FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS

FOR

Green Acres Farm Biosolids Land Application Project

Final Environmental Impact Report

State Clearinghouse Number 2013021021

October 2014

Table of Contents

1 INTRODUCTION

Section 21081 of the California Public Resources Code (PRC) and Section 15091 of the California Environmental Quality Act (CEQA) Guidelines require a public agency, prior to approving a project, to identify significant impacts of the project and make one or more written findings for each such impact. The findings reported in the following pages summarize the discussions and conclusions regarding the significant or potentially significant environmental impacts of the Green Acres Farm (Farm) Biosolids Land Application Project (Project), as presented in the Environmental Impact Report (EIR).

This Findings and Statement of Overriding Considerations document is divided into five major sections. The Introduction provides background information regarding the purpose of the document. The Project Description describes the City's objectives and the proposed Project. The Findings Regarding Environmental Effects section presents the effects associated with the proposed Project. The Alternatives Considered section describes alternatives developed and considered for the proposed Project, the reasons for selection of the preferred alternative, and the reasons for rejection of the remaining alternatives. Finally, the Statement of Overriding Considerations section is provided for those adverse effects that cannot be avoided, even with proposed mitigation measures.

Specifically, the Findings Regarding Environmental Effects section discusses the following for each significant or potentially significant impact associated with the project:

1. Descriptions of the Significant or Potentially Significant Effects – Specific descriptions of the environmental effects (Significant, Potentially Significant, and Not Significant) are identified in the EIR.
2. Mitigation Measures – Potential mitigation measures for the identified significant or potentially significant impacts.
3. Findings – The findings made are those allowed by Section 21081 of the PRC. One of three findings is made for each significant or potentially significant impact, following Section 15091 of the CEQA Guidelines:

   (a) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

   (b) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

   (c) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

   A judgment is then provided regarding the significance of the environmental impacts after mitigation.
4. References – A notation on the specific section in the EIR which supports the findings.

This Findings and Statement of Overriding Considerations document describes only those impacts anticipated to be significant or potentially significant. For information regarding the impacts that were determined not to be significant, please see the Final EIR for the proposed Project.

The mitigation measures identified in the Mitigation Monitoring Plan (MMP) for the proposed Project, which is provided under separate cover, are those identified within this Findings and Statement of Overriding Considerations document.

The documents and other materials that constitute the record of proceedings upon which the decision of the Los Angeles City Council is based are located in the Office of the City Clerk, at 200 N. Spring St., 3rd Floor, Los Angeles California; in the Board of Public Works, at 200 N. Spring St., 3rd Floor, Los Angeles California; and in the Department of Public Works in the custody of the Regulatory Affairs Division, Bureau of Sanitation, at 1149 S. Broadway, 10th Floor, Los Angeles, California.

The Final EIR and related documents for the proposed project are available at:

City of Los Angeles Department of Public Works
Bureau of Sanitation
1149 S. Broadway – 10th floor
Los Angeles, CA 90015

These documents can also be obtained by accessing the City's CEQA webpage at http://eng.lacity.org/techdocs/emg/green_acres_biosolids_land.htm.

2 PROJECT DESCRIPTION

Objectives, Purposes and Needs

The City operates four wastewater treatment plants (WWTPs) serving over four million people. Historically, sewage sludge was discharged to the Santa Monica Bay (1957-1987). The City entered into an Amended Consent Decree with the United States Environmental Protection Agency (USEPA) in 1987 that required the City to end the discharge of sewage sludge into the ocean by December 31, 1987. Biosolids refers to treated sewage sludge that meets the USEPA pollutant and pathogen requirement for land application and surface disposal. Under the Amended Consent Decree, the City was required to haul specified amounts of biosolids to other locations for non-ocean disposal unless other viable on-site reuse options were available. As an organic solid, biosolids can be beneficially used. A Program EIR (PEIR) was prepared in 1989 (1989 PEIR) to analyze off-site options for use and/or disposal of biosolids produced at the City's Hyperion Treatment Plant (HTP) and Terminal Island Water Reclamation Plant (TIWRP), including land application (a beneficial use). That same year, the FEIR was approved.

The City of Bakersfield prepared an EIR in 1984 (1984 EIR) under CEQA to analyze the use of treated effluent from the Bakersfield WWTP No. 3 for irrigation purposes at the proposed Project site to grow crops.[1] The Bakersfield 1984 EIR evaluated (among other environmental impacts) the effects of converting the 4,700-acre site to agricultural uses. After completion of the 1984 EIR, the Central Valley Regional Water Quality Control Board (RWQCB) issued a permit allowing use of reclaimed water for irrigation purposes on the site.[2] This permit requires groundwater monitoring, imposes reporting requirements, and establishes minimum setback distances and buffer zones. Farming began at the proposed project location in 1988.

In 1994, after obtaining the requisite authorizations, Responsible Biosolids Management (RBM) commenced land application of City biosolids as a fertilizer and soil conditioner to enhance the growth of feed crops such as corn, wheat, sudan, milo, and alfalfa, which are primarily sold to local dairies. Specifically, the Central Valley RWQCB issued two orders in 1994 and 1995 permitting land application by RBM at the Farm, including a Waste Discharge Requirement (WDR) permit to RBM to land apply biosolids at the Farm to enhance crop growth. These two RWQCB orders contain various requirements to minimize any environmental impacts that might result from land application of biosolids. These requirements include specific measures to minimize potential impacts in terms of erosion, odors, surface water quality, groundwater quality, and public health including the following:

- Limitations on the amount of biosolids that may be land applied;
- Limitations on the trace amounts of metals in biosolids and the farm fields receiving biosolids;
- Buffers from residences, surface waters, and other land uses and physical features;

[1] City of Bakersfield. 1984. Draft Supplemental Environmental Impact Report. Modified Interstate Disposal Site – Wastewater Treatment Plant Three.Quad Consultants. May 1984.

[2] Central Valley Regional Water Quality Control Board (RWQCB). 1988. Order No. 88-172. Wastewater reclamation requirements for Tenneco West, Inc. Land Application Site, Kern County. September 1988.

- Operational protocols, including prohibitions on applying biosolids to flooded, frozen or water-saturated ground or during periods of heavy rainfall; and
- Detailed monitoring, reporting, and recordkeeping requirements.

A formal, written contract was then executed by the City with RBM and Valley Communities, Inc. (VCI) (which at that time owned the Farm) in 1996 (City Contract C-94375) to govern the transportation and land application of these biosolids. The term of the contract was three years. RBM has to present day been responsible for coordinating the transportation of biosolids from the City to the Farm, for land applying the biosolids at the Farm, and for conducting monitoring, reporting, and recordkeeping.

In 1996, a PEIR certified by the City analyzed this Biosolids Management Program (1996 PEIR). This program incorporated the successful elements of the 1989 offsite program and the Hyperion Energy Recovery System (HERS) into the City's long-term goals of processing and beneficial use of biosolids and other wastewater treatment residuals.

On October 19, 1999, the City approved an amendment to its 1996 biosolids contract with RBM and VCI. This contract amendment (Amendment No. 1 to City Contract C-94375) made some minor changes to the provisions of the initial 1996 biosolids contract and extended the contract for another three-year term. Amendment No. 1 was executed on October 29, 1999.

To ensure full City oversight of land application operations at the Farm, on November 24, 1999 the City Council adopted a resolution declaring the City's intent to purchase the Farm. On February 22, 2000, the City Council approved the purchase of the Farm for a sale price of $9,630,000. The City Council also authorized the Department of Public Works to finalize a second amendment to its existing biosolids contract (Amendment No. 2 to City Contract C 94375). Pursuant to the City Council's approval, this contract amendment was formally executed in September 2000. These amendments included increasing the biosolids throughput limits from a maximum of 700 wet tons per day (monthly average of 450 wet tons per day) to 800 wet tons per day (monthly average of 550 wet tons per day), and extending the contract's term to 2010. This purchase of the Farm by the City did not otherwise result in a change in how the site was used. Since the contract was amended in 2000, the actual tonnage to the Farm has decreased.

In November 2002, Ordinance G-6931 was adopted by Kern County that allowed only the land application of Class A Exceptional Quality (EQ) biosolids in unincorporated areas of the County, banning Class B land application. In response to this and related ordinances (e.g. Riverside County Ordinance No. 812, adopted July 2001), the City now produces Class A EQ biosolids at both its HTP and TIWRP sites. Class A biosolids are treated longer and more intensively than Class B biosolids and are essentially free of any pathogens (i.e. reduced certain micro-organisms by 99% from Class B); EQ biosolids satisfy stringent pollutant concentrations for the trace amounts of metals found in biosolids at the parts per million level. The City produces only Class A EQ biosolids and no longer produces Class B biosolids. Since 2003, all biosolids land applied at the Farm have consistently met, and continue to meet, both Class A and EQ standards.

The City recognized the benefits of recycling biosolids instead of disposing or placing them in a landfill. The City adopted a resolution in 1999 that supported the full recycling of biosolids and the proper management and oversight of this practice in accordance with the California Water Environment Association (CWEA) Manual of Good Practice, and the application of all classes of biosolids to land in accordance with the USEPA's Part 503 rule.[3] To affirm the recycling of biosolids and its oversight of the practice, the City also adopted a biosolids policy in 2002 that committed to recycling one hundred percent of the biosolids it produced that complied with all federal, state, and local regulations.[4] When establishing the policy, the City committed to several goals for the biosolids management program. The goals listed below are in line with this Project.

1. Managing its biosolids in an environmentally sound, socially acceptable, and cost-effective manner;
2. Complying with all applicable federal, state, and local laws and regulations;
3. Requiring its land appliers to comply with the provisions of the CWEA Manual of Good Practice for Agricultural Land Application of Biosolids;
4. Producing Exceptional Quality (EQ biosolids that meet or exceed the requirements in 40 CFR Part 503; and
5. Maintaining a verified Biosolids Environmental Management System (EMS) that conforms to the National Biosolids Partnership (NBP) EMS program requirements.

The proposed Project's objective is to beneficially re-use the biosolids produced by the City's WWTPs. Beneficial reuse can be land application as a soil amendment/fertilizer, composting or pelletizing as a soil amendment/fertilizer, waste-to-energy/fuel conversion, etc. Injection of biosolids into sub-surface wells can also be a beneficial reuse. Incineration of biosolids would not be a beneficial reuse unless energy or fuel was generated from the incineration. Landfilling of biosolids is not considered a beneficial reuse and is restricted in California.

The Proposed Project

In 2005, the City was directed by a writ of mandate issued by the Tulare County Superior Court (Writ) to undertake an evaluation under Section 15168(c) of the CEQA guidelines to determine if additional CEQA review was required for the 2000 purchase of the site and the 2000 amendment of the RBM contract. Based on the Writ, an addendum to the 1989 and 1996 Biosolids EIR was prepared and approved by the City Council on December 8, 2010. In April 2012, the Tulare County Superior Court ruled that the Addendum was inadequate to discharge the Writ and directed the City "to do a new Initial Study per Section 15168(c)(1), and to proceed thereafter as required by law" (Court Order). Two interrelated "subsequent activities" in the City's biosolids program, as referenced in the Writ and the 1989 EIR and the 1996 EIR, are the components of this proposed project. These two subsequent activities are: (1) the City's approval in 2000 of Amendment No.2 to City Contract C-94375, a pre-existing contract between

[3] City of Los Angeles. 1999. Resolution: In Support of Recycling of Biosolids. Adopted by Los Angeles City Council on May 18. 1999.

[4] City of Los Angeles. 2002. Biosolids Policy Statement. Available at: http://www.lacitysan.org/biosolidsems/. Accessed March 2014.

the City and RBM for the loading, transportation and beneficial reuse of the City's biosolids at the Farm; and (2) the City's 2000 purchase of the Farm.

1. Contract amendment: The City's amendment of the preexisting contract included increasing the transportation of biosolids from a maximum of 700 wet tons per day (monthly average of 450 wet tons per day) to 800 wet tons per day (monthly average of 550 wet tons per day), and increasing the term of the contract. No other changes in how the site was used occurred due to this contract amendment.
2. Purchase of the site: The City approved the purchase of the Farm in February 2000. The transfer of title to the City did not result in a change in how the site was used. In particular, the site continued to be used as a farm with biosolids land applied to enhance the growth of feed crops; this use has continued to the present day. The City purchased the property to ensure availability of a suitable site and controlled environment for continued land application of biosolids and farming activities, and to ensure full City oversight of these activities.

The baseline for the proposed Project is assumed to be the year 2000 based on the above activities and the City's discretion under CEQA to set the baseline as supported by substantial evidence. The City has assumed no biosolids land application at the Farm during the baseline period (the most conservative assumption), with City biosolids sent to other locations, and most likely, available in the year 2000.

The proposed Project analyzed in this document is the purchase of the site and application of up to 800 tons of Class A EQ biosolids per day at the Farm. The proposed Project includes all aspects of land application, including compliance with applicable regulations, including but not limited to the San Joaquin Valley Air Pollution Control District's (SJVAPCD's) Rule 4565.

The activities to be evaluated do not include the original selection of the Farm as a farming site in 1988, the original decision in 1994 to authorize land application of biosolids at the Farm, or the City's decision in 1996 to execute a formal written biosolids contract with RBM. These actions preceded the 2000 project activities.

3 FINDINGS REGARDING ENVIRONMENTAL EFFECTS

This section discusses impacts and mitigation measures identified for the preferred alternative and makes findings for all impact areas. Significant or potentially significant impacts prior to the application of mitigation measures have been identified for the proposed Project in the following areas: air quality and land use planning.

Air Quality

This section discusses the significant or potentially cumulatively significant air quality impacts related to the construction and operation of the preferred alternative.

Description of Potential Effects

The proposed project site is located within the San Joaquin Valley Air Basin (SJVAB), with impacts also occurring in the South Coast Air Basin (SCAB) due to transportation from HTP. Criteria pollutants and toxic air contaminants (TACs) cause regional and localized impacts within air basins established by the USEPA under the jurisdiction of the associated air districts. Thus, environmental impacts of the proposed Project were assessed based on the City's, South Coast Air Quality Management District's (SCAQMD), and SJVAPCD's CEQA significance thresholds (the City, as the lead agency, directs project proponents to reference the SCAQMD Handbook and relevant SCAQMD CEQA guidance when evaluating air quality issues).

There are no construction-related emissions of criteria pollutants because there are no construction activities related to the proposed Project.

Odor impacts from the proposed Project were found to be less than significant with odor control plan measures incorporated into the Project.

The mass daily emissions in the SCAB are less than the SCAQMD's significance thresholds. However, the annual mass emissions in the SJVAB are less than the SJVAPCD's significance thresholds for all pollutants except nitrogen oxides (NO_x). The proposed Project has the potential to generate significant adverse air quality impacts in the SCAB.

For operation-related cancer and non-cancer health risks, the proposed Project is calculated to have a low prioritization score at the nearest sensitive receptor (i.e., 1,600 feet west of the site). Thus, the proposed Project is not expected to result in significant health impacts in the SJVAB.

TAC emissions in the SCAB from the proposed Project decrease as compared to the baseline. Because TAC emissions decrease, any associated health risk would also be expected to decrease. The proposed Project is not expected to result in significant health impacts in the SCAB. Thus, no significant health impacts are expected from the proposed Project.

Overall, the proposed Project is expected to result in potentially significant impacts related to air quality due to NO_x emissions in the SJVAB.

Mitigation Measures

The proposed Project may result in potentially significant impacts due to air quality (i.e. NO_x emissions in the SJVAB). The 1989 and 1996 PEIRs list a number of mitigation measures that

would apply if adverse impacts were expected for any sludge-related activity.[5] Because the proposed Project does result in significant impacts, the City assessed the applicability of these measures to this project. The City found that none of the 1989 or 1996 PEIR mitigation measures are applicable to the proposed Project (see Table 3-9 of the Draft EIR).

The City also researched potential applicable mitigation measures proposed by the SCAQMD and SJVAPCD. [6, 7] All mitigation measures identified were evaluated. Many of the mitigation measures reviewed were found by the City to be applicable but not feasible to the operations as indicated below:

Diesel Particulate Filter (DPF) Level 3 plus Verified Diesel Emission Control Strategies (VDECS): Reduces NO_x emissions by 25% to 40%.

This technology was not certified by the California Air Resources Board (CARB) for on-road mobile vehicle retrofits until the 2010 timeframe, and thus, would not be feasible during the Project period of 2000 through 2010. We note that the City's current trucking fleet has engines of model year 2007 or newer.

- Use alternative fuels for construction equipment. Reduces NO_x emissions by a variable amount (depending on equipment).
  - This is not feasible because the proposed Project does not involve construction activities.
- Use of Tier 4 engines in non-road vehicles. Reduces NO_x emissions by a variable amount (depending on Tier used).
  - Tier 4 engines will not be available until 2014 to 2015 and therefore, they would not have been available during the Project duration of 2000 through 2010. The City upgraded the diesel engines on various pumps at the Farm to Tier 3 levels starting in 2009. The City has also upgraded most of the diesel-powered farm equipment to the latest available technology.
- No additional mitigation measures were identified that were determined by the City to be applicable and feasible for the proposed Project. The City is communicating with SJVAPCD and is addressing potential changes to various farm vehicles. In addition, the City is involved in several programs regarding offset of NO_X emissions. The City has upgraded several pumps to Tier 3 using programs administered by SJVAPCD and are communicating with them to address other emissions concerns through grant funded programs.

Findings

The City finds that the proposed Project has specific economic, legal, social, technological, or other benefits that outweigh the proposed Project's unavoidable adverse air quality effects. Those benefits are identified in Section 5 of this document.

---

[5] The 1989 and 1996 PEIRs reference sludge. The proposed project involves only the land application of Class A EQ biosolids.

[6] SCAQMD. Mitigation Measures: On-road engines. Available at: http://www.aqmd.gov/ceqa/handbook/mitigation/onroad/MM_onroad.html. Accessed November 2013.

[7] SJVAPCD. Air Quality Mitigation Strategies. Available at: http://www.valleyair.org/transportation/air_quality_mitigation_strategie.htm. Accessed November 2013.

References

The proposed Project's air quality impacts and mitigation measures are discussed in Section 3.1 of the Draft EIR and Response to Comments in the Final EIR.

Land Use Planning

This section discusses the potentially significant land use planning impacts related to the construction and operation of the preferred alternative.

Description of Potential Effects

The proposed Project has no significant impacts related to land use/planning, unless Measure E is upheld after the legal challenges and is enforced. If Measure E is upheld and is enforced, then the land application portion of the proposed Project would conflict with an applicable land use requirement and result in significant impacts that would not be possible to mitigate.

Mitigation Measures

The 1989 PEIR lists a number of mitigation measures that would apply if adverse impacts are expected for any sludge-related activity.[8] These mitigation measures were based on conditions in 1989, and so do not reflect the latest scientific understanding in the 1993 version of USEPA's Part 503 rules and the 2004 State EIR. Recent advances in science and information, as well as stricter requirements on biosolids, render these mitigation measures inapplicable to the proposed Project. Even though the measures are not applicable and the proposed Project is not expected to result in significant impacts, the City has assessed the applicability of these measures to this Project (see Table 3-22 in the Draft EIR).

The 1989 PEIR does not explicitly include a mitigation measure prohibiting land application of biosolids to food-chain crops. Instead, the 1989 PEIR lists two alternative mitigation measures, either of which would be sufficient to mitigate potentially significant impacts. Although one refers to avoiding application to food-chain crops, the other measure requires monitoring and analysis of biosolids and the soil, regardless of whether food-chain crops are being grown. In addition, other sections of the 1989 PEIR assume that biosolids could be applied to food-chain crops as long as sufficient monitoring was done. The City concludes that no additional 1989 PEIR mitigation measures are applicable to the proposed Project.

The 1996 PEIR did not find any potentially significant impacts and, thus, did not identify any mitigation measures related to land use/planning for construction or operation.[9]

Findings

The City finds that mitigation measures are not required for land use planning. In addition, if Measure E is upheld and is enforced, land application of biosolids would be required to cease at the Farm.

---

[8] The 1989 and 1996 PEIRs reference sludge. The proposed project involves only the land application of Class A EQ biosolids.

[9] 1996 PEIR, page IV-7.

References

Section 3.4 of the Draft EIR and the Responses to Comments in the Final EIR discuss the proposed Project's land use planning impacts and mitigation measures.

Cumulative Impacts

This section discusses the significant or potentially significant cumulative impacts due to the operation of the proposed Project.

Description of Potential Effects

Less Than Significant or No Impacts

As described in the Draft EIR, operation of the proposed Project will not result in cumulatively considerable impacts on the following areas:

Aesthetics

Agriculture and Forestry

Biological Resources

Cultural Resources

Geology/Soils

Greenhouse Gas Emissions

Hazards

Hydrology/Water Quality

Land Use/Planning

Mineral Resources

Population/Housing

Public Services

Recreation

Transportation/Traffic

Utilities/Service Systems

Potentially Significant Impacts

The City finds that the operation of the proposed Project could result in potentially significant cumulative impacts as summarized below.

Air Quality

As discussed in Section 3.1 of the Draft EIR and above in Section 3.1, the Project would result in potentially significant impacts related to air quality (i.e., NO_x in the SJVAB) and less than significant impacts related to health risk, after feasible mitigation measures were accounted for. Although no projects were identified in a 10-mile radius of the Farm, the proposed Project is

expected to contribute to a cumulatively considerable change to the air quality (NO_x in SJVAB) by virtue of significant impacts from the Project itself.

Mitigation Measures

There are no additional feasible and available mitigation measures that the City could implement that would reduce the proposed Project's potentially significant cumulative impacts on air quality. The City is communicating with SJVAPCD and is addressing potential changes to various farm vehicles. In addition, the City is involved in several programs regarding offset of NO_X emissions. The City has upgraded several pumps to Tier 3 using programs administered by SJVAPCD and are communicating with them to address Tier 4 upgrades and other emissions concerns through grant funded programs.

Findings

The City finds that the proposed Project has specific economic, legal, social, technological, or other benefits that outweigh the proposed Project's unavoidable cumulative adverse environmental effects. Those benefits are identified in Section 5 of this document.

References

The cumulative impacts due to the operation of the proposed Project are discussed in Section 5.1 of the Draft EIR.

4 ALTERNATIVES CONSIDERED

The City evaluated five alternatives for the proposed Project. Detailed descriptions of the alternatives are contained in the Draft EIR and a comparison of their impacts is summarized in Table 4-1 of the Draft EIR. The City's reasons for not selecting the alternatives to the Preferred Alternative are described below. Note that based on the analyses detailed in the Draft EIR, only the No Project alternative avoids the exceedance of all of the significance criteria identified for the proposed Project; however, the No Project alternative does not meet the goals and objectives of the Project.

As noted in Section 1.1 of the Draft EIR, this is a retrospective EIR that analyzes the impacts related to the year 2000 purchase of the Farm by the City and the year 2000 contract with RBM. Alternatives to this year 2000 project are analyzed as they would have been analyzed in a pre-2000 EIR analysis of the City's 2000 purchase of the Farm and the RBM contract for the Farm. Even as a retrospective EIR, the latest EIR guidance and technical tools are used, as if they were available pre-2000.

Alternative 1 – No Project

The No Project alternative considers the scenario in which neither the proposed year 2000 project nor any build alternative takes place. In the No Project alternative, operations at the Farm would be the same as in the baseline scenario: no land application would occur and chemical fertilizer would be used instead. A portion of the biosolids (52 tons per week) would be composted at Griffith Park Composting Facility. At the Griffith Park Composting Facility, biosolids are blended with yard clippings and animal manure from the Los Angeles Zoo to produce compost that is used to augment soil at City parks or sold for private use. For the volume of biosolids that cannot be composted (e.g., volume in excess of the capacity of the Griffith Park Composting Facility, up to 748 tpd), the biosolids are trucked to a land application site in Arizona. Unlike the proposed Project, there would not be significant impact related to air quality in either air basin, although greater impacts than the proposed project in the SCAB, compared to the 2000 baseline scenario, due to greater vehicle miles traveled and associated truck emissions.

Alternative 2 – Composting and Land Application

Alternative 2 considers the scenario in which the biosolids are trucked to Liberty Recycling, composted, and then the composted biosolids send back to the Farm for land application. Measure E only called for the prohibition of land application of biosolids. Measure E did not propose any limitation for manure, fertilizer, and compost land application. Liberty Recycling uses biosolids, green waste, and organic material to produce Class A compost that is suitable for a wide variety of uses. No additional chemical fertilizer would be required at the Farm in this alternative. Other operations at the Farm, including the number and type of land application eqiupment, would remain the same as the proposed Project. For Alternative 2, air emissions of NO_x in the SJVAB would exceed the applicable significance threshold. Emissions of all other criteria pollutants in the SJVAB would be less than the applicable significance thresholds but greater than emissions in the SJVAB from the Project. Emissions of GHGs would be less than the applicable significance threshold but greater than emissions from the proposed Project. This alternative increases multiple impacts (i.e., air quality and GHGs) without reducing any impacts.

Alternative 3 – TIRE

Alternative 3 consists of injection of the biosolids at the Terminal Island Renewable Energy (TIRE) facility. TIRE is a demonstration project that involves the injection of biosolids deep into the geological subsurface at the Terminal Island Water Reclamation Plant (TIWRP).[10] TIRE became operational in 2008 and could inject up to 400 tpd of biosolids. As of November 2013, TIRE is injecting approximately 150 tpd of biosolids (corrected from the 200 tpd injection rate stated in the Draft EIR due to operational and injection constraints at the demonstration project).

This alternative was not available, and thus infeasible, as an option in 2000. Indeed, TIRE was the nation's first full-scale deep-well placement and geothermal biodegradation demonstration project. A project proponent in 2000 considering deep-well placement and geothermal biodegradation would have been found speculative and infeasible as it did not begin operating until 2008. A maximum of up to 400 tpd may be injected and thus, an alternate means of disposal for the remaining biosolids would be required, likely land application in Arizona. Although injection of a portion of the biosolids would reduce air emissions, emissions of criteria pollutants and GHGs would still occur due to trucking to land application in Arizona. This alternative does not meet the definition of feasibility per CEQA Guidelines §15364, essentially duplicates the No Project alternative, and would not be expected to reduce environmental impacts below significance or project levels. Thus, this alternative is eliminated from consideration.

Alternative 4 – Incineration

Alternative 4 consists of trucking to a facility where the biosolids would be combusted at a high temperature using natural gas or diesel. After incineration, the remaining ash would likely be landfilled. In California, there are only two incineration facilities operating and these facilities have a limited capacity for combustion of biosolids.[11,12] Because of the capital investment and operating costs, as well as permitting challenges, associated with these facilities, additional facilities are not expected to be constructed and were not constructed after 2000. Incineration concentrates the metal resulting in a high metal-content ash, which creates additional potential environmental impacts associated with handling and disposal of the ash in landfills.[13] As a result, incineration was not (and is not) a feasible management option for the biosolids. This alternative does not meet the objectives of the project in that the biosolids would not be beneficially reused. This alternative does not meet the definition of feasibility per CEQA Guidelines §15364 and also would not be expected to reduce environmental impacts below significance. Thus, this alternative is eliminated from consideration.

---

[10] Terminal Island Renewable Energy. Webpage. Available at: http://www.lacitysan.org/biosolidsems/managing_biosolids/deep_well.htm. Accessed November 2013.

[11] USEPA. 2003. Biosolids technology fact sheet. Available at: http://water.epa.gov/scitech/wastetech/upload/2005_07_28_mtb_incineration_biosolids.pdf. Accessed December 2013.

[12] The two operating biosolids incineration facilities in California are: (1) Central Contra Costa County Sanitary District – Located in Martinez, CA; began operation in 1948; incinerates 200 tpd of biosolids; and (2) Palo Alto Regional Water Quality Control Plant – Located in Palo Alto, CA; began operation in 1972; incinerated 7,068 dry tons of biosolids in 2012 (equivalent to approximately 19 tpd).

[13] CalRecylce- Organic Materials Management – Biosolids. Available at: http://www.calrecycle.ca.gov/organics/biosolids/. Accessed November 2013.

Alternative 5 – Renewable Fuel

Alternative 5 consists of trucking to a facility where the biosolids would be converted to a renewable fuel for use either on- or off-site. Two facilities in California (EnerTech Environmental California and Rialto Regional Biosolids Facility) began conversion of biosolids to renewable fuel in 2008 and 2009.[14,15] However, after experiencing technical difficulties, the Rialto Regional Biosolids Facility closed in 2012.[16] EnerTech California also shutdown in 2012. Neither facility was an available option in 2000 when the Farm was purchased by the City. No other facilities existed in 2000 that successfully demonstrated the continued and reliable conversion of biosolids to a renewable fuel. This alternative does not meet the definition of feasibility per CEQA Guidelines §15364 and also would not be expected to reduce environmental impacts below significance. Thus, this alternative is eliminated from consideration.

[14] EnerTech Environmental, Inc. Converting biosolids to a usable fuel. Available at: http://www.calrecycle.ca.gov/lea/conference/05Conf/Presentation/Day2/Biosolids.pdf. Accessed November 2013.

[15] Filanc. Rialto Regional Biosolids Facility. Webpage. Available at: http://www.filanc.com/project-showcase/rialto-regional-biosolids-processing-facility/. Accessed November 2013.

[16] The Sun News. EnerTech energy plant in Rialto closes. Available at: http://www.sbsun.com/general-news/20121101/enertech-energy-plant-in-rialto-closes. Accessed November 2013.

5 STATEMENT OF OVERRIDING CONSIDERATIONS

The proposed Project (i.e. purchase of the farm and executive of ten-year contract which increased land application of biosolids) would result in the following unavoidable significant adverse impacts after mitigation:

1. Air quality impacts are noted below;
    a. Operation-related emissions of NO_x in the SJVAB exceed the applicable mass daily significance thresholds, even with the application of all feasible mitigation measures.

    b. All other air quality impacts in the SJVAB and SCAB were found to be less than significant.

2. The impacts related to land use planning are found to be less than significant for the proposed Project; however, if Measure E is upheld and is enforced, then the land application portion of the proposed Project would conflict with an applicable land use requirement and result in significant impacts that would not be able to be mitigated by the proposed Project.

3. The proposed Project may potentially result in cumulatively considerable impacts with respect to air quality (i.e. NO_x in the SJAB).

The City finds that the proposed Project has specific economic, legal, social, technological, or other benefits that outweigh the proposed Project's unavoidable adverse environmental effects. Each benefit set forth below constitutes an overriding consideration warranting approval of the Project, independent of the other benefits, despite each and every unavoidable impact. The Project's benefits include the following:

1. The proposed Project will beneficially reuse treated sewage sludge (i.e. Class A EQ) biosolids produced by the City's WWTPs by land applying to farmland for use as crop fertilizer at the Farm purchased by the City. This reduces the need for chemical fertilizers and utilizes a renewable resource.

2. The proposed Project will allow the City to continue its commitment to recycle one hundred percent of the biosolids it produced and that complied with all applicable federal, state, and local regulations.

3. The proposed Project will allow the City to manage its biosolids in an environmentally sound, socially acceptable, and cost-effective manner.