

MEMORANDUM

TO: HONORABLE MAYOR & CITY COUNCIL MEMBERS
FROM: CAROLYNN PETRU, AICP, ACTING CITY MANAGER 
DATE: AUGUST 5, 2014
SUBJECT: BORDER ISSUES STATUS REPORT
Project Manager: Kit Fox, AICP, Senior Administrative Analyst 

RECOMMENDATION

Receive and file the current report on the status of Border Issues.

EXECUTIVE SUMMARY

This month's report includes:

- A report on the release of the Draft Environmental Impact Report (DEIR) for the Los Angeles County General Plan Update, affecting the unincorporated areas of the Peninsula;
- An update on recent issues and events related to the Rancho LPG butane storage facility in Los Angeles (San Pedro); and,
- A report on the approval of an amendment to the *Chandler Ranch*/Rolling Hills Country Club project in Rolling Hills Estates and Torrance.

BACKGROUND

The following is the regular bi-monthly report to the City Council on various "Border Issues" potentially affecting the residents of Rancho Palos Verdes. The complete text of the current status report is available for review on the City's website at:

http://palosverdes.com/rpv/planning/border_issues/2014/20140805_BorderIssues_StatusRpt.cfm

DISCUSSION

Current Border Issues

Los Angeles County General Plan Update, Unincorporated Areas of the Peninsula

On June 23, 2014, the City received Notice of Availability for the Draft Environmental Impact Report (DEIR) for the Los Angeles County General Plan Update (see

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attachments). The 45-day public comment period for the DEIR will end on August 7, 2014. The City previously submitted comments on the revised scope of the DEIR in July 26, 2013.

Staff is currently reviewing the DEIR and will submit further comments (if necessary) on or before the August 7th deadline. Staff will continue to monitor this project in future Border Issues reports.

Rancho LPG Butane Storage Facility, Los Angeles (San Pedro)

i. May 20th City Council Meeting Follow-Up

In response to "Late Correspondence" submitted during the May 20, 2014, Study Session item to consider agendaizing the Rancho LPG matter as a "stand alone" item on a future City Council agenda, Rancho LPG's Ron Conrow provided a copy of the attached letter to Congresswoman Hahn on May 29, 2014. The letter criticizes many of the points raised in Congresswoman Hahn's May 20th letter.

ii. Los Angeles City Council Public Safety Committee Meeting

Back in October 2013, the Los Angeles City Council Public Safety Committee considered a motion by Councilmembers Buscaino and Englander relative to establishing a CalARP inspection section on the Los Angeles Fire Department (LAFD) website. The purpose of the CalARP program is to prevent accidental releases of substances that can cause serious harm to the public and the environment, to minimize the damage if releases do occur, and to satisfy community right-to-know laws. This is accomplished by requiring businesses that handle more than a threshold quantity of a regulated substance listed in the regulations to develop a Risk Management Plan (RMP).

An RMP is a detailed engineering analysis of the potential accident factors present at a business and the mitigation measures that can be implemented to reduce this accident potential. The CalARP program is implemented at the local government level by Certified Unified Program Agencies (CUPAs) also known as Administering Agencies (AAs). The LAFD has been designated the City of Los Angeles' local agency tasked with CalARP inspections and compliance oversight, including the review of RMPs, and conducts safety inspections at fifty (50) facilities within city limits that fall under CalARP monitoring standards.

At the request of the 15th City Council District, the City of Los Angeles Chief Legislative Analyst's (CLA's) office completed a review of CalARP standards to determine the safety of above ground liquid-bulk storage tanks. CLA analysis did not find any flaws in the safety standards or the inspections performed by LAFD. However, it was suggested that while LAFD is completing all CalARP inspections, the information is not effectively communicated to nearby residents and other interested parties. Therefore, it was recommended that the LAFD find a new way to educate the public regarding the standards that CalARP-identified facilities must adhere to, and the results of inspections

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they conducted. In response, LAFD has developed a CalARP inspection page for its website.

On June 13, 2014, the Public Safety Committee received a presentation from Councilman Buscaino's Staff and LAFD Staff regarding the CalARP inspection page (see attachments). Interested parties addressed the Committee and expressed their objections to the continued operation of the Rancho LPG facility. The Committee then moved to recommend approval of the CalARP inspection page to the full Los Angeles City Council on June 24, 2014.

At the Los Angeles City Council meeting on June 24th, the Los Angeles City Council unanimously approved the Public Safety Committee's motion and forwarded it to Los Angeles Mayor Eric Garcetti for his signature. The LAFD CalARP page is now operational at <http://lafd.org/CalARP>.

iii. State Lands Commission Meeting

The State Lands Commission (SLC) held its regular, bi-monthly meeting on Thursday, June 19, 2014. Based upon requests made by interested parties at the April 2014 SLC meeting, the June 19th agenda included an item for the review of the revocable permit issued by the Port of Los Angeles in 2011 for a segment of the rail spur that serves the Rancho LPG facility. Although the SLC meeting was held in Sacramento, a remote location in Long Beach was provided for observation and testimony. Staff and Councilman Campbell attended the meeting at the remote location in Long Beach.

SLC Staff summarized the conclusions of the Staff report (see attachments). They noted that the SLC has limited authority to challenge the actions of trustee agencies such as the Port of Los Angeles, short of filing suit. They also laid out an argument that the issuance of the revocable permit for the rail spur serving the Rancho LPG facility is "not inconsistent" with the Port's statutory trust grant or the common law Public Trust Doctrine. It was noted that revocation of this permit would not prevent Rancho LPG from continuing to use the rail spur—which is governed by Federal law—but would deprive the Port of the lease revenue (approximately \$15,000/year), insurance coverage (\$1 million) and indemnification from Rancho LPG. SLC Staff also noted that they were unsuccessful in obtaining copies of insurance and bond information from Rancho LPG on the grounds that the information is proprietary—the same response that our City received to its request in 2012. However, in a letter to SLC Staff, the parent company of Rancho LPG apparently stated that it carries \$500 million in 3rd-party liability coverage.

The SLC accepted public testimony on this matter, both live in Sacramento and via video teleconference in Long Beach. Speakers in Sacramento included Rancho LPG opponents (Noel Weiss, Janet Gunter and Chuck Hart) and Rancho LPG representatives (Rudy Svorinich and Ron Conrow). Speakers in Long Beach included City Staff, Councilman Campbell, Port of Los Angeles Staff and a number of Rancho LPG opponents from San Pedro and Rancho Palos Verdes. Meeting video is on the SLC website at <http://www.cal-span.org/cgi-bin/archive.php?owner=CSLC&date=2014-06-19> (starting at approximately 27:30).

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At the conclusion of public testimony, SLC Chairman Alan Gordon expressed his sympathy with concerned residents living near the Rancho LPG facility, noting that the facility would probably not be permitted at this location today. He also noted that Rancho LPG has the permits that it needs to continue to operate and is not located on land within the SLC's jurisdiction. However, he expressed concern about Rancho LPG's reluctance to provide information to demonstrate that the Port is sufficiently indemnified for the financial risk posed by the lease of the rail spur line, opining that the \$500 million in 3rd-party liability was "absurd." Therefore, he made a motion to re-agendize this matter for a future meeting, pending the submittal of additional information from Rancho LPG to determine the liability exposure of the State, the City of Los Angeles and other potentially affected parties. The motion was approved.

Since the SLC meets bi-monthly, Staff anticipates that the continued discussion of this matter will probably not occur until the meeting of August 15, 2014, which is scheduled to be held in the Bay Area. We have made inquiries with SLC Staff about the possibility of arranging for another local remote location for this future SLC meeting, but had not received any response as of the date that this report was completed.

iv. Congressman Henry Waxman

While Staff was attending the SLC meeting on June 19th, we received the attached e-mail from Congressman Waxman's office, indicating that senior staff from the Department of Homeland Security (DHS) would be hosting a community meeting to discuss issues related to the Rancho LPG facility sometime in late summer to early fall of this year. Staff has subsequently learned that this meeting is tentatively scheduled for the first half of September 2014. We will forward additional information about the date, time and location of this meeting as it becomes available.

v. EPA Interim Chemical Accident Prevention Advisory

On July 15, 2014, Councilman Campbell forwarded the attached "Interim Chemical Accident Prevention Advisory" from the EPA to Staff. The was apparently issued as an advisory to the operators of natural gas processing plants that store and process liquefied petroleum gas (LPG) products, with the purpose of raising industry awareness of codes and standards that may be applicable to such facilities. Since the Rancho LPG facility does not process natural gas, it was not clear to Staff how applicable this advisory would be to its operations. The public comment period on the interim advisory ended on July 31, 2014.

vi. EPA Enforcement Action

In March 2013, the EPA issued a Notice of Potential Enforcement Action to Rancho LPG for alleged violations of the Clean Air Act. There were six (6) allegations cited in the notice, resulting from EPA inspections to the facility in April 2010 and January 2011. A copy of the March 2013 notice is attached for reference.

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On July 24, 2014, the EPA filed a Consent Agreement and Final Order (Agreement) in the matter (see attachments). The Agreement found that Rancho LPG had violated the Clean Air Act on four (4) of the six (6) counts articulated in the March 2013 notice, and fined Rancho LPG \$260,000. At this point, it is not clear why the other two (2) counts from the March 2013 notice—related to the Rancho LPG facility's rail storage area and its emergency response plan—are not addressed in the Agreement. However, Staff has been advised by the EPA that a subsequent letter explaining the status of these additional counts is forthcoming.

Rancho LPG opponents have characterized the EPA penalty as “a slap on the wrist” (see San Pedro Peninsula Homeowners United press release and *Daily Breeze* article). Rancho LPG has thirty (30) days to remit payment of the penalty to the EPA.

vii. Additional Public Correspondence

In the past two (2) months, interested parties have continued to forward items regarding and related to the Rancho LPG facility via e-mail. Copies of these e-mails are attached to tonight's report. Staff will continue to monitor this project in future Border Issues reports.

New Border Issues

There are no new Border Issues on which to report at this time.

Former Border Issues

Chandler Ranch/Rolling Hills Country Club Project, Rolling Hills Estates and Torrance

In 2011, the City of Rolling Hills Estates approved the *Chandler Ranch/Rolling Hills Country Club* project, which proposes to renovate and extend the existing golf course and construct one-hundred fourteen (114) single-family residences, mostly on land currently occupied by the Chandler landfill in the cities of Rolling Hills Estates and Torrance. As a part of the approved entitlements, the cities of Rolling Hills Estates and Torrance were to undertake a Reorganization of Territory to re-draw the boundary between the cities, subject to the approval of the Los Angeles Local Agency Formation Committee (LAFCO). In reviewing this request, LAFCO Staff has asked for the proposed boundary between Rolling Hills Estates and Torrance to be further modified, thereby requiring the cities of Rolling Hills Estates and Torrance to amend the 2011 entitlements. The proposed amendment also makes some technical corrections to the project, such as the omission of two (2) numbered open-space lots from the previously-approved tract map.

On June 30, 2014, the Rolling Hills Estates Planning Commission approved the project amendment. The Rolling Hills Estates City Council subsequently approved this amendment on July 22, 2014.

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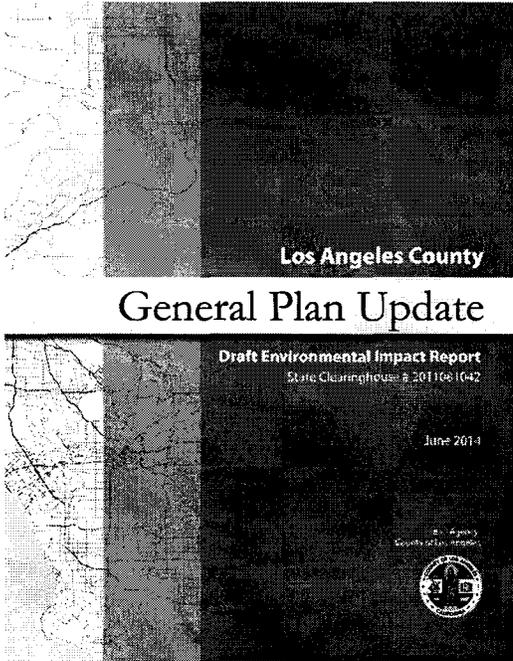
Attachments:

- NOA and Executive Summary for Los Angeles County General Plan Update DEIR (released 6/23/14)
- Letter from Ron Conrow to Congresswoman Hahn (dated 5/23/14)
- E-mail and agenda regarding Los Angeles City Council Public Safety Committee meeting (dated 6/11/14 & 6/13/14)
- State Lands Commission Staff report (dated 6/19/14)
- E-mail from Congressman Waxman's office regarding DHS community meeting (received 6/19/14)
- EPA Interim Chemical Accident Prevention Advisory (dated January 2014)
- EPA Notice of Potential Enforcement Action (dated 3/14/13)
- EPA Consent Agreement and Final Order (dated 7/24/14)
- San Pedro Peninsula Homeowners United press release (dated 7/24/14)
- *Daily Breeze* article regarding EPA fine against Rancho LPG facility (published 7/25/14)
- E-mails related to the Rancho LPG facility (miscellaneous dates)
- RHE City Council Staff report for *Chandler Ranch/Rolling Hills Country Club* project amendment (dated 7/22/14)

**NOA and Executive Summary for
Los Angeles County General Plan Update DEIR**

Kit Fox

From: DRP General Plan Project <D1277d5@planning.lacounty.gov>
Sent: Monday, June 23, 2014 3:18 PM
To: DRP General Plan Project
Subject: Notice of Availability - Los Angeles County General Plan DEIR



**NOTICE OF COMPLETION AND AVAILABILITY
OF THE DRAFT ENVIRONMENTAL IMPACT REPORT (SCH#2011081042)
FOR THE LOS ANGELES COUNTY GENERAL PLAN UPDATE**

DATE: June 19, 2014

TO: State Clearinghouse, Responsible and Trustee Agencies, and Interested Individuals

SUBJECT: Notice of Completion and Availability of the Draft Environmental Impact Report

PROJECT: Los Angeles County General Plan Update

LEAD AGENCY: Los Angeles County Department of Regional Planning

Pursuant to the State of California Public Resources Code Section 21000 *et seq.*; and the "Guidelines for Implementation of the California Environmental Quality Act," the County of Los Angeles through the Department of Regional Planning, as Lead Agency, is circulating for public review a Draft Environmental Impact Report (DEIR) for the Los Angeles County General Plan Update.

PROJECT LOCATION

Los Angeles County is geographically one of the largest counties in the country with approximately 4,083 square miles. Los Angeles County stretches along 75 miles of the Pacific Coast of Southern California and is bordered to the east by Orange County and San Bernardino County, to the north by Kern County, and to the west by Ventura County. Los Angeles County also includes two offshore islands, Santa Catalina Island and San Clemente Island. The unincorporated areas account for approximately 65 percent of the total land area of Los Angeles County and are shown on the attached map (Figure 1). The unincorporated areas in the northern portion of Los Angeles County are covered by large amounts of sparsely populated land and include the Angeles National Forest, part of the Los Padres National Forest, and the Mojave Desert. The unincorporated areas in the southern portion of Los Angeles County consist of 58 noncontiguous land areas, which are often referred to as the County's unincorporated urban islands. The County's governmental structure comprises of five Supervisorial Districts with the Los Angeles County Board of Supervisors as the governing body responsible for making all legislative land use decisions for the unincorporated areas. Maps of the Supervisorial Districts and unincorporated areas are available online on the Department of Regional Planning (Department) website: <http://planning.lacounty.gov/generalplan>.

PROJECT DESCRIPTION

The project is a comprehensive update of the Los Angeles County General Plan and associated actions. The project includes goals, policies, implementation programs and ordinances. The project covers the unincorporated areas and accommodates new housing and employment opportunities in anticipation of population growth. The General Plan Update focuses growth in the unincorporated areas with access to services and infrastructure and reduces the potential for growth in environmentally sensitive and hazardous areas. The project will replace the adopted General Plan.

SUMMARY OF SIGNIFICANT ENVIRONMENTAL IMPACTS

Pursuant to the requirements of CEQA, the following resource areas have been analyzed in the DEIR for potential environmental effects:

Aesthetic/Visual	Fiscal	Recreation/Parks
Vegetation	Agricultural Land	Flood Plain/Flooding
Schools/Universities	Water Quality	Air Quality
Forest Land/Fire Hazard	Septic Systems	Water Supply/Groundwater
Archeological/Historical	Geologic/Seismic	Sewer Capacity

Wetland/Riparian
Soil
Coastal Zone
Land Use
Toxic/Hazardous
Public Services/Facilities

Biological Resources
Erosion/Compaction/Grading
Noise
Drainage/Absorption
Cumulative Effects
Traffic/Circulation

Minerals
Growth Inducement
Solid Waste
Population/Housing Balance
Economic/Jobs

PUBLIC REVIEW PERIOD

The formal public review period for the DEIR will be from **June 23, 2014 to August 7, 2014** (45 day review period). All comments received by the closing of the public review period will be considered in the Final EIR.

PUBLIC HEARING

A public hearing on the proposed project and the DEIR will be held before the Los Angeles County Regional Planning Commission on Wednesday, August 27, 2014, at 9 a.m., in the Regional Planning Commission Hearing Room (1st Floor, Room 150), 320 West Temple Street, Los Angeles, CA 90012.

REVIEWING LOCATIONS

To ensure public access to the DEIR, copies of the document are available for review on the Department's web site at <http://planning.lacounty.gov/generalplan/ceqa>. Copies will be available at the Department's main office and field office locations listed at the following link: <http://planning.lacounty.gov/locations>; all County libraries; Calabasas Library located at 200 Civic Center Way, Calabasas, CA 91302; and Altadena Library (Main Library) located at 600 East Mariposa Street, Altadena, CA 91001.

All comments and responses to this notice should be submitted in writing to:

Connie Chung, AICP, Supervising Regional Planner
Department of Regional Planning
320 West Temple Street, Room 1356
Los Angeles, CA 90012
Fax: (213) 626-0434
Email: genplan@planning.lacounty.gov

Should you have any questions, please call (213) 974-6417. Si necesita información en español por favor llame al (213) 974-6427.

1. Executive Summary

1.1 INTRODUCTION

This Draft Environmental Impact Report (DEIR) addresses the environmental effects associated with the implementation of the proposed Los Angeles County General Plan Update (Proposed Project). The California Environmental Quality Act (CEQA) requires that local government agencies, prior to taking action on projects over which they have discretionary approval authority, consider the environmental consequences of such projects. An Environmental Impact Report (EIR) is a public document designed to provide the public, and local and state governmental-agency decision makers, with an analysis of potential environmental consequences to support informed decision making.

This DEIR has been prepared pursuant to the requirements of CEQA as set forth in the Public Resources Code Section 21000 et seq., and the State CEQA Guidelines, 14 California Code of Regulations Section 15000 et seq. (CEQA Guidelines). The County of Los Angeles, as the lead agency, has reviewed and revised as necessary all submitted drafts, technical studies, and reports to reflect its own independent judgment, including reliance on applicable County technical personnel from other departments and review of all technical subconsultant reports.

Data for this DEIR was obtained from field observations, discussions with affected agencies, analysis of adopted plans and policies, review of available studies, reports, data and similar literature, and specialized environmental assessments (aesthetics, agriculture and forestry, air quality, biological resources, cultural resources, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, noise, population and housing, public services, recreation, transportation and traffic, and utilities and service systems).

1.2 ENVIRONMENTAL PROCEDURES

This DEIR has been prepared pursuant to CEQA to assess the environmental effects associated with implementation of the Proposed Project, as well as anticipated future discretionary actions and approvals. The six main objectives of this document as established by CEQA are listed below:

- 1) To disclose to decision makers and the public the significant environmental effects of proposed activities.
- 2) To identify ways to avoid or reduce environmental damage.
- 3) To prevent environmental damage by requiring implementation of feasible alternatives or mitigation measures.
- 4) To disclose to the public reasons for agency approval of projects with significant environmental effects.

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- 5) To foster interagency coordination in the review of projects.
- 6) To enhance public participation in the planning process.

An EIR is the most comprehensive form of environmental documentation identified in CEQA and the CEQA Guidelines and provides the information needed to assess the environmental consequences of a proposed project, to the extent feasible. EIRs are intended to provide an objective, factually supported, full-disclosure analysis of the environmental consequences associated with a proposed project that has the potential to result in significant, adverse environmental impacts.

An EIR is also one of various decision-making tools used by a lead agency to consider the merits and disadvantages of a project that is subject to its discretionary authority. Prior to approving a proposed project, the lead agency must consider the information contained in the EIR, determine whether the EIR was properly prepared in accordance with CEQA and the CEQA Guidelines, determine that it reflects the independent judgment of the lead agency, adopt findings concerning the project's significant environmental impacts and alternatives, and must adopt a Statement of Overriding Considerations if the proposed project would result in significant impacts that cannot be avoided.

1.2.1 EIR Organization

This DEIR has been organized as described below.

Section 1. Executive Summary: Summarizes the background and description of the Proposed Project, the format of this EIR, project alternatives, any critical issues remaining to be resolved, and the potential environmental impacts and mitigation measures identified for the Proposed Project.

Section 2. Introduction: Describes the purpose of this EIR, background on the Proposed Project, the Notice of Preparation, the use of incorporation by reference, and Final EIR certification.

Section 3. Project Description: A detailed description of the project, the objectives of the Proposed Project, the Project Area and location, approvals anticipated to be included as part of the project, the necessary environmental clearances for the project, and the intended uses of this EIR.

Section 4. Environmental Setting: A description of the physical environmental conditions in the vicinity of the Proposed Project as they existed at the time the Notice of Preparation was published, from both a local and regional perspective. The environmental setting provides baseline physical conditions from which the lead agency determines the significance of environmental impacts resulting from the proposed project.

Section 5. Environmental Analysis: Provides, for each environmental parameter analyzed, a description of the thresholds used to determine if a significant impact would occur; the methodology to identify and evaluate the potential impacts of the Proposed Project; the existing environmental setting; the potential adverse and beneficial effects of the Proposed Project; the level of impact significance before mitigation; the mitigation measures for the Proposed Project; the level of significance of the adverse impacts of the Proposed Project after mitigation is incorporated and the potential cumulative impacts associated with the Proposed Project and other existing, approved, and proposed development in the area.

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Section 6. Significant Unavoidable Adverse Impacts: Describes the significant unavoidable adverse impacts of the Proposed Project.

Section 7. Alternatives to the Proposed Project: Describes the impacts of the alternatives to the Proposed Project, including the No Project Alternative, and a Reduced Intensity Alternative.

Section 8. Impacts Found Not to Be Significant: Briefly describes the potential impacts of the Proposed Project that were determined not to be significant by the Notice of Preparation and were therefore not discussed in detail in this EIR.

Section 9. Significant Irreversible Changes Due to the Proposed Project: Describes the significant irreversible environmental changes associated with the project.

Section 10. Growth-Inducing Impacts of the Proposed Project: Describes the ways in which the proposed project would cause increases in employment or population that could result in new physical or environmental impacts.

Section 11. Organizations and Persons Consulted: Lists the people and organizations that were contacted during the preparation of this EIR for the Proposed Project.

Section 12. Qualifications of Persons Preparing EIR: Lists the people who prepared this EIR for the Proposed Project.

Section 13. Bibliography: A bibliography of the technical reports and other documentation used in the preparation of this EIR for the Proposed Project.

Appendices. The appendices for this document contain the following supporting documents:

Appendix A:	2011 Notice of Preparation & Comments
Appendix B:	2013 Notice of Preparation & Comments
Appendix C:	Land Use and Zoning
Appendix D:	Buildout Methodology
Appendix E:	Ordinance Amendments
Appendix F:	Community Climate Action Plan
Appendix G:	Air Quality/GHG Modeling
Appendix H:	Biological Information
Appendix I:	Cultural Resources Study
Appendix J:	List of 303(d) Impaired Water Bodies
Appendix K:	Noise Data
Appendix L:	Traffic Study
Appendix M:	Public Services Correspondence

1.2.2 Type and Purpose of This DEIR

This DEIR has been prepared to satisfy the requirements for a Program EIR. Although the legally required contents of a Program EIR are the same as those of a Project EIR, Program EIRs are typically more

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conceptual and may contain a more general or qualitative discussion of impacts, alternatives, and mitigation measures than a Project EIR. As provided in Section 15168 of the State CEQA Guidelines, a Program EIR may be prepared on a series of actions that may be characterized as one large project. Use of a Program EIR provides the County (as lead agency) with the opportunity to consider broad policy alternatives and program-wide mitigation measures and provides the County with greater flexibility to address project-specific and cumulative environmental impacts on a comprehensive basis.

Agencies generally prepare Program EIRs for programs or a series of related actions that are linked geographically, are logical parts of a chain of contemplated events, rules, regulations, or plans that govern the conduct of a continuing program, or are individual activities carried out under the same authority and having generally similar environmental effects that can be mitigated in similar ways.

Once a Program EIR has been prepared, subsequent activities within the program must be evaluated to determine whether an additional CEQA document needs to be prepared. However, if the Program EIR addresses the program's effects as specifically and comprehensively as possible, many subsequent activities could be found to be within the Program EIR scope and additional environmental documents may not be required (CEQA Guidelines Section 15168[c]). When a Program EIR is relied on for a subsequent activity, the lead agency must incorporate feasible mitigation measures and alternatives developed in the Program EIR into the subsequent activities (CEQA Guidelines Section 15168[c][3]). If a subsequent activity would have effects that were not examined in the Program EIR, the lead agency must prepare a new Initial Study leading to a Negative Declaration, Mitigated Negative Declaration, or an EIR. In this case, the Program EIR still serves a valuable purpose as the first-tier environmental analysis. The CEQA Guidelines (Section 15168[b]) encourage the use of Program EIRs, citing five advantages:

- Provide a more exhaustive consideration of impacts and alternatives than would be practical in an individual EIR;
- Focus on cumulative impacts that might be slighted in a case-by-case analysis;
- Avoid continual reconsideration of recurring policy issues;
- Consider broad policy alternatives and programmatic mitigation measures at an early stage when the agency has greater flexibility to deal with them; and,
- Reduce paperwork by encouraging the reuse of data (through tiering).

1.3 PROJECT LOCATION

Encompassing approximately 4,083 square miles, Los Angeles County is geographically one of the largest counties in the country. It stretches along 75 miles of the Pacific Coast of Southern California and is bordered by Orange County to the southeast, San Bernardino County to the east, Kern County to the north, and Ventura County to the west. It also includes two offshore islands, Santa Catalina Island and San Clemente Island. The regional location of Los Angeles County is shown in Figure 3-1, *Regional Vicinity*.

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The area for the Proposed Project (“Project Area”) includes only the unincorporated areas of Los Angeles County (unincorporated areas), approximately 65 percent of the total land area in Los Angeles County. The unincorporated areas in the northern portion of Los Angeles County are covered by large amounts of sparsely populated land and include the Angeles National Forest, part of the Los Padres National Forest, and the Mojave Desert. The unincorporated areas in the southern portion of Los Angeles County consist of noncontiguous land areas, which are often referred to as Los Angeles County’s “unincorporated urban islands.” These unincorporated areas are shown in Figure 3-2, *Unincorporated Areas of Los Angeles County*.

1.4 PROJECT SUMMARY

The proposed project includes the following components:

- Comprehensive General Plan Update for the unincorporated areas of Los Angeles County.
- Amendment to Title 22 of the County Code to adopt a Significant Ecological Areas (SEA) Ordinance.
- Amendment to Title 22 of the County Code to adopt a Hillside Management Area (HMA) Ordinance.
- Zone changes for consistency with the General Plan Update.
- Amendments to Title 22 of the County Code related to the industrial zones.
- Amendments to Title 22 of the County Code related to the MXD zone (including rescinding the Transit Oriented Districts Ordinance)
- Amendments to Title 22 of the County Code to add the R-5, C-MJ, C-RU, MXD-RU and ()-IP zones.
- Zone nomenclature modification of Zone R-3, R-4 and, C-3.
- Adoption of a Community Climate Action Plan (CCAP).

Each of these components is discussed below.

1.4.1 Proposed General Plan

The Proposed Project is a comprehensive update to the Existing General Plan. The Proposed General Plan Update is intended to guide growth and development within the unincorporated areas.

The Proposed Project includes revisions to elements that are required by the State of California and to optional elements. The Project includes the reorganization of the existing General Plan. Table 1-1, *Comparison between Proposed General Plan Update and Existing General Plan*, lists the nine proposed elements that will replace the adopted elements. The update to the Housing Element, which is a component of the General Plan, was adopted by the Board of Supervisors on February 4, 2014, for the 2014–2021 planning period. The Housing Element is incorporated by reference, but is not analyzed in this DEIR.

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Table 1-1 Comparison between Proposed General Plan Update and Existing General Plan

Proposed Elements	Existing Elements
Land Use	Land Use
Mobility	Transportation
Air Quality	Conservation and Open Space
Conservation and Natural Resources	Conservation and Open Space
	Scenic Highway
Park and Recreation	Regional Recreation Areas Plan
Noise	Noise
Safety	Safety
Public Services and Facilities	Water and Waste Management
Economic Development	Economic Development

Policy Highlights of the Proposed General Plan

The following describe the major land use policies in the Proposed General Plan, which are supported by goals, policies, programs, and strategic changes to the land use policy maps:

Transit Oriented Districts (TODs)

TODs are areas within a half-mile radius from a major transit station, where the General Plan Update encourages safe and active transportation, infill development, high-density mixed use development along commercial corridors, and pedestrian-friendly and community-serving uses. The goal of the TODs is to encourage walking, bicycling, and transit use. TODs are located along the Metro Gold Line, Gold Line Extension, Blue Line, Green Line, and near the Silver Line. The General Plan Update will expand the existing TODs from approximately a quarter-mile radius to a half-mile radius from the transit stations. All TODs are envisioned in the future to have a TOD specific plan with standards, regulations, and capital improvement plans that are tailored to the unique characteristics and needs of each community.

Special Management Areas

Los Angeles County's Special Management Areas require additional development regulations that are necessary to prevent the loss of life and property, and to protect the natural environment and important resources. Special Management Areas include but are not limited to Agricultural Resource Areas, Airport Influence Areas, Seismic Hazard Zones, Flood Hazard Zones, Significant Ecological Areas, Hillside Management Areas, and Very High Fire Hazard Severity Zones. The Proposed Project minimizes risks to hazards and limits development in Special Management Areas through goals, policies, and programs. The Proposed Project also includes the Hazard, Environmental, and Resource Constraints Model, which is a visual representation of the Special Management Areas and serves 1) as a tool to inform land use policies for future community-based planning initiatives; 2) to inform applicants and planners of potential site constraints and regulations; and 3) to direct land use policies and the development of planning regulations and procedures to address hazard, environmental, and resource constraints.

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Agricultural Resource Areas (ARAs) are areas where the Proposed Project promotes the preservation of agricultural land. These areas are protected by policies to prevent the conversion of farmland to incompatible uses.

Significant Ecological Areas (SEAs) include undisturbed or lightly disturbed habitat supporting valuable and threatened species, linkages and corridors to promote species movement, and are sized to support sustainable populations of its component species. The objective of the SEA Program is to preserve the genetic and physical diversity of the County by designing biological resource areas capable of sustaining themselves into the future. However SEAs are not wilderness preserves. Much of the land in SEAs is privately held, used for public recreation or abutting developed areas. Thus the SEA Program is intended to ensure that privately held lands within the SEAs retain the right of reasonable use, while avoiding activities and development projects that are incompatible with the long term survival of the SEAs.

Hillside Management Areas (HMAs) are areas with a natural slope gradient of 25 percent or steeper. The HMA Ordinance ensures that development preserves the physical integrity and scenic value of HMAs, provides open space, and enhances community character by avoiding development in HMAs to the extent feasible; locating development in the portions of HMAs with the fewest constraints; and using sensitive design techniques.

Employment Protections Districts

The Proposed General Plan Update identifies Employment Protection Districts (EPDs), which are economically viable industrial land and employment-rich lands, with policies to prevent the conversion of industrial land to nonindustrial uses.

Zoning Consistency

In order to maintain consistency between the updated General Plan Land Use Policy Map and the Zoning Map, rezoning is necessary where the proposed land use designation would no longer be consistent with zoning. In addition, the zoning consistency program also includes amendments to the Zoning Code. The General Plan Land Use Policy Map establishes the long-range vision for general intended uses. Title 22 (Planning and Zoning) of the Los Angeles County Code (Zoning Code herein) and Zoning Map implement that vision by providing details on specific allowable uses.

Proposed Zoning Map Amendments

Approximately 3,500 parcels are proposed to be rezoned. For the General Plan Update, the staff used two approaches to rezoning: 1) implementation of major policies in the Plan, and 2) “clean-up” of the Zoning Map. The Master Parcel List and map are provided in Appendix D. The Proposed Zoning Maps are provided as Appendix C3, *Proposed Zoning Maps*.

Rezoning to Implement Major Policies

The first approach to rezoning involves changes that need to be made on the Zoning Map in order to implement some of the major policies in the Plan. One major policy is to encourage high density housing and commercial-residential mixed uses along major commercial corridors within the proposed Transit Oriented

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Districts (TODs). The Mixed Use (MXD) zone is proposed to be mapped onto parcels along some of these major corridors that are designated Mixed Use (MU) on the Land Use Policy Map.

Also, to implement the industrial preservation policy in the Plan, the new Industrial Preservation ()-IP combining zone is proposed to be added onto economically viable and employment-rich industrial lands within the proposed Employment Protection Districts (EPDs).

Rezoning for “Cleanup” Purposes

The second approach to rezoning, which represents a majority of the proposed zone changes, is Zoning Map “clean-up.” Parcels rezoned for “clean-up” are those where the general intended uses identified on the Land Use Policy Map are inconsistent with most uses allowed by zoning. In addition, the Zoning Map “clean-up” process eliminates spot zoning, reduces conflicts between adjacent uses, reflects land use trends, and eliminates unnecessary split-zoning.

Proposed Amendments to the Zoning Code

As discussed above, the Proposed General Plan Update introduces major new goals and policies that aim to:

- Encourage mixed use opportunities, and infill and transit-oriented development,
- Preserve employment-rich land; and
- Preserve rural character by limiting incompatible commercial activities in rural communities

In order to implement these goals and policies, and to align Title 22 to be consistent with the Plan, new residential, commercial and industrial zones and revisions to the existing mixed-use and industrial zones are proposed. Furthermore, an industrial zone, an existing rural mixed use zone and the TOD Ordinance are proposed for elimination.

The following summary describes the purpose of each amendment:

R-5 High Density Residence Zone: Zone R-5 provides detailed uses, development standards and procedures for high-density residential development. Housing types allowed in the zone include multifamily developments at densities that are permitted under General Plan Land Use Categories H100 and H150, which respectively allow up to 100 and 150 units per net acre. There are limited exceptions for the allowance of single-family and two-family residences in this zone. This zone includes language to refer certain projects to the Department of Public Works for initial application review to ensure that utility infrastructure, circulation and sightline controls are sufficiently addressed.

MXD Mixed Use Zone: Zone MXD is an existing Special Purpose zone in Title 22 that was significantly revamped. This zone will provide greater flexibility in permitting limited commercial and residential uses by-right to encourage mixed use projects. Zone MXD provides detailed uses, development standards, and procedures for mixed-use developments with residential and commercial uses, within multi-use buildings or single-purpose buildings containing a different use. This zone includes language to refer certain projects to the Department of Public Works for initial application review to ensure that utility infrastructure, circulation and sightline controls are sufficiently addressed.

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C-MJ Major Commercial Zone: Zone C-MJ provides detailed uses, development standards, and procedures that accommodate regional-scale commercial and recreation uses, hotels, and high-density, multi-family residential and residential-commercial mixed uses. This zone also includes language to refer certain projects to the Department of Public Works for initial application review to ensure that utility infrastructure, circulation and sightline controls are sufficiently addressed.

C-RU Rural Commercial Zone: Zone C-RU provides detailed uses, development standards, and procedures for low-intensity commercial uses that are compatible with rural, agricultural, and low-density residential uses. The intent of the zone is to serve the diverse economic needs of rural communities, while preserving their unique characters and identities.

MXD-RU Mixed Use Rural Zone: Zone MXD-RU provides detailed uses, development standards, and procedures for a limited mix of commercial uses and very low-density multifamily residential uses on the same lot within rural town centers.

()-IP Industrial Combining Zone: Zone ()-IP provides a list of non-industrial uses that are not permitted on industrially zoned properties within EPDs, which will preserve and promote current and future industrial uses, labor-intensive activities, wholesale sales of goods manufactured on-site, major centers of employment, and limited employee-serving commercial uses.

Modifications to the Industrial Zones

- Addition of new purpose statements for Zones M-1, M-1.5, M-2 and M-2.5 and the recoding of abbreviations for Zones M-1½ and M-2½ to M-1.5 and M-2.5, respectively.
- Reformatting of permitted use language in Zones M-1.5 and M-2 into use lists.
- Consolidation of uses related to the manufacturing of specific products into categories of product types.
- Addition or modification of uses to be consistent across all Industrial Zones. For example, airports are currently not listed in Zone M-1.5. Since it is a CUP use in Zones M-1 and M-2, it could otherwise mistakenly be interpreted to mean that it is a use prohibited in Zone M-1.5.
- Clarification of certain uses across all Industrial Zones. For example, clarification is made to specify the types of schools permitted or prohibited in the Industrial Zones.
- Establishment of a maximum FAR for each of the Industrial Zones (except MPD, B-1 and B-2) within the development standards sections.
- The relocation of the list of all prohibited uses for each Industrial Zone into a standalone section in Part 1 of Chapter 22.32, so that only one prohibited use list governs all Industrial Zones.

Elimination of Zones and Districts

- Elimination of Zone M-4, as the zone is no longer mapped.

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- Elimination of Zone A-C (Arts and Crafts). This zone is not mapped and has not been for the past three decades. The main issue with this zone is that it requires a CUP for all artisan occupations within residences in certain areas. Other Title 22 regulations provide more flexibility in governing the use of a limited range of commercial or artisan activities within or close to residences.
- Elimination of the Blue Line and Green Line Transit Oriented District Ordinance. Zone MXD will be mapped in place on certain parcels around a few TODs, and all other zones within all TODs covered by that ordinance will revert back to the general development standards of the base zones. As a replacement, future tools, such as TOD Specific Plans, will be developed for each TOD.

Modification to Residential and Commercial Zones

- Zone nomenclature modification of Zone R-3, R-4 and, C-3.

Proposed Ordinances

The proposed amendments to the Zoning Code include updating the following ordinances, which are provided in Appendix E.

Hillside Management Area (HMA) Ordinance Update: The purpose of this ordinance is to ensure that development preserves the physical integrity and scenic value of HMAs, provides open space, and enhances community character by avoiding development in HMAs to the extent feasible; locating development in the portions of HMAs with the fewest constraints; and using sensitive design techniques.

Significant Ecological Areas (SEA) Ordinance Update: The purpose of the SEA Ordinance is to provide a process that allows balanced development within the SEAs and reconciles potential conflicts between conservation and development within the SEAs. This process would ensure that environmentally sensitive development standards and designs are applied to proposed developments within the SEAs and that the biological resources within development sites, as well as potential impacts to such resources from proposed developments, are assessed and disclosed. In addition, the purpose of the Ordinance is to ensure that development conserves Los Angeles County's biological diversity, as well as the habitat quality and the connectivity of the SEA to be developed, so that the species populations and habitats can be sustained into the future.

Community Climate Action Plan

Climate action plans include an inventory of greenhouse gas (GHG) emissions and measures for reducing future emissions to achieve a specific reduction target. The County has prepared a Community Climate Action Plan (CCAP) to mitigate and avoid GHG emissions associated with community activities in the unincorporated areas. The CCAP address emissions from building energy, land use and transportation, water consumption, and waste generation. The measures and actions outlined in the CCAP tie together the County's existing climate change initiatives and provide a blueprint for a more sustainable future. The CCAP is a sub-element of the Air Quality Element.

The CCAP identifies emissions related to community activities and established GHG reduction target consistent with AB 32 and provides a roadmap for successfully implementing GHG reduction measures

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selected by the County. Importantly, the CCAP recognize the County's leadership and role in contributing to statewide GHG emissions reductions. Actions undertaken as part of the CCAP would result in important community co-benefits, including improved air quality, energy savings, and increased mobility, as well as enhance the resiliency of the community in the face of changing climatic conditions.

The CCAP is composed of state and local actions to reduce GHG emissions within the unincorporated areas. The state actions considered in the CCAP include: the Renewable Portfolio Standard, Title 24 Standards for Commercial and Residential Buildings (Energy Efficiency and CALGreen), Pavley/Advanced Clean Cars (Vehicle Efficiency), and the Low Carbon Fuel Standard. These state actions generally do not require action from the County, but will result in local GHG reductions in the unincorporated areas.

There are 26 local actions included in the CCAP. The local actions are grouped into five strategy areas: green building and energy; land use and transportation; water conservation and wastewater; waste reduction, reuse, and recycling; and land conservation and tree planting. Many of the local actions are cost effective, particularly in the green building and energy strategy area, with several energy efficiency investments that can recoup initial costs in one to five years. In addition to reducing GHG emissions, all local actions have many co-benefits, such as improved public health.

Physical Development under the Proposed General Plan Update

Pursuant to CEQA Guidelines Section 15064(d), this DEIR determines whether there are direct physical changes and reasonably foreseeable indirect physical changes in the environment that would be caused by the Proposed Project. Specifically, this DEIR focuses on impacts from changes to land use associated with buildout of the proposed land use maps (Appendix C1) and impacts from the resultant population and employment growth in the unincorporated areas. The ultimate development of unincorporated areas is not tied to a specific timeline.

The Proposed Project follows the land uses and development intensities already allowed in the Existing General Plan for adopted Community Based Plans. There are limited changes in land use and development intensity for unincorporated urban islands outside of community-based plans. See Figure 3-6, *Areas with Proposed Land Use Changes*.

Buildout projections for the Proposed Project, broken down by Planning Area, are shown in Table 3-6, *Proposed General Plan Buildout Projections*. The Proposed Project's buildout would allow for up to: 659,409 residential dwelling units; 92 million square feet (2,129 acres) of commercial use; 102 million square feet (5,210 acres) of industrial use; 503 million square feet (80,896 acres) of public/semi-public; and 714,704 acres of public/open space. These buildout projections are used throughout this DEIR to estimate the magnitude of development that would likely occur within each Planning Area upon buildout of the Proposed Project. The total acreage for each land use designation is used to estimate the number of dwelling units, residents, square feet of nonresidential uses, and employees that would be generated by proposed land uses. These projections are used extensively in the analysis of potential project impacts such as increases in noise or air quality.

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It is impossible to perfectly predict the exact development that would occur under the Proposed Project, but a comparison of population, household, and employment projections between the existing land uses and the proposed land uses allowed by the Proposed General Plan allows for an analysis of the relative impacts.

Buildout projections for each Planning Area are shown in Table 1-2. As shown, buildout of the Proposed Project would result in 358,930 additional residential dwelling units compared to existing land uses. Buildout of the Proposed Project would result in an 86 percent increase in commercial uses and a 40 percent increase in industrial uses. The majority of new development is expected to occur in the Antelope Valley Planning Area, which will accommodate about 70.6 percent of new residential units and 76 percent of the population growth. Many of the remaining Planning Areas—such as East San Gabriel Valley, Santa Monica Mountains, South Bay, San Fernando Valley, and Gateway Planning Areas—are already built out, so significant growth is not expected.

Table 1-2 Proposed Project Buildout Projections (by Planning Area)

Land Use Designation	Acres ³	Units	Population ⁵	Bldg. Sq. Footage (in thousands)	Jobs ⁵
Antelope Valley Planning Area ²	1,132,744	278,158	1,070,571	46,870	51,219
Antelope Valley Area Plan^{7,8}	1,132,744	278,158	1,070,571	46,870	51,219
Commercial	902	0	0	19,652	38,329
Industrial	579	0	0	12,606	9,652
Infrastructure	2,649	0	0	0	100
Open Space	583,967	0	0	0	524
Public/Semi-Public	17,029	0	0	14,613	767
Residential	5,541	16,385	62,746	0	485
Rural	522,077	261,773	1,007,826	0	1,361
Coastal Islands Planning Area ²	82,752	21	0	0	570
Santa Catalina Island Local Coastal Land Use Plan	46,137	21	0	0	570
Commercial	26	0	0	0	7
Industrial	690	0	0	0	6
Other	87	0	0	0	0
Public & Open Space	45,197	0	0	0	557
Residential	136	21	0	0	0
Outside Community-Based Plan	36,615	0	0	0	0
East San Gabriel Valley Planning Area ²	28,777	70,097	255,952	150,558	53,231
Hacienda Heights Community Plan	6,360	17,433	65,833	9,864	13,310
Commercial	131	0	0	5,708	11,194
Industrial	28	0	0	609	466
Residential	3,641	17,288	65,274	0	1,315
Rural	862	145	559	0	35
Outside Community-Based Plan	14,996	38,550	139,220	128,560	19,261
Commercial	134	0	0	2,929	5,897

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Table 1-2 Proposed Project Buildout Projections (by Planning Area)

Land Use Designation	Acres ³	Units	Population ⁵	Bldg. Sq. Footage (in thousands)	Jobs ⁵
Industrial	378	0	0	8,241	6,310
Open Space	4,984	0	0	0	646
Public/Semi-Public	1,785	0	0	117,391	5,708
Residential	6,265	38,263	138,118	0	600
Rural	1,450	286	1,102	0	100
Rowland Heights Community Plan⁸	7,422	14,115	50,900	12,134	20,661
Commercial	192	0	0	8,378	15,764
Industrial	144	0	0	3,756	3,027
Other	793	723	2,783	0	0
Public & Open Space	1,566	0	0	0	194
Residential	4,727	13,392	48,117	0	1,676
Gateway Planning Area²	9,581	34,446	120,358	202,768	36,820
Outside Community-Based Plan	9,581	34,446	120,358	202,768	36,820
Commercial	142	0	0	3,100	6,067
Industrial	1,481	0	0	32,251	24,694
Open Space	1,411	0	0	0	225
Public/Semi-Public	2,562	0	0	167,417	4,584
Residential	3,985	34,446	120,358	0	1,250
Metro Planning Area²	10,160	92,158	301,073	118,711	100,906
East Los Angeles Community Plan	3,381	41,608	128,487	44,199	42,459
Commercial	338	0	0	21,255	26,156
Industrial	158	0	0	6,873	5,234
Mixed Use & Specific Plan	65	1,563	4,361	3,404	6,848
Other	21	0	0	0	0
Public & Open Space	582	0	0	12,667	2,753
Residential	2,218	40,045	124,127	0	1,469
Outside Community-Based Plan	4,921	35,028	118,329	61,135	42,509
Commercial	318	0	0	6,919	13,884
Industrial	1,186	0	0	25,832	19,779
Mixed Use & Specific Plan	45	2,695	7,521	1,468	2,873
Open Space	251	0	0	0	374
Public/Semi-Public	412	0	0	26,917	4,602
Residential	2,710	32,332	110,808	0	997
Walnut Park Neighborhood Plan	369	4,338	13,717	2,558	5,044
Commercial	41	0	0	2,135	4,358
Industrial	8	0	0	180	112
Other	4	26	100	0	0
Residential	305	4,312	13,617	0	100

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Table 1-2 Proposed Project Buildout Projections (by Planning Area)

Land Use Designation	Acres ³	Units	Population ⁵	Bldg. Sq. Footage (in thousands)	Jobs ⁵
West Athens – Westmont Community Plan	1,489	11,185	40,539	10,820	10,894
Commercial	155	0	0	6,047	8,456
Public & Open Space	278	0	0	4,773	1,813
Residential	1,057	11,185	40,539	0	625
San Fernando Valley Planning Area^{2,4}	27,230	13,464	47,060	55,514	24,741
Outside Community-Based Plan	27,184	13,419	46,886	55,514	24,741
Commercial	57	0	0	1,246	2,522
Industrial	148	0	0	3,225	2,469
Mixed Use & Specific Plan	301	0	0	0	18,700
Open Space	9,759	0	0	0	82
Public/Semi-Public	781	0	0	51,043	749
Residential	1,334	11,630	39,996	0	218
Rural	14,805	1,790	6,890	0	1
Twin Lakes Community Plan	45	45	174	0	0
Rural	45	45	174	0	0
Santa Clarita Valley Planning Area²	270,889	77,155	237,638	0	105,881
Santa Clarita Valley Area Plan⁶	270,889	77,155	237,638	0	105,881
Residential		77,155	237,638		
Non-Residential					81,265-107,123
Santa Monica Mountains Planning Area²	71,303	6,788	26,128	29,667	28,707
Malibu Local Coastal Land Use Plan⁸	51,141	4,347	16,729	15,239	22,138
Commercial	729	0	0	6,352	11,929
Mixed Use & Specific Plan	39	0	0	336	672
Public & Open Space	16,423	0	0	8,551	7,776
Residential	1,005	1,049	4,032	0	0
Rural	32,946	3,298	12,697	0	1,761
Santa Monica Mountains North Area Plan⁸	20,162	2,441	9,399	14,428	6,569
Commercial	166	0	0	3,215	5,959
Infrastructure	0	0	0	0	0
Public & Open Space	6,651	0	0	11,214	73
Residential	425	840	3,235	0	0
Rural	12,920	1,601	6,164	0	537
South Bay Planning Area²	3,304	25,929	86,392	33,945	24,530
Proposed General Plan	3,304	25,929	86,392	33,945	24,530
Commercial	154	0	0	3,362	6,703

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Table 1-2 Proposed Project Buildout Projections (by Planning Area)

Land Use Designation	Acres ³	Units	Population ⁵	Bldg. Sq. Footage (in thousands)	Jobs ⁵
Industrial	311	0	0	6,781	5,192
Mixed Use & Specific Plan	72	4,312	12,029	2,347	4,594
Open Space	344	0	0	0	100
Public/Semi-Public	328	0	0	21,455	7,493
Residential	2,095	21,617	74,364	0	447
West San Gabriel Valley Planning Area²	12,237	43,877	156,658	29,641	26,539
Altadena Community Plan⁴	5,604	16,240	61,359	9,996	18,463
Commercial	64	0	0	2,784	9,376
Industrial	38	0	0	1,004	3,075
Infrastructure	815	0	0	0	0
Mixed Use & Specific Plan	255	904	2,800	2,226	4,561
Public & Open Space	915	0	0	3,981	1,066
Residential	3,516	15,335	58,558	0	386
Proposed General Plan	6,633	27,638	95,300	19,645	8,076
Commercial	67	0	0	1,469	2,875
Industrial	55	0	0	1,202	920
Mixed Use & Specific Plan	42	2,495	6,960	1,358	2,658
Open Space	2,675	0	0	0	332
Public/Semi-Public	239	0	0	15,616	430
Residential	3,485	25,138	88,323	0	861
Rural	69	4	17	0	0
Westside Planning Area²	4,079	17,316	55,033	56,661	14,592
Marina del Rey Local Coastal Land Use Plan	694	7,684	21,439	1,861	4,493
Commercial	86	0	0	1,413	4,111
Industrial	5	0	0	112	250
Other	401	0	0	82	82
Public & Open Space	42	0	0	0	0
Residential	159	7,684	21,439	254	50
Proposed General Plan	3,386	9,632	33,594	54,800	10,099
Commercial	89	0	0	1,958	3,924
Open Space	1,336	0	0	0	175
Public/Semi-Public	809	0	0	52,842	5,700
Residential	1,153	9,632	33,594	0	300
GRAND TOTAL	1,653,056	659,409	2,356,864	724,336	467,738

Notes:

- Historically, jurisdiction-wide buildout levels do not achieve the maximum allowable density/intensity on every parcel and are, on average, lower than allowed by the General Plan. Accordingly, the buildout projections in this General Plan do not assume buildout at the maximum density or intensity and instead are adjusted downward to account for variations in buildout intensity.
- The Proposed General Plan has broken the county into 11 Planning Areas. These boundaries will go into effect with the adoption of the General Plan.
- Acres are given as adjusted gross acreages, which do not include the right-of-way for roadways, flood control facilities, or railroads.
- The Twin Lakes Community Plan is included in the San Fernando Valley Planning Area, but it does not include a separate land use legend.

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Table 1-2 Proposed Project Buildout Projections (by Planning Area)

Land Use Designation	Acres ³	Units	Population ⁵	Bldg. Sq. Footage (in thousands)	Jobs ⁵
5. Projections of population by residential designation are based on a persons-per-household factor that varies by housing type. Additionally, the projections of jobs by designation are based on an employment generation factor that varies by employment category or actual number of jobs. See Appendix D. 6. The figures for the unincorporated Santa Clarita Valley reference the figures in the 2010 Environmental Impact Report for the Santa Clarita Valley Area Plan Update (One Valley One Vision). The methodology used to derive the figures for the unincorporated Santa Clarita Valley differs from the methodology used to generate the figures for other unincorporated areas and, therefore, they cannot be broken down by Land Use Category. 7. The Antelope Valley Area Plan represents the adopted plan, with the exception of the portion that overlaps with the Proposed General Plan community of 'Kagel/Lopez Canyons. Therefore, the total acreage of the Antelope Valley represented here is less than the actual area of the adopted plan boundary. 8. For these communities, an overlay density reduction was done for Hillside Management Areas (HMA). If however, the underlying land use density is <u>lower</u> than this HMA density, then the land use plan density should be applied. The HMA densities are as follows: 25–50% slope (max 1 du/ 2 acres) = 0.5; Greater than 50% slope (max 1 du/20 acres) = 0.05.					

1.5 SUMMARY OF PROJECT ALTERNATIVES

As described in Section 7 of this DEIR, three alternatives were considered but rejected during the project scoping/planning process:

- Project Planning Alternatives
- Existing SEA Boundaries Alternative
- No Growth/No Development Alternative

In addition, three project alternatives were identified and analyzed in detail for relative impacts as compared to the Proposed Project:

- No-Project/Existing General Plan Alternative
- Reduced Intensity Alternative
- Antelope Valley Reduced Intensity Alternative

The following presents a summary of each of the alternatives analyzed in the EIR. These alternatives were developed to avoid or substantially lessen the significant impacts of the Proposed Project. Please refer to Section 7 of this EIR for a complete discussion of how the alternatives were selected and the relative impacts associated with each alternative.

1.5.1 No-Project/Existing General Plan Alternative

This alternative, which is required by CEQA, assumes that the Existing General Plan and implementing zoning would remain unchanged. The Existing General Plan originally adopted on November 25, 1980 would remain in effect, and no update to the Existing General Plan goals and policies would occur. This alternative would also maintain the existing SEA boundaries. Other key components of the Proposed Project, including the establishment of Transit Oriented Districts (TODs) in the General Plan, amendment to the MXD Mixed Use Zone, and adoption of the Community Climate Action Plan also would not occur under this alternative. Under the No Project/Existing General Plan Alternative, a total of 602,024 dwelling units (additional 301,546

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units from existing), a total population of 2,199,477 (additional 1,133,063 persons from existing), and total of 444,393 employees (additional 191,734 employees from existing) would occur at buildout.

1.5.2 Reduced Intensity Alternative

This alternative would reduce the overall additional development intensity by 30 percent within each Planning Area as compared to the Proposed Project. Under the Reduced Intensity Alternative, a comprehensive update to the Existing General Plan goals and policies would occur, similar to the Proposed Project. Updates to the existing SEA boundaries based on the latest biological information and GIS mapping data would also occur. Other key components of the Proposed Project, such as the establishment of TODs in the General Plan, amendment to the MXD Mixed Use Zone, and adoption of the Community Climate Action Plan would occur under this alternative. Under the Reduced Intensity Alternative, a total of 558,380 dwelling units (additional 257,902 units from existing), a total population of 1,988,285 (additional 921,871 persons from existing), and a total of 410,300 employees (additional 157,641 employees from existing) would occur at buildout.

1.5.3 Antelope Valley Reduced Intensity Alternative

This alternative would reduce the allowable development intensity within the Antelope Valley Planning Area. No other changes in any other Planning Area would occur. The alternative reduces allowable dwelling units, population, and employment growth within the Antelope Valley Planning Area to 81,441 dwelling units, 311,920 residents, and 102,513 employees. Under the Proposed Project, a total of 278,158 dwelling units, 1,070,571 residents, and 51,219 employees would be allowed in the Antelope Valley Planning Area at buildout. Under the Antelope Valley Reduced Intensity Alternative, a comprehensive update to the Existing General Plan goals and policies would occur, similar to the Proposed Project. Updates to the existing SEA boundaries based on the latest biological information and GIS mapping data would also occur. Other key components of the Proposed Project, such as the establishment of TODs in the General Plan, amendment to the MXD Mixed Use Zone, and adoption of the Community Climate Action Plan would occur under this alternative. Under the Antelope Valley Reduced Intensity Alternative, a total of 490,083 dwelling units (additional 189,605 units from existing), a total population of 1,655,675 (additional 589,261 persons from existing), and a total of 536,409 employees (additional 283,750 employees from existing) would occur in the Project Area at buildout.

1.6 ISSUES TO BE RESOLVED

Section 15123(b)(3) of the CEQA Guidelines requires that an EIR contain issues to be resolved including the choice among alternatives and whether or how to mitigate significant impacts. With regard to the proposed project, the major issues to be resolved include decisions by the lead agency as to the following:

1. Whether this DEIR adequately describes the environmental impacts of the project.
2. Whether the benefits of the project override those environmental impacts which cannot be feasibly avoided or mitigated to a level of insignificance.
3. Whether the proposed land use changes are compatible with the character of the existing area.

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4. Whether the identified goals, policies, or mitigation measures should be adopted or modified.
5. Whether there are other mitigation measures that should be applied to the project besides the Mitigation Measures identified in the DEIR.
6. Whether there are any alternatives to the project that would substantially lessen any of the significant impacts of the proposed project and achieve most of the basic project objectives.

1.7 AREAS OF CONTROVERSY

The County determined that an EIR would be required for this project and issued a Notice of Preparation (NOP) on August 1, 2011, to the State Clearinghouse, responsible agencies, and interested parties. The 30-day public review period ran from August 1, 2011 through August 31, 2011. The NOP and NOP comments are included as Appendix A.

The project description in the August 1, 2011 NOP included an update to the General Plan (excluding the Housing Element) and an update to the adopted Antelope Valley Area Plan. A second NOP was issued on June 26, 2013 to July 26, 2013 to advise interested parties and responsible agencies that the project description had been revised to eliminate the Antelope Valley Area Plan Update. An EIR for the Antelope Valley Area Plan Update will be processed separately. The second NOP and associated comments are included as Appendix B.

Prior to the preparation of the DEIR, pursuant to the California Public Resources Code Section 21803.9, the County conducted three public scoping meetings on August 18, 2011, August 23, 2011, and July 11, 2013. The purpose of these meetings was to provide a public forum for information dissemination and dialogue regarding the components of the Proposed Project, the overall process, and the DEIR. The scoping meetings were attended by various agency representatives, stakeholders, and government officials. Issues raised at the scoping meetings included proposed land use changes in the Antelope Valley Area Plan, jobs-housing balance, the proposed Community Climate Action Plan, and the Mobility Element. These and other issues are addressed in Chapter 5 of this DEIR. Table 1-3 summarizes issues identified by respondents to the NOP and attendees of the scoping meeting. The table also provides references to the sections of the DEIR in which these issues are addressed.

Table 1-3 Summary of NOP and Scoping Meeting Comments

Commenting Agency/Person	Comment Type	Comment Summary	Issue Addressed In:
2011 NOP (August 1, 2011 through August 31, 2011)			
Agencies			
California Department of Fish and Wildlife		<ul style="list-style-type: none"> • Requests that the following be included in the EIR: 1) recent and complete assessment of flora and fauna in area, 2) a discussion of direct, indirect, and cumulative impacts, 3) alternatives analysis. • Requests that all wetland and watercourses be retained 	Section 5.4, <i>Biological Resources</i> and Section 7, <i>Alternatives to the Proposed Project</i> .

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Table 1-3 Summary of NOP and Scoping Meeting Comments

Commenting Agency/Person	Comment Type	Comment Summary	Issue Addressed In:
California Department of Fish and Wildlife	Agricultural Resources	<ul style="list-style-type: none"> Concerned with the practice of agricultural clearing within the Antelope Valley and the lack of County oversight. 	Section 5.2, <i>Agricultural Resources</i> .
California Department of Conservation- Division of Oil, Gas & Geothermal Resources	Natural Resources	<ul style="list-style-type: none"> Recommends that all future drill sites, oil production facilities and existing wells within or in close proximity to project boundaries be accurately plotted on future project maps. Request that written approval required for any changes to wells. 	Section 5.11, <i>Mineral Resources</i> .
California Water Quality Control Board, Region 6	Hydrology and Water Quality	<ul style="list-style-type: none"> Requests the DEIR include the following components: 1) Beneficial Use Analysis; 2) Avoidance and Minimization Analysis; 3) Alternatives Analysis; 4) Characterization of impacts; 5) Hydrologic Analysis and 6) Habitat Connectivity Analysis. Promotes use of Low Impact Development strategies. 	Section 3, <i>Project Description</i> ; Section 4, <i>Environmental Setting</i> ; Section 5.4, <i>Biological Resources</i> ; Section 5.9, <i>Hydrology and Water Quality</i> ; and Section 5.17, <i>Utilities and Service Systems</i> .
California Public Utilities Commission	Traffic	<ul style="list-style-type: none"> Requests language that any future planned development adjacent to or near railroad right-of-way is planned with safety of rail corridor in mind. Traffic studies undertaken should address traffic volumes increase impacts over rail crossings. 	Not an environmental impact of the General Plan Update.
City of Brea	Aesthetics; Biological Resources; Cultural ; Hazards; Land Use and Planning; Utilities; and Traffic	<ul style="list-style-type: none"> Concerned with GP changes related to lands abutting or within general proximity to Brea's jurisdictional borders. Requests EIR address potential impacts to City of Brea. 	Section 5.1, <i>Aesthetics</i> ; Section 5.4, <i>Biological Resources</i> ; Section 5.5 <i>Cultural Resources</i> ; Section 5.16, <i>Transportation and Traffic</i> ;Section 5.17, <i>Utilities and Service Systems</i>
City of Burbank	Land Use	<ul style="list-style-type: none"> Concerned with whether or not the NBC Universal Evolution plan will be analyzed in the EIR 	Not applicable; the Universal Studios Specific Plan was adopted in 2013.
City of Hawthorne	Land Use; Traffic	<ul style="list-style-type: none"> Concerned with the South Bay Planning Area, particularly Inglewood Avenue. Fears that allowing mixed use will increase congestion. 	Section 5.16, <i>Transportation and Traffic</i>
City of San Marino	Traffic	<ul style="list-style-type: none"> Request the analysis of potential traffic impacts and/or potential traffic improvement measures for East Pasadena-East San Gabriel Opportunity Area. 	Section 5.16, <i>Transportation and Traffic</i>
County of Los Angeles Sheriff's Department	Public Services	<ul style="list-style-type: none"> No comments. 	Section 5.14, <i>Public Services</i> .
County of Ventura Public Works Agency Transportation Department	Traffic	<ul style="list-style-type: none"> Recommends that environmental documents include any site-specific or cumulative impact to County of Ventura's local roads and regional road network. 	Section 5.16, <i>Transportation and Traffic</i>
County of Ventura Watershed Protection District	Hydrology and Water Quality	<ul style="list-style-type: none"> Requests evaluation of all potential effects on Ventura County 	Section 5.9, <i>Hydrology and Water Quality</i>
Desert and Mountain	General Plan	<ul style="list-style-type: none"> Requests several General Plan policy revisions 	Section 5.4, <i>Biological Resources</i> ; See also General

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Table 1-3 Summary of NOP and Scoping Meeting Comments

Commenting Agency/Person	Comment Type	Comment Summary	Issue Addressed In:
Conservation Authority		and one policy addition.	Plan Chapter 7, <i>Mobility Element</i> , Policy M 7.2 and M 7.4.
Native American Heritage Commission	Cultural Resources	<ul style="list-style-type: none"> Seeks to inform County that Native American cultural resources were identified within the Area of Potential Effect. Urges LA County of consult with Native American contacts. 	Section 5.5, <i>Cultural Resources</i> .
Puente Hills Habitat Preservation Authority	Biological Resources; Recreation; Land Use and Planning.	<ul style="list-style-type: none"> Concerned with future development on non-conserved open space lands that are adjacent to the Puente Hills Preserve. Requests potential impacts of any development permitted within SEAs be analyzed and include mitigation measures. Requests DEIR include a detailed analysis as to why the corridor proposed at Harbor Blvd will not significantly impact wildlife movement. 	Section 5.4, <i>Biological Resources</i> and 10, <i>Land Use and Planning</i> , 5.15, <i>Recreation</i> .
Resource Conservation District of Santa Monica Mountains	Land Use; Air Quality; Conservation and Open Space; Biological; Water Quality; Agriculture; Mineral; Scenic Resources; Historically, Cultural, and Archeological Resources; Parks and Recreation, Public Services, Utilities, and Safety.	<ul style="list-style-type: none"> Makes General Plan policy recommendations and requests the DEIR address various impact categories such as land use, preservation of agricultural land, hazardous sites, air quality, Significant Ecological Area boundaries, dedications of land and conservation easements, and trail dedications; water conservation; mineral resources; scenic, historically, cultural, and archeological resources; parks and recreation, public services, utilities, and safety. 	Chapter 5, <i>Environmental Analysis</i>
Santa Monica Mountains Conservancy	Biological Resources; Land Use; Traffic	<ul style="list-style-type: none"> Expresses concerns related to Antelope Valley Area Plan: land use goals for high desert corridor should be included in plan update; mobility element should address biological impacts of transportation infrastructure; trail dedications require funding for implementation; conservation and open space element policy addition; and renewable energy map missing key wildlife corridor. 	The Antelope Valley Area Plan is not being amended as part of the General Plan Update. See Section 3, <i>Project Description</i> ; Section 5.4, <i>Biological Resources</i> ; Section 5.10, <i>Land Use and Planning</i> , and Section 5.16, <i>Transportation and Traffic</i>
Santa Monica Mountains Conservancy	Biological Resources; Traffic	<ul style="list-style-type: none"> Requests specific revisions to Significant Ecological Areas: expansion of northern boundary of Newhall SEA; addition of Mormon Canyon to Santa Susana Mountains SEA; and expansions of Santa Susana Mountains SEA to connect with Oaks Savannah SEA. Requests changes to County Highway Plan. 	Section 3, <i>Project Description</i> ; Section 5.4, <i>Biological Resources</i> ; and Section 5.16, <i>Transportation and Traffic</i>

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Table 1-3 Summary of NOP and Scoping Meeting Comments

Commenting Agency/Person	Comment Type	Comment Summary	Issue Addressed In:
South Coast AQMD	Air Quality; GHG	<ul style="list-style-type: none"> Requests that County forward DEIR and all tech documents and appendices to SCAQMD. Requests that air quality emissions be calculated and compared with adopted thresholds. 	Section 5.3, <i>Air Quality</i> and Section 5.7, <i>Greenhouse Gas Emissions</i> .
Southern California Association of Governments	Land Use; Traffic; Population and Housing	<ul style="list-style-type: none"> Requests use of policies for guidance in considering the project within the context of SCAG's regional goals and policies. Encourages use of SCAG List of Mitigation Measures. 	Section 3, <i>Project Description</i> ; Section 4, <i>Environmental Setting</i> ; Section .10, <i>Land Use and Planning</i> ; 5.13, <i>Population and Housing</i> Section 5.16, <i>Transportation and Traffic</i>
United States Department of Interior Fish & Wildlife Service	Biological Resources; Land Use	<ul style="list-style-type: none"> Requests analysis of the plan area updates and the environment in the vicinity of these updates, from both local and regional perspectives and include all practicable alternatives considered. 	The Antelope Valley Area Plan is not being amended as part of the General Plan Update. Section 5.4, <i>Biological Resources</i> . Section 5.10, <i>Land Use and Planning</i> .
Wildlife Corridor Conservation Authority	Biological Resources; Land Use	<ul style="list-style-type: none"> Requests that SEA be expanded to include Worsham and Savage Canyons in their entirety, including Savage Canyon Landfill. Requests that Puente Hills Landfill be preemptively designated part of the SEA. 	Section 5.4, <i>Biological Resources</i> . Section 5.10, <i>Land Use and Planning</i> .
Organizations			
AV Area Plan Blue Ribbon Committee	Biological Resources; Land Use; and Population and Housing	<ul style="list-style-type: none"> Expresses concern with the RHNA targets and the downzoning/upzoning proposed for the Antelope Valley Area Plan Update (Town & Country). Expresses concern about expanding SEAs without scientific studies. 	The Antelope Valley Area Plan is not being amended as part of the General Plan Update. See Section 3, <i>Project Description</i> ; Section 5.4, <i>Biological Resources</i> ; Section 5.10, <i>Land Use and Planning</i> ; and Section 7, <i>Alternatives to the Proposed Project</i> .
Building Industry Association Los Angeles Chapter	Biological Resources; Land Use; and Population and Housing	<ul style="list-style-type: none"> Expresses concern with the RHNA targets and the downzoning/upzoning proposed for the Antelope Valley Area Plan Update (Town & Country). Expresses concern about expanding SEAs without scientific studies. 	The Antelope Valley Area Plan is not being amended as part of the General Plan Update. Section 3, <i>Project Description</i> , Section 5.4; <i>Biological Resources</i> ; Section 5.10, <i>Land Use and Planning</i> and Section 7, <i>Alternatives to the Proposed Project</i> .
Building Industry Association Los Angeles Chapter	Biological Resources; Land Use; and Population and Housing	<ul style="list-style-type: none"> Requests that the housing element be updated in conjunction with the rest of the GP. Believes that the upzoning and downzoning effects will not be fully understood without a housing element update. Questions plans about consistency with SB 375. 	The Antelope Valley Area Plan is not being amended as part of the General Plan Update. Section 3, <i>Project Description</i> , Section 5.3, <i>Air Quality</i> , Section 5.4, <i>Biological Resources</i> ; Section 5.7, <i>Greenhouse Gas Emissions</i> ; Section 5.10, <i>Land Use and Planning</i> ; Section 5.13, <i>Population and Housing</i> ; and

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Table 1-3 Summary of NOP and Scoping Meeting Comments

Commenting Agency/Person	Comment Type	Comment Summary	Issue Addressed In:
			Section 5.17, <i>Utilities and Service Systems</i> ; and Section 7, <i>Alternatives to the Proposed Project</i> .
Endangered Habitats League	Biological Resources; Land Use; and Population and Housing	<ul style="list-style-type: none"> Requests that the County consider the use of urban growth boundaries, transferable development rights programs, purchases of development rights programs, and capacity-based residential caps for designated areas. 	Section 3, <i>Project Description</i> ; Section 5.4, <i>Biological Resources</i> ; Section 5.10, <i>Land Use and Planning</i> ; Section 5.13, <i>Population and Housing</i>
Greater Antelope Valley Association of REALTORS	Biological Resources; Land Use; and Population and Housing; Utilities and Service Systems.	<ul style="list-style-type: none"> Requests that the County consider the use of urban growth boundaries, transferable development rights programs, purchases of development rights programs, and capacity-based residential caps for designated areas. 	The Antelope Valley Area Plan is not being amended as part of the General Plan Update. Section 3, <i>Project Description</i> , Section 5.4, <i>Biological Resources</i> ; Section 5.10, <i>Land Use and Planning</i> , Section 5.13, <i>Population and Housing</i> ; and Section 5.17, <i>Utilities and Service Systems</i> .
Hillside Open Space Education Coalition (HOSEC)	Biological Resources; Land Use; and Population and Housing; Utilities and Service Systems.	<ul style="list-style-type: none"> Requests the EIR provide a comprehensive discussion and analysis of the compatibility of the proposed General Plan land use designations and goals as compared to the HOSEC goals and policies for open space education and preservation. 	Section 3, <i>Project Description</i> ; Section 5.4, <i>Biological Resources</i> ; Section 5.10, <i>Land Use and Planning</i> ; Section 5.13, <i>Population and Housing</i>
Los Angeles County Farm Bureau	Agriculture; Biological Resources; Land Use; Water Resources; Utilities and Service Systems.	<ul style="list-style-type: none"> Questions if there is a relationship between the proposed Antelope Valley Area Plan and the ongoing groundwater adjudication. Questions why they were not included in all stages of the plan. Believes restrictions concerning dwelling units are unjust and do not reflect the tradition ranch lifestyle of the area; feels the restrictions devalue farming property. 	The Antelope Valley Area Plan is not being amended as part of the General Plan Update. Section 3, <i>Project Description</i> , Section 5.2, <i>Agricultural Resources</i> ; Section 5.4; <i>Biological Resources</i> ; Section 5.9, <i>Hydrology and Water Quality</i> ; Section 5.10, <i>Land Use and Planning</i> , 5.13, <i>Population and Housing</i> ; and Section 5.17, <i>Utilities and Service Systems</i> .
Three Points Liebre Mountain Town Council	Agriculture; Biological Resources; Land Use; Water Resources; Utilities and Service Systems	<ul style="list-style-type: none"> Concerned with the conflicts between policies of the draft General Plan that promote open space and those that promote renewable energy. Requests that the DEIR to include a cumulative impacts analysis for a 30 year buildout scenario for renewable energy. Requests analysis of impacts to local services with respect to the economies created by renewable energy. 	The Antelope Valley Area Plan is not being amended as part of the General Plan Update. Section 3, <i>Project Description</i> , Section 5.4; <i>Biological Resources</i> ; Section 5.10, <i>Land Use and Planning</i> ; Section 5.13, <i>Population and Housing</i> ; and Section 5.17, <i>Utilities and Service Systems</i> .

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Commenting Agency/Person	Comment Type	Comment Summary	Issue Addressed In:
Residents and Businesses			
Burton, Steve	Air Quality; GHG; Biological Resources; Land Use	<ul style="list-style-type: none"> Expresses concern with the RHNA targets and the downzoning/upzoning proposed for the Antelope Valley Area Plan Update (Town & Country). Expresses concern about expanding SEAs without scientific studies. 	The Antelope Valley Area Plan is not being amended as part of the General Plan Update. Section 3, <i>Project Description</i> , Section 5.3 Air Quality; Section 5.4; <i>Biological Resources</i> ; Section 5.7, <i>Greenhouse Gases</i> Section 5.10, <i>Land Use and Planning</i> ; Section 5.13, <i>Population and Housing</i> ; and Section 5.17, <i>Utilities and Service Systems</i> .
Carlton, Diane	Air Quality; GHG; Biological Resources; Land Use	<ul style="list-style-type: none"> Expresses concern with the RHNA targets and the downzoning/upzoning proposed for the Antelope Valley Area Plan Update (Town & Country). Expresses concern about expanding SEAs without scientific studies. 	The Antelope Valley Area Plan is not being amended as part of the General Plan Update. Section 3, <i>Project Description</i> , Section 5.3 Air Quality; Section 5.4; <i>Biological Resources</i> ; Section 5.7, <i>Greenhouse Gases</i> Section 5.10, <i>Land Use and Planning</i> ; Section 5.13, <i>Population and Housing</i> ; and Section 5.17, <i>Utilities and Service Systems</i> .
DeBranch, Stefan J.	Land Use; Utilities and Service Systems.	<ul style="list-style-type: none"> Expresses support for zone changes from N1 to RL20 and RL40. Requests the County to consider the many acres used for solar power production when drafting the Renewable Energy Ordinance. 	The Antelope Valley Area Plan is not being amended as part of the General Plan Update. Section 3, <i>Project Description</i> , Section 5.4; <i>Biological Resources</i> ; Section 5.10, <i>Land Use and Planning</i> , Section 5.17, <i>Utilities and Service Systems</i> .
Esparza, Alana	Air Quality; GHG; Biological Resources; Land Use	<ul style="list-style-type: none"> Expresses concern with the RHNA targets and the downzoning/upzoning proposed for the Antelope Valley Area Plan update (Town & Country). Expresses concern about expanding SEAs without scientific studies. 	The Antelope Valley Area Plan is not being amended as part of the General Plan Update. Section 3, <i>Project Description</i> , Section 5.3 Air Quality; Section 5.4; <i>Biological Resources</i> ; Section 5.7, <i>Greenhouse Gases</i> Section 5.10, <i>Land Use and Planning</i> ; Section 5.13, <i>Population and Housing</i> ; and Section 5.17, <i>Utilities and Service Systems</i> .
Gunzel, Kurt & Susan	Land Use	<ul style="list-style-type: none"> Requests 1-acre lot restrictions lifted. Believes the rule is not consistent with the zoning code or the current development pattern of the area. 	The Antelope Valley Area Plan is not being amended as part of the General Plan Update. Section 3, <i>Project Description</i> ; Section 5.10, <i>Land Use and Planning</i> .

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Commenting Agency/Person	Comment Type	Comment Summary	Issue Addressed In:
Hunter, Steve	Land Use	<ul style="list-style-type: none"> Expresses concern that changing the Gorman area's zoning from N1 to RL20 & RL40 will negatively impact a project that has been in the making for 7 years. Requests that zoning remain N1 in order to allow for more density. 	The Antelope Valley Area Plan is not being amended as part of the General Plan Update. Section 3, <i>Project Description</i> , Section 5.4; <i>Biological Resources</i> ; Section 5.10, <i>Land Use and Planning</i> .
Justice, Mary	Biological Resources; Land Use	<ul style="list-style-type: none"> Expresses concern about impact of undisclosed road on private property; infrastructure; biological resources. 	The Antelope Valley Area Plan is not being amended as part of the General Plan Update. Section 3, <i>Project Description</i> , Section 5.4; <i>Biological Resources</i> ; Section 5.10, <i>Land Use and Planning</i> , and Section 5.16, <i>Transportation and Traffic</i> .
Majer, Mark	Land Use	<ul style="list-style-type: none"> Expresses concern that changing the Gorman area's zoning from N1 to RL20 & RL40 will negatively impact a project that has been in the making for 7 years. Requests that zoning remain N1 in order to allow for more density. 	The Antelope Valley Area Plan is not being amended as part of the General Plan Update. Section 3, <i>Project Description</i> , Section 5.4; <i>Biological Resources</i> ; Section 5.10, <i>Land Use and Planning</i> .
Mullaly, Don P.	Air Quality; Aesthetics; Traffic and Infrastructure; Recreation; Land Use and Planning.	<ul style="list-style-type: none"> Expresses concern about the loss of open space on parks and recreation, access to trails, viewsheds, and air quality. Expresses concern about the availability of roads paved roads in rural communities and suggests that any roads developed provide entry into open space have set standards for use. 	Section 5.1, <i>Aesthetics</i> ; Section 5.3, <i>Air Quality</i> ; Section 5.4; <i>Biological Resources</i> ; Section 5.7, <i>Greenhouse Gas Emissions</i> ; Section 5.10, <i>Land Use and Planning</i> ; Section 5.15, <i>Recreation</i> ; and Section 5.16, <i>Transportation and Traffic</i> .
Rice, Steve	Land Use	<ul style="list-style-type: none"> Expresses concern with the RHNA targets and the downzoning/upzoning proposed for the Antelope Valley Area Plan Update (Town & Country). Expresses concern about expanding SEAs without scientific studies. 	The Antelope Valley Area Plan is not being amended as part of the General Plan Update. Section 3, <i>Project Description</i> , Section 5.4; <i>Biological Resources</i> ; Section 5.10, <i>Land Use and Planning</i> .
Trussel, Ann	Land Use	<ul style="list-style-type: none"> Expresses concern with the RHNA targets and the downzoning/upzoning proposed for the Antelope Valley Area Plan Update (Town & Country). Expresses concern about expanding SEAs without scientific studies. 	The Antelope Valley Area Plan is not being amended as part of the General Plan Update. Section 3, <i>Project Description</i> , Section 5.4; <i>Biological Resources</i> ; Section 5.10, <i>Land Use and Planning</i> .
Slover, Dave	Land Use	<ul style="list-style-type: none"> Expresses concern with the RHNA targets and the downzoning/upzoning proposed for the Antelope Valley Area Plan Update (Town & Country). Expresses concern about expanding SEAs without scientific studies. 	The Antelope Valley Area Plan is not being amended as part of the General Plan Update. Section 3, <i>Project Description</i> , Section 5.4; <i>Biological Resources</i> ; Section 5.10, <i>Land Use and Planning</i> .

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Table 1-3 Summary of NOP and Scoping Meeting Comments

Commenting Agency/Person	Comment Type	Comment Summary	Issue Addressed In:
2013 NOP (June 26, 2013 to July 26, 2013)			
Agencies			
California Department of Fish and Wildlife	Biological Resources	<ul style="list-style-type: none"> Expresses concerns about impacts on biological resources resulting from ministerial projects exempt from CEQA. 	Section 5.4, <i>Biological Resources</i>
Caltrans District 7	Traffic	<ul style="list-style-type: none"> Requests that traffic analysis analyze cumulative traffic impacts on State facilities. Requests coordination between the County and Caltrans. Requests that traffic analysis utilize thresholds and guidance adopted by Caltrans. 	Section 5.16, <i>Transportation and Traffic</i>
City of Rancho Palos Verdes	Biological Resources; Geology and Soils; Hydrology and Water Quality; Land Use and Planning; Noise; Population and Housing; Public Services (schools); Traffic	<ul style="list-style-type: none"> Requests that geologic hazards in the Palos Verdes Peninsula be thoroughly analyzed. Requests that the EIR analyze noise impacts of roadway reclassification. Requests that the EIR analyze water quality and geology impacts resulting from expansion of private sewage disposal systems. Requests that the EIR analyze impacts on coastal sage scrub habitat. Requests that the traffic analysis analyze the Western/Toscanini intersection. Suggests that all schools districts in the County should be consulted. Expresses concerns about nonconforming uses. 	Section 5.4, <i>Biological Resources</i> ; Section 5.6, <i>Geology and Soils</i> ; Section 5.9, <i>Hydrology and Water Quality</i> ; Section 5.10, <i>Land Use and Planning</i> ; Section 5.12, <i>Noise</i> ; Section 5.13, <i>Population and Housing</i> ; Section 5.14, <i>Public Services</i> ; Section 5.16, <i>Transportation and Traffic</i>
County of Los Angeles Fire Department	Biological Resources; Cultural Resources; Geology and Soils; Hazards	<ul style="list-style-type: none"> Requests that the EIR analyze erosion control, watershed management, rare and endangered species, vegetation, fire hazards, cultural resources, and oak trees. 	Section 5.4, <i>Biological Resources</i> ; Section 5.5, <i>Cultural Resources</i> ; Section 5.6, <i>Geology and Soils</i> ; 5.8, <i>Hazards and Hazardous Materials</i>
County of Ventura	Hydrology and Water Quality; Traffic	<ul style="list-style-type: none"> Requests that subsequent project-level CEQA review analyze potential site-specific and cumulative traffic impacts to roadways in Ventura County. Expresses concern regarding hydrology impacts of General Plan implementation. 	Section 5.9, <i>Hydrology and Water Quality</i> ; Section 5.16, <i>Transportation and Traffic</i>
Los Angeles World Airports	Land Use	<ul style="list-style-type: none"> Expresses concern about the impacts of proposed land use designations on the future construction of a public airport in Palmdale. 	Section 5.10, <i>Land Use and Planning</i>
Native American Heritage Commission (NAHC)	Cultural Resources	<ul style="list-style-type: none"> Requests that potential impacts to paleontological and cultural resources be identified. Requests that consultation with Native American tribes be conducted pursuant to CEQA. 	Section 5.5, <i>Cultural Resources</i>
Orange County Public Works (OCPW)	Administrative	<ul style="list-style-type: none"> No comments on the EIR. 	Not Applicable

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Table 1-3 Summary of NOP and Scoping Meeting Comments

Commenting Agency/Person	Comment Type	Comment Summary	Issue Addressed In:
Resource Conservation District of the Santa Monica Mountains	Project Description	<ul style="list-style-type: none"> • Requests changes to objectives of the General Plan Update (not a comment on the EIR) • Requests changes to content of the proposed General Plan Elements (not a comment on the EIR) 	Not Applicable (comments and questions address content of the General Plan Update and not environmental analysis of the General Plan Update in the EIR)
Southern California Association of Governments (SCAG)	Land Use and Planning	<ul style="list-style-type: none"> • Recommends that the EIR include a review of adopted Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) goals • Requests that analysis in the EIR utilize SCAG's most recently adopted growth forecasts • Recommends that the lead agency review mitigation measures in the 2012-2035 RTP/SCS Final Program EIR 	Section 5.10, <i>Land Use and Planning</i>
South Coast Air Quality Management District (SCAQMD)	Air Quality; Greenhouse Gas Emissions	<ul style="list-style-type: none"> • Requests correspondence regarding future release of environmental documents related to the General Plan Update • Recommends that the lead agency use the SCAQMD's air quality handbook, the District's preferred emissions estimating software, and the District's preferred significance thresholds • Requests that potential construction-related and operational air quality impacts be analyzed 	Section 5.3, <i>Air Quality</i> , Section 5.7, <i>Greenhouse Gas Emissions</i>
Organizations			
Building Industry Association (BIA)	Land Use and Planning; Population and Housing	<ul style="list-style-type: none"> • Expresses concerns about downzoning of parcels in northern Los Angeles County. • Requests tables and maps indicating which parcels are planned for changes in density and/or development capacity. • Questions separation of Antelope Valley Area Plan from General Plan Update. • Objects to General Plan Update's expansion of Significant Ecological Areas (SEAs) (not a comment on the EIR). • Requests analysis of consistency between the General Plan Update and the Housing Element. • Requests that fiscal impacts of the General Plan Update be analyzed. • Poses questions about consistency between General Plan Update and local plans/zoning (not a comment on the EIR). • Questions the lack of a transit-oriented district in the northern portion of the County (not a comment on the EIR). • Requests that the proposed General Plan Update be flexible. • Requests that the EIR include analysis regarding anticipated future developments. 	Chapter 3, <i>Project Description</i> ; Section 5.10, <i>Land Use and Planning</i> ; Section 5.13, <i>Population and Housing</i>

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Table 1-3 Summary of NOP and Scoping Meeting Comments

Commenting Agency/Person	Comment Type	Comment Summary	Issue Addressed In:
Chatsworth Nature Preserve Coalition	Biological Resources	<ul style="list-style-type: none"> Expresses concern about potential impacts to biological resources, particularly in the Santa Susana Mountains and Simi Hills. 	Section 5.4, <i>Biological Resources</i>
Concerned Citizens of the Western Antelope Valley/Friends of the Antelope Valley Open Space	Biological Resources; Land Use and Planning; Utilities and Service Systems (water supply)	<ul style="list-style-type: none"> Expresses concern about availability of water supplies in areas planned for growth. Requests that environmental impacts on scenic/natural areas related to large-scale energy projects, new recreational uses, and transportation projects be analyzed. 	Section 5.4, <i>Biological Resources</i> ; Section 5.10, <i>Land Use and Planning</i> ; Section 5.15, <i>Recreation</i> ; Section 5.17, <i>Utilities and Service Systems</i>
Santa Susana Mountain Park Association	Biological Resources; Land Use and Planning	<ul style="list-style-type: none"> Expresses concerns about viability of wildlife habitat corridors. Requests that the General Plan Update identify optimal wildlife movement corridors and address land use compatibility in those areas (not a comment on the EIR). Suggests that the County establish a moratorium on new development until protected wildlife corridors are established (not a comment on the EIR). Recommends that the General Plan Update incorporate elements of the National Park Service Rim of the Valley Corridor Trail Study. 	Section 5.4, <i>Biological Resources</i> ; Section 5.10, <i>Land Use and Planning</i>
Residents and Businesses			
Bill Andro	Greenhouse Gas Emissions	<ul style="list-style-type: none"> Questions premise that the EIR should analyze greenhouse gas emissions. 	Section 5.7, <i>Greenhouse Gas Emissions</i>
David Bersohn	General	<ul style="list-style-type: none"> Objects to premise of regional planning and land use regulations in general. 	Not Applicable
Carla Bollinger	Aesthetics; Air Quality; Biological Resources; Cultural Resources; Hazards, Land Use and Planning; Recreation	<ul style="list-style-type: none"> Requests that the proposed General Plan consider "smart growth" development patterns (not a comment on the EIR). Requests that the proposed General Plan protect natural areas, natural watercourses, hillsides, scenic resources, cultural resources, recreational amenities (not a comment on the EIR). Requests that the proposed General Plan address land use compatibility issues (not a comment on the EIR). 	Section 5.1, <i>Aesthetics</i> ; Section 5.4, <i>Biological Resources</i> ; Section 5.5, <i>Cultural Resources</i> ; 5.8, <i>Hazards and Hazardous Materials</i> ; Section 5.9, <i>Hydrology and Water Quality</i> ; Section 5.10, <i>Land Use and Planning</i> ; Section 5.15, <i>Recreation</i>
Douglas Fay	General; Project Description	<ul style="list-style-type: none"> Asks questions about technical nature of the EIR and public involvement during General Plan Update process (not a comment on analysis in the EIR). Asks questions about the content of the proposed General Plan (not a comment on the EIR). Ask questions about other County planning documents (not a comment on the EIR). Requests notification regarding future meetings and documents related to the General Plan Update. 	Not Applicable (comments and questions address content of the General Plan Update and the public involvement component of the CEQA process; they do not comment on the environmental analysis in the EIR)

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Table 1-3 Summary of NOP and Scoping Meeting Comments

Commenting Agency/Person	Comment Type	Comment Summary	Issue Addressed In:
Bolthouse Properties, LLC	Land Use	<ul style="list-style-type: none"> Expresses concern regarding permitted land uses on the commenter's properties in the Antelope Valley, particularly in regard to Significant Ecological Areas (SEAs) and future renewable energy projects (not a comment on the EIR). 	Not Applicable
Scoping Meeting Comments			
Scoping Meeting Comments	Land Use; Population and Housing; Air Quality; Traffic	<ul style="list-style-type: none"> Antelope Valley Area Plan Jobs-housing balance Climate Action Plan Mobility Element 	Section 5.1, <i>Aesthetics</i> ; Section 5.3, <i>Air Quality</i> ; Section 5.4, <i>Biological Resources</i> ; Section 5.7, <i>Greenhouse Gas Emissions</i> ; Section 5.10, <i>Land Use and Planning</i> , and Section 5.16, <i>Transportation and Traffic</i> .

1.8 SUMMARY OF ENVIRONMENTAL IMPACTS, MITIGATION MEASURES, AND LEVELS OF SIGNIFICANCE AFTER MITIGATION

Table 1-4 summarizes the conclusions of the environmental analysis contained in this EIR. Impacts are identified as significant or less than significant and for all significant impacts mitigation measures are identified. The level of significance after imposition of the mitigation measures is also presented.

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Table 1-4 Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation

Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
5.1 AESTHETICS			
Impact 5.1-1: Implementation of the Proposed Project could have a substantial adverse impact on scenic vistas.	Less Than Significant	No mitigation measures are required.	Less Than Significant
Impact 5.1-2: Implementation of the Proposed Project would not substantially alter scenic resources within a state or county scenic highway	Less Than Significant	No mitigation measures are required.	Less Than Significant
Impact 5.1-3: Implementation of the Proposed Project would substantially alter the existing visual character or quality of portions of the Project Area and its surroundings.	Less Than Significant	No mitigation measures are required.	Less Than Significant
Impact 5.1-4: Implementation of the Proposed Project would generate additional sources of light and glare that would adversely affect day or nighttime views in the Project Area.	Less Than Significant	No mitigation measures are required.	Less Than Significant
5.2 AGRICULTURE AND FORESTRY RESOURCES			
Impact 5.2-1: Buildout of the Proposed Project would convert California agency-designated farmland to non-agricultural uses.	Potentially Significant	No mitigation measures are available that would reduce impacts of conversion of mapped important farmland to less than significant.	Significant and Unavoidable
Impact 5.2-2: The Proposed Project would not conflict with existing zoning for agricultural use, or a Williamson Act.	Less Than Significant	No mitigation measures are required.	Less Than Significant
Impact 5.2-3: The Proposed Project would not conflict with zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g)).	Less Than Significant	No mitigation measures are required.	Less Than Significant

1. Executive Summary

Table 1-4 Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation

Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
Impact 5.2-4: The Proposed Project will not result in the loss of forest land or conversion of forest land to nonforest use.		No mitigation measures are required.	Less Than Significant
Impact 5.2-5: Buildout of the Proposed Project would involve other changes in the existing environment that could result in conversion of farmland to non-agricultural use or conversion of forest land to nonforest use.	Potentially Significant	No mitigation measures are available that would reduce impacts related to conversion of farmland and/or forest land to a less than significant level.	Significant and Unavoidable
5.3 AIR QUALITY			
Impact 5.3-1: Buildout of the Proposed Project would generate more growth than the Existing General Plan; therefore, the project would be inconsistent with SCAQMD's and AVAQMD's air quality management plans.	Potentially Significant	No mitigation measures are available that would reduce impacts associated with inconsistency with the AQMP.	Significant and Unavoidable
Impact 5.3-2: Construction activities associated with the Proposed Project would generate a substantial increase in short-term criteria air pollutant emissions that exceed the threshold criteria and would cumulatively contribute to the nonattainment designations of the SoCAB and Antelope Valley portion of the MDAB.	Potentially Significant	<p>AQ-1 If, during subsequent project-level environmental review, construction-related criteria air pollutants are determined to have the potential to exceed the applicable Air Quality Management District (AQMD) adopted thresholds of significance, the County of Los Angeles Planning Department shall require that applicants for new development projects incorporate mitigation measures as identified in the CEQA document prepared for the project to reduce air pollutant emissions during construction activities. Mitigation measures that may be identified during the environmental review include but are not limited to:</p> <ul style="list-style-type: none"> • Using construction equipment rated by the United States Environmental Protection Agency as having Tier 3 (model year 2006 or newer) or Tier 4 (model year 2008 or newer) emission limits, applicable for engines between 50 and 750 horsepower. • Ensuring construction equipment is properly serviced and maintained to the manufacturer's standards. • Limiting nonessential idling of construction equipment to no more than five consecutive minutes. • Water all active construction areas at least three times daily, or as often as needed to control dust emissions. Watering should be sufficient to prevent airborne dust from leaving the site. Increased watering frequency may be necessary whenever wind speeds 	Significant and Unavoidable

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Table 1-4 Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation

Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
<p>Impact 5.3-3: Long-term operation of the Proposed Project would generate a substantial increase in criteria air pollutant emissions that exceed the threshold criteria and would cumulatively contribute to the nonattainment designations of the SoCAB and Antelope Valley portion of the MDAB.</p>	<p>Potentially Significant</p>	<p>exceed 15 miles per hour. Reclaimed water should be used whenever possible.</p> <ul style="list-style-type: none"> • Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard (i.e., the minimum required space between the top of the load and the top of the trailer). • Pave, apply water three times daily or as often as necessary to control dust, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites. • Sweep daily (with water sweepers using reclaimed water if possible), or as often as needed, all paved access roads, parking areas, and staging areas at the construction site to control dust. • Sweep public streets daily (with water sweepers using reclaimed water if possible) in the vicinity of the project site, or as often as needed, to keep streets free of visible soil material. • Hydroseed or apply non-toxic soil stabilizers to inactive construction areas. • Enclose, cover, water three times daily, or apply non-toxic soil binders to exposed stockpiles (dirt, sand, etc.). 	<p>Significant and Unavoidable</p>
<p>Impact 5.3-4: Buildout of the Proposed Project could result in new source sources of criteria air pollutant emissions and/or toxic air contaminants proximate to existing or planned sensitive receptors.</p>	<p>Potentially Significant</p>	<p>No mitigation measures are available that would reduce impacts below SCAQMD's or AVAQMD's thresholds.</p> <p>AQ-2 New industrial or warehousing land uses that: 1) have the potential to generate 40 or more diesel trucks per day and 2) are located within 1,000 feet of a sensitive land use (e.g. residential, schools, hospitals, nursing homes), as measured from the property line of the project to the property line of the nearest sensitive use, shall submit a health risk assessment (HRA) to the County of Los Angeles Planning Department prior to future discretionary project approval. The HRA shall be prepared in accordance with policies and procedures of the state Office of Environmental Health Hazard Assessment and the applicable Air Quality Management District. If the HRA shows that the incremental cancer risk exceeds ten in one million (10E-06), particulate matter concentrations would exceed 2.5 µg/m³, or the appropriate noncancer hazard</p>	<p>Significant and Unavoidable</p>

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Table 1-4 Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation

Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
<p>Impact 5.3-5: Placement of new sensitive receptors near major sources of toxic air contaminants in the unincorporated areas could expose people to substantial pollutant concentrations.</p>	<p>Potentially Significant</p>	<p>index exceeds 1.0, the applicant will be required to identify and demonstrate that best available control technologies for toxics (T-BACTs) are capable of reducing potential cancer and noncancer risks to an acceptable level, including appropriate enforcement mechanisms. T-BACTs may include, but are not limited to, restricting idling onsite or electrifying warehousing docks to reduce diesel particulate matter, or requiring use of newer equipment and/or vehicles. T-BACTs identified in the HRA shall be identified as mitigation measures in the environmental document and/or incorporated into the site development plan as a component of the Proposed Project.</p> <p>AQ-3 Applicants for sensitive land uses within the following distances as measured from the property line of the project to the property line of the source/edge of the nearest travel lane, from these facilities:</p> <ul style="list-style-type: none"> • Industrial facilities within 1000 feet • Distribution centers (40 or more trucks per day) within 1,000 feet • Major transportation projects (50,000 or more vehicles per day) within 1,000 feet • Dry cleaners using perchloroethylene within 500 feet • Gasoline dispensing facilities within 300 feet <p>Applicants shall submit a health risk assessment (HRA) to the County prior to future discretionary project approval. The HRA shall be prepared in accordance with policies and procedures of the state Office of Environmental Health Hazard Assessment (OEHHA) and the applicable Air Quality Management District. The latest OEHHA guidelines shall be used for the analysis, including age sensitivity factors, breathing rates, and body weights appropriate for children age 0 to 6 years. If the HRA shows that the incremental cancer risk exceeds ten in one million (10E-06) or the appropriate noncancer hazard index exceeds 1.0, the applicant will be required to identify and demonstrate that mitigation measures are capable of reducing potential cancer and non-cancer risks to an acceptable level (i.e., below ten in one million or a hazard index of 1.0), including appropriate enforcement mechanisms. Measures to reduce risk may include but are not limited to:</p> <ul style="list-style-type: none"> • Air intakes located away from high volume roadways and/or truck loading zones. • Heating, ventilation, and air conditioning systems of the buildings provided with appropriately sized maximum efficiency rating value (MERV) filters. 	<p>Less Than Significant</p>

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Table 1-4 Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation

Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
<p>Impact 5.3-6: Industrial land uses associated with the Proposed Project could create objectionable odors</p>		<p>Mitigation measures identified in the HRA shall be identified as mitigation measures in the environmental document and/or incorporated into the site development plan as a component of the Proposed Project. The air intake design and MERV filter requirements shall be noted and/or reflected on all building plans submitted to the County of Los Angeles and shall be verified by the County's Planning Department.</p> <p>AQ-4 If it is determined during project-level environmental review that a project has the potential to emit nuisance odors beyond the property line, an odor management plan may be required, subject to County of Los Angeles. Facilities that have the potential to generate nuisance odors include but are not limited to:</p> <ul style="list-style-type: none"> • Wastewater treatment plants • Composting, greenwaste, or recycling facilities • Fiberglass manufacturing facilities • Painting/coating operations • Large-capacity coffee roasters • Food-processing facilities <p>If an odor management plan is determined to be required through CEQA review, the County shall require the project applicant to submit the plan prior to approval to ensure compliance with the applicable Air Quality Management District's Rule 402 for nuisance odors. If applicable, the Odor Management Plan shall identify the Best Available Control Technologies for Toxics (T-BACTs) that will be utilized to reduce potential odors to acceptable levels, including appropriate enforcement mechanisms. T-BACTs may include, but are not limited to, scrubbers (e.g., air pollution control devices) at the industrial facility. T-BACTs identified in the odor management plan shall be identified as mitigation measures in the environmental document and/or incorporated into the site plan.</p>	<p>Less Than Significant</p>
<p>5.4 BIOLOGICAL RESOURCES</p>			
<p>Impact 5.4-1: Development of the Proposed Project would impact, either directly or through habitat modifications, species identified as candidate, sensitive, or special-status in local or regional plans, policies, or regulations or by the CDFW or USFWS.</p>	<p>Potentially Significant</p>	<p>BIO-1 Biological resources shall be analyzed on a project-specific level by a qualified biological consultant. A general survey shall be conducted to characterize the project site, and focused surveys should be conducted as necessary to determine the presence/absence of special-status species (e.g., focused sensitive plant or wildlife surveys). A biological resources assessment report shall be prepared to characterize the biological resources on-site, analyze project-specific impacts to biological resources, and propose appropriate mitigation measures to offset those impacts. The report shall include</p>	<p>Significant and Unavoidable</p>

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Table 1-4 Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation

Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
<p>Impact 5.4-2: Development of the Proposed Project would result in the loss of riparian habitat or sensitive natural communities identified in local or regional plans, policies, or regulations or by the CDFW or USFWS.</p> <p>Impact 5.4-3: The Proposed Project would impact federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.</p> <p>Impact 5.4-4: The Proposed Project would affect wildlife movement of native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.</p>	<p>Potentially Significant</p> <p>Potentially Significant</p> <p>Potentially Significant</p>	<p>site location, literature sources, methodology, timing of surveys, vegetation map, site photographs, and descriptions of biological resources on-site (e.g., observed and detected species as well as an analysis of those species with potential to occur onsite).</p> <p>BIO-2 If there is potential for direct impacts to special-status species with implementation of construction activities, the project-specific biological resources assessment report (as mentioned in Mitigation Measure BIO-1) shall include mitigation measures requiring pre-construction surveys for special-status species and/or construction monitoring to ensure avoidance, relocation, or safe escape of special-status species from the construction activities, as appropriate. If special-status species are found to be nesting, brooding, denning, etc. on-site during the pre-construction survey or monitoring, construction activity shall be halted until offspring are weaned, fledged, etc. and are able to escape the site or be safely relocated to appropriate offsite habitat areas. Relocations into areas of appropriate restored habitat would have the best chance of replacing/incrementing populations that are lost due to habitat converted to development. Relocation to restored habitat areas should be the preferred goal of this measure. A qualified biologist shall be on site to conduct surveys, to perform or oversee implementation of protective measures, and to determine when construction activity may resume.</p> <p>See BIO-1 and 2 above.</p> <p>See BIO-1 and 2 above.</p>	<p>Significant and Unavoidable</p> <p>Less Than Significant</p>
<p>BIO-3 No feasible mitigation measures are available that would reduce impacts to wildlife movement completely. However, corridors shall not be entirely closed by any development, and partial mitigation shall be mandatory for impact on wildlife corridors and wildlife nursery sites. This shall include provision of a minimum of half the corridor width. (The width shall be at least what is needed to remain connective for the top</p>	<p>Potentially Significant</p>	<p>BIO-3 No feasible mitigation measures are available that would reduce impacts to wildlife movement completely. However, corridors shall not be entirely closed by any development, and partial mitigation shall be mandatory for impact on wildlife corridors and wildlife nursery sites. This shall include provision of a minimum of half the corridor width. (The width shall be at least what is needed to remain connective for the top</p>	<p>Significant and Unavoidable</p>

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Table 1-4 Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation

Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
Impact 5.4-5: The Proposed Project would require compliance with adopted Habitat Conservation Plans, Natural Community Conservation Plans, or other approved local, regional, or state policies or ordinances protecting biological resources.	Less Than Significant	predators using the corridor.) Mitigation can include preservation by deed in perpetuity of other parts of the wildlife corridor connecting through the development area; it can include native landscaping to provide cover on the corridor. For nursery site impacts, mitigation shall include preservation by deed in perpetuity for another comparable nursery site of the same species. No mitigation measures are required.	Less Than Significant
5.5 CULTURAL RESOURCES			
Impact 5.5-1: Development pursuant to the Proposed Project could impact historic resources.	Potentially Significant	CUL-1 Provide incentives through the Mills Act to encourage the restoration, renovation, or adaptive reuse of historic resources. CUL-2 Draft a comprehensive historic preservation ordinance for the unincorporated areas. CUL-3 Prepare an Adaptive Reuse Ordinance within the context of, and in compliance with, existing building codes that considers the conversion of older, economically distressed or historically-significant buildings into multifamily residential developments, live-and-work units, mixed use developments, or commercial uses. CUL-4 Prior to the issuance of any grading permit, applicants shall provide written evidence to the County of Los Angeles that a County-certified archaeologist has been retained to observe grading activities greater than six feet in depth and salvage and catalogue archaeological resources as necessary. The archaeologist shall be present at the pre-grade conference, shall establish procedures for archaeological resource surveillance, and shall establish, in cooperation with the applicant, procedures for temporarily halting or redirecting work to permit the sampling, identification, and evaluation of the artifacts as appropriate. If the archaeological resources are found to be significant, the archaeological observer shall determine appropriate actions, in cooperation with the project applicant, for exploration and/or salvage. Prior to the release of the grading bond the applicant shall	Significant and Unavoidable
Impact 5.5-2: Buildout of the Proposed Project could destroy archaeological or paleontological resources or a unique geologic feature.	Potentially Significant		Less Than Significant

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Table 1-4 Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation

Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<p>obtain approval of the archaeologist's follow-up report from the County. The report shall include the period of inspection, an analysis of any artifacts found and the present repository of the artifacts. Applicant shall prepare excavated material to the point of identification.</p> <p>Applicant shall offer excavated finds for curatorial purposes to the County of Los Angeles, or its designee, on a first refusal basis. These actions, as well as final mitigation and disposition of the resources, shall be subject to the approval of the County. Applicant shall pay curatorial fees if an applicable fee program has been adopted by the Board of Supervisors, and such fee program is in effect at the time of presentation of the materials to the County or its designee, all in a manner meeting the approval of the County.</p> <p>Unanticipated discoveries shall be evaluated for significance by a County-certified archaeologist. If the archaeological resources are found to be significant, then the project shall be required to perform data recovery, professional identification, radiocarbon dates as applicable, and other special studies; submit materials to the California State University Fullerton; and provide a comprehensive final report including appropriate records for the California Department of Parks and Recreation (Building, Structure, and Object Record; Archaeological Site Record; or District Record, as applicable).</p> <p>CULT-5 Prior to the issuance of any grading permit, applicants shall provide written evidence to the County of Los Angeles that a County-certified paleontologist has been retained to observe grading activities greater than six feet in depth and salvage and catalogue paleontological resources as necessary. The paleontologist shall be present at the pre-grade conference, shall establish procedures for paleontologist resource surveillance, and shall establish, in cooperation with the applicant, procedures for temporarily halting or redirecting work to permit the sampling, identification, and evaluation of the artifacts as appropriate.</p> <p>If the paleontological resources are found to be significant, the paleontologist observer shall determine appropriate actions, in cooperation with the project applicant, for exploration and/or salvage. Prior to the release of the grading bond the applicant shall obtain approval of the paleontologist's follow-up report from the County. The report shall include the period of inspection, an analysis of any artifacts found and the present repository of the artifacts. Applicant shall prepare excavated material to the point of identification.</p>	

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Table 1-4 Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation

Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		Applicant shall offer excavated finds for curatorial purposes to the County of Los Angeles, or its designee, on a first refusal basis. These actions, as well as final mitigation and disposition of the resources, shall be subject to the approval of the County. Applicant shall pay curatorial fees if an applicable fee program has been adopted by the Board of Supervisors, and such fee program is in effect at the time of presentation of the materials to the County or its designee, all in a manner meeting the approval of the County. Unanticipated discoveries shall be evaluated for significance by a County-certified paleontologist. If the paleontological resources are found to be significant, then the project shall be required to perform data recovery, professional identification, radiocarbon dates as applicable, and other special studies; submit materials to the California State University Fullerton; and provide a comprehensive final report including appropriate records for the California Department of Parks and Recreation.	
Impact 5.5-3: Grading activities pursuant to buildout of the Proposed Project could potentially disturb human remains.	Less Than Significant	No mitigation measures are required.	Less Than Significant
5.6 GEOLOGY AND SOILS			
Impact 5.6-1: Project Area residents, occupants, or structures could potentially be exposed to seismic-related hazards.	Less Than Significant	No mitigation measures are required.	Less Than Significant
Impact 5.6-2: Project implementation would result in substantial soil erosion, the loss of topsoil, or development atop unstable geologic units or soils, or expansive soils.	Less Than Significant	No mitigation measures are required.	Less Than Significant
Impact 5.6-3: Soil conditions would adequately support proposed septic tanks.	Less Than Significant	No mitigation measures are required.	Less Than Significant
5.7 GREENHOUSE GAS EMISSIONS			
Impact 5.7-1: Buildout of the Proposed Project would generate GHG emissions that would have a significant impact on the environment.	Potentially Significant	GHG-1 The County shall monitor GHG emissions by updating its GHG emissions inventory every five years. Upon the next update to the CCAP, the inventory, GHG reduction measures, and GHG reductions should be forecasted to 2035 to ensure progress toward achieving an interim target that aligns with the long-term GHG reduction goals of Executive Order S 03.05. The CCAP update should take into account the	Significant and Unavoidable

1. Executive Summary

Table 1-4 Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation

Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<p>reductions achievable due to federal and state action as well as ongoing work by the County government and the private sector. The 2035 CCAP update shall be complete by January 1, 2021 with a plan to achieve GHG reductions for 2035 or 2040 provided the state has an actual plan to achieve reductions for 2035 or 2040. New reduction programs in similar sectors as the proposed CCAP (building energy, transportation, waste, water, wastewater, agriculture and others) will likely be necessary. Future targets should be considered in alignment with state reduction targets, as feasible, but it is premature at this time to determine whether or not such targets can be feasibly met through the combination of federal, state, and local action given technical, logistical and financial constraints. Future updates to the CCAP should account for the horizon beyond 2035 as the state adopts actual plans to meet post-2035 targets.</p>	
<p>Impact 5.7-2: Implementation of a Community Climate Action Plan is necessary to achieve the GHG reduction targets for the unincorporated areas of Los Angeles by AB 32 target year 2020.</p>	<p>Potentially Significant</p>	<p>Adoption and implementation of the County's CCAP in its entirety would reduce GHG emissions to less than significant levels.</p>	<p>Significant and unavoidable, only if the CCAP is not adopted. Otherwise Less Than Significant.</p>
<p>5.8 HAZARDS AND HAZARDOUS MATERIALS</p>			
<p>Impact 5.8-1: Buildout in accordance with the Proposed Project would involve the transport, use, and/or disposal of hazardous materials.</p>	<p>Less Than Significant</p>	<p>No mitigation measures are required.</p>	<p>Less Than Significant</p>
<p>Impact 5.8-2: Some areas within the Project Area are included on a list of hazardous materials sites.</p>	<p>Less Than Significant</p>	<p>No mitigation measures are required.</p>	<p>Less Than Significant</p>
<p>Impact 5.8-3: Some areas within the Project Area are located in the vicinity of an airport or within the jurisdiction of an Airport Land Use Plan.</p>	<p>Less Than Significant</p>	<p>No mitigation measures are required.</p>	<p>Less Than Significant</p>
<p>Impact 5.8-4: The Proposed Project could affect the implementation of an emergency response or evacuation plan.</p>	<p>Less Than Significant</p>	<p>No mitigation measures are required.</p>	<p>Less Than Significant</p>

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Table 1-4 Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation

Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
Impact 5.9-5: Portions of the Project Area are within moderate, high, and very high fire hazard zones and could expose structures and/or residences to fire danger.	Less Than Significant	No mitigation measures are required.	Less Than Significant
5.9 HYDROLOGY AND WATER QUALITY			
Impact 5.9-1: Implementation of the Proposed Project would comply with water quality standards and waste discharge requirements and would not substantially degrade water quality.	Less Than Significant	No mitigation measures are required.	Less Than Significant
Impact 5.9-2: Future development pursuant to the Proposed Project would interfere with groundwater recharge.	Less Than Significant	No mitigation measures are required.	Less Than Significant
Impact 5.9-3: Buildout of the Proposed Project would not substantially alter major drainage patterns in Los Angeles County and would not result in substantial erosion or siltation.	Less Than Significant	No mitigation measures are required.	Less Than Significant
Impact 5.9-4: Development pursuant to the Proposed Project would not substantially change drainage patterns in Los Angeles County. While such developments could substantially increase rates or volumes of surface runoff, the developments would not result in flooding.	Less Than Significant	No mitigation measures are required.	Less Than Significant
Impact 5.9-5: Implementation of the Proposed Project could place housing within 100 year flood hazard areas.	Potentially Significant	HYD-1 Prior to approval of a tentative map, future project applicants/developers shall provide proof to the Department of Public Works that all structures are located outside the 100-year floodplain.	Less Than Significant
Impact 5.9-6: Parts of the Project Area are within dam inundation areas.	Less Than Significant	No mitigation measures are required.	Less Than Significant
Impact 5.9-7: Parts of the Project Area are subject to inundation by seiche, tsunami, or mudflow.	Less Than Significant	No mitigation measures are required.	Less Than Significant

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Table 1-4 Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation

Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
5.10 LAND USE AND PLANNING			
Impact 5.10-1: Implementation of the Proposed Project would include construction of roads and other improvements that may divide an established community.	Less Than Significant	No mitigation measures are required.	Less Than Significant
Impact 5.10-2: Implementation of the Proposed Project would not conflict with applicable plans adopted for the purpose of avoiding or mitigating an environmental effect.	Less Than Significant	No mitigation measures are required.	Less Than Significant
Impact 5.10-3: The Proposed Project would not conflict with adopted habitat conservation plans that apply to portions of the Antelope Valley and South Bay Planning Areas.	Less Than Significant	No mitigation measures are required.	Less Than Significant
5.11 MINERAL RESOURCES			
Impact 5.11-1: Implementation of the Proposed Project would cause the loss of availability of known mineral resources in the Antelope Valley Planning Area but not in the other 10 Planning Areas.	Potentially Significant	No mitigation measures are available to reduce the loss of availability of mineral resources in Antelope Valley Planning Area.	Significant and unavoidable within the Antelope Valley Area Plan.
Impact 5.11-2: Buildout of the Proposed Project would cause a loss of availability of mineral resources in one mineral extraction area identified in the Existing General Plan: the Little Rock Wash in the Antelope Valley Planning Area.	Potentially Significant	No mitigation measures are available to reduce the loss of availability of mineral resources in Antelope Valley Planning Area.	Significant and unavoidable within the Antelope Valley Area Plan.
5.12 NOISE			
Impact 5.12-1: Construction activities would result in temporary noise increases in the vicinity of the Proposed Project.	Potentially Significant	N-1 Construction activities associated with new development that occurs near sensitive receptors shall be evaluated for potential noise impacts. Mitigation measures such as installation of temporary sound barriers for construction activities that occur adjacent to occupied noise-sensitive structures, equipping construction equipment with mufflers, and reducing non-essential idling of construction equipment to no more than	Significant and Unavoidable

1. Executive Summary

Table 1-4 Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation

Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
<p>Impact 5.12-2: Buildout of the Proposed Project would result in an increase in traffic on local roadways in Los Angeles County, which would substantially increase the existing ambient noise environment.</p>	<p>Potentially Significant</p>	<p>five minutes shall be incorporated into the construction operations to reduce construction-related noise to the extent feasible.</p> <p>Implementation of the Proposed Project policies would reduce traffic noise impacts to existing noise sensitive uses to the extent feasible. These policies include N 1.1, N 1.4, N 1.6 and N 1.7. However, no additional feasible mitigation measures are available to further reduce impacts. Residential land uses comprise the majority of existing sensitive uses within Los Angeles County that would be impacted by the increase in traffic generated noise levels. Construction of sound barriers would be inappropriate for residential land uses that face the roadway as it would create aesthetic and access concerns. Furthermore, for individual development projects, the cost to mitigate off-site traffic noise impacts to existing uses (such as through the construction of sound walls and/or berms) may often be out of proportion with the level of impact.</p>	<p>Significant and Unavoidable</p>
<p>Impact 5.12-3: New noise-sensitive land uses associated with Proposed Project could be exposed to elevated noise levels from mobile sources along roadways.</p>	<p>Potentially Significant</p>	<p>N-2 Prior to the issuance of building permits for any project that involves a noise-sensitive use within the 65 dBA CNEL contour (i.e., areas in or above 65 dBA CNEL) along major roadways and freeways the project property owner/developers shall retain an acoustical engineer to conduct an acoustic analysis and identify, where appropriate, site design features (e.g., setbacks, berms, or sound walls), and/or required building acoustical improvements (e.g., sound transmission class rated windows, doors, and attic baffling) to ensure compliance with the County's Noise Compatibility Criteria and the California State Building Code and California Noise Insulation Standards (Title 24 of the California Code of Regulations).</p>	<p>Significant and Unavoidable</p>
<p>Impact 5.12-4: The Proposed Project could create elevated levels of groundborne vibration and groundborne noise; both in the short-term (construction) and the long-term (operations).</p>	<p>Potentially Significant</p>	<p>N-3 New development that occurs within 200 feet of a railroad track (according to the FTA's vibration screening distances) shall be evaluated for potential vibration impacts. The project property owner/developers shall retain an acoustical engineer to conduct an acoustic analysis and identify, where appropriate, site design features and/or required building construction improvements to ensure that vibration impacts would remain below acceptable levels of 0.08 RMS in/sec for residential uses.</p> <p>N-4 Individual projects that use vibration-intensive construction activities, such as pile drivers, jack hammers, and vibratory rollers, near sensitive receptors shall be evaluated for potential vibration impacts. If construction-related vibration is determined to be perceptible at vibration-sensitive uses (i.e., exceed the Federal Transit Administrations vibration annoyance criterion of 78 VdB at sensitive receptor locations), additional requirements, such as use of less-vibration-intensive equipment or</p>	<p>Significant and Unavoidable</p>

1. Executive Summary

Table 1-4 Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation

Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<p>construction techniques, shall be implemented during construction (e.g., drilled piles to eliminate use of vibration-intensive pile driver).</p> <p>N-5 Prior to the issuance of building permits, proposed heavy industrial projects are required to provide evidence that vibration due to the operation of machinery would not adversely affect nearby vibration sensitive uses such as commercial, hotel, institutional, and residential uses. The project property owner/developers shall retain an acoustical engineer to conduct a vibration analysis and identify, where appropriate, project design features and/or required building/ equipment improvements to ensure that vibration impacts would remain below acceptable levels of 78 VdB at sensitive receptor locations. This vibration level is considered to be significant at vibration-sensitive uses. This can be accomplished with vibration-reducing measures such as, but not limited to, equipment placement, equipment selection, vibration dampers, and/or changes to operation modes (speed, power, frequency).</p>	
Impact 5.12-5: The proximity of future County developments to an airport or airstrip would not result in exposure of future resident and/or workers to airport-related noise.	Less Than Significant	No mitigation measures are required.	Less Than Significant
5.13 POPULATION AND HOUSING			
Impact 5.13-1: The Proposed Project would directly result in population growth in the Project Area	Potentially Significant	PH-1 Prior to adoption of the Antelope Valley Area Plan Update, the County shall identify land use changes to achieve a minimum jobs-housing ratio of 1.3 for the Antelope Valley Planning Area.	Less Than Significant
Impact 5.13-2: Project implementation would not result in the displacement of people and/or housing.	Less Than Significant	No mitigation measures are required.	Less Than Significant
5.14 PUBLIC SERVICES			
FIRE PROTECTION AND EMERGENCY SERVICES			
Impact 5.14-1: Buildout of the Proposed Project would introduce new structures, residents and employees into the Los Angeles County Fire Department service boundaries, thereby increasing the requirement for fire	Potentially Significant	<p>PS-1 Prior to issuance of building permits, future project applicants/developers shall pay the Los Angeles County Fire Department Developer Fee in effect at that time.</p> <p>PS-2 Each subdivision map shall comply with the applicable County Fire Code requirements for fire apparatus access roads, fire flows, and fire hydrants. Final fire flows shall be determined by LACoFD in accordance with Appendix B of the County Fire Code.</p>	Less Than Significant

1. Executive Summary

Table 1-4 Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation

Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
protection facilities and personnel.		The required fire apparatus road and water requirements shall be in place prior to construction. PS-3 Prior to approval of a tentative map, a Fuel Modification Plan shall be prepared for each subdivision map in which urban uses would permanently adjoin a natural area, as required by Section 1117.2.1 of the County Fire Code and approved by LACoFD prior to building permit issuance.	
LAW ENFORCEMENT			
Impact 5.14-2: Buildout of the Proposed Project would introduce new structures, residents and employees into the LASD service boundaries, thereby increasing the requirement for law enforcement facilities and personnel.	Potentially Significant	PS-4 Prior to adoption of the Antelope Valley Area Plan, the County shall identify an implementation program to ensure adequate funding is available to provide law enforcement services within the Antelope Valley Planning Area. The funding mechanism must provide sufficient revenue to pay for land acquisition, engineering, construction, installation, purchasing, or any other direct costs for capital law enforcement facilities and equipment needed to serve the new development in the Antelope Valley Planning Area.	Less Than Significant
SCHOOL SERVICES			
Impact 5.14-3: Buildout of the Proposed Project would generate new students who would impact the school enrollment capacities of area schools.	Less Than Significant	No mitigation measures are required.	Less Than Significant
LIBRARY SERVICES			
Impact 5.14-4: Buildout of the Proposed Project would generate additional population increasing the service needs for the local libraries.	Less Than Significant	No mitigation measures are required.	Less Than Significant
5.15 RECREATION			
Impact 5.15-1: The Proposed Project would generate additional residents that would increase the use of existing parks and recreational facilities such that substantial physical deterioration may occur or be accelerated.	Less Than Significant	No mitigation measures are required.	Less Than Significant

1. Executive Summary

Table 1-4 Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation

Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
Impact 5.15-2: Implementation of the Proposed Project would result in the construction or expansion of recreational facilities.	Less Than Significant	No mitigation measures are required.	Less Than Significant
5.16 TRANSPORTATION/TRAFFIC			
Impact 5.16-1: Buildout in accordance with the Proposed Project would impact levels of service on the existing roadway system.	Potentially Significant	<p>T-1 The County shall continue to monitor potential impacts on roadway segments and intersections on a project by project basis as buildout occurs by requiring traffic studies for all projects that could significantly impact traffic and circulation patterns. Future projects shall be evaluated and traffic improvements shall be identified to maintain minimum levels of service in accordance with the County's Traffic Impact Analysis Guidelines, where feasible mitigation is available.</p> <p>T-2 The County shall implement over time objectives and policies contained within the General Plan Mobility Element. Implementation of those policies will help mitigate any potential impacts of Project growth and/or highway amendments on the transportation system.</p> <p>T-3 The County shall participate with Metro, the Congestion Management Program (CMP) Agency in Los Angeles County, on a potential Congestion Mitigation Fee program that would replace the current CMP Debit/Credit approach. Under a countywide fee program, each jurisdiction, including the County, will select and build capital transportation projects, adopt a fee ordinance, collect fees and control revenues. A fee program will require a nexus analysis, apply only to net new construction on commercial and industrial space and additional residential units and needs to be approved by Metro and the local jurisdictions. A countywide fee, if adopted, will allow the County to mitigate the impacts of development via the payment of the transportation impact fee in lieu of asking each development project for individual mitigation measures, or asking for fair share payments of mitigation. The fee program would itself constitute a "fair share" program that would apply to all development (of a certain size) within the unincorporated areas.</p> <p>T-4 The County shall work with Caltrans as they prepare plans to add additional lanes or complete other improvements to various freeways within and adjacent unincorporated areas. This includes adding or extending mixed flow general purpose lanes, adding or extending existing HOV lanes, adding Express Lanes (high occupancy toll lanes), incorporating truck climbing lanes, improving interchanges and other freeway related improvements.)</p>	Significant and Unavoidable

1. Executive Summary

Table 1-4 Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation

Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<p>T-5 The County shall require traffic engineering firms retained to prepare traffic impact studies for future development projects to consult with Caltrans, when a development proposal meets the requirements of Statewide, regional, or area wide significance per CEQA Guidelines §15206(b). Proposed developments meeting the criteria of Statewide, regional or area wide include:</p> <ul style="list-style-type: none"> • Proposed residential developments of more than 500 dwelling units • Proposed shopping centers or business establishments employing more than 1,000 persons or encompassing more than 500,000 square feet of floor space. • Proposed commercial office buildings employing more than 1,000 persons or encompassing more than 250,000 square feet of floor space • Proposed hotel/motel developments of more than 500 rooms • When the CEQA criteria of regional significance is not met, Caltrans recommends transportation engineers and/or city representatives consult Caltrans when a proposed development includes the following characteristics: • All proposed developments that have the potential to cause a significant impact to state facilities (right of way, intersections, interchanges, etc.) and when required mitigation improvements are proposed in the initial study. Mitigation concurrence should be obtained from Caltrans as early as possible. • Any development which assigns 50 or more trips during peak hours to a state highway (freeways). • Any development located adjacent to or within 100 feet of a State highway facility and may require a Caltrans Encroachment Permit. (Exceptions: additions to single family homes or 10 residential units or less). • When it cannot be determined whether or not Caltrans will expect a traffic impact analysis pursuant to CEQA. 	Less Than Significant
<p>Impact 5.16-2: Implementation of the Proposed Project would not result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks.</p>	Less Than Significant	No mitigation measures are required.	Less Than Significant

1. Executive Summary

Table 1-4 Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation

Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
Impact 5.16-3: Implementation of the Proposed Project would not substantially increase hazards due to a design feature (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment).	Less Than Significant	No mitigation measures are required.	Less Than Significant
Impact 5.16-4: Implementation of the Proposed Project would not result in inadequate emergency access.	Less Than Significant	No mitigation measures are required.	Less Than Significant
Impact 5.16-5: Implementation of the Proposed Project would not conflict with adopted policies, plans, or programs supporting alternative transportation (e.g. bus turnouts, bicycle racks).	Less Than Significant	No mitigation measures are required.	Less Than Significant
5.17 UTILITIES AND SERVICE SYSTEMS			
Impact 5.17-1: Wastewater generated by buildout of the Proposed General Plan would not exceed wastewater treatment requirements of any of the four Regional Water Quality Control Boards having jurisdiction in Los Angeles County.	Less Than Significant	No mitigation measures are required.	Less Than Significant
Impact 5.17-2: Sanitary wastewater generated by buildout of the Proposed Project could be adequately treated by the wastewater treatment providers serving the unincorporated areas.	Less Than Significant	No mitigation measures are required.	Less Than Significant

1. Executive Summary

Table 1-4 Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation

Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
<p>Impact 5.17-3: Water supply and delivery systems are not adequate to meet Proposed Project's requirements in the Antelope Valley and Santa Clarita Valley Planning Areas beyond 2035.</p>	<p>Potentially Significant</p>	<p>Antelope Valley and Santa Clarita Valley Planning Areas <i>Development Site Plans, Building Plans, and Landscaping Plans</i></p> <p>USS-1 Require the use of drought tolerant landscaping, native California plant materials, and evapotranspiration (smart) irrigation systems.</p> <p>USS-2 Require the use of low-flow fixtures in all non-residential development and residential development with five or more dwelling units, which may include but are not limited to water conserving shower heads, toilets, waterless urinals and motion-sensor faucets, and encourage use of such fixtures in building retrofits as appropriate.</p> <p>USS-3 Require low water use landscaping in new residential subdivisions and other private development projects, including a reduction in the amount of turf-grass.</p> <p>USS-4 Promote the use of low-flow and/or waterless plumbing fixtures and appliances in all new non-residential development and residential development of five or more dwelling units.</p> <p>USS-5 Support amendments to the County Building Code that would promote upgrades to water and energy efficiency when issuing permits for renovations or additions to existing buildings.</p> <p>USS-6 Apply water conservation policies to all pending development projects, including approved tentative subdivision maps to the extent permitted by law. Where precluded from adding requirements by vested entitlements, encourage water conservation in construction and landscape design.</p> <p>USS-7 Require new development to provide the infrastructure needed for delivery of recycled water to the property for use in irrigation, even if the recycled water main delivery lines have not yet reached the site, where deemed appropriate by the reviewing authority.</p> <p>USS-8 Promote the installation of rainwater capture and gray water systems in new development for irrigation, where feasible and practicable.</p> <p>USS-9 Promote energy efficiency and water conservation upgrades to existing non-residential buildings at the time of major remodel or additions.</p> <p>USS-10 Promote the use of permeable paving materials to allow infiltration of surface water into the water table.</p> <p>USS-11 Maintain stormwater runoff on site by directing drainage into rain gardens, natural landscaped swales, rain barrels, permeable areas, and use of drainage areas as design elements, where feasible and reasonable.</p> <p>USS-12 Seek methods to decrease impermeable site area where reasonable and</p>	<p>Significant and Unavoidable</p>

1. Executive Summary

Table 1-4 Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation

Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<p>feasible, in order to reduce stormwater runoff and increase groundwater infiltration, including use of shared parking and other means, as appropriate.</p> <p>USS-13 On previously developed sites proposed for major alteration, provide stormwater management improvements to restore natural infiltration, as required by the reviewing authority.</p> <p>USS-14 Encourage and promote the use of new materials and technology for improved stormwater management, such as pervious paving, green roofs, rain gardens, and vegetated swales.</p> <p>USS-15 Where detention and retention basins or ponds are required, seek methods to integrate these areas into the landscaping design of the site as amenity areas, such as a network of small ephemeral swales treated with attractive planting.</p> <p>USS-16 Evaluate development proposals for consistency with the County Green Building Standards Code.</p> <p>USS-17 Promote Low Impact Development standards on development sites, including but not limited to minimizing impervious surface area and promoting infiltration, in order to reduce the flow and velocity of stormwater runoff throughout the watershed.</p> <p><i>Water Supply Planning and Water Conservation</i></p> <p>USS-18 Require that all new development proposals demonstrate a sufficient and sustainable water supply prior to approval.</p> <p>USS-19 Monitor growth, and coordinate with water districts as needed to ensure that long-range needs for potable and reclaimed water will be met.</p> <p>USS-20 If water supplies are reduced from projected levels due to drought, emergency, or other unanticipated events, take appropriate steps to limit, reduce, or otherwise modify growth permitted by the General Plan in consultation with water districts to ensure adequate long-term supply for existing businesses and residents.</p> <p>USS-21 Upon the availability of non-potable water, discourage and consider restrictions on the use of potable water for washing outdoor surfaces.</p> <p>USS-22 In cooperation with the Sanitation Districts and other affected agencies, expand opportunities for use of recycled water for the purposes of landscape maintenance, construction, water recharge, and other uses as appropriate.</p> <p>USS-23 In coordination with applicable water suppliers, adopt and implement a water conservation strategy for public and private development.</p>	

1. Executive Summary

Table 1-4 Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation

Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
Impact 5.17-4: Existing and/or proposed facilities would be able to accommodate project-generated solid waste and comply with related solid waste regulations.	Less Than Significant	No mitigation measures are required.	Less Than Significant
Impact 5.17-5: Existing and/or proposed facilities would be able to accommodate project-generated utility demands.	Less Than Significant	No mitigation measures are required.	Less Than Significant

1. Executive Summary

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Letter from Ron Conrow to Congresswoman Hahn

cc: City Council
5/29/14 Mail

RANCHO

LPG Holdings LLC

May 23, 2014

Honorable Janice Hahn
Member of Congress
44th District, California
Washington, DC Office
404 Cannon House Office Building
Washington, DC 20515

City of Rancho Palos Verdes

MAY 29 2014

City Manager's Office

Dear Congresswoman Hahn,

We are disturbed by the letter you wrote on May 20, 2014 to the City of Rancho Palos Verdes (RPV) Council in support of a resolution regarding the liquefied petroleum gas storage facility owned by Rancho LPG Holdings LLC in San Pedro, California. Consistent with past correspondence from your office, this letter contains several mischaracterizations and inaccuracies regarding the facility.

Below are some specific areas of inaccuracies and/or mischaracterizations from your letter:

- **Proposed Resolution.** As clearly stated in an e-mail from RPV Councilwoman Susan Brooks to your Legislative Director Justin Vogt dated May 21, 2014, it appears *"you were greatly misled to the intent of this matter"*. The RPV website posting for the May 20, 2014 Council meeting is clear that the matter was to be part of several issues for a Study Session and made no mention of a Resolution. For the record, the primary purpose of the Study Session is to provide an opportunity for the Council members to interact freely and informally, ask questions and discuss policy items that are listed on the agenda for that specific Study Session. The City Council will also provide direction to Staff regarding upcoming agenda items and tentative agendas, including prioritization of agenda items that are listed on the agenda for that specific study session. No action shall be taken during any Study Session unless the agenda so provides. After almost two hours of discussion, the RPV Council voted to have RPV Mayor Jerry Duhovic meet with CD15 Councilman Joe Buscaino to assess the situation and report back to the Council. I was in attendance at this meeting and concur with Councilwoman Brook's statement that no resolution was proposed against the Rancho facility.
- **RPV Jurisdiction.** As mentioned by Councilwoman Brooks, RPV is not part of the City of Los Angeles and thus has no jurisdiction over the Rancho Facility. Therefore, your request that RPV take the lead on the Rancho issue is puzzling given your long history regarding the Los Angeles political structure.

Furthermore, the Rancho facility presents no threat to health, welfare, property, and safety of the citizens of RPV. As mentioned in our August 26, 2013 letter to you, Environmental Protection Agency (EPA) has vetted Rancho's "worst case" release scenario contained in our Risk Management Plan (RMP) per federal regulation 40CFR68 as being "to the letter of the law". While it is not our intention to marginalize any potential offsite impacts, Rancho's EPA vetted "worst case" scenario of 0.5 miles at 1.0 psi overpressure to endpoint does not impact any part of RPV and has less potential

for damage than the “worst case” scenarios of other facilities in the immediate vicinity. Rancho’s RMP is on file for public review at the LAFD/CUPA office in downtown Los Angeles.

- **EPA Letter to Rancho.** It is essential to understand that while the EPA did issue the Rancho LPG facility a “show cause” letter in March 2013 and identified several issues in question. The issues brought forward by the EPA are not categorized as violations, but as merely allegations requiring additional information from the company before a final determination is made. While it is Rancho’s ambition to have no issues with any regulatory agency, it is important to note the allegations are “civil administrative;” and no criminal, negligence, or judicial issues are under review by the EPA. By no means should Rancho LPG’s willingness to address issues raised by the EPA be construed as an admission that we did not fulfill any regulatory obligation(s).

Your statement that of the EPA’s decision to sue Rancho for repeated violations is inconsistent with the content of the EPA “show cause” letter. While it is possible that Rancho could be fined by the EPA should some of the allegations become violations by consent, nowhere in the letter does the EPA threaten to sue Rancho! Finally, Rancho has not received any prior notifications of violations from any federal agency. Therefore, your comment that Rancho has incurred repeated violations from the EPA is inaccurate and is not supported by that federal regulatory agency.

- **Rancho Accountability to Agencies.**

In 1977, Governor Jerry Brown commissioned the California Public Utilities Commission (CPUC) to lead a local and state multi-agency safety investigation on the Petrolane (Rancho) Facility to determine its potential safety hazard to the surrounding area. In September 1977, the CPUC issued a comprehensive report which clearly conveyed no findings indicating the facility was unsafe or should be shutdown. The 1977 CPUC Report is a matter of public record.

In May 2011, the Los Angeles City Attorney commissioned a multi-agency strike force to conduct a comprehensive and unannounced inspection of the Rancho Facility. No violations were found by the strike force. Subsequent to the inspection, the City Attorney issued a letter dated September 22, 2011 to pro-bono attorney Anthony Patchett responding to San Pedro activist allegations against the facility. In the letter, the City Attorney references the strike force inspection and states “the facility is in compliance based upon findings of this inspection”.

On October 4, 2011, the California State Attorney General issued a letter in support of the findings by the Los Angeles City Attorney office. Moreover, the State Attorney General declared, *“the facility appears to have passed all inspections and is complying with air, hazardous materials, fire, and health and safety requirements promulgated by local, state, and federal governments”.* Additionally, the State Attorney General stated, *“there appear to be a number of safety measures at the facility to protect against a cataclysmic event”* as portrayed by the activists.

Finally, on February 14, 2014, the California State Fire Marshall (CSFM) Tonya Hoover responded to inquiries from California State Senator Ted Lieu concerning the safety of the Rancho tanks. The CSFM stated, *“An inspection of these systems was conducted by the CSFM in March 2012. No safety issues or violations were found”.*

The evidence is clear concerning agency oversight as well as Rancho’s accountability and compliance with local, state, and federal facility regulations and laws. Since 2010, the Rancho facility has been inspected approximately 48-times by local, state, and federal regulators. Despite this number of inspections, Rancho’s cooperation and compliance can be confirmed by the respective agencies. Therefore, your remarks concerning Rancho’s lack of accountability to agencies and being a potential safety hazard are not supported by the facts.

Moving forward, it is important to note that Rancho will continue to cooperate with lawmakers and regulators to ensure the facility remains compliant and safe. We look forward to working closely with Councilman Joe Buscaino in the implementation of his Public Safety Committee Motion to monitor and report on all hazardous facilities within CD15 and to make inspection information about these facilities readily available to the general public. Likewise, we support President Barack Obama's Executive Order 13650, entitled Improving Chemical Facility Safety and Security which directs the Federal Government to improve operational coordination with state and local partners; improve Federal agency coordination and information sharing; modernize policies, regulations, and standards; and work with stakeholders to identify best practices. Both of these measures are intended to improve chemical facility safety and to protect the public, which in turn safeguards the safety of our workforce.

Rancho LPG and its International Longshore and Warehouse Union Local 26 workforce take pride in its safety record. The facility has experienced no major incidents, releases or accidents in the facility's 39-year operating history. Rancho LPG maintains a robust program of mechanical integrity and inspection to ensure all vessels, tanks, piping and infrastructure is maintained in accordance with applicable regulations. Rancho LPG performs regular, planned maintenance at the facility to ensure all components remain in compliance with regulatory and company standards.

Rancho is committed to being a strong business and social partner in the San Pedro community. Since Rancho purchased this facility in November 2008, it has endeavored to maintain an open, honest, and productive dialogue with the community. We remain committed to operating the facility in a prudent and responsible manner which safeguards our workforce and the community.

We hope this information underscores the inaccuracies from the May 20, 2014 correspondence. In recent months several key lawmakers including State Senator Ted Lieu, Assemblyman Al Muratsuchi, and the District Director for Congressman Henry Waxman have taken the time to visit Rancho and discover the facts about the facility. Since Rancho acquired the facility in November 2008, we have made numerous offers for you to meet with us and tour the facility. While one staff member has visited the facility, we are disappointed that you have never toured the facility and yet continue to write unfavorable letters containing inaccurate information about Rancho. We encourage your staff to contact us prior to your next visit to San Pedro and request a tour to discover the facts about the facility first hand.

Respectfully yours,

Ron Conrow

Ronald H. Conrow Jr.
Western District Manager
Plains/Rancho LPG
19430 Beech Avenue
Shafter, CA 93263
Office: 661-368-7917

cc:

Congressman Jeff Denham
Councilman Joe Buscaino
Deputy LA Mayor Doane Liu
Rancho Palos Verdes City Council

E-mail and agenda regarding Los Angeles City Council
Public Safety Committee meeting

Kit Fox

From: John Larson <john.larson@lacity.org>
Sent: Wednesday, June 11, 2014 9:18 AM
To: Kit Fox; Carolyn Lehr; Jerry Duhovic
Subject: Public Safety 6-13.14

Mr Mayor et.al

Please note the public safety meeting featuring the new LAFD CalARP program website, will be this Friday. We invite you, should your schedule permit, to attend and see what LAFD has created in response to Councilman Buscaino's request to share more information with the public.

Please let us know if you or a representative plan on attending.

V/r

--

**John Larson, MPS | Legislative Deputy |
Councilman Joe Buscaino**
15th Council District | City of Los Angeles | 213.473.7015
www.LA15th.com | [Facebook](#) | [Twitter](#) | [YouTube](#)

Called by Committee Chair
SPECIAL MEETING - PUBLIC SAFETY COMMITTEE

Friday, June 13, 2014

ROOM 1010, CITY HALL - 8:45 AM
200 NORTH SPRING STREET, LOS ANGELES, CA 90012

MEMBERS: COUNCILMEMBER MITCHELL ENGLANDER, CHAIR
COUNCILMEMBER JOE BUSCAINO
COUNCILMEMBER MIKE BONIN
COUNCILMEMBER MITCH O'FARRELL
COUNCILMEMBER NURY MARTINEZ

(John A. White - Legislative Assistant - (213) 978-1072 or email John.White@lacity.org)

[Click here for agenda packets](#)

Note: For information regarding the Committee and its operations, please contact the Committee Legislative Assistant at the phone number and/or email address listed above. The Legislative Assistant may answer questions and provide materials and notice of matters scheduled before the City Council. Sign Language Interpreters, Communication Access Real-Time Transcription (CART), Assistive Listening Devices, or other auxiliary aids and/or services may be provided upon request. To ensure availability, you are advised to make your request at least 72 hours prior to the meeting/event you wish to attend. Due to difficulties in securing Sign Language Interpreters, five or more business days notice is strongly recommended. For additional information, please contact the Legislative Assistant listed above.

ITEM NO. (1)
13-0462

CONTINUED FROM OCTOBER 25, 2013 AND FEBRUARY 14, 2014

Motion (Buscaino - Englander) relative to establishing a California Accidental Release Prevention (CaIARP) inspection section on the Los Angeles Fire Department (LAFD) web site that would provide information in regard to: 1) code requirements as mandated by City, State, and Federal Government; 2) inspection status/frequency of inspections performed; 3) inspection history; 4) emergency procedures designed to keep the public safe from or in the event of an accidental release; and 5) whether the facility has a Risk Management Plan on file that has been approved by the proper agencies.

Community Impact Statement: None submitted.

ITEM NO. (2)
14-0750

City Administrative Officer report relative to proposed Agreement with Erickson Air-Crane, Inc. for Helitanker airship services for a five-year period from July 1, 2014 through June 30, 2019 and for a total contract amount not to exceed \$18,973,790.

Fiscal Impact Statement Submitted: Yes

Community Impact Statement: None submitted.

TIME LIMIT FILE - AUGUST 5, 2014

(LAST DAY FOR COUNCIL ACTION - AUGUST 5, 2014)

If you challenge this Committee's action(s) in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City Clerk at or prior to, the public hearing. Any written correspondence delivered to the City Clerk before the City Council's final action on a matter will become a part of the administrative record.

Materials related to an item on this agenda submitted to the committee after distribution of the agenda packet are available for public inspection in the City Clerk's Office at 200 North Spring Street, Room 395, City Hall, Los Angeles, CA 90012 during normal business hours.

13-0462

PUBLIC SAFETY

MOTION APR 17 2013

The California Accidental Release Prevention (CalARP) program was implemented on January 1, 1997 and replaced the California Risk Management and Prevention Program (RMPP). The purpose of the CalARP program is to prevent accidental releases of substances that can cause serious harm to the public and the environment, to minimize the damage if releases do occur, and to satisfy community right-to-know laws. This is accomplished by requiring businesses that handle more than a threshold quantity of a regulated substance listed in the regulations to develop a Risk Management Plan (RMP). An RMP is a detailed engineering analysis of the potential accident factors present at a business and the mitigation measures that can be implemented to reduce this accident potential.

The CalARP program is implemented at the local government level by Certified Unified Program Agencies (CUPAs) also known as Administering Agencies (AAs). The Los Angeles Fire Department has been designated the City's local agency tasked with CalARP inspections and compliance oversight, including the review of RMPs, and conducts safety inspections at 50 facilities within City-limits that fall under CalARP monitoring standards.

The Office of the Chief Legislative Analyst (CLA), at the request of Council District 15, completed a review of CalARP standards to complement the prior reports by various City departments to determine the safety of above ground storage tanks. The report, and similar reports filed over the past decade, have failed to note any flaws in the safety standards or the inspections performed by LAFD. However, it was suggested that while LAFD is completing all CalARP inspections, the information is not effectively communicated to City residents. It was recommended that the LAFD find a new way to educate the public on what standards CalARP-identified facilities must adhere to, and the results of inspections they conducted.

I THEREFORE MOVE, that the Los Angeles Fire Department, establish a CalARP inspection section on the LAFD web site that would provide information to residents on the 50 CalARP facilities inspected by LAFD and provide information, in a clear and easy to understand format, the following pieces of information:

- Code Requirements as mandated by the City, State, and Federal government
- Inspection Status/Frequency of Inspections Performed
- Inspection History
- Emergency procedures designed to keep the public safe from or in the event of an accidental release
- Whether the facility has an RMP on file that has been approved by the proper agencies

I FURTHER MOVE, that the City Administrative Officer, in conjunction with LAFD, report on the cost of establishing the CalARP information page, including any and all staffing and maintenance costs, and determine sufficient sources to revenue to pay for the establishment of this page.

Presented by Joe Buscaino
JOE BUSCAINO
Councilmember, 15th District

Seconded by M. English

[Signature]
APR 17 2013

ORIGINAL

State Lands Commission Staff report

CALENDAR ITEM

91

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K.Colson

REVIEW OF AN EXISTING REVOCABLE PERMIT ISSUED BY THE PORT OF LOS ANGELES TO RANCHO LPG HOLDINGS LLC FOR USE OF A RAILROAD SPUR LOCATED WITHIN THE LEGISLATIVE TRUST GRANT TO THE PORT OF LOS ANGELES, IN THE CITY OF LOS ANGELES, LOS ANGELES COUNTY

INTRODUCTION:

The California State Lands Commission (Commission) has the statutory responsibility to oversee the management of sovereign public trust lands and assets by legislative grantees who manage these lands, in trust, on behalf of the State. (Public Resources Code section 6301 et seq.; *State of California ex rel. State Lands Commission v. County of Orange* (1982) 134 Cal App. 3d 20, 23).

The City of Los Angeles (City), acting by and through the Port of Los Angeles (Port), is trustee of sovereign tide and submerged lands granted by the Legislature pursuant to Chapter 656, Statutes of 1911 and Chapter 651, Statutes of 1929, and as amended, no minerals reserved to the State.

During the public comment portion of the April 23, 2014 regularly scheduled Commission meeting, numerous citizens raised concerns regarding a revocable permit for use of a railroad spur issued by the Port to Rancho LPG Holdings LLC (Rancho LPG). The Rancho LPG facility is located on private property and not on land under the Port's jurisdiction; however, the railroad spur at issue is located on land that is held by the Port as an asset of the trust, as shown in Exhibit A.

Upon hearing the concerns, the Chair of the Commission requested that staff report back to the Commission on the various issues and concerns surrounding the Rancho LPG facility and specifically, the revocable permit issued by the Port to Rancho LPG for use of the railroad spur track.

CALENDAR ITEM NO. 91 (CONT'D)

BACKGROUND:

In 1973, Rancho LPG's predecessor, Petrolane, began to develop a liquefied petroleum gas (LPG) storage facility located on private property on North Gaffey Street in San Pedro. The site has two storage tanks of refrigerated butane with 12.6 million gallons of capacity, approximately 110 feet in height and 175 feet in diameter. Additionally, there are smaller horizontal tanks that store butane and propane, each with a capacity of 60,000 gallons. This facility primarily stores butane, which is a by-product from refining petroleum (crude oil). During the summer months, California Air Resources Board regulations prohibit blending butane into gasoline because of the occurrence of vapor pressure. This regulation results in the need to store the butane until it can be transported to refineries and blended into gasoline in the winter months. Much of the butane that is stored at this facility is transported by pipeline to and from local oil refineries. The butane is also transported by rail and tanker truck.

Although the Port does not own or have any control over the Rancho LPG storage facility, the Port has issued a revocable permit to Rancho LPG for a railroad spur track located at the intersection of Gaffey Street and Westmont Drive, which is property the Port acquired in 1970 from the Watson Land Company.

The Port entered into a permit, Revocable Permit (RP) No. 1212, with Petrolane in 1974 for the construction, operation, and maintenance of the industrial railroad spur track to serve the storage facility. There was an existing track owned by Southern Pacific Railroad (SPR) that ran along Gaffey Street that served other customers in the area. In order to allow Petrolane access to the existing rail system a spur track had to be constructed on Port property.

In 1994, as part of a larger land acquisition with the Port of Long Beach in connection with the Alameda Corridor project, the Port acquired the land underlying the existing track from SPR that runs parallel to Gaffey Street up to the land covered by RP 1212. Therefore, the Port currently owns the land under the entire railroad track that parallels Gaffey Street that serves the Rancho facility. Although Rancho LPG uses the entire track, the only portion currently permitted to Rancho LPG is the original portion of the track within the intersection of Gaffey Street and Westmont Drive.

The spur track, as well as the rail along Gaffey Street, is also under another permit, Permit No. 1989, between the Port and the Pacific Harbor Line (PHL). PHL is the operating railroad that provides rail switching service to customers within and adjacent to the Ports of Long Beach and Los Angeles. Rancho LPG continues to use the rail line along Gaffey Street to transport butane product in tank cars to and from the facility using the rail service provided by PHL. Although the Port could revoke the permit to Rancho LPG, it would be unable to prevent rail service to the Rancho LPG facility, which would continue under Permit 1989. Permit 1989 grants PHL operational and

CALENDAR ITEM NO. 91 (CONT'D)

maintenance responsibilities of the rail facilities in the Port, including the switching of railcars in and around the Port and the ability to operate as a federally recognized common carrier on the track along Gaffey Street that serves the Rancho LPG facility. This includes the section of track that is also the subject of the Rancho LPG permit.

Until 2004, Rancho LPG used the railroad spur and the PHL rail line in addition to transferring LPG through a pipeline to Berth 120 at the Port. Today, Rancho LPG no longer utilizes Berth 120, but it still uses the PHL rail line, which runs through the Port and connects to long haul rail lines.

In 2011, the Port entered into RP No. 10-05, the successor to RP No. 1212, with Rancho LPG. The Port is authorized to terminate RP No. 10-05 upon 30 days' notice, pursuant to paragraph 3 of the RP. However, if the Port would like to eliminate the spur track from Permit No. 1989 with PHL, approval would be required from the Surface Transportation Board (STB), a federal agency. STB discontinuance/abandonment proceedings largely involve questions of a line's economic viability. If the STB finds that there is still economic viability in the use of the line to serve the Rancho LPG facility, it is unlikely that the STB would allow discontinuance or abandonment of the line.

In addition, although termination of RP 10-05 would not terminate rail service to the Rancho LPG facility, the revocation of the permit would result in the loss of: 1) \$1 million in comprehensive general liability and property damage insurance provided by Rancho LPG; 2) indemnification of the Port from any claims resulting from Rancho LPG's operations on the RP No. 10-05 premises; and 3) the loss of \$14,244 in compensation per year generated from the RP 10-05.

Regulatory Oversight:

The Rancho LPG facility is subject to regulation by numerous local, state, and federal agencies, including but not limited to the following:

Federal:

- U.S. Department of Homeland Security
- U.S. Department of Transportation
- U.S. Environmental Protection Agency (U.S. EPA)
- U.S. Defense Logistics Agency
- U.S. Department of Occupational Health and Safety Administration

State:

- California Environmental Protection Agency
- California Emergency Management Agency

CALENDAR ITEM NO. 91 (CONT'D)

- California Department of Toxic Substances Control
- California Department of Industrial Relations, Division of Occupational Safety and Health
- South Coast Air Quality Management District

Local:

- Los Angeles City and County Fire Departments, as the designated Certified Unified Program Agency (CUPA)
- Los Angeles Police Department
- Los Angeles Emergency Management Department
- Los Angeles City Attorney
- City of Los Angeles Bureau of Sanitation Industrial Waste Management Division
- City of Los Angeles Department of City Planning

STAFF ANALYSIS:

The California Legislature, as the representative of the people of California, has primary authority over sovereign public trust lands of the State. That authority includes the ability to make, amend, or repeal statutory grants of trust property to local jurisdictions.

The Legislature transferred general authority to the Commission to manage ungranted trust lands in 1938. Unless otherwise expressly stated in the Constitution or statutes, the common law Public Trust Doctrine mandates the criteria for the Commission's management of trust lands. In carrying out its management responsibilities, the Commission commonly leases trust lands to private and public entities for uses consistent with the Doctrine. Subject to the criteria in the Constitution, statutes and case law, the Commission may also exchange public trust lands for non-trust lands, lift the trust from public trust lands, enter into boundary line agreements, and otherwise generally manage trust property. While much of the authority over the State's public trust lands is vested in the Commission, the Legislature has not delegated the authority to modify uses specifically provided for in a particular trust grant. It is rather the Legislature, exercising its retained powers as the ultimate trustee of sovereign lands, that may enact laws dealing with granted public trust lands and specify uses for particular properties or areas. This may include, in limited circumstances, special legislation allowing some non-trust uses when said uses are not in conflict with trust needs, in order to serve broader public trust purposes.

State Lands Commission Jurisdiction and Authority:

CALENDAR ITEM NO. 91 (CONT'D)

By 1941, the California Legislature vested all jurisdiction over ungranted sovereign lands and certain residual and review authority for sovereign lands legislatively granted in trust to local jurisdictions to the Commission. Public Resources Code section 6301 provides, *inter alia*, “[a]ll jurisdiction and authority remaining in the State as to tidelands and submerged lands as to which grants have been or may be made is vested in the Commission.”

In order to promote public trust purposes, the California Legislature has, by statute, conveyed approximately 330,000 acres of public trust lands (often referred to as granted lands), in trust, to cities, counties, and other governmental entities, including the five major ports. There are approximately 70-plus statutory trust grants that operate under more than 300 granting statutes. It is through this method the Legislature seeks to ensure that tidelands are utilized and developed by the local grantee for the benefit of all the people of the state. The local grantee has day-to-day control over operations and management and reaps the benefits such utilization and development directly brings to a local economy. However, the mechanism of a grant-in-trust provides that the state tidelands, as well as all revenues generated, directly or indirectly, by the tidelands are used only for authorized purposes of statewide benefit and as provided by the applicable granting statute.

Thus it was that municipalities, given the land and the power to govern, control, improve and develop the lands in the interests of all of the people of the state, developed the State’s major ports. Today the ports are operated and maintained locally, without State involvement in their day-to-day management. However, the State has not, by these statutory trust grants, relinquished all authority over these lands; the State has the reserved authority and the duty to oversee the administration of the granted lands.

The Commission represents the statewide public interest to ensure that the local trustees of public trust lands operate their trust grants in conformance with the California Constitution, granting statutes, and the Public Trust Doctrine. This oversight has ranged from working cooperatively to assist local trustees on issues involving proper trust land use and trust expenditures, to judicial confrontations involving billions of dollars of trust assets, e.g. serving as *amicus curiae* in *Mallon v. City of Long Beach* (1955) 44 Cal.2d 199, 211 and as plaintiff in *State of California ex rel. State Lands Commission v. County of Orange* (1982) 134 Cal.App.3d 20.

The Commission has general oversight authority which may be carried out in a variety of ways; however, the Commission has only limited specific responsibilities that involve the day-to-day management decisions of grantees. In most cases, the Commission staff conducts its oversight by commenting on projects, such as during the CEQA process, or through consultation and advice. In the past the Commission staff has conducted its oversight through financial and management audits of grantees on a case-by-case basis. Unless the legislative grant provides for specific duties to the

CALENDAR ITEM NO. 91 (CONT'D)

Commission, its only remedy to overturn an action taken by a grantee, which the Commission believes is inconsistent with the grantee's trust responsibilities in managing its granted lands, is through litigation. The Commission may also report its concerns relating to trust administration by a local grantee to the Legislature.

In summary, the Commission has the authority to involve itself in issues relating to operations of granted public trust property when it deems appropriate. The Commission's authority includes the power to monitor the administration of the trust grant to ensure compliance with the granting statutes and the Public Trust Doctrine. However, it should be noted that except for statutory provisions specifically involving the Commission, the California Legislature has transferred legal title to its grantees and these grantees have the primary responsibility of administering the trust on a day-to-day basis.

In conclusion, while the Commission has broad discretion and authority to review activities of local trustees, it has limited authority to stop an action or decision by a grantee. Should the Commission find that a trustee is violating the terms its statutory trust grant or the Public Trust Doctrine, the Commission's only recourse is to pursue litigation against the trustee or report these violations to the Legislature, as the ultimate trustee of these lands and resources.

Trust Consistency of a Railroad Spur:

Issues have been raised about the trust consistency of Rancho LPG's revocable permit. The allegations state that the Rancho LPG facility has no connection to the Port because the products imported and exported through the facility no longer have a direct connection to Port operations.

In order to determine trust consistency, one must look at the terms of the Port's statutory trust grant and the common law Public Trust Doctrine. Pursuant to the terms of the Port's statutory trust grant, authorized uses include, but are not limited to, the establishment, improvement, and conduct of harbors, all commercial and industrial uses and purposes, construction, reconstruction, repair, and maintenance of highways, bridges, belt line rail roads and parking facilities, protection of wildlife habitats, and the acquisition of property.

Pursuant to the common law Public Trust Doctrine, uses of public trust lands, whether granted to a local agency, like the Port of Los Angeles, or administered by the State directly, are generally limited to those that are water dependent or related, and include fisheries, commercial navigation, environmental preservation and water related recreation. Public trust uses may include, among others, ports, marinas, docks and wharves, buoys, hunting, commercial and sport fishing, bathing, swimming, and boating. Public trust lands may also be kept in their natural state or restored and enhanced for

CALENDAR ITEM NO. 91 (CONT'D)

habitat, wildlife refuges, scientific study, or open space. Ancillary or incidental uses, which are uses that directly promote trust uses, are directly supportive and necessary for trust uses, or are uses that accommodate the public's enjoyment of trust lands, are also permitted. Examples include facilities to serve waterfront visitors, such as hotels and restaurants, shops, parking lots, and restrooms. Other examples are commercial facilities that must be located on or directly adjacent to the water, such as warehouses, container cargo storage, and facilities for the development, production and distribution of oil and gas. Uses that are generally not permitted on public trust lands are those that are not trust related, do not serve a statewide public purpose, and can be located on non-waterfront property, such as residential and non-maritime related commercial and office uses.

Generally, use of public trust lands for railroad purposes has long been considered a trust consistent use, particularly in a working waterfront/port setting. Railroads are the traditional means by which goods were imported or exported through the Port, and, still today, railroad use is necessary to promote interstate commerce. The PHL is a common carrier and operator of the short track rail lines that primarily serves the Port and port tenants but also serves other nearby clients. The PHL rail line is a trust consistent use because it is used to transport goods throughout the Port.

Temporary uses that do not interfere with trust uses and needs, but support and benefit the trust economically such as short-term leasing of facilities that are vacant and for which no traditional trust needs currently exist (warehouses used for non-maritime commerce) may be determined to be "not inconsistent with trust needs." The Rancho LPG Revocable Permit fits this description of a use not inconsistent with public trust needs.

Furthermore, as a fiduciary of the trust, the Port has a duty to make the trust property productive in furtherance of the purposes of the trust. The Port has continued to permit Rancho LPG to use the railroad spur and, in consideration, has obtained insurance, indemnity, and approximately \$15,000 a year in compensation. In addition, PHL pays a certain amount of money to the Port in consideration of its permit based on its number of clients, which includes Rancho LPG.

The allegations also go to whether Rancho LPG should be allowed to use the railroad spur and/or PHL rail line which are located on Port property. The PHL rail line or the relationship between PHL and Rancho LPG is outside the control of the Port because they are regulated and controlled by federal agencies. It is important to note that if the Port were to revoke Rancho LPG's permit to use the railroad spur, Rancho LPG could still use the PHL rail line to transport LPG through the Port.

CALENDAR ITEM NO. 91 (CONT'D)

In conclusion, staff does not believe that the Port has violated its statutory trust grant or the common law Public Trust Doctrine by issuing a revocable permit to Rancho LPG for use of the railroad spur.

OTHER PERTINENT INFORMATION:

1. Previously, the Port had issued a permit for a 16-inch pipeline from the Rancho LPG facility to Berth 120 where vessels were loaded with butane for export. In March 2004, the Port denied the reissuance of the permit. In July 2004, the berthing rights were terminated. In October 2010, the pipeline permit was terminated. The Rancho LPG facility does not currently have any berthing rights or pipeline permits with the Port.
2. The Port is a municipal agency and not an agency of the State of California. The Rancho LPG storage facility is not located on Port property granted to the Port by the State of California. The railroad spur at issue is located on land the Port purchased with trust revenues in the 1970s. This land is considered after-acquired land that is held as an asset of the trust. The Commission is not in the chain of title for this property. The Commission did not participate in any of the land acquisition decisions, the revocable permit decisions, or any decisions involving the Rancho LPG facility that is located on private property. Based on consultation with the Attorney General's Office, staff believes it very unlikely that the Commission has any direct liability with regards to the Rancho LPG operations.
3. The U.S. EPA calculated the worst-case consequence radius from the main tanks at the Rancho LPG facility to be 0.5 mile based on U.S. EPA's regulatory formula. The calculation factors in the benefit of Rancho's containment basin and the consequence radius would likely be greater without the benefit of this secondary safety feature. In a worst case scenario with the benefit of the secondary safety feature, a 0.5-mile radius from the Rancho LPG facility would extend approximately 0.16 mile at its greatest point onto Port property that includes a Los Angeles Harbor Police Station, an office building for the Yang Ming terminal, two cell towers, and a container storage and truck loading area. It is uncertain what the consequence would be or whether the Port would have to shut down operations as a result of such a "worst-case scenario."

Rancho LPG uses railcars that are approximately 65 feet in length and have the capacity to hold approximately 30,000 gallons of LPG per railcar. When the railcar is loaded at the Rancho LPG facility, it is transported on the track that parallels Gaffey Street and continues on the rail line using

CALENDAR ITEM NO. 91 (CONT'D)

services provided by PHL on the periphery of the Port's property. The PHL permit includes \$10,000,000 in general liability insurance and \$15,000,000 of excess liability insurance for operating the railroad. The insurance held by PHL also includes pollution liability, railroad liability, auto liability, federal employers liability, all risk and earthquake/flood liability coverage. In addition, the individual railroad companies that use the line also have general liability insurance. As mentioned above, Rancho LPG provides \$1 million in comprehensive general liability and property damage insurance and indemnification of the Port from any claims resulting from Rancho LPG's operation on the RP No. 10-05 premises.

4. The Commission is unaware of any regulatory agency that requires the Rancho LPG facility to hold insurance. Commission staff has contacted the U.S. EPA, Department of Toxic Substances Control and the CUPA LA Fire Department. Based on information known to Commission staff, Rancho LPG is current with all of its required permits, approvals, and other required entitlements. It is staff's understanding that the Los Angeles Fire Department, as the designated CUPA, inspects the Rancho LPG facility every three years. The next inspection for the Rancho LPG facility is scheduled for August 2014.
5. Commission staff requested insurance and bond information for the Rancho LPG facility and was informed that insurance and bond information is proprietary.
6. Rancho LPG's predecessor, Petrolane, was unsuccessfully sued on both private and public nuisance theories in a case decided in 1980 (*Don Brown v. Petrolane* (1980) 102 Cal.App.3d 720).
7. As mentioned above, the Port currently has \$1 million of liability insurance from Rancho LGP related to RP No 10-05 and PHL has \$25,000,000 million of liability insurance for the operation of the PHL rail line.
8. The staff recommends that the Commission find that the subject staff analysis does not have a potential for resulting in either a direct or a reasonably foreseeable indirect physical change in the environment, and is, therefore, not a project in accordance with the California Environmental Quality Act (CEQA)

Authority: Public Resources Code section 21065 and California Code of Regulations, Title 14, sections 15060, subdivision (c)(3), and 15378.

EXHIBIT:

CALENDAR ITEM NO. 91 (CONT'D)

A. Location and Site Map

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

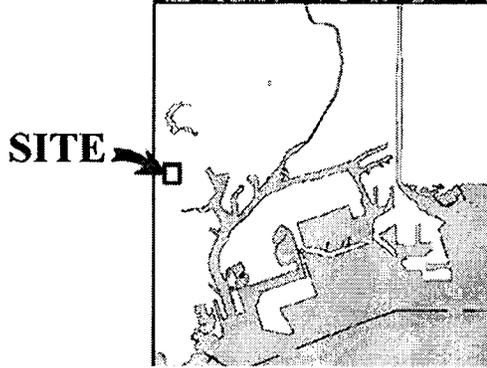
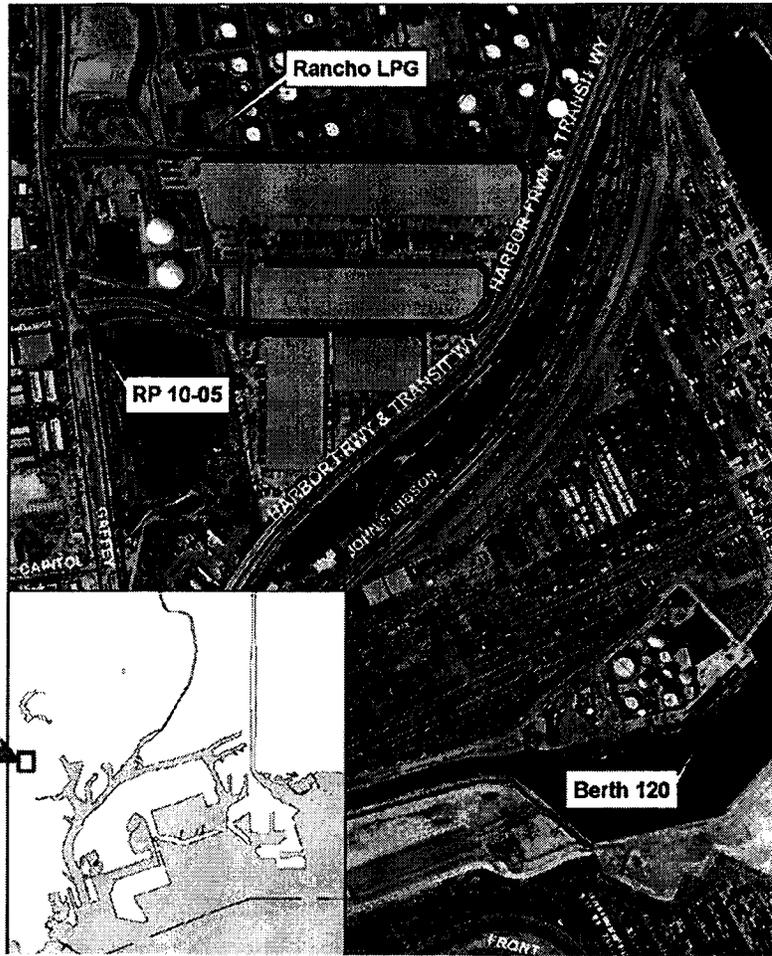
Find that the subject staff analysis is not subject to the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15060, subdivision (c)(3), because the subject activity is not a project as defined by Public Resources Code section 21065 and California Code of Regulations, Title 14, section 15378.

AUTHORIZATION:

Direct Commission staff to continue to work with the Port of Los Angeles on any issues involving the Rancho LPG revocable permit.

NO SCALE

SITE



PORT OF LOS ANGELES

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

Exhibit A

G 05-04
CITY OF LOS ANGELES
RANCHO LPG FACILITY
LOS ANGELES COUNTY



TS 06/12/14

E-mail from Congressman Waxman's office
regarding DHS community meeting

Kit Fox

From: Pinto, Lisa <Lisa.Pinto@mail.house.gov>
Sent: Thursday, June 19, 2014 10:31 AM
To: Janet Gunter; michael.picker@gov.ca.gov; rgb251@berkeley.edu; lpryor@usc.edu; carl.southwell@gmail.com; MrEnvirlaw@sbcglobal.net; det310@juno.com; noelweiss@ca.rr.com; connie@rutter.us; jacob.haik@lacity.org; jcyntiaperry@aol.com; rob.wilcox@lacity.org; maurice_lyles@boxer.senate.gov; kyle_chapman@boxer.senate.org; laura_schiller@boxer.senate.gov; wesling.mary@epa.gov; helmlinger.andrew@epa.gov; blumenfeld.jared@epa.gov; jnmarquez@prodigy.net; sally.magnani@doj.ca.gov; brian.hembacher@doj.ca.gov; Susan Brooks <Subrooks08@gmail.com>; Brian Campbell <b.camp@cox.net>; Jim Knight <knightjim33@gmail.com>; Jerry Duhovic; niki.tennant@asm.ca.gov; jennifer.zivkovic@sen.ca.gov; jennifer.lucchesi@slc.ca.gov; apadilla@coastal.ca.gov; don.holmstrom@csb.gov; dan.tillema@csb.gov; Beth.Rosenberg@csb.gov; Rafael.Moure-Eraso@csb.gov; Mark.Griffon@csb.gov; STsumura@elsegundo.org; gknatz@portla.org; jody.james@sbcglobal.net; marciesmiller@sbcglobal.net; bonbon90731@gmail.com; richard.vladovic@lausd.net; igornla@cox.net; dwgkaw@hotmail.com; lhermanpg@cox.net; pjwrome@yahoo.com; katiw@pacbell.net; jwebb@usc.edu; c.jjkondon@earthlink.net; rcraemer@aol.com; goarlene@cox.net; burling102@aol.com; pmwarren@cox.net; fbmjet@aol.com; ksmith@klct.com; diananave@gmail.com; overbid2002@yahoo.com; carriescville@yahoo.com; guillermovillagran@sbcglobal.net; mandm8602@att.net; dlrivera@prodigy.net; peter.burmeister@sbcglobal.net; roamerbill@yahoo.com; Zenponee@aol.com; tdramsay@gmail.com; maltbielong@aol.com; Betwixt1@yahoo.com; seinhorn@prodtrans.com; rueski1@cox.net; adcanizales@yahoo.com; lljonesin33@yahoo.com; owsqueen@yahoo.com; john@nrcwater.com; d.pettit@nrdc.org; bill.orton@sen.ca.gov; rkim@lacbos.org; horsefam1@q.com; litaesq@aol.com
Cc: Maier, Brent; chateau4us@att.net; board@nwsanpedro.org; Kit Fox; Rosenbaum, Samantha; Pinto, Lisa
Subject: Rep. Waxman update on Department of Homeland Security and Rancho Tanks

Dear Friends,

I am writing to share an update on Congressman Waxman's work on the Rancho Tanks. He has asked senior staff from the Department of Homeland Security (DHS) Headquarters to come to the district for a community meeting about the status and steps moving forward on the risks at the tanks.

DHS has agreed to come to the district and we will be arranging a time between August and October for the meeting. Our office will keep you posted as the details become arranged.

As always, thank you for reaching out and for sharing your own updates.

Lisa

Lisa Pinto
District Director
Congressman Henry A. Waxman
323/651-1040

EPA Interim Chemical Accident Prevention Advisory



INTERIM CHEMICAL ACCIDENT PREVENTION ADVISORY

Design of LPG Installations at Natural Gas Processing Plants

The U.S. Environmental Protection Agency (EPA) is concerned that some natural gas processing plants that store and process liquefied petroleum gas (LPG) may not be designed in accordance with applicable industry standards and codes. When undertaking compliance monitoring activities at such natural gas processing plants, EPA considers whether facilities are designed in accordance with recognized and generally accepted good engineering practices, including applicable standards and codes, in determining compliance with the requirements of the risk management provisions of section 112(r) of the Clean Air Act, 42 U.S.C. § 7412(r), and the Chemical Accident Prevention Provisions of 40 C.F.R. part 68. This interim advisory is being issued to raise industry awareness of codes and standards that may be applicable at such facilities. EPA may issue a final national advisory on this subject after receiving additional stakeholder feedback.

EPA inspectors have conducted inspections at a number of newly constructed natural gas processing plants. EPA inspectors have been advised and have verified that some plants have been constructed in accordance with National Fire Protection Association 58, Liquefied Petroleum Gas Code (NFPA 58). While compliance with NFPA 58 is consistent with good engineering practices, we note that NFPA 58 does not apply to natural gas processing plants and advises that additional, more specific industry standards than NFPA 58 would apply. See NFPA 58, section 1.3.2 (2) ("This code shall not apply to natural gas processing plants, refineries, and petrochemical plants."); see also NFPA 58, LP-Gas Handbook, at section 1.3.2 (design and operational features for natural gas processing plants are more restrictive). Other codes and standards may also need to be followed in order to achieve the level of protectiveness recognized in the industry as good engineering practice.

In particular, one widely recognized standard for the design of LPG installations at natural gas processing plants is American Petroleum Institute 2510, Design and Construction of Liquefied Petroleum Gas (LPG) Installations (API 2510) and its companion document API 2510A, Fire Protection Considerations for the Design and Operation of LPG Storage Facilities (API 2510A). Section 1 of API 2510 (7th and 8th Editions) states: "This standard covers the design, construction, and location of liquefied petroleum gas (LPG) installations at marine and pipeline terminals, natural gas processing plants, refineries, petrochemical plants, or tank farms. This standard covers storage vessels, loading and unloading systems, piping, or and related equipment." Earlier editions of API 2510 similarly define the scope of the document to include natural gas processing plants. API 2510 requires wider spacing of LPG tanks from loading racks and other tanks than does NFPA 58; API 2510 also requires adequate spacing of equipment at natural gas processing plants not addressed in NFPA 58.

Other standards or guidance documents that may be applicable to LPG installations, natural gas processing plants, wells and associated equipment include but are not limited to:

- API Standards: 6A, 12R1, 12F, 12J, 12K, 12GDU, 51R, 54, 74, 75L, 76, 500, 505, 510, 521, 570, 576, 650, 618, 653, 752, 753, 2000, 2003, 2510, 2510A, HF1, HF2, HF3
- NFPA Standards: 15, 30, 70, 497
- American Society of Mechanical Engineers: A13.1, B31.3, B31.4, B31.8
- International Fire Code and Mechanical Code
- International Organization for Standardization: 13631
- Steel Tank Institute: SP001-00

Implementing the correct industry standards is important to ensure adequate protection from accidental releases to the air. The API 2510 and 2510A standards, which are directly applicable to LPG installations at natural gas processing plants, contain different, more protective design criteria than the NFPA 58 standard for several parameters, including the distances between LPG tanks and other equipment and the spacing between adjacent LPG tanks. In addition, NFPA 30 and API 2000 require sufficient venting, under normal and emergency conditions, for atmospheric aboveground storage tanks storing flammable liquids (such as condensate) to prevent tank over-pressurizations from fire exposure at the applicable facilities including those processing natural gas. Storage tanks containing flammable liquids may also require secondary containment in accordance with NFPA 30, and possibly the Spill Prevention, Control and Countermeasure (SPCC) regulations at 40 C.F.R. part 112 and state or local regulations.

When designing natural gas processing plants, owners and operators of these plants should be cognizant of API 2510 and other applicable and widely recognized industrial codes and standards. The codes and standards discussed in this advisory are sources for establishing the level of design engineering protectiveness that is recognized and generally accepted in the industry. Such recognized good engineering practices also should be considered at bulk plants or distributors that also are natural gas processing plants; industry standards not referenced in state regulations may nevertheless be applicable to the design and maintenance of a safe facility.

EPA is accepting comments on this interim advisory until July 31, 2014. To submit comments or questions, please send an email to: LPG.interim.advisory@epa.gov.

EPA Notice of Potential Enforcement Action



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

MAR 14 2013

CERTIFIED MAIL NO.:
RETURN RECEIPT REQUESTED
In Reply Refer to:
Rancho San Pedro Terminal, San Pedro, CA

Mr. Tony Puckett
Rancho LPG Holdings, LLC
2110 North Gaffey Street
San Pedro, California 90731

RE: Notification of Potential Enforcement Action for Violation of Section 112(r)(7) of the Clean Air Act

Dear Mr. Puckett:

On April 14, 2010, and January 11, 2011, the U.S. Environmental Protection Agency ("EPA") conducted inspections at the San Pedro Terminal ("the Facility") owned by Plains LPG Services and operated by Rancho LPG Holdings, LLC (the "Companies") at 2110 North Gaffey Street, in San Pedro, California. The purpose of the inspections and subsequent information requests were to evaluate the Companies' compliance with the requirements under Section 112(r) of the Clean Air Act ("CAA").

Based upon the information obtained during our investigation, EPA is prepared to initiate a civil administrative action against the Companies to ensure compliance with federal law and assess a penalty pursuant to Section 113 of the CAA, 42 U.S.C. § 7413. The anticipated allegation includes violation of Section 112(r)(7) of the CAA, 42 U.S.C. § 7412(r)(7), and its implementing regulations.

Specifically, the anticipated allegations against the Companies include:

1. The Companies failed to identify and assess its rail storage area as a process for inclusion in its Risk Management Plan ("RMP"). The rail storage area should have been included as a covered process where a regulated substance was present above a threshold quantity when it submitted an RMP. As a result, the Companies failed to conduct a hazard assessment of that process, in violation of Section 112(r)(7) of the CAA, 42 U.S.C. § 7412(r), and 40 C.F.R. § 68.12(a) and (b).

2. The Companies failed to adequately evaluate potential seismic stresses on the support structure for the emergency flare in accordance with design codes. As a consequence, the Companies violated Section 112(r)(7) of the CAA, 42 U.S.C. § 7412(r), and 40 C.F.R. § 68.65(a) and(d)(2-3), which requires that the owner or operator ensure that complete process safety information is compiled on the technology of the process and that the equipment complies with recognized and generally accepted good engineering practices.
3. The Companies did not appropriately address the consequences of a loss of the city water system for fire suppression in the event of an earthquake. This omission is a violation of Section 112(r)(7) of the CAA, 42 U.S.C. § 7412(r), and 40 C.F.R. § 68.67(c)(4), which requires that the owner or operator address the consequences of the failure of engineering and administrative controls in the process hazard analysis.
4. The Companies failed to internally inspect Tank 1 according to a timetable set forth in API Standard 653, in violation of Section 112(r)(7) of the CAA, 42 U.S.C. § 7412(r), and 40 C.F.R. § 68.73(d)(2), which require that the owner or operator ensure that inspection and testing procedures follow recognized and generally accepted good engineering practices.
5. The Facility's emergency response plan identified the facility as a responding facility for which employees will take response action in the event of a release, per 40 C.F.R. 68.90(a). However, the Facility's emergency response plan developed under paragraph (a)(1) of that part was not coordinated with the community emergency response plan developed under 42 U.S.C. 11003. In addition, the Facility Manager and employees stated to EPA that they are not emergency responders for the Facility, but are only authorized to take life safety and evacuation actions. The Companies failed to develop and implement an emergency response program for the purpose of protecting public health and the environment, including at a minimum, procedures for informing the public and emergency response agencies in the event of a release. The Facility failed to clearly indicate to their own employees whether they would be emergency responders or would evacuate. This is in violation of Section 112(r)(7) of the CAA, 42 U.S.C. § 7412(r), and 40 C.F.R. § 68.95(a)(1)(i), which requires an owner or operator to develop and implement an emergency response program including a plan that shall be maintained at the stationary source and contain procedures for informing the public and local emergency response agencies about accidental releases.
6. The Companies failed to ensure that the drain pipe located in the base of the containment basin and the valve located near Gaffey Street were included in the mechanical integrity program. This is in violation of Section 112(r)(7) of the CAA, 42 U.S.C. § 7412(r), and 40 C.F.R. § 68.73(d), which requires inspection and testing procedures to follow recognized and generally accepted good engineering practices.

Before filing a Determination of Violation, Compliance Order and Notice of Right to Request a Hearing ("Complaint"), EPA is extending to the Companies an opportunity to advise EPA of any other information that the Companies believes should be considered before the filing of such a Complaint. Relevant information may include any evidence of reliance on compliance assistance, additional compliance tasks performed subsequent to the inspection, or financial factors bearing on the ability to pay a civil penalty.

Your response to this letter must be made by a letter, signed by a person or persons duly authorized to represent the Companies. Please send any such response by certified mail, return receipt requested, addressed to:

Ms. Mary Wesling (SFD-9-3)
Environmental Scientist
U.S. EPA Region IX
75 Hawthorne St.
San Francisco, CA 94105

Please provide such information by no later than April 15, 2013. EPA anticipates filing a Complaint in this matter on or about May 15, 2013, unless the Companies first advise EPA, with supporting information, of substantial reasons not to proceed as planned. Any penalty proposed for violation of the CAA will be calculated pursuant to EPA's "Final Combined Enforcement Policy for the Clean Air Act Section 112(r)(1), the General Duty Clause, and Clean Air Act Section 112(r)(7) and 40 C.F.R. Part 68, Chemical Accident Prevention Provisions," dated June 20, 2012, a copy of which is enclosed (the "Penalty Policy"). Civil penalties may be mitigated, under the EPA "Supplemental Environmental Projects Policy,"¹ which describes the terms under which a commitment to perform an environmental project may mitigate, in part, a civil penalty. Even if the Companies are unaware of any mitigating or exculpatory factors, EPA is extending to the Companies the opportunity to commence settlement discussions concerning the above described violations.

Additionally, to fully consider application of the Penalty Policy, EPA is additionally requesting responses to specific questions set forth below. EPA makes this request for information pursuant to 42 U.S.C. § 7414(a). Failure to comply with the information request in this letter may result in enforcement action being taken in accordance with Section 113 of the Act, 42 U.S.C. § 7413. This may include civil and administrative penalties of up to \$37,500 per day of noncompliance, pursuant to section 113(b)(2) and 113(d) of the Act, 42 U.S.C. §§ 7413(b)(2) and 7413(d). Instructions regarding the requests also are set forth below.

///

¹<http://www.epa.gov/compliance/resources/policies/civil/seps/fnl%sup-hermn-mem.pdf>, and <http://cfpub.epa.gov/compliance/resources/policies/civil/seps/>.

If there are any questions, please contact Mary Wesling of my staff at (415) 972-3080 or Wesling.Mary@epa.gov. Please direct any questions or inquiries from legal counsel to Andrew Helmlinger, EPA Counsel, at (415) 972-3904 or Helmlinger.Andrew@epa.gov.

Thank you for your prompt attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Meer', with a long horizontal flourish extending to the right.

Daniel A. Meer, Assistant Director
Superfund Division

Enclosures:

Final CAA §112(r) Combined Enforcement Policy

cc (w/enclosures):

T. Puckett, Plains LPG Services, LLC, Houston, TX

M. Wesling, U.S. EPA Region IX

A. Helmlinger, U.S. EPA Region IX

ENCLOSURE

INSTRUCTIONS

1. Please provide a separate response to each request, and identify each response by the number of the request to which it corresponds. For each document produced, identify the request to which it is responsive.
2. Knowledge or information that has not been memorialized in any document, but is nonetheless responsive to a request, must be provided in a narrative form.
3. The scope of this Information Request includes all information and documents obtained or independently developed by the Companies, their attorneys, consultants or any of their agents, consultants, or employees.
4. The Companies may not withhold any information from EPA on the grounds that it is confidential business information. EPA has promulgated regulations, under 40 C.F.R. Part 2, Subpart B, to protect confidential business information that it receives. The Companies may assert a business confidentiality claim (in the manner specified in 40 C.F.R. § 2.203(b)) for all or part of the information requested by EPA. However, business information is entitled to confidential treatment only if it satisfies the criteria set forth in 40 C.F.R. § 2.208. EPA will disclose business information entitled to confidential treatment only as authorized by 40 C.F.R. Part 2, Subpart B. If no claim of confidentiality accompanies the information at the time EPA receives it, EPA may make it available to the public without further notice.
5. Notice is hereby given, pursuant to 40 C.F.R. § 2.310(h), that EPA may disclose confidential information provided by the Companies to EPA's authorized representatives, including its contractor, Science Applications International Corporation ("SAIC"). Confidential information may be disclosed to EPA's authorized representatives for the following reasons: to assist with document handling, inventory and indexing; to assist with document review and analysis for verification of completeness; and to provide expert technical review of the contents of the response. Pursuant to 40 C.F.R. § 2.310(h), the Companies may submit, along with its response to this Information Request, any comments regarding EPA's disclosure of confidential information to its authorized representatives.
6. If information or documents not known or available to the Companies at the time of any response to this Information Request later become known or available to it, it must supplement its response to EPA. Moreover, should the Companies find at any time after the submission of any response that any portion of the submitted information is false or misrepresents the truth, the Companies must notify EPA as soon as possible and provide EPA with a corrected response.
7. If information responsive to a request is not in the Companies' possession, custody, or control, identify the persons or entities from whom such information may be obtained. For each individual or entity that possesses responsive information, please provide the following: name, last known or current address, telephone number, and affiliation with the Companies or the Facility.

8. If you believe that there are grounds for withholding information or documents that are responsive to this request, e.g., attorney-client privilege, you must identify the information or documents and state the basis for withholding.

INFORMATION REQUEST

1. Provide cost information for the development and implementation of the Facility's RMP. Disaggregate the RMP development costs by capital and one-time non-depreciable expenses. Regarding implementation costs, provide actual or estimated incremental (above the Facility's previously existing level-of-effort) annually recurring costs (e.g. Operation & Maintenance).
2. Provide a statement and supporting documentation indicating the Companies' present net worth.

EPA Consent Agreement and Final Order

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION IX

2014 JUL 24 AM 9:27

Docket No. REGION IX
RECORDS CLERK

IN THE MATTER OF:)
Rancho LPG Holdings LLC)
Respondent.)
_____)

CAA-09-2014-00 /

CONSENT AGREEMENT
AND
FINAL ORDER PURSUANT TO
40 C.F.R. §§ 22.13 and 22.18

CONSENT AGREEMENT

A. PRELIMINARY STATEMENT

1. This is a civil administrative enforcement action instituted pursuant to Section 113(a)(3)(A) and (d) of the Clean Air Act (“CAA”), as amended, 42 U.S.C. § 7413(a)(3)(A) and (d), and the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits (“Consolidated Rules”), 40 C.F.R. Part 22. Complainant is the United States Environmental Protection Agency, Region IX (“EPA”). Respondent is Rancho LPG Holdings LLC, a Delaware corporation registered to conduct business in California (“Respondent”).

2. Respondent owns and operates the Rancho LPG facility at 2110 North Gaffey Street, in San Pedro, California (the “Facility”). The Facility’s principal business is storage of butane and propane.

3. This Consent Agreement and Final Order Pursuant to 40 C.F.R. Sections 22.13 and 22.18, (“CA/FO”), simultaneously commences and concludes this proceeding, wherein EPA alleges that Respondent, at the Facility, violated Section 112(r)(7) of the CAA, 42 U.S.C. § 7412(r)(7), and the regulations adopted pursuant thereto.

B. GENERAL ALLEGATIONS

4. Respondent is a “person” as defined by Section 302(e) of the CAA, 42 U.S.C. § 7602(e).
 5. The real property and improvements thereto located at the Facility are a “stationary source” as defined by Sections 112(r)(2)(C) of the CAA, 42 U.S.C. § 7412(r)(2)(C).
 6. Pursuant to Section 112(r) of the CAA, EPA established a “threshold quantity” (“TQ”) for each “regulated substance,” above which a facility shall be subject to the requirements of Section 112(r) of CAA. For substances designated as “regulated toxic substances” or “regulated flammable substances,” the TQs are specified at 40 C.F.R. § 68.130.
 7. Propane, Chemical Abstract Service Registry (“CAS”) Number 74-98-6, is a “regulated flammable substance” listed under CAA § 112(r)(3) with a TQ of 10,000 pounds. 40 C.F.R. § 68.130, Table 3. Butane, CAS Number 106-97-8, is a “regulated flammable substance” listed under CAA § 112(r)(3) with a TQ of 10,000 pounds. 40 C.F.R. § 68.130, Table 3.
 8. At all times relevant to this CA/FO, the Facility produced, used or stored more than 10,000 pounds each of butane and propane.
 9. Respondent acquired the Facility in November 2008. At all times relevant to this CA/FO, Respondent has been the owner and operator of the Facility.
 10. Under Section 112(r)(7) of the CAA and 40 C.F.R. § 68.12(a), the owner or operator of a covered stationary source must submit a Risk Management Plan (“RMP”), as provided in 40 C.F.R. §§ 68.150 - 68.185.
 11. Pursuant to 40 C.F.R. § 68.10 and 40 C.F.R. § 68.150(b), the owner or operator of a covered stationary source must comply with the requirements of 40 C.F.R. Part 68 and submit its first RMP no later than the latest of the following dates:
 - (1) June 21, 1999;
 - (2) Three years after the date on which a regulated substance is first listed under § 68.130, or
 - (3) The date on which a regulated substance is first present above a TQ in a process.
 12. The owner or operator of a covered stationary source must comply with the requirements
- In Re: Rancho LPG

to review and update the RMP and submit it to EPA every five years after initial submittal for a 5-year update pursuant to Section 112(r)(7) of the CAA and 40 C.F.R. § 68.190(a).

13. Based on information observed by EPA and supplied by Respondent, EPA alleges that Respondent has violated Section 112(r)(7) of CAA, 42 U.S.C. § 7412(r)(7), and 40 C.F.R. Part 68.

14. Respondent is subject to the powers vested in the EPA Administrator by Section 113 of the CAA, 42 U.S.C. § 7413.

15. Section 113 of the CAA, 42 U.S.C. § 7413, authorizes the assessment of a civil penalty for any violation of Section 112(r) of CAA, 42 U.S.C. § 7412(r).

16. The Administrator of EPA has delegated to the Regional Administrators the authority to sign consent agreements memorializing settlements of enforcement actions under the CAA. Delegation 7-6-A, dated August 4, 1994. The Regional Administrator, EPA Region IX, in turn, has re-delegated this authority with respect to enforcement of Section 112(r)(1) and (7) of the CAA to the Director of the Superfund Division. Regional Delegation of Authority R9-7-6-A, dated February 11, 2013.

17. In a letter dated January 15, 2013, the Department of Justice granted EPA authority to commence this administrative enforcement action pursuant to Section 113(d)(1) of the CAA, 42 U.S.C. § 7413(d)(1).

C. ALLEGED VIOLATIONS

COUNT I

(Failure to compile complete process safety information for the Facility)

18. Paragraphs 1 through 17 above are incorporated herein by this reference as if they were set forth here in their entirety.

19. At the time of EPA's inspection, the Facility's RMP did not evaluate potential seismic stresses on the support structure for the emergency flare system. Evaluation of potential seismic stresses on the support structure for the emergency flare system would comply with recognized
In Re: Rancho LPG

and generally accepted good engineering practices.

20. The Los Angeles Fire Department verified that, subsequent to EPA's inspection, Respondent had performed an evaluation of potential seismic stresses on the support structure for the emergency flare system and, by or about August 2011, had implemented modifications recommended as a result of the evaluation.

21. Therefore, EPA alleges that, prior to August 2011, Respondent had failed to compile complete process safety information for the Facility in a manner that complies with recognized and generally accepted good engineering practices, in violation of Section 112(r)(7) of the CAA, 42 U.S.C. § 7412(r)(7), and 40 C.F.R. § 68.65(a) and (d)(2). As of the time of this CA/FO, Respondent is in compliance with Section 112(r)(7) of the CAA, and 40 C.F.R. § 68.65(a) and (d)(2). No injunctive relief is required.

COUNT II

(Failure to analyze the consequences of failure of engineering and administrative controls)

22. Paragraphs 1 through 21 above are incorporated herein by this reference as if they were set forth here in their entirety.

23. At the time of EPA's inspection, the process hazard analysis in the Facility's RMP did not analyze the potential loss of the fire suppression water supply in the event of an earthquake. The fire suppression water system and its water supply is an engineering control in the process safety systems at the Facility.

24. As of May 2013, Respondent reports that it has analyzed the consequences of the potential loss of fire suppression water supply in the event of an earthquake and implemented modifications to its capabilities as a result of the analysis.

25. Therefore, EPA alleges that, prior to May 2013, Respondent had failed to analyze the consequences of failure of engineering and administrative controls, in violation of Section 112(r)(7) of the CAA, 42 U.S.C. § 7412(r)(7), and 40 C.F.R. § 68.67(c)(4). As of the time of this CA/FO, Respondent is in compliance with Section 112(r)(7) of the CAA, and 40

C.F.R. § 68.67(c)(4). No injunctive relief is required.

COUNT III

(Failure to ensure that inspection and testing procedures follow recognized and generally accepted good engineering practices)

26. Paragraphs 1 through 25 above are incorporated herein by this reference as if they were set forth here in their entirety.

27. At the time of EPA's inspection, Respondent could not demonstrate that it had conducted an internal inspection of Tank 1 at the Facility. Tank 1 went into service in approximately 1974. API Standard 653.6.4.2.1 is a recognized and generally accepted good engineering practice, and states "The interval from initial service date until the first internal inspection shall not exceed 10 years." The API Standard 653.6.4.2.1 nonetheless allows for the inspection interval from initial service to be increased to 30 years when there is a release prevention barrier and a risk based inspection assessment.

28. Respondent conducted an internal inspection of Tank 1 in approximately July 2012.

29. Therefore, EPA alleges that, prior to July 2012, Respondent had failed to ensure that inspection and testing procedures follow recognized and generally accepted good engineering practices, in violation of Section 112(r)(7) of the CAA, 42 U.S.C. § 7412(r)(7), and 40 C.F.R. § 68.73(d)(2). As of the time of this CA/FO, Respondent is in compliance with Section 112(r)(7) of the CAA, and 40 C.F.R. § 68.73(d)(2). No injunctive relief is required.

COUNT IV

(Failure to ensure inspection and testing procedures follow recognized and generally accepted good engineering practices)

30. Paragraphs 1 through 29 above are incorporated herein by this reference as if they were set forth here in their entirety.

31. At the time of EPA's inspection, Respondent could not demonstrate that it had conducted an inspection of the drain from the secondary containment basin at the Facility, which is a

passive mitigation system in the event of an accidental release of regulated substances. API Standard 570 is a recognized and generally accepted good engineering practice applicable to piping systems for “process fluids” and similar flammable fluid services at the Facility. The secondary containment basin is intended to hold liquid butane or propane in the event of an accidental release, and the drain pipes and valves similarly would be intended to retain (or release) such process fluids.

32. In approximately March 2012, Respondent included the drain from the secondary containment basin at the Facility in its mechanical integrity program and verified its integrity.

33. Therefore, EPA alleges that, prior to March 2012, Respondent had failed to ensure that inspection and testing procedures follow recognized and generally accepted good engineering practices, in violation of Section 112(r)(7) of the CAA, 42 U.S.C. § 7412(r)(7), and 40 C.F.R. § 68.73(d)(2). As of the time of this CA/FO, Respondent is in compliance with Section 112(r)(7) of the CAA, and 40 C.F.R. § 68.73(d)(2). No injunctive relief is required.

D. CIVIL PENALTY

34. Section 113(d) of the CAA, as adjusted by the Debt Collection Improvement Act of 1996, *see* 40 C.F.R. Part 19, authorizes a civil penalty of up to THIRTY-SEVEN THOUSAND FIVE HUNDRED DOLLARS (\$37,500) per day for each day after January 12, 2009, a violation of Section 112(r) of the CAA and the implementing regulations continues. *See* Table 1 of 40 C.F.R. § 19.4.

35. Based on the facts alleged herein and upon all the factors that the Complainant considers pursuant to the Combined Enforcement Policy for Clean Air Act Sections 112(r)(1) and 112(r)(7), and 40 C.F.R. Part 68 (“CEP”), dated June 20, 2012, including the nature, extent, and gravity of the violations, the Respondent’s ability to pay, prior history of violations, degree of culpability, any economic benefit, and such other matters as justice may require, the Complainant proposes that the Respondent be assessed, and Respondent agrees to pay **TWO HUNDRED SIXTY THOUSAND DOLLARS (\$260,000)** as the civil penalty for the violations alleged herein. The proposed penalty was calculated in accordance with the CEP.

E. ADMISSIONS AND WAIVERS OF RIGHTS

36. Respondent admits and agrees that EPA has jurisdiction and authority over the subject matter of the action commenced in this CA/FO and over Respondent pursuant to Section 113 of the CAA, 42 U.S.C. § 7413, and 40 C.F.R. Part 22. Respondent consents to and agrees not to contest EPA's jurisdiction and authority to enter into and issue this CA/FO and to enforce its terms. Further, Respondent will not contest EPA's jurisdiction and authority to compel compliance with this CA/FO in any enforcement proceedings, either administrative or judicial, or to impose sanctions for violations of this CA/FO.

37. Respondent hereby waives any rights Respondent may have to a hearing or an appeal on any issue relating to the factual allegations or legal conclusions set forth in the CA/FO, including without limitation a hearing pursuant to Section 113(d)(2) of the CAA, 42 U.S.C. § 7413(d)(2), or judicial review pursuant to Section 113(d)(4) of the CAA, 42 U.S.C. § 7413(d)(4).

Respondent hereby consents to the terms of this CA/FO and the issuance of this CA/FO without adjudication.

38. Respondent does not admit any liability arising out of the violations alleged in this CA/FO.

39. Respondent and Complainant recognize that this CA/FO is entered into for the purpose of compromising the disputed allegations set forth herein, has been negotiated in good faith, will avoid litigation and is fair, reasonable and in the public interest.

40. This CA/FO resolves the claims of Complainant for the allegations set forth herein.

F. PARTIES BOUND

41. This CA/FO shall apply to and be binding on Respondent and its agents, successors and assigns and upon all persons acting under or for Respondent, until such time as the civil penalty required under Section D (and any additional civil penalty required under Section I) and any delays in performance and/or stipulated penalties have been resolved. At such time as those matters are concluded, this CA/FO shall terminate and constitute full and complete settlement of

In Re: Rancho LPG

the violations alleged herein.

42. No change in ownership or corporate, partnership or legal status relating to the Facility will in any way alter Respondent's obligations and responsibilities under this CA/FO.

43. Until termination of this CA/FO, Respondent shall give notice of this CA/FO to any successor in interest prior to transfer of ownership or operation of the Facility and shall notify EPA within seven (7) days prior to such transfer.

44. The undersigned representative of Respondent hereby certifies that he is fully authorized by Respondent to enter into and execute this CA/FO, and to legally bind Respondent to it.

G. CERTIFICATION OF COMPLIANCE

45. Upon signing this CA/FO, Respondent certifies to EPA that it has fully complied with the requirements of Section 112(r) of the CAA that formed the basis for the violations alleged in the CA/FO, and the Facility is now in compliance with Section 112(r) of the CAA.

46. The signatory for Respondent certifies under penalty of law that this certification of compliance is based upon true, accurate and complete information, which the signatory can verify personally or regarding which the signatory has inquired of the person or persons directly responsible for gathering the information.

H. PAYMENT OF CIVIL PENALTY

47. Respondent consents to the assessment of and agrees to pay a civil penalty of **TWO HUNDRED SIXTY THOUSAND DOLLARS (\$260,000)** in settlement of the civil penalty claims made in this CA/FO.

48. Respondent shall pay the civil penalty within thirty (30) days of the Effective Date of this CA/FO, by sending a certified or cashier's check in the amount of **TWO HUNDRED SIXTY THOUSAND DOLLARS (\$260,000)**, payable to U.S. EPA," which shall be sent to:

U.S. Environmental Protection Agency
Fines and Penalties

In Re: Rancho LPG

Cincinnati Finance Center
P.O. Box 979077
St. Louis, MO 63197-9000

49. The check shall reference the name and docket number of the CA/FO, and shall be accompanied by a cover letter stating that payment is being made pursuant to this CA/FO. The cover letter and civil penalty shall be sent by certified mail, return receipt requested. Copies of the transmittals shall be sent to:

J. Andrew Helmlinger (ORC-3)
Assistant Regional Counsel
U.S. Environmental Protection Agency, Region IX
75 Hawthorne Street
San Francisco, CA 94105

and

Regional Hearing Clerk (ORC-1)
U.S. Environmental Protection Agency, Region IX
75 Hawthorne Street
San Francisco, CA 94105

50. In accordance with the Debt Collection Act of 1982 and U.S. Treasury directive (TFRM 6-8000), failure to send the penalty so that it is received by the due date will result in imposition of interest from the effective date of this CA/FO at the current interest rate published by the U.S. Treasury, as described at 40 C.F.R. §13.11. In addition, a twelve percent (12%) per annum penalty will be applied on any principal amount not paid within ninety (90) days of the due date.

51. The penalties specified in this CA/FO shall represent civil penalties assessed by EPA and shall not be deducted by Respondent or any other person or entity for federal, state or local taxation purposes.

I. DELAY IN PERFORMANCE / STIPULATED PENALTIES

52. In the event Respondent fails to meet any requirement set forth in this CA/FO, Respondent shall pay stipulated penalties as set forth below. Compliance by Respondent shall include completion of any activity under this CA/FO in a manner acceptable to EPA and within the specified time schedules in and approved under this CA/FO.

In Re: Rancho LPG

53. For failure to submit a payment to EPA by the time required in this CA/FO: FIVE HUNDRED DOLLARS (\$500) per day for the first to fifteenth day of delay, ONE THOUSAND DOLLARS (\$1,000) per day for the sixteenth to thirtieth day of delay, and FIVE THOUSAND DOLLARS (\$5,000) per day for each day of delay thereafter.

54. Notwithstanding any other provision of this Section, EPA may, in its unreviewable discretion, waive any portion of the stipulated penalties that have accrued pursuant to this CA/FO.

55. Stipulated penalties shall begin to accrue on the day after performance is due, and shall continue to accrue through the final day until performance is complete. Respondent shall pay stipulated penalties within fifteen (15) days of receipt of a written demand by Complainant for such penalties. Payment of stipulated penalties shall be made in accordance with the procedure set forth for payment of penalties in Section H of this CA/FO.

56. If a stipulated penalty is not paid in full, interest shall begin to accrue on the unpaid balance at the end of the fifteen-day period at the current rate published by the United States Treasury, as described at 40 C.F.R. § 13.11. Complainant reserves the right to take any additional action, including but not limited to, the imposition of civil penalties, to enforce compliance with this CA/FO or with the CAA and its implementing regulations.

57. The payment of stipulated penalties specified in this Section shall not be deducted by Respondent or any other person or entity for federal, state or local taxation purposes.

J. RESERVATION OF RIGHTS

58. EPA expressly reserves all rights and defenses that it may have.

59. Except as it relates to those matters resolved in this CA/FO, EPA hereby reserves all of its statutory and regulatory powers, authorities, rights and remedies, both legal and equitable, including the right to require that Respondent perform tasks in addition to those required by this CA/FO. EPA further reserves all of its statutory and regulatory powers, authorities, rights and remedies, both legal and equitable, which may pertain to Respondent's failure to comply with

any of the requirements of this CA/FO, including without limitation, the assessment of penalties under the CAA or any other statutory, regulatory or common law enforcement authority of the United States. Except as expressly stated herein, this CA/FO shall not be construed as a covenant not to sue, release, waiver or limitation of any rights, remedies, powers or authorities, civil or criminal, which EPA has under the CAA or any other statutory, regulatory or common law enforcement authority of the United States.

60. Compliance by Respondent with the terms of this CA/FO shall not relieve Respondent of its obligations to comply with the CAA or any other applicable local, state or federal laws and regulations.

61. The entry of this CA/FO and Respondent's consent to comply shall not limit or otherwise preclude EPA from taking additional enforcement actions should EPA determine that such actions are warranted except as it relates to those matters resolved by this CA/FO.

62. EPA reserves its right to seek reimbursement from Respondent for such additional costs as may be incurred by the United States. Notwithstanding compliance with the terms of this CA/FO, Respondent is not released from liability, if any, for the costs of any response actions taken by EPA.

K. MISCELLANEOUS

63. This CA/FO may be amended or modified only by written agreement executed by both EPA and Respondent.

64. The headings in this CA/FO are for convenience of reference only and shall not affect interpretation of this CA/FO.

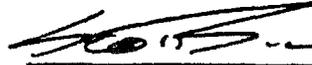
65. Each party to this action shall bear its own costs and attorneys' fees.

66. Complainant and Respondent consent to entry of this CA/FO without further notice.

In accordance with 40 C.F.R. §§ 22.18(b)(3) and 22.31(b), this CA/FO shall be effective on the date that the Final Order contained in this CA/FO, having been approved and issued by either the Regional Judicial Officer or Regional Administrator, is filed.

IT IS SO AGREED.

06-27-14
Date


Scott Sill
Vice President, Operations

Rancho LPG LLC

07-10-14
Date

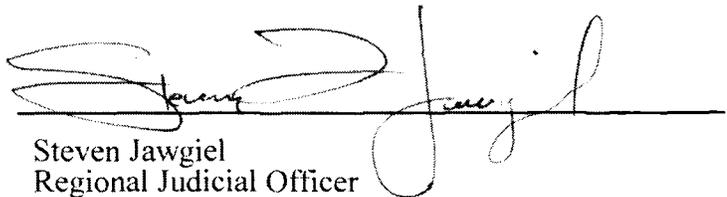

Enrique Manzanilla, Director
Superfund Division
U.S. Environmental Protection Agency, Region IX

FINAL ORDER

IT IS HEREBY ORDERED that this Consent Agreement and Final Order (“CA/FO”) (Docket No. CAA-9-2014-0001) be entered and that Respondent pay a civil penalty of **TWO HUNDRED SIXTY THOUSAND DOLLARS (\$260,000)** payable to “Treasurer, United States of America,” in the manner and form specified in Section H of this CA/FO within thirty (30) days after the Effective Date, and complete any and all tasks required by this CA/FO.

THIS FINAL ORDER SHALL BE EFFECTIVE IMMEDIATELY.

07/24/14
Date


Steven Jawgiel
Regional Judicial Officer
United States Environmental Protection Agency,
Region IX

CERTIFICATE OF SERVICE

I hereby certify that the original and a copy of the foregoing Consent Agreement and Final Order in the matter of **RANCHO LPG HOLDINGS LLC**, with Docket # **CAA-09-2014-0001** has been filed with the Regional Hearing Clerk, Region IX and copies were sent:

By Certified Mail, Return Receipt Requested to Respondent:

Ron Conrow
Rancho LPG Holdings LLC
333 Clay Street, Suite 1600
Houston, Texas 77002

Certified Mail Receipt # 7010 2780 0000 8388 8020

Hand Delivered to:

Andrew Helmlinger
Office of Regional Counsel
U.S. EPA, Region 9, ORC 3
75 Hawthorne Street
San Francisco, CA 94105

7/24/14
Date


FOR: Steven Armsey
Acting Regional Hearing Clerk

San Pedro Peninsula Homeowners United press release

For Immediate Release
July 24, 2014

More Info Contact: Janet Gunter
(310) 251-7075

Harbor Tank Farm Admits Serious Safety Violations

SAN PEDRO – A Harbor area tank farm has agreed to pay \$260,000 in fines to the EPA for what angry local residents contend were “serious, possibly catastrophic safety violations” at its butane and propane gas storage facility near the Port of Los Angeles.

But, harbor-area activists decried the EPA fine as a slap on the wrist. Attorney, Noel Weiss, advocate for harbor area homeowners stated, “In the words of JFK during the steel crisis, this reflects a reckless and irresponsible defiance of the public interest.”

Rancho LPG Holdings LLC, a new spin off of a Texas major pipeline company, agreed to pay the fines for failing to conduct tank safety tests and failure to have emergency response plans.

Rancho LPG was recently formed by a network of companies controlled by Plains All American Pipeline, a Fortune 500 company based in Houston. San Pedro activists accuse the Texas firm of spinning off Rancho LPG as a “Limited Liability Corporation” to protect the parent company from damage claims or cleanup costs from a catastrophe.

The propane and butane tanks contain over 25 million gallons of highly hazardous gasses. Activists warn that this is enough to destroy a huge number of homes in the area, with the potential to injure and kill thousands. It also has the clear opportunity to decimate the Ports of LA and Long Beach.

In the agreement, the company said it “does not admit any liability arising out of violations alleged”. But, the facts indicate widespread and longstanding violation of the federal Clean Water Act and EPA safety rules.

One count accused the company of failing to test its flare-off capability for earthquake safety, and allowed that condition to exist for years until it was repaired in 2011. The flare off system is a key component to remove threats of fireballs and severe damage in what geologists consider an inevitable, major quake there. Since the LPG facility sits on land designated as “liquefaction” and “landslide” areas, directly inside the **only** “earthquake rupture zone” in the entire Harbor area, it becomes very difficult to understand just how the safety of such a stack could be guaranteed.

The tank farm straddles both sides of the active Palos Verdes Fault, which slips an average of 3 millimeters a years and is capable of generating a magnitude of 7.2 earthquake. (per USGS)

Another count accused Rancho LPG of relying on a firefighting plan that failed to consider the likelihood of a loss of water from city mains, another likely possibility from a major quake. This water would only be used to keep other tanks from exploding by

cooling them, since LPG fires cannot be extinguished by water. Such fires must simply “burn themselves out.”

And, Rancho LPG also failed to prove that it had tested a large butane storage tank, built in 1973 without LA City Building permits, for structural integrity. Such tests are required every 10 years, and it is possible that the tank had gone for 30 years without an inspection. Again, the 12.5 million gallon tanks were built to a seismic sub-standard of 5.5 – 6.0 and sit in an earthquake rupture zone whose largest fault is 7.2 on land with grave seismic deficiencies.

Rail cars move from the facility daily, each containing 30,000 gallons of highly explosive liquefied petroleum gas. According to the EPA calculation, a “single” rail car of butane gas has a blast radius of .42 mile. The Rancho LPG facility has declared that the worst case blast radius from one of their two 12.5 million gallon butane tanks has a blast radius of .50 mile. This radius, as illogical as it is, has been accepted by the EPA.

Drain valves and pipelines at Rancho LPG were also not tested, the EPA claimed. The Company agreed to fix them.

San Pedro and Peninsula Homeowners United Inc. is a home owner’s organization comprised of those residents living in closest proximity to the Rancho LPG facility. The inappropriate and highly explosive location of this operation, so close to their homes and schools, has been fought by the organization for decades to no avail.

Daily Breeze article regarding EPA fine
against Rancho LPG facility

Rancho LPG pays federal government \$260,000 to settle violations at San Pedro facility

By Carley Dryden , Daily Breeze

DailyBreeze.com



Tanks at the Rancho LPG site loom in the background of the North San Pedro neighborhood near Westmont Drive. Oct. 24, 2010. File photo. (Scott Varley / Staff Photographer)

Rancho LPG has agreed to pay the federal government \$260,000 in civil penalties to settle claims of risk management violations at its San Pedro gas facility, a punishment critics characterized as a slap on the wrist.

Numerous violations related to the Clean Air Act, including potential seismic stresses and failure to properly inspect and test equipment, were uncovered by

an Environmental Protection Agency investigation that began in 2010.

Rancho LPG primarily stores large amounts of butane and propane at the site. For years, residents have fought to get rid of the tanks, warning that one misstep with the millions of gallons of explosive chemicals on site could lead to the decimation of nearby residential areas.

The EPA announced Thursday that the facility at 2110 North Gaffey St. has now resolved its noncompliance issues with risk management regulations. Rancho LPG, which has disputed the EPA's claims, said Thursday that it believes it has always been in compliance with Clean Air Act regulations.

"Rancho LPG and the EPA have agreed to settle these disputed claims for approximately \$260,000 rather than expending resources contesting the allegations," Rancho LPG said in a statement.

The EPA, however, said the facility addressed its violations and now adheres to risk management plan requirements.

During its investigation, the EPA found the facility did not properly evaluate potential seismic stresses at the site, failed to analyze the potential loss of its water supply in the event of an earthquake and failed to properly inspect and test equipment, including tanks and drain systems.

"When a company handling high-risk materials operates in close proximity to a neighboring community, it's critical to take steps to safeguard the residents," said EPA spokesman Jared Blumenfeld.

According to the EPA, the company estimates it has spent \$7.2 million since the investigation for new safety controls, tank inspections, seismic upgrades and improved coordination with local emergency responders.

Rancho LPG, which acquired the facility in 2008, said it has been audited more than 45 times by state and federal agencies since 2010 and continues to "perform well" in the audits since it completed safety improvements.

"We take pride in the fact that the facility has not had a significant release, incident or accident in its 40-year operating history," the company said.

But local residents aren't convinced.

"All of us are outraged by this," said Janet Gunter of the San Pedro and Peninsula Homeowners United. "This really is less than a slap on the wrist to the company. It's highly irresponsible of the EPA to respond to this high-risk situation we're being exposed to in such a negligible way."

Gunter said the penalty is a "meaningless gesture" that gives residents the illusion that the facility is now safe.

"This clearly illustrates that they have never been safe, and they continue to operate without being safe," she said. "It's frightening."

Residents have long emphasized that the facility, which straddles both sides of the active Palos Verdes Fault, could cause widespread damage to homes and schools just blocks away and across the South Bay if an earthquake hits or terrorists strike.

"We're sitting on a time bomb," Gunter said. "Unfortunately, no one seems to care about this. It's frightening. ... The bottom line is we are literally playing with fire."

U.S. Rep. Janice Hahn, who represents San Pedro, said she repeatedly requested an investigation into the Rancho LPG facility.

"While this in no way resolves concerns about this facility in the community, this enforcement action has resulted in Rancho LPG complying with federal safety laws and a \$260,000 fine," she said Thursday. "Although these families will not be safe until the tanks are moved, EPA's actions today minimize some of the risk for the community."

Also on Thursday, the EPA opened a public comment period on potential revisions to its Risk Management Program regulations to improve the safety and security of chemical facilities and reduce the risk of hazardous chemicals to workers and communities. During the 90-day period, EPA is seeking comment on additional risk management program elements, such as safer technology, emergency drills, facility location risks, etc., and is asking for information about safety management approaches that will enhance public safety and aid emergency personnel to prepare for and respond to chemical emergencies.



Carley Dryden

Reach the author at carley.dryden@langnews.com or follow Carley on Twitter: [carleydryden](#).

- Full bio and more articles by Carley Dryden
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E-mails related to the Rancho LPG facility

Kit Fox

From: Janet Gunter <arriane5@aol.com>
Sent: Thursday, June 26, 2014 1:34 PM
To: MrEnvirlaw@sbcglobal.net; noelweiss@ca.rr.com; connie@rutter.us; det310@juno.com; marciesmiller@sbcglobal.net; irene@miraclegirlproductions.org; johngoya@westoceanmd.com; Brian Campbell <b.camp@cox.net>; jody.james@sbcglobal.net; igornla@cox.net; jhwinkler@me.com; darzavalney@aol.com; burling102@aol.com; pmwarren@cox.net; deartoni@yahoo.com; leneebilski@hotmail.com; hvybags@cox.net; chateau4us@att.net; mandm8602@att.net; dlrivera@prodigy.net; peter.burmeister@sbcglobal.net; bonbon90731@gmail.com; alsattler@igc.org; richard.vladovic@lausd.net
Cc: Kit Fox
Subject: Fwd: RLn: Rancho LPG.. See page two...and on....GREAT story again by Paul Rosenberg

-----Original Message-----

From: James Preston Allen <reads@randomlengthsnews.com>
To: Janet Gunter <arriane5@aol.com>
Sent: Thu, Jun 26, 2014 11:18 am
Subject: RLn: When the City Attorney Comes to Town

A quick look at what's inside the current issue of *RLn*...

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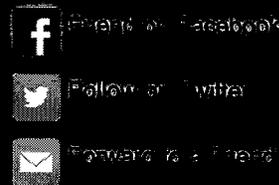
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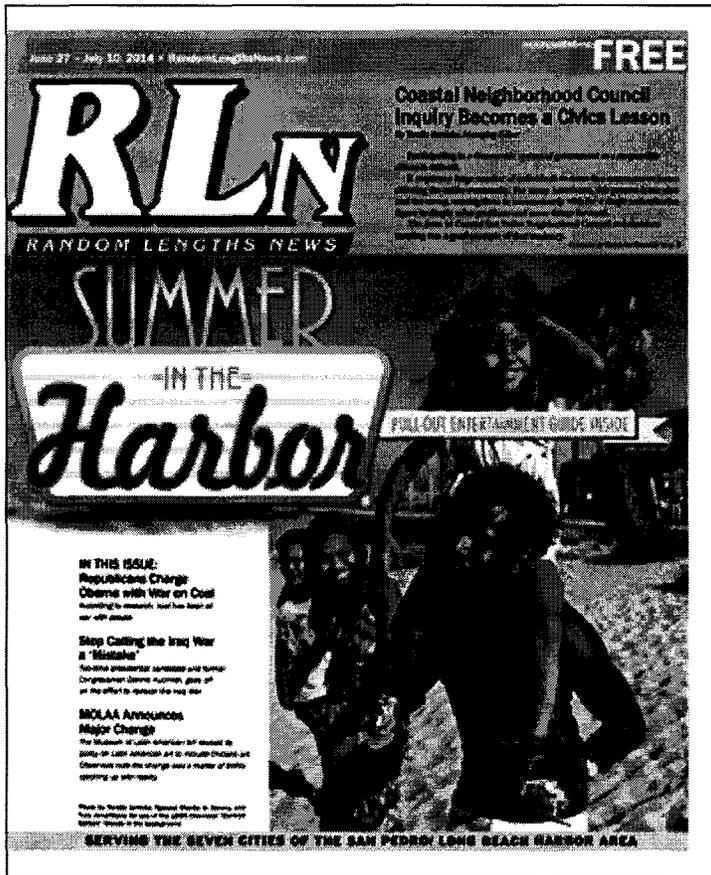
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Stop Calling the Iraq War a 'Mistake'... p8

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Kit Fox

From: John Goya <johngoya@westoceanmd.com>
Sent: Thursday, June 26, 2014 4:41 PM
To: Janet Gunter; MrEnvirlaw@sbcglobal.net; noelweiss@ca.rr.com; connie@rutter.us; det310@juno.com; marciesmiller@sbcglobal.net; irene@miraclegirlproductions.org; Brian Campbell <b.camp@cox.net>; jody.james@sbcglobal.net; igornla@cox.net; jhwinkler@me.com; darzavalney@aol.com; burling102@aol.com; pmwarren@cox.net; deartoni@yahoo.com; leneebilski@hotmail.com; hvybags@cox.net; chateau4us@att.net; mandm8602@att.net; dlrivera@prodigy.net; peter.burmeister@sbcglobal.net; bonbon90731@gmail.com; alsattler@igc.org; richard.vladovic@lausd.net
Cc: Kit Fox
Subject: Re: Fwd: RLn: Rancho LPG.. See page two...and on....GREAT story again by Paul Rosenberg

Janet,

I am happy we had RLn at the meeting -- I will be calling Lockton tomorrow

John

John C Goya
CFO/ COO
21520 / 500 S. Pioneer Blvd, Ste 104
Hawaiian Gardens, CA, 90716
office - 855-462-7764
Fax 562 924-4163
eFax 310-491-7089
FOR A BETTER LIFE !

From: Janet Gunter <arriane5@aol.com>
To: MrEnvirlaw@sbcglobal.net; noelweiss@ca.rr.com; connie@rutter.us; det310@juno.com; marciesmiller@sbcglobal.net; irene@miraclegirlproductions.org; johngoya@westoceanmd.com; b.camp@cox.net; jody.james@sbcglobal.net; igornla@cox.net; jhwinkler@me.com; darzavalney@aol.com; burling102@aol.com; pmwarren@cox.net; deartoni@yahoo.com; leneebilski@hotmail.com; hvybags@cox.net; chateau4us@att.net; mandm8602@att.net; dlrivera@prodigy.net; peter.burmeister@sbcglobal.net; bonbon90731@gmail.com; alsattler@igc.org; richard.vladovic@lausd.net
Cc: kitf@rpv.com
Sent: Thursday, June 26, 2014 1:33 PM
Subject: Fwd: RLn: Rancho LPG.. See page two...and on....GREAT story again by Paul Rosenberg

-----Original Message-----

From: James Preston Allen <reads@randomlengthsnews.com>
To: Janet Gunter <arriane5@aol.com>

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SUMMER
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Harbor

Coastal Neighborhood Council Inquiry Becomes a Civics Lesson
By Tommie Anthony, Community Editor

PHIL-O-LIT ENTERTAINMENT GUIDE INSIDE

IN THIS ISSUE:
Republicans Charge Obama with War on Coal
According to reports, coal has been at war with people.

Stop Calling the Iraq War a 'Mistake'
National environmental activists and former Congressman blame Hussein, gone or on the planet to render the Iraq War.

MOLAA Announces Major Change
The Museum of Labor Art is pleased to announce the addition of a new exhibit, 'The Great Strike' which will feature a number of items including up with people.

With the help of artists, Robert Smithson & Nancy and the Museum of Labor Art is pleased to announce the addition of a new exhibit, 'The Great Strike' which will feature a number of items including up with people.

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Stop Calling the Iraq War a 'Mistake'... p8

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Kit Fox

From: Janet Gunter <arriane5@aol.com>
Sent: Friday, July 11, 2014 7:22 PM
To: det310@juno.com; jody.james@sbcglobal.net; connie@rutter.us;
MrEnvirlaw@sbcglobal.net; noelweiss@ca.rr.com; jhwinkler@me.com;
chateau4us@att.net; igornla@cox.net; dwgkaw@hotmail.com; hvybags@cox.net; Kit
Fox; fbmjet@aol.com; mandm8602@att.net; dlrivera@prodigy.net; bonbon90731
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pmwarren@cox.net; amartinez@earthjustice.org; jnm4ej@yahoo.com;
asantich@yahoo.com; guillermovillagran@sbcglobal.net; diananave@gmail.com;
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marciesmiller@sbcglobal.net; stanley.mosler@cox.net; john@nrcwater.com;
rob.wilcox@lacity.org; jacob.haik@lacity.org; johngoya@westoceanmd.com;
hanslaetz@gmail.com
Cc: carl.southwell@gmail.com; rgb251@berkeley.edu; lpryor@usc.edu;
irene@miraclegirlproductions.org; lisa.pinto@mail.house.gov;
Laurie.Saroff@mail.house.gov; maurice_lyles@boxer.senate.gov;
michael_davies@feinstein.senate.gov
Subject: Rancho LPG...PAGE 5 AND ON.....PROFESSOR BEA QUOTED...EXCELLENT ARTICLE!

<http://www.randomlengthsnews.com/>

Kit Fox

From: pat nave <overbid2002@yahoo.com>
Sent: Sunday, July 27, 2014 1:27 AM
To: San Pedro Peninsula Homeowners United; LPG.interim.advisory@epa.gov
Cc: lisa.pinto@mail.house.gov; laurie.saroff@mail.house.gov; helmlinger.andrew@epa.gov; mary.wesling; blumenfeld.jared@epa.gov; Raphael.Moure-Eraso@csb.gov; don.holmstrom@csb.gov; Dan.Tillema; Beth.Rosenberg@csb.gov; Mark.Griffon@csb.gov; bea@ce.berkeley.edu; lawrence.pryor; Carl.Southwell; agordon@sco.ca.gov; Fred.Millar; Kit.Fox; Diana.Nave; Ray.Regalado; Philip.Nicolay
Subject: Re: Fwd: Comments to EPA January Advisory on LPG...Comments due July 31, 2014

Chuck, this is an EXCELLENT letter.

Is there a comment period open on something to do with LPG processing? If so, I think maybe NWSPNC could comment, first by acknowledging and adopting your letter and then adding comments on the LPG bullet tanks on site, specifically pointing out that the tanks are on a raised platform, and that the distribution by truck tank and rail tanks are particularly hazardous.

Again, good work! Impressive!

On Saturday, July 26, 2014 11:07 PM, San Pedro Peninsula Homeowners United <sphomeunited@gmail.com> wrote:

SAN PEDRO PENINSULA HOMEOWNERS UNITED, INC.
PO BOX 6455, SAN PEDRO, CA 90734 - E-MAIL sphomeunited@gmail.com

July 27, 2014

RE: COMMENTS TO EPA JANUARY ADVISORY ON LPG FACILITIES

To Whom It May Concern:

While we recognize that the Advisory was focused on LPG processing plants and the safety of standards in place for those specific facilities, we urge you to pay close attention and broaden your interest and improvements to include basic LPG storage facilities that are currently posing extraordinary risks to populations nationwide.

One such facility is the Rancho LPG LLC facility, a subsidiary of Plains All American Pipeline, located at 2110 No. Gaffey St., near the Port of LA in San Pedro, CA.

Introduced under the heavy political influence of President Richard Nixon for his close friend and CEO of original company, Petrolane LPG, RJ Munzer, the LPG facility received numerous exemptions and an expedited permitting process through the City and Port of Los Angeles. The facility's two massive 12.5 million gallon propane tanks were built without LA City permits in 1973 and "certified" by LA City Building and Safety five years later, as built. The facility sits in the only "Earthquake Rupture Zone" in the entire LA Harbor Area. An ERZ is the location where multiple faults converge causing a very seismically vulnerable hot spot. The land is designated by USGS as "landslide" and "liquefaction" areas. The greatest of the 3 intersecting Faults, The Palos Verdes Fault, has a magnitude potential of 7.3. The permit-less tanks were built to a seismic sub-

standard of 5.5-6.0. These facts, in and of themselves, should be enough to generate grave concern from the EPA and all other entities and public officials with jurisdiction.

Pre-existing homes and schools fall within 1,000-1,500 ft. from this facility. The American Petroleum set back standards are deficient on 3 sides of this storage facility. The loading docks for the rail cars transporting this highly explosive gas fall within a mere 20 ft. of heavily trafficked Gaffey. The only divide between the busy highway and loading rail cars consists of a chain link fence and shrubbery.

One of the most injurious issues is the EPA's allowance of a very minimal worst case radius of impact reporting at this facility and probably others. This latitude of reporting stems from the Petrolane/Amerigas/Rancho LPG mitigation measure of their "impound basin". Purportedly, this basin would significantly reduce safety concerns by containing the escaping liquid gas from one of their 12.5 million gallon tanks in the impound basin preventing its "escape". This concept is pure fantasy in reality. Liquefied petroleum gas is only kept in "liquid" form under pressure and refrigeration. Once any leaking liquid gas meets air temperature above 32 degrees (in So. California we never SEE 32 degrees) it will almost instantly vaporize while expanding over 200 times its volume. The basin would capture less than 1% of the volume of that tank upon rupture. LPG is heavier than air....so, the vapor will overflow any basin while hugging the ground and seeking the lowest levels.

Utilizing this fantasy notion of safety mitigation, Rancho LPG is allowed to use a severely minimized and approved EPA formula for calculation of its "worst case scenario of blast impact". That minimized calculation estimates the blast radius from their 12.5 million gallon butane tank at .50 mile. The proper EPA blast radius calculation, without use of the minimized "mitigation" version, estimates the true impact from the tank at well over 3 miles. Frankly put, the reduced estimate is a cruel ruse upon the unsuspecting public. The EPA calculation for a single 30,000 gallon butane gas rail car (several of which are regularly sitting at the site within 20 ft. of Gaffey St.) establishes a blast radius of .42 mile. This comparison underscores the absurdity of any credibility given to the Rancho LPG 12.5 million gallon LPG tank rupture as having a ½ mile blast radius. Even the simplest mind can grasp this disparity.

In our view, it is imperative that the EPA immediately address this nonsensical and reckless approach to risk management planning. "Cookie cutter" RMP scenarios are not acceptable. The truth must not be distorted when estimating public safety. Don May, of California Earth Corps said the following of the Rancho LPG facility, (then Amerigas) in 2006,

"The LPG/Butane facility is directly over the button hook of the Palos Verdes Fault (predicted for rupture within the 10-50 yr. time frame.) A geology firm up in Montrose, Ca who are the acknowledged experts on that fault structure, and a group from Cal Tech who are the experts in predicting the vertical accelerations to be expected from the predicted events, and an engineering group who could evaluate the ability of tanks to withstand the shear forces generated, estimated that 2G's of vertical shear force would cut through those LPG tanks like a hot knife through butter. Yet, the expected rip force would be far greater. The event would empty both LPG tanks, which are surrounded by a multitude of ignition sources, resulting in an inextinguishable column of fire up to the inversion layer thousands of feet high, raising the temperature above the ignition point of most flammables within a mile or more, causing a Dresden like firestorm through San Pedro and into the Ports."

For over 25 years, the EPA has turned a blind eye to scientific fact while it surrenders public safety to the interest of the American Petroleum Institute by allowing the meaningless concept of an impound basin (set forth by API) as a form of safety mitigation. The EPA was created to support and protect the people of this country....not the private interests of the energy industry. It is time to remind yourselves of that fact. It is time to deal with these **ultra-hazardous** operations in the most responsible way. We do not need any more Gulf, San Bruno, nor Fukushima type catastrophes. By ignoring such blatant scientific fact regarding the properties of liquefied petroleum gas and how it quickly vaporizes and expands, the EPA is surely promoting that very type of disaster.

It is imperative to incorporate the expert advice of professionals such as Professor Bob Bea (UC Berkeley) in guiding the EPA to be more protective of its US citizens. Bea has dedicated his life to the forensics of every disaster in our country and abroad. There will be no better source of direction for you, if, in fact, the EPA is serious in its intent to improve its safety standards and protect the American public.

San Pedro and Peninsula Homeowners United, Inc. is comprised of hundreds of homeowners in nearest proximity to the Rancho LPG facility. In some cases, our homeowners fall within 1,000 ft. of the facility. SPPHU has diligently pursued responsible action to protect our homeowners for over 40 years. The EPA needs to step up its duty to protect our people immediately. Thousands of people's lives are depending upon it.

Sincerely,

/S/

Chuck Hart, President

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RHE City Council Staff report for *Chandler Ranch*/
Rolling Hills Country Club project amendment



Staff Report

City of Rolling Hills Estates

AGENDA
JUL 22 2014
ITEM NO. 8A

DATE: JULY 22, 2014

TO: MAYOR AND CITY COUNCIL

FROM: NIKI WETZEL, AICP, PRINCIPAL PLANNER

SUBJECT: PLANNING APPLICATION NO. 10-14
APPLICANT: MR. JEFF BARAN, CHANDLER SAND AND GRAVEL INC.
PROPERTY OWNER: CHANDLER RANCH PROPERTIES, LLC, BRI LLC, ROLLING HILLS COUNTRY CLUB
LOCATION: 26311 AND 27000 PALOS VERDES DRIVE EAST

OVERVIEW

The following is a request for an amendment to PA-29-07 (commonly known as the Chandler Ranch/Rolling Hills Country Club Project, which generally consists of 114 single family homes, a reconfigured/relocated 18-hole golf course, a new clubhouse complex, and natural open space), which would increase the boundary adjustment area between Rolling Hills Estates and Torrance from approximately 32 acres to approximately 41 acres, remove Lot No. 124 (approximately 4 acres) from Vesting Tentative Tract Map No. 61287 and add Lots Nos. 148 and 149; and require amendments to the approved Development Agreement and Boundary Modification and Annexation Agreement to reflect these changes. These project amendments have been analyzed in an Addendum to the Certified Environmental Impact Report.

BACKGROUND

Application Filed:	04/02/14
Application Deemed Complete:	06/18/14
Public Notices Mailed:	07/10/14
Public Notices Posted:	07/10/14
Public Notices Published:	07/10/14

A public hearing for these project revisions was held before the Planning Commission on June 16 and June 30, 2014. The staff reports and minutes excerpts of these meetings are included as Attachment 2. On June 30, 2014, the Planning Commission approved Resolution No. PA-10-14 (see Attachment 1) recommending approval of the project revisions to the City Council.

DISCUSSION

Planning Application No. 29-07 consists of a Vesting Tentative Tract Map, General Plan Amendments, Zone Changes, Zone Text Amendment, Grading Plan, Development Agreement, Conditional Use Permits, Neighborhood Compatibility Determination, an Annexation/Deannexation, for a 114 home single family subdivision, a reconfigured/relocated 18-hole golf course, and a new clubhouse complex. The project was approved, and an Environmental Impact Report (EIR) certified for, the project in the summer of 2011.

A Boundary Modification and Annexation Agreement was signed by the Cities of Rolling Hills Estates and Torrance on January 8, 2008 providing for an Annexation/Deannexation and adjustment of City boundary lines. As approved, the agreement and project provide for the equal swap of approximately 32 acres between the two cities. The modification in City boundary lines requires approval of the Local Agency Formation Commission for the County of Los Angeles (LAFCO). LAFCO staff indicates that an additional 8.07 acres of land should be added to the land swap area, increasing the area to 40.78 acres, to make the boundaries more consistent with LAFCO policies. As such, the applicant proposes this application to amend PA-29-07 inclusive of the Boundary Modification and Annexation Agreement, applicable resolutions and ordinances, and the Development Agreement to reflect the revised boundaries.

The applicant also proposes to remove one open space lot, known as Dead Horse Canyon and indicated as Lot No. 124 on the approved vesting tentative tract map, from the project area decreasing the project area by approximately 4 acres. In addition, upon further review of the revised Vesting Tentative Tract Map, the applicant has numbered Lot Nos. 148 and 149 in the revised proposal. These are open space lots that were not numbered in the previous map in error, and the lots will be maintained by the homeowner's association.

No other changes to the project are proposed. The project would continue to provide 114 homes, a new golf course clubhouse, and an 18-hole golf course in exactly the same configuration as approved.

In the map revisions, approximately eight acres located south of Alta Loma park (currently in the City of Torrance) would become part of Rolling Hills Estates with the proposed boundary adjustment. Chandler representatives have agreed to a condition of project approval requiring a perpetual open space easement on this area to be recorded within thirty days of approval from LAFCO. This condition is reflected in Resolution No. 2333, attached separately, and all other previous conditions of project approval would remain in full force and effect. In addition, Chandler representatives have agreed to a condition of approval from the City of Torrance requiring a perpetual open space easement covering the Dead Horse Canyon area. This area is and will remain within the City of Torrance in the revised boundary configuration and not under the jurisdiction of the City of Rolling Hills Estates.

An addendum to the certified EIR was prepared by PMC to analyze potential new impacts of the revised boundaries. The addendum is included as Attachment C to this report. The results of the environmental analysis indicate that the proposed revisions would not result in new or more severe impacts beyond those analyzed and mitigated in the Chandler Ranch Subdivision/Rolling Hills Country Club project. The addition of Lot Nos. 148 and 149 was not described in the Addendum to the Chandler Ranch Subdivision/Rolling Hills Country Club Final EIR; however, staff and the City Attorney believe these revisions are minor mapping corrections and could have no substantive effect on the environment. Therefore, staff believes the findings of the addendum remain valid.

The City Attorney has reviewed all resolutions and ordinances related to this application. The full text of Ordinance Nos. 678-680, City Council Resolution Nos. 2258-2260, and the certified EIR for Planning Application No. 29-07 can all be found on the City's website under "What's New"/"Project Updates"/"Chandler Ranch-Rolling Hills Country Club."

RECOMMENDATION

Staff recommends that the City Council:

1. Open the Public Hearing;
2. Take Public Testimony;

3. Discuss the Issues;
4. Close the Public Hearing; and
5. Take the following actions:
 - A. Adopt Resolution No. 2332 amending the boundaries of certain land use designations in the Land Use Element of the General Plan to reflect revisions to the Chandler Ranch Subdivision/Rolling Hills Country Club project;
 - B. Introduce Ordinance No. 695 for first reading amending certain zoning designations of the City's Zoning Map to provide for revised City boundaries for the Cities of Rolling Hills Estates and Torrance and providing zoning designations for properties to be annexed to the City of Rolling Hills Estates as previously established in City Council Ordinance No. 678;
 - C. Adopt Resolution No. 2333 approving an amendment to PA-29-07 increasing the boundary adjustment area between Rolling Hills Estates and Torrance from approximately 32 acres to approximately 41 acres, removing Lot No. 124 (approximately 4 acres) from Vesting Tentative Tract Map No. 61287 and adding Lots 148 and 149; and amending the Boundary Modification and Annexation Agreement to reflect these changes;
 - D. Introduce Ordinance No. 696 for first reading approving the First Amendment to the Development Agreement.

Exhibits

Attached

1. Planning Commission Resolution No. PA-10-14
2. Planning Commission Staff Reports and Minutes Excerpt of June 16 and June 30, 2014
3. Addendum to the Chandler Ranch/Rolling Hills Country Club Project Environmental Impact Report

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