

Statements Made at Joint Commission Meeting

Statements made that were incorrect:

1. "Several mile long pipeline" needed to connect to Gas Company (Alternative 2). [Recording 1:05:42 or so.] DEIR says ½ mile in one place and 1/3 mile in another (from Grayson).

Mr. Weber was referencing the need to build a new several mile-long pipeline if the landfill gas was cleaned-up to Southern California Gas Company standards at the Scholl Canyon Landfill, not Grayson. Please watch the video prior to this statement being made where Mr. Weber is discussing the need to build other new pipelines (water/gas) at Scholl for the proposed project. Also, please watch the video after Mr. Weber's statement (at 1:05:42) where Chair Bartrosouf follows up and asks him specifically about using the existing landfill gas pipeline - Mr. Weber then discusses the need to still build an additional pipeline at Grayson to get the pipeline-grade gas to a So Cal Gas transmission line - Mr. Weber never states that this pipeline is a "several miles long pipeline."

There is a potential connection location to a Southern California Gas Company transmission line approximately 1/3 to ½ mile from the Grayson Power Plant. New natural gas pipeline infrastructure could be limited to the 1/3 to ½ mile of new pipeline under Alternative 2 if the landfill gas was converted to natural gas at Scholl Canyon Landfill and conveyed to Grayson Power Plant under low pressure in the existing pipeline from Scholl Canyon Landfill then compressed to pipeline pressure at Grayson Power Plant.

2. In two places someone said it takes a lot of water to separate the gases for Alternative 2. [Recording 1:34 and 2:00.] The processes we have seen that are commonly used have membranes and no water. See for instance Air Liquide's website (<https://www.airliquideadvancedseparations.com/our-membranes/biogas>) and also google separation processes for the other major components (https://en.wikipedia.org/wiki/Nitrogen_rejection_unit#:~:text=In%20PSA%2C%20methane%20and%20nitrogen,sites%2C%20whilst%20methane%20is%20not).

According to Les Toth, a CA licensed Mechanical Engineer with a Master's Degree in Mechanical Engineering; a licensed Contractor in the State of California, designer over 20 landfill gas-to-energy facilities in California over the past 30 years), and the Stantec Project Manager,

there are numerous processes utilized throughout the US to separate carbon dioxide from gases containing methane. Each process has its benefits and detriments. Water washing is the oldest and easiest process to operate and maintain. There is an operational water wash system installed at the CR&R anaerobic green waste digestion facility in Perris, California where they produce pipeline quality RNG and inject it into So Cal Gas Company pipeline to be extracted at another location. In Mr. Toth's professional expert opinion, the other technologies have more moveable parts that are prone to failure, require more attention and maintenance, and more prone to clogging and system shutdowns.

3. There was a claim that Alternative 2 is experimental and not widely used. [Recording 1:37, 2:00, and 2:02]. However, there are quite a number of landfills that are either doing this, have done this or are planning to do this (70 out of 550 nationwide sites which are harnessing energy in some way). See attached spread sheets. Also see <https://www.epa.gov/lmop/landfill-gas-energy-project-data> -- profiles from Shreveport Landfill Renewable Natural Gas, SWACO, University of New Hampshire and Vogel Disposal Vehicle Fuel Projects.

According to Les Toth, credentials and relationship to the Project noted above, there are a few landfills throughout the nation, but not in California, that are high in original methane content and have converted LFG to RNG that meet the specifications of their local gas utility. Scholl Canyon LFG heating value is very low (see DEIR Table 54, page 5.9) and So Cal Gas pipeline injection specifications are extremely onerous (See So Cal Gas Company Tariff Rule 30 and 45, <https://tariff.socalgas.com/regulatory/tariffs/tariffs-rules.shtml>) to have Scholl Canyon LFG meet standards. There are no LFG projects operational in So Cal Gas Co territory that have successfully injected RNG into their pipeline system. Please note that those RNG projects that use, or proposes to use, LFG as vehicle fuel usually do not inject the RNG directly into gas company pipelines. These projects convert LFG to CNG or LNG and use the product as vehicle fuel on site. Converting LFG to Compressed Natural Gas (CNG) was considered in Section 5.4.5 of the EIR (page 5.4). Converting the LFG to CNG for use as vehicle fuel was not considered further as an alternative due to substantially greater potential environmental impacts as the proposed project. Further, converting LFG to liquefied natural gas (LNG) was

evaluated as Alternative 3 and is discussed in Section 5.6.3 of the EIR (page 5.11). Similarly, this alternative also had greater environmental impacts than the Project.

Both City staff and Project Consultants are unaware of any landfills in California that are currently taking raw landfill gas, cleaning it up to Southern California Gas Company standards and injecting the cleaned LFG directly into SoCal Gas pipelines. The EPA LMOP website does list a few such facilities planned for the future in California, but again, as far as City staff and Project Consultants are aware there are none commercially operational in California at this time.

4. There was a claim that no company is interested in Alternative 2 because there isn't enough money to make since natural gas is cheap. [Recording 2:00.] However, one does not sell it to the Gas Company for regular natural gas, but rather for renewable natural gas/vehicle fuel [it is a paper transaction for the vehicle fuel, just gas is transmitted.] Again, there are quite a number of landfills that are doing this and companies are involved.

Once again, there are no companies within So Cal Gas territory that are making RNG from LFG and injecting that gas into the So Cal Gas pipeline system currently. All LFG converted to vehicle fuel is used locally. Producing pipeline quality RNG from the low quality LFG that is prevalent at Scholl Canyon would be a major challenge as shown in Table 54 in the Draft EIR (page 5.9). Scholl Canyon LFG is low quality gas and no company within So Cal Gas territory is producing RNG from landfills that have even better quality LFG. So Cal Gas regulations that would allow LFG to be injected into their system are onerous. Proven commercially operating technology to clean the existing Scholl Canyon LFG to So Cal Gas standards has not been done in California.

5. There was a statement made that emissions of AQMD Significant species (NO_x, CO, VOC, PM 10, PM2.5 and SO_x) were less for flares for some species and more for flares for other species, compared to the project. [Recording 2:03:45.] This contradicts table 12 in the FEIR and also the table which I presented which used actual numbers for 2020 for the old flares. Both tables showed that flares have less emissions for all of these species.

Table 12 in the FEIR reflects baseline flare emissions reported to SCAQMD in the 2018 Annual Emission Reporting Program and approximately 100100 MMBtu/hr of landfill gas is combusted in the flares. The total mass emissions for the proposed Project engines shown in Table 12 of the Final EIR are based on an assumed increase

in the available volume of landfill gas; ~135 MMBtu/hr). Because the engine emissions used a higher assumed volume of landfill gas available in 2022 than was combusted in the flares in 2018, the air pollutant-specific emissions factors are not directly comparable. The following are the criteria air pollutant emissions factors for the proposed engines and the existing flares.

Criteria Air Pollutant	Engine (Lbs/MMBtu)	Existing Flare 2018 Baseline (Lbs/MMBtu)
NOX	0.046	0.038
CO	0.334	0.018
VOC	0.044	0.003
PM10/2.5	0.023	0.026
SOX	0.028	0.019

As shown in the table above, the proposed Project engines would have higher emissions factors for NOX, CO, VOC, and SOX and lower emissions factors for PM10 and PM2.5 compared to the existing flares.

There were a couple of other statements that could be misleading:

1. The footprint of the site, while correctly stated, implied that it was a small portion of the landfill rather than one of the very few untouched parcels. [Recording 1:24:27.]

The footprint of the site is, as shown in Table 1 of the Draft EIR (Page 2.5), 2.2 acres of the 500+ acre total landfill site area (see Figure 2.3-2 of the DEIR). The Project proposes to utilize the LFG from the entire Scholl Canyon Landfill from which methane is being collected. The majority of the site where the project is located is already industrialized with the existing flaring system and related operations. There is nothing inaccurate about the size of the project in the project description.

2. There was no clear answer given on the power as a function of time and the amount of natural gas needing to be added as a function of time. This is important to understand the financials, power obtained by Glendale and greenhouse gas emissions.

- a. Mr. Weber claimed that the engines would be retired before they required 10% natural gas augmentation (Recording 1:02). The early plan for Scholl (2015), when the methane content was reported to be 38.3%, was to have no natural gas augmentation. Now, just 6 years later, the methane is reported to be about 34 - 36% and might require 2 - 3% natural gas augmentation at 34%. At this rate, 10% could be required much sooner than the suggested lifespan of the engines. Logically, with organics diverted from the landfill, closure of the facility within 5 years, and continued drought, the methane content will continue to drop, not remain at 34% or increase.

It is not clear what is meant by the term “early plan for Scholl (2015).” This question is moot because augmentation is not expected or anticipated as the engines are expected to run at 34% methane with no natural gas augmentation (See FEIR Topical Response #5 on Air Quality, Page 9.28). When the methane concentration drops below 34% natural gas augmentation will be needed to run the engines and, as stated by Mr. Weber, this is not expected to happen until 2045. As far as the other comments made, the scenarios are speculative and not based on information presented in the EIR.

- b. For greenhouse gases, if 10% natural gas is added to gas that is 30% methane, the power goes up 20% and the GHG from the methane contribution for the engines will also go up 20%. Since Scholl LFG has a methane/CO₂ ratio of about 1.2 and using the number in Greenhouse Gas Emissions in the FEIR (about 60,000 metric tons CO₂,e), this would be an increase of 6600 MT CO₂,e or so, not the full significance level, but getting closer. [Calculation is $(1.2/2.2) \times (60,000) = 33,000$ MT CO₂,e from methane, then multiplying by 20% to see increase of 6,600.]

This entire statement in 2.b. is speculative and inaccurate; the power produced by the engines is proportional to the amount of total BTUs provided to the engines and not on the percentage of methane (above the minimum required to run the engines of course).

- c. A claim was made that energy from Scholl Landfill comprised 10% of the City's energy load (Recording 1:21.45). However, the LFG gas has been flared for 3 years. If the intention of the statement was that the project would yield 12 MW, which would constitute 10% of the portfolio, that's speculation because we neither know Glendale's power needs nor how much power this Project would produce over time. When Grayson was processing gas over the years, how much power did it produce over time? The latest Glendale IRP projects only 9 MW from the Scholl Project.

The “10% of the City’s energy load” statement references that 12 MW would represent about 10% of the energy portfolio today – 12 MW equates to approximately 100,000 megawatt hours/year and the City’s

2020 consumption was approximately 1,000,000 megawatt hours/year; it did not mean that 12 MW will always represent 10% of the City's energy portfolio.

3. There was talk about the power needed to compress the LFG to get it to Grayson. But there is also power needed to compress the LFG for the treatment system and the engines, which is not needed for the flares. What is that power number? What is the pressure? DEIR says that there is not a design yet, so no pressure was stated.

This is a design-level question, the exact specifics of which will be determined during the final design phase based on the specifications for the engines selected for the project. The pressure needed for the cleanup system and the engines is between 50 and 75 psig, and the pressure needed to compress the gas for the So Cal Gas pipeline would be approximately 500 psig. Therefore, the power required to inject into the So Cal Gas company pipeline is significantly higher than the power needed for the engines.

4. During the Stantec presentation, Tables were presented comparing the alternatives. For many of the environmental factors which were used to compare the alternatives to the project, the alternative was only worse during construction (for instance for Alternative 2 – it is rated greater impact for geology & soils, hydrology & water, and transportation and traffic, but the text in the Alternative Section says only during construction). So, these ratings do not seem at all fair.

The proposed project and Alternative 2 would have similar Geology and Soils, Hydrology and Water Quality, and Transportation and Traffic impacts during the long term operation phase. Because Alternative 2 requires a new natural gas transmission pipeline there would be greater Geology and Soils, Hydrology and Water Quality, and Transportation and Traffic impacts during construction. Because the operation impacts would be similar and the construction impacts of Alternative 2 would be greater, Alternative 2 was determined to have higher environmental impacts to these three categories.

5. Mr. Weber claimed that if Alternative 4 were chosen, the same emissions would occur at Grayson as they would at Scholl (Recording 38.43). Gas-burning equipment is designed for the characteristics of specific locations. It is highly unlikely that LFG processing at Grayson would use the identical configuration of ICE equipment and therefore have the same emissions. In addition, the Grayson site might accommodate something very different from internal combustion engines that could result in significantly lower or different emissions. That alternative was not studied in detail or presented.

The emissions estimated for Alternative 4 are accurate because Alternative 4 evaluates placement of the four internal combustion engines at Grayson. The commenter’s statement about different LFG processing equipment being needed at Grayson is speculative, lacks foundation, and not based on supporting evidence.

Further, a “detailed” analysis of alternatives is not required. (See 14 CCR 15126.6(d)) (“If an alternative would cause one or more significant effects in addition to those that would be caused by the project as proposed, the significant effects of the alternative shall be discussed, but in less detail than the significant effects of the project as proposed.”) (See also, County of Inyo v City of Los Angeles (1981) 124 Cal.App.3d 1) An EIR need not consider every potentially feasible alternative to a project. (14 CCR 15162.6(a)). Please also refer to Topical Response No. 10 in the FEIR in regard to the alternatives evaluated which complies with the requirements of CEQA.

6. In response to a question about mitigating the impacts of traffic (Recording 44.0), the Stantec representative maintained that their study results did not exceed Glendale's requirement to do a Vehicle Miles Traveled study. However, almost all of the traffic related to construction would not be in Glendale. It would be along the 134 and Figueroa and along Colorado, all in LA County or Eagle Rock.

Analysis of a Project’s environmental impacts is not constrained by jurisdictional boundaries. The County of Los Angeles Transportation Impact Analysis Guidelines require applicants for discretionary County of Los Angeles permits to prepare a traffic impact analysis when a proposed project would generate a net increase of 110 or more daily vehicle trips¹. Implementation of the proposed Project does not require that the City of Glendale obtain a discretionary approval from County of Los Angeles. As analyzed in section 4.11 of the EIR, the proposed Project would generate up to 42 passenger car equivalent trips per day during construction and up to up to 6 passenger car equivalent trips per day during operation. The estimated net increase in proposed Project vehicle trips is less than the 110 daily trip threshold County of Los Angeles utilizes to determine if a traffic impact analysis would be required. Although not required, a transportation impact analysis was

¹ Los Angeles County Public Works, Transportation Impact Analysis Guidelines, July 2020.

prepared for the proposed Project and is included as Appendix K in the EIR. The County of Los Angeles Transportation Impact Guidelines are consistent with SB 743 which requires consideration of Vehicle Miles Travelled as a threshold of significance.

7. In response to a question about requesting cost estimates in order to compare alternatives, the City's attorney stated that the EIR did not require an economic comparison because it is not an environmental consideration. However, her explanation was incomplete. It fails to address the fact that an economic comparison is a consideration when determining the feasibility of alternatives. (See *Uphold Our Heritage v. Town of Woodside* (2007) 147 Cal.App.4th 587, 599) [Comparative economic analysis is required to claim economic infeasibility of an alternative.]

The characterization of the City's attorney's (Ms. van Muyden) response as "incomplete" is not correct. SC Commission Chair raised the issue of "...having a hard time making a recommendation to our electeds when we don't have associated costs for these alternative scenarios. If you're not able to tell me what the cost of this proposed alternative is as it relates to the preferred option, I'm not sure how to confidently give the recommendation..."

In response to this general question, Ms. van Muyden cited to the CEQA Guidelines, and stated, "...the Guidelines for CEQA state that the an EIR is not required to study the environmental costs with its benefits." 14 CCR §15126.6(d) states that "The EIR shall include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project. A matrix displaying the major characteristics and significant environmental effects of each alternative may be used to support the comparison. If an alternative would cause one or more significant effects in addition to those that would be cause by the project as proposed, the significant effects of the alternative shall be discussed, but in less detail than the significant effects of the project as proposed." (Emphasis added). The statute does not require a cost comparison, thus Ms. van Muyden's statement was accurate. Again, citing from TR-10, Ms. van Muyden also stated that: "...the only direct comparison required in an EIR is a comparison of the project alternatives and a cost benefit analysis is not required to make that comparison." TR No. 10 Project – Alternatives, FEIR, p. 9-50.

Her statements are supported by ample case law and the CEQA statutes and Guidelines. Notably, because the focus of an EIR is on environmental impacts, the evidence of economic infeasibility does not need to be presented in the EIR itself but can be in the supporting administrative record. Flanders Found. v City of Carmel-by-the-Sea (2012) 202 CA4th 603, 618; Preservation Action Council v City of San Jose (2006) 141 CA4th 1336, 1356; San Franciscans Upholding the Downtown Plan, 102 CA4th at 698.

Further, Ms. van Muyden's statements and guidance were consistent with Uphold Our Heritage v Town of Woodside (2007) 147 CA4th 587, cited by Ms. Gish. In that case the court held that a determination that an alternative is economically infeasible must be supported by information demonstrating that the cost of the alternative is so great compared to the proposed project that a reasonably prudent person or property owner would not proceed with the alternative.

While cost can be a consideration, it is only one of several factors which the Lead Agency may consider. Here, the EIR does not state that any of the project alternatives is "economically infeasible" only that there are additional costs associated with the increased size, maintenance factors, and technologies associated with the alternatives. The EIR notes certain cost considerations associated with the alternatives, but the EIR is not using economic feasibility for determining the feasibility of alternatives, instead the comparison of project alternatives is principally based on each alternative's relative environmental impacts, which alone is a sufficient basis for selecting an environmentally superior alternative. 14 CCR §15126.6(d) (A matrix displaying the major characteristics and significant environmental effects of each alternative may be used to support the comparison.) Additionally, in response to questions from the Commissioners, project team engineers provided expert testimony in the administrative record concerning cost considerations of project. Expert testimony is substantial evidence. "Substantial evidence" means "enough relevant information and reasonable inferences from this information that a fair

argument can be made to support a conclusion, even though other conclusions might also be reached." 14 Cal Code Regs §15384(a).

Further, the EIR's determination that alternatives involving more infrastructure or increased size to handle the anticipated volumes of LFG (e.g. clean up systems needed for fuel cells, compressors needed for turbines, and increased area needed for CNG conversion, or for the installation of 70 microturbines would involve additional costs in comparison to the Project. This is a reasonable factual determination that a reasonably prudent person would understand.

CEQA and the CEQA Guidelines describe in a general way the factors to be considered by a public agency when making a determination relating to the feasibility of alternatives. "Feasible" is defined as "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors." 14 Cal Code Regs §15364. See also Pub Res C §21061.1. The CEQA Guidelines on EIR discussions of alternatives expand on this definition with a nonexclusive list of specific factors agencies may consider when assessing the feasibility of alternatives. 14 Cal Code Regs §15126.6(f)(1):

- Site suitability;**
- Economic viability;**
- Availability of infrastructure;**
- General plan consistency;**
- Other plans or regulatory limitations;**
- Jurisdictional boundaries;**
- Whether the project proponent already owns the site; and**
- Whether the project proponent can acquire, control, or have access to the site if it does not own it.**

The lead agency may weigh these factors, as well as other relevant factors, when considering the potential feasibility of alternative sites. Goleta Valley, 52 C3d at 576. None of them, taken in isolation, sets a fixed limit on the scope of reasonable alternatives to be considered in the EIR. 14 Cal Code Regs §15126.6(f)(1).