

CALIFORNIA ENVIRONMENTAL QUALITY ACT
NOTICE OF EXEMPTION**2019058118**

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

Project Title: Lafayette Elementary School Expansion (Former Lafayette Library) Removal Action Workplan

Project Location: 952 Moraga Road, Lafayette, California 94549

County: Contra Costa

Project Description: The project involves the excavation of approximately 80 cubic yards (cy) of dieldrin and chlordane contaminated soil at the Lafayette Elementary School Expansion (Former Lafayette Library) Site (Project Site). The cleanup decision document, referred to as a Removal Action Workplan (RAW), summarized the evaluation of remedial alternatives and concluded that remediation consisting of excavation, removal and offsite disposal was required to protect human health and the environment. The Department of Toxic Substances Control (DTSC) approved the RAW, prepared by BSK Associates, pursuant to Chapter 6.5, Division 4.5, Section 25356.1 of the Health and Safety Code.

Background: The Project Site is 0.61 acres located within a mixed-use area of residential and commercial retail development. The Project Site is bounded to the north by Moraga Boulevard and residential development, to the east and south by the Lafayette Elementary School, and to the west by Moraga Road. The Lafayette School District (District) will demolish the Former Lafayette Library building which closed in 2010 and construct five classrooms to augment the Lafayette Elementary School.

The Project Site was granted to the District in 1938 from the Bruzzone family. In 1960, the Project Site was granted to Contra Costa County and the Contra Costa County Library was constructed in 1962. The Project Site was sold to the City of Lafayette Redevelopment Agency in 2010. Since 2015, the District has leased the Project Site with the option to purchase for construction of new classrooms. The District currently owns the Project Site. The District filed a Notice of Exemption with the Contra Costa County Clerk on October 20, 2016 in anticipation of the "Purchase and Acquisition of 952 Moraga Road and Expansion of Existing School."

A Preliminary Environmental Assessment (PEA) was conducted in February 2017 which concluded that the only chemicals of concern (COCs) were the organochlorine pesticides (OCPs) dieldrin and chlordane. These COCs were identified as exceeding DTSC-Screening Levels (DTSC-SLs) and/or United States Environmental Protection Agency (EPA) Residential Regional Screening Levels (RSLs) in shallow soil in planter areas around the library building. Subsequent to the PEA, a Supplemental Site Investigation (SSI), to further define extent of impacts, was conducted in February 2018 that included additional soil sampling at seven previous PEA sampling locations which exceeded the DTSC-SLs or RSLs.

Based on the PEA and SSI analytical results, the COCs in on-site soil that need to be addressed by this RAW are chlordane and dieldrin. The source of these COCs in on-site soil is likely due to termiticide application around the exposed soil near the library foundation. These COCs are in planter areas to the north, west and south from the western section of the former library building and near the southeast corner of the building.

The RAW is being implemented by the Lafayette School District with DTSC oversight under the School Cleanup Agreement Docket Number HAS-FY 18/19-092, dated March 5, 2019.

Project Activities: Project activities consist of the excavation of approximately 80 cubic yards (cy) of dieldrin and chlordane contaminated soil. Specific project activities consist of the following:

- Demolish the existing Former Lafayette Library building. The concrete pad will remain in-place and will be alternatively used for staging areas for excavated and stockpiled soil for placement into roll-off bins to contain excavated soil while soil profile analyses are being conducted.
- Removal of plants within the excavation areas (planter areas). Above-ground portions of plants will be removed and disposed or recycled as green waste. The soil from the root-balls of the plants will be removed by hand and left in the impact area. After removal of the soil, the plants will then be disposed of as a municipal Class III waste.

- Excavation and stockpiling of approximately 80 cy of impacted soil (depth from 1.5 to 3 feet).
- Conduct confirmation soil sampling and compare confirmation data to the Cleanup Goals (CGs) and excavate additional volume, if necessary, until the CGs are met.
- Transport approximately 80 cy of impacted soil to an appropriate disposal facility. **2019058118**
- Grade, backfill and compact previously excavated areas using either onsite excess cut soil (outside of the impact area) or clean import fill material (approximately 80cy). Obtaining the import fill material will be in accordance with the current DTSC Information Advisory for Clean Fill Material.

The anticipated project start date is May 13, 2019. The excavation activities are expected to take approximately one week to complete and require four 20-yard truck trips. Four additional 20-yard truck trips will be necessary if clean import fill material is brought on-site as backfill.

In the event biological, cultural or historical resources are discovered during project activities, work will be suspended while a qualified biologist or cultural or historical resource specialist assesses 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

An analysis of the impact of project activities upon existing environmental conditions indicates that environmental safeguards and monitoring procedures, which are enforceable and a condition of project approval, will ensure that impacts to the environment will be less than significant. As a result, DTSC finds that the project is exempt from further environmental review under CEQA.

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

Name of Person or Agency Carrying Out Project: Lafayette School District

Exemption Status: (check one)

- Ministerial [PRC, Sec. 21080(b)(1); CCR, Sec. 15268]
 Declared Emergency [PRC, Sec. 21080(b)(3); CCR, Sec.15269(a)]
 Emergency Project [PRC, Sec. 21080(b)(4); CCR, Sec.15269(b)(c)]
 Categorical Exemption: [CCR, Title 14; Chapter 3, Section 15330]
 Statutory Exemptions: [State code section number]
 General Rule [CCR, Sec. 15061(b)(3)]

Exemption Title: Minor Actions Taken to Prevent, Minimize, Mitigate or Eliminate the Release or Threat of Release of a Hazardous Waste or Hazardous Substance.


Reasons Why Project is Exempt:

1. The project is a cleanup action to be taken to prevent, minimize, stabilize, mitigate, and/or eliminate the release or threat of release of a hazardous waste or substance.
2. The project is a removal action costing \$1 million or less.
3. The project does not involve the onsite use of a hazardous waste incinerator or thermal treatment unit or the relocation of residences or businesses and does not involve the potential release into the air of volatile organic compounds as defined in Health and Safety Code Section 25123.6.
4. The project is consistent with applicable state and local environmental permitting requirements including, but not limited to, off-site disposal, air quality rules such as those governing volatile organic compounds and water quality standards and approved by the regulatory body with jurisdiction over the site. Prior to implementing field activities, all necessary permits will be obtained from the City of Lafayette, County of Contra Costa, and Bay Area Air Quality Management District (BAAQMD).
5. None of the following exceptions pursuant to Cal. Code Regs., tit. 14, § 15300.2 apply:
 - (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.
- (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.

Evidence to support the above reasons is documented in the project file record, available for inspection at:

Department of Toxic Substances Control
Site Mitigation and Restoration Program
8800 Cal Center Drive
Sacramento, CA 95826

Elizabeth Tisdale	Engineering Geologist	(916) 255-6666
Project Manager Name	Project Manager Title	Phone #
		5/10/2019
Branch Chief Signature		Date
Steven Becker	Supervising Engineering Geologist	(916) 255-3717
Branch Chief Name	Branch Chief Title	Phone #

TO BE COMPLETED BY OPR ONLY	
Date Received For Filing and Posting at OPR:	<p style="color: blue; font-weight: bold;">Governor's Office of Planning & Research</p> <p style="color: red; font-weight: bold; font-size: 1.2em;">MAY 10 2019</p>

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