



# County of El Dorado

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## Legislation Text

File #: 12-0455, Version: 1

Chief Administrative Office recommending the Board approve the attached budget transfer moving \$4,342,195 in General Funds to an Environmental Management special revenue fund to cover ongoing costs related to the Meyers Landfill Closure (4/5 vote required) .

### FUNDING: General Fund.

BUDGET SUMMARY:		
Total Estimated Cost		\$4,342,195
Funding		
Budgeted	\$	
New Funding	\$	
Savings	\$	
Other - General Fund loan	\$4,342,195	
Total Funding Available	\$	
Change To Net County Cost		\$4,342,195

Fiscal Impact/Change to Net County Cost: Through the continuing Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) litigation, the County has contributed money for construction of the closure of the former Meyers landfill site and has performed this construction work pursuant to a partial consent decree with the Forest Service. The County obtained funding in part from the County's insurance carriers, Third Party Settlements, and closure grant funding from CalRecycle (formerly the California Integrated Waste Management Board). Furthermore, during the FY 2011-12 budget hearings the Board took action to appropriate a designation in the amount of \$4,342,195 for the Meyers Landfill closure. It is anticipated that an additional \$1,980,067 will be needed to complete the project. This additional funding will be appropriated as a temporary loan of funding from other General Fund budget appropriations in FY 2012-13 until it can be recovered from the USFS or if necessary ERRG (USFS's engineering firm responsible for the closure design). Failure to payback this temporary loan will adversely impact other services provided by General Fund appropriations.

The federal court has granted the County's Motion for Construction, Enforcement, and Modification of the Partial Consent Decree. The Forest Service has appealed this order to the Ninth Circuit Court of Appeals. If affirmed by the Court of Appeals, a hearing will be scheduled to determine the potential amount of the additional construction costs due to the large number of issues, errors, and omissions with the Final 100% Remedial Design the County may recover from the US Forest Service.

Action to be taken following Board approval: Board chair will sign budget transfer and forward to the

Auditor's office for processing.

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