

CITY OF LOS ANGELES
 OFFICE OF THE CITY CLERK
 ROOM 395, CITY HALL
 LOS ANGELES, CALIFORNIA 90012
 CALIFORNIA ENVIRONMENTAL QUALITY ACT

NOTICE OF EXEMPTION

(Article III, Section 3, City CEQA Guidelines)

FORM RP 1-1-91

Submission of this form is optional. This form shall be filed with the County Clerk, 12400 East Imperial Highway, Norwalk, California 90650, pursuant to Public Resources Code Section 21152(b). Pursuant to Public Resources Code Section 21168(d), the filing of this notice starts a 35-day statute of limitation on Court challenges to the approval of the project. Failure to file this notice with the County Clerk results in the statute of limitation being extended to 180 days.

LEAD CITY AGENCY AND ADDRESS: City of Los Angeles Department of Recreation and Parks, 221 N. Figueroa Street, Suite 400, Los Angeles, CA 90012

COUNCIL DISTRICT: 15

PROJECT TITLE: KEN MALLOY HARBOR REGIONAL PARK - Approval of License Agreement to Collect Groundwater Samples for Chemical Analysis from Three Groundwater Monitoring Wells for Ten Years by Trihydro Corporation

LOG REFERENCE: BR 23-082

PROJECT LOCATION: 25820 South Vermont Avenue, Harbor City, CA, 90710

DESCRIPTION OF NATURE, PURPOSE, AND BENEFICIARIES OF PROJECT:

The proposed Project consists of authorizing Trihydro Inc., on behalf of Phillips 66, to collect groundwater samples from three existing monitoring wells located at Ken Malloy harbor Regional Park for the years. The monitoring was ordered on December 22, 1994 by the Regional Water Quality Control Board (Regional Board). The wells, are to be sampled semiannually in April/May and in October/November. The collection of groundwater samples for chemical analysis is to identify the existence of contaminants in the groundwater underneath the Park. The groundwater sampling activities consist of a truck with a poly tank on a trailer parked next to each well and a 2" Grundfos pump powered into each well. Approximately 60-100 gallons of groundwater will be pumped from each well into the poly tank and subsequently disposed of at Phillips 66 Wilmington Refinery. After pumping groundwater from each well, approximately three (3) liters of groundwater will be collected from each of the wells and will be containerized and placed in a cooler for transport to a laboratory. The Trihydro Corporation's truck shall be parked on the gravel paths only and shall not be parked on top of the vegetation. Beneficiaries of the project are the patrons of the park.

CONTACT PERSON: ELENA MAGGIONI

AREA CODE: 213

TELEPHONE NUMBER: 482-6980

EXT.:

EXEMPT STATUS: (Check One)		<u>CITY CEQA GUIDELINES</u>	<u>STATE CEQA GUIDELINES</u>
<input type="checkbox"/>	DECLARED EMERGENCY	Art. II, Sec. 2a(1)	ART. 18, Sec. 15269(a)
<input type="checkbox"/>	EMERGENCY PROJECT	Art. II, Sec. 2(a)(2)(3)	ART. 18, Sec. 15269(b)(c)
<input type="checkbox"/>	MINISTERIAL PROJECT	Art. II, Sec. 2b	ART. 18, Sec. 15268
<input checked="" type="checkbox"/>	CATEGORICAL EXEMPTION	Art. II, Sec. 2(c) See Below	ART. 19, Sec. 15300 -15333
<input type="checkbox"/>	GENERAL EXEMPTION	Art. II, Sec. 2(d)	ART. 18, Sec. 15262
<input type="checkbox"/>	STATUTORY EXEMPTION	Art. II, Sec. 2(i)	ART. 18, Sec. 15282

Class	Category	(City CEQA Guidelines)	(State CEQA Guidelines)
<u>3</u>	<u>7</u>	Art. III, Sec(s). <u>1(c)(7)</u>	Art. 19, Sec(s). <u>15303</u>
<u>6</u>	<u> </u>	Art. III, Sec(s). <u>1(f)</u>	Art. 19, Sec(s). <u>15306</u>
<u>8</u>	<u> </u>	Art. III, Sec(s). <u>1(h)</u>	Art. 19, Sec(s). <u>15308</u>
<u> </u>	<u> </u>	Art. III, Sec(s). <u> </u>	Art. 19, Sec(s). <u> </u>
<u> </u>	<u> </u>	Art. III, Sec(s). <u> </u>	Art. 19, Sec(s). <u> </u>

OTHER (See Public Resources Code Sect. 21080(b) and set forth in state & city guidelines provisions)

JUSTIFICATION FOR PROJECT EXEMPTION:

The proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Article III, Section 1, Class 3(7), Class 6 and Class 8 of City CEQA Guidelines and Article 19, Sections 15303, 15306, 15308 of California CEQA Guidelines. None of the limitations set forth in State CEQA Guidelines 15300.2 apply, see attached narrative.

IF FILED BY APPLICANT, ATTACH CERTIFIED DOCUMENT OF EXEMPTION FINDING

SIGNATURE: ELENA MAGGIONI
 Environmental Supervisor



DATE: 4/27/2023

FEE \$75.00 **RECEIPT NO.** **REC'D. BY:** **DATE:**

KEN MALLOY HARBOR REGIONAL PARK - Approval of License Agreement to Collect Groundwater Samples for Chemical Analysis from Three Groundwater Monitoring Wells for Ten Years by Trihydro Corporation

CATEGORICAL EXEMPTION NARRATIVE

I. PROJECT DESCRIPTION

On December 22, 1994, the Regional Water Quality Control Board (Regional Board) for the Los Angeles Region issued a Cleanup and Abatement Order Number 94-139 to Phillips 66, which owns an oil refinery near the Park. Pursuant to this order, Trihydro Corporation collects groundwater samples from 3 groundwater monitoring wells, MW-202, MW-203, and MW-204 (Wells) at certain portions of the Park on behalf of Phillips 66. The three monitoring wells located at Ken Malloy Harbor Regional Park are part of a wider network of groundwater monitoring wells (total 114 monitoring wells) that have been installed as part of a Cleanup and Abatement Order issued by the Regional Water Quality Control Board to the Los Angeles Refinery, Wilmington Plan, located on 1660 West Anaheim Street Wilmington, California 90744, across the street from the southern part of Ken Malloy Harbor Regional Park. The order includes measures to cleanup and abate the on-site and off-site soil and groundwater contamination originating from the plan. Groundwater has been found contaminated with hydrocarbons, benzene and volatile organic compounds (VOCs).

The purpose of the sampling is to monitor groundwater quality in the water table at the location of the Wells, which are currently sampled semiannually in April/May and in October/November. The collection of groundwater samples for chemical analysis is to identify the existence of contaminants in the groundwater underneath the Park. Trihydro Corporation anticipates accessing the Wells for sampling for a time possibly exceeding the next ten years.

The groundwater sampling activities consist of a truck with a poly tank on a trailer parked next to each well and a 2" Grundfos pump powered into each well. Approximately 60-100 gallons of groundwater will be pumped from each well into the poly tank and subsequently disposed of at Phillips 66 Wilmington Refinery. After pumping groundwater from each well, approximately three (3) liters of groundwater will be collected from each of the wells and will be containerized and placed in a cooler for transport to a laboratory. The Trihydro Corporation's truck shall be parked on the gravel paths only and shall not be parked on top of the vegetation.

The groundwater sampling of the three wells will be conducted twice per year over the duration of one to two days between the hours of 7:00 am and 3:00 pm. Two to three Trihydro employees will be on site with two vehicles to sample the groundwater monitoring wells MW-202, MW-203, and MW-204.

Upon the conclusion of said work, Trihydro Corporation will immediately make repairs to the asphalt, including patching, filling holes, and repainting existing stall lines within the area.

The project is located at 25820 South Vermont Avenue, Harbor City, CA, 90710, in the Wilmington - Harbor City Community Planning Area (Fig.1).

II. ENVIRONMENTAL REVIEW

Basis for Categorical Exemption

The proposed project consists of the installation of scientific measuring, monitoring and testing devices; basic data collection and resource evaluation activities that do not result in a serious major disturbance to an environmental resource and actions taken by regulatory agencies as authorized by State or local ordinance to assure the maintenance, restoration, enhancement, or protection of the environment.

It is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Article

III, Section 1, Class 3(7), Class 6 and Class 8 of City CEQA Guidelines and Article 19, Sections 15303, 15306, 15308 of California CEQA Guidelines.

Consideration of Potential Exceptions to Use of a Categorical Exemption

The State CEQA Guidelines (CCR Sec 15300.2) limit the use of categorical exemptions in the following circumstances:

1. Location. Exemption Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located – a project that is ordinarily insignificant in its impact on the environment may be significant in a particularly sensitive environment. Therefore, these classes are considered to apply to all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.

The proposed project falls under Class 3, 6, and 8, and could potentially constitute an exception to CEQA exemptions. According to the parcel profile report retrieved March 20, 2023, MW202 is located in a liquefaction zone, while MW203 and MW204 are not. All three monitoring wells are located in the methane zone, but the extraction of water samples is not going to increase the exposure of park patrons to risks related to liquefaction or to methane seepage. Therefore, the project does not impact on a recognized environmental resource of hazardous or critical concern, and this exception has no application here.

2. Cumulative Impact. This exception applies when, although a particular project may not have a significant impact, the cumulative impact of successive projects of the same type in the same place, over time is significant.

The proposed project consists of monitoring groundwater. No other known projects would involve cumulatively significant impacts, and no future projects would result from the proposed project. Therefore, this exception has no application here.

3. Significant Effect. This exception applies when, although the project may otherwise be exempt, there is a reasonable possibility that the project will have a significant effect due to unusual circumstances.

RAP is not aware of any unusual circumstances associated with this project. Therefore, this exception has no application here.

4. Scenic Highway. A categorical exemption shall not be used for a project that may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway.

The proposed project is not within sight of any state designated scenic highway, nor of

any other historic and scenic resource. Therefore, this exception has no application here.

5. Hazardous Waste Site. This exception applies when a project is located on a site listed as a hazardous waste site under Government Code Section 65962.5.

As of March 20, 2023, the State Department of Toxic Substances Control (Envirostor at www.envirostor.dtsc.ca.gov) and the State Water Resources Control Board (Geotracker at <https://Geotracker.waterboards.ca.gov>) have not listed any site within the project area, but have listed RB Case #: 0231 (the Los Angeles Refinery, Wilmington Plan) in the vicinity of the project. The proposed project is related to the presence of the refinery, but will not affect the park's activity or its patrons. Therefore, this exception has no application here.

6. Historical Resources. This exception applies when a project may cause a substantial adverse change in the significance of a historical resource.

The proposed project area is not located in proximity of known historical, paleontological or archeological resources. The excavation required for the proposed project will occur in already disturbed areas, and this office does not anticipate the disruption of archaeological or paleontological resources.

However, in case historical artifacts are encountered, City Engineer Standard Specifications, Section 6-3.2, (Greenbook, 2012) states: "If discovery is made of items of archaeological or paleontological interest, the Contractor shall immediately cease excavation in the area of discovery and shall not continue until ordered by the Engineer." Therefore, during activities in which there will be ground disturbances (i.e., digging, drilling, etc.) if any evidence of archaeological, cultural, or paleontological resources are found, all work within the vicinity of the find shall stop until a qualified archaeologist can assess the finds and make recommendations. No excavation of any finds should be attempted by Project personnel unless directed by a qualified archaeologist. Construction activities may continue in other areas. If the discovery proves significant under CEQA (Section 15064.5f; Public Resources Code or PRC 21082), additional work such as testing or data recovery may be warranted.

The discovery of human remains is always a possibility during ground disturbances; State of California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the Los Angeles County Coroner has made a determination of origin and disposition pursuant to PRC Section 5097.98. The Los Angeles County Coroner must be notified of the find immediately. If the human remains are determined to be prehistoric, the Coroner will notify the Native American Heritage Commission, which will determine and notify a Most Likely Descendent (MLD). The MLD shall complete the inspection of the site within 48 hours of notification and may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials.

Therefore, this exception has no application here.

Figure 1. Project Location



List of References

California Regional Water Quality Control Board. *GeoTracker*. Retrieved, March 20, 2023, from [https:// geotracker.waterboards.ca.gov](https://geotracker.waterboards.ca.gov).

City of Los Angeles Department of City Planning Parcel Profile Report. Retrieved on March 20, 2023, from NavigateLA <http://boemaps.eng.ci.la.ca.us/navigate/>

City of Los Angeles Department of Public Works Bureau of Engineering. *NavigateLA*. Retrieved on March 20, 2023 from <http://boemaps.eng.ci.la.ca.us/navigate/>

City of Los Angeles Environmental Quality Act Guidelines.

Health and Safety Code Section 7050.5

Los Angeles Municipal Code.

Public Resources Code Section 5097.98

Standard Specifications for Public Works Construction. Greenbook, 2012 edition.

State CEQA Guidelines.

State Department of Toxic Substances Control. *EnviroStor*. Retrieved March 20, 2023, from www.envirostor.dtsc.ca.gov

State Department of Transportation. *California Scenic Highway Mapping System.*, from <https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways>