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IRMA R. MUNOZ

M. TERESA VILLEGAS

February 1, 2010

To: Interested Parties re: Athens Sun Valley Materials Recovery Facility

From: City of Los Angeles Local Enforcement Agency

Subject: Notice of Certification and Initiation of the Permitting Process for Athens Sun Valley Materials Recovery Facility

The City LEA has finalized its intensive review of the Athens Sun Valley Material Recovery Facility Environmental Impact Report (EIR). The LEA as lead agency under CEQA for the project will certify the EIR.

A certified EIR is one of a number of requirements that will allow Athens to apply to the LEA for a state-required solid waste facility permit (SWFP). Within approximately 30 days, the LEA will hold a public meeting in which all stakeholders, including the community, businesses, and all departments and offices will have the opportunity to provide written or verbal testimony regarding operational issues and concerns that the LEA should consider as it reviews the application or writes conditions in the permit. These concerns may include traffic patterns, odors, dust, noise, landscaping, health and safety or any other environmental or operational matters.

The permit application process takes approximately six months to complete. Steps include:

- Submission by Athens and LEA acceptance of a complete permit application package.
- LEA preparation of a proposed permit.
  - The LEA must prepare a proposed permit within 55 days of acceptance of a complete application (by mid-April 2010) and send the draft to the state.
- State concurrence on the proposed permit.
  - CalRecycle (formerly the California Integrated Waste Management Board) has 60 days after receiving the draft to concur or reject the proposed permit. Failure to act within the 60 day period results in automatic concurrence by CalRecycle.
- LEA issuance of the permit.

- If CalRecycle concurrence is approved, the permit is issued by the LEA within five days.

The current limit of 400 tons per day of incoming materials, 15 tons per day of solid waste and a limit of 100 vehicles per day will be enforced until the new permit is issued and construction of the new enclosed processing facilities is completed and signed off by the city.

After the LEA has received a permit application from Athens, it will begin review of the entire application package, including the Transfer, Processing Report (TPR). The TPR contains the plans for conducting the day-to-day operations of receiving, processing and transferring materials to and from the proposed new buildings. The LEA's review of the TPR can result in changes or improvements to the TPR and other supporting documents, as the LEA determines. A summary of elements in the TPR will be presented in the public meeting to be scheduled.

If you have any questions, please feel free to contact me at 213-978-3068 or David Thompson at 213-978-0868.

Sincerely,

Wayne Tsuda, Director
LEA Program

Attachment

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M. TERESA VILLEGAS

February 1, 2010

To: Interested Parties re: Athens Sun Valley Materials Recovery Facility

From: City of Los Angeles Local Enforcement Agency

Subject: Notice of CEQA Findings and Certification of Final EIR
Athens Sun Valley Materials Recovery Facility

INTRODUCTION

This Certification and these findings are made pursuant to the California Environmental Quality Act (Pub. Res. Code Section 21000 et seq; "CEQA") and the CEQA Guidelines (Cal. Code of Regulations, Title 14, Section 15000 et seq.) by the City of Los Angeles, EnvironmentLA Department (ELA) in connection with the processing of a Solid Waste Facility Permit (SWFP) and related approvals in connection with construction of a Materials Recovery Facility/Transfer Station (TS) building, in which municipal solid waste would be recycled and transferred; and construction of a building in which to process and recover C&D materials, all as analyzed in the Environmental Impact Report (EIR) for the Athens Sun Valley Materials Recovery Facility, EIR SCH # 2007031090.

The City of Los Angeles, EnvironmentLA, is the CEQA lead agency for this project. EAD is operating under Section 15111 of the CEQA Guidelines which expressly authorizes the CEQA process to proceed ahead of the permit application process, for statutory schemes that require the lead agency to take action on a permit application within a specified period of time that is six months or less. Guideline section 15111, in turn, is cited by the California Integrated Waste Management Board procedures as allowing a lead agency not to "receive" an application until there has been sufficient progress in the CEQA process. This Certification of the Final EIR for the Athens Sun Valley Materials Recovery Facility, by the lead agency, confirms that the Final EIR for this project has been completed in compliance with CEQA. Under California Integrated Waste Management Board Procedures, a "complete and correct" application must include (among other items) either (1) evidence of CEQA compliance, or (2) information on the status of CEQA compliance including the proposed project description and any CEQA mitigation monitoring implementation schedules. Thus, the EAD is expressly authorized to complete the CEQA process prior to determining that a "complete and

correct". This Certification is intended to comprise evidence of CEQA compliance so as to allow the lead agency to accept an application and determine whether to approve the project.

These findings are based on substantial evidence in the entire administrative record and references in these findings to specific reports or to specific pages of documents are not intended to identify those sources as the exclusive basis for the findings.

PROJECT DESCRIPTION

The Athens Sun Valley Materials Recovery Facility (ASVMRF) is located on an approximately 4.9 acre parcel in the Sun Valley community within the San Fernando Valley portion of the City of Los Angeles. The facility would process a total of 1,500 tons of solid waste and recyclables per day. Of the total, 1,000 tons per day (tpd) would be municipal solid waste (MSW) and 500 tpd would be construction, demolition and Inert materials (C&D). MSW and C&D would be processed in separate enclosed buildings. The facility currently processes approximately 400 tpd of C&D materials and operates under Conditional Use Permit (CUP) (ZA 98-0427) issued in January 1999, which permits the establishment, use and maintenance of a Recycling Materials Process and Sorting Facility (Recycling Center) for mixed waste, construction and demolition waste for purpose of depositing, sorting, processing and transfer a maximum of 1,500 tpd of solid waste, in the M2-1G Zone. The facility also operates in accordance with a Temporary Solid Waste Facility Permit issued May 11, 2008.

Following are the major components of the Project:

Recovery operations, for both C&D and MSW, will take place in enclosed and covered buildings with misting and forced air ventilation systems. The size of proposed buildings and site activities include:

Transfer Station Building/MRF Building	44,200 square feet
C&D Processing Building	18,045 square feet
Landscaping	5,026 square feet

- No change in the hours of operation is proposed. In accordance with the existing CUP, the facility will operate from 7 AM to 8 PM daily.
- A 2 kilowatt solar power system will be constructed on the site to provide a portion of the electrical demand for the project.
- In accordance with the State Minimum Standards for Operating C&D and MRF/Transfer Stations, the following environmental control measures will be implemented:
    - Hazardous Materials: A load check program will be implemented to randomly check one C&D load per day and one MRF/Transfer load per day. Any small quantities of household hazardous waste (HHW) detected in incoming loads will be brought to the existing on-site HHW storage container, segregated by class and manifested in accordance with Federal and State regulations. Only

employees with proper training will handle HHW. A spill response kit will be located in the storage container to include absorbent material, brooms, shovels, 55-gallon drums, protective gloves, clothing, boots, goggles and respiratory equipment.

- Odor Control: Odor control will be achieved by moving operations indoors within enclosed buildings with forced air ventilation systems. In addition, odors will be limited by the use of an odor neutralizer as part of the misting system and removal of any non-salvageable waste within 48 hours of its receipt on a first-in, first-out basis.

- Dust Control: Dust control will be achieved by moving operations indoors within fully enclosed buildings with manual and automatic misting systems. In addition, C&D operations will be halted during periods of extreme wind conditions. As recommended by the SCAQMD, extreme wind conditions are defined as instantaneous wind speeds that exceed 25 mph. In addition, an automatic sweeper will be used to clean the tipping floors, outside the buildings and around the perimeter of the facility on a daily basis.

- Litter Control: Litter control will be achieved by moving operations indoors within fully enclosed buildings. In addition, a cleanup crew will be assigned to maintain the facility and the ingress/egress street free of litter on a daily basis. All transfer vehicles and trucks utilizing the facility will be required to be covered to prevent material from blowing from vehicles.

- Vector Control: Moving operations indoors will incrementally reduce the attraction and access of rodents, birds and insects to refuse at the existing facility. In addition, any non-salvageable waste will be loaded into transfer trailers and removed from the site within 48 hours on a first-in, first-out basis. Athens will contract with a vector control company to eliminate potential vectors on an as-needed basis.

- Air Quality Control: To reduce air emissions, the applicant will comply with South Coast Air Quality Management District (SCAQMD) requirements to install particulate traps on their refuse collection vehicles. To further mitigate air quality impacts, Athens will implement a fleet replacement plan to replace all diesel-powered vehicles, weighing 57,000 pounds or more, within ten years at a rate of ten percent per year.

ENVIRONMENTAL REVIEW PROCESS

Sections 15085, 15086, and 15087 of the State CEQA Guidelines describe the requirements for circulation of a Draft EIR for public review. In accordance with these sections, the City of Los Angeles, EAD filed a Notice of Completion (NOC) with the Governor's Office of Planning and Research (OPR) and simultaneously published a Notice of Availability (NOA) of a Draft EIR for the project and posted both the NOC and NOA at the offices of the Los Angeles County Clerk. The filing of the NOC/NOA began an initial 60-day review period, subsequently extended to a 120-day review period for the Draft EIR. The review period commenced on September 26, 2008 and ended on January 26, 2009. During this review period, the Draft EIR was available for review at

the following locations:

- Los Angeles Public Library, Sun Valley Branch, 7935 Vineland, California
- Los Angeles Public Library, Sunland-Tujunga Branch, 7771 Foothill Blvd, Tujunga, California
- City of Los Angeles, EnvironmentLA, Local Enforcement Agency Office, 200 N. Spring Street, Room 1905, Los Angeles, California

The Draft EIR was also available for public review on the Lead Agency's website: http://www.environmentla.org.

In addition, copies of the Draft EIR were provided to those parties who had previously requested copies and to a variety of potentially interested public agencies.

During the review period, Lead Agency held a public meeting to receive comments on the Draft EIR on November 12, 2008. At the request of many community members, the project applicant held an additional meeting to discuss the project on January 15, 2009. Both meetings were held at locations in proximity to the project site. Comments on the Draft EIR were received at both meetings and are responded to in this Final EIR.

After the review period ended, the LEA prepared responses to comments as required by CEQA and made clarifications and other minor changes to the Draft EIR. The responses to comments, clarifications/changes to the Draft EIR and additional information were published in this Response to Comments document in November, 2009. The Draft EIR, and Responses to Comments document and all appendices thereto constitute the "FEIR" referenced in these findings, and hereby incorporated by reference in these findings.

ADMINISTRATIVE RECORD

The record, upon which all findings and determinations related to the approval of the Project are based, includes the following:

- The FEIR and all documents referenced in or relied upon by the FEIR.
- All information (including written evidence and testimony) presented to the Lead Agency by the environmental consultant and traffic consultant who prepared the FEIR or incorporated into the EIR.
- All final applications, letters, testimony and presentations presented by the project sponsor and its consultants to the City in connection with the Project.
- All final information (including written evidence and testimony) presented at any City public hearing or workshop related to the Project and the EIR, , including the November 12, 2008 meeting to accept comments on the DEIR and the additional meeting to discuss the Project held on January 15, 2009.
- For documentary and information purposes, and for purposes of imposing, implementing and enforcing of all adopted mitigation measures, conditions of approval and project components, all City-adopted land use plans and

ordinances, including without limitation general plans, specific plans and ordinances(including, without limitation, the Los Angeles Municipal Code and Planning and Building Codes) together with environmental review documents, findings, mitigation monitoring programs and other documentation relevant to planned growth in the area and all applicable state, federal and other laws, regulations, codes and requirements, as well as such materials as they relate to the 1999 CUP approved for the facility.

- The Mitigation Monitoring and Reporting Program for the Project, as attached hereto.

- All other documents composing the record pursuant to Public Resources Code section 21167.6(e).

- The custodian of the documents and other materials that constitute the record of the proceedings upon which the City's decisions are based is Wayne Tsuda; City of Los Angeles, EnvironmentLA; 200 N. Spring Street, 19th Floor; Los Angeles, CA. 90012. Such documents and other materials are located in the facility files located in the LEA office.

ABSENCE OF SIGNIFICANT NEW INFORMATION

In certifying this EIR the EnvironmentLA finds that the Final EIR incorporates information obtained and produced after the Draft EIR was completed, and that the FEIR contains additions, clarifications, and modifications. The ELA has independently reviewed and considered the Final EIR and all of this information.

With respect to the project, the ELA further finds that none of the circumstances requiring preparation of a subsequent or supplemental EIR are present in that there are (1) no substantial changes proposed in the project that requires major revisions of the EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; (2) there are no substantial changes with respect to the circumstances under which the project is undertake that will require major revisions of the EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or (3) there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the EIR was certified that shows any of the following:

- The project will have one or more significant effects not discussed in the EIR;

- Significant effect previously examine will be substantially more severe than shown in the EIR;

- Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project but the project proponents decline to adopt the mitigation measure or alternative; or

- Mitigation measures or alternatives which are considerably different from those analyzed in the EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

MITIGATION MEASURES, CONDITIONS OF APPROVAL, AND MITIGATION MONITORING AND REPORTING PROGRAM

Public Resources Code section 21081.6 and CEQA Guidelines Section 15097 require the lead agency to adopt a monitoring or reporting program to ensure that the mitigation measures and revisions to the Project identified in the EIR are implemented. The Mitigation Monitoring and Reporting Program ("MMRP") is attached to these Findings. The MMRP satisfies the requirements of CEQA.

The mitigation measures set forth in the MMRP are specific and enforceable and are capable of being fully implemented by the efforts of the City of Los Angeles, ELA, the applicant, and/or other identified public agencies of responsibility. As appropriate, some mitigation measures define performance standards to ensure no significant environmental impacts will result. The MMRP adequately describes implementation procedures, monitoring responsibility, and compliance schedule for all mitigation measures.

The EAD will adopt and impose all the mitigation measures as set forth in the MMRP as enforceable conditions of approval, if it determines to approve the SWFP. Implementation of these measures is intended to substantially lessen the significant impacts of the project.

The mitigation measures incorporated into and imposed upon the Project approval will not have new significant environmental impacts that were not analyzed in the EIR. In the event a mitigation measure recommended in the EIR has been inadvertently omitted from the conditions of approval or the MMRP, that mitigation measure is adopted and incorporated from the EIR into the MMRP by reference and adopted as a condition of approval.

FINDINGS REGARDING IMPACTS

In accordance with Public Resources Code Section 21081 and CEQA Guidelines Sections 15091 and 15092, the City of Los Angeles, ELD adopts the findings and conclusions regarding impacts and mitigation measures that are set forth in the EIR and summarized in the MMRP. These findings do not repeat the full discussions of environmental impacts contained in the EIR. The ELA ratifies, adopts, and incorporates the analysis, explanation, findings, responses to comments and conclusions of the EIR. The ELA adopts the reasoning of the EIR, staff reports, and presentations provided by the staff and the project sponsor as may be modified by these findings.

The EAD recognizes that the environmental analysis of the Project raises controversial environmental issues, and that a range of technical and scientific opinion exists with respect to those issues. The ELA acknowledges that there are differing and potentially conflicting expert and other opinions regarding the Project. The ELA review of the

evidence and analysis presented in the record, acquired a better understanding of the breadth of this technical and scientific opinion and of the full scope of the environmental issues presented. In turn, this understanding has enabled the ELA to make fully informed, thoroughly considered decisions after taking account of the various viewpoints on these important issues and reviewing the record. These findings are based on a full appraisal of all viewpoints expressed in the EIR and in the record, as well as other relevant information in the record of the proceedings for the Project.

For this Project, the facility is already operating in accordance with an approved CUP, which allows a throughput of 1,500 tpd of materials. The potential environmental impacts associated with the 1500 tpd throughput were previously analyzed in a negative declaration that was prepared in support of the 1999 CUP approval.

To understand the important impacts from the Project in the context of the existing approvals, the EIR used two baselines. For each environmental impact topic (such as air quality or noise), the discussion of the environmental setting discusses Project impacts in terms of two baselines:

- Conditions related to processing 400 tpd of C&D as now occurs on the site. This baseline is referred to as the 400-tpd baseline throughout this EIR.
- The other baseline is referred to as the 1,500-tpd baseline. This baseline characterizes development in accordance with the Project's existing entitlements and the Mitigated Negative Declaration (MND) approved to allow for this throughput in 1999.

SIGNIFICANT BUT MITIGATABLE IMPACTS

Under Public Resources Code Section 21081(a)(1) and CEQA Guidelines Sections 15091(a)(1) and 15092(b), and as more fully described in the EIR and the MMRP, the ELA hereby finds that changes or alterations have been required in, or incorporated into, the components of the Project that substantially lessen or avoid (i.e., mitigate to a less-than-significant level) potentially significant effects on the environment. The ELA hereby finds, where feasible, all significant effects on the environment have been eliminated or substantially lessened to a less-than-significant level, as specified in CEQA Guidelines Section 15092(b)(2)(A).

Each of the following potentially significant impacts identified in the EIR will be reduced to a less-than-significant level through the implementation of Project mitigation measures, or where indicated through the implementation of standard conditions of approval (which are treated as mitigation measures and an integral part of the MMRP).

To the extent that any adverse impacts remain after incorporation of mitigation measures or conditions of approval, such effects are hereby found acceptable due to the overriding concerns, as specified the Statement of Overriding Considerations, as provided below. As specified in CEQA Guidelines 15091(a)(1), a brief explanation of the rationale for the finding that impacts will be substantially lessened or avoided with respect to each of these impacts is provided as follows:

Noise Impacts: The analysis of project noise impacts shows that estimated impacts will

be less than significant. However, the EIR concludes that the temporary nature of construction noise impacts and the implementation of the following mitigation measures will reduce construction noise to a less than significant level:

- Construction contracts shall specify that all equipment must utilize mufflers and other applicable noise attenuation devices.

- Construction shall be restricted to the hours of 7:00 a.m. to 9:00 p.m. Monday through Friday, 8:00 a.m. to 6:00 p.m. Saturday, and prohibited at anytime on Sunday or a Federal Holiday.

Drainage/Hydrology Impacts: Construction of the project is expected to result in grading that can result in the release formerly sealed particles which are considered pollutants when discharged to the storm drainage system. Similarly, construction results in dust generation which may have an adverse storm water impact. These impacts will be temporary in nature. However, the EIR includes a mitigation measure to comply with National Pollutant Discharge Elimination System (NPDES) permitting requirements to reduce this impact to a less than significant level. The EIR also includes a mitigation measure to comply with NPDES to reduce potential project-related storm water impacts to less than significant levels.

Cultural Resources: Although the project site has been disturbed by previous land uses, the project will result in repaving and grading that may result in the discovery of archaeological or paleontological resources during construction. The EIR includes the following mitigation measures to reduce these potential impacts to less than significant levels:

- Applicant shall halt construction and retain the services of a certified archaeologist to identify and ensure the proper disposition of any resources discovered during construction.

- Applicant shall halt construction and retain the services of a certified paleontologist to identify and ensure the proper disposition of any resources discovered during construction.

SIGNIFICANT BUT UNAVOIDABLE IMPACTS

Under Public Resources Code Sections 21081(a)(3) and 21081(b), and CEQA Guidelines Sections 15091, 15092, and 15093, and as more fully described in the in the EIR and the MMRP, the EAD finds that the following impacts of the Project remain significant and unavoidable, notwithstanding the imposition of all feasible mitigation measures, as set forth below. The ELA also finds that any alternative discussed in the EIR that may reduce the significance of these impacts is rejected as infeasible for the reasons given below. The ELA further finds that no additional feasible mitigation measures or alternatives are available to substantially lessen or avoid these impacts.

Project impacts--VOC and NOx emissions: When analyzed in relation to the 400 tpd baseline, the DEIR shows that VOC and NOx emissions will exceed the CEQA significance thresholds of the South Coast Air Quality Management District. The EIR

identifies the following feasible mitigation measures to reduce these impacts:

- Implement feasible NOX emission reduction technologies, such as the Cleaire filter, to determine whether this would be an option for diesel-fueled trucks.
- Maintain mobile equipment in tune with the manufacturer's specifications.
- Maintain diesel-fueled collection and transfer trucks in tune with the manufacturer's specifications.
- To the extent feasible, utilize alternative-fueled or electric mobile equipment.
- Fleet Replacement Plan: Applicant will implement a program to replace its existing diesel truck fleet (trucks with a gross vehicle weight of 57,000 pounds or more) with alternative clean air fueled vehicles (powered by LNG, CNG, electric or other clean air vehicle as approved by SCAQMD or CARB). The applicant shall submit a truck replacement plan for review and approval by the City of Los Angeles, ELA which will include the following: Within ten years of the approval date of the Solid Waste Facility Permit, all vehicles (with a weight of 57,000 pounds or more) which utilize the proposed facility shall be powered by clean air fuels. To achieve fleet conversion, the applicant shall replace (or retrofit) ten percent of its diesel fleet per year until the entire fleet is converted.
- To the extent an area-wide plan to limit truck traffic in proximity to sensitive receptors is adopted, the applicant will comply with said plan.

Even with the implementation of these mitigation measures, VOC and NOx emissions will not be reduced to less than significant levels. No other feasible mitigation measures were identified to reduce these impacts to less than significant levels. This unavoidable impact is considered acceptable due to the overriding considerations set forth below.

Cumulative Impacts--VOC and NOx emissions: The EIR identifies six related projects which will result in mobile source emissions that will be additive to the project emissions described above. Accordingly, the EIR documents an unavoidable cumulative impact of VOC and NOx emissions. Because the implementation of feasible mitigation measures for these related projects is outside the authority of the EAD, these impacts cannot be reduced to a less than significant level. This unavoidable impact is considered acceptable due to the overriding considerations set forth below.

Cumulative Traffic Impacts: The traffic impact analysis incorporated into this EIR shows that project impacts are not significant under the 400 tpd and 1500 tpd baselines. However, the analysis does show significant cumulative traffic impacts caused by related projects and ambient growth, whether or not the project is approved. In addition, because the timing and certainty of approval of the Bradley Landfill are not known, the EIR conducted the cumulative impact analysis two ways. First it was assumed that the Bradley project goes forward, and impacts were determined assuming traffic from the Bradley project and implementation of the Bradley project mitigation, Second it was assumed that the Bradley project does not go forward, in which case no Bradley traffic or mitigation was assumed.

A previously circulated EIR for the Bradley project shows that the impact of this project

requires that the City's Adaptive Traffic Control System (ATCS) mitigation measure be implemented at the following intersections which are also evaluated in the Athens EIR:

- San Fernando Road and Sheldon Street
- San Fernando Road and Tuxford Street
- Bradley Avenue and Tuxford Street
- Glenoaks Boulevard and Tuxford Street

ATCS includes interconnectivity between traffic signals via new conduit and fiber optic cables, traffic signal detection systems, surveillance cameras, and message signs.

Under the City policy, ATSC implementation is the responsibility of the first project approved in the City requiring this mitigation. The costs of this mitigation are not prorated. Since it is not certain whether the Athens project will be approved and constructed prior to the Bradley project, the EIR evaluates project and cumulative impacts with and without the Bradley project.
For the cumulative impact analysis that assumes Bradley is constructed first, a seven percent volume capacity deduction is applied to the above intersections to show the effects of the ATSC mitigation measure. The cumulative analysis that does not assume Bradley is constructed first simply evaluates the impacts of the trips generated by the Bradley project without ATSC implementation.

Under the 400 tpd baseline with the Bradley project, significant cumulative impacts occur at the following intersections:

- San Fernando Road and Sheldon Street: AM Peak
- San Fernando Road and Tuxford Street: AM and PM peak
- Glenoaks Blvd and Tuxford Street: AM Peak
- Glenoaks and Pendleton Street: PM Peak
- Bradley Avenue and Penrose Street: AM and PM peak
- Interstate 5 southbound on/off ramp and Penrose Street: AM and PM Peak

Under the 400 tpd baseline without the Bradley project, significant cumulative impacts occur at the following intersections:

- San Fernando Road and Sheldon Street: AM and PM Peak
- San Fernando Road and Tuxford Street: AM and PM peak
- Glenoaks Blvd and Tuxford Street: AM and PM Peak
- Glenoaks and Pendleton Street: PM Peak

As noted in the EIR these cumulative impacts happen *regardless of whether the Project is implemented*, and the Project's contribution to traffic at these intersections is negligible. Nonetheless, to the extent the project's negligible contribution would be considered cumulatively significant, this unavoidable impact is considered acceptable due to the overriding considerations set forth below.

Under the 1,500 tpd baseline the project generates fewer trips than under existing

conditions. Since the project does not make an incremental contribution to cumulative traffic conditions, significant cumulative impacts using the 1,500 tpd baseline are not considered an unavoidable impact of the project.

FINDINGS REGARDING ALTERNATIVES

The EAD finds that specific economic, social, environmental, technological, legal or other considerations make infeasible the alternatives to the Project.

The EIR evaluated a reasonable range of alternatives to the project. The DEIR identified two alternatives to the proposed project. Two additional alternatives including an alternative site and reduced MSW alternative were initially rejected as infeasible for the reasons stated in the DEIR. The site has a CUP to permit the operation of a recycling facility and is located in a manufacturing zone, so the site is an appropriate place to process MSW. The EAD hereby adopts the EIR's analysis and conclusions regarding alternatives eliminated from further consideration.

The DEIR presents a detailed comparison of project impacts to the impact profiles of the No-Project Alternative and an alternative to construct a 1,500 tpd Material Recovery Facility (MRF) to process municipal solid waste (MSW). As indicated in the EIR, the Project is considered to be the environmentally superior alternative. Compared to the project, the no-project alternative may result in increased emissions because it may result in more long distance trips to local landfills. If the Project was not to be constructed in favor of other proposed MSW MRFs in the immediate vicinity of the project site, these other proposed projects are larger and would generate more emissions. The 1500 tpd MSW alternative is not considered environmentally superior to the project for two reasons: (1) the alternative is not consistent with the project objective to provide both MSW and C&D processing capacity. (2) this alternative may generate more emissions than the project as C&D trips are diverted to other facilities.

The ELA certifies that it has independently reviewed and considered the information regarding provided in the EIR and elsewhere in the record. The EIR reflects the ELA's independent judgment.

Mitigation Monitoring and Reporting Program

Section 21081.6 of the Public Resources Code requires a lead agency to adopt a "reporting or monitoring program for the changes to the project or conditions of project approval, adopted in order to avoid significant effects on the environment" (Mitigation Monitoring and Reporting Program, Section15097 of the CEQA Guidelines provides additional direction on mitigation monitoring or reporting).

This Mitigation Monitoring and Reporting Program (MMRP) is designed to monitor implementation of all project mitigation measures which have been adopted in the EIR for the proposed Athens Sun Valley Material Recovery Facility. As shown on the following table, each required mitigation measure is listed with the party responsible for implementing the mitigation measure, the agency responsible for enforcing each measure and the timing for implementing each measure.

The City of Los Angeles, ELA is the CEQA lead agency responsible for preparation of the Sun Valley Material Recovery Facility EIR and the State-designated Local Enforcement Agency (LEA) for the issuance of the Solid Waste Facility Permit (SWFP) which governs the design and operation of the proposed facility. If the SWFP is approved, implementation of this MMRP shall be a condition of approval of the SWFP.

The MMRP is attached to this document.

Mitigation Monitoring and Reporting Program

Introduction

Section 21081.6 of the Public Resources Code requires a lead agency to adopt a "reporting or monitoring program for the changes to the project or conditions of project approval, adopted in order to avoid significant effects on the environment" (Mitigation Monitoring and Reporting Program, Section 15097 of the CEQA Guidelines provides additional direction on mitigation monitoring or reporting).

This Mitigation Monitoring and Reporting Program (MMRP) is designed to monitor implementation of all project mitigation measures which have been adopted in the EIR for the proposed Athens Sun Valley Material Recovery Facility. As shown on the following table, each required mitigation measure is listed with the party responsible for implementing the mitigation measure, the agency responsible for enforcing each measure and the timing for implementing each measure.

The City of Los Angeles, EnvironmentLA Department (ELA) is the CEQA lead agency responsible for preparation of the Sun Valley Material Recovery Facility EIR and the State-designated Local Enforcement Agency (LEA) for the issuance of the Solid Waste Facility Permit (SWFP) which governs the design and operation of the proposed facility. If the SWFP is approved, implementation of this MMRP shall be a condition of approval of the SWFP.

TABLE ES-1
Mitigation Monitoring Program

Impact	Mitigation Measures	Implementation Responsibility	Implementation Oversight/Enforcement	Timing
AQ-6 and AQ-7	• Implement feasible NOX emission reduction technologies, such as the Cleaire filter, to determine whether this would be an option for diesel-fueled trucks.	• Athens	• LEA	• Annual submittal of data showing feasibility of technologies by Athens to LEA.
	• Maintain mobile equipment in tune with the manufacturer's specifications.	• Athens	• LEA	• On-going, records maintained for review by LEA.
	• Provide permanent recording meteorological equipment on site to determine wind speed, temperature, wind direction, temperature and humidity to aid in the investigation of odor and dust complaints in the community.	• Athens	• LEA	• To be in place when permit is issued.
	• Maintain diesel-fueled collection and transfer trucks in tune with the manufacturer's specifications.	• Athens	• LEA	• On-going, records maintained for review by LEA.
	• To the extent feasible, utilize alternative-fueled or electric mobile equipment.	• Athens	• LEA	• Annual submittal of data showing feasibility of technologies by Athens to LEA.
	• Fleet Replacement Plan: Applicant will implement a program to replace its existing diesel truck fleet (trucks with a gross vehicle weight of 57,000 pounds or more) with alternative clean air fueled vehicles (powered by LNG, CNG, electric or other clean air vehicle as approved by SCAQMD or CARB). The applicant shall submit a truck replacement plan for review and approval by the City of Los Angeles, Environmental Affairs Department (EAD) which will include the following: Within ten years of the approval date of the Solid Waste Facility Permit, all	• Athens	• LEA	• Submit initial replacement plan to LEA prior to construction. Annual submittal of data showing compliance with replacement rate of 10% per year.

TABLE ES-1
Mitigation Monitoring Program

Impact	Mitigation Measures	Implementation Responsibility	Implementation Oversight/Enforcement	Timing
	vehicles (with a weight of 57,000 pounds or more) which utilize the proposed facility shall be powered by clean air fuels. To achieve fleet conversion, the applicant shall replace (or retrofit) ten percent of its diesel fleet per year until the entire fleet is converted.			
NOI-1	• Construction contracts shall specify that all equipment must be equipped with mufflers and other applicable noise attenuation devices. • Construction shall be restricted to the hours of 7:00 a.m. to 9:00 p.m. Monday through Friday, 8:00 a.m. to 6:00 p.m. Saturday, and prohibited at anytime on Sunday or a Federal holiday.	• Athens oversight of construction contractors. • Athens and Contractors	• LEA/Building and Safety • LEA	• LEA review of construction contracts, on-going review of compliance data submitted by contractors. • Throughout construction period.
WAT-1	• Compliance with NPDES requirements for construction: prepare and implement Construction Storm Water Pollution Prevention Plan (SWPPP)	• Athens	• LARWQCB and Bureau of Sanitation	• Prior to construction
WAT-2	• Compliance with NPDES requirements for operation: prepare and implement SWPPP.	• Athens	• LARWQCB and Bureau of Sanitation	• Review by LEA of monitoring reports
Archaeology	• Applicant shall halt construction and retain the services of a certified archaeologist to identify and ensure the proper disposition of any resources discovered during construction.	• Athens	• LEA	• Retain certified archaeologist prior to construction and utilize services, as needed, throughout construction period.
Paleont	• Applicant shall halt construction and retain the services of a certified paleontologist to identify and ensure the proper	• Athens	• LEA	• Same as for

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ology	disposition of any resources discovered during construction.			archaeology.