

## CALIFORNIA ENVIRONMENTAL QUALITY ACT NOTICE OF EXEMPTION

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 90603

**Project Title:** Northwest Block Atlantic and South Response Plan

**Project Location:** 5801, 5821, 5823, and 5825 Atlantic Avenue, 501, 503, 505, 507, and 509 East South Street, and 5822 Linden Avenue, Long Beach, CA 90805

**County:** Los Angeles

**Project Applicant:** Brandywine Homes

**Approval Action Under Consideration by DTSC:** Response Plan

**Statutory Authority:** California Health and Safety Code, Chapter 6.8

**Project Description:** The Department of Toxic Substances Control (DTSC) approved the Response Plan (RP) for the Northwest Block Atlantic and South (Project Site) to address soils with elevated concentrations of lead. Remediation activities consist of the excavation of approximately 1,700 cubic yards of the impacted soil. The Cleanup document, referred to as a Response Plan, summarized previous environmental investigations and concluded that the excavation of impacted soil is required to protect human health and the environment.

**Background:** The Project Site consists of approximately 0.81 acre of vacant land bounded by Atlantic Avenue to the east, South Street to the south, Linden Avenue to the west, and vacant land to the north. An asphalt parking lot covers most of the Project Site. Various businesses previously operated at the Site until 1977. These businesses included automotive repair shops between approximately 1933 and 1968, as well as a clothes cleaner/tailor between 1948 and 1953. Historical records indicate that two underground storage tanks were removed from the property between 1925 and 1955. A California Land Reuse and Revitalization Act (CLRRRA) Agreement was executed on May 13, 2021, between DTSC and Brandywine to assess and remediate the Project Site.

Previous investigations include a Report of Findings and Screening Level Human Health Risk Assessment (approved by DTSC February 22, 2022), which collected data under an approved Technical Memorandum-Supplemental Site Assessment (approved August 2, 2021); and a Groundwater Investigation Report (approved by DTSC April 18, 2022), which collected data under a DTSC-approved Groundwater Site Assessment Plan (approved December 7, 2021).

The City of Long Beach filed a Notice of Exemption (NOE), under Class 32, for the Site Plan Review for the construction of 84 three-story townhomes, a 567-seat community room, and 2,294 sq.ft. of commercial space in conjunction with a Tentative Tract Map located at 5801 Atlantic Avenue in the Mixed Use 3-A Zoning District (MU3-A). The NOE was filed with the Los Angeles County Clerk on October 12, 2021 (Project Application Number 2105-07).

**Project Activities:** The Project activities consist of excavation of approximately 1,700 cubic yards of lead-impacted soil within 0.35 acre of the Project Site. Excavated soil will be placed in 400 cubic yard (or less) stockpiles, that are less than six feet high in accordance with South Coast Air Quality Management District (SCAQMD) Rule 1466, pending waste profiling and acceptance into an approved receiving facility. Stockpiled soils will be underlain by 6-mil plastic sheeting and placed within the designated area. Following profiling, stockpiled soil will be loaded into trucks and transported for off-Site disposal. Confirmation sampling will take place following completion of soil excavation and removal to ensure contaminated soil does not remain on-Site. The excavation will take approximately two weeks and require up to 130 truck trips.

In the event biological, cultural or historical resources are discovered in the course of project activities, work will be suspended while a qualified biologist, cultural or historical specialist assesses the area and arrangements are made to protect or preserve any resources that are discovered. If human remains are discovered, no further disturbance will occur in the location where the remains are found, and the County Coroner will be notified pursuant to Health and Safety Code Chapter 2, Section 7050.5.

**Name of Public Agency Approving Project:** Department of Toxic Substances Control

**Name of Person or Agency Carrying Out Project:** Brandywine Homes

**Exempt Status:** Categorical Exemption: [ Title 14 Section15330]

**Reasons Why Project is Exempt:**

1. The project is a minor action designed to prevent, minimize, stabilize, mitigate or eliminate the release or threat of release of hazardous waste or hazardous substances.
2. The project will not exceed \$1 million in cost.
3. The project does not involve the onsite use of a hazardous waste incinerator or thermal treatment unit or the relocation of residences or businesses and does not involve the potential release into the air of volatile organic compounds as defined in Health and Safety Code Section 25123.6 (except a small scale in-situ soil vapor extraction and treatment system which have been permitted by the local Air Pollution Control District or Air Quality Management District).
4. The project is consistent with applicable state and local environmental permitting requirements including, but not limited to, off-site disposal, air quality rules such as those governing volatile organic compounds and water quality standards and approved by the regulatory body with jurisdiction over the site. Prior to implementing field activities, all necessary permits will be obtained from SCAQMD.
5. The exceptions pursuant to Cal. Code Regs., title 14, § 15300.2 have been addressed as follows:
  - (a) Cumulative Impact. The project will not result in cumulative impacts because it is designed to be a short-term final remedy that would not lead to a succession of projects of the same type in the same place over time.
  - (b) Significant Effect: The environmental safeguards and monitoring procedures that are enforceable and made a condition of project approval will prevent unusual circumstances from occurring so that there is no possibility that the project will have a significant effect on the environment.
  - (c) Scenic Highways. The project will not damage scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, because it is not located within a highway officially designated historic as a state scenic highway.
  - (d) Hazardous Waste Sites. The project is not located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.
  - (e) Historical Resources. The project will not cause a substantial adverse change in the significance of a historical resource at the Site because there are none at the Site.

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 90603

Additional project information is available on EnviroStor:

[https://www.envirostor.dtsc.ca.gov/public/profile\\_report.asp?global\\_id=60003124](https://www.envirostor.dtsc.ca.gov/public/profile_report.asp?global_id=60003124)

Contact Person  
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Approver's Signature:



Date:

July 28, 2022

Approver's Name  
A. Edward Morelan

Approver's Title  
Branch Chief

Approver's Phone Number  
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TO BE COMPLETED BY OPR ONLY

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Date Received for Filing and Posting at OPR: