

**Addendum to the  
Cudahy General Plan Program Environmental Impact Report  
SCH# 2017071071**

**JANUARY 2025**

**Introduction**

The Department of Toxic Substances Control (DTSC) proposes to approve a Removal Action Work Plan (RAW) for the Cudahy Senior Housing Project located at 4210 Santa Street in Cudahy, CA (Project Site). The RAW has been prepared to address and mitigate potential effects from contaminants in the soil vapor at the Project Site. The RAW recommends installation of a vapor intrusion mitigation system (VIMS) consisting of a subsurface vapor membrane and a passive ventilation system with the option to convert to active ventilation beneath a future mixed-use building, plus adoption of a Land Use Covenant (LUC).

Approval of the RAW by DTSC is considered a discretionary action subject to compliance with the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq. To meet the requirements of CEQA, DTSC in its capacity as a responsible agency has prepared an Addendum to the City of Cudahy General Plan Update Program Environmental Impact Report, State Clearinghouse No. 2017071071 (“Cudahy General Plan PEIR”). This Addendum updates the project description from the prior environmental review to incorporate the recommended remedy selection from the RAW and addresses the potential for the proposed remedial activities to result in significant environmental impacts.

State CEQA Guidelines Section 15164 allows for the preparation of an addendum to a previously certified EIR to address minor changes to a project that will not meet the criteria for the preparation of a subsequent EIR or Negative Declaration as specified in Section 15162(a). This Addendum identifies and analyzes the potential environmental effects of the proposed remediation and concludes that the Project activities will not result in significant and unavoidable impacts to the environment. Based on the foregoing analysis, implementation of the proposed remedial activities identified in the RAW constitute minor changes to which the criteria of 15162(a) are not applicable, thus an Addendum is the appropriate CEQA document for approval of the RAW.

**Background Information and Prior Environmental Review**

*Removal Action Work Plan (RAW)*

A Removal Action Work Plan (RAW) is a type of cleanup document that identifies the remedy for environmental contamination that best fits the site conditions. A RAW may be required for a site when DTSC determines, based on information obtained during characterization activities, that further action is required to address contamination at levels that pose a health risk to existing and/or future property users or that may be an ongoing source of contamination to the environment. Cleanup goals established in the RAW must be compatible with current and planned uses and ensure protection of human health and the environment. Contaminated sites are generally cleaned up to levels that allow for unrestricted, commercial/industrial, or recreational uses. A deed restriction (Land Use Covenant) will be required for cleanups that do not meet unrestricted use levels.

The RAW has been prepared in connection with a proposed senior mixed-use development project located at 4610 Santa Ana Street, between Atlantic Avenue and Salt Lake Avenue, in the

City of Cudahy, Los Angeles County, California. The Project Site is a rectangular-shaped parcel measuring approximately 1.33 acres. The Site is currently vacant, and the surrounding area includes commercial, multifamily residential, and light-industrial development. Facilities proposed for construction include a six-story mixed-use building containing subterranean parking, commercial lease space on the first floor, and senior housing apartment units on the upper five levels. As indicated in the RAW, the upper 15 to 18 feet of soil at the Site will be removed to facilitate construction of a subterranean parking level. The footprint of the proposed Senior Mixed-Used Center Building is to be over-excavated to a depth of 19.5 to 22.5 feet below grade and re-compacted to a depth of at least five feet below the bottom of foundations and to remove and recompact existing undocumented fill or loose native soils from beneath the proposed building pad subgrade to provide uniform support. Additionally, a three-foot concrete mat slab will be constructed over five feet of engineered fill material.

Preparation of the RAW for the Project Site was triggered by the detection of elevated levels of chemicals of concern (COCs) in soil vapor during sampling activities – particularly chloroform, ethylbenzene, tetrachloroethylene (PCE), and trichloroethene (TCE). The presence of these contaminants may impact future onsite occupants and commercial workers. The RAW includes remedial action objectives which involve reducing the threat to human health and the environment from the COCs at the Site and providing a permanent solution that reduces the toxicity and mobility of soil vapor.

#### *Prior CEQA Review*

DTSC's CEQA documentation for the RAW is based on prior environmental review performed by the City of Cudahy ("City"), the lead agency for the senior mixed-use development project. In March 2018, as part of its adoption of the Cudahy 2040 General Plan, the City certified the Cudahy General Plan Update Program Environmental Impact Report ("Cudahy General Plan PEIR", State Clearinghouse No. 2017071071). The Cudahy General Plan PEIR evaluated environmental impacts associated with buildout of the land use designations and implementation of the policies set forth in the City's General Plan Update, and mitigation measures were incorporated to address impacts involving Biological Resources, Cultural Resources, Noise and Groundborne Vibration, and Transportation and Traffic (applicable Mitigation Measures are included as Attachment A to this Addendum). The General Plan PEIR determined that even with incorporation of feasible mitigation measures the implementation of the Cudahy 2040 General Plan would result in significant and unavoidable impacts involving Air Quality, Greenhouse Gas Emissions, and Noise<sup>1</sup>. The City adopted a Statement of Overriding Considerations as part of its certification of the EIR and adoption of the General Plan.

On October 13, 2020, the City approved an Addendum to the Cudahy General Plan PEIR ("2020 PEIR Addendum"), which evaluated the environmental impacts associated with the Prima Development Senior Mixed-Use Project, i.e., the mixed-use senior development project proposed to be constructed at the Project Site. The 2020 PEIR Addendum included more specific construction and operational details of the proposed senior mixed-use project. The analysis

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<sup>1</sup> Regarding Air Quality, the PEIR determined that buildout under the General Plan was inconsistent with growth forecasts that were used in preparing the SCAQMD 2016 Air Quality Management Plan. Regarding GHG Emissions, the PEIR determined that emissions resulting from General Plan buildout would likely exceed CARB GHG-reduction goals. Regarding Noise, the PEIR determined that short-term construction noise could adversely affect sensitive receptors, and that impacts would be significant and unavoidable even with mitigation. For additional information, see the Cudahy General Plan PEIR and 2020 EIR Addendum.

included an environmental checklist and identified mitigation measures from the General Plan PEIR and General Plan policies applicable to the project, adherence to which would reduce certain project-related environmental effects. The 2020 PEIR Addendum determined that the proposed mixed-use senior development project would not result in new or substantially increased impacts from those Cudahy General Plan PEIR.

It is noted that the prior CEQA documents included discussion of Site sampling activities; the presence of VOCs at the Site; the applicability of statutes, regulations, and policies regarding hazardous materials; and supervision of site cleanup by DTSC. However, the prior environmental review for the General Plan PEIR and the 2020 PEIR Addendum did not identify or evaluate the potential environmental effects of the specific cleanup activities needed for remediation of the hazardous materials. Because a previous EIR and EIR Addendum were approved by the City as the lead agency, DTSC is required by CEQA to conduct an analysis of those previous documents and determine the type of environmental document required to be prepared for the project as provided by sections 15162, 15163, and 15164 of the CEQA Guidelines.

### **Description of Proposed Modifications**

The project as modified includes the development and operation of the land use project as previously approved plus incorporation of the activities identified in the RAW to prevent the potential intrusion of residual VOCs in soil vapor into the mixed-used building. The remedial activities proposed in the RAW consist of installation of a subsurface vapor membrane and a passive ventilation system with the option to convert to active ventilation beneath the future building. The vapor membrane will be a chemically resistant, spray-applied membrane installed over prepared substrate. The vapor capture piping network will be placed in a sub-slab gravel layer which provides permeability to collect gases for venting to exterior vent risers located throughout the building. The venting system includes six ventilation risers, with each vent riser terminating approximately 18 inches above the building roof. Active venting, if needed, would entail installation of blowers on the roof of the building at select vent risers to actively discharge subsurface vapors at a rate of up to 100 cubic feet per minute (CFM). Gas mitigation system design drawings will be prepared during the design phase of Site development and are required to be submitted to the DTSC for review and approval prior to installation.

Installation of the vapor membrane and venting equipment would occur as part of the construction of the mixed-use senior development. The modified project includes the same site boundaries, building footprint, aesthetic design, and operational characteristics as previously evaluated. In addition, implementation of the RAW will include recordation of a land use covenant (LUC) disclosing the risks, restrictions, and requirements regarding soil vapor mitigation to future buyers and occupants.

### **Scope of Addendum Analysis**

This Addendum has been prepared in accordance with the requirements of CEQA and the State CEQA Guidelines (Title 14 California Code of Regulations Section 15000 et seq.). This Addendum considers each of the environmental impacts that were analyzed in the prior Cudahy General Plan PEIR and 2020 PEIR Addendum and focuses on determining whether the modified project would result in an increase in the severity of the impacts that were previously identified or would result in any new impacts not previously considered in the prior Cudahy General Plan PEIR and 2020 PEIR Addendum. The criteria for determining the significance of environmental impacts in this Addendum are the same as those contained within the prior Cudahy General Plan PEIR and 2020

PEIR Addendum. The topic areas considered in the prior Cudahy General Plan PEIR and 2020 PEIR Addendum include the following: Aesthetics, Agricultural Resources, Air Quality, Biological Resources, Cultural Resources, Energy, Geology and Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Mineral Resources, Noise, Population and Housing, Public Services, Recreation, Transportation, Tribal Cultural Resources, Utilities and Service Systems, and Wildfire.

### **Analysis of Potential Impacts**

Under Section 15164(a) of the State CEQA Guidelines, an addendum to a previously certified EIR shall be prepared by a lead or responsible agency if some changes or additions are necessary but none of the conditions described in Section 15162(a) requiring the preparation of a subsequent EIR or negative declaration are applicable. The conditions listed under Section 15162(a) are as follows:

1. *Substantial changes are proposed in the project that will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.*
2. *Substantial changes occur with respect to the circumstances under which the project is undertaken that will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.*
3. *New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:*
  - a. *The project will have one or more significant effects not discussed in the previous EIR or negative declaration;*
  - b. *Significant effects previously examined will be substantially more severe than shown in the previous EIR;*
  - c. *Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or*
  - d. *Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.*

The remedial activities proposed as part of the RAW entail the installation of a vapor barrier beneath the proposed mixed-use building and a passive ventilation system (with potential for conversion to active ventilation) designed to vent potential vapors that may accumulate beneath the building to the atmosphere. The vapor membrane and venting equipment would be incorporated as part of the same site preparation and construction activities which have already been considered in the previous environmental review documents. Installation of these components would not require any substantial changes to the timing or duration of site preparation

and construction activities, the type of equipment utilized as part of site preparation and construction, or the number of workers involved or number of worker transportation trips for the site preparation and construction processes. As mentioned above, these components will not require any changes to the site boundaries, building footprint, aesthetic design, or operational characteristics from what was previously evaluated. Additionally, the modified project will remain subject to applicable mitigation measures identified in the Cudahy General Plan PEIR and 2020 PEIR Addendum (see Attachment A). This will entail using construction equipment with appropriate emissions ratings, avoiding construction activities during nesting season for protected bird species, providing pre-construction briefings to site workers for identification of cultural resources and adherence to protocol in the event of discoveries, and abiding by noise-related equipment and timing requirements. Compliance with other applicable regulations, policies, standards, and specifications will further reduce or eliminate potential environmental effects of the project. Based on this information, the modified project would not result in substantial changes to the project as described in 15162(a)(1).

Regarding 15162(a)(2), the circumstances under which the project is undertaken have not changed in a manner such that some new or substantially increased significant environmental impact would occur. Existing and foreseeable planned development conditions in the City of Cudahy remain the same as what was previously considered in the Cudahy General Plan PEIR and the 2020 PEIR Addendum. No other substantial changes involving physical conditions of the surrounding environment or the regulatory context are known to have occurred which would result in new or substantially increased significant effects involving the modified project.

Based on research and analysis performed during the preparation of this Addendum, there is no new information of substantial importance known concerning the project that will result in additional significant effects, any previously examined effects that will be substantially more severe; or infeasible mitigation measures or alternatives that are now feasible or considerably different from those analyzed in the previous Cudahy General Plan PEIR and 2020 PEIR Addendum. As such, the conditions described under 15162(a)(3) are not applicable.

## **Conclusion**

As demonstrated in the preceding analysis, none of the conditions described in State CEQA Guidelines Section 15162 requiring preparation of a subsequent EIR or Negative Declaration are applicable to the changes or additions necessary to address the proposed remedial activities included as part of the RAW for the Cudahy Senior Housing Project. Therefore, no additional CEQA analysis is required beyond this Addendum. A Notice of Determination presenting the findings of this Addendum will be filed by DTSC with the California State Clearinghouse within the State of California's Office of Planning and Research.

## **Attachment A**

### **Mitigation Measures**

Following is a list of applicable Mitigation Measures from the City of Cudahy General Plan PEIR and 2020 PEIR Addendum. For mitigation measures that reference General Plan policies, the policy language is provided for reference in italics below the text of the mitigation measure. (The *Cudahy 2040 General Plan* is available to review at the following web address: <https://www.cityofcudahy.com/DocumentCenter/View/216/Cudahy-General-Plan-2040-PDF>)

#### Air Quality

AQ MM-1: In compliance with General Plan Policy AQE-5.1, all off-road construction equipment (air compressors, cement and mortar mixers, concrete/industrial saws, cranes, forklifts, generator sets, graders, pavers, paving equipment, rollers, rubber-tired dozers, tractors, loaders, backhoes, welders and similar equipment), shall be equipped with EPA-certified Tier IV engines or better. Construction documents, including bid sheets, shall specify this requirement.

AQ MM-2: In compliance with General Plan Policy AQE-1.4, all interior and exterior architectural coatings shall be “ultra-low” or “zero” VOC. Construction documents, including bid sheets, shall specify this requirement.

*Policy AQE 1.4: Require the development of any sensitive receptor project includes design features and equipment, as necessary, to mitigate any significant negative air quality impact on project occupants from the existing environment.*

*Policy AQE 5.1: Require projects generating potentially significant levels of air pollutants to incorporate the most effective air quality mitigation into project design as necessary to fully mitigate any negative impacts.*

#### Biological Resources

BIO MM-1: Pre-Construction Nesting Surveys. To avoid impacts to nesting birds, construction activities and construction noise should occur outside the avian nesting season (prior to February 1 or after September 1). If construction and construction noise occur within the avian nesting season (during the period from February 1 to September 1), all suitable habitats within 100 feet of the Project Site shall be thoroughly surveyed by a qualified biologist for the presence of nests no more than five (5) days before commencement of any vegetation removal. If it is determined that the Project Site is occupied by nesting birds covered under the MBTA, MM BIO-2 shall apply.

BIO MM-2: Construction Monitoring and Buffer Zones for Nesting Birds. If pre-construction nesting bird surveys result in the location of active nests, no grading, vegetation removal, or heavy equipment activity shall take place within an appropriate setback from occupied nests as determined by a qualified biologist. Protective measures (e.g., established setbacks) shall be required to ensure compliance with the MBTA and California Fish and Game Code requirements. The qualified biologist shall serve as a construction monitor during those periods when construction activities occur near active nest areas to ensure that no inadvertent impacts occur. A report of the findings, prepared by a qualified biologist, shall be submitted to the CDFW prior to construction-related activities that have the potential to disturb any active nests during the nesting season.

## Cultural Resources

CULT MM-2: Pre-construction Briefing. Prior to the commencement of grading or demolition of subsurface structures, a professional archaeologist who meets U.S. Secretary of the Interior's Professional Qualifications and Standards, shall conduct a brief archaeological and paleontological informational session for construction personnel. The training session may consist of in-person meeting or a written handout describing: (1) how to identify archaeological and paleontological resources that may be encountered during earth-moving activities and (2) the procedures to be followed in such an event, including contact information for the appropriate entities if archaeological or paleontological resources are discovered.

CULT MM-3: Treatment and Evaluation of Discovered Resources: In the event that archaeological or paleontological resources are unearthed during ground-disturbing activities, the ground-disturbing activities shall be halted or diverted away from the vicinity of the find so that the find can be evaluated. A buffer area of at least 50 feet shall be established around the find, where construction activities will not be allowed to continue until a qualified archaeologist or paleontologist has examined the newly discovered artifact(s) and has evaluated the area of the find. Work shall be allowed to continue outside the buffer area. If the archaeologist identifies the find as a tribal cultural resource or suspects it to be a tribal cultural resource, the City will contact the Native American Heritage Commission (NAHC) to report the discovery, and will contact local Native American tribal representatives as directed by the NAHC. Should the newly discovered artifact(s) be determined to be a tribal cultural resource, Native American construction monitoring will be initiated. The City shall coordinate with the archaeologist and tribal representative(s) to develop an appropriate treatment plan for the resources.

## Noise

NOI MM-1: The applicant shall specify noise-attenuated construction equipment on all construction plans and construction bid documents to the satisfaction of the Community Development Director, consistent with General Plan Policies NE-1.1, 1.2, 2.1, and 2.6. The applicant shall monitor, or cause to be monitored, daily sound levels at the construction site, and verify to the Community Development Department that all practicable noise-attenuation methods are employed at the project construction site.

*Policy NE 1.1: Limit the hours of operation at all noise generation sources adjacent to noise sensitive areas or uses.*

*Policy NE 1.2: Require all exterior noise sources (construction operations, air compressors, pumps, fans, and leaf blowers) to use available noise suppression techniques and devices to lower exterior noise to acceptable levels which are compatible with adjacent land uses.*

*Policy NE 2.1: Review and modify noise level standards in the Cudahy Municipal Code, as appropriate, for all land uses.*

*Policy NE 2.6: Implement appropriate standard construction noise controls for all construction projects.*