "The Suisun Marsh and adjacent uplands provide a unique resource for a wide range of aquatic and wildlife species, due to the occurrence of many diverse habitats in

close proximity to each other." [LPP, p. 15.]

d. Development of the Tonnesen animal burial ground may only occur if the facilities will not have adverse or ecological or aesthetic impact on the Marsh. [See Resource Conservation & Open Space Plan {PHASE 2} Solano County, California amended Feb. 2,1999 General Plan. Page 51 Number 8.].

e. Solano County shall preserve and enhance wherever possible the diversity of wildlife and aquatic habitats found in the Suisun Marsh and surrounding uplands areas to maintain these unique wildlife resources. [LPP p.10. Policies 1.]

f. Solano County shall protect its marsh waterways, managed and natural wetlands, tidal marshes, seasonal marshes and lowlands grasslands which are critical for marsh-related wildlife.

g. The Marsh waterways, managed wetlands, tidal marshes, seasonal Marshes, and lowland and grasslands are critical habitats for marsh-related wildlife and are essential to the integrity of the Suisun Marsh. Therefore, these habitats deserve special protection. [LPP. Pp. 18-19,]

h. The proliferation of sites for the disposal of special wastes would have significant adverse impacts upon preservation of marsh uplands areas. The animal burial ground on Scally Road under County Use Permit should be allowed to operate as conditioned creation of additional disposal sites of a special nature shall be prohibited. [LPP, p.26 number 8.]

7. The project as proposed causes or contributes to significant degradation of the waters of the United States because it will cause permanent and persistent significant adverse effects by the discharge of pollutants on aquatic ecosystem diversity, productivity, and stability. Such effects may include, but are not limited to, loss of fish and wildlife habitat. Here, there is loss of critical habitat for the protected crustaceans and loss of breeding habitat for the California Tiger Salamander. The California Tiger Salamander and other protected species will be prevented from producing. If a species cannot reproduce, there is sufficient injury prohibited by the Endangered Species Act (federal and state), without adequate mitigation. The proposed mitigations are inadequate to compensate for the loss because the wetlands that will be lost are disproportionately valuable to the survival of the California Tiger Salamander.

8. Recent spraying for mosquito abatement by Mr. Bud Tonneson, is an example of detriment to the California Tiger Salamander. Staff reports they are unaware of this activity. Should they be? See attached pictures of the milky run-off previously supplied to Resource Management. Piles of road debris contaminated with harmful tars and other chemicals must be removed before further contamination occurs to the adjacent land and to the salamander mitigation ponds.

9. The pet cemetery has changed the poles of power lines, (Northern California Pole Association, Mayor Gavin Newsome, pile no. 071300) in violation of the Utilities, Facilities and Transportation policy which states, in part: "urban utilities and public services should be allowed to extend into the Suisun Marsh and the adjacent upland necessary to protect the Marsh, only to serve existing uses and other uses consistent with protection of the Marsh, such as agriculture.

10. I, object to the extension of permit U-82-42 submitted by Lois Tonnesen, for the continued operation of cemetery for burial of small pets in COMMON GRAVES on Parcel number

0046-120-410. If land is zoned "Limited Agriculture", and is within the confines of the Suisun Marsh Buffer Zone, it should not be used as a commercial burial site for small animals.

11. I reserve the right to supplement or modify this appeal as further facts are discovered.

I request that you protect the Marsh by denying this inappropriate renewal, in accordance with Measure E and Measure L.

Respectfully submitted.

DATED: 9/25/2013.

Appellants Signature: June Guidotti and Family and for the Public

Solano County Planning Commission **9/19/13**
675 Texas Street
Fairfield, California, CA 94533
(707) 784-6765

RECEIVED
SEP 19 2013
COUNTY OF SOLANO
RESOURCE MANAGEMENT

Meeting of September 19,2013 - 7:00 p.m.
Held in the Board of Supervisors Chambers,
County Administration Center 1st Floor

Refer to **Agenda Item 2**. PUBLIC HEARING to consider an appeal of the Zoning Administrator's approval of Extension No.6 to Use Permit No. U-82-42 and Marsh Development Permit No. MD-82-12 of Lois Tonnesen for the continued operation of the pet cemetery located at 3700 Scally Road.

I June Guidotti reserve the right to supplement or modify this appeal as further facts are discovered.

The staff report is ' adequate (not true). The Solano Planning Department has altered the truth of a cover up re: the zoning. different department Conflict of interest assessors office SB96

#1. Refer to Code Civil Procedure **1094.5 sub a**, (b) an abuse of discretion is established by the (Agency) has not proceeded in the manner required by law.

#2. Refer to Code of Civil Procedure **section 1094.5,** the court held that a zoning ordinance that conflicts with the general plan is invalid at the time it is passed.

#3. My zoning rights that were established years ago have been taken from me. Refer to document that states East, North, South is Agriculture land. I June Guidotti, want my zoning back. WEST Solid waste Guidotti House

June Guidotti and for my family and the Public
June Guidotti Measure E Measure L

① UTC aerospace
② Northern California Joint pole ass. occation Mayor Gavin Nelson Pile No. 071300
③ Solid Waste Disposal Site Rule 34
④ 20 colored picture Tonnesen discharge Burl Tonnese

Received
NOV 25 2013
Solano County
Board of Supervisors

JUNE GUIDOTTI & FAMILY
3703 Scally Road
Suisun City, CA 94585

707 631-9365
FAX 707 429-5054

Monday, November 25, 2013

RECEIVED
NOV 25 PM 1:36
COUNTY OF SOLANO

Solano Board of Supervisors
675 Texas Street,
Fairfield, CA 94533

Re: My Appeal to & from Planning Commission.

Honorable Members of the Board:

I request that you uphold the appeal and deny the extension of the Animal Burial permit. This land should be returned to its natural state.

The reasons and grounds for this are in my appeal. I am informed and believe that no liner exists at the burial site and that therefore toxins may migrate for the location and ultimately end up in protected waters. Testing has been non-existent or insufficient, because it has been limited to just a few things such as e coli. Testing should be comprehensive and include all of the tests required for drinking water in California.

Staff response does not address the obvious conflict of interest of Mr. West. Testing should be done by an independent lab.

I submit that environmental requirements have changed drastically since 1982, and this project must be made to comply with *current* standards and that should be done under CEQA. The Suisun Marsh Protection Plan demands no less.

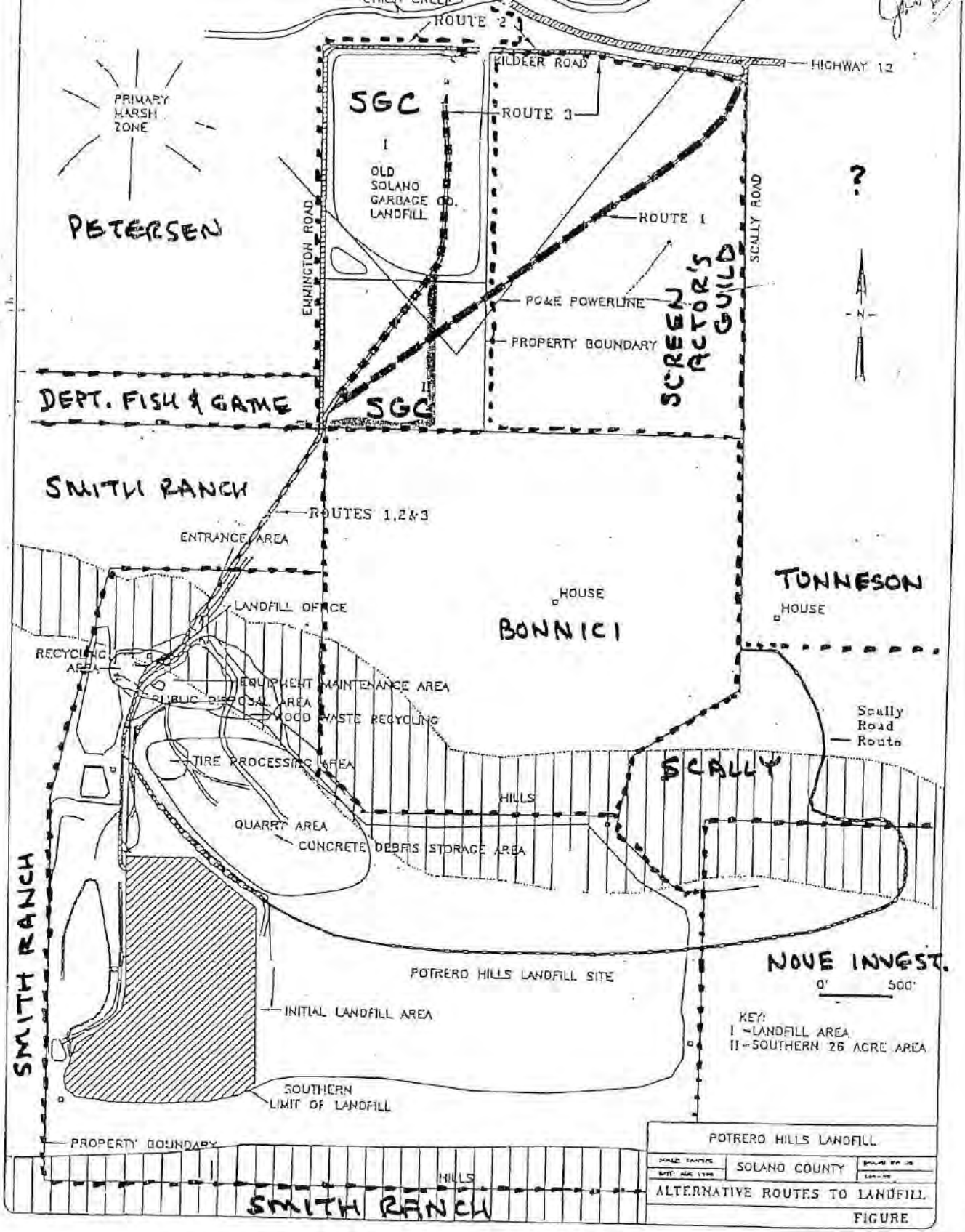
You are referred to the SUISUN MARSH ENVIRONMENT prepared by the BCDC Staff in April, 1976. The instant project is inconsistent with the Fish and Wildlife Element of the Suisun Marsh Protection Plan.

I reserve the right to amend, modify and add to this appeal when further facts are discovered.

Sincerely,

June Guidotti & family and for the public

JUNE GUIDOTTI


ROUTE 2
HILDEER ROAD
HIGHWAY 12
PRIMARY MARSH ZONE
SGC
ROUTE 3
OLD SOLANO GARBAGE CO. LANDFILL
PETERSEN
EMMINGTON ROAD
ROUTE 1
SCALLY ROAD
?
PG&E POWERLINE
PROPERTY BOUNDARY
SCREEN ACTOR'S GUILD
N
DEPT. FISH & GAME
SGC
SMITH RANCH
ROUTES 1,2&3
ENTRANCE AREA
LANDFILL OFFICE
HOUSE
BONNICI
TUNNESON
HOUSE
RECYCLING AREA
EQUIPMENT MAINTENANCE AREA
PUBLIC DISPOSAL AREA
WOOD WASTE RECYCLING
TIRE PROCESSING AREA
Scally Road Route
SCALLY
HILLS
QUARRY AREA
CONCRETE DEBRIS STORAGE AREA
SMITH RANCH
POTRERO HILLS LANDFILL SITE
NOVE INVEST.
0' 500'
INITIAL LANDFILL AREA
KEY:
I - LANDFILL AREA
II - SOUTHERN 26 ACRE AREA
SOUTHERN LIMIT OF LANDFILL
PROPERTY BOUNDARY
HILLS
SMITH RANCH
POTRERO HILLS LANDFILL
SOLANO COUNTY
ALTERNATIVE ROUTES TO LANDFILL
FIGURE

DEPARTMENT OF RESOURCE MANAGEMENT
LAND USE PERMIT EXTENSION APPLICATION
Planning Services Division

675 Texas Street , Suite 5500, Fairfield, CA 94533
Phone (707) 784-6765 Fax (707) 784-4805
www.solanocounty.com

Permit # U-82-42 MD-82-12

Receipt # 996663 5-3-13

☑ Use Permit (U) ☑ Marsh Development Permit (MD) ☐ Mobilehome storage permit (MH)

For office use only: Application No: U-82-42 MD-82-12 Ex Hrg: (ZA) PC Date Filed: 5-3-13 Plnr: NF

Project Name: Tonnesen Pet Cemetery

Subject Site Information

Site Address: 3700 Scally Rd City: Suisun State: Ca Zip: 94585

Assessor's Parcel Number (s): 0046-120-410 Size (sq. ft/acre): _____

Preferred Property Access by Staff: ☐ OK to access ☑ Call applicant before access ☐ Call owner before access

Contact Information

Property Owner Name: Lois Tonnesen

Contact Name: Greg Tonnesen Phone: 707-416-5191 Email: Gatrench@yahoo.com

Mailing Address: 3700 Scally Rd City: Suisun State: Ca Zip: 94585

Architect/Engineer/Land Surveyor Company Name: _____

Contact Name: _____ Phone: _____ Email: _____

Mailing Address: _____ City: _____ State: _____ Zip: _____

Applicant/Company Name: _____

Contact Name : _____ Phone: _____ Email: _____

Mailing Address: _____ City: _____ State: _____ Zip: _____

Other Contacts:

Name: _____ Phone: _____ Email: _____

Mailing Address: _____ City: _____ State: _____ Zip: _____

See reverse side.....

Project Narrative

Describe the type of development, proposed uses/business, phases, changes or alterations to the property or building and intent or purpose of your proposal clearly. Attach additional sheets as necessary.

Pet Cemetery been is business for 30 + Yrs NO Changes

Information Verification - Signed by Owner and Applicant

Owner and Applicant must sign below certifying that all information is to the best of his/her knowledge true and correct. If the applicant is not the owner of record of all property included in this application, the signature given below is certification that the owners of record have knowledge of and consent to the filing of this application and supporting information. Additionally, the undersigned does hereby authorize representatives of the County to enter upon the above mentioned property for inspection purposes. This certification acknowledges that if the project exceeds double that of the application fee, applicants are subject to the hourly billing rate of staff time. You will be notified if the project is approaching this threshold.

I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

Owner signature: _____ Date: 5/3/13

PRINTED NAME: Lois Tonnesen

Applicant signature: _____ Date: 5/3/13

PRINTED NAME: Greg Tonnesen (DEAD)

For Office Use Only

Planning Permit Fee(s)

U-82-42	MR ___ EX C	$ 447.00	
MD-82-12	MR ___ EX ___	$	
___-___-___	MR ___ EX ___	$	
___-___-___	MR ___ EX ___	$	
Total		$ 447.00	

Receipt No.: 996663 Date: 5-3-2013

Environmental Review Fees

Initial Study	$
Archaeological Study (Sonoma State NWIC)	$
Negative Declaration	$
CA Fish and Games (ND or EIR)	$
Initiate EIR	$
Mitigation Monitoring Plan	$
Total	$

Staff verify: Zoning: AL-160GP Land Use & Consistency: _____

Staff/Date: _____

Comments: _____

Received
FEB 2 4 2003
Solano County
Board of Supervisors

SCOPING REPORT

FOR THE PROPOSED

WESTERN SUISUN MARSH SALINITY CONTROL PROJECT

Plan of Protection for Suisun Marsh
Phases III and IV
Environmental Impact Statement/
Environmental Impact Report

State Clearinghouse Number 90030973

August 1991

California Department of Water Resources
and
U.S. Bureau of Reclamation

69

INDIVIDUALS

72. Paul W. Crapuchettes (10/31/89)

With regard to the proposed project, recommends that:

1. Alternatives to actions proposed in the Plan of Protection be considered in the EIS/EIR.
2. Facilities to service Grizzly Island should be constructed next.
3. The Tree Slough alternative to the Grizzly Island Distribution System should be evaluated.
4. Relative impacts of flow improvement in Cutoff Slough versus the Potrero Hills Ditch alternative should be assessed.
5. Cutoff Slough and Frank Horan Slough alternatives should be considered.
6. A sheet piling barrier from the Tip End Club 4000 feet into Grizzly Bay should be considered.

73. Fred Tomasini (12/12/90)

With regard to the proposed northern alignment for the Boynton-Cordelia Ditch, the following should be considered:

1. The Suisun Marsh Hunting Preserve's operations and income would be irreparably harmed.
2. Increased public access to the hunting area would be unsafe for the public and hunters, and would require increased liability insurance and a safety buffer zone along the ditch.
3. Any interruption of flow in the Reclamation District 2034 ditch would obstruct or prevent irrigation of adjacent lands required during the summer.

Favors the southern alignment for the Boynton-Cordelia Ditch because it would diminish the stated impacts.

74. June Bonnici (12/27/90) AKA Guidotti

With respect to proposed marsh facilities, and in particular, the future assessment of the Potrero Hills Ditch, recommends that the following be considered:

1. Drainage problems and floodflow drainage.
2. Impacts on tidal action upstream of the project.
3. The extent of easements around proposed facilities and associated features such as bridges.
4. Increased public access.

BCDC

Received
FEB 2 4 2003
Solano County
Board of Supervisors

5. Potential water fees for water flowing through proposed facilities.
6. Identify the involvement of BCDC and DFG.
7. Impacts on existing infrastructure, such as, electrical lines, roads, etc.

75. James R. Bancroft (1/2/91)

In response to SRCD's notice to Marsh landowners regarding the proposed project, Mr. Bancroft and Joice Island landowners look forward to any successful effort to improve water quality in Suisun Slough.

76. Stacy R. Mettier, M.D. (1/3/91)

With respect to the proposed project, is concerned of possible adverse impacts on water quality and other aspects related to duck hunting at the Cordelia Gun Club.

77. Paul Erman - Pierce Harbor (1/10/91)

In a telephone conversation with Michael Lewis, SRCD manager, expressed concern that Goodyear Slough water quality is currently adversely impacted by the operation of the Morrow Island Distribution System and the Goodyear Slough Outfall. Future facilities should not compound these problems.

78. William L. Frost (1/11/91)

With regard to the proposed projects for the northwestern Suisun Marsh, is concerned that water originating from Suisun Slough will be more brackish than the existing channel water.

Proposed an alternative of partially restricting flow through the west end of Montezuma Slough with rip rap to allow less Grizzly Bay water from entering the Marsh.

79. Tom Cundith (2/12/91)

With regard to the use of Cat and Volanti sloughs to transfer water from Montezuma Slough near Beldons Landing to Suisun Slough, the following concerns should be considered:

1. Natural channels and coves would be blocked from Cat and Volanti sloughs.
2. Actual and effective wetland acreage would be reduced.
3. Wetland vegetation, invertebrate and young fish habitat would be destroyed.
4. Existing water management on adjacent duck clubs would require alteration.
5. Waterfowl use and flight patterns of the adjacent Joice Island sanctuary and private duck clubs would be altered.
6. Historical duck boat access to duck club ponds/blinds via Cat and Volanti sloughs would be impossible.
7. Increased public/agency traffic in the area would be harmful.
8. Productivity and value of adjacent private wetlands would decline.

73 (continued)

2. Public access to this publicly financed structure will be completely out of our control. Undoubtedly, the public will be there. This creates an extremely dangerous situation both to the public and to my members. At present, our hunters are screened as to their knowledge of guns, hunting and safety procedures. Liability insurance is both difficult and costly to obtain. A loss of liability insurance due to a rash of accidents would force me to abandon this recreational facility. I estimate at least 134 acres would be required to establish an effective safety buffer zone.

3. Failure to promote habitat through irrigation during the summer months translates into a poor ratio during the September through March hunting season. Our present source of water for the land along this corridor is the existing RD 2034 ditch. Any interruption in this source during the summer months would be extremely damaging.

Recreation has become an increasingly important socio-economic factor in today's society. There is limited marginal land available so close to the centers of population for this type of enterprise. Although the alternate route to the south will present similar problems, they would not have the severe impact of the original route and could be dealt with. Therefore I must adamantly oppose the original proposed route and favor the alternate to the south.

Thank you for your consideration.

Sincerely,

Fred Tomasini

Fred Tomasini

cc: Sam Caddle, Solano County Supervisor
Thomas Hannigan, Assemblyman
Thomas J. Shephard, Sr.

Received
FEB 2 4 2003
Solano County
Board of Supervisors

74 – June Bonnici *AKA Guivetchi*

1 - 5 pages

State of California
Department of Water Resources
Central District
3251 S Street
Sacramento, CA 95816-7017

December 27, 1990

To: Suisun Marsch Technical Advisory Committee Members
From: June Bonnici
2963 Santa Rosa Avenue, Space 87
Santa Rosa, CA 95407

Subject: Public Scoping Session, December 13, 1990 at Supervisors Chambers, Solano County Courthouse, Fairfield, California. (On the Western Marsh Salinity Control Project, Boynton-Cordelia Ditch, Potrero Hills Ditch, 12 acre lake.)

Attention: Mr. Dwight P. Russell
Kamyar Guivetchi

Techconnn meeting 12-27-90. I would like my concerns added to the minutes because I am unable again to be able to attend today's meeting because I have had to resort to litigation to protect my parcel from salt water and water draining into the marsh.

My concerns at this time are:

1) The Potrero Hills ditch and the 12 acre lake at Hill slough concern me. How will you handle the drainage problem between Emmington Kildeer and Scally Road.

2) My concern is that my parcel is under tidal action above the 10 foot contour line, and this ditch is going below the 10 foot contour line.

3) My concern is the 100 flood at this point.

I-8

74 (continued)

4) I'm concerned about where you are going to put the bridge across the 90 foot channel. The bridge is 164 feet wide. How much easement will be needed to allow for the bridge?

5) Public access to the Potrero Hills is a concern.

6) Will the ranchers be able to use the water out of the ditch for irrigation for farming, and produce agriculture for the needs of the people.

7) It concerns me that we will be charged a large amount for the water if we will be able to do this.

8) My concern is that agriculture continue for the needs of the people, that shipping if needed be allowed, like during World War II. The Rush Ranch was planted in grain, which was shipped from a warehouse at Rush landing. This is and was, agriculture providing for the needs of the people.

9) It concerns me that the farmers and ranchers rights be protected for producing cattle, sheep, horses from the desires of the duck hunters and Empire builders.

10) My concern is that this ditch will only be for the garbage company to haul their garbage up to the landfill in the Potrero Hills, and for the 200 privately owned duck clubs.

11) My concern is that the governor again has given all this money for just the rich, and the duck clubs.

12) Going back to the garbage being shipped up the ditch from San Francisco and Contra Costa, maybe this should be considered if the shipping can be done quietly and if the garbage is covered. The garbage trucks and vans are making too much impact on the wetlands and wildlife due to the importation of all garbage to this area. The garbage trucks are noisy, smelly, and are leaking.

13) My concern is that Easter is one of the best times in the marsh. It's important that the baby ducks make it to the slough or the Potrero Hills ditch. The garbage trucks and vans run them over and throw dust on the nesting birds.

74 (continued)

14) I am concerned about the speed limit and that there is no one to police the Potrero Hills. What will you do about this?

15) Where is Fish and Game and BCDC? It concerns me that the laws of the Suisun Marsh be protected.

16) I'm concerned about where Solano County is putting the Waste to Energy Recovery Plant? Is it going into the Potrero Hills? I do not want the bridge put where the pipeline to Travis Air Force Base was supposed to go. How will this be handled?

17) My concern is about how all this is going to work. We need food, electricity, fuel, the garbage company, agriculture, the wildlife and the marsh, wetlands and possibly shipping of fuel in time of war. We rely on seasonal fresh water.

18) When you put in the handicapped rest stop, I would like to see a cement ramp installed that leads down to the water.

19) I'm concerned about the PGE electric line in the marsh. How will this be handled?

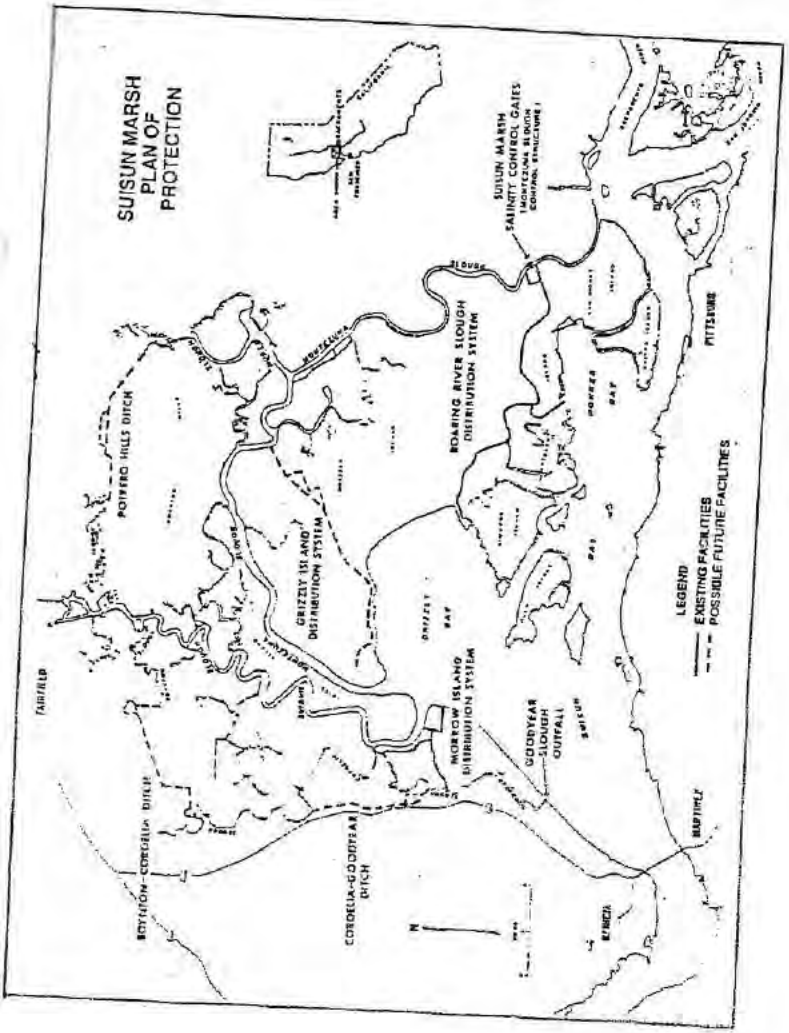
20) I'm concerned about groups who want to use and control other people's property to enhance their jobs, their sports and pleasures and leaving the real owners only one civil right, that of paying confiscating taxes. Will you protect us and our land and water, or must we resort to litigation and the courts?

Thank you for allowing the above to be added to the minutes of this meeting.

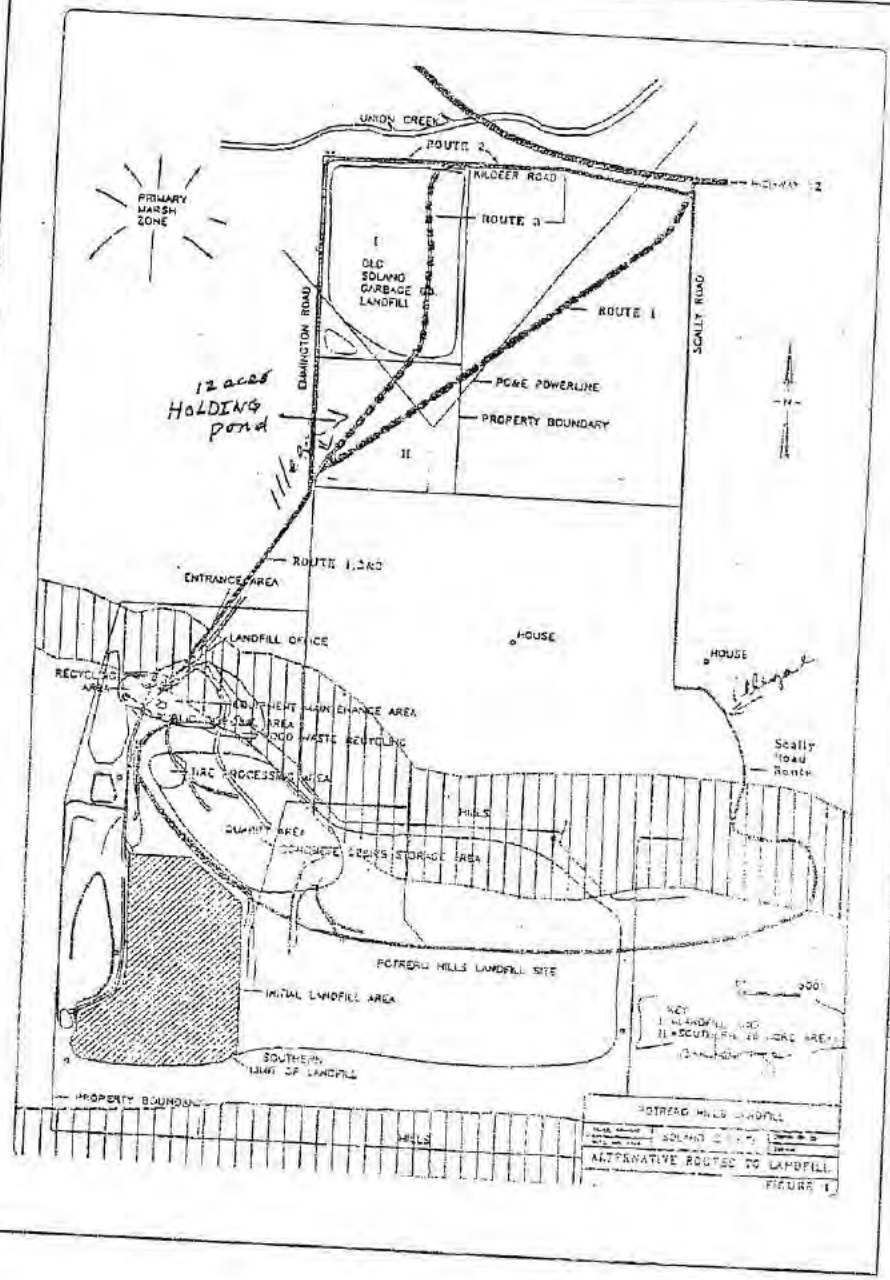
June Bonnicet Family

June Bonnicet

74 (continued)



74 (continued)



nonnajunebug

From: "Robert Hull" <RHull@baaqmd.gov>
To: "nonnajunebug"
Sent: Wednesday, April 16, 2003 9:02 AM
Subject: RE: Facility permit #A2039

June,

Thank you for your comment regarding Permit Condition #1948 part 7 (old conditions). The existing permit conditions for the landfill were completely removed and replaced by standard conditions that apply to all landfills in the Bay Area. However, after looking again at the old part 7 (on page 25 of the draft permit) I agree with you that this condition is specific to the Potrero Hills Landfill and should not be removed. I intend to incorporate the language about not accepting Class I wastes into part 1 of the new conditions. Thank you again for your participation in this process. Your comment will become part of the permanent record for the Title V permit application.

Ted Hull
Air Quality Engineer II
Bay Area Air Quality Management District
(415) 749-4919

-----Original Message-----
From: nonnajunebug [mailto:nonnajunebug@computronix.net]
Sent: Tuesday, April 15, 2003 8:33 PM
To: Robert Hull
Subject: Facility permit #A2039

April 15, 2003

Robert T. Hull
Bay Area Quality Management District
939 Ellis Street
San Francisco, CA 94109

June Guidotti
3703 Scally Road
Suisun, CA 94585

Subject: Potrero Hills Landfill, Inc. Permit A2039 Application 2774 Type of operation.
I want all of the conditions that have be crossed out to be left in the permit.

Dear Mr. Hull:

I, June Guidotti object to Potrero Hills Landfill taking and crossing out permit conditions for their VI permit.

Page 25, condition #1948 S-1: Solid Waste Landfill With Gas Collection System: Abated By Landfill Gas Flare A-2
1-8
Number 7. No Class I wastes be disposed on onsite without prior BAAQMD approval except for ash from a waste-to energy plant burning municipal waste, owned and operated by Solano Garbage Company under a BAAQMD permit. All other necessary State, Federal, and local permits must be obtained before such disposal is allowed.

Mr. Hull, I can not believe today Potrero Hills Landfill, Inc still tries to use my parcel of land to get their permit owned and operated and by Solano Garbage Company. June 13,1980 Solano Garbage Company option lapse on my ranch and so did their right to put the pyrolysis plant, that was tentatively scheduled for construction in the 1991-2000 period in.

I ask the Bay Area Air Quality Management District to denied their permit: I am asking for their permit, so I can put in the Pyrolysis plant that is long over. and put everything back in the permit that Larry Burch asked to be taken out. I am asking for a Public hearing, whatever it takes to express my point.

Sincerely,

June Guidotti

EXISTING AND PROPOSED PROJECTS

1 Cordelia Villages
2 Wastewater Pilot Project
3 Cordelia Commerce Park
4 Abernathy Road Interchange
5 Anheuser-Busch Brewery
6 Fairfield Subregional Sewage Treatment Plant
7 Fairfield Streams Project
8 Suisun Pacific Marina
9 Suisun Villages
10 Laurel Estates
11 Cold Springs Harbor
12 Suisun Slough Channel
13 Solano Garbage Company
14 Envirosol, Inc.
15 Explosives Technology Corp.
16 North Bay Aqueduct
17 Highway 12 Improvements
18 East Bay Municipal Utilities District Aqueduct
19 Atlantic Richfield Petrochemical Plant
20 Dow Petrochemical Plant
21 PG&E Power Plant
22 National Steel Co.-SP Transportation Co. Property
23 Shell Natural Gas Pipeline
24 Benicia Industrial Park

Pipeline .....
Aqueducts ----
Highway Improvements ||||||||
Present Dredged Channel & Proposed Flood Control Project —·—·—

1 0 1 2 3 miles
1 0 1 3 5 kilometres

San Francisco Bay Conservation and Development Commission

N

Figure 10

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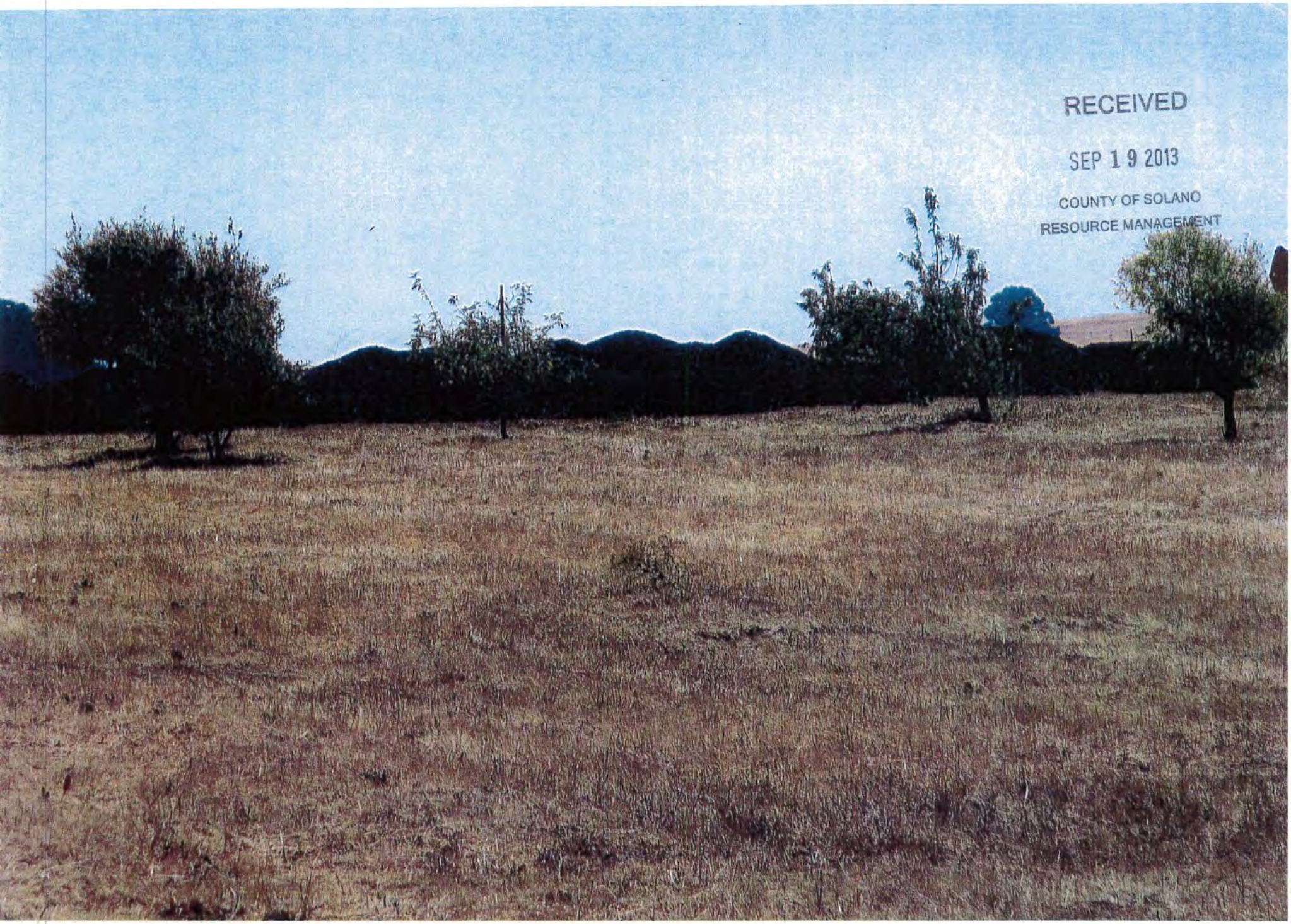
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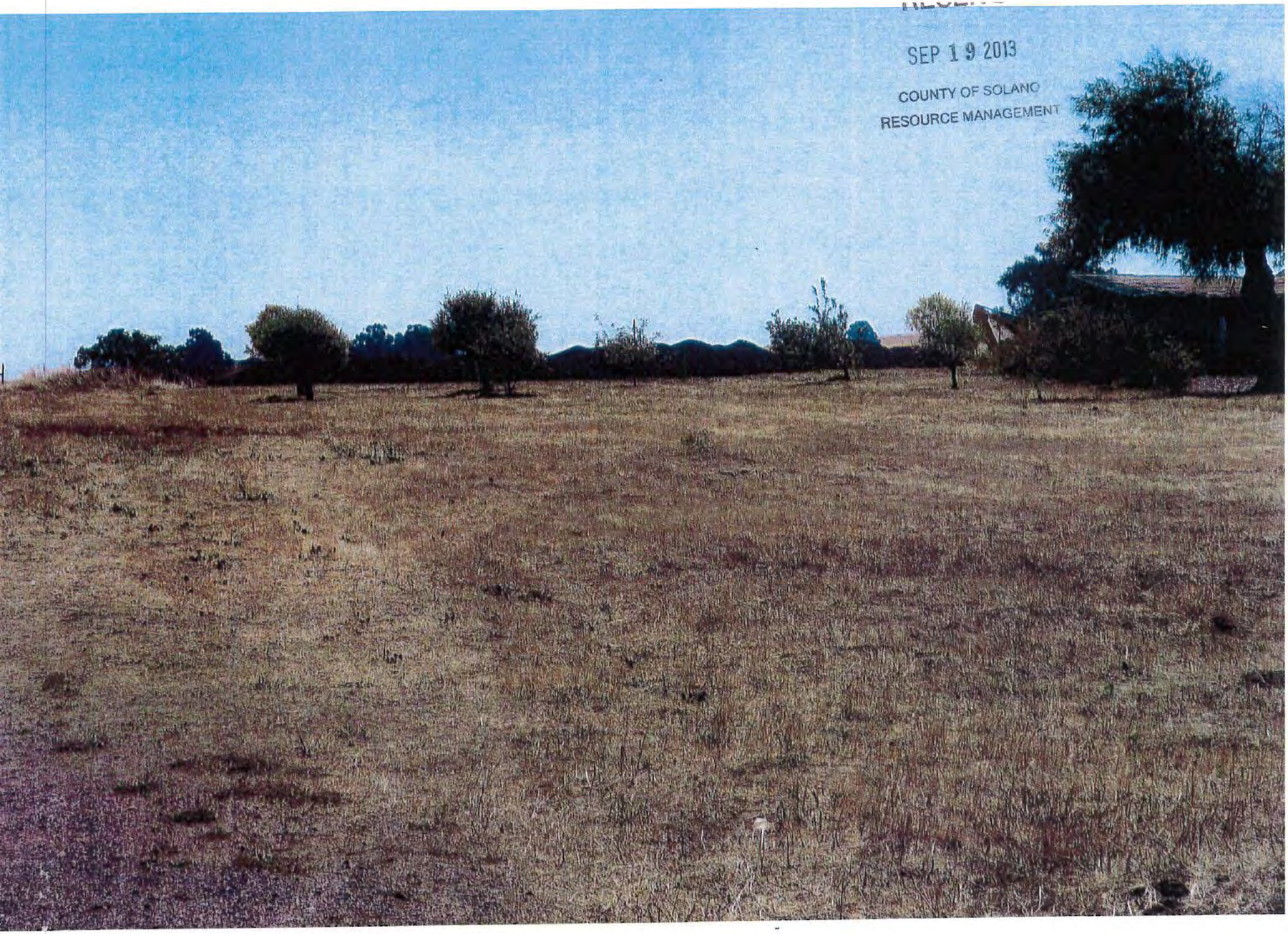

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