CALIFORNIA ENVIRONMENTAL QUALITY ACT
STATEMENT OF FINDINGS

The Department of Toxic Substances Control (DTSC) has issued Findings for this project pursuant to the California Environmental Quality Act (CEQA; California Public Resources Code, Division 13, Section 21081) and implementing Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15091 et seq.)

A. PROJECT SUBJECT TO DTSC APPROVAL

PROJECT TITLE: Removal Action Workplan, Calexico High School Modernization Project		SITE CODING: 404982
PROJECT ADDRESS: 1030 Encinas Avenue	CITY: Calexico	COUNTY: Imperial
PROJECT SPONSOR: Calexico Unified School District	CONTACT: Daniel O'Campo	PHONE/ EMAIL: docampo@cusdk12.org (760) 768-3888, Extension 3044
Approval Action Under Consideration by DTSC: Removal Action Workplan		
STATUTORY AUTHORITY: California H&SC, Chapter 6.8		

PROJECT DESCRIPTION: The project activities involve the implementation of a removal action workplan (RAW) for the Calexico High School (School) Expansion and Modernization Project, which consists of the modernization and rehabilitation of the School campus including demolition, new construction, and renovation/modernization activities. The project would remove eight buildings and structures and would construct a new administrative building; construct two new Science, Technology, Engineering, the Arts and Mathematics (STEAM) classroom buildings; and construct a new multi-purpose room/cafeteria. The purpose of the RAW is to minimize exposure of humans to chemicals of concern (COCs) in soil through the inhalation, dermal absorption, and ingestion exposure pathways; minimize potential for migration of COCs from soil to other media; establish cleanup goals (CGs) equivalent to DTSC screening levels for residential soil (DTSC-SL); and establish post-RAW site conditions that do not pose a significant risk to human health, safety, or the environment.

Background: The Site consists of approximately 17.5 acres located within the existing 42.56-acre Calexico High School (School) property. The Site covers most of the western half of the School property. The 42.56-acre property includes the School itself, the Calexico Unified School District's (District) Maintenance Department Facility, and the District's Administrative Department. The property was purchased by the District in 1952 and the first school buildings were constructed shortly thereafter. New buildings and facilities have been constructed over the years since that time. Prior to school development, the parcel was used for agricultural row crop production.

A Limited Phase II Environmental Site Assessment (ESA) was completed for the Site in June 2021, and a Supplemental Site Investigation (SSI) was completed in June 2022. The purpose of the investigations was to establish whether a release or potential release of hazardous materials substances which may pose a threat to human health via ingestion, dermal contact, and inhalation exposure pathways exist at the Site. The results of the ESA and SSI identified the presence of aldrin, chlordane, dieldrin (organochlorine pesticides or OCPs), and arsenic in soil above DTSC recommended screening levels for residential soil. These four soil contaminants are considered the COCs at the Site. The SSI also defined the lateral and vertical extent of OCPs and arsenic in surface and subsurface soil at concentrations exceeding DTSC recommended screening levels for residential soil which consists of approximately 17.5-acres of the overall 42.56-acre parcel.

The Site is bordered to the north by a City of Calexico utility easement, beyond which is East Birch Street (State Hwy 98), and further out commercial and residential development; to the east by the District Maintenance Department Facility, baseball fields, a football field, and a running track, beyond which is Andrade Avenue; to the south by Elmer Belcher Street, beyond which is residential development, Crummett Park, and the Calexico City Library; and to the west by a portion of School property and Encinas Avenue, beyond which is residential development.

Project Activities: The cleanup of the Site will consist of excavation and offsite disposal of soil containing elevated levels of identified COCs. Excavation activities will use loaders, backhoes, large diameter augers, and/or other appropriate equipment. Excavation operations could generate fugitive dust emissions. Therefore, suppressant foam, water spray,

and other forms of dust control may be required during excavation, and workers may be required to use personal protective equipment to reduce exposure to the COCs. Confirmation soil sampling and analysis will be conducted to verify that cleanup goals are met at the excavation bottom and sidewalls. Off-site disposal will involve removing impacted soil from the Site and transportation to an appropriate off-site disposal facility.

DTSC utilized information and analysis in the *Initial Study / Mitigated Negative Declaration, Calexico High School Expansion and Modernization Project* (ISMND), to support a final determination about the type of environmental document required to be prepared for the *Removal Action Workplan, Calexico High School Modernization Project*, as provided by Sections 15162, 15163, and 15164 of the CEQA Guidelines. Specifically, the ISMND analyzed potential impacts related to implementation of the cleanup activities in Section 3.3, Air Quality, Section 3.4, Biological Resources, Section 3.5, Cultural Resources, Section 3.7, Geology and Soils, Section 3.8, Greenhouse Gas Emission, Section 3.9, Hazards and Hazardous Materials, Section 3.13, Noise, Section 3.17, Transportation, and Section 3.18, Tribal Cultural Resources. The ISMND specifically identifies the implementation of cleanup activities as part of the Hazards and Hazardous Materials analysis and mitigation measures of which the *Removal Action Workplan, Calexico High School Modernization Project* satisfies.

B. LEAD AGENCY ENVIRONMENTAL DOCUMENT REVIEWED

Lead Agency: Calexico Unified School District
Lead Agency's Environmental Document: Initial Study / Mitigated Negative Declaration, Calexico High School Expansion and Modernization Project
Date Certified: October 13, 2022
State Clearinghouse Number: 2022080061

C. STATEMENT OF FINDINGS AND FACTS FOR ADEQUACY OF LEAD AGENCY ENVIRONMENTAL DOCUMENT

Using its independent judgment, DTSC makes the following findings:

☒ The Lead Agency Final Environmental Document includes a description of the Project now before DTSC for decision

☒ The Lead Agency Final Environmental Document adequately analyzed impacts associated with the Project before DTSC for decision.

☒ DTSC concurs with the findings made by the Lead Agency Final Environmental Document relating to the Project before DTSC for decision.

☒ Mitigation measures are included in the Lead Agency Final Environmental Document for the following resources that would potentially be affected by the DTSC project.

☐ Aesthetics	Mitigation Measure: None
☐ Agricultural Resources	Mitigation Measure: None
☒ Air Quality	Mitigation Measure: AIR-1 (refer to ISMND (September 2022), see Attachment A)
☐ Agricultural Resources	Mitigation Measure: None
☐ Biological Resources	Mitigation Measure: None
☒ Cultural Resources	Mitigation Measure: CULT-1 (refer to ISMND (September 2022), see Attachment A)
☐ Energy	Mitigation Measure: None

☒ Geology / Soils	Mitigation Measure: GEO-3 (refer to ISMND (September 2022), see Attachment A)
☐ Greenhouse Gas Emissions	Mitigation Measure: None
☒ Hazards / Hazardous Materials	Mitigation Measure: HAZ-1 and HAZ-2 (refer to ISMND (September 2022), see Attachment A)
☒ Hydrology / Water Quality	Mitigation Measure: HYD-1 (refer to ISMND (September 2022), see Attachment A)
☐ Land Use / Planning	Mitigation Measure: None
☐ Mineral Resources	Mitigation Measure: None
☐ Noise	Mitigation Measure: None
☐ Population / Housing	Mitigation Measure: None
☐ Public Services	Mitigation Measure: None
☐ Recreation	Mitigation Measure: None
☐ Transportation / Traffic	Mitigation Measure: None
☐ Tribal Cultural Resources	Mitigation Measure: None
☐ Utilities / Service Systems	Mitigation Measure: None
☐ Wildfire	Mitigation Measure: None

☒ Mitigation measures identified in the Lead Agency Final Environmental Document have been adopted by DTSC for this Project and will be implemented to avoid, reduce, or substantially lessen the project impacts. No additional mitigation measures are necessary, and no additional mitigation monitoring plan is required pursuant to CEQA.

For each significant environmental effect identified for the Project:

☒ Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects as identified in the Lead Agency Final Environmental Document.

☒ Such changes or alterations are within the responsibility and jurisdiction of the Calexico Unified School District not DTSC.

☒ Such changes have been adopted by this public agency or can and should be adopted by this public agency.

☐ Mitigation measures included in the Lead Agency Final Environmental Document are infeasible, and therefore, will not be incorporated into the DTSC Project for the following reasons: N/A

BASED ON THE ABOVE FINDINGS, DTSC CONCLUDES:

☒ The proposed Project will not result in significant and unavoidable effects to the environment.

☐ The proposed Project will result in significant and unavoidable effects to the following environmental resources:

☐ Air Quality	☐ Mineral Resources
☐ Agricultural Resources	☐ Noise
☐ Biological Resources	☐ Population/Housing
☐ Cultural Resources	☐ Public Services
☐ Energy	☐ Recreation
☐ Geology/ Soils	☐ Transportation/Traffic
☐ Greenhouse Gas Emissions	☐ Tribal Cultural Resources
☐ Hazards/Hazardous Materials	☐ Utilities/ Service Systems
☐ Hydrology/ Water Quality	☐ Wildfire

Impacts to these resources would remain significant even after applying mitigation measures described in the Lead Agency Final Environmental Document, or there is no feasible mitigation available.

In accordance with Cal. Code of Regs., title 14, section 15093, a Statement of Overriding Considerations was adopted by the Lead Agency for these resources. DTSC adopts a Statement of Overriding Considerations for these resources having determined that the DTSC Project benefits outweigh the significant environmental effects for the following reasons: The DTSC remedial actions reduce the exposure of contaminated soil, soil gas, and groundwater in order to render it safe for Site occupants. The DTSC remedial project also serves to protect human health and the environment, which are DTSC's responsibilities under the California Health and Safety Code.

☒ None of the conditions requiring a subsequent EIR or Negative Declaration pursuant to Cal. Code Regs., tit. 14 Section 15162 exist.

☒ In accordance with Cal. Code of Regs., title 14, section 15093, a Notice of Determination indicating the results of said Findings will be filed with the Governor's Office of Planning and Research / State Clearinghouse.

D. CERTIFICATION

Project Manager's Signature		Date
Johnson Abraham Project Manager's Name	Environmental Scientist Title	(714) 484-5380 Phone #
 Branch Chief's Signature		4/27/2023 Date
Shahir Haddad, P.E. Branch Chief's Name	Acting Branch Chief Branch Chief	(714) 484-5368 Phone #

Attachment A

The following mitigation measures are included in the Lead Agency Final Environmental Document would be implemented as applicable for activities described in the *Removal Action Workplan, Calexico High School Modernization Project*.

Mitigation Measure AIR-1: The project shall adopt best available control measures (BACT) to minimize emissions from surface disturbing activities to comply with ICAPCD Regulation VIII (Fugitive Dust Rules). These measures include the following:

- All disturbed areas, including bulk material storage which is not being actively utilized, shall be effectively stabilized and visible emissions shall be limited to no greater than 20 percent opacity for dust emissions by using water, chemical stabilizers, dust suppressants, tarps, or other suitable material such as vegetative ground cover.
- All on-site and off-site unpaved roads shall be effectively stabilized, and visible emissions shall be limited to no greater than 20 percent opacity for dust emissions by paving, chemical stabilizers, dust suppressants, and/or watering.
- All unpaved traffic areas of 1 acre or more with 75 or more average vehicle trips per day shall be effectively stabilized and visible emissions shall be limited to no greater than 20 percent opacity for dust emissions by paving, chemical stabilizers, dust suppressants, and/or watering.
- The transport of bulk materials shall be completely covered unless 6 inches of freeboard space from the top of the container is maintained with no spillage and loss of bulk material. In addition, the cargo compartment of all haul trucks shall be cleaned and/or washed at the delivery site after removal of bulk material.
- All track-out or carry-out shall be cleaned at the end of each workday or immediately when mud or dirt extends a cumulative distance of 50 linear feet or more onto a paved road within an urban area.
- Bulk material handling or transfer shall be stabilized prior to handling or at points of transfer with application of sufficient water, chemical stabilizers, or by sheltering or enclosing the operation and transfer line.
- The construction of any new unpaved road shall be prohibited within any area with a population of 500 or more unless the road meets the definition of a temporary unpaved road. Any temporary unpaved road shall be effectively stabilized, and visible emissions shall be limited to no greater than 20 percent opacity for dust emission by paving, chemical stabilizers, dust suppressants, and/or watering.

Mitigation Measure CULT-1: If unidentified cultural materials are encountered during project construction, all work within 50 feet shall be halted until an archaeologist meeting the Secretary of the Interior's Professional Qualification Standards for prehistoric and/or historical archaeology can evaluate the findings and make recommendations. The project contractor shall divert, direct or temporarily halt ground-disturbing activities in the area of discovery to allow evaluation of potentially significant historical resources. The archaeologist shall immediately notify the Calexico Unified School District of such findings at the time of discovery. The significance of the discovered resource(s) shall be determined by the archaeologist, in consultation with the District and the Native American community. The District must concur with the evaluation procedures before grading activities are allowed to resume. For significant cultural and/or historical resources, a Research Design and Data Recovery Program shall be prepared and carried out to mitigate impacts before grading activities in the area of discovery is allowed to resume. Any human bones of Native American origin shall be turned over to the appropriate Native American group for reburial.

All materials collected shall be cleaned, cataloged, and permanently curated with an appropriate institution. All artifacts shall be analyzed to identify function and chronology as they relate to the history of the area. Faunal material shall be identified as to species, and specialty studies shall be completed as appropriate. Additionally, any sites and/or features encountered during the monitoring program shall be recorded on the applicable Department of Parks and Recreation forms (DPR 523A/B, et al.) and submitted to an appropriate cultural resources repository with the final monitoring results report.

Mitigation Measure GEO-3: If paleontological resources are encountered during the course of ground disturbance, work in the immediate area of the find shall be redirected and the District shall retain a qualified paleontologist to assess the find for scientific significance. If determined to be significant, the fossil shall be collected from the field. The paleontologist may also make recommendations regarding additional mitigation measures, such as paleontological monitoring. Scientifically significant resources shall be prepared to the point of identification, identified to the lowest taxonomic level possible, cataloged, and curated into the permanent collections of a museum repository. If scientifically significant paleontological resources are collected, a report of findings shall be prepared to document the collection.

Mitigation Measure HAZ-1: Prior to demolition of any existing building on the project site, a lead-based paint (LBP) survey and an asbestos-containing materials (ACM) survey shall be completed to ensure proper removal and disposal. Removal of LBP and ACM material must be conducted by certified abatement specialists in compliance with applicable regulations. A copy of the completed survey and removal certification shall be provided to the District and DTSC prior to demolition activities.

Mitigation Measure HAZ-2: The waste material shall be profiled, and approval shall be received before soil is transported off-site for lawful disposition. The stockpiled soil shall be loaded into trucks, transported, and properly disposed of at an approved landfill. It is anticipated that the removed soil will be disposed of as hazardous waste.

Final determination of the disposal facility shall be based on approval from the landfill. Once the disposal facility is selected, copies of waste profile reports used to secure disposal permission from the landfill shall be provided to DTSC and included in the removal action completion report. In addition, compliance with the land disposal restrictions and land ban requirements for hazardous wastes shall be documented and provided once it is determined which disposal facility will be used.

Mitigation Measure HYD-1: Prior to ground-disturbing activities, the District shall prepare and implement a Stormwater Pollution Prevention Plan (SWPPP) that specifies best management practices (BMPs) with the intent of keeping all products of erosion from moving offsite. The SWPPP shall include a site map that shows the construction site perimeter, existing and proposed man-made facilities, stormwater collection and discharge points, general topography both before and after construction, and drainage patterns across the project site. Additional the SWPPP shall contain a visual monitoring program and a chemical monitoring program for non-visible pollutants to be implemented (if there is a failure of BMPs). The requirements of the SWPPP and BMPs shall be incorporated into design specifications and construction contracts. Recommended BMPs for the construction phase may include the following:

- Stockpiling and disposing of demolition debris, concrete, and soil properly;
- Protecting any existing storm drain inlets and stabilizing disturbed areas;
- Implementing erosion controls;
- Properly managing construction materials; and
- Managing waste, aggressively controlling litter, and implementing sediment controls.