

MOTION

ENERGY & ENVIRONMENT

Across the City, many *brownfields* — properties with the presence of hazardous substances, pollutants, or contaminants — pose significant risks and safety hazards for the community. These conditions often occur on underused or abandoned properties formerly used for commercial or industrial uses, such as automotive repair shops, warehouses, dry cleaning facilities, and factories located in close proximity to schools, housing, and community amenities. While these *brownfield* sites no longer actively cause pollution, these facilities leave behind toxic chemicals and hazardous waste that continue to contaminate and pollute the air, water, soil, and wildlife in surrounding neighborhoods.

Many of these brownfield sites have proposed projects for redevelopment or reuse. However, the City currently lacks a formal clearance and intergovernmental notification process for brownfield sites with the California Department of Toxic Substance Control (DTSC) and any other County, State, and Federal agencies with jurisdiction over contaminated sites when a private applicant seeks City approvals. This is problematic, as environmental reviews are critical to ensuring redevelopment and reuse do not harm surrounding neighborhoods. It is essential that the City Departments, such as the Department of Building and Safety (LADBS), the Planning Department (DCP), the Bureau of Engineering (BOE), the Department of Sanitation (LASAN), the Los Angeles Fire Department (LAFD), and the Department of Transportation (LADOT) develop the permitting process systems to check with DTSC and other agencies with oversight of contamination issues for any potential impacts on proposed project sites.

Therefore, LADBS, DCP, and other Departments need to provide an overview and recommendations to enhance the existing *brownfields* permitting process, and in addition, any discretionary actions relative to the *brownfields* and the application status, certificate of occupancy, environmental clearance, vesting rights, and duration of any vesting rights permits issued, and how to report any permit/construction violations.

I THEREFORE MOVE that the Council instruct the Department of Building and Safety (LADBS), the Planning Department (DCP), the Bureau of Engineering (BOE), the Department of Sanitation (LASAN), the Fire Department and the Department of Transportation (LADOT), in consultation with the City Attorney, to prepare a report with the following recommendations:

- Require coordination with any County, State, or Federal agency with jurisdiction over contaminated sites, including but not limited to the Department of Toxic Substances Control, California Air Resources Board, and the Los Angeles Regional Water Quality Control Board, and creation of a clearance for the issuance of any permits for development projects on private property seeking to repurpose existing *brownfield* sites (i.e., contaminated sites listed on a State database) into other proposed land uses;
- Update City databases, such as but not limited to ZIMAS, with zoning information or overlay tools that can be used to identify *brownfield* sites to ensure appropriate clearances are included when developers are seeking a permit; and
- Revise the LADBS Information Bulletin “Procedures When Hazardous and Contaminated Materials are Encountered During Construction or Geotechnical/Geological Exploration” to reflect any changes.

PRESENTED BY:


EUNISSES HERNANDEZ
Councilmember, 1st District

SECONDED BY:




ORIGINAL


MPC

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