

# CITY OF LOS ANGELES

CALIFORNIA



ANTONIO R. VILLARAIGOSA  
MAYOR

March 23, 2011

## BOARD OF PUBLIC WORKS MEMBERS

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200 NORTH SPRING STREET  
ROOM 361, CITY HALL  
LOS ANGELES, CA 90012  
(213) 978-0261  
(213) 978-0278 Fax

WILLIAM P. WEEKS  
EXECUTIVE OFFICER

<http://www.lacity.org/BPW>

#1 BOE

City Council  
Room No. 395  
City Hall

Subject: ALBION DAIRY DEMOLITION AND REMEDIATION & ALBION RIVERSIDE  
PARK PROJECT CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)  
COMPLIANCE AND PROJECT APPROVAL (W.O. NO. EW40042B) (SCH NO.  
2011011018)

As recommended in the accompanying report of the City Engineer, which this Board has adopted, the Board of Public Works recommends that your Honorable Body:

1. Review and consider the Mitigated Negative Declaration.
2. Find that, on the basis of the whole record, there is no substantial evidence that the project will have a significant effect on the environment and that the Mitigated Negative Declaration reflects the City's independent judgment and analysis.
3. Adopt the Mitigated Negative Declaration.
4. Approve the project as described in the Initial Study.
5. Adopt the Mitigation Monitoring Program.

### FISCAL IMPACT

The project has a budget of \$3,956,400 for Phase 1. The funding for Phase 1 is from the Prop O General Obligation Bond Funding and it was approved by the City Council on August 13, 2010 (CF-09-0571). Funding for the other phases on the project (Phases 2 and 3) is pending.

Respectfully submitted,

William P. Weeks, Executive Officer  
Board of Public Works

WPW:mp



# CITY OF LOS ANGELES

CALIFORNIA

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March 23, 2011

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Subject: ALBION DAIRY DEMOLITION AND REMEDIATION & ALBION RIVERSIDE  
PARK PROJECT CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)  
COMPLIANCE AND PROJECT APPROVAL (W.O. NO. EW40042B) (SCH NO.  
2011011018).

As recommended in the accompanying report of the City Engineer, which this Board has adopted, the Board of Public Works recommends that your Honorable Body:

1. Review and consider the Mitigated Negative Declaration.
2. Find that, on the basis of the whole record, there is no substantial evidence that the project will have a significant effect on the environment and that the Mitigated Negative Declaration reflects the City's independent judgment and analysis.
3. Adopt the Mitigated Negative Declaration.
4. Approve the project as described in the Initial Study.
5. Adopt the Mitigation Monitoring Program.

### FISCAL IMPACT

The project has a budget of \$3,956,400 for Phase 1. The funding for Phase 1 is from the Prop O General Obligation Bond Funding and it was approved by the City Council on August 13, 2010 (CF-09-0571). Funding for the other phases on the project (Phases 2 and 3) is pending.

Respectfully submitted,

William P. Weeks, Executive Officer  
Board of Public Works

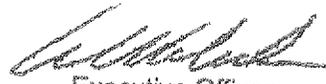
WPW:mp

Department of Public Works

Bureau of Engineering  
Report No. 1

March 23, 2011  
CD No. 1

ADOPTED BY THE BOARD  
PUBLIC WORKS OF THE CITY  
of Los Angeles, California  
AND REFERRED TO THE CITY COUNCIL  
MAR 23 2011



Executive Officer

**ALBION DAIRY DEMOLITION AND REMEDIATION & ALBION RIVERSIDE PARK PROJECT  
CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) COMPLIANCE AND PROJECT APPROVAL  
(W.O. No. EW40042B) (SCH No. 2011011018)**

**RECOMMENDATIONS**

Following the requirements of the California CEQA, adopt and forward this report and transmittals to City Council with the following recommendations:

1. Review and consider the Mitigated Negative Declaration.
2. Find that, on the basis of the whole record, there is no substantial evidence that the project will have a significant effect on the environment and that the Mitigated Negative Declaration reflects the City's independent judgment and analysis.
3. Adopt the Mitigated Negative Declaration.
4. Approve the project as described in the Initial Study.
5. Adopt the Mitigation Monitoring Program.

**FISCAL IMPACT STATEMENT**

The project has a budget of \$3,956,400 for Phase 1. The funding for Phase 1 is from the Proposition O General Obligation Bond Funding and it was approved by the City Council on August 13, 2010 (CF-09-0571). Funding for the other phases of the project (Phases 2 and 3) is pending.

**TRANSMITTALS**

1. Mitigated Negative Declaration with Initial Study.
  - 1a. Mitigated Negative Declaration with Initial Study, dated January 2011, with attached comments and responses (dated February 2011) associated with the public review period.
  - 1b. Appendices for Mitigated Negative Declaration with Initial Study, dated January 2011.
2. Mitigation Monitoring Program, dated February 2011.

## DISCUSSION

### ***Background***

The project site is comprised of two areas: the Albion Dairy site (at 1739 Albion Street) and the southern portion of the Downey Recreation Center (1772 N. Spring Street). The project site is located within the Upper Los Angeles River Area watershed and within Reach 2 of the Los Angeles River. The Los Angeles River is designated as an impaired water body by the Los Angeles Regional Water Quality Control Board. Impairments for Reach 2 identified on the 303(d) List (2006) include coliforms, oil and grease, trash, and pathogens. Urban runoff has the potential to contribute trash, oil and grease, nutrients, suspended solids, metals, hydrocarbons, and pathogens to the stormwater conveyance system and ultimately to the receiving waters (i.e., Los Angeles River).

The objective for this site is to implement a Proposition O project to improve water quality and minimize, to the maximum extent practicable, the introduction of pollutants of concern into the stormwater conveyance system. This objective can be accomplished by implementing a water quality improvement project on-site that would divert and clean a portion of the flows from storm drains that run parallel to North Spring Street and underneath Albion Street. Pollutants would be removed from the nearby storm drains before the flow outlets to the Los Angeles River. In addition, surface flows and associated pollutants from the northern side of Albion Street, adjacent to the site, as well as from the proposed parking lot to be constructed on-site, would also be captured. Intercepting a portion of wet and dry weather runoff prior to its release into Reach 2 of the Los Angeles River is expected to reduce pollutant loads and improve water quality.

The proposed project location was selected based on its location near the Los Angeles River and the existing Downey Recreation Center. The Albion Dairy portion of the project site is identified in the City's Los Angeles River Revitalization Master Plan and the Draft Comfield/Arroyo Seco Specific Plan as a potential site for open space and a potential future park and recreational facility, outdoor classrooms, and/or a River learning center.

Phase 1 of the project is funded by Proposition O, a \$500 million Clean Water Bond Measure approved by City of Los Angeles voters on November 5, 2004. The primary objective of all Proposition O funded projects is to protect public health by cleaning up pollution in the City's watercourses, beaches, and the ocean.

### ***Project Description***

The proposed project consists of the following three distinct phases: Phase 1 - Demolition and Remediation; Phase 2 - Stormwater Best Management Practices (BMP); and, Phase 3 - Park Improvements. Phase 1 includes demolition of all buildings on-site, lead-based paint and asbestos abatement, removal of clarifiers and any remaining tanks/equipment, as well as remediation of contaminated soils. Clean soil would also be imported during Phase 1. At the end of this phase, the site's soil will be remediated to residential standards and left in a stabilized, rough-graded finish. Phase 2 of the proposed project would divert a portion of the flows from adjacent storm drains (one underneath Albion Street and one that runs parallel to North Spring Street) to the site

March 23, 2011  
Page 3

and construct and operate appropriate, beneficial, and feasible stormwater BMPs within the site to reduce pollutants entering the Los Angeles River. In addition, runoff from the north half of Albion Street adjacent to the site would be routed to BMPs for treatment using "green streets" BMP concepts. Phase 3 would expand the existing Downey Recreation Center from approximately four acres to approximately ten acres by incorporating the former Albion Dairy parcel. Phase 3 of the proposed project would include recreational, aesthetic, and educational amenities that would further transform the project site into a park to supplement the BMPs and associated water quality benefits. These park improvements may also include the reconfiguration of park elements currently at the adjacent portion of the Downey Recreation Center. This would increase the use of this small and often underutilized park and improve access to the River consistent with various planning efforts.

#### ***Public Participation and Public Review***

The proposed Mitigated Negative Declaration and Initial Study were circulated for public review and comment from January 6 to February 4, 2011. A notice of intent/availability was published in the Los Angeles Times on Thursday, January 6, 2011. A notice of intent/availability was mailed to interested parties and to owners and occupants of properties adjacent to the proposed project site. The notice was also filed with the City and County Clerks. The Mitigated Negative Declaration and Initial Study were available for review at the Lincoln Heights Branch Library, Council District No. 1-Lincoln Heights District Office, Bureau of Engineering (BOE) Environmental Management Group's office, and on-line at the BOE's website. Five correspondences commenting on the Initial Study/Mitigated Negative Declaration were received during the public review period. Copies of the correspondence along with responses can be found as an attachment to the Initial Study/Mitigated Negative Declaration (Transmittal No. 1). None of the comments received necessitated changes in the project or the conclusion or findings of the Initial Study.

#### ***Project Schedule***

The above recommended actions are necessary steps in the design phase of the project schedule. In order to meet funding deadlines, the project delivery schedule anticipates construction of Phase 1 to begin August 1, 2011. Therefore, Council action is needed by June 30, 2011, to facilitate this project's schedule.

Report No. 1

Page 4

( JED KKO TSA RMK VJ )

Report reviewed by:

Respectfully submitted,

BOE (POB and PAC)

Report prepared by:



Environmental Management Group

Gary Lee Moore, P.E.  
City Engineer

James E. Doty  
Acting Group Manager  
Phone No. (213) 485-5759

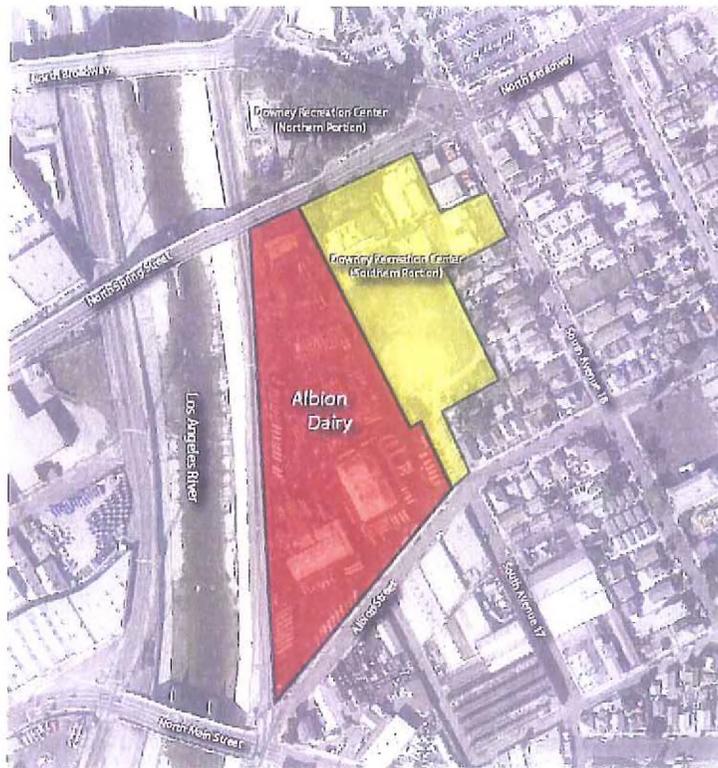
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Questions regarding this report  
may be referred to:  
Iftexhar Ahmed, P.E., Project Manager  
Phone No. (213) 485-5875  
E-mail: Iftexhar.Ahmed@lacity.org  
and/or

Maria Martin, Environmental Supervisor I  
Phone No. (213) 485-5753  
E-mail: Maria.Martin@lacity.org

*Initial Study/  
Mitigated Negative Declaration  
for*

**Albion Dairy Demolition and Remediation  
& Albion Riverside Park Project  
(W.O EW40042\*)**



January 2011



*City of Los Angeles*



*Bureau of Engineering  
Environmental Management Group*

**TRANSMITTAL No. 1a  
&  
TRANSMITTAL No. 1b:**  
Refer to CD inside back cover

**CITY OF LOS ANGELES**  
OFFICE OF THE CITY CLERK  
ROOM 395, CITY HALL  
LOS ANGELES, CALIFORNIA 90012  
**CALIFORNIA ENVIRONMENTAL QUALITY ACT**  
**MITIGATED NEGATIVE DECLARATION**  
(Article I, City CEQA Guidelines)

<b>LEAD CITY AGENCY AND ADDRESS:</b> Department of Public Works, Bureau of Engineering 1149 South Broadway, Suite 600, Los Angeles 90015	<b>COUNCIL DISTRICT</b> 1
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<b>PROJECT TITLE:</b> <b>Albion Dairy Demolition and Remediation &amp; Albion Riverside Park Project</b> (W.O. EW40042*)	T.G. 634-J1 S.C.H.
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**PROJECT LOCATION:** 1739 Albion Street, approximately 1.5 miles northeast of downtown Los Angeles in the neighborhood of Lincoln Heights. The site is approximately six acres and is bounded on the north by the North Spring Street Bridge approach and the Downey Pool; to the east by the existing Downey Recreation Center; to the south by North Albion Street and nearby commercial properties; and, to the west by railroad tracks used by Union Pacific Railroad and the Los Angeles River channel.

**DESCRIPTION:** The proposed project is comprised of three distinct phases: Phase 1 – Demolition and Remediation; Phase 2 – Stormwater Best Management Practices; and Phase 3 – Park Improvements. Phase 1 includes demolition of all buildings on-site, lead-based paint and asbestos abatement, removal of any remaining tanks/equipment, as well as remediation of contaminated soils. Clean soil would also be imported during Phase 1. At the end of this phase, the site's soil will be remediated to residential standards and left in a stabilized, rough-graded finish. Funding is currently available for this phase. Phase 2 of the proposed project would divert a portion of the flows from adjacent storm drains (one underneath Albion Street and one that runs parallel to North Spring Street) to the site and construct and operate appropriate, beneficial, and feasible stormwater best management practices (BMPs) within the site to reduce pollutants entering the Los Angeles River. In addition, runoff from the north half of Albion Street adjacent to the site would be routed to BMPs for treatment using "green streets" BMP concepts. Although the City will pursue funding from Proposition O (the Clean Water Bond Program) for Phase 2, funding has not yet been secured for this phase of the project. Phase 3 would expand the existing Downey Recreation Center from approximately four acres to approximately ten acres by incorporating the former Albion Dairy parcel. Phase 3 would include recreational, aesthetic, and educational amenities that would further transform the project site into a park to supplement the BMPs and associated water quality benefits. These park improvements may also include the reconfiguration of park elements currently at the adjacent portion of the Downey Recreation Center. This would increase the use of this small and often underutilized park and improve access to the River consistent with various planning efforts. Funding has not yet been secured for Phase 3 of the project.

Although the proposed project could have a significant effect on the environment (particularly during construction) related to cultural resources and hazardous materials, there would not be a significant effect as a result of the implementation of mitigation measures.

**NAME AND ADDRESS OF APPLICANT IF OTHER THAN CITY AGENCY:**

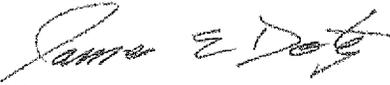
**FINDING:**  
The City Engineer of the City of Los Angeles has determined that this project would not have a significant effect on the environment for the following reasons: **See attached initial study.**

**SEE THE ATTACHED PAGES FOR ANY MITIGATION MEASURES IMPOSED**

Any written objections received during the public review period are attached, together with the responses of the lead City agency.

**THE INITIAL STUDY PREPARED FOR THIS PROJECT IS ATTACHED**

<b>PERSON PREPARING THIS FORM</b> Maria Martin Environmental Supervisor I	<b>ADDRESS</b> 1149 South Broadway, Suite 600 Los Angeles, CA 90015	<b>TELEPHONE NUMBER</b> (213) 485-5753
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<b>SIGNATURE (Official)</b> James E. Doty, Acting Manager Environmental Management Group 	<b>DATE</b> 12-29-10
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BOARD OF PUBLIC WORKS  
MEMBERS

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CITY OF LOS ANGELES  
CALIFORNIA

ORIGINAL FILED

JAN 06 2011

LOS ANGELES, COUNTY CLERK



ANTONIO R. VILLARAIGOSA  
MAYOR

DEPARTMENT OF  
PUBLIC WORKS

BUREAU OF  
ENGINEERING

GARY LEE MOORE, P.E.  
CITY ENGINEER

1149 S. BROADWAY, SUITE 700  
LOS ANGELES, CA 90015-2213

<http://eng.lacity.org>

DOCUMENT FILED  
City Clerk's Office

No. ~~NG-10-476-BE~~ <sup>10-</sup> NG-10-476-BE

Certified by EGG

Date: DEC 30 2010

January 6, 2011

NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION FOR  
ALBION DAIRY DEMOLITION AND REMEDIATION &  
ALBION RIVERSIDE PARK PROJECT

- State Clearinghouse No. (SCH#): Pending Assignment by OPR -

*Pursuant to the State of California Public Resources Code Article 7 of the California Environmental Quality Act (CEQA), as amended, the City of Los Angeles Bureau of Engineering has prepared an Initial Study for the project described below. Under CEQA, the City identified no significant impacts and proposes to adopt a Mitigated Negative Declaration.*

**Project Location:** The project site includes the Albion Dairy site (1739 Albion Street) and the existing Downey Recreation Center (southern portion – 1772 N. Spring Street). Refer to map on next page for project site. The project site is located approximately 1.5 miles northeast of downtown Los Angeles in the community of Lincoln Heights and Council District 1 area of the City of Los Angeles.

**Project Description:** The City of Los Angeles (City) is proposing a project that would assist in improving water quality, and would support the City's efforts to comply with current and future Total Maximum Daily Load (TMDL) stormwater regulations. The proposed project is comprised of three distinct phases:

- Phase 1 – Demolition and Remediation
- Phase 2 – Stormwater Best Management Practices (BMPs)
- Phase 3 – Park Improvements

**Phase 1 – Demolition and Remediation:** This phase includes demolition of all buildings on-site, lead-based paint (LBP) and asbestos abatement, removal of clarifiers, any remaining tanks/equipment, as well as remediation of contaminated soils. Clean soil would also be imported during Phase 1. At the end of this phase, the site's soil will be remediated to residential standards and left in a stabilized, rough-graded finish. Funding is currently available for this phase.

**Phase 2 – Stormwater BMPs:** The proposed project would divert a portion of the flows from adjacent storm drains (one underneath Albion Street and one that runs parallel to North Spring Street) to the site and construct and operate appropriate, beneficial, and feasible stormwater BMPs within the site to reduce pollutants entering the Los Angeles River. In addition, runoff from the north half of Albion Street adjacent to the site would be routed to BMPs for treatment using "green streets" BMP concepts. Although the City will pursue funding from Proposition O for this phase, funding has not yet been secured for Phase 2 of the project.

*As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability and, upon request, will provide reasonable accommodation to ensure equal access to its programs, services, and activities.*



Phase 3 – Park Improvements: The proposed project would expand the existing Downey Recreation Center from approximately four acres to approximately ten acres by incorporating the former Albion Dairy parcel. Phase 3 of the proposed project would include recreational, aesthetic, and educational amenities that would further transform the project site into a park to supplement the BMPs and associated water quality benefits. These park improvements may also include the reconfiguration of park elements currently at the adjacent portion of the Downey Recreation Center. This would increase the use of this small and often underutilized park and improve access to the River consistent with various planning efforts. Funding has not yet been secured for Phase 3 of the project.

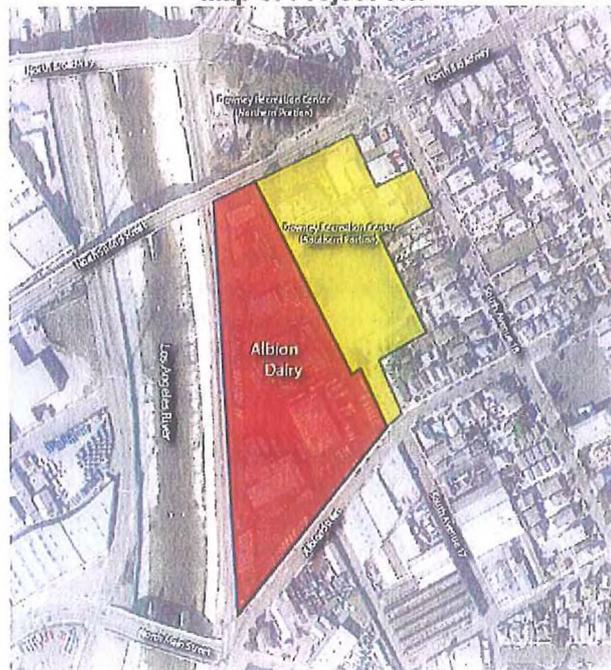
Currently Phase 1 of the project is funded by Proposition O, a \$500 million Clean Water Bond Measure approved by voters in November 5, 2004. It is anticipated that Phase 2 of the project would also be funded by Proposition O in the future. The recreational amenities are not eligible for Proposition O funding and no funding source has been identified at this time. Mitigation measures have been included to ensure that any impacts are reduced to less than significant.

This notice is intended to give interested parties an opportunity to comment on the proposed project. The Initial Study is available for review at the Lincoln Heights Branch Library, 2530 Workman Street; Council District 1 - District Office, 163 South Avenue 24, Room 202, Lincoln Heights 90031; Bureau of Engineering, Environmental Management Group (EMG), 1149 S. Broadway (contact Maria Martin at (213) 485-5753); or online at <http://eng.lacity.org/techdocs/emg>.

The 30 day public review period starts January 6, 2011 and ends February 4, 2011. **Comments must be received in writing by February 4, 2011, by email (please put “Albion Dairy Project” in subject line) to [Maria.Martin@lacity.org](mailto:Maria.Martin@lacity.org), or by mail to:**

City of Los Angeles Department of Public Works  
Bureau of Engineering, EMG  
Attention: Maria Martin, Environmental Supervisor  
1149 S. Broadway, Suite 600, Mail Stop 939  
Los Angeles, CA 90015-2213

**Map of Project Site**





CITY OF LOS ANGELES  
CALIFORNIA ENVIRONMENTAL QUALITY ACT  
**INITIAL STUDY**

Council District: 1 Date: January 2011  
Lead City Agency: Department of Public Works, Bureau of Engineering  
Project Title: Albion Dairy Demolition and Remediation  
& Albion Riverside Park Project

## I INTRODUCTION

### A. Purpose of an Initial Study

The California Environmental Quality Act (CEQA) was enacted in 1970 for the purpose of providing decision-makers and the public with information regarding environmental effects of proposed projects; identifying means of avoiding environmental damage; and disclosing to the public the reasons behind a project's approval even if it leads to environmental damage. The Bureau of Engineering Environmental Management Group has determined the proposed project is subject to CEQA and no exemptions apply. Therefore, the preparation of an Initial Study (IS) is required.

An IS is a preliminary analysis conducted by the lead agency, in consultation with other agencies (responsible or trustee agencies, as applicable), to determine whether there is substantial evidence that a project may have a significant effect on the environment. If the initial study concludes that the project, with mitigation, may have a significant effect on the environment, an Environmental Impact Report (EIR) should be prepared; otherwise the lead agency may adopt a Negative Declaration (ND) or Mitigated Negative Declaration (MND).

The IS/MND contained herein have been prepared in accordance with CEQA (Public Resources Code §21000 et seq.), the State CEQA Guidelines (Title 14, California Code of Regulations, §15000 et seq.), and the City of Los Angeles CEQA Guidelines (1981, amended July 31, 2002).

## **B. Document Format**

This MND is organized into eight sections as follows:

Section I, Introduction: provides an overview of the project and the CEQA environmental documentation process.

Section II, Project Description: provides a description of the project location, project background, project components, and proposed construction and operation.

Section III, Existing Environment: provides a description of the existing environmental setting with focus on features of the environment, which could potentially affect the proposed project or be affected by the proposed project.

Section IV, Environmental Effects/Initial Study Checklist: presents the City's Checklist for all impact areas and mandatory findings of significance. Includes discussion and identifies applicable mitigation measures.

Section V, Mitigation Measures: provides the mitigation measures that would be implemented to ensure that potential adverse impacts of the proposed project would be reduced to a less than significant level.

Section VI, Preparation and Consultation: provides a list of key personnel involved in the preparation of this report and key personnel consulted.

Section VII, Determination – Recommended Environmental Documentation: provides the recommended environmental documentation for the proposed project; and,

Section VIII, References: provides a list of reference materials used during the preparation of this report.

## **C. CEQA Process**

Once the adoption of a ND (or MND) has been proposed, a public comment period opens for no less than twenty (20) days or thirty (30) days if there is state agency involvement. The purpose of this comment period is to provide public agencies and the general public an opportunity to review the initial study and comment on the adequacy of the analysis and the findings of the lead agency regarding potential environmental impacts of the proposed project. If a reviewer believes the project may have a significant effect on the environment, the reviewer should (1) identify the specific effect, (2) explain why it is believed the effect would occur, and (3) explain why it is believed the effect would be significant. Facts or expert opinion supported by facts should be provided as the basis of such comments.

After the close of the public review period, the Board of Public Works considers the ND or MND, together with any comments received during the public review process, and makes a recommendation to the City Council on whether or not to approve the project. One or more Council committees may then review the proposal and documents and make its own recommendation to the full City Council. The City Council is the decision-making body and also considers the ND or MND, together with any comments received during the public review process, in the final decision to approve or disapprove the project. During the project approval process, persons and/or agencies may address either the Board of Public Works or the City Council regarding the project. Public notification of agenda items for the Board of Public Works, Council committees and City Council is posted 72 hours prior to the public meeting. The Board of Public Works Agenda is available via the internet at <http://www.bpw.lacity.org/>. The Council agenda can be obtained by visiting the Council and Public Services Division of the Office of the City Clerk at City Hall, 200 North Spring Street, Suite 395; by calling 213/978-1047, 213/978-1048 or TDD/TTY 213/978-1055; or via the internet at <http://www.lacity.org/CLK/index.htm>.

If the project is approved, the City will file a Notice of Determination with the County Clerk within 5 days. The Notice of Determination will be posted by the County Clerk within 24 hours of receipt. This begins a 30-day statute of limitations on legal challenges to the approval under CEQA. The ability to challenge the approval in court may be limited to those persons who objected to the approval of the project, and to issues presented to the lead agency by any person, either orally or in writing, during the public comment period.

As a covered entity under Title II of the Americans with Disabilities Act (ADA), the City of Los Angeles does not discriminate on the basis of disability and, upon request, will provide reasonable accommodation to ensure equal access to its programs, services, and activities.

## II PROJECT DESCRIPTION

### A. Introduction

The proposed project is comprised of three distinct phases:

- Phase 1 – Demolition and Remediation
- Phase 2 – Stormwater Best Management Practices
- Phase 3 – Park Improvements

**Phase 1 – Demolition and Remediation:** This phase includes demolition of all buildings on-site, lead-based paint (LBP) and asbestos abatement, removal of clarifiers, any remaining tanks/equipment, as well as remediation of contaminated soils. Clean soil would also be imported during Phase 1. At the end of this phase, the site's soil will be remediated to residential standards and left in a stabilized, rough-graded finish. Funding is currently available for this phase.

**Phase 2 – Stormwater Best Management Practices:** Phase 2 of the proposed project would divert a portion of the flows from adjacent storm drains (one underneath Albion Street and one that runs parallel to North Spring Street) to the site and construct and operate appropriate, beneficial, and feasible stormwater best management practices (BMPs) within the site to reduce pollutants entering the Los Angeles River. In addition, runoff from the north half of Albion Street adjacent to the site would be routed to BMPs for treatment using "green streets" BMP concepts. Although the City will pursue funding from Proposition O (the Clean Water Bond Program) for this phase, funding has not yet been secured for Phase 2 of the project.

**Phase 3 – Park Improvements:** The proposed project would expand the existing Downey Recreation Center from approximately four acres to approximately ten acres by incorporating the former Albion Dairy parcel. Phase 3 of the proposed project would include recreational, aesthetic, and educational amenities that would further transform the project site into a park to supplement the BMPs and associated water quality benefits. These park improvements may also include the reconfiguration of park elements currently at the adjacent portion of the Downey Recreation Center. This would increase the use of this small and often underutilized park and improve access to the River consistent with various planning efforts. Funding has not yet been secured for Phase 3 of the project.

## **B. Location**

The Albion Dairy project site (or Albion site) is located at 1739 Albion Street<sup>1</sup>, approximately 1.5 miles northeast of downtown Los Angeles in the community of Lincoln Heights and Council District 1 area of the City of Los Angeles. The site is approximately six acres and is bounded to the north by the North Spring Street Bridge approach and the Downey Pool; to the east by the existing Downey Recreation Center; to the south by North Albion Street and nearby commercial properties; and, to the west by railroad tracks used by Union Pacific Railroad and the Los Angeles River channel (see Figures 1 and 2).

## **C. Setting**

The Albion site was recently vacated by Ross Swiss Dairy, who had been using the site for warehousing and distribution of retail packaged milk and milk products. Historically the site was also used for housing, metal pipes manufacturing, a brewery, automotive repair, and ice cream manufacturing, products storage and distribution. The site is entirely paved and surrounded by chain link fencing. There are seven structures on-site which include two refrigerated warehouses, an office structure, a metal frame structure, furniture storage and restoration structure, garage/vehicle maintenance structure, and a security booth. Table 1 itemizes the existing structures, their sizes, and their general uses. There is also a fueling station on-site. Also located on the site, on the western side of Warehouse No. 1, is a transformer belonging to the Los Angeles Department of Water and Power (LADWP). Refer to Figure 3 for the location of features on the Albion site.

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<sup>1</sup> Other addresses associated with the site are 235 – 255 South Avenue 17 and 1765 North Spring Street.



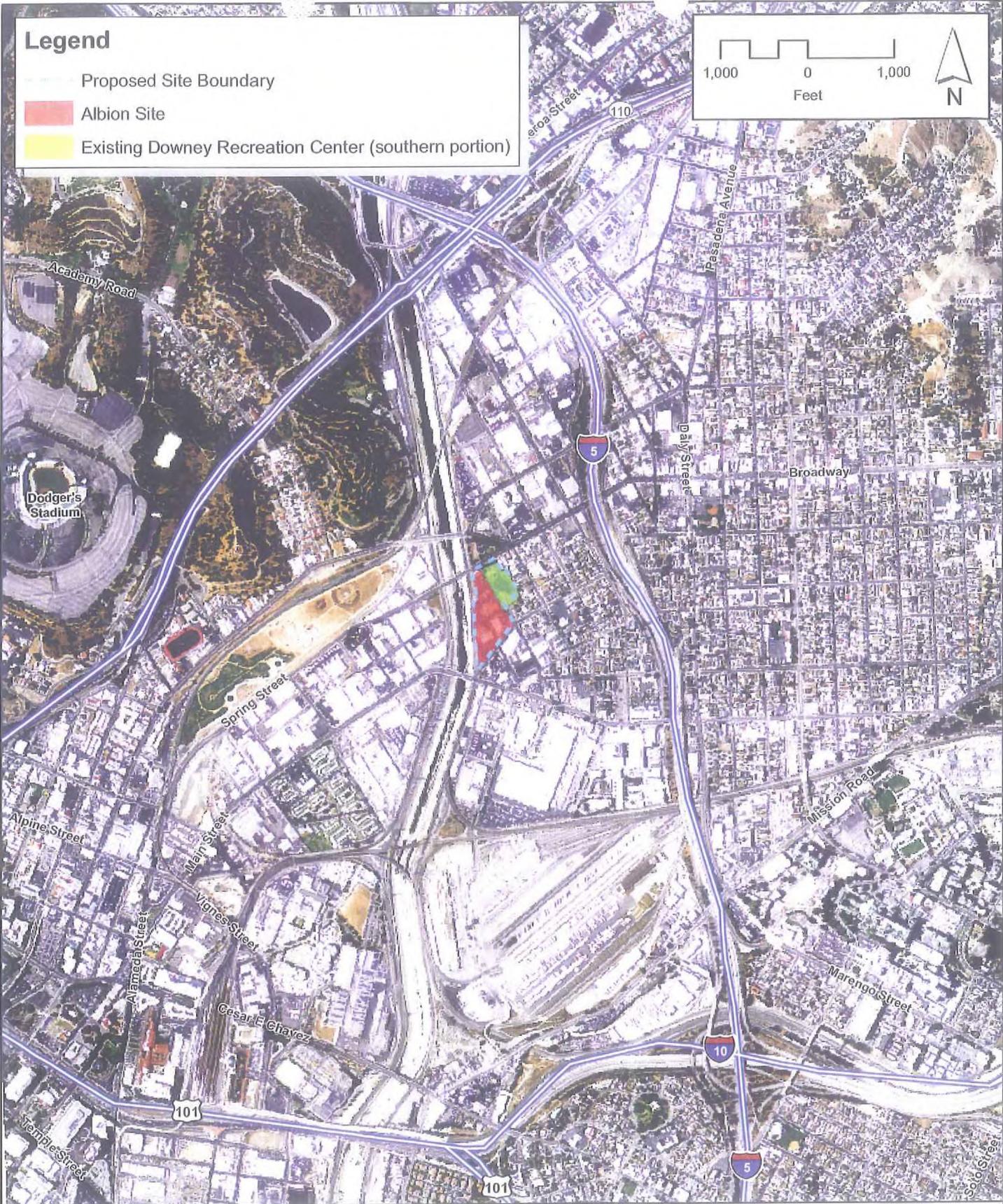
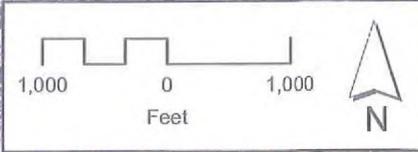
City of Los Angeles Bureau of Engineering  
 Albion Dairy Demolition and Remediation & Albion Riverside Park Project



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# Legend

- Proposed Site Boundary
- Albion Site
- Existing Downey Recreation Center (southern portion)



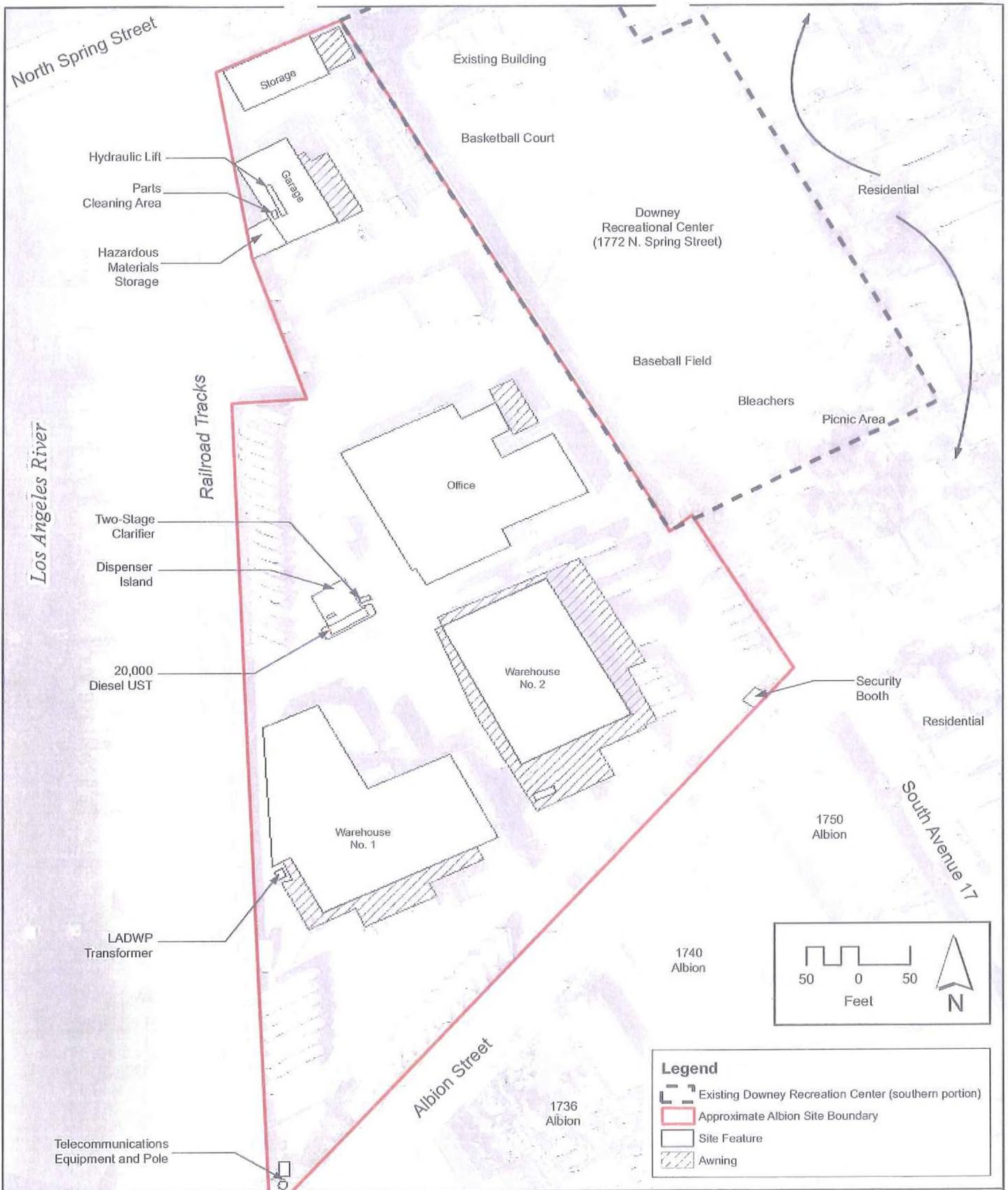
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Site Vicinity Map

Figure 2

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 Albion Dairy Demolition and Remediation & Albion Riverside Park Project

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<b>Table 1: Existing Structures</b>		
<b>Structure</b>	<b>Footprint (s.f.)</b>	<b>Use</b>
<b>1. Warehouse No. 1</b>	<b>20,732</b>	<b>dairy-product processing</b>
<b>2. Warehouse No. 2</b>	<b>15,010</b>	<b>dairy-product processing</b>
<b>3. Office</b>	<b>16,737</b>	<b>office/administrative</b>
<b>4. Maintenance Garage</b>	<b>3,257</b>	<b>maintenance</b>
<b>5. Storage</b>	<b>3,015</b>	<b>equipment storage</b>
<b>6. Metal Frame Structure</b>	<b>972</b>	<b>maintenance</b>
<b>7. Security Booth</b>	<b>unknown</b>	<b>site security</b>

The eastern portion of the site is adjacent to Downey Recreation Center, an existing park that is owned and operated by the City of Los Angeles, Department of Recreation and Parks. The Downey Recreation Center includes an auditorium/indoor gymnasium, baseball diamond and athletic field (lighted), a basketball court, children’s play area and picnic tables. An associated park facility – Downey Pool - is on the northern side of North Spring Street, which is north of the project site. The Downey recreation facilities are divided by North Spring Street. The north and south sections of the park facilities are connected through a gated pedestrian tunnel with access that is controlled by City staff.

The Union Pacific Railroad tracks are located adjacent to the west of the Albion site. The northwest corner of the Albion site is occupied by an electrical tower and power line. The southwest corner of the site is occupied by a cellular tower and associated appurtenances.

The Albion site is also adjacent to the east of the Los Angeles River, within the Los Angeles Forebay of the Central Basin at approximately 300 feet above mean sea level. Topography in the vicinity of the site slopes towards the southwest. The subwatershed surrounding the project site is mostly urbanized and commercial (42 percent) with very little open space. The tributary area that drains to the site is approximately 255 acres, with an additional 277 acres associated with the Main Street storm drain. Most wet weather and dry weather runoff travels via overland flow, to the stormwater drains, rather than infiltration to the subsurface. The project drainage area is highly developed and pollutant loadings in runoff can degrade water quality in Reach 2 of the Los Angeles River. Six storm drain outlets have been identified along the Los Angeles River in the vicinity of the project site, all of which were observed having dry weather flow, including D-11636, a 54-inch corrugated metal pipe (CMP) that runs underneath Albion Street and D-30948, a 39-inch reinforced concrete pipe (RCP) that runs parallel to North Spring Street and through Downey Park. These two storm drains convey the majority of the urban runoff from the 255-acre drainage area. D-11636 is under the City of Los Angeles’ jurisdiction and D-30948 is under Los Angeles County’s jurisdiction. The approximate location of the storm drains is shown in Figure 4.

#### D. Background

Water quality in the Upper Los Angeles River Area (ULARA) watershed is addressed by numerous federal, state, and local regulations. The Los Angeles Regional Water Quality Control Board (Regional Board or LARWQCB) has designated Existing and Potential Beneficial Uses for the surface water in Reach 2 of the Los Angeles River near the project site:

- Existing Water Contact Recreation (REC-1)
- Existing Non-Contact Water Recreation (REC-2)
- Existing Warm Freshwater Habitat (WARM)
- Existing Wildlife Habitat (WILD)
- Existing Wetland Habitat (WET)
- Existing Groundwater Recharge (GWR)
- Potential Municipal and Domestic Supply (MUN)
- Potential Industrial Service Supply (IND)

The Clean Water Act (CWA) of 1972 is the governing federal regulation for water quality in the United States. The CWA provides the legal framework for several water quality regulations, policies and programs, including National Pollutant Discharge Elimination System (NPDES), effluent limitations, water quality standards, pretreatment standards, anti-degradation policy, non-point source discharge regulation, and wetlands protection. The United States Environmental Protection Agency (USEPA) has delegated the responsibility for administration of portions of the CWA to the states, which are required to develop a list, known as the 303(d) List, of impaired water bodies within their jurisdictions and the pollutants for which they are impaired.

The Los Angeles River is designated as an impaired water body by the LARWQCB. Impairments for Reach 2 identified on the 303(d) List (2006) include coliforms, oil and grease, trash, and pathogens. Federal requirements and delegated State Authority impose water quality limits on water bodies by assessing the total maximum daily load (TMDL) of specific compounds that a water body can receive without becoming impaired. The CWA requires a TMDL (a maximum limit for a specific pollutant that a water body can receive and still meet water quality standards) to be developed to restore impaired water bodies to their beneficial uses. Existing TMDLs in Reach 2 of the Los Angeles River include the following: 1) Nitrogen Compounds and Related Effects; 2) Trash; and 3) Metals. In addition, a Bacteria TMDL for the Los Angeles River and its tributaries was adopted by the LARWQCB in July 2010, but has not yet been approved by the State Water Resources Control Board or USEPA.

Typical sources of contamination in urban runoff include:

- Oil, grease, and gasoline from vehicles leaking onto roadways and parking areas
- Pesticides, herbicides, and fertilizers from agricultural and urban areas
- Sediment from construction operations
- Metals from vehicle exhaust, rust, paint, tires, and engine parts

Urban runoff from a site has the potential to contribute trash, oil and grease, nutrients, suspended solids, metals, hydrocarbons, and pathogens to the stormwater conveyance system. Targeted pollutants for the project site include the following:

- Nitrogen
- Metals
- Trash
- Bacteria
- Oil and grease

Intercepting a portion of wet and dry weather runoff prior to its release into Reach 2 of the Los Angeles River is expected to reduce pollutant loads and improve water quality.

#### ***Los Angeles River Revitalization Master Plan***

The Los Angeles River Revitalization Master Plan (LARRMP), approved in April 2007, is a plan for implementing a variety of improvements along the Los Angeles River (or River) to create a City landmark and be a catalyst for a sustainable environment. The long-term vision is the restoration of a continuous riparian ecosystem along the River corridor. The LARRMP focuses on four core principles:

- 1) Revitalize the River - store peak flows to reduce flow velocities in the channel in order to facilitate ecological restoration and access.
- 2) Green the Neighborhood – create a continuous River Greenway to reconnect communities to the river and to each other through a network of bikeways, and pedestrian paths.
- 3) Capture Community Opportunities - encourage neighborhood enhancement, empowerment, and reinvestment where appropriate, including targeting brownfields for redevelopment, and encouraging the creation of new recreational spaces.

- 4) Create Value - improve the quality of life for residents, increase the attractiveness of the City, and increase economic prosperity.

The project site is identified in the LARRMP as a potential site for a River park and recreational facility, outdoor classrooms, and/or a River learning center.

#### ***Cornfield/Arroyo Seco Specific Plan***

A specific plan is currently being developed for an approximately 660 square mile area that includes the area north and east of Chinatown and a portion of Lincoln Heights including the project site. The Draft Cornfield/Arroyo Seco Specific Plan (CASP) is intended to provide a framework to guide future land uses, community development strategies, and infrastructure improvements within the plan boundaries and to avoid uncoordinated redevelopment.

The CASP includes the following:

- 1) The designation of new mixed-use zoning districts, and the identification of the types and intensities of uses permitted within these districts, as well as building height, massing, and façade standards
- 2) The designation of new open spaces and parks and the establishment of open space requirements for new developments
- 3) Circulation and parking standards
- 4) Revised street designation and standards
- 5) Stormwater standards and
- 6) Resource conservation standards.

Notice of Preparation of an Environmental Impact Report for the draft CASP was published November 3, 2010 and approval of the draft plan is anticipated in 2011. The latest draft CASP, dated November 2010, identifies the project area as open space and potential future park site.

#### **E. Purpose**

Phase 1 of the proposed project is currently funded by Proposition O. Funding from Proposition O will also be pursued for Phase 2. Proposition O (also known as the Clean Water Bond Program) was passed by the voters of the City of Los Angeles in 2004. Proposition O authorized the City of Los Angeles to issue a series of general obligation bonds for up to \$500 million for projects to protect public health by cleaning up water pollution, including bacteria and trash, in the City's watercourses, beaches and the ocean,

in order to meet CWA requirements. In addition, the measure provides funds for improvements to protect water quality, provide flood protection, and increase water conservation, habitat protection, and open space. Phase 3 of the proposed project involves recreational improvements that would be funded by other funding sources not yet secured (such as Proposition K, Proposition 84, and/or general funding sources).

The broad goal of the Albion Dairy Demolition and Remediation & Albion Riverside Park Project is to implement a Proposition O project to improve water quality and minimize, to the maximum extent practicable, the introduction of pollutants of concern into the stormwater conveyance system. This objective can be accomplished by diverting a portion of flows from storm drains that run parallel to North Spring Street and underneath Albion Street to implement a water quality improvement project on-site. Pollutants would be removed from the nearby storm drains before the flow outlets to the Los Angeles River. In addition, surface flows and associated pollutants from the northern side of Albion Street adjacent to the site, as well as from the proposed parking lot to be constructed on-site, would also be captured. The proposed project would be consistent with Proposition O criteria and incorporate the following objectives:

- Intercept and treat dry- and a portion of wet-weather flow before it enters the Los Angeles River.
- Enhance water quality by implementing stormwater BMPs and natural treatment systems that are based on natural hydrologic processes.
- Reduce pollutant loads to impaired waters (Reach 2 of the Los Angeles River) to assist in the City's compliance with TMDLs.
- Provide active and passive recreational opportunities.
- Provide greenway linkages between the acquisition parcels, Downey Park and the Los Angeles River.
- Provide educational opportunities.

## F. Proposed Project

As described below, the three phases of the proposed project include various activities and project elements:

### ***Phase 1 – Demolition and Remediation***

The first phase of the proposed project includes decommissioning the existing electrical structures on the Albion site<sup>2</sup>, the demolition of all structures (except the cellular tower and equipment in the southwest corner of the project site) and removal of an existing underground storage tank, clarifiers, and hydraulic hoist, as well as remediation of

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<sup>2</sup> As part of the decommissioning process, transformers and electrical equipment would be identified and subsequently disconnected and/or removed, as applicable.

underlying soils found to be contaminated due to previous uses on-site. Prior to demolition of the structures, LBP and asbestos would be removed in accordance with the recommendations of the LBP and Asbestos Survey (SCA, 2010). After demolition, contaminated soils would be remediated in accordance with the Remedial Action Plan (RAP) prepared for the proposed project (CDM, 2010). Remediation would include removal (by excavation) of contaminated soil, as appropriate. After remediation activities have been completed, the site would be rough-graded. This phase would also include import of clean soil for fill.

***Phase 2 – Stormwater BMPs***

Phase 2 of the proposed project would include construction and installation of BMPs at the site. Potential water quality improvement elements include devices for the removal of trash and solids, naturalized bioretention basin(s), a simulated stream, bioswale, subsurface irrigation system, and other localized BMPs such as pervious, rather than hard paved, pathways and porous pavement in the proposed parking lot. Also included would be a reconstruction of the north side of Albion Street (i.e., curb and gutter) to capture and treat runoff from the street. Phase 2 would help improve water quality in the Los Angeles River.

***BMPs and Natural Treatment Systems***

Urban runoff from storm drains underneath Albion Street (D-11636) and parallel to North Spring Street (D-30948) would be diverted to the surface of the project site via pump stations and piping. Minimization of the pollutants of concern would require the incorporation of stormwater BMPs and natural treatment systems best suited to maximize the reduction of pollutant loadings in the runoff to the Maximum Extent Practicable. The following presents an overview of BMPs and natural treatment systems that may be implemented as part of the proposed project:

- Belowground pretreatment/trash removal devices
- Naturalized detention with a simulated stream
- Naturalized aboveground detention/bioretention basins
- Permeable pavement
- Bioswale with native plantings
- Subsurface irrigation
- Subsurface storage and infiltration system
- Green street features

## *PUBLIC WORKS – BUREAU OF ENGINEERING*

The precise combination of BMPs and natural treatment systems to be provided would be determined during the design process, and following is a more detailed discussion of each one:

### *1. Belowground Pretreatment/Trash Removal Devices*

Pretreatment devices (such as trash reduction and oil and grease separators/BMPs) would be placed either upstream or on the discharge of the pump stations. These devices are expected to capture trash, total suspended solids, floatables, oil and grease, and reduce phosphorus and metals loads. These pretreatment devices would ensure that the subsequent project components function properly. In addition, reductions in trash and metals would assist the City in meeting TMDL requirements.

### *2. Simulated Stream*

A simulated streambed would convey urban runoff through the site and provide additional treatment. Following diversion from the storm drains to the simulated stream, dry weather runoff and a portion of wet weather runoff would travel through a streambed lined with trees, shrubs, and boulders starting at the north end of the project site to the south end. Native plant communities would be established along the stream bank. Deep-rooted vegetation would slow runoff velocities, and provide passive treatment of urban runoff. Surface and subsurface soils would be amended to promote infiltration. The flows that do not infiltrate or evaporate in the simulated stream would be diverted back into the detention/bioretention areas as well as subsurface irrigation systems. The simulated stream would also enhance aesthetics, create habitat, and provide educational opportunities.

### *3. Naturalized Aboveground Detention/Bioretention Basin*

A naturalized basin would be a shallow, vegetated depression that temporarily detains urban runoff to facilitate biotreatment and promote infiltration. In addition to sediment/pollutant removal, a naturalized basin would provide habitat opportunities for targeted species. The naturalized detention basin would be approximately three-feet deep to allow for inundation during storm events and may be connected to the simulated stream described above. A naturalized basin would be attractively landscaped, incorporating native trees, shrubs and wildflowers suited for the local climate and hydrologic conditions. The root systems of trees, shrubs, and wildflowers in the basin would promote increased biofiltration prior to its release into the next basin, naturalized stream, and/or storm drain. The density of vegetation in a naturalized basin would help to slow the velocity of runoff and increase biofiltration and natural treatment. The naturalized basin would mimic natural hydrologic processes by increasing infiltration, be aesthetically appealing, and provide educational opportunities for visitors. The detention portion of the basin would be designed to dry out between storm events.

4. *Permeable Paving*

Permeable paving under the new parking lot would be provided to allow for infiltration of runoff from the parking lot and possibly from the adjacent Albion Street, and provide educational value and may be used for surfaces such as at park entrance, pathways, and parking. Several types of permeable surfaces would be considered during the design, including grass pavers, permeable concrete and porous pavement.

5. *Bioswale with Native Plantings*

Bioswales would trap particulate pollutants (suspended solids and trace metals), promote infiltration, and reduce the flow velocity of urban runoff. Dry and wet weather runoff would be treated via one or more swales that are planted with native vegetation and would be designed to enhance the overall project aesthetics. Bioswales would be integrated into the project design and would mimic natural hydrologic processes by allowing runoff to infiltrate on a small scale.

6. *Subsurface Irrigation System*

Subsurface irrigation would use the properties of capillary attraction to provide a system of subsurface irrigation and drainage. This type of irrigation system consumes 50 – 85 percent less water than traditional surface or drip irrigation systems. It would absorb natural run-off and effluents, storing it for later re-use use in the system. Any stormwater surge or runoff would be retained and held in the system for re-use or slowly infiltrated in a controlled manner.

7. *Subsurface Storage and Infiltration System*

A subsurface storage and infiltration system detains urban runoff and allows particles and other pollutants to settle out and collected runoff to infiltrate to the maximum extent possible. Various kinds of concrete vaults, pipe chambers and tanks are fabricated into modular units which can be purchased in specific quantities to fit detention needs.

8. *Green Street Features*

A “green street” is designed with a landscape system to capture and infiltrate or filter stormwater runoff through a natural system. Green street parkways have the ability to minimize impacts of stormwater runoff on the receiving water bodies by reducing the volume of polluted stormwater that currently flows untreated into the City's storm drain system. The parkway area between the roadway and the sidewalk (such as along Albion Street) is an ideal location for the landscape infiltration swales or flow through planters. As the parkway is generally located directly adjacent to the roadway, stormwater runoff can easily be directed from the streets into the parkways. The landscaped parkways also provide a buffer zone between vehicular traffic in the streets and the pedestrians on the sidewalks. These parkways generally consist of depressed planting areas that are capable of capturing and retaining storm water in the infiltration swales to percolate into

the ground below or to be filtered through the soil matrix. Green street parkways also provide adequate space for street trees to mature and develop significant canopy coverage which would improve air quality as well as reduce the heat island effect from urban pavements.

Refer to Figure 4 for a conceptual plan of the stormwater BMPs presented with the park improvements presented in the Proposition 84 application in March 2010. These elements (both BMP and park improvement) and their location are for discussion purposes only and may change depending on further community input and funding.

***Phase 3 – Park Improvements***

Phase 3 of the proposed project would include recreational, aesthetic, and educational amenities that would further transform the project site into a park to supplement the BMPs and associated water quality benefits. These park improvements may also include the reconfiguration of park elements at the existing adjacent Downey Recreation Center. Along with Phase 2 of the proposed project, Phase 3 would help improve access to the River, and expand the existing recreation facilities thus improving the use of this park.

Potential amenities would likely include pedestrian paths, continuation of the bike path (currently in the planning stages), educational sites (e.g., kiosks, native landscaping educational site, butterfly garden, small community garden, etc.), and other outdoor recreational elements (e.g., amphitheater, playground equipment, etc). Active recreational features such as an athletic field or skate park could be included. The community may also be interested in expanding the recreational uses of the adjacent Downey Recreation Center. Phase 3 would include the integration of the former Albion Dairy parcel with the existing Downey Recreation Center. Refer to Figure 4 for a conceptual plan of potential park elements, which were presented in the Proposition 84 application in March 2010. These elements and their location are for discussion purposes only and may change depending on further community input and funding. The recreational amenities are not eligible for Proposition O funding and no funding source has been identified at this time.

**G. Project Construction**

The primary construction activities for the proposed project are associated with Phase 1 – Demolition and Remediation. Demolition and remediation would occur over a period of between 15 to 18 months. Demolition (including LBP/asbestos abatement) is expected to occur first and take approximately six months. Remediation of the site, including export of contaminated soils and the import of clean soil, would take approximately nine months. The specifics of exactly what phases of construction would occur where and when would, to a large degree, be at the discretion of the selected construction contractor.

The phases that would involve the most intensive construction activities and/or greatest number of construction equipment and trucks are considered in this analysis to provide the worst-case daily emissions and noise.

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Phase I would include the demolition of existing structures and site remediation. Demolition would occur prior to other activities. Following demolition, site excavation would occur concurrently and could result in other criteria pollutant maximum daily impacts. After demolition of the site structures, remediation activities would commence. Remediation would include the excavation of contaminated soil and the import of clean fill, and is considered to be the worst case activity due to this portion of Phase 1 having the greatest potential to impact air quality due the higher number of truck trips and earthmoving equipment.

Under Phase 2, there would be construction activity associated with BMP and natural treatment system installation (including lift station and other infrastructure improvements) and minor site elements, such as planting, walkway construction, field preparation, etc.

Phase 3 would include construction associated with such activities as adding and relocating recreation features at the adjacent Downey Recreation Center (such as the reorientation of the baseball field and addition of another basketball court), while adding recreational features on both the existing park site and the Phase 2 area, such as a skate park, amphitheater, and athletic field, to bring both properties together as a single recreational entity. None of the construction phases are expected to overlap with each other.

During Phase 1, particulate matter from demolition or remediation, as well as equipment emissions would be generated. During Phase 2 and Phase 3, general criteria pollutants associated with construction equipment (i.e., carbon monoxide, oxides of nitrogen and sulfur, small particulate matter, etc.) would be generated, but are expected to be less than Phase 1 levels. An overview of the construction activities in each phase is provided below, including the anticipated activity and equipment that would occur during peak construction activity. As described above, the activities associated with Phase 1 would be the worst case scenario; hence, Phase 1 assumptions were the basis for the analysis.

### ***Demolition***

The initial activity associated with Phase 1 is the demolition of all the structures and surfaces on the Albion site (with the exception of the cellular tower and associated equipment). Based on the results of the LBP and asbestos survey performed for the project site, prior to demolition, six of the seven existing structures (Warehouse No. 1, Warehouse No. 2, Office Building, Maintenance Garage, Storage Building, and Security Booth) would require asbestos abatement, while Warehouse No. 1 and Maintenance Garage would also require LBP abatement. It is anticipated that LBP and asbestos abatement would take approximately two months, while the demolition of the structures would take approximately four months (for a total of six months).

In addition, asphalt over the entire site would be removed and an underground diesel storage tank, transformers and electrical equipment, clarifiers, and a hydraulic hoist, would be removed. The estimated construction equipment and number of workers that would be required for demolition includes:

## *PUBLIC WORKS – BUREAU OF ENGINEERING*

- 1 crane
- 2 loaders
- 2 excavators with hammer attachments
- 1 water truck
- Flatbed truck
- Dump truck(s) for hauling
- 20 workers

### ***Remediation***

Following demolition, site excavation and soil management associated with soil remediation (including soil export and import) is expected to take approximately nine months to complete. Soil export in this phase is estimated to be approximately 6,000 cubic yards, and approximately 18,000 cubic yards of clean soil would be imported to the site. Following remediation, the Albion site would be graded to drain to a catch basin that would collect runoff from on-site to the storm drain in Albion Street.

The construction equipment and workers expected to be used during this phase includes:

- 2 loaders
- 1 excavator
- 1 compactor/roller
- 1 water truck
- Dump truck(s) for hauling
- 15 workers
- 1 hydraulic crane

Due to the distance that the dump trucks would potentially have to travel to dispose of contaminated soil, the potential impacts on air quality (from emissions from the trucks) make this the worst case activity associated with the proposed project.

### ***Construction of Other Project Features***

During Phase 2, BMPs would be installed or constructed following site remediation and grading, as follows:

## *PUBLIC WORKS – BUREAU OF ENGINEERING*

- Berms and controls
- Top soil layer
- Pathways and other amenities (such as educational signage)
- Parking lot
- Irrigation system
- Planting/landscaping
- Perimeter fencing
- Solids removal devices & catch basin screens and inserts

In addition, during Phase 3, recreational features would be added or improved. Construction of Phase 2 and Phase 3 would be of relatively lower intensity than the demolition and site grading process and would not represent a worst-case construction phase.

### ***Construction Schedule***

Construction of Phase 1 is expected to begin in 2011 and take approximately 15 to 18 months. As funding has not yet been secured for Phase 2 or Phase 3, for the purposes of this analysis Phase 2 is anticipated to be constructed sometime in 2013, and Phase 3 (which would be constructed after Phase 2) between 2015 and 2016. The analysis assumes that there would be not overlap in the construction of the phases.

## **H. Operation and Maintenance**

Operation and maintenance would be the responsibility of the Department of Public Works Bureau of Sanitation (BOS) and Department of Recreation and Parks. The BOS would be responsible for the BMP elements and it is anticipated that the Department of Recreation & Parks would be responsible for maintaining the expanded park, including the landscape and the irrigation system after the improvements have been completed.

An Operations and Maintenance program would be prepared for the BMPs and any landscaping and irrigation resulting from construction of Phase 2. The program is anticipated to include maintenance recommendations provided by the manufacturers to ensure that the structural BMPs perform optimally. Operation and maintenance procedures would be performed in accordance with a Master Agreement between the Department of Public Works and Department of Recreation & Parks for the construction and maintenance of Proposition O projects, as supplemented by a project-specific Memorandum of Understanding for this project.

## I. Project Actions and Approvals

The proposed project and environmental documentation, including this Initial Study/Mitigated Negative Declaration would require approval by the City of Los Angeles Board of Public Works and City Council. Additional anticipated approvals or permits for the proposed project include, but are not limited to the following:

- State Water Resources Control Board/LARWQCB project review and NPDES General Construction Permit and approval of RAP, as applicable
- Los Angeles County Department of Public Works Flood Control District, permit for modification to storm drain system (for storm drain under County jurisdiction)
- City of Los Angeles Fire Department oversight associated with the removal of the underground storage tank and associated contaminated soil, if any
- City of Los Angeles Department of Public Works permit for modification to storm drain system (for storm drain under City jurisdiction)
- City of Los Angeles Department of Building and Safety, building and grading permits and review of import/export routes (haul routes)
- City of Los Angeles Department of Transportation, Traffic Control Plan review
- City of Los Angeles Department of Recreation and Parks, project and design review

The analysis in this document assumes that, unless otherwise stated, the proposed project would be designed, constructed and operated following all applicable laws, regulations, ordinances and formally adopted City standards (e.g., *Los Angeles Municipal Code* and *Bureau of Engineering Standard Plans*). Construction would follow the uniform practices established by the Southern California Chapter of the American Public Works Association (e.g., *Standard Specifications for Public Works Construction* and the *Work Area Traffic Control Handbook*) as specifically adapted by the City of Los Angeles (e.g., The City of Los Angeles Department of Public Works Additions and Amendments to the Standard Specifications For Public Works Construction [AKA "The Brown Book," formerly Standard Plan S-610]).

## J. Community Outreach

From November 2009 thru January 2010 five community design input meetings were held for the Albion Park Project Proposition 84 application process. The input process included three at-large community meetings held at Downey Recreation Center and two additional meetings with a youth focus at Albion Elementary and Nightingale Middle schools. On January 28, 2010, the community held the last meeting of the application process to unveil the final design concept and receive additional comments prior to submitting the Proposition 84 application. Since submitting the Proposition 84

application, the City received news that the Albion Park Project was not chosen for funding under this cycle. Therefore, the final design concept for the project remains to be determined.

### **III. EXISTING ENVIRONMENT**

The proposed project site is located approximately 1.5 miles northeast of downtown Los Angeles in the Northeast Los Angeles Community plan and Council District 1 areas of the City of Los Angeles. The project site is comprised of two portions: Albion Dairy site (at 1739 Albion Street) and southern portion of the Downey Recreation Center (1772 N. Spring Street). Phase 1 would occur solely on the Albion site. A majority, if not all, of Phase 2 would occur on the Albion site. Phase 3 is anticipated to be constructed and operated using both the Albion site and the adjacent Downey Recreation Center site (southern portion). The project is near the east side of the Los Angeles River, within the Los Angeles Forebay of the Central Basin at approximately 300 feet above mean sea level. The project drainage area is highly developed and pollutant loadings in runoff can degrade water quality in Reach 2 of the Los Angeles River.

The project site is comprised of seven parcels (totaling approximately 6.3 acres) which are zone either M1-1, MR1-1, or PF-1. North Spring Street is located along the north side of the project site, and Albion Street to the south.

The Northeast Community Plan identifies North Spring Street major highway, and Albion Street as a local Street. The project site is located southeast of the Elysian Hills.

The California Department of Conservation, California Geological Survey's Seismic Hazard Zonation Program Map indicates that the project site is not within an Alquist-Priolo Earthquake Fault Zone. The nearest active fault to the project site is the Upper Elysian Park and Puente Hills blind thrust faults, which are located less than 0.1 mile from the site. However, no active faults are known to cross the project site. The project site is located within a potentially liquefiable zone. Due to its proximity to the Los Angeles River, the entire project site is located within a 100- year flood plain.

The project site is underlain by existing older undocumented fill and alluvium. The old fill materials are not considered suitable for support of new fill or future improvements and would be removed and re-compacted as part of Phase 1. The fill materials ranged from approximately four to eleven feet deep and included silty sand and clayey sand with scattered gravel and cobbles. Deeper fill may be present on the site and also included brick, concrete, and wood debris. Wood, brick, concrete and other deleterious material are not suitable for re-use as structural fill and should be selectively removed during grading. Excavations are anticipated to encounter predominantly granular soils consisting of silty sand, clayey sand, poorly graded sand with silt. Cobbles, foundation remnants, abandoned utilities, buried railroad tracks/ties, brick and concrete rubble, and miscellaneous debris are also anticipated.

The Albion Dairy project site is developed with various industrial and commercial

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structures and is fully paved. The site includes two warehouses, an office building, garage and storage buildings, a metal frame maintenance structure, and a security booth. The dairy is currently relocating and consolidating its operations to other existing facilities throughout Los Angeles County. Under normal operations, the dairy operated essentially on a 24-hour basis, with two shifts, one starting at 5:00 a.m. (10 employees), and the other at 4:30 p.m. (18 employees). Between 18 and 22 deliveries occurred each day, and local delivery trucks would generally leave the site between 3:00 a.m. to 7:00 a.m. and return between 3:00 p.m. to 7:00 p.m. There were also about one delivery each of oil and gasoline once a week. Dairy operations were closed from 5:00 p.m. Saturday to 1:00 a.m. Sunday.

The Downey Recreation Center to the immediate east of the Albion site is operated by the City's Department of Recreation and Parks. A chain link/corrugated metal fence separates the Albion Dairy from the Downey Recreation Center. Recreational amenities include a field (baseball diamond and soccer field), basketball court, and gymnasium. The recreational center is operated Monday through Friday from 9:00 a.m. to 10:00 p.m., Saturdays from 9:00 a.m. to 5:00 p.m., and Sundays from 9:00 a.m. to 4:00 p.m. The Downey Child Care Center is located adjacent to the Recreation Center, but is not accessible from the park (access is via 219 South Avenue 18).

#### IV. ENVIRONMENTAL EFFECTS/INITIAL STUDY CHECKLIST

This section documents the screening process used to identify and focus upon environmental impacts that could result from this project. The IS Checklist below follows closely the form prepared by the Governor's Office of Planning and Research and was used in conjunction with the City's *L.A. CEQA Thresholds Guide* and other sources to screen and focus upon potential environmental impacts resulting from this project. Impacts are separated into the following categories:

- No Impact. This category applies when a project would not create an impact in the specific environmental issue area. A "No Impact" finding does not require an explanation when the finding is adequately supported by the cited information sources (e.g., exposure to a tsunami is clearly not a risk for projects not near the coast). A finding of "No Impact" is explained where the finding is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- Less Than Significant Impact. This category is identified when the project would result in impacts below the threshold of significance, and would therefore be less than significant impacts.
- Less Than Significant After Mitigation. This category applies where the incorporation of mitigation measures would reduce a "Potentially Significant Impact" to a "Less Than Significant Impact." The mitigation measures are described briefly along with a brief explanation of how they would reduce the effect

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to a less than significant level. Mitigation measures from earlier analyses may be incorporated by reference.

- Potentially Significant Impact. This category is applicable if there is substantial evidence that a significant adverse effect might occur, and no feasible mitigation measures could be identified to reduce impacts to a less than significant level. If there are one or more “Potentially Significant Impact” entries when the determination is made, an Environmental Impact Report (EIR) is required. There are no such impacts for the proposed project.

Sources of information that adequately support these findings are referenced following each question. All sources so referenced are available for review at the offices of the Bureau of Engineering, 1149 South Broadway Suite 600 Los Angeles, California 90015. Please call Maria Martin at (213) 485-5753 for an appointment.

# Issues

Potentially Significant Impact  
 Less Than Significant With Mitigation  
 Less Than Significant  
 No Impact

**1. AESTHETICS** – Would the project:

- a) Have a substantial adverse effect on a scenic vista?

Reference: L.A. CEQA Thresholds Guide (Sections A.1 and A.2); Northeast Los Angeles Community Plan

Comment: A scenic vista generally provides focal views of objects, settings, or features of visual interest; or panoramic views of large geographic areas of scenic quality, primarily from a given vantage point. A significant impact may occur if the proposed project introduced incompatible visual elements within a field of view containing a scenic vista or substantially altered a view of a scenic vista.

The proposed project site has views of downtown Los Angeles to the southwest and eastern edge of Elysian Park and a view of the historic North Spring Street bridge to the west. The Northeast Los Angeles Community Plan does not delineate or designate any specific views as scenic vistas within the project area. The project area is located within an urban setting and is surrounded by the North Spring Street bridge to the north, Downey Recreation Center and low density single-family residential development to the east, Los Angeles River and railroad tracks to the west, and a light industrial uses to the south. The northwest corner of the site is occupied by an electrical tower and power line. The southwest corner of the site is occupied by a cellular tower and associated appurtenances.

Phase 1 would demolish all the structures at the site except for the parameter fence and the cellular tower and associated appurtenances in the southwest corner of the site. Remediation associated with Phase 1 would remove contaminated features and soil, and would import soil to bring the site back to starting grade/elevation. Once Phase 1 has been completed, the site would be stabilized and the existing fence would remain. Therefore, Phase 1 would not obstruct views but would actually eliminate structures and features that are currently obstructing views of downtown Los Angeles and the historic North Spring Street Bridge and eastern edge of Griffith Park.

Although there are no delineated or designated scenic vistas within the project area, construction and operation of Phase 1 would not introduce incompatible visual elements within a field of view containing a scenic vista or substantially alter a view of a scenic vista. Therefore, Phase 1 of the proposed project would have a less than significant impact on a scenic vista.

Phase 2 would involve the construction and operation of BMPs that are at or below ground surface. There are no delineated or designated scenic vistas within the project area; therefore, construction and operation of Phase 2 would not introduce incompatible visual elements within a field of view containing a scenic vista or substantially alter a view of a scenic vista. In addition, Phase 2 would not obstruct views of downtown Los Angeles and the historic North Spring Street Bridge and eastern edge of Griffith Park. Therefore, Phase 2 of the proposed project would have a less than significant impact on a scenic vista.

Phase 3 would involve the construction and operation of passive and active park elements, which would consist of mostly small structures or features with a small footprint with minimal aboveground components located throughout the site and adjacent Downey Recreation Center. As with the other two phases, there are no delineated or designated scenic vistas within the

# Issues

Potentially Significant Impact  
 Less Than Significant With Mitigation  
 Less Than Significant  
 No Impact

project area; therefore, construction and operation of Phase 3 would not introduce incompatible visual elements within a field of view containing a scenic vista or substantially alter a view of a scenic vista. In addition, Phase 3 would not obstruct views of downtown Los Angeles and the historic North Spring Street Bridge and eastern edge of Griffith Park. Phase 3 of the proposed project would have a less than significant impact on a scenic vista.

- b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

Reference: California Scenic Highway Mapping System, L.A. CEQA Thresholds Guide (Sections A.1 and A.2); City of Los Angeles General Plan; Northeast Los Angeles Community Plan; North Spring Street Viaduct Widening and Rehabilitation Project Final EIR/EA, May 2010; California Department of Transportation, California Scenic Highway Mapping System website ([http://www.dot.ca.gov/hq/LandArch/scenic\\_highways/index.htm](http://www.dot.ca.gov/hq/LandArch/scenic_highways/index.htm))

Comment: A significant impact may occur where scenic resources within a state scenic highway would be damaged or removed as a result of the proposed project.

The proposed project is not along or near a designated California Scenic Highway or locally designated scenic highway. In addition, no scenic resources such as trees or rock outcroppings are in the project area. However, the North Spring Street Bridge (also known as the North Spring Street Viaduct) is located immediately north of the project and is a City of Los Angeles Historic-Cultural Monument (No. 900) and was found to be eligible for listing on the National Register of Historic Places (Bridge 53C-0859). The Bridge/Viaduct is an example of the Beaux-Arts style and part of the City Beautiful Movement of the late 19<sup>th</sup> and early 20<sup>th</sup> centuries.

As described in Section 1(a) above, Phase 1 would not obstruct views but would actually eliminate structures and features that are currently obstructing views of the historic North Spring Street Bridge. Demolition would include removal of the structures at the northern end of the site, which is adjacent to the Bridge. The proposed project would not physically effect, damage or remove any portion of the North Spring Street Bridge. After demolition and remediation has been completed as part of Phase 1, the site would be secured and chain link perimeter fence would remain until such time that the City could build elements associated with Phase 2. Therefore, the construction and operation of the Phase 1 would not result in an impact to any state scenic highway or locally designated scenic highway, and would have a less than significant impact on a historic structure.

Phase 2 would involve the construction and operation of BMPs that are at or below ground surface. Therefore, the elements associated with Phase 2 would not significantly or substantially damage views of the historic North Spring Street Bridge. All Phase 2 elements would be constructed and operated within the boundary of the project site and Downey Recreation Center (southern site, adjacent to the project site) or parallel to North Spring Street and within Albion Street. The connection to the storm drain parallel to North Spring Street would not damage or remove any portion of the North Spring Street Bridge. Therefore, Phase 2 of the proposed project would not physically effect, damage or remove any portion of the North Spring Street Bridge. Therefore, Phase 2 of the proposed project would have a less than significant impact on a historic structure.

Phase 3 would involve the construction and operation of passive and active park elements, which would consist of mostly small structures or features with a small footprint with minimal aboveground components located throughout the site and adjacent Downey Recreation Center.

# Issues

Potentially Significant Impact  
 Less Than Significant With Mitigation  
 Less Than Significant  
 No Impact

Therefore, the elements associated with Phase 3 would not significantly or substantially affect views of the historic North Spring Street Bridge. All Phase 3 elements would be constructed and operated within the boundary of the project site and Downey Recreation Center (southern portion of the existing recreation facility, adjacent to the project site) and not affect the North Spring Street Bridge. Therefore, Phase 3 of the proposed project would have a less than significant impact on a historic structure.

- c) Substantially degrade the existing visual character or quality of the site and its surroundings?

Reference: L.A. CEQA Thresholds Guide (Sections A.1 and A.2)

Comment: A significant impact may occur if the proposed project introduced incompatible visual elements to the project site or visual elements that would be incompatible with the character of the area surrounding the project site.

The project site is with an urbanized of the City of Los Angeles. The site itself has been used for industrial purposes since the early 1900s. Demolition and remediation associated with Phase 1 would temporarily detract from the visual quality of the site; however, this would be temporary in nature. After demolition and remediation has been completed as part of Phase 1, the site would be secured and chain link perimeter fence would remain until such time that the City could build elements associated with Phase 2. The structures to be removed are one-story with no special features. The site fencing would remain. Although removal of structures and leaving the site vacant would be different visually than the current site character, it is not anticipated that Phase 1 would introduce an incompatible visual element to the project site or visual elements that would be incompatible with the character of the area surrounding the project site. Therefore, the construction and operation of Phase I would not substantially degrade the existing visual character or quality of the site, and the impact would be less than significant.

Phase 2 would involve the construction and operation of BMPs that are at or below ground surface. Potential water quality improvement elements include naturalized bioretention basin(s), a simulated stream, bioswale, subsurface irrigation system, and other localized BMPs such as pervious pathways (rather than hard paved surfaces) and porous pavement in the proposed parking lot. These would be visual elements that are an improvement to what currently exists, but would not introduce an incompatible visual element to the project site or visual elements that would be incompatible with the character of the area surrounding the project site. The construction and operation of Phase 2 would improve and not substantially degrade the existing visual character or quality of the site, and the impact would be less than significant.

Phase 3 would involve the construction and operation of passive and active park elements, which would consist of mostly small structures or features with a small footprint with minimal aboveground components located throughout the Albion site and adjacent Downey Recreation Center. Upon the completion of Phase 3, additional park components, including but not limited to, athletic fields, picnic areas, and landscaping, would enhance the aesthetic quality of the site and provide a beneficial aesthetic impact to the project site and area surrounding the site. As a result, the construction and operation of Phase 3 would improve and not substantially degrade the existing visual character or quality of the site, and the impact would be less than significant.

# Issues

Potentially Significant Impact  
 Less Than Significant With Mitigation  
 Less Than Significant  
 No Impact

- d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?

Reference: L.A. CEQA Thresholds Guide (Section A.4)

Comment: A significant impact would occur if the proposed project caused a substantial increase in ambient illumination levels beyond the property line or caused new lighting to spill-over onto light-sensitive land uses such as residential, some commercial and institutional uses that require minimum illumination for proper function, and natural areas.

The project site is illuminated by adjacent street lights (along Albion Street and the North Spring Street Bridge) and light sources associated with the adjacent Downey Recreation Center.

Project construction would occur during daylight hours and, therefore, would not require nighttime lighting. Phase 1 of the project would include demolition of the existing structures on the site including removal of on-site lighting related to the existing development. Phase 1 demolition and remediation activities would occur during daylight hours. Once demolition and remediation are complete, no new structures or lighting would be constructed on the site that would result in additional lighting. Therefore, Phase 1 would not create a substantial source of light or glare that would result in adverse effects to day/nighttime views of the area, and therefore, impacts would be less than significant.

Phase 2 would involve the construction and operation of BMPs that are at or below ground surface. As with Phase 1, construction is anticipated to occur during daylight hours. The features associated with Phase 2 would be at or below the ground surface, and very minimal (less than existing), if any, lighting would be installed or required for the operation of Phase 2. Therefore, Phase 2 would not create a substantial source of light or glare that would result in adverse effects to day/nighttime views of the area, and therefore, impacts would be less than significant.

Phase 3 would involve construction and operation of passive and active park elements. As with Phase 1, construction is anticipated to occur during daylight hours. Although lighting could be installed as part of operation of the Phase 3 improvements, it is anticipated that it would not be greater than what currently exists on the project site. Therefore, Phase 3 would not create a substantial source of light or glare that would result in adverse effects to day/nighttime views of the area, and therefore, impacts would be less than significant.

## 2. AGRICULTURE AND FOREST RESOURCES – Would the project:

- a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

Reference: California State Department of Conservation Farmland Mapping and Monitoring Program website (<http://www.conservation.ca.gov/dlrp/FMMP/Pages/Index.aspx>); City of Los Angeles General Plan Conservation Element; Zone Information & Map Access System (ZIMAS)

Comment: A significant impact may occur if the proposed project were to result in the conversion of state-designated agricultural land from agricultural use to a non-agricultural use.

No prime or unique farmland, or farmland of statewide importance exists within the project area

# Issues

Potentially Significant Impact  
Less Than Significant With Mitigation  
Less Than Significant  
No Impact

or vicinity. The project site is not located on or near any property zoned or otherwise intended for agricultural uses. Therefore, construction and operation of the proposed project (Phase 1, Phase 2 and Phase 3) would not impact state-designated agricultural land.

- b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

Reference: California State Department of Conservation Farmland Mapping and Monitoring Program website (<http://www.conservation.ca.gov/dlrp/FMMP/Pages/Index.aspx>); City of Los Angeles General Plan Conservation Element, Zone Information & Map Access System (ZIMAS)

Comment: A significant impact may occur if the proposed project were to result in the conversion of land zoned for agricultural use, or indicated under a Williamson Act contract, from agricultural use to a non-agricultural use.

No land on or near the project site is zoned for or contains agricultural uses. As the City of Los Angeles does not participate in the Williamson Act, there are no Williamson Act properties in the City of Los Angeles. Therefore, no impact from project construction and operation (Phase 1, Phase 2, and Phase 3) is anticipated.

- c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)) or timberland (as defined in Public Resources Code Section 4526)?

References: City of Los Angeles General Plan.

Comment: A significant impact may occur if the proposed project were to conflict with an existing zoning classification of forest land or timberland, or cause rezoning of an area classified as forest land or timberland.

The proposed project site is zoned M1-1 or MR1-1 (Manufacturing) or PF-1, and is currently used for warehousing and distribution of retail packaged milk and milk products. There are no forest land or timberland areas in the vicinity of the project. Therefore, construction and operation of the proposed project (Phase 1, Phase 2, and Phase 3) would not conflict with the existing zoning or cause rezoning of forest land or timberland resources, and no impact is anticipated.

- d) Result in the loss of forest land or conversion of forest land to non-forest use?

References: See 2 (c) above.

Comment: See 2 (c) above.

- e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of farmland, to non-agricultural use or conversion of forest land to non-forest use?

Reference: See 2 (a) and 2 (c) above.

Comment: See 2 (a) and 2 (c) above.

### 3. AIR QUALITY – Would the project:

- a) Conflict with or obstruct implementation of the applicable air quality plan?

Reference: L.A. CEQA Thresholds Guide (Sections B1 and B2); South Coast Air Quality Management District, Final 2007 Air Quality Management Plan, June 2007; City of Los Angeles

# Issues

Potentially Significant Impact  
 Less Than Significant With Mitigation  
 Less Than Significant  
 No Impact

## General Plan

Comment: A significant impact may occur if the proposed project would conflict with or obstruct implementation of the applicable air quality plan.

The project is located within the South Coast Air Basin (SCAB), which is under the jurisdiction of the South Coast Air Quality Management District (SCAQMD). The SCAQMD is responsible for administering the Air Quality Management Plan (AQMP) for the Basin, which is a comprehensive air pollution control program for attaining state and federal ambient air quality standards. The City has an adopted Air Quality Element that is part of the General Plan. The Air Quality Element contains policies and goals for attaining state and federal air quality standards, while continuing economic growth, and includes implementation strategies for local programs contained in the AQMP. A significant impact would occur if the proposed project is inconsistent with the AQMP or the Air Quality Element of the City's General Plan.

The project is located within the Northeast Los Angeles Community Plan area. The Community Plan includes goals, objectives, and policies designed to maintain and improve quality of life within the planning area, including promoting the provision of housing in close proximity to jobs to reduce vehicular trips, congestion and air pollution; encouraging use of and improvements to the public transportation system; and promoting non-motorized vehicle transportation (i.e. pedestrian, bicycle, and equestrian). The proposed project would be consistent with the community plan as it would provide an important resource to the community to improve quality of life, including providing new trails for non-motorized vehicles transportation. The community plan is required to conform to the General Plan and its elements, including the Air Quality Element. As such, the project would also be consistent with the Air Quality Element and the AQMP. Therefore, construction and operation of the proposed project (Phase 1, Phase 2 and Phase 3) would not conflict with or obstruct implementation of the applicable air quality plan and no impact is anticipated.

- b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

Reference: L.A. CEQA Thresholds Guide (Sections B1 and B2); Transportation and Land Use Programs Computer Model (URBEMIS Version 9.2.4), 2007; South Coast Air Quality Management District, CEQA Air Quality Handbook, 1993

Comment: A significant impact may occur if the proposed project would violate any air quality standard or contribute substantially to an existing or projected air quality violation.

The SCAB is an extreme non-attainment area for 1-hour ozone (O3), a serious non-attainment area for particulate matter less than 10 microns in size (PM10), and a non-attainment area for particulate matter less than 2.5 microns in size (PM2.5), nitrogen dioxide (NO2) and lead. The SCAB is a maintenance area for carbon monoxide (CO), is in attainment of the CAAQS for sulfur dioxide (SO2), and sulfates, and is unclassified for hydrogen sulfide and visibility reducing particles.

In determining attainment and maintenance of air quality standards, the SCAQMD has established thresholds of significance for these and other criteria pollutants. A significant impact would occur if the proposed project results in substantial emissions during construction or operation, which would exceed the established thresholds.

The construction air quality analysis was conducted for to determine construction-related

# Issues

Potentially Significant Impact  
Less Than Significant With Mitigation  
Less Than Significant  
No Impact

emissions using the Transportation and Land Use Programs Computer Model URBEMIS2007 and SCAQMD on-road emission factors for truck trips (see Appendix A for results). The analysis estimated construction emissions from Phase 1, which would be of a greater intensity than the construction occurring during Phase 2 and 3, thus representing a worst-case construction phase. Phase 1 construction consists of site demolition, which would occur prior to other activities, and remediation activities. Remediation would include the excavation of contaminated soil and the import of clean fill. None of the construction phases are expected to overlap, and soil remediation and export is expected to occur prior to fill and soil import. During Phase 1, particulate matter from demolition and earth-moving activities, as well as equipment exhaust would be emitted. During Phase 2 and 3, emissions associated with construction equipment would be less than emissions during Phase 1. The peak daily construction emissions from all activities during Phase 1 are shown in Table 2 below, and would not exceed SCAQMD significance thresholds.

The operational air quality analysis estimated operational emissions associated with Phase 3, as this Phase 3 encompasses operations of all elements of the proposed project (i.e., operation of improvements constructed under Phase 1, Phase 2, and Phase 3). Emissions were estimated for quarterly worker trips to the site for inspection and maintenance of the installed BMPs, and use of the expanded park facilities.

A summary of the emissions analysis is provided in Table 3 below. Reduction credits used in the analysis include dust control measures in accordance with SCAQMD Rule 403 Fugitive Dust.

	VOC	NOx	CO	SO2	PM10	PM2.5
<b>Construction Emissions</b>	4	38	20	<1	39	9
SCAQMD Construction Thresholds (lbs/day)	75	100	550	150	150	55
<b>Significant Impact?</b>	<b>NO</b>	<b>NO</b>	<b>NO</b>	<b>NO</b>	<b>NO</b>	<b>NO</b>
<b>Operational Emissions</b>	1	4	6	<1	1	0
SCAQMD Operations Thresholds (lbs/day)	55	55	550	150	150	55
<b>Significant Impact?</b>	<b>NO</b>	<b>NO</b>	<b>NO</b>	<b>NO</b>	<b>NO</b>	<b>NO</b>

Results of the analysis indicate that project-related Phase 1 construction would not exceed the established SCAQMD thresholds for criteria pollutants, and thus would be less than significant. The level of construction associated with Phase 2 and Phase 3 is anticipated to be less than for Phase 1 because it would involve less demolition, earthwork, and truck trips to transport soil to and from the site. Therefore, emissions associated with construction are likely to be lower, and the impact is less than significant.

Likewise, results of the analysis indicate that project-related Phase 3 operations would not exceed the established SCAQMD thresholds for criteria pollutants. As Phase 3 operations includes operation of improvements that would occur in Phase 1 and Phase 2, all operations associated with the proposed project would be less than significant.

# Issues

Potentially Significant Impact  
 Less Than Significant With Mitigation  
 Less Than Significant  
 No Impact

As such, the proposed project (Phase 1, Phase 2 and Phase 3) construction and operations would not result in a violation of air quality standards or substantially contribute to existing or projected air quality violations; therefore, the impact would be less than significant.

- c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?

Reference: L.A. CEQA Thresholds Guide (Sections B1 and B2); 2006 State Area Designation Maps (<http://www.arb.ca.gov/desig/adm/adm.htm#state>); Transportation and Land Use Programs Computer Model (URBEMIS 9.2.4), 2007

Comment: A significant impact would occur if the proposed project's incremental air quality effects are considerable when viewed in connection with the effects of past, present, and future projects.

As discussed in 3(b) above, Phase 1 would not exceed established thresholds for criteria pollutants during construction and would not cause or contribute to local or regional air quality impacts during operation. Therefore, net increases of emissions generated by Phase 1 are not considered to substantially exacerbate a violation of air quality standards or significantly contribute to a cumulative air quality impact when combined with the effects of other projects, and the impact is less than significant.

As construction and operation of Phase 2 and Phase 3 are anticipated to have fewer air emissions than Phase 1, these phases are not anticipated to exceed established thresholds or contribute to air quality impacts during construction and operation. Furthermore, Phase 2 and Phase 3 are not anticipated to substantially exacerbate a violation of air quality standards or significantly contribute to a cumulative air quality impact when combined with the effects of other projects, and the impact is less than significant.

- d) Expose sensitive receptors to substantial pollutant concentrations?

Reference: L.A. CEQA Thresholds Guide (Sections B1, B2, and B3)

Comment: A significant impact may occur if construction or operation of the proposed project generated pollutant concentrations to a degree that would significantly affect sensitive receptors. Sensitive receptors include residences, board and care facilities, schools, playgrounds, hospitals, parks, child care centers, and outdoor athletic facilities.

As discussed in 3(b) above, Phase 1 would not result in a violation of air quality standards or substantially contribute to existing or projected air quality violations during construction or operation. As such, Phase 1 is not expected to expose sensitive receptors, including nearby residences, to substantial pollutant concentrations. Therefore, impacts from construction and operation would be less than significant.

As construction and operation of Phase 2 and Phase 3 are anticipated to have fewer air emissions than Phase 1, these phases are not anticipated to result in a violation of air quality standards or substantially contribute to existing or projected air quality violations during construction or operation. Thus, Phase 2 and Phase 3 are also not anticipated to expose sensitive receptors, including nearby residences, to substantial pollutant concentrations, and, therefore, the impact is less than significant.

# Issues

Potentially Significant Impact  
 Less Than Significant With Mitigation  
 Less Than Significant  
 No Impact

- e) Create objectionable odors affecting a substantial number of people?

Reference: L.A. CEQA Thresholds Guide (Sections B1 and B2); Phase I Environmental Site Assessment (ESA) – Albion Dairy, May 2009

Comment: A significant impact would occur if the project created objectionable odors during construction or operation that would affect a substantial number of people.

Although during the site reconnaissance performed for the Phase I ESA, no unusual odors were noted, the site is immediately adjacent to active railroad tracks, which could contribute to odors from railroad engine emissions on occasion. During construction activities associated with the project (Phase 1, Phase 2 and Phase 3), sources of odor are mostly associated with diesel emissions from construction equipment. These odors would be temporary and localized. Nonetheless, applicable BMPs such as those in SCAQMD Rule 431 (Diesel Equipment) would, in addition to minimizing air quality impacts, also help minimize potential construction odors.

Air emissions, including odors, during operation are anticipated to be absent or minimal. Phase 1 elements would not include any activities that would cause odors. Operation associated with Phase 2 includes BMPs that would convey water through the site; however, no air emissions or odors are associated with these facilities. Operation of Phase 3 includes passive and active park elements (i.e., open space, amphitheater, skate park, athletic field, and parking) that would not be expected to create objectionable odors that would affect a substantial number of people.

Therefore, impacts from project construction and operation (Phase 1, Phase 2 and Phase 3) related to odors are anticipated to be less than significant.

#### 4. BIOLOGICAL RESOURCES – Would the project:

- a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

Reference: L.A. CEQA Thresholds Guide (Section C); City of Los Angeles General Plan; North Spring Street Viaduct Widening and Rehabilitation Project Final EIR/EA, May 2010.<sup>3</sup>

Comment: A significant impact may occur if the proposed project would remove or modify habitat for any species identified or designated as a candidate, sensitive, or special status species in local or regional plans, policies, or regulation, or by the state or federal regulatory agencies cited.

The proposed project site is located in a heavily urbanized area adjacent to the eastern portion of the Los Angeles River. The site is developed with manufacturing/light industrial uses related to the warehousing and distribution of retail packaged milk and dairy products. The site currently houses two warehouse buildings, an office building, a garage, and storage areas. Plant species in the vicinity of the project site is limited to a small amount of ornamental landscaping and trees. A few trees are located along the northern, southern, and eastern perimeter of the site. Wildlife

<sup>3</sup> A biological resources assessment was conducted for the North Spring Street Viaduct Widening and Rehabilitation Project to determine potential impacts to biological resources within the area of that project and the results were presented in the Final EIR/EA dated May 2010. This project is located directly north of the proposed project and, as such, the results are directly applicable to the proposed project.

# Issues

Potentially Significant Impact  
 Less Than Significant With Mitigation  
 Less Than Significant  
 No Impact

known to occupy the area includes the California ground squirrel, opossum, raccoon, western fence lizard, house sparrow, European starling, and rock dove.

The Los Angeles River is located adjacent to the western portion of the project site. The River channel is concrete lined, several hundred feet across and more than 50 feet deep. Although the River has year-round flows (fed by urban runoff and treated wastewater), it is not close to any federally designated critical habitat, and does not support any federal listed proposed, threatened, or endangered species.

There is no native habitat for plants or animals within the proposed project area. The project site is disturbed and the adjacent river bed is concrete and channelized, and not conducive to supporting either plant or animal species. The site lacks the minimum characteristics and conditions necessary to support any sensitive or protected plant or animal species that may occur within the project region.

The project site does not contain or support federal- or state-listed plant or animal species and therefore no impacts associated with construction and operation of the proposed project (Phase 1, Phase 2, and Phase 3) are anticipated.

- b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?

Reference: See 4 (a) above.  
 Comment: See 4 (a) above.

- c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

Reference: City of Los Angeles General Plan; L.A. CEQA Thresholds Guide (Section C); North Spring Street Viaduct Widening and Rehabilitation Project Final EIR/EA, May 2010.  
 Comment: A significant impact may occur if federally protected wetlands, as defined by Section 404 of the Clean Water Act, would be modified or removed.

The project site is completely developed with manufacturing and light industrial uses and, as a result, does not contain or support jurisdictional wetlands. Therefore no impacts associated with construction and operation of the proposed project (Phase 1, Phase 2 and Phase 3) is anticipated.

- d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Reference: L.A. CEQA Thresholds Guide (Section C); North Spring Street Viaduct Widening and Rehabilitation Project Final EIR/EA, May 2010.  
 Comment: A significant impact may occur if the proposed project interfered or removed access to a migratory wildlife corridor or impeded the use of native wildlife nursery sites.

The project area is within an urban setting, and is completely developed with manufacturing and

# Issues

Potentially Significant Impact  
 Less Than Significant With Mitigation  
 Less Than Significant  
 No Impact

light industrial uses related to the warehousing and distribution of retail packaged milk and milk products. There are no native resident or migratory fish, wildlife species, wildlife corridors, nor native wildlife nursery site located on or in the vicinity of the project site. The Los Angeles River is located adjacent to the western boundary of the project site, but it is concrete and channelized and does not provide habitat for any fish species. Construction and operation of the proposed project (Phase 1, Phase 2 and Phase 3), therefore, would have no impact related to wildlife corridors or use of native wildlife nursery sites.

- e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Reference: L.A. CEQA Thresholds Guide (Section C); City of Los Angeles General Plan; North Spring Street Viaduct Widening and Rehabilitation Project Final EIR/EA, May 2010.

Comment: A significant impact may occur if the proposed project would cause an impact that was inconsistent with local regulations pertaining to biological resources.

There are no protected biological resources on or in the vicinity of the project site. There are a few trees located along the northern, southern, and eastern perimeter of the project site; however, none of these trees are anticipated to be removed as part of the proposed project as they are not within the project site. The construction and operation of Phase 1 would not impact any trees and, therefore, no impact is would occur.

After completion of Phase 1, the project site would not include protected biological resources; therefore, construction of Phase 2 would not impact any trees. As part of Phase 2, vegetation would be planted as part of the BMP elements, which could include trees. Should operation of Phase 2 include the planting of trees that are protected under the City's Native Tree Protection Ordinance (Ordinance No. 177,404), such as native oak tree species (*Quercus* spp), California Sycamore (*Platanus racemosa*) (a.k.a. western sycamore), California Bay (*Umbellularia californica*), and California Black Walnut, this would be considered beneficial.

The construction and operation of Phase 3 is not anticipated to disturb or remove any protected biological resources. Should native trees be planted as part of Phase 2, and those trees were required to be removed as part of Phase 3, impacts to native trees protected under the City's Native Tree Protection Ordinance would be reduced to less than significant if granted a removal permit by the Board of Public Works (in accordance with the ordinance), which could include relocation or replacement on a 2:1 basis. Compliance with the ordinance would ensure that Phase 3 construction would not conflict with local policies or ordinances protecting biological resources. Conversely, Phase 3 could also include planting of vegetation (which could include native trees), which would be considered beneficial. Therefore, a less than significant impact to biological resources is anticipated.

- f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

Reference: City of Los Angeles General Plan; L.A. CEQA Thresholds Guide (Section C); North Spring Street Viaduct Widening and Rehabilitation Project Final EIR/EA, May 2010.

Comment: A significant impact may occur if the proposed project would be inconsistent with the provisions of the adopted habitat conservation plans of the cited type.

The proposed project is not located within an adopted Habitat Conservation Plan, Natural

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Potentially Significant Impact  
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Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. As a result, no impact from project construction and operation (Phase 1, Phase 2 and Phase 3) would occur.

**5. CULTURAL RESOURCES** – Would the project:

- a) Cause a substantial adverse change in the significance of a historical resource as defined in California Code of Regulations Section 15064.5?

Reference: L.A. CEQA Thresholds Guide (Section D.3); Historic Resources Evaluation Report Of Albion Dairy (BonTerra Consulting, November 2010)

Comment: A significant impact may result if the proposed project caused a substantial adverse change to the significance of a historical resource.

A historic resources evaluation was completed for the Albion site (Appendix B) which documents and assesses the federal, state, and local significance and eligibility of the buildings located on several parcels of land with the legal addresses of 1711-1739 Albion Street, 235-255 South Avenue 17, and 1768 North Spring Street, that are collectively referred to as Ross Swiss Dairy (Albion site). The Albion site is currently being used for the warehousing and distribution of retail packaged milk and milk products. The historic resources evaluation of the property was conducted to identify and evaluate the subject properties as potential historic resources, a multi-step methodology including an inspection of the existing structures and associated features and a review of accessible archival sources for these structures, was performed to document existing conditions and assist in assessing and evaluating the properties for significance.

Generally, a resource is considered "historically significant" if the resource meets at least one of the four criteria for listing on the California Register of Historical Resources (CRHR) (PRC Section 5024.1[a]).

The CRHR is used as a guide by state and local agencies, private groups, and citizens to identify the state historical resources and to include which properties are to be protected, to the extent prudent and feasible, from substantial adverse change. The CRHR evaluation criteria are similar to the National Register criteria. For a property to be eligible for inclusion in the CRHR, it must meet one or more of the following criteria:

- It is associated with events that have made a significant contribution to the broad patterns of California history and cultural heritage;
- It is associated with the lives of persons important in our past;
- It embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
- It has yielded, or may be likely to yield, important information in prehistory or history.

The property was evaluated using the above criteria. No information was found that would indicate that any building or structure on the property were associated with significant events, persons of national, regional, or local historic importance. The structures and property do not embody distinctive characteristics of a type, period, region, or method of construction (no distinctive style, high artistic design, or innovative architecture). In addition, the Albion site has not yielded, nor does it appear to have the capacity to yield, information important about the history of Los Angeles or California.

# Issues

Potentially Significant Impact  
 Less Than Significant With Mitigation  
 Less Than Significant  
 No Impact

In summation, the structures and property that comprise the Ross Swiss Dairy are not eligible for listing in the National Register or California Register as significant historic resources, as they do not meet any of the criteria necessary for listing in the registries. They are also not eligible to be considered for nomination as a City of Los Angeles Historic-Cultural Monument.

Therefore, construction and operation of Phase 1 (which would remove all the structures and miscellaneous elements, such as old railroad tracks/ties) would not have an impact on historical resources. The construction and operation of Phase 2 and Phase 3 would occur after all the structures have been removed from the site; therefore, these phases would also not impact any historical resources.

- b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to California Code of Regulations Section 15064.5?

Reference: L.A. CEQA Thresholds Guide (Section D.3); Archaeological and Paleontological Assessment for the Proposed Albion Dairy Demolition and Remediation and Albion Riverside Park Project (BonTerra Consulting, November 2010).

Comment: A significant impact may occur if the proposed project were to cause a substantial adverse change in the significance of an archaeological resource, which falls under the CEQA Guidelines section cited above.

A Phase I archaeological study was conducted for the Albion site (Appendix B). The study consisted of background research, Native American consultation, a field survey, and a technical report. A cultural resources records search was completed at the South Central Coastal Information Center (SCCIC), California State University, Fullerton. The search indicated that at least 35 cultural resources sites have been previously recorded within one mile of the project site. The closest of these sites, the Union Pacific Railroad line, is immediately adjacent to and west of the project site. The historic Cornfield Railroad Yard (or River Station Yard) was located immediately to the west on the opposite side of the Los Angeles River from the project site. A portion of the Zanja Madre - the city's original water conveyance system dating to the late 18<sup>th</sup> Century - was discovered within the Yard. These recorded sites, as well as many others, are all located less than one mile from the project, but none have been recorded within the project site and as such would not be impacted by the construction and operation of the proposed project. No prehistoric archaeological sites have been recorded within one mile of the project site.

A Sacred Lands File Search was conducted by the Native American Heritage Commission (NAHC) indicating the presence of Native American cultural resources within one-half mile of the project site. The NAHC suggested early consultation with local Native American tribes and provided a list of Native American individuals/organizations that may have knowledge of cultural resources in the project area (such as representatives associated with the LA City/County Native American Indian Commission, Ti'At Society, and various Gabrielino/Tongva tribal councils). All individuals and tribes on the list were mailed letters on November 1, 2010, affording them an opportunity to comment on the project and share any knowledge they have of cultural resources in the project vicinity. One response was received from the Shoshonean Gabrielino Band of Mission Indians, which stated that the project site is within a "highly sensitive, culturally important area". The Gabrielino Indian Village of Yabit (Yangna) covered "up to about 500 square miles" of Los Angeles and is also near the proposed project area (BonTerra Consulting, November 2010). The response also requested that one of the tribe's Native American Monitors be retained to be on site during ground-disturbing activities.

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In addition to a records search, a field survey was conducted. The field survey did not identify any archeological resources within the project site; however, the presence of modern development and landscaping limited the potential to observe if any sub-surface archeological materials are present on the site.

Based on the records search and field survey, it is likely that the project area has had several feet of fill material placed on it during wetland reclamation efforts in the early part of the 20<sup>th</sup> Century. Therefore, the upper layers of the project site are not archaeologically sensitive. Because of the presence of the fill, and the fact that the proposed project would require excavation only to a depth of approximately five feet, it is extremely unlikely that archaeological resources would be encountered during grading for the project. Therefore, archaeological monitoring is not recommended unless excavations exceed five feet in depth or resources are discovered during construction activities.

In the event that archaeological resources are found during excavation and grading in the upper five feet, mitigation would be implemented to ensure that any potential impacts remain at a less than significant level.

Mitigation Measure CULT-1 is required as follows:

**Mitigation Measure CULT-1:** In the event that archaeological resources are encountered during the course of construction activities, all work in the immediate vicinity of the discovery shall be suspended until the discovery is assessed by a qualified archaeological monitor working under the direct supervision of a Principal Investigator or Project Manager certified by the Register of Professional Archaeologists (qualifications derived from 36 CFR Part 61) and appropriate treatment is determined. The archaeologist shall assess if the find is or is not significant and the discovery shall be removed by a qualified archaeologist. Any culturally significant materials, field notes, reports, or photographs shall be deposited in a museum, archaeological repository, or with the appropriate Native American tribe. If sensitive, prehistoric archaeological resources are encountered, the Shoshonean Gabrielino Band of Mission Indians, the Gabrielino/Tongva San Gabriel Band of Mission Indians, or other interested local tribes shall be given an opportunity to examine the finds and make suggestions as to their disposition.

If grading were to exceed five feet in depth, and penetrate native sediments, full-time monitoring by a qualified archaeologist would be required. In that event, all ground-disturbing activities associated with the project that have the potential to disturb native soils shall be monitored by a qualified archaeological monitor working under direct supervision of a Principal Investigator or Project Manager certified by the Register of Professional Archaeologists (qualifications derived from 36 CFR Part 61). As deemed appropriate by the archaeological monitor, a Native American monitor shall also be present during all ground-disturbing activities that have potential to disturb native soils.

Therefore, with implementation of Mitigation Measure CULT-1, potential impacts to archeological resources during construction activities associated with the project (Phase 1, Phase 2 and Phase 3) would be less than significant. No impact is anticipated from the operation of the proposed project (Phase 1, Phase 2 and Phase 3).

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Potentially Significant Impact  Less Than Significant With Mitigation  Less Than Significant  No Impact

- c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Reference: L.A. CEQA Thresholds Guide (Section D.1); Archaeological and Paleontological Assessment for the Proposed Albion Dairy Demolition and Remediation and Albion Riverside Park Project (BonTerra Consulting, November 2010); Standard Specification for Public Works Construction ("Greenbook")

Comment: A significant impact may occur if grading or excavation activities associated with the proposed project would disturb unique paleontological resources or unique geologic features.

A paleontological assessment was performed for the Albion site. The assessment included a paleontological records search by the Natural History Museum of Los Angeles County, Vertebrate Paleontology Department (Appendix B). The records search indicated that the entire Albion site has surficial deposits of soil and younger Quaternary Alluvium derived primarily from the adjacent Los Angeles River. These younger Quaternary deposits typically do not yield significant fossil vertebrates. Older Quaternary Alluvium, at depth, may contain significant fossils. Although there are no recorded fossil localities within the current project area, there are fossil localities from the same sedimentary units that are exposed in the project area.

Because of the probable presence of several feet of fill covering the project site, and the fact that the proposed project would require excavation to a depth of approximately five feet, it is extremely unlikely that paleontological resources would be encountered during grading for the project. Therefore, paleontological monitoring is not recommended unless excavations exceed five feet in depth and penetrate into more sensitive Older Alluvial sediments.

During construction, the Contractor would follow the uniform practices established by the Southern California Chapter of the American Public Works Association, such as the *Standard Specifications for Public Works Construction ("Greenbook")*. In the event that paleontological resources are encountered during excavation, existing practices in the "Greenbook" require the suspension of excavation, in whole or in part, until it is determined appropriate to resume. In addition, in the event that such resources are found during excavation, mitigation would be implemented to ensure that any potential impacts remain at a less than significant level.

Mitigation Measure CULT-2 is required as follows:

**Mitigation Measure CULT-2:** In the event that paleontological resources are encountered during construction activities, all work shall cease within the vicinity of the find until the paleontological resources are properly assessed and subsequent recommendations are determined by a qualified paleontologist.

Therefore, with implementation of Mitigation Measure CULT-2, potential impacts to paleontological resources during construction activities associated with the project (Phase 1, Phase 2 and Phase 3) would be less than significant. No impact is anticipated from the operation of the proposed project (Phase 1, Phase 2 and Phase 3).

- d) Disturb any human remains, including those interred outside of formal cemeteries?

Reference: L.A. CEQA Thresholds Guide (Section D.2); Archaeological and Paleontological Assessment for the Proposed Albion Dairy Demolition and Remediation and Albion Riverside

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Potentially Significant Impact  
Less Than Significant With Mitigation  
Less Than Significant  
No Impact

Park Project (BonTerra Consulting, November 2010); Standard Specification for Public Works Construction ("Greenbook")

Comment: A significant impact may occur if grading or excavation activities associated with the proposed project would disturb interred human remains.

No known burial sites are located within the project site. The project site was once a wetland and now supports several feet of imported fill material; however, it is still possible that human remains exist in the subsurface. In the event that an unknown burial site or human remains are found during excavation, mitigation would be implemented to ensure that any potential impacts remain at a less than significant level.

Mitigation Measure CULT-3 is required as follows:

**Mitigation Measure CULT-3:** In accordance with Section 7050.5 of the *California Health and Safety Code*, if human remains are found during construction activities, the County Coroner shall be notified within 24 hours of the discovery. No further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the County Coroner has determined, within two working days of notification of the discovery, the appropriate treatment and disposition of the human remains. If the County Coroner determines that the remains are or believed to be Native American, s/he shall notify the Native American Heritage Commission (NAHC) in Sacramento within 24 hours. In accordance with Section 5097.98 of the *California Public Resources Code*, the NAHC must immediately notify those persons it believes to be the most likely descended from the deceased Native American. The descendants shall complete their inspection within 48 hours of being granted access to the site. The designated Native American representative would then determine, in consultation with the property owner, the disposition of the human remains.

Therefore, with implementation of Mitigation Measure CULT-3, potential impacts to any unknown burial site or human remains being encountered during construction activities associated with the project (Phase 1, Phase 2 and Phase 3) would be less than significant. No impact is anticipated from the operation of the proposed project (Phase 1, Phase 2 and Phase 3).

**6. GEOLOGY AND SOILS** – Would the project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?

Reference: L.A. CEQA Thresholds Guide (Section E.1); Geotechnical Evaluation – Albion Dairy Rough Grading (Ninyo & Moore, November 2010); California Department of Conservation Publication 42

Comment: A significant impact may occur if the proposed project were located within a state-designated Alquist-Priolo Zone or other designated fault zone and appropriate building practices were not followed.

The project site is not located within a State of California Earthquake Fault Zone/Alquist-Priolo

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Potentially Significant Impact  
Less Than Significant With Mitigation  
Less Than Significant  
No Impact

Special Study Zone. The project site is located in a seismically active area, as is most of southern California. The active Upper Elysian Park and Puente Hills blind thrust faults are located less than 0.1 mile from the site. However, no active faults are known to cross the project site.

Therefore, construction and operation of the project (Phase 1, Phase 2 and Phase 3) would not expose people or structures to potential adverse effects from the rupture of a known earthquake fault; and the impact is not anticipated to be significant.

ii) Strong seismic ground shaking?

Reference: L.A. CEQA Thresholds Guide (Section E.1); Geotechnical Evaluation – Albion Dairy Rough Grading (Ninyo & Moore, November 2010); California Department of Conservation Publication 42

Comment: A significant impact may occur if the proposed project design did not comply with building code requirements intended to protect people from hazards associated with strong seismic ground shaking.

As with most locations in southern California, the project site is susceptible to ground shaking emanating from causative faults during an earthquake. As indicated in 6(a)(i) above, the project site is not located within an Alquist-Priolo Special Study Zone, and thus the potential for hazards associated with strong seismic ground-shaking such as ground surface rupture affecting the site is considered low. Known regional faults that could produce significant ground shaking at the project site include the Santa Monica, Newport-Inglewood, Malibu Coast, Palos Verdes, Hollywood, and Puente Hills Blind Thrust Faults, among others. The closest of these are the Upper Elysian Park and Puente Hills blind thrust faults. Seismic activity along any of the above-mentioned faults could affect the proposed project, and is considered during the design of proposed structures.

Phase 1 would demolish all the structures at the site except for the parameter fence and the cellular tower and associated appurtenances in the southwest corner of the site. Remediation associated with Phase 1 would remove contaminated features and soil and import soil to bring the site back to starting grade/elevation. At the end of Phase 1 the site would be left graded and secured (fenced) until construction of Phase 2. Phase 1 would not result in the construction or operation of new structures that would be vulnerable to seismic ground shaking. As such, the construction and operation of Phase 1 would have no impact related to exposing people or structures to strong seismic ground shaking.

Phase 2 would involve the construction and operation of BMPs that are at or below ground surface. Construction and operation of any below or above ground elements would be in accordance with building and seismic code requirements. Compliance with applicable portions of existing codes pertaining to seismic building design and standards, such as the most recent edition of the California Building Code, the Los Angeles Municipal Code, and Bureau of Engineering's Standard Project Specifications would reduce potential adverse effects associated with seismic ground shaking. As such, the construction and operation of Phase 2 would have a less than significant impact related to exposing people or structures to strong seismic ground shaking.

Phase 3 would involve the construction and operation of passive and active park elements,

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which would consist of mostly small structures or features with a small footprint with minimal aboveground components located throughout the site and adjacent Downey Recreation Center. As with Phase 2, construction and operation associated with Phase 3 would be in accordance with building and seismic code requirements. Compliance with applicable portions of existing codes pertaining to seismic building design and standards, such as the most recent edition of the California Building Code, the Los Angeles Municipal Code, and Bureau of Engineering's Standard Project Specifications would reduce potential adverse effects associated with seismic ground shaking. As such, the construction and operation of Phase 3 would have a less than significant impact related to exposing people or structures to strong seismic ground shaking.

iii) Seismic-related ground failure, including liquefaction?

Reference: L.A. CEQA Thresholds Guide (Section E.1); General Plan Safety Element; California Department of Conservation Publication 42; Los Angeles, California; Geotechnical Evaluation – Albion Dairy Rough Grading (Ninyo & Moore, November 2010)

Comment: A significant impact may occur if the proposed project would be located in an area identified as having a high risk of liquefaction and appropriate design measures required within such designated areas were not incorporated into the project.

Liquefaction typically occurs when near-surface (usually upper 50 feet) saturated, clean, fine-grained loose sands are subject to intense ground shaking. The project site is located within a potentially liquefiable zone (as mapped by the California Division of Mines and Geology), with the historical depth to groundwater beneath the site at approximately 20 feet below the ground surface. However, based on subsurface exploration, the alluvium below the historical shallow groundwater depth of 20 feet is generally comprised of dense to very dense sand and gravel, substantially decreasing the overall risk for soil liquefaction in the event of seismic ground shaking.

Phase 1 would demolish all the structures at the site except for the parameter fence and the cellular tower and associated appurtenances in the southwest corner of the site. Remediation associated with Phase 1 would remove contaminated features and soil and import soil to bring the site back to starting grade/elevation. Phase 1 would not result in the construction of new structures that would be vulnerable to liquefaction. As such, the construction and operation of Phase 1 would not have an impact related to liquefaction.

Phase 2 would involve the construction and operation of BMPs that are at or below ground surface. Construction and operation of any below or above ground elements would be in accordance with building and seismic code requirements. Compliance with applicable portions of existing codes pertaining to seismic building design and standards, such as the most recent edition of the California Building Code, the Los Angeles Municipal Code, and Bureau of Engineering's Standard Project Specifications would reduce potential adverse effects associated with liquefaction. As such, the construction and operation of Phase 2 would have a less than significant impact related to liquefaction.

Phase 3 would involve the construction and operation of passive and active park elements, which would consist of mostly small structures or features with a small footprint with minimal aboveground components located throughout the site and adjacent Downey Recreation Center. Construction associated with Phase 3 would be in accordance with building and

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 Less Than Significant With Mitigation  
 Less Than Significant  
 No Impact

seismic code requirements. Compliance with applicable portions of existing codes pertaining to seismic building design and standards, such as the most recent edition of the California Building Code, the Los Angeles Municipal Code, and Bureau of Engineering's Standard Project Specifications would reduce potential adverse effects associated with liquefaction. As such, the construction and operation of Phase 3 would have a less than significant impact related to liquefaction.

iv) Landslides?

Reference: L.A. CEQA Thresholds Guide (Section E.1); City of Los Angeles General Plan (Landslide Inventory and Hillside Areas in the City of Los Angeles Map); Geotechnical Evaluation – Albion Dairy Rough Grading (Ninyo & Moore, November 2010); California Department of Conservation Publication 42

Comment: A significant impact may occur if the proposed project would be located in an area identified as having a high risk of landslides and appropriate design measures required within such designated areas were not incorporated into the project.

The project is located in an area that is relatively flat and is not identified as a potential landslide hazard area by the California Department of Mines and Geology. Therefore, construction and operation of the proposed project (Phase 1, Phase 2 and Phase 3) would not expose people or structures to potential adverse effects from landslides and no impact is anticipated.

b) Result in substantial soil erosion or the loss of topsoil?

Reference: L.A. CEQA Thresholds Guide (Section E.2)

Comment: A significant impact may occur if the proposed project were to expose large areas to the erosion effects of wind or water for a prolonged period of time.

All phases of the proposed project would include ground-disturbing activities, such as excavation, trenching, grading, and landscaping. These activities could result in the potential for erosion to occur at the proposed project site, though soil exposure would be temporary and short-term in nature. In accordance with standard specifications for public works construction and building code requirements, the proposed project would require implementation of a Storm Water Pollution Prevention Plan (SWPPP) for erosion and sedimentation control. Construction BMPs would also be undertaken to control runoff and erosion from any earthmoving activities that would occur. Implementation of such control measures would prevent substantial soil erosion or the loss of topsoil from exposed soils. After demolition and remediation activities associated with Phase 1, the site would be hydro seeded and measures taken to continue to control runoff and erosion from the site until Phase 2 can be constructed. After construction is completed for Phase 2 and Phase 3, the majority of the project site would be covered by landscaping and the new parking area with permeable paving. No large areas of exposed soil would exist that would be exposed to the effects of erosion by wind or water. As such, construction or operation of Phase 1, Phase 2 and Phase 3 would have less than significant impacts related to erosion and loss of topsoil.

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

Reference: L.A. CEQA Thresholds Guide (Section C1); Geotechnical Evaluation – Albion Dairy

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Potentially Significant Impact  
 Less Than Significant With Mitigation  
 Less Than Significant  
 No Impact

Rough Grading (Ninyo & Moore, November 2010)  
 Comment: A significant impact may occur if the proposed project was built in an unstable area without proper site preparation or design features to provide adequate foundations for project buildings, thus posing a hazard to life and property.

A subsurface evaluation was performed at the site in October 2010 and consisted of drilling, logging, and sampling of five small-diameter, hollow-stem auger borings to depths of approximately 41 feet below ground surface. The Geotechnical Evaluation prepared for the project (Appendix C) indicates the site is underlain by existing older undocumented fill and alluvium. The old fill materials are not considered suitable for support of new fill or future improvements and should be removed and re-compacted prior to site development. The fill materials ranged from approximately four to eleven feet deep and included silty sand and clayey sand with scattered gravel and cobbles. Deeper fill may be present on the site and also included brick, concrete, and wood debris. Wood, brick, concrete and other deleterious material are not suitable for re-use as structural fill and should be selectively removed during grading. Excavations are anticipated to encounter predominantly granular soils consisting of silty sand, clayey sand, poorly graded sand with silt. Cobbles, foundation remnants, abandoned utilities, buried railroad tracks/ties, brick and concrete rubble, and miscellaneous debris are also anticipated.

Based on results of the Geotechnical Evaluation for the Albion site, the existing fill soils on-site should be removed and recompacted during grading. Areas where soil is disturbed during site demolition should also be excavated and recompacted. Wood, oversized materials and other debris should be selectively removed and disposed of off-site. The depth of the over-excavation should extend down to relatively firm natural materials to provide suitable support for compacted fills or planned improvements. In addition, import material should consist of clean, non-expansive material that conforms with the latest edition of the "Greenbook" Standard Specifications for Public Works Construction for structure backfill.

Compliance with recommendations in the geotechnical evaluations and all applicable building and safety requirements (such as the building standards contained in the most recent edition of the California Building Code and Los Angeles Municipal Code (LAMC) and the Occupational Safety and Health Administration [OSHA] regulations governing excavations) construction and operation of the proposed project (Phase 1, Phase 2 and Phase 3) would have a less than significant impact related to occurrence on a geologic unit or soil that is anticipated to be unstable, or having the potential to result in an on- or off-site landslide, lateral spreading, subsidence or collapse.

- d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?
- Reference: Uniform Building Code; Geotechnical Evaluation – Albion Dairy Rough Grading (Ninyo & Moore, November 2010)

Comment: A significant impact may occur if the proposed project would be built on expansive soils without proper site preparation or design features to provide adequate foundations for project buildings, thus posing a risk to life and property.

The Expansion Index (EI) presented below in Table 3 is used to measure a basic index property of soil and therefore, the EI is comparable to other indices such as the liquid limit, plastic limit, and plasticity index of soils. The classification of a potentially expansive soil is based on the

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Potentially Significant Impact  
Less Than Significant With Mitigation  
Less Than Significant  
No Impact

following table:

Expansion Index	Expansion Potential
0-20	Very Low
21-50	Low
51-90	Medium
91-130	High
>130	Very High

Based on the recommendations in the Geotechnical Evaluation for the Albion site, the existing fill soils on-site should be removed and recompacted during grading and import material should consist of clean, non-expansive material that conforms with the latest edition of the "Greenbook" Standard Specifications for Public Works Construction for structure backfill. Non-expansive soil has an EI of 20 or less. No changes to the soils at the existing Downey Recreation Center site would occur. Therefore, once Phase 1 has been completed, the soils at the Albion site would have a very low potential to be expansive and no impact from unstable soil conditions associated with construction and operation of the proposed project (Phase 1, Phase 2 and Phase 3) is anticipated.

- e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

Reference: None applicable

Comment: A significant impact may occur if the proposed project were built on soils that were incapable of adequately supporting the use of septic tanks or alternative wastewater disposal system, and such a system were proposed.

Construction and operation of the proposed project (Phase 1, Phase 2 and Phase 3) would not involve the use of septic tanks or alternative wastewater disposal systems. Therefore, no impact associated with construction and operation of any phase of the proposed project is anticipated.

**7. GREENHOUSE GAS EMISSIONS – Would the project:**

- a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Reference: SCAQMD. Draft Guidance Document – Interim CEQA Greenhouse Gas (GHG) Significance Threshold, October 2008.

Comment: There are currently no established quantitative thresholds of significance for greenhouse gas (GHG) emissions on a local, state, or national basis. However, SCAQMD has developed a recommended interim threshold for assessing the significance of potential GHG emissions that uses a tiered approach to determining significance. At this time, the interim GHG significance threshold that would apply to stationary source/industrial projects only for which the SCAQMD may be the lead agency or projects that require air quality permits from the SCAQMD. The preferred significance threshold for GHG emissions from industrial project is < 10,000 metric tons of carbon dioxide equivalent (CO<sub>2</sub>e) per year, which includes construction emissions

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amortized over 30 years and then added to operational GHG emissions. The screening level for significance for residential/commercial projects is 3,000 MTCO<sub>2</sub>e per year, which also includes construction emissions amortized over 30 years and then added to operational GHG emissions to determine total project GHG emissions. SCAQMD staff is in the process of determining a final significance threshold for residential and commercial projects.

While the proposed project is a stormwater BMP and park improvement project, and not an industrial or residential/commercial project, in the absence of more applicable thresholds, the SCAQMD's recommended threshold of 3,000 metric tons CO<sub>2</sub>e provides a benchmark for comparison purposes to assess the project's relative contribution of GHG emissions.

Total CO<sub>2</sub> construction emissions were estimated for Phase 1 to be 731 metric tons (Appendix A) over the 15 to 18-month construction period. Emissions of GHGs other than CO<sub>2</sub> were assumed to be negligible. For purposes of this analysis, it is conservatively assumed that GHG emissions under Phase 2 and Phase 3 combined would equal GHG emissions associated with construction under Phase 1. This is a conservative approach given that substantially less grading, soil import/export, demolition, and truck trips would occur under Phase 2 and Phase 3, and thus GHG emissions would likely be less than would occur under Phase 1. Under this approach, GHG emissions for construction of all three phases of the proposed project is estimated to be 2,197 metric tons. Emissions of GHGs other than CO<sub>2</sub> were assumed to be negligible. The duration of Phase 1 construction is approximately one year; therefore, during the construction period, the annual CO<sub>2</sub> emissions would be approximately 24 percent of SCAQMD's recommended threshold of 3,000 metric tons for residential/commercial projects.

During operation the annual CO<sub>2</sub> emissions would be less than five percent of the 3,000 metric tons threshold.

As described above, while SCAQMD's 3,000 metric ton threshold would not apply to the proposed project, it is presented here as benchmark for comparison purposes to demonstrate that the proposed project (Phase 1, Phase 2 and Phase 3) would not result in substantial amounts of GHG emissions that could potentially have a significant impact on the environment. Therefore, emissions of GHG associated with the construction and operation of the proposed project (Phase 1, Phase 2 and Phase 3) are anticipated to be less than significant.

- b) Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?

Reference: California Air Resources Board, The California Global Warming Solutions Act of 2006 (AB32), 2006; City of Los Angeles, Green LA -- An Action Plan to Lead the Nation in Fighting Global Warming, 2007; City of Los Angeles, Climate LA -- Municipal Program Implementing the Green LA Climate Action Plan, 2008

Comment: A significant impact may occur if the proposed project would conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHG.

As described below, several initiatives, plans, policies, and regulations have been adopted at the state and local level related to reducing GHG emissions. In general, California's goals and strategies for the systematic statewide reduction of GHG emissions are embodied in the combination of Executive Order S-3-05 and Assembly Bill (AB) 32, which call for the following reductions of GHG emissions:

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- ◆ 2000 levels by 2010 (11 percent below business-as-usual)
- ◆ 1990 levels by 2020 (25 percent below business-as-usual)
- ◆ 80 percent below 1990 levels by 2050

At a local level, in May 2007, the City of Los Angeles introduced Green LA - An Action Plan to Lead the Nation in Fighting Global Warming. Green LA presents a framework targeted to reduce the City's GHG emissions by 35 percent below 1990 levels by 2030 through actions such as increasing renewable energy, energy efficiency, water conservation, tree planting, recycling, and infrastructure improvements. Other goals listed in Green LA included creating new parks, creating open space opportunities along the Los Angeles River, and identifying opportunities for stormwater infiltration. In 2008, the City of Los Angeles followed up Green LA with an implementation plan called Climate LA – Municipal Program Implementing the Green LA Climate Action Plan, which includes steps that can be taken to achieve the City's GHG emission reduction goal, such as reducing energy use at City facilities.

As discussed in 7(a) above, GHG emissions associated with construction and operation of the proposed project would not be substantial, and would be well below SCAQMD's GHG threshold for construction or operations of residential/industrial projects (used for comparison purposes in the absence of more a more relevant established threshold). Further, the proposed project would replace an existing warehousing and distribution facility with an expanded public park, which would include the installation of BMPs to provide benefits to the water quality in the Los Angeles River and increase stormwater infiltration which are supportive of the City's Green LA and Climate LA initiatives. Thus, the proposed project (Phase 1, Phase 2 and Phase 3) would not conflict with any applicable plans, policies, or regulations adopted for the purposes of reducing GHG emissions and impacts are not significant.

**8. HAZARDS AND HAZARDOUS MATERIALS – Would the project:**

- a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Reference: L.A. CEQA Thresholds Guide (Sections F.1 & F.2); Final Draft Remedial Action Plan Former Albion Dairy, prepared by CDM for the City of Los Angeles, Bureau of Engineering (2010); Final Summary Report: Pre-demolition Bulk Asbestos and Lead-Based Paint Survey (SCA Environmental, Inc., 2010); Geotechnical Evaluation Albion Dairy Rough Grading (Ninyo & Moore, 2010); Phase I ESA Proposed Albion Dairy Park (URS, 2009); Phase II ESA Proposed Albion Dairy Park (URS, 2009)

Comment: A significant impact may occur if the proposed project utilizes substantial amounts of hazardous materials as part of its routine operations and could potentially pose a hazard to the public under accident or upset conditions.

**On-Site Conditions**

As part of the overall Albion site development, several reports related to hazards and hazardous materials currently found on site have been prepared and are used to describe the existing on-site conditions presented below: Phase I Environmental Site Assessment (ESA); Phase II ESA (which summarized and built upon the Phase 1 ESA); Remedial Action Plan (RAP); Geotechnical Evaluation for Rough Grading; and a pre-demolition survey for lead-based paint and asbestos-containing materials.

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## **Soil and Groundwater Characterization**

The Phase II ESA (Appendix D) collected 10 soil vapor samples, 13 soil samples, and groundwater sample from two on-site monitoring wells. Sediments observed beneath the site were described predominantly as silty sands, fine- to coarse-grained sands with some pebbles and cobbles, and interbedded with layers of sandy silts from the surface to a depth of approximately 40 feet below ground surface (bgs). Groundwater was encountered during this investigation at an approximate depth between 20 and 30 feet bgs. Naturally-occurring crude oil was also observed during the investigation at a depth of approximately 35 feet bgs at one of the borings. Low concentrations of two volatile organic compounds (VOCs) were detected, tetrachloroethene (PCE) and trichloroethene (TCE), in soil vapor at a depth of 5 feet bgs located in the northern portion of the site in proximity to the garage and hazardous materials storage area and also within the southern portion of the site along Albion Street and adjacent to Warehouse No. 1. Elevated concentrations of methane greater than 18,000 parts per million (ppm) were measured in vapor probes situated within the central portion of the site and in proximity to the Office Building, Warehouse No. 2, and the historical oil storage and auto repair area.

Total recoverable petroleum hydrocarbons (TRPH) and total petroleum hydrocarbon (TPH) concentrations were detected in soils found between depths of 1 and 10 feet bgs with concentrations ranging between 15 milligrams/kilogram (mg/kg) and 5,400 mg/kg. A boring located to the north and adjacent to the garage contained the highest TRPH concentration at a depth of one foot bgs. Elevated TRPH and TPH concentrations detected in soil were found below the water table at a depth of 40 feet bgs. Very low concentrations of VOCs, including benzene, methyl tert butyl ether (MTBE), and PCE were present in soils between 5 and 10 feet bgs. No SVOCs or herbicides were detected in site soils collected during this investigation. Endosulfan I was the only pesticide detected at a concentration of 22 micrograms/kilogram (ug/kg) from soil collected at a depth of 10 feet bgs, from a boring just west of Warehouse No. 1. Elevated concentrations of lead were detected in five of the 20 soil samples collected during this investigation. A maximum lead concentration of 841 mg/kg was collected at a depth of 1 foot bgs from the boring located between Warehouses No. 1 and No. 2 and adjacent to a two-stage clarifier. None of the lead samples analyzed in site soils was found to be above Toxicity Characteristic Leaching Procedure (TCLP) concentrations and therefore soils were not classified as federally hazardous.

MTBE at a concentration of 45 micrograms/liter (ug/L) was detected in the groundwater sample collected during this investigation. This detection was found to be above the Maximum Contaminant Levels (MCL) for MTBE which is 13 ug/L. Metal concentrations in groundwater were either not detected or below MCL levels. Groundwater parameters also indicate groundwater to be of average groundwater quality. Low concentrations of TPH were detected in groundwater between Carbon Chain C13 and C20, roughly equivalent to the TPH-Diesel range. The crude oil sample that was collected and analyzed was determined to be naturally-occurring crude oil. However, the sample results also indicated that lighter constituents of TPH (Carbon Chain C11-C22) were also present in the crude oil sample, possibly originating from three former USTs removed from the site in 1991 or current 20,000-gallon diesel UST. Approximately 675 cubic yards of contaminated soil was excavated from the former UST area in 1991 and disposed of off-site.

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Elevated lead and TRPH was detected in 1994 in the vicinity of a former welding shop. Approximately 324 cubic yards of contaminated material was removed from the top two to three feet of the area in accordance with a 1994 RAP. The soil was disposed of off-site. The remediation excavation was backfilled with crushed concrete and asphalt fill that was found to contain TRPH concentrations between 2,700 and 4,800 mg/kg, probably associated with the asphalt.

As noted above, groundwater has been encountered between 20 and 30 feet bgs, with the most recent exploratory borings encountering groundwater at approximately 25 feet bgs. Groundwater levels are subject to variation due to seasonal rainfall, irrigation, groundwater pumping, topography, and other environmental conditions. Groundwater has been impacted by TPH compounds, including naturally-occurring crude oil. A MTBE concentration of 45 ug/L was also detected in groundwater above the MCL of 13 ug/L. However, a No Further Action (NFA) status was granted by the LARWQCB in a letter date November 20, 1996 in regards to the USTs, citing the natural nature of the oil present beneath the site.

Key contaminants of concern are: petroleum hydrocarbons in soil and groundwater and methane in soil vapor. Based on the findings described above, the RAP (Appendix D) identified three areas on site that exceed acceptable health or safety standards soil and would require soil remediation:

- Remedial Action Area-1 (RAA-1): Shallow metals, TPH, SVOCs, and PAHs in soil associated with the railroad spur adjacent to the west side of Warehouse No. 2. The estimated volume of impacted soil, railroad ties and tracks associated with RAA-1 is conservatively estimated at 500 cubic yards, which would be excavated and disposed of at a Class I facility. Based on the RAP, anticipated depth of the impacts associated with this feature is estimated at approximately three feet bgs
- Remedial Action Area-2 (RAA-2): TPH associated with crushed asphalt in the fill material placed following the remediation of the welding area, between the Storage building and the Garage Building. The volume of soil anticipated to be excavated and disposed of a Class I facility is approximately 324 cubic yards. Based on the RAP, anticipated depth of the impacts associated with this feature is estimated at approximately three feet.
- Methane in Soil Vapor (discussed under Item 8[b] below).

### ***Asbestos-Containing Materials and Lead-Based Paint***

Existing buildings and structures located on site were constructed prior to the regulatory ban on using asbestos in construction materials. A pre-demolition survey was conducted to determine the presence of asbestos-containing materials (ACMs) and asbestos-containing construction materials (ACCMs) in the existing buildings and structures planned for demolition and lead-based paint (LBP) (Appendix D). In summary, the survey found that all existing buildings on the Albion site contain ACMs at levels above the regulatory limit. The only existing structure that does not contain ACMs is the metal frame structure at the northern portion of the Albion site.

As detailed in Appendix D, paint samples were collected from several exterior and interior surfaces to identify the presence and extent of lead-containing paints. Exterior and interior paints were found to be in generally poor or fair condition, with numerous chipping and peeling

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paints, particularly on Warehouse No. 1 and the Maintenance Garage. The survey identified several surfaces within Maintenance Garage and Warehouse No. 1 that exceed the regulatory limits for LBPs as defined by the U.S. Department of Housing and Urban development (HUD) as containing 0.5 percent by weight of lead, or 5,000 parts per million (ppm).

## ***Polychlorinated Biphenyls/Fluorescent Lamps***

Polychlorinated Biphenyls (PCB)-containing ballasts in fluorescent light fixtures were identified by visual examination (Appendix D). The survey found over 500 such fixtures throughout all of the buildings, and recommended that due to the buildings' age, fluorescent light fixtures should be treated as having suspect PCB ballasts, unless specifically labeled "PCB-free". Mercury-containing fluorescent lamps may be present in the buildings, associated with the fluorescent light fixtures. The survey found over 1,100 fluorescent light tubes throughout all of the buildings. Various thermostats and switches may also contain mercury.

## **Construction**

As described above, several on-site conditions related to hazards and hazardous materials are present on-site. These existing conditions would primarily be addressed under Phase 1 construction, which involves demolition, excavation, and remediation activities. Following describes how each issue presented above would be addressed and potential impacts associated with construction each Phase 1. All hazardous waste material removed from the site would be transported and disposed of in accordance to local, state, and federal regulations. See Section 17, Utilities, for a list of possible disposal facilities (i.e., recycling facilities, inert landfills, and Class I facilities that accept hazardous materials) that would utilized during project construction.

### ***Phase 1***

#### ***Soil Remediation***

Soils would be removed from two areas on site identified in the RAP as having soils exceeding acceptable health or safety standards. This removal would occur consistent with recommendations identified in the RAP for approval by the LARWQCB, as applicable, and in compliance with federal, state, and local requirements regarding remediation, removal, and disposal of hazardous materials.

The RAP conservatively estimates that RAA-1 would require removal of approximately 500 cubic yards to a depth of approximately three feet bgs, and RAA-2 would require removal of approximately 324 cubic yards to a depth of approximately three feet bgs. Confirmation samples would be collected following additional excavation to ensure that all contaminated soil has been removed. The excavations would proceed until soil analytes are below their respective remediation goals. Additional samples would be collected where indicators of potential contamination, including staining, discoloration, sheens, oils, and noticeable chemical odors (e.g., solvent- or petroleum-like odors). The possible presence of contamination would also be monitored using field organic vapor monitoring (OVM) equipped with a photoionization detector (PID).

In addition to the RAAs, additional soils associate with the removal of a 20,000-gallon diesel UST, clarifiers, hydraulic hoist, building foundations, and other subterranean features, would be excavated and thus require disposal. The approximate cut, excavation, and fill estimates are

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include in Table 4 below.

Table 4 Approximate Excavation, Debris and Import Volumes	
Phase 1 Construction Activity	Volume (cubic yards)
Cut	3,214 cy
Overexcavate & Recompact	47,146 cy
RAA-1 Excavation and Disposal	500 cy
RAA-2 Excavation and Disposal	324 cy
Fill	15,670 cy
Export	5,968 cy
Import	18,028 cy
Demolition Debris	25,600 cy

The proposed excavation of the 20,000-gallon UST, which is located near the site of four historical USTs and associated soil and groundwater contamination (see section [d] below), would require the approval and observation of the Los Angeles Fire Department's (LAFD's) UST Program. At the time of excavation, the LAFD would determine any site assessment requirements related to the UST and surrounding soil.

Construction is not anticipated to encounter groundwater due to the historical depth. During excavation activities, if it is determined that dewatering (of perched groundwater) is required, disposal of groundwater would comply with relevant local, state and/or federal regulations governing disposal of hazardous materials, including safe handling and disposal at a properly licensed facility.

During Phase 1, the existing fill soils, loose near-surface natural soils, and soil disturbed during demolition activities would be removed and recompacted during grading. Wood (i.e., railroad ties), oversize materials, or other material encountered during excavation or demolition activities may be removed and disposed off-site in accordance to applicable regulations and project specifications. The depth of over-excavation should extend down to relatively firm natural materials to provide suitable support for compacted fills or other planned improvements. The depths of fill removal and the excavation bottoms would be determined by the appropriate professionals during the excavation work.

If it is determined that soil contamination is present in excavated soils, the soils would be transported by licensed hazardous waste haulers and disposed at a properly licensed facility in compliance with relevant state and federal regulations. Some soil to be excavated may contain residual VOCs. As applicable, the City's contractor shall comply with South Coast Air Quality Managements District (SCAQMD) Rule 1166 when excavating soil that contains VOCs, including preparing a site-specific Contaminated Soil Mitigation Plan if needed.

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ACMs and ACCMs would be abated in accordance with SCAQMD's Rule 1403 and the City's project specifications, prior to demolition of the buildings. Compliance with CalOSHA's Lead in Construction Standard (8CCR 1532.1) is required for disturbances to paints with any measurable lead. Loose and peeling paints and glazed ceramic tiles would be removed under controlled procedures, prior to demolition, or as required by the City's project specifications.

Polychlorinated Biphenyls (PCB)-containing ballasts and mercury-containing fluorescent lamps, thermostats, and switches are would be disposed of in accordance with the City's project specifications. Limited disposal is allowed by CalEPA, but not in the quantities typically generated during a major demolition project. CalEPA allows disposal as regular waste of up to 25 lamps per day per facility; however, recycling vendors for reclaiming the mercury vapor are commonly available.

Transport of contaminated soils, ACMs, LBP, or other hazardous materials off-site would be performed by licensed hazardous waste haulers. Disposal would comply with applicable local, state, and federal regulations governing disposal of hazardous materials, including transport by a licensed waste hauler and disposal at a properly certified facility. Therefore, the transport and disposal of potentially hazardous soils, demolition debris, and/or construction materials is expected to result in a less than significant impact.

As identified in the RAP and SCA survey, contamination is likely to be encountered, and methane gas may be present in excavations. Following the necessary remediation and abatement actions necessary to clean-up and/or contain contamination and hazardous materials at the site, clean soils would be imported and the site would be rough graded. Although contamination has been identified and would be remediated under Phase 1, if areas of unknown contamination and/or methane gas are encountered during Phase 1 activities, Mitigation Measures HAZ-1, HAZ-2, and HAZ-3 would apply. Mitigation Measure **HAZ-1** would require testing of any contaminated soils to determine appropriate abatement options. The soils would be excavated, treated, and/or disposed of to the satisfaction of the applicable regulatory agencies, which could include the LAFD, LARWQCB, and/or DTSC. It is unlikely that groundwater would be encountered, however, if this should occur, Mitigation Measure **HAZ-1** and **HAZ-2** would also ensure that potential impacts associated with encountering contaminated groundwater would be less than significant. During excavation activities associated with any of the phases, Mitigation Measure **HAZ-3** would ensure that potential impacts associated with encountering methane would be less than significant.

**Mitigation Measure HAZ-1:** A soils management plan shall be prepared that includes segregating, stockpiling, and sampling soils prior to disposal. The plan shall include provisions for worker safety including monitoring the air in the excavation area, and wearing protective clothing to avoid contact with the soils.

**Mitigation Measure HAZ-2:** Any suspected contaminated soil, groundwater, and/or toxic materials encountered and removed during construction activities shall be evaluated using appropriate collection and sampling techniques. If an area of contamination is identified, soils shall be tested to determine the appropriate disposal and treatment options. Soils classified as hazardous per the Resource Conservation and Recovery Act and California Code of Regulations Title 22, shall be disposed of at a Class I or other appropriate treatment and recycling facility.

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**Mitigation Measure HAZ-3:** Air monitoring for methane shall be conducted during sub-surface construction activities.

With implementation of Mitigation Measure **HAZ-1, HAZ-2, HAZ-3**, and compliance with applicable laws and regulations governing excavation, treatment, and disposal of contaminated soils and groundwater, adherence to the City's project specifications and recommendations contained in the RAP, there is no evidence that known releases or contamination associated with the site or surrounding properties would create a significant hazard to the public or the environment related to the transport, use, or disposal of hazardous materials. Therefore, the impact associated with construction of Phase 1 is less than significant with incorporation of mitigation measures.

## Phase 2

Construction activities during this phase would include installation of the BMPs (structural and site design), planting vegetation, creation of walkways/paths, and field preparation. These improvements would require less intensive construction activities and equipment. While this phase would disturb soils and emit emissions from equipment, following the demolition and remediation that would occur during Phase 1, it is anticipated that hazardous materials would not be encountered. Although contaminated soil and/or groundwater are not expected to be encountered during Phase 2 construction, if they are, Mitigation Measures HAZ-1 and HAZ-2 would be implemented to ensure that impacts remain below a level of significance.

With compliance with applicable laws and regulations governing excavation, treatment, and disposal of contaminated soils and groundwater, construction of Phase 2 would not create a significant hazard to the public or the environment related to the transport, use, or disposal of hazardous materials. Therefore, the impact associated with construction of Phase 2 is less than significant.

## Phase 3

Construction activities during this phase would include the expansion of the existing Downey Recreation Center from four to ten acres by incorporating the remediated and redeveloped project site. As with Phase 2, it is anticipated that hazardous materials would not be encountered given the demolition and remediation activities that would occur under Phase 1. Although contaminated soil and/or groundwater are not expected to be encountered during Phase 3 construction, if they are, Mitigation Measures HAZ-1 and HAZ-2 would be implemented to ensure that impacts remain below a level of significance.

With compliance with applicable laws and regulations governing excavation, treatment, and disposal of contaminated soils and groundwater, construction of Phase 3 would not create a significant hazard to the public or the environment related to the transport, use, or disposal of hazardous materials. Therefore, the impact associated with construction of Phase 3 is less than significant.

## Operations

Following the Phase 1 demolition and remediation, the site would be vacant, Phase 2 would involve the operation and maintenance of runoff BMPs, and Phase 3 would involve operation of

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the expanded 10-acre park, which would be managed by the Department of Recreation and Parks operations and maintenance program. Operation and maintenance of the proposed BMPs and future park amenities, is not expected to require the routine transport, use, or disposal of significant quantities of hazardous materials, including, but not limited to oils, pesticides, or chemicals under Phase 1, Phase 2, or Phase 3. Further, any materials that are used or stored on-site would be in compliance with applicable local, state, and federal requirements such as LAFD hazardous materials requirements. Therefore, operation of the proposed project (Phase 1, Phase 2 and Phase 3) would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials and the impact is anticipated to be less than significant.

- b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

Reference: L.A. CEQA Thresholds Guide (Sections F1 and F.2); California Code of Regulations, Title 8, Sections 1529 and 1532.1, available at <http://www.dir.ca.gov/title8/1529.html> and [http://www.dir.ca.gov/title8/1532\\_1.html](http://www.dir.ca.gov/title8/1532_1.html) respectively; SCAQMD Rule 1403 ([www.aqmd.gov/rules/reg/reg14/r1403.pdf](http://www.aqmd.gov/rules/reg/reg14/r1403.pdf)).

Comment: Refer to 8(a) above.

As discussed under Item 8(a) above, the proposed project site includes contaminated soils and groundwater, and buildings and structures contaminated with ACMs (or ACCMs), LBPs, and other hazardous materials, which could all pose a health and safety hazard.

The ACMs observed on-site are in fair to poor condition with numerous chipping and peeling paints, which represents a potential hazard under current conditions. If disturbed before remediation, the ACMs and LBPs could pose a significant hazard to the public, including workers associated with construction and remediation activities. However, dust control procedures would be adhered to throughout the demolition of painted elements, to comply with the CalOSHA regulations, specified under the California Code of Regulations, Title 8, Sections 1529 (asbestos) 1532.1 (lead). The LBPs on the exterior of the buildings is damaged are requires stabilization to prevent spread of lead dust on-site. Further, paint chips are located on the ground near the buildings. Exposure to lead dust presents a possible hazard to future construction workers on-site. Therefore, demolition of the buildings could expose construction workers to ACMs and LBPs unless proper precautions are taken to minimize exposure. Prior to demolition, all buildings and structures identified as containing hazardous materials would be abated per the City's project specifications and federal, state, and local standards including federal and CalOSHA regulations, and SCAQMD regulations for the excavation, removal, and proper disposal of ACMs/ACCMs and LBP, including SCAQMD Rule 1403, which sets forth specific procedures and requirements related to demolition activities involving ACMs. ACMs and LBPs would be removed by licensed contractors and disposed of at a landfill permitted to accept such material. With adherence to applicable requirements for demolition activities involving ACMs and LBPs, the removal and disposal of these materials would prevent the occurrence of any significant impacts related to potential release of ACMs and LBPs in the environment that could pose a hazard to the public.

As discussed under Item 8(a) above, known soil contamination and groundwater contamination exists on-site. In addition to the substantial soil excavation on-site, the existing pavement would be removed and therefore exposes workers to possible hazard materials and contamination. In

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the event that contaminated soils are encountered, the soils would be excavated, transported, and disposed of (or treated) to the satisfaction of the applicable regulatory agencies, which could include the LAFD, LARWQCB, and/or DTSC, thereby eliminating any future risk of upset or accidental conditions. Likewise, while it is unlikely that groundwater would be encountered, if contaminated groundwater is encountered, it would be handled in compliance with applicable federal, state, and local regulations governing handling and disposal and thereby not thereby pose a future risk of upset or accidental conditions.

The project site is not located within a designated methane zone or methane buffer zone. However, as part of the Phase II ESA, 10 soil vapor samples were collected throughout the site. Methane was detected in seven soil vapor samples collected with concentrations ranging between 100 ppm and >50,000 ppm. The two highest methane concentrations greater than 50,000 ppm were measured in vapor probes located within the central portion of the site and in proximity to the office building, Warehouse No. 2, and the historical oil storage and auto repair area. A methane measurement of 18,000 ppm was also found in a vapor probe located in close proximity to the UST, Warehouse No. 1, and the historical boiler and auto repair areas. Hydrogen sulfide was not detected in any of the soil vapor samples collected during this investigation. Oxygen levels measured during this investigation ranged between 0.0 percent and 17.6 percent. Oxygen rich areas (14.9 percent to 17.6 percent) were found to be located in the northern portion of the site.

Although not within a designated methane zone or methane buffer zone, since methane has been detected in soil vapor samples at the site, compliance with Mitigation Measure **HAZ-3** during excavation associates with all phases of the project would reduce the risk related to methane to less than significant.

Through compliance with applicable rules and regulations governing storage, transport, disposal, and abatement of hazardous materials and construction in a methane zone, construction, and operation of the proposed project (Phase 1, Phase 2 and Phase 3) would not pose a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.

- c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

Reference: L.A. CEQA Thresholds Guide (Section F.2)

Comment: A significant impact may occur if the proposed project were located within one-quarter mile of an existing or proposed school site and were projected to release toxic emissions which pose a hazard beyond regulatory thresholds.

There are two public schools located within a 0.25-mile radius of the proposed project site: Albion Elementary School is located approximately 0.10 mile from the site at 322 S. Avenue 18 and Milagro Charter School is located approximately 0.20 mile from the site at 1855 N. Main Street. The field at the Downey Recreation Center is used by Albion Elementary School students for physical education activities.

As discussed in 8(a) above, Phase 1 would include demolition of existing buildings, removal of demolition debris and contaminated materials, and remediation of contaminated soils. As discussed in greater detail under Items 8(a) and (b) above, construction of the proposed project

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(demolition, excavation, and remediation) activities may involve large quantities of hazardous materials. Phase 1 would include removal of USTs, above ground storage tanks (AST), ACMs/ACCMs, LBP, and other potentially hazardous materials. Removal of soils and demolition debris would occur during this phase of the project, and would comply with the City's project specifications and applicable federal, state, and local regulations. Any storage, handling, and disposal of these materials would occur in compliance with the appropriate regulations, and releases are not anticipated. Phase 2 and Phase 3 would have less intensive construction activities than Phase 1 and would not involve remediation. Therefore, construction of the proposed project (Phase 1, Phase 2, and Phase 3) would not emit or handle hazardous or acutely hazardous materials, substances, or waste that could affect an existing or proposed school within one-quarter mile of the site or that could affect school activities that occur at the Downey Recreation Center. Construction of the proposed project would not release toxic emissions and the impact would be less than significant.

Operation of the proposed project (Phase 1, Phase 2 and Phase 3) would not require the routine transport, use, or disposal of large quantities of hazardous materials. Further, any materials that are used or stored on-site would be in compliance with applicable local, state, and federal requirements such as LAFD hazardous materials requirements. Therefore, operation of the proposed project (Phase 1, Phase 2 and Phase 3) would not emit or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school that would be projected to release toxic emissions and the impact would be less than significant.

- d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

Reference: L.A. CEQA Thresholds Guide (Section F.2); Phase II Environmental Site Assessment Proposed Albion Dairy Park (URS, 2009); Environmental Data Resources, Inc. (2009)

Comment: A significant impact may occur if the proposed project were located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment.

A database search for the site was conducted by Environmental Data Resources, Inc. (EDR) to identify potential areas of groundwater and/or soil contamination on-site or in the vicinity of the project site. The records search included numerous government databases such as those of registered USTs, operators who are hazardous waste generators, former landfills, and sites with known hazardous materials release. The database search results are summarized below and included in its entirety in Appendix C.

Based on the EDR report, the project site is on the following regulatory listings:

- RCRA SQG – The Resource Conservation and Recovery Act - Small Quantity Generator contain an inventory of facilities that generate between 100 kg and 1,000 kg of hazardous waste per month or meet other applicable requirements of RCRA.
- HAZNET – Facility and Manifest Data. The data is extracted from the copies of hazardous waste manifests received each year by the DTSC.
- LUST – The Leaking Underground Storage Tank Incident Reports contain an inventory of reported leaking underground storage tank incidents. The data come from the State Water Resources Control Board (SWRCB) Leaking Underground Storage Tank Information System.

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- CA FID UST – The Facility Inventory Database contains active and inactive underground storage tank locations. The source is the SWRCB.
- HIST UST – The Hazardous Substance Storage Container Database contains a historical listing of UST sites. The list is no longer updated; current data is available through local agency sources.
- SWEEPS UST – The Statewide Environmental Evaluation and Planning System was updated and maintained by a company contracted by the SWRCB. The list is no longer updated or maintained. Current data is available through local agency sources.
- FINDS – Facility Index System/Facility Registry System contains both facility information and listing of sources that contain more detail.

The proposed project site, located at 1739 North Albion Street, was identified in the EDR report as the following: **F and L Enterprises, Inc** in the RCRA-SQG, FINDS, and HAZNET databases; **Foremost Dairies, Inc.** in the HIST UST, CA FID UST, and SWEEPS UST; and **Ross Swiss Dairies, Inc.** in the UST and LUST databases.

- **F and L Enterprises, Inc.** is listed as being a small quantity generator (SQG) of hazardous substances, with no violations reported. It is also noted as having generated "Other inorganic solid waste; waste oil and mixed oil; aqueous solution with less than 10% total organic residues; organic liquids with metals alkaline solution (pH greater than 12.5) with metals (antimony, arsenic, barium, beryllium, cadmium, chromium, cobalt, copper, lead, mercury, molybdenum, nickel, selenium, silver, thallium, vanadium, and zinc); and unspecified oil-containing waste". These wastes were sent off-site to be disposed of, treated, incinerated, or recycled.
- **Foremost Dairies, Inc.** is reported as having four USTs including a 12,000-gallon diesel, two 5,000-gallon regular gasoline, and one 10,000-gallon diesel UST. These tanks were removed in 1991.
- **Ross Swiss Dairies, Inc.** is reported as having had leaking underground storage tanks. At the time, the four USTs were removed, soil samples taken from the excavation indicated hydrocarbon contamination. The RWQCB issued a no further action letter dated November 20, 1996 related to the LUST case.

The following is a summary of information provided regarding listed sites located adjacent to the subject properties. The location of these sites is shown on the radius maps accompanying the EDR report in Appendix C.

### Adjacent Sites

**L&M Auto Service** is located at 1749 North Main Street is located adjacent to and southwest of the project site. This facility was identified in the CA FID UST and SWEEPS UST databases. According to the EDR report, the facility had underground storage tanks at one time, but is now listed as "inactive". The database listing contains no further information. Based on its inactive status, and the site not being listed in other databases, this facility is not expected to have a negative environmental impact on the proposed project.

### Site Vicinity

**San Fernando Valley Pollack Wellfield (NPL)** is an area of contaminated groundwater covering approximately 5,860 acres near the Pollock Well Field in the City of Los Angeles, which extends southward from the City of Glendale to the interchange of Interstate 5 (Golden State Freeway) and Arroyo Seco Parkway (CA 110). This area is located approximately one

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mile north of the project site, and is listed in the Comprehensive Environmental Response, Compensation and Liability Information System (CERCLIS), Facility Index System/Facility Registry System (FINDS), National Priority List or Superfund (NPL), Cortese, and HIST-Cal Sites, which has been replaced with Envirostor databases. The Pollack wellfield area is impacted with trichloroethene (TCE), tetrachloroethene (PCE), and other solvents from aerospace manufacturing, maintenance, metal plating operations, and chrome facilities. Investigations are continuing to determine the full extent of the contamination in this area. Although the area defined as Area 4 is in close proximity to the project site, the Phase II ESA determined that Area 4 is not identified to extend beneath the project site boundary.

**Bill's Automotive** is located at 1796 North Spring Street, approximately 500 feet northeast of the project site. This facility was identified in the LUST, CA FID UST, HIST UST, and SWEEPS UST databases. According to the EDR report, the facility had a fuel release from USTs that affected soil and groundwater. The case is still under investigation. According to a recent quarterly groundwater monitoring report reviewed through the CalEPA, SWRCB, GeoTracker Database, contamination appears to be migrating west across Spring Street and cross gradient to the Albion site. No contamination appears to have reached the subject property. Based on the migration of contamination relative to the project site, this facility is not expected to have a negative environmental impact on the proposed project.

**Bortz Oil Company** is located at 1746 North Spring Street is located approximately 0.25 mile west and across the Los Angeles River. This facility was identified in the RESPONSE, DEED, ENVIROSTOR, HIST UST, HIST Cal-Sites, LUST, SLIC, SWEEPS UST, CA FID UST, Cortese, and CA BOND EXP PLAN databases. According to the DTSC Envirostor Database, the Bortz Oil Company was a petroleum products blending and packaging facility. The site produced various petroleum products (i.e. kerosene, paint, acetone, methyl ethyl ketone (MEK), lacquer thinners, and denatured alcohol). High levels of hydrocarbons and chlorinated solvents have been identified in the soil, while 1,1-dichloroethane (DCE), vinyl chloride, petroleum hydrocarbons, and benzene have been detected in the groundwater. On August 9, 1984, a fire broke out in one of the metal and concrete warehouse facilities on the North Spring Street property. Undetermined amounts of chemicals were consumed by the fire and spilled on the ground, which had since percolated into the soil. The DTSC inspections in December 1985 and January 1986 revealed that there were numerous uncontrolled chemical spills, leaking valves and drums, and illegal disposal of chemicals at the site. The DTSC determined that since groundwater in the region was not being used as a drinking water source, the potential impact of the contaminated groundwater was not an immediate concern. A Removal Action Completion Report was completed in 2002 and the DTSC certified that the soil cleanup had been completed. A deed restriction was recorded for future site use. A Remedial Action Completion Report would be completed for this site in the near future, as indicated in the Phase II ESA. Based on the ongoing remedial action and oversight by the DTSC, the barrier to groundwater migration being the concrete channel of the Los Angeles River, and its location relative to the project site, this facility is not expected to have a negative environmental impact on the proposed project.

As described above, the project site is within the vicinity of sites listed on various hazardous materials databases. The known contamination sites in the project vicinity are in various stages of regulatory review and would be expected to continue through the compliance and enforcement processes of the affected regulatory agencies. There are no hazards related to these sites associated within the proposed project or project site.

As discussed in Items 8(a) and (b) above, demolition and on-site excavation activities would be

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substantial, and as identified in the RAP and SCA survey, contamination would be encountered. Following the necessary remediation and abatement actions necessary to clean-up and/or contain contamination and hazardous materials at the site, clean soils would be imported and the site would be rough graded. New permeable paving materials would be placed on top of the roughly graded and compacted earth during subsequent phases of the proposed project, in addition to other improvements discussed in Section 5.1. Should contaminated soils be encountered following site remediation, Mitigation Measure **HAZ-1** would require testing of any contaminated soils to determine appropriate abatement options. The soils would be excavated, treated, and/or disposed of to the satisfaction of the applicable regulatory agencies, which could include the LAFD, LARWQCB, and/or DTSC. As discussed under Item 8(a) above, it is unlikely that groundwater would be encountered, however, if this should occur, Mitigation Measure **HAZ-1** and **HAZ-2** would also ensure that potential impacts associated with encountering contaminated groundwater would be less than significant.

There is no evidence that known releases or contamination associated with the site or surrounding properties would create a significant hazard to the public or the environment for the proposed project (Phase 1, Phase 2 and Phase 3). However, in the event unanticipated contaminated materials are encountered during construction, implementation of Mitigation Measure **HAZ-1** and **HAZ-2**, and compliance with applicable laws and regulations governing excavation, treatment, and disposal of contaminated soils and groundwater, would keep hazards to the public or the environment below a level of significance. Therefore, the impact is less than significant with incorporation of mitigation measures.

- e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

Reference: General Plan, L.A. CEQA Thresholds Guide (Section F.1); Northeast Los Angeles Community Plan; The Thomas Guide, Los Angeles County Street Guide (2010)

Comment: A significant impact may occur if the proposed project site were located within a public airport land use plan area, or within two miles of a public airport, and would create a safety hazard.

The project site is not located within an airport land use plan, or within two miles of a public airport or public use airport. The project site is located approximately 11 miles southeast of the Burbank Airport, 12 miles northwest of the Los Angeles International Airport, 12 miles west of the El Monte Airport, and 13 miles northwest of the Santa Monica Airport. Therefore, no safety hazard associated with proximity to an airport is anticipated for the proposed project (Phase 1, Phase 2 and Phase 3).

- f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

Reference: L.A. CEQA Thresholds Guide (Section F.1); Northeast Los Angeles Community Plan; The Thomas Guide, Los Angeles County Street Guide (2010)

Comment: A significant impact may occur if the proposed project is in the vicinity of a private airstrip and would result in a safety hazard for people residing or working in the project area.

The project site is not located within the vicinity of a private airstrip. Therefore, no safety hazard from proximity to a private airport or airstrip is anticipated from the construction and operation of

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the proposed project (Phase 1, Phase 2 and Phase 3).

- g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Reference: L.A. CEQA Thresholds Guide (Section F.1); City of Los Angeles General Plan

Comment: A significant impact may occur if the proposed project were to substantially interfere with roadway operations used in conjunction with an emergency response plan or evacuation plan or would generate sufficient traffic to create traffic congestion that would interfere with the execution of these plans.

During construction activities, vehicles and equipment would access the site via the entrance off Albion Street. Under Phase 2, construction of some BMPs, such as system for capturing runoff from Albion Street, on-street parking on Albion Street (along the Albion site) may be eliminated temporarily; however, no road or lane closures are anticipated to be necessary during the construction process. During construction, ingress and egress to the site and surrounding properties, particularly for emergency response vehicles, would be maintained at all times. In addition, operation would not permanently alter the adjacent street system. Therefore, construction and operation of the proposed project (Phase 1, Phase 2 and Phase 3) would not impair or interfere with implementation of an adopted emergency response plan or emergency evacuation plan and the impact is less than significant.

- h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

Reference: L.A. CEQA Thresholds Guide (Section F.1); City of Los Angeles General Plan

Comment: A significant impact may occur if the proposed project were located in a wildland area and poses a significant fire hazard, which could affect persons or structures in the area in the event of a fire.

The project site is not located within a designated High Fire Hazard Severity Zone according to the City of Los Angeles General Plan Safety Element. The project site and surrounding areas are completely developed and there are no wildlands adjacent to the site. Therefore, no impact involving wildland fires is anticipated from the construction and operation of the proposed project (Phase 1, Phase 2 and Phase 3).

## 9. HYDROLOGY AND WATER QUALITY – Would the project:

- a) Violate any water quality standards or waste discharge requirements?

Reference: L.A. CEQA Thresholds Guide (Section G.2); Draft Concept Report Albion Riverside Park Project (2010)

Comment: A significant impact may occur if the proposed project discharged water which did not meet the quality standards of agencies which regulate surface water quality and water discharge into stormwater drainage systems such as the LARWQCB. These regulations include compliance with the Standard Urban Storm Water Mitigation Plan (SUSMP) requirements to reduce potential water quality impacts.

The project site currently drains to the Spring Street and Albion Street storm drains. The tributary area that drains the site and surrounding area captures runoff from a 255-acre area,

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over 90 percent of which is tributary to the Albion Street drain. These drains are a 54-inch corrugated metal pipe that runs underneath Albion Street (Albion Drain), and a 39-inch reinforced concrete pipe that runs parallel to North Spring Street and through Downey Park (Spring Street Drain). An additional 277 acres is drained by the Main Street drain, which is located near the project site and outlets directly to the Los Angeles River. Due to the relatively small drainage area, there is not a substantial amount of dry weather flow to the existing drains. Urban runoff draining from this tributary area contains numerous pollutants with potential to degrade water quality and contribute to frequent exceedances of water quality standards. Typical pollutant sources in urban runoff include oil, grease, and gasoline from vehicles leaking onto roadways and parking areas; pesticides, herbicides, and fertilizers from urban areas; sediment from construction operations; and metals from vehicle exhaust, rust, paint, tires, and engine parts. Given the high level of development, including industrial and commercial areas, pollutant loadings in runoff from the project drainage area are assumed to degrade water quality in Reach 2 of the Los Angeles River. Completed TMDLs in Reach 2 of the Los Angeles River include the following: 1) nitrogen compounds and related effects; 2) trash; and 3) metals. All three TMDLs are approved by USEPA Region 9. In addition, a bacteria TMDL for the Los Angeles River and its tributaries was adopted by the LARWQCB in July 2010. The bacteria TMDL has not yet been reviewed by the State Regional Water Quality Control Board or adopted by USEPA Region 9.

The Albion site is completely paved, is used for dairy operations, and is located in an industrial area surrounded by busy streets. As a result, urban runoff from this site has the potential to contribute trash, oil and grease, nutrients, suspended solids, metals, hydrocarbons, and pathogens to the storm water conveyance system. Pollutants of concern consist of any pollutants that exhibit one or more of the following characteristics:

- Current loadings or historic deposits of the pollutant impact the beneficial uses of receiving water bodies.
- Elevated levels of the pollutant are found in sediments of receiving water and/or have the potential to bioaccumulate in organisms therein.
- The detectable inputs of the pollutant are at concentrations or loads considered potentially toxic to humans and habitats.

The overall objective of the stormwater BMPs proposed for the site is to develop the parcel and improve the water quality of stormwater and runoff entering Reach 2 of the Los Angeles River. Targeted pollutants from the project site and tributary area include nitrogen, metals, trash, bacteria, and oil and grease.

Under the proposed project, urban runoff would be diverted from both the existing 39-inch storm drain along Spring Street and the existing 54-inch storm drain in Albion Street. Trash and solids in the runoff would be removed, followed by further natural treatment processing (i.e., BMPs) prior to infiltration and/or discharge to the Los Angeles River. Because project operations would remove pollutants from the runoff prior to discharge to the Los Angeles River (untreated runoff from the two storm drains is currently discharged to the River), operation of the proposed project would result in a net improvement to water quality, which would help the City avoid or minimize the potential for future violations of water quality. This is considered to be a beneficial impact.

Soil exposure during excavation, grading, and other construction activities under the proposed

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project (Phase 1, Phase 2 and Phase 3) could result in possible erosion and runoff into storm drains if proper controls are not implemented. Thus, the proposed project has the potential to violate water quality standards during construction if proper controls are not implemented. Any on-site grading and site preparation would comply with all applicable provisions of Chapter IX, Division 70 of the LAMC, which addresses grading, excavations, and fills. Further, construction under all phases would be required to comply with applicable requirements pertaining to stormwater and urban runoff. This includes compliance with City Ordinance 172,176 which pertains to control and regulation of discharges to the storm drain system and receiving water; Ordinance 172,673 which requires implementation of stormwater pollution control measures for construction activities; and Ordinance 173,494 which provides stormwater pollution control for planning and construction of development and redevelopment projects and requires the establishment of BMPs to control the site runoff. These BMPs would be detailed in a SWPPP and compliance with the latest National Pollutant Discharge Elimination System (NPDES) Stormwater Regulations. With the implementation of construction BMPs to minimize and control soil erosion and site runoff, significant impacts to water quality from site runoff during construction are not expected.

- b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

Reference: L.A. CEQA Thresholds Guide (Sections G.2 and G.3)

Comment: A project would normally have a significant impact on groundwater supplies if it were to result in a demonstrable and sustained reduction of groundwater recharge capacity or change the potable water levels sufficiently that it would reduce the ability of a water utility to use the groundwater basin for public water supplies or storage of imported water, reduce the yields of adjacent wells or well fields, or adversely change the rate or direction of groundwater flow.

The Los Angeles Coastal Plan consists of the West Coast and Central Basins. The project site is located in the Central Basin. Groundwater currently provides about 40 percent of the total water used in the West Coast and Central Basins. Depth to groundwater in the Central Basin has been on average 108 feet from 1964 through 2002. As noted in Section 8(a) above, groundwater under the Albion site has been encountered between 20 and 30 feet bgs, with the most recent exploratory borings encountering groundwater at approximately 25 feet bgs.

The project area is not used for groundwater recharge or as groundwater supplies. Phase 1 would result in the demolition of the existing on-site structures, which would result in an increase in pervious surfaces on the site. An increase in pervious surfaces would allow more water to percolate into the soil; however, this would not affect potable groundwater supplies. In addition, operation of Phase 1 would not use groundwater resources. Therefore, a decrease in groundwater supplies would not occur and no impacts are anticipated.

The construction and operation of Phase 2 and Phase 3 would also not use groundwater resources or affect recharge areas. Although a minimal amount of pervious surface would be added as part of Phase 3 (such as basketball court and skate park), this would not result in a negative impact on groundwater supplies or recharge potential compared to existing conditions. No impact is anticipated.

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- c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?

Reference: L.A. CEQA Thresholds Guide (Sections G.1 and G2)

Comment: A significant impact may occur if the proposed project resulted in a substantial alteration of drainage patterns that resulted in a substantial increase in erosion or siltation during construction or operation of the project.

The Albion site is predominately flat and completely paved (impervious). The project would not alter the course of a stream or a river. Construction of Phase 1 would result in demolition and ground surface disruption activities, such as site grading and excavation that would leave the site as stabilized pervious surface. The replacement of impervious surfaces with a stabilized pervious surface at the Albion site would have the effect of reducing the rate of runoff from the project site, which is considered a beneficial impact to the storm drain system. Construction activities could result in the potential for erosion to occur at the Albion site; however, soil exposure would be temporary and short-term in nature and applicable Department of Building and Safety erosion control techniques would limit potential erosion as discussed in 9(a) above. Phase 2 of the project would construct and operate BMPs that would alter drainage patterns by directing runoff from existing storm drains and on-site areas into the BMPs. This is considered beneficial and would not result in a substantial increase in erosion or siltation. Only minor, if any, changes to surface runoff would be anticipated under Phase 3 as a result of construction of park improvements. Therefore construction and operation of the proposed project (Phase 1, Phase 2 and Phase 3) would not result in substantial erosion or siltation off-site, and impacts would be less than significant.

- d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?

Reference: L.A. CEQA Thresholds Guide (Section G.1)

Comment: A significant impact may occur if the proposed project resulted in increased runoff volumes during construction or operation of the proposed project that would result in flooding conditions affecting the project site or nearby properties.

Although site drainage patterns are not expected to change once Phase 1 has been completed, the rate of runoff is expected to be less because of the increase in stabilized pervious surface. This change to the site drainage pattern would not affect the area's overall drainage pattern, nor would it result in flooding on- or off-site. Phase 2 of the project would construct and operate BMPs that would alter drainage patterns by directing runoff from existing storm drains and on-site areas into the BMPs. This is considered beneficial and would not result in an increase in runoff that could cause flooding. Only minor, if any, changes to surface runoff would be anticipated under Phase 3 as a result of construction of park improvements. Therefore, construction and operation of the proposed project (Phase 1, Phase 2 and Phase 3) would have a less than significant impact.

- e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial

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additional sources of polluted runoff?

Reference: L.A. CEQA Thresholds Guide (Section G.2)

Comment: A significant impact may occur if the volume of runoff were to increase to a level, which exceeded the capacity of the storm drain system serving a project site. A significant impact may also occur if the proposed project would substantially increase the probability that polluted runoff would reach the storm drain system.

The proposed project would divert a portion of the flows from adjacent storm drains (one underneath Albion Street and one that runs parallel to North Spring Street) to the site and construct and operate appropriate, beneficial, and feasible stormwater BMPs. Therefore, the proposed project would take existing flows and not increase the volume of runoff to a level that would exceed the capacity of the storm drain system serving a project site. In addition, the objective of the project is to treat stormwater to reduce pollutants entering the Los Angeles River, which would decrease the probability that polluted runoff would reach the storm drain system.

Phase 1 would construct and operate a more pervious site, which would help reduce runoff from the Albion site. Phase 2 would construct and operate the BMPs. Finally, Phase 3 includes park improvements that would minimally reduce the pervious area of the project site (over Phase 2 but would constitute less runoff from the current conditions). Therefore, no impact is anticipated from the construction and operation of the proposed project (Phase 1, Phase 2 and Phase 3).

f) Otherwise substantially degrade water quality?

Reference: Refer to 9(a) above.

Comment: Refer to 9(a) above

g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

Reference: L.A. CEQA Thresholds Guide (Sections G.1 to G.3); FIRM FEMA Map Number 06037C1628F Panel No 1628F

Comment: A significant impact may occur if the proposed project were to place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map.

According to Flood Insurance Rate Map (FIRM) Number 06037C1628F Panel No 1628F, the entire project site is not located within Zone AE, which is a 100-year flood hazard area. Although within a 100-year flood hazard area, the proposed project does not include the construction of housing. Therefore, construction and operation of the proposed project (Phase 1, Phase 2 and Phase 3) would not involve placing housing within a 100-year flood hazard area and no impact is anticipated.

h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?

Reference: L.A. CEQA Thresholds Guide (Sections G.1 & G.3); FIRM FEMA Map Number 06037C1628F Panel No 1628F

Comment: A significant impact may occur if the proposed project were to place within a 100-year flood hazard area structures that would impede or redirect flood flows.

As noted in 9(g) above, the project site is located within a 100-year flood hazard area. Phase 1

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would demolish all the structures at the site except for the parameter fencing and the cellular tower and associated appurtenances in the southwest corner of the site. At the end of Phase 1 the site would be left graded and secured (fenced) until construction of Phase 2. Phase 1 would not result in the construction or operation of new structures that would be vulnerable to flooding. As such, the construction and operation of Phase 1 would have no impact related to exposing people or structures to flooding.

Phase 2 would involve the construction and operation of BMPs that are at or below ground surface. No new buildings would be constructed on the site that would impede or redirect flood flows. Phase 2 would have no impact related to exposing people or structures to flooding.

Phase 3 would involve the construction and operation of passive and active park elements, which would consist of mostly small structures or features with a small footprint with minimal aboveground components located throughout the site and adjacent Downey Recreation Center. These features would not impede or redirect flood flows in the project area. Phase 3 is expected to have a less than significant impact related to exposing people of structures to flooding.

- i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

Reference: L.A. CEQA Thresholds Guide (Sections E.1 & G.3); City of Los Angeles General Plan Safety Element

Comment: A significant impact may occur if the proposed project were located in an area where a dam or levee could fail, exposing people or structures to significant risk of loss, injury or death.

As indicated above, the project site is located within of the 100-year flood zone. In addition, the site is located within an inundation area of a dam or levee as identified on the Inundation and Tsunami Hazard Areas map (Exhibit G) of the Safety Element of the General Plan.

Phase 1 would demolish all the structures at the site except for the parameter fencing and the cellular tower and associated appurtenances in the southwest corner of the site. At the end of Phase 1 the site would be left graded and secured (fenced) until construction of Phase 2. Phase 1 would not result in the construction or operation of new structures that would be vulnerable to flooding or inundation as a result of dam failure. Therefore, the construction and operation of Phase 1 would not result in exposure of people or structures to significant risk of loss, injury or death related to flooding or dam inundation.

Phase 2 would involve the construction and operation of BMPs that are at or below ground surface. Construction and operation of any below or above ground elements would be in accordance with building and seismic code requirements. In addition, no new structures would be constructed on the site that would be vulnerable to flooding or inundation in the event of a dam break. Therefore, the construction and operation of Phase 2 would not result in exposure of people or structures to significant risk of loss, injury or death related to flooding or dam inundation.

Phase 3 would involve the construction and operation of passive and active park elements, which would consist of mostly small structures or features with a small footprint with minimal aboveground components located throughout the site and adjacent Downey Recreation Center.

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These features would not impede or redirect flood flows in the project area. In addition, no housing would be constructed on the site that would expose people to flooding. In the event of an emergency, the City has adopted emergency evacuation procedures that would be implemented in the case of a dam break. Therefore, the construction and operation of Phase 3 would not result in exposure of people or structures to significant risk of loss, injury or death related to flooding or dam inundation.

Therefore, the potential impact of construction and operation of the proposed project (Phase 1, Phase 2 and Phase 3) from being within an inundation area of a dam or levee is less than significant.

j) Inundation by seiche, tsunami, or mudflow?

Reference: LA CEQA Thresholds Guide (Section E.1); City of Los Angeles General Plan Safety Element

Comment: A significant impact may occur if the proposed project would cause or accelerate geologic hazards, which would result in substantial damage to structures or infrastructure, or expose people to substantial risk of injury.

Seiches are large waves generated in enclosed bodies of water in response to ground shaking. Although the project site is located adjacent to the Los Angeles River, the River is not considered an enclosed large body of water that could experience seiches during an earthquake. Under Phase 2 of the project, water quality improvement elements include naturalized bioretention basin(s), a simulated stream, bioswale, and/or subsurface irrigation systems are proposed. These structures could hold water in a storm event. However, these features would be constructed at or below the ground surface and would not result in seiches. Thus, there is no potential for seiches impacting the project site; therefore, there is no impact associated with the construction and operation of the proposed project (Phase 1, Phase 2 and Phase 3).

Tsunamis are tidal waves generated in large bodies of water caused by fault displacement or major ground movement. Hazardous tsunamis, which are rare along the Los Angeles coastline, have the potential to cause flooding in the low-lying coastal area. The project site is not located within tsunami hazard area. Therefore, there is no impact associated with the construction and operation of the proposed project (Phase 1, Phase 2 and Phase 3).

The project site is not located in an area considered susceptible to seismically-induced landslides. Therefore, no impact associated with inundation from mudflow under Phase 1, Phase 2, and Phase 3 is anticipated.

**10. LAND USE AND PLANNING** – Would the project:

a) Physically divide an established community?

Reference: LA CEQA Thresholds Guide (Section H.2); City of Los Angeles General Plan

Comment: A significant impact would occur if the project includes features such as a highway, above-ground infrastructure, or an easement that would cause a permanent disruption to an established community or would otherwise create a physical barrier within an established community.

The proposed project would occur within the Albion site and existing Downey Recreation Center (southern portion). Neither construction nor operation of any of the phases would include

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features such as a highway, above-ground infrastructure, or an easement that would cause a permanent disruption to an established community or would otherwise create a physical barrier within an established community. Therefore, no impact is anticipated from the construction and operation if the proposed project (Phase 1, Phase 2 and Phase 3).

- b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

Reference: LA CEQA Thresholds Guide (Sections H.1 & H.2); City of Los Angeles General Plan; Zone Information & Map Access System (ZIMAS)

Comment: A significant impact may occur if the proposed project were inconsistent with the General Plan, or other applicable plan, or with the site's zoning if designated to avoid or mitigate a significant potential environmental impact.

The Albion site is zoned Restricted Industrial Zone (MR1-1), Limited Industrial Zone (M-1), and Public Facilities (PF). The site is designated as Limited Manufacturing, Limited Manufacturing and Public Facilities by the General Plan. It is located within the Northeast Community Plan.

Phase 1 would result in remediation removal of the existing structures. The Albion site would be vacant with no new land uses established, thus no conflicts with the zoning or General Plan would occur.

Phase 2 would involve the construction and operation of BMPs that are at or below ground surface. Construction, installation, operation, and maintenance of infrastructure for public utility, (i.e., the proposed BMPs), are permitted in all zones, and thus, no conflicts with the zoning or General Plan would occur.

The proposed expansion of Downey Recreational Park to the Albion site that would occur under Phase 3 is a permitted use under the existing MR1-1, M-1 and PF zoning districts. Further, the establishment of BMPs and the proposed public park use are consistent with Community Plan policies to address the recreational needs of the community and to encourage acquisition of new open space and protection of environmental resources. As a result, no conflicts with the zoning or General Plan would occur.

No change to the zoning code or General Plan Land Use designation would be required as a result of the proposed project. Therefore, the proposed project (Phase 1, Phase 2 and Phase 3) would not conflict with the zoning or General Plan.

The Albion site is within the boundaries of the LARRMP and the draft CASP. The site is identified in the LARRMP as a potential site for a river park and recreational facility, outdoor classrooms, and/or a River learning center, and is similarly identified in the draft CASP as a future park site. Under Phase 1 and 2, the site would be vacant, with the exception of BMPs installed as part of Phase 2. This would not preclude the future establishment of a park or educational facility, and thus would not conflict with the LARRMP or the draft CASP. The establishment of an expanded public park under Phase 3 would also be consistent with, and supportive of, the LARRMP and the draft CASP. Therefore, the proposed project (Phase 1, Phase 2, and Phase 3) would not conflict with the LARRMP or the draft CASP.

# Issues

Potentially Significant Impact  
 Less Than Significant With Mitigation  
 Less Than Significant  
 No Impact

Existing land uses within the Albion site consist of warehousing and distribution of retail packaged milk and milk products. The site is entirely paved and surrounded by chain link fencing. There are seven structures on-site which include two refrigerated warehouses, an office structure, a metal frame structure, furniture storage and restoration structure, garage/vehicle maintenance structure, and a security booth. The northwest corner of the Albion site is occupied by an electrical tower and power line. The southwest corner of the site is occupied by a cellular tower and associated appurtenances. Surrounding uses include the Downey Recreation Center to north, Union Pacific Railroad tracks and the Los Angeles River are to the west, and manufacturing and warehouses are to the east and south.

Phase 1 would result in remediation removal of the existing structures. The Albion site would be vacant with no new land uses established, thus no conflicts with existing uses would occur.

Phase 2 would involve the construction and operation of BMPs that are at or below ground surface. With the exception of the BMPs, the site would remain vacant and would not conflict with, or require substantial changes to, existing land uses.

Phase 3 would include improvements on the site to expand the existing public park to the north. The park improvements would likely occur in conjunction with improvements to the Downey Recreational Center to more closely tie the two uses together. Thus proposed project would improve of the compatibility of the Albion site with the Downey Recreation Center. Further, it would not conflict with existing manufacturing and warehouse uses to the east and south, or the train tracks and river to the west.

Therefore, the proposed project (Phase 1, Phase 2 and Phase 3) would not conflict with existing land uses and no significant impacts would occur.

- c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

Reference: LA CEQA Thresholds Guide (Sections H.1 & H.2); City of Los Angeles General Plan; Los Angeles County Draft General Plan, Figure 6.3 Significant Ecological Areas

Comment: A significant impact may occur if the proposed project were located within an area governed by a habitat conservation plan or natural community conservation plan and would conflict with such plan.

As previously discussed in 4(d), the project site is not located in a habitat conservation plan or a natural community conservation plan. As such, construction and operation of the proposed project (Phase 1, Phase 2 and Phase 3) would not conflict with the provisions of an approved conservation plan and no impact is anticipated.

## 11. MINERAL RESOURCES – Would the project:

- a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

Reference: L.A. CEQA Thresholds Guide (Section E4); City of Los Angeles General Plan

Comment: A significant impact may occur if the proposed project is located in an area used or available for extraction of a regionally important mineral resource, if the project converts a regionally important mineral extraction use to another use, or if the project affects access to

# Issues

Potentially Significant Impact  
 Less Than Significant With Mitigation  
 Less Than Significant  
 No Impact

such use.

No mineral resources are identified within the project area. Therefore, construction and operation of the proposed project (Phase 1, Phase 2 and Phase 3) is not anticipated to result in the loss of availability of a valuable known mineral resource and no impact is anticipated.

- b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?
- Reference: Refer to 11(a) above.  
 Comment: Refer to 11(a) above.

**12. NOISE** – Would the project result in:

- a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?
- Reference: City of Los Angeles Municipal Code (Chapter IV, Article 1, Section 41.40; Section 112.05 of Chapter IX, Article 2);  
 Comment: A significant impact may occur if the proposed project were to exposure persons to or generate noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.

The City regulates construction noise via the LAMC (Chapter IV, Article 1, Section 41.40; Section 112.05 of Chapter IX, Article 2). A significant impact may occur if the proposed project generates construction noise outside of the hours prescribed in the LAMC or increases noise levels during project operation in excess of 5 dBA (A-weighted decibel) over ambient Community Noise Equivalent Level (CNEL).

Under the noise provisions, construction equipment noise levels are limited to 75 dBA if technically feasible. The City allows construction during the week between the hours of 7:00 a.m. and 9:00 p.m., and specifically prohibits night construction if related noise can disturb persons occupying sleeping quarters in any dwelling, hotel, or residence. In addition, construction within 500 feet of a residence is restricted to the hours of 8:00 a.m. to 6:00 p.m. on Saturdays and National Holidays, and prohibited on Sundays. The City's standard construction specifications require construction equipment to have noise suppressing devices, and requires noise controls such as placement of noise barriers, use of low-noise generating equipment, maintenance of mufflers and ancillary noise abatement equipment, scheduling high noise producing activities during periods that are least sensitive, routing construction-related truck traffic away from noise-sensitive areas, and reducing construction vehicle speeds. Despite the required noise controls, construction equipment noise levels can exceed the 75 dBA goal established in the LAMC. All phases of project construction would occur Monday through Friday between the hours of 7:00 a.m. and 9:00 p.m., although daily construction would not likely occur after 6:00 p.m., and between the hours of 8:00 a.m. and 5:00 p.m. on Saturdays. No construction would occur during prohibited hours.

Ambient noise levels were monitored at the Downey Recreation Center (southern portion) on November 17, 2010 and at the nearest residence to the Albion site (Appendix E). Of the two noise monitoring locations at the Downey Recreation Center, one was located along the eastern edge near the rear of a residence (N-1). The second monitoring location, N-2, was along Avenue

# Issues

Potentially Significant Impact  
 Less Than Significant With Mitigation  
 Less Than Significant  
 No Impact

17 near the Center's parking lot and adjacent to residences. The ambient noise level (Leq) at N-1 was 50 dBA and was 51 dBA at N-2. The third noise monitoring location was the southeast corner of Albion Street and South Avenue 17. The Leq at N-3 was 62 dBA.

The noise levels at the Downey Recreation Center (southern portion) were low because there were no ongoing recreational activities and because the area is not exposed to direct traffic noise, which is the primary source of noise in the project area. The higher ambient noise level at N-3 was because of a direct exposure to traffic noise along Albion Street. It should be noted that several overhead helicopter flights caused elevated noise spikes during the N-3 reading. Although project construction would result in elevated noise levels at the Downey Recreation Center and surrounding areas, the temporary elevations in ambient noise would occur during daytime hours within the hours allowed by the Noise Ordinance. Construction associated with Phase 1 would be considered the worst case phase related to noise impacts on adjacent uses. However, because construction for the proposed project (Phase 1, Phase 2 and Phase 3) would occur within the allowable hours, significant noise impacts would not occur.

Once construction is complete, operation of Phase 1 would not generate noise. The water quality BMPs operational under Phase 2 are not expected to generate audible noise. The system pumps would be underground or housed in enclosures, and would not generate noticeable noise. Operations and maintenance would result in periodic inspections of the facilities and use of a vacuum truck to clean the trash and solids removal device as needed based on inspections. These activities are minor and would not result in substantial increases in CNEL. The operation of Phase 1 and Phase 2 would result in decreased noise levels compared to the current dairy operations.

Once the Phase 3 recreational improvements are constructed, their operation are not expected to result in substantive CNEL noise level increases because the Phase 3 operations would be less intensive than the former dairy operations. Therefore, a less than significant noise impact is anticipated during project operation.

- b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

Reference: L.A. CEQA Thresholds Guide (Section I); City of Los Angeles General Plan, City of Los Angeles Municipal Code

Comment: A significant impact may occur if the project were to expose persons to or generate excessive groundborne vibration or groundborne noise levels.

Construction activities associated with the project could generate minor groundborne vibration from use of heavy equipment. Typically, only heavy construction activities, such as pile driving, would generate vibrations that could result in groundborne noise at nearby structures or in cosmetic damage to the structures. No pile driving would occur, and excessive groundborne vibration and/or groundborne noise are not anticipated. Therefore, a less than significant impact is anticipated during project (Phase 1, Phase 2 and Phase 3) construction.

Project operations would not involve activities that could generate vibrations or groundborne noise, or otherwise expose persons to such impacts. Therefore, project (Phase 1, Phase 2 and Phase 3) operation would not result in significant impacts related to groundborne vibration or noise.

# Issues

Potentially Significant Impact  
 Less Than Significant With Mitigation  
 Less Than Significant  
 No Impact

- c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

Reference: L.A. CEQA Thresholds Guide (1.2)

Comment: A significant impact may occur if the project were to substantially and permanently increase the ambient noise levels in the project vicinity above levels existing without the proposed project.

As discussed in 12(a) above, operation of the proposed project (Phase 1, Phase 2 and Phase 3) would not result in substantial increases in ambient noise levels because the project would operate passively and only maintenance and inspections would occur, and because subsequent recreational operations would be less intensive than the former Dairy operations. Therefore, the proposed project would not result in a substantial permanent increase in ambient noise levels in the project vicinity.

- d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

Reference: City of Los Angeles Municipal Code,

Comment: A significant impact may occur if the proposed project were to create a substantial increase in the ambient noise levels that conflicts with the noise conditions allowed in the City's Noise Ordinance.

Heavy equipment operating during given the context of the site (location adjacent to active railroad tracks, major arterial street, light industrial) and the fact that elevated noise levels would not occur at night or on Sundays (consistent with the Noise Ordinance), temporary increase in ambient noise levels due to the project construction would not be considered to be substantial. Therefore, as discussed in 12(a) above, project (Phase 1, Phase 2 and Phase 3) construction would occur within the hours allowed in the City's Noise Ordinance, and would therefore result in a less than significant impact on ambient noise levels.

- e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

Reference: The Thomas Guide, Los Angeles County Street Guide (2010)

Comment: A significant impact may occur if the proposed project would expose people residing or working in the project area to excessive noise levels due to the project site being located within an airport land use plan or within two miles of a public airport where such a plan has not been adopted.

The project site is located approximately 11 miles southeast of the Burbank Airport, 12 miles northwest of the Los Angeles International Airport, 12 miles west of the El Monte Airport, and 13 miles northwest of the Santa Monica Airport. Therefore, construction and operation of the proposed project (Phase 1, Phase 2, and Phase 3) would not expose people residing or working in the project area to excessive noise levels due to the project site being located within an airport land use plan or within two miles of a public airport where such a plan has not been adopted. No impact is anticipated.

- f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

# Issues

Potentially Significant Impact  
Less Than Significant With Mitigation  
Less Than Significant  
No Impact

Reference: The Thomas Guide, Los Angeles County Street Guide, 2010; Google Earth, 2009  
Comment: A significant impact may occur if the proposed project would expose people residing or working in the project area to excessive noise levels due to the vicinity to a private airstrip.

No private airstrips are located within the vicinity of the project area. Therefore, no impact is anticipated associated with the construction and operation of the proposed project (Phase 1, Phase 2 and Phase 3).

### 13. POPULATION AND HOUSING – Would the project:

- a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

Reference: L.A. CEQA Thresholds Guide (Section J.1); General Plan, including the Northeast Los Angeles Community Plan

Comment: A significant impact may occur if the proposed project induced substantial population and housing growth through new development in undeveloped areas or by introducing unplanned infrastructure that was not previously evaluated in the adopted community plan or general plan.

Phase 1 would not promote population growth either directly or indirectly, since it consists of demolition of the existing structures on the project site. It would not provide additional capacity that would encourage the introduction of new housing to the area. Therefore, construction and operation of Phase 1 would not induce substantial population growth in the project area or within the City of Los Angeles, and no impacts are anticipated.

Phase 2 is the construction of stormwater BMPs on the Albion site and would not induce population growth directly or indirectly and no impacts are anticipated.

Phase 3 would result in the construction of new and reconfigured park elements on the project site. The park would serve existing residents within the project area and would not introduce population growth directly or indirectly. No impacts are anticipated.

- b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

Reference: L.A. CEQA Thresholds Guide (Sections J.1 and J.2)

Comment: A significant impact may occur if the proposed project displaced substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere.

No housing would be displaced or changed as a result of the proposed project (Phase 1, Phase 2 and Phase 3); therefore, no impact is anticipated.

- c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

Reference: See 13(b) above.

Comment: See 13(b) above.

# Issues

Potentially Significant Impact  
 Less Than Significant With Mitigation  
 Less Than Significant  
 No Impact

## 14. PUBLIC SERVICES –

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

i) Fire protection?

Reference: L.A. CEQA Thresholds Guide (Section K.2); City of Los Angeles General Plan Safety Element

Comment: A significant impact may occur if the project required the addition of a new fire station or the expansion, consolidation or relocation of an existing facility to maintain service.

The project site and surrounding area is currently served by the LAFD's local Fire Station No. 1 located at 2230 Pasadena Avenue, Los Angeles (Lincoln Heights) (less than 1.0 mile driving distance from project site). The proposed project consists of redevelopment of the Albion site, which has been operating as warehouse and distribution services facility, and improvement to the existing Downey Recreation Center (southern portion). The site and surrounding areas are currently served by the LAFD.

Construction of the proposed project (Phase 1, Phase 2 and Phase 3) would be temporary and not require the addition of a new fire station or the expansion, consolidation or relocation of an existing facility to maintain service. The operation of the proposed project (Phase 1, Phase 2 and Phase 3) would not increase the need for additional fire service; therefore, the proposed project would not result in a need for construction of additional fire protection facilities or adversely affect service ratios or response times.

ii) Police protection?

Reference: L.A. CEQA Thresholds Guide (Section K.1); City of Los Angeles General Plan Safety Element

Comment: A significant impact may occur if the proposed project were to result in an increase in demand for police services that would exceed the capacity of the police department responsible for serving the site.

The project site and surrounding area is served by the Los Angeles Police Department Hollenbeck Station located at 2111 E. First Street, Los Angeles (approximately 2.3 miles driving distance from the project site). The proposed project consists of redevelopment of the Albion site, which has been operating as warehouse and distribution services facility, and improvement to the existing Downey Recreation Center (southern portion). The site and surrounding areas are currently served by the Los Angeles Police Department.

Construction of the proposed project (Phase 1, Phase 2 and Phase 3) would be temporary and not result in an increase in demand for police services that would exceed the capacity of the police department responsible for serving the site. The operation of the proposed project (Phase 1, Phase 2 and Phase 3) would not increase the need for additional police protection services; therefore, the existing police service would be adequate and not result in a need for construction of additional police protection facilities or adversely affect service ratios or response times.

# Issues

Potentially Significant Impact  
 Less Than Significant With Mitigation  
 Less Than Significant  
 No Impact

iii) Schools?

Reference: L.A. CEQA Thresholds Guide (Section K.3)

Comment: A significant impact may occur if the proposed project included substantial employment or population growth that could generate demand for school facilities that exceeded the capacity of the school district responsible for serving the project site.

Two schools are located less than 0.25-mile from the project site: Albion Street Elementary School located at 1855 N. Main Street (0.10 mile from project site), and Milagro Charter School located at 322 S. Avenue 18 (0.20 mile from project site). The Albion school is an Los Angeles Unified School District school and the Milagro school is part of the Partnership to Uplift Communities school network. The field at the Downey Recreation Center is used by Albion Elementary School students for physical education activities.

The construction of the proposed project (Phase 1, Phase 2 and Phase 3) is not growth-inducing, either directly or indirectly, and therefore, would not increase the demand for schools in the area. In addition, the proposed project is not considered an employment generator that could induce demand for school facilities that exceed the capacity of the local school district.

iv) Parks?

Reference: L.A. CEQA Thresholds Guide (Section K.4)

Comment: A significant impact may occur if the recreation and park services available could not accommodate the population increase resulting from the implementation of the proposed project and new or physically altered facilities were needed.

The Downey Recreation Center (southern portion) is part of the project site. Other recreation and park facilities within one mile of the project site include: Elysian Park (located approximately 0.25 northwest of the project site); Los Angeles Historic State Park (located approximately 0.5 mile west of the project site); Lincoln Heights Recreational Center (located approximately 0.5 mile northeast of the project site); and Lincoln Park (located approximately 1.0 mile east of the project site).

As noted above, the construction of the proposed project (Phase 1, Phase 2 and Phase 3) is not growth-inducing, either directly or indirectly, and therefore, would not increase the demand for recreation in the area. In addition, the proposed project would increase the amount of park and recreation uses in the project area. Therefore, no impacts on the need for new parks would occur due to the proposed project (Phase 1, Phase 2 and Phase 3).

v) Other public facilities?

Reference: None applicable

Comment: A significant impact would occur if the project results in the need for new or altered public facilities, such as libraries, due to population or housing growth.

Construction and operation of the proposed project (Phase 1, Phase 2 and Phase 3) would not induce growth, either directly or indirectly, and, therefore, would not increase the demand for or use of libraries or other public facilities in the area. Therefore, no impact is anticipated under the proposed project (Phase 1, Phase 2 and Phase 3).

# Issues

Potentially Significant Impact  
 Less Than Significant With Mitigation  
 Less Than Significant  
 No Impact

**15. RECREATION –**

- a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

Reference: L.A. CEQA Thresholds Guide (Section K.4)

Comment: A significant impact may occur if the proposed project included substantial employment or population growth that generated demand for public park facilities that exceed the capacity of existing parks or that substantially affected the level or service of existing park facilities.

The proposed project (Phase 1, Phase 2 and Phase 3) is not a growth-inducing project, either directly or indirectly, and, therefore, would not increase the demand for parks or other recreational facilities in the area.

Under Phase 1, construction and operation would primarily be confined to the Albion site and would not extend into the neighboring Downey Recreation Center. Therefore, Phase 1 construction and operations would not affect use of the Downey Recreation Center or other parks in the area.

Under Phase 2, construction activities would include establishing connections through the Downey Recreation Center to the existing storm drain along Spring Street. This would involve minor localized construction activities within the Downey Recreation Center, but such activities would be coordinated with the Department of Recreation and parks and would be staged to avoid disruption of park activities. Operation of Phase 2 would involve operation and maintenance of the BMPs and this would not affect use of the Downey Recreation Center or other parks in the area.

Phase 3 involves expanding the Downey Recreation Center from approximately four acres to approximately 10-acres by incorporating the former Dairy parcel, and it includes provision of additional recreational, aesthetic, and educational amenities. The park improvements may include the reconfiguration of park elements currently at the adjacent portion of the Downey Recreation Center. Construction of Phase 3 would be staged to avoid disruption of park activities at Downey Recreation Park. The park improvements that would occur under Phase 3 would be expected to increase the number of visitors to the Downey Park Recreation Center. However, the proposed project would expand the four acre site by approximately six acres in size and expand the recreational amenities available to the public. Additionally, it would be designed to accommodate the anticipated number of visitors. Therefore, operation of the proposed project under Phase 3 would improve the capacity and level or service at an existing park.

The proposed project (Phase 1, Phase 2 and Phase 3) would not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated and no significant impacts would occur.

- b) Does the project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?

Reference:

Comment: A significant impact may occur if the proposed project would require the construction or

# Issues

Potentially Significant Impact  
 Less Than Significant With Mitigation  
 Less Than Significant  
 No Impact

expansion of recreational facilities that might have an adverse physical effect on the environment.

The proposed project (Phase 1, Phase 2, and Phase 3) is not a growth-inducing project, either directly or indirectly, and, therefore, would not increase the demand for parks or other recreational facilities in the area resulting in the need for the construction or expansion of recreational facilities. However, objectives of the proposed project include (1) providing active and passive recreation opportunities; and (2) providing greenway linkages between the Albion site, Downey Recreation Center/Park, and the Los Angeles River, which would increase the recreation services available within the local community.

Neither Phase 1 nor Phase 2 of the proposed project involves the construction or operation of recreational facilities and thus would not result in construction of a new recreational facility, or expansion of the existing facility that could have an adverse physical effect on the environment. Therefore, no impacts would occur under Phase 1 and Phase 2.

Consistent with these objectives, Phase 3 of the proposed project involves the expansion of the Downey Recreation Center from approximately four acres to approximately ten acres by incorporating the former Albion Dairy parcels, and it includes provision of additional recreational, aesthetic, and educational amenities on the 10-acre site. Potential impacts associated with construction and operation of Phase 3 are discussed throughout this document and as described herein, no significant impacts would occur with implementation of mitigation in the areas of Cultural Resources (see Item 5), Geology and Soils (see Item 6), Hazards and Hazardous Materials (Item 8), and Transportation and Traffic (Item 17). The mitigation measures are presented under the discussion for each resource area and in Section V.

**16. TRANSPORTATION/TRAFFIC** – Would the project:

- a) Exceed the capacity of the existing circulation system, based on an applicable measure of effectiveness (as designated in a general plan policy, ordinance, etc.), taking into account all relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?

Reference: L.A. CEQA Thresholds Guide (Section L), Technical Memorandum: Albion Dairy Demolition and Remediation & Albion Riverside Park Project (Raju Associates, 2010)

Comment: A project would have a significant traffic impact if the traffic volume to roadway capacity ratio is increased, as follows:

Roadway Segment Condition With Project* Traffic	Project-Related Increase In V/C Ratio
<u>LOS</u>	<u>Volume/Capacity Ratio (V/C)</u>
C	0.701 – 0.800 Equal to or greater than 0.080
D	0.801 – 0.900 Equal to or greater than 0.040
E, F	> 0.900 Equal to or greater than 0.020

\* including project, ambient and related project growth.

An evaluation was performed that addressed the potential for Phase 1 (worst case) construction to affect traffic on street segments in the project area (Appendix F). As part of the study, traffic data from June and November 2010 counts were used to characterize the existing conditions at the following street segments:

# Issues

Potentially Significant Impact  
 Less Than Significant With Mitigation  
 Less Than Significant  
 No impact

1. North Spring Street west of North Broadway
2. North Broadway north of North Spring Street
3. North Broadway between S Avenue 18 and S Avenue 19
4. S Avenue 18 between North Broadway and Albion Street
5. S Avenue 20 between North Broadway and Albion Street
6. Albion Street between North Main Street and S Avenue 16
7. Albion Street between S Avenue 17 and S Avenue 18
8. North Main Street between Albion Street and Lamar Street

Figure 3 in Appendix F identifies these segments in relationship to the Project site. Based on the traffic data, all of the street segments are operating at Level of Service (LOS) C or better (LOS B or LOS A) during the AM and PM peak periods. Table 2 of Appendix F presents the existing traffic volumes and LOS at these street segments.

The heaviest or most intense construction for the proposed project would occur in Phase 1, which is planned to occur between 2011 and 2012. Phase 1 construction would generate the greatest amount of construction peak hour trips of the three phases. Phase 2 is assumed to generate up to 50 percent of Phase 1 truck trips and Phase 3 is assumed to generate up to approximately 75 percent of Phase 1 truck trips during peak construction times. The number of worker trips would be similar for all phases. Phase 1 construction consists of two elements/activities: demolition and remediation. Based on the anticipated construction equipment and workers, the daily trips during Phase 1 construction were estimated (see Table 4 in Appendix F), and it was determined that peak construction traffic activity during Phase 1 construction would occur during demolition. It is estimated that 68 daily trips would occur during the construction activities associated with demolition. Remediation is estimated to generate 56 daily trips. The peak hour trips were also estimated at 19 trips in each the AM and PM peak hour in the year 2012 (see table 5 in Appendix F). The 19 peak hour trips during Phase 1 construction in 2012 were added to the street system in the project area (see Figures 8 and 9 in Appendix F), and the levels of service were calculated (see Table 7 in Appendix F). The incremental changes in LOS were then compared to the significance thresholds to determine the traffic impacts. During Phase 1 construction, the additional trips on the street system would not result in an exceedance of the thresholds and therefore construction would not result in significant traffic impacts. The construction of Phase 2 and Phase 3 would result in fewer trips and would therefore also not result in significant traffic impacts.

Operation of the completed proposed project (Phase 1, Phase 2 and Phase 3) would result in an estimated 23 daily trips (see Table 6 in Appendix F), one of which would occur in the peak hour. This level of daily and peak hour trips would not result in a significant traffic impact.

- b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

Reference: L.A. CEQA Thresholds Guide (Section L)

Comment: A significant impact may occur if the proposed project would conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways.

# Issues

Potentially Significant Impact  
 Less Than Significant With Mitigation  
 Less Than Significant  
 No Impact

The roadways in the project vicinity are not listed on the 2004 Congestion Management Program for Los Angeles County as Congestion Management Program roadways. Because project construction (Phase 1, Phase 2 and Phase 3) and operation would not result in significant traffic impacts on local roadways, significant impacts on Congestion Management Program roadways are not anticipated.

- c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks?
- Reference: L.A. CEQA Thresholds Guide (Section L), Technical Memorandum: Albion Dairy Demolition and Remediation & Albion Riverside Park Project (Raju Associates, 2010)  
 Comment: A significant impact may occur if the proposed project results in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks.

The proposed project is a stormwater treatment and recreation project, and neither construction nor operation of the project (Phase 1, Phase 2 and Phase 3) would affect air traffic patterns. Therefore, no impacts to air traffic patterns are anticipated.

- d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
- Reference: L.A. CEQA Thresholds Guide (Section L.5)  
 Comment: A significant impact may occur if the proposed project substantially increased road hazards due to a design feature or incompatible uses.

With the exception of the improvements to the sidewalk, curb and gutter along Albion Street as part of Phase 2, construction and operation of the proposed project (Phase 1, Phase 2 and Phase 3) would not change the street configurations or increase road hazards. The sidewalk, curb, and gutter improvements are not considered to be hazardous design features. Therefore, no impacts are anticipated.

- e) Result in inadequate emergency access?
- Reference: L.A. CEQA Thresholds Guide (Section L.5 and L.8)  
 Comment: A significant impact may occur if the proposed project resulted in inadequate emergency access.

As part of standard specifications, all contractors are required to coordinate with the commanders of potentially affected fire and police stations prior to construction so that alternative route planning can occur and can be implemented if required. In addition, access to emergency vehicles would be maintained at all times during construction. Construction and operation of the proposed project would utilize the current access areas at the project site. Therefore, construction and operation of the proposed project (Phase 1, Phase 2 and Phase 3) is not expected to affect emergency access or result in inadequate emergency access.

- f) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?
- Reference: L.A. CEQA Thresholds Guide (Section L); Technical Memorandum: Albion Dairy Demolition and Remediation & Albion Riverside Park Project (Raju Associates, 2010)  
 Comment: A significant impact may occur if the proposed project were to conflict with adopted

# Issues

Potentially Significant Impact  
 Less Than Significant With Mitigation  
 Less Than Significant  
 No Impact

policies, plans, or programs supporting alternative transportation.

Six bus lines serve the project area, Lines 76, 83, 84, 251, 751, and the LADOT DASH (Lincoln Heights/Chinatown), and their routes in the project area are shown in Figure 4 in Appendix F). None of these lines have stops along Albion Street. Neither construction nor operation of the proposed project (Phase 1, Phase 2 and Phase 3) would require rerouting or lines or relocations of bus stops. In addition, there are no bike lanes in the area that would be affected by project construction or operation. Therefore, no impact to alternative transportation modes or supporting programs would occur from construction and operation of the proposed project (Phase 1, Phase 2 and Phase 3).

**17. UTILITIES AND SERVICE SYSTEMS** – Would the project:

- a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

Reference: L.A. CEQA Thresholds Guide (Section M.2)

Comment: A significant impact would occur if the proposed project discharges wastewater, which would exceed the regulatory limits established by the LARWQCB.

The proposed Project would replace the existing dairy operations with passive urban runoff BMPs and recreational amenities. The new uses would generate less wastewater than the previous dairy uses. Because wastewater from the project site would continue to flow to the Hyperion Treatment Plant via the sewer system, the proposed project (Phase 1, Phase 2 and Phase 3) would not adversely affect treatment plant capacity or its ability to meet treatment and discharge requirements.

- b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Reference: L.A. CEQA Thresholds Guide (Sections M.1 and M.2)

Comment: A significant impact may occur if the proposed project resulted in the need for new construction or expansion of water or wastewater treatment facilities that could result in an adverse environmental effect that could not be mitigated.

Other than temporary use of municipal water during construction (i.e. for dust control) project construction (Phase 1, Phase 2 and Phase 3) would not require the use of water. Operation of the proposed project would have less water demand than existing dairy uses due to a lower intensity of activity. As a result, the proposed project would not require the construction of new water supply facilities.

In addition, as described above under Item 17(a), the proposed project would generate less wastewater than the current dairy uses. Therefore, the proposed project would not require the construction of new or expanded wastewater treatment facilities.

- c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Reference: L.A. CEQA Thresholds Guide (Section M.2)

Comment: A significant impact may occur if the volume of stormwater runoff from the proposed project increases to a level exceeding the capacity of the storm drain system serving the project

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site.

Phase 2 would modify existing local storm drains and divert flow to the project site. The storm drain diversions under the proposed project represent an improvement to the storm drain system that would result in reduced flows to the Los Angeles River. These improvements would not result in the need for new or expanded storm drain facilities elsewhere in the system that could result in significant impacts. Therefore, the construction and operation of the proposed project (Phase 1, Phase 2 and Phase 3) would not result in significant impacts related to the storm drain system.

- d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

Reference: L.A. CEQA Thresholds Guide (Section M.1)

Comment: A significant impact may occur if the proposed project's water demands would exceed the existing water supplies that serve the site.

The LADWP provides potable water to the project area and vicinity. As described in 17(b) above, the proposed project would result in a reduction in water demand compared to the existing dairy uses on site. In addition, no new water entitlements or resources would be required for the proposed project (Phase 1, Phase 2 and Phase 3), and therefore, project construction and operation would be less than significant.

- e) Result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

Reference: L.A. CEQA Thresholds Guide (Section M.2)

Comment: A significant impact may occur if the proposed project results in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments.

Refer to 17(a) and 17(b) above

- f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

Reference: L.A. CEQA Thresholds Guide (Section M.3); : California Department of resources Recycling and Recovery (2010), Solid Waste Information System (<http://www.calrecycle.ca.gov/SWFacilities/Directory/>); City of Los Angeles Solid Waste Integrated Resources Plan (<http://www.zerowaste.lacity.org>) and Bureau of Sanitation ([http://www.lacitysan.org/solid\\_resources/recycling/](http://www.lacitysan.org/solid_resources/recycling/)); California Integrated Waste Management Act of 1989 (Assembly Bill 939)

Comment: The management of solid waste in the City involves public and private refuse collection services as well as public and private operation of solid waste transfer, resource recovery, and disposal facilities. A significant impact would occur if the proposed project results in solid waste generation of five tons or more per week.

The City's Bureau of Sanitation and private refuse companies manage the collection, transfer, and disposal of municipal solid waste. A significant impact would occur if the proposed project results in solid waste generation of five tons or more per week. There are three types of disposal facilities within state; (1) Class III Landfills (Municipal Solid Waste Landfills), (2) Unclassified

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(Inert) Landfills, and (3) Transformation (waste to energy) Facilities.

As described in Section II G of this document, the majority of construction, demolition, and remediation activities would be implemented under Phase 1 of the proposed project. Construction of Phase 1 would generate demolition debris generated by removal of the existing buildings, structures, and asphalt and concrete paving material. Excavated soils may be retained on-site, at staging areas, or hauled off-site. The preliminary excavation and demolition quantities that would occur during Phase 1 are included in Table 4 in Section 8(a).

Soil excavated from RAA-1 and RAA-2 is assumed to be hazardous waste and require disposal at a Class I facility, the nearest of which is Clean Harbors Buttonwillow facility, described in detail below. ACMs are classified as non-hazardous and non-RCRA waste; however, only listed facilities accept this type of waste, the nearest of which is the Azusa Land Reclamation Co. Landfill, described in detail below. Disposal of LBP waste and debris can also be handled in California as non-hazardous and non-RCRA waste, and can be disposed of at Sunshine Canyon Landfill, which is also described in detail below. The remaining construction and demolition debris, including non-hazardous/non-RCRA soils may be disposed of at one of the facilities listed below, or identified by the contractor in accordance with the City's project specifications.

- Sunshine Canyon Landfill is located at 14747 San Fernando Road, Sylmar, CA, approximately 25 miles from the project site. This facility has a maximum permitted throughput of 12,100 tons per day with a remaining capacity of 112,300,000 cubic yards (as of July 31, 2007), and has an estimated closure date of 2037. The waste types accepted at this facility include construction and demolition debris, green materials, industrial, inert, and mixed municipal.
- Calabasas Sanitary Landfill is located at 5300 Lost Hills Road, Agoura, CA, approximately 34 miles from the project site. This facility has a maximum permitted throughput of 3,500 tons per day with a remaining capacity of 18,100,000 cubic yards (as of March 31, 2008), and has an estimated closure date of 2025.
- Chiquita Canyon Sanitary Landfill is located at 29201 Henry Mayo Drive, Castaic, CA, approximately 38 miles from the project site. This facility has a maximum permitted throughput of 6,000 tons per day with a remaining capacity of 29,300,000 cubic yards (as of November 23, 2006), and has an estimated closure date of 2019. The waste types accepted at this facility include mixed municipal, green materials, construction and demolition debris, industrial, and inert.
- Azusa Land Reclamation Co. Landfill is located at 1211 West Gladstone Street, Azusa, CA, approximately 25 miles from the project site and consists of several units (active and closed). For purposes of the proposed project, only Unit 1 of this facility may be used for the disposal of asbestos, and is therefore described herein. Unit 1 has a maximum permitted throughput of 6,500 tons per day with a remaining capacity of 34,100,000 cubic yards (as of March 31, 1995), and has an estimated closure date of 2025. The waste types accepted at Unit 1 of this facility include asbestos, friable, inert, and tires.
- Clean Harbor Buttonwillow Landfill is located at 2500 West Lokern Road, approximately 132 miles from the project site. This facility has a maximum permitted capacity of 10,482 tons per day with a remaining capacity of 14,293,760 cubic yards (no date

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available), and has an estimated closure date of 2040. The waste types accepted at this facility (classified as Class I) includes contaminated soil, industrial, other designated, and other hazardous. The excavated soils from the Remedial Action Areas (RAA-1 and RAA-2) would be disposed of at this facility, as well as any other waste considered as hazardous during construction, demolition, and/or remediation activities.

The construction and demolition debris would be recycled whenever possible, or disposed of at an appropriate facility. As demonstrated above and according to the CalRecycle's SWIS database, there is sufficient inert waste disposal capacity available in Los Angeles County to adequately accommodate the anticipated demolition debris, as demonstrated above. Further, certain landfills accept wastes considered to be beneficial-use materials, such as soil, green waste, and asphalt. Soils are used as part of regular landfill operations and also are used to cap closed landfills. Several landfills in the greater Los Angeles area accept excavated soil, including those that otherwise are restricted by ordinances from accepting municipal solid waste generated in the City of Los Angeles.

Construction and operation of the proposed project would comply with the requirements of the California Integrated Waste Management Act of 1989 (Assembly Bill 939 – "AB 939"), which requires the implementation of aggressive solid waste management programs that focus on diverting waste from being disposed of in landfills (such as source reduction, recycling, and composting). As of March 2009, the City had a diversion rate of 65 percent, surpassing the State's requirement for a 50 percent waste diversion rate after 2000, and has set a goal of achieving a 75 percent diversion by 2013.

Phase 2 and Phase 3 of the proposed project are not expected to generate substantial construction or demolition debris, as these activities would primarily be completed during Phase 1. The only waste that would be generated would be worker's solid waste, or solid waste associated with the construction of BMPs (Phase 2) and park amenities (Phase 3). Solid waste generated during these phases would be temporary, and as with Phase 1, it would be recycled where feasible. Solid waste associated with Phase 2 and Phase 3 would not exceed the capacity of listed facilities and would not exceed landfill capacity, as demonstrated above. Therefore, impacts associated with construction debris would result in a less than significant impact on landfill capacity.

Operation of the proposed project is considered greatest during Phase 3, which would combine the Albion site (six acres) and the existing Downey Recreation Center (four acres) to form a ten acre park and recreation area. Operational and maintenance activities would be the dual responsibility of the City's Bureau of Sanitation and Department of Recreation and Parks, as described in Section II H. Management of solid waste at the project site during operation of the proposed project is not expected to be greater than the amount of solid waste generated on-site currently at the combined Albion site and existing Downey Recreation Center. Therefore, it is anticipated that operational waste from the proposed project (Phase 1, Phase 2 and Phase 3 – with Phase 3 being the greatest) would be minimal and is anticipated to have a less than significant impact on landfill capacity.

- g) Comply with federal, state, and local statutes and regulations related to solid waste?

Reference: L.A. CEQA Thresholds Guide (Section M.3)

Comment: A significant impact may occur if the proposed project would generate solid waste that

# Issues

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 Less Than Significant  
 No Impact

was in excess of or was not disposed of in accordance with applicable regulations.

The City of Los Angeles Solid Waste Management Policy Plan (SWMPP) is the long range solid waste management policy plan for the City. The objective of the SWMPP is to reduce at the source or recycle a minimum of 50 percent of the City's waste and calls for the disposal of the remaining waste in local and possibly remote landfills. The SWMPP establishes citywide diversion objectives, including diversion of 75 percent by 2013. While the SWMPP is the long-range solid waste management policy plan for the City, the Source Reduction and Recycling Element (SRRE) is the strategic action policy plan for diverting solid waste from landfills. The source reduction, recycling, composting, special waste, and public education goals are defined by specific programmatic elements including tasks, roles, responsibilities, and an implementation schedule. The SRRE provides solid waste diversion objectives in accordance with the requirement of AB 939. It is updated annually and is based on an ongoing evaluation of programs and waste analysis. Guidance for, and implementation of, the solid waste diversion programs identified in the SRRE are administered by the City of Los Angeles Department of Public Works, Bureau of Sanitation, Solid Resources Citywide Recycling Division. The City's Bureau of Sanitation presently operates other solid waste reduction and recycling programs, such as its Curbside Recycling Program, which was designed to promote source reduction to achieve the goals established by AB 939 and associated City programs (e.g., the SRRE).

As discussed above in 17(f), Phase 1 construction, demolition, and remediation activities would generate solid waste. Implementation of Phase 2 and 3 is not expected to generate substantial amounts of solid waste. Operational activities associated with the completed project would generate less than significant quantities of solid waste per day. As also described in 17(f) above, several programs are in place (i.e., AB 939) with which the proposed project must comply. Furthermore, solid waste generated on-site would be disposed of by permitted solid waste haulers to regulated sites that have adequate capacity and are in compliance with all applicable regulations related to solid waste collection and disposal.

Solid waste disposal during construction of and operation of the proposed project (Phase 1, Phase 2 and Phase 3) would comply with federal, state, local statutes and regulations related to solid waste and therefore, impacts are anticipated to be less than significant.

## 18. MANDATORY FINDINGS OF SIGNIFICANCE

- a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

Reference: Preceding analyses

Comment: No plant or animal species listed on any state or federal lists for endangered, threatened or special status species were identified on-site. There are no known cultural resources located on-site. Demolition of the buildings as part of Phase 1 would not eliminate important examples of the major periods of California history or prehistory. However, the area is sensitive for cultural resources, and there is known cultural resources within the immediate vicinity; mitigation measures are provided to address the potential discovery of previously unknown archeological or paleontological resources, which reduces potentially significant impacts to less than significant.

# Issues

Potentially Significant Impact  
 Less Than Significant With Mitigation  
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Phases 2 and 3 are anticipated to have similar impacts on cultural resources, and with implementation of the mitigation measures described above, all potential impacts would be reduced to less than significant.

- b) Does the project have impacts that are individually limited, but cumulatively considerable? (“cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

Reference: Preceding analyses

Comment: There are 21 related-projects that would occur within the immediate vicinity of the project area that are being tracked for purposes of understanding potential cumulative traffic impacts. These related projects are listed and evaluated in Checklist item 16, and potential additive traffic impacts are discussed. In addition, the North Spring Street Viaduct Widening and Rehabilitation Project is scheduled to occur within the vicinity of the project area, and would be completed by 2015. The temporary construction impacts of this project may overlap with the construction phases of the Proposed Project. However, construction-related trips associated with the proposed project are not anticipated to heavily utilize the reduced or closed section of North Spring Street.

Project-level traffic impacts during construction were all less than significant and did not require mitigation. As a result, construction of Phase 1, Phase 2, and Phase 3 of the project would not result in a cumulative considerable contribution to a significant cumulative traffic impact related to construction.

Operation of Phase 1 would reduce vehicle trips in the area because existing operations would cease. Operation of Phase 1 and Phase 2 would be less than significant according to the Traffic Study because no significant operational vehicle trips would occur. Operation of Phase 1 and Phase 2 would not result in significant impacts and, thus, would not result in a cumulative considerable contribution to a significant cumulative traffic impact related to operation.

Operation of Phase 3 would involve the operation of a park, which is a passive use and would not result in significant impacts that could, in conjunction with the related projects, result in significant cumulative impacts to the environment.

In addition, operation of the proposed project, in conjunction with the Proposition O projects, would result in improved water quality to Reach 2 of the Los Angeles River by reducing the amount of untreated runoff and stormwater that enters the ocean from the watershed. Based on the above, significant cumulative impacts from related-projects are not anticipated in any of the impact categories. In addition, the proposed project is not expected to make a cumulatively considerable contribution to a significant cumulative impact. The impact is anticipated to be less than significant.

- c) Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals?

Reference: Preceding analyses

Comment: The purpose of proposed project is to improve both the short-term and long-term water quality of the receiving waters. Therefore, the overall project (including construction and

# Issues

Potentially Significant Impact  
 Less Than Significant With Mitigation  
 Less Than Significant  
 No Impact

operation of Phase 1, Phase 2, and Phase 3) is anticipated to have positive long-term impacts to water quality. No impact is anticipated.

- d) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?
- Reference: Preceding analyses

Comment: With implementation of the mitigation measures listed in Section V below, the construction and operation of Phase 1, Phase 2, and Phase 3 are not anticipated to have significant impacts that would cause substantial adverse effects on human beings, either directly or indirectly. Therefore, all potentially significant environmental effects associated with Phase 1, Phase 2, and Phase 3 can be mitigated to less than significant levels.

## V. MITIGATION MEASURES

The following mitigation measures form the foundation of a mitigation monitoring program (MMP) for the proposed project. CEQA requires public agencies to adopt a reporting or monitoring program for the changes to the project that have been adopted to mitigate or avoid significant effects on the environment (Public Resources Code Section 21081.6). The program must be adopted by the public agency at the time findings are made regarding the project. The State CEQA Guidelines allow public agencies to choose whether its program will monitor mitigation, report on mitigation, or both (14 CCR Section 15097(c)).

The mitigation measures described herein are supplemental to those required as standard procedure for the City and its contractors. The City and its contractors are the parties responsible for: (1) the necessary implementing actions; (2) verifying that the necessary implementing actions are taken; and (3) the primary record documenting the necessary implementing actions.

The mechanisms for verifying that mitigation measures have been implemented include design drawings, project plans and specifications, construction documents intended for use by construction contractors and construction managers, field inspections, field reports, and other periodic or special reports. All records pertaining to this mitigation program will be maintained and made available for inspection by the public in accordance with the City's records management systems.

### Cultural Resources:

**Mitigation Measure CULT-1:** In the event that archaeological resources are encountered during the course of construction activities, all work in the immediate vicinity of the discovery shall be suspended until the discovery is assessed by a qualified archaeological monitor working under the direct supervision of a Principal Investigator or Project Manager certified by the Register of Professional

Archaeologists (qualifications derived from 36 CFR Part 61) and appropriate treatment is determined. The archaeologist shall assess if the find is or is not significant and the discovery shall be removed by a qualified archaeologist. Any culturally significant materials, field notes, reports, or photographs shall be deposited in a museum, archaeological repository, or with the appropriate Native American tribe. If sensitive, prehistoric archaeological resources are encountered, the Shoshonean Gabrielino Band of Mission Indians, the Gabrielino/Tongva San Gabriel Band of Mission Indians, or other interested local tribes shall be given an opportunity to examine the finds and make suggestions as to their disposition.

If grading were to exceed five feet in depth, and penetrate native sediments, full-time monitoring by a qualified archaeologist would be required. In that event, all ground-disturbing activities associated with the project that have the potential to disturb native soils shall be monitored by a qualified archaeological monitor working under direct supervision of a Principal Investigator or Project Manager certified by the Register of Professional Archaeologists (qualifications derived from 36 CFR Part 61). As deemed appropriate by the archaeological monitor, a Native American monitor shall also be present during all ground-disturbing activities that have potential to disturb native soils.

**Mitigation Measure CULT-2:** In the event that paleontological resources are encountered during construction activities, all work shall cease within the vicinity of the find until the paleontological resources are properly assessed and subsequent recommendations are determined by a qualified paleontologist.

**Mitigation Measure CULT-3:** In accordance with Section 7050.5 of the *California Health and Safety Code*, if human remains are found during construction activities, the County Coroner shall be notified within 24 hours of the discovery. No further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the County Coroner has determined, within two working days of notification of the discovery, the appropriate treatment and disposition of the human remains. If the County Coroner determines that the remains are or believed to be Native American, s/he shall notify the Native American Heritage Commission (NAHC) in Sacramento within 24 hours. In accordance with Section 5097.98 of the *California Public Resources Code*, the NAHC must immediately notify those persons it believes to be the most likely descended from the deceased Native American. The descendants shall complete their inspection within 48 hours of being granted access to the site. The designated Native American representative would then determine, in consultation with the property owner, the disposition of the human remains.

### **Hazards and Hazardous Materials:**

**Mitigation Measure HAZ-1:** A soils management plan shall be prepared that includes segregating, stockpiling, and sampling soils prior to disposal. The plan shall include provisions for worker safety including monitoring the air in the excavation area, and wearing protective clothing to avoid contact with the soils.

**Mitigation Measure HAZ-2:** Any suspected contaminated soil, groundwater, and/or toxic materials encountered and removed during construction activities shall be evaluated using appropriate collection and sampling techniques. If an area of contamination is identified, soils shall be tested to determine the appropriate disposal and treatment options. Soils classified as hazardous per the Resource Conservation

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and Recovery Act and California Code of Regulations Title 22, shall be disposed of at a Class I or other appropriate treatment and recycling facility.

**Mitigation Measure HAZ-3:** Air monitoring for methane shall be conducted during sub-surface construction activities.

### VI. PREPARATION AND CONSULTATION

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Paul Davis, Environmental Specialist III

## VII. DETERMINATION - RECOMMENDED ENVIRONMENTAL DOCUMENTATION

### A. Summary

The proposed project site consists of the former Albion Dairy site (located at 1739 Albion Street<sup>4</sup>), and the southern portion of the Downey Recreation Center (located at 1772 North Spring Street). The proposed project is comprised of three distinct phases:

- Phase 1 – Demolition and Remediation
- Phase 2 – Stormwater BMPs
- Phase 3 – Park Improvements

***Phase 1 – Demolition and Remediation:*** This phase includes demolition of all buildings on-site, LBP and ACM abatement, removal of any remaining tanks/equipment, as well as remediation of contaminated soils. Clean soil would also be imported during Phase 1. At the end of this phase, the site's soil would be remediated to residential standards and left

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<sup>4</sup> Other addresses associated with the site are 235 – 255 South Avenue 17 and 1765 North Spring Street.

in a stabilized, rough-graded finish. Funding is currently available for this phase.

**Phase 2 – Best Management Practices:** The proposed project would divert a portion of the flows from adjacent storm drains (one underneath Albion Street and one that runs parallel to North Spring Street) to the site and construct and operate appropriate, beneficial, and feasible stormwater BMPs within the site to reduce pollutants entering the Los Angeles River. In addition, runoff from the north half of Albion Street adjacent to the site would be routed to BMPs for treatment using “green streets” BMP concepts. Funding has not yet been secured for Phase 2 of the project.

**Phase 3 – Park Improvements:** The proposed project would expand the existing Downey Recreation Center (southern portion) from approximately four acres to approximately ten acres by incorporating the former Albion Dairy parcel. Phase 3 of the proposed project would include recreational, aesthetic, and educational amenities that would further transform the project site into a park to supplement the BMPs and associated water quality benefits. These park improvements may also include the reconfiguration of park elements currently at the adjacent portion of the Downey Recreation Center. This would increase the use of this small and often underutilized park and improve access to the River consistent with various planning efforts. Funding has not yet been secured for Phase 3 of the project.

The broad goal of the Albion Dairy Demolition and Remediation & Albion Riverside Park Project is to implement a Proposition O project to improve water quality and minimize, to the maximum extent practicable, the introduction of pollutants of concern into the stormwater conveyance system. This objective can be accomplished by diverting a portion of flows from storm drains that run parallel to North Spring Street and underneath Albion Street to implement a water quality improvement project on-site. Pollutants would be removed from the nearby storm drains before the flow outlets to the Los Angeles River. In addition, surface flows and associated pollutants from the northern side of Albion Street adjacent to the site, as well as from the proposed parking lot to be constructed on-site, would also be captured.

**B. Recommended Environmental Documentation**

On the basis of this initial evaluation, I find that the project could not have a significant effect on the environment, and a **Mitigated Negative Declaration** should be adopted.

Reviewed by:   
Maria E. Martin  
Environmental Supervisor I

Approved by:   
James E. Doty  
Acting Manager  
Environmental Management Group

**VIII. REFERENCES:**

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*URS. Phase I Environmental Assessment Albion Dairy, May 2009.*

*URS. Phase II Environmental Site Assessment Proposed Albion Dairy Park, May 2009.*

## List of Appendices

Refer to CD inside back cover  
for Appendices

### Appendix A: Air Quality Worksheets

### Appendix B: Cultural Resources Assessments

Archaeological and Paleontological Assessment for the Proposed Albion Dairy Demolition and Remediation and Albion Riverside Park Project, December 2010. BonTerra Consulting.

Historic Resources Evaluation Report of Albion Dairy (Ross Swiss Dairy), November 2010. Prepared by Daly & Associates for BonTerra Consulting.

### Appendix C: Geology and Soils Technical Report

Geotechnical Evaluation Albion Dairy Rough Grading. Ninyo and Moore, November 12, 2010.

### Appendix D: Hazards and Hazardous Materials Technical Reports

Phase I Environmental Assessment Albion Dairy. URS, May 2009.

Phase II Environmental Site Assessment Proposed Albion Dairy Park. URS, May 2009

Summary Report: Pre-demolition Bulk Asbestos and Lead-Based Pain Survey Albion "Swiss Dairy" Site. SCA Environmental, Inc. November 2010

Final Draft – Remedial Action Plan Former Albion Dairy, December 2010. Prepared by CDM for City of Los Angeles Department of Public Works Bureau of Engineering.

### Appendix E: Ambient Noise Locations

### Appendix F: Traffic Impact Analysis

Technical Memorandum: Albion Dairy Demolition and Remediation & Albion Riverside Park Project. Prepared by Raju Associates, December 8, 2010

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## COMMENTS AND RESPONSES

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The Initial Study/Mitigated Negative Declaration (IS/MND) for the proposed Albion Dairy Demolition and Remediation & Albion Riverside Park Project was circulated for public review beginning on January 6, 2011. The public review period, during which interested agencies, organizations, and members of the public were invited to submit written comments, was noticed and conducted in compliance with CEQA Section 21091 and State CEQA Guidelines 15105. The 30-day public review period ended on February 7, 2011.<sup>1</sup> During the public review period, five correspondences commenting on the IS/MND and project were received by the Bureau of Engineering of the City of Los Angeles (BOE). These correspondences (in order of receipt) are identified as follows:

1. State of California Department of Transportation, District 7, Dianna Watson, IGR/CEQA Branch Chief (letter)
2. South Coast Air Quality Management District, Ian MacMillan, Program Supervisor, CEQA Inter-Governmental Review Planning, Rule Development & Area Sources (letter)
3. Joyce Dillard (e-mail)
4. State of California Public Utilities Commission, Rosa Munoz, PE, Senior Utilities Engineer, Rail Crossings Engineering Section, Consumer Protection & Safety Division (letter)
5. State of California Governor's Office of Planning and Research, State Clearinghouse and Planning Unit, Scott Morgan, Director, State Clearinghouse (letter)

Following are the comments and responses to those comments. This section is organized in the following manner. Each comment is bracketed and numbered. Following each comment letter are the corresponding responses. Where responses to comments resulted in changes to the text of the IS/MND, these changes are noted in the responses.

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<sup>1</sup> *Per the Notice of Intent sent to the public and agencies, the public review period was January 6 to February 4; however, because the document was received by the States Clearinghouse Office of Planning and Research in the afternoon, the beginning of the public review period was assigned to the next business day (January 7), which extended the close of the review period to the following business day (Monday, February 7).*

DEPARTMENT OF TRANSPORTATION  
 DISTRICT 7, REGIONAL PLANNING  
 IGR/CEQA BRANCH  
 100 MAIN STREET, MS # 16  
 LOS ANGELES, CA 90012-3606  
 PHONE: (213) 897-9140  
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*Flex your power!  
 Be energy efficient!*

January 14, 2011

IGR/CEQA No. 110114AL-MND  
 Albion Daily Demolition and Remediation & Albion  
 Riverside Park  
 Vic. LA-05 / PM 19.725  
 SCH #: 2011011018

Ms. Maria Martin  
 City of Los Angeles  
 Bureau of Engineering  
 1149 S. Broadway, Suite 600  
 Los Angeles, CA 90015

Dear Ms. Martin:

Thank you for including the California Department of Transportation (Department) in the environmental review process for the above referenced project. The City of Los Angeles is proposing a project that would assist in improving water quality, and would support the City's efforts to comply with current and future Total Maximum Daily Load (TMDL) stormwater regulations. The proposed project is comprised of three distinct phases: Phase 1-Demolition and Remediation, Phase 2-Stormwater Best Management Practices (BMPs), and Phase 3-Park Improvements.

Storm water run-off is a sensitive issue for Los Angeles and Ventura counties. Please be mindful that projects need to be designed to discharge clean run-off water. Additionally storm water run-off is not permitted to discharge onto State highway facilities.

1-1

Transportation of heavy construction equipment and/or materials, which requires the use of oversized-transport vehicles on State highways, will require a transportation permit from the Department. It is recommended that large size truck trips be limited to off-peak commute periods. In addition, a truck/traffic construction management plan is needed for this project.

1-2

If you have any questions, please feel free to contact me at (213) 897-9140 or Alan Lin the project coordinator at (213) 897-8391 and refer to IGR/CEQA No. 110114AL.

Sincerely,

DIANNA WATSON  
 IGR/CEQA Branch Chief

cc: Scott Morgan, State Clearinghouse

*"Caltrans improves mobility across California"*

**Commenter No. 1**

State of California  
Department of Transportation  
District 7, Regional Planning  
IGR/CEQA Branch  
Dianna Watson, Branch Chief  
100 Main Street, MS#16  
Los Angeles, California 90012  
Letter dated January 14, 2011

**Response 1-1:**

As described throughout the IS/MND, the Albion site is completely paved, is used for dairy operations, and is located in an industrial area surrounded by busy streets. As a result, urban runoff from this site has the potential to contribute trash, oil and grease, nutrients, suspended solids, metals, hydrocarbons, and pathogens to the storm water conveyance system. As noted throughout the IS/MND, the overall objective of the stormwater BMPs proposed for the site is to develop the parcel and improve the water quality of stormwater and runoff entering Reach 2 of the Los Angeles River. Targeted pollutants from the project site and tributary area include nitrogen, metals, trash, bacteria, and oil and grease. Under the proposed project, urban runoff would be diverted from both the existing 39-inch storm drain along Spring Street and the existing 54-inch storm drain in Albion Street. Trash and solids in the runoff would be removed, followed by further natural treatment processing (i.e., BMPs) prior to infiltration and/or discharge to the Los Angeles River. Because project operations would remove pollutants from the runoff prior to discharge to the Los Angeles River (untreated runoff from the two storm drains is currently discharged to the River), operation of the proposed project would result in a net improvement to water quality. This is considered to be a beneficial impact.

**Response 1-2:**

Comment noted.



South Coast  
Air Quality Management District  
21865 Copley Drive, Diamond Bar, CA 91765-4182  
(909) 396-2000 • [www.aqmd.gov](http://www.aqmd.gov)

E-mailed: February 4, 2011  
Maria.Martin@lacity.org

February 4, 2011

Ms. Maria Martin  
City of Los Angeles Department of Public Works  
Bureau of Engineering, EMG  
1149 S. Broadway, Suite 600, Mail Stop 939  
Los Angeles, CA 90015-2213

**Review of the Mitigated Negative Declaration (MND) for the  
Albion Dairy Demolition and Remediation and Albion Riverside Park Project**

The South Coast Air Quality Management District (AQMD) appreciates the opportunity to comment on the above-mentioned document. The following comment is intended to provide guidance to the lead agency and should be incorporated into the final CEQA document as appropriate.

The proposed project is a sensitive land use<sup>1</sup> (i.e., park with a children's playground), therefore, the AQMD staff is concerned about its close proximity to an active rail line and commercial operations that are potentially significant sources of toxic air emissions. Specifically, the lead agency proposes to place the project directly north of permitted commercial uses (e.g., auto body shops) and directly east of a rail line that is frequently used by the Southern California Rail Authority, Union Pacific Rail and AMTRAK. AQMD staff has reviewed data available from the Federal Railroad Administration's website (<http://safetydata.fra.dot.gov/OfficeofSafety/>) and based on the most recent (2007) inventory of crossings at North Main Street and Albion Street approximately forty (40) trains per day pass along the existing rail line located adjacent to the project site.

2-1

Given the potential health risk impacts from emissions associated with train locomotives and the surrounding commercial land uses AQMD staff requests that the lead agency conduct a health risk assessment (HRA). The HRA should be based on the most current information pertaining to the number of daily train movements on the aforementioned rail line and emissions data for commercial operations in close proximity to the project site. In the event that the lead agency determines the proposed project will result in significant health risk impacts to future sensitive receptors the AQMD staff recommends that the lead agency require mitigation to reduce these impacts to a less than significant level.

<sup>1</sup> California Air Resources Board. April 2005. "Air Quality and Land Use Handbook: A Community Health Perspective." Accessed at: <http://www.arb.ca.gov/ch/landuse.htm>

Pursuant to Public Resources Code Section 21092.5, please provide the AQMD with written responses to all comments contained herein prior to the adoption of the Final EIR. Further, staff is available to work with the lead agency to address these issues and any other questions regarding air quality that may arise. Please contact Dan Garcia, Air Quality Specialist CEQA Section, at (909) 396-3304, if you have any questions regarding the enclosed comments.

Sincerely,



Ian MacMillan

Program Supervisor, CEQA Inter-Governmental Review  
Planning, Rule Development & Area Sources

Attachment

IM:DG

LAC110111-02  
Control Number

## Commenter No. 2

South Coast Air Quality Management District (SCAQMD)  
CEQA Inter-Governmental Review Planning, Rule Development & Area Sources  
Ian MacMillan, Program Supervisor  
21865 Copley Drive  
Diamond Bar, California 91765-4182  
Letter dated February 4, 2011

### Response 2-1:

The Final Draft Remedial Action Plan (RAP) for the Albion Dairy parcel (found within Appendix D of the IS/MND) included a screening level human health risk assessment that evaluated the potential risk for the proposed project activities (particularly Phase 1) to expose sensitive receptors to site-related contaminants via various exposure pathways (soil, groundwater, ambient air, and vapor intrusion). The conclusion of the RAP (and HHRA) for the site was that proposed remedial activities for site contaminants in soil would eliminate unacceptable exposure for future receptors. As the project is an expansion of an existing recreational facility, potential release of toxics to air from nearby railroads or commercial/industrial facilities were not site related and therefore, not specifically analyzed. In addition, air quality emissions of volatile organic compounds (VOC), oxides of nitrogen (NOx), carbon monoxide (CO), sulfur dioxide (SO<sub>2</sub>), particulate matter less than 10 micrometers in diameter (PM<sub>10</sub>), and particulate matter less than 2.5 micrometers in diameter (PM<sub>2.5</sub>) from project construction and operational phases were evaluated in the IS/MND. These emissions were compared to the SCAQMD significance thresholds for construction and operational emissions, and were found to be less than significant for all phases. It should be noted that the result was less than significant without including the reduction in air quality emissions that would be associated with eliminating the dairy operations from the site.

At your recommendation, the City has prepared a memorandum (which follows this response to comments) that provides the results of an additional health risk assessment associated with diesel particulate matter (DPM) exposure by future sensitive park users, and discusses several other air quality considerations. Overall, the evaluation looked at the following:

- Siting recommendations for sensitive land uses contained in California Air Resources Board (CARB) guidance,
- Potential cancer, chronic non-cancer and acute health risk associated with diesel engine exhaust impacts on receptors located on the proposed park site, and
- General project effects on air quality in the local community.

The results of the evaluation are as follows:

- The project site is located a sufficient distance from nearby freeways/high traffic roads, rail yards, and distribution centers to meet CARB's siting criteria (per CARB's *Air Quality and Land Use Handbook: A Community Health Perspective*) for sensitive land uses.
- Cancer, chronic non-cancer and acute health risks associated with DPM from rail would be less than significant under both OEHHA's *Toxics Hot Spots Program Risk*

*Assessment Guidelines* (OEHHA, 2003) and EPA's *Risk Assessment Guidance for Superfund, Volume I: Human Health Evaluation Manual* (EPA, 2009). The maximum adult recreational cancer risk under either methodology is 2 in a million, and the maximum school child cancer risk is 0.4 in a million.

- The maximum annual and daily incremental PM10 and hourly total NO<sub>2</sub> concentrations on the park would be 0.2 µg/m<sup>3</sup>, 1.0 µg/m<sup>3</sup>, and 238 µg/m<sup>3</sup>, well below their respective SCAQMD significance thresholds of 2.5 µg/m<sup>3</sup>, 1.0 µg/m<sup>3</sup>, and 339 µg/m<sup>3</sup>.

In conclusion, as stated in the IS/MND, the impacts on air quality from the construction and operation of the proposed project is less than significant.



## Memorandum

*To: Dorothy Meyer, CDM-Irvine*

*From: John Pehrson, CDM-Irvine  
Katie Travis, CDM Irvine  
Kassandra Tzou, CDM-Walnut Creek*

*Date: February 15, 2011*

*Subject: Air Quality and Health Risk Assessment Considerations for the  
Albion Dairy Demolition and Remediation & Albion Riverside Park  
Project*

### 1.0 Introduction

The City of Los Angeles Department of Public Works (the City) issued the Proposed Mitigated Negative Declaration (MND) and Initial Study (IS) for the Albion Dairy Demolition and Remediation & Albion Riverside Park Project on January 6, 2011, for the 30-day public review period which ended on February 4, 2011.

Air quality emissions of volatile organic compounds (VOC), oxides of nitrogen (NO<sub>x</sub>), carbon monoxide (CO), sulfur dioxide (SO<sub>2</sub>), particulate matter less than 10 micrometers in diameter (PM<sub>10</sub>), and particulate matter less than 2.5 micrometers in diameter (PM<sub>2.5</sub>) from project construction and operational phases were evaluated in the IS. These emissions were compared to the South Coast Air Quality Management District (SCAQMD) significance thresholds for construction and operational emissions, and were found to be less than significant for all phases.<sup>1</sup> It should be noted that this evaluation did not include the reduction in air quality emissions that would be associated with eliminating the dairy operations from the site. The IS did note that approximately 18 to 22 trucks per day were loaded and dispatched from the dairy in the morning and returned in the evening.<sup>2</sup>

The City received a comment from the SCAQMD regarding the proposed change in land use from industrial use to park use. Park use is a sensitive land use subject to community health considerations per California Air Resources Board (CARB) guidance.<sup>3</sup> In particular,

<sup>1</sup> City of Los Angeles, California Environmental Quality Act Initial Study, Albion Dairy Demolition and Remediation & Albion Riverside Park Project, January 2011 (Table 2, Page 38).

<sup>2</sup> City of Los Angeles, California Environmental Quality Act Initial Study, Albion Dairy Demolition and Remediation & Albion Riverside Park Project, January 2011 (Page 30).

<sup>3</sup> California Air Resources Board, "Air Quality and Land Use Handbook: A Community Health Perspective," April 2005.

SCAQMD noted that approximately 40 trains per day traveled on the railroad tracks immediately adjacent to the western boundary of the site. Given the potential impact to park users from diesel locomotive exhaust, SCAQMD staff requested that a health risk assessment (HRA) be conducted for the future park users.<sup>4</sup>

This memorandum provides the results of the HRA associated with diesel particulate matter (DPM) exposure by future sensitive park users, and discusses several other air quality considerations. Overall, this evaluation looks at the following:

- Siting recommendations for sensitive land uses contained in CARB guidance,
- Potential cancer, chronic non-cancer and acute health risk associated with diesel engine exhaust impacts on receptors located on the proposed park site, and
- General project effects on air quality in the local community.

## 2.0 Siting Recommendations

CARB's "Air Quality and Land Use Handbook: A Community Health Perspective," (the Handbook) lists a number of existing facility or source categories that are likely to have health impacts on proposed sensitive land uses. Sensitive land uses include parks and playgrounds where children will be present. A review of the project vicinity indicates that up to three source categories appear to be in close proximity to the site. These include:

- Freeways/High Traffic Roads,
- Rail Yards, and
- Distribution Centers.

### 2.1 Freeways or High-Traffic Roads

The Handbook recommendations includes avoiding the placement of new sensitive land uses within 500 feet of a freeway, urban roads with 100,000 vehicles per day, or rural roads with 50,000 vehicles per day. Interstate 5 (I-5) is the closest freeway to the site and is over 1,300 feet east of the nearest site boundary. The traffic volumes on the largest streets near the site (N. Main Street, N. Spring Street, and N. Broadway Avenue) are less than 100,000 average daily trips, based on data obtained from the City of Los Angeles Department of Transportation

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<sup>4</sup> South Coast Air Quality Management District, "Review of the Mitigated Negative Declaration (MND) for the Albion Dairy Demolition and Remediation & Albion Riverside Park Project," February 4, 2011.

website.<sup>5</sup> Therefore, the siting criteria for the park relative to existing freeways and major roadways has been met, and any impact on park users would be less than significant.

## 2.2 Rail Yards

Sensitive land use siting recommendations in the Handbook relative to rail yards include:

- Avoid siting new sensitive land uses within 1,000 feet of a major service and maintenance rail yard, and
- Within one mile of a rail yard, consider possible siting limitations and mitigation approaches.

For the purposes of this evaluation, the Union Pacific Los Angeles Trailer and Container Intermodal Facility (UP LATC) will be considered as a "major service and maintenance rail yard," although it may not actually fit the definition. The site is used to move containers onto railcars from trucks, and vice versa. However, it is not obvious that "major" service or maintenance occurs at UP LATC. The site is substantially smaller than the Roseville Rail Yard in Northern California which is the basis of the recommendations.

The location of UP LATC is approximately 2,000 feet south of the project site's southern tip. Therefore, the first siting criteria for rail yards has been met. The site is within one mile of UP LATC, therefore, the City will consider possible siting limitations or other mitigation approaches that may reasonably be implemented. Any impacts from the rail yard would be less than significant.

## 2.3 Distribution Centers

Sensitive land use siting recommendations in the Handbook relative to distribution centers include:

- Avoid siting new sensitive land uses within 1,000 feet of a distribution center (that accommodates more than 100 trucks per day, more than 40 trucks with operating TRUs per day, or where TRU unit operations exceed 300 hours per week).
- Take into account the configuration of existing distribution centers and avoid locating residences and other new sensitive land uses near entry and exit points.

While the MGM Intermodal Maintenance Services facility on Lamar Avenue is not a distribution center, it may handle a large daily volume of trucks. For the purposes of this evaluation, it will be considered equivalent to a distribution center. The minimum distance from the project site to the nearest edge of the Intermodal Maintenance Services facility (south

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<sup>5</sup> City of Los Angeles, Department of Transportation, 2009-2010 Traffic Volumes Book. Accessed at [http://ladot.lacity.org/2009\\_10Countbookpdfs/Book2009-10.htm](http://ladot.lacity.org/2009_10Countbookpdfs/Book2009-10.htm).

of the project site) is approximately 1,100 feet. In addition, the facility is a block away from the project site and the facility entrances/exits would not be next to the site. Therefore, the criteria for sensitive land use siting relative to large distribution centers has been met. Any impacts on the site from the facility would be less than significant.

### 3.0 Diesel PM Health Risk Assessment

In the comment letter received from SCAQMD, it was noted that as many as 40 trains per day traveled along the rail line directly adjacent to the western boundary of the site. This level of activity produces a quantifiable amount of diesel particulate matter (DPM) emissions. Diesel particulate matter is responsible for over 80 percent of the cancer health risk in the South Coast Air Basin, according to the MATES-III study.<sup>6</sup> A review of SCAQMD's Facility Information Detail (FIND) database<sup>7</sup> indicates that other potential sources in the area do not generate substantial quantities of air toxics. Therefore, this health risk assessment (HRA) will focus on the impact of diesel locomotive emissions to users of the park.

The HRA will quantify three types of risk to the park users from exposure to diesel engine exhaust: potential cancer risk, chronic non-cancer hazard risk, and acute hazard risk. The HRA considers source location and emissions, air dispersion, potential receptor (user) locations, and types of park users.

#### 3.1 Emission Source and Location

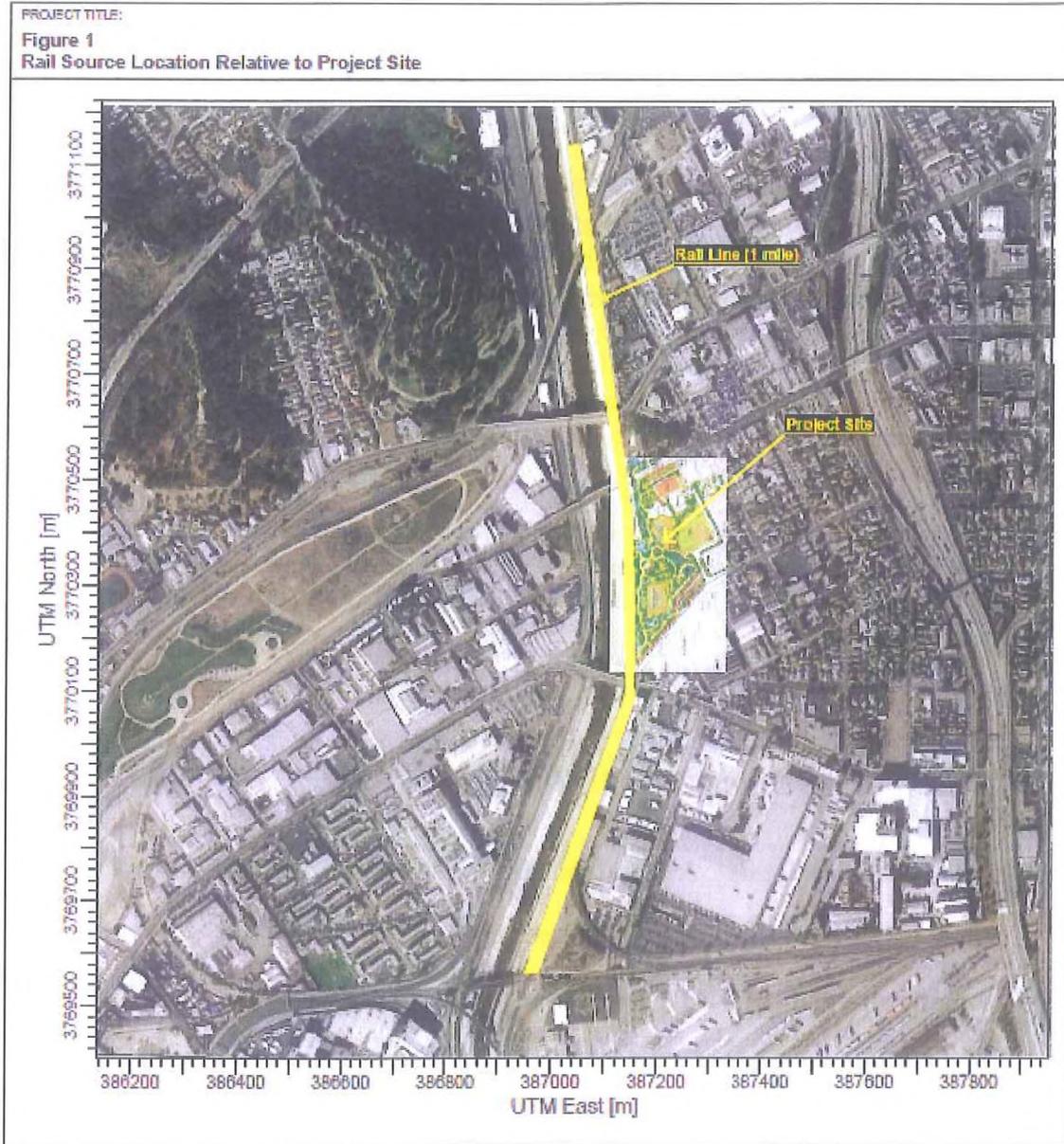
The rail line is located on the west edge of the project site, as shown in **Figure 1**. The annual DPM emissions from the locomotives were calculated based on the following inputs and assumptions:

- An average of 40 trains per day, 365 days per year, will travel on the adjacent tracks.
- An average of three (3) locomotives will be used on each train.
- Each locomotive is rated at 4,000 HP, and has a load factor of 0.28.
- Locomotive emission factors were obtained from U.S. EPA estimates,<sup>8</sup> for large line-haul locomotives.
- Park completion is assumed to occur in 2016, thus emission factors for this year are used (equals 3.1 grams of DPM per gallon of diesel, or 0.149 grams of DPM per horsepower-hour based on a fuel consumption rate of 20.8 bhp-hr/gal<sup>8</sup>).

<sup>6</sup> South Coast Air Quality Management District, "Multiple Air Toxics Exposure Study in the South Coast Air Basin (MATES-III) – Final Report," September 2008.

<sup>7</sup> South Coast Air Quality Management District, Facility Information Detail. Accessed at <http://www.aqmd.gov/webappl/fim/prop/search.aspx>.

<sup>8</sup> U.S. Environmental Protection Agency, "Emission Factors for Locomotives," EPA-420-F-09-025, April 2009.



- Trains are assumed to travel at 20 mph while passing the site.
- The site boundary with the tracks is roughly ¼ mile long; however, emissions are calculated for 1 mile, (i.e., ½ mile in each direction from the park centerline). The impact of train emissions on the park drops off substantially beyond this distance.

Annual DPM emissions are estimated to be:

$$\frac{(40 \text{ trains/day})(3 \text{ engines/train})(365 \text{ days/year})(1 \text{ mile})(4000 \text{ HP})(0.28)(0.149 \text{ g/hp-hr})}{(20 \text{ mph})(453.59 \text{ g/lb})}$$

**= 806 lbs DPM/year (= 0.4 tons DPM/year)**

This emission rate is used in the cancer risk and chronic non-cancer risk calculations. Because DPM does not currently have a published acute reference exposure level (REL), the diesel exhaust emissions are speciated into the specific particle-bound and organic compounds that make up particulate matter and total organic compound emissions from diesel engines. CARB PM Profile No. 425 was used to speciate the particulate emissions, and Profile No. 818 was used to speciate total organic emissions. The compounds found in diesel engine exhaust for which CARB has developed acute RELs are listed in Table 1, along with the estimated hourly emission rate.

**Table 1.  
 Diesel Exhaust Toxic Air Contaminant Emission Rates for Acute Risk Analysis**

Toxic Air Contaminant	Hourly Emission Rate (lb/hr)
Acetaldehyde	1.34 x 10 <sup>-2</sup>
Benzene	3.64 x 10 <sup>-3</sup>
Formaldehyde	2.68 x 10 <sup>-2</sup>
Methanol	5.45 x 10 <sup>-5</sup>
Methy ethyl ketone (MEK)	2.69 x 10 <sup>-3</sup>
Styrene	1.04 x 10 <sup>-4</sup>
Toluene	2.68 x 10 <sup>-3</sup>
m-Xylene	1.11 x 10 <sup>-3</sup>
o-Xylene	6.09 x 10 <sup>-4</sup>
p-Xylene	1.73 x 10 <sup>-4</sup>
Arsenic	4.60 x 10 <sup>-7</sup>
Chlorine	3.16 x 10 <sup>-5</sup>
Copper	2.30 x 10 <sup>-6</sup>
Mercury	2.76 x 10 <sup>-6</sup>
Nickel	1.75 x 10 <sup>-6</sup>
Vanadium	2.67 x 10 <sup>-6</sup>

Source: CDM 2011

### 3.2 Air Dispersion

Air dispersion modeling was conducted using AERMOD Version 09292, as provided by Lakes Environmental Software - AERMOD View Version 6.7.1. The source was shown previously in Figure 1. Coordinates used are Universal Transverse Mercator (UTM) zone 11, referenced to North American Datum of 1927 (NAD 27).

Figure 2 presents the locations of the park receptors used in the model. The closest receptors to the source are approximately 25 meters from the tracks, with another set of receptors approximately 50 meters, and finally several receptors are located 100 meters or more from the tracks. All receptors are assumed to be located on the ground (0 receptor height), per SCAQMD modeling guidance for AERMOD.<sup>9</sup>

Meteorological data in AERMOD-ready meteorological files were obtained from the SCAQMD site for Central Los Angeles.<sup>10</sup> This data set covered 2006 and 2007, so a two-year period average was generated to represent the average concentration that park receptors would be exposed to for the entire exposure duration.

The digital elevation map (DEM) for the USGS Los Angeles 7.5 min x 7.5 min quadrant was imported to determine base elevations for the source and receptors.

The train source was modeled as an elevated area source. Two release heights were used, one for day and one for night emissions, following the approach used in a recent environmental impact report developed for rail sources in Port of Los Angeles projects.<sup>11</sup> The annual emissions were assumed to be equally split between daytime and nighttime.

The results of dispersion modeling for both the period average and the one-hour average concentrations of DPM are presented in Figures 3 and 4, respectively. The period average is used to determine cancer and chronic non-cancer risks associated with DPM. The one-hour average is used, along with conversions to obtain concentrations of the toxic air contaminants listed in Table 1, to determine acute health risk.

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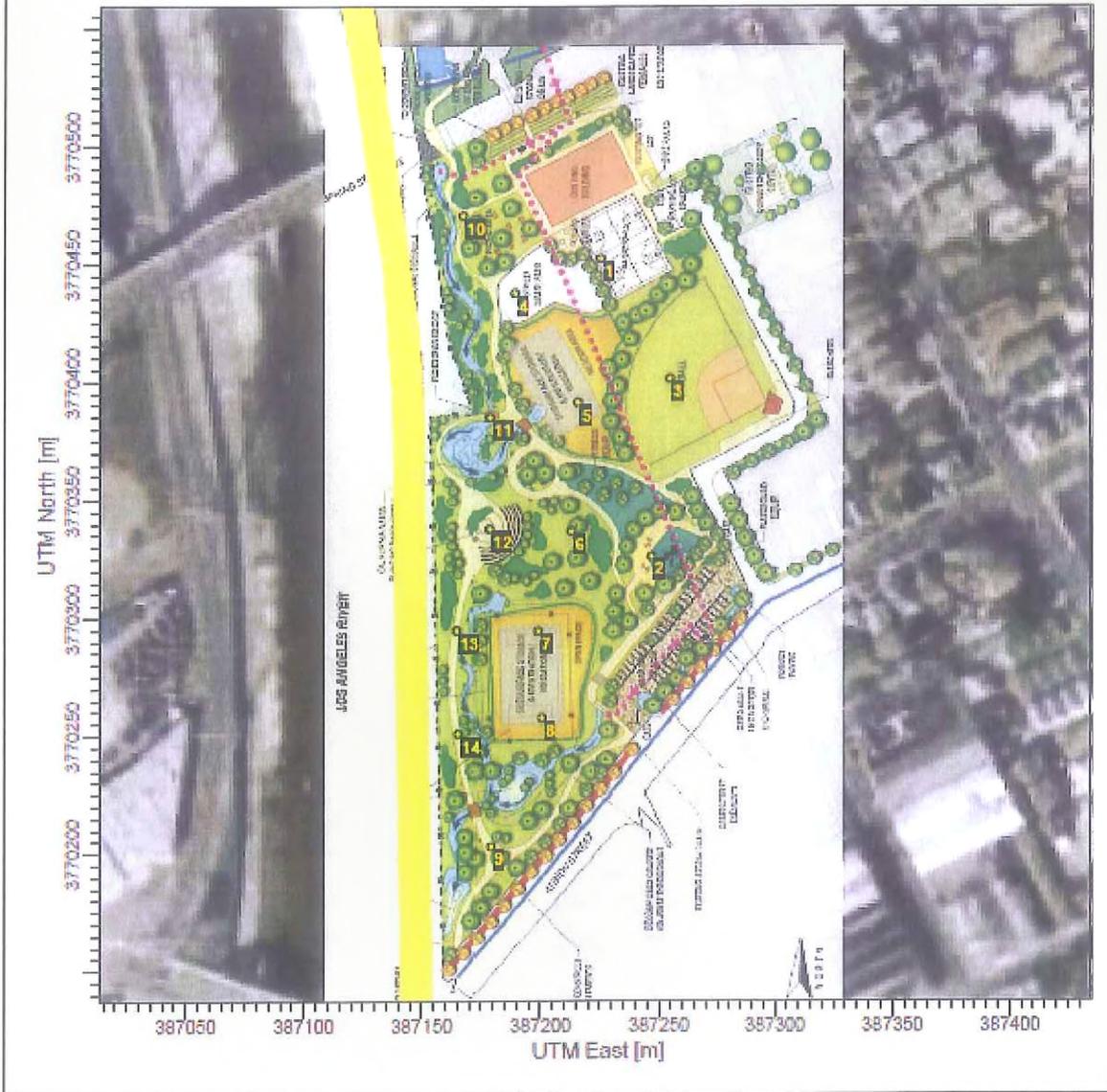
<sup>9</sup> South Coast Air Quality Management District, AQMD Modeling Guidance for AERMOD. Accessed at [http://www.aqmd.gov/smog/metdata/AERMOD\\_ModelingGuidance.html](http://www.aqmd.gov/smog/metdata/AERMOD_ModelingGuidance.html).

<sup>10</sup> South Coast Air Quality Management District, Meteorological Sites. Accessed at [http://www.aqmd.gov/smog/metdata/AERMOD\\_Table1.html](http://www.aqmd.gov/smog/metdata/AERMOD_Table1.html).

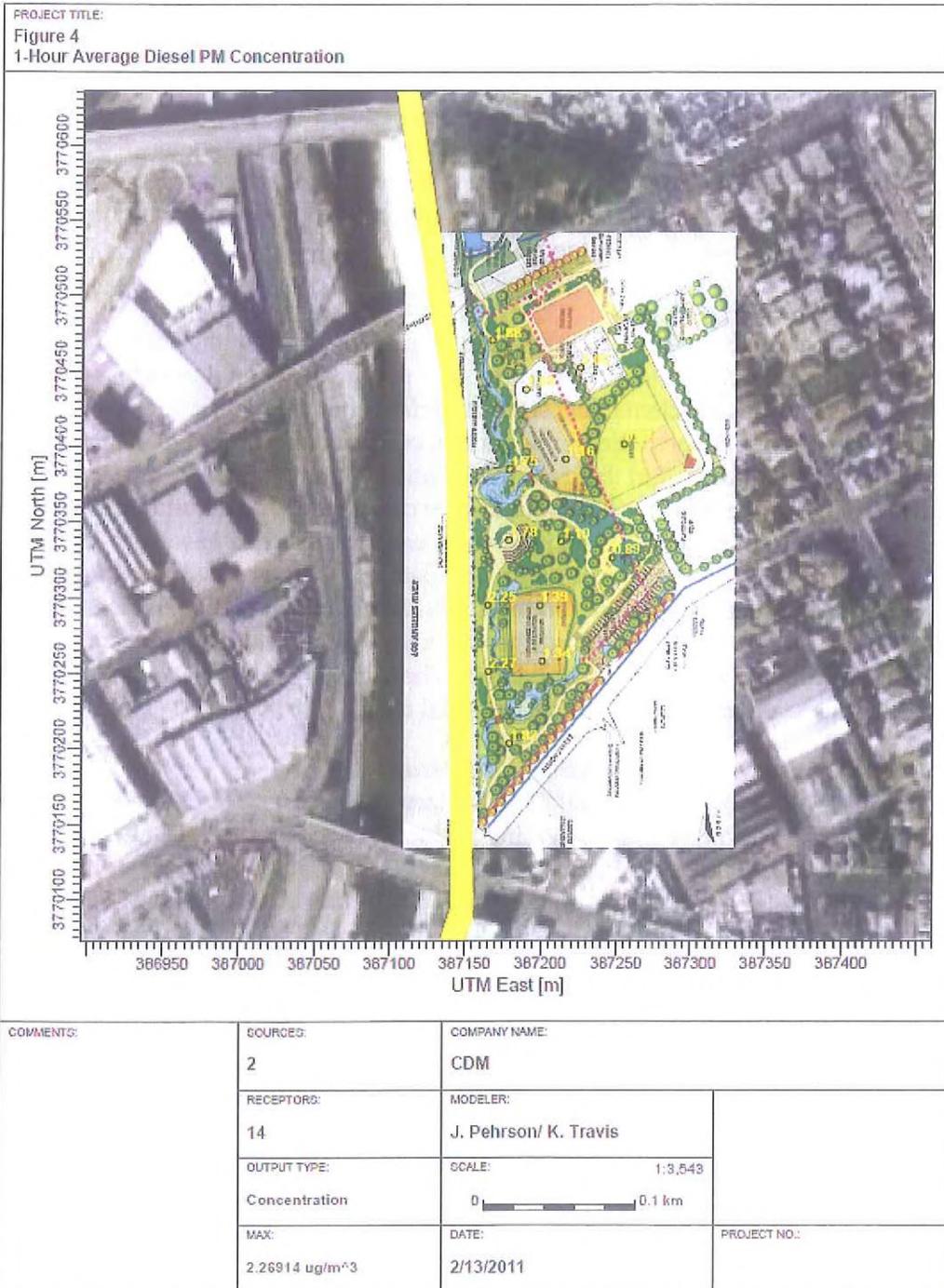
<sup>11</sup> Port of Los Angeles, "Re-circulated Draft Environmental Impact Statement/Environmental Impact Report (EIS/EIR) for Berth 97-109 [China Shipping] Container Terminal Project," April 30, 2008.

PROJECT TITLE:

Figure 2  
Receptor Locations - Park Users







AERMOD View - Lakes Environmental Software

C:\Albion\AlbionHRA\AlbionHRAJsc

### 3.3 Receptor Types and Exposure Parameters

#### 3.3.1 Receptor Types

The long-term future plan for the Site is to develop it into a park. Potential receptors at the park include adult and child recreational users and school children from nearby schools - Milagro Charter School serving grades K-5 and Albion Street Elementary School serving grades K-6 (approximate ages 5 to 12 years old). Albion Street Elementary School may use the future park for daily physical education classes.

#### 3.3.2 Exposure Pathways:

This memo focuses on the theoretical inhalation by park users of contaminants from train emissions released to air. However, there are other potentially complete exposure pathways for park users, including incidental ingestion of surface soil, following contact and subsequent hand-to-mouth activities, inhalation of contaminants bound to respirable particles suspended from soil into air, and theoretical inhalation of contaminants from soil gas or groundwater released to air. The site could also be developed with a building for community meetings, training, or a museum. If so, park users could be exposed to soil gas or groundwater through the indoor vapor intrusion pathway. These other potentially complete pathways for park users are discussed in the *Draft - Remedial Action Plan Former Albion Dairy (CDM 2010)* and will not be discussed further here. In that evaluation, a screening level assessment for residential users was conducted. The impacts from that evaluation would substantially overstate impacts to park recreational users.

#### 3.3.3 Risk Assessment Exposure Equations and Parameters

The California Office of Environmental Health Hazard Assessment (OEHHA) has developed standard exposure parameters for calculating pollutant dose to residential and worker receptors.<sup>12</sup> These guidelines are incorporated into CARB's HotSpots Analysis and Reporting Program (HARP).<sup>13</sup> However, these guidelines and program do not have a standard set of parameters for the future recreational park users. Therefore, HARP was not used in this analysis. The general approach, summarized below, was used to determine potential risks to park users from locomotive DPM emissions:

$$\text{A. Cancer Risk via Inhalation} = \text{Exposure Concentration} \times \text{Inhalation Unit Risk Factor}$$

$$\text{B. Chronic Non-Cancer Hazard} = \frac{\text{Chronic Toxic Air Contaminant Conc.}}{\text{Chronic Reference Conc.}}$$

<sup>12</sup> California Office of Environmental Health Hazard Evaluation, "Toxics Hot Spots Program Risk Assessment Guidelines, The Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments," August 2003.

<sup>13</sup> California Air Resources Board, "HotSpots Analysis and Reporting Program User Manual, Version 1.0," December 2003.

$$C. \text{ Acute Hazard} = \frac{\text{Acute Toxic Air Contaminant Conc.}}{\text{Acute Reference Conc.}}$$

The general approach in A, above, follows recent U.S. EPA guidance on developing health risk assessments for carcinogenic compounds.<sup>14</sup> The approaches in B and C follow OEHHA guidance for estimating non-cancer hazards. Because OEHHA its own standard approach for estimating health risk from carcinogens, the cancer risk is also calculated using the general OEHHA method:

$$D. \text{ Cancer Risk via Inhalation} = \text{Inhalation Dose} \times \text{Cancer Potency Slope Factor}$$

Since the state has developed an inhalation cancer potency slope factor and chronic reference concentration for DPM, only DPM was analyzed for long-term exposure risk. To analyze acute risk, those toxic compounds that make of diesel engine exhaust were evaluated.

Following U.S. EPA guidance, the cancer risk calculation for recreational users was developed from Equations 1 and 2 below:<sup>14</sup>

$$EC_{inh} = [ C_{air} \times ET \times EF \times ED ] / [ AT ] \quad (1)$$

where:

- EC<sub>inh</sub> = exposure concentration via inhalation (µg/m<sup>3</sup>)
- C<sub>air</sub> = concentration in air (µg/m<sup>3</sup>)
- ET = exposure time (hr/day)
- EF = exposure frequency (days/year)
- ED = exposure duration (years)
- AT = averaging period over which exposure occurs (hours)

$$\text{Risk}_{can} = EC_{inh} \times IUR \quad (2)$$

where:

- Risk<sub>can</sub> = potential cancer risk from dose (per million exposed population)
- IUR = inhalation cancer potency slope factor (mg/kg/day)

Table 2 provides a summary of the exposure parameters for all receptors.

**Exposure Time:** Exposure time is the number of hours per day spent at the site. U.S. EPA guidance indicates that children aged 6 to 11 years old spend 67 minutes per day playing on sand or gravel, 73 minutes per day playing on grass, and 63 minutes per day playing on dirt.<sup>15</sup>

<sup>14</sup> U.S. Environmental Protection Agency, "Risk Assessment Guidance for Superfund, Volume I: Human Health Evaluation Manual (Part F, Supplemental Guidance for Inhalation Risk Assessment) – Final," EPA-540-R-070-002, January 2009.

<sup>15</sup> U.S. Environmental Protection Agency, "Child-Specific Exposure Factors Handbook," EPA/600/R-06/096F, September 2008.

Assuming these occur on the same day, 6 to 11 year olds spend 203 minutes (3.4 hours) playing outdoors. An active adult typically spends about 1.5 hours per day in physical outdoor activities on a weekend day.<sup>16</sup> Based on these studies, the exposure times of 3.4 hours per day for a child recreational user and 1.5 hours per day for an adult recreational user were determined to be reasonable estimates of time spent at the future park site for recreational activities. School children from the nearby schools were assumed to use the park for 1 hour per day for physical education activities.

Exposure Parameter	Adult Recreational User	Child Recreational User	School Child Uses Park for P.E.
Exposure Time (hours/day)	1.5 <sup>a</sup>	3.4 <sup>b</sup>	1 <sup>c</sup>
Exposure Frequency (days/year)	100 <sup>c</sup>	100 <sup>c</sup>	200
Exposure Duration (years)	70 <sup>d</sup>	9 <sup>d</sup>	6 <sup>c</sup>
Averaging Time (hours) (lifetime in years x 365 days/yr x 24 hours/day)	613,200	613,200	613,200

Source: CDM 2011

<sup>a</sup> U.S. EPA, "Exposure Factors Handbook," EPA/600/P-95/002Fa-c, August 1997.

<sup>b</sup> U.S. EPA, "Child-Specific Exposure Factors Handbook," EPA/600/R-06/096E, September 2008.

<sup>c</sup> Professional judgement.

<sup>d</sup> OEHHA, "Air Toxics Hot Spots Program Risk Assessment Guidelines: The Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments," August 2003.

**Exposure Frequency:** The exposure frequency is the number of days per year that an individual participates in a particular activity. For recreational park users (both adult and child), an exposure frequency of 100 days per year is assumed based on a recreational user spending two days every week at the site for 50 out of 52 weeks per year. School children are assumed to spend five days a week at the site with time removed to account for summer vacation and holidays, resulting in an exposure frequency of 200 days per year.

**Exposure Duration:** Exposure duration is the number of years over which exposure may occur. Recreational park users are assumed to live in the area; therefore, an upper bound residential exposure duration of 70 years is used to represent recreational exposure duration for the adult recreational user, while a child recreational user has an exposure duration of 9 years (CalEPA, 2003)<sup>17</sup>. Since the nearby schools only serve grades K-5 and K-6, the school child was assumed to have an exposure duration of 6 years.

<sup>16</sup> U.S. Environmental Protection Agency, "Exposure Factors Handbook," EPA/600/P-95/002Fa-c, August 1997.

<sup>17</sup> California Office of Environmental Health Hazard Assessment, "Air Toxics Hot Spots Program Risk Assessment Guidelines, The Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments," August 2003.

**Averaging Time:** Averaging time is the period in days over which intake is averaged. For carcinogens, intake calculations average the total cumulative dose over a lifetime (70 years x 365 days/year x 24 hours/day).

### 3.3.4 Health Risk Results

Risk characterization involves integration of toxicity values and exposure into expressions of risk. Carcinogenic risks and non-carcinogenic health hazards associated with air toxics were assessed for the Site, based on hypothetical future use of the Site as a park. Results are summarized in Table 3 and are further discussed below. Risk calculation spreadsheets are provided in Attachment A.

Table 3 Summary of Risk Characterization - U.S. EPA Methodology			
Receptor	Cancer Risk <sup>a,b</sup> (per million)	Chronic Hazard <sup>c</sup>	Acute Hazard <sup>d</sup>
Adult Recreational User	1	0.04	0.01
Child Recreational User	0.3		
School Child P.E. User	0.1		

Source: CDM 2011  
 Notes:  
 a = U.S. EPA, "Risk Assessment Guidance for Superfund, Volume I: Human Health Evaluation Manual (Part F, Supplemental Guidance for Inhalation Risk Assessment) - Final," EPA-540-R-070-002, January 2009.  
 b = Inhalation Unit Risk factor for diesel exhaust is  $3.0 \times 10^{-4} (\mu\text{g}/\text{m}^3)^{-1}$ .  
 c = Risks and chronic hazards calculated for the peak period average DPM location (Receptor No. 13).  
 d = Acute hazards calculated for the peak 1-hour average DPM location (Receptor No. 14).

The cancer risk value for each receptor is less than the SCAQMD CEQA significance threshold of 10 per million. The peak chronic hazard is less than the SCAQMD CEQA significance threshold of 1. The peak acute hazard is less than the SCAQMD CEQA significance threshold of 1. Therefore, the impacts of locomotive DPM emissions on potential future park users would be less than significant.

As noted in Section 3.3.3, the OEHHA methodology for determining cancer risk was also applied. The cancer risk calculation for recreational users was developed from Equations 3 and 4 below:

$$\text{Dose}_{\text{inh}} = [ C_{\text{air}} \times \text{IR} \times \text{ET} \times \text{EF} \times \text{ED} \times 10^{-3} ] / [ \text{AT} \times \text{BW} ] \quad (3)$$

where:

- Dose<sub>inh</sub> = dose through inhalation (mg/kg/day)
- C<sub>air</sub> = concentration in air (μg/m<sup>3</sup>)
- IR = inhalation rate (m<sup>3</sup>/hr)
- ET = exposure time (hr/day)

- EF = exposure frequency (days/year)
- ED = exposure duration (years)
- BW = body weight (kg)
- AT = averaging period over which exposure is average (days)
- 10<sup>-3</sup> = conversion: micrograms (µg) to milligrams (mg)

$$\text{Risk}_{\text{can}} = \text{Dose}_{\text{inh}} \times \text{CP}_{\text{can}} \times 10^6 \quad (4)$$

where:

- Risk<sub>can</sub> = potential cancer risk from dose (per million exposed population)
- CP<sub>can</sub> = inhalation cancer potency slope factor (mg/kg/day)
- 10<sup>6</sup> = conversion: individual to million exposed population

The ET, EF, ED, and AT exposure parameters used in these equations are presented above in Table 2. The IR and BW exposure parameters were obtained primarily from U.S. EPA's Exposure Factors Handbook (EFH)<sup>18</sup> and Child-Specific Exposure Factors Handbook (CSEFH).<sup>19</sup> These parameters are included in Table 4 and discussed below.

Exposure Parameter	Adult Recreational User	Child Recreational User	School Child Uses Park for P.E.
Inhalation Rate (m <sup>3</sup> /hour)	1.6 <sup>a</sup>	1.5 <sup>b</sup>	1.5 <sup>b</sup>
Body Weight (kg)	71.8 <sup>a</sup>	34 <sup>b</sup>	31.8 <sup>b</sup>

Source: CDM 2011  
<sup>a</sup> U.S. EPA, "Exposure Factors Handbook," EPA/600/P-95/002Fa-c, August 1997.  
<sup>b</sup> U.S. EPA, "Child-Specific Exposure Factors Handbook," EPA/600/R-06/096F, September 2008.

**Inhalation Rate:** From the EFH, the mean inhalation rate for adults performing moderate activities is listed as 1.6 m<sup>3</sup>/hr. From the CSEFH, the mean inhalation rate for children between 6 and 11 years of age performing moderate activities is listed as 0.022 m<sup>3</sup>/minute, or 1.3 m<sup>3</sup>/hour.

**Body Weight:** From the EFH, the mean body weight for adults is 71.8 kg. From the CSEFH, the mean body weight for children between 6 and 11 years of age is 31.8 kg. This average body weight is used for the school child P.E. park user. The mean body weight for children

<sup>18</sup> U.S. Environmental Protection Agency, "Exposure Factors Handbook (Final Report)," EPA/600/P-95/002F a-c, August 1997. Accessed at <http://cfpub.epa.gov/ncea/cfm/recordisplay.cfm?deid=12464>.

<sup>19</sup> U.S. Environmental Protection Agency, "Child-Specific Exposure Factors Handbook," EPA/600/R-06/096F, September 2008. Accessed at <http://cfpub.epa.gov/ncea/cfm/recordisplay.cfm?deid=199243>.

between 4 to 13 years of age is estimated to be 34 kg. This 9-year average body weight is used for the child recreational user.

The results of the cancer risk assessment using the OEHHA methodology is presented in Table 5. The OEHHA methodology appears to be slightly more conservative than the U.S. EPA methodology, although the impacts are within the same order of magnitude. The OEHHA-based cancer risks are also less than the SCAQMD significance threshold of 10 per million.

<b>Receptor</b>	<b>Cancer Risk<sup>a,b</sup> (per million)</b>
<b>Adult Recreational User</b>	2
<b>Child Recreational User</b>	1
<b>School Child P.E. User</b>	0.4

Source: CDM 2011  
Notes:  
a = OEHHA, "Air Toxics Hot Spots Program Risk Assessment Guidelines: The Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments," August 2003.  
b = Inhalation Unit Risk factor for diesel exhaust is  $3.0 \times 10^{-4} (\mu\text{g}/\text{m}^3)^{-1}$ .

#### 4 Other Air Quality Considerations

Typically, the users of a given park are people that live or work near that park. In the case of the proposed Albion Riverside Park Project, the park users are likely to be children and adults that live and/or work between Chinatown and Cypress Park. The air quality in this area is represented by measurements of criteria air pollutants taken at the Central Los Angeles ambient monitoring station. The concentrations of toxic air contaminants measured at this site, along with regional air modeling, were used to estimate individual cancer risk to individuals living in the East Los Angeles area as reported in the MATES-III study. These monitored concentrations account for the emissions of sources that are located in and around the project site, which included approximately 20 diesel truck round trips per day at the dairy formerly located on the site. The overall air quality and health risk impact to the community of replacing the site's industrial uses with a park will be small reduction in pollutant emissions.

Users of the park are not likely to be exposed to substantially higher emissions at the park, even with its proximity to the rail line, than they would be at any other area near their home or work site. The emissions from the rail line are intermittent, with roughly two trains passing the site every hour. This type of temporal profile generates a lower impact on local ambient concentration than continuously operated facilities or heavily traveled roads, such as freeways. A quick estimate of impacts to park users for PM10, PM2.5, and nitrogen dioxide (NO<sub>2</sub>) is discussed below which confirms this conclusion.

#### 4.1 PM10 and PM2.5

The DPM concentrations calculated for the cancer and chronic health risk impacts would also be equivalent to annual PM10 concentrations from the trains, because the emission factor for PM10 was used to calculate DPM. Therefore, the incremental PM10 concentrations at the peak park receptor would be approximately 0.2 micrograms per cubic meter ( $\mu\text{g}/\text{m}^3$ ). This is well below the SCAQMD's significance threshold for annual PM10 concentrations ( $1.0 \mu\text{g}/\text{m}^3$ ). Assuming that peak daily concentrations are roughly 5 times annual concentrations, we can estimate daily PM10 and PM2.5 concentrations to be approximately  $1.0 \mu\text{g}/\text{m}^3$ . Again well below the SCAQMD significance threshold ( $2.5 \mu\text{g}/\text{m}^3$ ).

#### 4.2 NO<sub>2</sub>

Based on the U.S. EPA emission factors for locomotives in 2016, the emissions of NO<sub>x</sub> are approximately 39 times higher than emissions of PM10. Therefore, the hourly concentrations in Figure 4 can be multiplied by 39 to obtain an estimate of one-hour NO<sub>x</sub> concentrations. Assuming 10 percent of NO<sub>x</sub> is emitted as NO<sub>2</sub> from the engines,<sup>20</sup> and the short distance from the tracks to the park does not allow any additional conversion to NO<sub>2</sub>, the estimated maximum one-hour NO<sub>2</sub> concentration would be  $9 \mu\text{g}/\text{m}^3$ . The peak background NO<sub>2</sub> concentration measured at the Central Los Angeles monitoring station is 122 parts per billion or  $229 \mu\text{g}/\text{m}^3$  (based on data collected between 2007 and 2009).<sup>21</sup> Therefore, the total NO<sub>2</sub> concentration at the park would be approximately  $238 \mu\text{g}/\text{m}^3$ . Note that this is a conservative estimate since the train emissions would actually be accounted for in the measured background concentrations. This result with double-counted train impacts is less than the California one-hour NO<sub>2</sub> ambient air quality standard of  $339 \mu\text{g}/\text{m}^3$ .

The recently adopted National one-hour NO<sub>2</sub> ambient air quality standard is  $188 \mu\text{g}/\text{m}^3$ ; However, compliance with the standard is based on determining the 3-year average of the 98<sup>th</sup> percentile of the maximum daily 1-hour NO<sub>2</sub> concentrations. Therefore, simply adding the estimated NO<sub>2</sub> concentration to the ambient background is not appropriate for determining compliance with the standard. As noted above, the train impacts are already included in the background value which is assumed to represent the concentrations in much of downtown and East Los Angeles.

### 5.0 Conclusions

This evaluation has looked at the following approaches to address potential impacts to future park users:

- Siting recommendations for sensitive land uses contained in CARB guidance,

<sup>20</sup> U.S. Environmental Protection Agency, "Use of the Ozone Limiting Method for Estimating Nitrogen Dioxide Concentrations," Draft, November 4, 1997.

<sup>21</sup> California Air Resources Board, Highest 4 Daily Maximum Hourly Nitrogen Dioxide Measurement. Accessed at <http://www.arb.ca.gov/adam/topfour/topfourdisplay.php>.

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- Potential cancer, chronic non-cancer and acute health risk associated with diesel engine exhaust impacts on receptors located on the proposed park site, and
- General project effects on air quality in the local community.

Based on the findings for each of these, air quality and health risk impacts to park users will be less than significant.

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ATTACHMENT A  
Health Risk Assessment Calculations

**Albion Riverside Park Project**  
**Health Risk Assessment for Future Park Users**  
**Cancer Risk - Inhalation Pathway - USEPA Methodology**

$$EC_{inh} = [ C_{air} * ET * EF * ED ] / [ AT ]$$

where:

- EC<sub>inh</sub> = Exposure concentration via inhalation (µg/m<sup>3</sup>).
- C<sub>air</sub> = Concentration in air (µg/m<sup>3</sup>)
- ET = Exposure time (hr/day)
- EF = Exposure frequency (days/year)
- ED = Exposure duration (years)
- AT = Averaging time period over which exposure is averaged (days)

$$Risk_{can} = EC_{inh} * IUR$$

where:

- Risk<sub>can</sub> = Potential cancer risk from does (per million exposed population)
- IUR = Inhalation unit risk factor (µg/m<sup>3</sup>)<sup>-1</sup> = 3.0x10<sup>-4</sup> for Diesel PM

Exposure Parameters	Rec. User Child	School Child (P.E. use)	Rec. User Adult
Exposure Time (ET)	3.4 (hrs/day)	1.0 (hrs/day)	1.5 (hrs/day)
Exposure Frequency (EF)	100 (days/yr)	200 (days/yr)	100 (days/yr)
Exposure Duration (ED)	9 (yrs)	6 (years)	70 (years)
Averaging Time (AT)	613,200 (hours)	613,200 (hours)	613,200 (hours)
Concentration in air (C <sub>air</sub> )	Depends on receptor location.		

Receptor No.	Period Avg. DPM Conc. (µg/m <sup>3</sup> )	Cancer Risks per Million Population			
		Risk to Child Recr. Park User	Risk to School Child (P.E. User of Park)	Combined Risk to School Child and Rec. User Child <sup>a</sup>	Risk to Adult Recr. Park User
1	0.1192	0.18	0.07	0.25	0.61
2	0.1061	0.16	0.06	0.22	0.54
3	0.1037	0.16	0.06	0.22	0.53
4	0.1502	0.22	0.09	0.31	0.77
5	0.1284	0.19	0.08	0.27	0.66
6	0.1301	0.19	0.08	0.27	0.67
7	0.1431	0.21	0.08	0.30	0.74
8	0.1409	0.21	0.08	0.29	0.72
9	0.1698	0.25	0.10	0.35	0.87
10	0.1714	0.26	0.10	0.36	0.88
11	0.1694	0.25	0.10	0.35	0.87
12	0.1698	0.25	0.10	0.35	0.87
13	0.1994	0.30	0.12	0.42	1.02
14	0.1985	0.30	0.12	0.41	1.02
<b>Maximum Value from All Receptors:<sup>a</sup></b>		<b>0.3</b>	<b>0.1</b>	<b>0.4</b>	<b>1.0</b>

a. Vaules may not add exactly due to rounding.

**Albion Riverside Park Project**  
**Health Risk Assessment for Future Park Users**  
**Cancer Risk - Inhalation Pathway - OEHHA Methodology**

$$\text{Dose}_{\text{inh}} = [ C_{\text{air}} * \text{IR} * \text{ET} * \text{EF} * \text{ED} * 10^{-3} ] / [ \text{AT} * \text{BW} ]$$

where:

- Dose<sub>inh</sub> = Dose through inhalation (mg/kg/d).
- C<sub>air</sub> = Concentration in air (µg/m<sup>3</sup>)
- IR = Inhalation rate (m<sup>3</sup>/hr)
- ET = Exposure time (hr/day)
- EF = Exposure frequency (days/year)
- ED = Exposure duration (years)
- BW = Body weight (kg)
- AT = Averaging time period over which exposure is averaged (days)
- 10<sup>-3</sup> = Conversion: micrograms to milligrams

$$\text{Risk}_{\text{can}} = \text{Dose}_{\text{inh}} * \text{CP}_{\text{can}} * 10^6$$

where:

- Risk<sub>can</sub> = Potential cancer risk from does (per million exposed population)
- CP<sub>can</sub> = Inhalation cancer potency slope factor (mg/kg/day)<sup>-1</sup> = 1.1 for Diesel PM
- 10<sup>6</sup> = Conversion: individual to million exposed population

Exposure Parameters	Rec. User Child	School Child (P.E. use)	Rec. User Adult
Inhalation Rate (IR)	1.3 (m <sup>3</sup> /hr)	1.3 (m <sup>3</sup> /hr)	1.6 (m <sup>3</sup> /hr)
Exposure Time (ET)	3.4 (hrs/day)	1.0 (hrs/day)	1.5 (hrs/day)
Exposure Frequency (EF)	100 (days/yr)	200 (days/yr)	100 (days/yr)
Exposure Duration (ED)	9 (yrs)	6 (years)	70 (years)
Body Weight (BW)	34 (kg)	31.8 (kg)	71.8 (kg)
Averaging Time (AT)	25,550 (days)	25,550 (days)	25,550 (days)
Concentration in air (C <sub>air</sub> )	Depends on receptor location.		

Albion Riverside Park Project  
 Health Risk Assessment for Future Park Users  
 Cancer Risk - Inhalation Pathway - OEHHA Methodology

Receptor No.	Period Avg. DPM Conc. ( $\mu\text{g}/\text{m}^3$ )	Cancer Risks per Million Population			
		Risk to Child Recr. Park User	Risk to School Child (P.E. User of Park)	Combined School Child and Rec. User Child <sup>a</sup>	Risk to Adult Recr. Park User
1	0.1192	0.60	0.25	0.85	1.20
2	0.1061	0.53	0.22	0.76	1.07
3	0.1037	0.52	0.22	0.74	1.04
4	0.1502	0.76	0.32	1.07	1.51
5	0.1284	0.65	0.27	0.92	1.29
6	0.1301	0.66	0.27	0.93	1.31
7	0.1431	0.72	0.30	1.02	1.44
8	0.1409	0.71	0.30	1.01	1.42
9	0.1698	0.86	0.36	1.21	1.71
10	0.1714	0.86	0.36	1.23	1.73
11	0.1694	0.85	0.36	1.21	1.71
12	0.1698	0.86	0.36	1.21	1.71
13	0.1994	1.00	0.42	1.43	2.01
14	0.1985	1.00	0.42	1.42	2.00
<b>Maximum Value from All Receptors:<sup>a</sup></b>		<b>1.0</b>	<b>0.4</b>	<b>1.4</b>	<b>2.0</b>

a. Vaules may not add exactly due to rounding.

Albion Riverside Park Project  
 Health Risk Assessment for Future Park Users  
 Chronic Non-Cancer Risk - Inhalation Pathway

$$HI_c = [ C_{air} / REL ]$$

where:

HI<sub>c</sub> = Hazard Index, Chronic (unitless)

C<sub>air</sub> = Concentration in air (µg/m<sup>3</sup>)

REL = Reference Exposure Level (µg/m<sup>3</sup>)

Diesel PM REL = 5.0 µg/m<sup>3</sup>

Receptor No.	Period Avg. DPM Conc. (µg/m <sup>3</sup> )	Chronic Inhalation REL for Diesel PM (µg/m <sup>3</sup> )	Chronic HI
1	0.1192	5.00	0.024
2	0.1061	5.00	0.021
3	0.1037	5.00	0.021
4	0.1502	5.00	0.030
5	0.1284	5.00	0.026
6	0.1301	5.00	0.026
7	0.1431	5.00	0.029
8	0.1409	5.00	0.028
9	0.1698	5.00	0.034
10	0.1714	5.00	0.034
11	0.1694	5.00	0.034
12	0.1698	5.00	0.034
13	0.1994	5.00	0.040
14	0.1985	5.00	0.040
<b>Maximum Value from All Receptors:</b>			<b>0.04</b>

**Albion Riverside Park Project**  
**Health Risk Assessment for Future Park Users**  
**Acute Risk - Inhalation Pathway**

$$HI_a = \sum HQ_{ai}$$

$$HQ_{ai} = [ C_{airi} / REL_i ]$$

where:

HI<sub>a</sub> = Hazard Index, Acute (unitless)

HQ<sub>ai</sub> = Hazard Quotient, Acute (unitless) for compound i

C<sub>airi</sub> = Concentration in air (µg/m<sup>3</sup>) of compound i

REL<sub>i</sub> = Reference Exposure Level, Acute (µg/m<sup>3</sup>) for compound i

Toxic Air Contaminant	Max. 1-Hr Conc. In Park C <sub>airi</sub> (µg/m <sup>3</sup> ) <sup>a</sup>	Acute Inhalation REL <sub>i</sub> (µg/m <sup>3</sup> )	Acute Hazard Quotient HQ <sub>ai</sub>
Acetaldehyde	3.30E-01	4.70E+02	7.02E-04
Benzene	8.97E-02	1.30E+03	6.90E-05
Formaldehyde	6.60E-01	5.50E+01	1.20E-02
Methanol	1.35E-03	2.80E+04	4.80E-08
Methyl ethyl ketone	6.62E-02	1.30E+04	5.09E-06
m-Xylene	2.74E-02	2.20E+04	1.25E-06
o-Xylene	1.50E-02	2.20E+04	6.83E-07
p-Xylene	4.26E-03	2.20E+04	1.94E-07
Styrene	2.60E-03	2.10E+04	1.24E-07
Toluene	6.60E-02	3.70E+04	1.79E-06
Arsenic	1.13E-05	2.00E-01	5.67E-05
Chlorine	7.81E-04	2.10E+02	3.72E-06
Copper	5.67E-05	1.00E+02	5.67E-07
Mercury	6.81E-05	6.00E-01	1.13E-04
Nickel	4.31E-05	6.00E+00	7.19E-06
Vanadium	6.58E-05	3.00E+01	2.19E-06
Acute Hazard Index HI <sub>a</sub>			<b>0.013</b>

a. Peak Hourly Concentration found at Receptor No. 14.



## Comments to Albion Dairy Project due 2.4.2011

Joyce Dillard <dillardjoyce@yahoo.com>

Fri, Feb 4, 2011 at 2:58 PM

To: Maria Martin <Maria.Martin@lacity.org>, James Doty <Jim.Doty@lacity.org>, Kendrick Okuda <Kendrick.Okuda@lacity.org>

Comments to Albion Dairy Project due 2.4.2011

Cornfields-Arroyo Seco Specific Plan is not an adopted plan and combined with a Redevelopment Plan under the jurisdiction of the Community Redevelopment Agency. We question the legality of Joint Lead Agencies. It should not be referenced. 3-1

Missing is any discussion of a Joint Use Agreement with Los Angeles Unified School District for use of the Downey Park grounds for schoolchildren and their legal responsibility to this project. 3-2

We have not heard of or know the website location of "Climate LA – Municipal Program Implementing the Green LA Climate Action Plan." Has this plan been approved? What are the legislative and fiscal impacts? 3-3

Is the Green LA Climate Action Plan an approved plan, a Mayoral Directive or just Mayoral guidance without any legislative or fiscal impacts analyzed? 3-4

Not mentioned are potential impacts from major fires such as the Station Fire. Pollutants run down the LA River from such a widespread fire and have effect and may need mitigation. 3-5

Not mentioned is the Environmental Protection Agency Docket No. EPA-R09-OAR-2009-0366-0001 which indicates the disapproval of the PM 2.5 and NOX aspects of the 2007 AQMD Air Quality Management Plan. This needs to be addressed in this document. 3-6

Missing is mention of the report of the County of Los Angeles Civil Grand Jury Report 2009-2010 and June 23, 2010 letter requiring responses to that report. The letter can be found at Council File 10-1187. The Grand Jury inquiry into Water emphasizes the San Fernando Basin and groundwater, but that supply affects all of the City of Los Angeles. 3-7

This documents negates the need for groundwater, contrary to the Grand Jury Report, so potential groundwater resources need to be addressed for this project as part of the Central Basin potential drinking water supply. 3-8

Groundwater appears to be at higher levels than thought. The history of the river, before the flood control channel, was movement of direction, so it is possible that groundwater needs to be addressed in a more scientifically to today's standards. 3-9

Naturally occurring crude needs to be addressed on a long-term basis. If this is the case, then methane and its consequences and long-term mitigation measures should be addressed. This property is not marked for a Methane Zone, yet properties across the river are in that zone. Migration has not been addressed. 3-10

The sources of the TMDL problems needs to be defined as to location. Generalities will not suffice as this project may not effect Proposition O goals of water quality improvements.	<b>3-11</b>
Since there is a potential hazard with natural crude and methane, the public services reductions have not been addressed. The Fire Station is not open 24/7 and closures are not even mentioned.	<b>3-12</b>
Emergency Services reductions are not addressed.	<b>3-13</b>
Police staffing reductions are not addressed.	<b>3-14</b>
Wildlife, in the Repetto Hills, are more varied than you describe for this location. Hawks and other birds should be included and this document should address food sources of the wildlife in the surrounding region. Plant life needs to considered for adaptability to the local area.	<b>3-15</b>
Any water project needs to be approached on a watershed approach and there is no mention of one or integration into the ecosystems or Integrated Regional Water Planning and Statewide Water Planning.	<b>3-16</b>
Integrated Resource Planning is the Statewide approach at this time, and not even considered in this document.	<b>3-17</b>

Joyce Dillard  
P.O. Box 31377  
Los Angeles, CA 90031

### **Commenter No. 3**

Joyce Dillard  
P.O. Box 31377  
Los Angeles, California 90031  
[dillardjoyce@yahoo.com](mailto:dillardjoyce@yahoo.com)

E-mail dated February 4, 2011

#### **Response 3-1:**

There is only one Lead Agency for the IS/MND - the City's Bureau of Engineering. Although not an adopted plan, the Cornfield/Arroyo Seco Specific Plan is a related project/activity that could affect or be affected by the proposed project; therefore, it is appropriate to consider and reference.

#### **Response 3-2:**

Although, as noted on page 81 of the IS/MND, the existing Downey Recreation Center is used by Albion Elementary School students for physical education activities, any official use of the project site during Phase 2 and/or Phase 3 by Los Angeles Unified School District students would be under a similar agreement or arrangement that is currently in place with the City's Department of Recreation and Parks. This would occur independently of the operation and maintenance Memorandum of Understanding between the Bureau of Sanitation and Department of Recreation and Parks as described on page 27 of the IS/MND.

#### **Response 3-3:**

The GreenLA/ClimateLA can be found at the following website: [http://www.ci.la.ca.us/ead/ead\\_GreenLAClimateLA.htm](http://www.ci.la.ca.us/ead/ead_GreenLAClimateLA.htm). Mayor Antonio Villaraigosa and the City of Los Angeles have joined (signed) with the US Conference of Mayors, the Clinton Climate Initiative and the C40 Large Cities Climate Leadership Group to develop a forceful response to the challenge of climate change, the umbrella term that encompasses all climate impacts attributable to human activities, including global warming. The Mayor's goal of reducing greenhouse gas emissions to 35 percent below 1990 levels is one of the most ambitious commitments announced by a major international city. The ClimateLA Implementation Plan is a living document that implements the "Green LA: An Action Plan to Lead the Nation in Fighting Global Warming" (GreenLA program) published by the City in May 2007. This ClimateLA plan includes more than 50 actions to reduce GHG emissions to reach the ClimateLA goals, as well as measures to adapt to the effects of climate change. The ClimateLA implementation program provides detailed information about each action item discussed in the Green LA framework. The plan is currently voluntary and not an official rulemaking.

#### **Response 3-4:**

As noted in Response 3-3 above, GreenLA/Climate LA plan sets forward 50 actions to reduce GHG emissions that are guided by a set of policy principles and community values. The ClimateLA plan is currently voluntary and not an official rulemaking.

The IS/MND assessed potential impacts of GHG emissions from the proposed project using AB 32 (and resulting Executive Order S305), SCAQMD's GHG thresholds, as well as voluntary plans such as the GreenLA/ClimateLA plan to assess whether GHG emissions from the proposed project would conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases.

**Response 3-5:**

As stated on page 67 of the IS/MND, the project site is not located within a designated High Fire Hazard Severity Zone according to the City of Los Angeles General Plan Safety Element. The project site and surrounding areas are completely developed and there are no wildlands adjacent to the site. Therefore, no impact involving wildland fires is anticipated from the construction and operation of the proposed project (Phase 1, Phase 2 and Phase 3). As described on page 13 of the IS/MND, the subwatershed surrounding the project site is mostly urbanized and commercial (42 percent) with very little open space. Therefore, major wildfires in the mountains surrounding Los Angeles, such as the Station Fire, are not part of the projects drainage area and would not impact the project site. However, should pollutants from a fire within the projects drainage area enter into the storm drain system, the project BMPs proposed under Phase 2 would assist in beneficially treating the pollutants before they reach the Los Angeles River.

**Response 3-6:**

EPA docket EPA-R09-OAR-2009-0366-001 is proposing to approve some parts of the AQMP but disprove the attainment demonstration because it does not provide sufficient emissions reductions from adopted and EPA-approved measures to provide for attainment of the NAAQS. EPA is proposing not to grant the request to extend to April 5, 2015 the deadline for the attainment of the 1997 PM2.5 NAAQS. To the extent that California can remedy the shortfall in emission reductions for the attainment demonstration (the basis for the disapproval) EPA believes that many of the deficiencies in the AQMP could be addressed. This proposed rule was published on November 22, 2010. The comment period on the proposed rule ended on January 21, 2011, which occurred during the public review period of the IS/MND. The EPA docket has not been approved. Although the EPA docket could result in a future revision to the AQMP, it is only proposed at this time and does not affect our analysis or the current attainment designations used in the IS/MND.

**Response 3-7:**

As described on page 69 of the IS/MND, the project site is located in the Central Basin of the Los Angeles Groundwater Basin. The Los Angeles Groundwater Basin is the basin south of the San Fernando Groundwater Basin. The San Fernando Groundwater Basin (not the Los Angeles Groundwater Basin) is the focus of the "Water for LA County" report/inquiry in the 2009-2020 Los Angeles County Civil Grand Jury Report. Although the clean-up and use of

groundwater from the San Fernando Groundwater Basin is important for the City of Los Angeles' potable water supply, the project area is not used for groundwater recharge or as groundwater supplies. Phase 1 would result in the demolition of the existing on-site structures, which would result in an increase in pervious surfaces on the site. An increase in pervious surfaces would allow more water to percolate into the soil; however, this would not affect potable groundwater supplies. In addition, operation of Phase 1 would not use groundwater resources. Therefore, a decrease in groundwater supplies would not occur and no impacts are anticipated. The construction and operation of Phase 2 and Phase 3 would also not use groundwater resources or affect recharge areas. Although a minimal amount of pervious surface would be added as part of Phase 3 (such as basketball court and skate park), this would not result in a negative impact on groundwater supplies or recharge potential compared to existing conditions. No impact is anticipated.

**Response 3-8:**

As described in Response 3-7, above, the project area is not used for groundwater recharge or as potable groundwater supplies (i.e., drinking water); therefore, the potential impacts from the proposed project on potential potable/drinking water supplies has been adequately addressed.

**Response 3-9:**

As noted throughout the IS/MND (in particular on pages 29 and 55), historical depth to groundwater beneath the site at approximately 20 feet below the ground surface (bgs). Groundwater during exploratory borings at the site have encountered groundwater between 20 and 30 feet bgs, with the most recent exploratory borings encountering groundwater at approximately 25 feet bgs. Therefore, groundwater under the site is at levels that are expected and there is no further analysis needed.

**Response 3-10:**

Although naturally-occurring crude oil has been found at the site, it was observed at a depth of approximately 35 feet bgs. None of the phases of the proposed project are anticipated to affect that depth of soil; therefore, no long-term issues exist related to the proposed project. As identified in the IS/MND (throughout the Hazards and Hazardous Materials section, starting on page 54), although not within a designated methane zone or methane buffer zone, methane gas may be present during excavation, particularly excavations during Phase 1. However, with implementation of Mitigation Measure HAZ-3 (which requires air monitoring for methane shall be conducted during sub-surface construction activities) potential impacts are less than significant. Should any structure be placed at the site, compliance with City Ordinance 175790 would address any potential operational impacts; therefore, no long-term issues would exist.

**Response 3-11:**

As described in the IS/MND (starting on page 14), the Los Angeles River is designated as an impaired water body by the LARWQCB. The proposed project is with the Reach 2 area of the Los Angeles River. Impairments for Reach 2 identified on the 303(d) List (2006) include coliforms, oil and grease, trash, and pathogens. Federal requirements and delegated State

Authority impose water quality limits on water bodies by assessing the total maximum daily load (TMDL) of specific compounds that a water body can receive without becoming impaired. The Clean Water Act requires a TMDL (a maximum limit for a specific pollutant that a water body can receive and still meet water quality standards) to be developed to restore impaired water bodies to their beneficial uses. Existing TMDLs in Reach 2 of the Los Angeles River include the following: 1) Nitrogen Compounds and Related Effects; 2) Trash; and 3) Metals. In addition, a Bacteria TMDL for the Los Angeles River and its tributaries was adopted by the LARWQCB in July 2010, but has not yet been approved by the State Water Resources Control Board or EPA.

The project area is within a subwatershed that is mostly urbanized and commercial (42 percent) with very little open space. Typical sources of contamination in urban runoff include:

- Oil, grease, and gasoline from vehicles leaking onto roadways and parking areas
- Pesticides, herbicides, and fertilizers from agricultural and urban areas
- Sediment from construction operations
- Metals from vehicle exhaust, rust, paint, tires, and engine parts

Urban runoff from a site has the potential to contribute trash, oil and grease, nutrients, suspended solids, metals, hydrocarbons, and pathogens to the stormwater conveyance system. Targeted pollutants for the project site include the following:

- Nitrogen
- Metals
- Trash
- Bacteria
- Oil and grease

As described in the IS/MND starting on page 17, the broad goal of the proposed project is to implement a Proposition O project to improve water quality and minimize, to the maximum extent practicable, the introduction of pollutants of concern into the stormwater conveyance system. This objective can be accomplished by diverting a portion of flows from storm drains that run parallel to North Spring Street and underneath Albion Street to implement a water quality improvement project on-site. Pollutants would be removed from the nearby storm drains before the flow outlets to the Los Angeles River. In addition, surface flows and associated pollutants from the northern side of Albion Street adjacent to the site, as well as from the proposed parking lot to be constructed on-site, would also be captured. Intercepting a portion of wet and dry weather runoff prior to its release into Reach 2 of the Los Angeles River is expected to reduce pollutant loads and improve water quality. In addition, the proposed project would be consistent with Proposition O criteria and incorporate the following objectives:

- Intercept and treat dry- and a portion of wet-weather flow before it enters the Los Angeles River.

- Enhance water quality by implementing stormwater BMPs and natural treatment systems that are based on natural hydrologic processes.
- Reduce pollutant loads to impaired waters (Reach 2 of the Los Angeles River) to assist in the City's compliance with TMDLs.
- Provide active and passive recreational opportunities.
- Provide greenway linkages between the acquisition parcels, Downey Park and the Los Angeles River.
- Provide educational opportunities.

**Response 3-12:**

Potential impacts to emergency services are discussed on page 67 of the IS/MND. As described in the IS/MND, during construction ingress and egress to the site and surrounding properties, particularly for emergency response vehicles, would be maintained at all times. In addition, operation would not permanently alter the adjacent street system. Therefore, construction and operation of the proposed project (Phase 1, Phase 2 and Phase 3) would not impair or interfere with emergency response and the impact is less than significant. As described on page 80 of the IS/MND, Fire Station No. 1 currently serves the project site and would continue to do so.

**Response 3-13:**

Refer to Response 3-12 above. In addition, as described beginning on page 80 of the IS/MND, the construction of the proposed project (Phase 1, Phase 2 and Phase 3) would be temporary and not require the addition of a new fire or police stations or the expansion, consolidation or relocation of an existing facility to maintain service. The operation of the proposed project (Phase 1, Phase 2 and Phase 3) would not increase the need for additional fire or police service; therefore, the proposed project would not result in a need for construction of additional fire and police protection facilities or adversely affect service ratios or response times.

**Response 3-14:**

As analyzed throughout the IS/MND (in particular, air quality, traffic, public services and utilities), the operation of the proposed project would replace the existing dairy operations with passive urban runoff BMPs and recreational amenities that are expected to result in fewer daily trips and visitors to the site. The proposed project (Phase 1, Phase 2 and Phase 3) is not a growth-inducing project, either directly or indirectly, and, therefore, would not increase the demand for public services, nor contribute to a reduction in public services (including police staffing).

**Response 3-15:**

As described in the Biological Resources section of the IS/MND (starting on page 40), the proposed project site is located in a heavily urbanized area. The site is developed with manufacturing/light industrial uses related to the warehousing and distribution of retail packaged milk and dairy products. Plant species in the vicinity of the project site is limited to a small amount of ornamental landscaping and trees. A few trees are located along the northern, southern, and eastern perimeter of the site. Wildlife known to occupy the area includes the California ground squirrel, opossum, raccoon, western fence lizard, house sparrow, European

starling, and rock dove. Although other species may visit or inhabit the vegetation near the site, the existing vegetation is limited. In addition, none of the existing trees are anticipated to be removed as part of the proposed project as they are not within the project site. The construction and operation of Phase 1 would not impact any trees and, therefore, no impact is would occur. As part of Phase 2, vegetation would be planted as part of the BMP elements, which could include trees. This would be considered beneficial to local wildlife. Finally, the construction and operation of Phase 3 is not anticipated to disturb or remove any protected biological resources. Therefore, a less than significant impact to biological resources is anticipated from the proposed project and potential impacts to biological resources have been adequately addressed.

**Response 3-16:**

The Greater Los Angeles County Region Integrated Regional Water Management Plan (IRWMP) is a regional collaboration to promote a more efficient, comprehensive, and effective approach to water resource management while being responsive within a regional context to the needs of individual communities and jurisdictions. Although not specifically a project funded by the IRWMP, the proposed project is in line with the plans approach to improve water quality and expand parkland and open space.

Statewide Water Planning is focused on providing leadership in the balanced and integrated management of California's water resources, for the benefit of aquatic and terrestrial species and those habitats upon which they depend. The proposed project is a runoff management project that would divert a portion of flows from local storm drains and treat that runoff prior to its release into Reach 2 of the Los Angeles River. By treating and beneficially reusing the runoff that would have been released to the Los Angeles River, the proposed project is expected to reduce pollutant loads and improve water quality.

The proposed project is a Proposition O project. Proposition O is an integrated approach to improve water quality and minimize, to the maximum extent practicable, the introduction of pollutants of concern into the stormwater conveyance system. In addition, runoff management for the entire City of Los Angeles is addressed in the City's Integrated Resources Plan (IRP) Facilities Plan (July 2004; revised November 2005). The IRP incorporates a future vision of water, wastewater and runoff management in the City that explicitly recognizes the complex relationships that exist among all of the City's water resources activities and functions. Addressing and integrating the water, wastewater and runoff needs of the City in the year 2020, the IRP also takes an important step towards comprehensive basin-wide water resources planning in the Los Angeles area. The approach to runoff management in the IRP takes into account multiple factors, including: runoff quantity and quality, differences between dry and wet weather runoff, potential impacts on the wastewater collection and treatment systems, regulatory drivers (permits and TMDLs), and the City's beneficial use goals. The proposed project is a runoff management project that is keeping with the runoff treatment and beneficial use option in the IRP and being funded by Proposition O.

**Response 3-17:**

As detailed above in Response 3-16 and on page 17 of the IS/MND, the broad goals of the proposed project include intercepting and treating a portion of runoff before it reaches the Los

Angeles River, thus reducing pollutant loads to impaired waters, while providing recreational opportunities and open space. Therefore, the proposed project is in keeping with the statewide, regional and local water resources approach to the ultimate end of providing clean, reliable water supplies to people as well as benefit aquatic and terrestrial species and those habitats upon which they depend.

Rec 1/8/11 mm

PUBLIC UTILITIES COMMISSION

320 WEST 4<sup>TH</sup> STREET, SUITE 600  
LOS ANGELES, CA 90013



February 4, 2010

Maria Martin  
City of Los Angeles, Bureau of Engineering  
1149 S. Broadway, Suite 600  
Los Angeles, CA 90015

Dear Ms. Martin:

Re: SCH# 2011011018: Albion Dairy Demolition and Remediation & Albion Riverside Park

The California Public Utilities Commission (Commission) has jurisdiction over the safety of highway-rail crossings (crossings) in California. The California Public Utilities Code requires Commission approval for the construction or alteration of crossings and grants the Commission exclusive power on the design, alteration, and closure of crossings.

The Commission's Rail Crossing Engineering Section (RCES) is in receipt of the *Notice of Completion & Environmental Document Transmittal-Mitigated Negative Declaration* from the State Clearinghouse for the proposed park project along the Los Angeles River. The project area is west of the Southern California Regional Rail Authority (SCRRA) right-of-way at Albion Street and Avenue 17. In addition to SCRRA Metrolink commuter trains, Union Pacific Railroad Company (UPRR) and, the National Passenger Railroad Corporation (Amtrak) operate freight and passenger trains over these tracks respectively.

4-1

The final design includes decorative fencing along the SCRRA right-of-way, as indicated on the website: <http://www.albionparkproject.org/Albionpark/designs.html>. RCES staff is concerned with the possibility of pedestrians from the proposed park entering onto the SCRRA right-of-way. More specifically, RCES would recommend that continuous vandal resistant fencing or other appropriate barrier to limit the access of trespassers onto the railroad right-of-way

If you have any questions, please contact Jose Pereyra, responsible Engineer at (213) 576 – 7083 or email at [jfp@cpuc.ca.gov](mailto:jfp@cpuc.ca.gov), or me at [rxm@cpuc.ca.gov](mailto:rxm@cpuc.ca.gov), 213-576-7078.

Sincerely,

Rosa Muñoz, PE  
Senior Utilities Engineer  
Rail Crossings Engineering Section  
Consumer Protection & Safety Division

**Commenter No. 4**

State of California Public Utilities Commission  
Rail Crossings Engineering Section, Consumer Protection & Safety Division  
Rosa Munoz, PE, Senior Utilities Engineer  
320 West 4<sup>th</sup> Street, Suite 500  
Los Angeles, California 90013  
Letter dated February 4, 2010 (correction – year 2011)

**Response 4-1:**

As noted throughout the IS/MND, and specifically on page 21, although a list of potential amenities and a conceptual plan of the potential park elements (Phase 3 of the project) were included, these elements and their location are for discussion purposes only and may change depending on further community input and funding. There is no final design associated with park elements/Phase 3. As indicated on page 27 of the IS/MND, Phase 3 is not anticipated to be constructed until between 2015 and 2016. Your comment will be considered in the design phase associated with Phase 3.



JERRY BROWN  
GOVERNOR

STATE OF CALIFORNIA  
GOVERNOR'S OFFICE of PLANNING AND RESEARCH  
STATE CLEARINGHOUSE AND PLANNING UNIT



February 8, 2011

Maria Martin  
City of Los Angeles, Bureau of Engineering  
1149 S. Broadway, Suite 600  
Los Angeles, CA 90015

Subject: Albion Dairy Demolition and Remediation & Albion Riverside Park  
SCH#: 2011011018

Dear Maria Martin:

The State Clearinghouse submitted the above named Mitigated Negative Declaration to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on February 7, 2011, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

  
Scott Morgan  
Director, State Clearinghouse

Enclosures  
cc: Resources Agency

1400 10th Street P.O. Box 3044 Sacramento, California 95812-3044  
(916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

**Document Details Report  
State Clearinghouse Data Base**

**SCH#** 2011011018  
**Project Title** Albion Dairy Demolition and Remediation & Albion Riverside Park  
**Lead Agency** Los Angeles, City of

**Type** MND Mitigated Negative Declaration  
**Description** The proposed project is comprised of three distinct phases; Phase 1 - Demolition and Remediation; Phase 2 - Stormwater Best Management Practices; and Phase 3 - Park Improvements. Phase 1 includes demolition of all buildings on-site, lead-based paint and asbestos abatement, removal of any remaining tanks/equipment, as well as remediation of contaminated soils. Phase 2 would divert portion of the flows from adjacent storm drains to the site & construct and operate appropriate, beneficial, and feasible stormwater best management practices (BMPs) within the site to reduce pollutants entering the Los Angeles River. Phase 3 would include recreational, aesthetic, and educational amenities that would further transform the project site into a park. Reconfiguration of elements currently at the adjacent portion of Downey Rec Center may be included.

**Lead Agency Contact**

**Name** Maria Martin  
**Agency** City of Los Angeles, Bureau of Engineering  
**Phone** (213) 485-5753 **Fax**  
**email**  
**Address** 1149 S. Broadway, Suite 600  
**City** Los Angeles **State** CA **Zip** 90015

**Project Location**

**County** Los Angeles  
**City** Los Angeles, City of  
**Region**  
**Lat / Long** 34° 04' 07.9" N / 118° 13' 24.1" W  
**Cross Streets** Albion Street & Avenue 17  
**Parcel No.** 5447-027-900 to -911  
**Township** **Range** **Section** **Base**

**Proximity to:**

**Highways** US 101, SR 110, I-5  
**Airports**  
**Railways** UPRR  
**Waterways** Los Angeles River  
**Schools** Albion ES & Albion EEC  
**Land Use** Limited Manufacturing/MR1-1; Limited Industrial/M1-1; Open Space/OS-IXL, and public right-of-way

**Project Issues** Aesthetic/Visual; Air Quality; Archaeologic-Historic; Noise; Recreation/Parks; Toxic/Hazardous; Traffic/Circulation; Water Quality; Landuse; Cumulative Effects

**Reviewing Agencies** Resources Agency; Department of Conservation; Department of Fish and Game, Region 5; Department of Parks and Recreation; Department of Water Resources; Resources, Recycling and Recovery; Caltrans, District 7; State Water Resources Control Board, Division of Water Quality; Regional Water Quality Control Board, Region 4; Department of Toxic Substances Control; Native American Heritage Commission; State Lands Commission

**Date Received** 01/07/2011 **Start of Review** 01/07/2011 **End of Review** 02/07/2011

Note: Blanks in data fields result from insufficient information provided by lead agency.

DEPARTMENT OF TRANSPORTATION  
 DISTRICT 7, REGIONAL PLANNING  
 IGR/CEQA BRANCH  
 100 MAIN STREET, MS # 16  
 LOS ANGELES, CA 90012-3606  
 PHONE: (213) 897-9140  
 FAX: (213) 897-1337

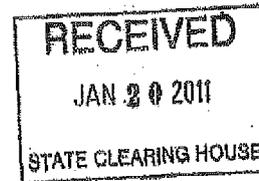


*Flex your power!  
 Be energy efficient!*

January 14, 2011

IGR/CEQA No. 110114AL-MND  
 Albion Dairy Demolition and Remediation & Albion  
 Riverside Park  
 Vic. LA-05 / PM 19.725  
 SCH #: 2011011018

Ms. Maria Martin  
 City of Los Angeles  
 Bureau of Engineering  
 1149 S. Broadway, Suite 600  
 Los Angeles, CA 90015



Dear Ms. Martin:

Thank you for including the California Department of Transportation (Department) in the environmental review process for the above referenced project. The City of Los Angeles is proposing a project that would assist in improving water quality, and would support the City's efforts to comply with current and future Total Maximum Daily Load (TMDL) stormwater regulations. The proposed project is comprised of three distinct phases: Phase 1-Demolition and Remediation, Phase 2-Stormwater Best Management Practices (BMPs), and Phase 3-Park Improvements.

Storm water run-off is a sensitive issue for Los Angeles and Ventura counties. Please be mindful that projects need to be designed to discharge clean run-off water. Additionally storm water run-off is not permitted to discharge onto State highway facilities.

Transportation of heavy construction equipment and/or materials, which requires the use of oversized-transport vehicles on State highways, will require a transportation permit from the Department. It is recommended that large size truck trips be limited to off-peak commute periods. In addition, a truck/traffic construction management plan is needed for this project.

If you have any questions, please feel free to contact me at (213) 897-9140 or Alan Lin the project coordinator at (213) 897-8391 and refer to IGR/CEQA No. 110114AL.

Sincerely,

DIANNA WATSON  
 IGR/CEQA Branch Chief

cc: Scott Morgan, State Clearinghouse

*"Caltrans improves mobility across California"*

Commenter No. 5

State of California  
Governor's Office of Planning and Research  
State Clearinghouse and Planning Unit  
Scott Morgan, Director  
1400 10<sup>th</sup> Street  
Sacramento, California 95812-3044  
Letter dated February 8, 2011

**Response:**

Comment letter from Caltrans is noted and has been received (see Response to Comments No. 1-1 and 1-2).

**MITIGATION MONITORING PROGRAM  
FOR**

**Albion Dairy Demolition and Remediation  
& Albion Riverside Park Project**

**SCH No. 2011011018  
W.O. EW40042B**

Prepared By

**CITY OF LOS ANGELES  
BUREAU OF ENGINEERING**

**February 2011**

**TRANSMITTAL No. 2**

The California Environmental Quality Act (CEQA) requires public agencies to adopt a reporting or monitoring program for the changes to the project that have been adopted to mitigate or avoid significant effects on the environment (Public Resources Code Section 21081.6). The program must be adopted by the public agency at the time findings are made regarding the project. The State CEQA Guidelines allow public agencies to choose whether its program will monitor mitigation, report on mitigation, or both (14 CCR Section 15097(c)). This mitigation monitoring program contains the elements required by CEQA for the Albion Dairy Demolition and Remediation & Albion Riverside Park Project.

### **Project Description**

The Albion Dairy Demolition and Remediation & Albion Riverside Park Project for which this mitigation monitoring program has been developed consists of the following three distinct phases:

- Phase 1 – Demolition and Remediation
- Phase 2 – Stormwater Best Management Practices
- Phase 3 – Park Improvements

**Phase 1 – Demolition and Remediation:** This phase includes demolition of all buildings on-site, lead-based paint (LBP) and asbestos abatement, removal of clarifiers, any remaining tanks/equipment, as well as remediation of contaminated soils. Clean soil would also be imported during Phase 1. At the end of this phase, the site's soil will be remediated to residential standards and left in a stabilized, rough-graded finish. Funding is currently available for this phase.

**Phase 2 – Stormwater Best Management Practices:** Phase 2 of the proposed project would divert a portion of the flows from adjacent storm drains (one underneath Albion Street and one that runs parallel to North Spring Street) to the site and construct and operate appropriate, beneficial, and feasible stormwater best management practices (BMPs) within the site to reduce pollutants entering the Los Angeles River. In addition, runoff from the north half of Albion Street adjacent to the site would be routed to BMPs for treatment using "green streets" BMP concepts. Funding has not yet been secured for Phase 2 of the project.

**Phase 3 – Park Improvements:** The proposed project would expand the existing Downey Recreation Center from approximately four acres to approximately ten acres by incorporating the former Albion Dairy parcel. Phase 3 of the proposed project would include recreational, aesthetic, and educational amenities that would further transform the project site into a park to supplement the BMPs and associated water quality benefits.

These park improvements may also include the reconfiguration of park elements currently at the adjacent portion of the Downey Recreation Center. This would increase the use of this small and often underutilized park and improve access to the River consistent with various planning efforts. Funding has not yet been secured for Phase 3 of the project.

The funding for Phase 1 is from the Proposition O General Obligation Bond Funding and it was approved by the City Council on August 13, 2010 (CF-09-0571). Proposition O, a \$500 million Clean Water Bond Measure, was approved by City of Los Angeles voters on November 5, 2004. Funding for the other phases of the project (Phase 2 and Phase 3) is pending.

Unless otherwise stated, the project will be designed, constructed and operated following all applicable laws, regulations, ordinances and formally adopted City standards (e.g., *Los Angeles Municipal Code* and Bureau of Engineering *Standard Plans* including the uniform practices established by the Southern California Chapter of the American Public Works Association (e.g., *Standard Specifications for Public Works Construction* and the *Work Area Traffic Control Handbook*) as specifically adapted by the City of Los Angeles (e.g., The City of Los Angeles Department of Public Works *Additions and Amendments to the Standard Specifications For Public Works Construction* (AKA "The Brown Book," formerly Standard Plan S-610)).

### **Mitigation Measures**

The mitigation measures described in the following pages are taken from the Initial Study and Mitigated Negative Declaration for this project. The measures are listed according to the phases of the project during which action must occur to implement the mitigation measure: design, construction and operation.

Within each project phase, the following are identified for each mitigation measure:

- (1) A brief description of the impact that is being mitigated (i.e., the objective of the mitigation),
- (2) A description of the mitigation measure,
- (3) The party who is responsible for the necessary implementing actions,
- (4) The necessary implementing action,
- (5) The party who is responsible for verifying that the necessary implementing action is taken, and
- (6) The primary record documenting the necessary implementing action.

The mechanisms for verifying that mitigation measures have been implemented include design drawings, construction documents intended for use by construction contractors and construction managers, field inspections, field reports, and other periodic or special reports. All records pertaining to this mitigation program will be maintained and made available for inspection by the public in accordance with the City's records management systems.

# DESIGN PHASE

Impact	Mitigation Measure	Implementation Responsibility	Implementation Vehicle	Enforcement Responsibility	Record of Implementation
<p><b>CULTURAL RESOURCES</b></p> <p>Potential to impact unknown historic and prehistoric cultural resources. Measure addresses potential impacts to archaeological and ethnographic resources.</p>	<p><b>CULT-1:</b> In the event that archaeological resources are encountered during the course of construction activities, all work in the immediate vicinity of the discovery shall be suspended until the discovery is assessed by a qualified archaeological monitor working under the direct supervision of a Principal Investigator or Project Manager certified by the Register of Professional Archaeologists (qualifications derived from 36 CFR Part 61) and appropriate treatment is determined. The archaeologist shall assess if the find is or is not significant and the discovery shall be removed by a qualified archaeologist. Any culturally significant materials, field notes, reports, or photographs shall be deposited in a museum, archaeological repository, or with the appropriate Native American tribe. If sensitive, prehistoric archaeological resources are encountered, the Shoshonean Gabrielino Band of Mission Indians, the Gabrielino/Tongva San Gabriel Band of Mission Indians, or other interested local tribes shall be given an opportunity to examine the finds and make suggestions as to their disposition.</p> <p>If grading were to exceed five feet in depth, and penetrate native sediments, full-time monitoring by a qualified archaeologist would be required. In that event, all ground-disturbing activities associated with the project that have the potential to disturb native soils shall be monitored by a</p>	<p>Project Engineer</p>	<p>Project Plans &amp; Specifications</p>	<p>Project Manager</p>	<p>Project Plans &amp; Specifications</p>

## DESIGN PHASE

Impact	Mitigation Measure	Implementation Responsibility	Implementation Vehicle	Enforcement Responsibility	Record of Implementation
<p>Potential to impact unknown paleontological resources. Measure addresses potential impacts to paleontological resources or site.</p>	<p>qualified archaeological monitor working under direct supervision of a Principal Investigator or Project Manager certified by the Register of Professional Archaeologists (qualifications derived from 36 CFR Part 61). As deemed appropriate by the archaeological monitor, a Native American monitor shall also be present during all ground-disturbing activities that have potential to disturb native soils.</p>	<p>Project Engineer</p>	<p>Project Plans &amp; Specifications</p>	<p>Project Manager</p>	<p>Project Plans &amp; Specifications</p>
<p>Potential to impact unknown presence of human remains. Measure addresses potential impacts to human remains.</p>	<p><b>CULT-2:</b> In the event that paleontological resources are encountered during construction activities, all work shall cease within the vicinity of the find until the paleontological resources are properly assessed and subsequent recommendations are determined by a qualified paleontologist.</p> <p><b>CULT-3:</b> In accordance with Section 7050.5 of the California Health and Safety Code, if human remains are found during construction activities, the County Coroner shall be notified within 24 hours of the discovery. No further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the County Coroner has determined, within two working days of notification of the discovery, the appropriate treatment and disposition of the human remains. If the County Coroner determines that the remains are or believed to be Native American, s/he shall notify the Native American Heritage Commission (NAHC) in Sacramento within 24 hours. In accordance with Section 5097.98 of the California Public Resources Code, the NAHC must</p>	<p>Project Engineer</p>	<p>Project Plans &amp; Specifications</p>	<p>Project Manager</p>	<p>Project Plans &amp; Specifications</p>

## DESIGN PHASE

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	Immediately notify those persons it believes to be the most likely descended from the deceased Native American. The descendants shall complete their inspection within 48 hours of being granted access to the site. The designated Native American representative would then determine, in consultation with the property owner, the disposition of the human remains.				
<b>HAZARDS AND HAZARDOUS MATERIALS</b>					
Potential to encounter contaminated soils	<p><b>HAZ-1:</b> A soils management plan shall be prepared that includes segregating, stockpiling, and sampling soils prior to disposal. The plan shall include provisions for worker safety including monitoring the air in the excavation area, and wearing protective clothing to avoid contact with the soils.</p> <p><b>HAZ-2:</b> Any suspected contaminated soil, groundwater, and/or toxic materials encountered and removed during construction activities shall be evaluated using appropriate collection and sampling techniques. If an area of contamination is identified, soils shall be tested to determine the appropriate disposal and treatment options. Soils classified as hazardous per the Resource Conservation and Recovery Act and California Code of Regulations Title 22, shall be disposed of at a Class I or other appropriate treatment and recycling facility.</p>	Project Engineer	Project Plans & Specifications	Project Manager	Project Plans & Specifications
Potential to encounter methane	<p><b>HAZ-3:</b> Air monitoring for methane shall be conducted during sub-surface construction activities.</p>	Project Engineer	Project Plans & Specifications	Project Manager	Project Plans & Specifications

# CONSTRUCTION PHASE

Impact	Mitigation Measure	Implementation Responsibility	Implementation Vehicle	Enforcement Responsibility	Record of Implementation
<p><b>CULTURAL RESOURCES</b></p> <p>Potential to impact unknown historic and prehistoric cultural resources. Measure addresses potential impacts to archaeological and ethnographic resources.</p>	<p><b>CULT-1:</b> In the event that archaeological resources are encountered during the course of construction activities, all work in the immediate vicinity of the discovery shall be suspended until the discovery is assessed by a qualified archaeological monitor working under the direct supervision of a Principal Investigator or Project Manager certified by the Register of Professional Archaeologists (qualifications derived from 36 CFR Part 61) and appropriate treatment is determined. The archaeologist shall assess if the find is or is not significant and the discovery shall be removed by a qualified archaeologist. Any culturally significant materials, field notes, reports, or photographs shall be deposited in a museum, archaeological repository, or with the appropriate Native American tribe. If sensitive, prehistoric archaeological resources are encountered, the Shoshonean Gabrielino Band of Mission Indians, the Gabrielino/Tongva San Gabriel Band of Mission Indians, or other interested local tribes shall be given an opportunity to examine the finds and make suggestions as to their disposition.</p> <p>If grading were to exceed five feet in depth, and penetrate native sediments, full-time monitoring by a qualified archaeologist would be required. In that event, all ground-disturbing activities associated with the project that have the potential to disturb</p>	<p>Construction Contractor</p>	<p>Construction Contract</p>	<p>Bureau of Contract Administration</p>	<p>Final Monitoring Report Submittal to the Bureau of Engineering Environmental Management Group and the South Central Coastal Information Center (SCCIC)</p>

# CONSTRUCTION PHASE

Impact	Mitigation Measure	Implementation Responsibility	Implementation Vehicle	Enforcement Responsibility	Record of Implementation
	<p>native soils shall be monitored by a qualified archaeological monitor working under direct supervision of a Principal Investigator or Project Manager certified by the Register of Professional Archaeologists (qualifications derived from 36 CFR Part 61). As deemed appropriate by the archaeological monitor, a Native American monitor shall also be present during all ground-disturbing activities that have potential to disturb native soils.</p>				
<p>Potential to impact unknown paleontological resources. Measure addresses potential impacts to paleontological resources or site.</p>	<p><b>CULT-2:</b> In the event that paleontological resources are encountered during construction activities, all work shall cease within the vicinity of the find until the paleontological resources are properly assessed and subsequent recommendations are determined by a qualified paleontologist.</p>	<p>Construction Contractor</p>	<p>Construction Contract</p>	<p>Bureau of Contract Administration</p>	<p>Final Monitoring Report Submittal to the Bureau of Engineering Environmental Management Group and, if applicable, a Bureau of Engineering-approved repository/museum.</p>
<p>Potential to impact unknown presence of human remains. Measure addresses potential impacts to human remains.</p>	<p><b>CULT-3:</b> In accordance with Section 7050.5 of the California Health and Safety Code, if human remains are found during construction activities, the County Coroner shall be notified within 24 hours of the discovery. No further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the County Coroner has determined, within two working days of notification of the discovery, the appropriate treatment and disposition of the human remains. If the County</p>	<p>Construction Contractor</p>	<p>Construction Contract</p>	<p>Bureau of Contract Administration</p>	<p>Final Monitoring Report Submittal to the Bureau of Engineering Environmental Management Group and the South Central Coastal Information Center (SCCIC)</p>

# CONSTRUCTION PHASE

Impact	Mitigation Measure	Implementation Responsibility	Implementation Vehicle	Enforcement Responsibility	Record of Implementation
	<p>Coroner determines that the remains are or believed to be Native American, s/he shall notify the Native American Heritage Commission (NAHC) in Sacramento within 24 hours. In accordance with Section 5097.98 of the California Public Resources Code, the NAHC must immediately notify those persons it believes to be the most likely descended from the deceased Native American. The descendants shall complete their inspection within 48 hours of being granted access to the site. The designated Native American representative would then determine, in consultation with the property owner, the disposition of the human remains.</p>				
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		Construction Contractor	Construction Contract	Bureau of Contract Administration	Bureau of Contract Administration Records

## CONSTRUCTION PHASE

Impact	Mitigation Measure	Implementation Responsibility	Implementation Vehicle	Enforcement Responsibility	Record of Implementation
Potential to encounter methane	HAZ-3: Air monitoring for methane shall be conducted during sub-surface construction activities.	Construction Contractor	Construction Contract	Bureau of Contract Administration	Bureau of Contract Administration Records

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