



Yana Garcia
Secretary for
Environmental Protection



Department of Toxic Substances Control

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Gavin Newsom
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SENT VIA ELECTRONIC MAIL

December 14, 2023

Mark Manstof

Director, Facilities, Maintenance, Operations, and Transportation

Huntington Beach City School District

8750 Dorsett Drive

Huntington Beach, CA 92646

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RE: MITIGATED NEGATIVE DECLARATION (MND) FOR THE BUS YARD AT
SOWERS MIDDLE SCHOOL PROJECT, DATED NOVEMBER 16, 2023 STATE
CLEARINGHOUSE # [2023110449](#)

Dear Mark Manstof,

The Department of Toxic Substances Control (DTSC) received a Mitigated Negative Declaration (MND) for the Bus Yard at Sowers Middle School Project (Project). The Huntington Beach City School District plans to relocate the bus yard and construct an approximately 900-square-foot building with lounge and restrooms at the northwest corner of the existing Isaac L. Sowers Middle School. The capacity of the proposed school would not change and access to the site would continue to exist via Indianapolis Avenue at Titan Lane. and structures to remain, as well as minor interior improvements to convert one existing. Based on our review, DTSC requests consideration of the following comments.

1. If the district plans to use California Department of Education (CDE) State funds for the project, then the district shall comply with the requirements of Education Code (EDC), [§17210](#), [§17213.1](#), and [§17213.2](#), unless otherwise specifically exempted under section [§17268](#). If the district is not using CDE State funds for the project, or is otherwise specifically exempt under section [§17268](#), DTSC recommends the district continue to investigate and clean up the Site, if necessary, under the oversight of Orange County and in concurrence with all applicable DTSC guidance documents. For more information on the CDE State funding, please visit [Office of Public-School Consultation](#) webpage.

A local education agency may also voluntarily request the CDE site/plan approval for locally funded site acquisitions and new construction projects. In these cases, CDE will require DTSC to review and approve prior to its final approval, except when exempt under section 17268.

2. Since the project is school site related, DTSC recommends that an environmental review, such as a Phase I Environmental Site Assessment and/or Preliminary Environmental Assessment, be conducted to determine whether there has been or may have been a release or threatened release of a hazardous material, or whether a naturally occurring hazardous material is present based on reasonably available information about the property and the areas in its vicinity. Such an environmental review should generally be conducted as part of the California Environmental Quality Act (CEQA) process. If the District elects to proceed and conduct an environmental assessment at the Site under DTSC oversight, it should enter into an Environmental Oversight Agreement with DTSC to oversee the preparation of the environmental assessment.

3. If buildings or other structures are to be demolished on any project sites included in the proposed project, surveys should be conducted for the presence of lead-based paints or products, mercury, asbestos containing materials, and polychlorinated biphenyl caulk. Removal, demolition, and disposal of any of the above-mentioned chemicals should be conducted in compliance with California environmental regulations and policies. In addition, sampling near current and/or former buildings should be conducted in accordance with DTSC's 2006 [*Interim Guidance Evaluation of School Sites with Potential Contamination from Lead Based Paint, Termiticides, and Electrical Transformers*](#)
4. DTSC recommends that all imported soil and fill material should be tested to ensure any contaminants of concern are within approved screening levels for the intended land use. To minimize the possibility of introducing contaminated soil and fill material there should be documentation of the origins of the soil or fill material and, if applicable, sampling be conducted to ensure that the imported soil and fill material meets screening levels for the intended land use. The soil sampling should include analysis based on the source of the fill and knowledge of the prior land use.

DTSC appreciates the opportunity to comment on the Bus Yard at Sowers Project's MND. If you would like to proceed with DTSC's school environmental review process, please visit [DTSC's Evaluating & Clean-up School 3-Step Process](#) to begin a Phase I Environmental Site Assessment.

Thank you for your assistance in protecting California's people and environment from the harmful effects of toxic substances. If you have any questions or would like any clarification on DTSC's comments, please respond to this letter or via [email](#) for additional guidance.

Mark Manstof
December 13, 2023
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Sincerely,



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