

CALIFORNIA ENVIRONMENTAL QUALITY ACT NOTICE OF DETERMINATION

To: Office of Planning and Research
State Clearinghouse
P.O. Box 3044, 1400 Tenth Street, Room 212
Sacramento, CA 95812-3044

From: Department of Toxic Substances Control
Site Mitigation and Restoration Program
5796 Corporate Avenue
Cypress, CA 90630

Subject: FILING OF NOTICE OF DETERMINATION IN COMPLIANCE WITH SECTION 21108 OF THE PUBLIC RESOURCES CODE

Project Title: Long Beach Industrial Park (also known as “Former Oil Operators”) Response Plan

State Clearinghouse Number: 2020100290

Project Location: 3701 North Pacific Place, Long Beach, CA 90806 (Site)

County: Los Angeles

Project Applicant: Artesia Acquisition Company, LLC

Project Description: The Project that DTSC is approving is a Response Plan dated March 10, 2021 that was prepared by Roux Associates, Inc. (Response Plan) that details how contaminated soils, soil vapor, and groundwater contamination that is present at the currently undeveloped 14-acre Site will be addressed. Project activities that are detailed in the Response Plan include grading, construction of an engineered cap, installation of a vapor mitigation system, soil vapor and groundwater monitoring, and implementation of a land use covenant to address contaminated soils, soil vapor, and groundwater at the Site that are above protective health standards. The proposed remedies will also include an operation, maintenance, and monitoring (OM&M) plan for future operations to allow for development of the Site.

Construction of an engineered cap (which is a component of the Project as explained above) is an effective and commonly used method to contain subsurface impacts. An engineered cap will be designed and constructed to cover the entire Site. The cap will create a separation between the underlying impacted soils and sump materials and the final development grade. The cap will minimize infiltration of rainwater into the underlying impacted materials and groundwater and minimize the vertical migration of methane and soil vapor via a vapor mitigation system. The vapor mitigation system will be installed under future buildings, paved parking areas, and the rest of the Site to prevent potential accumulation or off-site migration of methane and volatile organic compounds (VOCs) in soil vapor. A land use covenant will restrict any future activities that may disturb or impede the functionality of any part of the cap or vapor mitigation system.

Perimeter soil vapor monitoring probes and groundwater monitoring wells will be constructed to monitor the Site for long term protection. Site groundwater conditions do not appear to differ significantly from the regional groundwater quality. Although groundwater beneath the Site is considered of beneficial use by the Los Angeles Regional Water Quality Control Board (LARWQCB), regional groundwater quality is generally poor due to saltwater intrusion and industrial waste disposal, including historical oil and gas production activities in the vicinity of the Site. No active drinking water production wells were identified within one mile of the Site. For these reasons, groundwater will be monitored to determine if future remediation is warranted.

Most of the Project activities will be conducted as part of a construction project (Pacific Place Project) to develop a storage facility at the Site under the jurisdiction of the City of Long Beach (City). The storage facility will include a self-storage building, a car wash, a recreational vehicle parking facility and an office space covering approximately 5.5 acres of the Site. The City approved an Initial Study/Mitigated Negative Declaration dated October 19, 2020 for the development of the storage facility at the Site on April 13, 2021. As part of that project, the remedies described in the previous paragraphs that constitute the Project that DTSC is approving will be implemented in accordance with the DTSC-approved Response Plan.

The City approved of the Pacific Place Project and filed a Notice of Determination on April 14, 2021. Attorneys for the Riverpark Coalition and LA Waterkeeper subsequently filed a lawsuit in Los Angeles Superior Court against the City on May 12, 2021 (Case No.: 21STCP01537). DTSC is not a party to this lawsuit. Although the lawsuit has not yet been resolved, DTSC must comply with California Code of Regulations, title 14, section 15233, which states if a lawsuit is filed challenging a negative declaration for noncompliance with the California Environmental Quality Act (CEQA), responsible agencies shall act as if the negative declaration complies with CEQA and continue to process the application for the project according to the time limits for responsible agencies contained in Government Code section 65952, which states the responsible agency shall approve or disapprove the development project within one hundred eighty (180) days from the date on which the lead agency has approved the project. Consequently, DTSC has approved the Response Plan as explained in this Notice of Determination.

All project activities discussed in the Response Plan will be conducted in accordance with the applicable mitigation measures included in the City's Initial Study/Mitigated Negative Declaration. The Project DTSC is approving (i.e., the Response Plan) will not add any new significant impacts and no additional mitigation measures are required.

As a Responsible Agency under CEQA, DTSC approved the above-described Project on September 23, 2021 and has made the following determinations:

1. The project will not have a significant effect on the environment.
2. An Initial Study/Mitigated Negative Declaration was prepared for this project pursuant to the provisions of CEQA by the City.
3. Mitigation measures were made a condition of project approval by the City and DTSC.
4. A Statement of Overriding Considerations was not adopted for this project by either the City or DTSC.
5. Findings by the City and DTSC were made pursuant to the provisions of CEQA.

The administrative record for this Project is available to the public by appointment at the following location:

Department of Toxic Substances Control
Site Mitigation and Restoration Program
5796 Corporate Avenue
Cypress, CA 90630

Additional project information is available on EnviroStor:

https://www.envirostor.dtsc.ca.gov/public/profile_report.asp?global_id=70000161

Contact Person
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Project Manager

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Approver's Signature:

Date:



September 23, 2021

Approver's Name
A. Edward Morelan, PG, CEG

Approver's Title
Branch Chief

Approver's Phone Number
714-484-5440

TO BE COMPLETED BY OPR ONLY

Date Received for Filing and Posting at OPR: