



Jared Blumenfeld
Secretary for
Environmental Protection



Department of Toxic Substances Control

Meredith Williams, Ph.D., Director
5796 Corporate Avenue
Cypress, California 90630



Gavin Newsom
Governor

April 19, 2022

SENT VIA ELECTRONIC MAIL

Governor's Office of Planning & Research

Apr 19 2022

STATE CLEARINGHOUSE

Mr. Sean Del Solar
Senior Planner
City of San Marcos
Planning Division
1 Civic Center Drive
San Marcos, California 92069
Sdelsolar@san-marcos.net

ADMINISTRATIVE DRAFT INITIAL STUDY/MITIGATED NEGATIVE
DECLARATION FOR THE KIDDIE ACADEMY EDUCATIONAL CHILD CARE
PROJECT CONDITIONAL USE PERMIT 20-0008 ND 21-004 (SCH #2007091069)

Dear Mr. Del Solar:

The Department of Toxic Substances Control (DTSC) has received your Draft Initial Study/Mitigated Negative Declaration (IS/MND) for the Kiddie Academy Educational Child Care Project Conditional Use Permit 20-0008 ND 21-004 Project. The 1.61-acre project site is located in the Richmar neighborhood, east of and adjacent to North Twin Oaks Valley Road, north of Windy Way, west of Woodward Street, and south of Montessa Way, in the City of San Marcos.

The proposed project includes construction and operation of a two-story childcare facility and associated parking on the project site. Kiddie Academy Educational Child Care provides childcare for infants and pre-kindergarten-age children and offers summertime daycare and camps/activities for older children. A Mitigated Negative Declaration (ND 07-758 / SCH 2007091069) was adopted on September 7, 2007, for a previously approved office project on the project site.

DTSC recommends the following items be addressed in the IS/MND:

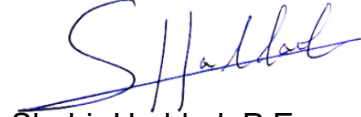
1. Identify any known or potentially releases, investigations and/or contamination within the Project Site and evaluate whether conditions at the Project Site may pose a threat to human health or the environment.

2. The IS/MND should identify and determine whether current or historic uses at the project site may have resulted in any release of hazardous wastes/substances. A Phase I Environmental Site Assessment is necessary to identify any recognized environmental conditions. If state funding is anticipated, then DTSC review/approval is required pursuant to California Education Code. For school projects that do not require state funding, DTSC recommends environmental review under the DTSC school program oversight to ensure the school is safe for students and staff.
3. Identify the mechanism to initiate any required investigation and/or remediation, if needed, and the government agency to provide appropriate regulatory oversight.
4. Identify whether the site was previously used for agriculture. If the site was used for agricultural or related activities, residual pesticides may be present in onsite soil. DTSC recommends investigation and mitigation, as necessary, to address potential impact to human health and environment from residual pesticides.
5. Discuss potential presence of hazardous chemicals related to building materials, such as lead-based paints, mercury, asbestos containing materials, and polychlorinated biphenyl caulking materials. If these chemicals are identified, removal and disposal should be conducted in accordance with applicable local, state and federal regulations and policies.
6. If there are any recognized environmental conditions in the project area, then proper investigation, sampling and remedial actions overseen by the appropriate regulatory agencies should be conducted prior to the new development or any construction. DTSC recommends environmental review under the DTSC schools branch oversight prior to construction to ensure the school is safe for students and staff.
7. Discuss whether project may require soil excavation or filling in certain areas. The IS/MND states, "Project grading will require the import of 3,458 cubic yards of soil to raise the pad elevation out of the existing Twin Oaks Valley Creek floodplain." If soil is contaminated, it must be properly characterized and disposed of. If the project proposes to import soil to backfill the areas excavated, DTSC recommends sampling be conducted in accordance with DTSC's Information Advisory Clean Imported Fill Material ([https://dtsc.ca.gov/wp-content/uploads/sites/31/2018/09/SMP FS Cleanfill-Schools.pdf](https://dtsc.ca.gov/wp-content/uploads/sites/31/2018/09/SMP_FS_Cleanfill-Schools.pdf))
8. Discuss procedures to be taken if the soil and/or groundwater contamination is suspected during construction/demolition of the project.

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If you have any questions regarding this letter, please contact Mr. Johnson P. Abraham, Project Manager, at (714) 484-5380 or Johnson.Abraham@dtsc.ca.gov or me at (714) 484-5368 or Shahir.Haddad@dtsc.ca.gov.

Sincerely,



Shahir Haddad, P.E.
Supervising Engineer
Brownfields Restoration and School Evaluation Branch
Site Mitigation and Restoration Program

mv/ja/sh

cc: (via e-mail)

Governor's Office of Planning and Research
State Clearinghouse
State.clearinghouse@opr.ca.gov

Mr. Dave Kereazis
Office of Planning & Environmental Analysis
Department of Toxic Substances Control
Dave.Kereazis@dtsc.ca.gov

Mr. Robert Romero
Hazardous Substances Engineer
DTSC/Site Mitigation and Restoration Program
Robert.Romero@dtsc.ca.gov

Mr. Johnson Abraham
Project Manager
DTSC/Brownfields Restoration and School Evaluation Branch
Johnson.Abraham@dtsc.ca.gov

Brownfields Restoration and School Evaluation Branch Reading File – Cypress