

CALIFORNIA ENVIRONMENTAL QUALITY ACT NOTICE OF EXEMPTION

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

From: Department of Toxic Substances Control
Site Mitigation and Restoration Program
8800 Cal Center Drive
Sacramento, California 95826-3200

Project Title: Claus Road Property Removal Action Workplan

Project Location: 6129 and 6145 Claus Road, Riverbank, 95367

County: Stanislaus

Project Applicant: Riverbank Unified School District

Approval Action Under Consideration by DTSC: Removal Action Workplan

Statutory Authority: California Health and Safety Code, Chapter 6.8

Project Description: The recommended remedy, consists of the excavation, transport, and off-site disposal of approximately 335 cubic yards (cy), or approximately 28 truckloads, of soil containing elevated concentrations of organochlorine pesticides (OCPs) and lead in soil above the Department of Toxic Substances Control (DTSC) screening levels (SLs) for soil for a residential land use scenario. It is anticipated that the project will start in October or November 2023 and take approximately 6 weeks to complete.

Background: The Site is currently a vacant lot consisting of 4.65-acres. Previously the Site was occupied by two separate residential properties known as 6129 and 6145 Claus Road, identified by Stanislaus County as assessor parcel numbers (APNs): 132-045-002 (4.5 acres) and 132-045-003 (0.15 acres). The Site is bordered to the north by California Street, beyond which are private residences; to the east by a Claus Road, beyond which are private residences; to the south by a residential neighborhood; and to the west by the California Avenue Elementary School.

The 6145 Claus Road parcel (4.5 acres) included a primary residence, garage, barn, and associated outbuildings. The main residence, barn, and outbuildings were constructed prior to 1937 with the addition of the garage between 1937 and 1950. Since at least 1937, the parcel was planted with fig trees in the northeast section and almond trees in the southwest section of the property. According to aerial photographs, the fig trees were removed prior to 1950, and the almond trees were removed prior to 1967. The 6129 Claus Road parcel (0.15 acres) includes a primary residence and garage that was constructed between 1937 and 1950. The residential buildings and associated outbuildings were removed in January 2021. The District plans to develop the property as a school site and/or expand the existing and adjacent school site.

Project Activities: The selected remedy includes the following activities:

- Secure the Site and work zones with temporary chain-link fencing;
- Excavate approximately 335 cy of soil and temporarily stockpile the material for waste characterization;
- Collect confirmation soil samples from the excavation areas and compare confirmation data to the cleanup goals (CGs). If needed, excavate additional volume of soil until the CGs are met;
- Load, transport (approximately 28 truckloads, 15 truck trips per day), and dispose of the excavated soil to the appropriate disposal facility;
- Certified clean fill material will be used to backfill the excavations (if needed). Backfill material will be taken from unimpacted areas of the Site; therefore, no offsite transportation is required.

Excavation involves the removal of soil containing elevated levels of identified COCs. This activity includes the use of loaders, backhoes, and/or other appropriate equipment. Excavation operations have the potential to generate fugitive dust emissions. Therefore, suppressant foam, water spray and/or other forms dust control may be required during ground disturbing activities, and workers may be required to use personal protective equipment to reduce exposure to the COCs. The depth of excavation is expected to be up to 1.5 feet below ground surface and sloping of excavation sidewalls is not anticipated for this project. Confirmation soil sampling and analysis will be conducted to verify that CGs are met at the excavation bottom and sidewalls. Off-site disposal involves removing impacted soil from the Site and transportation to an appropriate off-site disposal facility.

According to the *City of Riverbank General Plan 2005 – 2025 Update* adopted April 2009; no prehistoric cultural resources are recorded in the General Plan Planning Area. However, there is a potential that prehistoric and historic resources could be located below the surface and may be encountered during the course of future construction activities. In the event that any prehistoric or historic subsurface cultural resources are discovered during ground disturbing activities, an immediate evaluation of the find should be conducted by a qualified archaeologist (CEQA §15064.5 (f)).

In the event biological, cultural or historical resources are discovered in the course of project activities, work will be suspended while a qualified biologist, cultural or historical specialist makes an assessment of the area and arrangements are made to protect or preserve any resources that are discovered. If human remains are discovered, no further disturbance will occur in the location where the remains are found, and the County Coroner will be notified pursuant to the Health and Safety Code, Chapter 2, Section 7050.5.

Name of Public Agency Approving Project: Department of Toxic Substances Control

Name of Person or Agency Carrying Out Project: Riverbank Unified School District

Exempt Status: Categorical Exemption: CCR Title 14, Sec. 15330]

Exemption Title: Minor Actions to Prevent, Minimize, Stabilize, Mitigate, or Eliminate the Release or Threat of Release of Hazardous Waste or Substances.

Reasons Why Project is Exempt:

1. The project is a minor action designed to prevent, minimize, stabilize, mitigate, or eliminate the release or threat of release of hazardous waste or hazardous substances.
2. The project will not exceed \$1 million in cost.
3. The project will be consistent with applicable State and local environmental permitting requirements.
4. The project does not involve the onsite use of a hazardous waste incinerator or thermal treatment unit.
5. The project does not involve the relocation of residences or businesses.
6. The project does not involve the potential release into the air of volatile organic compounds as defined in Health and Safety Code Section 25123. (Exception: Small-scale in situ soil vapor extraction and treatment systems which have been permitted by the local Air Pollution Control District or Air Quality Management District.)
7. The exceptions pursuant to California Code of Regulations, Title 14, Section 15300.2 have been addressed as follows:
 - a. Cumulative Impact. The project will not result in cumulative impacts because it is designed to be a short-term final remedy that would not lead to a succession of projects of the same type in the same place over time.
 - b. Significant Effect. The environmental safeguards and monitoring procedures that are enforceable and made a condition of project approval will prevent unusual circumstances from occurring so that there is no possibility that the project will have a significant effect on the environment.
 - c. Scenic Highways. The project will not damage scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, because it is not located within a highway officially designated as a state scenic highway.
 - d. Hazardous Waste Sites. The project is not located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.
(<http://calepa.ca.gov/sitecleanup/corteselist/default.htm>)
 - e. Historical Resources. The project will not cause a substantial adverse change in the significance of a historical resource at the Site because there are none at the Site.

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, California 95826-3200

Additional project information is available on EnviroStor:
https://www.envirostor.dtsc.ca.gov/public/profile_report?global_id=60002998

Contact Person
Elizabeth Tisdale

Contact Title
Engineering Geologist

Phone Number
916-255-6666

Approver's Signature:

Date: 10/02/2023

Daniel V. Ziarkowski

Click or tap to enter a date.

Approver's Name
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Approver's Title
Branch Chief

Approver's Phone Number
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TO BE COMPLETED BY OPR ONLY

Date Received for Filing and Posting at OPR: