

ENVIRONMENTAL IMPACT REPORT (EIR) SCH NO. 2023050366. BOARD OF WATER AND POWER COMMISSIONERS' (BOARD) RESOLUTION NO. 026071, STATEMENT OF OVERRIDING CONSIDERATIONS, MITIGATION MONITORING REPORTING PROGRAM (MMRP), and RELATED CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS; and ENERGY AND ENVIRONMENT COMMITTEE REPORT relative to the CEQA Section 21151(c) Appeal filed by Sierra Club, Food and Water Watch, Communities for a Better Environment, Los Angeles Waterkeeper, Physicians for Social Responsibility Los Angeles, and the Center for Biological Diversity of the action taken by the Board on October 28, 2025 to adopt the Final EIR for the Scattergood Generating Station Units 1 and 2 Green Hydrogen-Ready Modernization Project (Project).

Recommendations for Council action:

1. DENY the appeal on the grounds set forth in the Department of Water and Power (DWP) report dated February 25, 2026, attached to the Council file.
2. CERTIFY that the EIR for the Project (a) has been completed in compliance with the CEQA (Public Resources Code §21000 et seq.), with the State CEQA Guidelines (Cal. Code Regs., tit. 14, §15000 et. seq.), and the City of Los Angeles CEQA Guidelines; (b) was presented to the Council for review and the Council considered the information contained in the EIR prior to certifying the project; and (c) reflects the independent judgment and analysis of the Council, and that all required procedures have been completed.
3. FIND that, in accordance with the information contained in the EIR, the Project will have significant environmental effects on air quality and cumulative impacts as defined by Public Resources Code Sections 21068 and 21082.2, and the State CEQA Guidelines, Sections 15064, 15064.4, 15064.5, and 15382.
4. FIND that, in accordance with the provisions of State CEQA Guidelines Section 15091(a)(3), specific economic, legal, social, technological, or other considerations, make infeasible certain mitigation measures such that some environmental impacts remain significant and unavoidable.
5. FIND that all information added to the EIR after public notice of the availability of the Draft EIR for public review but before certification, merely clarifies, amplifies, or makes insignificant modifications in an adequate EIR and recirculation is not necessary.
6. FIND that, in accordance with Public Resources Code Section 21081(b) and State CEQA Guidelines Section 15093, the benefits of the Project outweigh the significant and unavoidable environmental impacts.
7. ADOPT the Findings of Fact and Statement of Overriding Considerations.
8. ADOPT the MMRP as required by Public Resources Code, Section 21081.6. The MMRP is designed to ensure compliance with the mitigation measures adopted to avoid or lessen significant effects on the environment, and identifies the responsibilities of the DWP, as lead agency, to monitor and verify project compliance with those mitigation measures.
9. ADOPT the recommendations of the Board from its regular meeting held October 28, 2025, relating to the Project.

Fiscal Impact Statement: None submitted by the DWP. Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted

SUMMARY

At the meeting held on March 3, 2026, your Energy and Environment Committee considered an EIR SCH No. 2023050366, Board Resolution No. 026071, Statement of Overriding Considerations, MMRP, and related CEQA Findings; DWP report and consideration of the CEQA Section 21151(c) Appeal filed by Sierra Club, Food and Water Watch, Communities for a Better Environment, Los Angeles Waterkeeper, Physicians for Social Responsibility Los Angeles, and the Center for Biological Diversity of the action taken by the Board on October 28, 2025 to adopt the Final EIR for the Scattergood Generating Station Units 1 and 2 Green Hydrogen-Ready Modernization Project.

The hearing began with the City Attorney clarifying that the issue before the committee members was whether the EIR followed the law rather than decide on the Project's merits. The DWP staff then delivered their opening remarks to the committee. This was followed by the appellants presenting their case to the committee. The DWP staff members then returned to the dais to offer a rebuttal to the appellants' remarks. This was followed by questions from the Councilmembers regarding the appeal. After providing an extensive opportunity for public comment, the Committee moved to deny the appeal, as detailed above. This matter is now forwarded to the Council for its consideration.

Respectfully Submitted,

ENERGY AND ENVIRONMENT COMMITTEE

<u>MEMBER</u>	<u>VOTE</u>
NAZARIAN	YES
YAROSLAVSKY	ABSENT
JURADO	YES
RAMAN	ABSENT
PADILLA	YES

ME

-NOT OFFICIAL UNTIL COUNCIL ACTS-