

IV. Environmental Impact Analysis

G. Hazards and Hazardous Materials

1. Introduction

This section analyzes the Project's potential hazards and hazardous materials impacts that could occur during Project construction and operation. In addition, this section analyzes the Project's incremental contribution to cumulative hazards and hazardous materials impacts from past, present, and probable future projects. The analysis is largely based on the *Hazards and Hazardous Materials Technical Report for the Buena Vista Project* (Hazardous Materials Report)¹ prepared for the Project by Ramboll Americas Engineering Solutions, Inc., which is provided in Appendix F of this Draft EIR.

2. Environmental Setting

a. Regulatory Framework

Several plans, regulations, and programs include policies, requirements, and guidelines regarding hazards and hazardous materials at the federal, state, regional, and local levels. As described below, these plans, guidelines, and laws include the following:

- Resource Conservation and Recovery Act
- Comprehensive Environmental Response, Compensation, and Liability Act
- Occupational Safety and Health Act of 1970
- Toxic Substances Control Act
- Hazardous Materials Transportation Act
- Research and Special Programs Administration Regulations
- Uniform Fire Code

¹ *Ramboll Americas Engineering Solutions, Inc., Hazards and Hazardous Materials Technical Report for the Buena Vista Project, May 2025. Refer to Appendix F of this Draft EIR.*

- Federal Emergency Management Agency
- Disaster Mitigation Act of 2000
- Other Hazardous Materials Regulations
- State Policies and Regulations
- California Hazardous Materials Release Response Plans and Inventory Law of 1985
- Hazardous Waste and Substances Sites
- Hazardous Waste Control Law
- License to Transport Hazardous Materials—California Vehicle Code, Section 32000.5 et seq.
- Underground Storage Tanks Program
- Aboveground Petroleum Storage Act
- Lead-Based Paint Regulations
- California Division of Occupational Safety and Health
- The Safe Drinking Water and Toxic Enforcement Act
- California Water Code
- California Public Resources Code Section 3229, Division 3
- California Fire Code
- California Standard Emergency Management System Program
- Emergency Managers Mutual Aid Plan
- South Coast Air Quality Management District Rule 1113
- South Coast Air Quality Management District Rule 1166
- South Coast Air Quality Management District Rule 1403
- Los Angeles County Operational Area Emergency Response Plan
- Los Angeles County Airport Land Use Commission Comprehensive Land Use Plan
- Certified Unified Program Agency

- Los Angeles Fire Code
- Los Angeles Municipal Code (Methane Zones and Methane Buffer Zones)
- City of Los Angeles General Plan Conservation Element

(1) Federal

(a) Resource Conservation and Recovery Act

The federal Resource Conservation and Recovery Act (RCRA) (42 United States Code [USC] Sections 6901–6992k), which amended and revised the Solid Waste Disposal Act, regulates the generation, transportation, treatment, storage, and disposal of hazardous waste. Under RCRA regulations, generators of hazardous waste must register and obtain a hazardous waste activity identification number. RCRA allows individual states to develop their own programs for the regulation of hazardous waste as long as they are at least as stringent as RCRA's.

Underground Storage Tanks (USTs) are regulated under Subtitle I of RCRA and its regulations, which establish construction standards for UST installations installed after December 22, 1988, as well as standards for upgrading existing USTs and associated piping. Since 1998, all non-conforming tanks were required to be either upgraded or closed.

(b) Comprehensive Environmental Response, Compensation, and Liability Act

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly known as “Superfund,” was enacted by Congress on December 11, 1980.² This law provided broad federal authority to respond directly to releases or threatened releases of hazardous substances that may endanger public health or the environment. CERCLA establishes requirements concerning closed and abandoned hazardous waste sites, providing for liability of persons responsible for releases of hazardous waste at these sites, and established a trust fund to provide for cleanup when no responsible party could be identified. CERCLA also enabled the revision of the National Contingency Plan. The National Contingency Plan provided the guidelines and procedures needed to respond to releases and threatened releases of hazardous substances, pollutants, or contaminants. The National Contingency Plan also establishes the National Priorities List, which is a list of contaminated sites warranting further investigation by the U.S. Environmental Protection Agency (USEPA). CERCLA was amended most recently by the Small Business Liability Relief and Brownfields Revitalization Act of 2002, which exempts contributors of very small quantities of hazardous substances and household, small business, and nonprofit generators of municipal solid waste

² USEPA, *Superfund CERCLA Overview*, www.epa.gov/superfund/superfund-cercla-overview, accessed August 21, 2024.

from liability for Superfund response costs at National Priority List sites and provides for expedited settlements with certain persons based on a limited ability to pay.³

(c) Occupational Safety and Health Act of 1970

The Occupational Safety and Health Act of 1970, which is implemented by the federal Occupational Safety and Health Administration (OSHA), contains provisions with respect to hazardous materials handling. OSHA was created to assure safe and healthful working conditions by setting and enforcing standards and by providing training, outreach, education, and assistance. OSHA provides standards for general industry and construction industry on hazardous waste operations and emergency response. OSHA requirements, as set forth in 29 Code of Federal Regulations (CFR) Section 1910, et. seq., are designed to promote worker safety, worker training, and a worker's right-to-know. The U.S. Department of Labor has delegated the authority to administer OSHA regulations to the State of California. The California Occupational Safety and Health Administration (Cal/OSHA) program (codified in the California Code of Regulations [CCR], Title 8, or 8 CCR generally and in the Labor Code Sections 6300–6725) is administered and enforced by the California Division of Occupational Safety and Health (DOSH). Cal/OSHA is very similar to the OSHA program. Among other provisions, Cal/OSHA requires employers to implement a comprehensive, written Injury and Illness Prevention Program (IIPP) for potential workplace hazards, including those associated with hazardous materials.

In addition, pursuant to OSHA, a developer that undertakes a construction project that involves the handling of contaminated site conditions must prepare and implement a Health and Safety Plan (HASP) that sets forth the measures that would be undertaken to protect those that may be affected by the construction project. While a HASP is prepared and implemented pursuant to OSHA, the HASP is not subject to regulatory review and approval, although a HASP is typically appended to a Soil Management Plan (SMP) if this document is required by the Certified Unified Program Agency (CUPA), which is the City of Los Angeles Fire Department (LAFD) with regard to the Project Site. The HASP, if required, would be prepared in accordance with the most current OSHA regulations, including 29 CFR 1910.120, Hazardous Waste Operations and Emergency Response and 29 CFR 1926, Safety and Health Regulations for Construction, as well as other applicable federal, state, and local laws and regulations.

(d) Toxic Substances Control Act

In 1976, the federal Toxic Substances Control Act (TSCA) (15 USC Sections 2601–2671) established a system of evaluation in order to identify chemicals which may pose

³ USEPA, *Summary of the Small Business Liability Relief and Brownfields Revitalization Act*, www.epa.gov/brownfields/summary-small-business-liability-relief-and-brownfields-revitalization-act, accessed August 21, 2024.

hazards. TSCA is enforced by the USEPA through inspections of places in which asbestos-containing materials (ACMs) are manufactured, processed, and stored and through the assessment of administrative and civil penalties and fines, as well as injunctions against violators. TSCA establishes a process by which public exposure to hazards may be reduced through manufacturing, distribution, use and disposal restrictions or labeling of products. Polychlorinated Biphenyls (PCB)s are hazardous materials regulated by the USEPA under TSCA. These regulations ban the manufacture of PCBs although the continued use of existing PCB-containing equipment is allowed. PCBs were formerly used in such applications as hydraulic fluids, plasticizers, adhesives, fire retardants, and electrical transformers, among others. TSCA also contains provisions controlling the continued use and disposal of existing PCB-containing equipment. The disposal of PCB wastes is also regulated by TSCA (40 CFR 761), which contains life cycle provisions similar to those in RCRA. In addition to TSCA, provisions relating to PCBs are contained in the Hazardous Waste Control Law (HWCL), which lists PCBs as hazardous waste.

Under TSCA, the USEPA has enacted strict requirements on the use, handling, and disposal of ACMs. These regulations include the phasing out of friable asbestos and ACMs in new construction materials beginning in 1979. In 1989, the USEPA banned most uses of asbestos in the country. Although most of the ban was overturned in 1991, the current banned product categories include corrugated paper, rollboard, commercial paper, specialty paper, flooring felt, and any new uses. On March 18, 2024, the USEPA announced a final rule to prohibit ongoing uses of chrysotile asbestos, the only known form of asbestos currently used in or imported to the United States.⁴ TSCA also establishes USEPA's Lead Abatement Program regulations, which provide a framework for lead abatement, risk assessment, and inspections. Those performing these services are required to be trained and certified by USEPA.

(e) Hazardous Materials Transportation Act

The U.S. Department of Transportation (USDOT) prescribes strict regulations for the safe transportation of hazardous materials, including requirements for hazardous waste containers and licensed haulers who transport hazardous waste on public roads. The Secretary of the USDOT receives the authority to regulate the transportation of hazardous materials from the Hazardous Materials Transportation Act (HMTA), as amended and codified in 49 USC Section 5101 et seq. The Pipeline and Hazardous Materials Safety Administration (PHMSA),⁵ formerly the Research and Special Provisions Administration, was delegated the

⁴ USEPA, "Biden-Harris Administration finalizes ban on ongoing uses of asbestos to protect people from cancer," March 18, 2024.

⁵ U.S. Department of Transportation, *Pipeline and Hazardous Materials Transportation Law: An Overview*, www.phmsa.dot.gov/standards-rulemaking/hazmat/federal-hazardous-materials-transportation-law-overview, accessed August 21, 2024.

responsibility to write the hazardous materials regulations, which are contained in Title 49 CFR Parts 100–185.⁶ Title 49 CFR contains the regulations set forth by the HMTA and specifies requirements and regulations with respect to the transport of hazardous materials. It requires that every employee who transports hazardous materials receive training to recognize and identify hazardous materials and become familiar with hazardous materials requirements. Under the HMTA, the Secretary of USDOT “may authorize any officer, employee, or agent to enter upon, inspect, and examine, at reasonable times and in a reasonable manner, the records and properties of persons to the extent such records and properties relate to: (1) the manufacture, fabrication, marking, maintenance, reconditioning, repair, testing, or distribution of packages or containers for use by any ‘person’ in the transportation of hazardous materials in commerce; or (2) the transportation or shipment by any ‘person’ of hazardous materials in commerce.”

(f) Research and Special Programs Administration Regulations

The Research and Special Programs Administration (RSPA) regulations cover definition and classification of hazardous materials, communication of hazards to workers and the public, packaging and labeling requirements, operational rules for shippers, and training. They apply to interstate, intrastate, and foreign commerce by air, rail, ships, and motor vehicles, and also cover hazardous waste shipments. The RSPA’s Federal Highway Administration (FHWA) is responsible for highway routing of hazardous materials and highway safety permits. The U.S. Coast Guard regulates bulk transport by vessel. The hazardous material regulations include emergency response provisions, including incident reporting requirements. Reports of major incidents go to the National Response Center, which in turn is linked with CHEMTREC, a service of the chemical manufacturing industry that provides details on most chemicals shipped in the United States.

(g) Uniform Fire Code

The Uniform Fire Code (UFC), Article 80 (UFC Section 80.103 as adopted by the State Fire Marshal pursuant to HSC Section 13143.9), includes specific requirements for the safe storage and handling of hazardous materials. These requirements are intended to reduce the potential for a release of hazardous materials and for mixing of incompatible chemicals, and specify the following specific design features to reduce the potential for a release of hazardous materials that could affect public health or the environment:

- Separation of incompatible materials with a noncombustible partition;
- Spill control in all storage, handling, and dispensing areas; and

⁶ *Federal Register, Code of Federal Regulations 49, Parts 100 to 185, Revised as of October 1, 2010.*

- Separate secondary containment for each chemical storage system. The secondary containment must hold the entire contents of the tank, plus the volume of water needed to supply the fire suppression system for a period of 20 minutes in the event of a catastrophic spill.

(h) Federal Emergency Management Agency

Federal Emergency Management Agency (FEMA) was established in 1979 via executive order and is an independent agency of the federal government. In March 2003, FEMA became part of the U.S. Department of Homeland Security with the mission to lead the effort in preparing the nation for all hazards and effectively manage federal response and recovery efforts following any national incident.⁷ FEMA also initiates proactive mitigation activities, trains first responders, and manages the National Flood Insurance Program and the U.S. Fire Administration.

(i) Disaster Mitigation Act of 2000

The Disaster Mitigation Act (42 USC Section 5121) provides the legal basis for FEMA mitigation planning requirements for state, local, and Native American tribal governments as a condition of mitigation grant assistance. It amends the Robert T. Stafford Disaster Relief Act of 1988 (42 USC Sections 5121–5207) by repealing the previous mitigation planning provisions and replacing them with a new set of requirements that emphasize the need and creates incentives for state, tribal, and local agencies to closely coordinate mitigation planning and implementation efforts. This act reinforces the importance of pre-disaster infrastructure mitigation planning to reduce disaster losses nationwide and the streamlining of the administration of federal disaster relief and programs to promote mitigation activities. Some of the major provisions of this act include:

- Funding pre-disaster mitigation activities;
- Developing experimental multi-hazard maps to better understand risk;
- Establishing state and local government infrastructure mitigation planning requirements;
- Defining how states can assume more responsibility in managing the Hazard Mitigation Grant Program (HMGP); and
- Adjusting ways in which management costs for projects are funded.

⁷ *Federal Emergency Management Agency, www.fema.gov/about/history, accessed August 21, 2024.*

The mitigation planning provisions outlined in Section 322 of this act establish performance-based standards for mitigation plans and require states to have a public assistance program (Advance Infrastructure Mitigation [AIM]) to develop county government plans. The consequence for counties that fail to develop an infrastructure mitigation plan is the chance of a reduced federal share of damage assistance from 75 percent to 25 percent if the damaged facility has been damaged on more than one occasion in the preceding 10-year period by the same type of event.

(j) Other Hazardous Materials Regulations

In addition to the USDOT regulations for the safe transportation of hazardous materials, other applicable federal laws also address hazardous materials. These include:

- Community Environmental Response Facilitation Act (CERFA) of 1992;
- Clean Water Act;
- Clean Air Act;
- Safe Drinking Water Act; and
- Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA).

(2) State

(a) State Policies and Regulations

The primary state agencies with jurisdiction over hazardous chemical materials management are California Environmental Protection Agency's (CalEPA) Department of Toxic and Substance Control (DTSC) and the State Water Resources Control Board (SWRCB). Other state agencies involved in hazardous materials management include Cal/OSHA and the State Office of Emergency Services (Cal OES).

Authority for the statewide administration and enforcement of RCRA rests with DTSC. While DTSC has primary state responsibility in regulating the generation, storage and disposal of hazardous materials, DTSC may further delegate enforcement authority to local jurisdictions. In addition, DTSC is responsible and/or provides oversight for contamination cleanup and administers statewide hazardous waste reduction programs. DTSC operates programs to accomplish the following: (1) manage the aftermath of improper hazardous waste management by overseeing site cleanups; (2) prevent releases of hazardous waste by ensuring that those who generate, handle, transport, store, and dispose of wastes do so properly; and (3) evaluate soil, water, and air samples taken at sites.

The storage of hazardous materials in USTs is regulated by the SWRCB, which delegates authority to the Regional Water Quality Control Board (RWQCB) on the regional level, and typically to the local fire department on the local level.

The Cal/OSHA program is administered and enforced by the California DOSH. Cal/OSHA is very similar to the federal OSHA program. For example, both programs contain rules and procedures related to exposure to hazardous materials during demolition and construction activities. In addition, Cal/OSHA requires employers to implement a comprehensive, written IIPP. An IIPP is an employee safety program for potential workplace hazards, including those associated with hazardous materials.

The Cal OES Hazardous Materials (HazMat) section under the Fire and Rescue Division coordinates statewide implementation of hazardous materials accident prevention and emergency response programs for all types of hazardous materials incidents and threats. In response to any hazardous materials emergency, the HazMat section staff is called upon to provide state and local emergency managers with emergency coordination and technical assistance.

(b) California Hazardous Materials Release Response Plans and Inventory Law of 1985

The California Hazardous Materials Release Response Plans and Inventory Law of 1985 (Business Plan Act) requires preparation of Hazardous Materials Business Plans and disclosure of hazardous materials inventories, including an inventory of hazardous materials handled, plans showing where hazardous materials are stored, an emergency response plan, and provisions for employee training in safety and emergency response procedures for businesses that handle, store, or transport hazardous materials in amounts exceeding specified minimums (California Health and Safety Code [HSC], Division 20, Chapter 6.95, Article 1). Statewide, DTSC has primary regulatory responsibility for management of hazardous materials, with delegation of authority to local jurisdictions that enter into agreements with the state. Local agencies are responsible for administering these regulations.

Several state agencies regulate the transportation and use of hazardous materials to minimize potential risks to public health and safety, including CalEPA and the California Emergency Management Agency. The California Highway Patrol (CHP) and California Department of Transportation (Caltrans) enforce regulations specifically related to the transport of hazardous materials. Together, these agencies determine container types used and license hazardous waste haulers for hazardous waste transportation on public roadways.

(c) Hazardous Waste and Substances Sites

Government Code Section 65962.5, amended in 1992 and 2022, requires the CalEPA to develop and update annually the Hazardous Waste and Substances Sites (Cortese List), which is a list of hazardous waste sites and other contaminated sites. The Cortese List is a planning document used by the state, local agencies, and developers to comply with California Environmental Quality Act (CEQA) requirements pertaining to providing information about the location of hazardous materials release sites. While the Cortese List is no longer maintained as a single list, the following databases provide information that meet the Cortese List requirements:

1. List of Hazardous Waste and Substances sites from the DTSC EnviroStor database (HSC Sections 25220, 25242, 25356, and 116395);
2. List of open and active leaking underground storage tank (LUST) Sites by County and Fiscal Year from the SWRCB GeoTracker database (HSC Section 25295);
3. List of solid waste disposal sites identified by the SWRCB with waste constituents above hazardous waste levels outside the waste management unit (California Water Code [CWC] Section 13273[e] and 14 CCR Section 18051);
4. List of “active” Cease and Desist Orders and Cleanup and Abatement Orders from the SWRCB (CWC Sections 13301 and 13304); and
5. List of hazardous waste facilities subject to corrective action pursuant to HSC Section 25187.5, identified by the DTSC.

(d) Hazardous Waste Control Law

The HWCL empowers DTSC to administer the State’s hazardous waste program and implement the federal program in California. CCR Titles 22 and 23 address hazardous materials and wastes. Title 22 defines, categorizes, and lists hazardous materials and wastes. Title 23 addresses public health and safety issues related to hazardous materials and wastes and specifies disposal options.

(e) License to Transport Hazardous Materials—California Vehicle Code, Section 32000.5 et seq.

Caltrans regulates hazardous materials transportation on all interstate roads. Within California, the state agencies with primary responsibility for enforcing federal and state regulations and for responding to transportation emergencies are the CHP and Caltrans. Together, federal and state agencies determine driver-training requirements, load labeling procedures, and container specifications for vehicles transporting hazardous materials.

(f) Underground Storage Tanks Program

The State regulates USTs through a program pursuant to HSC, Division 20, Chapter 6.7, and CCR Title 23, Division 3, Chapter 16 and Chapter 18. The State's UST program regulations include among others, permitting USTs, installation of leak detection systems, and/or monitoring of USTs for leakage, UST closure requirements, release reporting/corrective action, and enforcement. Oversight of the statewide UST program is assigned to the SWRCB which has delegated authority to the RWQCB and typically on the local level, to the fire department. LAFD administers and enforces federal and state laws and local ordinances for USTs at the Project Site. Plans for the construction/installation, modification, upgrade, and removal of USTs are reviewed by LAFD Inspectors. If a release affecting groundwater is documented, the project file is transferred to the appropriate RWQCB for oversight.

(g) Aboveground Petroleum Storage Act

In 1989, California established the Aboveground Petroleum Storage Act instituting a regulatory program covering aboveground storage tanks (ASTs) containing specified petroleum products (HSC Sections 25270–25270.13). The Aboveground Petroleum Storage Act applies to facilities with storage capacities of 10,000 gallons or more or are subject to oil pollution prevention and response requirements under 40 CFR Part 112. Under the Aboveground Petroleum Storage Act, each owner or operator of a regulated AST facility must file biennially a storage statement with the SWRCB disclosing the name and address of the AST facility; the contact person for the facility; and the location, size, age, and contents of each AST that exceeds 10,000 gallons in capacity and that holds materials that are at least 5 percent petroleum. In addition, each owner or operator of a regulated AST must prepare a Spill Prevention Control and Countermeasure (SPCC) Plan in accordance with federal and state requirements (40 CFR Part 112 and HSC Section 25270.5[c]). The responsibility for inspecting ASTs and ensuring that SPCC Plans have been prepared lies with the RWQCBs.

(h) Lead-Based Paint Regulations

Lead-based paint (LBP) is defined as any paint, varnish, stain, or other applied coating that has 1 milligram per square centimeter (mg/cm^2) (5,000 microgram per gram [$\mu\text{g}/\text{g}$] or 0.5 percent by weight) or more of lead. The U.S. Consumer Product Safety Commission (16 CFR 1303) banned paint containing more than 0.06 percent lead for residential use in 1978. Buildings built before 1978 are much more likely to have LBP.

The demolition of buildings containing LBPs is subject to a comprehensive set of California regulatory requirements that are designed to assure the safe handling and disposal of these materials. Cal/OSHA has established limits of exposure to lead contained in dusts and fumes, which provides for exposure limits, exposure monitoring, and respiratory protection, and mandates good working practices by workers exposed to lead, particularly since demolition workers are at greatest risk of adverse exposure. Lead-contaminated debris and other wastes

must also be managed and disposed of in accordance with applicable provisions of the California HSC.

(i) California Division of Occupational Safety and Health

The California DOSH, better known as Cal/OSHA, is responsible for developing and enforcing workplace safety standards and ensuring worker safety in the handling and use of hazardous materials (8 CCR, Section 1529). Among other requirements, Cal/OSHA requires entities handling specified amounts of certain hazardous chemicals to prepare injury and illness prevention plans and chemical hygiene plans and provides specific regulations to limit exposure of construction workers to lead. OSHA applies to this Project because contractors will be required to comply with its handling and use requirements that would increase worker safety and reduce the possibility of spills, and to prepare an emergency response plan to respond to accidental spills.

(j) Safe Drinking Water and Toxic Enforcement Act

The Safe Drinking Water and Toxic Enforcement Act (HSC Section 25249.5, et seq.), Proposition 65, lists chemicals and substances believed to have the potential to cause cancer or deleterious reproductive effects in humans. It also restricts the discharges of listed chemicals into known drinking water sources above the regulatory levels of concern, requires public notification of any unauthorized discharge of hazardous waste, and requires that a clear and understandable warning be given prior to a known and intentional exposure to a listed substance.

(k) California Water Code

The CWC authorizes the SWRCB to implement provisions of the Clean Water Act, including the authority to regulate waste disposal and require cleanup of discharges of hazardous materials and other pollutants. With regard to construction dewatering discharge analysis and treatment, groundwater may be encountered during deeper excavations for the subterranean parking structure, building foundations, or other subterranean building components. Under the CWC, discharges of any such groundwater to surface waters, or any point sources hydrologically connected to surface waters, such as storm drains, is prohibited unless conducted in compliance with a Waste Discharge Requirement (WDR) permit. In addition to the CWC, these permits implement and are in compliance with the federal Clean Water Act's National Pollutant Discharge Elimination System (NPDES) program. In accordance with these legal requirements, dewatering, treatment, and disposal of groundwater encountered during construction activities would be conducted in accordance with the Los Angeles RWQCB's (LARWQCB) Waste Discharge Requirements for Discharges of Groundwater from Construction and Project Dewatering to Surface Waters in Coastal Watersheds of Los Angeles and Ventura Counties, pursuant to adopted Order No.

R4-2018-0125, or any other appropriate WDR permit identified by the LARWQCB.⁸ Compliance with an appropriate WDR permit would include monitoring, treatment if appropriate, and proper disposal of any encountered groundwater in accordance with applicable water quality standards. If, for example, extracted groundwater contains Total Petroleum Hydrocarbons (TPH) or other petroleum breakdown compounds in concentrations exceeding water quality standards, compliance with legal requirements would mandate treatment to meet published state water quality standards prior to discharge into a storm drain system.

(l) California Public Resources Code Section 3229, Division 3

In compliance with Section 3229, Division 3 of the California Public Resources Code, before commencing any work to abandon any well, the owner or operator shall request approval from the California Geologic Energy Management Division (CalGEM), formerly the Division of Oil, Gas, and Geothermal Resources (DOGGR), via a written notice of intention to abandon the well.

(m) California Fire Code, Title 24, Part 9, Chapters 33, 50, and 57

The California Fire Code (CFC), Chapter 9 of Title 24 of the CCR, was created by the California Building Standards Commission based on the International Fire Code (IFC) and is updated every three years. The IFC is a model code that regulates minimum fire safety requirements for new and existing buildings, facilities, storage and processes. The IFC addresses fire prevention, fire protection, life safety, and safe storage and use of hazardous materials in new and existing buildings, facilities, and processes.

The overall purpose of the CFC is to establish the minimum requirements to safeguard the public health, safety, and general welfare from the hazards of fire, explosion, or dangerous conditions in new and existing buildings, structures, and premises, and to provide safety and assistance to firefighters and emergency responders during emergency operations. Chapter 49 of the CFC contains minimum standards for development in the wildland–urban interface and fire hazard areas. The CFC also provides regulations and guidance for local agencies in the storage, use, and handling of hazardous materials, as well as the development and enforcement of fire safety standards. The 2022 CFC, which is based on the 2021 IFC, became effective January 1, 2023.

⁸ *Los Angeles Regional Water Quality Control Board, Order No. R4-2018-0125, Waste Discharge Requirements for Discharges of Groundwater from Construction and Project Dewatering to Surface Waters in Coastal Watersheds of Los Angeles and Ventura Counties, adopted September 13, 2018.*

(n) California Standard Emergency Management System Program

In 2009, the State of California passed legislation creating the Cal OES and authorized it to prepare a Standard Emergency Management System (SEMS) program (19 CCR Section 2401 *et seq.*), which sets forth measures by which a jurisdiction should handle emergency disasters. In California, SEMS provides the mechanism by which local governments request assistance. Non-compliance with SEMS could result in the State withholding disaster relief from the non-complying jurisdiction in the event of an emergency disaster. Cal OES coordinates the State's preparation for, prevention of, and response to major disasters, such as fires, floods, earthquakes and terrorist attacks. During an emergency, Cal OES serves as the lead state agency for emergency management in the State. It also serves as the lead agency for mobilizing the state's resources and obtaining federal resources. Cal OES coordinates the state response to major emergencies in support of local government. The primary responsibility for emergency management resides with the local government. Local jurisdictions first use their own resources and, as they are exhausted, obtain more from neighboring cities and special districts, the county in which they are located, and other counties throughout the State through the statewide mutual aid system (see discussion of Mutual Aid Agreements, below). California Emergency Management Agency (Cal-EMA) maintains oversight of the State's mutual aid system.

(o) Emergency Managers Mutual Aid Plan

Cal OES developed the Emergency Managers Mutual Aid (EMMA) Plan in response to the 1994 Northridge Earthquake. The EMMA Plan coordinates emergency response and recovery efforts along the coastal, inland, and southern regions of California. The purpose of EMMA is to provide emergency management personnel and technical specialists to afflicted jurisdictions in support of disaster operations during emergency events. Objectives of the EMMA Plan are to provide a system to coordinate and mobilize assigned personnel, formal requests, assignment, training and demobilization of assigned personnel; establish structure to maintain the EMMA Plan and its procedures; provide the coordination of training for EMMA resources, including SEMS training, coursework, exercises, and disaster response procedures; and to promote professionalism in emergency management and response. The EMMA Plan was most recently updated in March 2022 and is retitled as the Emergency Management Mutual Aid Plan.⁹

⁹ *California Governor's Office of Emergency Services (Cal OES), State of California Emergency Management Mutual Aid Plan, March 2022.*

(3) Regional

(a) South Coast Air Quality Management District Rule 1113

South Coast Air Quality Management District (SCAQMD) Rule 1113, Architectural Coating, requires manufacturers, distributors, and end users of architectural and industrial maintenance coatings to reduce volatile organic compound (VOC) emissions from the use of these coatings, primarily by placing limits on the VOC content of various coating categories.

(b) South Coast Air Quality Management District Rule 1166

SCAQMD Rule 1166, Volatile Organic Compound Emissions from Decontamination of Soil, requires that an approved mitigation plan be obtained from SCAQMD prior to commencing any of the following activities: (1) the excavation of an UST or piping which has stored VOCs; (2) the excavation or grading of soil containing VOC material including gasoline, diesel, crude oil, lubricant, waste oil, adhesive, paint, stain, solvent, resin, monomer, and/or any other material containing VOCs; (3) the handling or storage of VOC-contaminated soil [soil which registers greater than 50 parts per million (ppm) or greater using an organic vapor analyzer (OVA) calibrated with hexane] at or from an excavation or grading site; and (4) the treatment of VOC-contaminated soil at a facility. This rule sets requirements to control the emission of VOCs from excavating, grading, handling and treating VOC-contaminated soil as a result of leakage from storage or transfer operations, accidental spillage, or other deposition.

(c) South Coast Air Quality Management District Rule 1403

SCAQMD Rule 1403, Asbestos Emissions from Renovation/Demolition Activities, regulates asbestos as a toxic material and controls the emissions of asbestos from demolition and renovation activities by specifying agency notifications, appropriate removal procedures, and handling and clean up procedures. Rule 1403 applies to owners and operators involved in the demolition or renovation of structures with ACMs, asbestos storage facilities, and waste disposal sites.

(d) Los Angeles County Operational Area Emergency Response Plan

The County of Los Angeles (County) developed the Operational Area Emergency Response Plan (OAERP) to ensure the most effective allocation of resources for the maximum benefit and protection of the public in time of emergency. The OAERP does not address normal day-to-day emergencies or the well-established and routine procedures used in coping with them. Instead, the operational concepts reflected in this plan focus on potential large-scale disasters like extraordinary emergency situations associated with natural and man-made disasters and technological incidents which can generate unique situations requiring an unusual or extraordinary emergency response. The purpose of the plan is to incorporate and coordinate all facilities and personnel of the County government, along with the jurisdictional

resources of the cities and special districts within the County, into an efficient operational area organization capable of responding to any emergency using a Standard Emergency Management System, mutual aid and other appropriate response procedures. The goal of the plan is to take effective life-safety measures and reduce property loss, provide for the rapid resumption of impacted businesses and community services, and provide accurate documentation and records required for cost-recovery.

(e) Los Angeles County Airport Land Use Commission Comprehensive Land Use Plan

The Airport Land Use Commission (ALUC) coordinates planning for the areas surrounding public use permits. In Los Angeles County, the Regional Planning Commission has the responsibility for acting as the ALUC and for coordinating the airport planning of public agencies within the County. The Los Angeles County Airport Land Use Plan (dually titled Comprehensive Land Use Plan) provides for the orderly expansion of the County's public use airports and the area surrounding them. It is intended to provide for the adoption of land use measures that will minimize the public's exposure to excessive noise and safety hazards. In formulating this plan, the Los Angeles County ALUC has established provisions for safety, noise insulation, and the regulation of building height within areas adjacent to each of the public airports in the County.

(4) Local

(a) Certified Unified Program Agency

The LAFD is designated by the State as a CUPA for the City and is the primary local agency with responsibility for implementing federal and state laws and regulations pertaining to hazardous materials management. A CUPA is a local agency that has been certified by CalEPA to implement the six state environmental programs within the local agency's jurisdiction. This program was established under the amendments to the California HSC made by Senate Bill 1082 in 1994. The six consolidated programs are:

- Hazardous Materials Release Response Plan and Inventory (Business Plans);
- California Accidental Release Prevention (CalARP);
- Hazardous Waste (including Tiered Permitting);
- USTs;
- ASTs (SPCC requirements); and
- UFC Article 80 Hazardous Material Management Program (HMMP) and Hazardous Material Identification System (HMIS).

As the CUPA for the City, LAFD maintains the records regarding location and status of hazardous materials sites in the county and administers programs that regulate and enforce the transport, use, storage, manufacturing, and remediation of hazardous materials.

The LAFD monitors the storage of hazardous materials in the City for compliance with local requirements. Specifically, businesses and facilities that store more than threshold quantities of hazardous materials as defined in California HSC Code Chapter 6.95 are required to file an Accidental Risk Prevention Program with LAFD. This program includes information such as emergency contacts, phone numbers, facility information, chemical inventory, and hazardous materials handling and storage locations. LAFD also has the authority to administer and enforce federal and state laws and local ordinances for USTs. Plans for the construction/installation, modification, upgrade, and removal of USTs are reviewed by LAFD inspectors.

In addition, the LAFD, in their role as the CUPA, also oversees and addresses issues relating to the presence and handling of contaminated soils that may be present at the Project Site. Any such hazardous materials that may be encountered would be managed (using tools, such as a SMP) in accordance with all relevant and applicable federal, state, and local laws and regulations that pertain to the use, storage, transportation and disposal of hazardous materials and waste. The SMP, if required, would describe the methodology to identify and manage (reuse or off-site disposal) contaminated soil during soil excavation and/or construction. The SMP would also provide protocols for confirmation sampling, segregation and stockpiling, profiling, backfilling, disposal, guidelines for imported soil, and backfill approval from the City's Department of Building and Safety (DBS). The SMP would also describe the methodology to manage underground features that may be encountered during construction. In addition, the LAFD may consult with other agencies (e.g., DTSC and the LARWQCB) if the nature of the contamination warrants the involvement of these agencies.

(b) Los Angeles Fire Code

At the local level, the LAFD monitors the storage of hazardous materials for compliance with local requirements. Specifically, businesses and facilities that store more than threshold quantities of hazardous materials as defined in Chapter 6.95 of the California HSC are required to file an Accidental Risk Prevention Program with the LAFD.¹⁰ This program includes information such as emergency contacts, phone numbers, facility information, chemical inventory, and hazardous materials handling and storage locations. The LAFD also issues permits for hazardous materials handling and enforces California's Hazardous Materials Release Response Plans and Inventory Law (HSC Section 25500 et seq.). Basic requirements

¹⁰ *The CalARP program encompasses both the federal "Risk Management Program," established in the Code of Federal Regulations, Title 40, Part 68, and the State of California program, in accordance with the Title 19 of the California Code of Regulations, Division 2, Chapter 4.5.*

of California's Hazardous Materials Release Response Plans and Inventory Law include the development of detailed hazardous materials inventories used and stored on-site, a program of employee training for hazardous materials release response, identification of emergency contacts and response procedures, and reporting of releases of hazardous materials. Any facility that meets the minimum reporting thresholds (i.e., a mixture containing a hazardous material that has a quantity at any one time during the reporting year that is equal to, or greater than, 55 gallons for materials that are liquids, 500 pounds for solids, or 200 cubic feet for compressed gas) must comply with the reporting requirements and file a Business Emergency Plan (BEP) with the local administering agency.¹¹

The LAFD also administers the Fire Life Safety Plan Check and Fire Life Safety Inspections interpreting and enforcing applicable standards of the California Fire Code, Title 19 of the CCR, Uniform Building Code, as well as city and national codes concerning new construction and remodeling. As part of the Fire Life Safety Plan Check and Fire Life Safety Inspections, businesses that store hazardous waste or hazardous materials in amounts exceeding the thresholds noted above are subject to review.

Section 91.7109.2 of the Los Angeles Municipal Code (LAMC) requires LAFD notification when an abandoned oil well is encountered during construction activities and requires that any abandoned oil well not in compliance with existing regulations be re-abandoned in accordance with applicable rules and regulations of CalGEM.

(c) Los Angeles Municipal Code (Methane Zones and Methane Buffer Zones)

LAMC Chapter IX, Article 1, Division 71, Section 91.7103, also known as the Los Angeles Methane Seepage Regulations, establishes requirements for buildings and paved areas located in methane zones and methane buffer zones. Requirements for new construction within such zones include methane gas sampling and, depending on the detected concentrations of methane and gas pressure at the site, application of design remedies for reducing potential methane impacts. Location of these sites within the zones may also require a minimum design to be implemented. The required methane mitigation systems are based on the site design level, with more involved mitigation systems required at higher levels. The required methane mitigation systems are designed so that when properly implemented, they reduce methane-related risks to a less than significant level.

¹¹ California Health & Safety Code, Division 20, Chapter 6.95, Article 1; California Code of Regulations, Title 19, Sections 2620–2732; California Code of Regulations, Title 24, Part 9, Section 80.115; Los Angeles Municipal Code, Article 7 of Chapter V, Section 57.120.1, and 57.120.1.4.

(d) City of Los Angeles General Plan Conservation Element

The City of Los Angeles General Plan includes a Conservation Element adopted in September 2001. The following policy in the Conservation Element is relevant to hazards and hazardous materials:

Policy 3: Continue to protect neighborhoods from potential accidents and subsidence associated with drilling, extraction and transport operations, consistent with California Department of Conservation, Division of Oil and Gas requirements.

b. Existing and Historic Conditions

Current and past land uses within the Project Site were identified to assess their potential to present concerns relative to the potential presence of hazards and/or the handling of hazardous materials. These concerns are classified as Recognized Environmental Conditions (RECs), which are defined by the ASTM International Standard Practice for Environmental Site Assessments—E1527-13 as “the presence or likely presence of any hazardous substances or petroleum products in on, or at a property: (1) due to release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment.” In order to differentiate between conditions relating to current and prior uses, conditions relating to prior uses are classified as Historical RECs (HRECs). Additionally, Controlled RECs (CRECs) are RECs that resulted from a past release that have been addressed to the satisfaction of the applicable regulatory authority. The existence of RECs, HRECs, and CRECs on the Project Site due to prior and current on-site activities is addressed below. This summary is based on the Hazardous Materials Report included as Appendix F of this Draft EIR.

(1) Current and Historical Uses of the Project Site

As described in Section II, Project Description, of this Draft EIR, the Project Site is approximately 8.08 acres and is partially developed, with portions of the Project Site currently used transportation operations and maintenance-related facilities, bus parking and construction staging.¹² The Project Site’s topography consists of a south-facing vegetated sloped area that spans from the North Parcel to the South Parcel until it reaches the vicinity of Mandarin Plaza, at which point the South Parcel becomes mostly paved. The sloped area adjacent to the Los Angeles County Metropolitan Transportation Authority (Metro) A Line tracks faces towards the Los Angeles State Historic Park and consists mainly of bare ground with limited vegetation, containing remnants of concrete foundations/footings, and retaining

¹² *The Project involves the dedication of a three-foot-wide strip along North Broadway to the City resulting in a net acreage of 7.87 acres. The Hazardous Materials Report identifies the Project Site as 8.08 acres which is its acreage prior to dedication.*

walls. Chain link fencing is located along the perimeter of the Project Site between North Broadway and the Metro A Line tracks.

The Project Site was part of a larger property identified as the Former Cornfield site (associated with 1245 North Spring Street). The Former Cornfield site is a 50-acre property located between North Broadway and North Spring Street, which was historically used as a cornfield prior to the Civil War and then as a railyard operated by Southern Pacific (or Union Pacific) Railroad from at least 1875 until approximately 1999. The 50-acre area is comprised of the Project Site, a 10-acre Metro easement located directly southeast of the Project Site, and a 32-acre parcel located to the southeast of the Metro easement. The State of California Department of Recreation and Parks acquired the 32-acre portion of the Former Cornfield site in 1999, with the intent to remediate contaminants and convert it to a state park. A site history of each the North Parcel and South Parcel is provided below.

(a) North Parcel

The North Parcel was developed by at least 1894 with approximately 10 buildings including at least five dwellings and a “tenements” building (i.e., apartment building). Historical addresses associated with these buildings include 1355½, 1356, 1358, 1362, 1364, and 1364½ Buena Vista Street (currently Broadway). By 1906, the dwellings on the North Parcel were demolished and replaced with two new dwellings at 1324 (A and B flats) and 1326 Buena Vista; two aboveground oil tanks in the northernmost portion of the Project Site, the larger one of which had a capacity of approximately 1,260,000 gallons; and an elevated foot bridge that connected Buena Vista Street to North Spring Street by spanning the Project Site and crossing over the railroad tracks to the southeast of the Project Site.

A gas station identified at 1322 North Broadway appears to have been constructed as early as 1922. Visible structures on the 1950 Sanborn map include the gas station in the southern portion of the North Parcel the smaller oil AST, along with a store at 1340 North Broadway (the bordering street had been renamed from Buena Vista to Broadway), and another small structure. Based on the CalGEM Well Finder, a dry hole, referred to as “Freight Depot 1” was abandoned on the North Parcel in December 1957.¹³

The City of Los Angeles Department of Building and Safety (LADBS) records indicate that the gas station was demolished in approximately 1961 and rebuilt in approximately 1963. By 1964, the store on the North Parcel had been removed, but the oil tank, gas station, and foot bridge remained. The CalGEM Well Finder identifies a second oil and gas well on the

¹³ CalGEM, Well Finder, <https://maps.conservation.ca.gov/doggr/wellfinder/>, accessed August 23, 2024.

North Parcel, referred to as the “So. Pacific Core Hole #1,” which was abandoned on or about August 8, 1967.¹⁴

The gas station was demolished in 1989 and the associated USTs removed in 1990. Subsequent subsurface investigation and remedial activities occurred, including installation and sampling of groundwater monitoring wells across the Former Cornfield site and vapor extraction wells at the Project Site. The North Parcel has been leased as a construction staging yard since at least 2014.

(b) South Parcel

The South Parcel was developed at least as early as 1888 with rail spurs and a couple of buildings associated with the Southern Pacific Railroad roundhouse. Rail spurs from the Southern Pacific Railroad property appear to have occupied most of the South Parcel and served the adjacent Capitol Milling Company flour mill to the south of the Project Site. In 1906, the northern portion of the South Parcel was developed with a presumed water well pumping station; an unused water purification plant with two 50,000-gallon aboveground water tanks, and a dwelling at the address of 1054 Buena Vista Street (later renamed Broadway at an unknown date). An additional water tank was located in the central portion of the South Parcel and three to four office buildings were located in the southern portion of the South Parcel.

By 1950, the water purification plant, aboveground water tanks, and well pumping station were removed. The northern portion of the South Parcel was redeveloped with a “Whole Sea Food” building located at 1040 through 1046 North Broadway (presumably a wholesale seafood distribution building), a restaurant at 1050 North Broadway, and two former railroad cars used as storage buildings at 1042 and 1066 North Broadway. The southern portion of the South Parcel had been developed with one to three buildings that appeared to be generally connected and included an auto repair garage, steel storage, an office, lumber storage, a railroad carpenter shop, a sign painting shop; all of which appeared to be associated with the 1251 Spring Street address. Based on CalGEM Well Finder, an oil and gas well potentially located on the South Parcel, referred to as “T-2,” was plugged and abandoned in late 1956.¹⁵ However, as discussed further below, this well is now believed to be located off-site.

According to the 2015 Phase I ESA report included as Attachment A of the Hazardous Materials Report, four USTs were installed in March 1957 in association with the auto repair garage. The specific locations of the former USTs are not known and may not have actually been on-site, as the building footprints appear to extend beyond the southeastern Project Site boundary. By 1954, two additional storage buildings, one of which appears to correspond to

¹⁴ CalGEM, Well Finder, <https://maps.conservation.ca.gov/doggr/wellfinder/>, accessed August 23, 2024.

¹⁵ CalGEM, Well Finder, <https://maps.conservation.ca.gov/doggr/wellfinder/>, accessed August 23, 2024.

the long rectangular building currently present on the South Parcel, were present at the southern end of the South Parcel. In addition, the current most western building on the South Parcel appears to be an extension to an adjacent building at 960 Broadway, formerly identified as Neon Sign Manufacturing and metal working, with painting operations located on the Project Site. In 1957, the long rectangular building was identified as a truck maintenance building and the smaller building to the north as a truck washing building. An additional small structure was present between the two buildings.

By 1960, the above-mentioned interconnected buildings had been removed with only the truck maintenance building remaining in the southern portion of the South Parcel. A small building for painting remained just outside the southeastern Project Site boundary. On the northern portion of the South Parcel, the seafood building appeared as vacant, the store remained, and the two railcars had been replaced with a long rectangular building identified as truck maintenance. By 1964, the seafood building had been demolished. On the southern portion of the South Parcel, a new truck washing building was constructed to the northeast of the larger truck maintenance building. Based on the 2015 Phase I ESA report, these buildings were reportedly associated with the 10-acre Metro easement located to the southeast of the Project Site and have reportedly been used for bus maintenance activities since the mid-1950s (prior to which were used for railroad car maintenance). Railroad spurs were present on the South Parcel between at least 1888 and 1970, but do not appear to be currently present. It is not known if the railroad spurs were excavated and removed or paved over.

(2) Hazardous Materials Database Search

The 2015 Phase I ESA included as Attachment A of the Hazardous Materials Report includes a review of an Environmental Data Resources (EDR) database report, and review of agency records, including those available on the GeoTracker database and DTSC's EnviroStor databases. The Hazardous Materials Report also includes an updated database search. On- and off-site listings identified as RECs are discussed below. Refer to Section 5.0 of the 2015 Phase I ESA and Section 7 of the Hazardous Materials Report for a full discussion of all listings identified as part of the search, including those that were not identified as RECs.

(a) State and Tribal Database Listings

(i) Project Site

1251 North Spring Street is identified in separate listings as L.A. Signal Shop, Southern Pacific Trans Co., 1X Southern Pacific, Veolia Transportation Services Inc., Columbia Pictures Money Train, and Zum SF Inc. L.A. Signal Shop is identified in the Historical UST (HIST UST), California Facility Inventory Database (CA FID UST), and Statewide Environmental Evaluation and Planning System (SWEEPS UST) for having historically utilized an 8,000-gallon gasoline UST and in the California Hazardous Material Incident Report System (CHMIRS) database for a 40-gallon diesel spill on June 14, 2001 which was deemed contained. Zum SF Inc. is listed

on the UST database for the presence on onsite UST with active status. However, according to the database listing, the database was last run on January 1, 1900, which appears to be an error. The listings that identify 1251 North Spring Street as Southern Pacific Trans Co., 1X Southern Pacific, Veolia Transportation Services Inc., and Columbia Pictures Money Train are for a site that generates, or has generated, hazardous waste. The wastes are reported on the Facility and Manifest Data (HAZNET) database as other organic solids; other inorganic solid wastes; off-specification, aged, or surplus organics; unspecified oil-containing wastes; contaminated soil from site clean-up; waste oil; and mixed oil. The HAZNET database identifying these wastes does not track violators and the presence of a site on this database does not necessarily indicate that a problem exists. Because the diesel spill identified in the CHMIRS database was deemed contained, it is not considered an environmental concern. However, the lack of information regarding the location and status of the USTs is considered a REC for the Project Site.

1322 North Spring Street is identified in separate listings as Union Pacific/Railroad Co., Ginsberg Naftulin, and Wu Texaco.¹⁶ The Union Pacific/Railroad Co listings that identified 1322 North Spring Street on CA FID UST, SWEEPS UST, and the Hazardous Waste and Substance Site List (HIST CORTESE) are related to the former USTs and a LUST case that received regulatory closure on December 22, 1997. The Ginsberg Naftulin listing identified 1322 North Spring Street on the EDR Historical Auto Stations database as an auto station from 1929 to at least 1937. The Wu Texaco listing identified 1322 North Spring Street as historically utilizing gasoline USTs. Based on a letter prepared by the LARWQCB, dated June 6, 2006, the Project Site had two 8,000-gallon USTs, one 6,000-gallon UST, and one 1,000-gallon UST, associated dispensing equipment, and a hydraulic lift. However, the HIST UST database identified one 10,000-gallon unleaded gasoline UST, one 6,000-gallon regular gasoline UST, and one 10,000-gallon premium gasoline UST present on the Project Site. The gas station was reported as demolished in 1989, and the USTs were removed in 1990. The LUST case noted above was opened at that time, and additional assessment/remediation at the Project Site was subsequently conducted. The LUST case received regulatory closure on December 22, 1997. However, as discussed in the Hazardous Materials Report, subsequent Phase 2 investigations and remedial activities have been conducted at the Project Site and adjoining properties (Former Cornfield site discussed further below) to the southeast that indicate soil and groundwater have been impacted by total petroleum hydrocarbons as gasoline (TPH-g); benzene, toluene, ethylbenzene, and xylenes (BTEX); and methyl tert-butyl ether (MTBE) beneath limited portions of the off-site portion of the Former Cornfield site and attributed to the former gas station on the Project Site. Remediation and monitoring efforts continued and, after no further contaminants were detected or were detected below regulatory levels, a request for closure was submitted on September 25, 2013. LARWQCB has not responded to the request for closure, and the case remains open. As such, the former gas station is considered a REC.

¹⁶ *Ginsberg Naftulin is sometimes listed in databases as Ginsburg Nafthun.*

(ii) Off-Site

1245 North Spring Street, adjacent to the Project Site to the southeast, is identified in separate listings as Union Pacific Railroad – Cornfield Yard, Cornfield Site, and Vacant in the Spills, Leaks, Investigations and Cleanup (SLIC) database. This open SLIC site is a former Union Pacific Railroad facility that has been converted for use by Metro for a rail line and a park. The underlying groundwater is impacted with BTEX constituents, primarily benzene and the contamination plume is estimated to be within 100 feet of the Project Site to the south. Although requests for closure have been submitted annually since 2019, the case remains open and is therefore considered a REC. Additionally, based on data provided in the 2023 Annual Groundwater Monitoring Report for the larger Union Pacific Railroad Cornfield Yard site that was submitted in January 2024, this listing is also identified as a potential vapor encroachment concern. This groundwater monitoring report documented concentrations of benzene in groundwater monitoring well BMW-4, near the Project Site, at a concentration of 243 µg/L above its California Maximum Contaminant Level (MCL) of 1 µg/L. While the benzene isoconcentration map in the groundwater monitoring report infers that benzene concentrations in groundwater could be present beneath the Project Site, historical groundwater monitoring data from the wells situated on the Project Site upgradient of the benzene concentrations were either non-detect or below its California MCL.

(b) Local Listings

The properties within the Project Site discussed above are also listed in local databases for the same historic uses and environmental concerns. Specifically, the property at 1251 North Spring Street is listed in LAFD's UST database for the tanks discussed above in Subsection 2.b.(2)(a)(i) which is considered a REC. The gas station discussed above as 1322 North Spring Street in Subsection 2.b.(2)(a)(i) is listed in LAFD's UST database and LARWQCB databases as 1322 North Broadway and is identified as having contaminated soil. As discussed above, this former gas station is a REC. Refer to Section 5.1.3 of the 2015 Phase I ESA for a detailed discussion of these listings.

(c) Additional Research

As part of the Hazardous Materials Report, Ramboll conducted additional research related to the listings above. This research is summarized below and provided in its entirety in Section 6 of the Hazardous Materials Report.

(i) Historical USTs with Unknown Status

As noted above, historical USTs were documented onsite. Additional documentation regarding the location of these USTs, and/or their removal, was not found. Ramboll was onsite in December 2017 and May 2018 to examine features that may indicate the presence of potential USTs. Four features that were visible in aerial photography, and which may have

been indicative of potential USTs, were confirmed to be telecom utility access ports. No other evidence of USTs was observed at the time of the site visits. However, due to the presence of on-site obstructions/structures at the time, Ramboll could not complete a thorough assessment.

Further, based on groundwater monitoring data from a monitoring well located in the approximate area of the assumed former USTs, it appears unlikely that there would have been significant VOC or petroleum hydrocarbon impacts to groundwater from these former potential USTs. In general, there have been no detections of VOCs in groundwater, with the exception of a low detection of acetone, a common laboratory contaminant, in 2003. Similarly, there were no detections of total volatile petroleum hydrocarbons (TVPH) or total extractable petroleum hydrocarbons (TEPH) as diesel or motor oil. Low concentrations (i.e., 0.14 to 0.50 milligrams per liter [mg/L]) of total petroleum hydrocarbons were reported when sampled between 2000 and 2002.

(ii) Groundwater Monitoring Wells

Two groundwater monitoring wells (MW-2 and MW-18) associated with the Former Cornfield site are located on the Project Site. The petroleum hydrocarbon groundwater impacts being tracked appear related to former USTs that were part of the gas station located on the Project Site. As noted above, a request for closure on this case was sent to LARWQCB in 2013, but as of the publication of this document, the case remains open.

In a June 2013 letter, LARWQCB required resampling of additional off-site monitoring wells. The most recent groundwater monitoring data was submitted in January 2024 and confirmed the continued presence of BTEX. However, the benzene concentration of 1,640 µg/L in the groundwater sample collected from groundwater monitoring well BMW-4 demonstrates a significant decrease since sampling began in 2001. Benzene concentrations ranged from 14,000 to 15,000 µg/L from 2003 to 2007. BTEX concentrations in groundwater monitoring well BMW-6, downgradient from groundwater monitoring well BMW-4, have shown a generally decreasing trend since August 2001, with no BTEX constituents detected in the 2023. A No Further Action (NFA) letter was requested based on the rationale that the contaminant source was removed via soil excavation and soil vapor extraction; VOCs and TPH concentrations continue to decrease; the footprint of the TPH plume has remained stable; and there is evidence that sustainable microbial degradation (natural attenuation) of petroleum hydrocarbons is at work.

Although closure has not yet been issued with regard to groundwater at the Former Cornfield site, Union Pacific Railroad has been identified as the responsible party and is in the process of negotiating closure with LARWQCB. Union Pacific Railroad is expected to maintain responsibility for appropriate decommissioning of the existing monitoring wells. Additionally, the Applicant has entered into a voluntary oversight agreement with LARWQCB to ensure that site redevelopment is in compliance with LARWQCB requirements as it relates to protection of

human health and the environment. Under the oversight agreement, the Applicant assumes financial responsibility for LARWQCB oversight as it relates to the Project Site redevelopment efforts.

Lastly, LARWQCB has issued a NFA letter for soil as it relates to contamination for the former gas station on the North Parcel. According to the 2006 letter for soils at the former gas station, at the time of the UST removals in 1990, soil samples collected from the base of the UST excavations (depths ranging from 7 to 16 feet below ground surface) indicated a maximum residual concentrations of TPH-g of 25,000 milligrams per kilogram (mg/kg), total petroleum hydrocarbons as diesel (TPH-d) of 2,000 mg/kg, benzene at 120 mg/kg, toluene at 710 mg/kg, ethylbenzene at 290 mg/kg, and xylenes at 1,400 mg/kg. After soil excavation of 300 cubic yards of contaminated soil in 2001 and soil vapor extraction occurred from 2001 to 2002, confirmation soil samples collected in 2005 indicated residual concentrations less than laboratory reporting limits of 12 mg/kg for TPH-g, 79 mg/kg for TPH-d, and 0.24 mg/kg for BTEX,¹⁷ all below current thresholds for unrestricted use.

(iii) Potential Vapor Encroachment

Based on data provided in the 2023 Annual Groundwater Monitoring Report for the Former Cornfield Site, the potential area of groundwater impact beneath the Project Site is limited to the southern portion of the North Parcel (in the area of the former gas station). As noted in the Hazardous Materials Report, a potential vapor encroachment concern is present within this limited portion of the Project Site.

(3) Hazardous Substances Use, Storage, and Disposal

The use, storage, or disposal of hazardous substances, including hazardous wastes were not observed during the site investigation conducted for preparation of the 2015 Phase I ESA and subsequent subsurface investigations.

(4) Underground Storage Tanks

No evidence of USTs was observed during the site investigation conducted for preparation of the 2015 Phase I ESA. However, as discussed above in Subsection 2.b.(2), several historic USTs were reported to be historically located at the Project Site. Therefore, the former presence of USTs is determined to be a REC for the Project Site.

¹⁷ Email communication from ERM to CalEPA dated February 9, 2006, Attachment C, Table IV: https://documents.geotracker.waterboards.ca.gov/esi/uploads/geo_report/1384037613/SL2047T1683.PDF, accessed September 19, 2024.

(5) Aboveground Storage Tanks

No evidence of ASTs was observed during the site investigation conducted for preparation of the 2015 Phase I ESA.

(6) Polychlorinated Biphenyls (PCBs)

Typical sources of PCBs include electrical transformer cooling oils, fluorescent light fixture ballasts, and hydraulic oil. In 1976, the USEPA banned the manufacture and sale of PCB-containing transformers. Prior to this date, transformers were frequently filled with a dielectric fluid containing PCB-laden oil. PCB-contaminated transformers known or assumed under the TSCA to contain between 50 and 499 ppm of PCBs are subject to USEPA regulations.¹⁸ By 1985, the USEPA required that commercial property owners with transformers containing more than 500 ppm of PCBs must register the transformer with the local fire department, provide exterior labeling, and remove combustible materials within five meters.¹⁹

No evidence of the use, storage, or disposal of PCB-containing equipment was observed during the site investigation conducted for preparation of the 2015 Phase I ESA and subsequent subsurface investigations.

(7) Asbestos-Containing Materials

Asbestos is a naturally occurring mineral made up of microscopic fibers. Asbestos has unique qualities which include its strength, fire resistance, resistance to chemical corrosion, poor conduction of heat, noise, and electricity, and low cost. Asbestos was widely used in the building industry starting in the late 1800s and up until the late 1970s for a variety of uses, including acoustic and thermal insulation and fireproofing, and is often found in ceiling and floor tiles, linoleum, pipes, structural beams, and asphalt. Despite its useful qualities, asbestos becomes a hazard if the fibers separate and become airborne. Inhalation of airborne asbestos fibers could cause lung diseases. Any building, structure, surface asphalt driveway, or parking lot constructed prior to 1979 could contain asbestos or ACMs.

Although the 2015 Phase I ESA did not observe ACMs, based on the age of the existing buildings on-site, ACMs may be present.

¹⁸ USEPA, *PCBs Questions & Answers*, www.epa.gov/pcbs/learn-about-polychlorinated-biphenyls-pcbs, accessed August 26, 2024.

¹⁹ 40 CFR 761.30.

(8) Lead-Based Paint

LBP was widely used in the past as a protective coating material and was a major ingredient in paint pigment. The Consumer Products Safety Commission banned paint and other surface coating materials that contain lead in 1978. Deterioration, damage, or disturbance of LBP on buildings or other structures may result in exposure to lead through inhalation or ingestion.

Although the 2015 Phase I ESA did not observe LBP, based on the age of the existing buildings on-site, LBP may be present.

(9) Oil Wells

As noted above, there are two abandoned oil wells on the North Parcel and one abandoned oil well previously mapped within the South Parcel. The history and status of each well, based on the Hazardous Materials Report, are briefly summarized below.

(a) Southern Pacific Core Hole 1

Southern Pacific Core Hole 1 was abandoned on or about August 8, 1967. CalGEM notified Ramboll about this well in July 2019 even though it did not appear on Well Finder at the time. Subsequent magnetometry and excavation exposed the well casing at a depth of 5.5 feet below grade consistent with abandonment records. Methane testing at that time revealed levels up to 140 parts per million by volume (ppmv). These testing results are included as Attachment G of the Hazardous Materials Report. The well was surveyed by a state-registered land surveyor, backfilled, and is now in the Well Finder database.

(b) Freight Depot 1

Freight Depot 1 is a dry hole (i.e., a well that never produced oil or gas) abandoned on December 28, 1957. Unsuccessful attempts to uncover the well were made in 2019 and 2023. Records of these efforts are included as Attachments D and E of the Hazardous Materials Report. Nevertheless, Ramboll reviewed historic aerial photographs and identified the outline of the drill rig for this well, located approximately 76 feet southeast of Southern Pacific Core Hole 1.

(c) T-2

T-2 was plugged and abandoned in December 1956. Ramboll's review of CalGEM records for T-2, formerly believed to be on the South Parcel, suggested the well was, in fact, farther to the north and off-site. As a result, Ramboll conducted a magnetometry survey on June 3, 2019, in the purported vicinity of this well and was unable to corroborate the position of any wellhead. Although CalGEM's Well Finder still identifies the well within the Project Site,

CalGEM subsequently provided Ramboll updated location information for this well placing it off-site to the northwest of the South Parcel.²⁰

(10) Other Project Site Observations

No evidence of unidentified substance containers, drains, sumps, pits, ponds, or lagoons was observed during the site investigation conducted for preparation of the 2015 Phase I ESA and subsequent subsurface investigations. Additionally, no evidence of the use, storage, or disposal of other petroleum products was observed.

(11) Methane Gas

Methane is a colorless, odorless natural gas that is not toxic but is highly combustible and potentially explosive in the presence of oxygen. Methane can typically be found at oil fields, oil wells, and landfills. The accumulation of methane below the ground due to pavement and structures can result in elevated concentrations, creating an explosion risk. The LADBS has established methane zones, which indicate a high risk for methane exposure, and methane buffer zones, which indicate a lower risk for methane exposure. Pursuant to LAMC Section 91.7104.2, all buildings located in the Methane Zone and Methane Buffer Zone shall provide a methane mitigation system as required by LAMC Table 71 based on the appropriate Site Design Level. Based on LADBS's Zone Information and Map Access System (ZIMAS), the Project Site is located within a designated Methane Zone. In compliance with LADBS Methane Mitigation Standards, methane testing was performed in 2017 and 2018, and the results are summarized below. The full methane assessment report is provided in Attachment B of the Hazardous Materials Report. Although the methane testing was performed more than five years prior, the Los Angeles Methane Ordinance does not provide a shelf-life for a methane investigation and the results establish the baseline for the Project Site.

(a) South Parcel

Ten samples collected did not detect methane above laboratory reporting limits (i.e., 10 ppmv). No further methane assessment is required, and site Design Level I applies to the South Parcel.

(b) North Parcel

Two sample locations in the central and northern portions of the North Parcel yielded detections of methane above the laboratory reporting limit. In December 2017, sample location SV-19 in the northern portion of the North Parcel produced a methane detection of 74 ppmv, although resampling in May 2018 yielded a result below the laboratory reporting limit. In May

²⁰ Personal communication between Ramboll and Grace Brandt, PE at CalGEM, July 18, 2019.

2018, sample location SV-14 in the central portion of the North Parcel produced methane concentrations ranging from 190 to 4,000 ppmv. In accordance with LAMC Table 71, Project buildings in the vicinity of SV-14 would be required to achieve Design Level III.

(12) Airport Land Use Plans

The Project Site is not located within an airport land use plan area or within two miles of an airport. The nearest airports are the San Gabriel Airport in El Monte and the Hollywood Burbank Airport, both located approximately 11 miles from the Project Site. Therefore, the potential for airport hazards at the Project Site is low.

(13) Emergency Response and Evacuation Plans

As part of its long-term planning process, the City identifies critical lifeline systems in the event of an emergency. Based on GIS data published by the City, the nearest disaster route to the Project Site is Spring Street, approximately 200 feet east of the Project Site at its nearest point.²¹ State Route 110, the Pasadena Freeway, located approximately 550 feet west of the Project Site at its nearest point is also a designated disaster route. Therefore, there is a potential to interfere with disaster routes.

(14) Wildlands

There are no wildlands in this urbanized portion of the City. However, based on updated mapping published by CAL FIRE in March 2025, the Project Site is now mapped in High and Very High Fire Hazard Severity Zones (HFHSZ and VHFHSZ, respectively).²² Therefore, the potential for wildland fires at the Project Site is discussed below and analyzed in detail in the Wildfire Hazard and Evacuation Technical Memorandum included as Appendix N and in Section IV.P, Wildfire, of this Draft EIR.

3. Project Impacts

a. Thresholds of Significance

In accordance with Appendix G of the CEQA Guidelines, the Project would have a significant impact related to hazards and hazardous materials if it would:

²¹ City of Los Angeles, Geohub, Disaster Routes, www.arcgis.com/apps/mapviewer/index.html?layers=6223f108d67d49958d05092e0b488740, accessed August 22, 2024.

²² CAL FIRE, Find your Fire Hazard Severity Zone (FHSZ) and local public contacts, <https://osfm.fire.ca.gov/what-we-do/community-wildfire-preparedness-and-mitigation/fire-hazard-severity-zones>, accessed April 23, 2025.

- Threshold (a):** *Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials;*
- Threshold (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;*
- Threshold (c):** *Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school;*
- Threshold (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 create a significant hazard to the public or the environment;*
- Threshold (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 or excessive noise for people residing or working in the project area;*
- Threshold (f):** *Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan;*
- Threshold (g):** *Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires.*

For this analysis, the Appendix G Thresholds listed above are relied upon. The analysis utilizes factors and considerations identified in the City's 2006 L.A. CEQA Thresholds Guide, as appropriate, to assist in answering the Appendix G questions.

The 2006 L.A. CEQA Thresholds Guide identifies the following criteria to evaluate impacts associated with hazards and hazardous materials:

(1) Risk of Upset/Emergency Preparedness

- Compliance with the regulatory framework;
- The probable frequency and severity of consequences to people or property as a result of a potential accidental release or explosion of a hazardous substance;
- The degree to which the project may require a new, or interfere with an existing, emergency response or evacuation plan, and the severity of the consequences; and
- The degree to which project design will reduce the frequency or severity of a potential accidental release or explosion of a hazardous substance.

(2) Human Health Hazards

- Compliance with the regulatory framework for the health hazard;
- The probable frequency and severity of consequences to people from exposure to the health hazard; and
- The degree to which project design would reduce the frequency of exposure or severity of consequences of exposure to the health hazard.

b. Methodology

Impact determinations in this section are based on the potential risks of exposure to hazards and hazardous materials during construction and operation of the Project. The analysis contained within this section is based on the results of the Hazardous Materials Report included as Appendix F of this Draft EIR which is, in turn, based on the reports listed below. Each of these is attached to the Hazardous Materials Report. The objective of these reports is to provide a baseline description of the Project Site related to historical and existing uses, as well as the storage and disposal of hazardous materials.

- Attachment A: Phase I Environmental Site Assessment (ESA) of Riboli Site, 1251 North Spring Street, Los Angeles, California 90012, prepared by Cardno ATC (February 24, 2015)
- Attachment B: 2017 and 2018 Methane Assessment Report—Draft, Buena Vista Project, 1251 North Spring Street 1030 Through 1380 North Broadway, Los Angeles, California, prepared by Ramboll (Revised November 2021)
- Attachment C: No Further Action for Soils
- Attachment D: Report of Geophysical Investigation, 1380 North Broadway, Los Angeles, California, prepared by Spectrum Geophysics (June 18, 2019)
- Attachment E: Report Brief-Geophysical Investigation, Abandoned Oil Well, Vacant Lot, 1380 N. Broadway Los Angeles, California, prepared by Spectrum Geophysics (July 18, 2023)
- Attachment F: 2023 Annual Groundwater Monitoring Report and Request for No Further Action
- Attachment G: Summary Oil Well Leak Testing Report—Preemptive Methane Mitigation Plan, Buena Vista, 1380 North Broadway, Los Angeles, California, prepared by Ramboll (August 7, 2019)
- Attachment H: EDR Database Report (December 1, 2023)

- Attachment I: Site Cleanup Program Oversight Cost Reimbursement Account Letter (August 3, 2023)
- Attachment J: Soil Management Plan, Hazardous Materials Contingency Plan, Buena Vista Project, 1030–1380 North Broadway and 1251 North Spring Street, Los Angeles, California, prepared by Ramboll (September 2024)

c. Project Design Features

No Project Design Features are proposed with respect to hazards and hazardous materials.

d. Analysis of Project Impacts

Threshold (a): Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

(1) Impact Analysis

(a) Construction

During demolition, excavation, on-site grading, and building construction, hazardous materials such as fuel and oils associated with construction equipment, as well as coatings, paints, adhesives, and caustic or acidic cleaners could be routinely used on the Project Site through the duration of construction. While some hazardous materials used during construction could require disposal, such activity would occur only for the duration of construction and would cease upon completion of the Project. As such, construction of the Project would not involve the routine disposal of hazardous materials. Notwithstanding, all potentially hazardous materials used during construction of the Project would be used and disposed of in accordance with manufacturers' specifications and instructions, thereby reducing the risk of hazardous materials use. In addition, there are existing regulations aimed at establishing specific guidelines regarding risk planning and accident prevention, protection from exposure to specific chemicals, and the proper storage of hazardous materials. The Project would be in full compliance with all applicable federal, state, and local requirements concerning the use, storage, and management of hazardous materials, including, but not limited to RCRA, Hazardous Waste Control Law, federal OSHA and Cal/OSHA, SCAQMD rules, and permits and associated conditions issued by LADBS. With compliance with relevant regulations and requirements, Project construction activities would not create a significant hazard to the public or the environment through the use of hazardous materials during construction, and development of the Project on the Project Site would not exacerbate the current environmental conditions so as to create a significant hazard to the public or the environment. **Therefore, with implementation of appropriate hazardous materials**

management protocols at the Project Site and continued compliance with all applicable local, state, and federal laws and regulations relating to environmental protection and the management of hazardous materials, impacts related to the routine transport, use, or disposal of hazardous materials during construction would be less than significant.

(b) Operation

Operation of the Project would use limited quantities of potentially hazardous materials typical of those used in residential, retail, and restaurant uses, including cleaning agents, paints, pesticides, and other materials used for landscaping. These materials present a low risk for hazards exposure. Additionally, as with Project construction, all hazardous materials on the Project Site would be acquired, handled, used, stored, and disposed of in accordance with all applicable federal, state and local requirements. As with any business in California, tenants and vendors are subject to all applicable OSHA training and informational requirements regarding hazardous materials. **Therefore, operation of the Project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials during operation. As such, impacts would be less than significant, and no mitigation measures are required.**

(2) Mitigation Measures

Project-level impacts with regard to the routine use, transport, or disposal of hazardous materials would be less than significant. Therefore, no mitigation measures are required.

(3) Level of Significance After Mitigation

Project-level impacts related to the routine use, transport, or disposal of hazardous materials were determined to be less than significant without mitigation. Therefore, no mitigation measures were required, and the impact level remains less than significant.

Threshold (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;

(1) Impact Analysis

(a) Construction

(i) Recognized Environmental Conditions

As discussed above in Subsection 2.b.(2), former USTs at 1251 North Spring Street and an open LUST case at 1322 North Spring Street on the Project Site constitute RECs, as does the open case at 1245 North Spring Street, adjacent to the Project Site to the southeast.

Additionally, based on the benzene groundwater contour maps in the vicinity of the 1245 North Spring Street site, there is a potential vapor encroachment concern with this Project Site.

With respect to the historic USTs, as noted above in Subsection 2.b.(2)(c)(i), due to the presence of on-site obstructions/structures, Ramboll could not complete a thorough assessment as part of the Hazardous Materials Report, and the potential presence of historical USTs is a potentially significant impact.

With respect to the open LUST case, although pollutant concentrations have been declining as discussed above in Subsection 2.b.(2)(c)(ii), until LARWQCB issues a NFA letter and closes the case, ongoing monitoring and the potential to encounter pollution during excavation for construction associated with this LUST case is a potentially significant impact.

With respect to vapor encroachment, during construction, adherence to construction safety measures, including, but not limited to, the preparation of a health and safety plan, distribution and use of personal protective equipment, and holding routine safety meetings, adherence to standard construction safety measures, as well as compliance with OSHA and Cal/OSHA safety requirements, would serve to reduce the risk in the event that vapor encroachment is encountered.

While construction activities would occur in accordance with regulatory requirements, and ground disturbance associated with site clearance, excavation, and grading activities during construction would be required to comply with relevant and applicable federal, state, and local regulations and requirements, the historic presence of USTs and an open LUST case could exacerbate risk of upset and accident conditions associated with the release of hazardous materials into the environment. Therefore, Project impacts with regards to RECs and historical uses would be significant prior to mitigation.

(ii) Underground and Aboveground Storage Tanks

As discussed above in Subsection 2.b.(5), no evidence of ASTs was observed during the site investigation for preparation of the 2015 Phase I ESA. No impact with ASTs would occur during construction.

As discussed above in the analysis of construction impacts related to RECs, Ramboll could not complete a thorough assessment as part of the Hazardous Materials Report and the potential presence of historical USTs is a potentially significant impact.

(iii) Polychlorinated Biphenyls

As discussed above in Subsection 2.b.(6), no evidence of the use, storage, or disposal of PCB-containing equipment was observed during the site investigation conducted for preparation of the 2015 Phase I ESA. **In the unlikely event that previously unidentified PCBs are found during construction, suspect materials would be removed in accordance with all applicable federal, state, and local regulations including, but not limited to, TSCA and California Hazardous Waste Control Law, and, thus, the Project would not exacerbate the risk of upset and accident conditions associated with the release of PCBs into the environment. Therefore, impacts related to the removal of PCBs during construction would be less than significant, and no mitigation measures are required. Nevertheless, taking a conservative approach, the Waste Characterization, Segregation, Disposal and Reuse Plan required under Mitigation Measure HAZ-MM-1 addresses PCBs.**

(iv) Asbestos-Containing Materials

As discussed above in Subsection 2.b.(7), based on the age of the existing buildings on-site, ACMs may be present. In the event any ACM is found, the identified ACM and suspect materials would be removed by a certified asbestos abatement contractor in accordance with applicable regulations and requirements including, but not limited to, TSCA and SCAQMD Rule 1403. With compliance with the applicable regulations and requirements, Project construction activities would not expose people to a substantial risk resulting from the release of asbestos fibers into the environment. **As such, with compliance with applicable regulations, the Project would not exacerbate the risk of upset and accident conditions associated with the release of ACMs into the environment. Therefore, impacts related to the removal of ACMs during construction would be less than significant, and no mitigation measures are required. Nevertheless, taking a conservative approach, the Waste Characterization, Segregation, Disposal and Reuse Plan required under Mitigation Measure HAZ-MM-1 addresses ACMs.**

(v) Lead-Based Paint

As discussed above in Subsection 2.b.(8), based on the age of the existing buildings on-site, LBP may be present. In the unlikely event any LBP is found, the identified and suspect LBP would be removed in accordance with procedural requirements and regulations for the proper removal and disposal of LBP prior to demolition activities. Examples of procedural requirements include the use of respiratory protection devices while handling lead-containing materials, containment of lead or materials containing lead on the Project Site or at locations where construction activities are performed, and certification of all consultants and contractors conducting activities involving LBP or lead hazards. With compliance with relevant regulations and requirements described above, Project construction activities would not expose people to a substantial risk resulting from the release of LBP into the environment. **As such, compliance**

with regulatory requirements including, but not limited to, TSCA and 8 CCR Section 1529, would ensure that the Project would not exacerbate the risk of upset and accident conditions associated with the release of LBPs into the environment. Therefore, impacts related to the removal of LBP during demolition would be less than significant, and no mitigation measures are required. Nevertheless, taking a conservative approach, the Waste Characterization, Segregation, Disposal and Reuse Plan required under Mitigation Measure HAZ-MM-1 addresses LBP.

(vi) Abandoned Oil Wells

As discussed above in Subsection 2.b.(9), there are known abandoned oil wells on the Project Site. Based on the Project's design, it is likely Project construction may trigger a recommendation to re-abandon from CalGEM, LAFD and LADBS, especially given that it will be necessary to cut the well casings down so that they will fit below the planned subterranean parking structure(s). Cutting down the casing of an abandoned oil well will require a permit, which may trigger a re-abandonment requirement. In the event re-abandonment is required, re-abandonment shall be conducted in accordance with current CalGEM specifications, as set forth in PRC Division 3, Chapter 4.1, Article 3, Section 1723, Los Angeles County Building Code 110.4, LAMC 91.7109.2, and Los Angeles Fire Code 57.5706.3 and 57.105.7.1.3. **Nevertheless, because methane has been detected at Southern Pacific Core Hole 1 and Freight Depot 1 could not be safely reached and may be leaking, impacts related to abandoned oil wells would be significant.**

(vii) Methane Gas

As discussed above in Subsection 2.b.(11), the Project Site is located in a Methane Zone, and elevated concentrations of methane were detected on the North Parcel. During construction, adherence to construction safety measures, including, but not limited to, the preparation of a health and safety plan, distribution and use of personal protective equipment, and holding routine safety meetings, as well as compliance with adherence to standard construction safety measures, as well as compliance with OSHA and Cal/OSHA safety requirements, would serve to reduce the risk in the event that elevated levels of methane gases are encountered. **As such, with compliance with existing regulations, the Project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving methane gas, and the Project's impact associated with methane gas would be less than significant.**

(b) Operation

(i) Recognized Environmental Conditions

As discussed above in Subsection 2.b.(2), RECs on or in proximity to the Project Site include historical USTs with unknown status and an open LUST case. However, these existing

conditions would be remediated during construction of the Project, and therefore, would not result in a release of hazard materials into the environment during Project operation.

With respect to vapor encroachment, because site-wide methane mitigation measures would be required (see discussion below), and the Project includes ventilated subterranean parking structures with high air exchange rates, the potential for VOC vapor intrusion from the documented groundwater impacts beneath a limited portion of the area is not expected to represent an environmental concern to future occupants of the Project. **Nevertheless, the required methane vapor sub-slab venting system requirements would also need to incorporate design components for VOC vapor intrusion, including any conditions with respect to VOC vapor intrusion that LARWQCB requires as part of issuance of its NFA letter for the Former Cornfield site and the oversight agreement. As such, construction of the Project would result in significant impacts.**

(ii) Underground and Aboveground Storage Tanks

The Project does not include the installation of USTs but may include the installation of AST(s) for use with an emergency generator(s), which are required pursuant to Los Angeles City Fire Code Section 913 related to fire pumps. As such, operation of the Project could expose the public to substantial risk resulting from the release or explosion of a hazardous material, or from exposure to a health hazard associated with ASTs. However, in accordance with LAFD requirements, any AST containing more than 60 gallons of combustible materials would have a form of secondary containment and comply with applicable design standards. Any AST containing 10,000 gallons or more of specified petroleum products would be subject to state requirements, including preparation of a SPCC Plan and biennial filing of a storage statement with the SWRCB. With adherence to applicable regulatory requirements, potential Project impacts associated with the installation and operation of any new ASTs would be less than significant.

Thus, with adherence to applicable regulatory requirements, the Project would not exacerbate the risk of upset and accident conditions associated with new USTs or ASTs serving the Project during operation of the Project and impacts would be less than significant.

(iii) Polychlorinated Biphenyls

In accordance with applicable regulations, which ban the manufacture of PCBs, the new electrical systems to be installed as part of the Project would not contain PCBs. **Accordingly, new electrical systems installed as part of the Project would not exacerbate the risk of upset and accident conditions associated with the release of PCBs into the environment. Therefore, no impacts related to PCBs during operation of the Project would occur, and no mitigation measures are required.**

(iv) Asbestos-Containing Materials

Development of the Project would include the use of commercially-sold construction materials that do not contain asbestos or ACMs as a result of the USEPA's ban. Accordingly, Project operation would not make use of or expose people to friable asbestos or ACMs on the Project Site since the Project would not be constructed with materials that contain asbestos or ACMs. **Therefore, operation of the Project would not exacerbate the risk of upset and accident conditions associated with the release of ACM into the environment. Thus, no impacts associated with asbestos or ACMs during operation of the Project would occur, and no mitigation measures are required.**

(v) Lead-Based Paint

Development of the Project would include the use of commercially-sold construction materials, including paints that do not contain lead as a result of the federal ban on LBP. Accordingly, Project operation is not anticipated to make use of or expose people to LBP on the Project Site since the Project would not be constructed with lead-based materials. **Operation of the Project would not exacerbate the risk of upset and accident conditions associated with the release of LBP into the environment. Impacts associated with LBP during operation of the Project would not occur, and no mitigation measures are required.**

(vi) Abandoned Oil Wells

As discussed above in Subsection 2.b.(9), two known abandoned oil wells are located on the Project Site. These existing conditions would, however, be remediated during construction of the Project, and would therefore not result in a release of hazard materials into the environmental during Project operation. **Impacts associated with abandoned oil wells during operation of the Project would not occur, and no mitigation measures are required.**

(vii) Methane Gas

As discussed above in Subsection 2.b.(11), the Project Site is located within a LADBS designated Methane Zone and elevated methane concentrations were detected on the North Parcel. Pursuant to LAMC Section 91.7104.2, all buildings located in the Methane Zone and Methane Buffer Zone shall provide a methane mitigation system as required by LAMC Table 71 based on the appropriate Site Design Level. Based on the testing results provided in Appendix F of this Draft EIR, Site Design Level I shall be required for the South Parcel. The passive Level I Design requires a sub-slab venting system, an impervious membrane, utility trench dams, and conduit or cable seal fittings. The sub-slab venting system shall consist of perforated horizontal piping, a 2-inch gravel blanket thickness under the impervious membrane, a 2-inch gravel thickness surrounding the perforated horizontal piping, and vent risers. For the

North Parcel, since methane concentrations in the vicinity of monitoring well SV-14 were as high as 4,000 ppmv, without the steps associated with the re-abandonment of the oil well and follow-up testing and confirmation, buildings in the vicinity of SV-14 would be otherwise required to achieve Site Design Level III. As summarized in Table 71 of the LAMC, Level III Design requires both passive and active systems, trench dams, and conduit or cable seal fittings. The passive Site Design Level III requires a sub-slab venting system, an impervious membrane, utility trench dams, and conduit or cable seal fittings. The active venting system requires a gas detection system, mechanical ventilation, and an alarm system on the lowest occupied space, as well as a control panel. However, in the event the oil well re-abandonment required by Mitigation Measure HAZ-MM-6 demonstrates the elevated methane concentrations are associated with an oil well and the oil well is properly re-abandoned, a less stringent Site Design Level may be used in accordance with the LAMC. Development of a methane mitigation system on the Project would meet both the City's Methane Ordinance and LADBS standards with regards to projects located in a Methane Zone. As such, installation of the regulatorily required methane mitigation system would reduce or eliminate any potential effects of methane from the subsurface to release and impact building users or the general public on the Project Site. **Therefore, operation of the Project would not exacerbate the risk of upset and accident conditions associated with the release of methane into the environment and impacts would be less than significant.**

(2) Mitigation Measures

The following mitigation measures address Project impacts related to the release of hazardous materials into the environment:

Mitigation Measure HAZ-MM-1: Waste Characterization, Segregation, Disposal and Reuse Plan—Prior issuance of demolition permits, a hazardous building materials survey shall be conducted on all aboveground structures on the Project Site. The survey shall include testing for asbestos, lead-based paint, polychlorinated biphenyls (PCBs), and universal wastes at all currently extant structures, subject to the determination of a qualified and licensed environmental contractor (State of California Licensed Contractor, with hazardous material, asbestos, and lead-based paint certifications). Following the results of the hazardous building materials survey and before demolition activities, a licensed contractor shall prepare a Waste Characterization, Segregation, Disposal, and Reuse Plan (Waste Characterization Plan), which shall provide the requirements, in accordance with applicable regulations, for the removal and offsite disposal of any identified hazardous materials. The Waste Characterization Plan shall include requirements for notifications to appropriate federal and state agencies (including, but not limited to U.S. Environmental Protection Agency [USEPA] for PCBs and the South Coast Air Quality Management District [SCAQMD] for asbestos), and shall confirm when asbestos abatement would require air monitoring, in

accordance with SCAQMD Rule 1403. All abatement work shall be done in accordance with federal, state, and local regulations, including those of the USEPA, Occupational Safety and Health Administration, California Occupational Safety and Health Administration, and SCAQMD.

Mitigation Measure HAZ-MM-2: Hazardous Materials Contingency Plan—Prior to commencement of any demolition or earthwork activities on the Project Site, the Applicant/Contractor shall prepare a Hazardous Materials Contingency Plan (HMCP) that addresses the potential for discoveries of hazardous releases in soil, soil vapor, and groundwater based on visual and olfactory observations and organic vapor monitor (OVM) readings during short-term construction activities in accordance with Cal OSHA and SCAQMD requirements. The HMCP shall include management protocols responsive to field observations and any subsurface geophysical survey findings at the Project Site (see Mitigation Measure HAZ-MM-3). The HMCP shall include, at a minimum, a Health and Safety Plan (HASP) that provides detailed directions on the training procedures of on-site workers for identification of contamination. All workers and employees that will be involved in earth-moving activities shall be trained to identify and properly manage potentially contaminated materials. The HMCP shall mandate that hazardous materials shall not be disposed of or released on the ground, in the underlying groundwater, or any surface water. The HMCP shall explain or otherwise identify the applicable local, state, and federal regulatory requirements and mandatory procedures for the assessment, characterization, handling, storing, transporting, management, and disposal of hazardous constituents, materials, and wastes during construction activities and demonstrate how compliance with these requirements will be achieved.

A qualified environmental consultant with a minimum of 40-hour Hazardous Waste Operations and Emergency Response (HAZWOPER) Certification (with current 8-hour refresher), with adept knowledge of the HMCP, and with experience overseeing contaminated soil removal and disposal, shall be retained prior to commencement of any earthwork. The qualified environmental consultant must be present during all earthwork in areas of known or suspected contamination. Should contamination be identified in an area where contamination was not anticipated, the qualified environmental consultant shall be notified immediately and any recommendations made by the qualified environmental consultant during earthwork shall be checked by the Applicant/Contractor to ensure they are in accordance with the HMCP.

The HASP shall set forth safety requirements to be implemented during the decommissioning and removal of underground storage tanks (USTs) in accordance with all applicable regulations, including the Los Angeles Fire Department (LAFD) abandonment of UST requirements as outlined in Los Angeles Fire Code, Division 5 and 31; California Health and Safety Code Chapter 6.7; California Code of Regulations (CCR) Title 23, Division

3, Chapter 16; and CCR Title 8, Section 5156, 5157, 5158, as well as CCR Title 23, Division 3, Chapter 16, Underground Storage Tank Regulations, as required and under the jurisdiction of the Los Angeles Regional Water Quality Control Board (LARWQCB). All field personnel shall be required to implement the procedures presented in the HASP while conducting the field work.

LAFD mandates (pursuant to any additional permit conditions imposed as part of the UST abandonment permit process) shall be included in the HASP, including but not necessarily limited to: (1) the requirement for the Fire Inspector to witness the evaluation of a UST to confirm the atmosphere inside the tank is below the lower explosive limit; (2) the inspection of the tanks for signs of leakage; (3) the contracting of a licensed hazardous waste transporter for preparation of Uniform Hazardous Waste Manifest, which tracks the shipment of hazardous waste to a disposal facility, and transportation of the tank to a licensed hazardous waste disposal site; (4) completion of the conduct of soil samples surrounding the tank; and (5) the completion of an LAFD Division 5 Permit application package and Clean Certificate from an industrial hygienist. All LAFD mandates shall be included in the permit requirements once obtained.

Compliance with the HASP shall be incorporated into decommissioning and removal procedures included in the contractor's specifications. The removal of any USTs, if present, shall be completed to the satisfaction of the LAFD which will require but not necessarily be limited to periodic work breathing zone monitoring and monitoring for volatile organic compounds using a handheld organic vapor analyzer in the event impacted soils are encountered during excavation activities, as described in SCAQMD Rule 1166. The HMCP shall be implemented during all construction activities for the Project that require ground disturbance activities. Compliance with the HMCP shall be incorporated into the contractor's specifications and shall be completed to the satisfaction of LAFD and SCAQMD.

Mitigation Measure HAZ-MM-3: Subsurface Geophysical Survey—After completion of the demolition activities within the South Parcel, but prior to any grading, trenching or excavation of soils in the South Parcel, the Applicant/ Contractor shall retain a State of California Licensed Contractor that specializes in subsurface geophysical surveys on hazardous material sites to conduct a subsurface survey of the area in proximity to groundwater monitoring well (MW-2) and surrounding areas that could be a possible location for underground storage tanks (USTs). The subsurface survey shall investigate the site to determine the location of any subsurface structures, USTs, or other underground obstructions, if present. Methods may include ground-penetrating radar, magnetometer, or other appropriate technologies to investigate for the location of USTs, piping, and appurtenances. The results of the subsurface survey shall be included in a report, which shall include the results of site reconnaissance,

interviews with applicable staff and/or property owners, and any subsurface structures identified. The HMCP required pursuant to Mitigation Measure HAZ-MM-2 shall incorporate the findings of the report, and any subsurface features that are identified shall be addressed in accordance with the protocols established as part of Mitigation Measure HAZ-MM-2.

Mitigation Measure HAZ-MM-4: Groundwater Monitoring Wells—Prior to the issuance of a grading permit for the South Parcel, the Applicant/Contractor shall coordinate with the Los Angeles Regional Water Quality Control Board (LARWQCB) and Union Pacific Railroad to receive confirmation of the status of the Request for Closure submitted to the LARWQCB in September 2013 (Union Pacific Railroad—Cornfield Yard, Cleanup Case No. SL2047T1683). If closure has not been approved and LARWQCB requires groundwater monitoring on the Project Site to be continued, then the Applicant/Contractor shall coordinate with the LARWQCB and Union Pacific Railroad to either maintain or remove and relocate the existing monitoring wells MW-2 and MW-18. If the monitoring wells are to be moved, the relocated wells must be accommodated within the Project Site boundaries, with adequate access for monitoring, as needed, to the satisfaction of the LARWQCB.

Mitigation Measure HAZ-MM-5: Vapor Intrusion Design—Prior to issuance of a building permit, the South Parcel and North Parcel final plans shall incorporate methane vapor design features to address development within the Methane Zone. At a minimum, development within the South Parcel and the North Parcel shall incorporate Los Angeles Municipal Code (LAMC) Site Design Level I requirements.

After completion of Mitigation Measure HAZ-MM-6, which requires the cutting down of the existing “Freight Depot 1” well casing within the North Parcel to finished elevation, re-abandonment of the well to CalGEM specifications; resetting the casing; and re-testing for leaks, it shall be determined whether a Site Design Level I is appropriate for development on the North Parcel based on final methane readings, or whether a different level is required.

In addition, the methane mitigation features shall also incorporate any additional applicable conditions or requirements with respect to volatile organic compounds (VOC) vapor intrusion set forth by the Los Angeles Regional Water Quality Control Board as part of issuance of its “No Further Action” determination for the Former Cornfield Site (Case ID SL2047T1683) and the oversight agreement.

Mitigation Measure HAZ-MM-6: Oil Well Re-abandonment—Subsequent to the issuance of a grading permit, the following shall be conducted as part of earthwork activities:

At the time of North Parcel development, the location of well “Freight Depot 1” shall be determined in accordance with the Construction Site Well

Review Process. The Applicant shall coordinate with California Department of Geologic Energy Management (CalGEM) and the Los Angeles Fire Department (LAFD), which serves as the surrogate for the Los Angeles Department of Building and Safety (LADBS), to facilitate the well investigations and re-abandonment of the previously plugged/abandoned oil wells on the Project Site. A qualified environmental consultant shall re-attempt to locate and expose the well using a combination of geophysical investigations and pot-holing. Upon location of the well, methane leak testing for methane and fluids shall be conducted on the well, under the supervision of CalGEM and LAFD. The location of the well shall be surveyed to the state plane coordinate system (NAD 83). If the well is determined to be leaking, and if CalGEM and LAFD require re-abandonment of the well, a qualified contractor shall proceed to re-abandonment planning, including applying for appropriate permits, in compliance with CalGEM requirements. The existing well casing shall be cut down to finished elevation; the well shall be re-abandoned to CalGEM specifications, and the well casing shall be reset in accordance with applicable regulatory standards. Management and disposal of wastes generated as part of the well re-abandonment process will be handled in accordance with federal and state requirements.

Upon completion of the re-abandonment, or well closure to the satisfaction of CalGEM, LAFD, and LADBS, the well Freight Depot 1 shall be re-tested for methane and fluid leaks. The results of the subsequent leak testing shall be used to inform whether Methane Site Design Level I, II, or III is required. Upon completion of the well re-abandonment/closure, proof of approvals from LADBS, LADBS/LAFD, and CalGEM shall be obtained.

For abandoned oil well Southern Pacific Corehole 1, which already has been located, surveyed, and leak-tested, if CalGEM, LAFD, and LADBS require re-abandonment of the well, a qualified contractor shall proceed to re-abandonment planning, including applying for appropriate permits, in compliance with CalGEM requirements. The existing well casing shall be cut down to finished elevation; the well shall be re-abandoned to CalGEM specifications; and the well casing shall be reset in accordance with applicable regulatory standards.

Upon completion of the re-abandonment, or well closure to the satisfaction of CalGEM, LAFD, and LADBS, the Well Southern Pacific Corehole 1 shall be re-tested for methane leaks. The results of the subsequent methane leak testing shall be used to inform whether Methane Design Level I, II or III is required. Upon completion of the well closure, proof of approvals from CalGEM, LAFD, and LADBS shall be obtained.

Disposal of the well casing and other disturbed materials produced by oil well re-abandonment activities will be conducted in accordance with the HMCP required pursuant to Mitigation Measure HAZ-MM-2. This includes but is not limited to hazardous materials and hazardous wastes handling by a licensed contractor and disposal in accordance with applicable

regulatory requirements, such as SCAQMD Rule 1403: *Asbestos Emissions from Demolition/Renovation Activities*, and as specified in HAZ-MM-1.

Re-abandonment shall be conducted in accordance with current CalGEM specifications, as set forth in PRC Division 3, Chapter 4.1, Article 3, Section 1723, Los Angeles County Building Code 110.4, Los Angeles Municipal Code 91.7109.2, and Los Angeles Fire Code 57.5706.3 and 57.105.7.1.3.

(3) Level of Significance After Mitigation

With the implementation of Mitigation Measures HAZ-MM-1 through HAZ-MM-6, impacts related to the release of hazardous materials into the environment would be reduced to a less than significant level. Specifically, Mitigation Measure HAZ-MM-1 requires surveys and testing for ACMs, LBP, PCBs, and universal wastes and any abatement work to be conducted in accordance with regulatory compliance. Mitigation Measure HAZ-MM-2 requires preparation of a HMCP that outlines procedures in the event of discoveries of hazardous released in soil, soil vapor, and groundwater during construction. Mitigation Measure HAZ-MM-3 requires a Subsurface Geophysical Survey to identify the locations of any subsurface structures, USTs, or other underground obstructions that may be present. Mitigation Measure HAZ-MM-4 requires confirmation that groundwater monitoring at the Former Cornfield site is complete, or if it is not, coordination with LARWQCB and Union Pacific Railroad for further monitoring. Mitigation Measure HAZ-MM-5 requires additional testing to determine the appropriate Site Design Level under the City's Methane Ordinance, and that the methane mitigation features also incorporate any additional features required by LARWQCB to mitigate VOCs. Lastly, Mitigation Measure HAZ-MM-6 requires the re-abandonment of the oil well Freight Depot 1 as well as Southern Pacific Corehole 1 if required by CalGEM, LAFD, or LADBS to current regulatory standards. These mitigation measures would address known and potential issues associated with the RECs identified above and hazardous materials on the Project Site. With implementation of Mitigation Measures HAZ-MM-1 through HAZ-MM-6, impacts would be reduced to less-than-significant levels.

It is noted that Ramboll, on behalf of the Applicant, submitted a SMP to the LARWQCB on October 16, 2023. Ramboll received comments on the SMP from the LARWQCB on February 14, 2024. Ramboll has addressed the LARWQCB's comments through Addendum 1 of the SMP. The SMP is functionally equivalent to the HMCP required by Mitigation Measure HAZ-MM-2 and is included as Attachment J of the Hazardous Materials Report.

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

(1) Impact Analysis

Cathedral High School is located approximately 185 feet northwest of the Project Site across Broadway. Other nearby schools include Ann Street Elementary School (1,280 feet to the east); Castellar Elementary School (870 feet to the southwest); Albion Street Elementary School (1,750 feet to the east); and Solano Avenue Elementary School (1,800 feet to the northwest). As previously discussed, the types and amounts of hazardous materials that would be used in connection with the Project would be typical of those used during construction of commercial and residential developments, including vehicle fuels, paints, oils, and transmission fluids. Similarly, the types and amounts of hazardous materials used during operation of the proposed uses would be typical of residential, restaurant, and retail developments and would include cleaning solvents, pesticides for landscaping, painting supplies, and petroleum products including, but not limited to, fuels, lubricants, and other automotive products. Therefore, the types of potentially hazardous materials that would be used in connection with the Project would be consistent with other potentially hazardous materials currently used within and in the vicinity of the Project Site. In addition, the Project would not involve the use or handling of acutely hazardous materials, substances, or waste since the routine transport, use, and disposal of large quantities of hazardous materials is typically associated with industrial and manufacturing uses which are not included in the Project. Furthermore, all materials used during both the construction and operation of the Project would be used in accordance with manufacturers' instructions and handled in compliance with applicable federal, state, and local regulations. Nevertheless, as discussed under Threshold (b) above, the Project Site has known RECs including historical USTs and an open LUST case, abandoned oil wells, and is located within a City-designated Methane Zone. **While construction activities would occur in accordance with regulatory requirements, and ground disturbance associated with site clearance, excavation, and grading activities during construction would be required to comply with relevant and applicable federal, state, and local regulations and requirements, because of the identified RECs and oil wells within Project Site, the Project has the potential to emit hazardous emissions or materials within one-quarter mile of an existing or proposed school. As such, during construction, impacts would be significant prior to mitigation. Similarly, operational impacts with respect to vapor intrusion would be significant.**

(2) Mitigation Measures

Refer to Mitigation Measures HAZ-MM-1 through HAZ-MM-6 provided under Threshold (b).

(3) Level of Significance After Mitigation

With implementation of Mitigation Measures HAZ-MM-1 through HAZ-MM-6, impacts related to the emission or handling of hazardous materials, substances, or waste within

one-quarter mile of an existing or proposed school would be reduced to less-than-significant levels.

Threshold (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 create a significant hazard to the public or the environment;

(1) Impact Analysis

As discussed above in Subsection 2.b.(2), the Project Site is identified in numerous databases compiled pursuant to Government Code Section 65962.5. Specifically, as discussed above in Subsection 2.b.(2), former USTs at 1251 North Spring Street and an open LUST case at 1322 North Spring Street on the Project Site constitute RECs, as does the open SLIC case at 1245 North Spring Street, adjacent to the Project Site to the southeast. **During construction, the presence of RECs identified in databases compiled pursuant to Government Code Section 65962.5 within the Project Site could create a significant hazard to the public or the environment caused in whole or in part from the Project's exacerbation of existing environmental conditions. Impacts during construction would be significant prior to mitigation. Similarly, operational impacts with respect to vapor intrusion would be significant.**

(2) Mitigation Measures

Refer to Mitigation Measures HAZ-MM-1 through HAZ-MM-6 under Threshold (b).

(3) Level of Significance After Mitigation

With implementation of Mitigation Measures HAZ-MM-1 through HAZ-MM-6, impacts related to the presence of RECs identified in databases compiled pursuant to Government Code Section 65962.5 would be reduced to less-than-significant levels.

Threshold (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 or excessive noise for people residing or working in the project area;

As discussed in the Initial Study included as Appendix A of this Draft EIR, the Project Site is not located within an airport land use plan or within two miles of a public or private airport. The nearest airports are the San Gabriel Airport in El Monte and the Hollywood Burbank Airport, both located approximately 11 miles from the Project Site. As such, the Project would not have the potential to exacerbate existing environmental conditions that would

result in a safety hazard for people residing or working in the Project area. **Therefore, impacts would be less than significant, and no further analysis is required.**

Threshold (f): Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan;²³

(1) Impact Analysis

Based on GIS data published by the City, the nearest disaster route to the Project Site is Spring Street approximately 200 feet east of the Project Site at its nearest point.²⁴ State Route 110, the Pasadena Freeway, located approximately 550 feet west of the Project Site at its nearest point is also a designated disaster route. While it is expected that the majority of construction activities for the Project would be confined to the Project Site, the Project may result in lane closures along North Broadway during landscaping and sidewalk construction and during any crosswalk construction. However, if lane closures are necessary, both directions of travel would continue to be maintained in accordance with the Construction Traffic Management Plan prepared pursuant to Project Design Feature TR-PDF-1 that would be implemented to ensure adequate circulation and emergency access. With regard to operation, the Project would not require the permanent closure of any local public or private streets and would not impede emergency vehicle access to the Project Site or surrounding area. In addition, the Project would comply with LAFD access requirements and applicable LAFD regulations regarding safety.

As discussed above, based on updated mapping published by CAL FIRE in March 2025, the Project Site is now mapped in both a HFHSZ and a VHFHSZ). As discussed in detail in Section IV.P, Wildfire, of this Draft EIR, with regard to emergency access associated with wildfires, safe evacuation of the Project and surrounding community would not be expected to expose people or structures to a significant risk of loss, injury or death. Also, because the Project Site is within a large area of ignition resistant, urbanized landscapes, it is not anticipated that the entire community would need to be relocated off-site during a wildfire event in the nearest wildland areas, as they are located substantial distances to the north and west of the Project Site and are separated by a railroad corridor, roadway, multiple developments and irrigated, fire-resistant landscaped areas. As such, the Project would not impact or substantially impair an adopted emergency response plan or emergency evacuation plan in the event of a wildfire. Furthermore, like any new, large community or urbanized area, the Project would provide numerous opportunities throughout the Project Site for on-site relocation and sheltering

²³ *The Initial Study included as Appendix A of this Draft EIR included an analysis of Threshold (f) and determined impacts would be less than significant. However, the sources relied upon to make this determination are now out of date, so a revised analysis is provided herein.*

²⁴ *City of Los Angeles, Geohub, Disaster Routes, www.arcgis.com/apps/mapviewer/index.html?layers=6223f108d67d49958d05092e0b488740, accessed August 22, 2024.*

in place as a contingency option to evacuation off-site. Refer to Section IV.P, Wildfires for a more detailed discussion of emergency access and evacuation during a wildfire.

Based on the above, the Project would not impede emergency access within the Project Site or vicinity that could cause an impediment along City designated disaster routes such that the Project would impair the implementation of the City's emergency response plan. As such, the Project's impact related to the implementation of the City's emergency response plan would be less than significant, and no mitigation measures are required.

(2) Mitigation Measures

The Project's impact with regard to emergency evacuation would be less than significant. Therefore, no mitigation measures are required.

(3) Level of Significance After Mitigation

Project-level impacts with regard to emergency evacuation were determined to be less than significant without mitigation. Therefore, no mitigation measures were required, and the impact level remains less than significant.

Threshold (g): Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires.²⁵

(1) Impact Analysis

As discussed in the Initial Study included as Appendix A of this Draft EIR, there are no wildlands in this urbanized portion of the City. However, as discussed in Section IV.P, Wildfire, of this Draft EIR, based on updated mapping published by CAL FIRE in March 2025, the Project Site is now mapped in a HFHSZ and a VHFHSZ.

As discussed in Section IV.P, Wildfire of this Draft EIR, the wildfire environment in the area was observed to be minimal and largely concentrated in the Elysian Park to the north. Separation from the Project to these wildland fuels is significant and removes the potential for direct exposure. Specifically, the design of the Project including the complete fuel break provided by North Broadway would prevent a potential fire in the open space to the north within Elysian Park from directly impacting the proposed structures. The width of North Broadway would separate the Project structures from flames within the maintained park grasses and

²⁵ *The Initial Study included as Appendix A of this Draft EIR included an analysis of Threshold (g) and determined no impact would occur. However, the sources relied upon to make this determination are now out of date, so a revised analysis is provided herein.*

limbed up trees, though the Project structures could be subjected to convective/radiant heat from a fire in the area. However, the last fire recorded in the area was more than four decades previous, and it is unlikely that a fire will start in or burn through the well-maintained park given the existing irrigation systems and minimal combustible vegetation. Furthermore, as discussed in detail in Section IV.P, Wildfire, of this Draft EIR, the Project would comply with all applicable LAFD and Code requirements related to fire protection and the control of wildfire. Specifically, the Project would provide ignition resistant buildings, landscapes, and would be surrounded by fuel modification equivalent ground covers which eliminate wildfire occurrence in all directions for distances well beyond the standard 200 feet requirement. In addition, the Project does not include characteristics consistent with those that would be more likely to result in wildfire exposure, loss, injury or death from wildfire. Rather, the Project Site is located in an urban area with large fire breaks or fire break equivalents on all sides and the Project Site would not be vulnerable to ember ignitions as a result of compliance with Chapter 7A of the LABC and meeting/exceeding Fire Management Zone (FMZ) requirements. The same features that prevent an off-site fire from progressing to the Project and endangering Project occupants also prevent a potential Project-related fire from spreading off-site by eliminating the chain of fuels otherwise known as a fire pathway.

Further, as discussed in Section IV.L.1, Public Services—Fire Protection, of this Draft EIR, fire flow to the Project Site would be required to meet City fire flow requirements as set forth in LAMC Section 57.507.3.1, which establishes fire flow standards by development type. As identified by LAFD in their written correspondence provided in Appendix J.1 of this Draft EIR, the required fire water flow for the Project has been set at 9,000 gpm from four to six hydrants flowing simultaneously with a minimum residual water pressure of 20 psi. As discussed in the Water and Sewer Infrastructure Report, an Information of Fire Flow Availability Report (IFFAR) was submitted to LADWP to determine if the existing public water system would have adequate water pressure to serve the Project's anticipated fire and domestic water needs. Based on the completed IFFAR, there are six nearby hydrants flowing simultaneously for a combined 9,000 gpm. Therefore, as shown by the IFFAR, the Project would have adequate fire flow available to demonstrate compliance with LAMC Section 57.507.3. As discussed in more detail in the Water and Sewer Infrastructure Report included as Appendix M.1 of this Draft EIR, due to the loss in water pressure resulting from the multi-leveled structures, a booster pump system would be required to provide the minimum flow and pressures to the buildings. The IFFAR confirms that the hydrants do meet the minimum required flow and that no new public hydrants will need to be installed.

In addition, the Project would incorporate fire sprinkler suppression system in all the proposed buildings. It should be noted that the proposed ancillary parking structures will be fully sprinklered and thus new hydrants are not proposed in the immediate vicinity of these structures. Per LAMC 94.2020.0, which adopts by reference NFPA 14-2013, including Section 7.10.1.1.5, the maximum allowable fire sprinkler demand for a fully or partially sprinklered building is 1,250 gpm. Because the Service Advisory Request submitted to LADWP confirms

there is sufficient pressure to serve the Project, adequate water pressure is available to operate the proposed fire sprinkler suppression system. Furthermore, the incorporation of the proposed fire sprinkler suppression system in all the proposed buildings would allow for a reduction or elimination of the Project's public hydrant demand. Specifically, Section B105.3 of the California Fire Code states that for buildings equipped with an approved automatic sprinkler system, the water supply shall be capable of providing the greater of the required automatic sprinkler system demand or the hydrant fire flow demand. Despite Section B105.3, the Project would meet both the fire hydrant fire flow demand and the automatic sprinkler system demand for the Project as indicated above.

Lastly, while electrical transmission lines are identified as being adjacent to the northernmost portion of the North Parcel and the Los Angeles State Historic Park, the presence of nearby transmission lines, which is common throughout urbanized areas and constructed and maintained in accordance with federal and state regulations, would not result in indirectly expose people or structures to a significant risk of loss, injury or death involving wildland fires.

In summary, while the Project location is in an area identified to have a wildfire hazard by CAL FIRE, the Project area does not have a wildfire risk substantiated by increased risk of ignition. Further, the same features that prevent an off-site fire from progressing to the Project and endangering Project occupants also prevent a potential fire from spreading off-site by eliminating the chain of fuels otherwise known as a fire pathway. As such, the Project would not exacerbate wildland fire risk. **Therefore, impacts associated with the potential to expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires would be less than significant, and no mitigation measures are required.**

(2) Mitigation Measures

The Project's impact with regard to wildland fires would be less than significant. Therefore, no mitigation measures are required.

(3) Level of Significance After Mitigation

Project-level impacts with regard to wildland fires were determined to be less than significant without mitigation. Therefore, no mitigation measures were required, and the impact level remains less than significant.

e. Project Impacts with Long-Term Buildout

While Project buildout is anticipated in 2034, the Applicant is seeking a Development Agreement with a term of 20 years, which could extend the full buildout year to approximately 2047. The Mitigation Monitoring Program would continue to regulate development of the

Project Site and provide for the implementation of all applicable Project Design Features and mitigation measures associated with any development activities during and beyond the term of the Development Agreement. Additionally, given that hazards and hazardous conditions are site-specific, that the materials used during operation of the Project would present a low risk for hazards exposure, and that soil and groundwater conditions generally do not vary substantially over a period of 20 years, a later buildout date would not affect the impacts or significance conclusions presented above.

f. Cumulative Impacts

(1) Impact Analysis

As indicated in Section III, Environmental Setting, of this Draft EIR, there are 25 related projects in the vicinity of the Project Site. Development of the Project in combination with the related projects has the potential to increase the risk for an accidental release of hazardous materials. However, each of the related projects would require evaluation for potential threats to public safety, including those associated with the use, storage, and/or disposal of hazardous materials, ACMs, LBP, PCBs, and oil and gas and would be required to comply with all applicable federal, state, and local laws, rules, and regulations, as discussed above for the Project. Because environmental safety issues are largely site-specific, this evaluation would occur on a case-by-case basis for each individual project affected, in conjunction with development proposals on these properties.

With regard to impairment of an adopted emergency response plan or emergency evacuation plan, like the Project, the related projects would be required to provide adequate emergency access in accordance with applicable Fire Code and Building Code requirements. In particular, like the Project, a path of free and clear access for emergency vehicles would be provided, and driveways and any internal roadways would be of widths that comply with regulatory requirements.

In addition, with regard to cumulative impacts related to wildfire risks, like the Project, each related project would be required to adhere to applicable Fire Code and Building Code requirements (including the provision of code-required FMZs where applicable for related projects located within a VHFHSZ) to reduce potential wildfire risk and exposure of occupants to pollutant concentrations from a wildfire.

Based on the above, with full compliance with all applicable federal, state, and local laws, rules, and regulations, as well as implementation of site-specific recommendations for the related projects, cumulative impacts related to hazards and hazardous materials would be less than significant.

(2) Mitigation Measures

Cumulative impacts with regard to hazards and hazardous materials would be less than significant. Therefore, no mitigation measures are required.

(3) Level of Significance After Mitigation

Cumulative impacts with regard to hazards and hazardous materials were determined to be less than significant without mitigation. Therefore, no mitigation measures are required, and the impact level remains less than significant.