



MARK PESTRELLA, Director

COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone (626) 458-5100
<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE
REFER TO FILE

May 23, 2023

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

**PUBLIC HEARING
ENVIRONMENTAL SERVICES CORE SERVICE AREA
LOS ANGELES COUNTY REVISED COUNTYWIDE SITING ELEMENT AND
ITS CERTIFIED FINAL ENVIRONMENTAL IMPACT REPORT
(ALL SUPERVISORIAL DISTRICTS)
(3 VOTES)**

SUBJECT

Public Works is seeking the Board to conduct a public hearing on the Los Angeles County Revised Countywide Siting Element to adopt the resolution approving the Los Angeles County Revised Countywide Siting Element.

IT IS RECOMMENDED THAT THE BOARD:

AFTER THE PUBLIC HEARING:

1. Determine that the recommended actions are within the scope of the Los Angeles County Revised Countywide Siting Element project impacts analyzed in an Environmental Impact Report previously certified by the Board on August 2, 2022.
2. Adopt the resolution approving the Los Angeles County Revised Countywide Siting Element.
3. Instruct the Director of Public Works or his designee to submit the Los Angeles County Revised Countywide Siting Element to the California Department of Resources Recycling and Recovery for approval.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Approval of the recommended actions will comply with the California Environmental Quality Act (CEQA) and adopt the enclosed Los Angeles County Revised Countywide Siting Element resolution (Enclosure A), approving the enclosed Siting Element (Enclosure B) prior to submittal to the California Department of Resources Recycling and Recovery (CalRecycle).

The California Integrated Waste Management Act, Assembly Bill (AB) 939 requires each county to prepare a countywide siting element that describes how the county, and the cities within the county, plan to manage the disposal of their solid waste for a 15-year planning period. The Siting Element does not identify any proposed new or expansion of existing landfills and has removed Blind and Elsmere Canyon Landfills from the Siting Element's list of future landfill sites. The Siting Element analyzes future disposal needs, describes capacities available at both in- and out-of-County disposal facilities (such as landfills and waste-to-energy facilities), and identifies potential conversion technology sites. To provide a framework for managing solid waste in the region, the Siting Element also establishes various goals and policies on issues such as source reduction and recycling, alternative-to-landfill technologies, and conserving and securing landfill capacities.

Implementation of Strategic Plan Goals

These recommendations support the County Strategic Plan: Goal II, Foster Vibrant and Resilient Communities; Strategy II.3, Make Environmental Sustainability our Daily Reality; and Objective II.3.4, Reduce Waste Generation and Recycle and Reuse Waste Resources. The recommended actions will support the County's effort to reduce solid waste generation and divert solid waste from landfills, thereby reducing emissions of greenhouse gases and other harmful climate pollutants.

FISCAL IMPACT/FINANCING

Adoption of the above recommendations will have no impact on the County General Fund. However, CalRecycle has statutory requirements under Section 41813 of the California Public Resources Code to enforce the provisions of AB 939, which states that failure to submit an approved countywide siting element to the State could result in a fine of up to \$10,000 per day.

Funding for the preparation, maintenance, and administration of the documents will be included in the Solid Waste Management Fund (GD1) through the annual budget process.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

In 1989, the State adopted AB 939 that requires each county to prepare a countywide siting element that describes how the county, and the cities within the county, plan to manage the disposal of their solid waste for a 15-year planning period. The document also addresses the disposal capacity need for each planning year on a countywide basis. State law defines disposal capacity as the capacity provided by landfills and/or transformation facilities.

The Siting Element also provides a description of the areas and strategies that may be used to address the State mandates for adequate disposal capacity during the planning period and discusses how those areas and strategies may help the County meet the disposal capacity requirements under various scenarios. The areas/strategies considered include the use of existing permitted disposal capacity, increase in diversion rates, utilization of out-of-County disposal facilities, and fostering the development of technologies that provide alternatives to landfill disposal. Additionally, the Siting Element establishes siting criteria to be used as an aid to evaluate sites

proposed for development of needed solid waste transformation and land disposal facilities. However, there are no proposed new or expansion of existing landfill and transformation facilities in the County identified in the Siting Element.

The Siting Element serves as a policy manual rather than a specific development program. As specific sites and projects are developed, they must demonstrate that they are in conformance with the Siting Element and its siting criteria fully comply with all requirements of CEQA, and comply with all Federal, State, and local rules and regulations including consistency with the local jurisdiction General Plan.

Pursuant to Sections 41721 and 41760 of the California Public Resources Code, the Siting Element shall be approved by the County and by a majority of the cities within the County, which contain a majority of the population of the incorporated areas of the County. In addition, cities are required to approve or reject the Siting Element, independently, within 90 days of receiving it from the County. State law provides that if a city does not take action within that time period the city will have been deemed to have approved the document.

As directed by the Board, the Siting Element and their associated environmental documents were distributed to the 88 cities in Los Angeles County for the statutory 90-day approval period which ended on December 12, 2022. As of that date, 87 cities approved the Siting Element either by resolution or tacit approval as provided by Section 41760 of the Public Resources Code. The enclosed Table 1 (Enclosure C) summarizes the actions by the cities.

As shown in Table 1, the combined population of the cities that granted approval, either by resolution or tacit approval, to the Siting Element is 8,828,441, which constitutes 98.9 percent of the total number of cities and 99.7 percent of the total incorporated population in Los Angeles County. This satisfies the statutory requirement for the approval of the Siting Element by more than 50 percent of the cities containing more than 50 percent of the County's incorporated population.

The Siting Element must now be approved by the Board, as required by Sections 41760 and 41721 of the California Public Resources Code. Prior to action, the Board must conduct a public hearing, a notice of which must be published 30 days in advance (Code of Regulations Section, Title 14, Section 18782). Subject to adoption by the Board, the Siting Element will then be submitted to CalRecycle for approval. Any amendments to the document can only be considered in a subsequent revision and full approval process.

Pursuant to Section 41721.5 of the California Public Resources Code, any amendment to the countywide siting element shall be approved by a majority of the cities containing a majority of the incorporated population in the county, the County Board of Supervisors, and CalRecycle.

ENVIRONMENTAL DOCUMENTATION

On August 2, 2022, the Board certified the Final Environmental Impact Report (EIR) for the Siting Element in compliance with CEQA and adopted the Mitigation Monitoring and Reporting Program, Environmental Finding of Fact, and Statement of Overriding Considerations. The recommended actions are within the scope of the project in the previously certified EIR where the EIR specifically contemplated that the Siting Element would be adopted and implemented following the requisite public hearing.

There have been no changes to the project or to the circumstances under which it is undertaken that

require further review under CEQA.

Upon the Board's approval of the project, the department will file a Notice of Determination with the County Clerk in accordance with Section 21152(a) of the California Public Resources Code and post the Notice of Determination to its website in accordance with Section 21092.2.

The previously certified Environmental Impact Report is available online at <https://pw.lacounty.gov/epd/cse> or in person at Public Works, Environmental Programs Division, 900 South Fremont Avenue, 3rd Floor, Annex Building, Alhambra, CA 91803. The custodian of such documents and materials at Public Works is the Solid Waste Engineering Section Head.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Adoption of the above documents will have no impact on current County services or projects.

CONCLUSION

Please return one adopted copy of this Board letter to Public Works, Environmental Programs Division.

Respectfully submitted,



MARK PESTRELLA, PE

Director

MP:EKT:kp

Enclosures

c: Chief Executive Office (Chia-Ann Yen)
County Counsel
Executive Office