August 10, 2006

TO:

Members of the Facility and Plan Review Subcommittee

Los Angeles County Solid Waste Management Committee/

Integrated Waste Management Task Force

FROM:

Chuk Agu

Staff

POTENTIAL REVISIONS TO CHAPTER 8 OF THE LOS ANGELES COUNTY COUNTYWIDE SITING ELEMENT

Attached is the preliminary draft revisions to Chapter 8 (General Plan Consistency) of the Countywide Siting Element for your discussion at the August 17, 2006, Subcommittee meeting. Please note that facility information and data contained in this Chapter will continue to be updated as new information becomes available.

If you have any questions, please contact me at (626) 458-3556, Monday through Thursday, 7 a.m. to 5:30 p.m.

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Attach.

CHAPTER 8 GENERAL PLAN CONSISTENCY

8.1 PURPOSE AND REQUIREMENTS

The California Integrated Waste Management Act of 1989, as amended (AB 939), requires the Countywide Siting Element (CSE) to identify the areas for the location of potential new solid waste disposal facilities and potential expansions of existing solid waste disposal facilities if it is determined that the existing solid waste disposal capacity within the County will be exhausted within the 15-year planning period (Public Resources Code, Section 41701(d)). The sites identified in the CSE may or may not be consistent with the General Plans of their respective local jurisdiction. The purpose of this chapter is to provide information on the consistency of the sites listed in Chapter 7 of this document—CSE with the appropriate local jurisdiction's General Plan. The areas identified may be potentially suitable for the development of new Class III landfills or expansions of existing Class III landfills.

A General Plan is required by State law to be adopted by all cities and counties of the State in order to regulate the use of land development of property in their jurisdictions. Current State law gives local jurisdictions authority to regulate the use of land within their boundaries. Therefore, tThe determination regarding a proposed project's authority to determine the consistency with their General Plan is made by lies with the government of the local jurisdiction in which the project is located.

General Plans typically consist of text and maps designating broad areas for such basic uses as residential, commercial, industrial, agricultural, etc... Each area of the General Plan is typically describesd by the purpose of the area, the principal permitted uses, and the uses allowed by a land use permit.

The land use/conditional use permit mechanism process allows a local government to review and, if appropriate, place restrictions on an individual project to ensure that the project is suitable for the proposed land use and does not adversely affect neighboring land uses. Moreover, This type of General Plan provision can also be used to require the modification of an existing use permit is also required should an existing land use be modified. Therefore Thus, the siting and protection of the areas identified for future use as a solid waste disposal facilities is are subject to the land use regulations (i.e., General Plan, Zoning, and Land use Permits) of the local jurisdictions on which the CSE must rely to be implemented. It is during this land use permitting process that the local jurisdictions will make a determination regarding General Plan consistency for a site and/or area for which detailed descriptions have been provided.

However, the California Public Resources Code (PRC)—, set forth a separate definition for General Plan consistency for the purpose of identifying areas in a siting

element considered "reserved" or "tentatively reserved" for potential new solid waste disposal facilitiesy and/or expansion of existing solid waste disposal facilities. Section 41702 of the PRC specifies that "an area is consistent with the city or county general plan if all of the following requirements are met:"

- "(a) The city or county adopted a general plan which complies with the requirements of Article 5 (commencing with Section 65300) of Chapter 3 of Division 1 of Title 7 of the Government Code.
- (b) The area reserved for a new solid waste facility or the expansion of an existing solid waste facility is located in, or coextensive with, a land use area designateded or authorized for solid waste facilities in the applicable city or county general plan.
- (c) The land use authorized in the applicable city or county general plan adjacent to or near the area reserved for the establishment of new solid waste transformation or disposal of solid waste or expansion of existing facility is compatible with the establishment or expansion of the solid waste facility."

Therefore, sites and/or areas identified in Chapter 7 of the CSE as potentially suitable for development of new and/or expansion of existing solid waste disposal facilities, identified are considered "reserved" if: (a) the local jurisdiction has made a specific determination that the proposed land use for solid waste disposal site is consistent with its General Plan, or (b) use of the area for solid waste disposal site is listed among potential uses for the area in the local jurisdiction's General Plan. Otherwise, the identified sites and/or areas are considered "tentatively reserved" and not consistent with the local jurisdiction's General Plan.

8.2 PROPOSED DEVELOPMENT OR EXPANSION OF TRANSFORMATION SITES

New transformation facilities have not been proposed recently mainly due to the uncertainties of utility deregulation, the current low prices for power, and substantial negative public perception to this technology. Therefore, new facilities are not envisioned in the immediate future and no areas have been "reserved" nor "tentatively reserved" for the purpose of waste transformation.

8.23 RESERVED LANDFILL_SITES

8.2.1 Class III Landfills

There are no proposed new class III landfills in Los Angeles County. The sites listed below and as identified in Chapter 7 of the CSE as potential expansions of existing Class III landfills or new Class III landfills, are located in the County

unincorporated area. As discussed in the following paragraphs, these sites are considered to be consistent with the County of Los Angeles or the host jurisdiction's General Plan.—and, t_herefore, for the purpose of the CSE, they are considered "reserved." pursuant to Section 41702 of the PRC. A detailed discussion of these sites is provided in Chapter 7 of the CSE. Table 8-1 also provides a summary of the status of each site and/or area listed below.

Antelope Valley Landfill Expansion

As discussed in Section 7.5.2 of Chapter 7 of the CSE, the proposed facility has received its land use permit granted by the Los Angeles County Regional Planning Commission, Conditional Use Permit Nos. 85512-(5) and 93041-(5).

8.3.1.1 Antelope Valley Recycling and Disposal Facility Expansion

The proposed expansion of Antelope Valley Recycling and Disposal Facility, located in the City of Palmdale, is described Section 7.5.3.1, Fact Sheet 7-1, and Figure 7-1 of Chapter 7.

The Antelope Valley Public Landfill Draft Environmental Impact Report (DEIR), SCH No. 1990010988, dated December 2005, stipulates that (1) the City of Palmdale General Plan land use designation for the landfill and ancillary property site is Public Facility Landfill (PF-Landfill), and the existing zoning designation is Public Facility (PF); and (2) the zoning designation for contiguous areas of the landfill are M-4 (Planned Industrial) and a Conditional Use Permit is required to operate a solid waste facility in this zone. Therefore, the proposed expansion is considered "reserved" for the purpose of the CSE.

8.3.1.2 Bradley Landfill and Recycling Center Expansion

The proposed expansion of Bradley Landfill and Recycling Center, located in the City of Los Angeles, is described in Section 7.5.2.2, Fact Sheet 7-2, and Figure 7-2 of Chapter 7. The proposed expansion area is entirely within the permitted disposal area of the existing permitted landfill property site boundaries.

The existing landfill property site is located in areas zoned M2-1, M2-1G, and M3-1G where M2 is light industrial and M3 is heavy industrial. The land uses of adjacent and contiguous parcels are shown in Figure 7-2 of Chapter 7. Pursuant to the City of Los Angeles Municipal Code, solid waste landfills are permitted by right within M3 zone, however, a variance is required in the M2 zone area to allow use and maintenance of solid waste landfill operations. The City of Los Angeles Department of City Planning, granted a Zone Variance (Case No. ZA 94-00792(ZV)) on March 18, 1996 for solid waste landfill operations to be allowed at Bradley Landfill in the area zoned M2. Therefore, the expansion area is considered "reserved" for the

purpose of the CSE.

8.3.1.3——Chiquita Canyon Landfill Expansion

The proposed expansion of Chiquita Canyon Landfill located in the unincorporated area in the northwestern Santa Clarita Valley, is described in Section 7.5.2.3, Fact Sheet 7-3, and Figure 7-3 of Chapter 7. The proposed expansion area is beyond the existing permitted disposal areas but within the existing permitted landfill property site boundaries.

The proposed expansion site is designated as "R, Non-Urban" in the Land Use Policy Map LU-1, dated November 1980, of the County of Los Angeles General Plan. Solid waste landfill is one of the land uses allowed in the areas designated as "R, Non-Urban."

The landfill is also located within the Santa Clarita Valley Area Plan of the Los Angeles County General Plan, and in the Castaic Area Community Standards District. The bulk of the existing landfill property site is zoned A-2-2 and A-2-5 (Heavy Agriculture -Two and Five Acre Minimum parcel sizes) and the balance of the property, primarily the easterly portion is zoned M-1.5 DP (Restricted Heavy Manufacturing-Development Program). The land uses of the adjacent and contiguous parcels are shown in Figure 7-3 of Chapter 7.

On May 9, 1997, the County of Los Angeles Regional Planning Commission granted CUP Number 89-081-(5) to Chiquita Canyon Landfill for the requested landfill operations on the existing landfill property site. The CUP findings indicated that since the requested uses may be sited within these zones with a CUP, the existing landfill site is consistent with the County of Los Angeles General Plan.

Therefore, the proposed expansion is consistent with the County General Plan and the expansion area is considered "reserved" for the purpose of the CSE.

Elsmere Canyon Landfill

The proposed Elsmere Canyon Landfill site encompasses areas which are designated as "O, Open-Space," and "R, Non-Urban" in the Land Use Policy Map LU-1, dated November 1980, of the County of Los Angeles General Plan. Solid waste landfill is one of the land uses allowed in the areas designated as "R, Non-Urban" or "O, Open-Space."

8.3.1.4Lancaster Landfill and recycling Center Expansion

The proposed expansion of Lancaster Landfill and Recycling Center (LLRC) located in the northeastern portion of unincorporated Los Angeles County, is described in Section 7.5.2.4, Fact Sheet 7-4, and Figure 7-4 of Chapter 7.

The proposed expansion landfill property site and its environs are is designated as "R, Non-Urban" in the Land Use Policy Map LU-1, dated November 1980, of the County of Los Angeles General Plan. Solid waste landfill is one of the land uses in the areas designated as "R, Non-Urban."

Also, the CUP granted by the Los Angeles County Regional Planning Commission on May 13, 1998 (CUP (No. 93-070-(5)) indicates that the landfill property site and surrounding areas are designated "Non-urban" in the Antelope Valley General Plan. The Antelope Valley General Plan allows "Public and Semi-public" uses typically located in non-urban environs, such as solid and liquid waste disposal sites. Additionally, the existing landfill property site and its environs are zoned D-2-1 (Desert-One Acre minimum lot size), a zone which permits a wide range of activities including, with certain restrictions, light industrial uses. Waste disposal facilities require a CUP to operate in this zone.

The proposed expansion will not affect the physical dimension of the landfill. Thus, the landfill site and its operations would remain consistent with the County and Antelope Valley General Plan. Therefore, the landfill site is considered "reserved" for the purpose of the CSE.

Puente Hills Landfill Expansion

The proposed expansion site encompasses areas which are designated as "O, Open-Space," and "P, Public/Semi-Public" in the Land Use Policy Map, LU-1, dated November 1980, of the County of Los Angeles General Plan. Solid waste landfill is one of the land uses allowed in the areas designated as "O, Open Space" or "P, Public/Semi Public."

8.3.1.5Scholl Canyon Sanitary Landfill Expansion

The potential expansion of Scholl Canyon Sanitary Landfill, located in the City of Glendale, is described in Section 7.5.2.5, Fact Sheet 7-5, and Figure 7-5 of Chapter 7.

The JPA for operation of the landfill continues to recognize that the future option of the landfill include an expansion of (and/or on) the disposal area, but no specific expansion has been proposed by the City of Glendale at this time. However, any future expansion of the landfill is expected to lie within the existing permitted landfill disposal area and within the landfill site boundaries.

The City of Glendale granted a Use Variance (Case Number 6668-U) on November 27,1978 for operation of Scholl Canyon Sanitary Landfill which is located in an area zoned R1 One-Family Zone. The land uses of the adjacent and contiguous parcels are shown in Figure 7-4 of Chapter 7.

Since the potential expansion area is expected to lie within the existing permitted disposal area, the expansion is considered "reserved" for the purpose of the CSE.

8.3.1.6——Sunshine Canyon Landfill Expansion (County unincorporated area)

As discussed in Chapter 7 of this document, the proposed expansion of this facility consists of an area which is partially located in the City of Los Angeles and partially in the County unincorporated area.

Conditional Use Permit No. 86-312 approved by the Los Angeles County Board of Supervisors on October 21, 1993 allows for initial expansion in the unincorporated areas. This permit also allows further expansion—should the City of Los Angeles also approve the requested expansion into the area within the jurisdiction of the City of Los Angeles (see discussion in Section 8.4).

The proposed expansion of Sunshine Canyon Landfill for both the City and County of Los Angeles sides are described, detailed and shown in Section 7.5.2.6, Fact Sheet 7-6, and Figure 7-6 of Chapter 7. The land uses of the adjacent and contiguous parcels are also shown in Figure 7-6 of the Chapter 7.

In November 1993, the County Board of Supervisors approved a Conditional Use and Oak Tree Permit (CUP No. 86-312-(5)) which (1) amended the County General Plan to exclude 542 acres portions of Sunshine Canyon Landfill from SEA 20, and (2) re-designated land uses within same areas as Hillside Management, Non-Urban Hillside and Residential (non-urban), and (3) authorized landfilling on the County-side.

The County General Plan recognizes that many non-residential uses may be appropriately located in non-urban hillside management area, including prospectively waste disposal facilities that require Canyon locations as a buffer to urban areas. The General Plan amendment, with the adopted mitigation measures and conditions, are consistent with the overall goals and policies of the County General Plan.

On December 8, 1999, the Los Angeles City Council amended zone change ordinance on an approximately 394 acres portion Sunshine Canyon Landfill (Cityside) from A1-1-K-O to [T][Q]M3-1 within the Granada Hills-Knollwood Community Plan, thereby approving a General Plan Amendment to heavy industrial and zone change to M3, and authorizing landfill operations to re-start on the City-side of the landfill.

Since the area identified for the expansion is located within the existing permitted landfill site, which is located within an area authorized for landfilling in the applicable City and County General Plans, the expansion is consistent with the General Plan of the City and the County of Los Angeles. Therefore, the expansion areas in both the City and County-sides are considered "reserved" for the purposes of the CSE.

8.3.2 Inert Waste Landfills

There are no proposed new inert waste landfills in Los Angeles County. The site listed below and identified in Chapter 7 of the CSE as a potential expansion of existing inert waste landfill is considered "reserved" pursuant to Section 41702 of the PRC.

8.3.2.1Peck Road Gravel Pit Expansion

The proposed expansion of Peck Road Gravel Pit within the City of Irwindale is described in Section 7.5.2.7. Fact Sheet 7-7, and Figure 7-7 of Chapter 7.

The existing permitted landfill property site is zoned PD (Planned Development) in the City of Monrovia Zoning Map and as such, any use requires that a Conditional Use Permit be filed. On June 12, 1987, the City of Monrovia Planning Commission approved CUP Number 87-24 for operation of Peck Road Gravel Pit. The land uses of adjacent and contiguous parcels are shown in Figure 7-6 of Chapter 7.

The proposed expansion area is located outside the existing landfill property site and outside the City of Monrovia in an area within the City of Irwindale zoned as M-2 (Heavy Manufacturing). On September 14, 2000, the City of Irwindale City Council adopted Resolution Number 2000-42-1699 upholding its Planning Commission's Conditional Use Permit Number 95-4 allowing the expansion of Peck Road Gravel Pit into this area.

Therefore, the expansion is consistent with the City of Irwindale's General Plan and the expansion area is considered "reserved" for the purpose of the CSE.

8.3.3 Transformation Facilities

<u>Currently, there is no proposed new or expansions of existing transformation (waste-to-energy) facility in Los Angeles County.</u>

8.3.4 Conversion Technology Facilities

There are no proposed new and/or potential expansions of CT facilities in Los Angeles County. Locations and/or areas potentially suitable for locating new CT facilities within the County are identified in Tables 7-1 and 7-2, and Figures 7-8 and 7-9 of Chapter 7. However, there are no "reserved" CT facility sites identified in the CSE.

A detailed discussion of these sites is provided in Chapter 7 of the CSE. Tables 8-1 and 8-2 also provide an overview of the current status of each site listed below.

8.3.5 Biomass Processing Facilities

There are no proposed new (or expansion of existing) biomass facilities in Los Angeles County.

8.4 TENTATIVELY RESERVED LANDFILL_SITES

Public Resources Code Section 41710(a) stipulates that "[a] County may tentatively reserve an area or areas for the location of a new solid waste transformation or disposal facility or the expansion of an existing transformation or disposal facility even though that reservation of the area or areas is not consistent with the applicable city or county general plan. A reserved area in a countywide siting element is tentative until it is made consistent with the applicable city or county general plan".

The following sites sites and/or areas are identified as "tentatively reserved" in this document., h However, if the areas sites and/or areas are not brought into consistency of with the local jurisdictions' General Plan by the first next five-year revision of the ColWMP, or subsequent revisions, these sites and/or areas are required to be removed from the CSE. The local government having jurisdiction over the area may also remove "tentatively reserved" areas sites and/or areas from the CSE by requesting the County to do so at the time of the next revision of the document CSE.

A detailed discussion of these sites and/or areas is provided in Chapter 7 of the CSE. Tables 8-1 and 8-2 also provide an overview of the current status of each site listed below.

8.4.1 Class III Landfills

There are no proposed new Class III landfills in Los Angeles County. Additionally, none of the sites identified in Chapter 7 of the CSE for potential expansions of existing Class III landfills are considered "tentatively reserved," pursuant to Section 41710 of the PRC.

8.4.2 Inert Waste Landfills

There are no proposed new (or expansion of existing) inert waste landfills in Los Angeles County that are considered "tentatively reserved" in the CSE.

8.4.3 Transformation Facilities

There are no proposed new (or expansions of existing) waste-to-energy facilities in Los Angeles County.

8.4.4 Conversion Technology Facilities

Locations and/or areas potentially suitable for locating new CT facilities within the County are identified in Tables 7-1 and 7-2, and Figures 7-8 and 7-9 of Chapter 7. These locations and/or areas are not yet designated or authorized for conversion technologies by their respective local land use authority. These locations and/or areas are considered "tentatively reserved" for the purposes of the CSE.

8.4.5 Biomass Processing Facilities

There are no existing or proposed new biomass facilities in Los Angeles County.

Three sites, including the Sunshine Canyon Landfill expansion portion within the City of Los Angeles, One of the sites may be potentially suitable as a new Class III landfill.

Potential Expansion Sites
 Sunshine Canyon
 (City of Los Angeles portion, also see Section 8.5)
 Scholl Canyon

A detailed discussion of these sites is provided in Chapter 7 of the CSE. Tables 8-1 and 8-2 also provide an overview of the current status of each site listed above.

Table 8-1

SUMMARY OF THE CURRENT STATUS OF POTENTIAL NEW CLASS III LANDFILLS

SITE	JURISDICTION	LAND USE PERMIT STATUS	EIR STATUS	COMMENTS
Blind Canyon	Counties of Los Angeles and Ventura	None	See Note 1	See Chapter 7, Section 7.4 and Table 7-2.
Elsmere Canyon	County of Los Angeles	None	See Note 2	See Chapter 7, Section 7.4 and Table 7-3.

Note:

Note 1 - A Program EIR was prepared to address environmental impacts for several potential sites including Blind Canyon (see Chapter 7, Section 7.4). However, additional environmental documents may be required for this site during the land use permitting process.

Note 2 - The Omnibus Parks and Land Management Act of 1996, which w
as enacted in November 1996, prohibits the transfer of Angeles National Forest lands (by exchange or otherwise) for the use as a solid waste landfill. Previously, a draft EIR was prepared for a fill area which included Angeles National Forest area.

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Table 8-1

SUMMARY OF THE CURRENT APPROVAL STATUS OF THE POTENTIAL EXPANSIONS OF EXISTING CLASS III LANDFILLS DISPOSAL FACILITIES

SITE	JURISDICTION	STATUS OF THE LAND USE PERMIT FOR THE EXPANSIONSTATUS	STATUS OF THE EIR-FOR THE EXPANSIONSTATUS	COMMENTS
Antelope Valley_Recycling and Disposal Facility	County of Los Angeles City of Palmdale	CUP Nos. 85512-(5) and 93041-(5) granted on 4/8/92 and 12/1/93, respectively Application filed.	EIR was certified on 4/8/92 The public review period for the draft EIR concluded on January 27, 2006. The DEIR is being reviewed by the City of Palmdale.	See Chapter 7, Section 7.5.2.1 and Table 7-34 and Figure 7-1.
Bradley Landfill and Recycling Center	City of Los Angeles	Application for the Land Use Permit has been filed with the City of Los Angeles.	The public review period for the draft EIR concluded on April 6, 2006. The Final EIR is currently being prepared.	See Chapter 7, Section 7.5.2.2, Table 7-3 and Figure 7-2.
Chiquita Canyon Landfill	County of Los Angeles	aApplication filed for CUP 2/17/89on 10/12/2004.	EIR was certified by RPC on 9/11/96; the certification was appealed to the BoS and a decision is pending The draft EIR is currently being prepared.	See Chapter 7, Section 7.5.2.3 and Table 7-35 and Figure 7-3. "RPC" means the Les Angeles County Regional Planning Commission. "BoS" means the Les Angeles County Beard of Supervisors.
Lancaster Landfill and Recycling Center	County of Los Angeles	aApplication filed 8/18/93	A_draft EIR is expected to be released by fall 1997currently being prepared	See Chapter 7, Section 7.5.2.4 and Table 7-36 and Figure 7-4.
Puente Hills	County of Los Angeles	current CUP No. 92-250-(4) expires 11/1/2003; a new CUP is required	EIR was certified on 11/25/92; a new EIR may be required	See Chapter 7, Section 7.5.2 and Table 7-7.

Table 8-1
SUMMARY OF THE CURRENT APPROVAL STATUS OF THE POTENTIAL EXPANSIONS OF EXISTING CLASS III LANDFILLS DISPOSAL FACILITIES

SITE	JURISDICTION	STATUS OF THE LAND USE PERMIT FOR THE EXPANSIONSTATUS	STATUS OF THE EIR-FOR THE EXPANSIONSTATUS	COMMENTS
Scholl Canyon Sanitary Landfill	City of Glendale	pending technical studies Use Variance Case Number 6668-U granted on November 27, 1978 allows for expansion of landfill.	pending technical studies No EIR has been prepared.	See Chapter 7, Section 7.5.2.5 and Table 7-38 and Figure 7-5.
Sunshine Canyon Landfill	County and City of Los Angeles	The City of Los Angeles has granted BFI permission to file an application for a CUP. An application has been filed with the City for the proposed expansion and the draft EIR is currently under preparation. A CUP and Oak Tree Permit No. 86-312 (5) was granted in November 1993 (the "1993 County CUP") to allow BFI to extend landfilling into the County-side. City of Los Angeles approved a General Plan Amendment and Zone Change (Ordinance No. 172933) on December 8, 1999 to resume landfilling on the City side. On June 7, 2006, the County Board of Supervisors (BOS) granted a replacement CUP replacing the 1993 County CUP subject to additional conditions. The final replacement CUP is being drafted for approval by the BOS. Operation of a joint City/County landfill will be subject to approval of the Joint Powers Agreement (JPA) and Revenue Sharing Agreement (RSA) currently being prepared	The County Board of Supervisors granted CUP No. 86-312 on 10/21/93 for expansion in the County unincorporated area. The Final EIR (State Clearinghouse No. 89071210) for the 1993 CUP was certified by the BOS on February 19, 1991, and was recertified in November 30, 1993. In December 8, 1999, the City of Los Angeles certified a Final Subsequent EIR ("SEIR", (State Clearinghouse No. 92041053) in connection with its adoption of a Zone Change and General Plan Amendment that approved land filling on the City side. Subsequently, the County prepared an Addendum to the "FEIR" and "SEIR" in connection with the replacement CUP. The Addendum is pending certification by the BOS.	See Chapter 7, Section 7.5.2.6—and Table 7-39 and Figure 7.6.

Table 8-1

SUMMARY OF THE CURRENT APPROVAL STATUS OF THE POTENTIAL EXPANSIONS OF EXISTING CLASS III LANDFILLS DISPOSAL FACILITIES

SITE	JURISDICTION	STATUS OF THE LAND USE PERMIT FOR THE EXPANSIONSTATUS	STATUS OF THE EIR-FOR THE EXPANSIONSTATUS	COMMENTS
		jointly by the County and City.		
Peck Road Gravel Pit	City of Monrovia (for existing landfill) City of Irwindale (for expansion area)	CUP No. 95-4 for the expansion has been approved by the City of Irwindale on September 14, 2000.	The Final EIR for the expansion was certified by the Irwindale City Council by Resolution 2000-42-1699 on September 14, 2000.	See Chapter 7, Section 7. <u>56</u> .2.1 and Table 7-39 and Figure 7-7.

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