

CEQA FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS

Solid Waste Integrated Resources Plan

City of Los Angeles, California

EIR-10-026-BS
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Prepared for
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1.0 INTRODUCTION

A Final Program Environmental Impact Report (hereafter “Final Program EIR” or “Final PEIR”) has been prepared pursuant to the California Environmental Quality Act (CEQA) to address the potential environmental impacts of the proposed Solid Waste Integrated Resources Plan (SWIRP) and associated actions (hereafter “Proposed Project”) considered by the City of Los Angeles (City) in connection with its public consideration of requested approvals for the Proposed Project. While the full scope of the Proposed Project and associated approvals are detailed further in Section 1.1 Proposed Project, the Proposed Project generally consists of the Solid Waste Integrated Resources Plan, a long-range master plan for solid waste and solid resources management in the City. It establishes policies, programs, and infrastructure needed to maximize waste prevention, recycling, and resource recovery, and reduce landfilling. SWIRP is consistent with the City Council objectives of waste prevention, recovery of resources, and reduced landfilling established through various City Council policies and directives since 2005.

The Final Program EIR also analyzed the environmental impacts of a range of project alternatives. The Final Program EIR and its technical appendices are incorporated herein by reference as though fully set forth.

1.1 PROPOSED PROJECT

The Proposed Project is a programmatic plan to provide a series of policies, programs, and facilities required to reach the City’s goals of 75 percent diversion by 2013 and 90 percent diversion by 2025 in the City of Los Angeles. SWIRP has six components for full implementation of the project objectives. These six components will be expanded to improve solid waste management, increase landfill diversion, and accommodate growth. They include the following:

- (1) Expansion of Existing Residential and Commercial Programs
- (2) Implementation of New Downstream Policies and Programs
- (3) Implementation of Mandatory Participation Programs
- (4) Adoption of Upstream Policies
- (5) Development of Processing Facilities
- (6) Disposal of Remaining Residual Waste¹ at Local or Remote Landfills

Expansion of Existing Residential and Commercial Programs

Existing programs for managing residential and commercial solid waste and diverting this waste from landfills will be expanded under SWIRP. These programs include: four-bin collection for residential curbside customers; processing and composting of yard trimmings and making the mulch available free of charge to City residents at City giveaway locations; blue bin recycling for multi-family buildings and schools; commercial recycling technical assistance available to all commercial and institutional generators in the City; and restaurant food scraps collection.

¹“Residual waste” refers primarily to the discarded materials that remain after reducing, reusing, recycling, and composting; or after processing the materials through a mixed materials processing facility.

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Expansion of other existing programs are intended to further improve solid waste management, increase landfill diversion, and accommodate growth in the City.

These programs include mandatory processing of all construction and demolition (C&D) loads at certified C&D facilities; Alternative Clean Fuel Program for powering the City's collection vehicles with clean burning engines; and seven Solvents/Automotive/Flammables/Electronics (S.A.F.E.) centers for proper management of household hazardous wastes throughout the City.

The City has implemented several new policies and programs since the initiation of SWIRP, including: (1) implementing the food scrap pilot program for 8,700 households (implemented in September 2008); (2) implementing the Environmentally Preferred Purchasing ordinance (approved by the City Council on June 12, 2009); and (3) adopting the C&D ordinance (approved by the City Council on December 17, 2010).

Implementation of New Downstream Policies and Programs

“Downstream” addresses policies and programs for collection, processing, diversion, and disposal of waste, after it is generated. Programs to achieve zero waste include: adding textiles to the blue bin program; partnering with non-government organizations to divert textiles; adding food scraps to the green bin program; and requiring private solid waste collection service providers to ensure that their multi-family and commercial customers have access to recycling collection services.

Commercial and Multi-Family Private Hauler Franchise Initiative

Effective July 2012, Assembly Bill (AB) 341 required mandatory recycling for commercial businesses and public entities that generate four cubic yards or more of solid waste per week and multi-family complexes with five units or more. In 2012, the City Council indicated its intention to move from the current private waste hauler permit system to a franchise system for the collection of waste from both multi-family and commercial properties, not collected by the City of Los Angeles Bureau of Sanitation (LASAN). The franchise system is intended to help the City reach its Zero Waste goals, with elements such as maximum disposal amounts per zone, aggressive diversion programs, including outreach and education, clean fuel requirements, and worker health and safety requirements, to be administered by LASAN.

Implementation of Mandatory Participation Programs

Mandatory participation programs are intended to motivate all generators within the City (residential, commercial, governmental, institutional, and industrial generators) to separate materials at their homes or businesses, and place them in the appropriate blue bin, green bin, or other appropriate collection bins on a regular basis. Some of these programs include mandatory recycling and organics separation; requiring transfer stations and landfills to provide resource recovery centers; and increased diversion requirements at C&D facilities.

Adoption of Upstream Policies

Policies that would minimize amount of waste prior to the point of generation are defined as “upstream.” One of these policies, Extended Producer Responsibility (EPR) is a strategy for encouraging manufacturers to take responsibility for the end-of-life of their products. Other upstream policies may include material bans, such as single-use plastic bags and expanded polystyrene (EPS) foam ban.

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Development of Processing Facilities

SWIRP also identifies development of future facilities to meet the City's waste management needs through 2030. These facilities are:

- **Blue Bin Facilities** – Facilities capable of processing source-separated recyclable and reusable materials. Examples of blue bin facilities include material recovery facilities (MRFs) for commingled recyclable materials, and resource recovery centers for self-hauled materials.
- **Green Bin Facilities** – Facilities capable of processing yard trimmings, food scraps, and other compostable materials (e.g., food-soiled paper), either source-separated by generators or sorted from residual waste at a processing facility. Examples of green bin facilities include mulching, composting, and anaerobic digestion facilities for source-separated organics.
- **Black Bin Facilities** – Facilities capable of processing residual waste from residential black bins, commercial waste sources, or residual waste from processing facilities. These facilities are also known as alternative technology facilities. Examples of black bin facilities include, but are not limited to, automated mixed material processing facilities, advanced thermal recycling (second generation waste-to-energy), thermal facilities (such as gasification and pyrolysis), and anaerobic digestion facilities. Black bin processing facilities target residential and commercial residual waste, and residual waste that remains after recycling and composting (materials disposed of in blue bins and green bins that are unsuitable for processing).

Full implementation of the SWIRP policies and programs would require the construction and operation of the following additional blue bin, green bin, and black bin facilities:

- (1) One large-scale composting facility or six small-scale composting facilities
- (2) Three clean material recovery facilities
- (3) One resource recovery center
- (4) Five alternative technology facilities

Disposal of Remaining Residual Waste at Local or Remote Landfills

After implementing various policies and programs, and constructing as needed facilities to achieve the goals of SWIRP, there will be a need to transport and dispose of residual waste at landfills, including:

- **Local Landfill, Truck Haul** – Landfills located within the local region that can accept residual waste transported from the City. This residual waste can either be direct-hauled to the landfill by refuse collection trucks, or trans-loaded to transfer trucks at local transfer stations.
- **Remote Landfills, Truck Haul** – Landfills located outside the local region that can accept residual waste from the City. This residual waste is transported by transfer trucks from local transfer stations to remote landfills.
- **Remote Landfill, Rail Haul** – Landfills located outside the local region that can accept residual waste from the City. This residual waste is transported by rail. Rail haul infrastructure may include, but is not limited to the construction of new and/or expanded facilities such as rail transfer stations, intermodal facilities, rail yards, rail tracks and spurs, loading docks, rail right of way and service contracts, and other associated infrastructure.

1.2 PROJECT OBJECTIVES

The objectives of SWIRP represent the City's policies and the guiding principles identified during the stakeholder process conducted during the preparation of SWIRP, and are as follows:

- Achieve a 75 percent landfill diversion rate for solid waste by 2013
- Achieve a 90 percent landfill diversion rate for solid waste by 2025
- Protect public health and the environment
- Make the City a leader in implementing Zero Waste practices
- Promote manufacturer and consumer responsibility
- Provide incentives for reducing, reusing and recycling
- Increase recycling by providing convenient opportunities for residents, businesses and institutions to participate
- Find diversion solutions that are both economically efficient and environmentally preferable
- Promote education and conduct outreach to decrease wasteful consumption and to increase recycling
- Invest in new, safe alternative technologies for energy and resource recovery
- Provide solutions that are equitable and do not unfairly reward or penalize one community over another

1.3 PURPOSE OF CEQA FINDINGS

CEQA Findings play an important role in the consideration of projects for which an EIR is prepared. Under **Public Resources Code §21081** and **CEQA Guidelines §15091**, where a final EIR identifies one or more significant environmental effects, a project may not be approved until the public agency makes written findings supported by substantial evidence in the administrative record as each of the significant effects. In turn, the three possible findings specified in **CEQA Guidelines §15091(a)** are:

- (1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.*
- (2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.*
- (3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.*

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CEQA Guidelines §15092(b) provides that no agency shall approve a project for which an EIR was prepared unless either:

1. The project as approved will not have a significant effect on the environment, or
2. The agency has:
 - a. Eliminated or substantially lessened all significant effects on the environment where feasible as shown in the findings under Section 15091, and
 - b. Determined that any remaining significant effects on the environment found to be unavoidable under Section 15091 are acceptable due to overriding concerns as described in Section 15093.

2.0 FINDINGS OF SIGNIFICANT IMPACTS, REQUIRED MITIGATION MEASURES AND SUPPORTING FACTS

The City, having reviewed and considered the information contained in the Final PEIR, finds pursuant to Public Resources Code §21081(a) (1) and Guidelines §15091(a) (1) that changes or alterations have been required in, or incorporated into, the Project which would mitigate, avoid, or substantially lessen the following potential significant environmental effects identified in the Final PEIR.

2.1 AESTHETICS

2.1.1 SWIRP Policy and Programs

- A. **No Impact.** As summarized in Table 4.1-2 of the Final PEIR, the proposed policies and programs are not anticipated to have a significant aesthetic impact. In some instances, proposed policies and programs could actually result in a potential beneficial impact. For example, the “single-use bag ban” can potentially reduce the amount of plastic bag pollution.
- B. **Facts in Support of Finding (1).** Table 4.1-2 in the Final PEIR summarizes impacts by SWIRP programs and policies on aesthetics, namely impacts due to Downstream Policies and Programs, Mandatory Participation Programs, Upstream Policies, and Disposal of Remaining Residual Waste. These policies and programs will not directly impact aesthetics and visual resources.

2.1.2 SWIRP Facilities

- A. **Potentially Significant Impact.** Development of Processing Facilities when implemented in the future could result in a substantial adverse effect on a site-specific scenic vista, a scenic resource, or the surrounding visual character dependent on the ultimate facility design appearance and if the facility is located where an area’s valued aesthetic image may be modified.

Future facilities are expected to meet all Federal, State and Local zoning requirements as determined within a project-specific area. For example, Alternative Technology facilities located within the City of Los Angeles may be located in heavy industrial (M3), light industrial (M2), and Public Facility (PF) zones through a Conditional Use Permit. The prevailing building code/zoning code for building heights and setbacks within the zoning districts will apply to these facilities. Future SWIRP facilities will be constructed in accordance with the height limitations outlined within Section 12.21.1 through 12.21.5 of the City’s Municipal Code.

Outside of the City, land use provisions and regulations for the siting of solid waste facilities would adhere to the respective jurisdiction’s public facilities plan and its municipal code used to regulate performance objectives, noise levels, land use compatibility, and other land use and community planning issues.

- B. **Facts in Support of Finding (1).** The Proposed Project’s aesthetic impact related to having a substantial adverse effect on visual character for future SWIRP facilities would be mitigated to a level less than significant with the implementation of Mitigation Measures VR-1 through VR-7 provided below from the Final PEIR.

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Obstruction of Views

- A. Potentially Significant Impact.** The potential for future SWIRP facilities to result in the change, removal, or degradation of the nature and quality of scenic highway, corridor, historic parkway, or other recognized or valued view from a length of a public roadway, bike path, or trail is unknown as the exact location of future SWIRP facilities is unknown at this time. Future facilities should be sited within an appropriate zoning district and located in an area where views of designated scenic highways, corridors, parkways, bike paths and fixed vantage points would not be obstructed.
- B. Facts in Support of Finding (1).** The Proposed Project's aesthetic impact related to having a substantial adverse effect on views would be mitigated to a level less than significant with the implementation of Mitigation Measures VR-6 through VR-7 provided below from the Final PEIR.

Lighting, Glare, and Nighttime Illumination

- A. Potentially Significant Impact.** Development plans for future SWIRP facilities are subject to all applicable general plans, specific plans, zoning ordinances, or other land use plans that govern building design and development standards, including lighting.
- B. Facts in Support of Finding (1).** The Proposed Project's significant aesthetic impact related to having a substantial adverse effect on lighting, glare, and nighttime illumination would be mitigated to a level less than significant with the implementation of Mitigation Measures provided below from the Final PEIR. Particularly, Mitigation Measure VR-2 includes a requirement to shield lighting to minimize night sky pollution.

Facts in Support of Finding (2). All future SWIRP facilities will be subject to additional environmental reviews under CEQA and the City of Los Angeles CEQA Thresholds Guide. The potential for site-specific impacts to aesthetics and visual resources would be analyzed and identified as part of the project-level analysis. Building materials for the facilities would most likely not be a reflective substance that would pose a significant problem with glare. Future facilities would include some type of outdoor lighting for security purposes, but on site lighting should be oriented to avoid light spillage from the project site onto adjacent properties or light sensitive areas.

C. Mitigation Measures

- VR-1** Future facilities shall be sited within the zoning districts outlined in Table 4.1-4 of the Final PEIR and designed in accordance with all applicable land use planning documents. For areas outside of the City of Los Angeles, facilities shall be sited in accordance with all applicable zoning and planning restrictions. To the greatest extent possible, future facilities shall be sited in areas not identified as visually significant or historic.
- VR-2** Future facilities shall include design features that allow the facility to blend in with nearby buildings. These design features may include but are not limited to:
- Landscape screening (i.e., use of tall trees or shrubs around the perimeter)
 - Neutral wall or fencing that obstructs the view of the facility from the nearby roads
 - Use of varying facades to break up bulk and scale
 - Building materials that minimize glare potential

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- Shielded lighting so as to minimize spillage to adjacent parcels and minimize night sky pollution
- Modifying structure design to eliminate or screen contrasting/detracting features
- Utilizing architectural styles, materials, scale, massing, setbacks, signage, circulation patterns, pedestrian orientation, streetscape amenities, and landscaping common to and/or consistent with the character of existing surrounding uses

VR-3 Existing natural aesthetic features proposed for removal shall be replaced.

VR-4 Grading of natural and semi-natural open space shall be minimized to the maximum extent.

VR-5 Design features shall be incorporated into the project which effectively integrates natural aesthetics (i.e., cluster development, greenbelts, landscaping, etc.).

Obstruction of Views

VR-6 New utilities shall be placed underground, where appropriate.

VR-7 Rooftop mechanical equipment, garbage dumpsters, and other outdoor equipment shall be screened from public view.

2.2 AGRICULTURE AND FORESTRY RESOURCES

2.2.1 SWIRP Policy and Programs

A. No Impact. The majority of the proposed policies and programs are not anticipated to have a significant impact on agriculture or forestry resources. In some instances, proposed policies and programs could actually result in a decreased demand for forest resources, thereby providing a potential beneficial impact. For some policies, such as was done for the ban on single-use bags within the City, the City will prepare separate CEQA analyses.

B. Facts in Support of Finding (1). Table 4.2-2 in the Final PEIR summarizes impacts by SWIRP programs and policies on Agriculture and Forestry Resources. In some instances, future SWIRP programs and policies may require separate CEQA analyses.

2.2.1 SWIRP Facilities

Farmland Mapping and Monitoring Program (FMMP) Lands/Agricultural Land Conversion

A. Potentially Significant Impact. The potential for these future facilities to convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the FMMP, to non-agricultural use is unknown. If future sites include locations that support FMMP-classified land, then there is a potential for a significant impact.

As future facilities are proposed, they would be subject to additional environmental reviews pursuant to CEQA. The future review could include an additional analysis which may include use of the Agricultural Land Evaluation and Site Assessment (LESA) system to help decision-makers determine

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the quality of land for agricultural uses and assess sites or land areas for their agricultural economic potential and if any such conversion would result in a significant impact.

- B. Facts in Support of Finding (1).** Implementation of the mitigation measures identified in Section 4.2.5, AG/FOR-1 through AG/FOR-3 provided below from the Final PEIR would reduce potential impacts to a less than significant level.

Williamson Act and Agricultural Land Conflict

- A. Potentially Significant.** Since the specific location of future facilities have not been identified, the potential for these future facilities to conflict with existing zoning for agricultural use or a Williamson Act contract is unknown. As future facilities are proposed, they would be subject to additional reviews pursuant to CEQA, at which time additional environmental review to identify conflicts with existing zoning or Williamson Act contracts would occur.
- B. Facts in Support of Finding (1).** Implementation of the mitigation measures identified in Section 4.2.5, AG/FOR-3 would reduce potential impacts to a less than significant level.

Forest and Timberland Zoning/Conversion

- A. Potentially Significant.** The potential for future SWIRP facilities to result in the conversion of farmland to non-agriculture use or conversion of forest land to non-forest use is unknown. If future sites include locations that are adjacent to existing agricultural or forest lands, then there is potential for a significant impact. As future facilities are proposed, they would be subject to additional environmental reviews pursuant to CEQA to determine impacts due to conversion of agriculture or farmland.
- B. Facts in Support of Finding (1).** Implementation of the mitigation measures identified in Section 4.2.5, AG/FOR-4 would reduce potential impacts to a less than significant level.

C. Mitigation Measures

- AG/FOR-1** Future facilities shall be sited away from Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. If facilities are sited on such farmland, impacts to the farmland shall be mitigated at a 1:1 ratio or through payment of fees into an agricultural conservation trust. Proof of agricultural land acquisition or fee payment shall be provided to the local jurisdiction that is issuing the grading permit. The Planning Director of that local jurisdiction shall confirm that the land has been acquired or fees paid.
- AG/FOR-2** Future facilities shall be sited away from lands under a Williamson Act Contract or within a Farmland Security Zone to the maximum extent.
- AG/FOR-3** Future facilities (except for composting facilities) shall be sited away from areas that are zoned for agricultural use to the maximum extent possible.
- AG/FOR-4** Future facilities shall be sited away from areas zoned for Timberland Production to the maximum extent. If facilities are sited on such farmland, impacts to the farmland shall be mitigated at a 1:1 ratio or through payment of fees into a forest conservation trust.

2.3 AIR QUALITY

2.3.1 SWIRP Policy and Programs

- A. Less than Significant Impact.** The majority of the proposed policies and programs are not anticipated to have a significant impact on air quality. The proposed policies and programs result in a decrease in landfill-related emissions, thereby providing a potential beneficial impact. Implementation of some of the policies and programs identified in SWIRP will result in additional blue bin and green bin pick ups as the programs expand recycling and composting. At this time, the number of trucks and their ultimate destination for the increased blue bin and green bin materials is unknown, thus a policy-specific air quality analysis cannot be conducted. South Coast Air Quality Management District Rule 1193 (Clean On-Road Residential and Commercial Refuse Collection Vehicles) requires solid waste collection fleet operators to acquire alternative-fuel refuse collection vehicles. This helps minimize any air quality impacts related to a potential increase in truck trips. Therefore, impacts are expected to be less than significant.
- B. Facts in Support of Finding (1).** The impacts of the proposed SWIRP policies and programs related to air quality are summarized in Table 4.3-14 in the Final PEIR. In some instances, future SWIRP programs and policies may require separate CEQA analyses.

2.3.2 SWIRP Facilities

- A. Potentially Significant Impact.** The potential air quality impacts associated with the implementation of SWIRP are primarily associated with the construction and operation of the future facilities that would be required to process the additional materials that would be diverted from the landfill. These proposed SWIRP facilities have the potential to generate short-term and long-term air quality impacts. The short-term impacts are associated with the construction of the proposed facilities, while the long-term impacts may result from the truck traffic which transports the waste material and emission generating equipment located at each facility. Construction emissions include airborne dust from grading, demolition, dirt hauling, and gaseous emissions from heavy equipment, delivery and dirt hauling trucks, employee vehicles, and paints and coatings associated with facility construction. Operational emissions include all emissions associated with the operations of a future facility, including vehicle trips (employee, vendor and trucks), as well as emissions from equipment operations. Specific locations for the future materials processing facilities have not been identified at this time. Therefore, future site-specific CEQA analysis would be necessary to determine actual facility-specific air quality impacts.
- B. Facts in Support of Finding (1).** Implementation of the Mitigation Measures AQ-1 and AQ-21 provided below will reduce air quality impacts. However, depending on the locations of future facilities, construction and operational impact will be potentially significant, even with the incorporation of mitigation measures.

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C. Mitigation Measures

Construction-Related Emissions

- AQ-1** Future facilities within the SCAQMD shall prepare and implement a fugitive dust control program pursuant to the provisions of SCAQMD Rules 402 and 403 prior to any ground disturbance. For future facilities outside of the SCAQMD, adherence to any applicable fugitive dust control programs shall be required.
- AQ-2** Minimize combustion emissions during construction activities.
- AQ-3** Low VOC paintings and coatings shall be used on future facilities.
- AQ-4** Excavation, grading, and other construction activity shall be limited to one activity or phase at a time.
- AQ-5** Hours of operation of heavy-duty equipment shall be limited to a maximum of 8 hours per day, 5 days per week.
- AQ-6** Fossil-fueled equipment shall be replaced with electrically-driven equivalents (provided they are not run via a portable generator set) or clean fuel options, to the maximum extent practicable.
- AQ-7** All diesel engines shall be shut off when not in use to reduce emissions from idling.
- AQ-8** Curtail construction during periods of high ambient pollutant concentrations; this may include ceasing construction activity during the peak hour of vehicular traffic on adjacent roadways and “Spare the Air Days” declared by the SJVAPCD. Note that land within the 100-mile project study area falls within the SJVAPCD.
- AQ-9** Implement activity management (e.g., rescheduling activities to reduce short-term impacts) to minimize concurrent operation of construction equipment and concurrent construction of project phases.
- AQ-10** During the smog season (May through October), lengthen the construction period to minimize the vehicles and equipment operating at the same time.
- AQ-11** Minimize the obstruction of traffic on adjacent roadways.
- AQ-12** Power construction equipment with diesel engines fueled by alternative diesel fuel blends or ultra-low sulfur diesel (ULSD). Only fuels that have been certified by the ARB should be used. The ARB has verified specific alternative diesel fuel blends for NO_x and PM emissions reduction. The applicant also should use ARB-certified alternative fueled (e.g., compressed natural gas, liquid natural gas (LNG), liquid propane gas, electric motors, or other ARB-certified off-road technologies) engines in construction equipment where practicable.
- AQ-13** Use construction equipment that meets the current off-road engine emission standard (as certified by the ARB) or that is re-powered with an engine that meets this standard. Tier I,

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Tier II, and Tier III engines have significantly less NO_x and PM emissions compared with uncontrolled engines.

Facility-Related Emissions

- AQ-14** During the facility design phase, a review of local AQMD rules shall be conducted to determine site-specific permit requirements for waste processing or handling facilities that may emit or potentially emit VOCs, particulates, CO, NO_x, or SO_x. Emissions of non-conventional pollutants² and Hazardous Air Pollutants (HAPs) (Title V-Major Sources) shall comply with federal and state permitting rules.
- AQ-15** Future facility applicant(s) shall properly maintain ROG emission control devices within the gasoline/fueling dispensing station.
- AQ-16** Future facility applicant(s) shall ensure combustion operational emissions are minimized.
- AQ-17** All diesel truck operators shall strictly abide by the applicable state law requirements for idling. Idling of the primary engine shall be limited to five minutes.
- AQ-18** An odor analysis shall be prepared as part of future project-specific air quality analysis. Should the odor analysis identify the potential for impacts, the facility shall incorporate odor-reducing design features. Such features could include, but are not limited to:
- Provision of exhaust fans to provide multiple air exchanges every hour
 - Treatment of air leaving the building by an odor neutralizing misting system
 - Maintaining negative pressure at the building entrances to minimize the amount of untreated air leaving the building
- AQ-19** Energy-efficient design will be provided for buildings, including automated control systems for heating, air conditioning, and energy efficiency beyond California Code of Regulations (CCR) Title 24 (California Building Standards Code) requirements, lighting controls and energy-efficient lighting in buildings, increased insulation beyond Title 24 requirements, and light-colored roof materials to reflect heat.
- AQ-20** Landscaping shall be used to maximize building protection from energy-consuming environmental conditions and to shade paved areas. Such landscaping could include planting of shade trees to shade 50 percent of paved areas within 15 years and planting deciduous trees on the south- and west-facing sides of buildings.
- AQ-21** Implement measures to reduce the amount of vehicle traffic to and from future facilities. This could include provisions such as encouraging employees to rideshare or carpool to the project site, or incentives for employees to use alternative transportation.

² Air pollutants other than particulate matter, CO, VOCs, NO_x, and SO_x.

2.4 BIOLOGICAL RESOURCES

2.4.1 SWIRP Policy and Programs

- A. No Impact.** SWIRP policies and programs; namely, Downstream Policies and Programs, Mandatory Participation Programs, Upstream Policies, and Disposal of Residual Waste will not directly impact Biological Resources. The implementation of these programs and policies may result in project-level impacts through facility expansion or construction of new facilities.
- B. Facts in Support of Finding (1).** The impacts of proposed SWIRP policies and programs to biological resources are summarized in Table 4.4-2 in the Final PEIR. In some instances, future SWIRP programs and policies may require separate CEQA analyses.

2.4.2 SWIRP Facilities

Facility Impacts

- A. Potentially Significant Impact.** If all policies and programs for SWIRP are implemented, the proposed project would result in the construction of new facilities. For example, approximately 133 to 163 acres may need to be developed for composting facilities. Potential impacts may occur to biological resources due to the expansion or construction of these facilities.
- B. Facts in Support of Finding (1).** The proposed project's potentially significant impact to biological resources would be mitigated to a less than significant level with the implementation of Mitigation Measures BIO-1, BIO-2, and BIO-3 provided below.

Wildlife Corridors

- A. Potentially Significant Impact.** The construction of new SWIRP facilities has the potential to interfere with existing wildlife movement, migration corridors, or habitat connectivity, and impacts would be potentially significant.
- B. Facts in Support of Finding (1).** With the implementation of Mitigation Measures BIO-1, BIO-2, and BIO-3 provided below, impacts to wildlife movement/migration corridors would be mitigated to a less than significant level.

Habitat and Sensitive Species

- A. Potentially Significant Impact.** Any proposed facility location that involves earth-disturbing activities, including grubbing and grading, has the potential to impact the special-status plants and/or animals listed in Appendix D of the Final PEIR. If new SWIRP facility sites are located in areas that could potentially support federal and/or state-listed species or include federally designated Critical Habitat Areas then impacts to biological resources would be potentially significant.
- B. Facts in Support of Finding (1).** With implementation of Mitigation Measures BIO-1 and BIO-2 provided below, impacts to habitat and sensitive species would be mitigated to a less than significant level.

Wetland Habitat

- A. Potentially Significant Impact.** Any proposed facility location that involves earth-disturbing activities, including grubbing and grading, has the potential to impact jurisdictional waters of the U.S. and/or the State, including wetland habitats. Impacts to wetland habitats would be potentially significant.
- B. Facts in Support of Finding (1).** With the implementation of Mitigation Measures BIO-1 and BIO-2 provided below, impacts to wetland habitat would be mitigated to a less than significant level.

C. Mitigation Measures

- BIO-1** Prior to the approval of any new project component or facility that could result in earth-disturbing activities (e.g., grubbing, grading), a qualified Biologist shall conduct a habitat assessment to evaluate the site's potential to support special status plant and wildlife species and jurisdictional wetlands/waters. To the extent feasible, the location(s) of all new project facilities shall be on previously disturbed or developed sites and shall avoid undisturbed, high-quality, natural habitat that supports special status biological resources, areas that are used for regional or local wildlife movement, and jurisdictional wetlands and associated waters. If the habitat assessment determines that there is the potential for significant impacts to any biological resources, additional surveys and/or documentation would be required pursuant to CEQA and Mitigation Measure BIO-2.
- BIO-2** If it has been determined that a proposed project component or facility has the potential for significant impacts to any biological resources, then prior to commencement of any earth-moving activities, the City shall conduct the appropriate focused survey(s) to determine the presence or absence of special status species (i.e., plant and/or wildlife surveys) that could be significantly impacted by the proposed project. If special status species are identified on or adjacent to the facility site, then appropriate avoidance and/or mitigation measures shall be implemented, as approved by the resource agencies with jurisdiction over that species and subject to the necessary permits under FESA, CESA, the California Fish and Game Code, and other applicable regional or local regulations or plans, and ensure that impacts would be less than significant after mitigation. If any jurisdictional wetlands or associated waters are identified, appropriate avoidance and/or mitigation measures shall be implemented as approved by the resource agencies, and subject to the necessary permits under the Section 404 of the Clean Water Act issued by U.S. Army Corps of Engineers, Section 401 of the Clean Water Act (Water Quality Certification) issued by the Regional Water Quality Control Board, and Section 1600 of the California Fish and Game Code, and ensure that impacts would be less than significant after mitigation.
- BIO-3** All project-related ground-disturbing activities shall comply with all applicable federal, state, regional, and local biological resource protection regulations in order to avoid and/or minimize potential impacts to biological resources including, but not limited to, use of BMPs during construction and in the design of project facilities; protection of native trees as required by local tree ordinances; and pre-construction nesting bird surveys and nesting raptor surveys (if appropriate based on season and habitat present) in compliance with the Migratory Bird Treaty Act and/or California Department of Fish and Game regulations.

2.5 CULTURAL RESOURCES

2.5.1 SWIRP Policy and Programs

- A. No Impact.** SWIRP proposes a variety of policies and programs to increase recycling and to increase diversion from landfills. None of the policies would result in direct impacts on cultural resources; however, depending on phasing and implementation, certain policies may result in project-level impacts through facility expansion or construction of new facilities.
- B. Facts in Support of Finding (1).** The impacts of proposed SWIRP policies and programs to cultural resources are summarized in Table 4.5-2 in the Final PEIR. In some instances, future SWIRP programs and policies may require separate CEQA analyses.

2.5.2 SWIRP Facilities

Archaeological Resources

- A. Potentially Significant Impact.** Depending on the combination of facilities that would be constructed, ground-disturbing activities could impact acres of land. Any proposed facility that involves earth-disturbing activities, such as grading and excavation, has the potential to impact significant archaeological resources and/or has the potential to cause adverse change to archaeological sites, if such resources are present in the location where the facilities are proposed.
- B. Facts in Support of Finding (1).** The objectives, policies, and programs identified in the City's Conservation Element of its General Plan, are the baseline through which to consider mitigation measures for significant archaeological resources, impacted by the proposed project pursuant to CEQA.

Facts in Support of Finding (2). Mitigation Measure CR-1 requires that prior to ground disturbing projects in native sediments with the potential for producing archaeological materials, or projects located near known cultural resources, a Phase I study must be performed. If archaeological sites or resources are discovered as a result of the Phase I study, a Phase II study of the significance of any prehistoric material that is present must be undertaken. If the Phase II study indicates that a significant site is present, the qualified archaeologist shall determine appropriate actions, in cooperation with the City, for preservation and/or data recovery of the resource. Implementation of CR-1 would ensure that potential impacts to archeological resources would be less than significant.

Paleontological Resources/Unique Geologic Features

- A. Potentially Significant.** Specific SWIRP projects may impact significant fossil resources if they are exposed during project-related earth-moving activities.
- B. Facts in Support of Finding (1).** The objectives, policies, and programs identified in the City's Conservation Element of its General Plan, are the baseline through which to consider mitigation measures for significant paleontological resources, impacted by the SWIRP program, pursuant to CEQA.

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Facts in Support of Finding (2). Mitigation Measure CR-2 will be implemented prior to ground disturbing projects in areas where alluvial sediments and/or bedrock formations are anticipated to be encountered. Implementation of CR-2 would ensure that potential impacts to paleontological resources would be less than significant.

Human Remains

- A. Potentially Significant Impact.** Future SWIRP projects that would result in earth-disturbing activities within native sediments could have the potential to disturb Native American buried human remains that were on or near burial sites, and outside of formal cemeteries.
- B. Facts in Support of Finding (1).** Mitigation Measure CR-3 requires that in the event that remains are discovered, they are treated in accordance with state law and the wishes of the tribe that is most likely to be descendant thereof.

Facts in Support of Finding (2). Implementation of CR-3 would ensure that potential impacts to the discovery of human remains would be less than significant.

Historic Resources

- A. Potentially Significant.** Any proposed facility that involves earth-disturbing activities, such as grading and excavation, or alterations to existing infrastructure such as objects, buildings, or structures has the potential to impact significant historic resources and/or has the potential to cause adverse change to historic objects, buildings, or structures.
- B. Facts in Support of Finding (1).** Mitigation Measure CR-4 requires that prior to development activities that would demolish or otherwise physically affect objects, buildings, or structures 45 years old or older or affect their historic setting, the project applicant shall retain a cultural resource professional who meets the Secretary of the Interior's Professional Qualifications Standards for Architectural History to determine if the project would cause a substantial adverse change in the significance of a historical resource. If the study indicates that a significant historical resource is present, the qualified cultural resource professional shall determine appropriate actions, in cooperation with the City, for eliminating or reducing impacts to historical resources. However, the project could still result in significant cumulative impacts to historical resources because whereas local regulations provide for the mitigation of impacts, they do not explicitly prohibit the demolition or alteration of historical resources.

C. Mitigation Measures

- CR-1** Future SWIRP projects that would result in earth-disturbing activities within native sediments with the potential for producing archaeological materials, or projects located near known cultural resources, shall implement the following:

Prior to commencement of any earth-disturbing activities, a Phase 1 study shall be undertaken to evaluate the current conditions of a project site. The study shall consist of: (1) an initial records search including records, maps, and literature housed at the appropriate Archaeological Information Center depending on the specific county that the project is within; (2) a Sacred Lands check with the Native American Heritage Commission (NAHC) and initial scoping with interested Indian Tribes and individuals identified by the NAHC; (3) a pedestrian field survey by

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a qualified Archaeologist to determine the presence or absence of surficial artifactual material and/or the potential for buried resources; and (4) a technical report describing the study and offering management recommendations for potential further investigation.

If archaeological sites or resources are discovered as a result of the Phase I study, a Phase II study of the significance of any prehistoric material that is present shall be undertaken. The evaluation shall include further archival research, ethnographic research, and subsurface testing/excavation to determine the site's horizontal and vertical extent, the density and diversity of cultural material, and the site's overall integrity. The evaluation shall include a technical report describing the findings and offering management recommendations for sites determined to be significant. Non-significant resources would require no further study.

If the Phase II study indicates that a significant site is present, the qualified Archaeologist shall determine appropriate actions, in cooperation with the City, for preservation and/or data recovery of the resource.

Preservation in place is the preferred manner of mitigation, as provided in the California Code of Regulations, Title 14 Section 15126.5(b)(3). This could include: (1) avoidance of resources; (2) incorporation of resources into open space; (3) capping the resource with chemically stable sediments; and/or (4) deeding the resource into a permanent conservation easement. To the extent that a resource cannot be preserved in place, a Phase III data recovery excavation shall be completed to recover the resource's scientifically consequential information. A technical report shall be completed that adheres to the Office of Historic Preservation's (OHP) Archaeological Resources Management Report (ARMR) guidelines.

Monitoring of ground-disturbing activities shall be undertaken by a qualified Archaeologist as a final mitigation measure in areas that contain or are sensitive for the presence of cultural resources.

CR-2 Future SWIRP projects that would excavate into alluvial sediments (e.g., Older Quaternary Alluvium deposits) or bedrock formations shall implement the following:

- Prior to commencement of any earth-disturbing activities, an archival records search shall be undertaken at the Natural History Museum of Los Angeles County, San Bernardino County Museum, or other appropriate institution to determine the depositional environment within the project area and to evaluate the likelihood of fossils being present.
- A field survey shall be undertaken prior to ground-disturbing activities in areas of potential but unknown sensitivity to evaluate the site for the presence of significant fossil resources and to establish the need for paleontological salvage and/or monitoring.
- If significant fossils are discovered as a result of a field survey or during monitoring operations, a qualified Paleontologist shall determine appropriate actions, in cooperation with the City, for the preservation and/or salvage of the resource.
- Any monitoring activities shall be accomplished by a qualified Paleontologist so that fossils discovered during grading can be scientifically and efficiently recovered and preserved.
- A qualified Paleontologist shall prepare collected specimens to the point of identification and place the prepared fossils in the appropriate institution for permanent curation.
- Upon completion of recovery and curation, all studies and actions shall be described in a paleontological technical report prepared by a qualified Paleontologist.

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- CR-3** If human remains are encountered during SWIRP-related projects, no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the County Coroner has determined the appropriate treatment and disposition of the human remains, in accordance with Section 7050.5 of the California Health and Safety Code. Section 5097.98 of the Public Resources Code states that if remains are determined by the Coroner to be of Native American origin, the Coroner must notify the NAHC within 24 hours, which in turn must identify the person or persons it believes to be the most likely descended from the deceased Native American. The descendants shall complete their inspection within 48 hours of being granted access to the site. The designated Native American representative would then determine, in consultation with the property owner, the disposition of the human remains.
- CR-4** Implementation of SWIRP could include development near historical resources or resources considered to be potential historical resources. This development has the potential to result in significant impacts to individual historical resources within the project area, including resources listed in or eligible for listing in the National Register of Historic Places, California Register of Historical Resources, and local registers. This could include the delisting or loss of eligibility of such resources. In addition, there is the potential for significant impacts to buildings or structures of historic age (45 years old or older), or buildings or structures which may eventually be of historic age, and which may qualify as historical resources pursuant to CEQA.

Prior to development of future facilities that would demolish or alter buildings or structures 45 years old or older or affect their historic setting, the project applicant shall employ a cultural resource professional who meets the Secretary of the Interior's Professional Qualifications Standards for Architectural History to determine if the project would cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5 of the *CEQA Guidelines*. The cultural resource professional, in conjunction with the City, shall determine an appropriate scope of investigation including archival research, if necessary, an updated records search at any of the appropriate California Historical Resources Information System information centers, and a pedestrian survey of the project area to determine if any significant historical resources would be adversely affected by the proposed development.

A technical report shall be completed per the OHP's ARMIR guidelines which evaluates any historical resources within the project area and includes recommendations for eliminating or reducing impacts to historical resources. The technical report shall be submitted to the Lead Agency for approval. As determined necessary by the Lead Agency, environmental documentation (e.g., CEQA documentation) prepared for future development within the project site shall utilize the findings and recommendations of the technical report. The project applicant shall be responsible for implementing methods for eliminating or reducing impacts to historical resources.

Such methods could include, but not be limited to: (1) preparing a preservation plan or element which provides guidelines to ensure that the project conforms to the standards for rehabilitation established by the Secretary of the Interior and the OHP; (2) requiring new construction to be compatible with historical resources on the site and in the vicinity (e.g., mass, height, materials, setback, retention of mature landscaping); (3) requiring the project sponsor to relocate the historical resource or offer it for relocation by another individual or organization (provided that eligibility will be maintained following the relocation); (4) requiring the project sponsor to adaptively reuse the historical resource or incorporate it into the project; (5) undertaking documentation according to the requirements of the Historic American Building Survey such as

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large format photography, measured drawings, and written narrative; (6) making copies of this documentation available to the Los Angeles Public Library and local preservation organizations and historical societies; or (7) requiring the project sponsor to allow local preservation organizations and historical societies to document the resource and/or remove significant historic elements for archives.

2.6 GEOLOGY AND SOILS

2.6.1 SWIRP Policy and Programs

- A. **No Impact.** SWIRP proposes a variety of policies and programs to increase recycling and to increase diversion from landfills. As summarized in Table 4.6-3 of the Final PEIR, none of the policies or programs would result in direct impacts related to geology and soils; however, depending on phasing and implementation, certain policies may result in project-level impacts through facility expansion or construction of new facilities.
- B. **Facts in Support of Finding (1).** The impacts of the proposed SWIRP policies and programs to geology and soils are summarized in Table 4.6-3 in the Final PEIR.

2.6.2 SWIRP Facilities

Earthquake Faults and Seismic Hazards

- A. **Potentially Significant.** While specific locations for facilities have not been identified, there is a potential for facilities to be located in proximity to active faults which could experience significant ground shaking during an earthquake.
- B. **Facts in Support of Finding (1).** Mitigation Measure GS-1 has been identified which will require that future facilities not be located within an area mapped as an Alquist-Priolo Earthquake Fault Zone, and the placement of structures for human occupancy shall be restricted from these areas. Additionally, future facilities will be subject to the requirements of the UBC and CBC as it pertains to resistance to seismic shaking.

Facts in Support of Finding (2). Further, site-specific geotechnical investigations would be undertaken once specific sites for facilities are identified (Mitigation Measure GS-2). Further design requirements (e.g., structural enhancements/reinforcements) may be identified during those investigations to further minimize potential seismic risk. Implementation of mitigation measures outlined in Section 4.6.5 would reduce potential impacts to below a level of significance.

Ground Failure/Liquefaction

- A. **Potentially Significant Impact.** While specific locations for facilities have not been identified, there is a potential for facilities to be located in areas that have a liquefaction potential.
- B. **Facts in Support of Finding (1).** With the implementation of Mitigation Measure GS-3 provided below, impacts due to ground failure/liquefaction would be mitigated to a less than significant level.

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Landslides

- A. **Potentially Significant.** While specific locations for facilities have not been identified, if a site was selected that is prone to landslides there is a potential for a significant impact.
- B. **Facts in Support of Finding (1).** Mitigation Measure GS-4 prohibits the development of facilities in areas that are mapped as landslide or mudslide prone in local planning documents (e.g., General Plans). With implementation of GS-4, the potential impact would be reduced to below a level of significance.

Unstable and Expansive Soils

- A. **Potentially Significant Impact.** Depending on where future facilities are sited, they may be located in areas that contain soils that are inherently unstable or exhibit expansive properties.
- B. **Facts in Support of Finding (1).** With implementation of Mitigation Measure GS-2, site specific geotechnical investigations would be undertaken once specific sites for facilities are identified. Further design requirements (e.g., structural enhancements/reinforcements) may be identified during those investigations to minimize impacts should facilities be proposed on sites that are prone to instability or have soils that exhibit expansive properties. In summary, implementation of Mitigation Measures GS-1 through GS-4 would reduce potential impacts to below a level of significance.

C. Mitigation Measures

- GS-1 Future facilities shall not be located within a mapped Alquist-Priolo Earthquake Fault Zone. Placement of structures for human occupancy shall be restricted from areas designated as an Alquist-Priolo Earthquake Fault Zone.
- GS-2 At the time a site is selected for a facility, a site-specific geotechnical report shall be prepared in areas subject to earthquake-induced landslides or liquefaction as mandated by the State Seismic Hazard Mapping Act. Mitigation measures and design recommendations identified in those site-specific reports shall be implemented to minimize the potential for injury and loss related to earthquake-induced landslides, liquefaction, or seismic hazards.
- GS-3 Future facilities shall not be located within an area known for or designated with a high liquefaction potential. Placement of structures for human occupancy shall be restricted from areas known for ground failure or liquefaction.
- GS-4 Future facilities shall not be located in areas mapped as a landslide or mudslide hazard area in local planning documents (e.g., General Plans).

2.7 HAZARDS AND HAZARDOUS MATERIALS

2.7.1 SWIRP Policy and Programs

- A. **Less than Significant Impact.** Disposal of hazardous wastes may result from implementation of the proposed policies and programs that are identified as part of SWIRP. Based on the analysis, the proposed policies and programs would not result in a significant impact related to hazards and hazardous materials.

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B. Facts in Support of Finding (1). The impacts of the proposed SWIRP policies and programs related to hazards and hazardous materials are summarized in Table 4.7-8 in the Final PEIR. In some instances, future SWIRP programs and policies may require separate CEQA analyses.

2.7.2 SWIRP Facilities

Airports

A. Potentially Significant Impact. Additional future facilities would be required to meet the need for additional materials that would be diverted from landfills, but specific locations of future facilities have not yet been identified. The potential for these future facilities to conflict with an airport land use plan, or operations at a public or private airport is dependent upon where future facilities are sited. Due to the uncertainty at this time, a potentially significant impact to airports is identified.

B. Facts in Support of Finding (1). Mitigation Measure HAZ-1 has been identified to reduce potentially significant impacts to airports to a less than significant level. Future facilities would be subject to additional reviews pursuant to CEQA, and any potential conflicts with existing airports would be identified.

Hazardous Materials Database Listed Sites

A. Potentially Significant Impact. Due to the uncertainty of where future facilities would be located, there is a potential that the facility could be located on or adjacent to a site that is listed by DTSC as needing corrective action.

B. Facts in Support of Finding (1). This represents a potentially significant impact. Mitigation Measure HAZ-2 has been identified, which will reduce this impact to below a level of significance.

Human Health Hazards

A. Potentially Significant Impact.

SWIRP notes that additional facilities would be required to meet the need for additional solid waste/resources that would be diverted from landfills, but specific locations of future facilities have not yet been identified. Depending on where the future facilities are located and the types of materials they handle, community emergency plans may need to be reviewed and updated. This represents a potentially significant impact.

B. Facts in Support of Finding (1). Mitigation Measure HAZ-5 has been identified, which will reduce this impact to below a level of significance.

Facts in Support of Finding (2). Mitigation Measures HAZ-3 through HAZ-7 are provided to minimize potential human health hazard impacts. Implementation of these mitigation measures will reduce the potential impacts to below a level of significance.

C. Mitigation Measures

- HAZ-1** If future facilities are sited within an area governed by an airport land use plan or within two miles of a public or private airport, analysis shall be undertaken to assess if the proposed facility would result in any impacts to airport operations or if it would subject people to a significant risk due to airport operations. If potential impacts are identified, a different site shall be selected or mitigation measures shall be implemented during the project-level environmental analysis to reduce the potential impact to airport operations to below a level of significance. Such mitigation measures could include maintaining certain percentages of low-occupancy areas (e.g., undeveloped areas, parking areas), building heights, and building lights.
- HAZ-2** Prior to siting waste facilities, a Phase I Environmental Site Assessment (ESA) shall be conducted in conformance with industry-accepted practices, American Society of Testing Materials Designation E1527-05, and the Environmental Protection Agency All Appropriate Inquiry Rule (40 Code of Federal Regulations §312). Based on the Phase I ESA findings, recommendations for further assessment or mitigation measures shall be recommended, as appropriate, to assess or mitigate potential environmental impacts.
- HAZ-3** Barriers shall be provided that contain hazards (e.g., appropriate buffers between land uses or air curtains of sufficient strength to control insect vectors).
- HAZ-4** Hazardous substances shall be stored away from site boundaries.
- HAZ-5** Upon approval of future facilities proposed under SWIRP, an applicable community emergency plan shall be developed, reviewed and updated, as needed, to account for new waste facilities and updated routes for the transportation of hazardous wastes.
- HAZ-6** A Health and Safety Plan shall be developed in accordance with local, state, and federal occupational health regulations.
- HAZ-7** Spill containment measures shall be developed and implemented on site for any new SWIRP facility.

2.8 HYDROLOGY AND WATER QUALITY

2.8.1 SWIRP Policy and Programs

- A. No Impact.** The program-level analysis includes an assessment of the proposed project's impacts on hydrology and water quality. Table 4.8-5 analyzes the potential impacts on these resources in light of the proposed policies and programs that are identified as part of the proposed project.
- B. Facts in Support of Finding (1).** Disposal of residual waste in existing local or remote landfills would not result in impacts to hydrology and water quality. As shown in Table 4.8-5, individual programs and policies are not anticipated to result in an impact to hydrology and water quality. Some policies and programs (such as the plastic bag ban) could have a beneficial impact to water quality.

2.3.2 SWIRP Facilities

Water Quality Standards

Facility Siting

- A. Potentially Significant Impact.** From a hydrologic standpoint, facilities will need to be located outside of any floodways, but could potentially be located within a floodplain, barring water quality considerations. Given the likelihood of large impervious areas associated with facility construction, it will be important to site facilities at a location that will be able to safely convey runoff away from the site. If existing drainage facilities do not have sufficient capacity for increased flood flows, site selection will require additional space to detain flows to a level that can be safely conveyed by the existing facilities. It will also be important to site facilities such that they do not create adverse impacts on either upstream or downstream properties.
- B. Facts in Support of Findings(1).** In general, selection of project facility sites will need to confirm all regulations and guidelines are met, and that there is sufficient space to construct facilities including any required mitigation measures. The project will aim to locate facilities such that they will have the smallest impact on the surrounding water bodies and properties.

Facts in Support of Findings(2). Potential impacts to water quality and state discharge requirements are considered a significant impact unless mitigation measures are incorporated. Implementation of the mitigation measures identified in Section 4.8.5, HWQ-1 through HWQ-9 provided below from the Final PEIR, would reduce potential impacts to a less than significant level.

Groundwater

- A. No Impact.** The project will most likely access water through the city water source and will not require the use of well water which would deplete groundwater supplies.
- B. Facts in Support of Findings(1).** No impact is identified for this issue area.

Degradation of Water Quality

- A. Potentially Significant Impact.** As stated in the previous significance criteria, the development of the proposed facilities has the potential to impact water quality. Composting facilities, mixed material processing facilities, and alternative technology biological facilities include anticipated pollutant generation of nutrients, bacteria and viruses, and pesticides due to the handling of food waste and other “non-clean” recyclable materials. Impacts to water quality are considered significant unless mitigation measures are incorporated.
- B. Facts in Support of Findings(1).** Implementation of the mitigation measures identified in Section 4.8.5, HWQ-1 through HWQ-9 provided below from the Final PEIR would reduce potential impacts to a less than significant level.

Drainage Patterns

- A. Potentially Significant Impact.** Currently, the facility locations are undetermined. Volume, flow rate, duration, and velocity of runoff can create significant damage to a drainage system. Hydromodification requirements identify what local agencies have determined are acceptable levels

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of increased project runoff for the local drainage systems. Additionally, project development could increase flood flows to a point that downstream drainage facilities cannot safely convey runoff during design storm events. Each waste processing facility could potentially increase the amount of runoff from the project through impervious area increases and diversion or redirection of flows. This increase in runoff volume, rate, duration, and velocity could create sediment transport issues for existing natural streams, resulting in increased channel erosion, bank failure, increased scour at crossing structures, change of channel form, etc. Increase in flood discharges could also create downstream flooding and failure of drainage facilities. Site specific hydrological analysis will be required upon determination of the facility location. Impacts to existing drainage patterns and erosion are considered significant unless mitigation measures are incorporated.

- B. Facts in Support of Finding (1).** Implementation of the mitigation measures identified in Section 4.8.5, HWQ-1 through HWQ-9 provided below from the Final PEIR would reduce potential impacts to a less than significant level.

Flood Hazards

- A. Potentially Significant Impact.** Three thresholds of significance address flooding and flood hazards (refer to Section 4.8.2). Implementation of the project would not result in the construction of any residential uses; therefore, the project does not have the potential to result in an impact in that issue area. However, in the event that one or more of the processing facilities are proposed within a 100-year floodplain, there would be a potential for that facility to add to a flooding hazard which would impede or redirect flows. This represents a potentially significant impact unless mitigation measures are incorporated.
- B. Facts in Support of Findings(1).** Implementation of the mitigation measures identified in Section 4.8.5, HWQ-1 through HWQ-9 provided below from the Final PEIR, would reduce potential impacts to a less than significant level.

Stormwater Drainage System Capacity

- A. Potentially Significant Impact.** As previously noted, the specific location of the facilities is undetermined at this time. Upon determination of the site location, site specific hydrological analysis will be conducted to determine if the facility would contribute or create runoff, exceeding the existing capacity of stormwater drainage systems. Impacts are considered significant upon determination of site location unless mitigation measures are incorporated.
- B. Facts in Support of Finding (1).** Implementation of the mitigation measures identified in Section 4.8.5, HWQ-1 through HWQ-9 provided below from the Final PEIR, would reduce potential impacts to a less than significant level.

Seiche, Tsunami, and Mudflows

- A. Less Than Significant Impact.** Given the planning measures that are in place with regard to a tsunami, in the event a future facility is located in a tsunami inundation area, it is anticipated that emergency systems would be activated in the event of a tsunami and impacts would be less than significant.
- B. Facts in Support of Finding (1).** The potential for a facility to be impacted by a seiche, tsunami, or mudflow depends on the ultimate site of the future SWIRP facilities.

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The project study area includes coastal and low-lying areas that could be inundated in the event of a tsunami. Advance tsunami warning systems are in place to notify people in low-lying areas. Additionally, communities that could be impacted by tsunamis have evacuation routes identified.

C. Mitigation Measures

Hydrology

HWQ-1 Prior to entitlement of any future facility and to assist in preparation of final engineering documents, a project-specific drainage study will be required for development of any facility demonstrating the impacts on local and regional hydrology. The drainage study shall include a review of the existing drainage facility capacity and demonstrate that site runoff will not overwhelm existing drainage capacities. Any increase in runoff above the existing drainage facility capacity would require hydraulic analysis to determine alternatives to safely convey the design storm.

Future facilities shall implement improvements to the drainage system if the analysis concludes that existing capacity is not adequate.

HWQ-2 Future facilities shall include construction of new or improved stormwater management facilities to reduce or retard the amount of peak runoff from the facility sites. Such measures may include the construction of detention basins or other structures that will slow down or delay the peak flow of stormwater runoff from the site.

HWQ-3 Ensure facilities shall reduce impervious surfaces and materials and maximize landscaped and natural areas.

Water Quality

HWQ-4 Prior to entitlement of any future facility and to assist in preparation of final engineering documents, a project-specific water quality study would be required to address impacts on water quality and identify potential mitigation measures. The project-specific water quality study shall identify downstream water bodies, their beneficial uses, and any impairment. The water quality report shall identify permanent BMPs to mitigate water quality impacts, including hydromodification.

HWQ-5 Specific and detailed BMPs shall be required and included in the Stormwater Management Plan. BMPs will need to address the site design, source control, and treatment. Potential BMP options are identified in Table 4.8-9 of the Final PEIR.

Individual facility development shall review and implement the local jurisdictional BMP standards. Project development will be required to implement all site design, source control, and treatment BMPs to the maximum extent practicable. A number of counties and cities are emphasizing low impact development (LID) design features as a way to address water quality concerns through the use of multiple sustainable BMP alternatives at the local level. To facilitate this sustainable approach, development should aim to maximize the number of LID mitigation alternatives implemented in site design.

In addition to the use of BMPs, an acceptable operation and maintenance plan must be established to demonstrate long-term performance of the features. Typically, part of the

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operation and maintenance discussion for BMPs will include a funding source and identify the entity responsible for implementing the operation and maintenance plan.

- HWQ-6** Prior to construction of any future facilities, construction stormwater quality will need to be addressed in a Stormwater Pollution Prevention Plan (SWPPP), in accordance with the State General Construction Permit. The SWPPP shall provide a plan for addressing water quality associated with construction activities. SWPPPs are intended to be dynamic and change as a project undergoes various stages of construction. SWPPPs are prepared during final engineering; however, new General Construction Permit post-construction BMP requirements will need to be considered during entitlement and final engineering.

Floodplains

- HWQ-7** If a future facility is proposed within a floodplain, a floodplain study shall be prepared to address Federal Emergency Management Agency (FEMA) or jurisdictional floodplain management requirements. The floodplain study shall be completed during entitlement and final engineering. The floodplain study shall investigate the hydrology of the river system and develop a hydraulic model to quantify existing and proposed water surface elevations and velocities. The study shall identify feasible mitigation measures to meet FEMA water surface elevation requirements.³ These mitigation measures shall be implemented as part of the project design and/or construction.
- HWQ-8** Future facilities shall be designed so that structures and other important facilities that would be adversely affected by flooding are no longer located within flood hazard areas or so that the floodway open space is preserved.
- HWQ-9** Future facilities shall raise the building pad or ground floor of proposed structures to an elevation above flood prone areas.

2.9 LAND USE AND PLANNING

2.9.1 SWIRP Policy and Programs

- A. No Impact.** Analysis of potential impacts that could result from implementation of the policies and programs component of SWIRP relative to land use and community planning shows that there would be no impacts. The policies and programs will not have a direct impact related to land use and planning.
- B. Facts in Support of Finding (1).** The impacts of the proposed SWIRP policies and programs to land use and planning are summarized in Table 4.9-2 in the Final PEIR.

³ These requirements are based on Title 44 Code of Federal Regulations: Emergency Management and Assistance, Chapter 1: Federal Emergency Management Agency, Department of Homeland Security.

2.9.2 SWIRP Facilities

- A. Potentially Significant Impact.** Impacts to land use and planning would be potentially significant with the implementation of the following SWIRP facilities: Clean Material Recovery Facilities, Composting (Aerobic), Composting (Anaerobic Digestion), Resource Recovery Centers, Mixed Material Processing, Alternative Technology – Advanced Thermal Recycling, Alternative Technology – Biological (Anaerobic Digestions), and Alternative Technology – Thermal (Plasma Arc, Gasification, Pyrolysis, and Others).
- B. Facts in Support of Finding (1).** With implementation of Mitigation Measures LU-1 through LU-4 provided below, impacts to land use and community planning would be mitigated to a less than significant level.

C. Mitigation Measures

- LU-1** Future facilities shall be sited in locations that support the appropriate General Plan and Zoning designations for the use being proposed. The project's proposed land use shall be modified to be consistent with designated land uses, zoning classification, and/or General Plan element(s).
- LU-2** Future facilities shall be fully enclosed to the maximum extent practicable to minimize nuisance issues such as noise, odor and visual impact and achieve maximum compatibility with surrounding land uses. If a nuisance is found to occur as result of facility operations, certain restrictions on the operational characteristics of the facility shall be implemented to reduce or eliminate impacts, such as limiting hours of operation or placing restrictions on specific types of uses or activities proposed for the facility.
- LU-3** Project design, configuration, visual screening, setbacks, building heights, etc., shall be compatible with surrounding uses.
- LU-4** The site shall be designed to provide buffer(s) (such as a decorative wall or landscaping) if residential uses are adjacent to a proposed facility. The buffer(s) shall be included in the site plan for the future facilities, and reviewed and approved by the local jurisdiction that will issue the building and/or occupancy permit for the facility.

2.10 MINERAL RESOURCES

2.10.1 SWIRP Policy and Programs

- A. No Impact.** The proposed policies and programs are not anticipated to have a significant impact on mineral resources. In some instances, proposed policies and programs could actually result in a decreased demand for mineral resources extraction.
- B. Facts in Support of Finding (1).** The impacts of the proposed SWIRP policies and programs to mineral resources are summarized in Table 4.10-2 in the Final PEIR.

2.10.2 SWIRP Facilities

State and Locally Important Mineral Resources

- A. Potentially Significant Impact.** The potential for these future facilities to result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan is dependent upon where these facilities are sited. Additionally, if future facilities were proposed in areas that support oil well or gas wells, there is potential for an impact. Based on the location of facility sites, impacts to mineral resources may be potentially significant.
- B. Facts in Support of Finding (1).** With implementation of Mitigation Measures MR-1 through MR-4 provided below, impacts to state and locally important resources would be mitigated to a less than significant level.

C. Mitigation Measures

- MR-1** Future facilities shall be sited so as to avoid areas mapped as MRZ-2, MRZ-3, and MRZ-3a by the California Mineral Land Classification System. Other known or potential mineral resource areas shall be avoided to the maximum extent.
- MR-2** Future facilities shall be sited so as to avoid active oil, gas or geothermal operations. The project shall be designed so that no, or only nonpermanent, structures are atop or blocking the mineral resource area.
- MR-3** Future facilities shall be sited so as to avoid area mapped as locally important mineral resources on general plans, specific plans, or other land use plans.
- MR-4** Easements shall be established, when necessary, to preserve possible future use of mineral resources

2.11 NOISE

2.11.1 SWIRP Policy and Programs

- A. Less than Significant Impact.** Implementation of many of the policies and programs associated with SWIRP would not result in any additional truck trips; therefore, additional truck-related noise would not occur. Some of the policies may result in additional truck trips to pick up blue and green bins in areas that were not previously receiving recycling service; thus, additional truck-related noise could occur. Implementation of some of the policies may result in less than significant impacts.
- B. Facts in Support of Finding (1).** Noise associated with solid waste collection is governed by LAMC Chapter 11, Section 113.01 (Rubbish and Garbage Collection) which addresses operational hours of solid waste collection activities. The impacts of the proposed SWIRP policies and programs to noise are summarized in Table 4.11-8 in the Final PEIR.

2.11.2 SWIRP Facilities

Construction

- A. Potentially Significant Impact.** During construction of future facilities, noise from construction activities could adversely affect noise-sensitive land uses if they are located in the immediate area. It is anticipated that the SWIRP facilities would be located in commercial and industrial zones where sensitive receivers (e.g., residential homes, schools) would not be located adjacent to the facilities. However, in the event a facility is located in an area with sensitive receptors, impacts would be potentially significant.
- B. Facts in Support of Finding (1).** With implementation of Mitigation Measures N-1 through N-8 provided below, impacts to noise due to facility construction would be mitigated to a less than significant level.

Permanent Increase in Ambient Noise Levels

- A. Potentially Significant Impact.** The increase in traffic resulting from implementation of SWIRP facilities would increase the ambient noise levels of sensitive receivers in the vicinity of the future facilities. Because traffic is considered to be a long-term noise source, a permanent increase in ambient noise levels may occur. According to the noise modeling in Appendix F of the Final PEIR, noise generation for each facility type is estimated to generate 68 L_{eq} to 73 L_{eq} . The determination of whether the noise level increase would be significant depends on the current level of traffic and ambient noise environment of the facility location. Impacts to ambient noise would be potentially significant.
- B. Facts in Support of Finding (1).** With implementation of Mitigation Measure N-1 provided below, impacts to ambient noise levels would be mitigated to a less than significant level.

Temporary/Periodic Increase in Noise Levels

- A. Potentially Significant Impact.** Construction-related noise levels that increase existing noise levels above the construction noise standard established within the City, or pertinent jurisdiction, and surrounding areas would be a potentially significant impact.
- B. Facts in Support of Finding (1).** With implementation of Mitigation Measures N-1 through N-8 provided below, impacts due to temporary increases in noise levels would be mitigated to a less than significant level.

Public Airport Noise

- A. Potentially Significant Impact.** If SWIRP facilities are located within the vicinity of a public airport, airport activities may expose SWIRP facility workers to excessive noise levels. Impacts from noise would be potentially significant.
- B. Facts in Support of Finding (1).** With the implementation of Mitigation Measure N-10 provided below, impacts due to excessive noise from airstrips would be mitigated to a less than significant level.

Private Airstrip Noise

- A. Potentially Significant Impact.** If SWIRP facilities are located within the vicinity of a private airstrip, airport activities may expose SWIRP facility workers to excessive noise levels. Impacts from noise would be potentially significant.
- B. Facts in Support of Finding (1).** With the implementation of Mitigation Measure N-10 provided below, impacts due to excessive noise from airstrips would be mitigated to a less than significant level.

C. Mitigation Measures

- N-1** A noise study shall be prepared for future facilities. The noise study shall include measurements of the existing noise environment and quantify the facility's noise contribution to the ambient environment for both the construction and operation phase. If impacts are identified, mitigation measures shall be implemented to reduce sound levels to a level that is consistent with the applicable jurisdiction's noise ordinance or noise element. Such mitigation measures could include, but are not limited to: fencing; noise walls; or increasing the distance between noise generating equipment and off-site sensitive receptors. The noise study shall be submitted to, and approved by, the Planning Director, or designee, of the jurisdiction where the facility will be constructed.

Construction-Related Impacts

- N-2** Prior to construction, the construction contractor shall obtain authorization approval to exceed the ambient base noise level by more than five dBA at the property boundary for industrial zoned land use.
- N-3** Construction activities shall be limited to 7:00 AM to 7:00 PM, Monday through Saturday. If the local jurisdiction has more stringent construction timing limits, those limits shall be applied.
- N-4** The construction contractor shall operate and maintain a City-approved haul truck traffic route along major traffic arteries.
- N-5** All construction equipment shall be equipped, operated, and maintained with manufacturer-recommended mufflers or the equivalent.
- N-6** Mobile and stationary construction equipment shall be turned-off when not in operation.
- N-7** All construction equipment powered by gasoline or diesel engines shall be required to have sound-control devices at least as effective as those originally provided by the manufacturer; no equipment will be permitted to have an unmuffled exhaust.
- N-8** All stationary noise-generating construction equipment, such as pumps and generators, shall be located as far as possible from nearby noise-sensitive receptors. Noise-generating equipment shall be shielded from nearby noise sensitive receptors by noise-attenuating buffers, such as structures or haul truck trailers. Water tanks and equipment storage, staging, and warm-up areas will be located as far from noise sensitive receptors as possible.

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Operational-Related Noise

N-9 Operational activities at future facilities shall not produce noise levels at the property line that exceed the levels identified in the applicable jurisdiction's noise ordinance. If proposed activities are forecast to exceed property line levels, noise attenuation measures shall be implemented to reduce the property line noise levels to the appropriate level. Such measures could include, but are not limited to, fencing, sound walls, and screening of mechanical equipment.

Public and Private Airports

N-10 If future facilities are proposed within two miles of a public or private airport, the project-specific noise study shall include an analysis of the potential for the facility's adjacency to an airport to result in exposure of employees to excessive noise levels. If excessive noise levels are identified, mitigation measures shall be implemented to reduce the interior noise levels to acceptable levels. Such mitigation could include, but is not limited to, enhanced insulation or dual-paned windows.

2.12 POPULATION AND HOUSING

2.12.1 SWIRP Policy and Programs

A. No Impact. The proposed policies and programs, namely, Downstream Policies and Programs, Mandatory Participation Programs, Upstream Policies, and Disposal of Remaining Residual Waste are not anticipated to have a significant impact on population and housing.

B. Facts in Support of Finding (1). Table 4.12-7 in the Final PEIR summarizes that the individual policies and programs would not result in a significant impact related to population and housing.

2.12.2 SWIRP Facilities

Displacement of Housing and People

A. Potentially Significant Impact. Proposed facilities under SWIRP are expected to be located in areas zoned for commercial, commercial manufacturing, light industrial, heavy industrial or public facilities. Facilities that handle solid waste are not typically sited near or adjacent to residential uses. Additionally, it is unlikely that housing would be demolished to accommodate future facilities. However, implementation of the project may require acquisition of land that is privately owned and/or been improved with structures, including public or private residences. If a facility were sited where an existing residential use is located resulting in the displacement of housing or people, impacts to population and housing would be potentially significant.

B. Facts in Support of Finding (1). With implementation of Mitigation Measures PH-1 and PH-2 provided below, impacts to population and housing would be mitigated to a less than significant level.

C. Mitigation Measures

Displacement of People and Housing

- PH-1** If future facilities result in the displacement of existing residential units or persons, appropriate compensation to property owners or relocation of displaced people shall occur.
- PH-2** If future facilities result in the demolition of residential units, construction of new residential units, including units deemed “affordable” under state law would lessen the impact to population and housing to a level below significance. If acquisition of public or private residences are necessary, all applicable federal, state, and local laws regarding acquisition of property, compensation to displaced property owners or tenants, and relocation assistance and benefits for persons who may be displaced shall be adhered to or exceeded, as appropriate.

2.13 PUBLIC SERVICES, UTILITIES, AND SERVICE SYSTEMS

2.13.1 SWIRP Policy and Programs

- A. No Impact.** The proposed policies and programs individually are not anticipated to have a significant impact on public services, utilities, and services systems. However, when multiple programs and policies are implemented, there may be a need for additional facilities, depending on phasing and implementation of various policies and programs, which will result in an increased demand on public services and utilities.
- B. Facts in Support of Finding (1).** Table 4.13-1 in the Final PEIR summarizes the individual policies and programs would not result in an impact.

2.13.2 SWIRP Facilities

Water Supply, Water/Wastewater Facilities, and Stormwater Drainage

- A. Potentially Significant Impact.** Wastewater treatment capacity and water demand would be determined based on the individual jurisdiction. Water supply projections/capacity is typically determined based on population growth and is generally consistent with the City or County’s General Plan. If the facility is sited in an area consistent with the general plan land use designation for that jurisdiction, it is presumed that water supply would be sufficient. However, if selected facility sites are not consistent with the General Plan, impacts to water supply and water/wastewater facilities would be potentially significant.
- B. Facts in Support of Finding (1).** With the implementation of Mitigation Measures WS-1 and WS-2 provided below, impacts to water supply, water/wastewater facilities, and stormwater drainage would be mitigated to a less than significant level.

Energy

- A. Potentially Significant Impact.** Based on the anticipated energy demands of future facilities, it is expected that the City currently has the energy capacity for future facilities; however, incorporating design features that would reduce consumption of energy into future building plans would reduce the

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demand for power. Because facility sites are unknown, impacts to energy may be potentially significant.

B. Facts in Support of Finding (1). With the implementation of Mitigation Measure ES-1 provided below, impacts to energy would be mitigated to a less than significant level.

C. Mitigation Measures

Water Supply, Water/Wastewater Facilities, and Stormwater Drainage

WS-1 Future processing facilities shall incorporate water conservation design features. These features may include, but are not limited to, the following:

- Landscaping plans shall incorporate plant water-efficient, well-adapted, and/or native shrubs, trees, and grasses (i.e., drought and heat tolerant).
- Use of recycled water as landscaping irrigation to the maximum extent practicable.
- Use high-efficiency/low flow toilets and sink faucets.
- If truck washing will occur on-site, a water recycling system shall be implemented to reduce water demand.

WS-2 Development applications for future SWIRP facilities greater than 40 acres of land, having more than 650,000 square feet of floor area, or employing more than 1,000 persons shall include a water supply assessment. The water supply assessment shall be prepared by the water agency serving the facility and address: (1) document wholesale water supplies; (2) identify and quantify the existing and planned sources of water availability to the water supplier in five-year increments for the 20-year projection. For each identified supply, the assessment shall detail the quantity available and whether it is a water supply entitlement, water right, or water service contract; (3) document the project demand; (4) document dry year supplies; (5) document dry year demand; and (6) determine if projected water supply is sufficient or insufficient for the proposed facility.

Energy

ES-1 Future processing facilities shall be required to incorporate energy efficient design features. These features shall include, but are not limited to, the following:

- Energy efficient light fixtures
- Energy efficient equipment/machinery
- Alternative energy source (i.e., solar power, wind power, thermal)

2.14 RECREATION

2.14.1 SWIRP Policy and Programs

A. No Impact. None of the policies and programs associated with SWIRP would result in a recreation-related impact. Future facilities would be constructed in areas with compatible zoning. Disposal of residual waste would not result in impacts to recreational facilities since the remaining residual waste would be disposed at existing landfills as is currently done.

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B. Facts in Support of Finding (1). The impacts of the proposed SWIRP policies and programs to recreational facilities and resources are summarized in Table 4.14-1 in the Final PEIR.

2.14.2 SWIRP Facilities

Existing Recreational Facilities

A. Potentially Significant Impact. SWIRP anticipates facilities would be constructed in areas with compatible zoning (e.g., industrial, commercial, public facilities). If a SWIRP facility is proposed near a park or recreation facility, impacts due to SWIRP facilities would be potentially significant.

B. Facts in Support of Finding (1). With implementation of the Mitigation Measure REC-1 provided below, impacts to existing recreational facilities would be mitigated to a less than significant level.

C. Mitigation Measures

Existing Recreational Facilities

REC-1 If future facilities are located on a site that results in an impact to existing recreational facilities, replacement recreational facilities shall be acquired or constructed prior to demolition of existing recreational facilities. Replacement recreational facilities shall be located in the general vicinity of the demolished recreational facility.

2.15 TRANSPORTATION/TRAFFIC

2.15.1 SWIRP Policy and Programs

A. Less than Significant Impact. Implementation of some of the policies and programs identified in SWIRP will result in additional blue bin and green bin pick ups as the programs expand recycling and composting. At this time, the number of trucks and their ultimate destination for the increased blue bin and green bin materials is unknown, thus a policy-specific traffic analysis cannot be conducted. LASAN and private haulers routinely conduct audits of their truck routes to ensure the most efficient routing. This helps minimize any traffic impacts related to an increase in truck trips. Therefore, impacts are expected to be less than significant.

B. Facts in Support of Finding (1). The impacts of the proposed SWIRP policies and programs related to transportation and traffic are summarized in Table 4.15-6 in the Final PEIR. In some instances, future SWIRP programs and policies may require separate CEQA analyses.

2.15.2 SWIRP Facilities

C. Potentially Significant Impact. The potential traffic impacts associated with the implementation of SWIRP are primarily associated with the construction and operation of the future facilities that would be required to process the additional materials that would be diverted from the landfill. The potential for the project to result in a substantial traffic increase is dependent upon the location of a specific facility as well as the operational characteristics of the roadways and intersections that would handle traffic to and from the facilities. Specific locations for the future materials processing facilities have

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not been identified at this time. Therefore, future site-specific CEQA analysis would be necessary to determine actual facility-specific transportation and traffic impacts.

D. Facts in Support of Finding (1). Implementation of the Mitigation Measures TR-1 and TR-2 provided below will reduce transportation and traffic impacts. However, depending on the locations of future facilities construction and operational impacts will be potentially significant, even with the incorporation of mitigation measures.

C. Mitigation Measures

- TR-1** Prior to the approval of any future facility, a project-level traffic impact report shall be prepared by a qualified traffic consultant. The report shall be prepared to the standard of the local jurisdiction that would be providing approvals for the project. The report shall include existing traffic information, thresholds of significance, construction and operation-related trip generation and a project and cumulative-level analysis. The traffic report shall identify mitigation measures to reduce project- and cumulative-level impacts to the maximum extent practicable. Such mitigation measures could include roadway and intersection improvements, payment of traffic impact fees, timing of collection truck schedules to avoid peak hours, encouraging carpool, van pool, or alternative transportation for employees through the use of incentives.
- TR-2** Future facilities shall adhere to minimum adopted parking requirements for the type of use proposed, including adequate parking for employees, customers, and any collection vehicles that are stored on-site.

3.0 FINDINGS REGARDING FEASIBLE ALTERNATIVES

Pursuant to CEQA Guidelines §15126.6(a), EIRs must “describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project, but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives.”

The Final PEIR considers a reasonable range of alternatives. The alternatives to the Project are evaluated in Chapter 5.0 of the Final PEIR in terms of their ability to meet the basic objectives of the Project, and eliminate or further reduce its significant environmental effects. Based on these parameters, the following alternatives were considered: (1) No Project/Landfill Alternative ; (2) SWIRP Scenario 1/Expansion of Existing Policies and Programs – No New Programs Alternative; (3) SWIRP Scenario 2/New Downstream Programs Alternative; (4) SWIRP Scenario 3/ Downstream plus Mandatory Alternative; and (5) SWIRP Scenario 4/ Downstream plus Upstream Alternative.

3.1 ALTERNATIVE 1 (NO PROJECT/LANDFILL ALTERNATIVE)

In the No Project/Landfill Alternative, SWIRP would not be implemented, and residual waste would still be disposed at landfills. The City would continue its existing programs and expand existing programs to accommodate growth, where practicable. No black bin processing facilities would be developed for residual waste and black bin materials would continue to be direct-hauled or transferred and then hauled to the Sunshine Canyon Landfill, or other local or remote landfills that accept residual waste from the City.

On a facility-by-facility basis, Alternative 1 would result in fewer potential impacts than those identified for the proposed Project; as under this alternative, no new facilities would be constructed (compared to up to 15 facilities under the proposed project). Due to limited expansion of programs and policies to increase landfill diversion, recycling and composting is not likely to be maximized, the benefit of increased paper recycling and C&D materials (lumber/wood) reuse may not be realized, and this represents a greater potential impact to agriculture, forestry and mineral resources compared to the proposed project.

This alternative would continue with landfilling, which would result in ongoing landfill-related impacts, including Greenhouse Gas (GHG) emissions, landfill truck traffic and associated truck noise, and water quality impacts. It would also result in less recycling, which could have impacts on forestry and mineral resources. The potential for creating new green jobs would also be reduced, thereby impacting the population and economic growth.

Compared to the proposed project, on a facility-by-facility basis, Alternative 1 would result in no new facilities compared to the proposed project (up to 15 facilities). Alternative 1 would result in fewer impacts for the issue areas of aesthetics/visual resources, biological resources, cultural resources, geology/soils, hazards and hazardous material, hydrology/water quality, land use and planning, population and housing, public services, and utilities and service systems and recreation.

The No Project/Landfill Alternative would not meet most of the basic objectives of the proposed Project, therefore, this alternative is not recommended for approval.

3.2 ALTERNATIVE 2 (NO NEW POLICIES OR PROGRAMS)

Under Alternative 2 (SWIRP Scenario 1/Expansion of Existing Policies and Programs – No New Policies or Programs), SWIRP would not be implemented. Existing programs and policies aimed at increased landfill diversion would continue to be expanded, where practicable, but new upstream and downstream policies and programs would not be implemented.

Alternative 2 has potentially fewer environmental impacts than the proposed project, based on total number of new facility needs (12 compared to up to 15);⁴ impacts related to noise and traffic are expected to be similar under this alternative. The type of air quality and GHG impacts would be similar to the proposed project on a facility-by-facility basis, but less than on-going landfilling.

Compared to the proposed project, Alternative 2 has a similar level of impact for the issue areas of aesthetics/visual resources, biological resources, cultural resources, geology/soils, hazards and hazardous material, hydrology/water quality, land use and planning, population and housing and public services, utilities and service systems, and recreation on a facility-by-facility basis. This alternative does not increase source reduction, recycling, and composting diversion.

This alternative does not meet all the project's goals and objectives. The Scenario 1/Expansion of Existing Policies and Programs – No New Programs Alternative would not meet most of the basic objectives of the proposed Project, therefore, this alternative is not recommended for approval.

3.3 ALTERNATIVE 3 (NEW DOWNSTREAM POLICIES AND PROGRAMS)

Under Alternative 3 (SWIRP Scenario 2/Expansion of Existing Policies and Programs plus New Downstream Policies and Programs), only a portion of SWIRP would be implemented, specifically, the new downstream policies and programs. No new mandatory programs or upstream policies would be implemented. This alternative would increase recycling diversion through the construction and operation of two additional blue bin facilities, one small composting facility and the remaining waste will be processed at eight black bin facilities that would need to be built in order to reach the high diversion goals set by the City.

This alternative has fewer environmental impacts than the proposed project based on total number of new facility needs (11 compared to up to 15).⁵ This alternative would decrease landfilling, which results in a reduction of landfill-related impacts, including GHG emissions, landfill truck traffic and water quality.

Alternative 3 would have a similar level of impact for the issue areas of aesthetics/visual resources, agriculture resources, biological resources, cultural resources, geology/soils, hazards and hazardous

⁴ Alternative 2 would require 12 black bin facilities compared to those needed for the Proposed Project - one Resource Recovery Park, three blue bin facilities, one large or six small green bin facilities, and five black bin facilities.

⁵ Alternative 3 would require two blue bin facilities, one small green bin facility, and eight black bin facilities compared to those needed for the Proposed Project - one Resource Recovery Park, three blue bin facilities, one large or six small green bin facilities, and five black bin facilities.

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material, hydrology/water quality, land use and planning, mineral resources, population and housing, public services utilities and service systems, and recreation on a facility-by-facility basis.

However, this alternative only partially achieves the project's recycling and composting diversion goals. This alternative does not meet all the project's goals and objectives; therefore, this alternative is not recommended for approval.

3.4 ALTERNATIVE 4 (NEW DOWNSTREAM POLICIES AND PROGRAMS PLUS IMPLEMENTATION OF MANDATORY PARTICIPATION POLICIES AND PROGRAMS)

Under Alternative 4 (SWIRP Scenario 3), a portion of SWIRP would be implemented, specifically, the new downstream policies and programs identified under Alternative 3 (SWIRP Scenario 2) plus the addition of mandatory participation programs. No new upstream policies would be implemented. A majority of the City's materials will be diverted to four additional blue bin facilities, up to six additional green bin facilities, one resource recovery center, and the remaining residual waste will be processed at five black bin facilities. This alternative has potentially one more facility than the proposed project, and construction and operational impacts will be similar.

Alternative 4 has a similar level of impact for the issue areas of aesthetics/visual resources, agriculture and forestry resources, biological resources, cultural resources, geology/soils, hazards and hazardous material, hydrology/water quality, land use and planning, mineral resources, population and housing, public services, utilities and service systems and recreation. On a facility-by-facility basis, air quality/GHG emission, noise and traffic generation are expected to be similar to the project. This alternative would decrease landfilling, which results in a reduction of landfill-related impacts, including: GHG emissions, landfill truck traffic (and associated noise and air quality emissions) and water quality.

Though this alternative comes closest to meeting the project's goals and objectives, it does not implement upstream policies, therefore source reduction is not achieved. Therefore, this alternative would not meet all of the objectives identified for the proposed project and is not recommended for approval.

3.5 ALTERNATIVE 5 (NEW DOWNSTREAM POLICIES AND PROGRAMS PLUS UPSTREAM POLICIES AND PROGRAMS)

Under Alternative 5 (SWIRP Scenario 4), a portion of SWIRP would be implemented, specifically, the new downstream policies and programs identified under Alternative 3 plus the addition of upstream policies and programs. No new mandatory policies would be implemented. This alternative would require the construction of up to eleven additional facilities: two blue bin facilities, one small composting facility, and eight black bin facilities that would need to be built in order to reach the high diversion goals set by the City.

Alternative 5 is expected to have a similar level of impact for the following issue areas: aesthetics/visual resources, agriculture resources, biological resources, cultural resources, geology/soils, hazards and hazardous material, hydrology/water quality, land use and planning, mineral resources, population and housing, public services, utilities and service systems and recreation. On a facility-by-facility basis, air quality/GHG emissions, noise, and traffic generation are expected to be similar to the proposed Project.

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This alternative would decrease landfilling, which results in a reduction of landfill-related impacts, including GHG emissions, landfill truck traffic, and water quality.

Though this alternative has fewer environmental impacts than the proposed project based on the total number of facilities needed (11 compared to up to 15), however, recycling and composting diversion is not fully achieved. This alternative will only partially meet the project's goals and objectives therefore, this alternative is not recommended for approval.

4.0 STATEMENT OF OVERRIDING CONSIDERATIONS (CEQA GUIDELINE §15093)

CEQA requires Lead Agencies to balance the benefits of a proposed action against its significant unavoidable adverse environmental impacts in determining whether or not to approve the proposed project. In making this determination the Lead Agency is guided by the CEQA Guidelines Section 15093 which provides as follows:

- CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve the proposed project. If the specific economic, legal, social, technological, or other benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered “acceptable”.
- When the Lead Agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. The Statement of Overriding Considerations shall be supported by substantial evidence in the record.
- If an agency makes a Statement of Overriding Considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination.

In addition, Public Resources Code Section 21082(b) requires that where a public agency finds that economic, legal, social, technical or other reasons make infeasible mitigation measures or alternatives identified in the EIR and thereby leave significant unavoidable adverse project effects, the public agency must also find that overriding economic, legal, social, technical or other benefits of the project outweigh the significant unavoidable adverse effects of the project.

The Final PEIR identified a number of alternatives to the Solid Waste Integrated Resources Plan (SWIRP) Project, along with evaluating and determining the extent to which they meet the basic project objectives, while avoiding or substantially lessening any significant adverse impacts of the proposed project. However, for reasons detailed in Section 2.0, Findings of Fact in support of the proposed project, all of the alternatives were found not to be environmentally superior to the proposed project.

The Los Angeles City Council, acting as the Lead Agency and having reviewed the Final PEIR and public records, adopts this Statement of Overriding Considerations (SOC), which has balanced the benefits of the project against its significant unavoidable adverse impacts in reaching a decision to approve the project.

4.1 UNAVOIDABLE ADVERSE SIGNIFICANT IMPACTS

As discussed in Section 2.0 Findings of Fact, the Final PEIR concludes that the proposed project, even with incorporation of all feasible mitigation measures will nonetheless have significant direct and cumulative impacts to air quality and transportation/traffic. Significant and unmitigated air quality impacts that will remain after the implementation of mitigation measures are associated with nitrogen oxide (NOx) emissions from trucks during construction or operation of the project and stationary source emissions at future facilities. Future site-specific CEQA analysis would be necessary to determine actual facility-specific air quality impacts. Transportation/traffic impacts due to truck trips associated with future facilities are considered potentially significant and unmitigable because specific locations of future

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facilities are not known and the conditions of the roadway network adjacent to the future sites cannot be determined at this time.

The City has adopted all feasible mitigation measures with respect to these impacts, which may have substantially lessened the impacts, but due to limitations that restrict site specific analysis, it cannot be conclusively stated that these impacts would be reduced to below a level of significance.

4.2 OVERRIDING CONSIDERATIONS

The City has determined that the significant unavoidable adverse impacts to air quality, transportation and any other impact resulting from the implementation of the proposed project, which will remain after mitigation, including those identified as being mitigated or not requiring mitigation but are subsequently found to remain after mitigation for any reason, are acceptable and are outweighed by specific social, economic, and other benefits of the project. In making this determination, the following factors and public benefits were considered as overriding considerations which apply to the unavoidable significant adverse impacts of the proposed project.

- The proposed project would facilitate the City's goal of achieving a 75 percent landfill diversion rate for solid waste by 2013 and a 90 percent landfill diversion rate by 2025, through an expansion of existing policies and programs, implementation of new policies and programs, and the development of future facilities to meet the City's recycling and solid waste infrastructure needs through 2030.
- The primary objective of the proposed project is to increase landfill diversion, accommodate growth, and make the City of Los Angeles a leader in implementing Zero Waste practices. New policies and programs under the proposed SWIRP would increase recycling by providing convenient opportunities for residents, businesses and institutions to participate, modify multi-family and commercial collection rates, provide more public area recycling, require mandatory recycling and organics separation for multi-family and commercial sectors, expand commercial technical assistance for recycling and waste reduction practices, increase diversion requirements at construction and demolition facilities, and develop opportunities for conducting outreach to decrease wasteful consumption and increase recycling. Solid waste disposal is an essential public service that must be provided without interruption in order to protect public health and safety as well as the environment. The proposed project would be instrumental in diverting waste from landfills, increasing landfill capacity for the growing population in the City, and fostering safe solid waste disposal practices, thereby protecting overall public health and the environment.
- Policies under the proposed project would advocate for legislation to make businesses responsible for their products that are difficult to recycle and which if inappropriately disposed, can release toxics into the environment, and their packaging, including alternatives to EPS foam (containers, "peanuts," and "blocks"), single-use bags, and support for reusable shipping containers. The proposed project would advocate legislation requiring businesses to develop life-cycle analyses for products and packaging, taking into account all environmental impacts of the product from manufacturing to the end of its useful life and incentivizing manufacturers to use local reuse and recycling markets for the products they manufacture. These programs and policies would promote manufacturer and consumer responsibility and help in minimizing the amount of waste prior to the point of generation, thereby, reducing the harmful environmental effects associated with transportation, processing and disposal of solid waste.

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- The proposed project would substantially improve the existing solid waste management infrastructure in the City. Under the proposed project, additional solid waste facilities would be developed to meet the growing needs, meet increased recycling and yard trimmings/food scrap processing, and investment would be made in new, safe alternative technologies for energy and resource recovery of residual waste.
- If SWIRP is not implemented, residual waste would still be disposed at local landfills, which would result in ongoing landfill-related impacts, including Greenhouse Gas (GHG) emissions, landfill truck traffic and associated truck noise, and water quality impacts. There would be no improvement in recycling practices, which could have adverse impacts on forestry and mineral resources.

4.3 LOCATION AND CUSTODIAN OF RECORDS

The documents and other materials that constitute the record of proceedings on which the City's findings and decisions are based are located at the City of Los Angeles, Sanitation, 1149 South Broadway, Suite 500, Los Angeles, CA 90015. The custodian of these documents is the Director of Sanitation. This information is provided in compliance with Public Resources Code Section 21081.6(a) and 14 Cal. Code of Regulations Section 15091(e).