

WORKING DOCUMENT

**SUNSHINE CANYON - CITY OF LOS ANGELES [Q] CONDITIONS
AND RELATED GENERAL FINDINGS**

CONDITION NO.	CONDITION	RELATED GENERAL PLAN FINDINGS	MONITORING PHASE	RESPONSIBLE AGENCY
Q - A.	ADMINISTRATIVE			
Q - A.1.	Covenant. Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office [by the permittee]. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assigns. The agreement must be submitted [by the permittee] to the Planning Dept. for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided [by the permittee] to the Planning Dept.		PO	DCP
Q - A.2.	Approval verification and submittal. Copies of any approvals, guarantees or verification of consultations, reviews or approvals, plans, etc., as may be required by the subject conditions, shall be provided [by the permittee] to the Planning Dept. and the Local Enforcement Agency (LEA) for placement in the subject file.	Finding: (As requested by the North Valley Coalition.) The modification ensures that the Local Enforcement Agency is kept aware of all pertinent matters.	PO/O	DCP LEA

CONDITION NO.

CONDITION

RELATED GENERAL PLAN FINDINGS

MONITORING PHASE

RESPONSIBLE AGENCY

Q - A.3.	<p>Definition. Any agency, public official, or legislation referenced in these conditions shall include agencies, public officials, legislation or their successors, designees or amendments to any legislation. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or other entity making use of this approval.</p> <p>a. Independent Consultant or Independent Expert. Reference to "Independent Consultant or Independent Expert" cited in the [Q] Conditions and Mitigation Measures is defined as follows: The hiring of specific specialists by the City to oversee and monitor compliance with the conditions of approval and mitigation measures. Such person or firm shall report directly to the Director of Planning.</p>	<p>Finding: This condition was modified in response to the North Valley Coalition's request for the City to hire independent consultants. The modification, when applied to sections of the [T] and [Q] Conditions and Mitigation Monitoring Program, allows the City to hire independent consultants to evaluate compliance with the conditions and mitigation measures pursuant to the requirements of AB3180 (i.e., mitigation monitoring), to hire a consultant for periodic air quality tests, and to hire a consultant on an as needed basis to assist the City. Independent consultants will enhance the expertise and resources of the City and ensure final compliance of the project with the approvals.</p>	n/a	n/a
Q - A.4.a.	<p>Enforcement.</p> <p>a. Compliance with these [Q] conditions and the intent of these conditions shall be to the satisfaction of the Planning Dept. and any other designated agency, or the agency's successor in accordance with any stated laws or regulations, or any amendments thereto and the operational agreement provided for in Condition No. A.9, including but not limited to, those permits issued by the following agencies:</p> <ol style="list-style-type: none"> 1) The Local Enforcement Agency (i.e., Los Angeles City Environmental Affairs Department and/or Organization/Committee designated under a joint powers agreement or other instrument) and the California Integrated Waste Management Board; 2) The Los Angeles Regional Water Quality Control Board; 3) The South Coast Air Quality Management District; 4) The California Department of Fish and Game; 5) The U.S. Army Corps of Engineers; and 6) The State Department of Health Services. 	<p>[Q] Conditions Nos. A.4 and D, relating to enforcement are to place the permittee on notice of the City's authority to compel compliance with the conditions in order to protect the environment and public health, safety, and welfare of its citizens</p>	n/a	<p>DCP LEA LARWQCB SCAQMD DFG ACOE DHS</p>

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Q - A.4.b.	Failure of the permittee to cease any development or activity that is not in full compliance shall be a violation of these conditions, as noted in Condition No. D.	[Q] Conditions Nos. A.4 and D, relating to enforcement are to place the permittee on notice of the City's authority to compel compliance with the conditions in order to protect the environment and public health, safety, and welfare of its citizens Finding: This condition was modified in response to the North Valley Coalition's request. The modification refers to L.A.M.C. Section 12.27.1 on Administrative Nuisance Abatement to provide additional notice to the applicant and/or permittee of the consequences of noncompliance with the conditions of approval and the mitigation measures.	PO/O	n/a
Q - A.4.c.	To the extent permitted by Public Resources Code Section 45005, the Local Enforcement Agency shall have the authority to order the immediate cessation of landfilling or other activities at the site, if it determines that the inhabitants of the City are under imminent and substantial risk to health, safety, or welfare. Such cessation shall continue until such time as the Local Enforcement Agency determines that the conditions leading to the cessation have been eliminated or reduced to a level which no longer poses an unacceptable threat to such health, safety, or welfare.	[Q] Conditions Nos. A.4 and D, relating to enforcement are to place the permittee on notice of the City's authority to compel compliance with the conditions in order to protect the environment and public health, safety, and welfare of its citizens	O	LEA
Q - A.5.	Plan. The subject property shall be developed substantially in conformance with Exhibit No. E-4B-D, attached to City Plan Case No. 98-0184(ZC/GPA)(MPR), and subject to the conditions of approval contained herein. Upon review of the Local Enforcement Agency and approval of the Planning Dept., minor deviations from the conditions may be allowed in order to comply with provisions of the Municipal Code and the intent of the subject permit authorization.		PO/O	LEA DCP

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Q - A.6.	Annual Reports. The permittee shall submit annual reports to Department of City Planning for placement in the case file, to the Technical Advisory Committee (TAC) for annual review, to the Citizens Advisory Committee, to a local library, and reports shall be posted on a web-site provided by the operator. The reports shall include, but not be limited to, Hotline/Emergency Log summaries, daily and maximum tonnage figures specifying the amount of waste and inert material, readings and analysis of the effectiveness of landfill gas monitoring activities, including the amount of gas currently generated, noise measures, discussion on litter prevention, revegetation status, detailed monitoring report of tree planting, archaeological report, list of citations and overall compliance with the conditions of the subject approval.	Q] Conditions Nos. A.6, B.2.d.2).e), relating to Annual Reports and Phasing enable continuous monitoring of the conditions of approval in order to protect the environment and the public health, safety, and welfare of citizens of the City. Finding: This condition was modified in response to the North Valley Coalition's request. The modifications establish a procedure for the preparation of an annual report and its dissemination to the Citizen Advisory Committee, the Technical Advisory Committee (TAC), libraries, an Internet web-site, and relevant departments and agencies for their review and comment. Similar to the City's Development Agreements, the City Planning Commission will review and consider the Annual Report at a public hearing.	O	DCP TAC CAC
Q - A.6.	The first report shall be due June 1st of the first year of operation and every year thereafter until closure. At least 60 days prior to the due date, draft copies of the report shall be submitted [by the permittee] to the City and County Local Enforcement Agencies, South Coast Air Quality Management District, Los Angeles Regional Water Quality Control Board, City Planning Dept., California Waste Integrated Waste Management Board, and Citizen Advisory Committee. Comments of these agencies shall be attached to the Annual Report.	Finding: This condition was modified in response to the North Valley Coalition's request. The modifications establish a procedure for the preparation of an annual report and its dissemination to the Citizen Advisory Committee, the Technical Advisory Committee (TAC), libraries, an Internet web-site, and relevant departments and agencies for their review and comment. Similar to the City's Development Agreements, the City Planning Commission will review and consider the Annual Report at a public hearing.	O	DCP City LEA County LEA SCAQMD LARWQCB CIWMB CAC
Q - A.6.	The TAC shall transmit its comments and the Annual Report to the City Planning Director for consideration by the City Planning Commission.	Finding: This condition was modified in response to the North Valley Coalition's request. The modifications establish a procedure for the preparation of an annual report and its dissemination to the Citizen Advisory Committee, the Technical Advisory Committee (TAC), libraries, an Internet web-site, and relevant departments and agencies for their review and comment. Similar to the City's Development Agreements, the City Planning Commission will review and consider the Annual Report at a public hearing.	O	TAC DCP

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Q - A.7.	Revised Mitigation Monitoring and Reporting Program (MMRP). The permittee shall submit a revised Mitigation Monitoring and Reporting Program ("MMRP") satisfactory to the Department of City Planning that incorporates all mitigation measures required in the Final SEIR (State Clearinghouse Mitigation Measure No. 92041053) as adopted by the City Council. The Applicant shall also identify mitigation monitor(s) who will provide annual status reports as noted above and in the MMRP, beginning immediately at commencement of the operation until post-closure. The list shall be updated annually in the Annual Report. The mitigation monitor(s) shall be identified as to their areas of responsibility, and phase of intervention (pre-construction, construction, operation, closure, and post-closure) to ensure continued implementation and adequacy of the mitigation measures.	[Q] Conditions Nos. A.7 and C.1, relating to the Mitigation and Monitoring Program, are recommended to ensure that the recommended mitigation measures in the Final SEIR are requirements of the proposed project. Finding: This condition was modified in response to the North Valley Coalition's request. The modification clarifies that the revised MMRP shall incorporate changes made by the City Council in its final action. The condition also requires an annual update of the list of monitors and enforcers in the MMRP, which will ensure effective monitoring of compliance by the City. The strikeout of "third party" is consistent with the definition of "IndependentConsultant or Independent Expert".	PO/O	DCP
Q - A.7.	Until a joint powers agreement is in place between the City and County, the City Local Enforcement Agency (LEA) shall be the LEA, and an independent mitigation consultant under the direct control of the Technical Advisory Committee shall be employed at the applicant's expense, to monitor such mitigation measures, which are beyond the scope of the State regulations, and which the LEA does not have the resources to monitor.	Finding: This condition was modified in response to the North Valley Coalition's request. The modification clarifies that the revised MMRP shall incorporate changes made by the City Council in its final action. The condition also requires an annual update of the list of monitors and enforcers in the MMRP, which will ensure effective monitoring of compliance by the City. The strikeout of "third party" is consistent with the definition of "IndependentConsultant or Independent Expert".	PO/O	City LEA TAC Conditions Monitoring Consultant
Q - A.7.	Mitigation Monitoring and Reporting Program. Attached to these conditions is a Mitigation Monitoring and Reporting Program (Attachment A-5) which is hereby incorporated into these conditions. The permittee shall fully perform each action required of the program as if it were specifically set forth in these conditions.	Finding: This condition was modified in response to the North Valley Coalition's request. The modification clarifies that the revised MMRP shall incorporate changes made by the City Council in its final action. The condition also requires an annual update of the list of monitors and enforcers in the MMRP, which will ensure effective monitoring of compliance by the City. The strikeout of "third party" is consistent with the definition of "IndependentConsultant or Independent Expert".	PO	DCP

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Q - A.8.a.	<p>Bonds.</p> <p>a. Performance bonds, letters of credit, corporate guarantees or similar form of security, as approved by the City Attorney, stating the amount, duration, and supervisory agency shall be provided [by the permittee]. Prior to commencing construction of the landfill, a bond or similar form of security in the minimum amount of \$3,000,000 shall be provided [by the permittee] to the Director of Planning to finance litter, traffic, and community protection program mitigation measures. Upon making a finding, that the applicant/operator has not complied with the required mitigation measures in a timely and reasonable manner, the Director of Planning may utilize the security to implement mitigation measures.</p>	<p>[Q] Condition No. A.8, relating to bonding or other security, ensures that the City will be able to initiate mitigation measures, if the permittee does not respond in a reasonable manner to compliance requests.</p> <p>[Q] Conditions for a Community Protection Program are to guarantee that interested parties are informed of the permittee ' s development, maintenance, and compliance with conditions of this approval which will ensure concerns are addressed early, before they grow into controversy.</p> <p>Finding: The modifications to the condition adds clarity and require a finding to be made by the Director of Planning in order to utilize the required security. Making a finding enhances the integrity of the review process by ensuring an orderly analysis and principled decision.</p>	PO	City Attny DCP
Q - A.8.b.	<p>b. Indemnity. The applicant/operator shall post a sufficient bond, as approved by the City Attorney, to indemnify and hold harmless the City of Los Angeles, its agents, officers, and employees from any claim or action for damages resulting from water contamination, air contamination, health impacts, or loss of property value during the landfill operation, closure, and post-closure of the City Landfill.</p>	<p>[Q] Condition No. A.8, relating to bonding or other security, ensures that the City will be able to initiate mitigation measures, if the permittee does not respond in a reasonable manner to compliance requests.</p> <p>Finding: The FEIR mitigated all impacts to a level of insignificance except Air Quality, Notwithstanding the results of the FEIR, this condition was added in light of the recently released State of California report that there may be cancer clusters around two local schools resulting from nearby landfills and due to concerns of the communities of Granada Hills-Knollwood, Sylmar, and Northridge regarding the heath and environmental impacts of landfills.</p>	PO	City Attny

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Q - A.9.a.	<p>Agreements. To provide for the allocation of fees and if necessary, joint operations, monitoring, and enforcement of the landfill, the permittee shall submit to the Planning Dept. all agreements entered into between the City and County of Los Angeles whether by Memorandum of Understanding, Development Agreement, Joint Powers Agreement, or other instrument related, but not limited to the following (These agreements cannot amend the [Q] conditions or any mitigation measures adopted by the City, except as otherwise provided under "e" and "f" below, but may provide for their implementation or operation):</p> <p>a. Joint Powers Agreement, including agreements to and by all parties for items requiring collaboration on permitting, inspection, and enforcement for the Combined City/County Landfill. Upon the operation of the Combined City/County Landfill, the City Local Enforcement Agency proposes to be designated in any Joint Powers Agreement to serve as the lead agency and single point-of-contact for coordinating all permitting, inspection, closure supervision, and enforcement activity at the City Landfill. The actual responsibilities of which shall be delineated in the Joint Power Agreement or other appropriate instrument.</p> <p>1) City Landfill or Combined City/County Landfill.</p> <p>City Landfill. Prior to the operation of the Combined City/County landfill, the City Local Enforcement Agency shall be designated to serve as the lead agency and single point-of-contact for coordinating all permitting, inspection, closure supervision, and enforcement activity at the City Landfill.</p> <p>2) Combined City/County Landfill. Upon the operation of the Combined City/County Landfill, the City Local Enforcement Agency proposes to be designated in any Joint Powers Agreement to serve as the lead agency and single point-of-contact for coordinating all permitting and enforcement activity at the City Landfill. The actual responsibilities of which shall be delineated in the Joint Power Agreement or other appropriate instrument.</p>	<p>Finding: The condition ensures that the City Local Enforcement Agency retains its authority, as prescribed by state laws or City regulations, over the City portion of the Combined City/County Landfill.</p> <p>Finding: This condition was modified in response to the Local Enforcement Agency's request to clarify agreements to be provided including a Joint Powers Agreement (JPA), the City's LEA taking the lead agency role to coordinate City enforcement activities, and responsibilities delineated in the JPA. The modifications clarify that the Joint Powers Agreement may determine the degree of coordination between the City and County. However, the City's Local Enforcement Agency shall maintain its ability to permit and enforce regulations in the City portion of the Combined City/County Landfill.</p>	PO/O	DCP City LEA

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Q - A.9.b.	b. Establishing City/County rights to use the landfill and/or related capacity allocations. There shall be a restriction on the approval of any further expansion of landfilling beyond the limits of the Combined City/County Landfill approved herein as set forth in Condition B.2 and as may be agreed upon in the Joint Powers Agreement. Pending the establishment of a Joint Powers Agreement that may include such restriction, the permittee shall not seek approval for any additional expansion in the City and County.	Finding: This condition was modified in response to the Eleventh District Council Office's concern that the City should encourage protection of the upper reaches of the County portion of Sunshine Canyon. The modifications clarify that prior to the Joint Powers Agreement, the permittee shall not apply for any additional expansion into the upper reaches of the County Landfill. The Joint Powers Agreement, by bilateral agreement, will determine the degree of protection of the County's upper reaches. The intent is to protect the oak trees and other biota in the upper reaches of the County portion of Sunshine Canyon until both jurisdictions have bilaterally considered the issue. The condition also reflects a minor language change in order to integrate changes made by City Council. The change is within the intent and purposes of the City Planning Commission's and City Council's actions.	O	DCP CLA City Attny
Q - A.9.c.	c. Type of Financial Agreements. Franchise fee, Gas-to-energy or direct gas sales, or other fee and bond or security arrangements with the City.	Finding: The modification is consistent with the type of financial agreement allowed by law, as noted by the City Attorney.	O	CLA
Q - A.9.d.	d. Environmental Education or Community Amenities Programs.		O	CLA
Q - A.9.e.	e. Amendments to City Council instructions for (i.e., [T] Conditions) and/or clarification of [Q] Conditions, as a result of the Joint Powers Agreement or other need or requirement, shall comply with Section 12.32.M of the Los Angeles Municipal Code.	Finding: The language was added to [Q] Condition B.2.d 1) aa (Phase I). Refer to [Q] Condition A.9 above for the Finding related to the underline.	O	DCP
Q - A.9.f.	f. Amendments to the Mitigation Monitoring and Reporting Program (MMRP), as a result of the Joint Powers Agreement, may be modified at the time of City Council's adoption of the Joint Powers Agreement.	Finding: Refer to [Q] Condition A.9 above for the Finding related to the underline. The condition also reflects a minor language change in order to integrate changes made by City Council. The change is within the intent and purposes of the City Planning Commission's and City Council's actions.	O	DCP

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Q - A.10.	The permittee shall provide fees as determined by the Director of Planning to pay for the mitigation monitoring, enforcement program and related personnel costs incurred by the Technical Advisory Committee and individual departments. Such costs may include activities relating to inspection, permitting, and enforcement of the landfill, closure activities, coordination of mitigation monitoring, administrative support, technical studies, and other efforts as may be required, including the hiring of independent consultants to assist the Technical Advisory Committee. This shall also include funds for staff to ensure compliance.	Finding: This condition was modified in response to the Local Enforcement Agency's and City Planning Dept.'s requests to provide for funding by the operator to be allocated for the necessary costs involved for monitoring, enforcement, and personnel costs for the Technical Advisory Committee and other departments, and for the hiring of independent consultants. The condition also reflects a minor language change in order to integrate changes made by City Council. The change is within the intent and purposes of the City Planning Commission's and City Council's actions.	PO/O	DCP TAC
Q - B.	CONDITIONS ON USE			
Q - B.1.	Limitation/Prohibition on Uses. Permitted uses are the approved landfill footprint, ancillary, closure, post-closure, and existing uses. Prohibited uses are other industrial and commercial uses permitted in the M3 zone classification which are not listed in the subject approval and fully described below. No waste shall be accepted for disposal in the landfill originating from outside of Los Angeles County.	[Q] Conditions on "Design and Development" relating to Limitation/ Prohibition on Uses and the acceptance of waste was added to prohibit the acceptance of waste originating from outside the County in order to conserve waste capacity and ensure that jurisdictions within the County of Los Angeles will be able to maintain compliance with AB 939 by providing waste capacity for at least the next 15 years. Also, the condition is adopted in order to be consistent with a similar condition placed on the County Landfill through the December 8, 1995 Settlement Agreement made by and between the City of Los Angeles and Browning-Feris, Industries of California, Inc	O	DCP

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Q - B.2	Approval. The subject approval is for the development, operation, maintenance and monitoring of a Class III, non-hazardous solid waste "Combined City/County Landfill", that may be designed to share environmental control systems (e.g. landfill liner, leachate collection, and removal system, landfill gas extraction and flaring system), with shared use of the access road, scales, administrative offices, and other ancillary uses. The Combined City/County Landfill approved herein shall result in one landfill footprint being constructed in Sunshine Canyon ultimately encompassing approximately 451 acres, with an estimated net disposal capacity of 90 million tons. This landfill footprint shall not exceed approximately 194 acres located in the City, with an estimated net disposal capacity of 55 million tons, the currently operational 215-acre County Landfill, with an estimated net disposal capacity of 17 million tons, and a connecting area of approximately 42 acres in the County, with an estimated disposal capacity of 18 million tons. No further expansion of the landfill footprint of the Combined City/County Landfill is authorized by this approval.	Finding: (Relates to Eleventh District Council Office's concern that the City should encourage protection of the upper reaches of the County portion of Sunshine Canyon.) The condition, in conjunction with [Q] Condition No. A.9.b, specifies the limits of the landfill's approvals in terms of area and capacity and ensures the landfill will not expand either in the City or County beyond the current approvals. The intent is to protect the oak trees and other biota in the upper reaches of the County portion of Sunshine Canyon.	O	DCP
Q - B.2.a.	a. As used in this condition, "landfill" refers to the portion of the subject property in which waste is to be permanently placed and then buried under daily and interim cover material, but excludes adjacent cut slopes, temporary storage areas and ancillary facilities authorized by this action. The restrictions of this condition do not apply to final cover, which may be added pursuant to closure plans. Allowance for settlement of fill shall not be made in determining compliance with this condition.		O	DCP
Q - B.2.b	Landfill footprint. The footprint of the landfill within the City shall not exceed approximately 194 acres, which will provide an estimated net airspace disposal capacity of 55 million tons in the City. The City Landfill footprint shall be set back 500-feet from any more restrictive zone.		O	DCP

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Q - B 2.c.	<p>Ancillary Uses and Facilities. The subject property may only be used for the following ancillary uses and facilities. These ancillary uses and facilities described in the July 1997 Draft Subsequent EIR, pages 2-38 through 2-43, and may be located on the applicant's property generally in conformance with the diagram attached as Exhibit E-4, and during the life of the landfill, maybe moved or relocated following commencement of landfilling operations as necessary to accommodate development of the ultimate landfill footprint.</p> <ol style="list-style-type: none"> 1) Access roadway; 2) Administrative offices and employee facilities related directly to the landfill and waste handling and processing operations allowed under this approval, but excluding offices and other facilities related to any other enterprises operated by the applicant or others; 3) Caretaker's residences or mobile homes; 4) Environmental learning center; 5) Scale house, check-in and general maintenance areas; 6) Plant materials center (i.e., nursery facility); 7) Facilities necessary for the environmental protection and control systems/features, including flaring stations, leachate treatment, storage tanks, sedimentation basins, drainage devices, water storage tanks and optional tanks; 8) Leachate collection and processing facilities; 9) Facilities necessary for the collection, disposal, utilization and distribution of landfill gases as required and/or approved by the South Coast Air Quality Management District; 10) Facilities necessary for the maintenance of machinery and equipment employed at the landfill, excluding equipment or machinery utilized by the applicant in other enterprises, including refuse collection; 11) Closure and post-closure activities of the existing inactive and proposed City Landfill; and 12) Open Space uses, such as recreational, wildlife habitat or corridor, or scenic parkland. 		O	DCP



CONDITION NO.	CONDITION	RELATED GENERAL PLAN FINDINGS	MONITORING PHASE	RESPONSIBLE AGENCY
Q - B.2.d.	<p>Phasing. The approval for landfilling is permitted in two phases. For each phase, the permittee shall provide proof of compliance with the conditions of approval, facility plans, including pre-disposal topography of the site, the facility boundary of the site (clearly illustrating parcels owned by the operator and/or any parcels leased), the total permitted acreage of the site, the acreage of the disposal area, the filling sequencing and excavation plans, the extent of any M3 buffer zones between the disposal area and permitted property boundaries provided by the facility layout, and the vertical limits of the site. The Local Enforcement Agency and Planning Dept. shall coordinate review of the plans.</p>		O	LEA DCP
Q - B.2.d (1)	<p>Phase I. Phase I of the City Landfill shall consist of the initial five years of operation and shall not exceed 16 million tons in accordance with the conditions of approval set forth herein. (Refer to Exhibit Nos. E4C-D)</p> <p>aa. Evidence of completion of the approved closure construction in the areas where new waste will overlie portions of the inactive landfill and compliance with the Closure Plan for the Inactive City Landfill shall be provided [by the permittee]to the Local Enforcement Agency and approved before landfill operations are allowed to commence within such areas.</p>	<p>Finding: The modification clarifies the condition by referencing the City Landfill. The initial period of five years, as approved by Commission, will operate in conjunction with other modifications that require an annual review. Also, the modification clarifies that landfilling over the inactive landfill shall not occur until the Closure Plan is approved by the Local Enforcement Agency.</p>	O	LEA DCP

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Q - C.3.m.	m. The permittee shall install and maintain devices to monitor wind speed and direction, as specified by the South Coast Air Quality Management District, and shall retain qualified personnel to read and interpret the data, to obtain or utilize information of predicted wind conditions and to assist in the planning of operations at the landfill. This data shall be included in the annual report prepared by the permittee.	Finding: This condition was modified in response to the North Valley Coalition's request. The modification ensures that information relevant to the operation and mitigation of impacts is provided in the annual report.	O	SCAQMD DCP
Q - C.4.	<p>Grading. Except as otherwise provided in this condition, areas outside of and above the cut and fill shown on Exhibit Nos. E-4B thru D or revised approved exhibit, shall not be graded or similarly disturbed [by the permittee]. The Department of Building and Safety, in consultation with the Planning Dept., may approve additional grading, if determined, based upon engineering studies provided by the permittee and independently evaluated by these Departments, that such additional grading or disturbance is necessary for slope stability or drainage purposes. Such a determination shall be documented and provided in the annual reports as part of the attached monitoring program.</p> <p>No approval shall be granted under this condition which will result in expanding the area or height of fill or in lowering or significantly modifying any of the ridgelines surrounding the landfill.</p> <p>Nothing in this condition shall be construed as prohibiting the installation of water tanks, access roads, flares, or similar facilities or mitigation programs required by this action or by permits issued by other public agencies.</p>		PO/O	LADBS DCP

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Q - C.5.	<p>Graffiti removal and deterrence on building and structures in public view. The property owners and all successors shall acknowledge the applicability of the graffiti removal and deterrence requirements pursuant to Municipal Code Sections 91.8101-F, 91.8904.1 and 91.1707-E relative to the subject project, particularly with regard to the following:</p> <p>a. The first nine feet of exterior walls and doors, measured from grade, and all of any walls enclosing the property shall be built and maintained with a graffiti resistant finish consisting of either a hard, smooth, impermeable surface such as ceramic tile, baked enamel or a renewable coating of an approved, anti-graffiti material or a combination of both pursuant to Section 91.1707-E;</p> <p>b. The period for compliance with a graffiti removal order issued by the Building and Safety Department is 15 days following which period with failure to perform, the City or its contractor is empowered to enter the property to remove such graffiti with costs accruing to the property owner (91.8904.1);</p> <p>c. The period for compliance with a subsequent order for a subsequent occurrence is three days (91.8904.1); and</p> <p>d. In addition to a,b, and c above, exterior walls of new buildings of other than glass may be covered with clinging vine and screened by oleander trees or similar vegetation capable of covering or screening entire walls up to the height of at least 9 feet, excluding windows and signs.</p>	<p>[Q] Conditions on "Design and Development" relating to signs and graffiti removal are to promote an industrial development that is attractive, safe for patrons, and to discourage factors that may degrade the visual environment.</p>	O	LADBS
Q - C.6.	<p>Litter. The permittee shall employ the most effective available technology and methodology to prevent litter which enters the area under the permittee's control in the form of waste from escaping the area. Notwithstanding other provisions of this condition or of this action, the permittee shall close the landfill to incoming waste during high wind conditions if, despite the application of the most effective available technology and methodology, litter cannot be confined to the area of the permittee's control. The permittee's on-site litter control program shall include, unless otherwise provided by the City Planning Dept., the following:</p>		O	LEA

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Q - C.6.a.	a. Landfill personnel shall continuously patrol the access road to the scales from the time it opens to the time it closes in the evening.		O	LEA
Q - C.6.b.	b. Improperly covered or contained loads which may result in a significant release of litter shall be immediately detained and the condition corrected, if practicable, before the load proceeds to the working face. If correction cannot be made, the load shall be conducted under escort to the working face.		O	LEA
Q - C.6.c.	c. All debris found on or along the entrance and working face access roads shall be immediately removed.		O	LEA
Q - C.6.d.	d. Operating areas shall be located in wind shielded portions of the landfill during windy periods.		O	LEA
Q - C.6.e.	e. The permittee now uses a primary litter fence at a height of eight feet at the working face, and a four-foot secondary fence behind the primary fence, depending on wind conditions. The permittee shall continue to use such fences and additional control systems as necessary to control litter. On windy days and when the fences are not sufficient, the working face shall be moved up against a slope so that debris can be more easily contained.		O	LEA

CONDITION NO.	CONDITION	RELATED GENERAL PLAN FINDINGS	MONITORING PHASE	RESPONSIBLE AGENCY
Q - C.6.f.	<p>f. The permittee shall, to the satisfaction of the Planning Dept., maintain programs aimed at controlling the discharge and recovery of litter from uncovered or improperly covered or contained loads traveling to the landfill along the principal north and south access arteries: from the Roxford/Interstate 5 Freeway exit along Old Sepulveda Boulevard and San Fernando Road to the landfill entrance; and from the Balboa offramp along San Fernando Road to the landfill entrance, from the Balboa Boulevard off ramp along San Fernando Road to the landfill entrance, along Foothill Boulevard from Balboa to Yarnell Street and along Balboa south to Woodley Avenue.</p> <p>The measures shall include an effective tarping program, which if necessary in the estimation of the Local Enforcement Agency, shall provide for sale of tarps to violators and/or exclusion from the landfill of repeated violators. Also, a message shall be placed on the facility public telephone stating the requirement to tarp loads.</p>	<p>Finding: This condition was modified in response to the North Valley Coalition's request. The modification provides for additional monitoring and enforcement for litter clean-up efforts in nearby areas. Other areas, such as the area south to Midwood, are too far from the landfill and the litter could be attributed to other sources. Eliminating the language "mandatory" ensures that the LEA is acting within its scope of authority. (The change reflects a minor language change in order to integrate changes made by City Council. The change is within the intent and purposes of the City Planning Commission's and City Council's actions.)</p>	O	LEA DCP
Q - C.7.	<p>Oak trees.</p> <p>a. Except where necessary to carry out testing required to obtain permits, no oak trees shall be removed within the City until the permittee has obtained all permits necessary from appropriate City agencies to begin initial site development.</p> <p>b. Except for initial site clearance and as necessary for slope stability, cover stockpile, drainage, flare installation or fire suppression or other ancillary facilities, oak trees and other native vegetation more than 50 feet above the working elevation of the landfill shall not be removed.</p> <p>c. These conditions are intended to control the rate of oak tree removal and shall not be construed to allow the disturbance of areas not authorized for disturbance pursuant the approved conditions.</p>		PO	PW-Street Tree Division

CONDITION NO.	CONDITION	RELATED GENERAL PLAN FINDINGS	MONITORING PHASE	RESPONSIBLE AGENCY
Q - C.8.	<p>Revegetation. The project proponent shall submit a revegetation plan consistent with the MMRP.</p> <p>a. Final cut slopes shall not exceed an overall incline of 1.5:1.</p> <p>b. If the Local Enforcement Agency determines that a different design or plan would better protect the public health and safety and would enable revegetation of the final slopes as will or better than the design or plan described in Exhibit No. 4.B-D, and/or a change is dictated by revisions to the minimum standards adopted by the California Integrated Waste Management Board, and the LEA, therefore, directs the implementation of a different design and/or plan, the applicant shall not be bound by the provisions of this condition; provided, however, that the maximum elevations and area of tilt may not exceed those permitted in Condition No. B.2.d.</p> <p>c. A temporary hydroseed vegetation cover shall be established on all cut slopes and other areas outside the landfill that are to remain inactive for a period longer than 180 days.</p> <p>d. The applicant shall employ expert assistance to carry out this condition, including qualified biologist. Soil sampling and laboratory analysis shall be conducted on all areas before revegetation to identify chemical or physical soil properties that may adversely affect plant growth and establishment. Soil amendments and fertilizer recommendations shall be applied and plant materials selected based upon the above-referenced testing procedures and results. To the extent possible, as determined by the Planning Dept., plant types shall blend with species indigenous to the area and be drought tolerant and shall be capable of rapid establishment.</p> <p>e. Typical cross-section of the Final Landfill Cover shall be applied in lifts similar to Attachment A-4 or as deemed necessary by the Local Enforcement Agency in the closure plan.</p>	<p>d: Finding: (The change reflects a minor language change in order to integrate changes made by City Council. The change is within the intent and purposes of the City Planning Commission's and City Council's actions.) Eliminating the language "mandatory" ensures that the LEA is acting within its scope of authority.</p> <p>e: Finding: The condition is recommended for consistency with the County Conditional Use Permit approval and to provide sufficient areas for revegetation of the final slopes</p>	PO	LEA DCP

CONDITION NO.	CONDITION	RELATED GENERAL PLAN FINDINGS	MONITORING PHASE	RESPONSIBLE AGENCY
Q - C.9.	Riparian/Wetland habitat. The permittee shall replace disturbed riparian and wetland habitat to the satisfaction of the California Department of Fish and Game and the U.S. Army Corps of Engineers in accordance with plans approved before commencement of landfill development. Replacement habitat shall be provided on a 2:1 ratio through a program of tree planting streamzone stabilization, stream enlargement and/or streamzone rehabilitation in degraded drainage channels. The program shall also provide mitigation sufficient to prevent any net loss of wetland. Any replacement site shall be located in the San Fernando Valley. Preference shall be given to habitat mitigation in the immediate vicinity of the landfill or an urbanized area whereby providing outdoor experience and education within proximity of a larger population. Final site selection and the review of detailed engineering plans and working drawings shall be coordinated among the responsible agencies.	Finding: The modification ensures that wetlands are also replaced similar as in the County CUP.	PO	DFG ACOE
Q - C.10.a.	Air Quality. a. Establishment of an Independent Air Quality Consultant. An independent air quality consultant, selected by the Director of Planning, shall conduct at least four random tests of landfill dust and diesel particulates around the perimeter of the landfill property, with special attention given to the area south of the landfill above the residential community, each year of operation to determine if such results are consistent with the FSEIR modeling.		O	AQ Consultant DCP

CONDITION NO.	CONDITION	RELATED GENERAL PLAN FINDINGS	MONITORING PHASE	RESPONSIBLE AGENCY
Q - C.10.a.	<p>a. The costs for the tests shall be borne by the permittee. The reports shall be provided to the Director of Planning and the permittee within 15 calendar days after completion of the tests. If any of the measurements are found by the consultant to exceed the results of the FSEIR modeling, the permittee shall submit a corrective action plan to the Director of Planning within 15 calendar days after receipt of the report from the consultant. The corrective action plan shall specify a schedule for remedial action as soon as reasonably practical.</p>	<p>Finding: The FSEIR modeling and additional analysis conducted in response to the Los Angeles Unified School District's concerns regarding potential PM10 and diesel impacts showed no significant impact to Van Gogh Elementary School. The school is more than one mile from the edge of the landfill footprint, and there is a 100-acre buffer zone recently planted with over 10,000 trees between the landfill footprint and the school. In addition, condition C.10.b.1. requires the planting of an additional 1,000 trees south of the landfill above the residential community as a buffer to further minimize dust and emissions to the south of the site. Notwithstanding the fact that impacts at Van Gogh Elementary School were not found to be substantial, in an effort to provide additional assurances to the community, the condition will provide a means to verify the FSEIR modeling results and to test the "on-site tree mitigation buffer" to confirm that landfill operations, as mitigated, will not have a significant impact at the school. (Also, Refer to the finding below under new [Q] Condition C.10.b.1.</p>	O	DCP
Q - C.10.a.	<p>a. The Director of Planning shall approve or disapprove the corrective action plan within 15 calendar days of receipt of the plan. If the Director of Planning approves the corrective action plan, or if the applicant otherwise fails to submit a corrective action plan to the satisfaction of the Director of Planning, then the Director of Planning may determine if he or she will require the permittee to implement additional measures to reduce the air quality impacts, such as by additional paving of unpaved roads, additional watering and application of soil sealant, relocating of the working face to designated locations during windy conditions, monitoring at sensitive sites throughout the community, or mandatory closures during extreme wind. The permittee may appeal the Director's action pursuant to procedures in 12.24.G of the Los Angeles Municipal Code. The Director of Planning, with the advice of the TAC, may reduce the frequency or discontinue the testing if found that such tests are not valid or useful.</p>	<p>Finding: The FSEIR modeling and additional analysis conducted in response to the Los Angeles Unified School District's concerns regarding potential PM10 and diesel impacts showed no significant impact to Van Gogh Elementary School. The school is more than one mile from the edge of the landfill footprint, and there is a 100-acre buffer zone recently planted with over 10,000 trees between the landfill footprint and the school. In addition, condition C.10.b.1. requires the planting of an additional 1,000 trees south of the landfill above the residential community as a buffer to further minimize dust and emissions to the south of the site. Notwithstanding the fact that impacts at Van Gogh Elementary School were not found to be substantial, in an effort to provide additional assurances to the community, the condition will provide a means to verify the FSEIR modeling results and to test the "on-site tree mitigation buffer" to confirm that landfill operations, as mitigated, will not have a significant impact at the school. (Also, Refer to the finding below under new [Q] Condition C.</p>	O	DCP TAC

CONDITION NO.	CONDITION	RELATED GENERAL PLAN FINDINGS	MONITORING PHASE	RESPONSIBLE AGENCY
Q - C.10.a.	<p>The independent air quality consultant will also, prior to the start of construction conduct additional testing of landfill gas, dust, and diesel particulates at Van Gogh Elementary School, and model emissions projected with the implementation of the landfill, and shall conduct onsite monitoring once the landfill is open. The testing protocol, results and mitigations, if necessary, will be evaluated and approved by the South Coast Management District (SCAQMD) and the Technical Advisory Committee.</p>	<p>Finding: The FSEIR modelling and additional analysis conducted in response to the Los Angeles Unified School District's Concerns regarding potential PM10 and diesel impacts showed no significant impact to Van Gogh Elementary School. The school is more than one mile from the edge of the landfill footprint, and there is a 100-acre buffer zone recently planted with over 10,000 trees between the landfill footprint and the school. In addition, condition C.10.b.1. requires the planting of an additional 1,000 trees south of the landfill above the residential community as a buffer to further minimize dust and emissions to the south of the site. Notwithstanding the fact that impacts at Van Gogh Elementary School were not found to be substantial, in an effort to provide additional assurances to the community, the condition will provide a means to verify the FSEIR modeling results and to test the "on-site tree mitigation buffer" to confirm that landfill operations, as mitigated, will not have a significant impact at the school. (Also, Refer to the finding below under new [Q] Condition C</p>	PO	AQ Consultant SCAQMD TAC
Q - C.10.b (1)	<p>On-site and Off-site Tree Mitigation</p> <p>On-Site Tree Mitigation Buffer. One year after the start of the operation in the City Landfill, the permittee shall begin to plant a tree buffer in a density (i.e., approximately 1,000 trees) and at a height that decreases the particulate and emissions from the landfill. The location of the on-site tree mitigation buffer shall be south of the landfill above the residential community. Success of the mitigation measure shall be evaluated by its ability to minimize dust and emissions south of the site, as measured by the testing required in Condition No. C.10.a, and results of the tests may result in terminating the testing.</p>	<p>Finding: This condition and C. 10.a were added in response to the North Valley Coalition's and the Local Enforcement Agency's request. The NVC's and the LEA's requests were to establish mitigation measures specific to Van Gogh Elementary School. [Q] Condition C.10.a addresses Van Gogh School as well as all sensitive receptors in the community by focusing on the potential impacts as measured around the project site, not just from several isolated locations in the community. Condition C.10.a enables a verification of the FSEIR model and testing of the "On-site Tree Mitigation Buffer" to determine their success in evaluating and mitigating the potential operational air quality impacts of the project.</p>	O One year after start of operation	PW - Street Tree Division DCP

CONDITION NO.	CONDITION	RELATED GENERAL PLAN FINDINGS	MONITORING PHASE	RESPONSIBLE AGENCY
Q - C.10.b (2)	Off-site Tree Mitigation. The landfill operator shall provide a total of 1,000 trees over the initial three years of operation to the City of Los Angeles for planting in the North Valley area. Trees shall not be less than eight feet in height, not less than two inches in trunk diameter, and with not less than five foot spread except for oak trees which shall not be less than six feet in height, not less than one inch in trunk diameter measured one foot above ground. Further, all trees shall be in a healthy growing condition. Root bound trees are not acceptable. The variety and placement of trees shall be subject to approval by the Department of Public Works' Street Tree Division. The Technical Advisory Committee shall administer the distribution of trees.	Finding: This condition was in response to the Local Enforcement Agency's request presented to the PLUM Committee. The size of the trees was changed to be consistent with City Planning Commission's standards for the replacement of significant desirable trees. The modifications take into account the specific growth pattern of oak trees which are the major primary trees grown at the operator's on-site nursery.	O Third year of operation	PW - Street Tree Division TAC
Q - C.10.c.	The operator shall submit, as part of its annual report, an evaluation of the feasibility of beneficial uses of the landfill gas collected at the site such as landfill-gas-to-energy.	Finding: The condition will enable the City to annually evaluate the economic and technological feasibility of creating landfill-gas-to-energy.	O	DCP
Q - C.10.d. (1)	The applicant/operator shall either purchase or investigate the purchase of non-diesel, alternative fuel vehicles and equipment, as follows: 1) Upon commencement of operation of the landfill, all light-duty vehicles operated at the site shall be alternative fuel vehicles.	Finding: Studies have shown that diesel emissions are responsible for 70% of the air toxics. The SFEIR anticipates that all trucks transporting waste to the landfill will use diesel fuel. It further states that after all proposed mitigation measures are implemented, net unmitigated adverse air quality impacts resulting from diesel-fueled vehicles using the landfill will remain as a result of the project. The proposed condition will reduce the number of diesel-powered trucks utilizing the landfill and require that some construction equipment be converted to alternative fueled vehicles. Reducing the number of diesel-fueled vehicles will provide additional measures to mitigate the significant air quality impacts that will be generated by the project. It is a reasonable condition to impose because alternative fueled trucks are being phased in as it becomes technically feasible to do so. In addition, various sources exist to fund the incremental costs associated with this requirement.	O	DCP PW-Sanitation

CONDITION NO.	CONDITION	RELATED GENERAL PLAN FINDINGS	MONITORING PHASE	RESPONSIBLE AGENCY
Q - C.10.d. (2)	2) Within the first year of operation, ten alternative fuel refuse collection trucks or transfer trucks shall be purchased by the applicant/operator and put into operation at the landfill.	Finding: Studies have shown that diesel emissions are responsible for 70% of the air toxics. The SFEIR anticipates that all trucks transporting waste to the landfill will use diesel fuel. It further states that after all proposed mitigation measures are implemented, net unmitigated adverse air quality impacts resulting from diesel-fueled vehicles using the landfill will remain as a result of the project. The proposed condition will reduce the number of diesel-powered trucks utilizing the landfill and require that some construction equipment be converted to alternative fueled vehicles. Reducing the number of diesel-fueled vehicles will provide additional measures to mitigate the significant air quality impacts that will be generated by the project. It is a reasonable condition to impose because alternative fueled trucks are being phased in as it becomes technically feasible to do so. In addition, various sources exist to fund the incremental costs associated with this requirement.	Within 1 year of operation. O	DCP PW-Sanitation
Q - C.10.d (3)	3) Within three years of the date that the Technical Advisory Committee determines that the technology and economics are feasible, and thereafter, operation of all transfer trucks entering the landfill shall be non-diesel alternative fueled vehicles.	Finding: Studies have shown that diesel emissions are responsible for 70% of the air toxics. The SFEIR anticipates that all trucks transporting waste to the landfill will use diesel fuel. It further states that after all proposed mitigation measures are implemented, net unmitigated adverse air quality impacts resulting from diesel-fueled vehicles using the landfill will remain as a result of the project. The proposed condition will reduce the number of diesel-powered trucks utilizing the landfill and require that some construction equipment be converted to alternative fueled vehicles. Reducing the number of diesel-fueled vehicles will provide additional measures to mitigate the significant air quality impacts that will be generated by the project. It is a reasonable condition to impose because alternative fueled trucks are being phased in as it becomes technically feasible to do so. In addition, various sources exist to fund the incremental costs associated with this requirement.	O	TAC

CONDITION NO.	CONDITION	RELATED GENERAL PLAN FINDINGS	MONITORING PHASE	RESPONSIBLE AGENCY
Q - C.10.d (4)	4) Within three years of the date that the Technical Advisory Committee determines that the technology and economics are feasible, all transfer and collection trucks owned and leased by the applicant/operator and used at the landfill shall be non-diesel alternative fueled vehicles.	Finding: Studies have shown that diesel emissions are responsible for 70% of the air toxics. The SFEIR anticipates that all trucks transporting waste to the landfill will use diesel fuel. It further states that after all proposed mitigation measures are implemented, net unmitigated adverse air quality impacts resulting from diesel-fueled vehicles using the landfill will remain as a result of the project. The proposed condition will reduce the number of diesel-powered trucks utilizing the landfill and require that some construction equipment be converted to alternative fueled vehicles. Reducing the number of diesel-fueled vehicles will provide additional measures to mitigate the significant air quality impacts that will be generated by the project. It is a reasonable condition to impose because alternative fueled trucks are being phased in as it becomes technically feasible to do so. In addition, various sources exist to fund the incremental costs associated with this requirement.	O	TAC
Q - C.10.d (5)	5) Within six years of the date that the Technical Advisory Committee determines that technology and economics are feasible, seventy-five percent (75%) of all trips (by trucks which have a capacity of nine tons or greater) entering the landfill, shall be made by non-diesel alternative fueled vehicles.	Finding: Studies have shown that diesel emissions are responsible for 70% of the air toxics. The SFEIR anticipates that all trucks transporting waste to the landfill will use diesel fuel. It further states that after all proposed mitigation measures are implemented, net unmitigated adverse air quality impacts resulting from diesel-fueled vehicles using the landfill will remain as a result of the project. The proposed condition will reduce the number of diesel-powered trucks utilizing the landfill and require that some construction equipment be converted to alternative fueled vehicles. Reducing the number of diesel-fueled vehicles will provide additional measures to mitigate the significant air quality impacts that will be generated by the project. It is a reasonable condition to impose because alternative fueled trucks are being phased in as it becomes technically feasible to do so. In addition, various sources exist to fund the incremental costs associated with this requirement.	O	TAC

CONDITION NO.	CONDITION	RELATED GENERAL PLAN FINDINGS	MONITORING PHASE	RESPONSIBLE AGENCY
Q - C.10.d (6)	6) Within one year of operation, the applicant/operator shall design and begin implementation of at least one heavy-duty alternative fuel off-road equipment pilot program.	Finding: Studies have shown that diesel emissions are responsible for 70% of the air toxics. The SFEIR anticipates that all trucks transporting waste to the landfill will use diesel fuel. It further states that after all proposed mitigation measures are implemented, net unmitigated adverse air quality impacts resulting from diesel-fueled vehicles using the landfill will remain as a result of the project. The proposed condition will reduce the number of diesel-powered trucks utilizing the landfill and require that some construction equipment be converted to alternative fueled vehicles. Reducing the number of diesel-fueled vehicles will provide additional measures to mitigate the significant air quality impacts that will be generated by the project. It is a reasonable condition to impose because alternative fueled trucks are being phased in as it becomes technically feasible to do so. In addition, various sources exist to fund the incremental costs associated with this requirement.	O	TAC
Q - C.10.d (7)	7) With the assistance of the South Coast Air Quality Management District and the Department of Environmental Affairs, the applicant/operator shall use its best efforts to participate in the Arco Clean Diesel Demonstration Program with one or more pieces of offroad heavy-duty equipment.	Finding: Studies have shown that diesel emissions are responsible for 70% of the air toxics. The SFEIR anticipates that all trucks transporting waste to the landfill will use diesel fuel. It further states that after all proposed mitigation measures are implemented, net unmitigated adverse air quality impacts resulting from diesel-fueled vehicles using the landfill will remain as a result of the project. The proposed condition will reduce the number of diesel-powered trucks utilizing the landfill and require that some construction equipment be converted to alternative fueled vehicles. Reducing the number of diesel-fueled vehicles will provide additional measures to mitigate the significant air quality impacts that will be generated by the project. It is a reasonable condition to impose because alternative fueled trucks are being phased in as it becomes technically feasible to do so. In addition, various sources exist to fund the incremental costs associated with this requirement.	O	SCAQMD EAD

CONDITION NO.	CONDITION	RELATED GENERAL PLAN FINDINGS	MONITORING PHASE	RESPONSIBLE AGENCY
Q - C.10.d (8)	8) The applicant/operator shall submit, as part of its annual report to the Technical Advisory Committee, an ongoing evaluation of compliance with 1 - 7 above. Technical or economic infeasibility shall be the sole bases on which the operator may appeal the requirements established by this condition, [Q] C.10.d, pursuant to procedures in 12.24 G of the L.A.M.C.	Finding: Studies have shown that diesel emissions are responsible for 70% of the air toxics. The SFEIR anticipates that all trucks transporting waste to the landfill will use diesel fuel. It further states that after all proposed mitigation measures are implemented, net unmitigated adverse air quality impacts resulting from diesel-fueled vehicles using the landfill will remain as a result of the project. The proposed condition will reduce the number of diesel-powered trucks utilizing the landfill and require that some construction equipment be converted to alternative fueled vehicles. Reducing the number of diesel-fueled vehicles will provide additional measures to mitigate the significant air quality impacts that will be generated by the project. It is a reasonable condition to impose because alternative fueled trucks are being phased in as it becomes technically feasible to do so. In addition, various sources exist to fund the incremental costs associated with this requirement.	June 1st of the first year of operation and every year thereafter until closure. O	TAC
Q - C.10.e.	The permittee shall provide access to back-up generator(s) for emergency use in case of prolonged power outage to prevent the migration/emission of landfill gas, unless otherwise prohibited by AQMD due to air quality concerns.	Finding: This condition was modified in response to the Bureau of Sanitation request. Any disruption to landfill gas (LFG) collection systems should be remedied immediately as was the case with the 1994 Northridge earthquake, when power to the LFG extraction system was restored within two days. There are two LFG collection systems operating on independent power sources. The LFG system on the City side is powered by LADWP, and the County system is powered by Southern California Edison. It is unlikely that both of these sources would be out for an extended period of time. However, the additional expense to the permittee to provide a back-up generator is offset by the extent of the potential nuisance and danger to the community upon its failure and additional protection this back-up system will provide to the community. The purpose of the condition is to mitigate potential odor caused by the migration of methane gas due to a prolonged loss of power to the landfill environmental systems.	O	LEA
Q - C.11.	Storm Water. The operator shall provide a copy of the LARWQCB required quarterly testing on surface water quality samples to the Department of Public Works Storm Water Management Division for review.	Findings: While the operator is governed directly by the Los Angeles Regional Water Quality Control Board, providing similar reports to the Department of Public Works would provide the Department with additional understanding of storm water management in the City.	O	PW-Storm Water Management Div.

CONDITION NO.	CONDITION	RELATED GENERAL PLAN FINDINGS	MONITORING PHASE	RESPONSIBLE AGENCY
Q - C.12 a.	<p>Technical Advisory Committee. An ad hoc committee of City Departments chaired by the Director of Planning or Designee shall be established for the purpose of reviewing, coordinating, and certifying satisfactory completion of plans, permits and agreements required and/or authorized by the subject approval including the [T] and [Q] Conditions and Mitigation Monitoring and Reporting Program (MMRP) before commencing work or opening of the landfill and during its operation.</p> <p>Composition. The committee shall be composed of representative(s) of the following City Departments, and other City Departments on as-need basis:</p> <p>Local Enforcement Agency Department of City Planning Department of Building and Safety Department of Public Works, Bureau of Sanitation Department of Public Works, Bureau of Engineering Department of Recreation and Parks Office of the Chief Legislative Analyst Office of the City Attorney (Environmental/Land Use Sections) Department of General Services, Fleet Services</p>	<p>Finding: The review, approval, and continuous monitoring of a landfill is a complex process that involves several State and regional agencies and City departments. This condition establishes an ad hoc Technical Advisory Committee (TAC) composed of representatives from the following City departments: LEA, Planning, Building and Safety, Public Works (Sanitation and Engineering), Recreation and Parks, CLA, City Attorney, and General Services to review and certify compliance with applicable requirements precedent to developing and opening the landfill, review the operator's annual reports, and review conditions of approval and mitigation measures; requires hiring of an independent consultant to monitor condition compliance for a minimum of 5 years and report to the TAC; and requires the operator to cooperate regarding access to the site and information requested. Establishing a City TAC will ensure efficient and timely monitoring of compliance with the conditions of approval and Mitigation Monitoring and Reporting Program (MMRP), as well as, coordination and communication between pertinent key City Departments. Further, an Ad Hoc committee can provide the necessary oversight and sharing of expert resources.</p>	PO/O	TAC; LEA; DCP; LADBS; PW- Sanitation; PW- BOE; Rec & Parks; CLA; City Attny (Env'l/Land Use Sections); GSD - Fleet Services

CONDITION NO.	CONDITION	RELATED GENERAL PLAN FINDINGS	MONITORING PHASE	RESPONSIBLE AGENCY
Q - C.12.b.	Meetings/Purposes. The Technical Advisory Committee shall meet at least twice a year. It shall carry out the purposes of the subject approval and ensure compliance with the approvals and regulations of state and federal agencies involved in regulating and permitting of the landfill.	Finding: The review, approval, and continuous monitoring of a landfill is a complex process that involves several State and regional agencies and City departments. This condition establishes an ad hoc Technical Advisory Committee (TAC) composed of representatives from the following City departments: LEA, Planning, Building and Safety, Public Works (Sanitation and Engineering), Recreation and Parks, CLA, City Attorney, and General Services to review and certify compliance with applicable requirements precedent to developing and opening the landfill, review the operator's annual reports, and review conditions of approval and mitigation measures; requires hiring of an independent consultant to monitor condition compliance for a minimum of 5 years and report to the TAC; and requires the operator to cooperate regarding access to the site and information requested. Establishing a City TAC will ensure efficient and timely monitoring of compliance with the conditions of approval and Mitigation Monitoring and Reporting Program (MMRP), as well as, coordination and communication between pertinent key City Departments. Further, an Ad Hoc committee can provide the necessary oversight and sharing of expert resources.	PO/O	TAC

CONDITION NO.	CONDITION	RELATED GENERAL PLAN FINDINGS	MONITORING PHASE	RESPONSIBLE AGENCY
Q - C.12.b.	Upon the operator's application for compliance to the conditions of approval, the Technical Advisory Committee shall meet to determine if all requirements precedent to commencement of development of the landfill (excepting final approval of plans, permits and agreements) have been met. If the Technical Advisory Committee so determines, it shall certify completion.	Finding: The review, approval, and continuous monitoring of a landfill is a complex process that involves several State and regional agencies and City departments. This condition establishes an ad hoc Technical Advisory Committee (TAC) composed of representatives from the following City departments: LEA, Planning, Building and Safety, Public Works (Sanitation and Engineering), Recreation and Parks, CLA, City Attorney, and General Services to review and certify compliance with applicable requirements precedent to developing and opening the landfill, review the operator's annual reports, and review conditions of approval and mitigation measures; requires hiring of an independent consultant to monitor condition compliance for a minimum of 5 years and report to the TAC; and requires the operator to cooperate regarding access to the site and information requested. Establishing a City TAC will ensure efficient and timely monitoring of compliance with the conditions of approval and Mitigation Monitoring and Reporting Program (MMRP), as well as, coordination and communication between pertinent key City Departments. Further, an Ad Hoc committee can provide the necessary oversight and sharing of expert resources.	PO	TAC

CONDITION NO.

CONDITION

RELATED GENERAL PLAN FINDINGS

MONITORING PHASE

RESPONSIBLE AGENCY

Q - C.12.b.

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

Finding: The review, approval, and continuous monitoring of a landfill is a complex process that involves several State and regional agencies and City departments. This condition establishes an ad hoc Technical Advisory Committee (TAC) composed of representatives from the following City departments: LEA, Planning, Building and Safety, Public Works (Sanitation and Engineering), Recreation and Parks, CLA, City Attorney, and General Services to review and certify compliance with applicable requirements precedent to developing and opening the landfill, review the operator's annual reports, and review conditions of approval and mitigation measures; requires hiring of an independent consultant to monitor condition compliance for a minimum of 5 years and report to the TAC; and requires the operator to cooperate regarding access to the site and information requested. Establishing a City TAC will ensure efficient and timely monitoring of compliance with the conditions of approval and Mitigation Monitoring and Reporting Program (MMRP), as well as, coordination and communication between pertinent key City Departments. Further, an Ad Hoc committee can provide the necessary oversight and sharing of expert resources.

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CONDITION NO.

CONDITION

RELATED GENERAL PLAN FINDINGS

MONITORING PHASE

RESPONSIBLE AGENCY

Q - C.12.b.

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

Finding: The review, approval, and continuous monitoring of a landfill is a complex process that involves several State and regional agencies and City departments. This condition establishes an ad hoc Technical Advisory Committee (TAC) composed of representatives from the following City departments: LEA, Planning, Building and Safety, Public Works (Sanitation and Engineering), Recreation and Parks, CLA, City Attorney, and General Services to review and certify compliance with applicable requirements precedent to developing and opening the landfill, review the operator's annual reports, and review conditions of approval and mitigation measures; requires hiring of an independent consultant to monitor condition compliance for a minimum of 5 years and report to the TAC; and requires the operator to cooperate regarding access to the site and information requested. Establishing a City TAC will ensure efficient and timely monitoring of compliance with the conditions of approval and Mitigation Monitoring and Reporting Program (MMRP), as well as, coordination and communication between pertinent key City Departments. Further, an Ad Hoc committee can provide the necessary oversight and sharing of expert resources.

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TAC

CONDITION NO.	CONDITION	RELATED GENERAL PLAN FINDINGS	MONITORING PHASE	RESPONSIBLE AGENCY
Q - C.12.c.	Contract for Mitigation Monitoring. Prior to the issuance of any building permits, an RFP or RFQ shall be prepared for an independent consultant contracted to monitor the [T] and [Q] Conditions and mitigation measures imposed by this action. The contract shall require that the consultant prepare and submit semi-annual reports as outlined in the conditions. A copy of the contract shall be provided to the City Planning Dept. for inclusion in the subject case file.	Finding: The review, approval, and continuous monitoring of a landfill is a complex process that involves several State and regional agencies and City departments. This condition establishes an ad hoc Technical Advisory Committee (TAC) composed of representatives from the following City departments: LEA, Planning, Building and Safety, Public Works (Sanitation and Engineering), Recreation and Parks, CLA, City Attorney, and General Services to review and certify compliance with applicable requirements precedent to developing and opening the landfill, review the operator's annual reports, and review conditions of approval and mitigation measures; requires hiring of an Independent consultant to monitor condition compliance for a minimum of 5 years and report to the TAC; and requires the operator to cooperate regarding access to the site and information requested. Establishing a City TAC will ensure efficient and timely monitoring of compliance with the conditions of approval and Mitigation Monitoring and Reporting Program (MMRP), as well as, coordination and communication between pertinent key City Departments. Further, an Ad Hoc committee can provide the necessary oversight and sharing of expert resources.	RFP/RFQ Prior to issuance of building permits (PO).	DCP Independent Monitoring Consultant

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Q - C.12.c.	Prior to the issuance of a certificate of occupancy for the facility, an independent consultant shall be contracted to monitor the [T] and [Q] Conditions and mitigation measures imposed by this action for a minimum of five (5) years.	Finding: The review, approval, and continuous monitoring of a landfill is a complex process that involves several State and regional agencies and City departments. This condition establishes an ad hoc Technical Advisory Committee (TAC) composed of representatives from the following City departments: LEA, Planning, Building and Safety, Public Works (Sanitation and Engineering), Recreation and Parks, CLA, City Attorney, and General Services to review and certify compliance with applicable requirements precedent to developing and opening the landfill, review the operator's annual reports, and review conditions of approval and mitigation measures; requires hiring of an Independent consultant to monitor condition compliance for a minimum of 5 years and report to the TAC; and requires the operator to cooperate regarding access to the site and information requested. Establishing a City TAC will ensure efficient and timely monitoring of compliance with the conditions of approval and Mitigation Monitoring and Reporting Program (MMRP), as well as, coordination and communication between pertinent key City Departments. Further, an Ad Hoc committee can provide the necessary oversight and sharing of expert resources.	Prior to C of O, O	DCP

CONDITION NO.	CONDITION	RELATED GENERAL PLAN FINDINGS	MONITORING PHASE	RESPONSIBLE AGENCY
Q - C.12.d.	Access to Site and Information. The permittee/operator shall provide to the Technical Advisory Committee and its independent consultant(s), access to all areas of the site during normal hours of operation and shall respond to all information requests from the TAC in a timely manner regarding compliance with [T] and [Q] Conditions and the Mitigation Monitoring and Reporting Program.	Finding: The review, approval, and continuous monitoring of a landfill is a complex process that involves several State and regional agencies and City departments. This condition establishes an ad hoc Technical Advisory Committee (TAC) composed of representatives from the following City departments: LEA, Planning, Building and Safety, Public Works (Sanitation and Engineering), Recreation and Parks, CLA, City Attorney, and General Services to review and certify compliance with applicable requirements precedent to developing and opening the landfill, review the operator's annual reports, and review conditions of approval and mitigation measures; requires hiring of an independent consultant to monitor condition compliance for a minimum of 5 years and report to the TAC; and requires the operator to cooperate regarding access to the site and information requested. Establishing a City TAC will ensure efficient and timely monitoring of compliance with the conditions of approval and Mitigation Monitoring and Reporting Program (MMRP), as well as, coordination and communication between pertinent key City Departments. Further, an Ad Hoc committee can provide the necessary oversight and sharing of expert resources.	PO/O	TAC

CONDITION NO.

CONDITION

RELATED GENERAL PLAN FINDINGS

MONITORING PHASE

RESPONSIBLE AGENCY

Q - C.13.a.

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

a. Appointments and Terms of Service.

1) Term of Membership. Members of the CAC shall serve for a term of four years, except that as provided below. Members of the CAC whose terms have expired shall stay on the CAC until their replacements are approved.

2) Appointment of Members. To the maximum extent feasible, members shall be appointed as follows:

aa. Twenty-five percent (25%) of the members shall have an initial appointment of an one-year term.

bb. Twenty-five percent (25%) of the members shall have an initial appointment of a two-year term.

cc. Twenty-five percent (25%) of the members shall have an initial appointment of a three-year term.

dd. Twenty-five percent (25%) of the members shall be at large selected by a majority and shall have initial appointment of a four-year term.

ee. Appointees serve at the pleasure of the appointing authority and the appointment may be rescinded at any time prior to the expiration of a member's term.

3) Vacancies. In the event of a vacancy occurring during the term of a member of the CAC member, the same body or official, or their successors, who appointed such member shall make an interim appointment of a person to complete the unexpired term of such member.

4) Expiration of Term. Upon expiration of a term for any CAC member, the appointment for the next succeeding term shall be made by the same body or official, or their successors, who made the previous appointment. No CAC member shall serve more than two consecutive four-year terms.

Finding: This condition establishes a Community Advisory Committee (CAC) composed of community members living in the vicinity of the landfill appointed by the Councilpersons from the local and most nearly adjacent Council districts to the landfill to serve as a liaison between the operator and the community and as a means of communicating with the TAC on an ongoing basis regarding the monitoring and enforcement of conditions. The City CAC and existing County CAC would be merged as determined by the JPA. The provision for a CAC is consistent with the procedures established for other citizen committees in the City. The CAC would be composed of community members living in the vicinity of the landfill. The formation of such a committee ensures community participation and the rights of the members to be informed on all actions taken by the TAC and the landfill operator. It also allows the Committee to play an active role in assisting in the enforcement of conditions and reporting any violations, so that they can be corrected.

O

CAC
Local Council Office
Councilperson from
adjacent district
Councilperson from
the landfill's district

CONDITION NO.

CONDITION

RELATED GENERAL PLAN FINDINGS

MONITORING PHASE

RESPONSIBLE AGENCY

Q - C.13.b.	<p>b. Upon appointment of the CAC by the Council person(s), the permittee shall do the following:</p> <ol style="list-style-type: none"> 1) Provide qualified personnel to regularly attend CAC meetings; 2) Provide reasonable access to the landfill site and information concerning landfill operations necessary for the committee to perform the committee's functions; and 3) Provide accommodations for CAC meetings. 	<p>Finding: This condition establishes a Community Advisory Committee (CAC) composed of community members living in the vicinity of the landfill appointed by the Councilpersons from the local and most nearly adjacent Council districts to the landfill to serve as a liaison between the operator and the community and as a means of communicating with the TAC on an ongoing basis regarding the monitoring and enforcement of conditions. The City CAC and existing County CAC would be merged as determined by the JPA. The provision for a CAC is consistent with the procedures established for other citizen committees in the City. The CAC would be composed of community members living in the vicinity of the landfill. The formation of such a committee ensures community participation and the rights of the members to be informed on all actions taken by the TAC and the landfill operator. It also allows the Committee to play an active role in assisting in the enforcement of conditions and reporting any violations, so that they can be corrected.</p>	O	CAC
Q - C.13.c.	<p>c. The City CAC may request the TAC to review specific conditions of approval and mitigation measures.</p>	<p>Finding: This condition establishes a Community Advisory Committee (CAC) composed of community members living in the vicinity of the landfill appointed by the Councilpersons from the local and most nearly adjacent Council districts to the landfill to serve as a liaison between the operator and the community and as a means of communicating with the TAC on an ongoing basis regarding the monitoring and enforcement of conditions. The City CAC and existing County CAC would be merged as determined by the JPA. The provision for a CAC is consistent with the procedures established for other citizen committees in the City. The CAC would be composed of community members living in the vicinity of the landfill. The formation of such a committee ensures community participation and the rights of the members to be informed on all actions taken by the TAC and the landfill operator. It also allows the Committee to play an active role in assisting in the enforcement of conditions and reporting any violations, so that they can be corrected.</p>	O	CAC TAC

CONDITION NO.	CONDITION	RELATED GENERAL PLAN FINDINGS	MONITORING PHASE	RESPONSIBLE AGENCY
Q - C.13.d.	d. Upon the establishing of a Joint Powers Agreement or other coordinating instrument with Los Angeles County for the operation of a combined landfill, as noted in Condition No. A.9, the City and County CACs shall be merged as determined by the Joint Powers Agreement or coordinating instrument.	Finding: This condition establishes a Community Advisory Committee (CAC) composed of community members living in the vicinity of the landfill appointed by the Councilpersons from the local and most nearby adjacent Council districts to the landfill to serve as a liaison between the operator and the community and as a means of communicating with the TAC on an ongoing basis regarding the monitoring and enforcement of conditions. The City CAC and existing County CAC would be merged as determined by the JPA. The provision for a CAC is consistent with the procedures established for other citizen committees in the City. The CAC would be composed of community members living in the vicinity of the landfill. The formation of such a committee ensures community participation and the rights of the members to be informed on all actions taken by the TAC and the landfill operator. It also allows the Committee to play an active role in assisting in the enforcement of conditions and reporting any violations, so that they can be corrected.	O	City CAC County CAC
Q - C.14.	The permittee/operator shall install video monitoring equipment at the site to ensure compliance with the conditions of operation. The Technical Advisory Committee and its independent consultant(s) shall have access to the video tapes for one year after such recordings are made.	Finding: This condition is added to help ensure compliance with the conditions of approval.	O	TAC
Q - D.	Notice. Notice is hereby given that pursuant to the Section 12.27.1 (Administrative Nuisance Abatement), the City Planning Commission or Zoning Administrator, after conducting a public hearing, may revoke or modify this approval, if the Commission or Zoning Administrator find that these conditions have been violated or that this approval has been exercised so as to be detrimental to the public health or safety or so as to be a nuisance.	[Q] Conditions Nos. A.4 and D, relating to enforcement are to place the permittee on notice of the City's authority to compel compliance with the conditions in order to protect the environment and public health, safety, and welfare of its citizens	n/a	LACPC City Zoning Administrator