



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

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

29 August 2, 2022

CELIA ZAVALA
EXECUTIVE OFFICER

August 02, 2022

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:

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

SUBJECT

Public Works is seeking the Board to certify the Final Environmental Impact Report and its associated environmental documents and authorize the release of the Los Angeles County Revised Countywide Siting Element to each city within Los Angeles County for approval in accordance with the Integrated Waste Management Act.

IT IS RECOMMENDED THAT THE BOARD:

1. Certify that the Final Environmental Impact Report for the Los Angeles County Revised Countywide Siting Element has been completed in compliance with the California Environmental Quality Act and reflects the independent judgement and analysis of the County; find that the Board has reviewed and considered information contained in the Final Environmental Impact Report prior to approving the Los Angeles County Revised Countywide Siting Element; adopt the Mitigation Monitoring and Reporting Program, finding that the Mitigation Monitoring and Reporting Program is adequately designed to ensure compliance with mitigation measures during the Revised Countywide Siting Element implementation; and determine that the significant adverse effects of the Los Angeles County Revised Countywide Siting Element have either been reduced to an acceptable level or are outweighed by the specific overriding considerations of the Los Angeles County Revised Countywide Siting Element, as outlined in the Environmental Finding of Fact and Statement of Overriding Considerations, which findings and statement are adopted and incorporated by reference.

2. Instruct the Director of Public Works or his designee to submit the Los Angeles County Revised Countywide Siting Element to the cities in Los Angeles County for the State-mandated 90-day approval period in accordance with Public Resources Code Sections 41721 and 41760.

3. Instruct the Director of Public Works or his designee, upon receiving the required approval from cities, to submit the Los Angeles County Revised Countywide Siting Element to the Board for adoption of the final Los Angeles County Revised Countywide Siting Element after a duly noticed public hearing followed by transmittal to the California Department of Resources Recycling and Recovery for approval.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Approval of the recommended actions will certify the enclosed Final Environmental Impact Report (EIR), Enclosure A, and make other environmental findings and authorize the release of the enclosed Los Angeles County Revised Countywide Siting Element, Enclosure B, to the cities for approval.

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.

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 the Department of Resources, Recycling, and Recovery (CalRecycle).

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 the California Environmental Quality Act (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. The preliminary draft Siting Element and its draft EIR were submitted to all cities in Los Angeles County, adjacent counties, the Southern California Association of Governments, public agencies, and industrial and environmental organizations for a State-mandated, 45-day review period on July 1, 2021 (California Code of Regulations Title 14, Section 18779). Additionally, a series of six virtual public information meetings were conducted to share information with the public and solicit comments on the preliminary draft Siting Element and its draft EIR. Subsequently, in response to requests from cities and the Los Angeles County Solid Waste Management/Integrated Waste Management Task Force, the public review period was extended twice for a total review period of 138 days.

All comments received on the preliminary draft Siting Element were reviewed and addressed in the enclosed documents with the participation and approval of the Task Force. The Task Force was created by the Board and its membership was approved by the cities in July 1991 pursuant to the Act (Section 40950 of the Public Resources Code) to assist in the development of the Countywide Siting Element, as required by California Code of Regulations, Title 14, Section 18777. The Task Force was also formed to address the many growing and multi-faceted issues surrounding solid waste management in Los Angeles County and is comprised of representatives of stakeholders in solid waste management issues from all areas of the County, including Los Angeles County, City of Los Angeles, City of Long Beach, Los Angeles County Sanitation Districts, South Coast Air Quality

Management District, the League of California Cities, Greater Los Angeles Solid Waste Management Association, the Institute of Scrap Recycling Industries, as well as Board appointees from the general public, the business sector, and environmental organizations.

The final EIR was prepared after considering all comments received and in accordance with the requirements of CEQA. Certification of the final EIR is required under CEQA prior to the cities taking formal action on the Siting Element.

Pursuant to Sections 41721 and 41760 of California Public Resources Code, 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.

Upon independent approval of the Siting Element by a majority of cities containing a majority of the population of the incorporated area of the County, documents will be submitted to the Board for adoption 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.

ENVIRONMENTAL DOCUMENTATION

An Initial Study was prepared for the Siting Element in compliance with CEQA. The Initial Study concluded that there is substantial evidence that the Siting Element may have a significant impact on the environment in the following areas: aesthetics, air quality, biological resources, cultural resources, geology/soils, greenhouse gas emissions, hazards and hazardous materials, hydrology/water quality, land use/planning, mineral resources, noise, population/housing, public services and recreation, transportation, and utilities/service systems. The Initial Study determined that an EIR would be required.

An EIR for the Siting Element has been prepared in compliance with CEQA and is attached/on file with the Clerk of the Board. Public notice of the draft EIR was published in Los Angeles Times, Los Angeles Sentinel, Long Beach Press Telegram, La Opinion, Antelope Valley Press, Santa Clarita Valley Signal, and San Gabriel Valley Tribune pursuant to Section 21092 of the California Public Resources Code and posted pursuant to Section 21092.3. Comments were received from the California Department of Transportation, Los Angeles County Sanitation Districts, Southern California Association of Governments, and the public. Responses to those comments are included in the final EIR. Public agencies that commented on the draft EIR were sent written responses pursuant to Section 21092.5 of the California Public Resources Code.

The EIR consists of the draft EIR and response to comments and related sections. Except for unavoidable significant impacts to air quality, all identified significant environmental effects of the project can be avoided or reduced to a level of insignificance through the implementation of the mitigation measures identified in the EIR. As stated in the EIR and enclosed Environmental Findings of Fact and Statement of Overriding Considerations, Enclosure C, the Siting Element will result in unavoidable significant impacts, but such impacts have been reduced to the extent feasible, and the benefits of the proposed Siting Element, as described in the Statement of Overriding Considerations, outweigh these unavoidable adverse impacts.

A Mitigation Monitoring and Reporting Program is also included in Enclosure A, which is adequately designed to ensure compliance with the mitigation measures during project implementation.

The location of the documents and other materials constituting the record of the proceedings upon which the Board decision is based in this matter will be 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.

The project is not exempt from payment of a fee to the California Department of Fish and Wildlife pursuant to Section 711.4 of the Fish and Game Code to defray the costs of fish and wildlife protection and management incurred by the California Department of Fish and Wildlife.

Upon the Board's certification of the final EIR, Public Works will file a Notice of Determination in accordance with Section 21152 of the California Public Resources Code, pay the required fees to the County Clerk, and post the Notice of Determination to its website in accordance with Section 21092.2.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Release of the above documents and certification of the final EIR 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:ET:kp

Enclosures

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