INITIAL STUDY

Remedial Action Plan for Ascon Landfill Site

Ascon Landfill Site, Huntington Beach, California

April 2013

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CALIFORNIA ENVIRONMENTAL QUALITY ACT
INITIAL STUDY

The Department of Toxic Substances Control (DTSC) has completed the following Initial Study for this project in accordance with the California Environmental Quality Act (CEQA) (§ 21000 et seq., California Public Resources Code) and implementing Guidelines (§ 15000 et seq. Title 14, California Code of Regulations).

PROJECT INFORMATION

PROJECT TITLE: Remedial Action Plan for Ascon Landfill Site		**CALSTARS CODING:**
PROJECT ADDRESS: 21641 Magnolia Street	**CITY:** Huntington Beach	**COUNTY:** Orange
PROJECT SPONSOR: Ascon Responsible Parties (RPs)	**CONTACT:** Tamara Zeier, Project Manager, Project Navigator	**PHONE:** 714-388-1804 tzeier@projectnavigator.com

DISCRETIONARY APPROVAL ACTION BEING CONSIDERED BY DTSC

☐ Initial Permit Issuance ☐ Permit Renewal ☐ Permit Modification ☐ Closure Plan
☐ Removal Action Workplan ☒ Remedial Action Plan ☐ Interim Removal ☐ Regulations
☐ Other (specify):

STATUTORY AUTHORITY:

☐ California H&SC, Chap. 6.5 ☒ California H&SC, Chap. 6.8 ☐ Other (specify):

DTSC PROGRAM/ ADDRESS: Southern California Cleanup Operations Branch 5796 Corporate Avenue, Cypress, CA 90630-4732	**CONTACT:** Safouh Sayed safouh.sayed@dtsc.ca.gov	**PHONE:** (714) 484-5471

Summary

The Ascon Landfill Site (site) operated as a hazardous waste disposal facility from approximately 1938 through 1984. Since 1984, waste materials have not been accepted and the site has remained a closed landfill facility. In 2003, the Department of Toxic Substances Control (DTSC) entered into an Imminent and Substantial Endangerment Determination Consent Order (I&SE CO), Docket No. I&SE CO 02/03-007, and an Imminent and Substantial Endangerment Determination and Order and Remedial Action Order (I&SE-RAO), Docket No. I&SE-RAO 02/03-018, with ten Responsible Parties (RPs). As a result of these agreements, the RPs are required to finance the implementation of the final remedy at the site.

A Revised Feasibility Study (RFS) prepared by the RPs under DTSC oversight was approved in 2007. The RFS identified and evaluated six potential remedial action alternatives to protect public health and the environment at the project site. The RFS identified a "preferred alternative" to remedy the site that generally includes partial removal of waste materials within the site and a protective cap over the remaining waste materials. This preferred alternative is the subject of a Remedial Action Plan (RAP) currently under preparation by the DTSC. The RAP will identify the detailed components of the

"preferred alternative." A description of the preferred alternative is provided below. The preferred alternative is the Project being evaluated under CEQA in this Initial Study and forthcoming Environmental Impact Report (EIR). However, the EIR will include an analysis of a range of alternatives to remedy the site, including removal of all waste materials from the site. The forthcoming CEQA process, which will consider input from the public and public agencies, will determine whether the preferred alternative or another alternative will be implemented as the final remedy for the site.

Background

The site operated as a waste disposal facility from approximately 1938 through 1984. Much of the early waste came from oil drilling operations in the local and regional vicinity. Prior landowners entered into a voluntary cleanup agreement (VCA) with the DTSC in 1996. However, that VCA was terminated in 2001 via a 30-day notice letter issued to DTSC from a prior owner before the cleanup was conducted. In June 2001, DTSC notified a number of companies regarding their alleged cleanup responsibilities at the site. In 2003, DTSC entered into an I&SE CO, Docket No. I&SE CO 02/03-007, and an I&SE-RAO, Docket No. I&SE-RAO 02/03-018, with ten RPs. The RPs will finance the implementation of the final remedy.

Over the past approximately 30 years, there have been numerous and extensive investigations conducted at the site. The primary purpose of these investigations was to characterize the surface materials, subsurface wastes and soils, air, soil vapors, native soil characteristics, groundwater and surface water. Recent studies focused on air quality, potential waste emissions, and groundwater quality.

The RPs conducted a Revised Feasibility Study (RFS) that was approved by the DTSC in September 2007.[1] The RFS identified and evaluated six remedial action alternatives to protect public health and the environment at the project site. The RFS was prepared as defined by, and in conformance with, the I&SE CO, the I&SE-RAO, and the requirements set forth in Division 20 of the California Health and Safety Code, and Title 40 of the Code of Federal Regulations.

Out of the alternatives provided in the DTSC-approved RFS, Alternative 4 (Partial Source Removal with Protective Cap) was selected as the "preferred alternative" for remediation of the site. The preferred alternative includes the partial removal of existing on-site material and installation of a protective cap that would allow the site to be developed with a to-be-determined mix of restricted commercial, light industrial, and/or recreational uses, subject to future approval by DTSC. A Draft RAP is currently being prepared which will provide a detailed description of the components of the preferred alternative. The preferred alternative is recognized as basis for the "proposed Project" in this Initial Study.

Most recently, the RPs conducted an Interim Removal Measure (IRM) Project at the site. The IRM was conducted between July 2010 and March 2011 and involved the removal and disposal of approximately 70,000 cubic yards of tarry materials from on-site Lagoons 1, 2 and 3. The purpose of the IRM was to enable a further assessment of the site by allowing access to previously inaccessible materials, and to

[1] *Revised Feasibility Study for Ascon Landfill Site, prepared by Project Navigator, Ltd., September 20, 2007.*

prepare for the Draft RAP. Specifically, the removal of the tarry materials allowed for collection from the lagoon areas of geotechnical data that are being utilized to refine the preferred alternative.

This Initial Study serves as the first step of the environmental review process for the Project. Upon completion of public review and comment on the Initial Study, additional public review and comment will occur throughout the remaining environmental review process, which will include the preparation of an EIR. After completion of the environmental review process, the DTSC will identify the final remedy for the site.

The following sections provide an overview of existing site characteristics, the process used in the RFS to select the preferred alternative, and a description of the preferred alternative for remediation of the site.

Project Description

Site Location

The 38-acre project site is located at the southwest corner of Hamilton Avenue and Magnolia Street (21641 Magnolia Street) in the southeast portion of the City of Huntington Beach, Orange County, California. The site is identified by Assessor's Parcel Numbers 114-150-75, 114-150-78, 114-150-79, and 114-150-80.

Regional access to the project site is provided via the Interstate 405 (I-405) Freeway, State Highway 39 (Beach Boulevard), and State Highway 1 (Pacific Coast Highway or PCH) as shown in Figure 1, *Regional and Local Vicinity Map* (all figures follow at end of this Initial Study). The site is located approximately five miles south of I-405, one mile east of Beach Boulevard, and one-quarter mile north of PCH. Figure 2, *Surrounding Land Uses*, provides an aerial photograph of the site and surrounding land uses. As indicated in Figure 2, the site is bounded by Hamilton Avenue to the north and Magnolia Street to the east. The site is bounded by the following land uses: Edison Park and Community Center to the north across Hamilton Avenue; Edison High School near the northeast corner of Hamilton Avenue and Magnolia Street; single-family residential uses east of Magnolia Street; an oil storage tank area to the south; and light industrial uses and the Huntington Beach Flood Control Channel (Huntington Beach Channel) to the west. The site is enclosed by a chain-linked fence, but is accessible from four secured gates, all of which are located along Magnolia Street and Hamilton Avenue.

Site Ownership

The site is comprised of two parcels: the Cannery Hamilton Properties, LLC (CHP) parcel and the City parcel. The CHP parcel is that portion of the site currently owned by CHP. The CHP parcel is the entire site except for an approximately 30-foot wide margin along the northern edge of the site along Hamilton Avenue and an approximately 20-foot wide margin along the eastern edge of the site along Magnolia Street. Collectively, these two margin areas comprise the City parcel (refer to Figure 3, *Site Ownership*). Control of the City Parcel has been temporarily transferred to CHP by license agreement with the City of Huntington Beach.

Site Characteristics

In the early years of operation, much of the waste came from oil drilling operations and included drilling muds, wastewater brines, and other drilling wastes. Records show that from 1957 to 1971 chromic acid, sulfuric acid, aluminum slag, fuel oils, styrene, and other wastes were also disposed of at the site. From 1971 to 1984, solid wastes such as vehicles, asphalt, concrete, metal, soil, and wood were disposed of at the site. The site stopped receiving waste commercially in 1984.

Historical aerial photographs indicate that, at various times, most of the site was covered by lagoons containing waste materials. The lagoons were used mainly for disposal of oil production wastes such as drilling mud, brines, and petroleum-contaminated soil. Most of the site area not currently designated as a pit, lagoon, or perimeter berm is designated as part of the former lagoons. The areas formerly occupied by lagoons have since been filled in and covered over with imported soil and construction debris.

Wastes disposed of at the site were placed directly upon native soil. On-site soil was used to form berms resulting in the lagoons and pits. As waste material accumulated, the berms were raised such that much of the site is now approximately 10 to 20 feet above the surrounding street level. The outside slopes of the perimeter berm are covered with grasses, shrubs, and scattered small trees. The central portion of the northern berm along Hamilton Avenue was reduced in height by up to approximately eight feet in 2005 during the Emergency Action. The Emergency Action strengthened the north berm (along Hamilton Avenue) and mitigated potential seepage through the north berm by removal of approximately 50,000 CY of drilling mud from the northernmost lagoons (Lagoons 4 and 5) and installation of a toe drain along the toe of the north berm. Winterization work was also conducted on the site, including installation of storm water best management practices (BMPs), such as drainage swales and detention basins. The Emergency Action was mandated by record rainfall that occurred during the 2004-2005 wet season. The RPs performed the Emergency Action under DTSC oversight.

On-site elevations currently range from approximately five feet above mean sea level (MSL) at the southeastern corner to approximately 25 feet above MSL near the center of the site. The surface topography of adjacent properties is generally flat, with elevations ranging from approximately 5 to 10 feet above MSL.

From 1984 until approximately 2005, the site remained relatively unchanged. In 2005 through early 2006, the RPs implemented the Emergency Action, as discussed above. Also as discussed above, between 2010 and 2011 the RPs implemented the IRM that removed tarry materials from within three of the site's five visible impoundments (referred to as Lagoons 1 through 5). Also as part of the IRM, most of the tarry materials formerly found in Lagoons 1 and 2 were excavated and disposed off-site. In addition, some waste materials from within Lagoon 3 were removed during the IRM activities. As a result, currently, the five lagoons onsite are partially filled with waste materials. The site also has one covered pit (referred to as Pit F), seven former pits (A-E, G and H) and former lagoon areas that are no longer visible. The approximate locations of the visible impoundments, former pits, and other significant features such as buildings, gates, and oil production facilities are shown on Figure 4, *Site Features*.

The pits are of relatively limited surface extent. Each pit is less than approximately 7,200 square feet in surface area. Pits A, B, and H are located in the northwest corner of the site. Pits C, D, E, F, and G are located in the southeast corner of the site. Available records indicate that Pits A and B were used for disposal of oily wastes, while Pits C and D were used for disposal of chromic and sulfuric acids. Oily wastes, possibly containing styrene, were placed in Pit E. Styrene tar and synthetic rubber wastes were disposed in Pit F. Investigations show that material from Pit F appears to have migrated in the subsurface to a surface extent of approximately 1.1 acres within the project site's boundaries. Records regarding the types of wastes disposed of in Pits G and H have not been obtained.

The on-site thickness of the site's petroleum-impacted waste varies from a few feet to as much as 20 feet. Soil and construction debris, consisting of wood, brick, concrete, and asphalt, overlie much of the waste material and can currently be seen throughout the site. The combined thickness of solid debris and waste materials throughout the site is estimated to range from approximately five to 25 feet. The total volume of waste and impacted soils on site is estimated at approximately 1.4-million cubic yards (CY).

Figure 4 shows that, in addition to the lagoon and pit areas, the majority of the site is vacant with intermittent vegetation located throughout the site. There are also interior dirt and gravel roadways and/or pathways located throughout the site.

An oil production facility consisting of two oil wells on leased property is located along the western perimeter of the Ascon property. This facility is operated by third-parties. The third-party operator as of the date of this Initial Study is the South Coast Oil Corporation (SCOC).[2]

Until July 2004, a third party kept equipment on a two-acre oil production lease area in the east-central portion of the site (in the Krik Well No. 80 oil lease area). The oil production well (Krik Well No. 80) and associated tank storage were removed during clean-up operations in response to a March 17, 2004, crude oil release from Krik Well No. 80. The California Department of Conservation, Division of Oil, Gas & Geothermal Resources abandoned Krik Well No. 80 on March 27, 2004. At that time all oil production activities at the Ascon site ceased, with the exception of the SCOC leased area. CHP completed the well removal action on April 27, 2004. CHP submitted Krik Well No. 80 Release Completion Report to the federal Environmental Protection Agency (EPA) on June 14, 2004.[3]

Groundwater beneath the site is present at shallow depths below ground surface (bgs). The groundwater elevations are near MSL, as expected based on the site's proximity to the Pacific Ocean and adjacent Huntington Beach Flood Control Channel. Groundwater elevation has varied a few feet over time due to seasonal variations. Monitoring well data show that the highest groundwater elevations occur in the southwest corner of the property near the flood control channel, at approximately 0 feet MSL. The lowest groundwater elevations occur in the northwest corner of the site, at approximately 5 feet below MSL.

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[2] *The operator of the oil production facility is subject to change. For simplicity, this facility is referred to as "the South Coast Oil Corporation area" or "the SCOC area" throughout this Initial Study.*

[3] *Letter from Robert Wise, Federal On-Scene Coordinator, to CHP, dated April 27, 2004.*

Remedial Actions Considered

The RFS evaluated six alternatives for remediation of the site. The stated objectives of the RFS were to evaluate remedial technologies available to address impacted media at the site, to evaluate and confirm the appropriateness of process options to implement those technologies, to assemble remedial alternatives and evaluate them against the nine criteria set forth in the National Contingency Plan ("NCP") (summarized below), and to recommend a preferred alternative. The NCP, under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), describes the organizational structure and procedures for preparing for and responding to discharges of oil, hazardous substances, pollutants, and contaminants.

The approach and analysis used in the RFS was conducted in accordance with DTSC requirements as follows: Remedial action objectives and requirements for the site were identified. Various treatment technologies and remediation processes were reviewed for their applicability to the Ascon wastes. To evaluate the effectiveness of candidate technologies, focused, low volume treatability studies were conducted on specific wastes. Results from the treatability studies were used to develop remedial alternatives for the site. Based on the technology reviews, the specific Ascon field-testing results, the conclusions of the previously prepared Feasibility Study for the site in 2000, and additional groundwater and soils investigations conducted from 2004 through 2007, six specific alternatives were selected for detailed evaluation and comparison. The following is a brief summary of each of the alternatives considered:

Alternative 1: No Action - Alternative 1 consists of no further action at the site and is required to be evaluated as a baseline alternative under the NCP. If Alternative 1 were implemented, no action would be taken to contain, treat, or remove the affected soils. The existing fencing at the site would restrict direct contact with site wastes by trespassers. The City parcel would continue to be impacted by waste materials.

Alternative 2: Limited Waste Removal - Alternative 2 would mainly consist of removal and off-site disposal of the tarry materials from the lagoons; stabilization of the remaining lagoon materials and infilling where the tarry liquids were removed; removal and off-site disposal of Pit F materials; and, performance of long-term groundwater monitoring.

Alternative 3: Protective Cap - Alternative 3 would mainly consist of the removal and off-site disposal of the same material as would be removed in Alternative 2. In addition, the materials found near the streets in the City parcel would be moved to within the site property boundaries. The perimeter berms would be reconstructed, and a protective cap would be installed over the site to protect human health and the environment. Long-term groundwater monitoring would be performed.

Alternative 4: Partial Source Removal with Protective Cap - Alternative 4 would be similar to Alternative 3 except that additional materials would be removed and disposed off-site and the protective cap built over the remaining materials would be tiered with a lower profile near the streets. Long-term groundwater monitoring would be performed.

Alternative 5: Source Removal with Off-Site Disposal and SIT (Slurry Injection Technology) - Alternative 5 consists of removal and off-site disposal or deep well injection of all waste materials, including the

tarry liquids from the lagoons, the tarry wastes from Pit F, the soils impacted by Pit F, and the impacted soils and drilling muds from the current lagoons, former lagoons, pits, and the perimeter berm. Soils and drilling muds would be excavated until their chemical concentrations reach either levels that are protective of the public health and environment or background concentrations. After the removal of wastes, the site would be re-graded using on-site, clean, excavated material and/or imported soil. Long-term groundwater monitoring would be performed, if groundwater impacts remained.

Alternative 6: Source Removal with Off-Site Disposal - Alternative 6 is similar to Alternative 5 except that all waste materials would be disposed of off-site. Long-term groundwater monitoring would be performed, if groundwater impacts remained.

Each alternative was evaluated based on the first seven of the nine NCP criteria. The remaining two criteria, State Acceptance and Community Acceptance, will be evaluated as part of the EIR process. The following is a summary of the criteria:

1. Overall protection of human health and the environment.
2. Compliance with Applicable or Relevant and Appropriate Requirements (ARARs).
3. Long-term effectiveness and permanence.
4. Reduction of toxicity, mobility, or volume through treatment.
5. Short-term effectiveness.
6. Implementability.
7. Cost.
8. State acceptance.
9. Community acceptance.

An acceptable alternative must meet Criteria 1 and 2, known as "threshold criteria," in order to be carried further in the analysis. Criteria 3 through 7, known as "balancing criteria," are evaluated to determine the best overall solution. After public comment during the EIR process required by CEQA, the DTSC may alter its selected remedy on the basis of the last two "modifying" criteria.

The following is a summary of the evaluation results.

Alternative 1 (No Action) fails to meet many of the criteria, including the two threshold criteria of overall protection of human health and the environment and compliance with ARARs.

Alternative 2 (Limited Waste Removal) also fails to meet the threshold criteria.

Alternative 3 (Protective Cap) meets both of the threshold criteria and all of the balancing criteria to a degree.

Alternative 4 (Source Removal with Protective Cap) meets both of the threshold criteria and all the balancing criteria, to a degree. Alternative 4 better meets Criterion 3, long-term effectiveness and permanence, than Alternative 3 due to the additional volume of removed material.

Alternative 5 (Source Removal with Off-Site Disposal and SIT) meets the two threshold criteria and scores satisfactorily at meeting the balancing criteria. However, the SIT disposal as part of this alternative was deemed low on implementability.

Alternative 6 (Removal with Off-Site Disposal) meets the two threshold criteria and scores satisfactorily at meeting the balancing criteria. The area where Alternative 6 differs from Alternative 5 is the SIT option for deep well disposal. Since the SIT disposal was deemed low on implementability, Alternative 5 was deemed less feasible than Alternative 6. Alternative 6 was deemed low on short-term effectiveness because the implementation of the remedy would cause the most disruption to the community in terms of truck traffic, odors, and prolonged schedule to completion. Alternative 6 also presented the highest cost.

Based on the final evaluation and comparison of the alternatives, Alternative 4 was recommended in the RFS as the preferred alternative for the site. Thus, Alternative 4 is the Project being evaluated under CEQA. More specifically, the Project is necessarily modified and adapted from Alternative 4, as it is defined in the RFS, due to the waste removal conducted during the IRM and in consideration of improved removal technologies (*i.e.*, the site is now different than it was during the RFS formulation). However, the EIR for this Project will include an analysis of alternatives consistent with Section 15126.6 of the CEQA Guidelines. The alternatives will be evaluated for the purpose of avoiding or substantially lessening any significant environmental impacts that have been identified in the Project analysis, consistent with the basic objectives of the Project. A reasonable range of alternatives, including the mandatory No Action Alternative, will be analyzed in the Draft EIR. The alternatives will be defined in conjunction with DTSC staff. Based on the NCP criteria analysis above, it is anticipated that Alternative 6 will be analyzed qualitatively in the EIR as an alternative to the Project.

Please refer to the RFS for a detailed evaluation of the process conducted under DTSC's direction and oversight, and for additional details on each alternative. The RFS is available for review on the Ascon Landfill website at: http://www.ascon-hb.com, located under the 'Site Documents' tab; and also on DTSC's EnviroStor website at www.EnviroStor.ca.gov.

In addition, the Draft RAP for the project will be made available for public review in conjunction with the Draft EIR to be prepared for the Project, and will include an explanation of Project implementation activities.

Proposed Remediation Activities Under Preferred Alternative

The volume of waste materials to be excavated from the site during the preferred alternative is estimated to be up to 32,250 bank cubic yards ("BCY" is a measurement of volume with "in-the-ground" density) for planning purposes, most of which would be hauled in end-dump trucks to an off-site disposal site permitted to accept the waste material. The Project would be implemented in approximately 10 phases, as described below.

Phase 1 - Mobilization

Phase 1 would begin with general mobilization, which includes establishing a staging area with office trailer(s), installing utilities, bringing in earthwork and supporting equipment (e.g., water tower, foam units), bringing in and setting up perimeter air monitoring equipment, installing storm water best management practice (BMP) features, etc. Phase 1 would also consist of clearing activities, which includes removal of interior fencing and existing tall vegetation and establishing haul roads and work platforms. Haul roads would be established and maintained throughout the Project.

Phase 2 – Pit F

Upon completion of Phase 1, Pit F materials would be excavated for transport and off-site disposal (Phase 2) at a facility permitted to accept the waste material. Pit F would be temporarily graded to a working elevation. A temporary structure (e.g., Sprung®) is planned to be constructed over Pit F. The structure would be operated as a negative-pressure air enclosure whose effluent would be treated using granular activated carbon to capture emissions from the excavated waste prior to discharge to the atmosphere. The excavation of Pit F, consisting of approximately 2,250 BCY, would be performed under the enclosure by slot cutting, utilizing slurry trench technology. The trenches from which the Pit F materials would be excavated would be filled with a slurry to minimize potential emissions from the Pit F waste and inflow of groundwater. The Pit F materials would be excavated through the slurry. The excavated slots would then be backfilled with a mix of sand, cement, and water (*i.e.*, "flowable fill"). Upon completion of the excavation, the nonhazardous slurry would either be absorbed into adjacent soils or be disposed of with the excavated materials. The Pit F materials are planned to be loaded into sealed roll-off bins, or similar, and staged onsite. The staged bins would be transported to the disposal facility utilizing bin trucks and/or rail transportation. Excavation, loading of bins, and backfilling would be performed under the negative-pressure structure. Although the excavation volume is anticipated to be approximately 2,250 BCY, the volume of Pit F removal could be up to approximately 4,500 BCY, or 8,100 tons. Upon completion of Pit F work, the Pit F area would consist of cured flowable fill from working grade to the depth needed to remove the pit materials (up to approximately 30 feet depth below working grade [i.e., structure floor][4]).

Phase 3 – Cut and Fill Activities

Phase 3 of the Project would consist of grading, reconsolidation, and compaction of existing site materials. After clearing and grubbing, materials would be excavated and/or graded. Waste materials would be placed and compacted in designated fill areas or placed in the South Coast Air Quality Management District (SCAQMD) Rule 1166 emissions treatment cell/emissions control cell ("emissions control cell") if VOC-contaminated materials[5] are encountered during excavation. The site would be graded, including excavation where necessary, and backfilled to the top of subgrade, the final elevation

[4] *All elevations (EL) referenced herein are per the NAVD88 coordinate system with elevations below Mean Sea Level (MSL) referred to as negative.*

[5] *VOC-contaminated material is defined by SCAQMD as excavated soil that measures greater than 50 parts per million (ppm) total volatile organic compounds (VOCs) as measured with an organic vapor analyzer (OVA) (e.g., PID), within three inches of the excavated material within three minutes of excavation.*

of the waste prior to capping. However, prior to commencement of grading in the northern portion of the site in the Lagoons 4 - 5 area, portions of the contents of Lagoons 4 and 5 would be retained with a support system to enable grading and excavation of other portions of those lagoons. To achieve this support, a berm would be constructed inside the lagoons. The berm would act to retain the material left in place in Lagoons 4 and 5. This berm would be constructed by mixing the lagoon material with a binding material (e.g., cement, fly ash, lime kiln material, etc.) in the location of the berm, which will be left in place under the cap as part of the preferred alternative. After construction of the berm, Phase 3 would continue with the excavation of Lagoon 4 and 5 material located to the north and east of the newly constructed berm. All excavated material during Phase 3 would be monitored for VOCs and handled per the site's SCAQMD Rule 1150/1166 permit. Material designated as VOC-contaminated per SCAQMD Rule 1166 would be treated and retained onsite in an emissions control cell to be located in the former Lagoons 1 and 2 area per the SCAQMD Permit-to-Operate (PTO) for this system, or removed and disposed at an off-site disposal facility permitted to accept this waste material. Other excavated and graded materials (non-VOC contaminated materials) may be stockpiled onsite and would be used as fill as necessary to achieve subgrade. Other materials could be stockpiled for removal/disposal as part of the potential 32,250 BCY removal.

With regard to the other pit wastes (Pits A - E, G, and H), the preferred alternative would remove these wastes to the approximate adjacent street elevation (exact elevation to be determined during remedial design) if they are part of the partial source removal area, through excavation and off-site disposal and/or placement of excavated materials under the cap.

Groundwater, which may be exposed in the bottom of excavations, may be reused onsite or pumped into a water treatment system, if needed, and discharged or disposed. Surface water would be managed appropriately under the General Construction National Pollution Discharge Elimination System (NPDES) permit from the State Water Resources Control Board (SWRCB) and the site's Construction Storm Water Pollution Prevention Plan (SWPPP), and by one or more of the following three methods: (a) discharge to the City of Huntington Beach storm drain system after appropriate treatment using existing Best Management Practices (BMPs); (b) use as construction water; or (c) use as dust control water.

During the work performed in the phases described above, the Project would implement a perimeter air monitoring plan (AMP), including time-averaged sampling and real-time perimeter air monitoring. The AMP would include action levels with corresponding actions if/when action levels are exceeded. During the remediation activities, Rusmar® foam, or similar, would be applied to the waste materials to suppress potential emissions of potential chemicals of concern. In addition, water would be used to suppress dust.

In addition, during this phase, there would be an investigation of the location of Pacific Ranch #1 converted water well (former oil well) in the Lagoon 5 area. There would also be an investigation of the locations of AW-6 and AW-7 former groundwater monitoring wells, thought to be located under Hamilton Avenue based on anomalies found during a magnetic survey. If found, these monitoring wells would be properly abandoned or destroyed.

Phase 4 – Treatment Cell

Treatment of any VOC-contaminated materials would be performed by placement of the material in windrows in the emissions control cell and covering with vapor collection piping and plastic sheeting, per the SCAQMD permit-to-construct/permit-to-operate (PTC/PTO). Emissions collected from these materials would be transported through the piping using a blower and treated with granular activated carbon prior to discharge to the atmosphere.

Phase 5 – Concrete Debris

Concurrent with the cut and fill of existing material to achieve subgrade; some existing concrete debris and rubble would be consolidated and placed onsite as select deep fill (*i.e.*, the debris would be placed in locations and at depths so as to avoid detrimental impacts to the geotechnical stability of the cover system). As needed, some concrete debris may be broken and/or crushed with a breaker attachment on an excavator and/or a concrete crusher.

Phase 6 – Cap Construction

Phase 6 of the Project would consist of construction of the final cover (or "cap") system. As subgrade is achieved in portions of the cut and fill area, the final cover system would be constructed. This would include the installation of the gas collection layer and associated conveyance features (e.g., piping, strip composite, etc.), as well as the import, placement, and compaction of cover material. Bottom dump/belly dump trucks would be used up to 10 hours per workday to import approximately 240,000 BCY of cover materials over a period of 102 workdays, with a delivery rate of up 200 import trucks per workday. The cover materials would be graded to final grade. The cover system would not be constructed over the City Parcel, the site perimeter access road, or the SCOC area. The perimeter access road is planned to be constructed along the perimeter of the Site, outside of the toe of the cap and within the Ascon property line.

The cap over the site would be a sloped cap, consisting of different elevations in different areas, where the southwestern portion of the cap would be at a higher elevation than the cap at its northern and eastern extents. The capped areas may vary in elevation and size depending on the final area and vertical extent of source removal along the east and north sides of the site, all of which would be determined during the remedial design. The constructed cap would be designed to meet applicable laws and regulations, and would include a drainage system to collect and remove percolated storm water and a gas collection and removal system. The conceptual cap configuration is illustrated in Figure 5, *Conceptual Cap Configuration*.

The cover system (*i.e.*, cap) is anticipated to include the following elements, or a combination thereof:

1. Main Cap - The cap is anticipated to include, from top to bottom, a vegetative cover soil layer, a geonet biotic layer to prevent wildlife intrusion at the mid depth of the vegetative cover soil layer, a geosynthetic drainage layer, a geomembrane barrier layer, a vapor collection system, and a foundation layer comprised of in-place or reconsolidated waste materials and/or import fill. The geomembrane layer would minimize surface water infiltration into the underlying waste materials in

accordance with the requirements of California's Title 22, Division 4.5, *Environmental Health Standards for the Management of Hazardous Waste*. A gas collection and treatment system would be installed to collect and treat gases before discharge to the atmosphere. The conceptual profile for the main cap ("top deck") is illustrated in Figure 6, *Conceptual Cap Profiles*. The profile shown in Figure 6 is a conceptual illustration and will be subject to review and approval by DTSC.

2. Cap Slopes - The cap slopes are expected to include an evapotranspirative (ET) monolithic soil cover with a vegetative surface overlying a foundation consisting of in-place or reconsolidated waste materials and/or import fill (*i.e.*, "subgrade"). A geonet biotic layer would be placed below the surface to prevent wildlife intrusion. The conceptual profile of the cap on the slopes is illustrated in Figure 6. The profile shown in Figure 6 is a conceptual illustration and will be subject to review and approval by DTSC.

Phase 7 – Surface Water Controls

During implementation of the preferred alternative storm water falling on the site would be managed through the site's stormwater system under the General NPDES permit from the SWRCB and the site's Construction SWPPP. This is anticipated to be similar to existing storm water management practices.

After the remedy is complete, storm water would be managed per the General Industrial NPDES permit from the SWRCB and the site's Industrial SWPPP. It is anticipated that detention basins and storm water swales, or V-ditches, would be installed along the perimeter of the final cover. Diversion berms would be installed above the final cover. It is anticipated that storm water would be discharged from the onsite detention basins to the City's storm drain system in a manner similar to existing practices. The retention basins are illustrated in Figure 6.

Phase 8 – City Parcel

The City Parcel and onsite perimeter access road areas would be excavated as needed and backfilled with suitable import materials to top of final design grade. It is anticipated that a minimum of two (2) feet of materials would be removed and conservatively assumed that up to six (6) feet of materials may be removed. Impacted materials would be excavated and reconsolidated onsite under the cap. The City Parcel excavation would occur prior to completion of filling to final grade and cap construction (Phase 6).

Phase 9 – SCOC Site

Impacted waste materials in the SCOC area may be excavated, as needed, and backfilled with suitable import materials. Any excavated waste material from the SCOC property would be placed and reconsolidated onsite under the site's cap and/or transported and disposed offsite, pending the timing of the remediation of the SCOC area. Due to the active oil lease for the minerals beneath the SCOC property, the removal of SCOC-impacted soils could be postponed or conducted by the mineral estate owners of the SCOC property at a later time. Nevertheless, for CEQA planning purposes, it is assumed that the excavation would be simultaneous with the preferred alternative and the impacted materials would be incorporated under the remedy cap.

Phase 10 - Site Restoration

Phase 10 of the Project consists of site restoration activities including final grading of the perimeter road, establishing vegetation on the cap (e.g., grasses and low shrubbery), and demobilization of Project equipment.

Construction Equipment and Truck Activities

Implementation of the preferred alternative would require the use of various pieces of heavy equipment throughout the construction activities. Heavy equipment that would be used during Project implementation would likely include, but is not limited to, tracked excavators, front-end loaders, bulldozers, water trucks, dump trucks, etc. Light duty vehicles such as pickup trucks and other support vehicles also would likely be used during the Project.

Project implementation would include use of Tier 3 five-axle semi-tractor trailer trucks and/or semi-tractor trailer end-dump trucks, and possibly tanker trucks, to haul waste materials from the project site to the appropriate off-site disposal facility. The daily maximum number of trucks visiting the site for export and import of construction materials would likely vary by phase. The maximum number of daily truck trips is expected to occur during Phase 6, and may include up to 200 maximum daily bottom or end dumps for import materials.

The Project activities are expected to occur on-site Monday through Saturday, from 6:00 a.m. to 6:00 p.m. As many as 40 employees are expected to be routinely on-site. Haul trucks are proposed to access the site no earlier than 6:00 a.m. and depart the site no later than 6:00 p.m., Monday through Saturday. In any one hour, up to 25 haul trucks may enter the site and up to 25 haul trucks may depart from the site. Non material hauling trucks and other Project-related vehicles would also be allowed to access the site between 6:00 a.m. and 6:00 p.m. Monday through Saturday. To ensure continuous pedestrian (including bicycle) and vehicular safety at the entrance and exit points of the site, a flag person would be available during work hours to assist with truck ingress and egress, as needed.

The haul route to the site would be to have haul trucks exit the I-405 Freeway at Beach Boulevard. Trucks would then travel south on Beach Boulevard to PCH, turn left on PCH to Newland Street, go north on Newland Street to Hamilton Avenue, and turn right on Hamilton Avenue to the current project site entrance. The current Project entrance for haul trucks is located on Hamilton Avenue west of Magnolia Street. Future entrance(s) along Hamilton Avenue may be needed. Trucks leaving the site would exit the site on Magnolia Street and travel south to PCH. The trucks would then travel northwest on PCH and north on Beach Boulevard to the freeway entrance for the I-405. The haul route(s) on municipal streets would be reviewed and approved by the City of Huntington Beach prior to Project implementation.

Prior to leaving the project site, each truck will be inspected and decontaminated as necessary to remove loose debris in tire wells and on the truck exterior. The contracted trucking company would be a certified hazardous waste transportation contractor, if the material is profiled as hazardous.

The disposal facility where material would be transported depends on the types of wastes to be removed from the site. Proposed potential disposal destinations for impacted materials include: Waste

Management Kettleman Hills Facility (Kettleman City, California), McKittrick Facility (McKittrick, California), Clean Harbors' Buttonwillow facility (Buttonwillow, California), US Ecology (Beatty, Nevada), Clean Harbors Environmental Services Aragonite and Grassy Mountain Facilities (Utah), ECDC (Utah), Waste Management of Northwest (Arlington, Oregon), La Paz County Landfill (Arizona), Copper Mountain Landfill (Arizona), and South Yuma County Landfill (Arizona). The mode of transportation to these facilities could include truck haulers (e.g., end dumps, bin haulers with sealed roll-off bins for Pit F waste) and, potentially, train (likely only if taken out of state). If by train, roll-off bins may be transferred in Alhambra or along a rail spur in Huntington Beach. If dewatering is necessary, transportation may include vacuum trucks for liquids.

Proposed potential disposal locations for "green" waste and other non-impacted refuse include: Orange County's Frank R. Bowerman, Olinda Alpha, and Prima Deschecha landfills, Waste Management Azusa and El Sobrante landfills, Republic Sunshine Canyon landfill, and Los Angeles County Sanitation District Puente Hills landfill.

Long-Term Operations

This environmental analysis for the Project evaluates the implementation of the RAP, specifically, the proposed remediation activities described above for the preferred alternative needed to achieve the requirements of the Imminent and Substantial Endangerment Determination Consent Order issued by the DTSC. This Project will be concluded when the site achieves an "end state" consisting of a cap over the majority of the landfill site, surrounded by perimeter fencing, and the City parcel cleared and returned to existing street grade. Essentially, if the preferred alternative is implemented, the end state would represent a vacant, undeveloped capped site. Public access to the site would be restricted following completion of the Project. Subsequent development on the capped site following completion of the RAP is not contemplated as part of this Project. At this time, it is not possible to determine how long the end state will remain in place for the site. Since the Project does not propose specific development on the site after the end state, any subsequent development proposals would be subject to a deed covenant to protect the cap. Such a covenant would likely require DTSC approval and a subsequent entitlement process, including environmental review as appropriate pursuant to CEQA.

The following long-term activities are anticipated after the end state when construction activities associated with the preferred alternative are complete:

- Maintenance of a long-term groundwater monitoring program to ensure compliance with the remedial action objectives ("RAOs") identified in the RFS. The long-term groundwater monitoring program would include monitoring and sampling perimeter wells. Should impacts be found and verified above threshold levels at the site perimeter, a contingency plan would be followed, as appropriate.

- Maintenance of a long-term monitoring system to ensure Non-Aqueous Phase Liquid (NAPL) and/or dense NAPL are not migrating off-site.

Permitting

The following permits are anticipated to be needed for the preferred alternative activities at the site: a SCAQMD Rule 1166/Rule 1150 permit for any necessary handling of VOC-impacted materials; a

SCAQMD PTC/PTO in order to construct the planned emissions control/treatment cell onsite; a Coastal Development Permit from the City of Huntington Beach pursuant to the California Coastal Act; and a grading permit from the City of Huntington Beach.

A General Industrial NPDES permit is in place from the SWRCB for the site until the future remedial activities occur on the entire site. In addition, a Notice of Intent (NOI) would be submitted to the SWRCB for the General Construction NPDES permit during the construction period. A related Construction SWPPP would also be in place for the proposed construction activities.

Project Schedule

The construction schedule for the preferred alternative is estimated at approximately 1 year. The Project fieldwork can only be implemented after the EIR process is completed, which is anticipated to conclude in 2014, and after completion of the remedial design process and contractor selection. Based on this schedule, and with the necessary design and permitting activities, construction activities could potentially commence as early as 2015.

ENVIRONMENTAL RESOURCES POTENTIALLY AFFECTED

The boxes checked below identify environmental resources which were found in the following ENVIRONMENTAL SETTING/IMPACT ANALYSIS section to be potentially affected by this Project, involving at least one impact that is a "Potentially Significant Impact."

☒ Aesthetics	☐ Agriculture and Forestry Resources	☒ Air Quality
☒ Biological Resources	☒ Cultural Resources	☒ Geology/Soils
☒ Greenhouse Gas Emissions	☒ Hazards/Hazardous Materials	☒ Hydrology/Water Quality
☒ Land Use/Planning	☐ Mineral Resources	☒ Noise
☐ Population/Housing	☐ Public Services	☐ Recreation
☒ Transportation/Circulation	☐ Utilities/Service Systems	☒ Mandatory Findings of Significance

An Initial Study is a preliminary analysis conducted by the lead agency to determine if a project may have a significant effect on the environment. The Initial Study can aid in the preparation of an EIR in the following ways: identifies non-significant effects; allows the lead agency to focus on potentially significant effects; explains the reasons for determining why potential environmental effects would not be significant; and identifies the appropriate type of EIR.

The following definitions were used in the ENVIRONMENTAL SETTING/IMPACT ANALYSIS:

- "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant and will be further evaluated in the EIR. This impact conclusion does not presume that an impact will be significant in the EIR analysis. It only indicates that further analysis is needed in the EIR to make a determination of significance. If there are one or more "Potentially Significant Impact" entries in the Initial Study, an EIR is required.

- "Less Than Significant Impact with Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from a "Potentially Significant Impact" to a "Less Than Significant Impact." The mitigation measures must be described, along with a brief explanation of how they reduce the effect to a less than significant level.

- "Less Than Significant Impact" applies where the project creates no significant impacts in that category, only "Less Than Significant Impacts." A "Less Than Significant" answer is adequately supported if the analysis shows that the impact does not rise to the level of a significant impact. A "Less Than Significant Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants that exceed applicable daily regulatory thresholds).

- "No Impact" applies where a project does not create an impact in that category. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one proposed. A "No Impact" answer should also be explained where it is based on project-specific factors as well as general standards (e.g., the project will not result in the emission of pollutants, based on a project-specific screening analysis).

ENVIRONMENTAL SETTING/IMPACT ANALYSIS

The following pages provide a brief description of the physical environmental resources that exist within the area affected by the proposed Project and an analysis of whether or not those resources would be potentially impacted by the proposed Project. Preparation of this section follows guidance provided in DTSC's California Environmental Quality Act Initial Study Workbook. References used to support the following discussions are footnoted within each section below.

1. AESTHETICS

Project activities likely to create an impact:

- Remediation activities associated with the excavation, removal, and disposal (including transportation activities to and from the site and use of heavy construction equipment on-site) of waste materials, including but not limited to, tarry liquids, drilling muds, contaminated soils, green waste, and construction debris;
- Reconsolidation of waste materials from the outer edges of the site to the site interior;
- Construction of a protective cap over the site; and
- Final site grading, seeding and demobilization.

Description of Baseline Environmental Conditions

The project site is bounded by park and recreation uses to the north, Edison High School to the northeast, single-family uses to the east, an oil storage tank area to the south; and the Huntington Beach Flood Control Channel and light industrial uses to the west. Magnolia Street adjacent to the project site is identified as a Landscape Corridor in the City of Huntington Beach General Plan.[6] The project site contains berms along its perimeters that extend to a height of approximately 15 feet. Trees have grown on the berm and other areas adjacent to Magnolia Street. The berm along Magnolia Street blocks views of the site's interior from the two-story single-family residences on the east side of Magnolia Street. The berm on the northern side of the site along Hamilton Avenue, which is partially covered with grasses and shrubs, also blocks views of the site's interior from the park and school uses to the north and northeast of the site. The site is also surrounded by a chain-link fence approximately six feet in height. Along Magnolia Street and Hamilton Avenue, a green plastic sheathing on the fence creates a visual barrier to the site.

Although not readily visible from the north or the east, the interior of the site varies in elevation from approximately 10 to 20 feet above regional grade and is highly disturbed. The site includes five (5) visible waste impoundments (referred to as Lagoons 1 through 5) and one (1) visible covered pit (referred to as Pit F). There are also scattered construction/concrete debris piles throughout the site

[6] *City of Huntington Beach, City of Huntington Beach General Plan, Circulation Element, Figure CE-12, Scenic Highways, Scenic Corridors, and Landscape Corridors, 1996.*

amongst scattered, unmaintained vegetation consisting primarily of invasive and weedy grasses, shrubs, and small trees.

Existing lighting sources near the site include street lighting along the adjoining streets. There are no light sources on the site. Artificial illumination in the project vicinity is also influenced by lighting associated with adjacent residential, park, and light industrial uses, as well as transient vehicular lighting from cars traveling on adjacent roadways.

Analysis as to whether or not Project activities would:

a. Have a substantial adverse effect on a scenic vista?

Impact Analysis: Pacific Coast Highway, located approximately one-quarter mile south of the site, is identified by the State of California as an Eligible State Scenic Highway but is not formally designated as a State Scenic Highway. Under existing conditions, it may be possible to see portions of the southern edge of the site from one or more segments of Pacific Coast Highway. The proposed remediation activities (including transportation activities to and from the site) would likely be at most, only minimally visible from Pacific Coast Highway given the distance (830 yards) and intervening development (including three 40-foot tall oil tanks in the Plains All American Pipeline property) between the site and Pacific Coast Highway. The construction of the protective cap could result in the maximum existing on-site elevation increasing from approximately 25 feet MSL to approximately 45 feet MSL in the southwestern portion of the site, which is the closest side of the site to Pacific Coast Highway. Given the potential for such on-site elevation changes, views to and across the site could be altered from Pacific Coast Highway. Therefore, it is recommended that the extent and quality of views to and across the site from Pacific Coast Highway be further evaluated within the EIR, with mitigation measures recommended, as appropriate.

Conclusion:
☒ Potentially Significant Impact
☐ Less Than Significant Impact with Mitigation Incorporated
☐ Less Than Significant Impact
☐ No Impact

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

Impact Analysis: As discussed above, Pacific Coast Highway, located approximately one-quarter mile south of the site, is identified by the State of California as an Eligible State Scenic Highway but is not formally designated as a State Scenic Highway. No scenic buildings or rock outcroppings are located on the site. However, the site does contain large mature trees on its exterior on the Magnolia Street berm, which positively contribute to the site's visual quality from views along Magnolia Street. Therefore, it is recommended that the loss of these trees be further evaluated as potential scenic resources within the EIR, with mitigation measures recommended, as appropriate.

Conclusion:
☒ Potentially Significant Impact
☐ Less Than Significant Impact with Mitigation Incorporated
☐ Less Than Significant Impact
☐ No Impact

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

Impact Analysis: Under existing conditions, views of the surrounding area of the site are available from single-family residential uses to the east across Magnolia Street and from park uses to the north across Hamilton Avenue. The site is enclosed entirely by a chain-linked fence, which include a green plastic sheathing along Hamilton Avenue and Magnolia Street. Views of the site from the single-family and park uses are limited to the chain-linked fence and the exterior berms. The exterior berm and other areas along Magnolia Street contain large trees.

The visual character of the site would be altered during removal of the perimeter berms, as well as during remediation activities (including transportation activities to and from the site) during the project implementation period. Although these activities would be temporary, the Project also includes the installation of a protective cap over the site that would alter its visual character. The protective cap would be installed outside of the City parcel within the interior of the site and would result in available views of the cap across the site, as it would slope upward from Hamilton Avenue and Magnolia Street towards the southwestern portion of the site. It is acknowledged that the Project does not include development of the Site or any subsequent land use improvements, any and all of which would be subject to environmental review, as appropriate, under the jurisdiction of the City of Huntington Beach. Nonetheless, given permanent topographical changes that would occur with the development of the protective cap and available views of the protective cap from surrounding land uses, it is recommended that the change in visual character of the site be further evaluated in the EIR, with mitigation measures recommended, as appropriate.

Conclusion:
☒ Potentially Significant Impact
☐ Less Than Significant Impact with Mitigation Incorporated
☐ Less Than Significant Impact
☐ No Impact

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

Impact Analysis: Project implementation is not expected to introduce new sources of light or glare on the site, except as may be needed to secure small, temporary and probably mobile project office(s). Heavy equipment, haul trucks, and employee vehicles associated with the Project would utilize normal headlights after dusk which, while visible, would not stand out in the surrounding urban setting. It is anticipated that the majority of vehicles associated with the Project would travel on, and to and from, the site during daytime hours. Overall, the Project would not substantially alter existing light and glare experienced on the site or in the vicinity during the remedy or following remedy completion. Less than significant impacts related to light and glare are expected. Further analysis of this issue in the EIR is not necessary.

Conclusion:
☐ Potentially Significant Impact
☐ Less Than Significant Impact with Mitigation Incorporated
☒ Less Than Significant Impact
☐ No Impact

References Used:

1. City of Huntington Beach, City of Huntington Beach General Plan, Circulation Element, Figure CE-12, Scenic Highways, Scenic Corridors, and Landscape Corridors, 1996.
2. Project Navigator, Ltd., Revised Feasibility Study for the Ascon Landfill Site, September 20, 2007.

2. AGRICULTURE AND FORESTRY RESOURCES

Project activities likely to create an impact:

The Project does not include any activity that would create an impact on agricultural resources.

Description of Baseline Environmental Conditions

The project site does not contain prime or unique farmland of statewide or local importance as identified by the State Department of Conservation and the City of Huntington Beach General Plan. The site is neither zoned for agricultural uses nor under a Williamson Act agricultural reserve contract. The site was operated as a waste disposal facility from approximately 1938 through 1984. Since 1984, the site has remained vacant and inactive. No surrounding properties support agricultural activities and no forest land or timberland zoning is present on the site or in the surrounding area.

Analysis as to whether or not Project activities would:

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

Impact Analysis: No impact would occur and further analysis of this issue in an EIR is not necessary.

Conclusion:
☐ Potentially Significant Impact
☐ Less Than Significant Impact with Mitigation Incorporated
☐ Less Than Significant Impact
☒ No Impact

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

Impact Analysis: The Project would not conflict with existing zoning for agricultural use or a Williamson Act contract and further analysis of this issue in the EIR is not necessary.

Conclusion:
☐ Potentially Significant Impact
☐ Less Than Significant Impact with Mitigation Incorporated
☐ Less Than Significant Impact
☒ No Impact

c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 1220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?

Impact Analysis: The Project would not conflict with existing zoning for forest land or timberland and no impact would occur in this regard. Further analysis of this issue in the EIR is not necessary.

Conclusion:
☐ Potentially Significant Impact
☐ Less Than Significant Impact with Mitigation Incorporated
☐ Less Than Significant Impact
☒ No Impact

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

Impact Analysis: The Project would not result in the loss of forest land or conversion of forest land to non-forest use and no impact would occur in this regard. Further analysis of this issue in the EIR is not necessary.

Conclusion:
☐ Potentially Significant Impact
☐ Less Than Significant Impact with Mitigation Incorporated
☐ Less Than Significant Impact
☒ No Impact

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

Impact Analysis: The Project would not involve the conversion of farmland or forest land to other uses, either directly or indirectly. No impacts would occur in this regard. Further analysis of this issue in the EIR is not necessary.

Conclusion:
☐ Potentially Significant Impact
☐ Less Than Significant Impact with Mitigation Incorporated
☐ Less Than Significant Impact
☒ No Impact

References Used:

1. California Department of Conservation, Important Farmland in California, 2001.
2. City of Huntington Beach, City of Huntington Beach General Plan Map (2007)
3. City of Huntington Beach, City of Huntington Beach Zoning Map (Revised April 2007).

3. AIR QUALITY

Project activities likely to create an impact:

- Remediation activities associated with the excavation, removal, and disposal (including transportation activities to and from the site and use of heavy construction equipment on-site) of waste materials, including but not limited to, tarry liquids, drilling muds, contaminated soils, green waste and construction debris;
- Reconsolidation of waste materials from the outer edges of the site to the site interior;
- Construction of a protective cap over the site; and
- Final site grading, seeding and demobilization.

Description of Baseline Environmental Conditions

The project site is located within the South Coast Air Basin (Basin), a 6,600-square mile area encompassing all of Orange County and the non-desert portions of Los Angeles, Riverside, and San Bernardino Counties. The Basin is an area of high air pollution potential, particularly from June through September. The poor ventilation in the Basin, generally attributed to light winds and shallow vertical mixing, frequently reduces pollutant dispersion, causing elevated air pollution levels. Pollutant concentrations in the Basin vary with location, season, and time of day. Ozone concentrations, for example, tend to be lower along the coast, higher in the near inland valleys, and lower in the far inland areas of the Basin and adjacent desert.

The South Coast Air Quality Management District (SCAQMD) enforces air quality standards within the Basin as established by the California Air Resources Board (CARB) and the U.S. Environmental Protection Agency (USEPA). The SCAQMD is required, pursuant to the Clean Air Act, to reduce emissions of criteria pollutants for which the Basin is in non-attainment [i.e., ozone (O_3), respirable particulate matter (PM_{10}), fine particulate matter ($PM_{2.5}$), and lead (only the Los Angeles County portion of the Basin)]. The Project would be subject to the SCAQMD's Air Quality Management Plan (AQMP). The AQMP contains a comprehensive list of pollution control strategies directed at reducing emissions and achieving ambient air quality standards. These strategies are developed, in part, based on regional population, housing, and employment projections prepared by the Southern California Association of Governments (SCAG).

The Project includes off-site disposal or reclamation of the material removed from the site. Long-term disposal options being considered include landfills located outside of the Basin. Thus, potential impacts must be assessed for each of the air basins within California likely to experience an increase in emissions resulting from implementation of the Project, due primarily from transportation of material by truck, train, or other means.

Analysis as to whether or not Project activities would:

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

Impact Analysis: The Project would be subject to the SCAQMD AQMP. The Project would contribute to regional and local air emissions during the proposed remediation activities. Project remediation

activities would produce emissions from disturbance of the site, construction equipment, and fugitive dust. Transport of material to appropriate landfills for long-term disposal would produce vehicle-related emissions. Disposal sites being considered include, but are not limited to, those approved landfills located in the San Joaquin Valley, subject to the San Joaquin Valley Air Pollution Control District's (SJVAPCD) air plans. Other disposal sites being considered include out-of-state locations in Arizona, which would require travel through the portion of the Salton Sea Air Basin subject to the SCAQMD air plans and/or the portion of the Mojave Desert Air Basin subject to the Mojave Desert Air Quality Management District (MDAQMD) air plans. Locations in Nevada or Utah are also being considered, which would require travel through the portion of the Mojave Desert Air Basin subject to the MDAQMD air plans. As such, it is recommended that the Project's consistency with any applicable air quality plans be addressed in the EIR.

Conclusion:
☒ Potentially Significant Impact
☐ Less Than Significant Impact with Mitigation Incorporated
☐ Less Than Significant Impact
☐ No Impact

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

Impact Analysis: The State and Federal governments have set health standards for air pollutants, specifying levels beyond which the air is deemed unhealthful. The South Coast Air Basin is currently in non-attainment for O_3, PM_{10}, $PM_{2.5}$ and lead (Los Angeles County portion of the Basin) based on Federal air quality standards and non-attainment for O_3, nitrogen dioxide (NO_2), PM_{10}, $PM_{2.5}$, and lead (Los Angeles County portion of the Basin) based on State air quality standards. The standards for California are generally more stringent than the Federal standards and, in the case of PM_{10}, much more stringent.

Project implementation may result in potentially significant air quality impacts due to short-term and long-term criteria and toxic pollutant emissions. The Project has the potential to generate pollutant emissions from the proposed remediation activities on the site, as well as from the haul trips and remediation worker trips to and from the site. Short-term emissions may include fugitive dust and vapors from on-site remediation equipment and diesel exhaust particulate from on-site heavy-duty construction equipment and haul vehicles. Upon completion of the remediation activities, including installation of a protective cap, long-term emissions may include minimal fugitive vapors from the cap and vapor treatment system. It is recommended that these issues be further analyzed in the EIR with mitigation measures incorporated, as necessary.

Conclusion:
☒ Potentially Significant Impact
☐ Less Than Significant Impact with Mitigation Incorporated
☐ Less Than Significant Impact
☐ No Impact

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

Impact Analysis: The South Coast Air Basin is currently in non-attainment for O_3, PM_{10}, $PM_{2.5}$, lead (Los Angeles County portion of the Basin), and NO_2 (state standards) It is recommended that emissions of these pollutants, and precursor pollutants in the case of ozone, be further analyzed and documented in the EIR with mitigation measures incorporated, as necessary. As stated above, the EIR will also analyze emissions expected to occur within other air basins, as appropriate.

Conclusion:
☒ Potentially Significant Impact
☐ Less Than Significant Impact with Mitigation Incorporated
☐ Less than Significant Impact
☐ No Impact

d. Expose sensitive receptors to substantial pollutant concentrations?

Impact Analysis: The area surrounding the site contains nearby sensitive receptors, including but not limited to, residences across Magnolia Street, Edison High School, Edison Community Center, William Kettler Elementary School (currently closed) and John Eader Elementary School. Due to the potential criteria and toxic emission sources associated with the implementation of the proposed remediation activities, the exposure of these sensitive receptors within the project area to potentially significant levels of air pollutants may occur. It is recommended that these issues be further analyzed in the EIR with mitigation measures incorporated, as necessary.

Conclusion:
☒ Potentially Significant Impact
☐ Less Than Significant Impact with Mitigation Incorporated
☐ Less Than Significant Impact
☐ No Impact

e. Create objectionable odors affecting a substantial number of people?

Impact Analysis: The project site has been the subject of complaints regarding odors over the years, as filed with the SCAQMD. Potential odor emissions released during remediation activities, primarily from Pit F (Styrene Pit), may yield odor at high concentrations. It is recommended that these issues, and the effects on sensitive receptors, be further analyzed in the EIR with mitigation measures incorporated, as necessary.

Conclusion:
☒ Potentially Significant Impact
☐ Less Than Significant Impact with Mitigation Incorporated
☐ Less than Significant Impact
☐ No Impact

f. Result in human exposure to Naturally Occurring Asbestos (see also Geology and Soils, Item f)?

Impact Analysis: No Naturally Occurring Asbestos materials have been identified at the site. Therefore, Project implementation would not result in human exposure to Naturally Occurring Asbestos. No impacts would occur and further analysis of this issue in the EIR is not necessary.

Conclusion:
☐ Potentially Significant Impact
☐ Less Than Significant Impact with Mitigation Incorporated
☐ Less Than Significant Impact
☒ No Impact

References Used:

1. Project Navigator, Ltd., Revised Feasibility Study for the Ascon Landfill Site, September 20, 2007.
2. California Air Resources Board, http://www.arb.ca.gov/desig/adm/adm.htm, Accessed 20, 2013.
3. U.S. Environmental Protection Agency, http://www.epa.gov/region9/air/maps/, Accessed March 20, 2013.

4. BIOLOGICAL RESOURCES

Project activities likely to create an impact:

- Remediation activities associated with the excavation, removal, and disposal (including transportation activities to and from the site and use of heavy construction equipment on-site) of waste materials, including but not limited to, tarry liquids, drilling muds, contaminated soils, green waste and construction debris;
- Reconsolidation of waste materials from the outer edges of the site to the site interior;
- Construction of a protective cap over the site; and
- Final site grading, seeding and demobilization.

Description of Baseline Environmental Conditions

The project site, located in Zone 5 of the Huntington Beach Coastal Zone, is vacant, highly disturbed, and surrounded primarily by urban uses. The dominant on-site vegetation is ornamental and ruderal (weedy). The site also contains limited areas of Baccharis scrub (including disturbed Baccharis scrub), disturbed cismontane alkali marsh, and oil and drilling waste disposal ponds. The majority of the site's habitat value is extremely low. However, the site does contain southern tarplant (CNPS List 1B), which is considered to be a sensitive plant species. The only animal species present, or likely to be present, are those adapted to disturbed or urban environments. No sensitive animal species are known to occupy the site.

The site adjoins the Huntington Beach Flood Control Channel to the west, which drains southeasterly to the Pacific Ocean. The relationship between the site and aquatic resources within the channel, and with wetlands adjoining it downstream, has not been established, although a tidal study performed as part of the site's groundwater remedial investigation demonstrated that the channel does not receive groundwater from the site.

Analysis as to whether or not Project activities would:

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

Impact Analysis: The project site has been highly disturbed by long-term waste disposal operations and has mostly low biotic value. Nonetheless, as the site does support a sensitive plant species, the Project has the potential to affect a sensitive and/or special status species. In addition, the extent of migratory birds and foraging raptors that may currently use the site has not been determined. As a result, further analysis of potential impacts on candidate, sensitive, or special status species will be included in the EIR. The EIR analysis will consider Federal Register listing packages, survey protocols, and species data provided by the U.S. Fish and Wildlife Service (USFWS) and California Department of Fish and Wildlife (CDFW). Additionally, scientific journals, the California Natural Diversity Database (CNDDB), and the CDFG (Natural Heritage Division) species account database will be reviewed to determine the potential for sensitive plant and animal species in the project vicinity. The analysis of impacts on biological resources and associated findings and mitigation measures will be based on biological impact assessment reports that will be included in the EIR. The biological impact assessments will involve field survey(s) to determine the extent of sensitive species that inhabit the site and vicinity.

Conclusion:
☒ Potentially Significant Impact
☐ Less Than Significant Impact with Mitigation Incorporated
☐ Less Than Significant Impact
☐ No Impact

b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in the City or regional plans, policies, regulations by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

Impact Analysis: The site is in an urbanized location and has been highly disturbed through past landfill operations. The site is not identified in the City of Huntington Beach General Plan as a natural, conservation or open space resource. Nonetheless, as part of the biological impact assessment, site reconnaissance will be conducted to confirm if riparian habitat or other sensitive natural communities exist on the site. The EIR analysis will include a detailed evaluation of potential impacts on riparian habitat or other sensitive natural communities identified in local or regional plans, policies, regulations or by the CDFW or USFWS with mitigation measures provided, if necessary.

In addition, the site is located adjacent to the Huntington Beach Flood Control Channel and is north of wetlands designated by the City of Huntington Beach's General Plan. Project implementation could indirectly affect aquatic habitat or other sensitive natural communities identified in City or regional

plans, policies, or regulations administered by the CDFW or USFWS associated with the adjacent wetlands. Further, the Project could potentially affect nearby biological resources. Therefore, it is recommended that this issue be further evaluated within the EIR, with mitigation measures recommended, as appropriate.

Conclusion:
☒ Potentially Significant Impact
☐ Less Than Significant Impact with Mitigation Incorporated
☐ Less Than Significant Impact
☐ No Impact

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

Impact Analysis: Surveys will be conducted as part of the biological impact assessments that will be included in the EIR to determine if there is potential for significant impacts to federally protected wetlands. In addition, the site is located within 1,500 feet of wetlands designated by the City of Huntington Beach. Project implementation could directly or indirectly affect federally protected wetlands through drainage discharge. This issue will be further evaluated within the EIR, with mitigation measures recommended, as appropriate.

Conclusion:
☒ Potentially Significant Impact
☐ Less Than Significant Impact with Mitigation Incorporated
☐ Less Than Significant Impact
☐ No Impact

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

Impact Analysis: The site is in an urbanized location and is highly disturbed. It does not function as a wildlife corridor, and no waterbodies or courses of water exist on-site to provide habitat for fish. However, the site contains trees and shrubs that potentially could be used by birds, including migratory birds, for nesting. In addition, the surrounding area features designated wetlands areas that could potentially contain native resident or migratory fish or wildlife species. Therefore, it is recommended that these issues be further evaluated within an EIR, with mitigation measures recommended, as appropriate.

Conclusion:
☒ Potentially Significant Impact
☐ Less Than Significant Impact with Mitigation Incorporated
☐ Less Than Significant Impact
☐ No Impact

e. Conflict with any local policies or ordinances protecting biological resources, such as tree preservation policy or ordinance (e.g., oak trees or California walnut woodlands)?

Impact Analysis: The only applicable City of Huntington Beach conservation policy or ordinance is Chapter 13.50 Regulation of Trees of the Huntington Beach Municipal Code, which governs the planting, maintenance and removal of trees. However, it particularly applies to trees on streets, parkways, or other public places in the City. Therefore, the trees on the site would not be regulated by this ordinance. Therefore, the Project would not conflict with any local policies or ordinances protecting biological resources. Impacts would be less than significant, and no mitigation measures are necessary beyond compliance with City regulations. Further analysis of this issue in the EIR is not necessary.

Conclusion:
☐ Potentially Significant Impact
☐ Less Than Significant Impact with Mitigation Incorporated
☒ Less Than Significant Impact
☐ No Impact

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

Impact Analysis: The project site is not located in an area that is included in any federal, state, local, or regional Habitat or Nature Community Conservation Plan. However, portions of the project site do meet the California Coastal Act's definition of an Environmentally Sensitive Habitat Area (ESHA). Under the California Coastal Act policy, no development or human disturbances (unless resource dependent) are allowed within an ESHA (Coastal Act §30240). Therefore, any impacts to an ESHA would be considered potentially significant. As indicated above, the site includes a sensitive plant species and may contain other sensitive natural communities. Therefore, it is recommended that the site's biological resources be further evaluated within an EIR to determine the Project's consistency with California Coastal Act's ESHA requirements.

Conclusion:
☒ Potentially Significant Impact
☐ Less Than Significant Impact with Mitigation Incorporated
☐ Less Than Significant Impact
☐ No Impact

References Used:

1. Initial Study/Mitigated Negative Declaration for the Interim Removal Measures Project, prepared by PCR Services Corporation, October 2009.

5. CULTURAL RESOURCES

Project activities likely to create an impact:

- Remediation activities associated with excavation into native soils and younger Quaternary Alluvium on the site.

The following discussion of impacts to cultural resources is primarily based on a Memorandum RE: Cultural Resources, prepared by Kyle Garcia, Senior Archaeologist I, with PCR Services Corporation, dated October 1, 2012. This Memorandum is included in Appendix A of this document.

Description of Baseline Environmental Conditions

Historic Resources

A historical resource is defined in Section 15064.5(a)(3) of the CEQA Guidelines as any object, building, structure, site, area, place, record, or manuscript determined to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California. Historical resources are further defined as being associated with significant events, important persons, or distinctive characteristics of a type, period, or method of; representing the work of an important creative individual; or possessing high artistic values. Resources listed in or determined eligible for the California Register, included in a local register, or identified as significant in a historic resource survey are also considered historical resources under CEQA.

PCR conducted a records search through the California Historical Resources Information System, South Central Coastal Information Center (CHRIS-SCCIC) at California State University, Fullerton, as part of the CEQA clearance for the IRM Project (2009). The historical resources investigation included archival records searches and literature reviews to determine: (i) if known historical resources sites have previously been recorded within the site or within a one-half mile radius of the site; (ii) if the site has been systematically surveyed by historians prior to the initiation of the study; and/or (iii) whether there is other information that would indicate whether or not the site is historically sensitive. The records search included a review of all previous historical resources investigations within the site and within a one-half mile radius of the site. In addition, the California Points of Historical Interest (CPHI), the California Historical Landmarks (CHL), the California Register of Historic Places (California Register), the National Register of Historic Places (National Register), and the California State Historic Resources Inventory (HRI) were reviewed.

Results of the records search conducted at the CHRIS-SCCIC indicated that three cultural resource studies have been previously conducted within the site. No historical resources were identified as part of these studies. In addition, no properties listed in the CPHI, CHL, the California Register, the National Register, or the HRI were identified within the site or within a half-mile. PCR also conducted a pedestrian survey of the site as part of the IRM Project, and identified a metal shed within the southwestern portion of the site. The shed houses abandoned equipment that may have serviced the site in the past. On the basis of its age and design, the structure is not considered to be a potential historical resource. No other potential historical resources were identified within the site during the pedestrian survey.

Archaeological Resources

An archaeological resource is defined in Section 15064.5(c) of the CEQA Guidelines as a site, area, or place determined to be historically significant as defined in Section 15064.5 (a) of the CEQA Guidelines (see definition of historical resource in Response a. above), or as a unique archaeological resource defined in Section 21083.2 of the Public Resources Code as an artifact, object, or site that contains information needed to answer important scientific research questions of public interest, or that has a special and particular quality such as being the oldest or best example of its type, or that is directly associated with a scientifically recognized important prehistoric or historic event or person.

As discussed above, results of the records search conducted at the CHRIS-SCCIC indicated that three cultural resource studies have been previously conducted within the site. One study (OR-2229) was conducted in 2000 by LSA Associates, Inc. (LSA) in the northwest corner of the site. The study included a cultural resource assessment for AT&T Wireless Services facility number C871.2. During the pedestrian survey of this assessment, LSA observed multiple shell fragments on the surface. LSA subsequently implemented a small-scale testing plan near the location of the shells. Specifically, one auger hole and four test pits were excavated to a depth of 85 centimeters (cm) and 60 cm, respectively, which yielded several complete shells and more shell fragments. LSA concluded that the shells observed were not the result of past human activity because there was no cultural material associated with the shells, there was a lack of midden soil, and because there is a nearby Pleistocene marine terrace with deposits in similar soil and shell species as found in the site. One prehistoric archaeological site (P-30-001531) was identified approximately one-quarter mile east of the site. P-30-001531 is recorded as a buried marine shell deposit (75 cm below the modern ground surface); however, PCR does not feel that this deposit was a result of human activity. This is because when PCR conducted archaeological and paleontological monitoring in 2009/2010 for a residential development located approximately one-quarter mile west of the site, they encountered the same soils and natural shells at this depth. PCR did not encounter archaeological material associated with the monitoring of that residential development. These findings are consistent with LSA's conclusion regarding the shells encountered within the site.

PCR also conducted a pedestrian survey of the site to identify any surficial archaeological resources. Due to past landfill activities, approximately 95% of the site has been heavily disturbed. PCR surveyed these heavily disturbed areas and the areas where the native ground surface was exposed and did not identify any archaeological resources.

Paleontological Resources

A paleontological resource records search for the IRM commissioned through the Natural History Museum of Los Angeles County (LACM) indicated that no vertebrate fossil localities have been recorded within the site. The results did indicate that localities have been recorded nearby in the same sedimentary deposits that underlie the site. The surficial deposits of the site may consist of unconsolidated younger Quaternary Alluvium. These deposits typically do not contain significant vertebrate fossils in the uppermost layers; however, they are usually underlain by older Quaternary deposits that frequently do contain significant vertebrate fossils. The nearest vertebrate fossil locality in these types of deposits is LACM 7366, located west-northwest of the site north of the Pacific Coast Highway between Lake Avenue and Beach Boulevard that produced specimens of marine, freshwater, and especially terrestrial specimens including leopard shark (*Triakis*), three-spined stickleback (*Gasterosteus*), garter snake (*Thamnophis*), desert shrew (*Notiosorex*), and most prominently, pocket

gopher (*Thomomys*). These specimens were obtained by screen washing matrix and consist solely of small specimens. Just north-northwest locality LACM 7366 but still south of Atlanta Avenue, there are a series of vertebrate fossil localities, LACM 7422-7425, that produced fossil specimens of mammoth (*Mammuthus*), bison (*Bison*), and horse (*Equus*) from these deposits.

No paleontological resources were identified during the pedestrian survey of the site.

Human Remains

A Sacred Lands File search for the site requested by PCR from the Native American Heritage Commission (NAHC) in Sacramento failed to indicate the presence of sacred lands or other Native American cultural resources in the immediate project area. The NAHC results noted, however, that the "absence of specific site information in the Sacred Lands File does not indicate the absence of cultural resources in any project area." Results of the cultural resource records search through the CHRIS-SCCIC also did not indicate any known human burials within the site, or within a one-half mile radius of the site. However, one Native American skeleton was encountered during excavations at the Newland House in 1981 approximately two miles north of the site. In addition, several hundred individuals were identified near the Bolsa Chica Ecological Reserve approximately five miles northwest of the site.

Analysis as to whether or not Project activities would:

a. Cause a substantial adverse change in significance of a historical resource as defined in State CEQA §15064.5?

Impact Analysis: As discussed in the environmental setting section above, the project site does not contain any historic resources. Thus, Project implementation would result in no impacts to historic resources. Further analysis of this issue in the EIR is not necessary.

Conclusion:
☐ Potentially Significant Impact
☐ Less Than Significant Impact with Mitigation Incorporated
☐ Less Than Significant Impact
☒ No Impact

b. Cause a substantial adverse change in significance of an archaeological resource pursuant to State CEQA §15064.5?

Impact Analysis: The site is located within an urbanized area and has been subject to significant disturbance due to waste disposal operations over many years. Any surficial archaeological resources that may have existed within the site are likely to have been displaced. As a result, the overall sensitivity of the site with respect to buried archaeological resources appears to be low. This conclusion was affirmed in a previous field investigation conducted on the site in 2000 and a survey conducted in 2009 for the IRM, both of which did not reveal the presence of any archaeological resources or features that suggest archaeological resources may exist below the site. Furthermore, the records search conducted for the site did not reveal any findings that support the presence of archaeological resources on the site.

Despite the low potential for archaeological resources to occur on site due to past landfill operations, should native soils be encountered during Project implementation there is still a possibility that

previously unknown archaeological resources could be discovered, particularly as the favorable natural conditions (i.e., proximity to Pacific Ocean) would have attracted prehistoric and historic inhabitants to the project area. Thus, this analysis has conservatively prescribed Mitigation Measures CULT-1 to CULT-3 should native soils be encountered by the Project. Furthermore, PCR communicated with three different Native American organizations in regards to the Project. Specifically, Ms. Joyce Perry, of the Juaneño Band of Mission Indians/Acjachemen Nation recommended that an archaeological monitor be present during all impacts to native soils and requests that her tribe be contacted if any cultural artifacts are encountered. The prescribed mitigation measures are consistent with the Native American correspondence received on the Project. With implementation of the prescribed mitigation measures, potentially significant impacts to unknown archaeological resources would be less than significant. Further analysis of this issue in the EIR is not necessary. Mitigation Measures CULT-1 to CULT-3 will be included in the Mitigation Monitoring and Reporting Program (MMRP) to be prepared for the Project.

Mitigation Measures

CULT-1 The Responsible Parties (RPs) shall retain a qualified archaeologist approved by the DTSC prior to the development of the site to monitor all ground-disturbing activities and excavation into native soils. These areas would most likely be isolated to the northern and eastern perimeter of the Site along Hamilton Avenue and Magnolia Street.

CULT-2 If archaeological resources are encountered during Project implementation, ground-disturbing activities shall temporarily be redirected from the vicinity of the find. The archaeologist shall be allowed to temporarily divert or redirect grading or excavation activities in the vicinity in order to make an evaluation of the find and determine appropriate treatment. Treatment may include implementation of archaeological data recovery excavations to remove the resource or preservation in place. All cultural resources recovered shall be documented on California Department of Parks and Recreation-site Forms to be filed with the California Historical Resources Information System South Central Coastal Information Center (CHRIS-SCCIC). The RPs, in consultation with DTSC and the archaeologist, shall designate repositories in the event that resources are recovered.

CULT-3 At the conclusion of the excavation activities that could extend into native soils, the archaeologist shall prepare a final report about the find to be filed with the RPs, DTSC, and the CHRIS-SCCIC, as required by the California Office of Historic Preservation. The report shall include documentation and interpretation of resources recovered. Interpretation shall include full evaluation of the eligibility with respect to the California Register of Historical Resources and the National Register of Historic Places.

Conclusion:

☐ Potentially Significant Impact
☒ Less Than Significant Impact with Mitigation Incorporated
☐ Less Than Significant Impact
☐ No Impact

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

Impact Analysis: As discussed in the baseline environmental conditions section above, the site does not contain any known paleontological resources. Surface grading or very shallow excavations in the younger Quaternary Alluvium associated with the Project are unlikely to uncover significant vertebrate fossil remains. However, should deeper excavations extend down into the older Quaternary deposits there would be a very good chance of encountering significant vertebrate fossils specimens. This could result in a potentially significant impact. Thus, Mitigation Measures CULT-4 to CULT-6 have conservatively been prescribed for the Project. With implementation of the prescribed mitigation measures, potentially significant impacts to unknown paleontological resources would be less than significant. Further analysis of this issue in the EIR is not necessary. Mitigation Measures CULT-4 to CULT-6 will be included in the MMRP to be prepared for the Project.

Mitigation Measures

CULT-4 The RPs shall retain a qualified paleontologist approved by the DTSC prior to the development of the site to monitor all ground-disturbing activities and excavation into the older Quaternary Alluvium deposits. These areas would most likely be isolated to the northern and eastern perimeter of the site along Hamilton Avenue and Magnolia Street. Monitoring shall consist of visually inspecting fresh exposures of rock for larger fossil remains and, where appropriate, collecting wet or dry screened sediment samples of promising horizons for smaller fossil remains.

CULT-5 If a potential fossil is found, the paleontological monitor shall be allowed to temporarily divert or redirect grading and excavation activities in the area of the exposed fossil to facilitate evaluation and, if necessary, salvage. At the paleontologist's discretion and to reduce any construction delay, the grading and excavation contractor shall assist in removing rock samples for initial processing. Any fossils encountered and recovered shall be prepared to the point of identification and catalogued before they are donated to their final repository. Any fossils collected shall be donated to a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County (NHMLAC). Accompanying notes, maps, and photographs shall also be filed at the repository.

CULT-6 The paleontologist shall prepare a report summarizing the results of the monitoring and salvaging efforts, the methodology used in these efforts, as well as a description of the fossils collected and their significance. The report shall be submitted by the RPs to the DTSC, the NHMLAC, and other appropriate or concerned agencies to signify the satisfactory completion of the project and required mitigation measures.

Conclusion:

☐ Potentially Significant Impact
☒ Less Than Significant Impact with Mitigation Incorporated
☐ Less Than Significant Impact
☐ No Impact

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

Impact Analysis: As discussed above, the site has been heavily disturbed and it is unlikely that implementation of the Project would impact buried or previously unknown human burials. Any resources that may have existed prior to the disturbances are likely to have been displaced. As a result, the overall sensitivity of the site with respect to buried resources appears to be low. Furthermore, the records search and field survey conducted for the site did not reveal any findings that would support the presence of human remains on the site.

Nonetheless, if human remains are unearthed during the proposed remediation activities, the DTSC would implement the process specified by the California State Health and Safety Code Section 7050.5. This section requires that no further disturbance occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to PRC Section 5097.98. If the remains are determined to be of Native American descent, the coroner shall notify the NAHC. The NAHC would then identify the person(s) thought to be the Most Likely Descendent of the deceased Native American, who would then help determine what course of action shall be taken in dealing with the remains.

Compliance with the regulatory requirements cited in State Health and Safety Code would ensure that in the unlikely event that human remains are discovered, impacts to previously unknown human remains are reduced to a less than significant level. Further analysis of this issue in the EIR is not necessary.

Mitigation Measures

Refer to Mitigation Measures CULT-1 to CULT-3. No additional mitigation measures are necessary.

Conclusion:

☐ Potentially Significant Impact
☒ Less Than Significant Impact with Mitigation Incorporated
☐ Less Than Significant Impact
☐ No Impact

References Used:

1. Natural History Museum of Los Angeles County, Letter Correspondence from Samuel A. Mcleod, Ph.D, Vertebrate Paleontology, November 29, 2008.
2. PCR Services Corporation, Memorandum RE: Cultural Resources, from Kyle Garcia, Senior Archaeologist I, October 1, 2012.

6. GEOLOGY AND SOILS

Project activities likely to create an impact:

- Remediation activities associated with the excavation, removal, and disposal (including transportation activities to and from the site and use of heavy construction equipment on-

site) of waste materials, including but not limited to, tarry liquids, drilling muds, contaminated soils, green waste, and construction debris;

- Reconsolidation of waste materials from the outer edges of the site to the site interior;
- Construction of a protective cap over the site; and
- Final site grading, seeding and demobilization.

Description of Baseline Environmental Conditions

Based on interpretation of aerial photography, the wastes contained at the site were placed directly upon the native sediments, and soil was used for forming berms for the lagoons and pits. There is no evidence that the wastes were placed into excavated troughs, except possibly in the case of the pits. It is estimated that solid debris and waste materials combined range in thickness throughout the site from approximately five to 25 feet.

Beneath the waste materials, the project site at its natural grade is underlain by Holocene-age sediments that consist of two units: an upper unit approximately 70 feet thick that consists of clay and silt with interbedded sands and peat beds, and a lower unit approximately 100 feet thick that consists of sand and gravel. More specifically, the native soil is composed of an upper silty clay layer that ranges from two to 10 feet thick, and a lower water-bearing sand unit.[7] The upper silty clay layer was noted in most of the borings drilled throughout the site and, to some extent, may have served to retard waste migration into deeper zones. The silty clay layer is believed to be thinner (less than two feet) beneath the southern one-third of the site and thicker (greater than 10 feet) beneath the northern two-thirds of the site.

The site is also within the northwest-trending Newport-Inglewood Fault Zone. The Newport-Inglewood Fault is an active, right-lateral, northwest trending fault system extending approximately 44 miles between Newport Beach on the south and Beverly Hills on the north. The State of California defines an active fault as one which has demonstrated surface displacement (relative movement in any direction) within the past 11,000 years (during the Holocene Epoch) and which therefore possesses a relatively high potential for future surface rupture. The maximum credible earthquake (MCE) expected to occur on the Newport-Inglewood Fault has a moment magnitude of 6.9. The South Branch of the Newport-Inglewood Fault is believed to lie below the southern portion of the site, while the North Branch seems to lie at depth beneath the site's eastern boundary.[8] The South Branch of the Newport-Inglewood Fault, which traverses the site, is categorized by the City of Huntington Beach as Category C, requiring special studies including a subsurface investigation, for critical and important land uses. The North Branch Fault, which runs along the site's eastern border, is categorized by the City as Category B, requiring special studies including subsurface investigation for critical and important land uses and special evaluation of faults for all habitable structures. The Project does not propose construction of critical and important land uses or structures that would require special studies. Any subsequent

[7] *Radian Corporation, "Final Site Characterization Report, Ascon-site, Volume 1 Text and Plates, Prepared for Ascon Properties, Inc.," 1988.*

[8] *Leighton & Associates, Preliminary Geologic Evaluation of the State (Alquist-Priolo) Special Studies Zone Maps, related to the Newport-Inglewood Fault Zone, City of Huntington Beach, April 17, 1986.*

development at the Site would be subject to environmental review, including consideration of potential impacts of faulting in the area.

Active faults may be designated as Earthquake Fault Zones under the Alquist-Priolo Earthquake Fault Zoning Act, which includes standards regulating development adjacent to active faults. The site is not located within a designated Alquist-Priolo Earthquake Fault Zone. However, the site is located just over one-half mile southeast of a designated Alquist-Priolo Zone segment.[9]

Liquefaction is a form of earthquake-induced ground failure that occurs primarily in relatively shallow, loose, granular, water-saturated soils. Excess water pressure that builds up during repeated movement from seismic activity can result in the transformation of the soil to a fluid mass. The California Geological Survey designates areas of liquefaction throughout California. Specifically, areas where historic occurrence of liquefaction or local geological, geotechnical and groundwater conditions indicate a potential for permanent ground displacements have been identified. The entire site is designated as a liquefaction area.[10] Further, the City of Huntington Beach General Plan Coastal Element (Figure C-29) identifies the project site as being within a "Very High" liquefaction potential area.

Analysis as to whether or not Project activities would:

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

   i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

Impact Analysis: The site is not located within a designated Alquist-Priolo Earthquake Fault Zone. However, branches of the active Newport-Inglewood Fault Zone pass through the site and along its eastern border. The South Branch of the Newport-Inglewood Fault, which traverses the site, is categorized by the City of Huntington Beach as Category C, requiring special studies including a subsurface investigation, for critical and important land uses. The North Branch Fault, which runs along the site's eastern border, is categorized by the City as Category B, requiring special studies including subsurface investigation for critical and important land uses and special evaluation of faults for all habitable structures. While the Project does not propose construction of critical and important land uses or structures, the potential exists due to the site's proximity to the Newport-Inglewood Fault that persons (i.e., workers) could be exposed to substantial adverse effects due to earthquake fault rupture during implementation of the proposed remediation activities. Furthermore, the long-term stability of the protective cap has not been established at this time. Thus, it is recommended that potential impacts related to exposure of people to fault rupture on the site be further analyzed and documented in the EIR with mitigation measures incorporated, as necessary.

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[9] *State Geologist, State of California Earthquake Fault Zones Map, July 1986.*

[10] *California Geological Survey, State of California Seismic Hazard Zones, Newport Beach Quadrangle, Official Map Liquefaction Zone Released: April 17, 1997, Landslide Zone Released: April 15, 1998.*

Conclusion:
☒ Potentially Significant Impact
☐ Less Than Significant Impact with Mitigation Incorporated
☐ Less Than Significant Impact
☐ No Impact

ii. Strong seismic ground shaking?

Impact Analysis: While the Project does not propose construction of any buildings, it would include the development of a protective cap that could allow future land uses on the site. The long-term stability of the protective cap has not been established at this time. Furthermore, Project implementation could subject people (i.e., workers) to potential adverse effects due to ground shaking associated with an earthquake. Thus, it is recommended that potential impacts associated with exposure of people to ground shaking hazards be further analyzed and documented in the EIR with mitigation measures incorporated, as necessary.

Conclusion:
☒ Potentially Significant Impact
☐ Less Than Significant Impact with Mitigation Incorporated
☐ Less Than Significant Impact
☐ No Impact

iii. Seismic-related ground failure, including liquefaction?

Impact Analysis: The project site exhibits high to medium liquefaction potential in the northeast corner and very high liquefaction potential in the remainder of the site, which could expose people (i.e., workers) to potential substantial adverse effects during an earthquake. Furthermore, the long-term stability of the protective cap has not been established at this time. Thus, it is recommended that potential impacts associated with exposure of people to seismic-related ground failure, including liquefaction, be further analyzed and documented in the EIR with mitigation measures incorporated, as necessary.

Conclusion:
☒ Potentially Significant Impact
☐ Less Than Significant Impact with Mitigation Incorporated
☐ Less Than Significant Impact
☐ No Impact

iv. Landslides?

Impact Analysis: The project site exhibits highly elevated soil liquefaction potential, which in alluvial areas maintaining a surface slope of one-half to five percent or more, can potentially result in shallow landslides. Thus, it is recommended that the extent of potential impacts associated with exposure of people such as employees, to seismic-related ground failure including landslides, be further analyzed and documented in the EIR with mitigation measures incorporated, as necessary.

Conclusion:
☒ Potentially Significant Impact
☐ Less Than Significant Impact with Mitigation Incorporated
☐ Less Than Significant Impact
☐ No Impact

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

Impact Analysis: The highly disturbed site does not presently contain topsoil. Since the project site has been extensively disturbed as a result of landfill operations and waste disposal activities, any topsoil that may have existed on the site is likely covered by impacted materials, waste, and imported fill layers. Although some of these materials could eventually be transported off the site upon remediation, additional soil will be imported to the site and compacted to support the protective cap and during final site grading. As such, the Project would not result in substantial loss of topsoil.

The excavation, removal and disposal of on-site soils during the Project would be undertaken in accordance with pertinent sections of the City of Huntington Beach Municipal Code (Sections 17.05.310 through 17.05.330), which require necessary permits, plan checks, and inspections to reduce the effects of erosion. However, given the significant quantities of soil to be moved during the proposed remediation activities, it is recommended that the extent for soil erosion be further analyzed in the EIR, with mitigation measures incorporated, as necessary.

Conclusion:
☒ Potentially Significant Impact
☐ Less Than Significant Impact with Mitigation Incorporated
☐ Less Than Significant Impact
☐ No Impact

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

Impact Analysis: As discussed in the baseline environmental conditions section above, the site is subject to strong seismic groundshaking and liquefaction hazards. Groundwater levels in the vicinity of the project site occur at levels as high as 5 feet below street level, and there is the high potential for perched water conditions. There is also high to very high potential for seismic related liquefaction due to the shallow depth of groundwater. Based on these geologic considerations, the potential for on or off-site landslides, lateral spreading, subsidence, or collapse does exist. It is recommended that potential impacts associated with exposure of people such as workers, to ground failure hazards be further analyzed and documented in the EIR with mitigation measures incorporated, as necessary.

Conclusion:
☒ Potentially Significant Impact
☐ Less Than Significant Impact with Mitigation Incorporated
☐ Less Than Significant Impact
☐ No Impact

d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

Impact Analysis: Beneath the waste materials on the site, some clay or fine sedimentary materials do exist; however, the majority of these materials are not expansive. The City of Huntington Beach General Plan Coastal Element (Figure C-34) does identify a small portion of the northeast corner of the project site as located in a "low" (7 percent or less) potential soil expansion area. However, the system of excavation and reconsolidation of soils and waste and blending of contaminated soils with a solidification reagent (such as Portland cement or similar), as required, would in effect remedy any adverse soils conditions including those attributable to the presence of expansive soils. Therefore, impacts related to the potential for the site to be located on expansive soils would be less than significant. Further analysis of this issue in the EIR is not necessary.

Conclusion:
☐ Potentially Significant Impact
☐ Less Than Significant Impact with Mitigation Incorporated
☒ Less Than Significant Impact
☐ No Impact

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

Impact Analysis: The site is located in an urbanized area that is served by existing sanitary sewer infrastructure. The Project would not involve the use of septic tanks or alternative wastewater disposal systems. Thus, no impact would occur in this regard. Further analysis of this issue in the EIR is not necessary.

Conclusion:
☐ Potentially Significant Impact
☐ Less Than Significant Impact with Mitigation Incorporated
☐ Less Than Significant Impact
☒ No Impact

f. Be located in an area containing naturally occurring asbestos (see also Section 3 Air Quality [f])?

Impact Analysis: The native material underlying the site consists of fine, unconsolidated sediments typical for its coastal plain, sedimentary depositional environment. The coastal plain of the site is not a metamorphic or igneous environment, so therefore could not contain natural metamorphic asbestos minerals. Therefore, the site is not located in an area containing naturally occurring asbestos and no impacts would occur in this regard. Further analysis of this issue in the EIR is not necessary.

Conclusion:
☐ Potentially Significant Impact
☐ Less Than Significant Impact with Mitigation Incorporated
☐ Less Than Significant Impact
☒ No Impact

References Used:

1. California Geological Survey, State of California Seismic Hazard Zones, Newport Beach Quadrangle Official Map, Liquefaction Zone Released: April 17, 1997, Landslide Zone Released: April 15, 1998.
2. City of Huntington Beach, City of Huntington Beach General Plan, Coastal Element, Figure C-29, Liquefaction Potential and Figure C-34, Expansive Soil Distribution Map, 2001 (as amended through Oct. 2011).
3. City of Huntington Beach, City of Huntington Beach General Plan, Environmental Hazards Element, May 1996.
4. Leighton & Associates, Preliminary Geologic Evaluation of the State (Alquist-Priolo) Special Studies Zone Maps, related to the Newport-Inglewood Fault Zone, City of Huntington Beach, April 17, 1986.
5. Project Navigator, Ltd., Revised Feasibility Study for the Ascon Landfill Site, September 20, 2007.
6. Radian Corporation, "Final Site Characterization Report, Ascon-site, Volume 1 Text and Plates, Prepared for Ascon Properties, Inc.," 1988.
7. State Geologist, State of California Earthquake Fault Zones Map, July 1986.

7. GREENHOUSE GAS EMISSIONS

Project activities likely to create an impact:

- Remediation activities associated with the excavation, removal, and disposal (including transportation activities to and from the site and use of heavy construction equipment on-site) of waste materials, including but not limited to, tarry liquids, drilling muds, contaminated soils, green waste, and construction debris;
- Reconsolidation of waste materials from the outer edges of the site to the site interior;
- Construction of a protective cap over the site; and
- Final site grading, seeding and demobilization.

Description of Baseline Environmental Conditions

Greenhouse gases (GHGs) are compounds in the Earth's atmosphere which play a critical role in determining temperature near the Earth's surface. These gases allow high-frequency shortwave solar radiation to enter the Earth's atmosphere but retain some of the low frequency infrared energy, which is radiated back from the Earth towards space, resulting in a warming of the atmosphere. Regulated GHGs include carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF_6). GHGs are commonly quantified in the equivalent mass of CO_2, denoted as CO_2e, which takes into account the global warming potential (GWP) of each individual GHG compound. Based on the 2009 GHG inventory data (the latest year for which data are available), prepared by the California Air Resources Board (CARB), California emitted

453 million metric tons (MMT) CO_2e ***including*** emissions resulting from imported electrical power in 2009 and 405 MMT CO_2e ***excluding*** emissions related to imported power.[11]

According to CARB, the potential impacts in California due to global climate change may include: loss in snow pack; sea level rise; more extreme heat days per year; more high ozone days; more large forest fires; more drought years; increased erosion of California's coastlines and sea water intrusion into the Sacramento and San Joaquin Deltas and associated levee systems; and increased pest infestation.[12]

In September 2006, the Global Warming Solutions Act of 2006, also known as AB 32, was signed into law. AB 32 requires that the state reduce its GHG emissions to 1990 levels by 2020. CARB established the 1990 target at 427 MMT CO_2e. Under AB 32, CARB has primary responsibility for promulgating regulations, programs, and enforcement mechanisms to achieve the GHG emissions reduction target.

The Project includes off-site disposal of the material removed from the site. Long-term disposal options being considered include landfills located outside of the Basin. Thus, potential impacts must be assessed for the increase in GHG emissions resulting from implementation of the Project, due primarily from transportation of material by truck, train, or other means.

Analysis as to whether or not Project activities would:

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

Impact Analysis: Implementation of the Project is anticipated to produce greenhouse gas (GHG) emissions in excess of numeric thresholds. This impact will be evaluated in the EIR. Relevant project features that reduce GHG emissions will also be discussed in the EIR.

Conclusion:
☒ Potentially Significant Impact
☐ Less Than Significant Impact with Mitigation Incorporated
☐ Less Than Significant Impact
☐ No Impact

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

Impact Analysis: As indicated in Response No. 7.a, implementation of the Project is anticipated to produce GHG emissions that have the potential to exceed thresholds. Consistency with applicable plans, policies or regulations adopted for the purpose of reducing GHG emissions will be evaluated in the EIR.

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[11] *California Air Resources Board, "California Greenhouse Gas 2000-2009 Inventory by Scoping Plan Category - Summary," http://www.arb.ca.gov/cc/inventory/data/data.htm. 2012.*

[12] *California Environmental Protection Agency, Climate Action Team,* Climate Action Team Report to Governor Schwarzenegger and the Legislature*, (2006).*

Conclusion:

☒ Potentially Significant Impact
☐ Less Than Significant Impact with Mitigation Incorporated
☐ Less Than Significant Impact
☐ No Impact

References Used:

1. California Air Resources Board, Climate Change Scoping Plan, December 2008.
2. California Air Resources Board, http://www.arb.ca.gov/cc/inventory/data/data.htm, Accessed March 20, 2013.
3. California Environmental Protection Agency, Climate Action Team, Climate Action Team Report to Governor Schwarzenegger and the Legislature, 2006.

8. HAZARDS AND HAZARDOUS MATERIALS

Project activities likely to create an impact:

- Remediation activities associated with the excavation, removal, and disposal (including transportation activities to and from the site and use of heavy construction equipment on-site) of waste materials, including but not limited to, tarry liquids, drilling muds, contaminated soils, green waste, and construction debris;
- Reconsolidation of waste materials from the outer edges of the site to the site interior;
- Construction of a protective cap over the site; and
- Final site grading, seeding and demobilization.

Description of Baseline Environmental Conditions

As discussed in the Project Description section above, the project site operated as a waste disposal facility from approximately 1938 through 1984. In the early years of operation, much of the waste came from oil drilling operations and included drilling muds, wastewater brines, and other drilling wastes. Records show that from 1957 to 1971 chromic acid, sulfuric acid, aluminum slag, fuel oils, styrene, and other wastes were also disposed on the site. From 1971 to 1984, inert solid wastes such as abandoned vehicles, asphalt, concrete, metal, soil, and wood were disposed on the site. The site stopped receiving waste commercially in 1984. Wastes contained at the site were placed directly upon the native soil, and soil was used to form berms resulting in the lagoons and pits. As the waste accumulated, the berms were raised such that much of the site is now approximately 10 to 20 feet above the surrounding street level. The thickness of the site waste varies from a few feet to as much as 20 feet. Soil and construction debris, consisting of wood, brick, concrete, and asphalt, were placed over much of the waste material and can currently be seen throughout the site. It is estimated that the combined thickness of solid debris and waste materials throughout the site ranges from about 5 to 25 feet.

The total number of waste types disposed at the site is not known. However, past investigators have summarized the documented types of wastes possibly disposed at the site. The largest volume of wastes disposed at the site was drilling mud and oil field wastes. Other wastes that may have been disposed of at the site include:

- Chromic and sulfuric acids
- Aluminum slag
- Magnesium and potassium chloride
- Corrosive material (acid sludges)
- Mercaptans
- Styrene
- Styrene tars
- "Dion iso-styrene monomer (sic)" (Environ, 2000)
- Polyester resin fractions
- Phenolic wastes
- Synthetic rubber
- Fuel oil (unusable/out of specification)
- Oily wastes
- Construction and other debris (soil, concrete, asphalt, wood, metal, abandoned vehicles, etc.).

Analysis as to whether or not Project activities would:

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

Impact Analysis: Project implementation includes remediation activities associated with the excavation, removal, and disposal of hazardous or impacted materials, including but not limited to, tarry liquids, drilling muds, and contaminated and/or impacted soils. The Project has the potential to result in emissions that include toxic air contaminants, particulate matter and diesel exhaust particulates from on-site heavy-duty equipment and haul vehicles. It is recommended that the potential increase in toxic emissions during remedial activities be further analyzed and documented in an EIR with mitigation measures incorporated, as necessary.

Compliance with applicable Federal, State, and local codes and regulations for the handling and storage of hazardous substances would apply throughout the length of the Project. Compliance with these regulations would help to ensure the safety of the workers and protect the public from inadvertent exposure to hazardous materials. Project compliance with applicable regulations would reduce or limit the impact of the remediation activities with regard to the routine transport, use and disposal of the hazardous materials. However, the extent of this reduction and the resultant impact will require additional analysis in the EIR with mitigation measures recommended, as necessary.

Conclusion:
☒ Potentially Significant Impact
☐ Less Than Significant Impact with Mitigation Incorporated
☐ Less Than Significant Impact
☐ No Impact

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?

Impact Analysis: Project implementation has the potential to result in emissions that include toxic air contaminates, particulate matter and diesel exhaust particulates from on-site heavy-duty equipment and haul vehicles. It is anticipated that remediation of the site could result in exposure of construction workers, employees, or the public to potential contaminants. Therefore, it is recommended that the areas of contamination be adequately delineated to the satisfaction of the DTSC prior to remediation of the site. In addition, Project implementation would occur in the context of public information, which will be described in the EIR.

It is recommended that health based clean up and ambient exposure monitoring goals be prepared, subject to DTSC approval. These goals should be documented in the EIR with mitigation measures incorporated, as necessary, to protect human health to the extent feasible.

Conclusion:
☒ Potentially Significant Impact
☐ Less Than Significant Impact with Mitigation Incorporated
☐ Less Than Significant Impact
☐ No Impact

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

Impact Analysis: Two schools are located within approximately one-quarter mile of the site. Edison High School, located northeast of the site across Magnolia Avenue, and William Kettler School (currently closed). John H. Eader Elementary School is located southeast of the site along Banning Avenue. A Health Risk Assessment will be conducted to evaluate the potential health risks posed to off-site sensitive receptors, including schools in the area. The results of the Health Risk Assessment will be documented in the EIR with mitigation measures incorporated, as necessary.

Conclusion:
☒ Potentially Significant Impact
☐ Less Than Significant Impact with Mitigation Incorporated
☐ Less Than Significant Impact
☐ No Impact

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?

Impact Analysis: The project site is listed on the California DTSC's Hazardous Waste and Substances sites (Cortese) List. The list is a planning document used by State agencies and developers to comply with the California Environmental Quality Act requirements in providing information about locations of hazardous materials release sites. Government Code 65962.5 requires the California Environmental Protection Agency to develop an updated Cortese List at least annually. As previously indicated, the site which is an inactive landfill contains known hazardous materials. Thus, it is recommended that the proposed remediation activities and any associated hazards to the public or the environment be further analyzed in an EIR with mitigation measures incorporated, as necessary.

Conclusion:

☒ Potentially Significant Impact
☐ Less Than Significant Impact with Mitigation Incorporated
☐ Less Than Significant Impact
☐ No Impact

e. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Impact Analysis: Access to the site and within the site, including access for emergencies, would be reviewed and subject to approval by the City of Huntington Beach Public Works Department and the City of Huntington Beach Fire Department prior to implementation of the Project. Magnolia Street is identified as a tsunami evacuation route by the City of Huntington Beach. In the event a tsunami warning is issued, all work on the project site would be stopped. Thus, no emergency evacuation routes would be impacted by haul trucks leaving the site during an emergency evacuation. Further, workers would be evacuated from the site in accordance with the site-specific Health and Safety Plan and standard City procedures, and Project-related vehicles that are off-site would divert from or evacuate the area as directed by emergency response personnel. Therefore, although Project implementation would bring vehicles, equipment and personnel to the City, it would not significantly impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan. Thus, a less than significant impact would occur in this regard.

Conclusion:

☐ Potentially Significant Impact
☐ Less Than Significant Impact with Mitigation Incorporated
☒ Less Than Significant Impact
☐ No Impact

References Used:

1. Department of Toxic Substances Control (DTSC) 2012. "Cortese List." Online address: http://www.dtsc.ca.gov/SiteCleanup/Cortese_List.cfm
2. Project Navigator, Ltd., Revised Feasibility Study for the Ascon Landfill Site, September 20, 2007.

9. HYDROLOGY AND WATER QUALITY

Project activities likely to create an impact:

- Remediation activities associated with the excavation, removal, and disposal (including transportation activities to and from the site and use of heavy construction equipment on-site) of waste materials, including but not limited to, tarry liquids, drilling muds, contaminated soils, green waste, and construction debris;
- Reconsolidation of waste materials from the outer edges of the site to the site interior;
- Construction of a protective cap over the site; and
- Final site grading, seeding and demobilization.

Description of Baseline Environmental Conditions

Water Quality

Remediation activities associated with the Project would be required to comply with federal, state and local regulations governing water quality standards and waste discharge requirements. Surface water quality is regulated through the Federal Clean Water Act which requires all communities to develop methods to comply with standards for protecting the quality of water discharged into streams, including storm water runoff and non-storm water runoff. The nationwide implementation of the Clean Water Act is the responsibility of the United States Environmental Protection Agency (USEPA), which has established the National Pollutant Discharge Elimination System (NPDES) as the primary implementation program. In response to the 1987 amendments to the Clean Water Act, the USEPA NPDES Program required NPDES permits for: 1) Municipal Separate Storm Sewer System (also referred to as MS4s or Municipal Permits) generally serving, or located in incorporated places with 100,000 or more people; 2) 11 specific categories of industrial activity (including landfills); and 3) construction activity that disturbs one acre of land or more. Section 402 (p) of the Clean Water Act mandates that the MS4 permits must: 1) effectively prohibit the discharges of non-storm water to the MS4; and 2) require controls to reduce pollutants in discharges from MS4 to the maximum extent practicable (MEP), including Best Management Practices (BMPs), control techniques, and system, design and engineering methods.

In California, the regulation, protection, and administration of water quality is carried out by the State Water Resources Control Board (SWRCB), as authorized by the Porter-Cologne Water Quality Control Act of 1969. The State is divided into nine regions due to regional issues related to water quality and quantity. Each Regional Water Quality Control Board (RWQCB) is required to adopt a Water Quality Control Plan or Basin Plan that recognizes and reflects the regional differences in existing water quality, the beneficial uses of the region's ground and surface water, and local water quality conditions and problems. The project site is located within the Santa Ana Region, which is addressed in the Water Quality Control Plan Santa Ana River Basin (8). This document designates the beneficial uses of water bodies, sets water quality objectives to protect those uses, addresses localized water quality problems, and lays out a plan for water quality protection. The site is in the Lower Santa Ana River basin, Orange sub-basin. The designated present or beneficial uses of the groundwater for the sub-basin are

Municipal and Domestic Supply (MUN); Agricultural Supply (AGR); Industrial Service Supply (IND); and Industrial Process Supply (PROC).[13]

Storm water discharges in the City are regulated under the fourth-term regional individual permit—Santa Ana Region Waste Discharge Requirements for the County of Orange, Orange County Flood Control District, and The Incorporated Cities of Orange County within the Santa Ana Region Areawide Urban Stormwater Runoff Orange County Order (No. R8-2009-0030, NPDES No. CAS618030) (Municipal NPDES Permit). In accordance with the municipal permit, co-permittees of this Municipal NPDES Permit are responsible for the management of storm drain systems within their jurisdictions and are required to implement management programs, monitoring programs, implementation plans and all BMPs outlined in the Drainage Area Master Plan (DAMP) within each respective jurisdiction, and take any other actions as may be necessary to meet the Maximum Extent Practicable (MEP) standard. Also, included in the requirements pertaining to new development and significant re-development projects is the preparation of a Water Quality Management Plan (WQMP) for post construction maintenance and monitoring that includes BMPs for source control, pollution prevention, and/or structural treatment BMPs. WQMP's are to be developed in accordance with the approved Model WQMP and incorporate Low Impact Development (LID) principles. LID combines hydrologically functional site design with pollution prevention methods to compensate for land development impact on hydrology and water quality. As part of the LID principals, the LID design goals include maintaining or replicating the pre-development hydrologic regime such that a project creates a functionally equivalent post-development hydrologic regime. The Project does not propose specific land use development; however, a WQMP to address post-remedial conditions would be implemented.

In order to obtain authorization for construction storm water discharges, projects that result in the disturbance of one acre of land or greater must comply with the State General NPDES Permit for Discharge Associated with Construction Activities. In accordance with RWQCB requirements, a Notice of Intent (NOI) to comply with the State General NPDES Permit for Discharge Associated with Construction Activities would be required for such projects. In addition, in accordance with these NPDES permit requirements, a Storm Water Pollution Prevention Plan (SWPPP) incorporating BMPs would be required. The general Construction NPDES Stormwater Permit requires that these BMPs be in place prior to commencement of construction (i.e., remediation activities) at a site.

Regarding the Ascon site, a Surface Water Management Plan was prepared and submitted to DTSC in January 2004 and has been implemented on-site.[14] The site applied for coverage under NPDES General Permit No. CAS000001 (General Permit) from the California State Water Resources Control Board (SWRCB) for discharge of storm water associated with industrial activities at the site in December 2005, for coverage after completion of the Emergency Action. A SWPPP was prepared in accordance with the General Industrial Permit, as well as per the 2005 Coastal Development Permit conditions from the City of Huntington Beach, and was implemented and maintained to identify activities and materials that may affect storm water discharge quality and to identify and implement minimum and site-specific BMPs to meet water quality standards in the General Permit.

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[13] *California Regional Water Quality Control Board Santa Ana Region, Water Quality Control Plan Santa Ana River Basin (Region 8), February 2008.*

[14] *Project Navigator, Ltd., Surface Water Management Plan, January 27, 2004.*

Groundwater and Groundwater Quality

Groundwater is present at shallow depths below ground surface (bgs) at the site's lower elevations. The groundwater elevations are near MSL as expected based on the site's proximity to the Pacific Ocean and adjacent Huntington Beach Flood Control Channel. Groundwater elevation has varied a few feet over time due to seasonal variations. Monitoring well data show that the highest groundwater elevations occur in the southwest corner of the property near the flood control channel at near 0 feet MSL, while lowest groundwater elevations occur in the northwest corner of the site at approximately five feet below MSL.

The site experiences shallow groundwater conditions, and therefore some of the deeper wastes at the site may be in direct contact with groundwater. Some organic compounds and metals have been detected in shallow groundwater beneath the site at concentrations higher than the California or Federal Maximum Contaminant Levels (MCLs). Based on the result of previous groundwater investigations, groundwater contamination has not extended horizontally and is contained within the site boundaries. Groundwater monitoring occurs on at least a semi-annual basis to ensure that contamination does not extend beyond the project site boundaries. Monitoring wells are located along all sides of the project site.

Hydrology and Drainage

The site is located in a low-lying coastal area with relatively flat topography that gently slopes in a south/southwest direction toward the Pacific Ocean. As a result of past waste disposal activities, the site's natural topography has been widely disturbed; topographic elevations across the site currently range from approximately five feet above MSL at the southeast corner to approximately 27 feet above MSL near the center of the site. The major surface waters in the area of the site are the Pacific Ocean located approximately one-half mile south, the Santa Ana River located one mile east, and the Huntington Beach Flood Control Channel, which borders the site at the southwest corner. The Huntington Beach Channel runs in a northwest to southeast direction and roughly parallels the coastline. The channel merges with the Talbert Flood Control Channel between Magnolia and Brookhurst Streets, and from this point the merged channels enter the Talbert Marsh Wetlands and then flow into the Pacific Ocean.

Generally, the site is topographically higher than the surrounding area. An earthen berm surrounds much of the site and prevents some surface water from flowing off-site. A toe drain is located at the foot of the berm along Hamilton Avenue to collect potential storm water runoff from the berm and any potential future seepage from the berm. Conversely, the height of the site in comparison to surrounding streets and land uses generally prevents any urban runoff associated with the surrounding uses from draining onto the site. However, it is acknowledged that the southeast corner of the site is a low spot, and during heavy rains water flows from Magnolia Street onto the site in this area.

On-site surface water flow is managed and controlled through implementation and maintenance of a Storm Water Pollution Prevention Plan (SWPPP) and installation of storm water best management practices (BMPs), including collection swales and storm water detention basins. The swales and detention basins collect storm water that falls onto the site that is not collected in the lagoons and reduces potential sediments in storm water runoff. Storm water that comes in contact with lagoon

materials is referred to as "contact water," and remains onsite and is allowed to evaporate from the lagoons. Currently, there is one drainage outlet from the site, which is within a detention basin located in the southeastern corner of the site. This drainage outlet conveys storm water (excludes contact water) from the site to Magnolia Street where runoff is ultimately conveyed to the storm drain system. Given that much of the site's storm water is contained within the site during even heavy rainfall periods, it is rare that runoff occurs from the site. Nonetheless, storm water runoff, if any, is sampled and tested per the existing Industrial NPDES permit, and results are reported to the State Water Resources Control Board (SWRCB). Site inspections are conducted during rain events and once per month during the wet season to verify that the project site's storm water BMPs are operating correctly and that repairs are made as necessary.

Flooding

The Federal Emergency Management Agency (FEMA) has identified locations in the City that may be susceptible to flooding. The site is located in Flood Zone X.[15] Flood Zone X is designated as those areas that are protected from the one percent (1%) chance of occurrence in any given year (100-year flood) by levee, dike, or other structures subject to possible failure or overtopping during larger floods, which in the case of the site, is the Huntington Beach Channel.

Analysis as to whether or not Project activities would:

a. Violate any water quality standards or waste discharge requirements?

Impact Analysis: Currently the site is able to contain on-site storm water during most heavy rainfall events within the existing lagoons, swales and detention basins, thereby limiting the need to convey storm water off-site. The quantity and composition of surface runoff and groundwater infiltration would be altered as a result of the proposed remediation activities.

Since the Project would involve the disturbance of more than one acre of land, it would be subject to the provisions of the State General NPDES Permit for Discharge Associated with Construction Activities. A Notice of Intent (NOI) would be submitted to the SWRCB for compliance with the General Construction NPDES permit prior to commencement of the proposed remediation activities. Under this permit, the Project would be required to eliminate or reduce non-storm water discharges and develop and implement a Construction SWPPP. The SWPPP must include BMPs that identify and effectively reduce sediment and other pollutants from discharging into the City and/or County-maintained storm drain system.

Upon completion of the Project, the existing drainage pattern of the site would be altered such that stormwater runoff would be discharged either to the Huntington Beach Channel or to adjoining streets, which would then be conveyed to municipal stormwater treatment facilities. The Huntington Beach Channel was designed with enough capacity to accommodate flows from the project area, including the site. The protective cap would include, at a minimum, from top to bottom, a vegetative cover soil layer, biotic layer, geomembrane liner, geotextile gas collection layer, and a foundation layer. A surface water

[15] *Federal Emergency Management Agency, FEMA Map ID No. 06059C0263J, December 3, 2009.*

collection system would also be included in the design. The design features of the protective cap and the surface water collection system would serve to reduce water quality impacts.

However, groundwater in the project area is known to occur at depths as high as approximately five feet below street grade. Given the shallow depths of groundwater and known contamination on the site, it is recommended that the extent of existing and potential impacts regarding surface and groundwater be further analyzed in the EIR. In addition, a groundwater contingency plan for the site will be further evaluated in the EIR.

Conclusion:
☒ Potentially Significant Impact
☐ Less Than Significant Impact with Mitigation Incorporated
☐ Less Than Significant Impact
☐ No Impact

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

Impact Analysis: No groundwater extractions are proposed as part of the Project. The Project would not require the use of groundwater that would be expected to substantially deplete groundwater supplies or interfere with groundwater. Water that would be used at the site during the proposed remediation activities would be supplied by the City of Huntington Beach Water Department, which draws its water primarily from groundwater wells while the remainder is from imported sources.

Under existing conditions, almost all areas of the site are permeable and as such, the site does not substantially interfere with groundwater recharge. The protective cap would include, at a minimum, from top to bottom, a vegetative cover soil layer, biotic layer, geomembrane liner, geotextile gas collection layer, and a foundation layer. A surface water collection system would also be included in the design. The design features of the protective cap would not allow for groundwater recharge through the cap. Due to the size and scope of the Project, there may be potential for groundwater to be affected in a manner that would create a net deficit in aquifer volume and potentially lower the groundwater table, or degrade the quality of groundwater. Therefore, analysis of groundwater issues will be included in the EIR with mitigation measures provided if necessary.

Conclusion:
☒ Potentially Significant Impact
☐ Less Than Significant Impact with Mitigation Incorporated
☐ Less Than Significant Impact
☐ No Impact

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

Impact Analysis: Project implementation would alter the existing drainage pattern of the site such that storm water runoff would be discharged either to the Huntington Beach Channel or to adjoining streets and into municipal stormwater treatment facilities. The Project would include two storm water detention basins located in the southeast and northwest corners of the site (refer to Figure 5) that would control storm water runoff from the site to prevent substantial erosion or siltation from occurring off-site. In accordance with the General Industrial NPDES Permit requirements for WQMPs to incorporate LID design principals, the Project's WQMP would ensure that the Project's post-remedial condition maintains or replicates the pre-development hydrologic regime such that the Project creates a functionally equivalent post-remedial hydrologic regime. Thus, the capacity of the existing municipal storm drain system and the Huntington Beach Flood Control Channel would be sufficient to accommodate flows from the site. Also, the protective cap would be stabilized and would include a vegetative soil layer on the top layer that would prevent substantial erosion or siltation on-site. Furthermore, compliance with the General Construction NPDES permit requirements during Project implementation and all relevant storm water quality management programs of Federal, State, County, and City agencies would reduce impacts in this regard to the maximum extent feasible. With implementation of the Project design features and compliance with the applicable regulatory requirements, impacts would be less than significant. Further analysis of this issue in the EIR is not necessary.

Conclusion:

☐ Potentially Significant Impact
☐ Less Than Significant Impact with Mitigation Incorporated
☒ Less Than Significant Impact
☐ No Impact

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

Impact Analysis: Project implementation would alter the existing drainage pattern of the site such that storm water runoff would be discharged either to the Huntington Beach Channel or to adjoining streets and into municipal storm water treatment facilities. As discussed in Response No. 9.c, above, the capacity of the municipal storm drain system and the Huntington Beach Channel would be sufficient to accommodate flows from the site. In addition, the design of the proposed surface water system and associated flooding protection would conform to all applicable regulatory requirements described above. Therefore, the Project is not expected to substantially alter the flooding potential of the area, which is already classified as minimal by FEMA. Impacts related to flooding would be less than significant, and further analysis of this issue in the EIR is not necessary.

Conclusion:

☐ Potentially Significant Impact
☐ Less Than Significant Impact with Mitigation Incorporated
☒ Less Than Significant Impact
☐ No Impact

e. Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?

Impact Analysis: Project implementation would alter the existing drainage pattern of the site such that storm water runoff would be discharged either to the Huntington Beach Channel or to adjoining streets and into municipal stormwater treatment facilities. As discussed in Response No. 9.c, above, the capacity of the municipal storm drain system and the Huntington Beach Channel would be sufficient to accommodate flows from the site. However, as discussed in Response No. 9.a, above, the extent of existing and potential impacts regarding surface and groundwater will be further analyzed in the EIR.

Conclusion:
☒ Potentially Significant Impact
☐ Less Than Significant Impact with Mitigation Incorporated
☐ Less Than Significant Impact
☐ No Impact

f. Otherwise substantially degrade water quality?

Impact Analysis: As discussed in Response No. 9.a, above, the Project does have the potential to result in impacts to surface and/or groundwater quality. Therefore, potential water quality impacts will be further evaluated in the EIR.

Conclusion:
☒ Potentially Significant Impact
☐ Less Than Significant Impact with Mitigation Incorporated
☐ Less Than Significant Impact
☐ No Impact

g. Place within a 100-year flood plain structures which would impede or redirect flood flows?

Impact Analysis: The site is not located within a 100-year flood plain, nor does it propose development of any permanent structures that would impede or redirect flood. Thus, no impact would occur with regard to flood flows. Further analysis of this issue in the EIR is not necessary.

Conclusion:
☐ Potentially Significant Impact
☐ Less Than Significant Impact with Mitigation Incorporated
☐ Less Than Significant Impact
☒ No Impact

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

Impact Analysis: The site is not located within a 100-year flood plain or within an inundation area associated with the failure of a levee or dam. Thus, no impact would occur with regard to flood flows. Further analysis of this issue in the EIR is not necessary.

Conclusion:

☐ Potentially Significant Impact
☐ Less Than Significant Impact with Mitigation Incorporated
☐ Less Than Significant Impact
☒ No Impact

i. Inundation by seiche, tsunami, or mudflow?

Impact Analysis: A seiche is an oscillation of a body of water in an enclosed or semi-enclosed basin, such as a reservoir, harbor, lake, or storage tank. A tsunami is a great sea wave, commonly referred to as a tidal wave, produced by a significant undersea disturbance such as tectonic displacement of the sea floor associated with large, shallow earthquakes or underwater landsliding. Mudflows result from the downslope movement of soil and/or rock under the influence of gravity. The site is located relatively distant to any enclosed body of water or basin, and therefore, the potential for inundation by seiche does not exist. The site is relatively near to the ocean, and therefore potential exists for a tsunami to impact the site. The City of Huntington Beach designates the site and surrounding areas as moderate tsunami run-up area,[16] and requires that specific measures be taken by developers to prevent or reduce damage from these hazards and the risks upon human safety. The Project consists of remediation of the site and does not propose development resulting in the long-term exposure of people to inundation by tsunami potential. With implementation of the applicable design standards, the cap would not be susceptible to significant tsunami inundation hazards. Also, as the Project does not propose steep excavations, the potential for exposure of persons to mudflow hazards is considered low. Overall, impacts related to inundation by seiche, tsunami, or mudflow would be less than significant. Further analysis of this issue in the EIR is not necessary.

Conclusion:

☐ Potentially Significant Impact
☐ Less Than Significant Impact with Mitigation Incorporated
☒ Less Than Significant Impact
☐ No Impact

References Used:

1. California Regional Water Quality Control Board Santa Ana Region, Water Quality Control Plan Santa Ana River Basin (Region 8), February 2008.
2. City of Huntington Beach, City of Huntington Beach Geotechnical Inputs to the Seismic Safety Element, February 1974.
3. Federal Emergency Management Agency, FEMA Map ID No. 06059C0263J, December 3, 2009.
4. Project Navigator, Ltd., Revised Feasibility Study for the Ascon Landfill Site, September 20, 2007.
5. Project Navigator, Ltd., Surface Water Management Plan, January 27, 2004.

[16] *City of Huntington Beach, City of Huntington Beach Geotechnical Inputs to the Seismic Safety Element, February 1974.*

10. LAND USE AND PLANNING

Project activities likely to create an impact:

- Since the RAP does not propose specific development on the project site, any subsequent development will be subject to a deed covenant to protect the cap, which will require DTSC approval and a subsequent entitlement process, including environmental review as appropriate pursuant to CEQA.

Description of Baseline Environmental Conditions

Project Site and Surrounding Uses

The site is currently a landfill site, surrounded primarily by urban land uses including residential, recreational, public facilities, and industrial development as illustrated in Figure 2. The site is bounded by the following land uses: Edison Park and Community Center to the north across Hamilton Avenue; Edison High School near the northeast corner of Hamilton Avenue and Magnolia Street; single-family residential uses east of Magnolia Street; an oil storage tank area to the south; and light industrial uses and the Huntington Beach Flood Control Channel to the west. The site is enclosed by a chain-linked fence, but is accessible from four secured gates, all of which are located along Magnolia Street and Hamilton Avenue.

Land Use Plans, Policies, and Regulations

The site is within the City of Huntington Beach and therefore is subject to the City's land use plans, policies and regulations, including applicable sections of the City of Huntington Beach General Plan, the Magnolia Pacific Specific Plan, and the City of Huntington Beach Zoning and Subdivision Ordinance (HBZSO). The City also maintains specific requirements regarding grading and construction that would apply to the Project. Furthermore, in addition to the DTSC, regional agencies including SCAG, the Metropolitan Transportation Authority (MTA), and SCAQMD, are also involved with planning and land use issues that potentially affect the Project and/or site.

The Land Use Element of the General Plan designates the site as Residential Medium (RM) and a specific plan overlay (RM-15-sp).[17] Typical permitted uses under the RM land use designation include single-family residential units, duplexes, town homes, and garden apartments. The current zoning for the site is designated in the Magnolia Pacific Specific Plan.[18] The Magnolia Pacific Specific Plan, adopted in 1992, specifically addresses future development of the 38-acre site upon completion of the remediation of the site. The Specific Plan designates the site as Medium Density Residential, allowing for development of the site with a mixture of single family detached homes and multi-family units. While the site has been designated for residential use in the City's General Plan, the Magnolia Pacific Specific Plan and the HBZSO, the long-term land use for the site may be restricted based on the final clean-up

[17] *City of Huntington Beach, City of Huntington Beach General Plan, Land Use Element, 1996, Figure LU-5, Land Use Plan, Amended August 2003.*

[18] *City of Huntington Beach, City of Huntington Beach Zoning Map DM14Z, Adopted March 7, 1960 and amended July 1984.*

levels dictated by DTSC and any deed restrictions accepted by the current land owners. That is, residential uses would only be permitted to the extent appropriate, taking into account the Site's condition following remediation.

The zoning designations for the land uses adjacent to the site are: CF-R-Community Facilities - Recreational District (Edison Community Park) to the north; CF-E-FP2 - Educational District (Edison High School) to the northeast; R1-CZ - Low Density Residential District to the east; R1-CZ - Low Density Residential District to the southeast; M2-0-CZ-FP2 - Industrial District to the south; M2-0-CZ-FP2 - Industrial District to the southwest; and M1-A-0-CZ-FP2 - Light Industrial District to the west.

Analysis as to whether or not Project activities would:

a. Physically divide an established community?

Impact Analysis: The Project proposes to implement a program to address contamination of an existing landfill site. No established communities exist on the project site. No impacts would occur with Project implementation. Further analysis of this issue in the EIR is not necessary.

Conclusion:
☐ Potentially Significant Impact
☐ Less Than Significant Impact with Mitigation Incorporated
☐ Less Than Significant Impact
☒ No Impact

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

Impact Analysis: The Project proposes to implement a program to address contamination on the site and does not propose development of any subsequent land uses. Since the RAP does not propose specific development on the project site, any subsequent development will be subject to a deed covenant to protect the cap. Such a covenant would likely require DTSC approval, and any subsequent entitlement process would include environmental review as appropriate pursuant to CEQA. As the site is presently designated (i.e., zoned) for residential uses, there is the potential for conflict with plans and policies of the City of Huntington Beach such as the City of Huntington Beach General Plan, the Magnolia Pacific Specific Plan, or the HBZSO. Potential land use conflicts will be evaluated in the EIR.

Conclusion:
☒ Potentially Significant Impact
☐ Less Than Significant Impact with Mitigation Incorporated
☐ Less Than Significant Impact
☐ No Impact

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

Impact Analysis: There are no habitat conservation plans or natural community conservation plans that cover the project area. However, as discussed in Response No. 4.f, the site's biological resources will

be further evaluated within an EIR to determine the Project's consistency with California Coastal Act's ESHA requirements.

Conclusion:

☐ Potentially Significant Impact
☐ Less Than Significant Impact with Mitigation Incorporated
☐ Less Than Significant Impact
☒ No Impact

References Used:

1. City of Huntington Beach, City of Huntington Beach General Plan, Land Use Element, 1996, Figure LU-5, Land Use Plan, Amended August 2003.
2. City of Huntington Beach, City of Huntington Beach Zoning Map DM14Z, Adopted March 7, 1960 and amended July 1984.
3. City of Huntington Beach, Magnolia Pacific Specific Plan, 1992.

11. MINERAL RESOURCES

The Project does not include any activity that would create an impact on mineral resources.

Description of Baseline Environmental Conditions

With regard to oil and gas, the City of Huntington Beach lies over several oil producing areas, comprising the Talbert, Sunset Beach, and West Newport and Huntington Beach oil fields.[19] The site is located near the coastal area of the City, which is known for its oil and gas production. The City of Huntington Beach General Plan identifies the project site as a rotary mud dump within a Principal Oil Producing Area. Petroleum reserves exist beneath the surface and are the only mineral resources in the project area. South Coast Oil Corporation (SCOC), or its successor, maintains oil production operations on the project site along its western perimeter. The SCOC portion of the project site is separated by a fence and a berm from the remainder of the Ascon site, and vehicular access is obtained using Surveyor Circle. Oil production is currently not feasible onsite within the site's fence line due to the presence of the landfill and the existing Imminent and Substantial Endangerment Order.

Analysis as to whether or not Project activities would:

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

Impact Analysis: As noted above, the only mineral resource on the project site is petroleum resources. The oil production facility at the western perimeter of the project site (SCOC property) would not be capped as part of the Project. It is possible that impacted soils or waste materials within the SCOC area may be excavated, as needed, and backfilled with suitable import materials, simultaneously with

[19] *Department of Conservation, Oil, Gas, and Geothermal Fields in California Map, 2001.*

the preferred alternative. However, access to petroleum resources from the SCOC property would continue similar to existing conditions. Further, the project does not propose any activities that would extract petroleum resources or preclude future extraction of petroleum reserves from beneath the site. Therefore, Project implementation would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state. No impacts would occur with Project implementation. Further analysis of this issue in the EIR is not necessary.

Conclusion:

☐ Potentially Significant Impact
☐ Less Than Significant Impact with Mitigation Incorporated
☐ Less Than Significant Impact
☒ No Impact

b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?

Impact Analysis: The Land Use Element of the City of Huntington Beach General Plan designates the site as Residential Medium and a specific plan overlay (RM-15-sp). The Magnolia Pacific Specific Plan designates the site as Medium Density Residential uses. Neither the General Plan nor the Magnolia Pacific Specific Plan delineates the site as a locally important mineral recovery site. Therefore, the Project would not result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan. No impact would occur in this regard. Further analysis of this issue in the EIR is not necessary.

Conclusion:

☐ Potentially Significant Impact
☐ Less Than Significant Impact with Mitigation Incorporated
☐ Less Than Significant Impact
☒ No Impact

References Used:

1. City of Huntington Beach, City of Huntington Beach General Plan, Land Use Element, 1996, Figure LU-5 Land Use Plan, Amended August 2003.
2. City of Huntington Beach, Magnolia Pacific Specific Plan, 1992.
3. City of Huntington Beach, City of Huntington Beach Zoning Map DM14Z, Adopted March 7, 1960 and amended July 1984.
4. Department of Conservation, Oil, Gas, and Geothermal Fields in California Map, 2001.

12. NOISE

Project activities likely to create an impact:

- Remediation activities associated with the excavation, removal, and disposal (including transportation activities to and from the site and use of heavy construction equipment on-

site) of waste materials, including but not limited to, tarry liquids, drilling muds, contaminated soils, green waste, and construction debris;

- Reconsolidation of waste materials from the outer edges of the site to the site interior;
- Construction of a protective cap over the site; and
- Final site grading, seeding and demobilization.

Description of Baseline Environmental Conditions

The noise environment in the project area is dominated by traffic noise from nearby roadways. The heaviest traveled roadways in the vicinity of the project area include Magnolia Street and Hamilton Avenue, which border the site to the east and north, respectively. Secondary noise in the area results from the AES Huntington Beach Generating Station, Edison High School, Fire Station No. 4, Edison Community Center, and residential noise sources (e.g., passenger vehicles, pets, and landscape maintenance operations). Ambient noise levels in the project vicinity are typical of noise levels experienced within urbanized areas throughout the City.

The City's policy regarding acceptable noise levels is codified in Chapter 8.40 (Noise Control) in the Huntington Beach Municipal Code. These noise levels do not apply to "pre-empted" noise sources, such as traffic, where noise standards are dictated by Federal, State, and Regional entities. The noise ordinance recognizes that a 24-hour community noise standard cannot be strictly applied to construction noise sources or, in this case, remediation activities. Section 8.40.090 (Special Provisions) of the Municipal Code states that noise sources associated with construction, repair, remodeling, or grading of any real property are exempt from the City mandated noise criteria provided a permit has been obtained from the City and said activities do not take place between the hours of 8:00 P.M. and 7:00 A.M. on weekdays and Saturday, or at any time on Sunday or a Federal holiday.

Analysis as to whether or not Project activities would:

a. Result in the exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Impact Analysis: Project implementation has the potential to generate high noise levels from the proposed remediation activities on the site, as well as from the haul trips and remediation worker trips to and from the site. These new noise sources, while limited in duration to the remediation program, added to existing sources of noise in the area, may further increase noise levels in an area developed with sensitive receptors. Nearby sensitive receptors include, but are not limited to, residences across Magnolia Street, Edison High School, Edison Community Center, William Kettler Elementary School (currently closed) and John Eader Elementary School. Given the close proximity of sensitive receptors to both the site and haul route(s), it is recommended that these issues be further analyzed in an EIR with mitigation measures incorporated, as necessary.

Conclusion:

☒ Potentially Significant Impact
☐ Less Than Significant Impact with Mitigation Incorporated
☐ Less Than Significant Impact
☐ No Impact

b. Result in the exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

Impact Analysis: Project implementation would generally require the use of conventional heavy-duty construction equipment, which could result in groundborne vibration. In addition, given the close proximity of sensitive receptors to the haul route(s) and the large volume of waste material that would be hauled off-site by heavy-duty trucks, it is recommended that this issue be further analyzed in the EIR with mitigation measures incorporated, as necessary.

Conclusion:
☒ Potentially Significant Impact
☐ Less Than Significant Impact with Mitigation Incorporated
☐ Less Than Significant Impact
☐ No Impact

c. Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

Impact Analysis: While Project implementation has the potential to generate high noise levels, these new noise sources would be limited in duration to the Project's remediation, and would therefore not result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the Project. Thus, less than significant long-term noise impacts would occur. Further analysis of this issue in the EIR is not necessary.

Conclusion:
☐ Potentially Significant Impact
☐ Less Than Significant Impact with Mitigation Incorporated
☒ Less Than Significant Impact
☐ No Impact

d. Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

Impact Analysis: Project implementation would have an effect on the community noise environment in the proximity of the site. For the reasons described in Response No. 12.a. above, a potentially significant noise impact may occur. This issue will be analyzed and documented in the EIR with mitigation measures incorporated, as necessary.

Conclusion:
☒ Potentially Significant Impact
☐ Less Than Significant Impact with Mitigation Incorporated
☐ Less Than Significant Impact
☐ No Impact

References Used:

1. City of Huntington Beach Municipal Code, Chapter 8.40 (Noise Control).
2. Project Navigator, Ltd., Revised Feasibility Study for the Ascon Landfill Site, September 20, 2007.

13. POPULATION AND HOUSING

Project activities likely to create an impact:

No Project activities are proposed that would have a direct impact on population and housing. The Project would not entail construction of new housing or demolition of existing housing.

Description of Baseline Environmental Conditions

Currently, the site is vacant and does not contain any residential units.

Analysis as to whether or not Project activities would:

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

Impact Analysis: The Project does not propose development of new homes or businesses that could potentially induce substantial population growth in the area, nor does it propose to extend roads or major infrastructure that could indirectly induce population growth. Furthermore, while new employment opportunities would be created by the Project, it is expected that the employees would be drawn from the existing labor force in the region and would not require the need to relocate or place a demand for housing in the area. Thus, no impacts on area population growth would occur with Project implementation.

In addition, it is acknowledged that the Project does not include any subsequent land uses. Any applications for subsequent development of the site would be subject to environmental review pursuant to the California Environmental Quality Act under the jurisdiction of the City of Huntington Beach, and not as part of this Project.

Conclusion:

☐ Potentially Significant Impact
☐ Less Than Significant Impact with Mitigation Incorporated
☐ Less Than Significant Impact
☒ No Impact

b. Displace substantial numbers of existing housing necessitating the construction of replacement housing elsewhere?

Impact Analysis: The site contains no existing residential uses or residents, and none are proposed as part of the Project. Furthermore, the Project would not displace existing housing or people elsewhere necessitating the construction of replacement housing. No impacts would occur and further analysis of this issue in the EIR is not necessary.

Conclusion:
☐ Potentially Significant Impact
☐ Less Than Significant Impact with Mitigation Incorporated
☐ Less Than Significant Impact
☒ No Impact

c. Displace substantial numbers of people necessitating the construction of replacement housing elsewhere?

Impact Analysis: See Response No. 13.b. above.

Conclusion:
☐ Potentially Significant Impact
☐ Less Than Significant Impact with Mitigation Incorporated
☐ Less Than Significant Impact
☒ No Impact

References Used:

1. Project Navigator, Ltd. Revised Feasibility Study for the Ascon Landfill Site, September 20, 2007.

14. PUBLIC SERVICES

Project activities likely to create an impact:

- Use of public roads to and from the site for the removal and disposal of waste materials.

Description of Baseline Environmental Conditions

Fire Protection

The site is located within the service boundaries of the Huntington Beach Fire Department (Fire Department) which maintains eight fire stations throughout the City. The site is located within three miles of the following City of Huntington Beach fire stations: Fire Station 4 – Magnolia (21441 Magnolia Street), 300 feet from site; Fire Station 5 – Lake (530 Lake Street), 2.5 miles from site; and Fire Station 3 – Bushard (19711 Bushard Street), 3 miles from site.[20]

Under existing conditions, the site is fenced off, gates are locked, and only authorized personnel are allowed to enter the site. In the event of an emergency on the site, the Fire Department has keys and would access the site via the gated main entrance at Magnolia Street and/or the alternate gated entrance at Hamilton Avenue. Key Fire Department personnel, including the Fire Chief and Fire Marshal, are familiar with the project site, and there are maps of the site near the facility entrances that

[20] *City of Huntington Beach, City of Huntington Beach General Plan, Public Facilities and Public Services Element, Figure PF-1, Public Facility Locations, 1996.*

the Fire Department could use to navigate the site in an emergency. There are also markers on the interior roads that would help guide emergency personnel and vehicles within the site. The Ascon landfill sponsors inform the Fire Department of all significant activities that occur on the site, as necessary.[21]

Police Protection

The site is located within the police protection service boundaries of the City of Huntington Beach Police Department (Police Department). The main station for the Police Department is located at 2000 Main Street, with four substations also serving the City. The Downtown Substation, located at 204 5th Street, approximately two miles northwest, is the closest substation to the site.[22] All Police Department resources are based out of the main station.

Under existing conditions, the site is fenced off, gates are locked, and only authorized personnel are allowed to enter the site. In the event of an emergency, the Police Department has keys and would access the site via the gated main entrance at Magnolia Street and/or the alternate gated entrance at Hamilton Avenue. As stated above, there are maps on the site to navigate the site in an emergency event and road markers to help guide emergency personnel and vehicles within the site. In addition, police helicopters with infrared sensors patrol the site from overhead.[23]

Schools

The public education needs of the project area are served by the Huntington Beach City School District (HBCSD). Edison High School is located northeast of the site, near the northeast corner of Hamilton Avenue and Magnolia Street. The elementary and middle schools nearest the project area are William E. Kettler Elementary School (currently closed), John H Eader Elementary School, Isaac L Sowers Middle School, and S.A. Moffett Elementary School, located approximately 0.3 mile, 0.3 mile, 1.4 miles, and 1.5 miles, respectively, from the site. Under existing or proposed conditions, there are no onsite uses that create a demand for school services.

Parks and Recreation

The City of Huntington Beach operates parks and recreation facilities in the Project vicinity. No park facilities exist on the project site. The nearest recreation facility to the site is the Edison Park and Community Center, which includes 40 acres and is located directly north of the site across Hamilton Avenue. It includes a community recreation center, barbecue fire rings, basketball and tennis courts, soccer practice fields, tot lots, open play and picnic areas, and softball fields. Under existing conditions, there are no uses on the site that create a demand for parks and recreation services.

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[21] *Per telephone correspondence with Project Navigator, Ltd., September 24, 2009.*

[22] *City of Huntington Beach, City of Huntington Beach General Plan, Public Facilities and Public Services Element, Figure PF-1, Public Facility Locations, 1996.*

[23] *Per telephone correspondence with Project Navigator, Ltd., September 24, 2009.*

Analysis as to whether or not Project activities would:

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

Fire protection?

Impact Analysis: Project implementation is not expected to substantially affect the existing services provided by the City of Huntington Beach Fire Department. The Project does not propose subsequent development that would result in population growth to the area, thereby resulting in increased demands on current fire protection services and facilities. Compliance with the Huntington Beach Fire Code would ensure that the Project would not require additional fire protection facilities or staff. Thus, impacts regarding fire protection services would be less than significant. Further analysis of this issue in the EIR is not necessary.

Conclusion:
☐ Potentially Significant Impact
☐ Less Than Significant Impact with Mitigation Incorporated
☒ Less Than Significant Impact
☐ No Impact

Police protection?

Impact Analysis: Project implementation is not expected to substantially affect the existing services provided by the City of Huntington Beach Police Department. The Project does not propose subsequent development that would consequently induce population growth to the area, thereby resulting in increased demands on current police protection services and facilities. Any increase in calls for services as a result of the Project is not expected to generate a significant demand for police protection services. Thus, no new police protection facilities would be required as a result of implementing the proposed Project. In addition, the site will remain a landfill site upon completion of the proposed Project. Project implementation would not result in changes to the standard operating procedure(s) implemented by the Police Department when responding to calls at the project site. Therefore, impacts to police protection services would be less than significant. Further analysis of this issue in the EIR is not necessary.

Conclusion:
☐ Potentially Significant Impact
☐ Less Than Significant Impact with Mitigation Incorporated
☒ Less Than Significant Impact
☐ No Impact

Schools?

Impact Analysis: Project implementation would not generate additional students that may affect existing school capacity. While subsequent development of the site with residential land uses could result in local population growth that might require additional school facilities and/or staff, the Project does not

propose or include any such development. Thus, no impacts to school services would occur with Project implementation. Further analysis of this issue in the EIR is not necessary.

Conclusion:
☐ Potentially Significant Impact
☐ Less Than Significant Impact with Mitigation Incorporated
☐ Less Than Significant Impact
☒ No Impact

Parks?

Impact Analysis: The Project does not include residential development and therefore, would not result in a direct demand for open space and recreational facilities. While subsequent development of the site with residential land uses could result in local population growth that might require additional park facilities, the Project does not propose any such development. Thus, no impacts to parks would occur with Project implementation. Further analysis of this issue in the EIR is not necessary.

Conclusion:
☐ Potentially Significant Impact
☐ Less Than Significant Impact with Mitigation Incorporated
☐ Less Than Significant Impact
☒ No Impact

Other governmental services (including roads)?

Impact Analysis: Other public facilities that would serve the Project include libraries, roads and transit, utility systems such as water and sewer infrastructure, as well as other general public facilities. The Project is non-residential in nature and most of the expected employees would be drawn from the existing labor force in the region. As such, the Project would not directly generate any other new demand for public facilities.

The City of Huntington Beach has established a designated truck route plan, which identifies specific City truck routes throughout the City. These routes were selected to direct heavy truck traffic onto arterial and collector roadways, thereby reducing truck traffic on local residential streets, protecting residential areas from direct exposure to truck traffic-related noise and air pollution, and preventing significant pavement damage to local roadways. Existing truck routes near the site include Magnolia Street from PCH to Garfield Avenue, Hamilton Avenue from Newland Street to Brookhurst Street, Brookhurst Street from PCH to the I-405 Freeway, Newland Street from PCH to Atlanta Avenue, and Adams Avenue from Lake Street to the Santa Ana River. While the Project would require haul trips to transport materials to and from the site, such trips would occur on an approved haul route by the City. The designated haul routes have been assigned maximum weight limits for individual haul trucks. The haul trucks to be utilized as part of the Project would not exceed the maximum weight limits thereby minimizing the potential impacts to roads and transit. Based on the above, less than significant impacts to other public facilities would occur with Project implementation. Further analysis of this issue in the EIR is not necessary.

Conclusion:

☐ Potentially Significant Impact
☐ Less Than Significant Impact with Mitigation Incorporated
☒ Less Than Significant Impact
☐ No Impact

References Used:

1. City of Huntington Beach, City of Huntington Beach General Plan, Circulation Element, Figure CE-7, Truck Routes, 1996.
2. City of Huntington Beach, City of Huntington Beach General Plan, Public Facilities and Public Services Element, Figure PF-1, Public Facility Locations, 1996.
3. City of Huntington Beach official website, Parks. http://www.ci.huntington-beach.ca.us/Residents/parks_facilities/parks/. Accessed March 20, 2013.

15. RECREATION

Project activities likely to create an impact:

No Project implementation activities are likely to result in an impact related to Recreation. Project implementation would not increase use of existing recreational facilities or create a need for additional recreational facilities for the community. Potential impacts to members of the public using the park during Project activities will be assessed in the Hazards and Hazardous Materials section of the EIR.

Description of Baseline Environmental Conditions

The City of Huntington Beach operates parks and recreation facilities in the Project vicinity. No park facilities exist on the project site. The nearest recreation facility to the site is the Edison Park and Community Center, which includes 40 acres and is located directly north of the site across Hamilton Avenue. It includes a community recreation center, barbecue fire rings, basketball and tennis courts, soccer practice fields, tot lots, open play and picnic areas, and softball fields.

Analysis as to whether or not Project activities would:

a. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

Impact Analysis: Physical impacts to recreation facilities are usually associated with population in-migration and growth. Project implementation would not induce population growth. Therefore, Project implementation would not increase the use of existing neighborhood and regional parks or other recreation facilities such that substantial physical deterioration of the facility would occur or be accelerated. No impacts would occur with Project implementation. Further analysis of this issue in the EIR is not necessary.

Conclusion:
☐ Potentially Significant Impact
☐ Less Than Significant Impact with Mitigation Incorporated
☐ Less Than Significant Impact
☒ No Impact

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

Impact Analysis: The Project does not propose construction of recreational facilities and, as noted above, the Project is not expected to result in an increased demand for recreation that would require the construction or expansion of recreational facilities. No impacts would occur with Project implementation. Further analysis of this issue in the EIR is not necessary.

Conclusion:
☐ Potentially Significant Impact
☐ Less Than Significant Impact with Mitigation Incorporated
☐ Less Than Significant Impact
☒ No Impact

References Used:

1. City of Huntington Beach official website, Parks. http://www.ci.huntington-beach.ca.us/Residents/parks_facilities/parks/. Accessed March 20, 2013.

16. TRANSPORTATION/CIRCULATION

Project activities likely to create an impact:

- Haul trucks used to transport soil/waste to and from the site;
- Transport and use of heavy equipment to execute the project, including but not limited to tracked excavators, front-end loaders, bulldozer, water truck, on-site dump trucks, and end-dump trucks;
- Use of light-duty support vehicles such as pickup trucks during the Project; and
- Potential lane closures along Magnolia Street and/or Hamilton Avenue.

Description of Baseline Environmental Conditions

Regional access to the site is provided via the San Diego Freeway (I-405) approximately five miles to the north, Beach Boulevard (State Route 39) approximately two miles to the west, and Pacific Coast Highway (State Route 1) approximately 0.25 mile to the south. Local access to the site is provided via Hamilton Avenue and Magnolia Street.

Hamilton Avenue and Magnolia Street are designated as Primary Arterial Highways in the City of Huntington Beach General Plan Circulation Element (reference Figure CE-1, "Existing Network of

Arterial Streets and Highways"). Primary Arterial Highways are 4-lane, divided 84-foot wide roadways within 100-foot wide rights of way. As such, they are assumed to have carrying capacities of 30,000 average daily trips. Magnolia Street adjacent to the project site is a north/south bound undivided 4-lane roadway with a posted speed limit of 45 miles per hour. Hamilton Avenue adjacent to the Project site is an east/west bound 2-lane undivided roadway with a posted speed limit of 45 miles per hour.

The City of Huntington Beach has established a designated truck route plan, which identifies specific City truck routes throughout the City. These routes were selected to direct heavy truck traffic onto arterial and collector roadways, thereby reducing truck traffic on local residential streets, protecting residential areas from direct exposure to truck traffic-related noise and air pollution, and preventing significant pavement damage to local roadways. Existing truck routes near the site include Magnolia Street from Pacific Coast Highway to Garfield Avenue, Hamilton Avenue from Newland Street to Brookhurst Street, Brookhurst Street from Pacific Coast Highway to the I-405 Freeway, Newland Street from Pacific Coast Highway to Atlanta Avenue, and Adams Avenue from Lake Street to the Santa Ana River.[24] While the City does not specifically designate streets as hazardous waste haul routes, the Huntington Beach Police Department has stated that most hazardous waste transport occurs along the City's truck routes.

Analysis as to whether or not Project activities would:

a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?

Impact Analysis: Project implementation would increase traffic on the existing street system as a result of truck trips associated with off-site removal and transport of impacted soils and waste materials. In accordance with the City's truck route plan, transport trucks associated with the Project would utilize designated truck routes in the City when transporting materials to the maximum extent feasible. Truck staging areas and specific haul routes would be identified to address removal of the materials. These haul routes may vary dependent upon several factors, including the locations of the entities to receive the materials that are removed from the site, weather, time of year, and types of transport materials. While the Project is expected to contribute to existing traffic on roadways for the duration of remediation activities, whether the Project would result in an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to ratio capacity on roads, or congestion at intersections) would be dependent upon how the trucks are assigned to the surrounding street system, time of day that trucks would travel, the frequency of trucks assigned to particular routes, as well as existing traffic at designated intersections. Therefore, this issue will be further evaluated in the EIR and mitigation measures shall be proposed as necessary.

[24] *City of Huntington Beach, City of Huntington Beach General Plan, Circulation Element, Figure CE-7, Existing Truck Routes, 1996.*

Conclusion:
☒ Potentially Significant Impact
☐ Less Than Significant Impact with Mitigation Incorporated
☐ Less Than Significant Impact
☐ No Impact

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

Impact Analysis: The Orange County Transportation Authority (OCTA) administers the Congestion Management Plan (CMP), a State-mandated program designed to address the impact urban congestion has on local communities and the region as a whole. The CMP provides an analytical basis for the transportation decisions contained in the State Transportation Improvement Project (STIP). The CMP guidelines require evaluation of all designated CMP roadway intersections where a project could add 50 or more trips during either peak hour; and all freeway segments where a project could add 150 or more trips in each direction during the peak hours. The increase in traffic resulting from the Project may result in significant impacts to the CMP network, particularly as export haul trucks may need to be evaluated in terms of passenger car equivalents. This issue shall be evaluated in further detail in the EIR and mitigation measures shall be proposed as necessary.

Conclusion:
☒ Potentially Significant Impact
☐ Less Than Significant Impact with Mitigation Incorporated
☐ Less Than Significant Impact
☐ No Impact

c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

Impact Analysis: The nearest public use airport is John Wayne Airport which is located approximately 5.3 miles to the northeast of the project site. As such, the Project would not result in a change in air traffic patterns including increases in traffic levels or changes in location that would result in substantial safety risks. No impact would occur in this regard. Further analysis of this issue in the EIR is not necessary.

Conclusion:
☐ Potentially Significant Impact
☐ Less Than Significant Impact with Mitigation Incorporated
☐ Less Than Significant Impact
☒ No Impact

d. Substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Impact Analysis: The haul routes proposed for the Project are planned to be the same as utilized during the IRM. As part of the IRM Traffic Study, city intersection dimensions were reviewed to ensure they

are adequate for the required truck turning radii for each of the routing options.[25] In all cases the street widths and turning radii are adequate for 5-axle trucks. Waste transport trucks are anticipated to enter the project site through the existing gate on Hamilton Avenue at the northwest corner of the project site (approximately 275 feet east of Surveyor Circle) and would exit through the southern gate on Magnolia Street, approximately ¼ mile south of Hamilton Avenue and 250 feet north of Bermuda Drive. However, it may be necessary to create an additional ingress/egress curb cut(s) along Hamilton Avenue. The existing project site entrance is 48 feet wide and able to accommodate a 40-foot turning radius of eastbound or westbound trucks turning into the project site from Hamilton Avenue. Ingress and egress driveways would be sufficiently wide to accommodate associated truck movements. This will be adequate for the expected number of trucks accessing the site. Traffic control staff would be present at the Hamilton Avenue and Magnolia Street to control truck traffic flow intermittently during heavy equipment and truck arrivals and departures. All traffic control activities would be conducted in accordance with City of Huntington Beach and CALTRANS Work Area Traffic Control Handbook (WATCH Manual) requirements.

The Project includes remediation activities to address on-site contamination and does not propose any subsequent development of the site. Therefore, the design and implementation of new roads or access ways is not contemplated as part of this Project. The Project would not result in a use that is incompatible with the existing roadways, in that upon completion of remediation activities, the site would remain in its current undeveloped state. Therefore, Project implementation would not substantially increase hazards due to a design feature or incompatible uses, and a less than significant impact would result. Further analysis of this issue in the EIR is not necessary.

Conclusion:
☐ Potentially Significant Impact
☐ Less Than Significant Impact with Mitigation Incorporated
☒ Less Than Significant Impact
☐ No Impact

e. Result in inadequate emergency access?

Impact Analysis: Emergency access to the site would be provided from two entry points, one along Hamilton Avenue and one along Magnolia Street. During the majority of the remediation activities associated with the Project, Project implementation activities would be confined within the project site. However, during activities involving backfill and reconstruction of the perimeter berms, there is the potential for temporary lane closures along Magnolia Street and/or Hamilton Avenue, which could affect emergency access. Therefore, it is recommended that further analysis of emergency access be included in the EIR, with mitigation measures proposed, as necessary.

Conclusion:
☒ Potentially Significant Impact
☐ Less Than Significant Impact with Mitigation Incorporated
☐ Less Than Significant Impact
☐ No Impact

[25] *Initial Study/Mitigated Negative Declaration for the Interim Removal Measures Project, prepared by PCR Services Corporation, October 2009.*

f. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

Impact Analysis: Orange County Transit Authority (OCTA) buses utilize Magnolia Street adjacent to the project site, including Bus Route 33 which extends along the east side of Magnolia Street. No truck traffic would affect OCTA buses along Magnolia Street during Project implementation. A Class II Bikeway (striped, on street lane) extends along the west side of Magnolia Street adjacent to the project site. During activities involving backfill and reconstruction of the perimeter berms, there is the potential for temporary lane closures along Magnolia Street and/or Hamilton Avenue, which could conflict with existing bikeways. Therefore, it is recommended that further analysis of conflicts with existing bikeway facilities be included in the EIR, with mitigation measures proposed, as necessary.

Conclusion:

☒ Potentially Significant Impact
☐ Less Than Significant Impact with Mitigation Incorporated
☐ Less than Significant Impact
☐ No Impact

References Used:

1. City of Huntington Beach, City of Huntington Beach General Plan, Circulation Element, Figure CE-7, Existing Truck Routes, 1996.
2. City of Huntington Beach, City of Huntington Beach General Plan, Circulation Element, Figure CE-1, Existing Network of Arterial Streets and Highways, 1996.
3. Initial Study/Mitigated Negative Declaration for the Interim Removal Measures Project, prepared by PCR Services Corporation, October 2009.

17. UTILITIES

Project activities likely to create an impact:

- Remediation activities associated with the excavation, removal, and disposal (including transportation activities to and from the site and use of heavy construction equipment on-site) of waste materials, including but not limited to, tarry liquids, drilling muds, contaminated soils, green waste, and construction debris;
- Reconsolidation of waste materials from the outer edges of the site to the site interior;
- Construction of a protective cap over the site; and
- Final site grading, seeding and demobilization.

Description of Baseline Environmental Conditions

Water

Water service within the City of Huntington Beach is provided by a municipal water system that meets the majority of its water demand via groundwater wells located throughout the City. Water needed at the site, such as for dust suppression, will be supplied by onsite water supply connection and/or via connections to fire hydrants along Magnolia Street and/or Hamilton Avenue.

Wastewater

The City of Huntington Beach is located within the jurisdictional boundaries of the Orange County Sanitation District (OCSD). The project site currently does not generate wastewater; however, supporting sewer facilities that serve the project vicinity are located within the roadways directly surrounding the site, including a local connector line located in Hamilton Avenue and a County line located in Magnolia Street.

Storm Drains

The Orange County Flood Control District (OCFCD) maintains storm drain facilities that serve and border the project site, including the Huntington Beach Channel, which borders the site at the southwest corner and roughly parallels the coastline. The channel merges with the Talbert Flood Control Channel between Magnolia and Brookhurst Streets, southeast of the site, and from this point the merged channels enter the Talbert Marsh Wetlands and then flows into the Pacific Ocean.

On-site surface water flow is managed and controlled through implementation and maintenance of a SWPPP at the site and installation of storm water collection improvements, including collection swales and storm water detention basins. The swales and detention basins collect storm water that falls onto the site but is not collected in the lagoons. This collection mechanism reduces potential sediments in any storm water runoff. Storm water that comes in contact with lagoon materials, called “contact water” remains onsite and is allowed to evaporate from the lagoons. Currently, there is one engineered drainage outlet from the site, which is within a detention basin located in the southeastern corner of the site. This drainage outlet conveys storm water from the site to Magnolia Street where runoff is ultimately conveyed to the storm drain system. Given that most of the site’s storm water is contained within the site during even heavy rainfall periods, it is rare that runoff occurs from the site. Further, storm water runoff is sampled and tested per the Industrial SWPPP for the site and in accordance with the General Industrial NPDES permit with the SWRCB, and results are reported to the Santa Ana Regional Water Quality Control Board. Site inspections are conducted during rain events and once per month during the wet season to verify that the project site’s storm water BMPs are operating correctly and that repairs are made as necessary.

Solid Waste

Municipal solid waste (MSW), also called urban solid waste, is a waste type that includes predominantly household waste (domestic waste) sometimes with the addition of commercial wastes collected by a municipality within a given area. MSWs are either solid or semisolid and generally exclude industrial hazardous wastes. As the project site consists of an inactive landfill, no MSW is generated from the

site. The waste materials to be removed from the site are anticipated to be non-RCRA hazardous in nature and thus are distinguished from MSW. However, minor volumes of non-hazardous materials may be disposed of at McKittrick Landfill in Kern County or other appropriate landfills.

Analysis as to whether or not Project activities would:

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

Impact Analysis: Under existing conditions, no wastewater is generated from the site. Project implementation would not include the development of uses that would generate new wastewater flows. The Project does not propose a change in land use designation that allow greater average daily flows than could be produced following the current land use designation. Furthermore, it is acknowledged that the Project does not include development of any subsequent land use or improvements, any and all of which would be subject to environmental review, as appropriate, under the jurisdiction of the City of Huntington Beach. Thus, no impacts regarding wastewater would occur with Project implementation. Further analysis of this issue in the EIR is not necessary. Potential impacts regarding runoff during the proposed remediation activities are addressed in Section 9, *Hydrology and Water Quality*, above.

Conclusion:
☐ Potentially Significant Impact
☐ Less Than Significant Impact with Mitigation Incorporated
☐ Less Than Significant Impact
☒ No Impact

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

Impact Analysis: Project implementation would not construct new buildings or land uses that would generate any increase in water demands or wastewater flow. Project implementation has no growth-inducing factors that would necessitate new or expanded facilities. Therefore, Project implementation would not require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects. No impacts would occur with Project implementation. Further analysis of this issue in the EIR is not necessary.

Conclusion:
☐ Potentially Significant Impact
☐ Less Than Significant Impact with Mitigation Incorporated
☐ Less Than Significant Impact
☒ No Impact

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

Impact Analysis: Project implementation would alter the existing drainage pattern of the site such that storm water runoff would be discharged either to the Huntington Beach Channel or to adjoining streets and into municipal storm water treatment facilities. The Project would include two stormwater detention

basins located in the southeast and northwest corners of the site (refer to Figure 5) which would control runoff from the site to prevent substantial erosion or siltation from occurring off-site. Construction activities associated with the on-site storm water facilities will be evaluated throughout the EIR, as appropriate. In accordance with the General Industrial NPDES Permit requirements for WQMPs to incorporate LID design principals, the Project's WQMP would ensure that the Project's post-development condition maintains or replicates the pre-development hydrologic regime such that the Project creates a functionally equivalent post-development hydrologic regime. Thus, the capacity of the existing municipal storm drain system and the Huntington Beach Channel would be sufficient to accommodate flows from the site. With implementation of the Project design features and compliance with the applicable regulatory requirements, construction of new off-site storm water drainage facilities or expansion of existing facilities would not be necessary as a result of Project implementation. Thus, impacts will be less than significant. Further analysis of this issue in the EIR is not necessary.

Conclusion:

☐ Potentially Significant Impact
☐ Less Than Significant Impact with Mitigation Incorporated
☒ Less Than Significant Impact
☐ No Impact

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

Impact Analysis: The Project would result in a marginal increase in water demand over what currently is experienced at the site. The amount of water usage is expected to be nominal as it would be limited primarily to watering down the site for dust control and irrigation of vegetation, and it would be short-term, lasting only through the duration of the Project. It is expected that the City's municipal water sources can accommodate the Project's water requirement. Furthermore, the Project proposes no subsequent development that would generate a long-term effect to available water supplies provided by the City. As such, a less than significant impact would occur related to water supplies. Further analysis of this issue in the EIR is not necessary.

Conclusion:

☐ Potentially Significant Impact
☐ Less Than Significant Impact with Mitigation Incorporated
☒ Less Than Significant Impact
☐ No Impact

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

Impact Analysis: The Project would not include the development of new buildings or land uses that would generate any increase in wastewater flow. Project implementation does not include provision of sewer services and would have negligible or no effect on existing systems. Therefore, Project implementation would result in a determination by the wastewater treatment provider which serves or may serve the Project that it has adequate capacity to serve the Project's projected demand in addition to the provider's existing commitments. Thus, no impacts would occur in this regard. Further analysis of this issue in the EIR is not necessary.

Conclusion:
☐ Potentially Significant Impact
☐ Less Than Significant Impact with Mitigation Incorporated
☐ Less Than Significant Impact
☒ No Impact

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

Impact Analysis: As stated in the Baseline Environmental Conditions section above, the project site currently does not generate solid waste, which is distinguished from the hazardous waste and impacted soils to be hauled off-site as part of the Project. The Project would not construct new buildings or land uses that would generate an increase in MSW. The facility to which material would be transported from the project site is dependent on the types of wastes to be removed from the site. Proposed potential disposal destinations for impacted materials include: Waste Management Kettleman Hills Facility (Kettleman City, California), McKittrick Facility (McKittrick, California), Clean Harbors' Buttonwillow facility (Buttonwillow, California), US Ecology (Beatty, Nevada), Clean Harbors Environmental Services Aragonite and Grassy Mountain Facilities (Utah), ECDC (Utah), Waste Management of Northwest (Arlington, Oregon), La Paz County Landfill (Arizona), Copper Mountain Landfill (Arizona), and South Yuma County Landfill (Arizona). Proposed potential disposal locations for "green" waste and other non-impacted refuse include: Orange County's Frank R. Bowerman, Olinda Alpha, and Prima Deschecha landfills, Waste Management Azusa and El Sobrante landfills, Republic Sunshine Canyon landfill, and LASD Puente Hills landfill. Prior to initiating waste removal activities, the DTSC and the Project Sponsor would ensure that local, regional and/or interstate facilities designated for waste disposal or recycling have sufficient capacity for the materials that would be generated by Project implementation. Therefore, Project implementation impacts pertaining to being served by a landfill with sufficient permitted capacity to accommodate the Project solid waste disposal needs would be less than significant. Further analysis of this issue in the EIR is not necessary.

Conclusion:
☐ Potentially Significant Impact
☐ Less Than Significant Impact with Mitigation Incorporated
☒ Less Than Significant Impact
☐ No Impact

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

Impact Analysis: As stated in the Baseline Environmental Conditions section above, the project site currently does not generate MSW, which is distinct from the hazardous waste and impacted soils to be hauled off-site as part of the Project. The Project would not construct new buildings or land uses that would generate an increase in municipal solid waste. As discussed in Response No. 17.f, above, the facility to which material would be transported from the project site is dependent on the types of wastes to be removed from the site. Any such materials would be examined and/or profiled before leaving the site to ensure they are suitable for disposal at the designated facility. Overall, the Project would not conflict with federal, state, and local statutes and regulations related to solid waste. No impacts would occur in this regard. Further analysis of this issue in the EIR is not necessary.

Conclusion:

☐ Potentially Significant Impact
☐ Less Than Significant Impact with Mitigation Incorporated
☐ Less Than Significant Impact
☒ No Impact

References Used:

1. Initial Study/Mitigated Negative Declaration for the Interim Removal Measures Project, prepared by PCR Services Corporation, October 2009.
2. Project Navigator, Ltd., Revised Feasibility Study for the Ascon Landfill Site, September 20, 2007.

Mandatory Findings of Significance

Based on evidence provided in this Initial Study, DTSC makes the following findings:

a. The Project ☒ has ☐ does not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory.

Explanation: As analyzed in this Initial Study, the project could result in environmental impacts that would have the potential to degrade the quality of the environment. As such, an EIR will be prepared to further analyze and document the project's potentially significant impacts.

b. The Project ☒ has ☐ does not have impacts that are individually limited but cumulatively considerable. "Cumulatively considerable" means that the incremental effects of an individual Project are considerable when viewed in connection with the effects of past Projects, the effects of other current Projects, and the effects of probable future Projects.

Explanation: The Project is not growth inducing and would not itself result in an increase in area population, employment, or new infrastructure. The issues relevant to this Project are localized and primarily limited to the immediate vicinity of the site, with the exception of impacts regarding air quality, greenhouse gas emissions, noise, truck traffic and biological resources impacts to the southern tarplant. Cumulative impacts for these issues will be assessed in the EIR to be prepared for the Project.

c. The Project ☒ has ☐ does not have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly.

Explanation: Based on the preceding responses, the Project could result in environmental effects that could result in substantial adverse impacts to human beings, either directly or indirectly, which requires further analysis within the EIR.

Determination of Appropriate Environmental Document:

Based on evidence provided in this Initial Study, DTSC makes the following determination:

☐ The proposed project COULD NOT HAVE a significant effect on the environment. A **Negative Declaration** will be prepared.

☐ The proposed project COULD HAVE a significant effect on the environment. However, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **Mitigated Negative Declaration** will be prepared.

☒ The proposed project MAY HAVE a significant effect on the environment. An **Environmental Impact Report** is required.

☐ The proposed project MAY HAVE a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **Environmental Impact Report** is required, but it must analyze only the effects that remain to be addressed.

☐ The proposed project COULD HAVE a significant effect on the environment. However, all potentially significant effects (a) have been analyzed adequately in an earlier Environmental Impact Report or Negative Declaration pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier Environmental Impact Report or Negative Declaration, including revisions or mitigation measures that are imposed upon the proposed project. Therefore, nothing further is required.

CERTIFICATION:

I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial study evaluation to the best of my ability and that the facts, statements and information presented are true and correct to the best of my knowledge and belief.

Preparer's Signature	3/19/13 Date

Safouh Sayed Preparer's Name	Hazardous Substances Engineer Preparer's Title	(714) 484-5478 Phone #

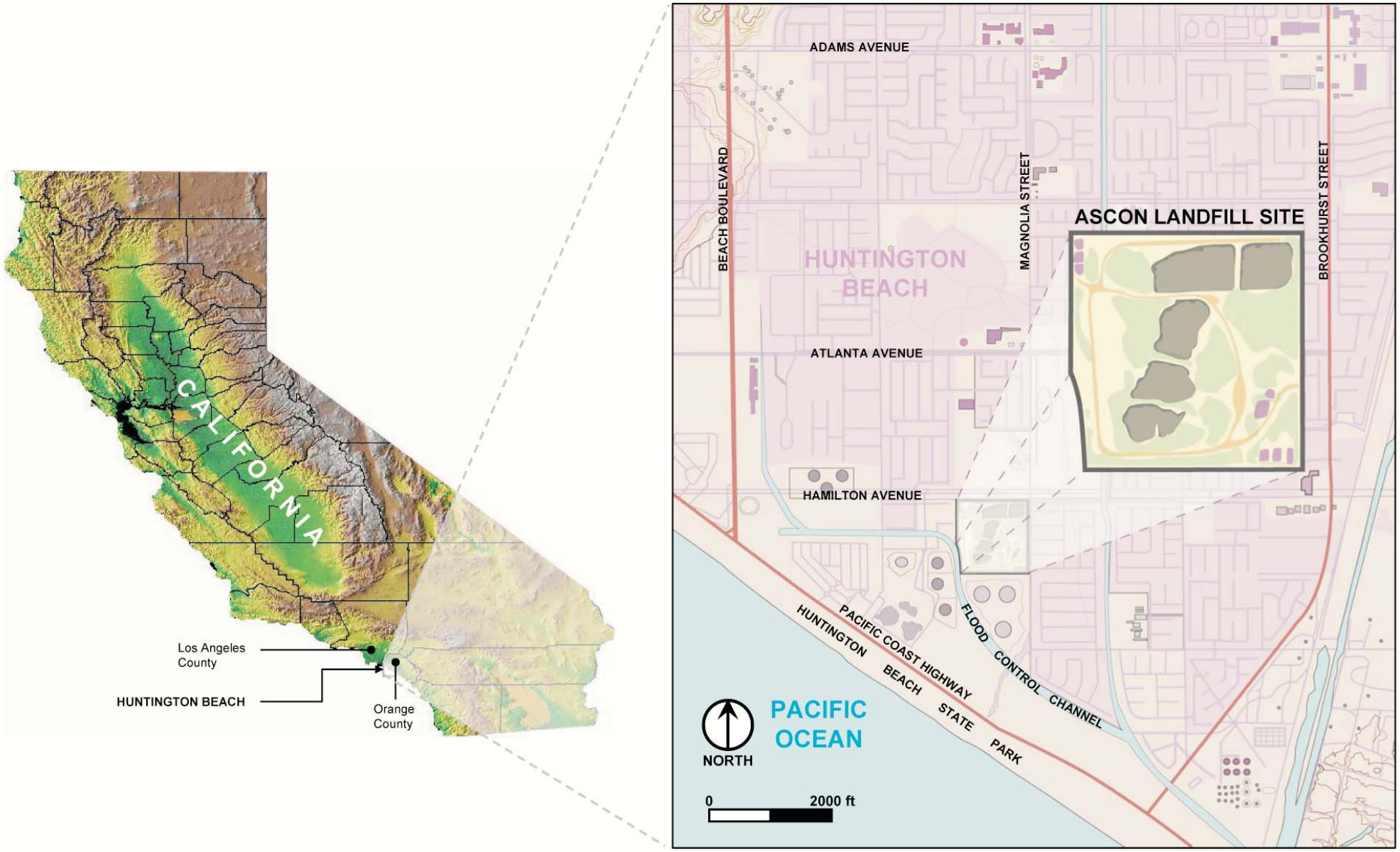
Branch or Unit Chief Signature	3/19/13 Date

Robert M. Senga Branch or Unit Chief Name	Unit Chief Branch or Unit Chief Title	(714) 484-5436 Phone #

LIST OF FIGURES

Figure

1 Regional and Local Vicinity Map
2 Surrounding Land Uses
3 Site Ownership
4 Site Features
5 Conceptual Cap Configuration
6 Conceptual Cap Profiles



PCR

N

0 4000 Feet

Regional and Local Vicinity Map

Remedial Action Plan for Ascon Landfill Site

Source: Project Navigator, 2012.

FIGURE

1



PCR

Surrounding Land Uses

Remedial Action Plan for Ascon Landfill Site

Source: Project Navigator, 2013.

FIGURE
2



LEGEND

- Perimeter Fence
- Property Boundary
- Site Boundary

PCR

N

0 400 Feet

Site Ownership

Remedial Action Plan for Ascon Landfill Site

Source: Project Navigator, 2013.

FIGURE

3



LEGEND

- Internal Fences
- Site Gate
- Trailer
- Buried Pits

PCR

N

0 440 Feet

Site Features

Remedial Action Plan for Ascon Landfill Site

Source: Project Navigator, 2013.

FIGURE

4



NOTES:

1. STORM WATER DETENTION BASINS EXCAVATED INTO NATIVE SOIL. WASTE MATERIAL EXCAVATED AND RECONSOLIDATED UNDER FINAL COVER.
2. OIL LEASE PROPERTY WASTE MATERIAL, RELATED TO ASCON OPERATIONS, IF PRESENT, EXCAVATED AND RECONSOLIDATED UNDER FINAL COVER OR DISPOSED OFF-SITE AT APPROVED DISPOSAL FACILITY (DEPENDING ON TIMING OF CLOSURE CONSTRUCTION AND LEASE STATUS).
3. PERIMETER ROAD AND CITY OF HUNTINGTON BEACH PARCEL WASTE MATERIAL EXCAVATED TO A MAXIMUM DEPTH OF 6 FEET BELOW GROUND SURFACE AND RECONSOLIDATED UNDER FINAL COVER.

The cap configuration shown in this figure is conceptual. The final cap configuration will be subject to review and approval by DTSC.

PCR

N

0 300 Feet

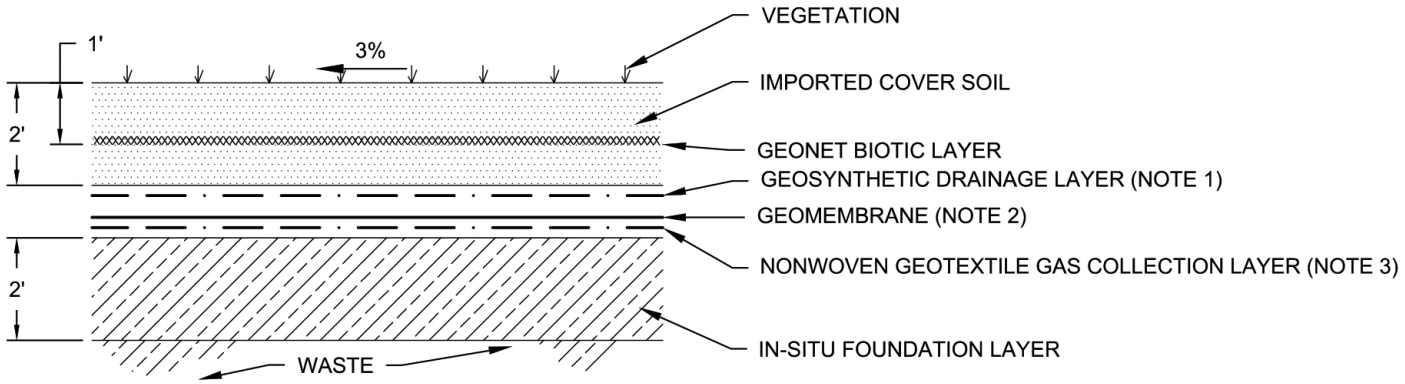
Conceptual Cap Configuration

Remedial Action Plan for Ascon Landfill Site

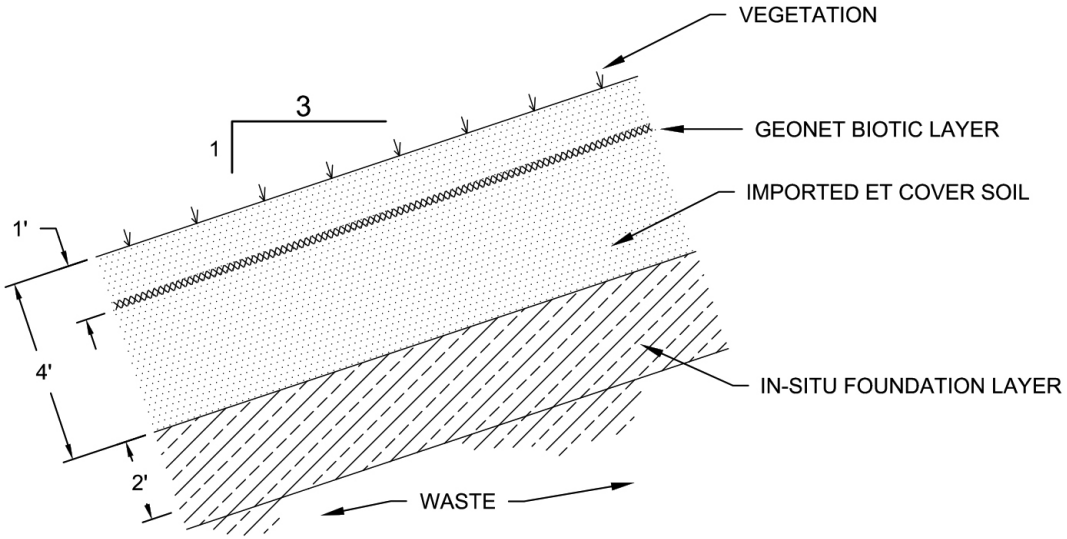
Source: Geosyntec Consultants, 2013.

FIGURE

5



PROFILE OF PROPOSED CAP FOR TOP DECK
(GEOMEMBRANE)



PROFILE OF PROPOSED CAP ON SIDE SLOPES
(EVAPOTRANSPIRATIVE)

NOTES:

1. DRAINAGE LAYER MATERIAL MAY BE NONWOVEN GEOTEXTILE OR GEOCOMPOSITE, AS DETERMINED DURING FINAL DESIGN.
2. GEOMEMBRANE TO BE COMPLIANT WITH USEPA "DESIGN AND CONSTRUCTION OF RCRA / CERCLA FINAL COVERS" (e.g. 40 mil LLDPE).
3. GAS COLLECTION LAYER TO BE UNDERLAIN BY GEOCOMPOSITE STRIP AND/OR PIPE NETWORK, TO COLLECT AND CONVEY GAS TO TREATMENT SYSTEM, AS DETERMINED DURING FINAL DESIGN.

The cap profiles shown in this figure are conceptual. The final cap profiles will be subject to review and approval by DTSC.

PCR

Conceptual Cap Profiles

Remedial Action Plan for Ascon Landfill Site

Source: Geosyntec Consultants, 2013.

FIGURE
6

APPENDIX A

Cultural Resources Data

STATE OF CALIFORNIA Arnold Schwarzenegger, Governor

NATIVE AMERICAN HERITAGE COMMISSION
915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5390
Web Site www.nahc.ca.gov
e-mail: ds_nahc@pacbell.net

December 2, 2008

Mr. Matthew Gonzalez, Archaeological/Paleontological Technician
PCR SERVICES CORPORATION
233 Wilshire Boulevard, Suite 130
Santa Monica, CA 90401

Sent by FAX to: 310-451-5279
No. of Pages: 3

Re: Request for a Sacred Lands File records search and Native American Contacts list for the proposed **ASCON Landfill Project** located in Newport Beach; Orange County, California

Dear Mr. Gonzalez:

The Native American Heritage Commission (NAHC) was able to perform a record search of its Sacred Lands File (SLF) for the affected project area/area of potential effect (APE). The SLF failed to indicate the presence of Native American cultural resources in the immediate project area. The absence of specific site information in the Sacred Lands File does not guarantee the absence of cultural resources in any project area.

Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries once a project is underway. Enclosed are the names of culturally affiliated Native American Contacts that may have knowledge of cultural resources in the project area. A list of Native American contacts is attached to assist you. It is advisable to contact the persons listed; if they cannot supply you with specific information about the impact on cultural resources. A local tribe or Native American individual may be the only source of information about a cultural resource.

Lead agencies should consider avoidance, as defined in Section 15370 of the California Environmental Quality Act (CEQA) when significant cultural resources could be affected by a project. Also, Public Resources Code Section 15064.5(f) and Section 15097.98 and Health & Safety Code Section 7050.5 provide for provisions for accidentally discovered archeological resources during construction and mandate the processes to be followed in the event of an accidental discovery of any human remains in a project location other than a 'dedicated cemetery. Discussion of these should be included in your environmental documents, as appropriate.

If you have any questions about this response to your request, please do not hesitate to contact me at (916) 653-6251.

Sincerely,

Dave Singleton
Program Analyst

Attachment: Native American Contact List

Native American Contacts
Orange County
December 1, 2008

Ti'At Society
Cindi Alvitre
6515 E. Seaside Walk, #C Gabrielino
Long Beach , CA 90803
calvitre@yahoo.com
(714) 504-2468 Cell

Gabrielino/Tongva Council / Gabrielino Tongva Nation
Sam Dunlap, Tribal Secretary
761 Terminal Street; Bldg 1, 2nd floor Gabrielino Tongva
Los Angeles , CA 90021
office @tongvatribe.net
(213) 489-5001 - Office
(909) 262-9351 - cell
(213) 489-5002 Fax

Juaneno Band of Mission Indians Acjachemen Nation
David Belardes, Chairperson
31742 Via Belardes Juaneno
San Juan Capistrano , CA 92675
DavidBelardes@hotmail.com
(949) 493-0959
(949) 493-1601 Fax

Juaneno Band of Mission Indians Acjachemen Nation
Anthony Rivera, Chairman
31411-A La Matanza Street Juaneno
San Juan Capistrano , CA 92675-2674
arivera@juaneno.com
949-488-3484
949-488-3294 Fax

Tongva Ancestral Territorial Tribal Nation
John Tommy Rosas, Tribal Admin.
, Gabrielino Tongva
tattnlaw@gmail.com
310-570-6567

Juaneno Band of Mission Indians
Alfred Cruz, Cultural Resources Coordinator
P.O. Box 25628 Juaneno
Santa Ana , CA 92799
alfredgcruz@sbcglobal.net
714-998-0721
slfredgcruz@sbcglobal.net

Gabrieleno/Tongva San Gabriel Band of Mission
Anthony Morales, Chairperson
PO Box 693 Gabrielino Tongva
San Gabriel , CA 91778
ChiefRBwife@aol.com
(626) 286-1632
(626) 286-1758 - Home
(626) 286-1262 Fax

Juaneno Band of Mission Indians
Adolph 'Bud' Sepulveda, Vice Chairperson
P.O. Box 25828 Juaneno
Santa Ana , CA 92799
bssepul@yahoo.net
714-838-3270
714-914-1812 - CELL
bsepul@yahoo.net

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed ASCON Landfill Project; located in the Newport Beach; Orange County, California for which a Sacred Lands File search and Native American Contacts list were requested.

Native American Contacts
Orange County
December 1, 2008

Sonia Johnston, Tribal Chairperson
Juaneño Band of Mission Indians
P.O. Box 25628 Juaneno
Santa Ana , CA 92799
sonia.johnston@sbcglobal.net
(714) 323-8312

Juaneno Band of Mission Indians
Anita Espinoza
1740 Concerto Drive Juaneno
Anaheim , CA 92807
(714) 779-8832

Juaneno Band of Mission Indians
Joe Ocampo, Chairperson
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This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed ASCON Landfill Project; located in the Newport Beach; Orange County, California for which a Sacred Lands File search and Native American Contacts list were requested.

Natural History Museum of Los Angeles County
900 Exposition Boulevard • Los Angeles, CA 90007

Vertebrate Paleontology Section
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29 November 2008

Planning Consultants Research
233 Wilshire Boulevard, Suite 130
Santa Monica, CA 90401

Attn: Matthew Gonzalez, Archaeological / Paleontological Technician

re: Paleontological Records Search for the proposed Ascon Landfill Project, Orange County, project area

Dear Matthew:

I have conducted a thorough search of our Vertebrate Paleontology records for the proposed Ascon Landfill Project, Orange County, project area as outlined on the portion of the Newport Beach USGS topographic quadrangle map that you sent to me via e-mail on 25 November 2008. We do not have any vertebrate fossil localities that lie within the project boundaries, but we do have localities nearby from the same sedimentary units that occur in the proposed project area, although some occur only as subsurface deposits.

Surficial deposits in the entire proposed project area consist of unconsolidated younger Quaternary Alluvium. These deposits typically do not contain significant vertebrate fossils, at least in the uppermost layers, but they are usually underlain by older Quaternary deposit that frequently do contain significant vertebrate fossils.

Our closest fossil vertebrate locality is LACM 7366, west-northwest of the proposed project area north of the Pacific Coast Highway (Highway 1) between Lake Avenue and Beach Boulevard, that produced specimens of marine, freshwater, and especially terrestrial specimens including leopard shark, *Triakis*, three-spined stickleback, *Gasterosteus*, garter snake, *Thamnophis*, desert shrew, *Notiosorex*, and most prominently, pocket gopher, *Thomomys*. The specimens from this site were obtained by screen washing matrix and thus they consist solely of small specimens. Just north-northwest of locality LACM 7366 but still south of Atlanta Avenue, we have a series of vertebrate fossil localities, LACM 7422-7425, that produced fossil specimens of mammoth, *Mammuthus*, bison, *Bison*, and horse, *Equus*, from these deposits.

Surface grading or very shallow excavations in the younger Quaternary Alluvium

exposed in the proposed project area probably will not uncover significant vertebrate fossil remains. Deeper excavations that extend down into the older Quaternary deposits, however, have a very good chance of encountering significant fossil vertebrate specimens. Any substantial excavations in the proposed project area, therefore, should be monitored closely to quickly and professionally recover any fossil remains discovered while not impeding development. Additionally, because some of the nearby vertebrate fossil localities produced only small vertebrate remains that cannot be seen during normal excavation activities, it is recommended that sediment samples be collected and processed to determine the potential for small fossils in these deposits. Any fossils recovered during mitigation should be deposited in an accredited and permanent scientific institution for the benefit of current and future generations.

This records search covers only the vertebrate paleontology records of the Natural History Museum of Los Angeles County. It is not intended to be a thorough paleontological survey of the proposed project area covering other institutional records, a literature survey, or any potential on-site survey.

Sincerely,

Samuel A. McLeod

Samuel A. McLeod, Ph.D.
Vertebrate Paleontology

enclosure: draft invoice

Memorandum

TO: DTSC **DATE:** October 1, 2012
CC: Heidi Rous and Mike Harden
FROM: Kyle Garcia
RE: **CULTURAL RESOURCES - SUPPORT ANALYSIS FOR REMEDIAL ACTION PLAN FOR ASCON LANDFILL SITE**

The following summarizes the results and methodology of the records searches conducted for the above-referenced project site.

Historical Resources

A historical resource is defined in Section 15064.5(a)(3) of the CEQA Guidelines as any object, building, structure, site, area, place, record, or manuscript determined to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California. Historical resources are further defined as being associated with significant events, important persons, or distinctive characteristics of a type, period, or method of; representing the work of an important creative individual; or possessing high artistic values. Resources listed in or determined eligible for the California Register, included in a local register, or identified as significant in a historic resource survey are also considered historical resources under CEQA.

PCR conducted a records search through the California Historical Resources information System, South Central Coastal Information Center (CHRIS-SCCIC) at California State University, Fullerton on December 8, 2008. The historical resources investigation included archival records searches and literature reviews to determine: (i) if known historical resources sites have previously been recorded within the site or within a one-half mile radius of the site; (ii) if the site has been systematically surveyed by historians prior to the initiation of the study; and/or (iii) whether there is other information that would indicate whether or not the site is historically sensitive. The records search included a review of all previous historical resources investigations within the site and within a one-half mile radius of the site. In addition, the California Points of Historical Interest (CPHI), the California Historical Landmarks (CHL), the California Register of Historic Places (California Register), the National Register of Historic Places (National Register), and the California State Historic Resources Inventory (HRI) were reviewed.

Results of the records search conducted at the CHRIS-SCCIC indicated that three cultural resource studies have been previously conducted within the site. No historical resources were identified as part of these studies. In addition, no properties listed in the CPHI, CHL, the California Register, the National Register, or the HRI were identified within the site or within a half-mile. PCR conducted a pedestrian survey of the site on January 8, 2009, and identified a metal shack within the southwestern portion of the site. The shack houses

abandoned power equipment that may have serviced the site in the past. On the basis of its age and design, the structure is not considered to be a potential historical resource. No other potential historical resources were identified within the site during the pedestrian survey.

Archaeological Resources

An archaeological resource is defined in Section 15064.5(c) of the CEQA Guidelines as a site, area, or place determined to be historically significant as defined in Section 15064.5 (a) of the CEQA Guidelines (see definition of historical resource in Response a. above), or as a unique archaeological resource defined in Section 21083.2 of the Public Resources Code as an artifact, object, or site that contains information needed to answer important scientific research questions of public interest, or that has a special and particular quality such as being the oldest or best example of its type, or that is directly associated with a scientifically recognized important prehistoric or historic event or person.

As discussed above, results of the records search conducted at the CHRIS-SCCIC indicated that three cultural resource studies have been previously conducted within the site. One study (OR-2229) was conducted in 2000 by LSA Associates, Inc. (LSA) in the northwest corner of the site. The study included a cultural resource assessment for AT&T Wireless Services facility number C871.2. During the pedestrian survey of this assessment, LSA observed multiple shell fragments on the surface. LSA subsequently implemented a small-scale testing plan near the location of the shells. Specifically, one auger hole and four test pits were excavated to a depth of 85 centimeters (cm) and 60 cm, respectively, which yielded several complete shells and more shell fragments. LSA concluded that the shell observed was not the result of past human activity because there was no cultural material associated with the shell, there was a lack of midden soil, and because there is a nearby Pleistocene marine terrace with deposits in similar soil and shell species as found in the site. One prehistoric archaeological site (P-30-001531) was identified approximately one-quarter mile east of the site. P-30-001531 is recorded as a buried marine shell deposit (75 cm below the modern ground surface); however, PCR does not feel that this deposit was a result of human activity. This is because PCR is currently conducting archaeological and paleontological monitoring for a residential development located approximately one-quarter mile west of the site where the same soils and natural shell are being encountered at this depth. PCR has yet to encounter any archaeological material associated with the monitoring of this residential development. These findings are consistent with LSA's conclusion regarding the shell encountered within the site.

On January 8, 2009, PCR conducted a pedestrian survey of the site to identify any surficial archaeological resources. The site is heavily disturbed by the existing open pits and five impoundments that obstruct the native ground surface in 95 percent of the site. PCR

surveyed these heavily disturbed areas and the areas where the native ground surface was exposed and did not identify any archaeological resources.

Paleontological Resources

A paleontological resource records search commissioned through the Natural History Museum of Los Angeles County (LACM) indicated that no vertebrate fossil localities have been recorded within the site. The results did indicate that localities have been recorded nearby in the same sedimentary deposits that underlie the site. However, it is noted that the wastes contained at the site were placed directly upon the native soil, and on-site soil was used to form berms resulting in the lagoons and pits. As the material accumulated, the berms were raised such that much of the site is now approximately 10 to 20 feet above the surrounding street level. The materials above the natural grade include fill and waste materials.

Nonetheless, the surficial deposits of the site beneath the fill and waste materials consist of unconsolidated younger Quaternary Alluvium. These deposits typically do not contain significant vertebrate fossils in the uppermost layers; however, they are usually underlain by older Quaternary deposits that frequently do contain significant vertebrate fossils. The nearest vertebrate fossil locality in these types of deposits is LACM 7366, located west-northwest of the site north of the PCH between Lake Avenue and Beach Boulevard that produced specimens of marine, freshwater, and especially terrestrial specimens including leopard shark (Triakis), three-spined stickleback (Gasterosteus), garter snake (Thamnophis), desert shrew (Notiosorex), and most prominently, pocket gopher (Thomomys). These specimens were obtained by screen washing matrix and consist solely of small specimens. Just north-northwest locality LACM 7366 but still south of Atlanta Avenue, there are a series of vertebrate fossil localities, LACM 7422-7425, that produced fossil specimens of mammoth (Mammuthus), bison (Bison), and horse (Equus) from these deposits.

No paleontological resources were identified during the pedestrian survey of the site.

Human Remains

A Sacred Lands File search for the site requested by PCR from the Native American Heritage Commission (NAHC) in Sacramento failed to indicate the presence of sacred lands or other Native American cultural resources in the immediate Project area. The NAHC results also noted, however, that the "absence of specific site information in the Sacred Lands File does not indicate the absence of cultural resources in any project area." Results of the cultural resource records search through the CHRIS-SCCIC also did not indicate any known human burials within the site, or within a one-half mile radius of the site. However, one Native American skeleton was encountered during excavations at the Newland House in 1981

approximately two miles north of the site. In addition, several hundred individuals were identified near the Bolsa Chica Ecological Reserve approximately five miles northwest of the site.