

Kevin de León
Councilmember, Fourteenth District

October 5, 2021

City of Glendale Planning Commission
Community Development Department, Planning Division Office
633 E. Broadway, Room 103
Glendale, CA 91206
% Dennis Joe via email at DJoe@glendaleca.gov

Dear Commissioners:

As the representative of the City of Los Angeles' Council District 14, which includes the community of Eagle Rock, I share the deep concerns of my constituents who will be impacted by the Biogas Renewable Generation Project (proposed project). The Final Environmental Impact Report (FEIR) proposed by Glendale Water and Power (GWP) is inadequate and should be rejected. The health and well-being of residents is not mutually exclusive with providing reliable local electricity and power.

We concur with GWP's assessment that using the methane gas is preferred to the current flaring that is taking place at Scholl Canyon. However, the FEIR confirms that the proposed project is not the most environmentally friendly option. Alternative 2 is less impactful on the air quality, Greenhouse Emissions, noise, and has a lower risk to wildfires.

Furthermore, within the comment letter that the Los Angeles Sanitation and Environment (LASAN) submitted to the Draft Environmental Impact Report (DEIR) three concerns that were raised we feel that GWP did not address:

Issue 1: Health Risk Assessment Emissions Calculations

The FEIR provides substantial new information on the issue raised for the first time in LASAN's comment letter on the DEIR. The five compounds (dioxins, furans, hexavalent chromium, arsenic, nickel) that led to stopping combustion of landfill gas at Grayson Power Plant are the same five compounds that Glendale did not include in its risk assessment for Scholl Canyon in the DEIR. The FEIR now includes substantial new information, including a new risk assessment for these compounds.

The analysis in the FEIR does not consider key data and emission factors, and as such underestimates the risk of this new industrial operation in Scholl Canyon. The model must be revised for accuracy.

Recommendation: The City of Glendale should revise the analysis to reflect emissions of dioxins and furans from the reciprocating internal combustion engines (RICE) proposed at Scholl Canyon taking into account information in the peer-reviewed literature that they can be formed, and certainly are not destroyed to “zero”. The revised model should be part of a DEIR that is recirculated to provide the public, agencies, and stakeholders an opportunity to comment on this substantial new information on a potentially significant impact of the Project.

Issue 2: Health Risk Assessment: Dioxin and furan congeners

New, substantial human health risk assessment provided for the first time in the FEIR should address the full range of impacts from dioxins and furan congeners.

Landfill gas analysis for Scholl Canyon Landfill shows a mixture of mostly chlorinated and non-chlorinated volatile organic compounds (VOC), including aromatic VOCs such as benzene, chlorobenzene, ethylbenzene, toluene, and xylenes.

It is the chemical nature of the landfill gas in combination with the RICE operating temperature that will determine the mass of dioxins/furans generated and the relative distribution of the 17 congeners. All 17 dioxin/furan congeners will be formed when the landfill gas is combusted in a RICE.

Recommendation: Since the City of Glendale is providing substantial new information in the FEIR, it is suggested that samples of landfill gas, as well as RICE exhaust using Scholl Canyon Landfill gas as a fuel be analyzed for dioxins/furans, ideally with and without an oxidizing catalyst.

Issue 3: Disclosure of Impacts and Misuse of the Utility Exemption

LASAN's comments on the DEIR noted that Glendale had not properly applied the municipal code exemptions for Utility Projects. The FEIR claimed the exemption for some issues, except for aesthetics, the exemption clearly does not apply. In addition, there remain potentially significant impacts to noise that we noted in the DEIR but that were not addressed in the FEIR.

Certain portions of the DEIR's impact analysis improperly relies on the City of Glendale Municipal Code (GMC) exemptions for Utility Projects, contained in Title 16, to excuse its analysis of potentially significant adverse impacts under California Environmental Quality Act CEQA. Title 16, however, is inapplicable to the proposed Project; it was adopted for purposes of considering and approving subdivision developments, not projects such as the one at issue. There is no “division and subdivision of land” at issue here. The Subdivision Map Act, and the City's cited Municipal Code sections adopted to implement the Act (e.g., section 16.08.010(E)(G), do not trump the disclosure requirements of CEQA.

The Project is in part located on a ridgeline, which violates Glendale's anti-ridgeline development goals for aesthetics. As noted above, the GMC exemption is only applicable to existing utilities and not construction of new utility infrastructure.

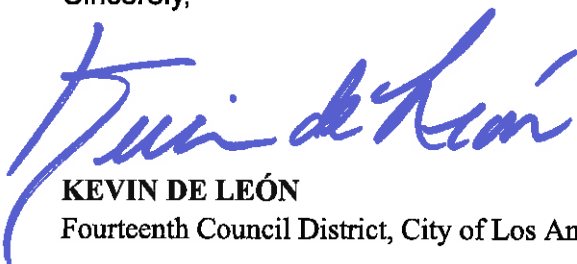
The noise impacts related to construction of the water and natural gas pipeline were not adequately addressed in the DEIR or subsequent FEIR analysis. Note that only the operational noise modelling was included in Appendix J and the construction noise model results are not included as indicated in the response to comments. The increase in noise levels at the nearest sensitive receptors associated with installation of the water pipeline should be fully disclosed in order to make an appropriate determination of significance for the associated noise impacts.

Recommendation: Both the misuse of the utility exemption and the missing analysis for the potentially significant noise impact should be included in a revised DEIR, which should be recirculated for review and comment.

It is for these reasons that I urge you to not approve the FEIR and request that GWP circulate a new DEIR that addresses these concerns that not only will impact the residents of Eagle Rock but those of Glendale that live close to Scholl Canyon. I also encourage you to instruct GWP to report back to the Commission and Glendale City Council on Alternative 2, which would reduce the impacts on the surrounding community as opposed to the proposed project that has worse environmental repercussions.

In closing, I would say that moving forward on this project and not addressing my concerns will have an environmental impact on our communities for generations. Glendale Water and Power has the opportunity to be a leader in methane gas conversion and show other cities that there are cleaner and better ways to achieve their goals.

Sincerely,



KEVIN DE LEÓN

Fourteenth Council District, City of Los Angeles

*Thank you for the
opportunity to address
all of you.
Best to all!*