

H-2
Kerrie Aley

11/16/2010 Colorado Lagoon EIR Amendment Appeal, Mitigation, and Culvert Configuration

Request for additional mitigation measures and analysis.

1. The 2008 Colorado Lagoon EIR uses an outdated Leadsread model and no requirement for fenceline monitoring of dust. I contacted the CA EPA Department of Toxic Substance Control (DTSC) and I received the following recommendation for lead dust action levels.

$$\text{Chemical Conc. in Air} = (\text{Total Dust Conc. in Air}) (\text{Maximum Soil Conc.}) (CF)$$

$$\frac{\text{mg Chemical}}{\text{m}^3} = \left(\frac{\text{mg Dust}}{\text{m}^3} \right) \left(\frac{\text{mg Chemical}}{\text{kg soil}} \right) \left(\frac{1 \text{ kg soil}}{1 \times 10^{-6} \text{ mg soil}} \right)$$

$$\text{Action Level for Lead} = \frac{1.5 \mu\text{g}}{\text{m}^3} = \frac{0.0015 \text{ mg}}{\text{m}^3} \quad (\text{National Ambient Air Quality Standard (NAAQS)})$$

$$\frac{0.0015 \text{ mg Pb}}{\text{m}^3} = \left(\frac{x \text{ mg Dust}}{\text{m}^3} \right) \left(\frac{2000 \text{ mg Pb}}{\text{kg soil}} \right) \left(\frac{1 \text{ kg soil}}{1 \times 10^{-6} \text{ mg soil}} \right)$$

$$\frac{x \text{ mg Dust}}{\text{m}^3} = \frac{0.75 \text{ mg Total Dust}}{\text{m}^3}$$

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The old Leadsread Model has been replaced with the new CHHSLs for lead developed by OEHHA. Basically, the new soil CHHSLs are 80 mg/kg for residential and 320 mg/kg for industrial/commercial. What we typically do now is to ensure that the site-wide, 95% UCL concentration of lead meets the CHHSL, which means that your cleanup goal would be 160-255 mg/kg for residential and 640-800 mg/kg for I/C, depending upon the site data. These values are only applicable to exposure on-site. For downwind receptors, we typically conduct fenceline monitoring for total dust based on the example dust calculation I have included. From the attached example, we use the NAAQS lead level of 1.5 ug/m3 as our fenceline action level; then, assuming that your lead soil concentration is 2000 mg/kg, you would have to be below 0.75 mg/m3 of total dust in ambient air at the fenceline. Since you would be doing real time monitoring use data RAMs or mini-RAMs, if you exceed this dust action level, then you can adjust your dust suppression to ensure that you are not impacting nearest receptors. Hope this helps....give me a call if you have any questions

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► Request that the city require the use of current California Health Screening Levels (CHHSLs) for lead developed by CA Office of Environment Health Hazard Assessment OEHHA for construction site and fenceline dustline monitoring and suppression.

2. The Colorado Lagoon EIR and Amendment does not contain a human health risk assessment for soil excavation in Marina Vista Park.

- ▶ Request that additional soil tests and health risk assessment be made available to the public prior to the development of the soil management plan.

- ▶ Request that Park Avenue Residents and PQRS be notified of the completion of health risk assessments and be allowed to review both the Colorado Lagoon and Marina Vista the soil management plans prior to approval.

- ▶ Request that the city arrange a tour of the dredging site with the Park Avenue Residents, PQRS Groups and the public prior to the start of construction so that the contractor can demonstrate both the dust suppression method and contaminate testing.

3. The EIR and Amendment mitigation measure Haz 4 for the Soil Management Plan requires only an organic vapor analyzer (OVA). Mitigation measure AQ-1 requires only the implementation of South Coast Air Quality Management District (SCAQMD) Handbook and construction best management handbook recommendations.

- ▶ Request that the city require the use of fence line lead monitoring and dust suppression as suggested by the CA EPA DTSC. (Item 1 above)

4. The Termino Avenue Drain Project used the same mitigations measures (Haz 4 and AQ-1) as the Colorado Lagoon EIR/Amendment yet the contractor was allowed to pile a mountain of uncovered dirt on city park land in violation of the AQMD requirements. The pile was left to blown dirt onto neighboring residential properties and was only covered after PQRS residents complained to AQMD. Residents have also complained that street sweeping during the TADP has been inadequate and that dust and dirt has been left on roadways and tracked throughout the neighborhood.

- ▶ Request that the city, prior to any dredging or excavation of soil in either the Colorado Lagoon or Marina Vista Park provide appellants with a table of contact names and phone numbers for the onsite contractor, Public Works, Army Corp of Engineers, CA DTSC, AQMD, and LA County Water Board (Dredging) etc. and a description of what their regulatory responsibilities are, permits and the required mitigation measure that are supposed to be followed.

- ▶ Request that the city increase number of required street sweeping of residential haul routes from the SCAQMD requirement of once a day to anytime soil is visible on residential streets.

5. The EIR and Amendment mitigation measures do not require that stockpiles of soil be covered.

- ▶ Request that the city requires that all stockpiles of soil, amendments, or other reagents be covered with plastic when not in use.

6. The EIR and Amendment mitigation measures allow the construction activities to occur on during morning/evening commute hours, on Saturday and until 7pm. (Note that the TADP limited construction activities to 9 am to 5 pm Monday through Friday)

► Request that the city limit all construction activities to Monday through Friday 9 am to 5 pm.

7. The EIR Amendment states that the city will “consider” the following traffic mitigation measures requested by Steve Creech and Kerrie Aley in the 2008 EIR Appeal.

► Request that the City Traffic Engineer meet with Park Avenue Residents and PQRS groups to discuss proposed traffic management plan prior to final approval.

► Request that the city incorporate the following measures into the TMP.

- Lower speed limit to 15 miles per hour (mph) on Park Avenue, from 4th Street to 7th Street, and on other residential streets during construction period.
- Install a speed table (i.e., an elongated speed bump) on Park Avenue near 6th Street.
- Install dynamic “slow down signs” or additional traffic calming measures on all affected residential streets.
- Require publically published suggested travel routes to mitigate both event and construction traffic.
- Require detour signs for both event and construction traffic.
- Inspect Park Avenue pavement before and after construction period. Require quarterly inspection of pavement and street control markings and make repairs as needed.
- Post signs to temporarily eliminate bike route on Park Avenue

8. Neither the EIR or Amendment contain a flood hazard analysis from the construction of the ^{channel} culvert. The White Paper mentions that the depth of the culvert will be at least as low as 7 ft below the mean sea level for tides and as high as 2 ft aboveground (low dikes) along its banks to provide sufficient freeboard to protect against a 50-year flooding event.

► Request that the city provide copies of the analysis showing that the design of the culvert, with increased tidal flushings, changes to the existing drains and addition of new TADP flood drain flow will not result in an increased flooding risk for nearby homes, especially on Haines St.

Kerrie Aley
Appellant Colorado Lagoon Restoration EIR & Amendment