



**ADOPTED**

BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES

21 December 3, 2024

County of Los Angeles

December 3, 2024

EDWARD YEN  
EXECUTIVE OFFICER

Dawyn R. Harrison  
County Counsel

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, California 90012

**Board of Supervisors**

Hilda L. Solis  
Supervisor, First District

**Re: Project No. PRJ2021-001849-(1)  
(08/13/24 Board Agenda; Item No. 2)**

Holly J. Mitchell  
Supervisor, Second District

Dear Supervisors:

Lindsey P. Horvath  
Supervisor, Third District

Your Board previously conducted a duly-noticed public hearing regarding an appeal of a denial of the above-referenced Project No. PRJ2021-001849-(1), consisting of Conditional Use Permit No. RPPL2021004983-(1) to authorize the continued use, operation, and maintenance of an existing recycling and trash transfer station on a 1.26-acre parcel located at 1512 North Bonnie Beach Place in the unincorporated East Los Angeles community, in the Heavy Manufacturing Zone within the Metro Planning Area, applied for by Consolidated Disposal Service, LLC. At the conclusion of the public hearing, your Board indicated its intent to deny the project and instructed our office to prepare findings for denial. Enclosed are the findings for your consideration.

Janice Hahn  
Supervisor, Fourth District

Kathryn Barger  
Supervisor, Fifth District


Very truly yours,

DAWYN R. HARRISON  
County Counsel

By   
KATHY PARK  
Deputy County Counsel



APPROVED AND RELEASED:

  
THOMAS J. FAUGHNAN  
Senior Assistant County Counsel

KP:ll  
Enclosure

c: Fesia A. Davenport, Chief Executive Officer  
Edward Yen, Executive Officer, Board of Supervisors  
Amy J. Bodek, Director, Department of Regional Planning

**FINDINGS OF THE BOARD OF SUPERVISORS  
AND ORDER  
PROJECT NO. 2021-001849-(1)  
CONDITIONAL USE PERMIT NO. RPPL2021004983-(1)**

1. The Los Angeles County ("County") Board of Supervisors ("Board") conducted a duly-noticed public hearing on August 13, 2024, in the appeal of Project No. 2021-001849-(1), consisting of Conditional Use Permit No. RPPL2021004983-(1) ("CUP") (collectively "Project"). The County Regional Planning Commission ("Commission") conducted a duly-noticed public hearing on the Project on February 28, 2024, and at its conclusion unanimously voted to deny the Project.
2. Applicant, Consolidated Disposal Service, Ltd. ("Applicant"), requests the CUP to authorize the continued operation of a recycling and trash transfer station ("Transfer Station"). A CUP is required for its Transfer Station in the M-2 (Heavy Manufacturing) Zone, pursuant to Los Angeles County Code ("County Code") Section 22.22.030 (Land Use Regulations for Industrial Zones).
3. The Project is located at 1512 North Bonnie Beach Place in the unincorporated community of East Los Angeles within the City Terrace Zoned District ("Project Site") and the Metro Planning Area and is currently zoned M-2.
4. Surrounding zoning within a 500-foot radius of the Project Site includes:
  - North: M-2;
  - South: M-2;
  - East: M-2; and
  - West: M-1 (Light Manufacturing), R-2 (Two-Family Residence), and C-2 (Neighborhood Commercial).
5. Surrounding land uses within a 500-foot radius of the Project Site include:
  - North: Food flavoring business and offices;
  - South: Warehousing;
  - East: Food distribution, delivery and moving services, and clothing distribution; and
  - West: Single-family and multi-family residences, auto repair, furniture making, and food truck storage.
6. The Project Site is located within the I (Industrial) land use designation of the East Los Angeles Community Plan ("Community Plan") Land Use Policy Map.
7. The Project Site is 1.26 gross acres (1.24 net acres) in size and consists of one legal lot. The Project Site is rectangular in shape with gentle sloping topography and is developed with a Transfer Station with offices, a truck scale, and a surface parking lot.

8. The Project Site is accessible via Whiteside Street to the south and Knowles Avenue to the east. Primary access to the Project Site is provided by an entrance/exit on Whiteside Street. Secondary access to the Project Site is provided by an entrance/exit on Knowles Avenue. Whiteside Street and Knowles Avenue are both local streets and are not mapped highways, pursuant to the General Plan's Highway Plan Policy Map.
9. The site plan ("Site Plan") depicts a 35-foot-tall, 18,520-square-foot steel building containing the Transfer Station. The building includes four 24-foot-wide roll-up doors where trucks enter onto the Project Site from Whiteside Street via a 40-foot-wide driveway to unload municipal solid waste. The building also includes a load out port, which is an opening on the ground level where municipal waste is transferred onto outbound trucks that enter and exit the Project Site on Knowles Avenue via 40-foot-wide driveways. No trucks are stored at the facility. The building interior includes a 750-square-foot office space with bathrooms, a breakroom, and a utility and storage room.
10. The Site Plan also depicts a 70-foot-long truck weight scale with a radiation detection device; 19 standard-sized parking spaces, one of which is accessible to persons with disabilities in compliance with the Americans with Disabilities Act ("ADA"); and an 80-foot-long, three-foot-wide landscaped area along Whiteside Street. The Site Plan shows the Project Site is secured by a solid concrete masonry unit wall varying in height from 6 to 12 feet.
11. Previous entitlements include the following:
  - A. CUP No. 89-211, approved on January 10, 1990, authorized a new Transfer Station to process 350 tons per day ("TPD") of mixed municipal solid waste in an existing factory building.
  - B. CUP No. 95-240, approved on September 17, 1997, superseded CUP No. 89-211. CUP No. 95-240 authorized the continued operation of the Transfer Station to process the same rate of 350 TPD of mixed municipal solid waste. The CUP also authorized the demolition of all existing buildings, the construction of a new Transfer Station, and other site changes to allow access for larger capacity semi-trucks and transfer trailers onto the Project Site.
  - C. CUP No. 00-145, approved on May 15, 2001, superseded CUP No. 95-240 authorizing the continued operation of the Transfer Station to process an increased capacity of 700 TPD of mixed municipal solid waste. CUP No. 00-145 required one parking space for each 1,000 square feet of enclosed area used for warehousing and one parking space for each 400 square feet of enclosed area used for office space, in accordance with County Code Section 22.112.070 (Required Parking Spaces). CUP No. 00-145 expired on May 15, 2021.

- D. The Applicant applied for CUP No. 201000073 on June 9, 2010. The Applicant requested to increase the capacity of the Transfer Station from 700 TPD to 1,500 TPD of mixed municipal solid waste. The Applicant withdrew CUP No. 201000073 on November 3, 2015, after the public hearing before the Commission was continued four times to address concerns raised by residents and business owners who opposed CUP No. 201000073 on grounds related to impacts from the Project's operations. The Applicant's current request related to this CUP is to authorize the continued operation of the Transfer Station at the capacity of 700 TPD.
- 12. Staff received the following recommendations from County departments:
    - A. County Department of Public Works: Cleared the Project for a public hearing in a letter dated June 23, 2021.
    - B. County Fire Department: Cleared the Project for a public hearing in a letter dated June 22, 2021.
    - C. County Department of Public Health: Cleared the Project for a public hearing in a letter dated August 3, 2021.
  - 13. Department of Regional Planning ("Regional Planning") staff ("Staff") is not aware of any community outreach conducted by the Applicant.
  - 14. Pursuant to County Code Section 22.222.120 (Public Hearing Procedure), the community was properly notified of the public hearing by mail, newspaper (East LA Tribune), and property posting. Additionally, the Project was noticed, and case materials were available on Regional Planning's website. On January 18, 2024, a total of 133 Notices of Public Hearing were mailed. Sixty-nine notices were mailed to all property owners as identified on the County Assessor's record within a 500-foot radius from the Project Site, and five notices were mailed to those on the courtesy mailing list for the City Terrace Zoned District. Fifty-nine notices were mailed to tenants and occupants within a 500-foot radius of the Project Site.
  - 15. Staff received 12 emails opposing the continued operation and maintenance of the Project. The emails cited ongoing issues with foul odors, noise, air quality, health concerns, and overall quality of life.
  - 16. Prior to the Commission's public hearing on the Project, Staff determined the Project qualified for a statutory exemption (Projects Which Are Disapproved) from the California Environmental Quality Act ("CEQA") in accordance with Public Resources Code section 21000 et seq., State CEQA Guidelines section 15270, and the Environmental Document Reporting Procedures and Guidelines for the County, because Staff recommended denial of the Project.

17. The Commission held a duly-noticed public hearing on February 28, 2024, for the Project. Commissioners Michael Hastings and Pam O'Connor announced for the record they received emails from the Applicant's representative requesting a meeting. The Commissioners did not respond to the meeting request. The Commission heard a presentation from Staff and watched a drone video comparing the Project's lack of physical buffers to similar transfer stations in Culver City and Santa Monica. Commissioner Yolanda Duarte-White asked Staff to clarify if the Applicant addressed the Notice to Comply ("NTC") and the Notice of Violation ("NOV") from the South Coast Air Quality Management District ("AQMD"). Staff responded that they did. Notices were issued in 2023, 2022, and 2015, and the case was closed out each time. Commissioner Duarte-White stated she recalled odors were the primary complaint in 2015 when the Applicant requested alterations to CUP No. 201000073. That hearing was continued four separate times, and eventually the Applicant withdrew their application. The Commissioners heard testimony from representatives of the Applicant and members of the public. The Applicant testified and made the following points: (1) they believe the odor and noise impacts could be addressed by making changes to the facility's operations and/or by retrofitting the facility, if necessary; (2) they believe physical buffering of odor and noise is possible; (3) odor complaints to AQMD were likely attributed to the food flavoring business adjoining the facility to the north; (4) they did not engage with the community because they believe the community does not appreciate door-to-door outreach; (5) closure of the facility would lead to the loss of seven union jobs; and (6) the survey conducted by Staff was flawed. The Applicant testified the Project's purpose is to reduce the amount of traffic on the highways. The Project allows multiple collection trucks to consolidate waste into one truck which reduces the number of truck trips to the landfill and, therefore, minimizes vehicle miles traveled overall. The Applicant asked for a continuance of the hearing to explore mitigation measures, such as retrofitting the building.
18. The Commission heard testimony from 16 residents opposing the Project due to persistent foul odors, noise, traffic, and negative impacts to quality of life and overall health. Residents testified they were often unable to hold gatherings or play with their children outdoors because the odors from the Project were strong, unpredictable, and persistent. Residents testified: (1) they often avoid opening windows and doors; (2) they suffer from sleep interruption caused by the persistent foul odors; (3) they are members of, and/or know of, multigenerational households with ill elderly individuals and/or children who live within a 500-foot radius of the Project Site; (4) they can distinguish, without confusion, the distinct trash odor from the smell generated by the nearby food flavoring business, which produces fruity smells; (5) the complaints submitted to AQMD are ineffective; and (6) the community is disproportionately burdened by multiple sources of air pollution.

19. A motion was made by Commissioner Duarte-White and seconded by Commissioner Elvin Moon that:
  - A. The Commission close the public hearing and find the Project is statutorily exempt, pursuant to State and local CEQA guidelines. At the direction of the Chair, the item passed unanimously; and
  - B. The Commission deny Conditional Use Permit No. RPPL2021004983 subject to the findings. At the direction of the Chair, the item passed unanimously for denial.
20. The Applicant timely appealed the Commission's decision to deny the Project to the Board. The written appeal stated: the closure of the Project will cause significant and unavoidable environmental and economic impacts; the alleged odor and noise impacts from the Project can be mitigated, if necessary; the Staff Report to the Commission dated February 15, 2024 ("Staff Report") attached to these findings on alleged odor impacts omits important information; the Staff Report provides no objective measures of the alleged noise impacts; the Staff-initiated community survey is biased and unreliable; the Staff Report is biased; the Project helps prevent, rather than, cause illegal dumping; the Project's misting system prevents, rather than, causes odors; closing the Project will increase waste collection charges to the community; the Applicant has been an active participant in the community; the claims of difficulty in making complaints about the Project are curious because there is a large sign in front of the facility entrance, in English, with phone numbers of the Site Manager, the General Manager, the Local Enforcement Agency, and the AQMD; and the Staff recommendation ignores the requirements of CEQA and Senate Bill 753.
21. On August 13, 2024, the Board held a duly-noticed public hearing on the appeal of this Project.
  - A. Supervisor Solis called upon Amy Bodek, Director of Regional Planning, to first address the matter. Director Bodek stated Consolidated Disposal Service, LLC ("Applicant/Appellant"), requested a CUP for continued operation of an existing Transfer Station located in the East Los Angeles community. Director Bodek reported that upon analysis, the Commission denied the continued operation of the Transfer Station at the location due to its nuisance activities and direct adjacency to residential uses. Under the Green Zone Ordinance and other equity policies the Board put into place, the location for the use is no longer appropriate. Applicant/Appellant timely appealed the Commission's decision and is asking the Board to overturn it.
  - B. Supervisor Solis next asked the Applicant/Appellant to address the Board. Mr. Javara Perrilliat, introduced himself as the president of Southwest Republic Services ("Republic Services"), a Fortune 500 company that employs about 1,700 people. Mr. Perrilliat stated he is proud of the core

values of the company around sustainability and the environment and acknowledged that transfer stations are not the most desirable type of operation to have in anyone's neighborhood. Mr. Perrilliat stated he understands these types of operations have landed in economically disadvantaged communities with minorities. However, Mr. Perrilliat stated transfer stations are a vital piece of infrastructure for the County and the city. Republic Services makes it a goal to partner with communities to achieve a net positive result. Examples of partnerships include job programs; assisting with blight and illegal dumping; community donations; engagement; and, in socio-economic depressed communities, educational and scholarship opportunities. As to the Project Site, Mr. Perrilliat stated he believes there are additional mitigation efforts that Republic Services can employ to "make it better." He requested the Board's consideration of their request and appeal and offered to answer any questions.

- C. Supervisor Solis began her remarks by pointing out that Bonnie Beach Place, located in the unincorporated community of City Terrace, is a historical community of East Los Angeles with a mix of businesses and residential housing and indicated people have proudly resided in the City Terrace for the past 70 to 80 years, and the neighborhood has gone through a transition. Supervisor Solis acknowledged the importance of recycling and trash collection services, but said location is a big deal. She pointed out that the adverse health implications of living in close proximity to these facilities are now known well by the Board, which has dealt with issues over time. As a representative for the area, Supervisor Solis stated she is well aware of the issues with landfills, factories, and other types of businesses that have also been inconvenienced and put the community at harm. Supervisor Solis said there is a need to provide more oversight of these types of facilities to ensure conformance with our standards and thanked Director Bodek and the help of Regional Planning in creating the Green Zone Ordinance, which the Board adopted. Supervisor Solis said it is important to understand that an industrial site simply does not become compatible with a neighborhood because they have moved in and recognized the subject use has been an ongoing issue for as long as she has been elected to the Board. There have been several community meetings about the issues presented by the subject use, and Supervisor Solis believes the public hearing is a meaningful opportunity for the public to be heard.
- D. Moreover, Supervisor Solis stated that Census Tract 5304, where the Project is located, is comprised of 94.9 percent people of color, of which 91.2 percent identify as Latino, Hispanic, or Mexican-American. Census Tract 5304 has a CalEnviroScreen Pollution Burden Score of 99 percent, and a 98 percent of the CalEnviroScreen overall score, pursuant to the County's equity report. These scores represent exposure to the most egregious levels of ozone, particulate matter, diesel emissions in the air, and toxic releases from surrounding facilities, such as the freeway, and

drinking water, contaminants, and lead exposure in homes when compared to all other 8,035 census tracts Statewide. Supervisor Solis acknowledged that the surrounding community disproportionately bears the burden from stationary sources of pollution due to incompatible land uses and that this Project significantly contributes to that. Supervisor Solis recounted the subject facility's CUP history, increasing the amount of trash received to 700 TPD. The facility's previous request to increase daily limits to 1,500 TPD was withdrawn in 2010 due to public outcry against the Project. Over the years, the bad repugnant odor, traffic, and neighborhood aesthetics have all put the local people and businesses in harm's way. She stated that these continued adverse impacts are reaffirmed in the latest CUP application filed in 2021, which includes records, emails, and petition signatures from over 200 residents and businesses. Supervisor Solis thanked the Regional Planning's survey and door-to-door efforts to hear directly from the residents, who have made it clear to her office they want something done. Supervisor Solis said the Commission record and overall record address the issues raised by the Applicant/Appellant and detail the justification of the Regional Planning's recommendation to deny the Project. Furthermore, Supervisor Solis said the Project in its current location goes against the Board's own green initiatives and policies. Supervisor Solis expressed appreciation for the business owner who has been at the location for many years and serves the County in different locations. However, she stated the time has come to make changes and adjustments because the community is asking the Board to do so. Once more, Supervisor Solis noted that communities of color have been burdened by many environmental injustices, and then concluded her remarks and turned to the community members who signed up to speak.

- E. Before turning to the speakers, the Board voted 3-0 for Supervisor Solis to serve as Chair Pro Tem. Supervisor Kathryn Barger, who was serving as Chair Pro Tem in the absence of Chair Lindsey Horvath, departed from the meeting.
- F. Chair Pro Tem Solis recognized Supervisor Holly Mitchell, who wished to address the matter. Supervisor Mitchell said she represents the Board on the Stationary Source Committee of the AQMD and sees the ongoing challenges the collective "we" and government have to balance the interests of energy and community and for far too long, the community has come up short and is experiencing that lack of balance with poor air quality. Supervisor Mitchell acknowledged that the subject facility having no buffer from residential properties is staggering. She continued that now that there is understanding of the impact these environmental hazards have on communities no longer allows for the subject use in the County's zoning. Supervisor Mitchell acknowledged that residents with homes adjacent to the Transfer Station have raised concerns about foul odors and noise since 2010, and the struggle continues today in 2024.



Supervisor Mitchell thanked Chair Pro Tem Solis for bringing this matter forward.

- G. Chair Pro Tem Solis turned the hearing to the public for testimony. Eighteen speakers testified. One person stated general criticism. One speaker, Ms. LaShonda Shipp, general manager of East Los Angeles Republic Transfer Station ("ELARTS"), stated ELARTS has served the region for 20 years, complying with environmental regulations and running an effective and efficient operation. Ms. Shipp said regardless of the outcome, her team will continue to provide the County and its customers with the best-in-class service and be available to the community for whatever needs they may have. Seventeen speakers from the community, many of whom were generational residents, all testified that they have been affected by the pollution and odors, spoke in opposition to the appeal and urged the Board to uphold the Commission's denial of the Project.
- H. Supervisor Mitchell stated the appeal highlights the need for environmental justice. Chair Pro Tem Solis acknowledged the 200 individuals who signed petitions and letters notifying the Board about the issue, and thanked Staff and AQMD.

- 22. At the conclusion of the public hearing, Chair Pro Tem Solis moved to close the public hearing, find the Project is statutorily exempt from CEQA for the reasons stated in the Board letter, indicate its intent to deny the appeal of the Commission's decision, uphold the Commission's denial of the Project, and instruct County Counsel to prepare the necessary findings to uphold the Commission's denial of the Project. Supervisor Hahn seconded the motion. The motion passed by a vote of 3-0, with two Supervisors absent.

#### LAND USE COMPATIBILITY FINDINGS

- 23. The Board finds Staff conducted sufficient and adequate community outreach to determine the Project has numerous adverse impacts to the public health, safety, and welfare of the surrounding community, particularly to residents who are directly impacted by the Project on a frequent and regular basis; and physical and/or operational measures cannot be incorporated into the CUP's conditions of approval to effectively address and mitigate these numerous adverse impacts.
  - A. On Saturday, April 30, 2022, Staff conducted door-to-door outreach to 72 residential dwelling units within a 500-foot radius of the Project Site, plus five residential dwelling units just outside the 500-foot radius near the northwest corner of Herbert Avenue and Medford Street, for a total of 77 dwelling units. The survey included six questions, including five questions regarding odors, noise, dust, traffic, and visual impacts, and one open-ended question regarding how the County could serve residents better. The survey was printed in English and Spanish. Staff conducted

33 surveys on-site with residents and left the remaining surveys on the gates or doors when direct contact could not be made. Residents could drop off their completed surveys at the City Terrace Library; submit their completed surveys via e-mail; or submit their completed surveys by taking a picture of it with a smart phone, tablet, or other device and submit the picture via text. The deadline to complete the survey was May 31, 2022. Forty-one surveys were received out of the 77 surveys distributed.

- B. On Monday, September 19, 2022, Staff conducted door-to-door outreach to 17 nonresidential properties within a 500-foot radius of the Project Site, utilizing the same six-question survey distributed to the residential units. Staff contacted 20 different employees from the neighboring businesses. Of those 20 employees, 10 stated they were used to the odors, noise, and truck traffic from the Transfer Station and did not have other comments for Staff. The remaining 10 stated the odor was the most consistent concern as it was an issue throughout the day the facility operated, with the odor being worse in the early mornings, especially on hot days; followed by concerns regarding noise from the trucks and other adverse health impacts, such as skin rashes and increased asthma attacks. None of the 20 employees knew how to formally submit a complaint related to the Project's operations.
24. The Board finds the Staff's community outreach indicates the continued operation of the Project will result in adverse impacts to the health, peace, comfort, and welfare of persons residing and working nearby, even though a transfer station with a valid CUP is allowed in the M-2 Zone. Additionally, physical and/or operational measures cannot be incorporated into the Project's CUP's conditions of approval to effectively address and mitigate these adverse impacts because the impacts are intrinsic to the operation of the Project at this location, as described in the rest of these findings. For example, odors and noise are intrinsic adverse impacts of a trash transfer station, and the size of the Project Site precludes the Project from being adequately separated and buffered from surrounding land uses.
- A. The primary concern is odor. The surveys reveal the top concern identified was odors, which were identified as occurring throughout every day the Project facility operated, and most often in the early morning when trash had been present at the Project Site overnight. Both residents and employees from nearby businesses emphasized how awful the odors are, especially when the loading doors to the Project facility are left open on hot days and on Mondays when trash was left over from the weekend or on Tuesdays after long holiday weekends. Several residents stated the Project's deodorizer misters do not work, poorly masking the odors or even making them worse. Residents said they avoid opening their

windows on some days due to the odors and are very uncomfortable during hot days.

- B. The second most identified concern by the survey results is noise. This is primarily due to the harsh-pitch beeping sound of trucks when they travel in reverse, and loud dropping sounds when trash is being transferred from the inbound trucks into the Project's building. These noises occur again when the trash is transferred into the outbound trucks. Residents and employees from adjacent businesses stated the rumbling from the truck traffic on local streets is persistent throughout the day.
25. Several other concerns were identified in the survey results, including:
- A. Residents and employees from nearby businesses cited truck traffic on the streets surrounding the Project Site and the additional wear and tear, including potholes and dust, resulting from the increased truck traffic.
  - B. Residents and employees from nearby businesses stated that smaller "flyway" debris often pile up on vehicles, yards, and on the street despite the Project operator's street sweeping.
  - C. Three employees from nearby businesses stated the trucks had damaged vehicles parked on the street and an existing gate.
  - D. Chemicals from the deodorizer misters utilized by the Project leave a stain or odd film on vehicles nearby, with one employee indicating he needed to wash his car often to avoid more damage to his vehicle's paint and finish.
  - E. One business owner directly across the Project Site at 3900 Whiteside Street was adamant his employees suffered health impacts in the form of increased asthma attacks and skin rashes due to the business's proximity to the Project.
26. Staff attended Vision City Terrace ("VCT") community group monthly meetings where members expressed ongoing concerns over nauseating odors generated from the Project. The VCT community group shared that multiple complaints submitted to AQMD have not yielded any significant change, and the odors persist. In early April 2022, a member of the VCT community group shared they were at Harrison Elementary School, located on the other side of the 10 Freeway about half a mile away from the Project Site, and reported that about 20 children and three staff members experienced foul odors during an outdoor gardening activity. Complaints were submitted to AQMD without any resulting action. Staff identified two additional elementary schools, Robert F. Kennedy Elementary School and City Terrace Elementary School, each of which are also about one-half mile from the Project Site. Based on the incident at Harrison Elementary School, it is reasonable to infer that children at these two additional elementary

schools may also be exposed to the same foul odors while outdoors at their school.

27. The Board finds the complaints submitted to AQMD present evidence that the Project is not compatible with surrounding land uses due to adverse impacts related to odors.

A. Numerous complaints have been submitted to AQMD, as follows:

<b>Year</b>	<b>Number of Complaints</b>
2019	1
2020	3
2021	9
2022	90
2023	62 (as of August 31, 2023)

B. Generally, AQMD inspectors need to receive a minimum of six separate complaints to issue an NOV. However, as the odors are not always constant, by the time AQMD inspectors visit the Project Site, odors have often dissipated or changed direction based on wind patterns. Therefore, AQMD inspectors do not often issue NOV's. AQMD inspectors issued one NOV in 2022 despite receiving 90 odor complaints in the same year. For example, an NOV was not issued in response to the complaints from the Harrison Elementary School incident in April 2022 described in paragraph no. 26, above. Though AQMD does not issue an NOV for every complaint, that does not mean that the odor complaints are invalid.

C. The Project does not have any equipment requiring permits from AQMD, which also limits their enforcement role. Therefore, the primary method AQMD uses to take any enforcement action is via Public Nuisance Rule 402 ("Rule 402") and Public Nuisance Rule 403 ("Rule 403"). AQMD inspectors will issue NOV's to facilities pursuant to Rule 402, which relates to emissions when they are able to confirm the emissions have impacted a considerable number of people in any one day – generally at least six individuals from separate households. AQMD inspectors will issue NOV's to facilities pursuant to Rule 403, which relates to fugitive dust when they directly observe the violation, such as dust crossing the property line or excessive "track out" when trucks exiting the facility drag out mud or dirt from their tires onto the public right-of-way.

D. Staff identified three notices that AQMD issued to the Applicant by researching AQMD's Facility Information Detail public website (Facility ID Number 171215), as follows:

- i. On February 10, 2023, AQMD issued Notice to Comply ("NTC") No. E56616 requiring the Applicant to submit an Odor Management Plan, in compliance with Public Nuisance Rule 410, a rule establishing odor management practices and requirements for trash transfer stations and material recovery facilities. On May 11, 2023, AQMD closed the case because the Applicant complied with this NTC.
  - ii. On December 22, 2022, AQMD issued NOV No. P74782 for allowing "track out" to extend more than 25 feet from the point of origin, which is not in compliance with Rule 403 for fugitive dust, that limits the extent of the "track out" to 25 feet from the point of origin. AQMD closed the case because the Applicant complied with this NOV. AQMD staff did not observe any more "track out."
  - iii. On March 30, 2015, AQMD issued NTC No. E56616 for signage. The Transfer Station was required to incorporate AQMD contact information on a sign visible to the public 24 hours each day on seven days each week. AQMD closed the case because the Applicant complied with this NTC.
28. The Board finds an analysis of similar recycling and trash transfer facilities in the County conducted by Staff evidences the Project is not compatible with surrounding land uses because it is not adequately separated and buffered from surrounding land uses when compared to similar facilities. Additionally, the Board finds the size of the Project Site precludes the Project from being adequately separated and buffered from surrounding land uses.
  - A. Staff analyzed 24 recycling and trash transfer facilities in the County not owned by the Applicant and determined the Project Site is among the smallest sites of similar facilities located in the County. The sites of the 24 similar facilities range from 0.65 acres to 68.65 acres in size, whereas the Project Site is 1.26 acres in size. Sixteen sites out of the 24 sites are larger than three gross acres in size, whereas the Project Site is smaller than three gross acres in size; and of the eight sites that are smaller than three gross acres, only one is smaller than the Project Site. The larger lot sizes allow for greater separation and buffering between the similar facilities and their adjacent uses.
  - B. Additionally, a look at eight similar facilities within a 500-foot radius of residential land uses in the County (listed below), revealed half of them directly adjoin major highways. One facility directly adjoins a secondary highway, unlike the Project Site, which does not adjoin a highway, forcing inbound and outbound trucks to use local streets that primarily serve residential land uses. Each of the facilities have physical barriers

separating and buffering them from nearby residences, such as freeways, a flood control basin, railroads, a large nursery, electrical transmission tower corridors maintained by the DWP or Southern California Edison, and other industrial buildings, thereby reducing potential adverse impacts. By comparison, the Project Site is located across the street from residential land uses on North Bonnie Beach Place with no effective physical barrier to create a buffer.

- i. The Southern California Disposal Santa Monica facility (Assessor's Parcel Number ("APN") 4268-017-022), located at 1924 Frank Street, Santa Monica, California 90404, is 0.65 gross acres in size and buffered from residential land uses by the 10 Freeway and other industrial uses.
- ii. The Culver City Transfer Station (APN: 4204-005-900), located at 9275 Jefferson Boulevard, Culver City, California 90232, is 1.55 gross acres in size and buffered from residential land uses by the Ballona Creek Channel, a major highway, a recreational park, and the Culver City Stairs.
- iii. The City Terrace/Southland Disposal facility (APNs 5224-009-025 and 5224-009-014), located at 1525 Fishburn Avenue, Los Angeles, California 90063, is 1.62 gross acres in size and buffered from residential land uses by other industrial uses.
- iv. The Active Recycling Co., Inc. facility (APN 6001-001-001), located at 2000 West Slauson Avenue, Los Angeles, California 90047, is 3.48 gross acres in size and buffered from residential land uses by a major highway, commercial shopping center, and the City of Los Angeles Bureau of Sanitation truck storage facility.
- v. The UWS Transfer Station (APN 8168-001-044), located at 9016 Norwalk Boulevard, Sante Fe Springs, California 90670, is 4.42 gross acres in size and buffered from residential land uses by a major highway, Union Pacific Railroad, and other industrial uses.
- vi. The Paramount Resource Recycling facility (APNs 6236-031-053 and 6236-031-055), located at 7230 Petterson Lane, Paramount, California 90723, is 4.42 gross acres in size and buffered from residential land uses by the Southern California Edison and City of Los Angeles Department of Water and Power ("DWP") transmission lines, railroad lines, and other industrial uses.
- vii. The Athens Services City of Industry Material Recovery Facility (APNs 8206-012-053 and 8206-011-009), located at 14048 East

Valley Boulevard, City of Industry, California 91746, is 9.34 gross acres in size and buffered from residential land uses by a major highway and other industrial uses.

- viii. The Azuza Land Reclamation facility (APN 8615-016-006), located at 1211 West Gladstone Street, Azuza, California 91702, is 68.65 gross acres in size and buffered from residential land uses by a secondary highway, self-storage facility, truck driving school, other industrial uses, and mature trees.

C. A look at eight facilities (listed below) that are all under three gross acres in size, some of which are located within 500 feet of residential land uses, and their existing buffers, revealed five do not have any residential land uses within a 500-foot radius. By contrast, there are 72 residential dwelling units within a 500-foot radius of the Project Site, with additional five residential dwelling units just outside the 500-foot radius near the northwest corner of Herbert Avenue and Medford Street.

- i. Southern California Disposal Santa Monica facility (APN 4268-017-022), located at 1914 Frank Street, Santa Monica, California 90404, is 0.65 gross acres, located within a 500-foot radius of a residential use, and buffered by the 10 Freeway and other industrial uses.
- ii. Waste Transfer & Recycling facility (APN 5170-010-003), located at 840 South Mission Road, Los Angeles, California 90023, is 1.55 gross acres and is not within a 500-foot radius from a residential use. It is buffered from surrounding uses by the 10 and 60 Freeways and other industrial uses.
- iii. Culver City Transfer Station (APN 4204-005-900), located at 9275 Jefferson Boulevard, Culver City, California 90232, is 1.55 gross acres and located within a 500-foot radius from a residential use. However, the facility is buffered from the residential uses by the Ballona Creek Channel, a major highway, recreational park, and the Culver City Stairs.
- iv. City Terrace/Southland Disposal facility (APNs 5224-009-025 and 5224-009-014), located at 1525 Fishburn Avenue, Los Angeles, California 90063, is 1.62 gross acres in size and located within a 500-foot radius from a residential use. However, the facility is buffered from residential use by other industrial uses.

- v. Sun Valley Paperstock facility (APNs 2631-034-029 and 2631-034-030), located at 11501 Tuxford Street, Los Angeles, California 91352, is 1.66 gross acres in size and not located within a 500-foot radius from residential uses. It is buffered from nearby uses by the 5 Freeway and other industrial uses.
  - vi. Waste Resource Recovery facility (APN 6129-002-029), located at 357 West Compton Boulevard, Gardena, California 90248, is 2.39 gross acres in size and not within a 500-foot radius from a residential use. It is buffered from nearby uses by other industrial uses.
  - vii. Burbank Recycle Center (APN 2451-005-901), located at 500 South Flower Street, Burbank, California 91502, is 2.4 gross acres in size and not within a 500-foot radius from a residential use. It is buffered from nearby uses by the 5 Freeway and other industrial uses.
  - viii. The Conservation Station (APNs 2805-001-024 and 2805-001-026), located at 20833 Santa Clara Street, Santa Clarita, California 91351, is 2.55 gross acres in size and not within a 500-foot radius from residential uses. It is buffered from nearby uses by the Santa Clara River and other industrial uses.
- D. Only three facilities similar in size to the Project Site have residential land uses within a 500-foot radius:
- i. City Terrace/Southland Disposal (No. iv in subsection C, above) is 1.62 acres and located within 500-foot radius of 57 residential dwelling units;
  - ii. Culver City Transfer Station (No. iii in subsection C, above) is 1.55 acres and located within a 500-foot radius of 47 residential dwelling units; and
  - iii. Southern California Disposal Santa Monica (No. i in subsection C, above) is 0.65 acres and located within a 500-foot radius of 201 residential dwelling units.
- E. Similar to the rest of the facilities in subsection C, above, the three facilities mentioned in Finding No. 28.D, above, have additional physical buffers from nearby residential land uses which the Project Site does not. In Culver City, the facility is separated from residential land uses by the Ballona Creek and Bike Path on one end and by the Culver City Stairs Recreational Trail on the other. In Santa Monica, the facility directly



adjoins the 10 Freeway, which serves as a large barrier between the facility and nearby residential land uses. The other facility in unincorporated East Los Angeles is not directly across the street from residential land uses; rather, residential land uses are located approximately 250 feet away and are buffered by existing industrial buildings that separate the facility from the nearby residential land uses. Thus, while there are other recycling and trash transfer facilities in the County like the Project in size, none of them is located on a site in direct proximity to a large number of residential land uses without the aid of natural buffers to help mitigate operational impacts, thereby presenting unavoidable adverse impacts to the health and safety of people who reside and work nearby.

## GENERAL PLAN CONSISTENCY FINDINGS

29. The Board finds the Project is not consistent with the Goals and Policies of the General Plan in the context of Environmental Justice, as identified in Chapter 3: Guiding Principles.
- A. Guiding Principle 5 of Chapter 3 is to "provide healthy, livable and equitable communities." As noted in the description of Guiding Principle 5, the General Plan addresses environmental justice by raising awareness of a number of issues impacting the County's unincorporated areas, including, but not limited to, excessive noise, traffic, water pollution, air pollution, and heavy industrial uses. The General Plan also addresses environmental justice by emphasizing the importance of meaningful coordination and actions.
- B. The description of Environmental Justice following Guiding Principle 5 states it is the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. An environmentally-just county is a place where:
- i. Environmental risks, hazards, and public service-related environmental services, such as trash hauling and landfills, are distributed equitably without discrimination;
  - ii. Existing and proposed negative environmental impacts are mitigated to the fullest extent to protect public health, safety, and well-being;
  - iii. Access to environmental investments, benefits, and natural resources are equally distributed; and
  - iv. Information, participation in decision making, and access to justice in environment-related matters are accessible to all.

- C. The description of Environmental Justice following Guiding Principle 5 also mentions the need to identify communities disproportionately bearing a burden from stationary sources of pollution due to incompatible land uses and to better regulate incompatible land uses. Census Tract No. 5307, where the Project Site is located, meets those criteria, pursuant to the following analysis:
- i. Census Tract No. 5307 consists of 94.9 percent of people of color. 91.2 percent of these people of color identified as Hispanic or Latino. Census Tract No. 5307 is in the 99th percentile of the CalEnviroScreen pollution burden score and is in the 98th percentile of the CalEnviroScreen overall score, pursuant to the County's Equity Indicators Report ("Equity Indicators Report") and the Staff Report. The Equity Indicators Report is generated from Regional Planning's web-based Equity Indicators Geographic Information System ("GIS"), which aims to leverage data and technology to strengthen Countywide efforts towards spatial justice. Spatial justice is the concept that social justice is linked to physical space. This concept recognizes that injustices occur when the geographical location of a project discriminates against a group of people.
  - ii. The CalEnviroScreen pollution burden score analyzes 13 indicators related to pollution exposure and environmental effects. The environmental effects component is half-weighted, and the average of the two determines the total pollution burden score.
  - iii. The CalEnviroScreen overall score is inclusive of the pollution score. The overall score is calculated by multiplying the pollution burden score (max score 10) by the population characteristics score (max score 10). The percentiles range from zero percent to 100 percent and represent the least pollution-burdened to most pollution-burdened census tracts in the State. The higher the percentile, the greater the pollution burden for the census tract.
  - iv. The 99th percentile of the CalEnviroScreen pollution burden score and the 98th percentile of the CalEnviroScreen overall score represent the most egregious levels of exposure to ozone concentrations in the air, particulate matter concentrations in the air, diesel particulate matter emissions, toxic releases from facilities, traffic, drinking water contaminants, and lead exposure in homes when compared to all 8,035 census tracts Statewide.
  - v. Out of the 81 census tracts Statewide that are in the 99th percentile of the CalEnviroScreen pollution burden score, 70 of them are in the County ([Cal EnviroScreen Dashboard](#)). Two of these 70 census tracts, including Census Tract No. 5307 (where the

Project is located), are in unincorporated East Los Angeles. Additionally, 18 of these 70 census tracts are located within two miles of the Project Site. Out of the 150 census tracts Statewide that are in the 98th percentile of the CalEnviroScreen overall score, 112 of them are in the County. Two of these 112 census tracts, including Census Tract No. 5307, are in unincorporated East Los Angeles. Additionally, 17 of these 112 census tracts are located within two miles of the Project Site. This demonstrates that the broader surrounding community disproportionately bears a burden from stationary sources of pollution due to incompatible land uses. The Project, due to its operations and proximity to residential land uses, significantly contributes to this disproportionate impact.

30. The Board finds the Project is inconsistent with the following General Plan Land Use Element Goal and Policies applicable to the Project:
  - A. Goal LU 7: Compatible land uses that complement neighborhood character and the natural environment.
  - B. Policy LU 7.1: Reduce and mitigate the impacts of incompatible land uses, where feasible, using buffers, appropriate technology, building enclosure, and other design techniques.
  - C. Goal LU 9: Land use patterns and community infrastructure that promote health and wellness.
  - D. Policy LU 9.1: Promote community health for all neighborhoods.
  - E. Policy LU 9.4: Encourage patterns of development that protect the health of sensitive receptors.
    - i. The Board finds the Project is not consistent with Goal LU 9 and Policies LU 7.1, 9.1, and 9.4 because 77 residential dwelling units are in close proximity to the Project Site, including 72 residential dwelling units within a 500-foot radius of the Project Site plus five residential dwelling units just outside the 500-foot radius near the northwest corner of Herbert Avenue and Medford Street. Some of these residential dwelling units are located directly across the street from the Project Site. As noted in Finding No. 28, above, there are no adequate or meaningful physical buffers, such as a park, a body of water, or other industrial buildings, to effectively reduce impacts.
    - ii. A sensitive receptor is a resident, student, or employee spending time within 500 feet from the Project Site. These individuals are

most likely to reside or spend time in dwelling units, schools, and school yards, including trade schools, public and private schools, faith-based and secular schools, parks, playgrounds, daycare centers, preschools, nursing homes, hospitals, licensed care facilities, shelters, and daycares or preschools as accessories to a place of worship. Therefore, the Project does not protect the health of sensitive receptors because, as noted in Finding Nos. 23, 24, 25, 26, and 27, above, the Project has resulted in adverse impacts related to odors, noise, traffic, and neighborhood aesthetic qualities. Physical and/or operational measures cannot be incorporated into this CUP's conditions of approval to effectively address and mitigate these impacts due to the location and size of the Project.

- iii. Additionally, as noted in Finding No. 29, above, the Project is in a community that is disproportionately burdened by multiple sources of pollution. Census Tract No. 5307, where the Project Site is located, is in the 99th percentile of the CalEnviroScreen pollution burden score and is in the 98th percentile of the CalEnviroScreen overall score, according to the Equity Indicators Report and the Staff Report. The analysis for this census tract demonstrates it has the most egregious levels of exposure to ozone concentrations in the air, particulate matter concentrations in the air, diesel particulate matter emissions, toxic releases from facilities, traffic, drinking water contaminants, and lead exposure in homes when compared to all 8,035 census tracts Statewide.
- iv. The Board finds the Project is not consistent with Goal LU 9 and Policies LU 7.1, 9.1, and 9.4 because the Project is not compatible with surrounding residential land uses, does not promote community health, and does not protect the health of sensitive receptors. The physical and/or operational measures cannot be incorporated into the CUP's conditions of approval to effectively address and mitigate the Project's adverse impacts in a manner that will promote community health and protect the health of sensitive receptors.

31. The Board finds the Project is not consistent with the following General Plan Noise Element Goal and Policies applicable to the Project.

A. Goal N 1: The reduction of excessive noise impacts.

- i. The Board finds the Project is not consistent with Goal N 1 because the Project produces excessive noise impacts. As noted in Finding

No. 24, above, residents expressed that noise from the rumbling, tipping, engine revving, and beeping of trucks entering and exiting the Transfer Station occurs throughout every day the facility operates, Monday through Saturday, causing a nuisance to surrounding residents and businesses. Additionally, truck traffic causes windows to vibrate and dwelling units to tremble as trucks continuously travel along local streets serving residential uses to get to the Project Site.

- ii. The findings related to CUP No. 00-145, which was previously approved for this land use, identified a variety of vehicles that are used in conjunction with the Project, including trash/recycling collection trucks, public self-haul vehicles, transfer trucks with trailers, semi-trucks, flatbed trucks, stake-bed trucks, automobiles, and pick-up trucks. (CUP No. 00-145 Finding No. 16(g).) Approximately 160 round trips of truck traffic are conducted daily to process the current 700 TPD of municipal solid waste. (CUP No. 00-145 Finding No. 16(g).) The variety of trucks entering the facility throughout every day the Project facility operates generates varying levels of noise that impact the surrounding residences and businesses because each vehicle carries a different amount of waste in its load. Furthermore, physical and/or operational measures cannot be incorporated into the CUP's conditions of approval to reduce noise to an extent that would adequately address and mitigate the excessive noise impacts generated by the Project because they are intrinsic to the operation of the Project at this location, which is not adequately buffered from surrounding land uses. Therefore, the Project is not consistent with Goal N 1.

B. Policy N 1.1: Utilize land uses to buffer noise-sensitive uses from sources of adverse noise impacts. The Board finds the Project is not consistent with Policy N 1.1 because there are no land use buffers, such as a freeway, a major or secondary highway, a body of water, a park, or other infrastructure to effectively buffer the noise generated by the Project from surrounding noise-sensitive land uses, including adjacent residential land uses. Instead, the Project Site's only buffers are local streets (Bonnie Beach Place, Whiteside Street, and Knowles Avenue) that are only 50 to 60 feet wide. Noise is an intrusion into the daily life of residents and businesses adjacent to the Project. The Board recognizes that noise can be a source of emotional strain and frustration when the noise is constant and beyond a person's control, as is the case with the Project.

C. Policy N 1.2: Reduce exposure to noise impacts by promoting land use compatibility. The Board finds the Project is not consistent with Policy

N 1.2. Although the Project includes an enclosed building, this structure is not sufficient to reduce exposure to noise impacts from the various trucks entering and exiting the Project Site every day the facility operates. As noted in Finding No. 24, above, the community outreach survey conducted by Staff identified noise as a top concern, second only to foul odors, due to the beeping of trucks backing up and loud dropping sounds when trash is transferred from the inbound trucks into the building and then again when the trash is transferred into outbound trucks. The Project is not consistent with Policy N 1.2 because it is not in an appropriate location that is compatible with surrounding land uses and, therefore, does not promote a reduction in exposure to noise impacts. Physical and/or operational measures cannot be incorporated into this CUP's conditions of approval to adequately reduce exposure to noise impacts generated by the Project because they are intrinsic to the operation of the Project at this location, which lacks adequate natural or infrastructure buffers between the Project Site and surrounding land uses.

- D. Policy N 1.10: Orient residential units away from major noise sources, in conjunction with applicable building codes.
- E. Policy N 1.11: Maximize buffer distances and design and orient sensitive receptor structures, such as hospitals, residences, etc., to prevent noise and vibration transfer from commercial/light industrial uses.
  - i. The Board finds the Project is not consistent with Policies N 1.10 and N 1.11 because 77 residential dwelling units are located in close proximity to the Project Site, including 72 residential dwelling units within a 500-foot radius of the Project Site, plus five residential dwelling units just outside the 500-foot radius near the northwest corner of Herbert Avenue and Medford Street. Some of these residential dwelling units are located directly across the street from the Project Site. The residential dwelling units located directly across the street from the Project Site on Bonnie Beach Place were legally established prior to the construction of the Project and are oriented directly towards the Project facility's west-facing four large metal roll-up doors without any effective buffers. The only buffer is Bonnie Beach Place, a local street that is only 60 feet wide. Residents have a direct view of the piles of trash from their front yards and are exposed to noise throughout every day the Project facility operates. Additionally, truck traffic causes windows to vibrate and dwelling units to tremble as large trucks continuously travel along local streets serving residential uses to get to the Project Site.

- ii. Physical and/or operational measures cannot be incorporated into the Project's CUP's conditions of approval to effectively address and mitigate noise and vibration impacts due to the Project Site's insufficient buffers from sensitive receptors near the Project Site, including existing residential dwelling units located directly across the street from the Project Site that were legally established prior to the construction of the Project facility. Therefore, the Project is not consistent with Policies N 1.10 and N 1.11.
- 32. The Board finds the Project is not consistent with the following General Plan Public Services and Facilities Element Goal and Policies applicable to the proposed Project:
  - A. Goal PS/F 5: Adequate disposal capacity and minimal waste and pollution.
  - B. Policy PS/F 5.1: Maintain an efficient, safe, and responsive waste management system which reduces waste while protecting the health and safety of the public.
    - i. The Board finds the Project is not consistent with Policy PS/F 5.1 because, as noted in Finding No. 29, above, the Project is in a community that is disproportionately burdened by multiple sources of pollution. Census Tract No. 5307, where the Project Site is located, is in the 99th percentile of the CalEnviroScreen pollution burden score and is in the 98th percentile of the CalEnviroScreen overall score according to the Equity Indicators Report and the Staff Report. The analysis for this census tract demonstrates it has the most egregious levels of exposure to ozone concentrations in the air, particulate matter concentrations in the air, diesel particulate matter emissions, toxic releases from facilities, traffic, drinking water contaminants, and lead exposure in homes when compared to all 8,035 census tracts Statewide. The Project facility generates pollution, and the continued operation of the Project at this location does not protect the health and safety of the 77 residential dwelling units located in close proximity to the Project Site, including 72 residential dwelling units within a 500-foot radius of the Project Site plus five residential dwelling units just outside the 500-foot radius near the northwest corner of Herbert Avenue and Medford Street. Some of these residential dwelling units are located directly across the street from the Project Site.
    - ii. As noted in Finding No. 28, above, Staff analyzed 24 recycling and trash transfer facilities in the County not owned by the Applicant

and determined the Project Site is amongst the smallest sites where similar uses are located in the County. This small lot size precludes the Project from being adequately separated and buffered from surrounding land uses, whereas larger lot sizes allow for greater separation and buffering between the similar facilities and their adjacent land uses. As noted in Finding Nos. 23, 24, and 25, above, during the door-to-door survey, neighboring residents and business owners expressed concerns related to odors, noise, traffic, and other disturbances to the community's health, safety, and general welfare, including:

- (1) Foul odors. Residents shared that foul odors wake them up in the middle of the night, that complaints to AQMD have not yielded any significant changes, and that the deodorizer mister system utilized by the Project does not mask odors and actually makes them worse.
- (2) Aesthetics. Smaller fly-away trash ends up on the residents' and businesses' lawns and cars, and in potholes. The Project's metal roll-up doors face west toward residential dwelling units, resulting in a sightline of high piles of trash from their front yards.
- (3) Noise. The noise from the rumbling, tipping, engine reeving, and beeping of trucks entering and exiting the Project Site occurs throughout every day the Project facility operates. Loud sounds occur when trash is transferred from the inbound trucks into the Project facility and then again when the trash is transferred into the outbound trucks.

iii. Physical and/or operational measures cannot be incorporated into the CUP's conditions of approval to effectively address and mitigate the Project's numerous adverse impacts to the public health, safety, and welfare, as they are intrinsic to the operation of the Project in a community that is disproportionately burdened by multiple sources of pollution. Therefore, the Project cannot operate in an efficient, safe, and responsive manner while protecting the health of the public; and it is not consistent with Goal PS/F 5 and Policy PS/F 5.1.

C. Policy PS/F 5.2: Ensure adequate disposal capacity by providing for environmentally sound and technically feasible development of solid waste management facilities, such as landfills and transfer/processing facilities.



- i. The Board finds the Project is not consistent with Policy PS/F 5.2 because the Project is not in an appropriate location compatible with the surrounding land uses. Instead, the Project has resulted in numerous adverse impacts to the surrounding residents and businesses related to odors, noise, traffic, and other disturbances of the community's health, safety, and general welfare. There are no physical barriers, such as a freeway, a major highway, bodies of water, a park, or other infrastructure to effectively buffer the noise, odors, and airborne contamination from the 77 residential dwelling units located in close proximity to the Project Site, including 72 residential dwelling units within a 500-foot radius of the Project Site plus five residential dwelling units just outside the 500-foot radius near the northwest corner of Herbert Avenue and Medford Street. Some of these residential dwelling units are located directly across the street from the Project Site.
  - ii. Physical and/or operational measures cannot be incorporated into the CUP's conditions of approval to effectively address and mitigate the Project's numerous adverse impacts to the public health, safety, and welfare, as they are intrinsic to the operation of the Project in a community that is disproportionately burdened by multiple sources of pollution. Therefore, the Project cannot operate in an environmentally sound manner, and it is not consistent with Policy PS/F 5.2.
- 33. The Board finds the Project is not consistent with the following General Plan Economic Development Element Goal and Policies applicable to the Project:
  - A. Policy ED 2: Land use practices and regulations that foster economic development and growth.
  - B. Policy ED 2.2: Utilize adequate buffering and other land use practices to facilitate the compatibility between industrial and non-industrial uses.
    - i. The Board finds the Project is not consistent with Policy ED 2.2 because 77 residential dwelling units are in close proximity to the Project Site, including 72 residential dwelling units within a 500-foot radius of the Project Site plus five residential dwelling units just outside the 500-foot radius near the northwest corner of Herbert Avenue and Medford Street. Some of these residential dwelling units are located directly across the street from the Project Site. There are no physical barriers, such as a freeway, a major or secondary highway, bodies of water, a park, or other infrastructure, to effectively buffer these 77 residential dwelling units from the

noise, odors, and airborne contamination generated by the Project. Instead, the Project Site's only inadequate buffers are local streets (Bonnie Beach Place, Whiteside Street, and Knowles Avenue) that are only 50 to 60 feet wide.

- ii. The Project's previously approved enclosed building, solid walls, perimeter deodorizer mister system, and landscaping were intended to facilitate compatibility with surrounding land uses. However, as noted in Finding Nos. 23, 24, 25, 26, and 27, above, the community outreach conducted by Staff evidence that these physical and operational measures have proven inadequate and ineffective in addressing and mitigating adverse impacts to the public health, safety, and welfare, nor do they adequately facilitate compatibility with surrounding land uses. As noted in Finding No. 28, above, Staff analyzed 24 recycling and trash transfer facilities in the County not owned by the Applicant, and this analysis shows the Project Site is among the smallest sites where similar uses are located in the County. This small lot size precludes the Project from being adequately separated and buffered from surrounding land uses, whereas larger lot sizes allow for greater separation and buffering between similar facilities and their adjacent land uses. There are no meaningful or adequate buffers that can adequately address the adverse impacts resulting from the noise, odors, and airborne contaminants generated by the Project towards residential and commercial uses nearby. Therefore, the Project is not consistent with Policy ED 2.2.

C. ED 2.3: Ensure environmental justice in economic development activities.

- i. The Project can be considered an economic development activity because it provides employment and necessary service to commercial and industrial businesses which employ people and otherwise contribute to the County's economy. However, the Project's location and operations are not consistent with Policy ED 2.3 because the Project does not ensure environmental justice. As noted in Finding No. 29, above, the Project is in a community that it disproportionately burdened by multiple sources of pollution. Census Tract No. 5307, where the Project Site is located, is in the 99th percentile of the CalEnviroScreen pollution burden score and is in the 98th percentile of the CalEnviroScreen overall score according to the Equity Indicators Report and the Staff Report. The analysis for this census tract demonstrates it has the most egregious levels of exposure to ozone concentrations in the air, particulate matter concentrations in the air, diesel particulate matter

emissions, toxic releases from facilities, traffic, drinking water contaminants, and lead exposure in homes when compared to all 8,035 census tracts Statewide. Thus, the Project compounds this disproportionate impact on the surrounding community.

- ii. One reason the Project does not ensure environmental justice in economic development activities is its relatively small size and inadequate buffers compared to similar land uses located in the County, many of which are in communities not as disproportionately burdened by multiple sources of pollution like the community surrounding the Project Site. As noted in Finding No. 28, above, Staff analyzed 24 recycling and trash transfer facilities in the County not owned by the Applicant and determined the Project Site is among the smallest sites where similar land uses are located in the County. This small lot size precludes the Project from being adequately separated and buffered from surrounding land uses, whereas larger lot sizes allow for greater separation and buffering between the similar facilities and their adjacent land uses. When Staff compared the Project to similar facilities that have residential uses within a 500-foot radius, regardless of the lot size, Staff determined other facilities have physical buffers which the Project Site does not. The other facilities are buffered by freeways, a flood control basin, railroads, a large nursery, electrical transmission tower corridors maintained by the DWP or Southern California Edison, and other industrial buildings, thereby reducing potential adverse impacts to the surrounding residents and businesses, such as those related to odors, noise, traffic, and aesthetic impacts.
- iii. The continued operation of the Project facility at this location is an economic development activity that impedes environmental justice and is not consistent with Policy ED 2.3. If the Project continues to operate, it will continue to result in numerous adverse impacts to the public health, safety, and welfare, including those related to odors, noise, diesel emissions, and particulate matter, in a census tract with the most egregious levels of exposure to ozone concentrations in the air, particulate matter concentrations in the air, diesel particulate matter emissions, toxic releases from facilities, traffic, drinking water contaminants, and lead exposure in homes when compared to all 8,035 census tracts Statewide. As such, while the Project facility is an economic development activity, its continued operation inherently impedes environmental justice.

## COMMUNITY PLAN CONSISTENCY FINDINGS

34. The Board finds the Project is consistent with the Community Plan's I (Industrial) land use designation. However, the Board finds the Project is not consistent with the Community Plan's Goals and Policies, as described in Finding No. 35, below.
35. The Board finds the following Community Plan Physical Environment Goals are applicable to the Project:
  - A. Goal: To protect the community's health, safety, and general welfare. The Board finds the Project is not consistent with this goal for the following reasons:
    - i. The foul odors generated by the Project are unpredictable due to daily changing wind patterns and are exacerbated by hot weather. Odors are intensified when the metal roll-up doors at the Project facility are left open, trash is left overnight, or trash accumulates over a long holiday weekend.
    - ii. The noise from the rumbling, tipping, and beeping of trucks entering and exiting the Project Site occurs throughout every day the Project facility operates, causing a nuisance to surrounding residents and businesses.
    - iii. The community shared that fires occurred at the Project Site on May 25, 2022, and October 26, 2023. On-site staff tried to contain the fires but eventually the County Fire Department was called to put out the fires. If the Project continues to operate, there will be potential risks to community health and safety because more fires could start at the Project Site and spread to nearby residences due to the Project Site's proximity to those residences.
    - iv. Neighboring residents, business owners, and employees have expressed concerns over health impacts and medical conditions from airborne contaminants. Some individuals have reported an increase in skin rashes and asthma after working across the street from the Project Site.
  - B. Goal: To encourage high standards of development and improve aesthetic qualities of the community. The Board finds the Project is not consistent with this goal for the following reasons:
    - i. The Project inevitably requires that truck traffic circulate on local streets. The vehicles travel along Herbert Avenue, Bonnie Beach Place, Whiteside Street, and Medford Street, often leaking liquid

waste and dropping smaller flyaway trash onto the immediate and nearby streets, negatively impacting the aesthetic qualities of the community. The Applicant uses a small street sweeper around the perimeter of the Project Site daily to clean up smaller debris. However, flyaway trash still ends up in yards, on plants, and on cars on nearby residential and nonresidential properties. Some smaller debris are not swept up at all and remains stuck in potholes and cracks, as some streets have been damaged significantly by the weight of the trucks traveling to and from the Project Site.

- ii. The surveys received as part of the community outreach conducted by Staff indicated that local streets around the Project Site are a target for illegal dumping of bulky items. Large items, such as furniture, mattresses, and even construction debris, are left on the streets and sidewalks because of an erroneous belief the Project facility will handle the pickup since it is located nearby. However, the Project does not deal with those items, and the responsibility instead falls on the County, as neighbors call the County Department of Public Works to clean up the items.
- iii. The west-facing orientation of the roll-up metal doors on the Project Site causes residents on Bonnie Beach Place to have a direct view of the piles of trash from their homes. The high piles of trash are visible to all pedestrians when the roll-up doors are opened and diminish the aesthetic qualities of the community.
- iv. Neighboring residents and business owners shared that flies are a nuisance throughout every day the Project facility operates because they accumulate and follow the trash consistently. Previous CUPs included a condition of approval requiring the Applicant work with the Greater Los Angeles County Vector Control District to ensure flies remain under control. However, like odors, flies are an intrinsic byproduct of trash and are unpredictable. Some loads of trash attract more flies than others, and seasonal changes also impact the abundance of flies in the area.

36. The Board finds the following Community Plan Land Use Policy is applicable to the Project: Encourage the elimination of industrial uses in residential neighborhoods.

- A. The Board finds the Project is not consistent with this Policy. Although the Project Site is in the Community Plan's I (Industrial) land use designation, there are 77 residential dwelling units located in close proximity to the Project Site, including 72 residential dwelling units within a 500-foot radius

of the Project Site plus five residential dwelling units just outside the 500-foot radius near the northwest corner of Herbert Avenue and Medford Street. Some of these residential dwelling units are located directly across the street from the Project Site on Bonnie Beach Place and immediately behind Bonnie Beach Place on Herbert Avenue. All trucks traveling to and from the Project Site must travel along these streets.

- B. The previously approved CUP No. 00-145 for the Project attempted to address adverse impacts related to odors through a condition of approval stating, "an odor controlling chemical shall be sprayed over the entire load out transfer bay." (CUP No. 00-145 Condition 24(e).) This condition of approval required the Applicant to install and operate an automatic deodorizer mister system from 6:00 a.m. to 9:00 p.m. to mask the odors. The misters are located at the exterior of the building facing Bonnie Beach Place and along the perimeter walls of the Project Site closest to residential uses. Additionally, CUP No. 00-145 included a condition of approval requiring the Applicant to install a sensor-activated automatic closing door on the transfer truck entrance to minimize odors from escaping the building. (CUP No. 00-145 Condition 24(m).) Lastly, previous CUPs included a condition of approval requiring the Applicant to wash all trucks and floors within the Project Site's enclosure to further minimize odors.
  - C. These attempts to mitigate negative impacts have not been successful. Neighboring residents continue to experience adverse impacts related to odors originating from the operation of the Project. There do not appear to be any additional measures that could alleviate the negative impacts, as the Project's operations at its existing location are simply incompatible with the health and safety of surrounding residences and businesses.
37. The Board finds the following Community Plan Noise Policy is applicable to the Project: Reduce the overall noise level in the community, especially where noise-sensitive uses are affected. The Board finds the Project is not consistent with this Policy. The continuous noise from loading and unloading waste and the rumbling, tipping, and beeping of trucks entering and exiting the Project Site is a nuisance to nearby residents and businesses throughout every day the Project facility operates. Additionally, the truck traffic causes windows to vibrate and dwelling units to tremble as trucks continuously travel along local streets with residential uses to get to the Project Site. The noise is an intrusion into the daily life of residents and businesses adjacent to the Project, and there is no feasible means of reducing the noise produced from the Project's operations.

## ZONING CODE CONSISTENCY FINDINGS

38. The Board finds the Project is not consistent with the M-2 zoning classification. The Project is permitted in the M-2 Zone with a CUP, pursuant to County Code Section 22.22.030.C.1, but the findings required by County Code Section 22.158.050.B for approval of the CUP cannot be made as further set forth below.
39. The Board finds the Project is consistent with the standard identified in County Code Section 22.316.070.K.1, which allows a maximum building height of 35 feet in the M-2 Zone. The existing building is 35 feet tall, which complies with the maximum height allowed in the East Los Angeles Community Standards District.
40. The Board finds the Project is consistent with CUP No. 00-145 which required one parking space for each 1,000 square feet of enclosed area used for warehousing, and one parking space for each 400 square feet of enclosed area used for office space, in accordance with County Code Section 22.112.070. The Project Site includes 19 standard-sized parking spaces, one of which is accessible to persons with disabilities in compliance with the ADA.
41. The Board finds the Project is consistent with the standard identified in County Code Section 22.316.060.C.2.a, which limits the total permitted sign area of all signs on a building or site to 10 percent of the building face (not to exceed 240 square feet). The existing signage is 211 square feet.

## CONDITIONAL USE PERMIT FINDINGS

42. The Board finds the proposed use at the Project Site will adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area; will be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the Project Site; and will jeopardize, endanger, or otherwise constitute a menace to the public health, safety, or general welfare.
  - A. As noted in Finding Nos. 23, 24, and 25, above, Staff conducted outreach to 77 residential dwelling units and 17 businesses within or immediately outside of a 500-foot radius from the Project Site. The outreach provided evidence that the Project adversely impacts the public health, safety, and welfare, including impacts related to odors, noise, aesthetic qualities, and traffic. Physical and operational measures incorporated into the conditions of previous CUPs authorizing the Project have proven inadequate and ineffective in addressing and mitigating these numerous adverse impacts to the public health, safety, and welfare, and did not help facilitate compatibility with surrounding uses. Therefore, physical and/or operational measures cannot be incorporated into the requested CUP's conditions of approval to effectively address and mitigate these adverse

impacts because they are intrinsic to the operation of the Project at this location, which is not adequately buffered from surrounding land uses.

- B. The General Plan consistency findings related to the approval of previous CUPs did not have to consider environmental justice goals and policies because they were not included in the previous General Plan adopted in 1980. As noted in Finding No. 29, above, the current General Plan adopted in 2015 and amended as part of the Green Zones Program in 2022 includes a Guiding Principle, goals, and policies related to environmental justice. Census Tract No. 5307, where the Project Site is located, is a community disproportionately bearing a burden from stationary sources of pollution due to incompatible land uses. This census tract consists of 94.9 percent of people of color, of which 91.2 percent are identified as Hispanic or Latino. This census tract is in the 99th percentile of the CalEnviroScreen pollution burden score and is in the 98th percentile of the CalEnviroScreen overall score according to the Equity Indicators Report and the Staff Report. The Equity Indicators Report is generated from Regional Planning's web-based Equity Indicators GIS, which aims to leverage data and technology to strengthen Countywide efforts towards spatial justice. Spatial justice is the concept that social justice is linked to physical space. This concept recognizes that injustices occur when the geographical location of a project discriminates against a group of people. The analysis for this census tract demonstrates that it has the most egregious levels of exposure to ozone concentrations in the air, particulate matter concentrations in the air, diesel particulate matter emissions, toxic releases from facilities, traffic, drinking water contaminants, and lead exposure in homes when compared to all 8,035 census tracts Statewide.
  - C. As noted in Finding No. 29, above, the Project is not consistent with the Goals and Policies of the General Plan in the context of Environmental Justice, as defined in the General Plan. As noted in Finding Nos. 30 through 33, above, the Project is also not consistent with multiple General Plan Goals and Policies related to Land Use, Noise, Public Services and Facilities, and Economic Development due to numerous adverse impacts on the public health, safety, and welfare. Additionally, as noted in Finding Nos. 35, 36, and 37, above, the Project is not consistent with multiple Community Plan Goals and Policies related to the Physical Environment, Land Use, and Noise, due to numerous adverse impacts to the public health, safety, and welfare. The authorization of the continued operation of the Project at this location impedes environmental justice.
43. The Board finds the Project Site is not adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities,



landscaping, and other development features prescribed in Title 22, or as otherwise required to integrate said use with the uses in the surrounding area.

- A. As noted in Finding No. 28, above, Staff analyzed 24 recycling and trash transfer facilities in the County not owned by the Applicant and determined the majority (16) of these facilities do not have any residential land uses within a 500-foot radius. By contrast, there are 44 properties with residential uses, with a total of 72 residential dwelling units, within a 500-foot radius of the Project Site plus five properties with five residential dwelling units just outside the 500-foot radius near the northwest corner of Herbert Avenue and Medford Street.
  - B. Of the eight similar facilities that do have residential land uses within a 500-foot radius, only three of the facility sites are smaller than three acres in size. The Project Site's lot area, which is only 1.26 acres, is among the smallest sites where similar facilities are located in the County. This small lot size precludes the Project from being adequately separated and buffered from surrounding land uses, whereas larger lot sizes allow for greater separation and buffering between the similar facilities and their adjacent land uses. Other facilities located within 500 feet of residential land uses are buffered by freeways, flood control basin, railroads, large nursery, electrical transmission tower corridors maintained by the DWP or Southern California Edison, and other industrial buildings, thereby reducing potential adverse impacts to the surrounding residents and businesses, such as those related to odors, noise, traffic, and aesthetic impacts. In the context of environmental justice, it should be noted that many of these other facilities are in communities not as disproportionately burdened by multiple sources of pollution as the community surrounding the Project Site.
  - C. Therefore, the Project Site is inadequate to accommodate the Project, even if it meets the minimum requirements for walls, parking, loading facilities, and landscaping, because it lacks any significant physical buffering to integrate its use with the 77 residential dwelling units located in close proximity to the Project Site.
44. The Board finds the Project Site is not adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.
- A. The Project inevitably requires truck traffic to circulate on local streets serving residential uses, such as Knowles Avenue, Bonnie Beach Place, and Whiteside Street, which are only 50 to 60 feet wide, as noted in the

table below. Although Medford Street and Herbert Avenue, two secondary highways with greater widths, are located near the Project Site, these secondary highways do not adjoin the Project Site and, therefore, do not provide direct access.

- B. The trucks travel along Herbert Avenue, Bonnie Beach Place, Whiteside Street, and Medford Street, often leaking liquid waste and dropping smaller flyaway trash. An estimated 160 round trips of truck trips are conducted daily to process 700 TPD of municipal solid waste. The surveys received as part of the community outreach conducted by Staff indicate that trucks have damaged gates and vehicles parked on the streets as they maneuver out of the loading areas onto Knowles Avenue.
- C. Previously approved CUPs allowed a variety of vehicles to be used in conjunction with the Project, including trash/recycling collection trucks, public self-haul vehicles, transfer trucks with trailers, semi-trucks, flatbed trucks, stake-bed trucks, automobiles, and pick-up trucks. This wide variety of trucks are intrinsic to the operation of the Project facility and inseparable from its land use. Therefore, if the Project continues to operate, those trucks must continue to travel on local streets, and their daily rumbling, vibration, and noise will continue to adversely impact nearby residents. Physical and operational measures incorporated into the conditions of previous CUPs for the Project have proven inadequate and ineffective in addressing and mitigating these adverse impacts. Therefore, the Board finds the Project Site is not adequately served by highways of sufficient width and improved as necessary to carry the kind and quantity of traffic the Project would generate.

## ENVIRONMENTAL FINDINGS

- 45. The Board finds the Project is statutorily exempt from CEQA, pursuant to State CEQA Guidelines section 15270 (Projects Which are Disapproved), and the Environmental Document Reporting Procedures and Guidelines for the County.
- 46. The location of the documents and other materials constituting the record of proceedings upon which the Board's decision is based in this matter is at the Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Metro Development Services Section, Department of Regional Planning.

**BASED ON THE FOREGOING, THE BOARD OF SUPERVISORS CONCLUDES THAT:**

- A. The proposed use will be inconsistent with the adopted General Plan and the adopted East Los Angeles Community Plan.
- B. The proposed use at the Project Site will adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area; will be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site; and will jeopardize, endanger, or otherwise constitute a menace to the public health, safety, or general welfare.
- C. The Project Site is not adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping, and other development features prescribed in Title 22, or as otherwise required to integrate said use with the uses in the surrounding area.
- D. The Project Site is not adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.

**THEREFORE, THE BOARD OF SUPERVISORS:**

- 1. Finds the Project is exempt from CEQA, pursuant to State CEQA Guidelines section 15270 (Projects Which Are Disapproved);
- 2. Denies the appeal of Project No. 2021-001849-(1); and
- 3. Denies Conditional Use Permit No. RPPL2021004983-(1).

Attachment

Department of Regional Planning Staff Report to the Regional Planning Commission dated February 15, 2024.

**EXECUTIVE OFFICE – BOARD OF SUPERVISORS**

**AGENDA ENTRY**

DATE OF MEETING	DECEMBER 3, 2024
DEPARTMENT NAME:	COUNTY COUNSEL
BOARD LETTERHEAD:	COUNTY COUNSEL
SUPERVISORIAL DISTRICT AFFECTED:	FIRST
VOTES REQUIRED:	3
CHIEF INFORMATION OFFICER'S RECOMMENDATION:	<input type="checkbox"/> APPROVE <input type="checkbox"/> APPROVE WITH MODIFICATION <input type="checkbox"/> DISAPPROVE

**\*\*\*\* ENTRY MUST BE IN MICROSOFT WORD \*\*\*\***

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Instructions: To comply with the Brown Act requirement, the reader should fully understand what the department is asking the Board to approve. The recommendation must describe what the action is for, with whom the action is being taken, fiscal impact, including money amounts, funding sources and effective dates. Also, include an instruction for the Chair(man) or Director to sign when such signature is required on a document.

Recommendation: Adopt findings and order denying Project No. PRJ2021-001849-(1), consisting of Conditional Use Permit No. RPPL2021004983-(1) ("Project"), to authorize the continued use, operation, and maintenance of an existing recycling and trash transfer station on a 1.26-acre parcel located at 1512 North Bonnie Beach Place in the unincorporated East Los Angeles community, in the Heavy Manufacturing Zone within the Metro Planning Area, applied for by Consolidated Disposal Service, LLC. The Board determined the Project is exempt from the California Environmental Quality Act ("CEQA"), pursuant to section 15270 of the State CEQA Guidelines because CEQA does not apply to projects which a public agency rejects or disapproves. (On August 13, 2024, the Board indicated its intent to deny the Project.) (County Counsel)

# **Attachment**

## REPORT TO THE REGIONAL PLANNING COMMISSION

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DATE ISSUED: February 15, 2024  
HEARING DATE: February 28, 2024 AGENDA ITEM: 6  
PROJECT NUMBER: PRJ2021-001849-(1)  
PERMIT NUMBER(S): Conditional Use Permit ("CUP") RPPL2021004983  
SUPERVISORIAL DISTRICT: 1  
PROJECT LOCATION: 1512 N. Bonnie Beach Place, East Los Angeles 90063  
OWNER: Consolidated Disposal Services  
APPLICANT: Consolidated Disposal Services  
CASE PLANNER: Elsa M. Rodriguez, Principal Planner  
erodriguez@planning.lacounty.gov

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### RECOMMENDATION

*The following recommendation is made prior to the public hearing and is subject to change based upon testimony and/or documentary evidence presented at the public hearing:*

LA County Planning staff ("Staff") recommends **DENIAL** of Project Number PRJ2021-001849-(1), CUP Number RPPL2021004983, based on the Findings (Exhibit C – Findings) contained within this report.

Staff recommends the following motions:

### **CEQA:**

I MOVE THAT THE REGIONAL PLANNING COMMISSION CLOSE THE PUBLIC HEARING AND FIND THAT THE PROJECT IS STATUTORILY EXEMPT PURSUANT TO STATE AND LOCAL CEQA GUIDELINES.

### **ENTITLEMENT:**

I MOVE THAT THE REGIONAL PLANNING COMMISSION DENY CONDITIONAL USE PERMIT NUMBER RPPL2021004983 SUBJECT TO THE ATTACHED FINDINGS.

## **PROJECT DESCRIPTION**

### **A. Entitlement(s) Requested**

- CUP for the continued operation of an existing recycling and trash transfer station at 1512 N. Bonnie Beach Place (“Project Site”) in the M-2 (Heavy Manufacturing) Zone pursuant to County Code Section 22.22.030 (Land Use Regulations for Zones M-1, M-1.5, M-2, and M-2.5).

### **B. Project**

The applicant, Consolidated Disposal Services, is requesting a CUP for the continued operation of an existing recycling and trash transfer station. The recycling and trash transfer station receives non-hazardous mixed municipal solid waste (“MSW”) and recyclables that are processed, consolidated, and transferred to either an additional processing facility or a landfill via transfer trucks with trailers. CUP No. 00-145, approved on May 15, 2001, previously authorized the continued operation of the recycling and trash transfer station and allowed it to process 700 tons per day (“TPD”) of MSW and recyclables. CUP No. 00-145 expired on May 15, 2021. The applicant is requesting to continue the same daily waste intake and does not propose any changes to the existing 18,520-square-foot facility.

CUP No. 00-145 allowed trucks to access the Project Site from 6 a.m. to 9 p.m., Monday through Saturday, and allowed MSW and recyclables to be processed within the enclosed building 24 hours per day, Monday through Saturday. However, the recycling and trash transfer facility ceases operations when it reaches the 700 TPD limit of MSW and recyclables, which typically occurs at 2:30 p.m. but sometimes occurs as late as 5 p.m. A total of seven (7) employees are onsite during the largest shift, including one (1) supervisor, two (2) scale operators, three (3) equipment operators, and one (1) traffic spotter/laborer.

Other previous approvals for the same land use include:

- CUP No. 89-211, approved on January 10, 1990, which authorized a new recycling and trash transfer station and allowed it to process 350 TPD of MSW and recyclables.
- CUP No. 95-240, approved on September 17, 1997, which authorized the continued operation of the recycling and trash transfer station and superseded CUP 89-211. The facility was approved to continue to process the same rate of 350 TPD of MSW and recyclables. The CUP also authorized the demolition of all existing buildings, the construction of a new recycling and trash transfer station, and other site changes to allow access for larger capacity semi-trucks and transfer trailers onto the Project Site. CUP No. 00-145 superseded CUP No. 95-240.

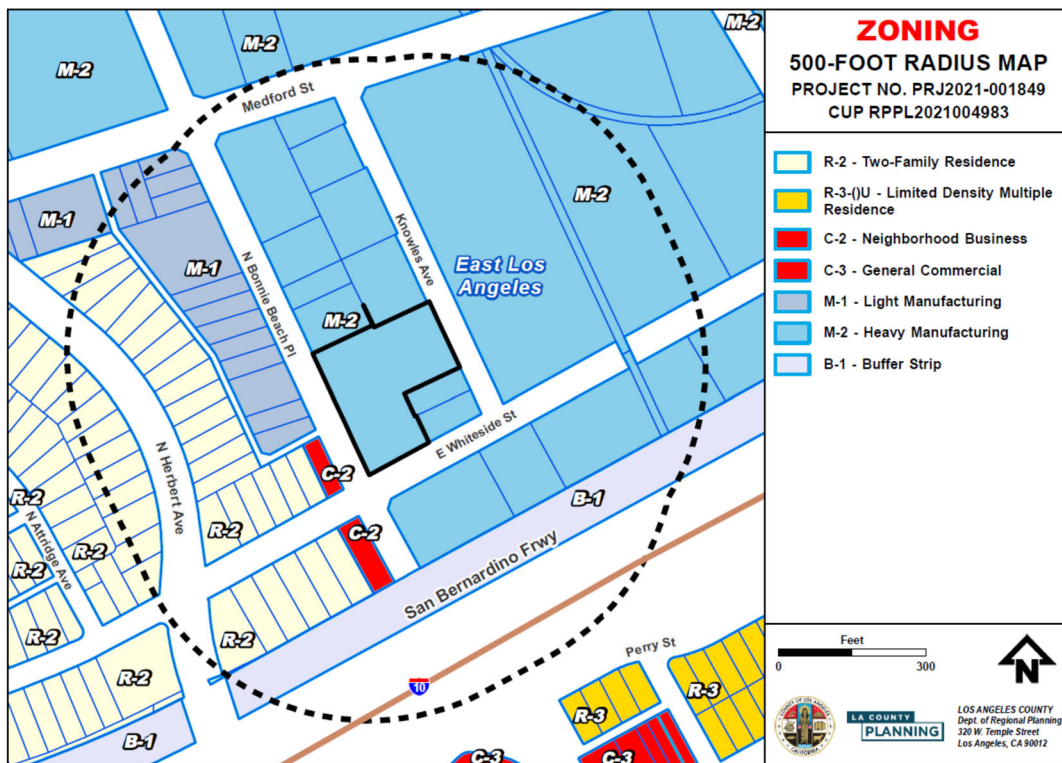
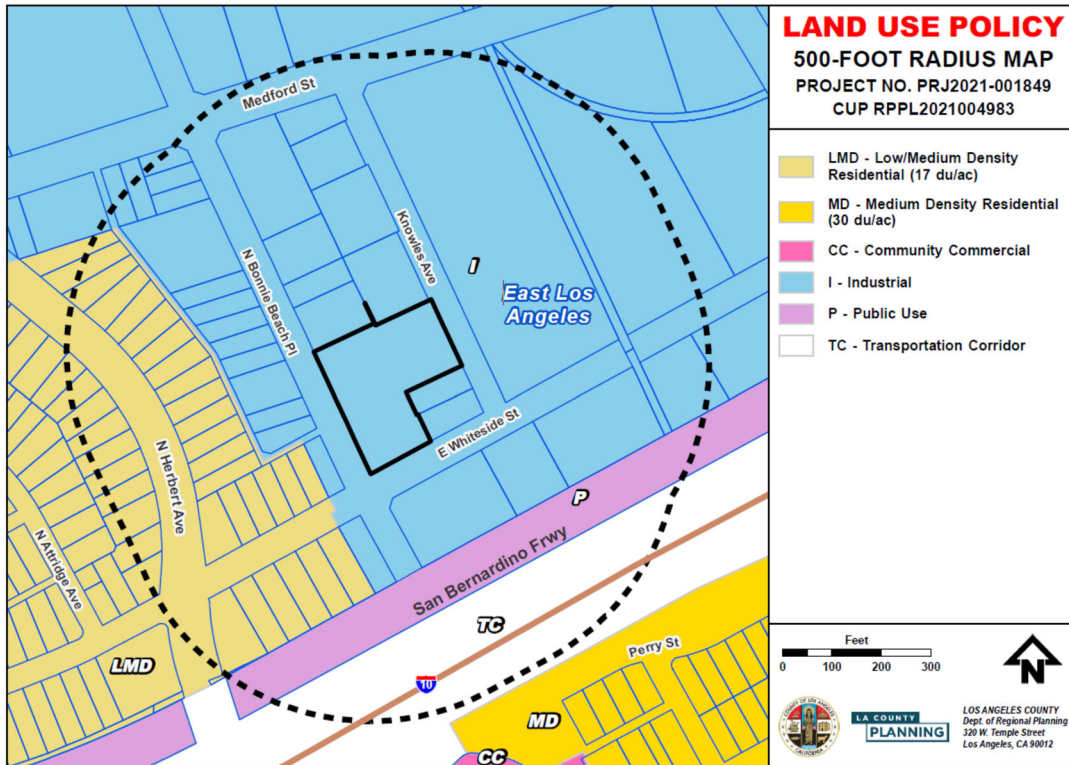
On June 9, 2010, the applicant applied for CUP No. 201000073, to increase the capacity of the recycling and trash transfer station from 700 TPD to 1,500 TPD of MSW and recyclables. The applicant withdrew CUP No. 201000073 on November 3, 2015, after the public hearing before the Regional Planning Commission was continued four times to address concerns raised by neighboring residents and business owners related to foul odors, noise impacts, and not complying with the conditions of CUP 00-145.

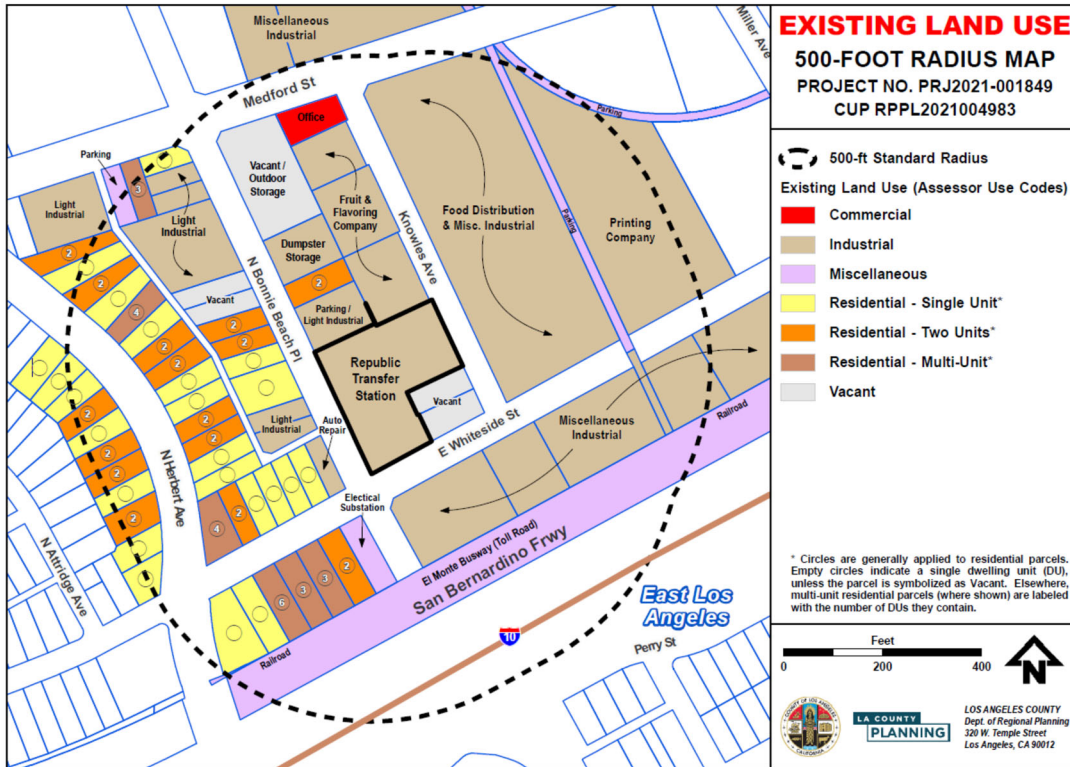
**SUBJECT PROPERTY AND SURROUNDINGS**

The following chart provides property data within a 500-foot radius:

<b>LOCATION</b>	<b>EAST LOS ANGELES COMMUNITY PLAN LAND USE POLICY</b>	<b>ZONING</b>	<b>EXISTING USES</b>
SUBJECT PROPERTY	I (Industrial)	M-2 (Heavy Manufacturing)	Recycling and Trash Transfer Station
NORTH	I	M-2	Food Flavoring; Manufacturing
EAST	I	M-2	Food Distribution; Delivery and Moving Services; Clothing Distribution
SOUTH	I	M-2	Warehousing
WEST	I and LMD (Low/Medium Density Residential	M-1 (Light Manufacturing); R-2 (Two Family Residence); C-2 (Neighborhood Commercial)	Single-family and Multi-family Residences; Auto Repair; Furniture Making; Food Truck Storage







**PROPERTY HISTORY**

**A. Zoning History**

ORDINANCE NO.	ZONING	DATE OF ADOPTION
2022	M-2	September 14, 1931

**B. Previous Cases**

CASE NO.	REQUEST	DATE OF ACTION
CUP 89-211	To authorize a new recycling and trash transfer station to process 350 TPD of MSW and recyclables in an existing factory building.	Approved on January 10, 1990
CUP 95-240	To authorize the demolition of all existing buildings, the construction of a new recycling and trash transfer station, and other site changes to allow access for larger capacity semi-trucks and transfer trailers. Continue	Approved on September 17, 1997

	to process 350 TPD of MSW and recyclables.	
CUP 00-145	To increase the capacity of the recycling and trash transfer station from 350 TPD of MSW and recyclables to 700 TPD of MSW and recyclables.	Approved on May 15, 2001
CUP 201000073	To increase the capacity of the recycling and trash transfer station from 700 TPD of MSW and recyclables to 1,500 TPD of MSW and recyclables. The public hearing before the Regional Planning Commission was continued four times to address concerns raised by residents and business owners who opposed the CUP.	Withdrawn on November 3, 2015

**C. Violations**

CASE NO.	VIOLATION	CLOSED/OPEN
RPZPE2018000745	Foul odors	Opened February 12, 2018 Closed April 7, 2020, after monitoring period revealed no further activity.
15-0001887-RZPVIO	Foul odors and rats	Opened April 2, 2015 Closed January 15, 2016, after monitoring period revealed no further activity.
11-0003892-RZPVIO	Foul odors and trucks queuing	Opened February 14, 2011 Closed October 1, 2012, after monitoring period revealed no further activity.

**ANALYSIS**

**A. Land Use Compatibility**

The Project is located within the East Los Angeles Community Plan (“Community Plan”), a component of the County General Plan (“General Plan”). Although the Project Site is in the Community Plan’s I (Industrial) land use designation, the land use is not compatible with the surrounding land uses. Staff recommends denial of the CUP because the recycling and trash transfer station generates multiple adverse impacts to the surrounding residences and businesses related to odors, noise, aesthetic qualities, and traffic. The Project is inconsistent with multiple General Plan and Community Plan Goals and Policies related to Land Use

Compatibility, Noise, Environmental Justice, and Community Health, Safety, and General Welfare.

### **Community Outreach**

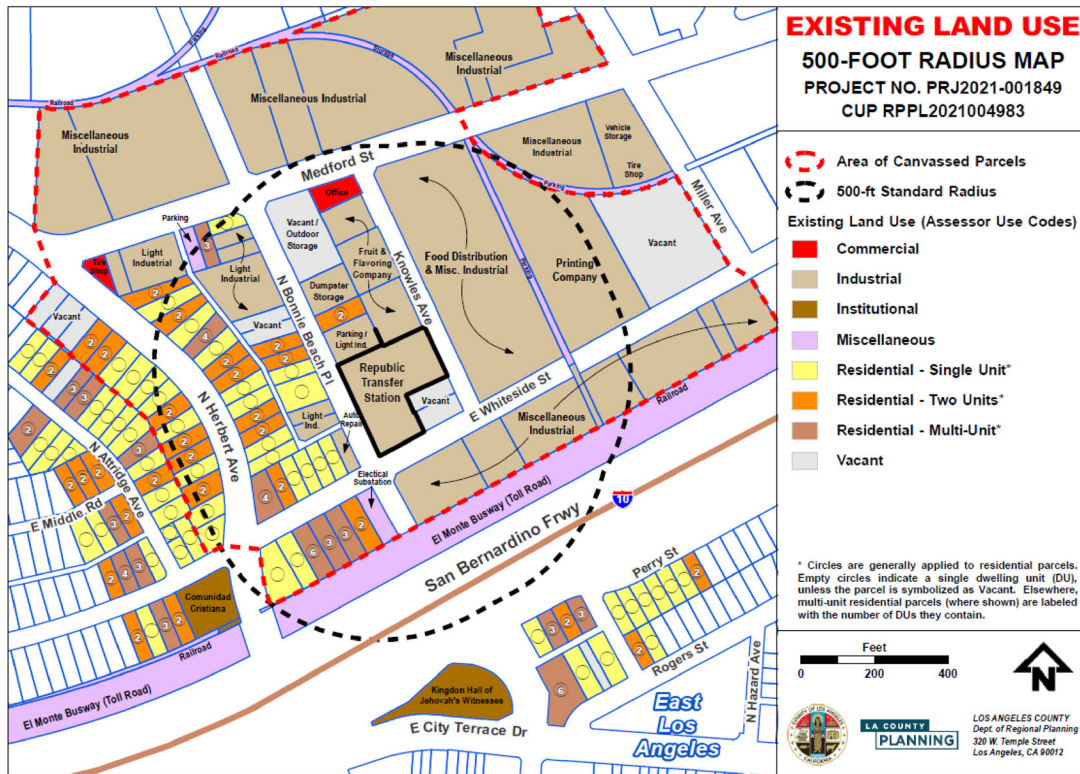
Staff conducted outreach and determined that the Project has numerous adverse impacts to the public health, safety, and welfare of the surrounding community, particularly to residents who are directly impacted by the Project on a frequent and regular basis, and that physical and/or operational measures cannot be incorporated into this CUP's conditions of approval to effectively address and mitigate these numerous adverse impacts.

#### Community Survey – Residents

On Saturday, April 30, 2022, Staff conducted door-to-door outreach to 72 residential dwelling units within a 500-foot radius of the Project Site, plus five residential dwelling units just outside the 500-foot radius near the northwest corner of Herbert Avenue and Medford Street, for a total of 77 dwelling units. The survey included six questions, including five questions regarding odors, noise, dust, traffic, and visual impacts, and one open-ended question regarding how the County could serve residents better. The survey was printed in English and Spanish. Staff conducted 33 surveys onsite with residents and left the remaining surveys on the gates or doors when direct contact could not be made. Residents could drop off their completed surveys at the City Terrace Library, submit their completed surveys via email, or submit their completed surveys by taking a picture of it with a smart phone, tablet, or other device, and submit the picture via text. The deadline to complete the survey was May 31, 2022. 41 surveys were received out of the 77 surveys distributed.

#### Community Survey – Businesses

On Monday, September 19, 2022, Staff conducted door-to-door outreach to 17 non-residential properties within a 500-foot radius of the Project Site, utilizing the same six-question survey distributed to the residential units. Staff contacted 20 different employees from the neighboring businesses. Of those 20 employees, 10 stated that they were used to the odors, noise, and truck traffic from the recycling and trash transfer station and did not have other comments for Staff, and the other 10 stated that odor was the most consistent concern as it was an issue throughout every day that the facility operated, with the odor being the worst in the early mornings, especially on hot days, followed by concerns regarding noise from the trucks and other adverse health impacts such as skin rashes and increased asthma attacks. None of the 20 employees knew how to formally submit a complaint related to the Project's operations.



### Community Survey – Results

The results of this community outreach have informed Staff that even though the M-2 Zone allows a recycling and trash transfer station with a valid CUP, the continued operation of the Project has resulted in adverse impacts to the health, peace, comfort, and welfare of persons residing and working nearby. Additionally, physical and/or operational measures cannot be incorporated into the Project's CUP's conditions of approval to effectively address and mitigate these adverse impacts because they are intrinsic to the operation of the recycling and trash transfer station at this location as described in the rest of this staff report. For example, odors and noise are intrinsic adverse impacts and the size of the Project Site precludes the Project from being adequately separated and buffered from surrounding land uses.

**Primary Concern – Odor.** The surveys reveal that the top concern identified was odors, which were identified as occurring throughout every day that the facility operated, and most often in the early morning when trash had been present at the Project Site overnight. Both residents and employees from nearby businesses emphasized how awful the odors are, especially when the loading doors to the Project facility are left open, on hot days, and on Mondays when trash was left over from the weekend (or on Tuesdays after long holiday weekends). Several residents stated the Project's deodorizer misters do not work, poorly masking the odors or even making them worse. Residents shared that they avoid opening the windows on some days due to the odors and are very uncomfortable during hot days.

**Secondary Concern – Noise.** The second most identified concern by the survey results was noise. This was primarily due to the harsh-pitch beeping sound of trucks when they travel in reverse, and loud dropping sounds when trash is being transferred from the inbound trucks into the Project's building, and then again when the trash is transferred into the outbound trucks. Residents and employees from adjacent businesses stated the rumbling from the truck traffic on local streets is persistent throughout the day.

**Other Concerns.** Several other concerns were identified in the survey results, including:

- Residents and employees from nearby businesses cited truck traffic on the streets surrounding the Project Site and the additional wear and tear, including potholes, and dust resulting from the increased truck traffic.
- Residents and employees from nearby businesses stated that smaller “flyway” debris often piles up on vehicles, yards, and on the street despite the Project operator’s street sweeping.
- Three employees from nearby businesses stated that the trucks had damaged vehicles parked on the street as well as an existing gate.
- Chemicals from the deodorizer misters utilized by the Project leave a stain or odd film on vehicles nearby, with one employee indicating that he needed to wash his car often to avoid more damage to his vehicle's paint and finish.
- One business owner directly across from the Project Site at 3900 Whiteside Street was adamant that his employees suffered health impacts in the form of increased asthma attacks and skin rashes due to the business’ proximity to the Project.

#### Vision City Terrace Community Group Feedback

Staff attended Vision City Terrace (“VCT”) community group monthly meetings where members expressed ongoing concerns over nauseating odors generated from the Project. The VCT community group has shared that multiple complaints submitted to South Coast Air Quality Management District (“AQMD”) have not yielded any significant change and the odors persist.

In early April 2022, a member of the VCT community group shared that they were at Harrison Elementary School, located on the other side of the 10 Freeway about half a mile away from the Project Site, and reported that about 20 children and three staff members were experiencing foul odors during an outdoor gardening activity. Complaints were submitted to AQMD without any resulting action. Staff has identified two additional elementary schools, Robert F. Kennedy Elementary School and City Terrace Elementary School, which are also each about one-half mile from the Project Site. Based on the incident at Harrison Elementary School, it is reasonable to infer that children at these two additional elementary schools may also be exposed to the same foul odors while outdoors at their school.

## Complaints to AQMD

Staff has reviewed the complaints submitted to AQMD and determined that these complaints provide evidence that the Project is not compatible with surrounding land uses due to adverse impacts related to odors. Numerous complaints have been submitted to AQMD, as follows:

Year	Complaints
2019	1
2020	3
2021	9
2022	90
2023	62 (as of August 31, 2023)

Generally, AQMD inspectors need to receive a minimum of six separate complaints to issue a Notice of Violation (“NOV”). However, as the odors are not always constant, by the time AQMD inspectors visit a site, odors have often dissipated or changed direction based on wind patterns. Therefore, AQMD inspectors do not often issue NOVs. AQMD inspectors issued one NOV in 2022 despite receiving 90 odor complaints in the same year. For example, an NOV was not issued in response to the complaints from the Harrison Elementary School incident in April 2022 described above. AQMD’s limitations do not mean that the odor complaints are invalid.

The recycling and trash transfer station does not have any equipment requiring permits from AQMD, which limits their enforcement role. Therefore, the primary method AQMD uses to take any enforcement action is via Public Nuisance Rule 402 (“Rule 402”) and Public Nuisance Rule 403 (“Rule 403”). AQMD inspectors issue NOVs to facilities pursuant to Rule 402, which relates to emissions, when they are able to confirm that the emissions have impacted a considerable number of people in any one day – generally at least six individuals from separate households. AQMD inspectors issue NOVs to facilities pursuant to Rule 403, which relates to fugitive dust, when they directly observe the violation, such as dust crossing the property line or excessive “track out” when trucks exiting the facility drag out mud or dirt from their tires onto the public right of way.

Staff identified three notices that AQMD issued to the applicant by researching AQMD’s Facility Information Detail public website (Facility ID Number 171215), as follows:

- On February 10, 2023, AQMD issued a Notice to Comply (“NTC”) (NTC Number E56616) requiring the applicant to submit an Odor Management Plan in compliance with Public Nuisance Rule 410. On May 11, 2023, AQMD closed the case because the applicant complied with this NTC.
- On December 22, 2022, AQMD issued an NOV (NOV Number P74782) for allowing “track out” to extend more than 25 feet from the point of origin, which is not in compliance with Rule 403 for fugitive dust, which limits the extent of the “track out” to 25 feet from the point of origin. AQMD closed the case because the applicant complied with this NOV. AQMD staff did not observe any more “track out.”

- On March 30, 2015, AQMD issued an NTC (NTC Number E56616) for signage. The recycling and trash transfer station was required to incorporate AQMD contact information on a sign visible to the public 24 hours each day on seven days each week. AQMD closed the case because the applicant complied with this NTC.

**Analysis of Similar Land Uses**

An analysis of similar recycling and trash transfer facilities in the County conducted by Staff provides evidence that the Project is not compatible with surrounding land uses because it is not adequately separated and buffered from surrounding land uses when compared to similar facilities. Additionally, the size of the Project Site precludes the Project from being adequately separated and buffered from surrounding land uses.

Staff analyzed 24 recycling and trash transfer facilities in the County that are not owned by the applicant and determined that the Project Site is amongst the smallest sites where similar facilities are located in the County. The sites of the 24 similar facilities range from 0.65 acres to 68.65 acres in size whereas the Project Site is 1.26 acres in size. 16 sites out of the 24 sites are larger than three gross acres in size whereas the Project Site is smaller than three gross acres in size, and of the eight sites that are smaller than three gross acres, only one is smaller than the Project Site. The larger lot sizes allow for greater separation and buffering between the similar facilities and their adjacent uses. Additionally, half of the facilities in the table below directly adjoin Major Highways and one directly adjoins a Secondary Highway, unlike the Project Site, which does not adjoin a Highway, which forces inbound and outbound trucks to use local streets that primarily serve residential land uses.

**Table A: Location**

**Similar Facilities Within a 500-Foot Radius of Residential Land Uses**

The following table lists eight facilities that are all located within a 500-foot radius of residential land uses, which vary in size from 0.65 acres to 68.65 acres, and their existing buffers:

	<b>Facility Name</b>	<b>Size (gross acres)</b>	<b>Existing Buffers</b>
1	Southern Cal Disposal Santa Monica (Assessor’s Parcel Number (“APN”): 4268-017-022) 1914 Frank Street Santa Monica, CA 90404	0.65 acres	10 Freeway; other industrial uses
2	Culver City Transfer Station (APN: 4204-005-900) 9275 Jefferson Boulevard Culver City, CA 90232	1.55 acres	Ballona Creek Channel; Major Highway; Recreational Park; Culver City Stairs



3	City Terrace / Southland Disposal (APNs: 5224-009-025 and 5224-009-014) 1525 Fishburn Avenue Los Angeles, CA 90063	1.62 acres	Other industrial uses
4	Active Recycling Co, Inc. (APN: 6001-001-001) 2000 W. Slauson Ave, Los Angeles, CA 90047	3.48 acres	Major Highway; commercial shopping center; City of LA Bureau of Sanitation truck storage facility
5	UWS Transfer Station (APN: 8168-001-044) 9016 Norwalk Boulevard, Santa Fe Springs, CA 90670	3.72 acres	Major highway; Union Pacific Railroad; other industrial uses
6	Paramount Resource Recycling (APNs: 6236-031-053 and 6236-031-055) 7230 Petterson Lane Paramount, CA 90723	4.42 acres	Southern California Edison and City of LA Department of Water and Power transmission lines; railroad lines; other industrial uses
7	Athens Services City of Industry Material Recovery Facility (APNs: 8206-012-053 and 8206-011-009) 14048 E. Valley Boulevard, City of Industry, CA 91746	9.34 acres	Major Highway; other industrial uses
8	Azusa Land Reclamation (APN: 8615-016-006) 1211 W. Gladstone Street, Azusa, CA 91702	68.65 acres	Secondary Highway; self-storage facility; truck driving school; other industrial uses; mature trees

The eight facilities listed in Table A, above, vary in size and operate within a 500-foot radius of residential land uses, but each of the facilities have physical barriers that separate and buffer them from nearby residences, such as freeways, a flood control basin, railroads, a large nursery, electrical transmission tower corridors maintained by the City of Los Angeles Department Water and Power or Southern California Edison, and other industrial buildings, thereby reducing potential adverse impacts. By comparison, the Project Site is located across the street from residential land uses on North Bonnie Beach Place with no effective physical barrier to create a buffer.

**Table B: Lot Size**

**Similar Facilities Smaller Than Three Gross Acres**

The following table lists eight facilities that are all under three gross acres in size, some of which are located within 500 feet of residential land uses, and their existing buffers:

	<b>Facility Name and Location</b>	<b>Size (gross acres)</b>	<b>Residential Uses Within a 500-Foot Radius?</b>	<b>Existing Buffers</b>
1	Southern Cal Disposal Santa Monica (Assessor's Parcel Number APN: 4268-017-022) 1914 Frank Street Santa Monica, CA 90404	0.65 acres	Yes	10 Freeway; other industrial uses
2	Waste Transfer & Recycling (APN): 5170-010-003) 840 S. Mission Road Los Angeles, CA 90023	1.53 acres	No	10 and 60 Freeways; other industrial uses
3	Culver City Transfer Station (APN: 4204-005-900) 9275 Jefferson Blvd Culver City, CA 90232	1.55 acres	Yes	Ballona Creek Channel; Major Highway; Recreational Park; Culver City Stairs
4	City Terrace / Southland Disposal (APNs: 5224-009-025 and 5224-009-014) 1525 Fishburn Avenue Los Angeles, CA 90063	1.62 acres	Yes	Other industrial uses
5	Sun Valley Paperstock (APNs: 2631-034-029 and 2631-034-030) 11501 Tuxford Street Los Angeles, CA 91352	1.66 acres	No	5 Freeway; other industrial uses
6	Waste Resources Recovery (APN: 6129-002-029) 357 W. Compton Boulevard Gardena, CA 90248	2.39 acres	No	Other industrial uses
7	Burbank Recycle Center (APN: 2451-005-901) 500 S. Flower Street Burbank, CA 91502	2.4 acres	No	5 Freeway; other industrial uses

8	The Conservation Station (APNs: 2805-001-024 and 2805-001-026) 20833 Santa Clara Street Santa Clarita, CA 91351	2.55 acres	No	Santa Clara River; other industrial uses
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As noted in Table B, of the eight facilities that are smaller than three gross acres in size, five do not have any residential land uses within a 500-foot radius. In comparison, there are 72 residential dwelling units within a 500-foot radius of the Project Site, with an additional five residential dwelling units just outside the 500-foot radius near the northwest corner of Herbert Avenue and Medford Street.

Only three facilities that are similar in size to the Project Site have residential land uses within a 500-foot radius:

- **City Terrace Southland Disposal** (No. 4 in Table B) is 1.62 acres and has 57 residential dwelling units within a 500-foot-radius;
- **Culver City Transfer Station** (No. 3 in Table B) is 1.55 acres and has 47 residential dwelling units within a 500-foot-radius; and
- **Southern Cal Disposal Santa Monica** (No. 1 in Table B) is 0.65 acres and has 201 residential dwelling units within a 500-foot-radius.

Similar to the rest of the facilities in Table B, these three facilities have additional physical buffers from nearby residential land uses that the Project Site does not. In Culver City, the facility is separated from residential land uses by the Ballona Creek and Bike Path on one end and by the Culver City Stairs Recreational Trail on the other. In Santa Monica, the facility directly adjoins the 10 Freeway, which serves as a large barrier between the facility and nearby residential land uses. The other facility in unincorporated East Los Angeles is not directly across the street from residential land uses; rather, residential land uses are located approximately 250 feet away and are buffered by existing industrial buildings that separate the facility from the nearby residential land uses. Therefore, while there are other recycling and trash transfer facilities in the County similar to the Project in size, none of them are located on a site in direct proximity to a large number of residential land uses without the aid of natural buffers to help mitigate operational impacts, thereby presenting unavoidable adverse impacts to the health and safety of people who reside and work nearby.

**General Plan Consistency: Environmental Justice**

The Project is not consistent with the Goals and Policies of the General Plan in the context of Environmental Justice, as identified in [Chapter 3: Guiding Principles](#).

Guiding Principle 5 of Chapter 3 is to “Provide healthy, livable and equitable communities.” As noted in the description of Guiding Principle 5, the General Plan addresses environmental justice by raising awareness of a number of issues that impact the County’s unincorporated areas, including but not limited to excessive noise, traffic, water pollution, air pollution, and

heavy industrial uses. The General Plan also addresses environmental justice by emphasizing the importance of meaningful coordination and actions.

The description of Environmental Justice following Guiding Principle 5 states that it is the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. An environmentally just County is a place where:

- Environmental risks, hazards, and public service-related environmental services, such as trash hauling and landfills, are distributed equitably without discrimination;
- Existing and proposed negative environmental impacts are mitigated to the fullest extent to protect the public health, safety, and well-being;
- Access to environmental investments, benefits, and natural resources are equally distributed; and
- Information, participation in decision-making, and access to justice in environment-related matters are accessible to all.

The description of Environmental Justice following Guiding Principle 5 also mentions the need to identify communities that disproportionately bear a burden from stationary sources of pollution due to incompatible land uses and to better regulate incompatible land uses. Census Tract No. 5307, where the Project Site is located, meets those criteria, pursuant to the following analysis:

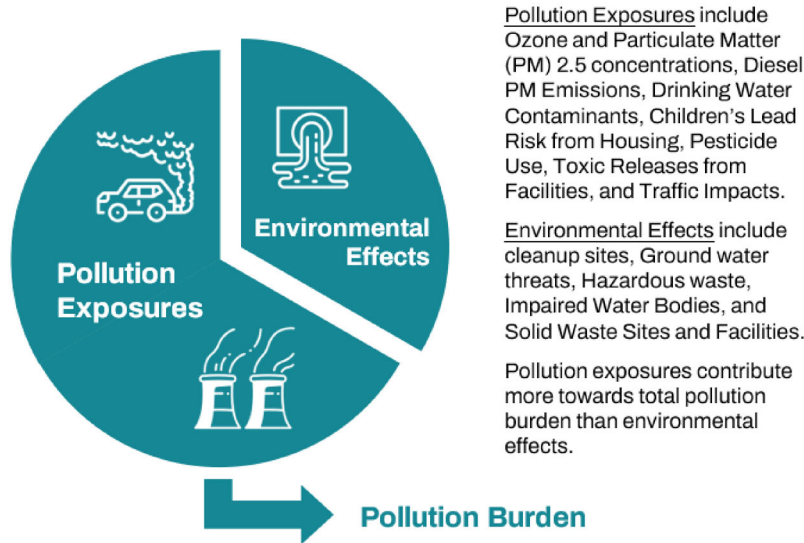
Census Tract No. 5307 consists of 94.9% people of color. 91.2% of these people of color identified as Hispanic or Latino. Census Tract No. 5307 is in the 99<sup>th</sup> percentile of the CalEnviroScreen pollution burden score and is in the 98<sup>th</sup> percentile of the CalEnviroScreen overall score pursuant to the County's Equity Indicators Report, which is attached as Exhibit K. The County's Equity Indicators Report is generated from LA County Planning's web-based Equity Indicators Geographic Information System, which aims to leverage data and technology to strengthen Countywide efforts towards spatial justice. Spatial justice is the concept that social justice is linked to physical space. This concept recognizes that injustices occur when the geographical location of a project discriminates against a group of people.<sup>1</sup>

The CalEnviroScreen pollution burden score analyzes 13 indicators related to pollution exposure and environmental effects. The environmental effects component is half-weighted and the average of the two determines the total pollution burden score ([CalEnviroScreen Report](#)).

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<sup>1</sup> Soja, E. (2009) [The city and spatial justice](#). *Spatial justice*, n° 01 September 2009, <http://www.jssj.org>

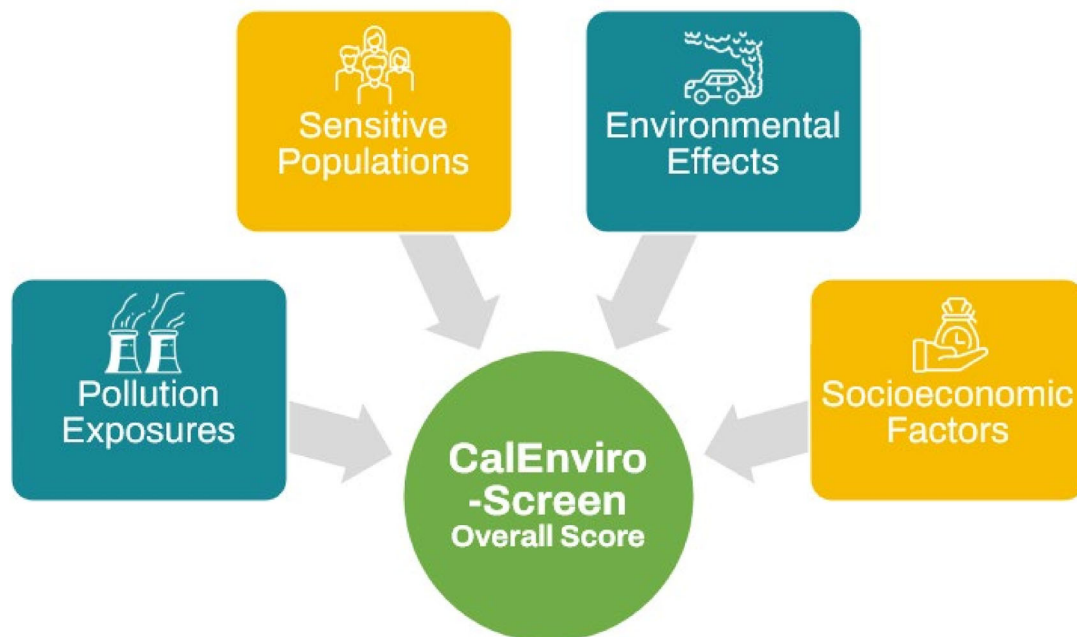
Pollution burden is comprised of pollution exposures and environmental effects:



The CalEnviroScreen overall score is inclusive of the pollution score. The overall score is calculated by multiplying the pollution burden score by the population characteristics score. The percentiles range from 0% to 100% and represent the least pollution-burdened to most pollution-burdened census tracts in the state. The higher the percentile, the greater the pollution burden for the census tract.



The 99<sup>th</sup> percentile of the CalEnviroScreen pollution burden score and the 98<sup>th</sup> percentile of the CalEnviroScreen overall score represent the most egregious levels of exposure to ozone concentrations in the air, particulate matter concentrations in the air, diesel particulate matter emissions, toxic releases from facilities, traffic, drinking water contaminants, and lead exposure in homes when compared to all 8,035 census tracts statewide.



Out of the 81 census tracts statewide that are in the 99<sup>th</sup> percentile of the CalEnviroScreen pollution burden score, 70 of them are in the County ([Cal EnviroScreen Dashboard](#)). Two of these 70 census tracts, including Census Tract No. 5307 (where the Project is located), are in unincorporated East Los Angeles. Additionally, 18 of these 70 census tracts are located within two miles of the Project Site. Out of the 150 census tracts statewide that are in the 98<sup>th</sup> percentile of the CalEnviroScreen overall score, 112 of them are in the County. Two of these 112 census tracts, including Census Tract No. 5307, are in unincorporated East Los Angeles. Additionally, 17 of these 112 census tracts are located within two miles of the Project Site. This demonstrates that the broader surrounding community disproportionately bears a burden from stationary sources of pollution due to incompatible land uses. The Project, due to its operations and proximity to residential land uses, significantly contributes to this disproportionate impact.

### General Plan Consistency: Land Use Element

The Project is not consistent with the following Goals and Policies of the General Plan Land Use Element:

**Goal LU 7: Compatible land uses that complement neighborhood character and the natural environment.**

**Policy LU 7.1: Reduce and mitigate the impacts of incompatible land uses, where feasible, using buffers, appropriate technology, building enclosure, and other design techniques.**

**Goal LU 9: Land use patterns and community infrastructure that promote health and wellness.**

**Policy LU 9.1: Promote community health for all neighborhoods.**

**Policy LU 9.4: Encourage patterns of development that protect the health of sensitive receptors.**

The Project is not consistent with Goal LU 9 and Policies LU 7.1., 9.1, and 9.4 because 77 residential dwelling units are located in close proximity to the Project Site, including 72 residential dwelling units within a 500-foot radius of the Project Site plus five residential dwelling units just outside the 500-foot radius near the northwest corner of Herbert Avenue and Medford Street. Some of these residential dwelling units are located directly across the street from the Project Site. There are no adequate or meaningful physical buffers such as a park, a body of water, or other industrial buildings to effectively reduce impacts.

A sensitive receptor is a resident, student, or employee spending time within 500 feet from the Project Site. These individuals are most likely to reside or spend time in dwelling units, schools, and school yards – including trade schools, public and private schools, faith-based and secular schools, parks, playgrounds, daycare centers, preschools, nursing homes, hospitals, licensed care facilities, shelters, and daycares or preschools as accessory to a place of worship. Therefore, the recycling and trash transfer facility does not protect the health of sensitive receptors because the Project has resulted in adverse impacts related to odors, noise, traffic, and neighborhood aesthetic qualities. Physical and/or operational measures cannot be incorporated into this CUP's conditions of approval to effectively address and mitigate these impacts due to the location and size of the Project.

Additionally, as noted above, the Project is in a community that is disproportionately burdened by multiple sources of pollution. Census Tract No. 5307, where the Project Site is located, is in the 99<sup>th</sup> percentile of the CalEnviroScreen pollution burden score and is in the 98<sup>th</sup> percentile of the CalEnviroScreen overall score, according to the County's Equity Indicators Report, which is attached as Exhibit K. The analysis for this census tract demonstrates that it has the most egregious levels of exposure to ozone concentrations in the air, particulate matter concentrations in the air, diesel particulate matter emissions, toxic releases from facilities, traffic, drinking water contaminants, and lead exposure in homes when compared to all 8,035 census tracts statewide.

Therefore, the Project is not consistent with Goal LU 9 and Policies LU 7.1, 9.1, and 9.4 because the Project is not compatible with surrounding residential land uses, does not promote community health, and does not protect the health of sensitive receptors, and because physical and/or operational measures cannot be incorporated into the CUP's conditions of approval to effectively address and mitigate the Project's adverse impacts in a manner that will promote community health and protect the health of sensitive receptors.

### **General Plan Consistency: Noise Element**

The Project is not consistent with the following Goals and Policies of the General Plan Noise Element:

#### **Goal N 1: The reduction of excessive noise impacts**

The Project is not consistent with Goal N 1 because the Project produces excessive noise impacts. As noted above, during the community outreach conducted by Staff, residents expressed that noise from the rumbling, tipping, engine revving, and beeping of trucks entering and exiting the recycling and trash transfer station occurs throughout every day that the facility operates, Monday through Saturday, causing a nuisance to surrounding residents and businesses. Additionally, truck traffic causes windows to vibrate and dwelling units to tremble as trucks continuously travel along local streets serving residential uses to get to the Project Site.

The findings related to CUP No. 00-145, which was previously approved for this land use, identified a variety of vehicles that are used in conjunction with the recycling and trash transfer station, including trash/recycling collection trucks, public self-haul vehicles, transfer trucks with trailers, semi-trucks, flatbed-trucks, stake-bed trucks, automobiles, and pick-up trucks [CUP 00-145 Finding 16(g)]. Approximately 160 round trips of truck traffic are conducted daily to process the current 700 TPD of municipal solid waste [CUP 00-145 Finding 16(g)]. The variety of trucks that enter the facility throughout every day that the facility operates generate varying levels of noise that impact the surrounding residences and businesses because each vehicle carries a different amount of waste in its load. Furthermore, physical and/or operational measures cannot be incorporated into the CUP's conditions of approval to reduce noise to an extent that would adequately address and mitigate the excessive noise impacts generated by the Project because they are intrinsic to the operation of the recycling and trash transfer station at this location, which is not adequately buffered from surrounding land uses. Therefore, the Project is not consistent with Goal N 1.

#### **Policy N 1.1: Utilize land uses to buffer noise-sensitive uses from sources of adverse noise impacts.**

The Project is not consistent with Policy N 1.1 because there are no land use buffers, such as a freeway, a major or secondary highway, a body of water, a park, or other infrastructure to effectively buffer the noise generated by the Project from surrounding noise-sensitive land uses, including adjacent residential land uses. Instead, the Project Site's only buffers are local streets (Bonnie Beach Place, Whiteside Street, and Knowles Avenue) that are only 50-to-60-feet wide. Noise is an intrusion into the daily life of residents and businesses adjacent to the recycling and trash transfer station. Noise can be a source of emotional strain and frustration when the noise is constant and beyond a person's control, as is the case with the recycling and trash transfer station.



**Policy N 1.2: Reduce exposure to noise impacts by promoting land use compatibility.**

The Project is not consistent with Policy N 1.2. Although the recycling and trash transfer station includes an enclosed building, this structure is not sufficient to reduce exposure to noise impacts from the various trucks that enter and exit the Project Site throughout every day that the facility operates. As noted above, the community outreach survey conducted by Staff identified noise as a top concern, second only to foul odors, due to the beeping of trucks backing up and loud dropping sounds when trash is transferred from the inbound trucks into the building and then again when the trash is transferred into the outbound trucks. The Project is not consistent with Policy N 1.2 because it is not in an appropriate location that is compatible with surrounding land uses and therefore does not promote a reduction in exposure to noise impacts. Physical and/or operational measures cannot be incorporated into this CUP's conditions of approval to adequately reduce exposure to noise impacts generated by the Project because they are intrinsic to the operation of the recycling and trash transfer station at this location, which lacks adequate natural or infrastructure buffers between the Project Site and surrounding land uses.

**Policy N 1.10: Orient residential units away from major noise sources (in conjunction with applicable building codes).**

**Policy N 1.11: Maximize buffer distances and design and orient sensitive receptor structures (hospitals, residential, etc.) to prevent noise and vibration transfer from commercial/light industrial uses.**

The Project is not consistent with Policies N 1.10 and N 1.11 because 77 residential dwelling units are located in close proximity to the Project Site, including 72 residential dwelling units within a 500-foot radius of the Project Site, plus five residential dwelling units just outside the 500-foot radius near the northwest corner of Herbert Avenue and Medford Street. Some of these residential dwelling units are located directly across the street from the Project Site. The residential dwelling units located directly across the street from the Project Site on Bonnie Beach Place were legally established prior to the construction of the recycling and trash transfer facility and are oriented directly towards the facility's west-facing four large metal roll-up doors without any effective buffers; the only buffer is Bonnie Beach Place, a local street that is only 60 feet wide. Residents have a direct view of the piles of trash from their front yards and are exposed to a source of noise throughout every day that the facility operates. Additionally, the truck traffic causes windows to vibrate and dwelling units to tremble as large trucks continuously travel along local streets serving residential uses to get to the Project Site.

Physical and/or operational measures cannot be incorporated into the Project's CUP's conditions of approval to effectively address and mitigate noise and vibration impacts due to the Project Site's insufficient buffers from sensitive receptors near the Project Site, including existing residential dwelling units located directly across the street from the Project Site that

were legally established prior to the construction of the recycling and trash transfer facility. Therefore, the Project is not consistent with Policies N 1.10 and N 1.11.

### **General Plan Consistency: Public Services and Facilities Element**

The Project is not consistent with the following General Plan Public Services and Facilities Element Goal and Policies applicable to the proposed Project:

#### **Goal PS/F 5: Adequate disposal capacity and minimal waste and pollution.**

##### **Policy PS/F 5.1: Maintain an efficient, safe and responsive waste management system that reduces waste while protecting the health and safety of the public.**

The Project is not consistent with Policy PS/F 5.1 because, as noted above, the Project is in a community that is disproportionately burdened by multiple sources of pollution. Census Tract No. 5307, where the Project Site is located, is in the 99<sup>th</sup> percentile of the CalEnviroScreen pollution burden score and is in the 98<sup>th</sup> percentile of the CalEnviroScreen overall score according to the County's Equity Indicators Report, which is attached as Exhibit K. The analysis for this census tract demonstrates that it has the most egregious levels of exposure to ozone concentrations in the air, particulate matter concentrations in the air, diesel particulate matter emissions, toxic releases from facilities, traffic, drinking water contaminants, and lead exposure in homes when compared to all 8,035 census tracts statewide. A recycling and trash transfer facility generates pollution and the continued operation of the Project at this location does not protect the health and safety of the 77 residential dwelling units located in close proximity to the Project Site, including 72 residential dwelling units within a 500-foot radius of the Project Site plus five residential dwelling units just outside the 500-foot radius near the northwest corner of Herbert Avenue and Medford Street. Some of these residential dwelling units are located directly across the street from the Project Site.

As noted above, Staff analyzed 24 recycling and trash transfer facilities in the County that are not owned by the applicant and determined that the Project Site is amongst the smallest sites where similar uses are located in the County. This small lot size precludes the Project from being adequately separated and buffered from surrounding land uses, whereas larger lot sizes allow for greater separation and buffering between the similar facilities and their adjacent land uses. As also noted above, during the door-to-door survey neighboring residents and business owners expressed concerns related to odors, noise, traffic and other disturbances of the community's health, safety, and general welfare, including:

- **Foul odors.** Residents shared that foul odors wake them up in the middle of the night, that complaints to AQMD have not yielded any significant changes, and that the deodorizer mister system utilized by the Project does not mask odors and actually makes them worse.
- **Aesthetics.** Smaller fly-away trash ends up on the residents' and businesses' lawns and cars, and in potholes, and the Project's metal roll-up doors face west towards

residential dwelling units, resulting in a sightline of high piles of trash from their front yards.

- **Noise.** The noise from the rumbling, tipping, engine revving and beeping of trucks entering and exiting the recycling and trash transfer station occurs throughout every day that the facility operates, in addition to loud sounds when trash is transferred from the inbound trucks into the Project's facility and then again when the trash is transferred into the outbound trucks.

Physical and/or operational measures cannot be incorporated into the CUP's conditions of approval to effectively address and mitigate the Project's numerous adverse impacts to the public health, safety, and welfare, as they are intrinsic to the operation of the recycling and trash transfer station in a community that is disproportionately burdened by multiple sources of pollution. Therefore, the Project cannot operate in an efficient, safe, and responsive manner while protecting the health of the public and it is not consistent with Goal PS/F 5 and Policy PS/F 5.1.

**Policy PS/F 5.2: Ensure adequate disposal capacity by providing for environmentally sound and technically feasible development of solid waste management facilities, such as landfills and transfer/processing facilities.**

The Project is not consistent with Policy PS/F 5.2 because the Project is not in an appropriate location that is compatible with the surrounding land uses. Instead, the Project has resulted in numerous adverse impacts to the surrounding residences and businesses related to odors, noise, traffic, and other disturbances of the community's health, safety, and general welfare. There are no physical barriers, such as a freeway, a major highway, bodies of water, a park, or other infrastructure to effectively buffer the noise, odors, and airborne contamination from the 77 residential dwelling units located in close proximity to the Project Site, including 72 residential dwelling units within a 500-foot radius of the Project Site plus five residential dwelling units just outside the 500-foot radius near the northwest corner of Herbert Avenue and Medford Street. Some of these residential dwelling units are located directly across the street from the Project Site.

Physical and/or operational measures cannot be incorporated into the CUP's conditions of approval to effectively address and mitigate the Project's numerous adverse impacts to the public health, safety, and welfare, as they are intrinsic to the operation of the recycling and trash transfer station in a community that is disproportionately burdened by multiple sources of pollution. Therefore, the Project cannot operate in an environmentally sound manner, and it is not consistent with Policy PS/F 5.2.

### **General Plan Consistency: Economic Development Element**

The Project is not consistent with the following General Plan Economic Development Element Goal and Policies applicable to the proposed Project:

**Goal ED 2: Land use practices and regulations that foster economic development and growth.**

**Policy ED 2.2: Utilize adequate buffering and other land use practices to facilitate the compatibility between industrial and non-industrial uses.**

The Project is not consistent with Policy ED 2.2 because 77 residential dwelling units are located in close proximity to the Project Site, including 72 residential dwelling units within a 500-foot radius of the Project Site plus five residential dwelling units just outside the 500-foot radius near the northwest corner of Herbert Avenue and Medford Street. Some of these residential dwelling units are located directly across the street from the Project Site. There are no physical barriers, such as a freeway, a major or secondary highway, bodies of water, a park, or other infrastructure, to effectively buffer these 77 residential dwelling units from the noise, odors, and airborne contamination generated by the Project. Instead, the Project Site's only inadequate buffers are local streets (Bonnie Beach Place, Whiteside Street, and Knowles Avenue) that are only 50-to-60-feet wide.

The Project's previously approved enclosed building, solid walls, perimeter deodorizer mister system, and landscaping were intended to facilitate compatibility with surrounding land uses. However, as noted above, the community outreach conducted by Staff provided evidence that these physical and operational measures have proven inadequate and ineffective in addressing and mitigating adverse impacts to the public health, safety, and welfare, nor do they adequately facilitate compatibility with surrounding land uses. As also noted above, Staff analyzed 24 recycling and trash transfer facilities in the County that are not owned by the applicant, and this analysis shows that the Project Site is amongst the smallest sites where similar uses are located in the County. This small lot size precludes the Project from being adequately separated and buffered from surrounding land uses, whereas larger lot sizes allow for greater separation and buffering between the similar facilities and their adjacent land uses. There are no meaningful or adequate buffers that can adequately address the adverse impacts resulting from the noise, odors, and airborne contaminants that are generated by this industrial Project towards residential and commercial uses nearby. Therefore, the Project is not consistent with Policy ED 2.2.

**Policy ED 2.3: Ensure environmental justice in economic development activities.**

The Project can be considered an economic development activity because it employs people and provides a necessary service to commercial and industrial businesses that employ people and otherwise contribute to the County's economy. However, the Project's location and operations are not consistent with Policy ED 2.3 because the Project does not ensure environmental justice. As noted above, the Project is in a community that is disproportionately burdened by multiple sources of pollution. Census Tract No. 5307, where the Project Site is

located, is in the 99<sup>th</sup> percentile of the CalEnviroScreen pollution burden score and is in the 98<sup>th</sup> percentile of the CalEnviroScreen overall score according to the County's Equity Indicators Report, which is attached as Exhibit K. The analysis for this census tract demonstrates that it has the most egregious levels of exposure to ozone concentrations in the air, particulate matter concentrations in the air, diesel particulate matter emissions, toxic releases from facilities, traffic, drinking water contaminants, and lead exposure in homes when compared to all 8,035 census tracts statewide. Therefore, the Project compounds this disproportionate impact on the surrounding community.

One reason that the Project does not ensure environmental justice in economic development activities is its relatively small size and inadequate buffers compared to similar land uses located in the County, many of which are located in communities that are not as disproportionately burdened by multiple sources of pollution as the community surrounding the Project Site. As noted above, Staff analyzed 24 recycling and trash transfer facilities in the County that are not owned by the applicant and determined that the Project Site is amongst the smallest sites where similar land uses are located in the County. This small lot size precludes the Project from being adequately separated and buffered from surrounding land uses, whereas larger lot sizes allow for greater separation and buffering between the similar facilities and their adjacent land uses. When Staff compared the Project to similar facilities that have residential uses within a 500-foot radius, regardless of the lot size, Staff determined that other facilities have physical buffers that the Project Site does not. The other facilities are buffered by freeways, a flood control basin, railroads, a large nursery, electrical transmission tower corridors maintained by the City of Los Angeles Department of Water and Power or Southern California Edison, and other industrial buildings, thereby reducing potential adverse impacts to the surrounding residents and businesses, such as those related to odors, noise, traffic, and aesthetic impacts.

The continued operation of a recycling and trash transfer facility at this location is an economic development activity that impedes environmental justice and is not consistent with Policy ED 2.3. If the Project continues operating, it will continue to result in numerous adverse impacts to the public health, safety, and welfare, including those related to odors, noise, diesel emissions, and particulate matter, in a census tract that has the most egregious levels of exposure to ozone concentrations in the air, particulate matter concentrations in the air, diesel particulate matter emissions, toxic releases from facilities, traffic, drinking water contaminants, and lead exposure in homes when compared to all 8,035 census tracts statewide. As such, while a recycling and trash transfer facility is an economic development activity, its continued operation inherently impedes environmental justice.

### **Community Plan Consistency – Physical Environment Goals**

The Project is not consistent with the following Community Plan Physical Environment Goals:

#### **To protect the community health, safety, and general welfare.**

The Project is not consistent with this Goal for the following reasons:

- The foul odors generated by the recycling and trash transfer station are unpredictable due to daily changing wind patterns and are exacerbated by hot weather. Odors are intensified when the metal roll-up doors are left open, or when trash is left overnight, or trash accumulates over a long holiday weekend.
- The noise from rumbling, tipping, and beeping of trucks entering and exiting the recycling and trash transfer station occurs throughout every day that the facility operates, causing a nuisance to surrounding residents and businesses.
- A fire occurred at the Project Site on May 25, 2022, and a second fire occurred on October 26, 2023. Onsite staff tried to contain the fires both times, but eventually the County Fire Department was called to put out the fires. If the recycling and trash transfer facility continues to operate, there will be potential risks to community health and safety due because more fires could start at the facility and spread to nearby residences due to the facility's proximity to residences.
- Neighboring residents, business owners, and employees have expressed concerns over health impacts and medical conditions from airborne contaminants. Some individuals have reported an increase in skin rashes and asthma after working across the street from the Project Site.

#### **To encourage high standards of development and improve aesthetic qualities of the community.**

The Project is not consistent with this Goal for the following reasons:

- The recycling and trash transfer station inevitably requires that truck traffic circulate on local streets. The vehicles travel along Herbert Avenue, Bonnie Beach Place, Whiteside Street, and Medford Street leaking liquid waste and dropping smaller flyaway trash onto the immediate and nearby streets, negatively impacting the aesthetic qualities of the community. The applicant uses a small street sweeper around the perimeter of the recycling and trash transfer station daily to clean up smaller debris. However, flyaway trash still ends up in yards, on plants, and on cars on nearby residential and non-residential properties despite the applicant's attempts to sweep up. Some smaller debris is not swept up at all and remains stuck in potholes and cracks, as some streets have been damaged significantly by the weight of the trucks traveling to and from the Project Site.
- The surveys received as part of the community outreach conducted by Staff indicated that local streets around the Project Site are a target for illegal dumping of bulky items. Large items such as furniture, mattresses and even construction debris are left on the streets and sidewalks because of an erroneous belief that the recycling and trash transfer station will handle the pick-up since it is located nearby. However, the Project

does not deal with those items and the responsibility instead falls on the County, as neighbors call the County Department of Public Works to clean up the items.

- The west-facing orientation of the roll-up metal doors on the facility causes residents on Bonnie Beach Place to have a direct view of the piles of trash from their homes. The high piles of trash are visible to all pedestrians when the roll-up doors are opened and diminish the aesthetic quality of the community.
- Neighboring residents and business owners shared that flies are a nuisance throughout every day that the facility operates because they accumulate and follow the trash consistently. Previous CUPs included a condition of approval that required the applicant to work with the Greater Los Angeles County Vector Control District to ensure that flies remain under control. However, similar to odors, flies are an intrinsic byproduct of trash and are unpredictable. Some loads of trash attract more flies than others, and seasonal changes also impact the abundance of flies in the area.

### **Community Plan Consistency – Land Use Policies**

The Project is not consistent with the following Community Plan Land Use Policy:

#### **Encourage the elimination of industrial uses in residential neighborhoods.**

Although the Project Site is in the Community Plan's I (Industrial) land use designation, there are 77 residential dwelling units located in close proximity to the Project Site, including 72 residential dwelling units within a 500-foot radius of the Project Site plus five residential dwelling units just outside the 500-foot radius near the northwest corner of Herbert Avenue and Medford Street. Some of these residential dwelling units are located directly across the street from the recycling and trash transfer station on Bonnie Beach Place and immediately behind Bonnie Beach Place on Herbert Avenue. All the trucks traveling to and from the Project Site must travel along these streets.

Previously approved CUP 00-145 for the recycling and trash transfer station attempted to address adverse impacts related to odors through a condition of approval stating that "an odor controlling chemical shall be sprayed over the entire load out transfer bay." [CUP No. 00-145 Condition 24(e)]. This condition of approval required the applicant to install and operate an automatic deodorizer mister system from 6:00 a.m. to 9:00 p.m. in an attempt to mask the odors. The misters are located on the exterior of the building facing Bonnie Beach Place and along the perimeter walls of the Project Site closest to residential uses. Additionally, CUP 00-145 included a condition of approval that required the applicant to install a sensor-activated automatic closing door on the transfer truck entrance to minimize odors from escaping the building [CUP No. 00-145 Condition 24(m)]. Lastly, previous CUPs included a condition of approval that required the applicant to wash all trucks and floors within the facility's enclosure to further minimize odors.

These attempts to mitigate negative impacts have not been successful. Neighboring residents continue to experience adverse impacts related to odors originating from the operation of the recycling and trash transfer station. There do not appear to be any additional

measures that could alleviate the negative impacts, as the Project's operations at its existing location are simply incompatible with the health and safety of surrounding residences and businesses.

### **Community Plan Consistency – Noise Policies**

The Project is not consistent with the following Community Plan Noise Policy:

**Reduce the overall noise level in the community, especially where noise sensitive uses are affected.**

The continuous noise from loading and unloading waste and the rumbling, tipping, and beeping of trucks entering and exiting the recycling and trash transfer station is a nuisance to nearby residents and businesses throughout every day that the facility operates. Additionally, the truck traffic causes windows to vibrate and dwelling units to tremble as trucks continuously travel along local streets with residential uses to get to the Project Site. The noise is an intrusion into the daily life of residents and businesses adjacent to the Project and there is no feasible means to reduce the noise produced from the Project's operations.

### **B. Neighborhood Impact (Need/Convenience Assessment)**

Pursuant to the analysis above, the proposed Project is not in an appropriate location that is compatible with the surrounding land uses, and it is anticipated to result in adverse impacts on the surrounding residential neighborhoods related to odors, noise, and other disturbances of the community's health, safety, and general welfare. Staff believes that physical and/or operational measures cannot be incorporated into the CUP's conditions of approval to effectively address and mitigate the Project's numerous adverse impacts.

### **C. Design Compatibility**

The Project does not propose any changes to the design of the existing industrial building.

### **GENERAL PLAN/COMMUNITY PLAN CONSISTENCY**

As noted above, the Project is not consistent with applicable goals and policies of the General Plan and the Community Plan. Consistency findings can be found in the attached Findings (Exhibit C – Findings). See findings 19 through 25.

### **ZONING ORDINANCE CONSISTENCY**

The Project does not comply with all applicable zoning requirements because the findings required for approval cannot be made. Consistency findings can be found in the attached Findings (Exhibit C – Findings). See findings 26 through 32.

### **BURDEN OF PROOF**

The applicant is required to substantiate all facts identified by County Code Section 22.158.050. The Burden of Proof with applicant's responses is attached (Exhibit D –



Applicant's Burden of Proof). Staff is of the opinion that the applicant has not met the burden of proof.

### **ENVIRONMENTAL ANALYSIS**

Staff recommends denial of the CUP because the proposed recycling and trash transfer facility is not a compatible land use in this specific location due to existing adverse impacts on the surrounding residences and businesses. Therefore, Staff recommends that this Project qualifies for a Statutory Exemption (Projects Which Are Disapproved) pursuant to the California Environmental Quality Act and the County's environmental guidelines.

### **COMMENTS RECEIVED**

#### **A. County Department Comments and Recommendations**

1. The Department of Public Works, in a letter dated June 23, 2021, recommended that the Project proceed to public hearing.
2. The Fire Department, in a letter dated June 22, 2021, recommended that the Project proceed to public hearing.
3. The Public Health Department, in a letter dated August 3, 2021, recommended that the Project proceed to public hearing.

#### **B. Other Agency Comments and Recommendations**

Staff has not received any comments at the time of report preparation.

#### **C. Public Comments**

Staff received 12 emails opposing the Project. The emails cited ongoing foul odors, noise, air quality, health concerns and overall quality of life.

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Report  
Reviewed By: *Carmen Sainz*  
Carmen Sainz, Supervising Regional Planner

Report  
Approved By: *M. Glaser*  
Mitch Glaser, Assistant Deputy Director

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LIST OF ATTACHED EXHIBITS	
EXHIBIT A	Plans
EXHIBIT B	Project Summary Sheet
EXHIBIT C	Findings
EXHIBIT D	Applicant's Burden of Proof
EXHIBIT E	Environmental Determination
EXHIBIT F	Informational Maps
EXHIBIT G	Photos
EXHIBIT H	Agency Correspondence
EXHIBIT I	List of Recycling and Trash Transfer Facilities in LA County
EXHIBIT J	Community Survey
EXHIBIT K	County Equity Indicators Report
EXHIBIT L	Public Correspondence
EXHIBIT M	County Equity Indicators Report Maps for Three Comparable Transfer Stations
EXHIBIT N	Cal EnviroScore Map