

**CALIFORNIA ENVIRONMENTAL QUALITY ACT
NOTICE OF DETERMINATION**

To: Office of Planning and Research
State Clearinghouse
P.O. Box 3044, 1400 Tenth Street, Room 212
Sacramento, CA 95812-3044

From: Department of Toxic Substances Control
Site Mitigation and Restoration
8800 Cal Center Drive
Sacramento, CA 95826

Subject: FILING OF NOTICE OF DETERMINATION IN COMPLIANCE WITH SECTION 21108 OF THE PUBLIC RESOURCES CODE

Project Title: Brownell Middle School Modernization Project, Removal Action Workplan

State Clearinghouse Number: 2019079021

Project Location: 7800 Carmel Street, Gilroy, CA 95020

County: Santa Clara County

Project Applicant: Gilroy Unified School District

Project Description: The project involves approval of a Removal Action Workplan (RAW) for the Brownell Middle School (Site) Modernization Project (Project). The project consists of the excavation and off-site removal of approximately 360 cubic yards (cy) (approximately 30 truckloads) of impacted soil. Based on the data collected during the Preliminary Environmental Assessment, DTSC determined that further action was required to address the potential health threat to future students and staff. The RAW addresses soils with elevated concentrations of organochlorine pesticides, polychlorinated biphenyls, and lead through the excavation and offsite disposal of contaminated soils at an appropriate landfill facility. The removal action will mitigate the identified potential threat to human health and the environment during the modernization of the Site.

The Department of Toxic Substances Control (DTSC) utilized information and analysis in the Brownell Middle School Modernization Project Final Mitigated Negative Declaration (MND) to support a final determination about the type of environmental document required to be prepared for the Brownell Middle School Modernization Project Removal Action Workplan as provided by Sections 15162, 15163, and 15164 of the CEQA Guidelines. The MND evaluated the potential environmental effects of the Brownell Middle School Modernization Project and was adopted by the Gilroy Unified School District Board of Education on August 8, 2019. The Addendum incorporates revisions to the Brownell Middle School Modernization project description and requisite environmental analysis. The revisions incorporate changes in the previously approved Project to include the cleanup and haul away associated with the proposed remediation action of the Site.

As Responsible Agency under the California Environmental Quality Act (CEQA), DTSC approved the above-described project on June 1, 2020 and has made the following determinations:

1. The project will not have a significant effect on the environment.
2. A Mitigated Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures were made a condition of project approval.
4. A Statement of Overriding Considerations was not adopted for this project.
5. Findings were made pursuant to the provisions of CEQA.

The administrative record for this project is available to the public by appointment at the following location:

Department of Toxic Substances Control
Site Mitigation and Restoration Program
8800 Cal Center Drive
Sacramento, CA 95826

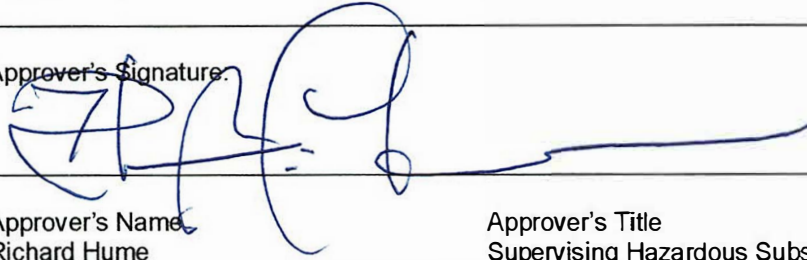
Additional project information is available on EnviroStor:
https://www.envirostor.dtsc.ca.gov/public/profile_report.asp?global_id=60002674

Contact Person
Letitia Shen

Contact Title
Hazardous Substances Engineer

Phone Number
916-255-3744

Approver's Signature:



Date:

June 1, 2020

Approver's Name
Richard Hume

Approver's Title
Supervising Hazardous Substances
Engineer II

Approver's Phone Number
916-255-6540

TO BE COMPLETED BY OPR ONLY

Date Received for Filing and Posting at OPR: