JOSE HUIZAR
COUNCILMEMBER, 14TH DISTRICT

November 8, 2017

Dennis Joe, Case Planner
Community Development Department, Planning Division Office
633 E. Broadway, Room 103
Glendale, CA 91206
via email at djoe@glendaleca.gov

Dear Mr Joe:

As representative of the City of Los Angeles Council District 14, which includes the community of Eagle Rock, I am submitting comments in response to the Mitigated Negative Declaration [MND] proposed by the Glendale Water and Power [GWP] for a Biogas Renewable Generation Project [proposed project].

It is with great frustration and disappointment that this letter is being sent without an adequate dialogue between our neighboring cities regarding the Scholl Canyon landfill [landfill, or SCLF], the operation of which continues to negatively impact the community of Eagle Rock. GWP has failed to redress these historic and ongoing impacts and failed to engage its neighbors regarding plans and potential environmental improvements at the facility. Instead, while asserting the continued possibility of an ill-conceived, flawed and controversial proposal to expand the landfill, GWP has chosen to propose an additional industrial facility at the site, complete with four 40' smoke stacks, 15-18 months of methane flaring during construction, unmitigated carbon monoxide emissions among other pollutants, hazardous materials in a fire-prone area, and the shifting of environmental impacts to Scholl Canyon from an existing facility five miles away. This proposal is being made without consideration of the interests of the community of Eagle Rock and the City of Los Angeles.

How is it possible that after our contentious dispute over the proposed expansion of the landfill GWP would propose a power plant at the site without informing the Council office or any of the organizations or individuals who had made comments on the expansion proposal? My office and others have asserted our standing as interested parties in the operations and future of Scholl Canyon, and it is unfortunate that GWP has actively sought to minimize the participation of interested parties in the proposed project and in its environmental review.

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This concern is validated by the letter from the Los Angeles County Department of Public Works, dated Oct. 10, 2017, which notes that even the County had not been properly informed about the MND, despite being the owner of the land on which the facility is proposed and being a partner in the Joint Powers Authority that oversees the operation of the landfill.

GWP did provide a three-week addition to the comment period at my request. I appreciate this additional time. However, I remain insistent that a proper review period must provide opportunity for public discussion of the project. I am disappointed that GWP refused my request to present its proposal to a meeting in Eagle Rock and am astounded that it refused to hold any community meeting, even one in the City of Glendale.

I also note that my staff had signed up for updates on the project‘s informational website, http://glendalebiogasgeneration.com, but did not receive news relevant to public participation in the project, such as the extensions of the public comment period.

Public information and the opportunity for the public to provide input are fundamental expectations of the California Environmental Quality Act. GWP’s persistent impairment of public input calls into question the adequacy of the MND. A full Environmental Impact Report [EIR] would be appropriate to help rectify the inadequate public process, because it would provide more analysis and a structured, iterative process for the public to provide input on the project.

Beyond the inadequate public process, I am concerned about specific elements of the proposal and the analysis presented in the MND. Numerous flaws in the analysis are cause to reject the findings of the MND and to require a full EIR for the project.

Piecemealing Improperly Evades Assessment of Cumulative Impacts

Section 3.19 of the MND confirms the inadequacy of the use of an MND as an environmental review for the project, because it is being done in piecemeal fashion. Section 3.19 not only highlights GWP’s intention to propose additional related projects, for which the impacts are not assessed, it also notes the relationship of the Biogas Generation Project to the proposed repowering of the Grayson Power Plant which is undergoing a separate but simultaneous environmental review.

The MND identifies two active proposals for the site, landfill expansion and a green waste digester, which have a direct bearing on the operations and impacts of a biogas generation facility, but it fails to provide a substantive evaluation of the cumulative impacts of these proposals.

Expansion of the landfill [which the document appears to mislabel as the “Biogas Renewable Generation Project”] is being pursued. “The City is proposing to increase the life of the Scholl Canyon Landfill and is evaluating two alternative development scenarios to increase capacity of

the landfill with construction occurring from 2020 - 2040" [p 3.19.2]. Landfill expansion is the subject of a flawed Draft EIR, circulated in 2014, to which my office provided comments. My comments were submitted in August 2014 and have not yet been responded to. An expansion of the landfill can be expected to increase the amount of gas produced by the landfill and accordingly the amount of gas combustion in the proposed project. Neither environmental document appears to account for this substantive variable, despite real potential for landfill expansion to both increase and elongate the negative impacts of gas combustion at the site.

In addition to direct impacts of combustion, this omission fails to assess the range of potential impacts that an MND is supposed to consider. For example, the 2014 DEIR for Scholl Canyon Landfill expansion indicates a potential increased footprint by 13 acres. In the MND for the proposed project, however, biological and stormwater impacts are limited to the project area of 2.2 acres. The MND does not adequately present or analyze these cumulative impacts and therefore underestimates impacts.

A "Green Waste Digester Project" is also being considered in isolation. "Use of green waste digesters which would produce methane for use as fuel in vehicles or for power production is being evaluated to meet the requirements of [state] law by 2020. The location of digesters, if used, has not been determined" [p 3.19.2]. A green waste digester may be expected to increase the amount of gas produced for combustion in the proposed project. The MND does not account for this or any other cumulative impacts that would result from the development of a digester project.

Failure to Consider Together the Biogas Generation and the Grayson Power Plant Repowering Projects Results in Unmitigated Negative Impacts

The proposed project is an enabling component of the Grayson Power Plant Repowering Project, in which "The City of Glendale is proposing to repower the existing Grayson Power Plant with construction planned for 2018 - 2020… and a Draft Environmental Impact Report (EIR) is being prepared" [3.19.1 - 3.19.2]. The relationship is clear. GWP intends to develop the Grayson Plant free of landfill gas, and the proposed project enables that design.

In so doing, environmental impacts are shifted from Grayson to Scholl Canyon, and likely even increased. Yet these impacts are analyzed in isolation and therefore considered below significance thresholds. As an example, the MND claims that geographic separation is sufficient to establish a lack of significance in categories of Aesthetics [3.19.2], Air Quality [3.19.3], Noise [3.19.5], and Transportation and Traffic [3.19.6]. However, by spreading these impacts across two projects, the overall impact may be greater.

In practice, the Grayson project externalizes impacts onto another community, and by considering them in isolation, GWP fails to mitigate them. The following section on greenhouse gases provides a useful example.

Cumulative impacts are presented but are not compared to impacts that would be created if landfill gas continued to be combusted at Grayson. Without this comparison, the cumulative analysis in Section 3.19 cannot be fully understood or assessed by the public. Considering these projects in isolation is a fundamental flaw and a reason the MND is an insufficient environmental review.

Greenhouse Gas Analysis Is Improper and Emissions Should Be Mitigated

Greenhouse gas [GHG] emissions from landfill gas combustion are offloaded from Grayson Power Plant onto the proposed project, and as such are left unmitigated.

The DEIR for the Grayson Power Plant states, "Landfill gas is currently piped from the Scholl Canyon Landfill to the Grayson Power Plant. However, by the time the [Grayson] Project is constructed, landfill gas will be retained and combusted at the Scholl Canyon Landfill. As a result, GHG emissions from the landfill gas combustion are not included in the baseline emissions inventory when determining the net GHG increase for the Grayson Repowering Project" [DEIR, Table 4-35, p 4.5.6].

It further states that the Grayson Project "is required comply [sic] with the State cap and trade program by reporting CO2e emissions from the Grayson Power Plant and acquiring allowances and offset credits to mitigate 100 percent of GHG emissions" [DEIR, Table 4.37, p 4.5.7].

In other words, GHG emissions at Grayson are being mitigated, but GHG emissions from landfill gas are considered the responsibility of the Biogas Generation project.

Consequently, the increase of 4,806 MT/year of GHG emissions in the Biogas Generation project is not mitigated or offset, because the MND considers it below the threshold of significance.

Furthermore, it appears that flaring is considered among the GHG baseline calculation but the promised 15-18 months of flaring during project construction is not included in the Net Increase of GHG Emissions [Section 3.7.2].

The MND falsely claims that "As shown in table 3.7-2, there is a net decrease of GHG emissions when comparing the potential of GHG emissions of the Proposed Project with historical GHG emissions from the existing equipment" [p 3.19.4]. In fact, table 3.7-3 shows a net increase, which is unmitigated and apparently underreported, as stated above.

The MND also falsely claims that "the net increase is from GHG emissions due to facility occupancy related activities" [3.7.4]. In fact, occupants are calculated to be 52 of the 4,806 MT/year net increase.

The analysis of GHG emissions is a shell game, buffeted by false claims and inaccuracies, which

results in a failure to mitigate impacts and is cause to reject the MND are require a full EIR.

Air Pollution Is Not Adequately Mitigated and Air Pollution Credits/Offsets Should Not Be Presumed as a Project Objective

The MND's Criteria Pollutant Emission Summary [Table 3.3-12, p 3.3.24] indicates a biased air quality analysis, which aims to obscure rather than mitigate significant impacts. It shows that the proposed project will exceed SCAQMD Mass Daily Significance Thresholds for four of the six Criteria Pollutants. However, it calculates credits/offsets to be purchased for or allocated to the project *before* concluding a level of significance. Instead, the level of significance should be determined according to the actual emissions, after which mitigations must be identified and incorporated into the Mitigation Monitoring and Reporting Plan.

In this case, the MND proposes to mitigate only two of the four offending pollutants *for their regional impact* through credits/offsets. No mitigation is offered for carbon monoxide [CO] and particulate matter [PM 2.5], and no mitigation of *local impacts* are offered for any of the other four pollutants. By definition, credits/offsets do not mitigate local impact; they are regional in scope.

Rather than seek to reduce pollution, the MND simply resorts to an alternative analysis. "SCAQMD does not provide Priority Reserve offsets for CO or PM2.5 emissions. As such, daily emissions of these two pollutants are above the SCAQMD daily screening level mass emission significance thresholds. For these two pollutants, a more complex significance determination is made to demonstrate that emissions of CO and PM2.5 are also below significance thresholds" [p 3.3.23 - 3.3.24].

I contend that the release of more than 900 pounds of carbon monoxide daily should be mitigated, but the MND makes no effort to identify strategies to filter or reduce these emissions. Alternatives should be presented and assessed that can reduce actual emissions at the smoke stack and not just through offsets--and certainly not through simply using "more complex" ways to obscure findings of significance.

However, GWP's reliance on offsets/credits instead of actual emissions reductions appears clear from the outset. One of the project objectives is to "Abandon the existing pipeline between the landfill and Grayson Power Plant, which would in turn allow the South Coast Air Quality Management District (SCAQMD) to make priority reserve offsets available and offsets would not have to be purchased on the open market" [p 1.2].

This objective calls into question the need for the project. Three of the five project objectives as presented in the MND can be met through the existing method of delivering landfill gas to the Grayson Power Plant. The two that cannot be met are the self-fulfilling "Build an on-site power plant" and "Abandon the existing pipeline...to make priority reserve offsets available [so they don't] have to be purchased on the open market."

Given this context, it's not clear that Priority Reserve credits should be presumed certain as presented in the MND. GWP must apply for Priority Reserve credits, and the SCAQMD shall have to consider the need for and public service from the proposed project. SCAQMD can be expected to note that the shifting of landfill gas away from Grayson Power Plant may contribute to an overbuilding of power supplies, as some contend is currently proposed by the Grayson Repowering Project, such that its maximum capacity appears intended to make power available for sale to the market beyond the local need of the City of Glendale.

Alternatives Exist and Should Be Analyzed

The proposal cannot be adequately assessed because the MND fails to examine potential alternatives. The failure to present alternatives also unnecessarily limits the potential mitigations that could be implemented to address impacts. This is yet another flaw that could be rectified in an EIR. It is also further evidence that the improper separation of the Scholl Canyon Biogas project from the Grayson Power Plant EIR results in environmental impacts that would otherwise have to be mitigated or that could be avoided.

- There is no substantive discussion about the type of generating equipment that is proposed and whether other, cleaner technologies are available.

- There is no substantive discussion about the possibility of burning the gas at the Grayson Power Plant, by either conditioning the gas at Scholl Canyon or at Grayson. It appears that existing equipment could be upgraded as necessary to do so. The project proposes to demolish "existing equipment owned and operated by GWP required to treat the LFG prior to sending it to the Grayson Power Plant" [Section 2.3.1, mislabeled as p 1.4]. It is presented as an assumption that the Grayson Power Plant should no longer accept landfill gas even though that project is still in the planning stages and its environmental review is not complete. Given the existence of a pipeline already sending gas to the plant, the benefits of continuing to do so must be evaluated.

- The proposal asserts a need to tap into the Gas Company's gas line to augment the methane from the landfill, but there is no discussion about the potential to inject landfill gas from Scholl Canyon into the Gas Company's line, thereby providing renewable fuel to the area's gas supply without an increase in emissions.

- There is no discussion about whether it would be cleaner, more appropriate, and with fewer impacts to use the captured landfill gas as a transportation fuel, including to supply the fleets of natural gas trash trucks that visit the site. In failing to consider this alternative, the project predetermines without analysis the outcome of the Green Waste Digester Project "being evaluated" and "which would produce methane for use as fuel in vehicles or for power production" [p 3.19.2].

- The potential to adjust the location of the site to minimize impacts has not been analyzed, despite finding that the expansion of the site's footprint has impacts that must be mitigated.

Flaring Is Falsely Presented as Unavoidable and Should Be Prevented

The MND presents as inevitable that "During the 15-18 -month construction phase of Scholl Canyon Landfill Power Plant, the system piping landfill gas to GWP Grayson Power plant will be demolished; therefore, landfill gas will be combusted in the existing flare system at Scholl Canyon to control fugitive VOC and methane emissions" [p 3.3.19]. In fact, these wasteful flaring emissions could be avoided if the project proponent were to take seriously its responsibility to reduce and mitigate emissions.

The project proposes to demolish "existing equipment owned and operated by GWP required to treat the LFG prior to sending it to the Grayson Power Plant" [Section 2.3.1, mislabeled as p 1.4]. Demolition does not appear to be essential to the construction of the Biogas facility, given that it is only being "restored to hard-packed dirt" [p 3.18.6]. The piping is to be "abandoned in place" [p 3.10.1, et al]. Flaring could be avoided by appropriately scheduling these two activities [demolition and abandonment] so that they occur only after the generation plant is constructed and before the Grayson Plant is fully repowered.

Noise Impacts Are Improperly Dismissed and Should Be Mitigated

The MND makes conflicting statements regarding noise pollution: "There could be an overlap of noise sources from the Proposed Project, the proposed Scholl Canyon Landfill Expansion Project and the digester project (if located at the landfill) that could cumulatively affect a nearby sensitive receptor." In defiance of the concept of a cumulative analysis, the MND then claims that "The Proposed Project would not have cumulatively considerable noise impacts" [p 3.19.5] and proceeds to deem the impact Less Than Significant.

While the potential for cumulative impacts resulting from a combination with the Scholl Canyon Landfill expansion is explicit, the MND does not reflect on the analysis of noise that exists as part of the SCLF expansion DEIR.

In that analysis, the only City of L.A. site measured was "approximately 80 feet west of the edge of Scholl Canyon Access Road along North Figueroa Street.... at a similar distance from the Scholl Canyon Access Road as the nearby homes" [SCLF Expansion DEIR, 6-10-14]. This site registered the highest noise impacts, however, the MND selected other Los Angeles residences to represent noise impacts.

Notably, and consistent with the findings of the Expansion DEIR, it is a City of Los Angeles residence that recorded the highest noise levels in the MND [p 3.12.6].

Noise, as one of the "Environmental Factors Analyzed Cumulatively" is an example of the improper application of cumulative analyses in the MND, which adds to the inadequacy of the MND. While negative impacts compound due to proposed projects at the site, the MND dismisses components of each project instead of mitigating them. In the example of noise, the impacts of the proposed project are disregarded as relatively small; the impacts from the green waste digester are disregarded as not having been studied; and the impacts of the proposed expansion are simply disregarded without cause or discussion despite being a topic of a purportedly active EIR process.

This facetious approach to cumulative analysis is cause to reject the MND and should be rectified through a more comprehensive analysis in a full EIR.

Area residents are already suffering noise impacts from the landfill and trucks associated with landfill operations. These impacts are ignored and instead must be mitigated through immediate, specific actions, including to address additional traffic and truck noise during construction of the proposed project.

Aesthetics Impacts Are Not Adequately Presented, Analyzed or Mitigated

The MND states "The tallest features will be approximately 40 ft (four exhaust stacks) aboveground surface" [sic], which is taller than any existing equipment at the site [p 3.1.10].

In the sole view from property in the City of Los Angeles provided in the document, "Existing site trailers are visible along ridgeline" [Photo 2, p 3.1.6].

Despite being the only view from the Los Angeles side of the site, Photo 2 refutes both arguments made in the MND that there will be no impact. First, the MND dismisses the potential aesthetic impact by saying that "The Proposed Project would be consistent with the industrial character" of the existing facility. Second, the MND claims that "due to natural features between the Proposed Project site and public viewing areas, the Project would not likely be visible" [p 3.1.10].

The analysis can't have it both ways. The site cannot be aesthetically of both "industrial character" and "natural features." In either case, the analysis understates the impact. The exhaust stacks are far taller than existing equipment, greatly magnifying any industrial character, and given that smaller trailers are already visible against an otherwise natural setting, the proposed project will have a significant visual impact which must be mitigated.

The presentation of only one viewpoint from the City of Los Angeles is inadequate and is insufficient to provide a complete impression of the Proposed Project. Without further information, the public is unable to adequately assess the potential impacts of the project.

In particular, a proper analysis should have assessed views from additional locations, including at a minimum: hillside streets and homes, including those south of Colorado Blvd; the Alatorre-Eagle Rock Park adjacent to Scholl Canyon Road; and the popular public walking trail on the hillside adjacent to the Eagle Rock Historic Cultural Monument. From these views, a graphic representation of the Proposed Project should have been presented to show the scale of impact in comparison to existing equipment that is already visible.

With respect to light and glare, the claims of the analysis are again contradicted by even the limited factual information presented. The MND claims "The incremental amount of light and glare generated by the Proposed Project would be minimal... because the Project site is located in a portion of the existing landfill that is negligibly visible from public viewing locations. Therefore, impacts would be less than significant" [p 3.19.2]. As discussed above, the existing landfill is visible, and there is no supporting evidence provided that the light or glare will in fact be "negligibly visible," whatever that means.

The MND claims minimal light and glare "due to the design measures incorporated into the Project" [p 3.1.10]. For this claim to be enforceable, design measures should be included in the Mitigation Monitoring and Reporting Plan, with specific measurable limits on off-site glare. Without the establishment of these design elements as mitigation measures, GWP is simply asking that the landfill's neighbors accept a promise that light and glare won't have a significant impact and will be "negligibly visible."

Impacted Schools and Residents Are Not Properly Identified or Analyzed

The failure to properly identify those impacted by the project further undermines the credibility of the MND and underestimates the potential to impact sensitive populations.

The MND states, "The nearest school, Eagle Rock Elementary School, is located approximately 1.5 miles to the southwest of the of the Project site. Therefore, no impacts would occur" [p 3.8.10].

This is simply not accurate. PUC Cals, located at 7350 N. Figueroa St., Eagle Rock Montessori School, located at 1439 Colorado Blvd., and Dahlia Heights Elementary, located at 5063 Floristan Ave., are a mile from the project. Rockdale Elementary, located at 1303 Yosemite Dr., St. Dominic's School located 2005 Merton Ave., and Eagle Rock Junior/Senior High School, located at 1750 Yosemite Dr., are all located within 1.5 miles of the Proposed project.

The MND states, "The nearest non-residential sensitive receptor, which is Eagle Rock Elementary School, is located more than one and a half mile to the southeast of the Project" [p 3.3.44]. Again, this statement is not accurate. The Eagle Rock Child Care Center, located at 1102 Eagle Vista Dr., is located 0.8 miles from the proposed Project site.

The MND references the closest elderly care facilities as "approximately five to eight miles to

the west from the Project site" [p 3.8.5]. Once again, this is not accurate. Solheim Senior Community, located at 2236 Merton Ave., as one example, is only 1.5 miles from the proposed Project.

Furthermore, in section 3.13.1, the MND references the nearby residential communities that may be affected by the project. It lists the Glendale communities of Glenoaks Canyon ("approximately 0.5 acres directly west of the SCLF") and the Chevy Chase neighborhood (0.85 mile from the proposed project) It also references the community of Linda Vista in the City of Pasadena (0.5 miles for the proposed project). However, it does not mention the residents that live on the 7600 block of North Figueroa Street (0.85 miles from the proposed project) who will experience the largest impact from project construction because all vehicles must pass by this block to access the landfill.

These glaring errors are cause for a more thorough evaluation of the project through a full EIR. They also appear to be a symptom of the systematic disregard of stakeholders in the City of Los Angeles throughout the process. If GWP is unable to identify nearby residents, senior centers, child care facilities, and schools, how can the public be assured that it is properly accounting for impacts? It is further evidence of the lack of consideration given to nearby residents and stakeholders throughout the environmental review process and of the need for a more thorough review.

Historic Resources in Los Angeles Are Ignored

The Proposed Project is nearby at least two Historic Cultural Monuments in Los Angeles: the Eagle Rock Monument and the Eagle Rock Recreation Center. At the base of the Eagle Rock Monument is a popular hiking trail, the Eagle Rock Canyon Trail, located less than a mile from the proposed project. The Eagle Rock Recreation Center, designed by famed California architect Richard Neutra, blends both indoor and outdoor space to cool the building. It is actively used for children and teen sports.

The MND, however, makes no mention of these historic resources. Both are located close to the proposed project and, as outdoor spaces, are particularly susceptible to negative impacts of air quality, noise and visual impacts, in addition to the cumulative impacts of the proposed project on top of ongoing negative impacts from the landfill's operation. These impacts are not considered. The project should consider and establish appropriate mitigations to protect these Historic Cultural Monuments.

Stormwater Analysis Is Inaccurate

The MND claims that "The Proposed Project footprint would represent an approximately 2.2-acre expansion over the existing facility." It continues that accounting for existing equipment on 0.33 acre decreases "the area of effective expansion to approximately 1.66 acres." The math

does not add up, in yet another example of sloppy analyses that undermine the credibility of the document's claims.

In addition, it is not supported that the 0.33 acres should be subtracted from the area of concern. The MND says the 0.33 acres "would be restored to hard-packed dirt to match the surrounding ground surface within the project footprint," but that does not necessarily equate to reduced stormwater impacts [p 3.18.5 - 3.18.6]. In fact, it is further evidence that the document fails to seek appropriate mitigations for its impacts. A more comprehensive analysis might identify acreage that could be restored not to hard-packed dirt to match the surrounding landfill but to native habitat to match the surrounding natural landscape.

Further discussion of temporary stormwater systems is necessary. "Stormwater flow from the Project area will either be routed to the existing storm drains within the existing project footprint, the new catch basin, or into temporary energy dissipating structures or silt traps, all of which ultimately drain in to the active landfill's permanent drainage system" [p 3.18.5]. It is unclear how significant the temporary structures are to accommodating stormwater needs, how temporary these are, and how their capacity will be provided when they are no longer employed.

Emergency Response Plans Are Inadequate and as such Place Burden on the City of L.A.

The MND states, "Wildland fires (wildfires) can occur in open spaces containing a mixture of flammable and nonflammable vegetation cover. The native areas surrounding the active landfill operation area are vulnerable to wildfires due to the steep topography, highly flammable scrub vegetation and limited access for firefighting. The County Fire Department has published Fire Hazard Severity Zone Maps for the City and has listed the Project site, as shown on Tile 4 of these maps, in the Very High Fire Hazard Zone" [p 3.8.5]

The MND lists the first responder to a fire at the Proposed Project Site as the nearest Glendale Fire Department, Station 23, located at 3303 E Chevy Chase Drive, which is approximately 5 miles from the Proposed Project. However, with the primary access road to the project located in Los Angeles a large scale event would likely enlist the City of Los Angeles as the first responder. Los Angeles has three fire stations located in Northeast Los Angeles within three miles of the Proposed Project: 2021 Colorado Blvd., 4455 York Blvd., and 5921 N. Figueroa St.

The fire hazard is exacerbated by the proposed project in that "GWP plans to store only up to 3,000 gallons of aqueous ammonia" [p 3.8.10], along with "an approximately 2,000-gallon lube oil storage tank, as well as a 3,000-gallon capacity waste oil storage tank," and "Waste oil contained in 55 gallon barrels... located throughout the facility" [p 3.8.8].

Despite having parks, schools, residences, critical infrastructure, and child care facilities located in proximity to the Proposed Project, the MND fails to present any credible emergency response plan in case of a large scale event. Such an event would certainly draw on City of Los Angeles resources and preparedness of these resources should be accounted for in a mitigation plan.

My office stands ready to assist GWP in coordinating with the City of Los Angeles to develop an appropriate emergency response plan, which should also include the County of Los Angeles and which should be considered as part of a more comprehensive analysis in a full EIR.

Mitigation of Biological Impacts Is Inadequate

Biological impacts are the only impacts for which the MND establishes mitigations, and these "mitigations" appear merely to be standard attempts to avoid impacts. GWP should approach the question of mitigation more broadly. There is opportunity to not only attempt to avoid impact but to make positive impacts through mitigation, something that can help address the cumulative, historic and ongoing negative impacts of the existing landfill.

For example, since undisturbed habitat is being disturbed, GWP should provide habitat restoration nearby. The document states, "It is likely that the ridgelines on and off the SCLF property would serve as the principal wildlife movement and dispersal corridors for most species found on or in the immediate vicinity of the Proposed Project, and species will not need to cross through open, disturbed areas of the SCLF" [p 3.4.21]. While there is no support provided for this claim, if GWP wishes to assert it, GWP could and should help ensure it. To encourage species to use areas outside the active areas of SCLF, GWP should use mitigation to expand, through replanting and restoration, an amount of unbroken area that is hospitable to wildlife movement.

More in-depth analysis and project planning is necessary to ensure appropriate mitigation of biological impacts and should be provided through a full EIR.

Mitigations Are Insufficient and Must Be Expanded

The MND offers minimal and insufficient mitigation, as discussed above. While the document attempts in many places to reassure the public that impacts will be managed or reduced by project design, these assurances are hollow unless incorporated into the Mitigation Monitoring and Reporting Plan [Section 4].

There is a historic lack of mitigation of the negative impacts of the landfill on Los Angeles and Eagle Rock; Eagle Rock bears the brunt of negative impacts while Glendale reaps the benefits of the landfill. The imbalance of cost and benefit to Los Angeles is exacerbated by the fact that Scholl Canyon and the proposed project are sources of revenue for the City of Glendale and by the MND's failure to consider impacts on sites in L.A., including schools, historic monuments, recreational amenities, and aesthetic reference points.

Therefore a robust and more expansive approach to mitigations is required in order to properly address the apparent attempt by GWP to further industrialize the site with a power plant and a green waste digester, all the while continuing to threaten landfill expansion.

Expanded mitigations, in addition to what has been suggested above and to those that would result from a more comprehensive environmental analysis, could include but are not limited to:

1. Rejection of the proposed landfill expansion;

2. Establishing a mitigation fund and directing a portion of it to the City of Los Angeles for use in addressing local impacts such as street repair;

3. Specific plans to reduce off-site impacts on City of Los Angeles residents and businesses that are affected by waste hauling trucks that use local streets as access roads, including but not necessarily limited to impacts related to traffic, litter, noise and environmental quality;

4. Mitigating the noise level from trucks using the 134 freeway by setting aside landfill revenue to fund a sound wall along the 134 above Eagle Rock;

5. Structuring tipping fees to encourage clean-fuel vehicles. Additional fees on dirtier vehicles could be used to subsidize a transition to cleaner fuels;

6. Increasing native habitat and enhancing wildlife corridors;

7. Improved access to the Glendale Hills Trail for Eagle Rock residents. Currently the trail ends at the fence line on the western side of the landfill. Expanding the trail such that it allows hikers to continue beyond the landfill would allow a connection to the Eagle Rock Canyon Trail and other recreational amenities.

Conclusion

Though City of Los Angeles businesses and residents are not allowed access to the landfill and will not directly benefit from the power produced by the proposed project, the City, its residents and businesses are stakeholders in the proposal. As immediate neighbors to the landfill, potential impacts of environmental quality, hazards and emergency response have a direct relationship to the City of Los Angeles. The only active entrance to the site is through the City of Los Angeles. This access point is adjacent to homes, schools, a childcare facility, a major City park, and historic cultural monuments – all in the City of Los Angeles. As such, City stakeholders bear a significant burden from the operation of the landfill.

Contrary to the MND's assertion, its analysis does not consider "incremental effects of the Proposed Project in connection with effects from past, current, and probable future projects" [p 3.19.1]. The MND fails to acknowledge that cumulative impacts exist from the existing and ongoing negative impacts of the landfill operation. Adding insult to injury, the impacts of the proposed project are almost entirely unmitigated.

The MND is flawed and inadequate. The analysis is improperly piecemealed from other proposed industrial activity at the site, the proposed expansion, and the Grayson Power Plant. Alternatives are not examined. Cumulative analyses are flawed as are those of greenhouse gases, air quality, aesthetics, noise, stormwater and biological impacts. The proposal fails to provide adequate emergency planning. The Mitigation Monitoring and Reporting Plan is far too narrow to be enforced and to provide assurance to the public. Sensitive populations are improperly identified, key stakeholders have been ignored, and public participation has been actively discouraged.

For these reasons and based on the inadequacies and flaws pervasive throughout the MND, I urge GWP to reject the the findings of the MND and to begin a more comprehensive and inclusive analysis through a full EIR.

Sincerely,

JOSE HUIZAR
COUNCILMEMBER, DISTRICT 14
CITY OF LOS ANGELES

cc: Glendale Mayor Vartan Gharpetian
Councilmember Ara Najarian
Councilmember Paula Devine
Councilmember Zareh Sinanyan
Councilmember Vrej Agajanian
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