

CALIFORNIA ENVIRONMENTAL QUALITY ACT NOTICE OF DETERMINATION

To: Office of Planning and Research
State Clearinghouse
P.O. Box 3044, 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, CA 95826

Subject: FILING OF NOTICE OF DETERMINATION IN COMPLIANCE WITH SECTION 21108 OF THE PUBLIC RESOURCES CODE

Project Title: Twin Rivers Transit-Oriented Development and Light Rail Station Project Explanation of Significant Differences for the Light Rail Station Response Action

State Clearinghouse Number: 2017062021

Project Location: Sproule Avenue and North 12th Street, Sacramento, CA 95811

County: Sacramento

Project Applicant: Sacramento Housing and Redevelopment Agency

Project Description: The Department of Toxic Substances Control (DTSC) approved the Explanation of Significant Differences for the Light Rail Station Response Action (ESD) for the Twin Rivers Transit-Oriented Development and Light Rail Station Project (Project) located at Sproule Avenue and North 12th Street, Sacramento, California (Project Site). The Project remediation activities will address arsenic and lead contaminated soil in order to reduce the risk to human health and the environment. The Response Plan addresses the 0.72-acre Regional Transit Light Rail Property within the overall residential development site for the construction of the proposed Dos Rios Light Rail Station.

- DTSC approved the Twin Rivers Transit-Oriented Development and Light Rail Station Project Response Plan on September 15, 2022. The project activities consisted of: Excavation of approximately 1,310 cubic yards of arsenic and lead contaminated soil to concentrations below DTSC residential remedial action goals (RAGs) of 80 milligrams per kilogram (mg/kg) and 9 mg/kg, respectively.
- Characterization and profiling of excavated soil was performed according to disposal facility requirements. Stockpiled soil exceeding California total threshold limit concentration, or soluble threshold limit concentration hazardous waste criteria, would have been disposed offsite as a Non-Resource Conservation and Recovery Act (RCRA) Class I hazardous waste while stockpiled soil exceeding toxicity characteristic leaching procedure would have been disposed as RCRA hazardous waste. Remaining stockpiled soil was planned to have been remediated at a future date as part of remediation of the remainder of the Site.
- A Land Use Covenant was planned to have been recorded with the County of Sacramento to prohibit the use of the property for residential purposes and the extraction or removal of groundwater intended for drinking water purposes.

Subsequently, following excavation of approximately the 1,310 cubic yards of soil, soil samples were collected to confirm removal of arsenic and lead concentrations exceeding RAGs established in the approved Response Plan. However, sample analytical results indicated that arsenic and lead remained in Project Site soils at concentrations of up to 180 milligrams per kilogram (mg/kg) and 9,600 mg/kg, respectively. Based on the analytical results, the Sacramento Housing and Redevelopment Agency (SHRA) proposed changing the RAG for lead from DTSC's residential standard of 80 mg/kg to the commercial/industrial standard of 500 mg/kg. DTSC agreed that this approach is acceptable with DTSC's approval of an ESD. Project activities detailed in the ESD include:

- Changing the current remedial goal of lead in soil from the residential goal of 80 mg/kg to the commercial/industrial goal of 500 mg/kg because the planned future development of the Property does not necessitate cleanup to the residential goal. The remedial goal for arsenic would remain at 9 mg/kg, which is equal to the background value for the Site.
- Requiring land use controls to prevent future residential and other sensitive uses of the Light Rail Station Property.

- Preparation of a Site Management Plan for protection of construction workers and nearby receptors during construction of the light rail station.
- Removal of septic tanks discovered during the initial response action in the Property.
- Placement of cover (aggregate and geotextile) over soils on the impacted areas of the remainder of the Site to allow construction access to the Property.

The City of Sacramento (City), in partnership with SHRA and the Sacramento Regional Transit District (RT), approved the Twin Rivers Transit-Oriented Development and Light Rail Station Project Initial Study/Environmental Assessment (IS/EA)/ Mitigated Negative Declaration (MND) (Development Project). The Development Project would develop a mixed-income, mixed-use community comprising 218 replacement public housing units, 281 new market rate rental and low-income housing tax credit units, a realigned internal street network, green open space, and other community amenities on two noncontiguous but proximate properties totaling approximately 24.2 acres that currently include public housing and undeveloped land. The Development Project would also include construction and operation of the proposed RT Dos Rios Light Rail Station on the existing RT light rail Blue Line on and adjacent to North 12th Street.

The City made its determination and adopted the MND on July 27, 2017. SHRA made its determination and adopted the MND on August 22, 2017. RT made its determination and adopted the MND on November 13, 2017.

Pursuant to CEQA, an Addendum to the IS/EA/MND evaluating the potential environmental effects of the proposed remediation detailed in the Response Plan was prepared. The Addendum concluded there is no new information of substantial importance showing that changes to the residential development project and implementation of the Response Plan would have one or more significant effects not previously discussed or that any previously examined significant effects would be substantially more severe than significant effects shown in the previous environmental document.

A Revised Addendum, evaluating the potential environmental effects of the proposed remediation detailed in the ESD was prepared. The Revised Addendum again concluded there is no new information of substantial importance showing that changes to the residential development project and implementation of the ESD would have one or more significant effects not previously discussed or that any previously examined significant effects would be substantially more severe than significant effects shown in the previous environmental documents.

As Responsible Agency under the California Environmental Quality Act (CEQA), DTSC approved the above-described project on April 26, 2023 and has made the following determinations:

1. The project will not have a significant effect on the environment.
2. An Addendum to the Initial Study/Environmental Assessment / Mitigated Negative Declaration was prepared.
3. Mitigation measures were made a condition of project approval.
4. A Statement of Overriding Considerations was not adopted for this project.
5. Findings were made pursuant to the provisions of CEQA.

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, CA 95826

Additional project information is available on EnviroStor: www.envirostor.dtsc.ca.gov/public/

Contact Person
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Approver's Signature:

Date:



April 27, 2023

Approver's Name
Steven Becker

Approver's Title
Supervising Engineering Geologist

Approver's Phone Number
(916) 255-3717

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Date Received for Filing and Posting at OPR: