

# 1.0 INTRODUCTION

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This Draft Environmental Impact Report (Draft EIR) has been prepared at the direction and under the supervision of the Los Angeles Regional Water Quality Control Board (Regional Board) in accordance with the California Environmental Quality Act (CEQA) and the Guidelines for California Environmental Quality Act (CEQA Guidelines), as amended.<sup>1,2</sup> The Remedial Action Plan (RAP) (also referred to as the “Responsible Party’s (RP’s) Proposed Remedy” or “project”) for the former Kast Property (also referred to as the “site”) describes the proposed remediation plan for the site. A detailed discussion of the project is provided in Chapter 2, *Project Description*, of this EIR.

## 1. PURPOSE OF THE EIR

This EIR has been prepared in conformance with CEQA (California Public Resources Code Section 21000 et seq.) and the CEQA Guidelines (California Code of Regulations, Title 14, Section 15000 et seq.). The principal CEQA Guidelines sections governing content of this document are Sections 15120 through 15132 (Content of an EIR).

In accordance with Section 15121 of the CEQA Guidelines, the purpose of the EIR is to serve as an informational document that:

*“...will inform public agency decision makers and the public generally of the significant environmental effect of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project.”*

This Draft EIR has been prepared as a Project EIR pursuant to Section 15161 of the CEQA Guidelines. As stated in this section:

*“This type of EIR should focus on the changes in the environment that would result from the development project. The EIR shall examine all aspects of the project including planning, construction, and operation.”*

The EIR focuses on the environmental impacts associated with the implementation of the RAP and is intended to provide the environmental information necessary for the Regional Board to make a final decision on the RAP. This EIR is also intended to support discretionary reviews and decisions by other agencies.

The EIR analysis considers the actions associated with the project and determines the short-term and long-term effects associated with their implementation. This EIR discusses both the direct and indirect impacts of the project, as well as the cumulative impacts associated with other past, present, and reasonably foreseeable future projects. Where feasible, the EIR analysis identifies mitigation measures to reduce or eliminate potentially significant adverse environmental effects. Consistent with CEQA Guidelines Section

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<sup>1</sup> Public Resources Code Section 21000-21178.

<sup>2</sup> California Code of Regulations Title 14, Chapter 3, Section 15000-15387.

15126.6(a), the EIR also describes a range of reasonable alternatives to the project, which are intended to avoid or substantially lessen the significant effects of the project, while feasibly attaining most of the basic objectives of the project.

## **2. LEAD, RESPONSIBLE, TRUSTEE AGENCIES**

The CEQA Guidelines define lead, responsible, and trustee agencies. The lead agency holds principal responsibility for approving a project and thus, the Regional Board is the lead agency for this EIR. A responsible agency refers to a public agency other than the lead agency that has discretionary approval over the project. The South Coast Air Quality Management District (SCAQMD) would be a responsible agency since air quality permits would be required to implement the project. In addition, the County of Los Angeles and the City of Carson would issue permits relating to construction remediation activities as part of the project. Accordingly, the SCAQMD, County of Los Angeles and City of Carson are responsible agencies under CEQA. A trustee agency refers to a state agency having jurisdiction by law over natural resources affected by a project. There are no trustee agencies for this project.

## **3. EIR REVIEW PROCESS**

This EIR has been prepared to meet all of the substantive and procedural requirements of CEQA; California CEQA Guidelines and the rules, regulations and procedures for the implementation of CEQA as executed by the Regional Board.

In compliance with the CEQA Guidelines, the Regional Board has provided opportunities for the public to participate in the environmental review process. In September 2013, the Regional Board issued a public notice soliciting input from the community and stakeholders on the scope and content of the environmental documents to be prepared in compliance with CEQA. The public notice also advertised a “Community Open House - CEQA Scoping Meeting” to be held on September 24, 2013 at the Carson Center, Carson-Dominguez Ballroom, Hall ‘A’ located at 801 East Carson Street in Carson, CA 90745. This scoping meeting was intended to reach both the general public and public agencies. The Regional Board accepted written comments on the scope and content of the forthcoming CEQA documentation from September 9 through October 8, 2013.

Pursuant to the provisions of Section 15082 of the CEQA Guidelines, the Regional Board circulated an NOP (and Initial Study) to State (including the State Clearinghouse - State Clearinghouse #2014031053], regional, and local agencies, and members of the public (including all residences within the Carousel Tract and properties within the surrounding area<sup>3</sup>) for a 30-day period commencing March 19, 2014 and ending April 18, 2014. A copy of the NOP and Initial Study are included in Appendix A of this Draft EIR. The purpose of the NOP was to formally convey that an EIR is being prepared for the project, and to again solicit input regarding the scope and content of the environmental information to be included in the EIR. The NOP was based on the results of an Initial Study which determined that implementation of the project could result in potentially significant impacts to the environment. The Initial Study provides a detailed discussion of the potential environmental topics and the reasons that each topic is or is not analyzed further in this Draft EIR.

<sup>3</sup> *The surrounding area includes all properties (residential and non-residential) within the following bounded area: E. Sepulveda Boulevard on the north; S. Avalon Boulevard on the east, W R Street on the South; and Main Street on the west.*

The Regional Board also published the NOP on March 19, 2014 in two local newspapers of general circulation within the project vicinity, the Daily Breeze and the Los Angeles Times. In addition, the Regional Board mailed an "Information Bulletin" in March 2014 to all residences within the Carousel Tract informing them of the upcoming NOP.

The comments raised during the Regional Board's initial scoping outreach efforts in September 2013 and the more recent NOP comment period are contained in Appendix A of this EIR and summarized in the Executive Summary under the "Key Issues of Controversy and Issues to be Resolved" subheading.

The NOP and the CEQA Initial Study and other documents related to the proposed project were all made available for review at the following location(s):

Carson Public Library  
151 E. Carson St.  
Carson, CA 90745-2797

Tuesday - Thursday: 10 am - 8  
pm Saturday: 8 am - 6 pm  
Monday/Friday/Sunday: Closed

Regional Water Quality Control Board  
Los Angeles Region  
320 W. 4th Street, Suite 200  
Los Angeles, CA 90013  
(213) 576-6600

Electronic copies of the documents were also available at:

- The State Water Resources Control Board's website at <http://www.swrcb.ca.gov/rwqcb4/Kast/index.shtml> and;
- The Regional Board's website at: <http://www.waterboards.ca.gov/losangeles/> under "Announcements."

Based on the Initial Study and comments received during the CEQA scoping periods Chapter 5 of this EIR addresses the following environmental topics where the potential for significant impacts was identified: Air Quality, Geology and Soils, Greenhouse Gas Emissions, Hazardous Materials, Hydrology and Water Quality, Noise, Traffic and Circulation, and Utilities and Service Systems (Solid Waste). For each of the environmental issues described above, the project's potential to result in direct, indirect and cumulative impacts are addressed and feasible mitigation measures are provided where necessary to address significant impacts. Chapter 7, *Other Mandatory CEQA Considerations*, includes a discussion of those environmental issues (e.g., Mineral Resources, Public Services, Population and Housing, etc.) where the characteristics of the project made it clear that impacts would not be significant and further evaluation of such issues in the EIR was not necessary. Such issues were determined to be "scoped out" of the Draft EIR through the Initial Study analysis.

This Draft EIR is subject to a 45-day public review period by responsible and trustee agencies, members of the public and other interested persons. The review period commences November 7, 2014, and ends January 9, 2015. In accordance with the provision of Sections 15085(a) and 15087(a)(1) of the CEQA Guidelines, the Regional Board, serving as the Lead Agency, has circulated a Notice of Availability (NOA) of a Draft EIR to all residences within the Carousel Tract and the surrounding area (as defined above), in addition to applicable public agencies, organizations, and individuals that commented on the NOP. The NOA also indicates the Draft EIR will be available for review at the Carson Library and Regional Board office in Los

Angeles, CA (see addresses above), in addition to being available electronically at the State Water Board and Los Angeles Regional Board websites (see website addresses above).

The Regional Board will prepare and transmit a Notice of Completion (NOC) to the State Clearinghouse. Proof of publication is available at Regional Board's Los Angeles office. All comments on the EIR should be addressed to:

Regional Water Quality Control Board  
Los Angeles Region  
Attn: Dr. Teklewold Ayalew, PhD, PG, Project Manager  
320 W. 4th Street, Suite 200  
Los Angeles, CA 90013  
RE: Former Kast Property Tank Farm Site Remediation Project  
Or via email at: [teklewold.ayalew@waterboards.ca.gov](mailto:teklewold.ayalew@waterboards.ca.gov)

Any agency, organization or members of the public desiring to comment on the EIR must submit their comments in writing to Dr. Teklewold Ayalew prior to the end of the public review period at 5:00 P.M. on January 9, 2015.

Upon the close of the public review period, the Regional Board will proceed to prepare a Final EIR that will consist of the Draft EIR (incorporated by reference) and responses to comments addressing issues and concerns raised by responsible agencies or reviewing parties, revisions to the Draft EIR or corrections and additions to the Draft EIR, and a mitigation monitoring and reporting program (MMRP). With regards to responses to comments, the Regional Board will evaluate and prepare written responses to all relevant written comments received during the public review period. The Regional Board's responses at this point in the process will be limited to issues relating to the adequacy of the EIR and not the relative merits of the project. With regards to the MMRP, according to PRC Section 21081.6, for projects in which significant impacts will be avoided by mitigation measures, the Lead Agency must include a MMRP. The purpose of the MMRP is to ensure compliance with required mitigation during implementation of the project. After the Final EIR is completed, and at least 10 days prior to its certification, a copy of the response to comments on the Draft EIR will be provided or made available to all commenting parties.

According to PRC Section 21081, the Lead Agency must adopt Findings of Fact (Findings) before approving a project, when the EIR identifies significant environmental impacts that may result from a project. These findings, as a result, are intended to comply with CEQA's mandate that no public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant effects thereof unless the agency makes one or more of the following findings:

- Changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant environmental effect as identified in the Final EIR.
- Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
- Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

Environmental impacts may not always be mitigated to a less than significant level. When this occurs, impacts are considered significant and unavoidable. As evaluated in Chapter 5 of this Draft EIR, significant and unavoidable noise impacts would occur from implementation of the project. Accordingly, the Regional Board must adopt a “statement of overriding considerations” prior to approval of the project in compliance with PRC Section 21081. Such statements are intended under CEQA to provide a written means by which the Regional Board balances the benefits of the project and the significant and unavoidable environmental impacts. Where the Regional Board concludes that the economic, legal, social, technological, or other benefits outweigh the unavoidable environmental impacts, the Regional Board may find such impacts “acceptable” and approve the project.

#### 4. ORGANIZATION OF THE EIR

The EIR includes an Executive Summary, nine chapters, and numerous appendices, which are organized as follows:

**Executive Summary.** This chapter presents a summary of the project and alternatives, potential impacts and mitigation measures, and impact conclusions regarding significant unavoidable adverse impacts and effects found not to be significant. This section also summarizes the issues raised in the CEQA scoping and NOP comment letters regarding the scope and content of the EIR.

- 1 **Introduction.** This chapter provides: a description of the purpose of the EIR; identification of the lead, responsible, and trustee agencies; an overview of the EIR review process; and an outline of the organization of the EIR.
- 2 **Project Description.** This chapter describes the location, objectives, and physical and operational characteristics of the project.
- 3 **Description of Alternatives.** This chapter contains a description of the alternatives to the project as evaluated in Chapter 5 of this EIR.
- 4 **Basis for Cumulative Analysis.** This chapter contains a list of related projects anticipated to be built within the project vicinity.
- 5 **Environmental Impact Analysis.** For each of the environmental topic areas indicated above, this chapter includes: the environmental setting; project, alternative and cumulative impact analyses; mitigation measures, where necessary; and conclusions regarding the level of significance after mitigation.
- 6 **Comparison of Alternatives.** This chapter includes a summary and comparison of the environmental impacts of the project and the alternatives. This chapter also identifies the environmentally superior alternative.
- 7 **Other Mandatory CEQA Considerations.** This chapter includes a discussion of issues required by CEQA that are not covered in other sections. This includes discussions of significant unavoidable impacts, impacts found not to be significant, irreversible environmental changes, potential secondary effects caused by the implementation of the mitigation measures for the project, and growth inducing impacts.

**8 List of Preparers.** This chapter lists the individuals involved in preparation of this EIR and organizations and persons consulted in the preparation of the EIR.

**9 References.** This chapter lists all the references used in preparation of the EIR.

The appendices present data supporting the analyses or contents of this Draft EIR. The appendices include the following:

- Appendix A – Notice of Preparation/Initial Study/NOP Comment Letters
- Appendix B – RAP and Addendum to the RAP
- Appendix C – Air Quality Worksheets
- Appendix D – Greenhouse Gas Worksheets
- Appendix E – Health Risk Assessment
- Appendix F – Noise Worksheets
- Appendix G – Traffic Study