Department of Toxic Substances Control

Yana Garcia
Secretary for
Environmental Protection

Meredith Williams, Ph.D., Director
5796 Corporate Avenue
Cypress, California 90630

Gavin Newsom
Governor

July 24, 2024 **SENT VIA ELECTRONIC MAIL ONLY**

Mr. Carey Upton
Chief Operations Officer, Facility Improvement
Santa Monica Malibu Unified School District
2828 4th Street
Santa Monica, California 90405
cupton@smmusd.org

APPROVAL OF DRAFT REMOVAL ACTION WORKPLAN, MCKINLEY ELEMENTARY SCHOOL, 2401 SANTA MONICA BOULEVARD, SANTA MONICA (SITE CODE: 304687)

Dear Mr. Upton:

The Department of Toxic Substances Control (DTSC) hereby approves the draft Removal Action Workplan (RAW) (NV5 Inc., May 10, 2024) prepared for a portion of McKinley Elementary School (Site). The RAW was reviewed pursuant to the School Cleanup Agreement (Docket No. HSA-FY 23/24-050) executed on February 14, 2024, between DTSC and the Santa Monica Malibu Unified School District (District).

The RAW presents removal action objectives, evaluates alternatives, and describes the removal alternative proposed for the Site. The objective of the RAW is to mitigate potential risk to human health and the environment by addressing soil impacted by arsenic and soil vapor impacted by volatile organic compounds (VOCs) at the Site.

According to the RAW, the Site is an approximately 0.99 acre-portion of McKinley Elementary School (School). The School is bounded by Santa Monica Boulevard and commercial uses to the southeast, Arizona Avenue and multi-family residential uses to

the northwest, and mixed multi-family and commercial uses to the northeast across Chelsea Avenue and to the southwest across 23rd Court. The School campus was a bean farm until the 1920s when current school building was constructed on the southern portion. Several additional buildings were constructed afterwards. The Site is located towards the eastern portion of the School and has always been developed with paved parking lot. Future developments include constructing a building at the Site.

On August 15, 2023, the District entered into an Environmental Oversight Agreement (Docket Number HSA-FY23/24-004) with DTSC for the oversight of Preliminary Environmental assessment (PEA). According to the PEA, arsenic was detected in soil at maximum concentration of 20.9 milligram per kilogram; VOCs from an unknown potential offsite source were identified in soil vapor samples with maximum Tetrachloroethylene (PCE) and Trichloroethene (TCE) concentrations of 2,600 and 98 microgram per cubic meter (µg/m3) respectively; Benzene was detected with maximum of 751 µg/m3; and indoor air samples collected from School buildings adjacent to the Site indicated no detections of PCE or TCE above regulatory guidelines and detections of Benzene similar to those in outdoor air samples. Based on review of the PEA, DTSC determined on October 23, 2023, that a RAW is required at the Site.

After the PEA Determination, the District conducted another round of indoor air and soil vapor sampling in the winter season (December 2023 and January 2024 respectively) to assess seasonal variability. The indoor air results were consistent with the results of the first round, and the soil vapor results showed only PCE detections above regulatory guidelines.

A 30-day public comment period was held for the RAW from May 17, 2024 through June 18, 2024 and a public meeting was held via zoom on June 4, 2024. DTSC received comments from five (5) parties via e-mail and twelve (12) parties via mail. The comments were evaluated with respect to the RAW and DTSC will forward the enclosed response to comments to parties who submitted comments and provided sufficient contact information. After careful consideration, DTSC determined that modification to the RAW was not necessary based on the comments received. The RAW is hereby approved as final.

An Environmental Impact Report (EIR) was prepared for the McKinley Elementary School Campus Master Plan Project (State Clearinghouse No. 2023010230) in 2023. The EIR was certified by the District on June 1, 2023. An Addendum to the EIR

addressing the potential environmental impacts associated with the remediation was approved by the District, as the lead agency on May 2, 2024. DTSC, as a Responsible Agency under CEQA, will utilize the Addendum to comply with CEQA requirements. DTSC will file a Notice of Determination (NOD) with the Governor's Office of Planning and Research, State Clearinghouse to comply with CEQA. Please place the approved RAW, NOD, and this letter in the designated information repositories for public access.

You may commence fieldwork as soon as you obtain the necessary permits. Please inform DTSC of field activity schedule ten days in advance and provide a fieldwork notice to the businesses and residences located within a quarter-mile radius. The Work Notice should also be posted on the Site fence. Following completion of removal activities, please submit to DTSC a removal action completion report to demonstrate that the removal action has been satisfactorily completed in accordance with the approved RAW.

If you have any questions, please contact Ms. Lina Hijazi, Project Manager at (714) 484-5334 or by e-mail at Lina.Hijazi@dtsc.ca.gov, or contact Mr. Aslam Shareef, Unit Chief, at (714) 484-5472 or by e-mail at Aslam.Shareef@dtsc.ca.gov.

Sincerely,

Shahir Haddad, P.E.
Branch Chief
Brownfields Restoration and Schools Evaluation Branch
Site Mitigation and Restoration Program

Enclosure: Response to Comments
CEQA Notice of Determination & attached Statement of Findings

cc: (via e-mail)

Mr. Eric Fraske
Project Manager
NV5, Inc.
Eric.fraske@nv5.com

Mr. Kevin Klaus
Santa Monica-Malibu Unified School District
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Mr. Shahir Haddad
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Ms. Lina Hijazi
Project Manager
DTSC / Brownfields Restoration and Schools Evaluation Branch
Lina.Hijazi@dtsc.ca.gov

Brownfields Restoration and Schools Evaluation Branch Reading File - Cypress

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July 24, 2024

To: Parties Who Commented on the Draft Removal Action Workplan

RESPONSE TO COMMENTS ON DRAFT REMOVAL ACTION WORKPLAN, MCKINLEY ELEMENTARY SCHOOL, 2401 SANTA MONICA BOULEVARD, SANTA MONICA (SITE CODE: 304687)

The California Environmental Protection Agency, Department of Toxic Substances Control (DTSC) approved the draft Removal Action Workplan (RAW) prepared for a portion of McKinley Elementary School (Site). A formal public comment period on the draft RAW was held from May 17, 2024 through June 18, 2024 and a public meeting was held via zoom on June 4, 2024. During the public comment period, DTSC received comments from five (5) parties via e-mail and twelve (12) parties via mail. The enclosed Response to Comments (RTC) has been prepared to address the questions, issues, and concerns raised by the public. Modification to the draft RAW was not necessary and the RAW is considered final.

The Site is an approximately 0.99 acre-portion of McKinley Elementary School (School). The School is bounded by Santa Monica Boulevard and commercial uses to the southeast, Arizona Avenue and multi-family residential uses to the northwest, and mixed multi-family and commercial uses to the northeast across Chelsea Avenue and to the southwest across 23rd Court. The School campus was a bean farm until the 1920s when current school building was constructed on the southern portion. Several additional buildings were constructed afterwards. The Site is located towards the eastern portion of the School and has always been developed with paved parking lot. Future developments include constructing a building at the Site.

On August 15, 2023, the Santa Monica Malibu Unified School District (District) entered into an Environmental Oversight Agreement (Docket Number HSA-FY23/24-004) with DTSC for oversight of Preliminary Environmental Assessment (PEA). According to the PEA, arsenic was detected in soil at maximum concentration of 20.9 milligram per kilogram; volatile organic compounds from an unknown potential offsite source were identified in soil vapor samples with maximum Tetrachloroethylene (PCE) and Trichloroethene (TCE) concentrations of 2,600 and 98 microgram per cubic meter (µg/m3) respectively; Benzene was detected with maximum of 751 µg/m3; and indoor air samples collected from School buildings adjacent to the Site indicated no detections of PCE or TCE above regulatory guidelines and detections of Benzene similar to those in outdoor air samples. Based on review of the PEA, DTSC determined on October 23, 2023, that a RAW is required at the Site.

After the PEA Determination, the District conducted another round of indoor air and soil vapor sampling in the winter season (December 2023 and January 2024 respectively) to assess seasonal variability. The indoor air results were consistent with the results of the first round, and the soil vapor results showed only PCE detections above regulatory guidelines.

The RAW proposes to cap the soil at the Site. The soil will be either covered by asphalt or the proposed new building. This cap would be used to eliminate potential contact with arsenic-impacted soil. For soil that will remain exposed and not covered in areas like small landscaped planter areas, the RAW proposes placing 4 feet of clean mulch or soil. To address the soil vapor contamination, a Vapor Intrusion Mitigation (VIM) system will be installed beneath the proposed building. The mitigation consists of installing a barrier membrane under the building slab to reduce the potential of subsurface vapors entering the building. To ensure the building is safe and remains safe for occupancy, long term monitoring will be conducted which consists of sampling soil vapor and indoor air regularly. In addition, Land Use Restriction and Operation and Maintenance plan will be prepared to ensure the cover and the VIM system are properly maintained.

DTSC will file a Notice of Determination with the California State Clearinghouse, Office of Planning and Research to comply with California Environmental Quality Act as part of the RAW approval process.

Enclosed please find a copy of the RTC. A copy of the RAW and other project documents are available for review electronically at:
https://www.envirostor.dtsc.ca.gov/public/profile_report.asp?global_id=60003412

If you have any questions, please contact Ms. Lina Hijazi, Project Manager at (714) 484-5334 or by e-mail at Lina.Hijazi@dtsc.ca.gov, or contact Mr. Aslam Shareef, Unit Chief, at (714) 484-5472 or by e-mail at Aslam.Shareef@dtsc.ca.gov.

Sincerely,

Shahir Haddad, P.E.
Branch Chief
Brownfields Restoration and Schools Evaluation Branch
Site Mitigation and Restoration Program

Enclosure: Response to Comments

cc: (see next page)

cc: (via e-mail)

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RESPONSE TO COMMENTS

REMOVAL ACTION WORKPLAN
MCKINLEY ELEMENTARY SCHOOL,
2401 SANTA MONICA BOULEVARD, SANTA MONICA

INTRODUCTION

The Department of Toxic Substances Control (DTSC) prepared this "Response to Comments" (RTC) document to address all written comments received by DTSC during the public comment period regarding the Removal Action Workplan (RAW) (NV5 Inc., May 10, 2024) prepared for a portion of McKinley Elementary School (Site).

A public notice announcing the beginning of the formal 30-day public comment period on the draft RAW was published in the Santa Monica Daily Press on May 15, 2024, and in La Opinion on May 14, 2024. A Community Update was mailed out to residents and businesses within a quarter mile radius and emailed to the school community on May 15, 2024. A public meeting was held via zoom on June 4, 2024. The formal public comment period ended on June 18, 2024. During the public comment period, DTSC received comments from five (5) parties via e-mail and from twelve (12) parties via mail. Based on the RTCs, DTSC determined that further revision of the draft RAW was not necessary.

The Site is an approximately 0.99 acre-portion of McKinley Elementary School (School). The School is bounded by Santa Monica Boulevard and commercial uses to the southeast, Arizona Avenue and multi-family residential uses to the northwest, and mixed multi-family and commercial uses to the northeast across Chelsea Avenue and to the southwest across 23rd Court. The School campus was a bean farm until the 1920s when current school building was constructed on the southern portion. Several additional buildings were constructed afterwards. The Site is located towards the eastern portion of the School and has always been developed with paved parking lot. Future developments include constructing a building at the Site.

On August 15, 2023, the Santa Monica Malibu Unified School District (District) entered into an Environmental Oversight Agreement (Docket Number HSA-FY23/24-004) with DTSC for oversight of Preliminary Environmental Assessment (PEA). According to the PEA, arsenic was detected in soil at maximum concentration of 20.9 mg/kg; Volatile Organic Compounds (VOCs) from an unknown potential offsite source were identified in soil vapor samples with maximum Tetrachloroethylene (PCE) and Trichloroethene

(TCE) concentrations of 2,600 and 98 µg/m3 respectively; Benzene was detected with maximum of 751 µg/m3; and Indoor air samples collected from School buildings adjacent to the Site indicated no detections of PCE or TCE above regulatory guidelines and detections of Benzene similar to those in outdoor air samples. Based on review of the PEA, DTSC determined on October 23, 2023, that a RAW is required at the Site.

After the PEA Determination, the District conducted another round of indoor air and soil vapor sampling in the winter season (December 2023 and January 2024 respectively) to assess seasonal variability. The indoor air results were consistent with the results of the first round, and the soil vapor results showed only PCE detections above regulatory guidelines.

The RAW proposes to cap soil at the Site. The soil will be either covered by asphalt or the proposed new building. This cap would be used to eliminate the potential contact with arsenic impacted soil. For soil that will remain exposed and not covered in areas like small, landscaped planter areas, the RAW proposes placing 4 feet of clean mulch or soil. To address the soil vapor contamination, a Vapor Intrusion Mitigation (VIM) system will be installed beneath the proposed building. The mitigation consists of installing a barrier membrane under the building slab to reduce the potential of subsurface vapors entering the building. To ensure the building is safe and remains safe for occupancy, long term monitoring will be conducted which consists of sampling soil vapor and indoor air regularly. In addition, a Land Use Restriction and Operation and Maintenance Plan will be prepared to ensure the cover and the VIM system are properly maintained.

Comments received during the formal public comment period are *italicized*, followed by DTSC's response.

PUBLIC COMMENTS RECEIVED VIA E-MAIL

Comment 1 from: Eric Clarke

Our 2nd grade son and his classmates love their time on the field and the garden on campus. Having learned that there is likely contamination across the property, and that there is cement or concrete creating a barrier in the areas like the garden and the field, it seems that testing should be done right away in those areas to make sure that our children aren't being affected when they play and when they dig in those areas. Is this a cost issue to not test those right away? Those areas could be poisoning these kids and we have no idea, especially when they go under the top layer of soil or grass. Thank you.

DTSC Response to Comment 1:

DTSC's mission is to protect human health and the environment. DTSC reviewed the soil testing results within the parking lot area (Site). Soil samples were collected from the Site where the proposed building will be constructed. Arsenic, a naturally occurring metal, was detected above regulatory guidelines in some samples collected from 2 feet to 8 feet below ground surface. This area is a paved parking lot, therefore, children would not come in direct contact with the soils, as the pavement acts as barrier against exposure to the soils. Soil samples were not collected from the rest of the school campus which includes the soccer field. The soccer field is covered with 2 to 3 inches of grass which acts as a cover to the soil underneath. Sampling at the soccer field and the rest of the school campus is anticipated in the future during planned future construction.

Based on sampling results, arsenic detected in soil at the Site is likely naturally occurring and not a result of contamination. The arsenic level at the rest of the school campus is likely similar but can't be confirmed until samples are collected. The proposed alternative in the Removal Action Workplan is to cap the soil on the Site. A cap provides protection to the teachers and students at the school from getting in contact with the soil impacted by arsenic. In addition, a Land Use Covenant will be executed to ensure any soil disturbance will be performed according to a soil management plan approved by DTSC.

As for the remainder of the school campus, the soil is either covered with asphalt, concrete, or grass turf where exposure to soil is unlikely. Sampling and assessment at the rest of the school campus is anticipated during planned future construction activities.

Comment 2 from: Mari Ostendorf

As a resident of the MidCity Neighborhood and former McKinley parent, I appreciate the communication provided surrounding this project in our neighborhood. Upon reading the project documents, I have outlined comments and questions below.

CleanUp: Community Update document:

2.1 *For what specific period of time, duration and frequency will water be "sprayed" to control and suppress dust? (e.g., every day, every hour). Please define clearly and with detail.*

DTSC Response to Comment 2.1:

Dust control measures will be in place during the Removal Action Workplan (RAW) implementation; details are included in Section 7.3.2 of the RAW. In order to control the dust, water will be sprayed periodically. The contractor will control dust generation by spraying water prior to daily work activities, during excavation/loading activities, and at truck staging locations. Watering equipment will be continuously available to provide proper dust control.

2.2 *For what specific period of time, duration and frequency will air monitoring procedures and dust control measures be implemented during RAW activities? (e.g., at beginning and end of each day, hourly). Please define clearly and with detail.*

DTSC Response to Comment 2.2:

Air monitoring and dust control measures will be conducted during implementation of the RAW. Air monitoring will be conducted in accordance with South Coast Air Quality Management District (SCAQMD) rule 1466 where particulate PM10 monitors will be placed at the fence line in upwind and downwind directions. A total of four monitors (two upwind and two downwind) will be placed and will be recorded every 30 minutes. PM10 concentrations are then calculated by subtracting upwind monitoring results from downwind monitoring results averaged over a 30-minute period. If PM10 concentration exceeds 25 micrograms per cubic meter (ug/m3), earth work activities shall cease, and dust control measures will be implemented by spraying water to control fugitive dust source areas. Results will be posted on a daily basis on DTSC's McKinley Elementary School Public page https://www.envirostor.dtsc.ca.gov/public/profile_report.asp?global_id=60003412.

No soil is planned to be exported offsite. Dust control measures include spraying water prior to daily work activities, during excavation/loading activities, when PM10 concentrations exceed 25 ug/m3 and at truck staging locations. These measures also include trucks maintaining low speeds (less than 5 miles per hour) to prevent dust generation, installation of fence and dust screens along perimeter of the work area to mitigate potential windblown dust, and work cessation if wind speed exceeds 25 miles per hour.

2.3 *Will the "trucks at the site" maintain low speeds ONLY while on the campus? Or also when on adjacent streets such as Arizona, Santa Monica Blvd and Chelsea? How many blocks within the "site" location will the trucks reduce to "less than 5 mph"? Please respond to each question in detail.*

DTSC Response to Comment 2.3:

While on school campus, trucks will be required to maintain low speeds (i.e., less than 5 mph) for safety and dust control purposes. Outside the school campus, truck drivers should comply with city ordinances. Please note that there is no soil export planned as part of RAW implementation. Trucks will be visually inspected before leaving the Site, and any dirt adhering to the exterior surfaces will be brushed off and collected on plastic sheeting. A decontamination station for field footwear shall be established within the work area. Boots shall be decontaminated before leaving the work area by removal of disposal boot covers (if used) then washing in a detergent solution with a stiff-bristled brush and rinsing with clean water. The decontamination containers shall be clearly labeled to identify the wash and rinse.

2.4 *Will the trucks have COVERS on the back/open area to ensure no physical material is flying off the truck during movement? How will these COVERS be secured? Please response with detail.*

DTSC Response to Comment 2.4:

Exporting of soil offsite is not anticipated during the RAW implementation. If soil needs to be exported from the Site, it will be transported in bins or dumpsters with solid lids or in dump trucks covered with tarps that are secured prior to exiting the Site in accordance with Department of Transportation regulations. The storage bins or beds of the trucks will be inspected to ensure the loads are properly covered and secured. Please refer to response to comment # 2.3 on decontamination of trucks and equipment leaving the Site.

Additional Comments/Questions:

2.5 *Will any activities involving the community be taking place on the campus during/throughout the RAW? (e.g., the green space field and playground are open to the public after hours and on weekends for usage, will this continue to be available, and if yes, what will be done to protect the community during that time?)*

DTSC Response to Comment 2.5:

RAW implementation is anticipated to start in July or August when school is not in session but might continue until late summer after students return to school. Playground and greenspace areas that are outside of the fenced construction area will remain open for public use after hours and on weekends during/throughout the RAW and subsequent construction activities. Construction

fencing will be placed along the perimeter of the entire work area to restrict access, dust screens and sound walls will be installed on perimeter fencing to mitigate potential windblown dust, and soil stockpiles will be covered with plastic tarping. Following completion of earthwork activities, a protective layer of crushed rock will be imported to the Site and placed on all exposed soil areas to act as a temporary barrier until the building pad and surrounding pavement are constructed.

Air monitoring and dust control measures will be conducted on a regular basis to ensure the school community and surrounding community are safe. As previously mentioned, the Site will also be enclosed and bounded by a temporary perimeter construction fence to ensure work areas are secure and safe. To ensure that trespassers or unauthorized personnel are not allowed near work areas, security measures may include, but will not be limited to:

- Posting notices directing visitors to the Site manager.
- Installing additional barrier fencing around work areas to restrict access to sensitive areas.
- Providing adequate Site security to ensure that unauthorized personnel have no access to work areas and/or contaminated materials.
- Maintaining a safe and secure work area, including areas where equipment is stored or placed, at the close of each workday.

2.6 *If I am understanding the levels for substances located, it appears ARSENIC is at a very high level, and PCE is at 10x higher than the CA limit. When will you be sampling the remainder of the McKinley campus to confirm levels in all locations that will be touched during the proposed work?*

DTSC Response to Comment 2.6:

Arsenic detected within the parking lot (Site) is likely naturally occurring and not a result of contamination. Soil samples were collected from the Site on three different events. Samples were collected in February 2023, July 2023 and May 2024 with maximum detection of arsenic at 20.9 mg/kg. As for the remainder of the school campus, sampling is anticipated in the future during planned future construction. Soil in that area is either covered with asphalt, concrete, or grass turf where exposure to soil is unlikely.

PCE was detected in soil vapor at the Site. Since PCE in soil vapor may pose a potential vapor intrusion risk to buildings on campus, two rounds of indoor air sampling were conducted inside the school campus buildings. In-door air sampling results showed no detections of PCE above regulatory guidelines.

To address the soil vapor contamination, a Vapor Intrusion Mitigation (VIM) system will be installed beneath the new proposed building. The mitigation consists of installing a barrier membrane beneath the building slab to prevent any vapors in subsurface from entering into the building. To ensure the building is safe and remains safe for occupancy, long term monitoring will be conducted which consists of sampling soil vapor and indoor air regularly.

A Land Use Covenant will be prepared to restrict the Site use and ensure school remains safe for occupancy in the future. An Operation and Maintenance Plan will be prepared to ensure the VIM system is properly maintained and the soil cap remains intact. Even though the potential impact of subsurface vapors to the indoor air is unlikely, soil vapor and indoor air sampling will be conducted as part of ongoing monitoring. A Workplan will be submitted to DTSC soon for review/approval.

2.7 *Please provide details on WHY you selected the Soil Cap, versus full on removal? Can we see the quotes/discussion provided amongst the 3 options, and how you came to the decision that Soil Cap is the best option for this project?*

DTSC Response to Comment 2.7:

The RAW proposed three cleanup alternatives to address arsenic in soil: 1. No Action; 2. Excavation and Offsite Disposal; and 3. Soil Reuse/Containment/ Capping in-place. These alternatives were evaluated and compared based on their effectiveness, implementability, and cost. Based on the evaluation criteria, the recommended was alternative 3. More details are included in the draft RAW under section 5.1.

Alternative 3 was recommended because it's the only alternative that can be practically implemented, given that arsenic is likely naturally occurring, while being cost effective and protective of human health and the environment. Removal is not feasible in cases where we have naturally occurring arsenic. Removal would require excavation and transportation of significant quantities of soil, a process which may cause more environmental harm than leaving it in place. A soil cap prevents exposure to arsenic impacted soil and achieves removal action objectives at the Site.

2.8 *"Currently, no immediate risks…" was noted in one of the documents. Please define this. Please advise of risks that the community (neighborhood and school) may face due to the elevated levels that may not be "currently,,,"*

DTSC Response to Comment 2.8:

"Currently, there are no immediate risks associated with the contamination found in the soil" means that there's no risk from the arsenic found in soil to school occupants at the present time. That's because there's no exposure to the soil as the arsenic at the Site was detected two feet below ground surface and no dermal exposure contact exists since the soil is not disturbed and is covered with asphalt. The remedy selected in the RAW for the soil is capping which will prevent any exposure to the arsenic-impacted soil.

2.9 *What is the timeline to test for contamination at other areas of the 6 acre campus based upon this finding?*

DTSC Response to Comment 2.9:

Soil at the rest of the school campus will not be disturbed during the proposed RAW activities that will be implemented at the parking lot area (Site). Soil sampling at the rest of the school campus is anticipated during planned future construction. For any specific questions related to the schedule for future construction, please contact the Santa Monica Malibu Unified School District at (714) 421-0372.

Drycleaner:

2.10 *Reference was made in documents regarding the laundry/off-site dry cleaning facility that is across from the site. It is imperative to note that there are actually two (2) dry cleaning facilities within one (1) block of McKinley. Per your documents, these chemicals can travel "long distances" therefore I would recommend review of the second dry cleaning facility as well, which is near the CVS and Starbucks on the 2400 block of Santa Monica Blvd.*

DTSC Response to Comment 2.10:

The source of PCE impact on the school is likely the drycleaners east of the Site. The case regarding the source of PCE impact on the school was referred to DTSC office of legal counsel for evaluating next steps. DTSC requested one of the dry cleaners to investigate and remediate PCE contaminated soil as necessary and will be sending a letter to the other dry cleaner located near the school campus requesting information. The two dry cleaners are located at 2441 Santa Monica Boulevard and 2461 Santa Monica Boulevard.

Comment 3 from: Rosvita Rauch, Simona & Djole Popovic, Denise Johanson, John Agoglia, and Magdalene Vasquez

We have reviewed the maps and tables available on the Envirostor website, and have the following comments and queries:

3.1 *The reports suggest that the contamination of Volatile Organic Compounds (VOCs) and arsenic likely originated in the commercial area of Santa Monica Blvd & Chelsea Ave and spread in a northwesterly direction. This places the houses and residents on the south end of Chelsea Ave, especially 1345 and 1343 Chelsea Ave almost directly in that trajectory.*

DTSC Response to Comment 3.1:

Regarding impact on neighboring properties, arsenic detected in soil onsite will not affect these properties as it's likely naturally occurring and not a result of contamination. In addition, air monitoring and dust control measures will be implemented during RAW activities. Regarding vapor intrusion risk to off-site neighboring occupants (residents), it's currently unknown as these properties were not assessed and is beyond the scope of this RAW.

The source of PCE impact on the school is likely the drycleaners east of the Site. The case regarding source of PCE impact on the school was referred to DTSC office of legal counsel for evaluating next steps.

3.2 *Real-time Air Monitoring*
Unlike the pupils away for the summer, we residents will be very much present during the remediation project. Given the high levels of some of the VOCs detected and the health risks they pose, we would like to urge that real-time air monitoring be extended to include at-site testing and in/near the homes (and families) potentially affected. Prevailing winds during July and August in our area are onshore, thus, the air quality for residents potentially impacted on Chelsea Ave needs to be monitored while the remediation work is taking place.

DTSC Response to Comment 3.2:

To ensure that the school community and surrounding community are safe during RAW activities, Dust control and monitoring will be conducted in accordance with South Coast Air Quality Management District (SCAQMD) rule 1466. Four particulate PM10 monitors; two upwind and two downwind, including a monitor near Chelsea Avenue across from residents, will be placed. PM 10 measurements will be recorded every 30 minutes. If PM10 concentration

exceeds 25 micrograms per cubic meter (ug/m3), earth work activities shall cease and dust control measures will be implemented by spraying water to fugitive dust sources. The four monitoring stations will be sufficient to ensure that the RAW activities do not affect the neighboring community. Results will be posted on a daily basis on DTSC's McKinley Elementary School Public page https://www.envirostor.dtsc.ca.gov/public/profile_report.asp?global_id=60003412

3.3 *Continued contamination?*
We understand that the water table in our area is more than 100ft bgs and therefore was not tested or considered a probable cause. It is also stated in the Step-Out Sampling report that the arsenic occurring on site was not from a release but could be naturally occurring. What was the most likely transport mechanism for the diffusion of the VOCs? And, if it is/was by continued or intermittent seepage from an original source(s), is there any evidence that this has now stopped?

DTSC Response to Comment 3.3:

Groundwater is deeper than 140 feet below ground surface in the vicinity of the Site and hence is not considered a cause of the PCE contamination in soil vapor at the Site. The contamination likely started in soil at the source area where spilling or discharge of drycleaning solvents may have occurred. This contamination likely migrated through the air-filled porosity in soil primarily via diffusion from areas with higher vapor concentrations to areas with lower concentrations contaminating soil vapor at the Site.

The assessment of the source of PCE contamination is beyond the scope of this RAW. DTSC's mission is to protect human health and the environment. The remedy selected in the RAW provides adequate protection to the occupants on campus. To address the source of PCE contamination at the Site, DTSC requested one of the neighboring dry cleaners to investigate and remediate PCE contaminated soil as necessary and will also be sending a letter to the other neighboring dry cleaner requesting information.

3.4 *We have also reviewed the correspondence available on the website regarding the Preliminary Endangerment Assessment (PEA) Report and the Vapor Intrusion Mitigation System Design. Discrepancies were noted by the DTSC in that correspondence. We were unable to determine if those discrepancies have been adequately addressed to the DTSC's satisfaction as of yet and would be grateful for your confirmation.*

DTSC Response to Comment 3.4:

Discrepancies noted in the PEA report and the Vapor Intrusion Mitigation System Design were addressed in the RAW and Appendix A of the RAW.

3.5 *Finally, we would like advice as soon as possible about the risks to our health as residents and what procedures we (or our landlords) should take and to whom concerns should be directed.*

DTSC Response to Comment 3.5:

Refer to DTSC response to comment # 3.1. There's no risk from arsenic-impacted soil to school occupants or residents as it's likely naturally occurring. In addition, air monitoring and dust control measures will be implemented during proposed cleanup activities to ensure the surrounding community is safe. Regarding PCE impact to nearby residents, data has not been collected to date and vapor intrusion risk has not been evaluated. To address the source of PCE contamination at the Site, DTSC requested one of the neighboring dry cleaners to investigate and remediate PCE contaminated soil as necessary and will also be sending a letter to the other neighboring dry cleaner requesting information.

RAW scope of work is limited to investigation and remediation of the Site. To get their properties tested, residents can hire licensed professionals with expertise in Environmental investigation and cleanup and the investigation can be performed in consultation with DTSC.

Comment 4 from: Rosvita Rauch

One question we have as residents on Chelsea Avenue almost directly in the trajectory between the commercial businesses and the school parking lot, is who we should approach to get testing done in and around our residences? Under whose oversight/department do we come if - as seems likely - the levels exceed the residential RSLs?
Any recommendation and information would be very welcome.

DTSC Response to Comment 4:

The school project scope of work is limited to investigation and remediation of the Site. To get their properties tested, residents can hire licensed professionals with expertise in Environmental investigation and cleanup and the investigation can be performed in consultation with DTSC.

Comment 5 from: Carol Van Heerden

I live on 26th street, a stone's throw from McKinley. Our daughter attended the school for 6 years and we loved it. We are also sad to hear about the toxic ground beneath it, but are glad the school will get the needed reparations and mitigation of toxins.

My question to you is whether local residents can get more information about how we, as well, might be affected by these toxins. I'm sure the toxicity is not contained only on the school parcel, and therefore am wondering why the city of SM has not sent information to local residents about this, other than the information from the school district pertaining to the school.

Could you give me the name and email address of someone at the city level that could answer my questions? I think many neighbors would like you know how we can test our properties for toxins and where the chemicals are located beyond school grounds.

I would much appreciate your help in finding City of SM personnel that could answer some community questions.

DTSC Response to Comment 5:

Arsenic detected in soil onsite does not affect neighboring properties as it's likely naturally occurring and not a result of contamination. Regarding PCE impact to nearby residents, data has not been collected to date and vapor intrusion risk has not been evaluated.

As part of public outreach, DTSC sent out notifications to the school community and to residents and businesses located within a quarter-mile radius from the Site notifying them about the contamination and the proposed cleanup activities at the Site, and not the City of Santa Monica, due to the fact that the proposed cleanup project is overseen by DTSC and not by the city.

Based on communication with a representative from the City of Santa Monica, the city does not conduct sampling on private properties. To get their properties tested, residents can hire licensed professionals with expertise in Environmental investigation and cleanup and the investigation can be performed in consultation with DTSC.

For City of Santa Monica personnel, you may contact Sunny Wang at Sunny.Wang@Santamonica.gov

PUBLIC COMMENTS RECEIVED VIA MAIL

Comment 1 from: 25th Street Neighbors

Would like to be notified of all work dates and hours in advance. Noise abatement and adhering to hours allowed should be a priority for your neighbors. Any street closures or blockages should be given advance notice to neighbors as well.

DTSC Response to Comment 1:

Prior to starting fieldwork for the proposed removal action, a Work Notice will be distributed to addresses located within a quarter-mile radius from the Site. The Work Notice will include anticipated timeframe and hours and information on any street closures as it will provide a general description of the work that will occur. Traffic related to RAW activities is not significant and street closures are not anticipated during RAW related activities.

Regarding noise abatement, sound walls will be placed along the work area perimeter facing Chelsea Avenue. In addition, cleanup/construction activities will be conducted in accordance with Santa Monica Municipal Code 4.12.110, which limits construction activities to the hours of 8am to 6pm Monday through Friday and 9am to 5pm on Saturdays. No construction activities are permitted on Sundays or holidays. Noise level is anticipated to be similar to what's encountered at any other construction project, so no excessive noise is anticipated. For questions related to construction noise, please contact the City of Santa Monica at (310) 458-4984.

Comment 2 from: Barry joffee

Requesting a copy of the RTC document.

DTSC Response to Comment 2:

A copy of the RTC document will be provided to you and to everyone who provided a comment on the draft RAW.

Comment 3 from: Shelley Hoover

I am concerned about the contaminations of toxic detections on the McKinley School parking lot and property. I babysit a student in 1st grade, and spend a lot of time with her. I love her like my own child, and fear that the exposure to these chemicals may

make her sick, as well as other students, faculty, and parents or guardians. Please make this a safe environment for everyone.

DTSC Response to Comment 3:

Currently, there is no exposure to the arsenic detected in soil as the soil is not disturbed and is covered with asphalt. There's also no exposure to the PCE detected in soil vapor as it was not detected in indoor air samples collected from the classroom buildings indicating that they're safe for occupancy. The proposed cleanup will ensure that the Site remains safe for future redevelopment and is protective of human health and the environment.

Comment 4 from: John Agoglia

4.1 *How many times a day will you be testing the air? How will the public be able to access the results?*

DTSC Response to Comment 4.1:

Air monitoring will be conducted in accordance with South Coast Air Quality Management District (SCAQMD) rule 1466 where particulate PM10 monitors will be placed at the fence line in upwind and downwind directions. A total of four monitors will be placed and PM 10 level will be recorded every 30 minutes. PM10 concentrations are then calculated by subtracting upwind monitoring results from downwind monitors results, averaged over a 30-minute period. Results will be posted on a daily basis on DTSC's McKinley Elementary School Public page https://www.envirostor.dtsc.ca.gov/public/profile_report.asp?global_id=60003412. They can be found under "Community Involvement" tab under "Project Related Documents" section.

4.2 *How will you stop trucks from spreading toxic soil when leaving the site?*

DTSC Response to Comment 4.2:

Exporting soil offsite is not anticipated during the RAW implementation. Trucks or heavy equipment leaving the Site will be visually inspected before leaving the Site, and any dirt adhering to the exterior surfaces will be brushed off and collected on plastic sheeting.

Comment 5 from: Lila Yomtoob

5.1 *If the soil contamination is a result of the drycleaner, is the drycleaner going to pay for the contamination?*

DTSC Response to Comment 5.1:

PCE was not detected in soil at the Site but was detected in soil vapor. The dry cleaner is the likely source of PCE contamination in soil vapor. The case was referred to DTSC office of legal counsel for consultation and the next steps for compliance. The party responsible for contamination will be required to investigate and cleanup under DTSC oversight.

5.2 *How toxic is the soil and the vapor to humans and animals?*

DTSC Response to Comment 5.2:

Arsenic detected at the Site is likely naturally occurring and not a result of contamination. PCE was detected in soil vapor at high concentrations but was not detected in indoor air above regulatory levels indicating the school buildings are safe for occupancy. Currently, there's no risk from arsenic or PCE to school occupants and the proposed cleanup will ensure that the Site remains safe for future redevelopment and is protective of human health and the environment.

In addition, biological resources are not impacted by the chemicals of concern and will not be affected by the cleanup.

5.3 *What is the radius of the soil and vapor toxicity and how does distance affect toxicity levels?*

DTSC Response to Comment 5.3:

Soil and soil vapor samples were only collected from the approximately 1-acre parking lot area (Site). Soil samples were collected down to 8 feet below ground surface (bgs) and results indicated that arsenic is naturally occurring at the Site.

Soil vapor samples were collected down to 15 feet bgs. The radius or extent of PCE contamination in soil vapor is unknown but results show higher detections to the east next to the drycleaner. To define the extent of the PCE plume, additional soil vapor samples will be collected from rest of the school campus.

Generally, as distance from the contamination source increases, contamination level decreases.

5.4 *As a neighbor to the site, I feel the right to know these things. If findings continue to show that toxicity is a result of the drycleaner, and the toxicity can affect human or animal health in any way, that the drycleaner is held liable. Thank you for making this information available to the community.*

DTSC Response to Comment 5.4:

The dry cleaner is the likely source of PCE contamination in soil vapor. The case was referred to DTSC office of legal counsel for consultation and the next steps for compliance. The party responsible for contamination will be required to investigate and cleanup under DTSC oversight.

Comment 6 from: Resident who lives too close to the school

While this is being done, how about trimming all the bushes that block the pedestrian sidewalk on Santa Monica Blvd. It's such a mess with weeds, and when the bushes are trimmed the toxic gas leaf blowers are polluting the air, as well as blowing dirt and debris. This is an Elementary school. It should be taken care of and provide safety to the students. Having the type of fencing with nontaken care of bushes and weeds is a predators dream. Please invest in a proper gate that will get rid of the bushes, dust, weeds, and build an actual gate in front of the school that will block out noise pollution as well as give privacy and save on landscaping and pollution. It will also give residence a break from the annoying person who yells on the intercom. We can all hear the announcements 2 blocks away. Please consider building gate on Santa Monica Blvd. The lads are loud. Please send a copy to the principle.

DTSC Response to Comment 6:

These concerns are not related to the proposed cleanup project under DTSC oversight and are not within DTSC preview. Your comments will be forwarded to the school principal.

Comment 7 from: Ron Groezinger

Please remove any soil, etc affected by this discovery. Test air and soil as an ongoing safeguard. Erect sound abatement barriers. Maintain suppression of any dust and other particulates. Limit noise from any and all construction or demolition to reasonable hours

of the day! No weekends! Currently there have been issues where work started on Saturday mornings before 7:00 am!

DTSC Response to Comment 7:

Arsenic detected in soil at the Site is likely naturally occurring so it's not feasible to remove it. The selected remedy in the RAW includes capping the arsenic-impacted soil.

The RAW proposed three cleanup alternatives to address arsenic in soil: 1. No Action; 2. Excavation and Offsite Disposal; and 3. Soil Reuse/Containment/ Capping in-place. These alternatives were evaluated and compared based on their effectiveness, implementability, and cost. Based on the evaluation criteria, the recommended was alternative 3. More details are included in the draft RAW under section 5.1.

Alternative 3 was recommended because it's the only alternative that can be practically implemented, given that arsenic is likely naturally occurring, while being cost effective and protective of human health and the environment. Removal is not feasible in cases where we have naturally occurring arsenic. Removal would require excavation and transportation of significant quantities of soil, a process which may cause more environmental harm than leaving it in place. A soil cap prevents exposure to arsenic impacted soil and achieves removal action objectives at the Site.

Air monitoring and dust control measures will be conducted during RAW implementation to ensure the school community and surrounding community are safe. Air monitoring will be conducted in accordance with South Coast Air Quality Management District (SCAQMD) rule 1466 where particulate PM10 monitors will be placed at the fence line in upwind and downwind directions. Dust control measures will include spraying water prior to daily work activities, during excavation/loading activities, when PM10 concentrations exceed 25 ug/m3 and at truck staging locations. These measures also include trucks maintaining low speeds (less than 5 miles per hour) to prevent generating dust, installing fencing and dust screens along perimeter of the work area to mitigate potential windblown dust, and work cessation if wind speed exceeds 25 miles per hour.

Regarding noise abatement, sound walls will be placed along the work area perimeter facing Chelsea Avenue. In addition, cleanup/construction activities will be conducted in accordance with Santa Monica Municipal Code 4.12.110, which limits construction activities to the hours of 8am to 6pm Monday through Friday

and 9am to 5pm on Saturdays. No construction activities are permitted on Sundays or holidays.

Comment 8 from: Rosen Riche

How will I be compensated when the hazardous material is proven to affect my health?

DTSC Response to Comment 8:

DTSC is an oversight agency for protecting human health and environment from harmful chemicals. DTSC does not get involved in legal matters between the residents and the responsible parties.

Data collected at the Site suggests that currently, there's no risk from arsenic or PCE to school occupants and the selected remedy in the RAW will ensure that the Site remains safe for future redevelopment and is protective of human health and the environment. So, with the remedy in place, it's not expected that the contamination at the Site will affect the health of the school occupants.

In addition, arsenic detected in soil onsite does not impact residents at neighboring properties as it's likely naturally occurring and not a result of contamination. Regarding PCE impact to nearby residents, data has not been collected to date and vapor intrusion risk has not been evaluated. To get their properties tested, residents can hire licensed professionals with expertise in Environmental investigation and cleanup and the investigation can be performed in consultation with DTSC.

Comment 9 from: David Cole

Concerns as follows:

9.1 *Will result in paved over playground.*

DTSC Response to Comment 9.1:

The Site is composed of a parking lot area. The existing playground is not part of the Site.

9.2 *Will be overblown and take millions of dollars to cover low level issues.*

DTSC Response to Comment 9.2:

Please contact the school District at (714) 421-0372 for any questions related to funding of the environmental investigation and cleanup. DTSC is an environmental oversight agency, its mission is to protect human health and the environment from harmful chemicals.

Arsenic is likely naturally occurring at the site, it still needs to be remediated/mitigated when it's present in soil at school sites. In addition, PCE was detected in soil vapor at high concentrations warranting mitigation/remediation to ensure that the proposed building is safe for occupancy. The cleanup project is necessary to ensure that the Site is safe for future redevelopment and is protective of human health and the environment.

9.3 *That another nearby drycleaner business possible impact is being ignored - Dry Clean Express 2461 Santa Monica Blvd.*

DTSC Response to Comment 9.3:

DTSC requested one of the dry cleaners to investigate and remediate PCE contaminated soil as necessary and will also be sending a letter to Dry Clean Express requesting information.

9.4 *That emissions from St. Johns have not been considered.*

DTSC Response to Comment 9.4:

St. John's Medical Center was not identified as a recognized environmental condition during Phase I investigation due to its distance from the Site and its operation as a medical center. PCE contamination is usually the result of dry-cleaning operations.

9.5 *That impact on nearby homes has not been tested or found to be a concern.*

DTSC Response to Comment 9.5:

Arsenic detected in soil onsite does not have an impact on nearby homes as it's likely naturally occurring and not a result of contamination. Regarding PCE impact to nearby residents, data has not been collected to date and vapor intrusion risk has not been evaluated. To get their properties tested, residents can hire licensed professionals with expertise in Environmental investigation and cleanup and the investigation can be performed in consultation with DTSC.

Comment 10 from: Daniel Navarro

10.1 *Are the safety measures enough? How can you guarantee the proposed safety measures will work thoroughly? Are more safety measures needed?*

DTSC Response to Comment 10.1:

The safety measures include air monitoring, dust control measures, and security measures to ensure the school community and surrounding community are safe. The Site will be enclosed and bounded by a temporary perimeter construction fence to ensure work areas are secure and safe. To ensure that trespassers or unauthorized personnel are not allowed near work areas, security measures may include, but will not be limited to:

- Posting notices directing visitors to the Site manager.
- Installing additional barrier fencing around work areas to restrict access to sensitive areas.
- Providing adequate Site security to ensure that unauthorized personnel have no access to work areas and/or contaminated materials.
- Maintaining a safe and secure work area, including areas where equipment is stored or placed, at the close of each workday.

The proposed safety measures should address all safety concerns and will be implemented by a certified contractor and overseen by school district personnel. DTSC personnel will also be overseeing the work as needed.

10.2 *Is this work really needed? Why can't you just leave alone? A concern is regarding the dust and how can we know these measures will protect us and our children? Santa Monica is already breezy, the risk of dust in our air is strong!*

DTSC Response to Comment 10.2:

The school district plans to construct a building on the eastern parking lot area (Site). Prior to construction, soil and soil vapor samples were collected at the Site which identified arsenic detections in soil and PCE detections in soil vapor at high concentrations. The arsenic and PCE need to be remediated/mitigated to ensure that the Site is safe for future redevelopment and is protective of human health and the environment.

Dust control measures will be in place during RAW activities to ensure that the school community and surrounding community are not exposed to chemicals of

concern. These measures include, but may not be limited to, spraying water prior to daily work activities, during excavation/loading activities, and at truck staging locations. These measures also include trucks maintaining low speeds (less than 5 miles per hour) to prevent generating dust, installing fencing and dust screens along perimeter of the work area to mitigate potential windblown dust, and work cessation if wind speed exceeds 25 miles per hour. Dust control measures will be implemented by a certified contractor and overseen by school district personnel. DTSC personnel will also be overseeing the work as needed.

10.3 *Why is this work needed? Absolutely necessary if there is a risk to resident health? What if residents get sick later down the line? Is the city prepared for mass lawsuits?*

DTSC Response to Comment 10.3:

DTSC is an oversight agency and its mission is to protect human health and the environment from harmful chemicals. The proposed cleanup is necessary to ensure that the Site is safe for the proposed future redevelopment and is protective of human health and the environment. Even though a Removal Action Workplan (RAW) was determined to be required at the Site, there is no immediate risk to school occupants from the arsenic detected in soil or the PCE detected in soil vapor. The remedy selected in the RAW will ensure that the Site and the proposed building is and remains safe for occupancy.

Regarding impact on residents, arsenic detected in soil onsite does not have an impact on nearby residents as it's likely naturally occurring and not a result of contamination. Regarding PCE impact to nearby residents, data has not been collected to date and vapor intrusion risk has not been evaluated. For any questions related to the city, please contact city representatives.

Comment 11 from: Debra Decray

11.1 *As owner of the apartment building at 1237-21st ST, SM & was not notified of the Cleanup?. All of my tenants were mailed notices and only figured out because I saw one of the tenants' notices. All property owners should be notified of any items affecting their property or their tenants.*

DTSC Response to Comment 11.1:

Notifications are usually mailed to residents and businesses located within a quarter-mile radius from the Site. The mailing list includes current residents and business occupants. Typically, residents or businesses outside the quarter-mile radius would be added if requested. DTSC will add your contact to the future mailing list for this project

11.2 *What building on this parking lot is proposed or anticipated as indicated on page one "Future developments at the Site"?*

DTSC Response to Comment 11.2:

A building is planned to be constructed within McKinley Elementary School at the eastern parking lot area located next to Chelsea Avenue.

Comment 12 from: D Hede

As a senior resident in a rent-controlled unit near this environmental toxicity, and as a person with blood cancer, I am extremely opposed to the release of further chemicals in the area. The issue is significantly problematic because vulnerable residents have no protection against further damage to their health. It is an infuriating situation when living in a compromised environment and not having any control over the effects of this toxic exposure. With real estate costs making it impossible to move to a safer neighborhood, the total stress of this situation and plan is negatively impacting me. I don't see how remedies are safeguarding residents.

DTSC Response to Comment 12:

DTSC understands your concern with regards to the current real estate situation. DTSC is an oversight agency, and its mission is to protect human health and the environment from harmful chemicals. The proposed remedy will cut off the pathway for exposure to harmful chemicals and ensure that the Site remains safe for future redevelopment and is protective of human health and the environment.

Regarding exposure to the contaminants at neighboring properties, there's no impact from the arsenic detected in soil at the Site as it's likely naturally occurring. In addition, air monitoring and dust control measures will be implemented during proposed cleanup activities to ensure the surrounding community is safe. Regarding PCE impact to nearby residents, data has not

been collected to date and vapor intrusion risk has not been evaluated. To address the source of PCE contamination at the Site, DTSC requested one of the neighboring dry cleaners to investigate and remediate PCE contaminated soil as necessary and will also be sending a letter to the other neighboring dry cleaner requesting information.

If you have concerns or questions about any ongoing health effects, we recommend consulting your doctor or contacting the Los Angeles County Department of Public Health. While DTSC does not have medical experts on staff, or authority to provide medical advice, DTSC is committed to working in coordination with state and local agencies to identify community concerns and strategies to best address them.

Community members can contact medical staff at the Los Angeles County Department of Public Health by calling (213) 240-7941 or by visiting its website at http://publichealth.lacounty.gov/.

CALIFORNIA ENVIRONMENTAL QUALITY ACT
NOTICE OF DETERMINATION

To: Office of Planning and Research
State Clearinghouse
1400 Tenth Street, Room 212
Sacramento, CA 95812-3044

From: Department of Toxic Substances Control
Site Mitigation and Restoration Program
5796 Corporate Avenue
Cypress, CA 90630

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

Project Title: McKinley Elementary School Removal Action Workplan

State Clearinghouse Number: 2023010230

Project Location: 2401 Santa Monica Boulevard, Santa Monica, CA 90404

County: Los Angeles

Project Applicant: Santa Monica-Malibu Unified School District

Project Description: The Department of Toxic Substances Control (DTSC) has approved the Removal Action Workplan (RAW) for a 0.99-acre (Site) portion within the 6.50-acre McKinley Elementary School campus (campus) located in Santa Monica. The RAW encompasses cleanup activities at the Site located along the northeastern portion of the campus and associated with renovation and modernization activities planned at the campus. The campus is bounded by Santa Monica Boulevard to the southeast, Chelsea Avenue to the northeast, Arizona Avenue to the northwest, and 23rd Court (alley) to the southwest and located approximately 0.60 miles north of Interstate 10 (1-10), 2.0 miles east of the Pacific Coast Highway (PCH) and Santa Monica State Beach. The RAW addresses the presence of soils impacted with arsenic and soil vapor impacted with volatile organic compounds (VOCs) at the Site at concentrations above applicable screening levels.

Implementation of the RAW includes capping and containment of arsenic-impacted soils, installation of a Vapor Intrusion Mitigation and Migration Engineering Controls (VIMMEC) system to address VOC-impacted soil vapor, plus execution of land use restrictions, and approval of an operation and maintenance plan. The cap will be comprised of pavement and the classroom structure itself. The cap will be used to eliminate the potential for human contact with arsenic-impacted soil. Undisturbed soils, including those impacted with arsenic, will remain on the Site and any soils disturbed during construction activities will be excavated only for the purposes of compaction and placement beneath pavement or the classroom structure. Additionally, in landscaped areas, exposed soil will be replaced by approximately four feet of clean landscaping materials such as mulch and topsoil.

The VIMMEC system will consist of a barrier membrane and a passive vapor collection system beneath the proposed building slab. The vapor barrier will consist of an impermeable membrane that will be installed beneath the building slab to reduce the potential for subsurface vapors to enter the building. The membrane will consist of a sprayed-in-place continuous bituminous barrier system. The passive vapor collection system will be installed beneath the vapor barrier and will consist of a connected array of low-profile collection/infiltration piping installed in a high permeability layer (such as gravel) beneath the building slab. The vent piping will be connected to vent riser exhaust stacks. The venting system will be designed to function under passive conditions (i.e., venting will occur via natural processes without powered blowers). As a contingency measure, the venting system will also be designed to operate under both passive and active operating conditions utilizing a vacuum blower to further reduce levels of vapors (as necessary) under active operation.

Project activities will involve the use of a backhoe, loader, excavator, and/or shovels, as necessary. As soil is excavated, it will be temporarily staged for use throughout the Site prior to replacement and compaction. Project activities will be implemented in accordance with applicable South Coast Air Quality Management District (SCAQMD) rules and regulations, including Rule 1466 concerning arsenic-impacted soils and Rule 403 concerning fugitive dust emissions.

Remediation activities will occur concurrently with Site preparation and construction activities associated with campus renovation and modernization activities over a period of 2 to 3 months. The cleanup activities will be required to comply Santa Monica Municipal Code Section 4.12.110, which limits the hours of construction to 8:00 a.m. to 6:00 p.m. on weekdays and 9:00 a.m. to 5:00 p.m. on Saturday; and prohibits construction on Sundays and holidays.

Following completion of construction activities, a land use restriction will be executed between DTSC and the property owner and recorded with the Los Angeles County Recorder's Office to ensure future uses of the property are consistent with the operation and maintenance of the cap and VIMMEC system and to ensure the cap and VIMMEC system are properly maintained. An operation and maintenance plan will be submitted and approved by DTSC that would specify the maintenance and monitoring requirements.

Background:

On June 1, 2023, the Santa Monica-Malibu Unified School District (SMMUSD) certified an Environmental Impact Report (EIR) for the McKinley Elementary School Campus Master Plan Project (SCH No. 2023010230). The EIR evaluated potential environmental impacts associated with renovation and modernization activities that SMMUSD plans to undertake at the existing campus, which includes the entirety of the cleanup Site. The EIR includes mitigation measures addressing potential impacts to Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Noise, and Transportation. The EIR anticipated cleanup activities would potentially need to be conducted at the Site as part of the campus renovation and modernization activities, thus the EIR included discussion and analysis specific to Site remediation activities and mitigation measure (Mitigation Measure HAZ-2) specifically requiring Site remediation.

On May 2, 2024, SMMUSD approved an Addendum to the previously adopted EIR. The EIR Addendum addressed a change in the cleanup approach from what had been contemplated in the original EIR (excavation and off-Site disposal of contaminated soils) to the approach now set forth in the subject RAW (containment and capping-in-place of arsenic-impacted soils, and installation of a VIMMEC system to address VOCs in soil vapor). As part of addressing the change in cleanup approach, Mitigation Measure HAZ-2 was modified for consistency with the modified implementation activities.

DTSC determined that SMMUSD's prior environmental review adequately encompasses potential environmental impacts associated with the activities and measures identified in the RAW, and that for purposes of CEQA, no further analysis is required. (Refer to the Statement of Findings for additional information.) Therefore, DTSC prepared a Statement of Findings concluding the Lead Agency Final Environmental Document adequately analyzed the impacts associated with the implementation of the RAW.

As Responsible Agency under the California Environmental Quality Act (CEQA), DTSC approved the above-described project on July 24, 2024 and has made the following determinations:

1. The project will not have a significant effect on the environment.
2. A Statement of Findings addressing an EIR Addendum was prepared pursuant to the provisions of CEQA.
3. Mitigation measures were made a condition of project approval.
4. A mitigation reporting or monitoring plan was not adopted.
5. A Statement of Overriding Considerations was not adopted for this project.
6. 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
5796 Corporate Avenue
Cypress, CA 90630

Additional project information is available on EnviroStor:
https://envirostor.dtsc.ca.gov/public/profile_report?global_id=60003412

Contact Person	Contact Title	Phone Number
Lina Hijazi	Project Manager	(714) 484-5334

Approver's Signature: 

Date: July 24, 2024

Approver's Name	Approver's Title	Approver's Phone Number
Shahir Haddad	Branch Chief	(714) 484-5368

TO BE COMPLETED BY OPR ONLY

Date Received for Filing and Posting at OPR:

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: McKinley Elementary School Removal Action Workplan		SITE CODING: 304687
PROJECT ADDRESS: 2401 Santa Monica Boulevard	CITY: Santa Monica	COUNTY: Los Angeles
PROJECT SPONSOR: Santa Monica-Malibu Unified School District	CONTACT: Carey Upton, Chief Operations Officer	PHONE/ EMAIL: (310) 450-8338 x79383 cupton@smmusd.org

Approval Action Under Consideration by DTSC:

☒ Removal Action Workplan ☐ Interim Removal ☐ Initial Permit Issuance ☐ Permit Re-Issuance
☐ Corrective Measure Study/Statement of Basis ☐ Permit Modification ☐ Closure Plan
☐ Remedial Action Plan ☐ Regulations
☐ Other (specify):

STATUTORY AUTHORITY:

☐ California H&SC, Chap. 6.5 ☒ California H&SC, Division 45 ☐ Other (specify):

PROJECT DESCRIPTION (List Specific Activities Proposed to be Undertaken):

DTSC is responsible for providing approval of the McKinley Elementary School Removal Action Workplan (RAW). The subject RAW is associated with renovation and modernization activities planned at the McKinley Elementary School campus (campus), located in the city of Santa Monica. The RAW encompasses cleanup activities in an approximately 0.99-acre area (Site) located along the northeastern portion of the 6.50-acre campus.

The proposed campus modernization includes new building construction, renovation of existing buildings, and construction of new on-campus parking and roadways. A new two-story classroom and administration building will be constructed within the area that currently serves as staff and visitor parking. In addition, proposed renovations of the existing main campus building will include new ground and second floor connections to the main building, new staff and visitor parking lots, and construction of a new on campus drop-off/pick-up lane adjacent to Chelsea Avenue.

The RAW addresses the presence of soils impacted with arsenic and soil vapor impacted with volatile organic compounds (VOCs) at the Site at concentrations above applicable screening levels. As identified in the RAW, no historical or current uses of chlorinated solvents or petroleum products at the campus were identified, thereby indicating the source of the VOC impacts to originate from an undetermined off-site source. Regarding arsenic, soil sampling activities completed in February 2023 identified four locations impacted by arsenic on the central and western portions of the Site. Based on the sampling results and statistical analysis, the arsenic at the Site is likely naturally occurring and not a result of contamination.

Implementation of the RAW includes capping and containment of arsenic-impacted soils, installation of a Vapor Intrusion Mitigation and Migration Engineering Controls (VIMMEC) system to address VOC-impacted soil vapor, plus execution of land use restrictions, and approval of an operation and maintenance plan. The cap will be comprised of pavement and the classroom structure itself. The cap will be used to eliminate the potential for human contact with arsenic-impacted soil. Undisturbed soils, including those impacted with arsenic, will remain on the Site and any soils disturbed during construction activities will be excavated only for the purposes of compaction and placement beneath pavement or the classroom structure. Additionally, in landscaped areas, exposed soil will be replaced with approximately four feet of clean landscaping materials such as mulch and topsoil.

The VIMMEC system will consist of a barrier membrane and a passive vapor collection system beneath the building slab. The vapor barrier will consist of an impermeable membrane that is installed beneath the building slab to reduce the potential for subsurface vapors to enter the building. The membrane will consist of a sprayed-in-place continuous bituminous barrier system. The passive vapor collection system will be installed beneath the vapor barrier and will consist of a connected array of low-profile collection/infiltration piping installed in a high permeability layer (such as gravel) beneath the building slab. The vent piping will be connected to vent riser exhaust stacks. The vent system will be designed to function under passive conditions (i.e., venting will occur via natural processes without powered blowers).

As a contingency measure, the venting system will also be designed to operate under both passive and active operating conditions utilizing a vacuum blower to further reduce levels of vapors (as necessary) under active operation.

Project activities will involve the use of a backhoe, loader, excavator, and/or shovels, as necessary. As soil is excavated, it will be temporarily staged for use throughout the Site prior to replacement and compaction. Project activities will be implemented in accordance with applicable South Coast Air Quality Management District (SCAQMD) rules and regulations, including Rule 1466 concerning arsenic-impacted soils and Rule 403 concerning fugitive dust emissions.

Remediation activities will occur concurrently with Site preparation and construction activities associated with campus renovation and modernization activities over a period of 2 to 3 months. The cleanup activities will be required to comply Santa Monica Municipal Code Section 4.12.110, which limits the hours of construction to 8:00 a.m. to 6:00 p.m. on weekdays and 9:00 a.m. to 5:00 p.m. on Saturday; and prohibits construction on Sundays and holidays.

Following completion of construction activities, a land use restriction will be executed between DTSC and the property owner and recorded to ensure future uses of the property are consistent with the operation and maintenance of the cap and VIMMEC system. An operation and maintenance plan will be submitted and approved by DTSC that would specify the maintenance and monitoring requirements.

PRIOR ENVIRONMENTAL REVIEW AND FINDINGS:

On June 1, 2023, the Santa Monica-Malibu Unified School District (SMMUSD) certified an Environmental Impact Report (EIR) for the McKinley Elementary School Campus Master Plan Project (SCH No. 2023010230). The EIR evaluated potential environmental impacts associated with renovation and modernization activities that SMMUSD plans to undertake at the existing campus, which includes the entirety of the cleanup Site. The EIR includes mitigation measures addressing potential impacts to Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Noise, and Transportation. The EIR anticipated cleanup activities would potentially need to be conducted at the Site as part of the campus renovation and modernization activities, thus the EIR included discussion and analysis specific to Site remediation activities and mitigation measure (Mitigation Measure HAZ-2) specifically requiring Site remediation.

On May 2, 2024, SMMUSD approved an Addendum to the previously adopted EIR. The EIR Addendum addressed a change in the cleanup approach from what had been contemplated in the original EIR (excavation and off-Site disposal of contaminated soils) to the approach now set forth in the subject RAW (containment and capping-in-place of arsenic-impacted soils, and installation of a VIMMEC system to address VOCs in soil vapor). As part of addressing the change in cleanup approach, Mitigation Measure HAZ-2 was modified for consistency with the modified implementation activities.

Based on its independent review of the CEQA documents which SMMUSD prepared to evaluate environmental impacts associated with the McKinley Elementary School Campus Master Plan (including mitigation measures), DTSC determined that SMMUSD's prior environmental review adequately encompasses the potential environmental impacts associated with the activities and measures identified in the subject RAW. The project description for both the EIR and EIR Addendum included localized remediation activities, and the overall analysis of potential environmental impacts specifically contemplated the physical changes and activities associated with implementation of the RAW. Further, the RAW will be subject to compliance with all applicable mitigation measures identified in the EIR (which are listed below in Section C for reference). Thus, for purposes of CEQA, no additional analysis beyond the already-completed environmental analysis is required for implementation of the RAW.

B. LEAD AGENCY ENVIRONMENTAL DOCUMENT REVIEWED

Lead Agency: Santa Monica-Malibu Unified School District
Lead Agency's Environmental Document: McKinley Elementary School Campus Master Plan Project – Environmental Impact Report Addendum
Date Certified: 05/02/2024
State Clearinghouse Number: 2023010230

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.

☐ Aesthetics	Mitigation Measure:
☐ Agricultural Resources	Mitigation Measure:
☐ Air Quality	Mitigation Measure:
☐ Agricultural Resources	Mitigation Measure:
☐ Biological Resources	Mitigation Measure:
☒ Cultural Resources	Mitigation Measure: **CUL-1:** Prior to issuance of any permits allowing ground-disturbing activities for the Project (for each individual phase of the Project), the District shall ensure that an archaeologist who meets the Secretary of the Interior's standards for professional archaeology has been retained for the Project and will be on-call during all grading and other significant ground-disturbing activities. The Qualified Archaeologist shall ensure that the following measures are followed for the Project: • Prior to any ground disturbance, the Qualified Archaeologist, or their designee, shall provide worker environmental awareness protection training to construction personnel regarding regulatory requirements for the protection of cultural (prehistoric and historic) resources. As part of this training, construction personnel shall be briefed on proper procedures to follow should unanticipated cultural or paleontological resources be made during construction. • In the event that a prehistoric archeological site (such as any unusual amounts of stone, bone, or shell) or a historic-period archaeological site (such as concentrated

	deposits of bottles or bricks, amethyst glass, or other historic refuse), is uncovered during grading or other construction activities, all ground-disturbing activity within 50 feet of the discovery shall be halted. The District shall be notified of the potential find and a qualified archeologist shall be retained to investigate its significance. • If significant Native American cultural resources are discovered for which a treatment plan must be prepared the project applicant or the archaeologist on call shall contact the applicable Native American tribal contact(s). If requested by the Native American tribe(s), the project applicant or archaeologist on call shall, in good faith, consult on the discovery and its disposition (e.g., avoidance, preservation, reburial, return of artifacts to tribe). • Any previously undiscovered resources found during construction will be recorded on appropriate California Department of Parks and Recreation 523 forms and evaluated for significance under all applicable regulatory criteria. If the archaeologist determines that the find does not meet the CRHR standards of significance, construction may proceed. If the find is determined to be significant by the qualified archaeologist (i.e., because the find is determined to constitute either an historical resource or a unique archaeological resource), the archaeologist shall work with the District to follow accepted professional standards such as further testing for evaluation or data recovery, as necessary. The results of the identification, evaluation, and/or data recovery program for any unanticipated discoveries shall be presented in a professional-quality report that details all methods and findings, evaluates the nature and significance of the resources, and analyzes and interprets the results.
☐ Energy	Mitigation Measure:
☒ Geology / Soils	Mitigation Measure: **GEO-1:** Prior to the commencement of any on-site excavation or grading activities, the District shall retail a qualified paleontologist meeting the Society of Vertebrate Paleontology (SVP) Standards (SVP 2010) (Qualified Paleontologist). The Qualified Paleontologist shall provide technical and compliance oversight of all work as it relates to paleontological resources, shall be responsible for ensuring the employee training provisions are implemented during implementation of the Project, and shall report to the Project's Site in the event potential paleontological resources are encountered. A Paleontological Resources Management Plan (PRMP) shall be prepared by the Qualified Paleontologist that incorporates all available geologic data for the Project in order to determine the necessary level of effort for monitoring based on the planned rate of excavation and grading activities, the materials being excavated, and the depth of excavation. The PRMP establishes the ground rules for the entire paleontological resource mitigation program. The Qualified Paleontologist will implement the PRMP as the project paleontologist, program supervisor, and principal investigator. The PRMP shall incorporate the results of the paleontological resources assessments, geotechnical investigation, and the final engineering/grading plans for the project including pertinent geological and paleontological literature, geologic maps, and known fossil locality information. The PRMP shall include processes and procedures for paleontological monitoring, fossil salvaging (if needed), reporting, and curation (if needed). The PRMP shall also require the Qualified Paleontologist to prepare a report of the findings of the monitoring efforts after construction is completed. The PRMP shall also require the Qualified Paleontologist to obtain a curatorial arrangement with a qualified repository (e.g., Los Angeles County Natural History Museum) prior to construction if significant paleontological resources are discovered and require curation. A paleontological monitor, defined as an individual who has experience in the collection and salvage of fossil materials, shall work under the direction of the Qualified Paleontologist and shall be on-site during excavations into native sediments of older alluvium below a depth of five feet and native sediments of young alluvium below a depth of 20 feet. Drilling or pile driving activities, regardless of depth, have a low potential to produce fossils meeting significance criteria because any fossils brought up by the auger during drilling will not have

	information about formation, depth or context. The only instance in which such fossils will meet significance criteria is if the fossil is a species new to the region. In the event that paleontological resources (e.g., fossils) are unearthed during grading, the paleontological monitor will temporarily halt and/or divert grading activity to allow recovery of paleontological resources. The area of discovery will be roped off with a 50-foot radius buffer. Fossil remains collected during the monitoring and salvage portion of the program shall be cleaned, repaired, sorted, and catalogued. Once documentation and collection of the find is completed, the monitor will remove the rope and allow grading to recommence in the area of the find. Prepared fossils, along with copies of all pertinent field notes, photos, and maps, shall be deposited (as a donation) in a scientific institution with permanent paleontological collections, such as the Los Angeles County Natural History Museum. A final Paleontological Monitoring and Data Recovery Report shall be completed that outlines the results of the monitoring program. This report shall include discussions of the methods used, stratigraphic section(s) exposed, fossils collected, and significance of recovered fossils.
☐ Greenhouse Gas Emissions	Mitigation Measure:
☒ Hazards / Hazardous Materials	Mitigation Measures: **HAZ-1:** Prior to demolition or renovation activities, the existing buildings proposed for demolition or renovation will be inspected by a qualified environmental specialist for the presence of hazardous building materials, including asbestos containing materials asbestos-containing materials (ACMs), lead-based paints (LBP), and polychlorinated biphenyls (PCBs). If hazardous building materials are detected, abatement and removal of these materials will be conducted in accordance with applicable federal, state, and local guidelines as follows: • In the event that ACM and LBP are found on the campus, notice shall be provided to South Coast Air Quality Management District (AQMD), and any demolition activities likely to disturb ACM and LBP shall be carried out by a contractor trained and qualified to conduct lead- or asbestos-related construction work in conformance with South Coast AQMD, CalOSHA, Department of Toxic Substances Control (DTSC), and other applicable requirements. If found, ACM and LBP will be disposed of at an appropriately permitted facility. • If PCBs are found on the campus, these materials shall be managed in accordance with the Metallic Discards Act of 1991 (PRC, sections 42160-42185) and other state and federal guidelines and regulations. Demolition plans and contract specifications will incorporate any necessary abatement measures in compliance with the Metallic Discards Act, particularly section 42175, Materials Requiring Special Handling, for the removal of PCB-containing materials. • Once hazardous building materials are removed, a follow-up inspection shall be performed of the existing buildings prior to demolition or renovation to confirm that the hazardous items have been removed to an acceptable level per DTSC requirements before commencing with demolition activities. **HAZ-2:** In order to address the potential presence of contaminated soils and/or soil vapor at the site, the District will retain a licensed Professional Geologist, Professional Engineering Geologist, or Professional Engineer with more than 2 years of experience conducting hazardous material and contamination assessments to conduct sampling. The sampling will be conducted prior to any disturbance of the area(s) suspected of potential soil and/or soil vapor contamination. If the sampling identifies the presence of contaminated soils and/or soil vapor at levels that require remediation, the contractor shall prepare and implement a DTSC-approved cleanup selection document (such as a removal action workplan (RAW)) for appropriate treatment of affected soils and soil vapor on-site. All recommendations in the cleanup selection document regarding soil handling, treatment, and storage shall be

	implemented. Soil vapors shall also be treated according to procedures outlined in the RAW. The campus shall be cleaned to an acceptable level per DTSC requirements. After the District confirms that the affected media has been appropriately treated, the contractor will prepare a Removal Action Completion Report for DTSC that documents the cleanup activities and presents analytical results for the confirmation samples, if required. Regarding soil vapor, the District shall prepare a long-term operation, maintenance, monitoring, and reporting plan for DTSC to ensure long-term effectiveness of the treatment system.
☐ Hydrology / Water Quality	Mitigation Measure:
☐ Land Use / Planning	Mitigation Measure:
☐ Mineral Resources	Mitigation Measure:
☒ Noise	Mitigation Measure: **N-1:** The Santa Monica-Malibu Unified School District construction contract bid shall require the chosen construction contractor(s) to prepare a Construction Noise Control Plan. The details of the Construction Noise Control Plan shall be included as part of the permit application drawing set and as part of the construction drawing set. The Construction Noise Control Plan shall include, but not be limited to the following: • During the entire active construction period, equipment and trucks used for Project construction shall utilize the best available noise control techniques (e.g., improved mufflers, equipment re-design, use of intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds). • The District shall require the contractor to use impact tools (e.g., jack hammers and hoe rams) that are hydraulically or electrically powered wherever such alternatives are available. Where the use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used along with external noise jackets on the tools. • During the entire active construction period, stationary noise sources shall be located as far from sensitive receptors as possible, and they shall be muffled and enclosed within temporary sheds, or insulation barriers, or other measures. • During the entire active construction period, noisy operations shall be combined so that they occur in the same time period because the total noise level produced would not be significantly greater than the level produced if the operations were performed separately (and the noise would be of shorter duration). • Signs shall be posted at the job site entrance(s), within the on-site construction zones, and along queueing lanes (if any) to reinforce the prohibition of unnecessary engine idling. All other equipment shall be turned off if not in use for more than 5 minutes. • During the entire active construction period and to the extent feasible, the use of noise-producing signals, including horns, whistles, alarms, and bells, shall be for safety warning purposes only. The construction manager shall use smart back-up alarms, which automatically adjust the alarm level based on the background noise level or switch off back-up alarms and replace with human spotters in compliance with all safety requirements and laws. • For on-site receptors, erect a fence with sound blankets at least 8 feet tall in the immediate proximity between the construction perimeter and active classrooms as to block the line of site during school hours. The blanketed fence shall not have any gaps between blankets or between the blankets and the ground. **N-2:** Vibratory compaction that is within 25 feet of any surrounding residential structure shall use a static roller in lieu of a vibratory roller. Specifically, use of a static roller is predicted to

	generate vibration levels of approximately 0.05 in/sec PPV at a distance of 25 feet (New Zealand Transport Agency 2012). At a distance greater than 25 feet, a vibratory roller would no longer exceed 0.20 in/sec PPV.
☐ Population / Housing	Mitigation Measure:
☐ Public Services	Mitigation Measure:
☐ Recreation	Mitigation Measure:
☒Transportation	*(Disclaimer: DTSC is a regulatory agency with its involvement limited to overseeing the implementation of the RAW [refer to Project Description on page 1 of this document], which is a part of larger construction project at the Site. The construction project involves mitigation measures outlined below.)* Mitigation Measure: **T-1:** Preparation and Implementation of a Construction Management Plan Santa Monica Municipal Code (SMMC) Section 8.98 stipulates the preparation of a Construction Management Plan for any project that meets the criteria set forth in SMMC Section 8.98.030 in order to coordinate, communicate, and manage the temporary effects of construction activity on surrounding residents, businesses, and commuters in the community. In accordance with SMMC Section 8.98, prior to initiating construction, the District and/or its contractors shall prepare and implement a Construction Management Plan that meets the requirements of SMMC Section 8.98.040 (Content of a Construction Management Plan). The Construction Management Plan shall also include a Temporary Traffic Control Plan (TTCP) to address anticipated impacts to or closures of public rights-of-way. The Construction Management Plan (including the TTCP) shall be submitted to the City Public Works Department for approval prior to construction of each phase of the Project. The TTCP will demonstrate appropriate traffic handling during construction activities for all work that could impact the traveling public (e.g., the transport of equipment and materials to the campus area). The TTCP shall minimize hazards through industry-accepted traffic control practices. At a minimum, the TTCP shall require the contractor to do the following: • Strictly adhere to the construction noise restrictions per Section 4.12.110 of the Santa Monica Municipal Code. Construction and demolition work times are: Monday through Friday, 8:00 a.m. until 6:00 p.m.; Saturdays 9:00 a.m. until 5:00 p.m. No construction or demolition is allowed on Sundays and holidays; • obtain transportation permits necessary for oversize and overweight load haul routes and follow regulations of the applicable jurisdiction for transportation of oversized and overweight loads; • provide adequate signage and traffic flagger personnel, if needed, to control and direct traffic for deliveries, if they could preclude free flow of traffic in both directions or cause a temporary traffic hazard; prohibit deliveries of heavy equipment and construction materials during periods of heavy traffic flow (i.e., 30 minutes before or after school start and end times); • develop a Traffic Education Program to assist in educating parents, students, and staff on drop-off/pick-up procedures specific to each phase of construction that includes informational materials regarding student drop-off and pick-up procedures via regular parent/school communication methods and posted on the school website; • utilize portable message signs and information signs at construction sites as needed; • coordinate with the responsible agency departments, including the City of Santa Monica Public Works and Planning Departments, and the City of Santa Monica Fire Department no less than 10 days prior to the start of the work for each phase including specifying whether any temporary vehicle, pedestrian, or bicycle construction detours are needed, if construction work would encroach into the public

	right-of-way, or if temporary use of public streets surrounding the campus is needed; and • review all existing emergency access and evacuation plans and identify procedures for construction area evacuation in the case of an emergency declared by local authorities. • Additionally, the District shall ensure that the construction contractor follows all applicable requirements and regulations established in the City of Santa Monica Procedures and Requirements for Temporary Traffic Control Plans to ensure the TTCP is prepared to City standards and approved as necessary.
☐ Tribal Cultural Resources	Mitigation Measure:
☐ Utilities / Service Systems	Mitigation Measure:
☐ Wildfire	Mitigation Measure:

☒ 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 Santa Monica-Malibu Unified School District and 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:

- ☐ Air Quality
- ☐ Agricultural Resources
- ☐ Biological Resources
- ☐ Cultural Resources
- ☐ Energy
- ☐ Geology/ Soils
- ☐ Greenhouse Gas Emissions
- ☐ Hazards/Hazardous Materials
- ☐ Hydrology/ Water Quality
- ☐ Mineral Resources
- ☐ Noise
- ☐ Population/Housing
- ☐ Public Services
- ☐ Recreation
- ☐ Transportation/Traffic
- ☐ Tribal Cultural Resources
- ☐ Utilities/ Service Systems
- ☐ 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	7/24/2024 Date

Lina Hijazi Project Manager's Name	Project Manager Title	(714) 484-5334 Phone #

Branch Chief's Signature	7/24/2024 Date

Shahir Haddad Branch Chief's Name	Branch Chief Title	(714) 484-5368 Phone #