

April 19, 2010



Los Angeles City Council
City Clerk
Room 395, City Hall
200 North Spring Street
Los Angeles, CA 90012-4801

Re: Proposed Bradley Landfill Transfer Station/Materials Recycling Facility
Council File No. 10-0468

Dear City Councilmember,

I write as a legal aid attorney and member of One LA-IAF, a broad-based organization of over 85 member institutions including non-profit organizations, schools, churches, and union locals.

We support the City Planning Commission's unanimous disapproval of the proposed Bradley Landfill Transfer Station and Materials Recycling Facility (TS/MRF). The TS/MRF would bring 7,500 tons per day of waste through Sun Valley—a predominantly low-income, Latino community that already suffers from an over-concentration of polluting land uses. The Commission was rightly concerned about the significant and unavoidable adverse impacts that would result.

At its December 17, 2009 meeting, the City Planning Commission unanimously disapproved the proposed Bradley TS/MRF for several reasons, including:

- The adverse air impacts that would result from the 1,829 additional truck trips generated by the TS/MRF and the lack of an enforceable plan to convert those trucks to clean fuel;
- Waste Management's refusal to enclose its open-air green waste processing as a condition of doubling the amount of green waste it is permitted to receive; and
- The lack of transparency and enforceability of the proposed mitigation fees.

At the December 17 hearing, Waste Management—the project proponent—refused to extend the time for the Commission to consider the project and refused to discuss a Development Agreement that could address the Commission's outstanding concerns.

While we share the Commission's concerns, we are also concerned about the following issues, which Waste Management and the Planning Department have failed to address adequately:

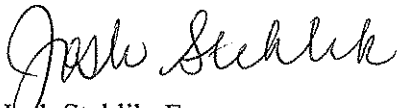
- **Baseline:** The final Environmental Impact Report (EIR) uses a baseline of analysis that discounts the impacts of nearly one-third of the waste that would be processed at the TS/MRF. The EIR uses as its baseline for analysis the 1,592 tons per day (tpd) of trash that the landfill was accepting in 2003, even though it stopped accepting waste in April, 2007. As a result, the impacts of 1,592 tpd of waste of the total 5,000 tpd proposed are excluded from the analysis, underestimating the TS/MRF's impacts by 32% in every category of analysis. Although the Planning Department claims that it was using the conditions at the time of the 2003 Notice of

Preparation as a baseline, such conditions included the closing of the landfill in 2007. Thus a baseline of zero tons per day would reflect current conditions and accurately disclose the full impacts of the TS/MRF.

- **Scale:** The EIR rejects a 25% smaller facility as an environmentally superior alternative, even though it would diminish the air and noise impacts on the community. The EIR's reasoning—basically that the City needs the additional trash processing capacity—continues to sacrifice the health of Sun Valley for the overall needs of the City. The PLUM committee should consider a smaller project that would minimize the adverse impacts to the community and bring the air impacts of the facility below a threshold of significance.
- **Unreasonable Hours:** The proposed 24 hour-per day general operations, including the TS/MRF hours from 5 am to midnight and outbound truck operations from 5 am to 10 pm, are excessive.
- **Odor:** There is minimal analysis of the nuisance odor impacts in the EIR or in the Planning Department's reports. The Council should require further analysis of the potential odor impacts so that adequate mitigation can be implemented.
- **Air Impacts:** The EIR acknowledges significant adverse air impacts as a result of the proposed TS/MRF, yet the EIR fails to analyze whether a smaller facility could bring these impacts below a threshold of significance.
- **Cumulative Impacts:** The cumulative impacts of the TS/MRF were not adequately considered, even though the proposed site is in an Environmental Justice Improvement District since it is already suffering from an over-concentration of heavy industry.

We appreciate the City Planning Commission's careful consideration of the proposed TS/MRF and the adverse impacts it would have on Sun Valley. We hope the PLUM committee will also consider the outstanding concerns described above and uphold the City Planning Commission's decision.

Sincerely,



Josh Stehlik, Esq.
Neighborhood Legal Services of LA County
13327 Van Nuys Boulevard
Pacoima, California 91331-3099
jstehlik@nls-la.org



Father Richard Zanotti
Our Lady of Holy Rosary Church
7800 Vineland Avenue
Sun Valley, California 91352