



Yana Garcia
Secretary for
Environmental Protection



Department of Toxic Substances Control

Meredith Williams, Ph.D.
Director
8800 Cal Center Drive
Sacramento, California 95826-3200



Gavin Newsom
Governor

SENT VIA ELECTRONIC MAIL

May 17, 2023

Governor's Office of Planning & Research

Nathaniel Browning

Facilities Director

Sacramento City Unified School District

425 1st Avenue, Sacramento, CA 95818

Nathaniel-Browning@scusd.edu

May 15 2023

STATE CLEARINGHOUSE

RE: MITIGATED NEGATIVE DECLARATION FOR THE NICHOLAS ELEMENTARY SCHOOL REPLACEMENT PROJECT, DATED APRIL 2023 SCH# 2023040435

Dear Mr. Browning:

The Department of Toxic Substances Control (DTSC) received a Mitigated Negative Declaration (MND) for the Nicholas Elementary School Replacement Project. The Sacramento City Unified School District plans to fully rebuild the Nicholas Elementary School. The student capacity would remain the same resulting 683 students and there would be one classroom than historically, from 28 to 27 classrooms. The total square footage of building space would increase by 6,589 square feet. Pedestrian access to the site would be provided via Steiner Drive and Vernace Way .

DTSC recommends that the following issues be evaluated in the EIR Hazards and Hazardous Materials section:

1. The EIR should acknowledge the potential for historic or future activities on or near the project site to result in the release of hazardous wastes/substances on the project site. In instances in which releases have occurred or may occur,

further studies should be conducted to delineate the nature and extent of the contamination, and the potential threat to public health and/or the environment should be evaluated. The EIR should also identify the mechanism(s) to initiate any required investigation and/or remediation and the government agency who will be responsible for providing appropriate regulatory oversight.

2. If state funding is anticipated, then preparation of a Preliminary Environmental Assessment (PEA) is required with DTSC's oversight pursuant to California Education Code prior to the new development or any construction. 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. If any projects initiated as part of the proposed project require the importation of soil to backfill any excavated areas, proper sampling should be conducted to ensure that the imported soil is free of contamination. DTSC recommends the imported materials be characterized according to *DTSC's 2001 Information Advisory Clean Imported Fill Material* (https://dtsc.ca.gov/wp-content/uploads/sites/31/2018/09/SMP_FS_Cleanfill-Schools.pdf).

DTSC appreciates the opportunity to review and comment on the (MND) for the Nicholas Elementary School Replacement Project. If you have any questions, please contact the DTSC School's Unit or respond to this email for guidance.

Sincerely,



Dave Kereazis
Associate Environmental Planner
Hazardous Waste Management Program
Permitting - CEQA Unit
Department of Toxic Substances Control

Nathaniel Browning

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cc: (via email)

Governor's Office of Planning and Research

State Clearinghouse

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