

F. HAZARDS AND HAZARDOUS MATERIALS

This analysis of the potential hazards and hazardous material impacts associated with the proposed project presented in this section is based on a Phase I site investigation performed by Dominion Diligence Group. The report, *Phase I Environmental Site Assessment at 13007-13075 Victory Boulevard, North Hollywood, California 91606*, was prepared in June 2007 and is included as Appendix E of this EIR.

The Phase I did not include the collection or analysis of soil or groundwater samples. Site inspection consisted of visual observations along boundaries and various transects of the project site. Adjacent properties, including the Add Area, were observed from the project site and its boundaries and public right-of-ways. Questionnaires were completed by the prospective and current landowner. Local agencies were contacted and governmental agency database records were accessed.

EXISTING CONDITIONS

ENVIRONMENTAL CONDITIONS

The site is located at an elevation of approximately 700 feet above mean sea level and slopes to the southeast. Groundwater flow is also in a southeasterly direction. The Tujunga Wash is located adjacent to the site towards the west and flows in a southeasterly direction.

Based on the Soil Survey of Los Angeles County (1969), the Tujunga-Soboba Map unit consists of excessively drained, rapidly permeable soils with a sand to loamy fine sand surface and cobbly loamy coarse sand subsurface.¹

Current Uses on the Project Site

Project Site

The 12.53-acre project site encompasses multiple lots from 13007 to 13075 W. Victory Boulevard in a developed area that includes mostly single family residential uses. The site is an irregularly shaped property with a narrow frontage on W. Victory Boulevard on the south.

The site is completely developed as a shopping center, constructed in 1977 and 1983 that includes various retail and commercial uses, totaling approximately 151,806 square feet. The shopping center consists of a one and two-story main retail strip-mall structure and two buildings constructed in 1978. The main building is divided into 25 separate tenant spaces. Uses include a health club, market, drug store, sit-down restaurant, bank among other retail/commercial uses. These uses range in size from 780 to 41,141 square feet. According to Los Angeles County assessment documents, the main structure contains 180,995 gross square feet, the Golan Restaurant contains 4,597 gross square feet and the Citibank building contains 2,957 gross square feet.

The project site consists of six parcels. Exterior property improvements include small landscaped areas and asphalt parking areas. The site is serviced by electricity, natural gas, and municipally supplied water and sewer.

¹ *Phase I Environmental Site Assessment Victory Plaza North Hollywood, California*. Dominion Due Diligence Group. June 20, 2007

The site is also occupied with surface parking throughout the site. Surface parking uses are located in the central portion of the site and along most of its western boundary that it shares with the Tujunga Wash. Most of the buildings are located along the northern and eastern portions of the site. The site does include some frontage along Victory Boulevard.

Add Area

The Add Area consists of approximately 6.7 acres located directly east of the project site. This area is bounded by Victory Boulevard to the south, the project site to the west, Hamlin Street to the north and Coldwater Canyon Avenue to the east. In its current condition, the Add Area is occupied with 18,414 square feet of self storage uses, Catholic Church and associated school, private school, fast food restaurant, and miscellaneous retail uses.

Surrounding Property Uses

The surrounding area contains land uses typical to urban areas in the Los Angeles area and to North Hollywood and the eastern San Fernando Valley. Various commercial, retail, recreational and institutional uses are located throughout the area. The site vicinity is densely developed with buildings, and associated landscaping, and contains several thoroughfares. The surrounding area consists of mostly residential uses along with some commercial and retail uses located along major corridors such as Victory Boulevard.

The project site is bounded by the Tujunga Wash channel on the west and the site entrance from Ethel Avenue is located over the Tujunga Wash. The site is bounded by single-family residential uses to the north and east along Morse Avenue and Kittridge Street. Commercial uses along with multi-family residential uses are located along Victory Boulevard, south and southwest of the site. The Windsor Gardens Retirement Home is located south of the site along Victory Boulevard. The Glen project, a 5-story 325,000 mixed-use project is proposed west of the project site along Victory Boulevard.

Erwin Park is located less than one mile southwest of the site and Kittridge Street Park is located northwest of the site in the surrounding area. Three schools, including Laurence School, Ulysses S. Grant Sr. High School and Jack London Continuation School are all located within the surrounding area. Laurence School is located approximately one mile to the west and Coldwater Canyon Elementary School is located approximately one mile north of the site. Both the Ulysses S. Grant Sr. High School and the Jack London Continuation School are located less than one mile south of the site.

Historical Uses

Project Site

Historical information was reviewed to identify areas of concern (AOCs) or other conditions of environmental concern associated with the historical use of the project site. The historical information was obtained from interviews with site representatives and other individuals familiar with the project site and reviews of aerial photographs, historical maps, agency records, and other practically reviewable standard historical sources. Due to the nature of tax assessment documents and deed records reviewed for the site, a thorough chain-of-title was not reasonably ascertainable. According to interviews, the site was purchased by Smith & Sons in the 1970s.

The project site was developed since at least 1950 through 1976 as a movie drive-in theatre prior to the construction of the current structures in 1977 and 1978. None of the accessed data depicts underground storage tanks (USTs) at the former structures; however, the possibility existed that the development utilized underground or aboveground storage tanks (USTs/ASTs). No visual evidence of USTs (fill ports/vent pipes) or ASTs was observed during the site inspection. If ASTs or USTs were formerly located at the site, they should have been removed during the demolition of the drive-in theatre in the 1970s. Site observations did not indicate that previous activities have negatively impacted the environmental condition of the site.

According to aerial photographs reviewed for the site and surrounding area (including the Add Area), the site appeared to be developed as a drive-in movie theatre in 1953. The entrance was located off of Victory Boulevard and the movie screen was located on the southern portion. The concession stand was centrally located and parking radiated northward. The same structures appear in 1965, 1972, 1994 and 2005 photographs.

Sanborn Maps generally cover areas of urban and industrial development from the 1800s to the 1990s. Sanborn Fire Insurance Maps were reviewed; however, the site is not included in Sanborn Map coverage.

The EDR-City Directory Abstract (Abstract) dated May 4, 2007 includes a search and abstract of available city directory data from the years 1920 through 2006. The site address and surrounding properties were not listed in the Abstract from 1920-1949. The site was listed as the Victory Drive-in Theatre from 1950-1976 and was listed as various tenants of Victory Plaza from 1980-2001. The site was not listed in the 2003, 2004, and 2006 researched directories. No tenants of environmental concern were identified in the researched directories except for the Victory Plaza Cleaners in Unit 13055.

Historical Uses of the Surrounding Properties (Including Add Area)

The Phase 1 did not include the Add Area within the boundaries of the project site. However, the Phase 1 did include discussion of the Add Area in its analysis of surrounding properties.

A review of aerial photographs of the surrounding area showed that single-family residential uses occupied the area north of the site in 1953. During this time, multi-family residential uses appeared to be located to the south while the eastern boundary appeared to be occupied with three of the current Saint Jane Frances Church structures. Similar to current conditions, the west appeared to be developed with the Tujunga Wash and single-family residential uses.

Review of the 1965 aerial photographs depicted the same above-described structures in the surrounding area. In 1972, photos showed the same structures as previously described with the addition of a structure at the Saint Jane Frances Church that is located towards the east in the Add Area. The 1994 photo showed the addition of a storage facility also located in the Add Area. The 2005 photo was similar to the 1994 photo.

Project Site Inspection Observations

A site inspection, consisting of visual observations along boundaries and various transects throughout the site was conducted for the project site. On the interior, common areas such as lobbies, hallways, utility rooms, maintenance, and repair areas and a representative sample of occupant spaces were observed.

Hazardous Materials and Petroleum Products

The Victory Plaza Cleaners, located at 13055 Victory Boulevard, has operated as a dry cleaning facility since approximately 1980. Dry cleaners are potential sources of environmental contamination due to their use and storage of chemicals, especially the use of Perchloroethylene and other solvents. In order to determine if the on-site dry cleaning facility negatively impacted the environmental integrity of the site, Dominion Due Diligence Group undertook three soil borings to a depth of eight feet below ground surface in the vicinity of the on-site dry cleaner.

Boring B-1 was located in the interior of the unit, approximately seven feet from the rear door, adjacent to dry cleaning equipment. Boring B-2 was located exterior and rear of the unit, approximately four feet from the rear door. Boring B-3 was placed exterior and front of the unit approximately eight feet from the sidewalk edge in the existing parking lot.

Soil samples were screened with a Photoionization Detector (PID) to identify areas of contamination and then analyzed for volatile organic compounds by EPA Method 8260B. Soil samples were collected at 0 to 2 feet based on the fact that the surface soils would be most likely contaminated due to surface spills. Groundwater samples were unable to be obtained due to the depth of groundwater. Based on PID readings and analytical results, the on-site dry cleaner does not pose any current environmental concern to the project site. However, the Phase 1 recommended that the Victory Plaza Cleaners comply with RCRA regulations and register with the U.S. EPA.²

No additional bulk storage of hazardous materials or petroleum products was identified at the project site. However, paints and cleaning products were observed in the individual units. None of the stored materials was observed to be leaking or to have had signs of major spillage. No floor drains or other potential receptors for the release of hazardous materials were observed within the areas of material storage. The on-site chemicals are commercially available, stored in limited quantities, and are not believed to present an environmental concern.³

Polychlorinated biphenyls (PCBs)

Six pad-mounted electrical transformers, owned and maintained by the Los Angeles Department of Water and Power are located at exterior locations on the site. The on-site electrical transformers were not affixed with blue "Non-PCB" stickers are therefore assumed to contain PCBs. However, leakage was not visually observed on or around the transformers during the site inspection. In their current physical condition, they are not believed to present environmental concerns to the project site.⁴

Subject Property Dumped Materials/Landfills

No dumped debris was observed on-site during the site inspection. Several municipal waste dumpsters were located in designated areas on the project site. No staining and/or visual signs of spillage were observed in the vicinity of the dumpsters during the site inspection. No evidence of landfills was identified on the project site.

² Ibid.

³ Ibid.

⁴ Ibid.

Spills/Stained Soils/Stained Pavement/Stressed Vegetation

No evidence of spills, stained soils or distressed vegetation was observed at the project site.

Storage Tanks Not Previously Listed

An approximate 100-gallon diesel aboveground storage tank (AST) was observed on the second floor of the Vallarta Grocery Store. The diesel is used to fuel the backup generator. No evidence of spills or stains was observed adjacent to the generator. Based on the lack of spills or stains, the AST is not believed to be an environmental concern to the site. Visual evidence that would indicate the past and/or present existence of underground fuel storage tanks was not observed during the site inspection. No off-site USTs or ASTs were observed during the inspection. The Phase 1 for the site indicates that according to State database records, no Leaking Underground Storage Tanks (LUSTs) or Underground Storage Tank (USTs) are located on-site or adjacent to the site.⁵ The closest record is approximately 0.13 miles southeast of the site and is down-gradient of the site.⁶

Drains and/or Sumps

No evidence of industrial drains or sumps was observed during the project site inspection.

Wells Not Previously Listed

No evidence of additional wells was observed during the project site inspection.

Storm Water Drainage and Runoff

On-site drainage is suspected to consist of flow along the asphalt parking areas to strategically located storm drains and surface percolation in the unpaved areas. Hazardous off-site source run-off to the site is not suspected to occur due to the non-hazardous nature of the up-gradient properties.

Pitts, Ponds, or Lagoons

No evidence of pits, ponds, or lagoons was observed on the site or at the adjacent properties during the inspection.

Odors

No evidence of adverse or suspicious odors was observed during the project site inspection.

Asbestos-Containing Materials

Portions of the main retail strip-mall structure were constructed in 1977 and the outparcel buildings were constructed in 1978, during a time of asbestos-containing building material usage. As asbestos screening was not performed as part of the Phase 1 ESA. Presumed

⁵ Ibid.

⁶ Ibid.

asbestos-containing materials identified include flooring materials, built up roofing materials, cove base, mastic and ceiling tile. At the time of inspection, the materials were observed to be in good physical condition and are not suspected to present significant health hazards or liabilities to the site occupants in their current physical conditions.⁷

Lead-Based Paint

As stated above portions of the main structure and the outparcel buildings were constructed in 1977 and 1978, which was a time of potential lead-based paint usage; therefore lead paint may be present on the site. Lead-based paint is suspected to have been used on interior and exterior surfaces of the structures. No peeling or flaking paint was observed during the site inspection.⁸

Radon Gas

According to the U.S. EPA Radon Map the site is located in Zone 2 which is defined as having an average reading between 2 and 4 picocuries/liter.⁹ This correlates to a moderate potential for radon.¹⁰ The site does not contain subgrade areas, which reduces the potential for radon gas.¹¹

Government Database Findings - Project Site and Surrounding Properties (Including Add Area)

Federal, State, and tribal environmental databases were searched to determine the environmental regulatory status of the project site, adjoining facilities (including the Add Area), and facilities.

State Regulatory Records

The following six State and Tribal Databases were accessed for the site:

- State and Tribal Leaking Underground Storage Tank Data (LUST)
- State and Tribal Underground Storage Tank Data (UST)
- State and Tribal Voluntary Cleanup Sites
- State and Tribal Brownfield Sites
- State and Tribal Hazardous Waste Sites (SHWS)
- State and Tribal Registered Solid Waste Landfills (SWL)

⁷ Ibid.

⁸ Ibid.

⁹ Ibid.

¹⁰ <http://www.epa.gov/radon/zonemap.html> Accessed December 21, 2007.

¹¹ *Phase I Environmental Site Assessment Victory Plaza North Hollywood, California*. Dominion Due Diligence Group. June 20, 2007

The State listed facilities are not located on-site or adjacent and are not of environmental concern to the project site. The closest record is approximately 0.13 miles southeast and down-gradient of the site. The LUST Data listed facility in a 0.50 mile radius. The UST Data listed two records in a 0.25 mile radius. The State and Tribal Voluntary Cleanup Sites Database listed one record in a 0.50 mile radius. The SHWS Database listed two records within a one mile radius and the SWL Database listed one record in a 0.75 mile radius. Based on the listed distances and topographical relationships, the vicinity state-regulated facilities are not suspected to present environmental concerns to the project site.

Federal Regulatory Records

The following six Federal Databases were accessed for the site:

- EPA National Priorities Listing (NPL-Superfund)
- EPA National Priorities Listing (NPL-Delisted sites)
- EPA Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS)
- EPA Resource Conservation and Recovery Act (RCRA)
- EPA Emergency Response Notification-sites (ERNS)
- EPA RCRA Corrective Action Sites (CORRACTS).

Of the six federal databases that were accessed, no facilities were identified on-site or adjacent to the site. Two RCRA records were identified within a 0.50 mile radius. The RCRA facilities are not environmental concerns. The closest record is approximately 0.15 miles southeast and down-gradient of the site. In addition, there are no listed violations. Based on the listed distances, topographical relationships and current regulatory statuses, the vicinity RCRA facilities are not suspected to have negatively impacted the environmental integrity of the project site.

Database Non-Geocoded/Un-Mapable Sites

The Phase 1 also included two non-geocoded sites that were listed in the Environmental First Search Report. After mapping the non-geocoded sites, the facilities were determined to be located outside of the ASTM E 1527-05 radius of the project site and are therefore not believed to have negatively impacted the environmental integrity of the project site.¹²

Institutional and Engineering Controls

The Environmental FirstSearch Report also included searches for Federal, state, and tribal lists of institutional and engineering controls for the site and adjoining properties. No information about institutional and engineering controls was listed in the Environmental FirstSearch Report for the project site.

¹² Ibid.

ENVIRONMENTAL IMPACTS

THRESHOLD OF SIGNIFICANCE

In accordance with Appendix G to the CEQA Guidelines, the proposed project would be considered to have a significant environmental impact if it would:

- create a significant hazard to the public or the environment through the routine transport, use, handling, or disposal of hazardous materials;
- create a significant hazard to the public or the environment through the reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment;
- emit hazardous emissions or handles hazardous or acutely hazardous materials, substances or waste within one-quarter mile of an existing or proposed school;
- be located on a site which is included on a list of hazardous materials sites compiles pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or the environment;
- for a project located within an airport land use plan, within two miles of a public airport, or located within the vicinity of a private airstrip, result in a safety hazard for people residing or working in the project area;
- for a project within the vicinity of a private airstrip, result in a safety hazard for people residing or working in the project area;
- impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan; or
- expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.

PROJECT IMPACTS

As the project site and Add Area are in close proximity, potential hazards are similar at each location; therefore the project site and Add Area are not separately discussed.

As previously stated, for analysis purposes, the self storage uses are assumed to be removed and developed with 39 multi-family residential units. The private school would be removed and developed with retail office uses while the existing fast food and miscellaneous retail uses would be developed with housing and retail uses. The church and associated school would remain under operation under the analysis scenario.

Hazards to the Public or Environment

No industrial uses or activities are proposed that would result in the use or discharge of unregulated hazardous materials and/or substances, or create a public hazard through transport, use, or disposal. As a mixed-use development, the proposed project, including development proposed for the Add Area, would not generate large amounts of hazardous materials that would require routine transport, use, or disposal. Use of these materials is regulated by the Uniform Building Code, County of Los Angeles Department of Environmental Health, City of Los Angeles Fire Department (LAFD), and Cal-OSHA, and can typically be disposed of at Class II or III landfills, which also accept most common waste materials. All hazardous materials would be contained, stored, and used in accordance with manufacturers' instructions and handled in compliance with applicable standards and regulations. This would be considered a less than significant impact.

Hazards to Schools/Airport Land Use Plan

The Saint Jane Frances Chantal School is located directly east of the project site in the Add Area. The Summit View School is also located one block east of the site at the intersection of Victory Boulevard and Coldwater Canyon Avenue. The proposed mixed-use development would include residential, entertainment, and hotel uses along with a transit component. Under the proposed project and development of Add Area, the existing Parish School associated with the St. Jane Frances de Chantal Catholic Church would remain in operation.

No industrial uses or activities are proposed that would result in the use or discharge of unregulated hazardous materials and/or substances, or create a public hazard through transport, use, or disposal. The proposed project would not generate large amounts of hazardous materials that would require routine transport, use, or disposal. No significant exposure of hazardous materials or emissions to any existing or proposed school within one-quarter mile of the project site is reasonably expected.

The Burbank/Glendale/Pasadena Airport is located approximately five miles east of the project site and the Add Area. The Van Nuys Airport is located approximately 5.4 miles west of the project site and the Add Area. The project site and Add Area do not lie within an airport land use plan, or within two miles of a public airport or within the vicinity of a private airstrip that could result in a safety hazard people residing or working in the project area. No significant impact is anticipated to occur.

Interference With Emergency Response Plan

Access into and throughout the proposed project and Add Area development would be provided to the satisfaction of the City of Los Angeles Fire Department as will be required by conditions of project approval. Site evacuation plans and procedures must also be provided to the satisfaction of the Los Angeles Fire Department prior to issuance of building permits. Any lane closures, movement of heavy construction equipment, or any construction in, or use of, the right-of-way would be coordinated with the Police and Fire Departments and LADOT. Either roadway would remain unimpeded through the use of flagmen and other controls, as may be required by conditions of the issuance of the Department of Public Works.

Exposure to Wildland Fires

The project site and Add Area are located in a developed area surrounded by a built urban environment. No wildlands are within several miles of the project site. According to the City of Los Angeles Safety Element, Selected Wildfire Hazard Areas, the project site and Add Area are not located near any potential wildland fire areas. Proposed development would not subject people or structures to a significant risk of loss, injury, or death as a result of exposure to wildland fires.

Presumed Lead-Based Paint and Asbestos-Containing Materials

Portions of the main strip-mall structure and ancillary buildings were constructed in 1977 and 1978, during a time of asbestos-containing building material usage and lead-based paint usage. Although, no peeling or flaking paint was observed and materials appeared to be in good physical conditions, lead-based paint and asbestos-containing material may be present on the site. This would be considered a less than significant impact with mitigation incorporation.

MITIGATION MEASURES

Based on the current site condition and proposed redevelopment activities at the project site and at the Add Area, the following remediation and/or mitigation activities are required:

Presumed Asbestos-Containing Materials (ACMs)

IV.F-1 Potential for asbestos-containing materials shall be investigated and sampled by a qualified ACMs inspector prior to demolition activities. If asbestos-containing materials are identified, they shall be handled in accordance with OSHA and EPA NESHAPS regulations and local, state, and federal regulations.

IV.F-2 ACMs remaining after rehabilitation shall be managed under a site specific Operations and Maintenance (O&M) Program.

Presumed Lead Based Paint

IV.F-3 Presumed lead-based paint shall be sampled by a qualified Lead Based paint inspector prior to demolition activities. Potential lead-based paints shall be handled in accordance with OSHA and EPA RCRA regulations and state and federal disposal requirements during renovation and demolition.

IV.F-4 Loose or flaking paints shall be removed under controlled conditions prior to demolition activities, unless there is data showing that the particular paint contains less than 0.06% lead dry weight.

IV.E-5 Dust control measures for site paints having a lead content of greater than 0.06% shall be treated in compliance with the Cal/OSHA Lead standard found in Title 8, California Code of Regulations, Construction Safety Orders, Section 1532.1 for all onsite work.

Building Demolition

IV.F-6 All demolition and renovation activities shall comply with SCAQMD Rule 1403 (Asbestos Emissions from Renovation/Demolition Activities) for all demolition/renovation work; an

appropriately qualified asbestos contractor shall certify that asbestos is not present or shall monitor compliance with Rule 1403 during demolition.

Further Analysis

IV.F-7 A Phase I Report shall be prepared to analyze the potential hazards and hazardous material impacts resulting from project development located in the Add Area.

LEVEL OF IMPACT AFTER MITIGATION

Compliance with Mitigation Measures IV.E-1 through IV.E-6 would ensure that any remaining contaminants on the property would not create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials. The proposed project, including development of the Add Area, would not introduce industrial or noxious uses to the area that could emit hazardous or acutely hazardous materials. Any hazardous materials generated by the proposed project would be typical of mixed-use developments and as needed for maintenance, landscaping and residential occupancy. Consequently, the impact of the proposed project would be less than significant.

CUMULATIVE IMPACTS

Development of the project, including Add Area, in combination with the related projects has the potential to increase the risks associated with the use and potential accidental release of hazardous materials in a densely developed and populated part of the City to some degree. However, as discussed above, the project would not generate, use, or emit any hazardous materials that would have the potential to result in upset environmental conditions. With respect to the related projects, the potential presence of hazardous substances would require evaluation on a case-by-case basis, in conjunction with the development proposals for each of these properties. Further, local municipalities are required to follow local, State, and federal laws regarding hazardous materials, which would further reduce impacts associated with related projects. Therefore, the proposed project, including development proposed for the Add Area, would not contribute to a cumulatively significant impact with respect to hazardous materials, and cumulative impacts would be less than significant.