

## **DRAFT NEGATIVE DECLARATION**

Project Name: Adoption of Addendum No. 4 to Cleanup and Abatement Order No. R9-2004-0258 which addresses the cleanup and abatement of wastes discharged to land at the former Teledyne Ryan Aeronautical site located at 2701 North Harbor Drive, San Diego, California.

Tentative Order Number: R9-2011-0018

### **This Document is Considered Draft Until it is Adopted by the California Regional Water Quality Control Board, San Diego Region**

This Draft Negative Declaration is comprised of this form along with the Initial Study that includes the Environmental Checklist Form.

1. California Environmental Quality Act Negative Declaration Findings:

This Negative Declaration reflects the decision-making body's independent judgment and analysis, and; that the decision-making body has reviewed and considered the information contained in this Negative Declaration and the comments received during the public review period, and; on the basis of the whole record before the decision-making body (including this Negative Declaration) that there is no substantial evidence that the project will have a significant effect on the environment.

2. Required Mitigation Measures:

None.

3. Critical Project Design Elements That Must Become Conditions of Approval:

None.

**ADOPTION STATEMENT:** This Negative Declaration was adopted and the above California Environmental Quality Act findings were made by the:

California Regional Water Quality Control Board, San Diego Region

On April 13, 2011

David W. Gibson  
Executive Officer  
California Regional Water Quality Control Board, San Diego Region



## INITIAL STUDY/ENVIRONMENTAL CHECKLIST

1. Project title:

Adoption of Addendum No. 4 to Cleanup and Abatement Order No. R9-2004-0258 which addresses the cleanup and abatement of wastes discharged to land at the former Teledyne Ryan Aeronautical (TDY) site located at 2701 North Harbor Drive, San Diego, California.

2. Lead agency name and address:

California Regional Water Quality Control Board, San Diego Region  
9174 Sky Park Court, Suite 100  
San Diego, CA 92123

3. Contact person and phone number:

Mr. Fisayo Osibodu  
(858)-637-5594

4. Project location:

Addendum No. 4 to Cleanup and Abatement Order No. R9-2004-0258 (Addendum No. 4) directs TDY to cleanup and abate wastes discharged to land at the former TDY site located at 2701 North Harbor Drive, San Diego, California. The former TDY site, which is the project site, is located within a highly urbanized area less than 1-mile outside of downtown San Diego, west of Pacific Highway and I-5, immediately adjacent to the San Diego International Airport (SDIA) within the San Diego Bay tidelands. The project site is approximately 44 acres in size and is surrounded on the north, east and west by the SDIA, and to the south by North Harbor Drive, the U.S. Coast Guard and San Diego Bay. The SDIA airfield ovals immediately east of the project site are used as nesting habitat for the California least tern (an endangered coastal bird), from approximately April 1st to September 15th.

~~The project site includes approximately 50 industrial buildings (approximately 1 million square feet) surrounded by security fencing, as well as three parking lots utilized for SDIA operations. The buildings are primarily large manufacturing warehouses, offices, and other support structures such as mechanical buildings, test cells, and storage facilities.~~



The project site is situated in the Aviation-Related Industrial Sub-area 25 of Planning District #2, Harbor Island/Lindbergh Field, of the certified San Diego Unified Port District Port Master Plan (Port District PMP).

The *Water Quality Control Plan for the San Diego Basin* identifies the location of the former TDY site as a portion of the Lindbergh Hydrologic Sub Area (8.21) of the San Diego Mesa Hydrologic Area within the Pueblo San Diego Hydrologic Unit. Groundwater in the Lindbergh Hydrologic Sub Area has no designated beneficial uses and has been exempted from the municipal use designation by the San Diego Water Board.

5. Project sponsor's name and address:  
California Regional Water Quality Control Board, San Diego Region  
9174 Sky Park Court, Suite 100  
San Diego, CA 92123
6. General plan designation:  
The existing land use category for the project site is identified in the Port District PMP as "aviation-related industrial." Aviation-related industrial activities are those uses that are similar to airport operations and include the following: highly specialized shipping utilizing air cargo; the servicing of aircraft; and the manufacturing and sales of aircraft engines, motors, turbines, and related parts.
7. Zoning:  
Aviation related Industrial
8. Description of project :

The project consists of adoption of Addendum No. 4 to Cleanup and Abatement Order No. R9-2004-0258 (Addendum No. 4) by the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) directing TDY to cleanup and abate wastes discharged to land at the former TDY site. Addendum No. 4 requires TDY to remediate contaminated soil and groundwater at the former TDY site, ~~terminate any illicit discharges to the storm water conveyance system (SWCS) at the project site~~, prepare a Remedial Action Plan (RAP) capable of achieving specified cleanup levels; and verify cleanup and abatement completion.

TDY caused or permitted waste from its manufacturing operations, including polychlorinated biphenyls (PCBs), several trace metals, and volatile organic chemicals (VOCs), to be discharged to San Diego Bay and Convair Lagoon through the SWCS on the site. TDY deposited waste (such as PCBs) from its



December 23, 2010

manufacturing operations in the catch basins and collection sumps associated with the SWCS on the site and inside the SWCS; waste has been and probably will be discharged to San Diego Bay from the SWCS. TDY also caused or permitted the discharge of waste (such as heavy metal and volatile organic chemicals) from its manufacturing operations to soils and ground water on the site; the waste constituents may eventually migrate to San Diego Bay via various preferential pathways. As a result, several structures at the site have been identified as areas of potential concern and areas of concern at the site due to soil and groundwater contamination (see Finding No. 8 of Addendum No. 4).

The site is vacant and leased by the San Diego County Regional Airport Authority (Airport Authority). The Airport Authority plans on redeveloping the site and as such, demolition activities are underway and being performed by the San Diego Unified Port District (Port District). Demolition is anticipated to be completed in June 2012. An Environmental Impact Report was certified by the Port District in 2009 for the demolition project (hereinafter referred to as Draft EIR), but the scope of that project does not extend to cleanup and abatement activities required under Addendum No. 4. As a result, this initial study has been prepared by San Diego Water Board to assess environmental impacts associated with cleanup and abatement of waste at the site. The Port District is currently demolishing all above grade structures comprised of office and support buildings, manufacturing buildings, warehouses, and sheds. This phase of demolition activity will be completed by February 2011. Removal of subsurface structures such as concrete slabs, foundations, utilities, and most of the onsite SWCS is scheduled to will commence in June 2011 and end approximately in June 2012. During and after demolition, TDY plans on conducting remedial actions to complete cleanup and abate all wastes discharged to land at the site.

9. Surrounding land uses and setting:

Land use designations surrounding the project site include military, office, specialized commercial, industrial, commercial recreation, and mixed uses.

- 10 Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement).



**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

<input type="checkbox"/>	Aesthetics	<input type="checkbox"/>	Agriculture and Forestry	<input type="checkbox"/>	Air Quality
<input type="checkbox"/>	Biological Resources	<input type="checkbox"/>	Cultural Resources	<input type="checkbox"/>	Geology/Soils
<input type="checkbox"/>	Greenhouse Gas Emissions	<input type="checkbox"/>	Hazards and Hazardous Materials	<input type="checkbox"/>	Hydrology/Water Quality
<input type="checkbox"/>	Land Use/Planning	<input type="checkbox"/>	Mineral Resources	<input type="checkbox"/>	Noise
<input type="checkbox"/>	Population/Housing	<input type="checkbox"/>	Public Services	<input type="checkbox"/>	Recreation
<input type="checkbox"/>	Transportation/Traffic	<input type="checkbox"/>	Utilities/Service Systems	<input type="checkbox"/>	Mandatory Findings of Significance

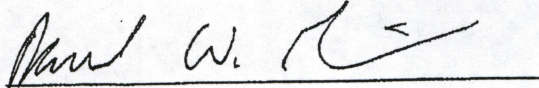


December 23, 2010

DETERMINATION:

On the basis of this initial evaluation:

- ☒ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☐ I find that although the proposed project could have a significant effect on the environment, 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.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that 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.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

  
Signature

12-28-2010  
Date

David W. Gibson  
Name



### EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. 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 involved (e.g., the project falls outside a fault rupture zone). A "No 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, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
  - a) Earlier Analysis Used. Identify and state where they are available for review.
  - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.



- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
  - a) The significance criteria or threshold, if any, used to evaluate each question; and
  - b) The mitigation measure identified, if any, to reduce the impact to less than significance.

**ISSUES:**

<b>I. AESTHETICS -- Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporation</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>



December 23, 2010

## DISCUSSION

- a) **No Impact.** The project site consists mainly of industrial buildings and parking lots. Soil and groundwater remediation activities which will occur during and after demolition will not create any additional adverse impacts to visual quality of the site; or substantially damage scenic vistas, scenic resources, or degrade the quality of the site surroundings.
- b) **No Impact.** See response to item (a) above.
- c) **No Impact.** See response to item (a) above.
- d) **Less than Significant Impact.** Soil and groundwater remediation activities at the project site will not add any permanent lighting or glare to the area, and as a result will not affect day or nighttime views in the area.

**II. AGRICULTURE RESOURCES:** In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>



December 23, 2010

## DISCUSSION

- a) **No Impact.** The project site is underlain by artificial fill and bay deposits, neither of which is identified as Prime Farmland, Unique Farmland, or Farmland of State Importance by the USDA. The project site and surrounding area are not zoned for agricultural use. Therefore soil and groundwater remediation activities will not conflict with the existing zoning for agricultural use, or a Williamson Act contract. The project site and surrounding areas are not currently in agricultural use. Thus, the project will not result in the conversion of farmland to non-agricultural use. The property surrounding the SDIA (which includes the project site) is designated as "Urban Land" and "Made Land" by the USDA. Urban Land is land that is primarily covered by buildings, streets, and sidewalks, and hence, is unavailable for agricultural activity. Made Land consists of smooth, level areas that are filled with excavated and transported soil material, paving material, and soil material dredged from lagoons, bays, and harbors, which is also unavailable for agricultural activity.
- b) **No Impact.** See response to item (a) above
- c) **No Impact.** Soil and groundwater remediation activities at the project site will not result in other changes in the existing environment which, due to their location or nature, could result in conversion of farmland to non-agricultural use.

**III. AIR QUALITY** – Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>



December 23, 2010

- |   |                          |                          |                                     |                                     |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| d) Expose sensitive receptors to substantial pollutant concentrations?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| e) Create objectionable odors affecting a substantial number of people?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |

## DISCUSSION

- a) **No Impact.** The project will include removal of pollutant sources to soil and groundwater during and after demolition activities. The project is temporary in nature, and will add only a limited number of trucks and worker vehicles per day to the local roads, and as a result there will be no impacts to air quality.
- b) **No Impact.** The EIR for the demolition activities at the site provides a detailed air quality analysis which estimates air pollutant emissions during demolition activities (see section 4.2.3.1 of the Draft EIR). Computer models were used to quantify on road vehicle emissions, air pollutant emissions from fugitive dust, and fuel combustion exhaust emissions from demolition activities. Impacts on air quality from the demolition activities will be less than significant since emissions calculated using computer models prior to implementation of dust design control features are less than all San Diego Air Pollution Control District significance thresholds. Emissions from soil and groundwater remediation activities will be significantly less than those from demolition activities; therefore the project is not expected to violate any air quality standard or contribute substantially to an existing or projected air quality violation.
- c) **No Impact.** See response to item (a) above.
- d) **No Impact.** Due to the temporary nature of the project, it is not expected that soil and groundwater remediation activities will expose sensitive receptors to substantial pollutant concentration. In addition see response to item (b) above.
- e) **Less-than-Significant Impact.** The only source of odor anticipated from the project will be exhaust emissions from the diesel equipment and haul trucks. Emissions from on-site diesel-fueled equipment are not expected to cause any off-site odor issues. A small incremental increase in volume of trucks is not anticipated to cause significant odor issues at any of the nearby sensitive receptors or affect a substantial number of people along the



December 23, 2010

route. Based on the distance to the nearest sensitive receptor from the source of odiferous emissions, 250 feet to the temporary employee housing for the United States Coast Guard, and the small number of diesel-powered vehicles on-site, the potential odor impacts are expected to be less than significant.

**IV. BIOLOGICAL RESOURCES -- Would the project:**

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>



December 23, 2010

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? ☐ ☐ ☐ ☒

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? ☐ ☐ ☐ ☒

## DISCUSSION

- a) **No Impact.** The project site is completely disturbed and developed and does not contain sensitive habitats, nor does it support special-status species. Therefore, the project will not result in direct impacts to sensitive habitats or special status species. An area immediately adjacent to the project site supports occupied nesting habitat for the California least tern, a federal and state-listed species. This area is protected as a native wildlife breeding area. California Least Tern Nesting Area, nesting habitat is not only adjacent to the active SDIA runway, ovals are also located within the airfield taxiway. Section 4.3.3 of the Draft EIR specifies that a 250 feet demolition activity setback (buffer) with respect to California least terns will be implemented when California least terns are nesting, to minimize potential indirect impacts. Cleanup activities associated with the project will not occur within 250 feet of the nesting ovals.
- b) **No Impact.** The project site is completely developed and does not support any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service.
- c) **No Impact.** The project site does not support waters or wetland habitat that fall under the authority of the regulating agencies (*i.e.*, Army Corps of Engineers, California Department of Fish and Game, California Coastal Commission); therefore, no jurisdictional waters will be impacted. Furthermore, no impacts on wetlands would occur as a result of the project. No indirect impacts to off-site jurisdictional waters are anticipated.
- d) **No Impact.** The project site is highly disturbed or developed, is located within an extensive area of industrial development in an urban setting surrounded by commercial and industrial land use, and does not currently function as a wildlife movement corridor. No wildlife corridors exist in the project vicinity. Therefore, the proposed project will not substantially interfere with the movement of native wildlife species or existing wildlife corridors. No impacts to wildlife movement are anticipated as a result of the proposed project. The project will not interfere with the movement of birds, such as California least tern. California least terns have a direct flight pathway between the bay and tern colony through the adjacent parking lots east of the project site.



December 23, 2010

- e) **No Impact.** The project does not conflict with policies or ordinances that protect biological resources. In addition, the project will not conflict with any adopted local, regional, or state habitat conservation plans. The project site is not located adjacent to Multiple Habitat Planning Area (MHPA) lands; therefore, no adverse edge effects can occur on MHPA lands. No substantial adverse impacts on Tier I, Tier II, Tier IIIA, or Tier IIIB habitats will occur as a result of the proposed project (see section 4.3.4 of the Draft EIR).
- f) **No Impact.** See response to item (e) above.

**V. CULTURAL RESOURCES -- Would the project:**

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in '15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to '15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**DISCUSSION**

- a) **No Impact.** Soil and groundwater remediation activities will not involve removal or adverse changes to historical resources, archaeological resources, paleontological resources or unique archaeological resources; or result in disturbances to human remains.
- b) **No Impact.** See response to item (a) above.
- c) **No Impact.** See response to item (a) above.
- d) **No Impact.** See response to item (a) above.



**VI. GEOLOGY AND SOILS -- Would the project:**

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>



- e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? ☐ ☐ ☐ ☒

## DISCUSSION

- a.i) **No Impact.** The potential for fault rupture across the project site may exist. All existing structures, however, will be removed from the project site during demolition activities and no new structures are planned as part of the project. Therefore, should fault rupture occur on the project site, no structures will be impacted. Given the short duration of the project and the low likelihood of a surface rupture earthquake on the nearby mapped fault, the potential for fault rupture is not considered a significant impact to the project.

- a.ii) **No Impact.** See response to item (a.i) above.

- a.iii) **No Impact.** The potential for seiches, tsunamis, and volcanic hazards occurring at the project site is low, and therefore, are not considered significant impacts.

Due to the relatively flat topography at the project site, landslides and mudflows are not considered to be potential significant impacts. Further, as imported fill material will be brought on-site to fill voids created by pits and foundation pads and to bring such voids on the project site back to existing grade, the project is not expected to significantly change existing site grades. While little geotechnical laboratory data is available for the immediate project site, significant exploration of the subsurface has been performed. The soil types encountered during these studies are not known to create hazards associated with expansive soil or subsidence.

- a.iv) **No Impact.** See response to item (a.iii) above.

- b) **No Impact.** Excavation and removal of contaminated soil will occur as part of the project. Upon completion of site demolition activities, an asphalt overlay, or other suitable erosion control treatment, will be placed over the project site, which will reduce the amount of soil exposed once demolition activities have ceased.

- c) **No Impact.** Based on available information, the site is underlain by hydraulic fill; soil known to have potential for liquefaction during an earthquake. Project excavations will be shored, as needed, to prevent soil instabilities.

- d) **No Impact.** The site is not located on expansive soil.

- e) **No Impact.** The project does not involve use or installation of septic tanks or alternative wastewater disposal systems.



December 23, 2010

**VII. GREENHOUSE GAS EMISSIONS:** Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**DISCUSSION**

The project will include removal of pollutant sources to soil and groundwater during and after demolition activities. The project is temporary in nature, and will add only a limited number of trucks and worker vehicles per day to the local roads, and as a result would contribute to some generation of greenhouse gasses and global climate change. There would be no net change in the generation of greenhouse gasses after active remediation inasmuch as operation and maintenance of the site would be unchanged from operation and maintenance of the existing site. The level of greenhouse gas generation would be minimal within the global profile of greenhouse gas generation, and is therefore considered less than significant.

**VII. HAZARDS AND HAZARDOUS MATERIALS --** Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>



Negative Declaration – Environmental Checklist  
Onsite Waste Treatment Systems/Advanced Treatment Units

December 23, 2010

- |  |                          |                          |                                     |                                     |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| 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?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 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 it create a significant hazard to the public or the environment?                                   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| h) 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?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |



## DISCUSSION

- a) **Less than Significant Impact.** Hazardous materials may be generated during demolition, decontamination, and excavation of contaminated soil. All waste generated during closure operations will be transported offsite for disposal; no waste will be treated offsite.
- b) **Less than Significant Impact.** No studies have been performed to examine hazards to the public or the environment through reasonably foreseeable upset and accident conditions of the site. Work, however, will be performed within the confines of fenced and secured property, so no public hazards are anticipated.
- c) **No Impact.** There are no schools within 0.25 mile of the project site. The nearest school is over 1 mile southeast of the project site. Therefore, the project will not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school. No hazards or hazardous materials impact to schools will occur with implementation of the project.
- d) **Less than Significant Impact.** The project site is included on agency hazardous materials sites, and contains known underground hazardous materials releases. Contaminated soil and groundwater encountered during demolition activities will be handled in accordance with applicable regulations to ensure worker safety and minimize the potential release of contaminants. The impacts to worker health and safety from exposure to impacted soil and groundwater during demolition and grading activities are considered to be less than significant because impacts will be minimized through compliance with existing safety and remediation regulations, and by implementation of a Site Specific Health & Safety Plan that will include procedures required to minimize potential risk to workers.
- e) **No Impact.** The project area has been identified as being located in Zone B2 in the San Diego County Airport Land Use Compatibility Plan (ALUCP) Policy Document. Zone B2 is located within the sideline safety zone (Safety Zone 5). The sideline safety zone is not an area of substantial risk, and encompasses the close-in area lateral to runways. The sideline safety zone is reportedly an area not normally over flown, the primary risk being the aircraft losing directional control on takeoff. Airport safety requirements will be incorporated into any Site Specific Health & Safety Plan. Based on compliance with appropriate airport safety requirements, the there will be no impact potential impacts to workers in the project area ~~will be less than significant~~.
- f) **No Impact.** The project will not be located within the vicinity of a private airstrip. Therefore, the project will not result in a safety hazard for people residing or working in the project area because of a private airstrip.
- g) **No Impact.** Emergency response and evacuation procedures for the project area are coordinated by the San Diego Police Department, the San Diego County Fire



December 23, 2010

Department, the SDUPD, and the SDIA. The project will not involve construction of new facilities. Therefore, changes to the existing spill contingency plans and emergency response plans will not be required.

- h) **No Impact.** The project site and the surrounding vicinity are not located within a Wildland Fire Hazard Zone. The project will, however, be required to comply with all fire codes and regulations related to emergency services access. The project will not expose people or structures to significant risk of loss, injury, or death involving wildland fires; therefore, there will be no impact from wildland fires.

**VIII. HYDROLOGY AND WATER QUALITY -- Would the project:**

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially 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 uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>



Negative Declaration – Environmental Checklist  
Onsite Waste Treatment Systems/Advanced Treatment Units

December 23, 2010

- |   |                          |                          |                                     |                                     |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| f) Otherwise substantially degrade water quality?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?                  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| i) 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?                    | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| j) Inundation by seiche, tsunami, or mudflow?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

## DISCUSSION

- a) **Less than Significant Impact.** No individual waste discharge requirements are proposed for the project. **Additionally, TDY is enrolled under Order No. R9-2008-0081, General Waste Discharge Requirements for In-situ Groundwater Remediation Projects Within the San Diego Region. A separate Negative Declaration was adopted by the San Diego Water Board for Order No. R9-2008-0081.** In addition the site is located in the Lindbergh Hydrologic Sub Area (8.21) of the San Diego Mesa Hydrologic Area within the Pueblo San Diego Hydrologic Unit. Groundwater in the Lindbergh Hydrologic Sub Area has no designated beneficial uses and has been exempted from the municipal use designation by the San Diego Water Board.

Addendum No. 4 directs TDY to cleanup soil and groundwater impacted by PCBs, VOCs, total petroleum hydrocarbons, and metals to specified clean up levels. Cleanup levels in Addendum No. 4 are consistent with Water Quality Control Plans and Policies



December 23, 2010

adopted by the State and Regional Water Boards, and are protective of current and future onsite human receptors of concern.

- b) **No Impact.** Soil and groundwater remediation activities will not lead to use or depletion of groundwater supplies, thus, the project would not lower the levels of the groundwater table.
- c) **No Impact.** Soil and groundwater remediation activities would not be of the size or scale to result in substantial alteration of existing drainage pattern of land 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.
- d) **No Impact.** Soil and groundwater remediation activities would not be of the size or scale to result in substantial alteration of 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.
- e) **No Impact.** Soil and groundwater remediation activities would not be of the size or scale to create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff.
- f) **Less than Significant Impact.** Soil and groundwater remediation activities are not expected to adversely affect water quality. The directives in Addendum No. 4 are established to ensure that contaminated soil and groundwater at the site are cleaned up to required levels.
- g) **No Impact.** According to the Federal Emergency Management Agency (FEMA) Flood Control Map (FIRMette: Map Id No. 06073C1881F), the project site is not within a 100-year flood plain. ~~In addition, according to the FEMA Map, the lower southeastern portion of the project site, identified as Zone X, has been determined to be outside the 500-year floodplain (see section 4.7.3.1.1 of the Draft EIR).~~ Further, the project site exists within a fully developed urbanized area with mixed residential, commercial and industrial land uses.
- h) **No Impact.** See response to item (g) above.
- i) **No Impact.** See response to item (g) above.



December 23, 2010

**IX. LAND USE AND PLANNING** - Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any 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, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**DISCUSSION**

- a) **No Impact.** The project will not physically divide an established community, conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project, or conflict with any applicable habitat conservation plan or natural community conservation plan.
- b) **No Impact.** See response to item (a) above.
- c) **No Impact.** See response to item (a) above.



December 23, 2010

**X. MINERAL RESOURCES** -- Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**DISCUSSION**

a) **No Impact.** The project site is underlain by artificial fill. Additionally, no mineral resources of future value to the region are anticipated to be located within the project site. The project site is not designated or utilized as a mineral resource recovery site and will therefore, not result in the loss of availability of a locally important mineral resource. Therefore, the project will have no impacts to mineral resources.

b) **No Impact.** See response to item (a) above.

**XI. NOISE** -- Would the project result in:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>



December 23, 2010

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

## DISCUSSION

- a) **Less than Significant Impact.** Soil and groundwater remediation activities may result in production of low levels of noise for short term periods. Potential noise and vibration impacts from soil and groundwater remediation will be minimal compared to noise and vibration impacts from demolition activities and the from the SDIA runway. For these reasons, the project is considered to have a less-than-significant noise impact.
- b) **Less than Significant Impact.** See the response to item (a) above.
- c) **Less than Significant Impact.** See the response to item (a) above.
- d) **Less than Significant Impact.** See the response to item (a) above.
- e) **No Impact.** Soil and groundwater remediation activities would not involve any activities that could expose people residing or working near an airport to excessive noise levels, as a result there will be no impact.
- e) **No Impact.** See the response to item (e) above.



December 23, 2010

**XII. POPULATION AND HOUSING** -- Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**DISCUSSION**

- a) **No Impact.** The project will not substantially induce growth in the project site either directly or indirectly. The project will not alter the existing location or distribution of population within the project site. The project site does not contain any residential uses, and will not result in a significant effect to existing housing, displace existing housing, or create a demand for additional housing. Therefore, the proposed project will have no impacts to population and housing.
- b) **No Impact.** See response to item (a) above.
- b) **No Impact.** See response to item (a) above.



### XIII. PUBLIC SERVICES

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the 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:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### DISCUSSION

- a) **No Impact.** The project does not include development of the project site. Therefore the project will not require additional long term fire protection, police protection, schools, parks, or other public facilities. Therefore, the project will not result in impacts to public service.



December 23, 2010

#### XIV. RECREATION --

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Would the project 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

#### DISCUSSION

- a) **No Impact.** Soil and groundwater remediation activities will not increase the demand for recreational facilities. Construction or expansion of recreational facilities are not part of the project. Therefore, the project will have no impacts to park or recreational facilities.
- b) **No Impact.** See the response to item (a) above.

#### XV. TRANSPORTATION/TRAFFIC -- Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Cause an increase in traffic which 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 capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>



- |  |                          |                          |                                     |                                     |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 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?      | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?               | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| e) Result in inadequate emergency access?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| f) Result in inadequate parking capacity?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?                                     | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

## DISCUSSION

- a) **Less-than-Significant Impact.** Soil and groundwater remediation activities may result in increased traffic in area surrounding the project from use of trucks and other construction vehicles for a short time period. Increased traffic however, will be temporary and minimal in relation to the existing traffic load and capacity of the street system; and will not result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections. Therefore, the project will have a less-than-significant impact on traffic conditions.
- b) **Less-than-Significant Impact.** Increased traffic from use of trucks and other construction vehicles will be minimal and on a temporary basis. Therefore, this impact is considered less than significant.
- c) **No Impact.** Increased traffic from use of dump trucks and other construction vehicles during soil and groundwater remediation activities will be minimal and on a temporary basis, and therefore will not result in change in air traffic patterns (either from an increase in traffic levels or a change in location that results in substantial safety risks).



December 23, 2010

- d) **No Impact.** No known hazards due to design features or incompatible uses of roads or highways exist in the vicinity of the site.
- e) **No Impact.** Parking for over 200 vehicles is available at the site. Parking capacity is more than ample for purposes of the project.
- f) **No Impact.** The project will not affect emergency access routes in the area.
- g) **No Impact.** For the same reasons described in items (a) through (f) above, and since alternative transportation systems are not likely to be established at or around the project site, there will be no impact to alternative transportation systems.

**XVI. UTILITIES AND SERVICE SYSTEMS -- Would the project:**

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>



- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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 projected demand in addition to the provider existing commitments? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Comply with federal, state, and local statutes and regulations related to solid waste?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

## DISCUSSION

- a) **No Impact.** It is not anticipated that soil and groundwater remediation activities will lead to discharges of wastewater causing exceedance of wastewater treatment facilities.
- b) **No Impact.** No new construction is proposed as part of the project, so the project will not result in construction of additional wastewater treatment facilities.
- c) **No Impact.** Stormwater Best Management Practices (BMPs) were implemented on all inlet and outlet catchment basins throughout the project site (see section 4.11.3.3 of the Draft EIR). Consequently, there is no current discharge of site runoff to the storm drain system. The project will not require new stormwater drainage or expansion of stormwater drainage; therefore, the project will have no impact related to stormwater drainage systems.
- d) **No Impact.** The amount of water required is not anticipated to result in a need for new water supply systems or entitlements. In addition, as there are no proposed uses for the site, once cleanup activities have ceased, the project will not require use of local or regional water supplies. Therefore, the project will have no impact to water supplies.
- e) **No Impact.** The project does not propose future activities or construction that may require permanent additional capacity for the wastewater treatment provider. The project will not result in a long-term increased demand to the local wastewater treatment provider's existing commitments or require additional capacity. Therefore, the project will have no impact to wastewater treatment.
- f) **No Impact.** There is sufficient permitted capacity to accommodate the project's solid-waste disposal needs in landfills.



December 23, 2010

- g) **No Impact.** The project will comply with all federal, state, or local statutes and regulations related to solid wastes.

## XVII. MANDATORY FINDINGS OF SIGNIFICANCE --

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Does the project 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a 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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## DISCUSSION

- a) **No Impact.** The project is not expected 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. An explanation of why the project will have no impact on these factors is addressed in Section IV (Biological Resources) above.



December 23, 2010

- b) **No Impact.** Because all of the potential effects of the project will be temporary and short in duration, the project does not have impacts that are individually limited but cumulatively considerable.
- c) **No Impact.** Soil and groundwater remediation activities will not cause environmental effects which will have substantial adverse effects on human beings, either directly or indirectly.

#### REFERENCES

1. San Diego Water Board, February 9, 2011. Addendum No. 4 to Cleanup and Abatement Order No. R9-2004-0258, TDY Industries, Inc. (f/k/a Teledyne Industries, Inc. TDY Holdings, LLC and Teledyne Ryan Aeronautical Company.
2. URS (Prepared for the San Diego Unified Port District), April 2009. Draft Environmental Impact Report for the 2701 North Harbor Drive Demolition Project (Draft EIR).



## CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD

### SAN DIEGO REGION

#### RESPONSES TO COMMENTS ON THE INITIAL STUDY/ENVIRONMENTAL CHECKLIST FOR ADDENDUM NO. 4 TO CLEANUP AND ABATEMENT ORDER NO. R9-2004-0258

#### APRIL 13, 2011 SAN DIEGO WATER BOARD MEETING

Comments on the Initial Study/Environmental Checklist, were received from Teledyne Ryan Aeronautical (TDY), the City of San Diego, and the California Department of Toxic Substances Control.

The following are responses to comments received from TDY. Minor changes have been made to the Initial Study/Environmental Checklist in response to the comments received. No changes, however, have been made to impact findings in the Initial Study/Environmental Checklist:

1. *Comment: Page 1, Item 4 references the project site being covered by 50 buildings. There is only one building currently standing.*

The following section of Page 1, Item 4 has been deleted:

~~The project site includes approximately 50 industrial buildings (approximately 1 million square feet) surrounded by security fencing, as well as three parking lots utilized for SDIA operations. The buildings are primarily large manufacturing warehouses, offices, and other support structures such as mechanical buildings, test cells, and storage facilities.~~

2. *Comment: Page 2, Item 8 references Addendum 4 to the CAO requiring TDY to terminate illicit discharges to the SWCS. We've submitted comments asking this to be removed from this addendum as it is covered in Addendum (3).*

The following section of Page 2, Item 8 has been modified as follows:

Addendum No. 4 requires TDY to remediate contaminated soil and groundwater at the former TDY site, ~~terminate any illicit discharges to the storm water conveyance system (SWCS) at the project site,~~ prepare a Remedial Action Plan (RAP) capable of achieving specified cleanup levels; and verify cleanup and abatement completion.

3. *Comment: Page 3, Item 8 references to Airport redevelopment plans and demolition schedule, we suggest that the references to demolition schedule be changed to "are scheduled to commence" as opposed to "will commence".*

The following section of Page 3, Item 8 has been modified as follows:

Removal of subsurface structures such as concrete slabs, foundations, utilities, and most of the onsite SWCS **is scheduled to** ~~will~~ commence in June 2011 and end approximately in June 2012.



4. *Comment: Page 20 (a) under Hydrology and Water Quality, the document states that “no waste discharge requirements are proposed for the project” this seems to be at odds with our general WDR for EISB injections.*

Section VIII, Hydrology and Water Quality (page 20, Discussion Item a) has been modified as follows:

**Less than Significant Impact.** No individual waste discharge requirements are proposed for the project. Additionally, TDY is enrolled under Order No. R9-2008-0081, *General Waste Discharge Requirements for In-situ Groundwater Remediation Projects Within the San Diego Region*. A separate Negative Declaration was adopted by the San Diego Water Board for Order No. R9-2008-0081.

5. *Comment: Page 21 (g) States that the lower southeastern portion of the project Site is outside the 500 year floodplain, when this portion of the site is the only portion that is IN the 500 year floodplain. This misinterpretation of the FEMA map was contained in the Port’s draft EIR.*

Section VIII, Hydrology and Water Quality (page 21, Discussion Item g) has been modified as follows:

**No Impact.** According to the Federal Emergency Management Agency (FEMA) Flood Control Map (FIRMette: Map Id No. 06073C1881F), the project site is not within a 100-year flood plain. ~~In addition, according to the FEMA Map, the lower southeastern portion of the project site, identified as Zone X, has been determined to be outside the 500-year floodplain (see section 4.7.3.1.1 of the Draft EIR).~~ Further, the project site exists within a fully developed urbanized area with mixed residential, commercial, and industrial land uses.

The following are in response to comments received from the City of San Diego via letter dated February 2, 2011. No changes have been made to impact findings in the Initial Study/Environmental Checklist as a result of these comments:

1. *Comment:*

*Tentative Resolution No. R9-2011-0018:* *Currently, Draft Addendum No. 4 contains language on alternative cleanup levels (ACLs), remediation methods, exposure pathways, and contaminant migration pathways that appear to be based more on economics and the reduction of risk to TDY than future risks. The City is concerned the current language in Draft Addendum No. 4 potentially increases future City liabilities associated with the discharge of impacted storm water from the TDY site to the City owned and operated 60" Storm Water Conveyance System (SWCS), and the migration of contaminated groundwater to Convair Lagoon and San Diego Bay (Bay). The City recommends the Regional Board extend the comment period and postpone adoption of the Negative Declaration for this project until numerous technical issues submitted during the recent public comment period have been evaluated and addressed.*



Response: Technical issues with Addendum No. 4 submitted during the public comment period (including those mentioned in this comment) have been resolved, and Addendum No. 4 has been revised as appropriate. The revisions to Addendum No. 4 were evaluated with respect to the Initial Study/Environmental Checklist. As a result of that evaluation, only minor revisions were made to the Initial Study/Environmental Checklist. All impact findings remain "Less Than Significant" or "No Impact". The City's concern expressed in this comment regarding potential liabilities from discharge of impacted stormwater from the TDY site is addressed in Response to Comments on Addendum No. 4. An extension of the comment period, therefore, is not warranted.

2. *Comment:*

*Environmental Checklist - Description of Project: The ND appears to include only one SWCS, presumably the 60" SWCS, in the discussion of illicit waste discharges. In fact, there are six SWCS (54", 60", 30" West, 30" East, 15" San Diego Bay, and 30" San Diego Bay) that originate from the TDY site. Each of these six SWCS have transported and discharged contaminated sediments and storm water and industrial wastewater to Convair Lagoon and Bay. The City recommends the Regional Board include all active and inactive SWCS in their evaluation of this project as the SWCS will potentially present on-going chronic sources of contamination to the Bay and Convair Lagoon unless they are fully remediated. In the fourth sentence of the second paragraph of this section, the Regional Board confirms the potential for waste constituents present on the TDY site to eventually migrate to the Bay via various preferential pathways. The City recommends the statement include the potential for waste constituents to migrate to Convair Lagoon and adjacent land areas via surface water runoff and fugitive dust emissions. The City also recommends the third paragraph include the abatement of waste discharges to all SWCS, not just waste discharges to land.*

Response: Addendum No. 4 requires that all of the six storm drains listed above be investigated, and if necessary be cleaned up through sediment removal. The reference to SCWS in paragraph 8 of the Initial Study (Description of Project) includes all six SCWS. As a result, no changes to the section of the Initial Study/Environmental Checklist referenced above (third paragraph, page 3, Item 8 of Initial Study) are necessary.

Potential impacts from fugitive dust emissions and surface water runoff have also been addressed in the Environmental Impact Report related to site demolition (Demolition EIR). Section 4.5.3.3 of the Demolition EIR specifies that upon completion of demolition activities, an asphalt overlay, or suitable erosion control treatment will be placed on the project site, which will reduce the amount of soil exposed once demolition activities have ceased.

3. *Comment:*

*Environmental Checklist - Environmental Factors Potentially Affected: As currently written, Draft Addendum No. 4 contains language that will allow concentrations of*



*metals to remain in shallow site soils at levels exceeding California Code of Regulations Title 22 Total Threshold Limit Concentration (TTLC) criteria. Such an allowance means in the event site soils containing metals at concentrations greater than TTLC criteria are excavated or otherwise disturbed, the developer of this site (e.g. Airport) will be managing a hazardous waste. The language also means that if high concentrations of metals and other contaminants such as Volatile Organic Compounds (VOCs) and Total Petroleum Hydrocarbons (TPH) are allowed to remain in site soils, this residual contamination will present a chronic source of contamination to shallow groundwater, adjacent land areas, and the nearby Convair Lagoon. The Airport indicated they currently have no firm timeline for site development or plans to cover the entire site with an impermeable barrier. Thus, the potential exists for adverse impacts to adjacent human and biological receptors via fugitive dust emissions and surface water runoff. Therefore, the residual risks present on the TDY site after site cleanup and prior to site development may present adverse impacts to sensitive biological and human resources, leave hazards and hazardous materials (e.g.wastes) in shallow onsite soils, impact air quality due to fugitive dust emissions, and continue to degrade local water quality. The City suggests the Regional Board postpone determinations of impact on adjacent resources until the numerous technical comments submitted during the public comment period have been evaluated and addressed.*

Response: The Alternative Cleanup Levels specified in Addendum No. 4 are consistent with the Basin Plan and State Board Resolution No. 92-49 for establishing cleanup levels above background. Although not technically required to cleanup beyond the established risk-based Alternative Cleanup Levels, TDY has agreed to Alternative Cleanup Levels for soil set below TTLC criteria since it doesn't change the economic or technical feasibility analysis. Soil sampling results have found no contaminants in soil at the site above TTLC criteria.

An asphalt overlay and other suitable erosion control treatment alternatives will be placed on the site upon completion of demolition activities to reduce soil erosion from runoff and fugitive dust emissions (see Section 4.5.3.3 of the Demolition EIR). The erosion control treatment will not be placed until after excavation of contaminated soil. Thus erosion of contaminated soil and fugitive dust will not be a problem.

It is not necessary to postpone determinations of impact on adjacent resources because the San Diego Water Board has considered the technical comments on Addendum No. 4 and no changes to impact findings in the Initial Study/Environmental Checklist are warranted.

4. *Comment:*

*Environmental Checklist - Evaluation of Environmental Impacts:* According to Item 1 in this section, "No Impact" answers are to be adequately supported by the information sources the lead agency cites in parentheses following each question. This requirement is not followed in this document. The City recommends the Regional Board provide the specific reference(s) used to make the determination of "No Impact" for the various environmental, planning, and regulatory issues evaluated in this checklist. The City notes only two references are cited on the last page of the document, Draft



*Addendum No.4 with a future date of February 9, 2011, and the April 2009 Draft Environmental Impact Report prepared by URS for the Port. Neither of these draft documents are listed as support documentation for the various issues/questions evaluated. The City also notes a significant number of technical comments were submitted on Draft Addendum No.4 during the recent public comment period that question the determination of "No Impact" for numerous questions answered in this document. The City recommends the Regional Board postpone determinations of "No Impact" until the submitted technical comments have been evaluated and addressed.*

Response: Item 1, page 6 of Initial Study/Environmental Checklist states that a brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in parentheses. Consequently an explanation should be provided for all "No impact" answers, and an explanation does not have to be provided if the "No Impact" answer is supported by an information source cited in parentheses. This format was followed in responding to answers in the Initial Study/Environmental Checklist, and an explanation is given for all "No Impact" answers. Therefore, additional references do not have to be provided for "No Impact" answers. It is not necessary to postpone determinations of "No Impact" because the San Diego Water Board has considered the technical comments on Addendum No. 4 and no changes to impact findings in the Initial Study/Environmental Checklist are warranted.

5. *Comment:*

*Environmental Checklist - III. Air Quality and IV. Biological Resource: Until technical comments on the Alternative Cleanup Levels, extent of site cleanup, and site development are evaluated and addressed in Draft Addendum No. 4, the City suggests the Regional Board postpone its determination of potential impacts to air quality and biological resources. If the levels of contamination currently proposed in Draft Addendum No.4 are allowed to remain in shallow site soils with uncertainty in the timing and extent of site redevelopment, biological resources present onsite before redevelopment and in adjacent land areas and Convair Lagoon are potentially susceptible to adverse impacts from contaminated fugitive dust emissions and surface water runoff. The City believes a determination of "Less Than Significant with Mitigation Incorporation" or "Potentially Significant Impact" is a more appropriate determination for this issue until the revised Draft Addendum No.4 is available for review.*

Response: Technical comments on Addendum No. 4 regarding Alternative Cleanup Levels have been addressed and no changes to the conclusions in the Initial Study/Environmental Checklist are warranted. An asphalt overlay and other suitable erosion control treatment alternatives will be placed on the site upon completion of demolition activities to reduce soil erosion from runoff and fugitive dust emissions (see Section 4.5.3.3 of the Demolition EIR). This site is in an area zoned for commercial/industrial uses. The ecological risk assessment found no receptors on site.



6. *Comment:*

*Environmental Checklist - VI. Geology and Soils:* *The site may be left in a condition that encourages the erosion of contaminated soil from the site to adjacent areas via fugitive dust emissions and surface water runoff. The City believes a determination of "Less Than Significant with Mitigation Incorporation" or "Potentially Significant Impact" is a more appropriate determination until the revised Draft Addendum No.4 is available to describe how contaminated site soils will be mitigated to prevent soil erosion prior to future site development.*

Response: Section 4.5.3.3 of the Demolition EIR specifies that upon completion of demolition activities, an asphalt overlay, or suitable erosion control treatment will be placed on the project site, which will reduce the amount of soil exposed once demolition activities have ceased. The erosion control treatment will not be placed until after excavation of contaminated soil. Thus erosion of contaminated soil and fugitive dust will not be a problem. It is not necessary to postpone determinations of "No Impact" because the San Diego Water Board has considered the technical comments on Addendum 4 and no changes to impact findings in the Initial Study/Environmental Checklist are warranted.

7. *Comment :*

*Environmental Checklist – VII. Hazards and Hazardous Materials:* *The site may be left in a condition that presents exposure of humans to residual wastes potentially classified as hazardous waste under Title 22 TTLC criteria. The City believes a determination of "Less Than Significant with Mitigation Incorporation" or "Potentially Significant Impact" is a more appropriate determination for this issue until the revised Draft Addendum No. 4 is available to describe how residual contamination in site soils and shallow groundwater will be mitigated to prevent exposure to human receptors prior to and during future site development.*

Response: Soil sampling results have shown no contaminants in soil at the site above TTLC criteria. Additionally, TDY has agreed to Alternative Cleanup Levels for soil below TTLC criteria. The human health risk assessment concluded that the Alternative Cleanup Levels are protective of human health for commercial/industrial land use. It is not necessary to postpone determinations of "No Impact" because the San Diego Water Board has considered the technical comments on Addendum No. 4 and no changes to impact findings in the Initial Study/Environmental Checklist are warranted.

8. *Comment :*

*Environmental Checklist - VIII. Hydrology and Water Quality:* *Currently all storm drain inlets to the six onsite SWCS have been sealed and as a result, site drainage has been significantly altered over the past year. Because there is no connection to onsite SWCS, there is an increased potential for the runoff of contaminated surface water during heavy precipitation events. This is particularly true if the current proposed soil ACLs are allowed and redevelopment of the site is delayed. The City believes a*



*determination of "Less Than Significant with Mitigation Incorporation" or "Potentially Significant Impact" is a more appropriate determination for this issue until the revised Draft Addendum No.4 is available for review.*

Response: A rainwater containment system has been installed at the site to contain rainwater equivalent to a 24-hour 100-year storm. Captured rain water will be treated and discharged to the City of San Diego's sanitary sewer system which reduces potential for runoff of contaminated stormwater from the site. No change to the Environmental Checklist is warranted. It is not necessary to postpone determinations of "No Impact" because the San Diego Water Board has considered the technical comments on Addendum 4 and no changes to impact findings in the Initial Study/Environmental Checklist are warranted.

9. *Comment :*

*Environmental Checklist - IX. Land Use and Planning:* *The proposed ACLs for the TDY site may hinder redevelopment of the site after cleanup and present potential impacts to Convair Lagoon and the two active SWCS (54" and 60"). Such concerns if not addressed adequately in Draft Addendum No. 4 will impact future land use and potentially present adverse regulatory issues for the City regarding contaminated storm water discharges to Convair Lagoon and the Bay. The City believes a determination of "Less Than Significant with Mitigation Incorporation" or "Potentially Significant Impact" is a more appropriate determination for this issue until the revised Draft Addendum No. 4 is available for review.*

Response: Redevelopment of the site for uses other than the currently zoned land use of commercial/industrial is outside the scope of the project. If, in the future, the land is rezoned for an alternative land use designation, TDY may be required to conduct additional cleanup. It is not necessary to postpone determinations of "No Impact" because the San Diego Water Board has considered the technical comments on Addendum No. 4 and no changes to the impact findings in the Initial Study/Environmental Checklist are warranted.

10. *Comment :*

*Environmental Checklist - XVI. Utilities and Service Systems:* *Construction of new onsite storm water drainage facilities and modification of existing facilities will likely be required as site remediation progresses. If the storm water drainage/discharge facilities are not constructed or maintained adequately to manage heavy precipitation events, there is an increased potential for runoff of contaminated storm water from the site. Without finalization of ACLs and the extent of site cleanup required in the Draft Addendum No. 4, the quantity and types (TSCA, RCRA, Title 22, non-Hazardous Solid Waste, etc.) of wastes requiring disposal in permitted facilities is unknown. The ability to determine there is no impact from this project on limited regional permitted disposal facilities is probably premature. The City believes a determination of "Less Than Significant with Mitigation Incorporation" is a more appropriate determination for this issue until the revised Draft Addendum No. 4 is available for review.*



Response: The site is currently bermed to collect all stormwater runoff which is treated and discharged to the sanitary sewer. Construction of new onsite drainage facilities and modification of existing facilities is unlikely to occur before site cleanup is completed. Even with lowering Alternative Cleanup Levels to below TTLC criteria, the volume of waste generated by the cleanup should not increase. This is because the extent of contamination at the site is well documented. Furthermore, soil sampling results have shown no contaminants in soil on site above TTLC criteria. It is not necessary to postpone determinations of "No Impact" because the San Diego Water Board has considered the technical comments on Addendum No. 4 and no changes to the conclusions in the Initial Study/Environmental Checklist are warranted.

11. *Comment:*

*Environmental Checklist - XVII. Mandatory Findings of Significance: This environmental checklist does not provide references for the documentation used to support the determinations (e.g. No Impact) listed under the various environmental, planning, and regulatory issues evaluated in this document. The document appears to rely primarily on statements and Findings listed in Draft Addendum No. 4, a document currently under review by the San Diego Water Board due to a large number of technical comments submitted during the recent public review comment period.*

*Until the technical comments submitted to the Regional Board on Draft Addendum No. 4 have been evaluated and addressed, the City believes it is premature to issue a determination of No Impact for this project. The City suggests a determination of "Less Than Significant with Mitigation Incorporation" or "Potentially Significant Impact" is a more appropriate determination for this project until the revised Draft Addendum No.4 is available for review.*

Response: The San Diego Water Board is not required to provide references beyond the explanatory information for "No Impact" answers in evaluation of environmental impacts of the project. In several instances, however, references were provided in support of "No Impact" answers. The San Diego Water Board has also reviewed comments received on Addendum No. 4. Changes made to Addendum No. 4 as a result of comments received have not resulted in any changes to the project description or impact findings in the Initial Study/Environmental Checklist.

The following are in response to comments received from the California Department of Toxic Substances Control via letter dated February 9, 2011. No changes have been made to impact findings in the Initial Study/Environmental Checklist as a result of these comments:

1. *Comment: The document states that the ND would identify any known or potentially contaminated sites within the proposed project area.*

Response: Areas of potential concern and areas of concern at the site due to soil and groundwater contamination are identified in Addendum No. 4 (see Findings No. 7 and 8 of Addendum No. 4).



2. *Comment: The ND should identify the mechanism to initiate any required investigation and/or remediation for any site that may be contaminated, and the government agency to provide appropriate regulatory oversight. If hazardous materials or wastes were stored at the site, an environmental assessment should be conducted to determine if a release has occurred. If so, further studies should be carried out to delineate the nature and extent of the contamination, and the potential threat to public health and/or the environment should be evaluated. It may be necessary to determine if an expedited response action is required to reduce existing or potential threats to public health or the environment. If no immediate threat exists, the final remedy should be implemented in compliance with state laws, regulations and policies.*

Response: This site has been characterized and remediation is underway. The San Diego Water Board is the lead regulatory agency providing oversight and has issued a Cleanup and Abatement Order to the responsible party. Demolition is occurring to remove building materials. As additional areas of potential concern are identified during demolition, the responsible party has a contingency plan in place to perform further investigation and cleanup as necessary.

3. *Comment: The project construction may require soil excavation and soil filling in certain areas. Appropriate sampling is required prior to disposal of the excavated soil. If the soil is contaminated, properly dispose of it rather than placing it in another location. Land Disposal Restrictions (LDRs) may be applicable to these soils. Also, if the project proposes to import soil to backfill the areas excavated, proper sampling should be conducted to make sure that the imported soil is free of contamination.*

Response: All of these provisions are included in the Contingency Plan and will be done as part of site cleanup.

4. *Comment: Human health and the environment of sensitive receptors should be protected during the construction or demolition activities. A study of the site overseen by the appropriate government agency might have to be conducted to determine if there are, have been, or will be, any releases of hazardous materials that may pose a risk to human health or the environment.*

Response: Demolition activities at the site are not part of this project. Impacts from the demolition were evaluated in the Demolition EIR.

5. *Comment: If during construction/demolition of the project, soil and/or groundwater contamination is suspected, construction/demolition in the area should cease and appropriate health and safety procedures should be implemented. If it is determined that contaminated soil and/or groundwater exist, the ND should identify how any required investigation and/or remediation will be conducted, and the appropriate government agency to provide regulatory oversight.*

Response: Addendum No. 4 requires a Contingency Plan for additional remedial action in the event demolition activities reveal new environmental concerns such as



contaminated soil and/or groundwater. In addition, measures to minimize any potential health and safety impacts to workers from exposure to soil and groundwater during demolition activities will be addressed in a Demolition Site Specific Health & Safety Plan.

6. *Comment: If weed abatement occurred, onsite soils may contain herbicide residue. If so, proper investigation and remedial actions, if necessary, should be conducted at the site prior to construction of the project.*

Response: We have no records that weed abatement was conducted at the site. A majority of the site is paved with asphalt and concrete.

7. *Comment: DTSC can provide guidance for cleanup oversight through an Environmental Oversight Agreement (EOA) for government agencies that are not responsible parties, or a Voluntary Cleanup Agreement (VCA) for private parties. For additional information on the EOA or VCA, please see [www.dtsc.ca.gov/SiteCleanup/Brownfields](http://www.dtsc.ca.gov/SiteCleanup/Brownfields), or contact Ms. Maryam Tasnif-Abbasi, DTSC's Voluntary Cleanup Coordinator, at (714) 484-5489.*

Response: Comment noted