

DEC 13 1999

LOS ANGELES, COUNTY CLERK

## NOTICE OF DETERMINATION

(Article V, Section 7; Article VI, Section 11  
City CEQA Guidelines)

Public Resources Code Section 21152(a) requires local agencies to submit this information to the County Clerk. The filing of the notice starts a 30-day statute of limitations on court challenges to the approval of the project pursuant to Public Resources Code Section 21167. Failure to file the notice results in the statute of limitations being extended to 180 days.

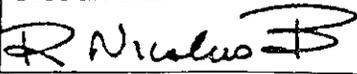
<b>LEAD CITY AGENCY AND ADDRESS</b>  City of Los Angeles Planning Department 221 South Figueroa Street, Room 310 Los Angeles, CA 90012		<b>COUNCIL DISTRICT</b>  Council District No. 12 Granada Hills-Knollwood Community Plan
<b>PROJECT TITLE (Including Its Common Name, If Any)</b> Sunshine Canyon Landfill Expansion	<b>CASE NO. 98-0184(ZC/GPA)(MPR)</b> Council File No. 99-1119	
<b>PROJECT DESCRIPTION AND LOCATION: PROJECT DESCRIPTION: (See attached)</b> <b>LOCATION:</b> An approximately 494-acre portion of Sunshine Canyon, located at 14747 San Fernando Road, in the City of Los Angeles. <b>Added Area:</b> A 5-acre, landlocked parcel (Tract 9673) located on the northeast side of Sunshine Canyon Landfill, westerly of the Golden State (I-5) Freeway, and southerly of the Antelope Valley (SR 14) Freeway interchange..		
<b>CONTACT PERSON</b> R. Nicolas Brown, AICP	<b>STATE CLEARING HOUSE NUMBER</b> 92041053	<b>TELEPHONE NUMBER</b> (213) 485-7868
This is to advise that on December 8, 1999 the City Council and on December 9, 1999 the Mayor of the City of Los Angeles approved the above described project and has made the following determinations:		
<b>SIGNIFICANT EFFECT</b>	<input checked="" type="checkbox"/> Project will have a significant effect on the environment. <input type="checkbox"/> Project will not have a significant effect on the environment.	
<b>MITIGATION MEASURES</b>	<input checked="" type="checkbox"/> Mitigation measures were made a condition of project approval. <input type="checkbox"/> Mitigation measures were not made a condition of project approval.	
<b>OVERRIDING CONSIDERATION</b>	<input checked="" type="checkbox"/> Statement of Overriding Considerations was adopted. <input type="checkbox"/> Statement of Overriding Considerations was not adopted. <input type="checkbox"/> Statement of Overriding Considerations was not required.	
<b>ENVIRONMENTAL IMPACT REPORT</b>	<input checked="" type="checkbox"/> An Environmental Impact Report was prepared for project and may be examined at the Office of the City Clerk.* <input type="checkbox"/> An Environmental Impact Report was not prepared for the project.	
<b>NEGATIVE DECLARATION</b>	<input type="checkbox"/> A Negative Declaration or Mitigated Negative Declaration was prepared for the project and may be examined at the Office of the City Clerk* <input checked="" type="checkbox"/> A Negative Declaration or Mitigated Negative Declaration was not prepared for the project.	
<b>SIGNATURE</b> 	<b>TITLE</b> City Planner, Hearing Examiner	<b>DATE OF PREPARATION</b> December 13, 1999
<b>DISTRIBUTION:</b> Part 1 - County Clerk Part 2 - City Clerk Part 3 - Agency Record Part 4 - Resp. State Agency (if any)	<b>* OFFICE OF THE CITY CLERK</b> Room 607, City Hall 200 N. Main Street Los Angeles, CA 90012	

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ATTACHMENT

Development, operation, maintenance and monitoring of a Class III, non-hazardous solid waste landfill on a 494-acre site in Sunshine Canyon, including a scale house, scale facilities, administrative offices, a caretaker facility, a lunchroom/locker storage facility, maintenance and control buildings, a leachate treatment plant and storage tanks, surface drainage systems, water storage tanks, gas monitoring stations, gas flare station and other ancillary uses. Approximately 100 acres, south of the operational landfill is proposed as a natural buffer. The footprint of the proposed landfill within the City would consist of approximately 194 acres and would provide an estimated net airspace disposal capacity of 55 million tons when connected with the proposed extension of the existing County Landfill (the "City/County Landfill"). The joint operation of the City/County Landfill would allow for a total average waste intake of 11,000 tons per day (tpd) (5,000 tpd in the City in addition to the currently authorized 6,000 tpd in the County), with a daily maximum of 12,100 tons. This total includes an average of 1,100 tpd of inert waste or peak volume disposed waste.

\* \* \*

SIGNATURE 	TITLE City Planner, Hearing Examiner	DATE OF PREPARATION December 13, 1999
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DEC 13 1999

CERTIFICATE OF FEE EXEMPTION

LOS ANGELES, COUNTY CLERK

De Minimis Impact Finding

PROJECT TITLE (INCLUDING ITS COMMON NAME, IF ANY)

Final SEIR 91-0377(ZC/GPA)

Sunshine Canyon Landfill Expansion

STATE CLEARING HOUSE NUMBER  
92041053

PROJECT DESCRIPTION: (See attached)

PROJECT ADDRESS: An approximately 494-acre portion of Sunshine Canyon, located at 14747 San Fernando Road, in the City of Los Angeles. Added Area: A 5-acre, landlocked parcel (Tract 9673) located on the northeast side of Sunshine Canyon Landfill, westerly of the Golden State (I-5) Freeway, and southerly of the Antelope Valley (SR 14) Freeway interchange.

COUNTY OF LOS ANGELES

APPLICANT NAME AND ADDRESS

Browning-Ferris Industries of California, Inc.  
14747 San Fernando Road, in the City of Los Angeles.

FINDINGS OF EXEMPTIONS

Based on the Initial Study prepared by the City Planning Department and all evidence in the record, on December 13, 1999 it is determined that the subject project which is located in Los Angeles County, WILL NOT have an adverse impact on wildlife resources or their habitat as defined by Fish and Game Code Section 711.2 of the Fish and Game Code, Because

- The Initial Study prepared for the project identified no potential adverse impact on fish or wildlife resources as far as earth, air, water, plant life, animal life, or risk of upset are concerned.
- Measures are required as part of this approval which will mitigate the above mentioned impacts, to a level of insignificance.
- The project site, as well the surrounding area (is presently) (was) developed with residential structures and does not provide a natural habitat for either fish or wildlife.

CERTIFICATION

I hereby certify that the Los Angeles Planning Department has made the above findings of fact and that based upon the initial study and hearing record the project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.

CHIEF PLANNING OFFICIAL

Con Howe

SIGNATURE

DATE OF PREPARATION

December 13, 1999

PRINT NAME

R. Nicolas Brown, AICP

LEAD CITY AGENCY

LOS ANGELES CITY PLANNING DEPARTMENT, 221 SOUTH FIGUEROA STREET, ROOM 310, LOS ANGELES, CA 90012  
COUNTY OF LOS ANGELES

ATTACHMENT

Development, operation, maintenance and monitoring of a Class III, non-hazardous solid waste landfill on a 494-acre site in Sunshine Canyon, including a scale house, scale facilities, administrative offices, a caretaker facility, a lunchroom/locker storage facility, maintenance and control buildings, a leachate treatment plant and storage tanks, surface drainage systems, water storage tanks, gas monitoring stations, gas flare station and other ancillary uses. Approximately 100 acres, south of the operational landfill is proposed as a natural buffer. The footprint of the proposed landfill within the City would consist of approximately 194 acres and would provide an estimated net airspace disposal capacity of 55 million tons when connected with the proposed extension of the existing County Landfill (the "City/County Landfill"). The joint operation of the City/County Landfill would allow for a total average waste intake of 11,000 tons per day (tpd) (5,000 tpd in the City in addition to the currently authorized 6,000 tpd in the County), with a daily maximum of 12,100 tons. This total includes an average of 1,100 tpd of inert waste or peak volume disposed waste.

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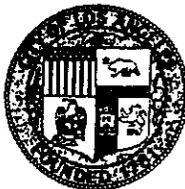
SIGNATURE <i>R. N. Nuland B</i>	TITLE City Planner, Hearing Examiner	DATE OF PREPARATION December 13, 1999
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J. MICHAEL CAREY  
City Clerk

CITY OF LOS ANGELES  
CALIFORNIA

Office of the  
CITY CLERK  
Council and Public Services  
Room 615, City Hall  
Los Angeles, CA 90012  
Council File Information - (213) 485-5703  
General Information - (213) 485-5705

When making inquiries  
relative to this matter  
refer to File No.



RICHARD J. RIORDAN  
MAYOR

99-1119

CD 12

December 13, 1999

Council Member Bernson  
Council Member Hernandez  
Director of Planning  
Planning Department  
Community Planning Section  
cc: GIS Section-Fae Tsukamoto  
221 N. Figueroa St, Room 900  
Department of Building & Safety,  
c/o Zoning Coordinator  
Department of Water & Power  
City Attorney,  
Attn: Claudia Culling  
Bureau of Sanitation,  
Attn: Drew Sones

Council Member Miscikowski  
Planning Commission  
Advisory Agency  
Bureau of Engineering,  
Development Services Division  
Attn: Glenn Hirano  
Department of Transportation,  
Traffic/Planning Sections  
Bureau of Street Lighting,  
"B" Permit Section  
Chief Legislative Analyst  
Environmental Affairs Department  
Fire Department

SEE ATTACHED SHEET FOR FURTHER NOTIFICATIONS

RE: GENERAL PLAN AMENDMENTS FOR THE SUNSHINE CANYON LANDFILL LOCATED AT  
14747 SAN FERNANDO ROAD IN THE GRANADA HILLS-KNOLLWOOD COMMUNITY PLAN  
AREA

At the meeting of the Council held October 26, 1999, the following  
action was taken:

Attached report adopted.....	X
" amending motions adopted.....	10-26-99 & 11-17-99
Resolution adopted.....	X
Ordinance adopted.....	12-8-99
To the Mayor FORTHWITH.....	X
Ordinance Number.....	172933
Posted date.....	12-13-99
Effective date.....	1-22-00
Mayor approved.....	12-10-99
Findings adopted.....	X
EIR certified.....	X

*J. Michael Carey*  
City Clerk  
dng

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Dee Allen  
Environmental Affairs Department

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Assembly California Legislature  
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Van Nuys, CA 91401

Cecelia Rodriguez  
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Sun Valley, CA 91352

TO THE COUNCIL OF THE  
CITY OF LOS ANGELES

Your **PLANNING AND LAND USE MANAGEMENT** Committee  
**MAJORITY REPORT**

reports as follows:

	<u>Yes</u>	<u>No</u>
Public Comments	<u>XX</u>	<u>  </u>

ENVIRONMENTAL IMPACT REPORT, STATEMENT OF OVERRIDING CONSIDERATIONS, MITIGATION MONITORING AND REPORTING PROGRAM and PLANNING AND LAND USE MANAGEMENT COMMITTEE MAJORITY REPORT (Miscikowski-Hernandez) and ORDINANCES relative to General Plan Amendments for the Sunshine Canyon Land fill located at 14747 San Fernando Road in the Granada Hills-Knollwood Community Plan Area.

1. CERTIFY that the Final Subsequent Environmental Impact Report (FSEIR No. 91-0377-ZC/GPA; State Clearing House No. 92041053) including the Addendum dated February 5, 1999 for the Added Area, has been completed in compliance with the California Environmental Quality Act, the State Guidelines and the City Guidelines and that the City Council has reviewed the information contained therein and considered it along with other factors related to this project; that this determination reflects the independent judgment of the lead agency City of Los Angeles; and that the documents constituting the record of proceedings in this matter are located in Council File 99-1119 in the custody of the City Clerk and in the files of the Department of City Planning in the custody of the Environmental Review Section; and ADOPT the Final Subsequent Environmental Impact Report.
2. ADOPT FINDINGS made pursuant to and in accordance with Section 21081 of the Public Resources Code and the Statement of Overriding Considerations prepared by the City Planning Department.
3. ADOPT FINDINGS of the City Planning Commission as the Findings of Council.
4. ADOPT accompanying RESOLUTION as recommended by the Mayor, the City Planning Commission, the Director of Planning and the General Plan Advisory Board, APPROVING the proposed Plan Amendment from Open Space to Heavy Industrial for an approximate 394 acres portion of the Sunshine Canyon Landfill and an "Added Area" consisting of an approximate 5-acre landlocked parcel (Tract 9673 located on the northeast side of Sunshine Canyon Landfill westerly of the Golden State (I-5) Freeway and southerly of the Antelope Valley (SR 14) Freeway interchange, within the Granada Hills-Knollwood Community Plan Area.
5. PRESENT and ADOPT accompanying ORDINANCE, approved by the

Planning Commission, changing the zone from A1-1-K-0 to [T][Q]M3-1-0 on an approximate 394 acre portion of the Sunshine Canyon Landfill, subject to Conditions, as modified to as indicated in the attached Environmental Affairs and Bureau of Sanitation transmittals dated August 10, 1999, and as further modified to require the applicant to provide, within three years, a total of 1,000 replacement trees at the project site. There is no zone change proposed for the "Added Area" which will remain in the A1-1-K-0 zone classification.)

CPC 98-0184 (ZC/GPA) (MPR)

Said rezoning shall be subject to the [Q] Qualified classification zone limitations as shown on the sheets attached to the Committee report.

6. REMOVE (T) Tentative classification as described in detail on the sheet(s) attached to this Committee report.
7. INSTRUCT the City Planning Department to update the General Plan and appropriate maps pursuant to this action.
8. REQUEST that the City Attorney:
  - A. Report to Council relative to the legal feasibility of enacting a tipping fee for refuse disposal at Sunshine Canyon to serve as an environmental impact mitigation measure for actions such as the purchase of additional open space land in conjunction with the Santa Monica Mountain Conservancy.
  - B. In conjunction with the Planning Department:
    - i. Prepare the necessary condition(s) to effectuate a Sunshine Canyon waste disposal tipping fee, if appropriate.
    - ii. Determine whether the City can require the project proponent to install on-site cameras with Internet access viewing to assist City staff and the public monitor landfill operations; and prepare the necessary condition(s) if appropriate.
9. DIRECT the Chief Legislative Analyst to report to Council relative to negotiations with the County of Los Angeles regarding the establishment of a Joint Powers Agreement, assurances that conditions will be consistently devised and enforced, and that the City will receive a reasonable apportionment of landfill revenues to pay for associated mitigation and enforcement activities.
10. SUBMITS WITHOUT RECOMMENDATION accompanying draft Planning Department report relative to acceptable (T) and (Q) conditions and mitigation monitoring and reporting program

as substantially proposed by the North Valley Coalition.

11. ADVISE the applicant that pursuant to California State Public Resources Code 21081.6 and CEQA Guidelines 150919(d), as amending by the City of Los Angeles Policy Memorandum No. 91-1, June 1992, the City will monitor or require evidence that any mitigation conditions are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring.
12. NOT PRESENT and ORDER FILED ordinance dated February 25, 1999.

(Public Hearing Scheduled in Council September 28, 1999)

Fiscal Impact Statements: The Planning Department reports that the Department of City Planning has a full cost recovery contract with the applicant of the subject planning case. Therefore, there is no negative impact to the General Funds. The Bureau of Sanitation states that approval of the project may allow the City to continue to dispose of its refuse in the Sunshine Canyon Landfill under the same contract price with the CPI escalation for a significant term of 15-20 years or more. The increase in disposal fees would be strictly limited to CPI and population factors. Approval of the proposed project would eliminate the capital cost of developing a new transfer station in the San Fernando Valley. (The capital cost of a transfer station in the valley is estimated at \$10,000,000).

Summary:

At their meeting held May 4, 1999, the Planning Commission approved plan amendments from "open space" to "heavy industrial" and a zone change from A1-1-K-0 to [T][Q]M3-1-0 on an approximate 394 acre portion of the Sunshine Canyon Landfill and a five-acre added area to permit landfill activities in the City portion of property located at 14747 San Fernando Road. The Commission took other effectuating actions relative to environmental regulations, mitigation, monitoring and reporting, and related matters. The project proponent endeavors to develop a solid waste landfill at this location which is located within the jurisdictions of the City and the County of Los Angeles. There is no zone change proposed for the "added area" which will remain in the A1-1-K-0 zone classification. The project site is primarily disturbed due to extensive landfilling operations that have taken place during a 30-year period.

In the Commission's accompanying findings, the Planning Department reports that an amendment to the General Plan changed the designation on the subject site from "minimum" residential to privately owned "open space" in order to preserve natural resources and the natural environment. In addition, the Department states that residential development was unlikely to occur within the next twenty years due to landfill closure and

post-closure activities. The plan allows solid waste disposal in the desirable open space designation. The Citywide General Plan Framework Element provides a comprehensive long-range growth strategy. Included therein are statements regarding the public service infrastructure necessary to support the City's population and economy. It is noted that landfill "capacity must be provided for the waste collected by both City agencies and private collection companies. The plan notes that other disposal methods do not appear feasible due to implementation, environmental, or financial reasons. The remaining policy option, local disposal, states that the City shall work with the County of Los Angeles, other jurisdictions, and private companies to identify and secure additional disposal capacity in or outside the County. Even with successful diversion and recycling programs, the City needs more disposal capacity.

Sunshine Canyon is an 1100-acre site owned by BFI. The City's landfill ceased operation in 1991. The County commenced disposal operations in August 1996. Given current disposal rates, landfill capacity could be exhausted in 2006. The Planning Department goes on to state that operating a landfill within the City would provide adequate infrastructure and a long-term solution to the City's diminishing disposal capacity. Such an operation would also reduce environmental impacts such as emissions and the use of energy and natural resources associated with transporting waste to remote facilities. Environmental protection and control systems for the project meet or exceed all Federal, State, and local requirements. Operational conditions will be more restrictive than those employed during the prior operated City landfill. The Conditions are tailored to the specific issues of the site and drafted to ensure that development proceeds in an attractive, orderly, and harmonious fashion and in conformance with the General Plan.

The Planning Department further reports that the combined development of land within the jurisdictions of the City and County would result in one landfill footprint being constructed in Sunshine Canyon. The landfill footprint would encompass 451 acres and would result in an increased net waste disposal capacity of 90 million tons; 55 in the City, and 35 in the County. A combined City/County development would provide approximately 26 years of disposal capacity. The Department anticipates that concurrent with project approval, the City and County will enter into an agreement to exercise authority over the entire project site. Such an agreement would authorize the joint development and operation of a single landfill located within both jurisdictions. The Planning Department goes on to state that the City has determined the project's environmental effects will not be significant, or if significant, mitigated.

In discussing alternatives, the Planning Department states that if this project is not developed, the County landfill could be expanded within the upper reaches of Sunshine Canyon, resulting in the loss of 3,200 Oak trees and 75 big-cone Douglass fir trees. The "no project alternative" would not effectively and

Commission recommends denial of the proposed land use ordinance, the decision is final. After the Planning Commission has made its report and recommendation for approval, or after the time for it to act has expired, the Council may consider the matter. *(Added by Ord. No. 173,754, Eff. 3/5/01.)*

**3. Procedure for Applications.** Once a complete application is received, as determined by the Director, the Commission shall hold a public hearing or direct a Hearing Officer to hold the hearing. If a Hearing Officer holds the public hearing, he or she shall make a recommendation for action on the application. That recommendation shall then be heard by the Planning Commission, which may hold a public hearing and shall make a report and recommendation regarding the relation of the proposed land use ordinance to the General Plan and whether adoption of the proposed land use ordinance will be in conformity with public necessity, convenience, general welfare and good zoning practice.

After the Planning Commission has made its report and recommendation, or after the time for it to act has expired, the Council may consider the matter. If the Planning Commission recommends disapproval, that action is final unless the applicant timely files an appeal pursuant to Subsection D below.

*(Added by Ord. No. 173,754, Eff. 3/5/01.)*

**4. Notice.** Notice of the time, place and purpose of the public hearing shall be given in the following manner for land use ordinances proposed by applications or initiations:

(a) By at least one publication in a newspaper of general circulation in the City, designated for that purpose by the City Clerk, not less than 24 days prior to the date of the hearing.

(b) By mailing written notice at least 24 days prior to the date of the hearing, to the applicant, to the owner or owners of the property involved and to the owners of all property within and outside the City that is within 500 feet of the area proposed to be changed as shown upon the records of the City Clerk or the records of the County Assessor. Written notice shall also be mailed to residential, commercial and industrial occupants of all property within 500 feet of the exterior boundaries of the property involved. This requirement can be met by mailing the notice to "occupant." If this notice provision will not result in notice being given to at least 20 different owners of at least 20 different parcels of property other than the subject property, then the 500-foot radius for notification shall be increased in increments of 50 feet until the required number of persons, and parcels of property are encompassed within the expanded area. Notification shall then be given to all property owners and occupants within that area.

(c) If there is an applicant, by the applicant posting notice of the public hearing in a conspicuous place on the property involved at least ten days prior to the date of the public hearing. If a hearing officer is designated to conduct the public hearing then the applicant, in addition to posting notice of the public hearing, shall also post notice of the initial Commission meeting on the matter. This notice shall be posted in a conspicuous place on the property involved at least ten days prior to the date of the meeting.

*(Added by Ord. No. 173,754, Eff. 3/5/01.)*

efficiently use land that is primarily disturbed to years of landfilling activities. This alternative would not provide cost effective refuse disposal for the City and would result in diminished economic revenues to the City in the form of tipping fees and business license taxes. Other waste management strategies and technologies are not considered viable as stand-alone alternatives to this project.

The project has numerous conditions on use, restricting hours and days of operation, prohibiting waste originating from outside the County of Los Angeles and forms of waste such incinerator ash, sludge, radioactive or hazardous material, waste disposal intake rate, and measures to control dust emissions.

At meetings held August 10 and 17, 1999, the Planning and Land Use Management Committee considered the transmittal from the Mayor and Director of Planning relative to the recommendations of the City Planning Commission in approving the proposed Plan Amendment from Open Space to Heavy Industrial for the Sunshine Canyon Landfill and the "added area" consisting of an approximate 5-acre landlocked parcel. At the August 10, 1999 Committee meeting, representatives of the Planning and Environmental Affairs Departments and the Bureau of Sanitation were present to discuss the proposed expansion of BFI's landfill in Sunshine Canyon. Sanitation's representative submitted three additional conditions for consideration by the Committee: a requirement for the landfill operator to annually report on the feasibility of beneficial uses of landfill gas collected at the site, that alternative fuel vehicles be considered for landfill maintenance, and lastly, that the landfill operator conduct a study on the quality of surface waters released from the southeastern boundary of the landfill. Sanitation's representative stated that despite the success of the City's recycling program, the Sunshine Canyon landfill disposal option is still needed. The Environmental Affairs Department representative discussed the City's role as a Local Enforcement Agency should the landfill be approved.

An extensive public comment period followed. Representatives of the project proponent and members of the public who support the project stated that claims regarding potential environmental impacts relating to the operation of the landfill in the County never materialized. The operator has been responsive to changing weather conditions to properly maintain the facility and has had open communications with the public. The landfill will employ a state of the art liner and drainage system and will have no impact on the City's water supply. Leachate and natural gas will be collected and recycled. The landfill was not adversely affected by the 1971 or 1994 earthquakes. Ultimate landfill closure will involve extensive re-vegetation. All environmental impacts, except air quality concerns can be mitigated. Proponents further discussed the economic benefit of the landfill, noting it is a cost-effective alternative to remote disposal alternatives.

Opponents of the project stated their concerns relative to the

operation of the landfill as a nuisance to local residents and as a potential hazard to the City's water supply. Residents recited an extensive history of landfill operation violations including exceeding height restrictions, non-compliance with conditions, damaging federal wetlands, and failing to complete the restoration of damaged vegetation. A representative of Economic Resources Corporation, a community and employment development interest, stated that BFI has failed to adhere to its contractual obligations to provide a 5% equity in the operation of local transfer stations. Finally, members of the public stated their concerns regarding increased traffic and suggested mitigation measures such as using landfill revenue for the acquisition of park space and open space in the Santa Monica Mountains.

The Planning and Land Use Management Committee discussed the matter further with representatives of the Planning Department. The Committee continued the matter for one week, pending the Department's review and analysis of Conditions of Operation proposed by the North Valley Coalition. Councilmembers Hernandez and Miscikowski approved the additional conditions submitted by the Environmental Affairs Department and the Bureau of Sanitation. Councilmember Miscikowski also requested that the City Attorney be prepared to discuss the legal feasibility of imposing a tipping fee as an environmental mitigation measure and that the CLA work with the County of Los Angeles to ensure that the City receive an equitable share of landfill revenues. Councilmember Bernson stated his opposition to the landfill. The Councilmember stated that the City has not fully explored the feasibility of waste to energy technology. The Councilmember stated that landfilling is an archaic waste management strategy. Waste conversion would also reduce the City's recycling costs by \$50 million per year.

At its meeting held August 17, 1999, the Planning and Land Use Management Committee considered a draft report from the Planning Department relative to the North Valley Coalition's Conditions of Operation. In its report, the Department discusses the modified conditions and notes whether each is acceptable or non-acceptable. In total, any recommended changes would not be significant enough to require the recirculation of another EIR. Councilmember Hernandez stated that the report was submitted late. Neither the Councilmember nor his staff was able to review it. Councilmember Miscikowski stated that additional analysis was needed and directed the Planning Department to report to Council with clarifications regarding the acceptable and non-acceptable conditions, and their impacts on the project and landfill operation revenue. The Committee also discussed the use of green waste as an acceptable landfill cover, hours of operation, and the queuing and the preparation of refuse collection and landfill maintenance vehicles. The Committee also requested additional information from staff regarding the impact of the additional conditions on the City's refuse collection and landfill disposal activities, and recommendations for a Citizen Advisory Committee (CAC) to monitor the landfill. Councilmember Bernson stated that the CAC should be comprised of residents who

live within one mile of the landfill and include representatives of the DWP and the Water District.

A public comment period followed. Project opponents stated that BFI has historically not cooperated with its neighbors. To protect residents and to ensure that the landfill operation is adhering to conditions, a local resident recommended that cameras be installed within the landfill.

In their Majority Report, Councilmembers Miscikowski and Hernandez recommended that Council approve the Commission's actions to expand the landfill's operation in Sunshine Canyon, as modified to include additional recommendations from the Environmental Affairs Department and the Bureau of Sanitation, and as further modified to require that the landfill replace 1,000 within the first three years of the agreement. The Committee also requested additional reports regarding the legal feasibility of requiring, as a condition, that cameras be installed within the landfill to monitor its operation and whether the City can collection a tipping fee for the purpose of acquiring and preserving open spaces. The Councilmembers also directed Planning Department staff to report back on the impact of the modified conditions on the City's refuse collection program. Mr. Hernandez did not take a position on the Planning Department's report relative to the North Valley Coalition's modified conditions. Ms. Miscikowski approved the Department's report, requesting that additional information and clarifications be submitted to Council.

Respectfully submitted,

PLANNING AND LAND USE MANAGEMENT COMMITTEE

*Cindy Miscikowski*

*[Signature]*

JAW:ys

Enc: CPC 98-0184 (ZC/GPA) (MPR)

CD 12

Attachments: Resolution SEP 28 1999 - CONTINUED TO OCT 26, 1999  
Plan Amendment Map  
Plan "Q" & "T" Conditions

Note: (Notice has been published not less than 10 days prior to the public hearing date pursuant to Section 11.5.6 B and D of the Municipal Code).

*Rep. Read's Findings*  
**ADOPTED**

OCT 26 1999  
EIR *Corrected*  
LOS ANGELES CITY COUNCIL

00014

#991119

**ADOPTED**

*Ord* OVER ONE WEEK TO Nov 2, 1999

DEC 08, 1999

NOV 02 1999 - *Ord* OVER ONE WEEK TO Nov 9, 1999

NOV 09 1999 - *Ord* OVER ONE WEEK TO Nov 17, 1999

NOV 17 1999 - **ORD** *AS AMENDED* Continued to DEC 8, 1999

*Forthwith to the Mayor*

18  
MOTION

There has been much discussion and concern about the expansion of the Sunshine Canyon Landfill. Concerns have been voiced about potential water contamination, potential air pollution problems, property value loss, and unidentified health impacts. The landfill operators continually state there are no problems. However, claims that "no problems exist" have been heard many times, in many communities, which turn out to be false.

With the recently released State of California report that there may be cancer clusters around two local schools resulting from nearby landfills, and combined with the reasonable fears in the communities of Granada Hills, Sylmar and Northridge, it is not unreasonable for the City of Los Angeles to ask for guarantees.

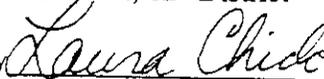
I THEREFORE MOVE that the City of Los Angeles require of the operators of the Sunshine Canyon Landfill to post a sufficient bond to indemnify the City of Los Angeles against any future claims for damages resulting from water contamination, air contamination, health impacts, or loss of property value, during the operation and twenty-five years after closure of the Sunshine Canyon Landfill.

Moved by



HAL BERNSON  
Councilman, 12<sup>th</sup> District

Seconded by



MO.  
ADOPTED

NOV 17 1999

LOS ANGELES CITY COUNCIL

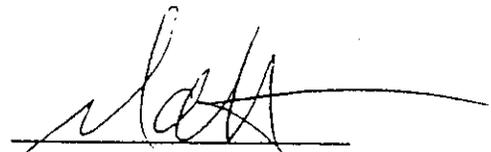
00015

ITEM 8 B

MOTION

I MOVE that the matter of Sunshine Canyon Landfill, Item 8 on today's Council Agenda (CF 99-1119) BE AMENDED, to require the permittee to install video monitoring equipment at the site to ensure compliance with conditions of operation; and to impose a ten year cap on the operations of this landfill under the current action.

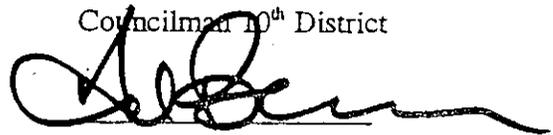
PRESENTED BY:



NATE HOLDEN

Councilman 10<sup>th</sup> District

SECONDED BY:



Mo.  
ADOPTED

NOV 17 1999

LOS ANGELES CITY COUNCIL

November 17, 1999

ak

00016

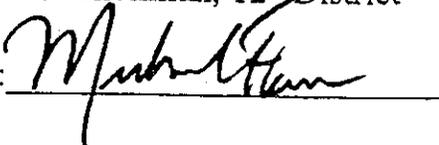
MOTION

10 A

To protect the citizens from the impacts of major traffic congestion forecast in the EIR table 4.13-5 to be 68,320 trips per day in the future, a new traffic light is needed.

I move that the majority report on the Sunshine Canyon Landfill expansion, Case CPC 98-0184 (ZC/GPA)(MPR) covenants to add [Q] Condition # . San Fernando Road at the base of the I-5 offramp. Install a new traffic control light.

Moved by:   
HAL BERNSON  
Councilman, 12<sup>th</sup> District

Second by: 

**MOTION  
ADOPTED**

OCT 26 1999

Los Angeles City Council



## MOTION

I THEREFORE MOVE, that an independent contractor paid by the applicant will, prior to the start of construction conduct additional testing of landfill gas, dust, and diesel particles at Van Gogh Elementary School, model emissions projected with the implementation of the landfill, and conduct onsite monitoring once the landfill is open. The testing protocol, results and mitigations, if necessary, will be evaluated and approved by the South Coast Air Quality Management District (SCAQMD), and the Technical Advisory Committee (TAC).

PRESENTED BY Michael F. ...

SECONDED BY Debra ...

**MOTION  
ADOPTED**

OCT 26 1999

Los Angeles City Council

October 26, 1999

00018

MOTION

WHEREAS, the Planning Department's Report "A" to the City Council as part of the Majority Report has incorporated the Planning Commission's Findings and included several Amendments to [T] and [Q] Conditions as set forth in the committee report; and

WHEREAS, while in the PLUM Committee, additional modifications and amendments were discussed relative to acceptable [T] and [Q] conditions and the Mitigation Monitoring and Reporting Program changes; and

WHEREAS, the Planning Department Report "B" relative to these acceptable changes to [T] and [Q] conditions and the Mitigation Monitoring and Reporting Program has further researched and analyzed these changes; and

WHEREAS, these changes in Report "B" include expanded language for the Community Advisory Committee, more restrictive project descriptions, formation of a City Technical Advisory Committee, use of independent consultants and clarification and refinements of language proposed by staff to enhance the regulations and enforcement of the proposed project which are consistent with the intent and purposes of the City Planning Commission and PLUM's majority action; and

WHEREAS, Report "D" included a condition for the use of the future low emission air quality mitigation measures; and

WHEREAS, the Planning Department memo of October 22, 1999 is an addendum and/or technical corrections to the [T] and [Q] conditions and Mitigation Monitoring and Report Program in Reports "A", "B", "C", and "D"; and

WHEREAS, it is important to the City to have these additional controls and refined conditions of approval as part of this project.

I THEREFORE MOVE that the Majority Report, Item 10 B on the Tuesday, October 26, 1999 Council Agenda, be amended to include the acceptable changes to the [T] and [Q] conditions as set forth in the Planning Department's Report "B" as amendments to the accompanying ordinance. Additionally, the changes on the Mitigation Monitoring and Reporting Program shall be incorporated in that document.

FURTHER, that the Planning Department be instructed to incorporate the modifications to [Q] condition C.10.d of Report "D".

FURTHER, that the Planning Department Addendum and/or Corrections to the [T] and [Q] conditions dated October 22, 1999 be incorporated into the Planning Department's Reports "A", "B", "C" and "D".

FURTHER, that the Planning Department be instructed to prepare the Amended Ordinance including the [T] and [Q] conditions above, and including supplemental Findings for these changes.

MOTION  
ADOPTED

OCT 26 1999

Los Angeles City Council  
October 26, 1999

Presented By: Cindy Miscikowski  
CINDY MISCIKOWSKI  
Councilwoman, 11<sup>th</sup> District

Seconded By: Mike Hernandez  
MIKE HERNANDEZ  
Councilman, 1<sup>st</sup> District

**CONDITIONS FOR CLEARANCE OF PERMANENT [T]  
CLASSIFICATION RELATING TO  
THE PROPOSED PROJECT**

Provision of the following will clear the conditions for the Permanent Classification or by posting of guarantees satisfactory to the City Engineer to assure the following without expense to the City of Los Angeles, with copies of any approvals or guarantees provided to the Planning Department for attachment to the subject City Plan Case file.

Covenant. Prior to the issuance of any permits relative to this matter, an agreement covenanting with the City to comply with all the information contained in these conditions shall be recorded by the property owners in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent owners, lessees, heirs or assigns. Furthermore, the agreement shall be submitted to the Planning Department for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be given to the City Planning Department for attachment to the subject file.

1. Construct, as necessary, sewer facilities to the satisfaction of the City Engineer.
2. Construct, as necessary, drainage facilities to the satisfaction of the City Engineer.
3. Prepare a parking area and driveway plan to the satisfaction of the appropriate District Office of the Bureau of Engineering and the Department of Transportation.
4. Prepare a plot plan to the satisfaction of the Fire Department.
5. Provide street dedications, improvements, or suitable guarantees to the satisfaction of the City Engineer and include the following:
  - a. Roxford Street at the I-5 Freeway, (SB ramp). Prior to operating under the subject approval, restripe westbound approach on Roxford Street to provide dual left-turn lanes and one through lane. (MMRP Mitigation Measure No. 136.)
  - b. Roxford Street at the Encinitas/I-5 Freeway (NB ramp). Prior to operating under the subject approval, restripe northbound approach on Encinitas Avenue to provide left-turn lane, shared through/left-turn lane, and shared through/ right-turn lane. (MMRP Mitigation Measure No. 137.)
  - c. Prior to operating under the subject approval, contribute, in a "fair share" amount as determined by the Los Angeles Department of Transportation, to the design, construction, and operation of the Northeast Valley Automated Traffic Surveillance and Control (ATSAC) system for these intersections. The current cost of ATSAC for the Northeast Valley System is \$79,000 per intersection. The contribution to ATSAC should be made prior to the start of construction for this ATSAC system, which is scheduled for the year 2003. (MMRP Mitigation Measure No. 139.)

- d. San Fernando Road at Sierra Highway Restripe northbound approach on San Fernando Road. Prior to operating under the subject approval, provide a shared through/ right-turn lane and exclusive right-turn lane and restripe the westbound approach of Sierra Highway for a 12-foot-wide curb lane. (MMRP Mitigation Measure No. 140.)
- e. San Fernando Road at Project Driveway. Prior to operating under the subject approval, install a new traffic signal at San Fernando Road/Project Driveway and widen and restripe the northbound approach of San Fernando Road at Project Driveway to provide a left-turn lane and through lane. Also contribute to the design, construction, and operation of the Northeast Valley ATSAC system for this intersection. The current cost of ATSAC for the Northeast Valley System is \$79,000 per intersection. The contribution to ATSAC would be completed prior to the start of construction for this ATSAC system, which is scheduled for the year 2003. (MMRP Mitigation Measure No. 141.)
- f. The required street improvements and signal modifications as set forth above shall be guaranteed prior to operating under the subject approval, through the approval process of the Bureau of Engineering, Department of Public Works, and the encroachment permit process of Caltrans (where applicable). Construction of the improvements to the satisfaction of LADOT, the Bureau of Engineering, and Caltrans (where applicable) must be completed before issuance of any certificate of occupancy. Prior to setting the bond amount, the Bureau of Engineering shall require that the developer's engineer or contractor contact LADOT's B-Permit Coordinator to arrange a pre-design meeting to finalize the proposed geometric and traffic signal designs for the project. (MMRP Mitigation Measure Mitigation Measure No. 142.)
- g. Parking and Safety Concerns. Prior to operating under the subject approval, install a new traffic signal at San Fernando Road/Project Driveway and widen and restripe the northbound approach of San Fernando Road at Project Driveway to provide a left-turn lane and through lane. Also contribute to the design, construction, and operation of the Northeast Valley ATSAC system for this intersection. The current cost of ATSAC for the Northeast Valley System is \$79,000 per intersection. The contribution to ATSAC would be completed prior to the start of construction for this ATSAC system, which is scheduled for the year 2003. (MMRP Mitigation Measure No. 143).
- h. Bicycle Routes. Mitigation measures 5i thru 5K and 6 are to address any potential localized impact along the San Fernando Road bicycle lane from increased truck traffic at or near the project site.
- i. Signs acceptable to the City shall be posted at or near the entrance to the landfill facility. These signs shall caution the public that heavy truck traffic exists in the area (MMRP Mitigation Measure No. 144.)

- j. Divert Trips. If the landfill regularly meets its weekly and/or daily maximum limit, the permittee shall implement a program to avert wasted trips to the landfill and illegal disposal. The program shall include:
- 1) Scheduling of regular users, such as commercial and municipal haulers, to avoid them from arriving at the landfill and being diverted to other landfills;
  - 2) Reservation of capacity for small commercial and private users, unless an alternate landfill or transfer station located within 5 miles of the applicant's landfill is available to accept such users.
- k. San Fernando Road at the base of the Golden State Freeway (I-5) off-ramp. Prior to operating under the subject approval, install a new traffic control light on San Fernando Road at the base of the Golden State Freeway (I-5) off-ramp within the existing right-of-way, to the satisfaction of the California Department of Transportation (Caltrans), City of Los Angeles Department of Transportation (LADOT), and City Bureau of Engineering. Also, the permittee/operator shall contribute to the design, construction, and operation of the Northeast Valley ATSAC system for this intersection.
6. Install street lights along the property's frontage on San Fernando Road to the satisfaction of the Bureau of Street Lighting.

Posted

ORDINANCE NO. 172933

An ordinance amending Section 12.04 of the Los Angeles Municipal Code by amending the zoning map.

THE PEOPLE OF THE CITY OF LOS ANGELES DO ORDAIN AS FOLLOWS:

Section 1. Section 12.04 of the Los Angeles Municipal Code is hereby amended by changing the zones and zone boundaries shown upon a portion of the zone map attached thereto and made a part of Article 2, Chapter 1. of the Los Angeles Municipal Code, so that such portion of the zoning map shall be as follows:



## [Q] QUALIFIED CONDITIONS OF APPROVAL

Sec. 2 Pursuant to Section 12.32-K of the Los Angeles Municipal Code, the following limitations are hereby imposed upon the use of that property shown in Section 1 hereof which is subject to the Permanent [Q] Qualified Classification.

### A. Administrative

1. Covenant. Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assigns. The agreement must be submitted to the Planning Department for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Planning Department.
2. Approval verification and submittal. Copies of any approvals, guarantees or verification of consultations, reviews or approvals, plans, etc., as may be required by the subject conditions, shall be provided to the Planning Department and the Local Enforcement Agency (LEA) for placement in the subject file.
3. Definition. Any agency, public official, or legislation referenced in these conditions shall include agencies, public officials, legislation or their successors, designees or amendments to any legislation. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or other entity making use of this approval.
  - a. Independent Consultant or Independent Expert. Reference to "Independent Consultant or Independent Expert" cited in the [Q] Conditions and Mitigation Measures is defined as follows: The hiring of specific specialists by the City to oversee and monitor compliance with the conditions of approval and mitigation measures. Such person or firm shall report directly to the Director of Planning.
4. Enforcement.
  - a. Compliance with these [Q] conditions and the intent of these conditions shall be to the satisfaction of the Planning Department and any other designated agency, or the agency's successor in accordance with any stated laws or regulations, or any amendments thereto and the operational agreement provided for in Condition No. A.9, including but not limited to, those permits issued by the following agencies:
    - 1) The Local Enforcement Agency (i.e., Los Angeles City Environmental Affairs Department and/or Organization/Committee designated under a joint powers agreement or other instrument) and the California Integrated Waste Management Board;

00025

- 2) The Los Angeles Regional Water Quality Control Board;
  - 3) The South Coast Air Quality Management District;
  - 4) The California Department of Fish and Game;
  - 5) The U.S. Army Corps of Engineers; and
  - 6) The State Department of Health Services.
- b. Failure of the permittee to cease any development or activity that is not in full compliance shall be a violation of these conditions, as noted in Condition No. D.
- c. To the extent permitted by Public Resources Code Section 45005, the Local Enforcement Agency shall have the authority to order the immediate cessation of landfilling or other activities at the site, if it determines that the inhabitants of the City are under imminent and substantial risk to health, safety, or welfare. Such cessation shall continue until such time as the Local Enforcement Agency determines that the conditions leading to the cessation have been eliminated or reduced to a level which no longer poses an unacceptable threat to such health, safety, or welfare.
5. Plan. The subject property shall be developed substantially in conformance with Exhibit No. E-4B-D, attached to City Plan Case No. 98-0184(ZC/GPA)(MPR), and subject to the conditions of approval contained herein. Upon review of the Local Enforcement Agency and approval of the Planning Department, minor deviations from the conditions may be allowed in order to comply with provisions of the Municipal Code and the intent of the subject permit authorization.
6. Annual Reports. The permittee shall submit annual reports to Department of City Planning for placement in the case file, to the Technical Advisory Committee (TAC) for annual review, to the Citizens Advisory Committee, to a local library, and reports shall be posted on a web-site provided by the operator. The reports shall include, but not be limited to, Hotline/Emergency Log summaries, daily and maximum tonnage figures specifying the amount of waste and inert material, readings and analysis of the effectiveness of landfill gas monitoring activities, including the amount of gas currently generated, noise measures, discussion on litter prevention, revegetation status, detailed monitoring report of tree planting, archaeological report, list of citations and overall compliance with the conditions of the subject approval.

The first report shall be due June 1<sup>st</sup> of the first year of operation and every year thereafter until closure. At least 60 days prior to the due date, draft copies of the report shall be submitted to the City and County Local Enforcement Agencies, South Coast Air Quality Management District, Los Angeles Regional Water Quality Control Board, City Planning Department, California Waste Integrated Waste

Management Board, and Citizen Advisory Committee. Comments of these agencies shall be attached to the Annual Report.

The TAC shall transmit its comments and the Annual Report to the City Planning Director for consideration by the City Planning Commission.

7. Revised Mitigation Monitoring and Reporting Program (MMRP). The permittee shall submit a revised Mitigation Monitoring and Reporting Program ("MMRP") satisfactory to the Department of City Planning that incorporates all mitigation measures required in the Final SEIR (State Clearinghouse Mitigation Measure No. 92041053) as adopted by the City Council. The Applicant shall also identify mitigation monitor(s) who will provide annual status reports as noted above and in the MMRP, beginning immediately at commencement of the operation until post-closure. The list shall be updated annually in the Annual Report. The mitigation monitor(s) shall be identified as to their areas of responsibility, and phase of intervention (pre-construction, construction, operation, closure, and post-closure) to ensure continued implementation and adequacy of the mitigation measures.

Until a joint powers agreement is in place between the City and County, the City Local Enforcement Agency (LEA) shall be the LEA, and an independent mitigation consultant under the direct control of the Technical Advisory Committee shall be employed at the applicant's expense, to monitor such mitigation measures, which are beyond the scope of the State regulations, and which the LEA does not have the resources to monitor.

Mitigation Monitoring and Reporting Program. Attached to these conditions is a Mitigation Monitoring and Reporting Program (Attachment A-5) which is hereby incorporated into these conditions. The permittee shall fully perform each action required of the program as if it were specifically set forth in these conditions.

8. Bonds.
  - a. Performance bonds, letters of credit, corporate guarantees or similar form of security, as approved by the City Attorney, stating the amount, duration, and supervisory agency shall be provided. Prior to commencing construction of the landfill, a bond or similar form of security in the minimum amount of \$3,000,000 shall be provided to the Director of Planning to finance litter, traffic, and community protection program mitigation measures. Upon making a finding, that the applicant/operator has not complied with the required mitigation measures in a timely and reasonable manner, the Director of Planning may utilize the security to implement mitigation measures.
  - b. Indemnity. The applicant/operator shall post a sufficient bond, as approved by the City Attorney, to indemnify and hold harmless the City of Los Angeles, its agents, officers, and employees from any claim action for damages resulting from water contamination, air contamination, health

impacts, or loss of property value during the landfill operation, closure, and post-closure of the City Landfill.

9. **Agreements.** To provide for the allocation of fees and if necessary, joint operations, monitoring, and enforcement of the landfill, the permittee shall submit to the Planning Department all agreements entered into between the City and County of Los Angeles whether by Memorandum of Understanding, Development Agreement, Joint Powers Agreement, or other instrument related, but not limited to the following (These agreements cannot amend the [Q] conditions or any mitigation measures adopted by the City, except as otherwise provided under "e" and "f" below, but may provide for their implementation or operation):

- a. Joint Powers Agreement, including agreements to and by all parties for items requiring collaboration on permitting, inspection, and enforcement for the Combined City/County Landfill.

Upon the operation of the Combined City/County Landfill, the City Local Enforcement Agency proposes to be designated in any Joint Powers Agreement to serve as the lead agency and single point-of-contact for coordinating all permitting, inspection, closure supervision, and enforcement activity at the City Landfill. The actual responsibilities of which shall be delineated in the Joint Power Agreement or other appropriate instrument.

- 1) City Landfill or Combined City/County Landfill

City Landfill. Prior to the operation of the Combined City/County landfill, the City Local Enforcement Agency shall be designated to serve as the lead agency and single point-of-contact for coordinating all permitting, inspection, closure supervision, and enforcement activity at the City Landfill.

- 2) Combined City/County Landfill. Upon the operation of the Combined City/County Landfill, the City Local Enforcement Agency proposes to be designated in any Joint Powers Agreement to serve as the lead agency and single point-of-contact for coordinating all permitting and enforcement activity at the City Landfill. The actual responsibilities of which shall be delineated in the Joint Power Agreement or other appropriate instrument.

- b. Establishing City/County rights to use the landfill and/or related capacity allocations. There shall be a restriction on the approval of any further expansion of landfilling beyond the limits of the Combined City/County Landfill approved herein as set forth in Condition B.2 and as may be agreed upon in the Joint Powers Agreement. Pending the establishment of a Joint Powers Agreement that may include such restriction, the permittee shall not seek approval for any additional expansion in the City and County.

- c. Franchise fee, Gas-to-energy or direct gas sales, or other fee and bond or security arrangements with the City.
  - d. Environmental Education or Community Amenities Programs.
  - e. Amendments to City Council instructions (i.e., [T] Conditions) or clarification of [Q] Conditions, as a result of the Joint Powers Agreement or other need or requirement, shall comply with Section 12.32.M of the Los Angeles Municipal Code.
  - f. Amendments to the Mitigation Monitoring and Reporting Program, as a result of the Joint Powers Agreement, may be modified at the time of City Council's adoption of the Joint Powers Agreement.
10. The permittee shall provide fees as determined by the Director of Planning to pay for the mitigation monitoring, enforcement program and related personnel costs incurred by the Technical Advisory Committee and individual departments. Such costs may include activities relating to inspection, permitting, and enforcement of the landfill, closure activities, coordination of mitigation monitoring, administrative support, technical studies, and other efforts as may be required, including the hiring of independent consultants to assist the Technical Advisory Committee. This shall also include funds for staff to ensure compliance.

**B** Conditions on Use.

- 1. Limitation/Prohibition on Uses: Permitted uses are the approved landfill footprint, ancillary, closure, post-closure, and existing uses. Prohibited uses are other industrial and commercial uses permitted in the M3 zone classification which are not listed in the subject approval and fully described below. No waste shall be accepted for disposal in the landfill originating from outside of Los Angeles County.
- 2. Approval. The subject approval is for the development, operation, maintenance and monitoring of a Class III, non-hazardous solid waste "Combined City/County Landfill", that may be designed to share environmental control systems (e.g. landfill liner, leachate collection, and removal system, landfill gas extraction and flaring system), with shared use of the access road, scales, administrative offices, and other ancillary uses. The Combined City/County Landfill approved herein shall result in one landfill footprint being constructed in Sunshine Canyon ultimately encompassing approximately 451 acres, with an estimated net disposal capacity of 90 million tons. This landfill footprint shall not exceed approximately 194 acres located in the City, with an estimated net disposal capacity of 55 million tons, the currently operational 215-acre County Landfill, with an estimated net disposal capacity of 17 million tons, and a connecting area of approximately 42 acres in the County, with an estimated disposal capacity of 18 million tons. No further expansion of the landfill footprint of the Combined City/County Landfill is authorized by this approval.
  - a. As used in this condition, "landfill" refers to the portion of the subject

property in which waste is to be permanently placed and then buried under daily and interim cover material, but excludes adjacent cut slopes, temporary storage areas and ancillary facilities authorized by this action. The restrictions of this condition do not apply to final cover, which may be added pursuant to closure plans. Allowance for settlement of fill shall not be made in determining compliance with this condition.

- b. Landfill footprint. The footprint of the landfill within the City shall not exceed approximately 194 acres, which will provide an estimated net airspace disposal capacity of 55 million tons in the City. The City Landfill footprint shall be set back 500-feet from any more restrictive zone.
- c. Ancillary Uses and Facilities. The subject property may only be used for the following ancillary uses and facilities. These ancillary uses and facilities described in the July 1997 Draft Subsequent EIR, pages 2-38 through 2-43, and may be located on the applicant's property generally in conformance with the diagram attached as Exhibit E-4, and during the life of the landfill, may be moved or relocated following commencement of landfilling operations as necessary to accommodate development of the ultimate landfill footprint.
  - 1) Access roadway;
  - 2) Administrative offices and employee facilities related directly to the landfill and waste handling and processing operations allowed under this approval, but excluding offices and other facilities related to any other enterprises operated by the applicant or others;
  - 3) Caretaker's residences or mobile homes;
  - 4) Environmental learning center;
  - 5) Scale house, check-in and general maintenance areas;
  - 6) Plant materials center (i.e., nursery facility);
  - 7) Facilities necessary for the environmental protection and control systems/features, including flaring stations, leachate treatment, storage tanks, sedimentation basins, drainage devices, water storage tanks and optional tanks;
  - 8) Leachate collection and processing facilities;
  - 9) Facilities necessary for the collection, disposal, utilization and distribution of landfill gases as required and/or approved by the South Coast Air Quality Management District;
  - 10) Facilities necessary for the maintenance of machinery and equipment

employed at the landfill, excluding equipment or machinery utilized by the applicant in other enterprises, including refuse collection;

- 11) Closure and post-closure activities of the existing inactive and proposed City Landfill; and
- 12) Open Space uses, such as recreational, wildlife habitat or corridor, or scenic parkland.

d. Phasing. The approval for landfilling is permitted in two phases. For each phase, the permittee shall provide proof of compliance with the conditions of approval, facility plans, including pre-disposal topography of the site, the facility boundary of the site (clearly illustrating parcels owned by the operator and/or any parcels leased), the total permitted acreage of the site, the acreage of the disposal area, the filling sequencing and excavation plans, the extent of any M3 buffer zones between the disposal area and permitted property boundaries provided by the facility layout, and the vertical limits of the site. The Local Enforcement Agency and Planning Department shall coordinate review of the plans.

- 1) Phase I. Phase I of the City Landfill shall consist of the initial five years of operation and shall not exceed 16 million tons in accordance with the conditions of approval set forth herein. (Refer to Exhibit Nos. E-4C-D)
  - aa. Evidence of completion of the approved closure construction in the areas where new waste will overlie portions of the inactive landfill and compliance with the Closure Plan for the Inactive City Landfill shall be provided to the Local Enforcement Agency and approved before landfill operations are allowed to commence within such areas.
- 2) Phase II. Phase II shall consist of the remaining operation of the ultimate City/County Landfill, which provides an estimated net disposal capacity of 55 million tons in the City Landfill and 90 million tons in the Combined City/County Landfill, with a maximum vertical height of the landfill footprint at build out which would result in final fill elevation (at its top deck areas) of 2,000 feet M.S.L., as shown in Exhibit Nos. E-4B and E-4C, in accordance with applicable requirements of all permitting agencies and such corrective measures as may be imposed pursuant to the Joint Powers Agreement, established pursuant to Condition No. A.9, following a review by the Director of Planning, with the assistance of the Technical Advisory Committee, of the project's operational history under Phase I and the Director's determination that there has been compliance with the following:

- aa. At least four years of landfill operation under Phase I;
  - bb. Compliance with the conditions of the subject approval;
  - cc. Obtain all appropriate permits and agreements from the City of Los Angeles and Los Angeles County for operation of the City/County operation as stated in Condition No. A.9;
  - dd. Evidence of completion of the approved closure construction in the areas where new waste will overlie portions of the inactive landfill and compliance with the Closure Plan, as determined by the Local Enforcement Agency, for the Inactive City Landfill;
  - ee. Submittal of annual reports in a timely manner; and
  - ff. Compliance with Condition No. C.10.a and C.10.b.
  - gg. The City's review for proceeding to Phase II shall begin no later than the beginning of the third quarter of the third year of the City landfill operation and shall be concluded within six months. Any corrective measures deemed necessary shall be formulated and imposed within the following six-month period; however, except as provided in Condition Nos. A.4.c and D, there shall be no interruption of service during the establishment and implementation of any corrective measures deemed necessary by the TAC or caused by delays in the City's review. In addition, the City's review for compliance shall be carried out on an ongoing basis including annual reports provided by the permittee and evaluated by the Technical Advisory Committee and submitted to the City Planning Commission.
  - hh. Phase II shall not proceed beyond the 10<sup>th</sup> year of the operation without compliance with the review under Phase III (10 Year Phase Review).
- 3) Phase III (10 Year Phase Review). Phase III of the Landfill may occur following review by the Director of Planning of the operational history with the assistance of the Technical Advisory Committee, Independent Consultants, and/or Local Enforcement Agency. The Director's determination shall consider compliance with the following:
- aa. Compliance with the conditions of the subject approval;

- bb. Compliance with all appropriate permits and agreements from the City of Los Angeles and Los Angeles County for operation of the City/County operation as stated in Condition No. A.9;
- cc. Evidence of completion of the approved closure construction in the areas where new waste will overlie portions of the inactive landfill and compliance with the Closure Plan, as determined by the Local Enforcement Agency, for the Inactive City Landfill;
- dd. Submittal of annual reports in a timely manner;
- ee. The City's review for proceeding to Phase III shall begin no later than the beginning of the third quarter of the ninth year of the City landfill operation and shall be concluded within six months. Any corrective measures deemed necessary shall be formulated and imposed within the following six-month period; however, except as provided in Condition Nos. A.4.c and D, there shall be no interruption of service during the establishment and implementation of any corrective measures deemed necessary by the TAC or caused by delays in the City's review. In addition, the City's review for compliance shall be carried out on an ongoing basis including annual reports provided by the permittee and evaluated by the Technical Advisory Committee and submitted to the City Planning Commission; and
- ff. The Director of Planning's results of the review shall be submitted to and considered by the City Planning Commission utilizing the procedure under Section 12.32.C.1 of the Los Angeles Municipal Code or subsequent amendments thereto.

e. The permittee shall not operate a landfill in the area which is the subject of this rezoning until the open space which was identified as a mitigation measure in the County FEIR (including East Canyon and Bee Canyon) is open and accessible to the public, as determined by the Director of Planning (except on the lands where the County has not completed its eminent domain and the 100-acre "working" buffer area south of the City Landfill).

3. Hours of Operation. The hours of operation for landfill activities shall be as follows:

- a. The landfill shall be closed on Sunday;
- b. Refuse may be accepted at the landfill scales between the hours of 6:00 a.m.

(scales open) through 6:00 p.m. (scales close), Monday through Friday, and 7:00 a.m. to 2:00 p.m. on Saturday, except as needed to accommodate City post-holiday disposal requirements. The landfill entrance gate at San Fernando Road will open at 5:00 a.m. on weekdays and 6:00 a.m. on Saturdays, except as needed to accommodate City post-holiday disposal requirements, to allow the onsite queuing of vehicles. Further, refuse or dirt may be accepted at other times, upon notification that the Local Enforcement Agency determines that extended hours are necessary to handle emergency disposal for the preservation of the public health and safety;

- c. Landfill operations, such as site preparation and maintenance, the application of cover, and waste processing, but excepting activities such as gas control which require continuous operation, shall be conducted between the hours of 6:00 a.m. and 9:00 p.m., Monday through Saturday;
- d. Equipment maintenance shall be limited to the hours of 4:00 a.m. through 9:00 p.m., Monday through Saturday, except for equipment repairs. No diesel vehicle shall be started before 5:00 a.m.
- e. Environmental mitigation and emergency operations which cannot be accomplished during the hours stated above may be performed at any time and shall be noted in the Annual Report.

4. Intake Rate. The maximum or emergency tonnage rates allow the permittee to adjust disposal between the City and County, but cannot exceed the maximum permitted for the City, County, or Combined City/County Landfill, except as provided in Condition B.4.c, below:

- a. City Landfill Maximum Waste Intake Rate. Prior to the operation of the Combined City/County Landfill, the maximum intake rate for waste placed in the City Landfill shall not exceed 5,500 tons on any given day with a maximum weekly capacity of 30,000 tons of Class III Waste ("Class III Waste" is nonhazardous solid waste as defined in CCR Title 27, Section 20220(a), except as restricted herein) and a maximum weekly capacity of 3,000 tons of inert/exempt materials, as defined below, based upon 6 working days per week.
- b. Combined City/County Landfill Maximum Waste Intake Rate. The maximum intake rate for waste placed in the Combined City/County Landfill shall not exceed 12,100 tons on any given day in either jurisdiction (based on the maximum intake rate of 5,500 tons per day in the City and the currently authorized maximum intake rate of 6,600 tons per day in the County), with a maximum weekly capacity of 66,000 tons of Class III Waste ("Class III Waste" is nonhazardous solid waste as defined in CCR Title 27, Section 20220(a), except as restricted herein) and a maximum weekly capacity of 6,600 tons of inert/exempt materials, as defined below, based upon 6 working

days per week.

- c. Emergency, as defined in CCR Title 14, Division 7, Chapter 3, Article 3 (Emergency Waiver of Standards). The City Council or Mayor may increase the maximum tonnage allowed upon the joint recommendations of the Local Enforcement Agency, Department of Public Work, Bureau of Sanitation, and Planning Department, if there is a declared emergency and if it is determined that an increase is necessary to appropriately manage the City's waste stream for the protection of the public health and safety.
- d. Inert/Exempt Materials include:
  - 1) Clean dirt imported to cover and prepare interim and final fill slopes for planting;
  - 2) Waste processed and put to a beneficial use on the landfill or separated or otherwise diverted from the waste stream and exported from the landfill for the purpose of recycling (e.g., green waste, wood waste, asphalt, concrete and dirt), in accordance with the restrictions of Condition No. B.6 and the provisions entered into pursuant to Condition No. A.9.

5. Prohibited Waste.

- a. Incinerator ash, sludge, radioactive material, hazardous waste, and medical waste as defined in Section 25023.2 of the California Health & Safety Code shall not be accepted. Should such waste be nevertheless received at the landfill, it shall be handled and disposed of as provided in Condition No. B.5.c below.
- b. The permittee shall implement a comprehensive waste load checking program to exclude disposal of Unacceptable Waste, which complies with the requirements of the subject condition, the Mitigation Monitoring and Reporting Program, additional requirements of the Local Enforcement Agency, the State Department of Health Services, and the Regional Water Quality Control Board.
- c. Restrictions on disposal of Unacceptable Waste and the procedures for proper disposal at other appropriately classified disposal sites for waste processing facilities shall be provided to waste haulers on a routine basis. Notices printed in English and Spanish shall also be posted at prominent locations at the landfill to inform waste haulers of the rules governing the disposal of Unacceptable Waste, and that anyone negligently or intentionally bringing in any Unacceptable Waste shall be prosecuted under the fullest extent of the law.

In the event that material known or suspected to be Unacceptable Waste is discovered at the landfill, the permittee shall:

- 1) If the vehicle that delivered the waste is still present, detain the driver and obtain his drivers' license and vehicle license number;
- 2) Immediately make all required notifications to City, State, and County agencies;
- 3) If possession of the material is not immediately taken by a public official, store the material at a site developed in accordance with the regulations of the State Department of Health Services, State Department of Toxic and Substance Control if the waste is hazardous, extremely hazardous or acutely hazardous, and the Regional Water Quality Control Board until disposed of in accordance with applicable State and Federal regulations.
- 4) Maintain a Manifest of Unacceptable Waste to be made part of the Annual Report. Certain information must be provided, including:
  - aa. A description, nature, and quantity of waste;
  - bb. Name and address of the known source;
  - cc. The amount of waste involved;
  - dd. Specific handling procedures used; and,
  - ee. Certification of the accuracy of the information in the manifest.

d. Nothing in this condition shall be construed to permit the creation or use of a hazardous waste disposal facility at the landfill.

6. Waste Diversion.

- a. As provided in the agreement entered into pursuant to Condition No. A.9, the permittee shall not negligently or intentionally deposit waste into the landfill which is required to be diverted or recycled in accordance with City and County Source Reduction and Recycling Elements, the County Integrated Waste Management Plan adopted pursuant to Division 30 of the Public Resources Code, City Reduction and Recycling Plans, or the more restrictive policy.
- b. The permittee shall maintain on-site waste diversion and recycling facilities consistent in scope and purpose with the agreement entered into pursuant to Condition No. A.9.

7. Ceased Operation.

- a. Landfilling operations consisting of the collection and disposal of waste shall

terminate upon completion of the approved City fill design, as conceptually shown on Exhibit E-4B, and as further described in Condition No. B.2.d.2. Upon the completion of the fill design, no further waste shall be accepted for filling or processing. However, the applicant is authorized to continue such facilities in operation as are necessary to complete mitigation measures required by this approval or for closure or post closure maintenance required by federal, state and local agencies. All facilities not required for mitigation, closure or post closure maintenance shall be removed unless they are of a type permitted by the zoning regulations then in effect.

- b. Upon cessation of waste disposal operations, the permitted uses are limited to closure, post-closure, and open space.
- c. Upon completion of the post-closure period, the property owner shall contact the City Department of Recreation and Parks and the Santa Monica Mountains Conservancy for their consideration of the site as parkland.
- d. The Local Enforcement Agency shall be the City's representative in all discussions, plans and communications between the landfill operator and the closure and financial assurance staff of the California Integrated Waste Management Board.

C. Conditions on Development, Design, and Operation.

1. The Mitigation Monitoring and Reporting Program (Attachment A-5) is hereby incorporated into these conditions. The permittee shall fully perform each action required of the program as if it were specifically set forth in these conditions.
2. Community Protection Program. A community protection program shall be established that includes the following:
  - a. Preparation and distribution of a quarterly newsletter to all parties on the Interested Parties List established for the City Planning Commission February 25, 1999 meeting, to others who request to be added to the list, to a local library, and posted on a web site. The quarterly newsletter shall include a summary of Hotline/Emergency Log activity of the period as well as progress report which summarizes the Annual Report as required by Condition No. A.6. The Hotline, web site, and 24-hour emergency phone numbers shall be publicized in each issue of the newsletter.
  - b. The permittee shall maintain a Hotline/Emergency Log which shall record complaints as well as follow-up actions.
  - c. The permittee shall post a sign at the entry gate at San Fernando Road which indicates the following:

- 1) The telephone number by which persons may on a 24-hour basis contact the permittee to register complaints regarding landfill operations.
  - 2) The telephone number of the Local Enforcement Agency and the hours when the number is manned.
  - 3) The telephone number of the enforcement offices of the South Coast Air Quality Management District and the hours when the number is manned.
- d. The permittee shall at all times, Monday through Saturday, maintain adequate staff to promptly respond to and correct dust, litter and other complaints from the surrounding neighborhood.

The permittee shall maintain at least one person who is qualified to assess the need for remedial action and is authorized to summon the resources to perform any necessary remedial action. The personnel assigned shall be provided with the means to be continuously in response to the telephone number posted at the entry gate.

- e. The permittee shall fund 50 percent of cost of at least thirteen (13) hazardous waste roundups, to occur every other year during the operational life of the landfill, for the areas covered by Granada Hills-Knollwood District Plan, Chatsworth-Porter Ranch Plans, Northridge Community Plan, Mission Hills-Panorama-Sepulveda Plans, and Arleta-Pacoima Plans, provided that the City Council authorizes such roundups and the balance of the required funding is provided by the City and/or other public agencies. The roundups shall be publicized in the newsletter and on the web site.
3. Fugitive Dust. The permittee shall utilize the most effective available technology and methodology to avert fugitive dust emissions which may be a nuisance or hazard in adjacent populated or recreational areas or cause significant damage to wildland resources. In addition to the revegetation measures required in the Mitigation Monitoring and Reporting Program, the program shall include the following:
- a. The permittee shall not engage in any excavation or other operation during high wind conditions (as defined in Mitigation Measure No. 21 as related to construction), or when such conditions may reasonably be expected, that would result in significant emissions of fugitive dust which cannot be confined to the area under the permittee's control.
  - b. The working face area shall not exceed approximately 10 acres in the Combined City/County Landfill, 3 to 5 acres in the City Landfill when not operating as a combined landfill, or as determined by the Local Enforcement Agency to better protect the public health and safety. At times of the year

when high wind conditions may be expected, the working face shall be located within areas of minimal wind exposure or may be closed, if so determined by the Local Enforcement Agency.

- c. Except on rainy day, daily cover shall be moistened with water to retard erosion, and a soil sealant shall also be used to supplement water for dust control and to retard erosion when wind conditions dictate.
- d. Except during rainy conditions, any active area or active cover soil stockpile shall be moistened with water on a daily basis unless wind conditions dictate otherwise, in which case soil sealant shall be used in addition to water. Material cut from one portion of the site shall be used as a cover material in an adjacent area, to the extent feasible, to reduce the transport distance.
- e. If necessary, before each day when the landfill will be closed to refuse receipt, the permittee shall apply soil sealant to any previously active dirt area which has not already been sealed or revegetated.
- f. Inactive areas of exposed dirt that have been sealed shall be regularly monitored to determine the need for additional sealing and to prevent unauthorized access that might disturb the sealant, and if additional treatment is required, it shall be promptly applied to assure full control of the soil particles.
- g. All access roads to permanent facilities, excepting those infrequently used, shall be paved.
- h. The access roads extended to new fill areas shall be surfaced with recycled asphalt, aggregate materials, or soil stabilization products to minimize the length of untreated dirt.
- i. All paved roads in regular use shall be regularly cleansed to remove dirt left by trucks and other vehicles.
- j. Except during rainy conditions, all dirt roads in regular use shall be watered at least once daily on operating days and more often as needed or otherwise treated to control dust emissions.
- k. Loads capable of producing significant dust shall be watered during the dumping process, if such a practice is deemed acceptable to the Regional Water Quality Control Board.
- l. The permittee shall maintain water tanks and piping capable of supplying at least one full day's maximum water usage to the fill areas for dust control, which capacity shall be in addition to any fire flow requirements.

- m. The permittee shall install and maintain devices to monitor wind speed and direction, as specified by the South Coast Air Quality Management District, and shall retain qualified personnel to read and interpret the data, to obtain or utilize information on predicted wind conditions and to assist in the planning of operations at the landfill. This data shall be included in the annual report prepared by the permittee.
4. Grading. Except as otherwise provided in this condition, areas outside of and above the cut and fill shown on Exhibit Nos. E-4B-D or revised approved exhibit, shall not be graded or similarly disturbed. The Department of Building and Safety, in consultation with the Planning Department, may approve additional grading, if determined, based upon engineering studies provided by the permittee and independently evaluated by these Departments, that such additional grading or disturbance is necessary for slope stability or drainage purposes. Such a determination shall be documented and provided in the annual reports as part of the attached monitoring program.

No approval shall be granted under this condition which will result in expanding the area or height of fill or in lowering or significantly modifying any of the ridgelines surrounding the landfill.

Nothing in this condition shall be construed as prohibiting the installation of water tanks, access roads, flares, or similar facilities or mitigation programs required by this action or by permits issued by other public agencies.

5. Graffiti removal and deterrence on building and structures in public view: The property owners and all successors shall acknowledge the applicability of the graffiti removal and deterrence requirements pursuant to Municipal Code Sections 91.8101-F, 91.8904.1 and 91.1707-E relative to the subject project, particularly with regard to the following:
- a. The first nine feet of exterior walls and doors, measured from grade, and all of any walls enclosing the property shall be built and maintained with a graffiti resistant finish consisting of either a hard, smooth, impermeable surface such as ceramic tile, baked enamel or a renewable coating of an approved, anti-graffiti material or a combination of both pursuant to Section 91.1707-E;
  - b. The period for compliance with a graffiti removal order issued by the Building and Safety Department is 15 days following which period with failure to perform, the City or its contractor is empowered to enter the property to remove such graffiti with costs accruing to the property owner (91.8904.1);
  - c. The period for compliance with a subsequent order for a subsequent occurrence is three days (91.8904.1); and

- d. In addition to a,b, and c above, exterior walls of new buildings of other than glass may be covered with clinging vine and screened by oleander trees or similar vegetation capable of covering or screening entire walls up to the height of at least 9 feet, excluding windows and signs.
6. Litter. The permittee shall employ the most effective available technology and methodology to prevent litter which enters the area under the permittee's control in the form of waste from escaping the area. Notwithstanding other provisions of this condition or of this action, the permittee shall close the landfill to incoming waste during high wind conditions if, despite the application of the most effective available technology and methodology, litter cannot be confined to the area of the permittee's control. The permittee's on-site litter control program shall include, unless otherwise provided by the City Planning Department, the following:
- a. Landfill personnel shall continuously patrol the access road to the scales from the time it opens to the time it closes in the evening.
  - b. Improperly covered or contained loads which may result in a significant release of litter shall be immediately detained and the condition corrected, if practicable, before the load proceeds to the working face. If correction cannot be made, the load shall be conducted under escort to the working face.
  - c. All debris found on or along the entrance and working face access roads shall be immediately removed.
  - d. Operating areas shall be located in wind shielded portions of the landfill during windy periods.
  - e. The permittee now uses a primary litter fence at a height of eight feet at the working face, and a four-foot secondary fence behind the primary fence, depending on wind conditions. The permittee shall continue to use such fences and additional control systems as necessary to control litter. On windy days and when the fences are not sufficient, the working face shall be moved up against a slope so that debris can be more easily contained.
  - f. The permittee shall, to the satisfaction of the Planning Department, maintain programs aimed at controlling the discharge and recovery of litter from uncovered or improperly covered or contained loads traveling to the landfill along the principal north and south access arteries: from the Roxford/Interstate 5 Freeway exit along Old Sepulveda Boulevard and San Fernando Road to the landfill entrance; and from the Balboa off ramp along San Fernando Road to the landfill entrance, from the Balboa Boulevard off ramp along San Fernando Road to the landfill entrance, along Foothill Boulevard from Balboa to Yarnell Street and along Balboa south to Woodley Avenue.

The measures shall include an effective tarping program, which if necessary in the estimation of the Local Enforcement Agency, shall provide for sale of tarps to violators and/or exclusion from the landfill of repeated violators. Also, a message shall be placed on the facility public telephone stating the requirement to tarp loads.

7. Oak trees.

- a. Except where necessary to carry out testing required to obtain permits, no oak trees shall be removed within the City until the permittee has obtained all permits necessary from appropriate City agencies to begin initial site development.
- b. Except for initial site clearance and as necessary for slope stability, cover stockpile, drainage, flare installation or fire suppression or other ancillary facilities, oak trees and other native vegetation more than 50 feet above the working elevation of the landfill shall not be removed.
- c. These conditions are intended to control the rate of oak tree removal and shall not be construed to allow the disturbance of areas not authorized for disturbance pursuant the approved conditions.

8. Revegetation. The project proponent shall submit a revegetation plan consistent with the MMRP:

- a. Final cut slopes shall not exceed an overall incline of 1.5:1.
- b. If the Local Enforcement Agency determines that a different design or plan would better protect the public health and safety and would enable revegetation of the final slopes as well or better than the design or plan described in Exhibit No. 4.B-D, and/or a change is dictated by revisions to the minimum standards adopted by the California Integrated Waste Management Board, and the LEA, therefore, directs the implementation of a different design and/or plan, the applicant shall not be bound by the provisions of this condition; provided, however, that the maximum elevations and area of fill may not exceed those permitted in Condition No. B.2.d.
- c. A temporary hydroseed vegetation cover shall be established on all cut slopes and other areas outside the landfill that are to remain inactive for a period longer than 180 days.
- d. The applicant shall employ expert assistance to carry out this condition, including qualified biologist. Soil sampling and laboratory analysis shall be conducted on all areas before revegetation to identify chemical or physical soil properties that may adversely affect plant growth and establishment. Soil amendments and fertilizer recommendations shall be applied and plant

materials selected based upon the above-referenced testing procedures and results. To the extent possible, as determined by the Planning Department, plant types shall blend with species indigenous to the area and be drought tolerant and shall be capable of rapid establishment.

- e. Typical cross-section of the Final Landfill Cover shall be applied in lifts similar to Attachment A-4 or as deemed necessary by the Local Enforcement Agency in the closure plan.
9. Riparian/Wetland habitat. The permittee shall replace disturbed riparian and wetland habitat to the satisfaction of the California Department of Fish and Game and the U.S. Army Corps of Engineers in accordance with plans approved before commencement of landfill development. Replacement habitat shall be provided on a 2:1 ratio through a program of tree planting streamzone stabilization, stream enlargement and/or streamzone rehabilitation in degraded drainage channels. The program shall also provide mitigation sufficient to prevent any net loss of wetland. Any replacement site shall be located in the San Fernando Valley. Preference shall be given to habitat mitigation in the immediate vicinity of the landfill or an urbanized area whereby providing outdoor experience and education within proximity of a larger population. Final site selection and the review of detailed engineering plans and working drawings shall be coordinated among the responsible agencies.

10. Air Quality.

- a. Establishment of an Independent Air Quality Consultant. An independent air quality consultant, selected by the Director of Planning, shall conduct at least four random tests of landfill dust and diesel particulates around the perimeter of the landfill property, with special attention given to the area south of the landfill above the residential community, each year of operation to determine if such results are consistent with the FSEIR modeling.

The costs for the tests shall be borne by the permittee. The reports shall be provided to the Director of Planning and the permittee within 15 calendar days after completion of the tests. If any of the measurements are found by the consultant to exceed the results of the FSEIR modeling, the permittee shall submit a corrective action plan to the Director of Planning within 15 calendar days after receipt of the report from the consultant. The corrective action plan shall specify a schedule for remedial action as soon as reasonably practical.

The Director of Planning shall approve or disapprove the corrective action plan within 15 calendar days of receipt of the plan. If the Director of Planning approves the corrective action plan, or if the applicant otherwise fails to submit a corrective action plan to the satisfaction of the Director of Planning, then the Director of Planning may determine if he or she will require the permittee to implement additional measures to reduce the air quality impacts.

such as by additional paving of unpaved roads, additional watering and application of soil sealant, relocating of the working face to designated locations during windy conditions, monitoring at sensitive sites throughout the community, or mandatory closures during extreme wind.

The permittee may appeal the Director's action pursuant to procedures in 12.24.G of the Los Angeles Municipal Code. The Director of Planning, with the advice of the TAC, may reduce the frequency or discontinue the testing if found that such tests are not valid or useful.

The independent air quality consultant will also, prior to the start of construction conduct additional testing of landfill gas, dust, and diesel particulates at Van Gogh Elementary School, and model emissions projected with the implementation of the landfill, and shall conduct onsite monitoring once the landfill is open. The testing protocol, results and mitigations, if necessary, will be evaluated and approved by the South Coast Management District (SCAQMD) and the Technical Advisory Committee.

b. On-site and Off-site Tree Mitigation

- 1) On-Site Tree Mitigation Buffer. One year after the start of the operation in the City Landfill, the permittee shall begin to plant a tree buffer in a density (i.e., approximately 1,000 trees) and at a height that decreases the particulate and emissions from the landfill. The location of the on-site tree mitigation buffer shall be south of the landfill above the residential community. Success of the mitigation measure shall be evaluated by its ability to minimize dust and emissions south of the site, as measured by the testing required in Condition No. C.10.a, and results of the tests may result in terminating the testing.
- 2) Off-site Tree Mitigation. The landfill operator shall provide a total of 1,000 trees over the initial three years of operation to the City of Los Angeles for planting in the North Valley area. Trees shall not be less than eight feet in height, not less than two inches in trunk diameter, and with not less than five foot spread except for oak trees which shall not be less than six feet in height, not less than one inch in trunk diameter measured one foot above ground. Further, all trees shall be in a healthy growing condition. Root bound trees are not acceptable. The variety and placement of trees shall be subject to approval by the Department of Public Works' Street Tree Division. The Technical Advisory Committee shall administer the distribution of trees.

- c. The operator shall submit, as part of its annual report, an evaluation of the feasibility of beneficial reuses of the landfill gas collected at the site such as landfill-gas-to-energy.
- d. The applicant/operator shall either purchase or investigate the purchase of non-diesel, alternative fuel vehicles and equipment, as follows:
  - 1) Upon commencement of operation of the landfill, all light-duty vehicles operated at the site shall be alternative fuel vehicles.
  - 2) Within the first year of operation, ten alternative fuel refuse collection trucks or transfer trucks shall be purchased by the applicant/operator and put into operation at the landfill.
  - 3) Within three years of the date that the Technical Advisory Committee determines that the technology and economics are feasible, and thereafter, operation of all transfer trucks entering the landfill shall be non-diesel alternative fueled vehicles.
  - 4) Within three years of the date that the Technical Advisory Committee determines that the technology and economics are feasible, all transfer and collection trucks owned and leased by the applicant/operator and used at the landfill shall be non-diesel alternative fueled vehicles.
  - 5) Within six years of the date that the Technical Advisory Committee determines that technology and economics are feasible, seventy-five percent (75%) of all trips (by trucks which have a capacity of nine tons or greater) entering the landfill, shall be made by non-diesel alternative fueled vehicles.
  - 6) Within one year of operation, the applicant/operator shall design and begin implementation of at least one heavy-duty alternative fuel off-road equipment pilot program.
  - 7) With the assistance of the South Coast Air Quality Management District and the Department of Environmental Affairs, the applicant/operator shall use its best efforts to participate in the Arco Clean Diesel Demonstration Program with one or more pieces of off-road heavy-duty equipment.
  - 8) The applicant/operator shall submit, as part of its annual report to the Technical Advisory Committee, an ongoing evaluation of compliance with 1 - 7 above. Technical or economic infeasibility shall be the sole

bases on which the operator may appeal the requirements established by this condition, [Q] C.10.d, pursuant to procedures in 12.24 G of the L.A.M.C.

- e. The permittee shall provide access to back-up generator(s) for emergency use in case of prolonged power outage to prevent the migration/emission of landfill gas, unless otherwise prohibited by AQMD due to air quality concerns.
11. Storm Water. The operator shall provide a copy of the LARWQCB required quarterly testing on surface water quality samples to the Department of Public Works Storm Water Management Division for review.
12. Technical Advisory Committee. An ad hoc committee of City Departments chaired by the Director of Planning or Designee shall be established for the purpose of reviewing, coordinating, and certifying satisfactory completion of plans, permits and agreements required and/or authorized by the subject approval including the [T] and [Q] Conditions and Mitigation Monitoring and Reporting Program (MMRP) before commencing work or opening of the landfill and during its operation.
- a. Composition. The committee shall be composed of representative(s) of the following City Departments, and other City Departments on as-need basis:
    - Local Enforcement Agency
    - Department of City Planning
    - Department of Building and Safety
    - Department of Public Works, Bureau of Sanitation
    - Department of Public Works, Bureau of Engineering
    - Department of Recreation and Parks
    - Office of the Chief Legislative Analyst
    - Office of the City Attorney (Environmental/Land Use Sections)
    - Department of General Services, Fleet Services
  - b. Meetings/Purposes. The Technical Advisory Committee shall meet at least twice a year. It shall carry out the purposes of the subject approval and ensure compliance with the approvals and regulations of state and federal agencies involved in regulating and permitting of the landfill.

Upon the operator's application for compliance to the conditions of approval, the Technical Advisory Committee shall meet to determine if all requirements precedent to commencement of development of the landfill (excepting final approval of plans, permits and agreements) have been met. If the Technical Advisory Committee so determines, it shall certify completion.

Upon application for the landfilling permit, the Technical Advisory Committee shall meet to determine that all requirements precedent to opening the landfill (excepting final approval of plans, permits and agreements) have been met. If the Committee so determines, it shall certify completion of said requirements, recommend approval of permits, and notify appropriate agencies of such requirements.

Each year, the Technical Advisory Committee shall meet to review the annual report submitted by the operator as required by Condition No. A.6 and certify that all requirements of the approval are being met. Further, the TAC shall consider the phasing in of [Q] Condition No. C.10.d. based on economic and technical feasibility, the feasibility of air quality testing at Van Gogh, and the feasibility of video cameras used at the site.

The TAC shall review specific conditions of approval and mitigation measures as requested by the CAC.

- c. **Contract for Mitigation Monitoring.** Prior to the issuance of any building permits, an RFP or RFQ shall be prepared for an independent consultant contracted to monitor the [T] and [Q] Conditions and mitigation measures imposed by this action. The contract shall require that the consultant prepare and submit semi-annual reports as outlined in the conditions. A copy of the contract shall be provided to the City Planning Department for inclusion in the subject case file.

Prior to the issuance of a certificate of occupancy for the facility, an independent consultant shall be contracted to monitor the [T] and [Q] Conditions and mitigation measures imposed by this action for a minimum of five (5) years.

- d. **Access to Site and Information.** The permittee/operator shall provide to the Technical Advisory Committee and its independent consultant(s), access to all areas of the site during normal hours of operation and shall respond to all information requests from the TAC in a timely manner regarding compliance with [T] and [Q] Conditions and the Mitigation Monitoring and Reporting Program.

13. **Community Advisory Committee (CAC).** The local Council Office shall appoint a Community Advisory Committee to serve as a liaison between the permittee and the community and as a means for the community to communicate with the Technical Advisory Committee and regulatory agencies on an ongoing basis regarding issues involved in the development and operation of the landfill. The CAC shall be composed of persons who reside in the vicinity of the landfill and are nominated by recognized community and neighborhood associations. The Councilperson in whose

district the landfill is located and the Councilperson from the district(s) most nearly adjacent to the landfill shall appoint a representative.

a. **Appointments and Terms of Service.**

- 1) **Term of Membership.** Members of the CAC shall serve for a term of four years, except that as provided below. Members of the CAC whose terms have expired shall stay on the CAC until their replacements are approved.
- 2) **Appointment of Members.** To the maximum extent feasible, members shall be appointed as follows:
  - aa. Twenty-five percent (25%) of the members shall have an initial appointment of an one-year term.
  - bb. Twenty-five percent (25%) of the members shall have an initial appointment of a two-year term.
  - cc. Twenty-five percent (25%) of the members shall have an initial appointment of a three-year term.
  - dd. Twenty-five percent (25%) of the members shall be at large selected by a majority and shall have initial appointment of a four-year term.
  - ee. Appointees serve at the pleasure of the appointing authority and the appointment may be rescinded at any time prior to the expiration of a member's term.
- 3) **Vacancies.** In the event of a vacancy occurring during the term of a member of the CAC member, the same body or official, or their successors, who appointed such member shall make an interim appointment of a person to complete the unexpired term of such member.
- 4) **Expiration of Term.** Upon expiration of a term for any CAC member, the appointment for the next succeeding term shall be made by the same body or official, or their successors, who made the previous appointment. No CAC member shall serve more than two consecutive four-year terms.

- b. Upon appointment of the CAC by the Council person(s), the permittee shall do the following:

- 1) Provide qualified personnel to regularly attend CAC meetings;
  - 2) Provide reasonable access to the landfill site and information concerning landfill operations necessary for the committee to perform the committee's functions; and
  - 3) Provide accommodations for CAC meetings.
- c. The City CAC may request the TAC to review specific conditions of approval and mitigation measures.
- d. Upon the establishing of a Joint Powers Agreement or other coordinating instrument with Los Angeles County for the operation of a combined landfill, as noted in Condition No. A.9, the City and County CACs shall be merged as determined by the Joint Powers Agreement or coordinating instrument.
14. The permittee/operator shall install video monitoring equipment at the site to ensure compliance with the conditions of operation. The Technical Advisory Committee and its independent consultant(s) shall have access to the video tapes for one year after such recordings are made.
- D. Notice. Notice is hereby given that pursuant to the Section 12.27.1 (Administrative Nuisance Abatement), the City Planning Commission or Zoning Administrator, after conducting a public hearing, may revoke or modify this approval, if the Commission or Zoning Administrator find that these conditions have been violated or that this approval has been exercised so as to be detrimental to the public health or safety or so as to be a nuisance.

Sec. 3. The City Clerk shall certify to the passage of this ordinance and cause the same to be published by posting for ten days in three public places in the City of Los Angeles, to wit: one copy on the bulletin board located at the Main Street entrance to the City Hall of the City of Los Angeles; one copy on the bulletin board located at the ground level at the Los Angeles Street entrance to the Los Angeles Police Department in the City; and one copy on the bulletin board located at the Temple Street entrance to the Hall of Records in the City.

I hereby certify that the foregoing ordinance was passed by the Council of the City of Los Angeles, at its meeting of DEC 08 1999

J. MICHAEL CAREY, City Clerk

Approved DEC 10 1999  
[Redacted Signature]

By [Signature]  
Deputy

By [Signature]  
Mayor  
CM

Approved as to Form and Legality

Pursuant to Sec. 97.8 of the City Charter, approval of this ordinance recommended for the City Planning Commission.....

JAMES K. HAHN, City Attorney

See attached report  
[Signature]  
Director of Planning

By \_\_\_\_\_  
City Attorney

File No. 99-1119

posting

**Proposed Uses within  
the Project Site and  
Operational County Landfill**

**Legend**

- Project Site Boundary
- - - - - County of Los Angeles Boundary
- Existing Landfill (2.01 acres)
- Proposed Landfill Expansion (184 acres)
- Proposed Landfill Area (624 acres)
- ▨ Proposed Ancillary Facilities/Area in City

NOTE:  
Operational County Landfill Expansion is 245 acres.

Source: Inland Aerial Surveys, Inc.  
UltraSystems Environmental Incorporated



Aerial photograph taken August 3, 1996

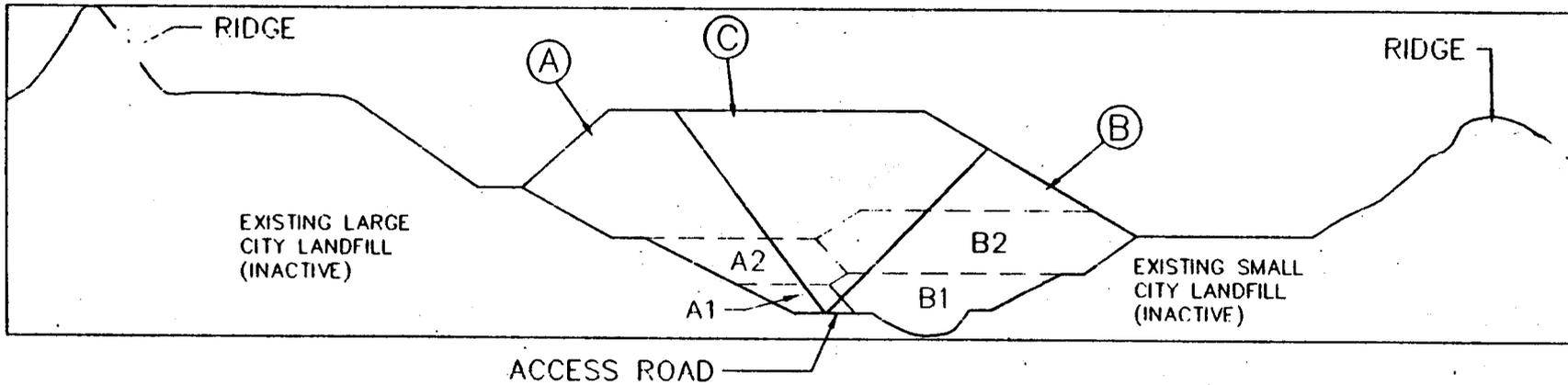




SECTION 1-1'

NOT TO SCALE

TYPE III



LEGEND

- (A) DEVELOPMENT SEQUENCE
- A1 CONCEPTUAL WASTE DEVELOPMENT INCREMENT
- A2 CONCEPTUAL WASTE DEVELOPMENT INCREMENT
- B1 CONCEPTUAL WASTE DEVELOPMENT INCREMENT
- B2 CONCEPTUAL WASTE DEVELOPMENT INCREMENT



GEOSYNTEC CONSULTANTS

SEQUENCED DEVELOPMENT  
SUNSHINE CANYON CITY/COUNTY LANDFILL  
SYLMAR, CALIFORNIA

FIGURE NO.

DATE:

23 FEBRUARY 1999