



Jared Blumenfeld
Secretary for
Environmental Protection



Department of Toxic Substances Control

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8800 Cal Center Drive
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Gavin Newsom
Governor

April 26, 2019

Governor's Office of Planning & Research

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STATE CLEARINGHOUSE

Ms. Juliana Lucchesi
City Planner
City of Mt. Shasta
305 N. Mt. Shasta Blvd.
Mt. Shasta, California 96067

REVIEW OF DRAFT INITIAL STUDY/MITIGATED NEGATIVE DECLARATION,
GOLDEN EAGLE CHARTER SCHOOL CONDITIONAL USE PERMIT AND
TENTATIVE PARCEL MAP, WEST OF PINE STREET AND EAST OF INTERSTATE 5,
MT. SHASTA, SISKIYOU COUNTY (SCH #2019049022)

Dear Ms. Lucchesi:

The Northern California Schools Unit of the Department of Toxic Substances Control (DTSC) has reviewed the draft Initial Study/Mitigated Negative Declaration (IS/MND) for the Golden Eagle Charter School Conditional Use Permit and Tentative Parcel Map (Project) prepared by the City of Mt. Shasta. The due date to submit comments is May 10, 2019.

As reported in the draft IS/MND, the applicant (Golden Eagle Charter School - GECS) is proposing to construct a K-12 charter school. This is a non-Division of State Architect (DSA) project; therefore, the Project is subject to standard California Building Code (CBC) requirements. The new school would have a floor area of $\pm 35,500$ square feet and include two parking areas and a drop-off/pick-up area for students. The Project includes a future gymnasium and play field that would be constructed as funding becomes available; it is anticipated that the gymnasium would be $\pm 7,500$ square feet, and the play field would be $\pm 35,000$ square feet. In addition, the proposed Tentative Parcel Map would merge ten existing parcels and excess road right-of-way and establish three parcels. Two of the parcels would accommodate the proposed project, and the northernmost parcel would be established as an open space area. No development is proposed for the open space area.

Based on a review of the draft IS/MND, DTSC would like to provide the following comments:

1. If GECS plans to use State funds for the Project, then GECS shall comply with the requirements of California Education Code, sections 17078.54(c), 17213.1 and 17213.2, unless otherwise specifically exempted under section 17268. If GECS is not using State funds for the Project, or is otherwise specifically exempted under section 17268, DTSC recommends GECS continue to investigate and clean up the Site, if necessary, under the oversight of Siskiyou County and in concurrence with all applicable DTSC guidance documents.

A local education agency may also voluntarily request the California Department of Education (CDE) site/plan approval for locally funded site acquisitions and new construction projects. In these cases, CDE will require DTSC review and approval of the project prior to its final approval, except when exempt under section 17268.

2. Because the Project is school site related, DTSC recommends that a Preliminary Endangerment Assessment be conducted for the Site to determine whether there has been or may have been a release or threatened release of a hazardous material, or whether a naturally occurring hazardous material is present based on reasonably available information about the property and the area in its vicinity. Such an environmental review should generally be conducted as part of the California Environmental Quality Act (CEQA) process. Also, such an environmental review is recommended for compliance with the requirements of California Education Code, section 17213.1. If GECS elects to proceed to conduct an environmental assessment at the Site under DTSC oversight, it should enter into a Voluntary Cleanup Agreement with DTSC to oversee the preparation of the environmental assessment.
3. The presence of existing, older or former structures at the Project area may result in potential environmental concerns due to lead from lead-based paint, organochlorine pesticides from termiticide applications, and/or polychlorinated biphenyls (PCBs) from electrical transformers, light ballast or window caulking or glazing. DTSC recommends that these environmental concerns be investigated and possibly mitigated, in accordance with DTSC's *"Interim Guidance, Evaluation of School Sites with Potential Soil Contamination as a Result of Lead from Lead-Based Paint, Organochlorine Pesticides from Termiticides, and Polychlorinated Biphenyls from Electrical Transformers, dated June 9, 2006"*, and in accordance with the recommendations provided in the United States Environmental Protection Agency's website *"PCBs in Caulk in Older Buildings"* (<http://www.epa.gov/pcbsincaulk/index.htm>).

4. If the Project area is, or was previously, used for agricultural purposes, pesticides (such as DDT, DDE, and toxaphene) and fertilizers (usually containing heavy metals) commonly used as part of agricultural operations are likely to be present. These agricultural chemicals are persistent and bio-accumulative toxic substances. DTSC recommends that these environmental concerns be investigated and possibly mitigated, in accordance with the "*Interim Guidance for Sampling Agricultural Soils (Third Revision)*", dated August 2008. This guidance should be followed to sample agricultural properties where development is anticipated.
5. The Project area appears to be located within 10-miles of geological units potentially containing naturally occurring asbestos (NOA). Pursuant to DTSC's "*Interim Guidance – Naturally Occurring Asbestos at School Sites, Revised September 24, 2004*", further action should be considered and conducted to determine whether a naturally occurring hazardous material (i.e., NOA) is present on the Project area, based on reasonably available information about the properties and the areas in the vicinity, and a soil assessment pursuant to the DTSC's NOA guidance.
6. If fill material exists on the Project area, DTSC recommends these areas be investigated and possibly mitigated in accordance with DTSC's "*Information Advisory, Clean Imported Fill*", dated October 2001.
7. If a response action is required based on the results of the above investigations, and/or other information, the IS/MND will require an analysis of the potential public health and environmental impacts associated with any proposed response action, pursuant to requirements of the CEQA (Pub. Resources Code, Division 13, section 21000 et seq.), and its implementing Guidelines (California Code of Regulations, Title 14, section 15000 et seq.), prior to approval or adoption of an MND for the Project. A discussion of the mitigation and/or removal actions, if necessary, and associated cumulative impacts to the Project properties and the surrounding environment, should be included in the IS/MND. If sufficient information to discuss the proposed mitigation and/or removal actions, and their associated impacts to the Project properties and the surrounding environment, are not available for inclusion in the IS/MND, then an Addendum or Supplement to the IS/MND may be required.

DTSC is also administering the Revolving Loan Fund (RLF) Program which provides revolving loans to investigate and clean up hazardous materials at properties where redevelopment is likely to have a beneficial impact to a community. These loans are available to developers, businesses, schools, and local governments.

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For additional information on DTSC's Schools process or RLF Program, please visit DTSC's web site at www.dtsc.ca.gov. If you would like to discuss this matter further, please contact me at (916) 255-3695, or via email at bud.duke@dtsc.ca.gov.

Sincerely,



Harold (Bud) Duke, P.G.
Senior Engineering Geologist
Northern California Schools Unit
Site Mitigation and Restoration Program

cc: (via email)

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