

## 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, California 95812-3044

From: Department of Toxic Substances Control  
Site Mitigation and Restoration Program  
5796 Corporate Avenue  
Cypress, California 90630

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

**Project Title:** Former Fred Moiola Elementary School; Moiola Park Residences Housing Project - Response Plan

**State Clearinghouse Number:** 2020120041

**Project Location:** 9790 Finch Avenue, Fountain Valley, California 92708

**County:** Orange

**Project Applicant:** Brookfield Homes Southern California, LLC

**Project Description:** The Project involves approval of a Response Plan (RP) for the Former Fred Moiola Elementary School (Moiola Park Residences Project) located at 9790 Finch Avenue, Fountain Valley, California (Project Site). The Department of Toxic Substance Control (DTSC) is overseeing mitigation at the Site under a California Land Reuse and Revitalization Act Agreement (Docket No. HSA-FY 19/20-043) with Brookfield Homes Southern California, LLC. The purpose of the RP is to mitigate potential risk to human health and the environment from volatile organic compounds in soil vapor at the Site.

The proposed RP involves the installation of a vapor mitigation system, including a vapor barrier and passive venting beneath structures where contaminant vapors exceed health protective regulatory limits. A Land Use Covenant will be recorded as an institutional control to ensure disclosure of the risks, restrictions, and requirements of the vapor mitigation system to future buyers and occupants. A long-term vapor monitoring program will be implemented to document that the mitigation system is operating as designed.

DTSC utilized information and analysis from the Moiola Park Residences Mitigated Negative Declaration (MND) for the Site to support a final determination regarding the type of environmental document required to be prepared for the RP as provided by Sections 15162, 15163, and 15164 of the California Environmental Quality Act (CEQA) Guidelines. The MND was adopted by the City of Fountain Valley on March 18, 2021. The MND analyzed potential impacts related to contaminated soils, including soil vapor, in Section 4.3.9 (Hazards and Hazardous Materials) and potential impacts related to grading and construction in Section 4.3.3 (Air Quality), Section 4.3.4 (Biological Resources), Section 4.3.5 (Cultural Resources), Section 4.3.7 (Geology and Soils), Section 4.3.8 (Greenhouse Gas Emissions), Section 4.3.10 (Hydrology and Water Quality), Section 4.3.13 (Noise), Section 4.3.17 (Transportation/Traffic), and Section 4.3.18 (Tribal Cultural Resources).

As Responsible Agency under the CEQA, DTSC approved the above-described project on March 23, 2021 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  
5796 Corporate Avenue  
Cypress, California 90630  
(714) 484-5300 (call for an appointment)

Additional project information is available on EnviroStor:

[https://www.envirostor.dtsc.ca.gov/public/profile\\_report?global\\_id=60002891](https://www.envirostor.dtsc.ca.gov/public/profile_report?global_id=60002891)

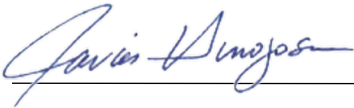
Contact Person  
Aslam Shareef

Contact Title  
Hazardous Substances Engineer

Phone Number  
(714) 484-5472

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Approver's Signature:



04/12/2021

Date:

April 12, 2021

Approver's Name  
Javier Hinojosa

Approver's Title  
Branch Chief

Approver's Phone Number  
(714) 484-5484

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TO BE COMPLETED BY OPR ONLY

Date Received for Filing and Posting at OPR: