

CALIFORNIA ENVIRONMENTAL QUALITY ACT STATEMENT OF FINDINGS

The Department of Toxic Substances Control (DTSC) has issued Findings for this project pursuant to the California Environmental Quality Act (CEQA; California Public Resources Code, Division 13, Section 21081) and implementing Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15091 et seq.)

A. PROJECT SUBJECT TO DTSC APPROVAL

PROJECT TITLE: Removal Action Workplan, Proposed Otay Ranch Village 2 School Site		SITE CODING: 404967
PROJECT ADDRESS: Santa Liza Avenue	CITY: Chula Vista	COUNTY: San Diego
PROJECT SPONSOR: Village II of Otay HB Sub	CONTACT: Mora de Murguia	PHONE/ EMAIL: Mdemurguia@baldwinsons.com (619) 515-9105
Approval Action Under Consideration by DTSC:		
<input checked="" type="checkbox"/> Removal Action Workplan <input type="checkbox"/> Interim Removal <input type="checkbox"/> Initial Permit Issuance <input type="checkbox"/> Permit Re-Issuance <input type="checkbox"/> Corrective Measure Study/Statement of Basis <input type="checkbox"/> Permit Modification <input type="checkbox"/> Closure Plan <input type="checkbox"/> Remedial Action Plan <input type="checkbox"/> Regulations <input type="checkbox"/> Other (specify):		
STATUTORY AUTHORITY:		
<input type="checkbox"/> California H&SC, Chap. 6.5 <input checked="" type="checkbox"/> California H&SC, Chap. 6.8 <input type="checkbox"/> Other (specify):		
<p>PROJECT DESCRIPTION: The Project activities involve installation of engineering controls comprising of a sub-slab liner (e.g., engineered vapor barrier) and passive venting system which will be installed concurrently with building construction. The engineering controls will be used to mitigate volatile organic compounds (VOCs) in soil vapor from entering the buildings. Project activities are detailed in the Removal Action Workplan (RAW) for the impacted soils and soil vapor.</p> <p><u>Background:</u> The undeveloped project site covers 9.53 acres and is situated in an area under development with new residential land uses to the east and south. The site is bounded to the north by a new city park under development, Santa Christina Avenue to the east, Santa Liza Avenue to the south, and Santa Carolina Road to the west.</p> <p>As identified in a Preliminary Environmental Assessment (PEA) and Supplemental Site Investigations (SSIs) performed in 2019, 2020, and 2021, the site has been historically an undeveloped property. The PEA and SSIs identified a former stormwater desilting basin was located near the southwest corner of the site. Historical aerial photographs indicate the entire project site previously consisted of a vacant undeveloped natural canyon covered in grasses and scrub brush from 1949 until at least 2005. No evidence of any agricultural uses, such as dry farming or other agricultural-related activities, occurred at the site from 1949 until the present time. Off-site areas surrounding the site also appeared to be undeveloped land covered in grasses and scrub brushes.</p> <p>Several VOCs were identified as a contaminant of concern (COC) during previous PEA and SSI soil vapor sampling activities. The VOCs identified as a COC at the project site include benzene, chloroform, and tetrachloroethene (PCE). The source of the VOCs that were detected at the site during the previous assessments are not known. There is no historical documentation of any industrial activities or waste disposal activities at the site or any off-site nearby properties.</p> <p>The project proponent (Village II of Otay HB Sub) plans to sell the site to the Chula Vista Elementary School District (CVESD). The CVESD plans to develop the site as an elementary school. The area identified as impacted by soil vapors with elevated levels of VOCs is located on the east-northeast portion of the site which is an area where administrative and education classroom buildings are planned to be constructed.</p> <p><u>Project Activities:</u> Project activities will involve implementation of engineering controls (i.e., vapor barrier, passive venting system) to mitigate VOCs in soil vapor. The current development plan for the site involves the construction of two 2-story school buildings which will comprise of 50,270-square feet and 3,420-square feet. Current plans do not</p>		

include any subterranean garages or basements. Installation of engineering controls will be incorporated into the architectural plans for the buildings and will be installed concurrently with building construction.

Upon installation, the engineering controls will be tested in accordance with standard protocols. If leaks are detected, the engineering controls will be repaired and re-tested to ensure that no leaks are present. The engineering controls are designed to prevent the potential for accumulation of hazardous levels of subsurface vapors in and beneath the two buildings, thereby protecting human health and the environment.

Long-term monitoring of the venting system will be conducted for a 30-year time period. Any required operations, maintenance, and monitoring (OM&M) of the venting system will be provided until cleanup goals are achieved or demonstrate the VOC plume is naturally attenuating and the vapor barriers are reducing vapor intrusion effectively. The frequency that subsurface soil vapor probes are monitored will be periodically evaluated and may be adjusted with the approval of DTSC based on the level and stability of VOC concentrations. If VOC concentrations in soil vapor do not warrant continued monitoring prior to the completion of the 30-year period, these activities may be discontinued in consultation with DTSC. If VOC concentrations in soil vapor warrant continued monitoring after 30 years, these activities may be extended beyond 30 years in consultation with DTSC. It should also be noted that the system is designed to become an active venting system with the use of a blower if sensors detect VOC levels higher than a prescribed level. An active system would be required to be reviewed and approved by DTSC prior to the system becoming active.

DTSC utilized information and analysis in the *Otay Ranch Village Two, Comprehensive SPA Plan Amendment, Final Supplemental Environmental Impact Report* (EIR) to support a final determination about the type of environmental document required to be prepared for the *Removal Action Workplan, Proposed Otay Ranch Village 2 School Site*, as provided by Sections 15162, 15163, and 15164 of the CEQA Guidelines. Specifically, the EIR analyzed potential impacts related to construction of the future school buildings in Section 5.2 (Transportation, Circulation, and Access), Section 5.3 (Air Quality), Section 5.4 (Noise), Section 5.5 (Biological Resources), Section 5.6 (Water Quality and Hydrology), Section 5.7 (Geology and Soils), and Section 5.10 (Global Climate Change).

B. LEAD AGENCY ENVIRONMENTAL DOCUMENT REVIEWED

Lead Agency: City of Chula Vista
Lead Agency’s Environmental Document: Otay Ranch Village Two, Comprehensive SPA Plan Amendment, Final Supplemental Environmental Impact Report
Date Certified: December 14, 2017
State Clearinghouse Number: 2003091012

C. STATEMENT OF FINDINGS AND FACTS FOR ADEQUACY OF LEAD AGENCY ENVIRONMENTAL DOCUMENT

Using its independent judgment, DTSC makes the following findings:

- The Lead Agency Final Environmental Document includes a description of the Project now before DTSC for decision
- The Lead Agency Final Environmental Document adequately analyzed impacts associated with the Project before DTSC for decision.
- DTSC concurs with the findings made by the Lead Agency Final Environmental Document relating to the Project before DTSC for decision.
- Mitigation measures are included in the Lead Agency Final Environmental Document for the following resources that would potentially be affected by the DTSC project.

<input type="checkbox"/> Aesthetics	Mitigation Measure: None
<input type="checkbox"/> Agricultural Resources	Mitigation Measure: None
<input type="checkbox"/> Air Quality	Mitigation Measure: None
<input type="checkbox"/> Agricultural Resources	Mitigation Measure: None
<input type="checkbox"/> Biological Resources	Mitigation Measure: None
<input type="checkbox"/> Cultural Resources	Mitigation Measure: None
<input type="checkbox"/> Energy	Mitigation Measure: None
<input type="checkbox"/> Geology / Soils	Mitigation Measure: None
<input type="checkbox"/> Greenhouse Gas Emissions	Mitigation Measure: None
<input type="checkbox"/> Hazards / Hazardous Materials	Mitigation Measure: None
<input type="checkbox"/> Hydrology / Water Quality	Mitigation Measure: None
<input type="checkbox"/> Land Use / Planning	Mitigation Measure: None
<input type="checkbox"/> Mineral Resources	Mitigation Measure: None
<input checked="" type="checkbox"/> Noise	Mitigation Measure: NOI-9 (refer to Final Supplemental Environmental Impact Report (December 2017), see Attachment A)
<input type="checkbox"/> Population / Housing	Mitigation Measure: None
<input type="checkbox"/> Public Services	Mitigation Measure: None
<input type="checkbox"/> Recreation	Mitigation Measure: None
<input type="checkbox"/> Transportation / Traffic	Mitigation Measure: None
<input type="checkbox"/> Tribal Cultural Resources	Mitigation Measure: None
<input type="checkbox"/> Utilities / Service Systems	Mitigation Measure: None
<input type="checkbox"/> Wildfire	Mitigation Measure: None

Mitigation measures identified in the Lead Agency Final Environmental Document have been adopted by DTSC for this Project and will be implemented to avoid, reduce, or substantially lessen the project impacts. No additional mitigation measures are necessary, and no additional mitigation monitoring plan is required pursuant to CEQA.

For each significant environmental effect identified for the Project:

- Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects as identified in the Lead Agency Final Environmental Document.
- Such changes or alterations are within the responsibility and jurisdiction of the City of Chula Vista not DTSC.
- Such changes have been adopted by this public agency or can and should be adopted by this public agency.
- Mitigation measures included in the Lead Agency Final Environmental Document are infeasible, and therefore, will not be incorporated into the DTSC Project for the following reasons: N/A

BASED ON THE ABOVE FINDINGS, DTSC CONCLUDES:

The proposed Project will not result in significant and unavoidable effects to the environment.

The proposed Project will result in significant and unavoidable effects to the following environmental resources:

<input type="checkbox"/> Air Quality	<input type="checkbox"/> Mineral Resources
<input type="checkbox"/> Agricultural Resources	<input type="checkbox"/> Noise
<input type="checkbox"/> Biological Resources	<input type="checkbox"/> Population/Housing
<input type="checkbox"/> Cultural Resources	<input type="checkbox"/> Public Services
<input type="checkbox"/> Energy	<input type="checkbox"/> Recreation
<input type="checkbox"/> Geology/ Soils	<input type="checkbox"/> Transportation/Traffic
<input type="checkbox"/> Greenhouse Gas Emissions	<input type="checkbox"/> Tribal Cultural Resources
<input type="checkbox"/> Hazards/Hazardous Materials	<input type="checkbox"/> Utilities/ Service Systems
<input type="checkbox"/> Hydrology/ Water Quality	<input type="checkbox"/> Wildfire

Impacts to these resources would remain significant even after applying mitigation measures described in the Lead Agency Final Environmental Document, or there is no feasible mitigation available.

In accordance with Cal. Code of Regs., title 14, section 15093, a Statement of Overriding Considerations was adopted by the Lead Agency for these resources. DTSC adopts a Statement of Overriding Considerations for these resources having determined that the DTSC Project benefits outweigh the significant environmental effects for the following reasons: The DTSC remedial actions reduce the exposure of contaminated soil, soil gas, and groundwater in order to render it safe for Site occupants. The DTSC remedial project also serves to protect human health and the environment, which are DTSC’s responsibilities under the California Health and Safety Code.

None of the conditions requiring a subsequent EIR or Negative Declaration pursuant to Cal. Code Regs., tit. 14 Section 15162 exist.

In accordance with Cal. Code of Regs., title 14, section 15093, a Notice of Determination indicating the results of said Findings will be filed with the Governor’s Office of Planning and Research / State Clearinghouse.

D. CERTIFICATION



Project Manager's Signature

8/12/2022

Date

Aslam Shareef
Project Manager's Name

Hazardous Substances Engineer
Title

(714) 484-5472
Phone #



Branch Chief's Signature

08/12/2022

Date

Haissam Y. Salloum, P.E.
Branch Chief's Name

Branch Chief
Branch Chief

(818) 717-6538
Phone #

Attachment A

The following mitigation measures are included in the Lead Agency Final Environmental Document would be implemented as applicable for activities described in the Removal Action Workplan, Proposed Willow Village Residential District.

MM-NOI-9 All project-related site preparation and construction activities shall be limited to the hours between 7:00 am–6:00 pm, Monday –Friday, and between 8:00 am–6:00 pm Saturday. No construction activities shall occur on Federal holidays (e.g., Thanksgiving, July 4th, Labor Day, etc.). All maintenance of construction equipment shall be limited to the same hours. This language shall be added to the Project grading plans. Non-noise-generating construction activities such as interior painting are not subject to these restrictions.