SECTION 1 Introduction

The City of Los Angeles (City) is part of a worldwide movement to re-evaluate attitudes toward consumption, disposal, product stewardship, and infrastructure to reduce plastic[1] waste and promote sustainability. The City is a leader in protecting its natural environment and the health and safety of its residents. Since 2013, the City, through its Bureau of Sanitation (Los Angeles Sanitation and Environment, LASAN), has demonstrated its commitment to zero waste[2] and the reduction of single-use plastics through the following six ordinances:

- Zero Waste City Facilities and Events on City Property: Ordinance 187718 (2022)
- Expanded Polystyrene (EPS) Ban: Ordinance 187717 (2022)
- Expanded Single-Use Carryout Bag Ban: Ordinance 187716 (2022)
- Disposable Foodware Accessories on Request: Ordinance 187030 (2021)
- Plastic Straws on Request: Ordinance 186028 (2019)
- Single-Use Carryout Bag Ban: Ordinance 182604 (2013).

The City proposes to expand on these measures by implementing a city-wide Comprehensive Plastics Reduction Program (Program) and is preparing this Program Environmental Impact Report (PEIR) under the California Environmental Quality Act (CEQA) to support its decision-making process. The City is evaluating numerous measures to reduce or eliminate the production and use of single-use plastic products, and encourage reuse or recycling of other items to the extent feasible, thereby reducing or eliminating the input of single-use plastics into the City's waste stream and the environment. These are known as upstream measures because they keep single-use plastics from entering the use and disposal streams. These upstream measures include bans on specific single-use products; product stewardship programs; extended producer responsibility (EPR) programs targeting specific items; policies to require and/or support the manufacturing of durable, reusable, repairable, and recyclable products; and the formation of working groups to evaluate program efficacy and conduct additional studies. The Program's upstream elements include the following broad categories:

[1] "Plastic" means a synthetic or semisynthetic material chemically synthesized by the polymerization of organic substances that can be shaped into various rigid and flexible forms, and includes coatings and adhesives. "Plastic" includes, without limitation, polyethylene terephthalate (PET), high-density polyethylene (HDPE), polyvinyl chloride (PVC), low-density polyethylene (LDPE), polypropylene (PP), polystyrene (PS), polylactic acid (PLA), and aliphatic biopolyesters, such as polyhydroxyalkanoate (PHA) and polyhydroxybutyrate (PHB). "Plastic" does not include natural rubber or naturally occurring polymers such as proteins or starches.

[2] The City's Green New Deal (City of Los Angeles 2019) lays out the following targets for waste management:
- Increase landfill diversion rate to 90% by 2025; 95% by 2035; and 100% by 2050
- Reduce municipal solid waste generation per capita by at least 15% by 2030, including phasing out single-use plastics by 2028
- Eliminate organic waste going to landfill by 2028
- Increase proportion of waste products and recyclables productively reused and/or repurposed within L.A. County to at least 25% by 2025; and 50% by 2035.

- Plastic Bottle Policies
- Foodware Policies
- Textile Policies
- Per- and polyfluoroalkyl substances (PFAS) Ban
- Additional Product Bans
- Formation of Working Groups and Additional Studies
- Outreach and Education

For those plastics that cannot be addressed through upstream measures, and to manage the increase in recycling and composting due to the increased use of recyclable and compostable alternative materials anticipated from the Program, the City is also evaluating downstream measures by which to increase the City's ability to manage these materials and divert them from landfill disposal. Downstream measures include collecting, reusing, recycling, and composting alternative materials and supporting reusable products. Downstream measures may include the construction or expansion of recycling and composting facilities; regional market development to expand the City's ability to recycle and reuse currently unmarketable single-use items; and infrastructure to support reusable items. The Program would also include public education, outreach, and engagement as well as enforcement. Upstream and downstream measures would work together to create a zero waste loop in the City (Figure 1.1-1).

The Program is a comprehensive series of actions intended to minimize or eliminate single-use plastics and reduce waste within the City; therefore, the City, as lead agency, is developing this PEIR. The PEIR has been prepared in conformance with CEQA (Public Resources Code [PRC] Section 21000 et seq.) and the State CEQA Guidelines (Title 14, California Code of Regulations [CCR], Section 15000 et seq.). As described in CEQA Guidelines Section 15121(a), an environmental impact report (EIR) is a public disclosure document that assesses the potential environmental impacts of a proposed project and identifies mitigation measures and alternatives to the project that would reduce or avoid significant adverse environmental impacts. The purpose of this document is to inform agency and governmental decision-makers and the public about the potential significant environmental effects associated with the Program. It is not the purpose of the PEIR to recommend either approval or denial of any elements of the Program. Rather, the PEIR discloses potential environmental impacts of Program elements for City Council's review and consideration in their discretionary decision-making authority related to the Program.

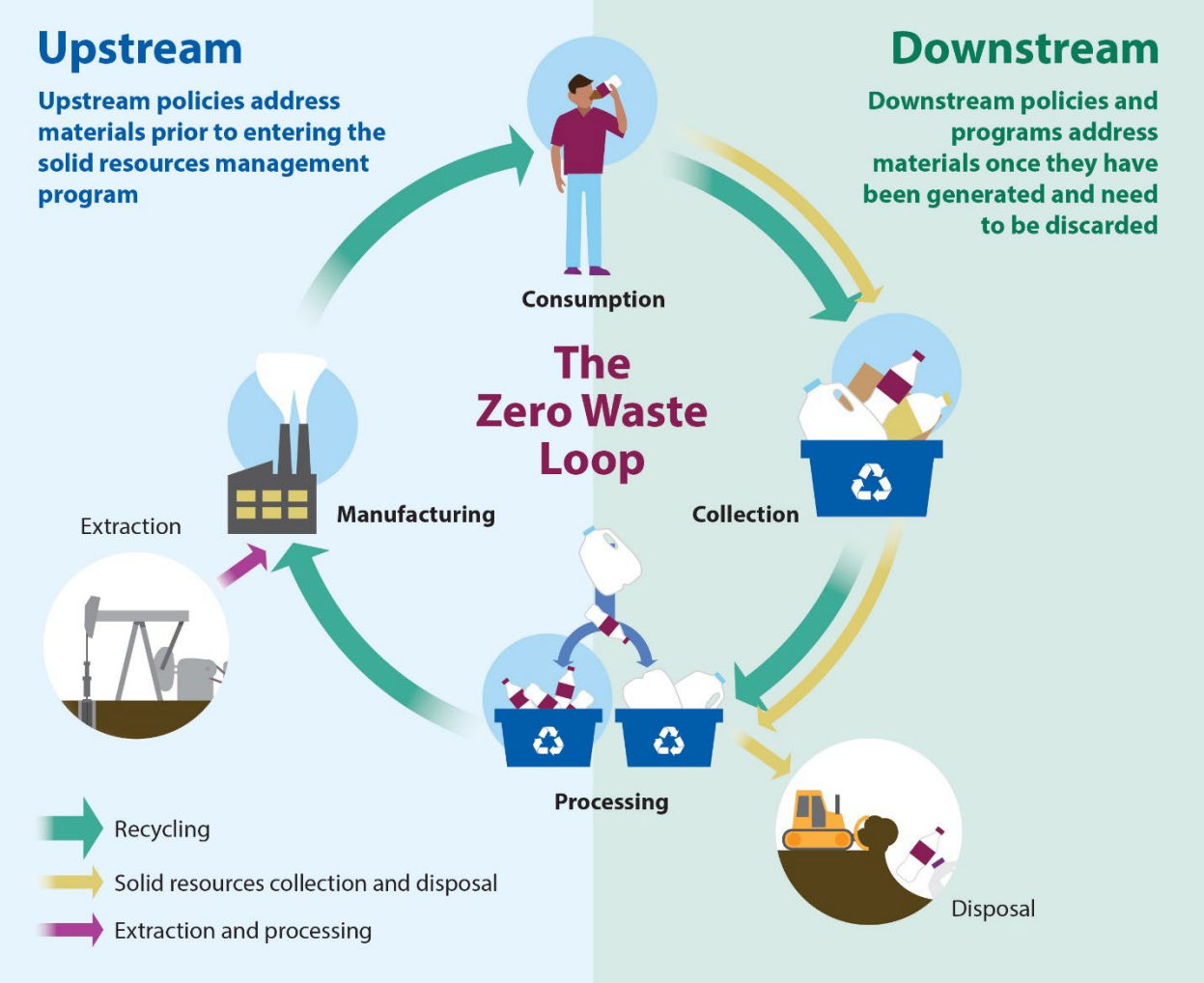


Figure 1.1-1. Zero Waste Loop

1.1 Solid Resources Management in the City of Los Angeles

Waste management is a fundamental component of overall environmental sustainability and climate change efforts and an integral part of the effort to reduce greenhouse gases (GHGs) and pollution. As such, LASAN takes the perspective of identifying solid resources, with waste being the materials that cannot be diverted from landfill disposal.

As the City department responsible for waste management, LASAN has been managing solid waste since 1890 and collecting solid waste from residential curbside customers since 1943. LASAN provides weekly solid waste collection services to approximately 750,000 residential customers consisting of single-family residences and small (<5) multi-family units. Approximately 65,000 multi-family units of five or more and commercial customer accounts are serviced through the recycLA program (the City's commercial waste franchise program) and recycLA Service Providers. LASAN implements a four-bin collection system consisting of the following:

- black bin (trash sent to landfill);
- blue bin (recyclables);

- green bin (food scraps/compostable items/yard trimmings); and
- brown bin (horse manure).

LASAN collects over 235,000 tons per year of blue bin materials from its residential curbside blue bin recycling program, and the recycLA program collects an additional 180,000 - 200,000 tons of blue bin materials per year. Recyclable materials are sorted at Material Recovery Facilities (MRFs): marketable products are sold to be reused as feedstock, and trash is sent to landfills.

While the terms “recyclable” and “compostable” are used frequently in labeling and marketing, many products identified as such are not able to be recycled or composted at municipal and private solid resources facilities contracted by the City (referred to herein as City-contracted facilities). The recyclability of a product is dependent upon two main factors: 1) collection, sorting, and processing capacity of the solid waste provider/processing facility and 2) ability to market the material to be made into new products. The successful marketing of recyclable material is heavily dependent on market demand. Currently, many plastics such as film plastics and foam plastics do not have markets to incentivize the collection and recovery of these materials.

Up until 2017, the U.S. plastics recycling system had been largely export-dependent: in 2017, China received 70% of the U.S.’s plastic scrap. Due to the high demand from its manufacturing sector, Chinese companies accepted plastic scrap bales, even with high contamination rates, which resulted in high disposal and mismanagement versus utilization rates. In 2017, China announced it would be restricting its imports of plastic and paper scrap under the National Sword Policy, which placed new stringent technical standards for the remaining imported materials including contamination limits of 0.5% for post-consumer plastic. The objective was to no longer be seen as “the world’s dumping ground” (Heiges and O'Neill 2022). Additionally, China has increasingly generated its own plastic scrap, reducing the country’s need to import scrap from other countries. The U.S. exported 1.25 million metric tons of plastic in 2017. Following China’s policy shift, it exported 908,000 metric tons in 2018 and under 600,000 metric tons of plastic exports in 2021. The relatively abrupt change to plastics recycling in the U.S. has led to a reconsideration of how these materials can be handled domestically. The City of Los Angeles is committed to taking responsibility for its waste streams; the Program is one step in this commitment.

Plastic products are identified by the following resin identification codes based on the type of plastic polymer out of which the product is made (Figure 1.1-2); only plastic types 1, 2, and 5 are currently accepted for recycling in the City:

- 1 - polyethylene terephthalate (PET or PETE) (e.g., beverage bottles, cups, packaging)
- 2 - high-density polyethylene (HDPE) (e.g., bottles, cups, milk jugs)
- 3 - polyvinyl chloride (PVC) (e.g., pipes, siding, flooring)
- 4 - low-density polyethylene (LDPE) (e.g., plastic bags, six-pack rings, tubing)
- 5 - polypropylene (PP) (e.g., food containers)
- 6 - polystyrene (PS) (e.g., utensils, clamshells, cafeteria trays)
- 7 - other plastics (e.g., acrylic, nylon, polycarbonate, polylactic acid).

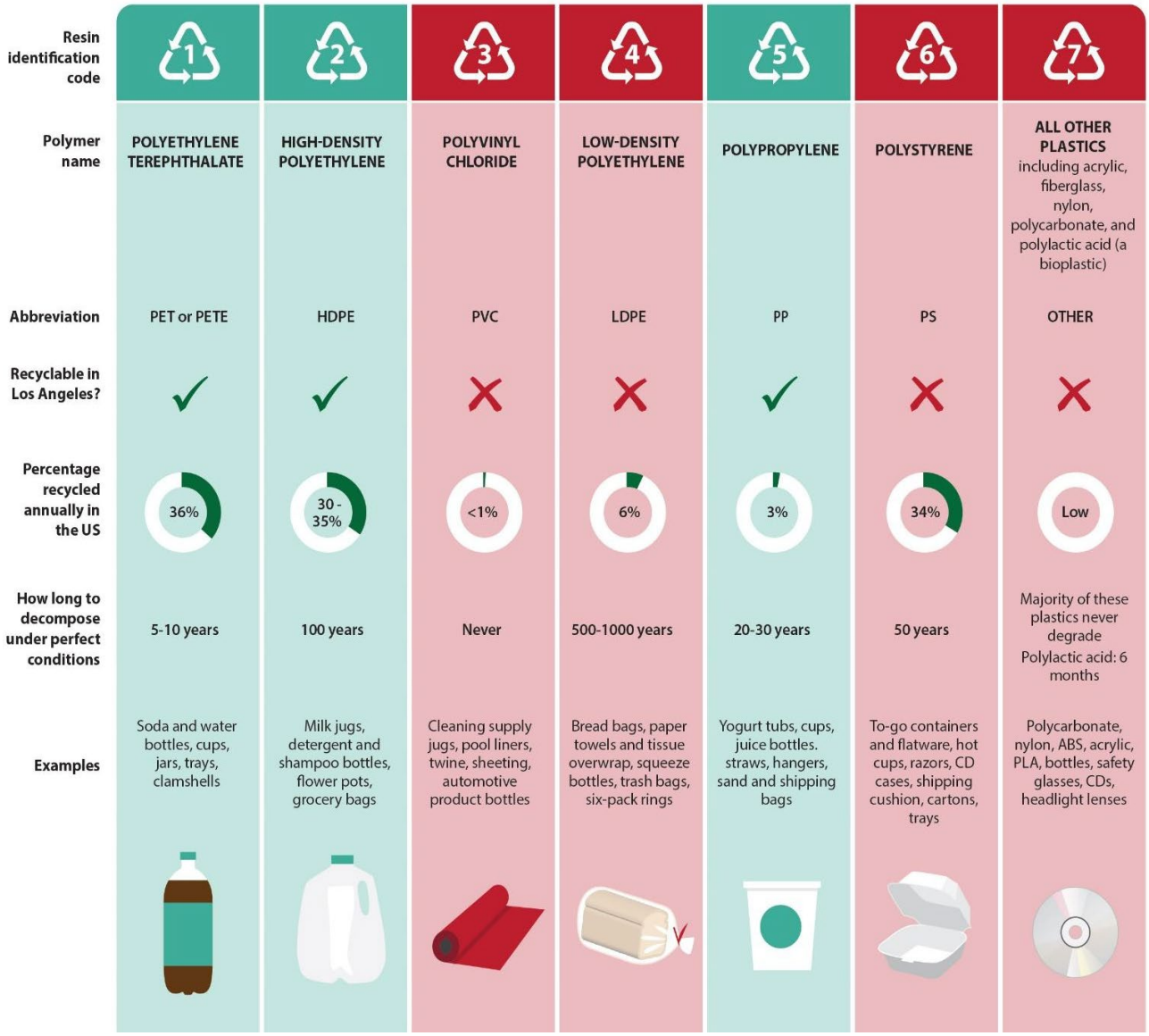


Figure 1.1-2. Plastic Types by Resin Identification Code

Although many plastic materials contain the "chasing arrows" symbol, which many consumers mistakenly understand to represent that a product is recyclable, most plastics are not actually recycled in practice. Clean and dry plastics (i.e., free of food residue) with resin identification codes 1, 2, and 5 are recyclable[3] in the City. In addition to these plastics, items including but not limited to bimetal cans, glass containers, newspaper, mixed paper, cardboard corrugated containers, aluminum cans/foil, scrap metal are recyclable (see Figure 1.1-3 below) in the City.

[3] Films of any resin identification code or black plastics are not recyclable in the City.

Figure 1.1-3. What Goes in the Recycling, Composting, and Trash Bins in the City

The State of California has enacted multiple laws (PRC Sections 42355-42358.5) restricting the marketing of products with terms such as "recyclable", "biodegradable", and "compostable"[4]. The California Department of Resources Recycling and Recovery (CalRecycle) is currently seeking feedback on an updated definition of compostable for state rulemaking purposes.

[4] Under California law, a compostable product must meet the following requirements:

- Compostable plastic products must meet the requirements of ASTM D6400-19.
- Compostable plastic-coated fiber products must meet the requirements of ASTM D6868-19.
- Any consumer product labeled "Home Compostable" must be certified to meet the OK compost HOME certification requirements.
- Have a total organic fluorine concentration of less than 100 parts per million (ppm).
- Be labeled in a manner that distinguishes it from noncompostable products.
- Be designed to be associated with the recovery of desirable organic wastes, such as food scraps and yard trimmings.

For the purposes of this PEIR, the following definitions are used:

- Recyclable means those plastics that are accepted for recycling in the City: clean plastics with resin identification codes 1, 2, or 5 that are not films or black.
- Compostable materials are those materials that disintegrate, biodegrade, and are nontoxic within the time and temperature operated at City-contracted composting facilities in compliance with American Society for Testing and Materials (ASTM) standards. The following materials are compostable through the City's green bin program: food-soiled paper; paper egg cartons, napkins, towels, plates, and to-go boxes; pizza boxes; and 100% wooden or fiber-based utensils. The following materials are not compostable within the City's[5] green bin program: plastic items marked "compostable"; bioplastic materials; and paper foodware or foodware accessories lined or coated with wax, plastic, foil, or any other material that causes the item not to be acceptable in the green bin.

1.2 Agency Authority

The lead agency is the public agency that has the greatest responsibility for carrying out or approving a project that may have a significant effect upon the environment (PRC Section 21067). The City of Los Angeles, acting through LASAN, is the Lead Agency for this Program.

1.3 Program Objectives, Purpose, and Need

1.3.1 Program Purpose and Need

Single-use plastics are ubiquitous in modern-day life and their use has increased significantly: half of all plastic ever produced has been made since 2002. However, less than 10% of plastic is recycled globally, leading to a huge accumulation of plastic waste, estimated at over 6 billion metric tons, in the earth's environment. In 2010 alone, between 4 and 12 million tons of plastic waste ended up in the ocean (Landrigan et al. 2023). Locally, single-use plastics are the most common items collected during annual beach cleanups[6]; are found in local waterways and clog stormwater infrastructure; and harm the aesthetics of the City when littered.

The social, economic, and environmental costs of plastic use and pollution have been well-documented. In general, plastics do not biodegrade in the environment and pose a risk to both terrestrial and aquatic life when littered. Chemicals in plastic have been linked to adverse human health impacts at every stage of the plastic life cycle including workers and 'fence-line' communities that live next door to plastic production and waste disposal sites (Landrigan et al. 2023; Merkl and Charles 2022; UNEP 2021c). Microplastics have been found in virtually every type of environment including the deepest recesses of the ocean, pristine mountain glaciers, and human breast milk (Barrett et al. 2020, Stefánsson et al. 2021, Braun et al. 2021). The costs and impacts of plastics are borne by all but fall disproportionately on people with the least ability to pay for adaptation (UNEP 2023).

[5] Existing "certifications" and other laboratory testing do not meet actual operational conditions of City-contracted commercial composting facilities, so these excluded products do not actually compost or biodegrade during the process.

[6] All of the storm drains in the City ultimately empty into the Pacific Ocean. Therefore, any trash that is littered anywhere in the City, if not picked up, can make its way to the ocean and the beach.

The remainder of this section summarizes work completed at the local, state, national, and international level that emphasizes the purpose and need for local actions such as the proposed Comprehensive Plastics Reduction Program.

1.3.1.1 Local

The UCLA Luskin Center was commissioned by Los Angeles County to study the issues of plastic waste, plastic processing and recyclability, and plastic alternatives in the County, and to use the resulting findings to inform the drafting of an ordinance addressing plastic waste[7] (UCLA Luskin School of Public Affairs 2020). The 2020 Luskin Study identified the following major Purpose and Need considerations relevant to this PEIR, including that plastics:

- Are the primary source of land litter in California;
- Infiltrate City drainages and accrue in landfills;
- Are channeled to the Pacific Ocean via urban run-off;
- Contribute to loss of tourism and recreational/aesthetic values;
- Are a human health threat; and
- Are not routinely recycled.

The study also highlighted that replacement of single-use plastic foodware with compostable foodware implies expanding composting infrastructure, and analysis is necessary to ensure that replacement materials have lower environmental impact than plastics.

The major findings of the 2020 Luskin Study were:

- There are adverse environmental, economic, energy, and human health-related impacts associated with plastic production and plastic waste in Los Angeles County. Single-use plastic foodware is a contributing factor to these impacts, and its outsized representation in litter suggests a particularly significant impact in the environmental sphere, the area for which impacts in Los Angeles County appear most acute.
- While all types of plastic are technically recyclable, the majority are not actually recycled. This difference in technical versus *de facto* recyclability is driven by a variety of factors including material properties, product size, contamination from food residue and other substances, and market conditions.

[7] Ordinance 2022-0016, adopted by the Los Angeles County Board of Supervisors on April 19, 2022, amended Title 12 – Environmental Protection, Chapter 12.86 of the Los Angeles County code to require that single-use articles that food facilities provide to customers with ready-to-eat food, such as food containers, cups, dishes, and accessories, be either compostable or recyclable. The ordinance includes exemptions from this requirement involving single-use articles for food that is: prepared and packaged outside of the unincorporated area of the County; provided in connection with a declared emergency; or provided to patients at hospitals and other health facilities. The ordinance also prohibits the retail sale of products made from expanded polystyrene foam, such as coolers, packaging materials, single-use articles such as cups, plates, and similar items, and pool toys, unless the products are encased in a durable material. Additionally, it requires full-service restaurants to use reusable foodware for dine-in customers.

- Only HDPE (resin identification code 2) products and PET (resin identification code 1) bottles are currently commonly recycled in Los Angeles County.
- Current recycling policies and practices do not effectively address the adverse impacts associated with single-use plastic foodware. No material recovery facility serving Los Angeles County currently recycles plastic foodware, primarily due to issues of food residue contamination, product size, and product material.
- Available evidence suggests that replacing single-use plastic foodware with reusable foodware will reduce the negative impacts of plastic waste in Los Angeles County. Expected effects include a reduction in the generation of non-recyclable plastic solid waste, a decrease in the prevalence of plastic litter, and fiscal benefits to vendors, waste management operators, local governments, and ratepayers.
- In the food service sector, the adoption of compostable foodware presents potential benefits, including lower net lifetime environmental impact and higher food waste diversion rates.
- The experiences of jurisdictions interviewed indicate that policies restricting plastics have been effective at reducing the adverse impacts of plastic waste with no reported negative economic impacts.

1.3.1.2 State

The State of California has been active in regulating single-use plastic bags, packaging, and other elements that are encompassed by this Program. Appendix A provides a summary of state laws and associated regulations that are pertinent to this Comprehensive Plastics Reduction Program. The scope of actions described in Appendix A demonstrates that the State's purpose and need for its laws and regulations regulating plastics is consistent with the purpose and need expressed in this PEIR, but the City of Los Angeles is considering additional actions that are not preempted by the laws and regulations of the State.

Of most relevance to the Program is Senate Bill (SB) 54 (Plastic Pollution Prevention and Packaging Producer Responsibility Act). SB 54 was enacted on June 30, 2022, and draft regulations for implementation (Plastic Pollution Prevention and Packaging Producer Responsibility Act Regulations) were published in December 2023 by CalRecyle's Division of Circular Economy. SB 343 (Truth in Labeling for Recyclable Materials[8]) works in tandem with SB 54. A primary goal of SB 54 is that 100% of single-use packaging will be recyclable or compostable by the year 2032.The legislation also includes target rates for recycling plastic covered material as follows: no less than 30% of covered material on and after January 1, 2028, no less than 40% on and after January 1, 2030, and no less than 65% on and after January 1, 2032 The third element of SB 54 is a source reduction target that requires by January 1, 2032, a PRO acting on behalf of participants of the PRO's approved plan shall develop and implement a plan to achieve a 25% reduction by weight and 25% by plastic component source reduction requirement for covered material sold, offered for sale, or distributed in the state. SB 54 and SB 343 are already supporting each other in this regard, by evaluating the existing recyclability of material categories, and

[8] SB 343 was enacted in 2021 to prohibit the use of the chasing arrows symbol or any other indicator of recyclability on products and packaging unless certain criteria are met. See Appendix A, Section 1.1.6.1 for more information.

requiring products to be advertised as such. SB 54 is a fundamentally downstream program; it does not include any bans aimed at keeping certain single-use plastic products from entering the use and disposal streams. Rather, SB 54 seeks to manage single-use plastic in such a way that the collection, recycling and composting of discarded products is achievable across all sectors of the economy. SB 54 defines which products are or could be recyclable, and then provides requirements to ensure recyclability and decrease plastic waste through EPR for specific plastic resin types, not products. SB 54 would also impose a new State-mandated local program that would require that local jurisdictions, such as the City and recycling service providers, include in their collection and recycling programs covered materials contained on the lists published by CalRecycle.

The City's Program takes a different but complementary approach to extend the measures in SB 54 to include specific items and programs that the City's solid resources divisions address. While SB 54 addresses plastic material type and form through recycling, the Program takes the approach of regulating the product and its use with a mixture of upstream bans and reuse/recycling. For example, SB 54 considers many plastic items smaller than 2 inches in diameter to be recyclable and therefore can be used and then recycled according to plastic resin type. However, in the City, items this small are not separable and therefore do not enter the recycling stream. For these items that cannot be recycled in the City, the product use is banned. The items would not enter the use stream in the first place. Another difference is that SB 54 includes specific exemptions. For example, SB 54 exempts single-use plastic water bottles, and all bottles subject to the existing CalRecycle Beverage Container Recycling Program and the Container Redemption Value, from the requirements. The Program would seek to eliminate single use plastic bottles from the system. Therefore, the Program would complement the requirements of SB 54 by either banning certain single-use plastic items or having focused EPR programs for specific products (such as small single-use beverage pods) that are not captured by the City's material recovery facilities.

1.3.1.3 National

The reduction of plastics in the environment, particularly single-use plastics, is also being addressed at the national level. The U.S., through the Environmental Protection Agency (USEPA), has published a draft National Strategy to Prevent Plastic Pollution (2023b). The U.S. approach to plastic pollution reduction is primarily voluntary actions aimed at eliminating the release of plastic waste from land-based sources into the environment by 2040. As written, the draft does not include EPR measures or bans.

The National Strategy includes further substantial evidence related to the objectives for the Program. A resident of the U.S. used approximately 1.8 times more plastic products than a resident of the European Union in 2019. The majority of this plastic will end up as waste: in 2018, only 9% of plastic collected through municipal solid waste was recycled in the U.S. (USEPA 2023b). In 2016, the U.S. had approximately 4.3% of the world's population but generated 10.5% of global plastic waste (National Academies of Sciences, Engineering, and Medicine [NASEM] 2022). The U.S. had the largest plastic waste footprint of any country in 2019, generating approximately 486 pounds per capita (Organisation for Economic Co-operation and Development [OECD] OECD 2022a).

To counter these existing conditions, the USEPA identified the following three objectives to be met through voluntary actions:

- Reduce pollution during plastic production;
- Improve post-use materials management; and
- Prevent trash and micro- and nano-plastics from entering waterways and remove escaped trash from the environment.

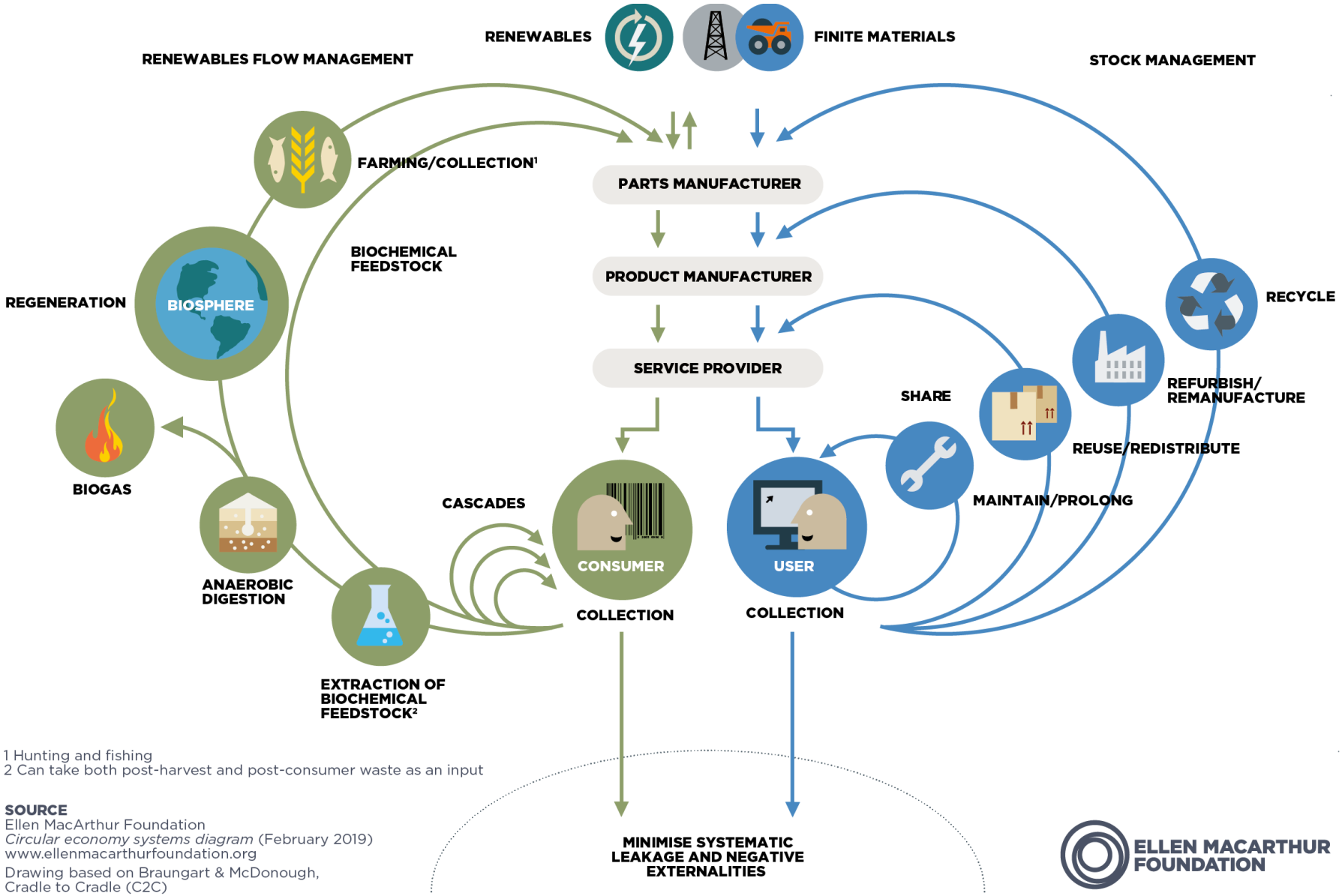
1.3.1.4 International

In March 2022, 175 countries agreed to develop a legally binding agreement on plastic pollution by 2024. The United Nations Environmental Programme (UNEP) published a 2023 report, *Turning off the Tap: How the world can end plastic pollution and create a circular economy*, to provide substantial evidence and environmental assessment to inform the development of the international treaty (UNEP 2023). The report acknowledges that while plastics may contribute positively to society, the way plastics are currently produced, used, and disposed of is polluting ecosystems, creating risks for human and environmental health, and destabilizing the climate.

The UNEP, as well as the USEPA, State, and the City, seek to move to a *circular economy* where products are produced with the next use already in mind, to reduce the need for extraction of new resources, and reduce the amount of material needing to be treated as waste. Circular economy is defined as "a systems-focused approach and involves industrial processes and economic activities that are restorative or regenerative by design, enable resources used in such processes and activities to maintain their highest values for as long as possible, and aim for the elimination of waste through superior design of materials, products, and systems (including business models)" (USEPA 2023). The UNEP report (2023) shows that only an integrated, systematic shift from a linear to a circular economy can keep plastics out of the environment and human bodies and in the economy. It also reinforces the importance of actions by governments to facilitate and guide this shift.

Figure 1.1-5 illustrates the flow of materials in a circular economy. It distinguishes between solid resource management on the right half of the diagram (stock management) and renewable energy implementation on the left half (flow management). Specifically, the right side of the diagram pertains to the Purpose and Need for this PEIR. The stock management half of the diagram illustrates how finite materials and products, such as plastic products, are ideally kept in use and reuse for as long as possible in a circular economy via practices like sharing, reusing, remanufacturing, and recycling. One goal is for manufacturers of these products to design them with the intent that the product will be reused or recycled, rather than be discarded after a single use.

To reduce plastic pollution and increase the circularity of plastic products, a coordinated effort across the entire value chain—including federal, state, local, and Tribal governments; environmental organizations; industry; academia; and the public—is necessary. For policy changes to be successful, a behavioral shift is required: governments can create the regulatory environment to incentivize the shift to a circular economy; industry, municipalities, informal waste pickers, plastic converters and key users – such as packaging, textile, transport, fisheries and agricultural sectors– can accelerate reuse and recycling and ensure the sustainability of alternatives introduced in the market; and consumers must be aware of and accept alternative use patterns and materials (UNEP 2023).



1 Hunting and fishing
2 Can take both post-harvest and post-consumer waste as an input

SOURCE
Ellen MacArthur Foundation
Circular economy systems diagram (February 2019)
www.ellenmacarthurfoundation.org
Drawing based on Braungart & McDonough, Cradle to Cradle (C2C)

Figure 1.1-5. Diagram of a Circular Economy

1.3.2 Program Objectives

CEQA Guidelines Section 15124(b) requires the project description to include a statement of objectives for the proposed project, including the underlying purpose of the proposed project. The underlying purpose of the Program is to create a comprehensive city-wide strategy to reduce plastic waste and reduce the environmental and human health impacts of single-use plastics. The Program objectives are as follows:

- Contribute to the City's goal of becoming zero waste by 2050.
- Reduce the volume of single-use plastics, particularly those that cannot be composted or recycled in City-contracted facilities, into the City's waste stream.
- Reduce the amount of plastic waste that is littered and pollutes water resources and has adverse effects on human health and wildlife.
- Encourage and support the use of reusable alternative materials.
- Reduce aesthetic degradation of the City due to plastic litter.
- Develop downstream systems and facilities as needed to support the reuse, recycling, and composting of alternative products to single-use plastics.

1.4 Overview of the CEQA Process

This section provides the basis for preparing a PEIR, anticipated future actions that will rely on the CEQA analysis in this PEIR, and a summary of the past and planned milestones in the CEQA process for the Program.

1.4.1 Level of CEQA Review

As described in CEQA Guidelines Section 15168 (a) and (b), a PEIR is an "EIR that may be prepared on a series of actions that can be characterized as one large project, and are related either:

1. Geographically,
2. As logical parts in the chain of contemplated actions,
3. In connection with issuance of rules, regulations, plans, or other general criteria to govern the conduct of a continuing program, or
4. As individual activities carried out under the same authorizing statutory or regulatory authority and having generally similar environmental effects which can be mitigated in similar ways."

The Program meets each of these relationships, therefore a PEIR is the appropriate document to carry out a CEQA review. A PEIR can achieve the following objectives:

- Provide an occasion for a more exhaustive consideration of effects and alternatives than would be practical in an EIR on an individual action;
- Ensure consideration of cumulative impacts that might be slighted in a case-by-case analysis;
- Avoid duplicative reconsideration of basic policy considerations;

- Allow the lead agency to consider broad policy alternatives and program wide mitigation measures at an early time when the agency has greater flexibility to deal with basic problems or cumulative impacts; and
- Allow reduction in paperwork.

1.4.2 CEQA Tiering and Intended Use of the PEIR

The process of evaluating future Program activities and preparing the appropriate environmental documentation based on this PEIR is known as "tiering." Tiering consists of evaluating future Program activities and determining whether they are within the scope of the PIER and if additional environmental analysis and documentation is necessary.

As specified in CEQA Guidelines Section 15168(c), future activities implemented under the Program "must be examined in the light of the PEIR to determine whether an additional environmental document must be prepared.

- If a later activity would have effects that were not examined in the PEIR, a new initial study would need to be prepared, leading to either an EIR or a negative declaration. That later analysis may tier from the PEIR as provided in CEQA Guidelines Section 15152.
- If the agency finds that pursuant to CEQA Guidelines Section 15162, no subsequent EIR would be required, the agency can approve the activity as being within the scope of the Program covered by the PEIR, and no new environmental document would be required. Whether a later activity is within the scope of a PEIR is a factual question that the lead agency determines based on substantial evidence in the record. Factors that an agency may consider in making that determination include, but are not limited to, consistency of the later activity with the type of allowable land use, overall planned density and building intensity, geographic area analyzed for environmental impacts, and covered infrastructure, as described in the PEIR.
- An agency shall incorporate feasible mitigation measures and alternatives developed in the PEIR into later activities in the program.
- Where the later activities involve site-specific operations, the agency should use a written checklist or similar device to document the evaluation of the site and the activity to determine whether the environmental effects of the operation are within the scope of the PEIR."

Notably, CEQA Guidelines Section 15168(c) state the following:

> "A program EIR will be most helpful in dealing with later activities if it provides a description of planned activities that would implement the program and deals with the effects of the program as specifically and comprehensively as possible. With a good and detailed project description and analysis of the program, many later activities could be found to be within the scope of the project described in the program EIR, and no further environmental documents would be required."

As such, this PEIR evaluates the potential environmental impacts that could result from implementation of the range of activities that the City may conduct, implement, or oversee as part of the Program. The goal of this PEIR is to provide a detailed description and analysis of the upstream elements of the program, such that later City actions based on the measures described herein and related activity may

be found to be within the scope of the Program described in the PEIR, and further CEQA analysis not be required. Thus, this PEIR evaluates the potential environmental impacts that could result from implementation of the following Program elements:

- Plastic Bottle Policies
- Foodware Policies
- Textile Policies
- PFAS Ban
- Additional Products
- Formation of Working Groups and Additional Studies
- Outreach and Education

The City is also evaluating downstream measures by which to increase the City's ability to manage alternative materials, such as by collecting, reusing, recycling, and composting alternative materials and supporting reusable products. Although the type and size of downstream activities can be specified and analyzed in this PEIR, the location of the downstream activity is speculative. As such, this PEIR analyzes the reasonably foreseeable impacts of downstream activities but does not provide a site-specific evaluation to determine the level of significance of impacts. Therefore, it is anticipated that, while the future construction and implementation of downstream activities can substantially rely on the analyses in this PEIR, subsequent CEQA analysis may be required once a specific location for a downstream activity is proposed in the future.

This PEIR uses substantial evidence to disclose the potential impacts of the Program in an adequate and complete manner, as it is anticipated to be implemented in the foreseeable future.

1.4.3 CEQA Noticing and Public Review

1.4.3.1 Notice of Preparation

The City released a Notice of Preparation (NOP) pursuant to CEQA Guidelines Section 15082 to agencies, organizations, and the public, including on the Governor's Office of Planning and Research (OPR) State CEQA Clearinghouse (SCH # 2023050007) and the Los Angeles County Clerk on May 1, 2023. The NOP is included in the Scoping Summary Report (Appendix B). The NOP initiated a 30-day public comment period from May 1 to May 30, 2023, during which members of the public and other agencies were welcome and invited to submit comments on potential effects to resources, alternatives for analysis in the Draft PEIR, and scope of the Draft PEIR.

The NOP informed the public that the City is preparing a PEIR and provided a brief program description, overview of the CEQA/EIR process, information on the scoping process and the 30-day comment period, and directions on how to submit a comment. The City provided three options, which were included in the public scoping notices, for interested parties to submit scoping comments:

- E-mail address: christine.batikian@lacity.org.
- Online comment form (available in Spanish and English): https://forms.gle/2ZWkx9HrwSHSdrMp6

- Mailing address: LASAN - Solid Resources Citywide Recycling Division
  Attention: Christine Batikian
  1149 S. Broadway
  5th Floor, Mail Stop 944
  Los Angeles, CA 90015

The City posted the NOP on the LASAN website: https://www.lacitysan.org/ceqa. A display advertisement indicating the preparation of the PEIR as well as scoping meeting times, how to submit scoping comments, and the duration of the scoping period was posted in the Los Angeles Times and Los Angeles Daily News on May 1, 2023.

The City mailed or emailed a copy of the NOP to government agencies, non-governmental organizations, trade groups, tribes, neighborhood councils, council district offices, chambers of commerce, business improvement districts, and other interested parties identified by the City on May 1, 2023. In total, the City mailed 101 letter copies of the NOP and sent emails with the NOP to 547 recipients.

1.4.3.2 Scoping Meetings

As part of the scoping process, the City held two virtual public meetings, on May 10 and 11, 2023. A cumulative total of 31 people attended the public meetings. The meetings were used to describe the role of the City in developing the Program and the PEIR; the Program was described to a level of detail that would support comments by interested parties and agencies; and the CEQA process for the PEIR was described. Attendees were provided with time to speak and encouraged to submit written scoping comments. The presentation portion of the meeting was recorded in both English and Spanish formats and is available on the LASAN website at: https://www.lacitysan.org/ceqa.

1.4.3.3 Scoping Comments

A total of 34 comments were received during the public scoping period. An additional five comments were received after the close of scoping on May 30 and were considered during the drafting of the PEIR. All comments received during the scoping process are included in the Scoping Summary Report (Appendix B).

In addition to logistical comments and questions about scoping meeting presentation recordings, mailing lists, and invitations for the City to present at neighborhood council meetings, the following types of comments were provided:

- General support for the Program;
- General opposition to the Program;
- Inclusion of additional Program elements; and
- Information pertaining to or request to analyze impacts of the Program on water resources, GHG emissions, environmental justice, human health, and biological resources.

1.4.3.4 AB 52 Consultation

Assembly Bill (AB) 52 directs the lead agency preparing the CEQA document to consult with Native American Tribes. AB 52 was ratified to provide Tribes with an ancestral connection to the Program area

the opportunity to provide information on the presence of potential tribal cultural resources. The purpose of the AB 52 consultations between the Tribes and the City was to 1) collect information; 2) build a working relationship between the City and Tribe; and 3) avoid inadvertent discoveries (NAHC 2016). Any information shared during these consultations is considered privileged and confidential but is considered when conducting the resource analyses.

Pursuant to AB 52, the City sent consultation notification letters via certified mail on March 30, 2023, to all tribes identified by the Native American Heritage Commission (NAHC) in the Los Angeles area. Follow-up consultation notification letters were sent via e-mail to tribal representatives when certified mail was returned as undeliverable. Of the tribes that were contacted, one requested formal consultation: Gabrieleño Band of Mission Indians - Kizh Nation. The City formally consulted with Gabrieleño Band of Mission Indians - Kizh Nation via a phone meeting on June 27, 2023. Tribal concerns from these consultations are identified and resolved in Section 3.19 (Tribal Cultural Resources).

Pursuant to PRC 21080.3.2(b), the AB 52 process is concluded when: (1) "The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or (2) A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached."

1.4.3.5 Public Review of the Draft PEIR

To announce the availability of this Draft PEIR for public review and comment, the City issued a Notice of Completion (NOC) and Notice of Availability (NOA) on March 12, 2024, which initiated the 45-day public comment period. The NOC and NOA were electronically submitted to the State Clearinghouse, posted with the Los Angeles County Clerk, and posted on the City website (PRC Sections 21092, 21092.2): https://www.lacitysan.org/ceqa.

The City distributed the NOA to the same stakeholders as the NOP (described above in Section 1.4.3.1) as well as additional interested parties that requested addition to the notification list during scoping consistent with the requirements of PRC Section 21092 and CEQA Guidelines Section 15087, parties that have expressed interest in the Program since scoping ended, and additional interested parties identified by LASAN. The NOA included a brief overview of the proposed Program and its location, the anticipated significant effects of the Program, CEQA process and Draft PEIR, information on where to review a hard copy of the Draft PEIR or where to access an electronic copy of the Draft PEIR, as well as information on how to submit a comment, and the period during which comments on the Draft PEIR would be received (PRC Section 21092(b); CEQA Guidelines Section 15087(c)).

In addition to the posting of the NOC and NOA, a display advertisement indicating the availability of the Draft PEIR as well as public comment meeting times, how to submit public comments, and the duration of the public comment period was posted in the Los Angeles Times, Los Angeles Daily News, and La Opinion on March 12, 2024.

A hard copy of the Draft PEIR is available for public review at the front desk of the City of Los Angeles, Public Works Building, 1149 S. Broadway Los Angeles, CA 90015, during business hours Monday through Friday, 9:00 a.m. to 4:30 p.m. Hard copies of the Draft PEIR are also available to the general public for review at the Los Angeles Public library branches shown in Table 1.4-1.

Table 1.4-1. Locations Where the Draft PEIR is Available for Review

Library Name	Library Address
Echo Park Branch Library	1410 W. Temple Street Los Angeles, CA 90026
Valley Plaza Branch Library	12311 Vanowen Street North Hollywood, CA 91605
Canoga Park Branch Library	20939 Sherman Way Canoga Park, CA 91303
Will & Ariel Durant Branch Library	7140 W. Sunset Boulevard Los Angeles, CA 90046
Palms - Rancho Park Branch Library	2920 Overland Avenue Los Angeles, CA 90064
Panorama City Branch Library	14345 Roscoe Boulevard Panorama City, CA 91402
Lake View Terrace Branch Library	12002 Osborne Street Lake View Terrace, CA 91342
Hyde Park Miriam Matthews Branch Library	2205 W. Florence Avenue Los Angeles, CA 90043
Junipero Serra Branch Library	4607 S. Main Street Los Angeles, CA 90037
Washington Irving Branch Library	4117 W. Washington Boulevard Los Angeles, CA 90018
West Los Angeles Regional Branch Library	11360 Santa Monica Boulevard Los Angeles, CA 90025
Porter Ranch Branch Library	11371 Tampa Avenue Porter Ranch, CA 91326
Cahuenga Branch Library	4591 Santa Monica Boulevard Los Angeles, CA 90029
Arroyo Seco Regional Branch Library	6145 N. Figueroa Street Los Angeles, CA 90042
Harbor City - Harbor Gateway Branch Library	24000 S. Western Harbor City, CA 90710

Public meetings to present the findings of the Draft PEIR and answer questions from the public will be held virtually at the following times:

- Thursday March 21, 2024 at 11:00 a.m.
- Thursday April 4, 2024 at 6:00 p.m.
- Saturday April 6, 2024 at 9:00 a.m.

Interested parties may submit a written comment on the Draft PEIR via one of the following methods:

- E-mail address: san_sourcereduction@lacity.org
- Online comment form: forms.gle/4qwhchkSDLebxhKH9
- Mailing address: LASAN – Solid Resources Citywide Recycling Division
  Attention: Christine Batikian
  1149 S. Broadway
  5th Floor, Mail Stop 944
  Los Angeles, CA 90015

The City encourages comments that are substantive in nature and focus on specific technical issues, the Program, potential alternatives, effects analyses, and mitigation measures. Comments based on these topics will have a direct impact in developing the Final PEIR. All substantive comments on the Draft PEIR received by the end of the public comment period (April 26, 2024, 45 days after NOC/NOA publication) will be directly addressed and responded to in the Final PEIR.

1.4.3.6 Publication of the Final EIR

The City will evaluate the comments received during the Draft PEIR public comment period and prepare a written response to any significant environmental issues in the Final PEIR. When the Final PEIR is complete, the City will issue public notices announcing the document's availability.

1.4.3.7 Notice of Determination

Following review of the Final PEIR, the Los Angeles City Council will vote on whether or not to certify the PEIR as adequate for their decision-making purposes. The Los Angeles City Council, in consideration of the PEIR, comments and testimony received, and further deliberation, may then vote to adopt the Program. After certification of the PEIR, the City will file a Notice of Determination (NOD) with the Los Angeles County Clerk and the State Clearinghouse and post the NOD on the City website (PRC Section 21092.2). The NOD notifies the responsible/trustee agencies and the public that the Los Angeles City Council has decided to certify and adopt the Final PEIR.

Throughout the process, the City will engage interested parties, including regulatory agency staff, elected officials, businesses, manufacturers, environmental and community groups, and the public.

1.5 Organization of the PEIR

The following describes the organization of this PEIR:

- **Executive Summary.** This section summarizes the contents of the Draft PEIR.

- **Section 1: Introduction.** This section discusses the CEQA process, the purpose of the PEIR, and public involvement in the CEQA process.
- **Section 2: Program Description.** This section provides a detailed description of the Program, including rationale for the proposed measures included in the Program.
- **Section 3: Environmental Setting, Impacts, and Mitigation Measures.** This section describes the environmental setting and identifies potential impacts of the Program and alternatives for each of the CEQA Guidelines Appendix G environmental resource areas. If potentially significant adverse effects are identified, then measures to mitigate such impacts are presented.
- **Section 4: Cumulative Impacts.** This section analyzes the potential for the Program to have significant cumulative effects when combined with other past, present, and reasonably foreseeable future projects in each resource area's cumulative geographic scope.
- **Section 5: Alternatives.** This section presents an overview of the alternatives development process and describes the alternatives to the Program that were considered.
- **Section 6: Other CEQA Concerns.** This section identifies areas of the PEIR where significant environmental effects cannot be avoided, if any. It also includes an analysis of growth inducement impacts that could occur due to the Program.
- **Section 7: References.** This section provides a complete list of all references used to prepare the PEIR.
- **Section 8: Report Preparers.** This section identifies authors involved in preparing the PEIR, including any persons and organizations consulted during the CEQA process.