



**Yana Garcia**  
Secretary for  
Environmental Protection



**Department of Toxic Substances Control**

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Katherine M. Butler, MPH, Director  
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**Gavin Newsom**  
Governor

**SENT VIA ELECTRONIC MAIL**

December 6, 2024

Daniel S. Barragan  
Maintenance Operations and Transportation Director  
Firebaugh Las-Deltas Union School District  
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RE: MITIGATED NEGATIVE DECLARATION FOR THE HAZEL M. BAILEY PRIMARY SCHOOL EXPANSION DATED NOVEMBER 25, 2024, STATE CLEARINGHOUSE NUMBER [2024110924](#)

Dear Daniel S. Barragan,

The Department of Toxic Substances Control (DTSC) received a Mitigated Negative Declaration (MND) for the Hazel M. Bailey Primary School Expansion project (project). The project proposes to construct seven new buildings ranging from 2,840 square feet to 5,705 square feet. The seven new buildings would contain 14 new classrooms in total. The new buildings would be used as transitional kindergarten classrooms to accommodate the existing student capacity and would not increase enrollment. The proposed project would also include a new fire lane with the addition of two fire hydrants connecting to an offsite fire hydrant and the addition of new concrete walkways throughout the site. Existing turf and planter areas on the project site would be rehabilitated as part of the project. No existing structures would be demolished as a result of the project. After reviewing the project, DTSC recommends and 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, clean up the Site under the oversight of Fresno County and in concurrence with all applicable DTSC guidance documents, if necessary. For more information on the CDE State funding, please visit the [Office of Public-School Construction](#) 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. DTSC recommends that all imported soil and fill material should be tested to assess any contaminants of concern meet screening levels as outlined in [DTSC's Preliminary Endangerment Assessment \(PEA\) Guidance Manual](#). Additionally, DTSC advises referencing the [DTSC Information Advisory Clean Imported Fill Material Fact Sheet](#) if importing fill is necessary. 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 are suitable 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. Additional information can be found by visiting [DTSC's Human and Ecological Risk Office \(HERO\) webpage](#).

DTSC appreciates the opportunity to comment on the MND for the Hazel M. Bailey Primary School Expansion project. 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](#).

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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 clarification on DTSC's comments, please respond to this letter or via [email](#) for additional guidance.

Sincerely,

*Tamara Purvis*

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cc: (via email)

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