

CALIFORNIA ENVIRONMENTAL QUALITY ACT STATEMENT OF FINDINGS

The Department of Toxic Substances Control (DTSC) has issued Findings for this project pursuant to the California Environmental Quality Act (CEQA; California Public Resources Code, Division 13, Section 21081) and implementing Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15091 et seq.)

A. PROJECT SUBJECT TO DTSC APPROVAL

PROJECT TITLE: Removal Action Workplan for Venice Auxiliary Pumping Plant		SITE CODING:
PROJECT ADDRESS: 128 Hurricane Street	CITY: Marina Del Rey	COUNTY: Los Angeles
PROJECT SPONSOR: City of Los Angeles	CONTACT: Jan Green Rebstock	PHONE/ EMAIL: jan.green.rebstock@lacity.org (213) 485-5671
Approval Action Under Consideration by DTSC:		
<input checked="" type="checkbox"/> Removal Action Workplan <input type="checkbox"/> Interim Removal <input type="checkbox"/> Initial Permit Issuance <input type="checkbox"/> Permit Re-Issuance <input type="checkbox"/> Corrective Measure Study/Statement of Basis <input type="checkbox"/> Permit Modification <input type="checkbox"/> Closure Plan <input type="checkbox"/> Remedial Action Plan <input type="checkbox"/> Regulations <input type="checkbox"/> Other (specify):		
STATUTORY AUTHORITY:		
<input type="checkbox"/> California H&SC, Chap. 6.5 <input checked="" type="checkbox"/> California H&SC, Chap. 6.8 <input type="checkbox"/> Other (specify):		
<p>PROJECT DESCRIPTION: The proposed project activities involve excavation, removal, and offsite disposal of approximately 260 cubic yards (cy) of lead and hydrocarbon-contaminated soil. Project activities would be accomplished through approval of a Removal Action Workplan (RAW) for lead and hydrocarbon-impacted soils at 128 Hurricane Street, Marina Del Rey, California (Site).</p> <p><u>Background:</u> The Site is an approximately 4,223 square-foot vacant dirt lot that was recently used for the storage of vehicles and other miscellaneous items during various public construction projects. The Site has been a vacant dirt lot without developed structures since 1928. The Site is bordered to the north and west by residences; to the east by the City of Los Angeles Department of Public Works Venice Pumping Plant, and to the south by a walking trail and Ballona Lagoon Grand Canal. The area surrounding the Site was developed with oil production facilities from at least 1938 through 1952, and with residential properties since at least 1963. The Venice Pumping Plant appeared east of the Site from at least 1963. Two electrical cabinets/concrete vaults were present in the southern portion of the Site, which were later removed by the City of Los Angeles.</p> <p>Soil samples collected during a 2018 investigation revealed the presence of lead and total petroleum hydrocarbons (TPH; primarily weathered diesel and oil fractions). Lead concentrations ranged from 3.4 milligrams per kilogram (mg/kg) to 160 mg/kg. TPH as diesel (TPH-d) concentrations ranged from 6.4 mg/kg to 4,600 mg/kg.</p> <p><u>Project Activities:</u> Excavation of approximately 260 cy of soil with lead and TPH concentrations above residential screening levels was selected as the removal action. Excavation of soil exceeding residential screening levels will be used for determining extent of the soil removal. Three areas of excavation were identified and are estimated to have approximately 160 cy (215 tons) of impacted soil. Excavation also includes a contingency of an additional 100 cy (135 tons) of impacted soil that could be removed and will be determined during soil confirmation. The total maximum amount of impacted soil to be removed is estimated to be 260 cy (350 tons). A total of 37 truck trips occurring over 2 weeks will be required for excavating and transporting the contaminated soil.</p> <p>Specific project activities consist of the following:</p> <ul style="list-style-type: none"> • Breaking up and removal of buried concrete and wood/construction debris, as well as clearing any existing vegetation (e.g., trees, plants); • Excavating and stockpiling approximately 260 cy of impacted soil from three excavation areas (depth from 1 to 10 feet below ground surface (bgs)); 		

- Conducting confirmation soil sampling to verify the efficacy of the remedial excavation activities and to verify that soils left in place comply with the conditions necessary for case closure;
- Monitoring ambient particulate matter (PM₁₀) on the Site;
- Implementing dust control measures (e.g., use of water as a suppressant, sheeting beneath and above soil stockpiles, real-time dust monitor, fence with plastic sheets around the property line), as needed;
- Providing field-based notifications to the South Coast Air Quality Management District (SCAQMD), as required;
- Transporting the stockpiled soil to an appropriately licensed facility; and
- Importing 260 cy of clean certified fill for use as backfill in the excavation.

DTSC utilized information and analysis in the Venice Auxiliary Pumping Plant Draft Environmental Impact Report (DEIR) to support a final determination about the type of environmental document required to be prepared for the proposed Removal Action Workplan for Venice Auxiliary Pumping Plant as provided by Sections 15162, 15163, and 15164 of the CEQA Guidelines. Specifically, the DEIR analyzed potential impacts related to contaminated soils in Section 3.5 (Geology and Soils) and potential impacts related to grading and construction in Section 3.2 (Air Quality), Section 3.4 (Cultural Resources), Section 3.6 (Greenhouse Gases), Section 3.7 (Hydrology), Section 3.9 (Noise and Vibration), and Section 3.10 (Transportation).

B. LEAD AGENCY ENVIRONMENTAL DOCUMENT REVIEWED

Lead Agency: City of Los Angeles
Lead Agency’s Environmental Document: Venice Auxiliary Pumping Plant Draft Environmental Impact Report
Date Certified: August 9, 2017
State Clearinghouse Number: 2015111038

C. STATEMENT OF FINDINGS AND FACTS FOR ADEQUACY OF LEAD AGENCY ENVIRONMENTAL DOCUMENT

Using its independent judgment, DTSC makes the following findings:

- The Lead Agency Final Environmental Document includes a description of the Project now before DTSC for decision
- The Lead Agency Final Environmental Document adequately analyzed impacts associated with the Project before DTSC for decision.
- DTSC concurs with the findings made by the Lead Agency Final Environmental Document relating to the Project before DTSC for decision.
- Mitigation measures are included in the Lead Agency Final Environmental Document for the following resources that would potentially be affected by the DTSC project.

<input type="checkbox"/> Aesthetics	Mitigation Measure: None
<input type="checkbox"/> Agricultural Resources	Mitigation Measure: None
<input checked="" type="checkbox"/> Air Quality	Mitigation Measure: AQ-1 (refer to Draft Environmental Impact Report (October 2016), see Attachment A)
<input type="checkbox"/> Agricultural Resources	Mitigation Measure: None
<input type="checkbox"/> Biological Resources	Mitigation Measure: None

<input type="checkbox"/> Biological Resources	<input type="checkbox"/> Population/Housing
<input type="checkbox"/> Cultural Resources	<input type="checkbox"/> Public Services
<input type="checkbox"/> Energy	<input type="checkbox"/> Recreation
<input type="checkbox"/> Geology/ Soils	<input type="checkbox"/> Transportation/Traffic
<input type="checkbox"/> Greenhouse Gas Emissions	<input type="checkbox"/> Tribal Cultural Resources
<input type="checkbox"/> Hazards/Hazardous Materials	<input type="checkbox"/> Utilities/ Service Systems
<input type="checkbox"/> Hydrology/ Water Quality	<input type="checkbox"/> Wildfire

Impacts to these resources would remain significant even after applying mitigation measures described in the Lead Agency Final Environmental Document, or there is no feasible mitigation available.

In accordance with Cal. Code of Regs., title 14, section 15093, a Statement of Overriding Considerations was adopted by the Lead Agency for these resources. DTSC adopts a Statement of Overriding Considerations for these resources having determined that the DTSC Project benefits outweigh the significant environmental effects for the following reasons: The DTSC remedial actions reduce the exposure of contaminated soil, soil gas, and groundwater in order to render it safe for Site occupants. The DTSC remedial project also serves to protect human health and the environment, which are DTSC's responsibilities under the California Health and Safety Code.

None of the conditions requiring a subsequent EIR or Negative Declaration pursuant to Cal. Code Regs., tit. 14 Section 15162 exist.

In accordance with Cal. Code of Regs., title 14, section 15093, a Notice of Determination indicating the results of said Findings will be filed with the Governor's Office of Planning and Research / State Clearinghouse.

D. CERTIFICATION

		<u>03/16/2021</u>
Project Manager's Signature		Date
<u>Viktoriya Anashkina</u>	<u>Environmental Scientist</u>	<u>818-717-6549</u>
Project Manager's Name	Title	Phone #
		<u>03/23/2021</u>
Branch Chief's Signature		Date
<u>Haissam Salloum, P.E.</u>	<u>Branch Chief</u>	<u>818-717-6538</u>
Acting Branch Chief's Name	Branch Chief	Phone #

Attachment A

The following mitigation measures are included in the Lead Agency Final Environmental Document would potentially be affected by the DTSC project.

AQ-1: Tier 3 construction equipment.

All off-road diesel-powered construction equipment greater than 50 horsepower will meet Tier 3 emission standards. All construction equipment will be outfitted with ARB best available control technology devices. Any emissions-control device used by the contractor will achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by ARB regulations. A copy of each unit's certified tier specification, best available control technology documentation, and ARB or SCAQMD operating permit will be provided at the time of mobilization of each applicable unit of equipment.

CUL-1: Unanticipated Archaeological and/or Tribal Cultural Resource Discoveries

In the unlikely event that any prehistoric artifact of historic period materials or bone, shell, or nonnative stone is encountered during construction, work shall be immediately stopped, the area secured, and work relocated to another area until the found materials can be assessed by a qualified archaeologist. Examples of such cultural materials might include historical trash pits containing bottles and/or ceramics; or structural remains or concentrations of grinding stone tools such as mortars, bowls, pestles, and manos; chipped stone tools such as projectile points or choppers; and flakes of stone not consistent with the immediate geology such as obsidian or fused shale. If the Archeologist determines that an artifact may qualify as a tribal cultural resource, a Native American monitor shall be consulted. The contractor shall stop construction within 30 feet of the exposure of these finds until a qualified archaeologist can be retained to evaluate the find (see 36 CFR 800.11.1, 14 CCR 15064.5(f) and PRC § 21084.3(b)). If the resources are found to be significant, they shall be avoided or impacts shall be mitigated consistent with Section 106, State Historic Preservation Officer Guidelines, and/or Assembly Bill 52.

HAZ-1a: Soil and Soil Vapor Subsurface Investigation.

Prior to construction, a soil and soil vapor subsurface investigation shall be conducted by a qualified environmental consultant specializing in the identification and handling of hazardous materials. The subsurface investigation may include, but would not be limited to:

- A scope of work consisting of Pre-Field Activities, such as preparation of a Health and Safety Plan (HASP), determining and marking sampling/boring locations and obtaining utility clearance, and Field Activities, such as identifying appropriate sampling procedures, health and safety measures, chemical testing methods, and quality assurance/quality control (QA/QC) procedures in accordance with the ASTM Standard.
- Necessary permits for boring advancement.
- A Sampling and Analysis Plan (SAP) in accordance with the scope of work.
- Laboratory analyses conducted by a State-certified laboratory.
- Disposal process including transport by a State-certified hazardous material hauler to a State-certified disposal or recycling facility licensed to accept and treat hazardous waste.

NOI-1: Prepare and Implement a Construction Noise Control Plan.

To reduce the significant construction noise impacts, the Los Angeles Bureau of Engineering (LABOE) and Contractor shall develop a noise control plan that includes the implementation of the following noise reduction measures during construction.

- a) Construction Hours - The operation of construction equipment shall occur only between 8:00 a.m. to 6:00 p.m. Monday through Saturdays. No construction activity shall occur on national holidays or at any time on Sundays. Access to the construction site may occur prior to construction hours for the purpose of set up, conducting safety meetings, etc. The use of the pile driver, grader and jackhammer construction equipment shall be limited to the hours of 9 a.m. to 3:30 p.m. However, specific work related to the VAPP connection the manifold will be exempt from these hours, along with any emergency conditions or unforeseen work that would require the use of this equipment to complete a specific task in one continuous work event. Haul trucks can only access the site through local neighborhood streets from 9 a.m. to 4 p.m. Construction personnel shall not be permitted on the Project Site (including laydown and storage areas) outside of the hours of 7:30 am to 6:00 pm. Material or equipment deliveries and collections shall not occur outside the hours of 8:00 am to 6:00 pm. In addition, no construction worker parking would be allowed along Hurricane Street or on adjacent local streets. Construction workers shall park offsite and arrive by shuttle to the construction site, as arranged by the construction contractor.
- b) Piles - All piles, including sheeting, shall be installed and extracted using vibration- and percussive-free methods.
- c) Construction Mitigation Coordinator – The City and/or its Contractor shall maintain good communication with the surrounding community regarding the schedule, duration, and progress of construction activities. Residents at properties within 500 feet of construction activities shall be notified 72 hours in advance of the planned activities prior to the start of work. The notification shall advise that there will be loud noise associated with the construction, and shall state the date,

time, and expected duration of the planned activities. The notification shall provide a telephone contact number for affected parties to ask questions or share any concerns. A construction mitigation coordinator for the Project will be required to maintain a call log, so that the City can track resolution and nature of any complaints. These complaints may range from noise, vibration, dust, traffic, etc. The call log shall contain the name and address (if available) of the person making the complaint, the date and time of the call, and any details regarding the nature of the complaint related to noise, vibration, dust, parking, traffic, etc. related to construction activities. The call log shall be provided to the Public Works Department (Public Affairs Office, LA Sanitation, LABOE) upon request. Residents shall be informed of the construction mitigation coordinator and on-site construction supervisor contact information by posting of the phone number on the construction site. Signage should be visible from Canal Court, the Esplanade, Via Dolce, and Hurricane Street.

d) Noise barriers - To the extent practicable, temporary noise barriers with a minimum height of 20 feet shall be employed around the Project Site. Openings in the barriers shall be kept to the minimum necessary for access of vehicles, equipment, and construction material. These barriers shall be constructed as follows.

From commercially available acoustical panels lined with sound-absorbing material (the sound-absorptive faces of the panels shall face the construction equipment); or,

From acoustical blankets hung over or from a supporting frame. The blankets shall provide a minimum sound transmission class rating of 28 and a minimum noise-reduction coefficient of 0.80 and shall be firmly secured to the framework with the sound-absorptive side of the blankets oriented toward the construction equipment. The blankets shall be overlapped by at least 6 inches at seams and taped so that no gaps exist. The largest blankets available shall be used in order to minimize the number of seams. The blankets shall be draped to the ground to eliminate any gaps at the base of the barrier.

e) For noise-generating equipment that cannot be shielded by site perimeter barriers, localized noise barriers or enclosures shall be employed wherever feasible. The height and location of these barriers/enclosures shall be designed to block the line of sight between the equipment and the surrounding homes.

f) Noise Monitoring Plan - LABOE/Contractor shall retain the services of an acoustical/noise consultant to prepare a Noise Monitoring Plan. The plan shall be site-specific for monitoring and reporting construction noise levels in the community to evaluate the Contractor's performance. Based on details of the Contractor's specific construction schedule, the plan shall develop construction noise goals, in terms of 1-hour Leq, that should be achieved for each phase of construction with the inclusion of feasible and practicable noise abatement measures. If noise monitoring indicates the applicable noise goals have been exceeded, steps shall be taken to promptly implement any additional effective abatement measures that are feasible and/or practicable.

g) Quiet construction equipment - To the fullest extent practicable, the quietest available type of construction equipment shall be used. Newer equipment is generally quieter than older equipment. The use of electric-powered equipment is typically quieter than diesel- or gasoline-powered equipment, and hydraulic-powered equipment is typically quieter than pneumatic-powered equipment.

h) Construction equipment noise compliance - All construction equipment used on the proposed Project that is regulated for noise output by a local, state, or federal agency shall comply with such regulation while in the course of Project activity and use on site.

i) Proper maintenance - All construction equipment shall be properly maintained, as poor maintenance of equipment may cause excessive noise levels.

j) Equipment mufflers, shrouds and shields - All construction equipment shall be equipped with properly operating and maintained mufflers, air-inlet silencers where appropriate, and any other shrouds, shields, or other noise-reducing features that meet or exceed original factory specifications.

k) No idling - All construction equipment shall be operated only when necessary, and shall be switched off when not in use. Idling inactive construction equipment for prolonged periods (i.e., more than 2 minutes) shall not be permitted.

l) Minimum use of audible safety warnings - The use of noise-producing signals, including horns, whistles, alarms, and bells, shall be for safety warning purposes only.

m) No Project-related public address or music system shall be audible at any adjacent residential receptor.

n) Construction work training - Construction employees shall be trained in the proper operation and use of the equipment. Careless or improper operation or inappropriate use of equipment can increase noise levels. Poor loading, unloading, excavation, and hauling techniques are examples of how a lack of adequate guidance and training may lead to increased noise levels.

o) Generator and compressor placement - Stationary noise sources such as generators and compressors shall be positioned as far as possible from noise sensitive areas.

p) Construction equipment storage - Construction equipment shall be stored on the Project Site or designated laydown areas while in use, to the extent feasible. This will eliminate noise associated with repeated transportation of the equipment to and from the site.

NOI-2: Implement ground-borne vibration control measures to reduce construction-generated vibration.

To reduce the significant construction vibration impacts, LABOE/Contractor shall implement the following vibration reduction measures during project construction:

All piles, including sheeting, shall be installed and extracted using vibration- and percussive-free methods.

LABOE and/or Contractor shall retain a qualified structural or geotechnical engineer to conduct pre-construction surveys of adjacent neighboring structures (including photographing and/or videotaping) to document existing building conditions for future comparison if any vibration-related damage is suspected or results from construction-related activities.

If considered appropriate by the structural/geotechnical engineer, monitoring shall be conducted during construction to check for vibration-related damage from equipment during its use. Such monitoring may include vibration measurements obtained inside or outside of the buildings, or other tests and observations deemed necessary.

TRANS-1: Construction Worker Shuttles

Construction workers would park at an off-site location and be shuttled to and from the Project Site each workday on 10 to 15-passenger shuttles or vans. While no specific off-site location has been identified at this time, it would likely lie within five miles of the Project Site. The selected contractor would be required to identify and secure a suitable location.

TRANS-2. Coordination with Emergency Service Providers

To minimize impacts on emergency access to the site during construction, the contractor, on behalf of the LABOE, shall coordinate with emergency service providers (police, fire, ambulance and paramedic services), prior to initiating construction, to provide advance notice of any lane closures, construction hours, and changes to local access and to identify alternative routes where appropriate.