

CASIMIR MIDDLE SCHOOL GYMNASIUM

Torrance Unified School District

August 2015 | Response to Comments

CASIMIR MIDDLE SCHOOL GYMNASIUM

Torrance Unified School District

Prepared for:

Torrance Unified School District

Donald Stabler, Deputy Superintendent
2335 Plaza Del Amo
Torrance, California 90509
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Prepared by:

PlaceWorks

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Appendix A Mitigation Monitoring and Reporting Program

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1. Introduction

1.1 INTRODUCTION

This document includes a compilation of the public comments received on the Casimir Middle School Gymnasium Mitigated Negative Declaration and Initial Study (collectively, “MND”; State Clearinghouse No. 2015061105) and Torrance Unified School District’s (District) responses to the comments.

Under the California Environmental Quality Act (CEQA), a lead agency has no affirmative duty to prepare formal responses to comments on an MND. The lead agency, however, should have adequate information on the record explaining why the comments do not affect the conclusion of the MND that there are no potentially significant environmental effects. In the spirit of public disclosure and engagement, the District—as the lead agency of the proposed Casimir Middle School Gymnasium project—has responded to all written comments submitted during the 30-day MND public review period, which began June 30, 2015, and closed July 29, 2015.

1.2 DOCUMENT FORMAT

This document is organized as follows:

Section 1, *Introduction*. This section describes CEQA requirements and content of this document.

Section 2, *Response to Comments*. This section provides a list of agencies and interested persons commenting on the MND, copies of comment letters received during the public review period, and individual responses to written comments. To facilitate review of the responses, each comment letter has been reproduced and assigned a number. Individual comments have been numbered for each letter, and the letter is followed by responses with references to the corresponding comment number.

Appendix A, *Mitigation Monitoring and Reporting Program*. The Mitigation Monitoring and Reporting Program (MMRP) lists all the mitigation measures required for implementation of the project, the phase in which the measures would be implemented, and the enforcement agency responsible for compliance. The monitoring program provides 1) a mechanism for giving the lead agency staff and decision makers feedback on the effectiveness of their actions; 2) a learning opportunity for improved mitigation measures on future projects; and 3) a means of identifying corrective actions, if necessary, before irreversible environmental damage occurs.

1.3 CEQA REQUIREMENTS REGARDING COMMENTS AND RESPONSES

CEQA Guidelines Section 15204 (b) outlines parameters for submitting comments on negative declarations, and reminds persons and public agencies that the focus of review and comment of MNDs should be “on the proposed findings that the project will not have a significant effect on the environment. If the commenter

1. Introduction

believes that the project may have a significant effect, it should: (1) Identify the specific effect, (2) Explain why they believe the effect would occur, and (3) Explain why they believe the effect would be significant.

Comments are most helpful when they suggest additional specific alternatives or mitigation measures that would provide better ways to avoid or mitigate the significant environmental effects. At the same time, reviewers should be aware that the adequacy of an EIR is determined in terms of what is reasonably feasible. ...CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters. When responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR.”

CEQA Guidelines Section 15204 (c) further advises, “Reviewers should explain the basis for their comments, and should submit data or references offering facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of the comments. Pursuant to Section 15064, an effect shall not be considered significant in the absence of substantial evidence.”

Section 15204 (d) also states, “Each responsible agency and trustee agency shall focus its comments on environmental information germane to that agency’s statutory responsibility.” Section 15204 (e) states, “This section shall not be used to restrict the ability of reviewers to comment on the general adequacy of a document or of the lead agency to reject comments not focused as recommended by this section.”

Finally, CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters. When responding to comments, lead agencies need only respond to potentially significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the environmental document.

Although not required by CEQA, the District will make this document available on its website prior to the date of the public hearing.

2. Response to Comments

This section provides all written comments received on the circulated MND and the District's response to each comment.




Number Reference	Commenting Person/Agency	Date of Comment	Page No.
A	Rana Georges, Department of Toxic Substances Control	July 30, 2015	2-3
B	Scott Morgan, State Clearinghouse and Planning Unit	July 30, 2015	2-11
C	Scott Morgan, State Clearinghouse and Planning Unit	July 31, 2015	2-15

2. Response to Comments

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2. Response to Comments

LETTER A – Rana Georges, Department of Toxic Substances Control. (3 page[s])

 Department of Toxic Substances Control	 Edmund G. Brown Jr. Governor
 Matthew Rodriguez Secretary for Environmental Protection	Barbara A. Lee, Director 5796 Corporate Avenue Cypress, California 90630

July 30, 2015

Mr. Donald Stabler
Deputy Superintendent
Torrance Unified School District
2335 Plaza Del Amo
Torrance, California 90501

DTSC COMMENTS ON THE MITIGATED NEGATIVE DECLARATION AND INITIAL STUDY FOR THE CASIMIR MIDDLE SCHOOL GYMNASIUM PROJECT, TORRANCE (SCH# 2015061105)

Dear Mr. Stabler:

A-1

The Department of Toxic Substances Control (DTSC) has reviewed the Mitigated Negative Declaration (MND) and Initial Study (IS) for the subject site (Placeworks – June 2015) received by DTSC on July 3, 2015. The proposed project is for the construction of a new gymnasium on the Casimir Middle School campus. The gymnasium would be developed on a small portion of the school's natural turf field, near the north-central portion of the campus. Based on review of the submitted MND and IS, DTSC would like to provide the following comments:

A-2

1. If the Torrance Unified School District (District) plans to use State funds for the project, then the District shall comply with the requirements of Education Code sections 17213.1 and 17213.2, unless otherwise specifically exempted under section 17268.

A-3

2. Because the proposed project is school site related, DTSC recommends that an environmental review under DTSC oversight be conducted. The environmental review may include, but is not limited to, a Phase I Environmental Site Assessment and/or Preliminary Endangerment Assessment, 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 each 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. Such an environmental review is also recommended for compliance with the requirements of California Education Code,

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2. Response to Comments

Mr. Donald Stabler
July 30, 2015
Page 2

§17268(a) or §17213(a), as applicable. If the District elects to proceed to conduct an environmental assessment at the site under DTSC oversight, it should enter into an Environmental Oversight Agreement or a Voluntary Cleanup Agreement with DTSC to oversee the preparation of the environmental assessment.

A-3
cont'd

3. If the existing site buildings were constructed prior to 1978, lead based paint and organochlorine pesticides (from termiticide applications) may be potential environmental concerns at the site. 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.

A-4

4. If the site was previously used for agricultural purposes, pesticides (DDT, DDE, 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.

A-5

5. If a response action is required based on the results of the above investigations, and/or other information, the Draft Environmental Impact Report (EIR) 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, Div. 13, §21000 et seq.) and its implementing Guidelines (CCR, Title 14, §15000 et seq.), prior to approval. A discussion of the mitigation and/or removal actions, if necessary, and associated cumulative impacts to each site and the surrounding environment, should be included in the Draft EIR. If sufficient information to discuss the proposed mitigation and/or removal actions, and their associated impacts to each site and the surrounding environment, are not available for inclusion in the Draft EIR, then an Addendum or Supplement to the Draft EIR may be required.

A-6

DTSC is also administering the Cleanup Loans and Environmental Assistance to Neighborhoods (CLEAN) Program which provides low-interest loans to investigate and cleanup 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.

2. Response to Comments

Mr. Donald Stabler
July 30, 2015
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For additional information on DTSCs School process or CLEAN Program, please visit DTSCs web site at www.dtsc.ca.gov. If you would like to discuss this matter further, please contact me at (714) 484-5320 or at rana.georges@dtsc.ca.gov.

Sincerely,



Rana Georges
Project Manager
Schools Evaluation and Brownfields Cleanup Branch
Brownfields and Environmental Restoration Program

cc: State Clearinghouse (via e-mail)
Office of Planning and Research
state.clearinghouse@opr.ca.gov

Mr. Michael O'Neill (via e-mail)
Department of Education – Sacramento, CA
moneill@cde.ca.gov

John Gordon (via e-mail)
Department of Education – Sacramento, CA
JGordon@cde.ca.gov

B&ERP Reading File – Cypress

CEQA Reading File – Cypress

2. Response to Comments

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2. Response to Comments

A. **Response to Comments from Rana Georges, Department of Toxic Substances Control, dated July 30, 2015.**

A-1 The commenter accurately summarizes the improvements proposed on the existing South High School campus. Because the improvements would be funded entirely by local bond measures and no state bond funds would be used, the Department of Toxic Substances Control (DTSC) is commenting on the Mitigated Negative Declaration as a reviewing agency. DTSC is neither a trustee nor responsible agency for this project.

The comments from DTSC apply to new school property acquisition with state funding. This project is locally funded and not subject to Education Code sections 17213.1 and 17213.2. The issues raised in DTSC's comments—naturally occurring hazardous substances, lead based paint in soil around buildings, etc.—are typically de minimis concerns with respect to environmental due diligence for new property acquisition. Nonetheless, specific responses to each comment are provided.

A-2 DTSC states that if the District plans to use state funds for the project, then the District shall comply with the requirements of Education Code sections 17213.1 and 17213.2, unless otherwise specifically exempted under section 17268.

The District is not planning to use any state funds for the project. Therefore, the requirements of Education Code sections 17213.1 and 17213.2 do not apply. In addition, there is no indication of any current or historical hazardous substance releases on the property.

A-3 DTSC recommends that an environmental review, such as Phase I environmental site assessment and/or preliminary endangerment assessment, be conducted 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 each property and the area in its vicinity. DTSC also states that such an environmental review should be analyzed as a part of the CEQA process and that if the District desires, it may conduct the environmental review in accordance with DTSC's Environmental Oversight Agreement or a Voluntary Cleanup Agreement.

The project is on an existing school campus, and there is no indication of any current or historical hazardous substance releases on the property. There is no evidence of any naturally occurring hazardous materials on the project site. The environmental research completed for the Initial Study included record searches from Environmental Data Resources (EDR) and review of DTSC's EnviroStor and RWQCB's GeoTracker websites, which did not identify any historical releases of hazardous substances at the site. The findings were documented in the Initial Study. Based on the facts that there are no reported releases of hazardous substances at the site, the project site has been operated as a school since 1950, and Education Code sections 17213.1 and 17213.2 are

2. Response to Comments

not applicable to the project, the additional environmental review recommended by DTSC is not warranted. Therefore, the District will not be conducting additional environmental review for the proposed project and will not be entering into an agreement with DTSC to oversee the preparation of such assessment.

- A-4 DTSC is concerned that existing site buildings may have been constructed prior to 1978, in which case lead based paint and organochlorine pesticides (from termiticide applications) are potential environmental concerns at the site. The commenter recommends that these environmental concerns be investigated and possibly mitigated, in accordance with the 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.

There are no buildings on the project site. Based on historical aerial photographs, the project site has been part of the school's playfield since at least 1952 (HistoricAerials.com). Additionally, a review of the USGS Torrance 7.5-minute topographic map from 1934 shows the site as vacant, undeveloped land. Therefore, there are no potential environmental concerns from existing or historical buildings.

- A-5 DTSC is concerned that if the site was previously used for agricultural purposes, there could be persistent pesticides or other residual chemicals present in the soil and to investigate the project site in accordance with the DTSC's "Interim Guidance for Sampling Agricultural Soils" (3rd revision).

Based on historical aerial photographs, the project site has been part of the school's play field since at least 1952 (HistoricAerials.com). Additionally, a review of the USGS Torrance 7.5-minute topographic map from 1934 shows the site as vacant, undeveloped land, which suggests that no agricultural use existed on the project site prior to the construction of the school. Therefore, there are no potential environmental concerns from historical agriculture on the project site.

- A-6 DTSC expands on the previous comments by saying that if a response action is required based on the results of the above investigations, and/or other information, then a draft environmental impact report (EIR) (or an addendum or supplement to the draft EIR if one has already been published) would require analysis of the potential public health and environmental impacts associated with any proposed response action.

The commenter also states that the DTSC is administering the Cleanup Loans and Environmental Assistance to Neighborhoods (CLEAN) Program, which provides low-interest loans to investigate and clean up hazardous materials at properties where redevelopment is likely to have a beneficial impact to a community.

2. Response to Comments

As mentioned above, there is no indication of any current or historical hazardous substance releases on the property. No additional environmental review will be prepared, and no response action will be required. The circulated Initial Study and Mitigated Negative Declaration include sufficient descriptions of the whole project proposed; they comply with CEQA (Public Resources Code §§ 21000 et seq.) and the CEQA Guidelines (CCR, Title 14, §§ 15000 et seq.).




No loans will be required for the proposed project.

2. Response to Comments

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2. Response to Comments

LETTER B – Scott Morgan, State Clearinghouse and Planning Unit. (2 page[s])

 EDMUND G. BROWN JR. GOVERNOR	<p>STATE OF CALIFORNIA GOVERNOR'S OFFICE of PLANNING AND RESEARCH STATE CLEARINGHOUSE AND PLANNING UNIT</p>	 KEN ALEX DIRECTOR BUSINESS SERVICES 2015 AUG -6 PM 3:18
<p>July 30, 2015</p>		
<p>Donald Stabler Torrance Unified School District 2335 Del Amo Plaza Blvd. Torrance, CA 90509</p>		
<p>Subject: Casimir Middle School Gymnasium SCH#: 2015061105</p>		
<p>Dear Donald Stabler:</p>		
<p>The State Clearinghouse submitted the above named Mitigated Negative Declaration to selected state agencies for review. The review period closed on July 29, 2015, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.</p>		
<p>Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.</p>		
<p>Sincerely,  Scott Morgan Director, State Clearinghouse</p>		
<p>1400 10th Street P.O. Box 3044 Sacramento, California 95812-3044 (916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov</p>		

2. Response to Comments

Document Details Report State Clearinghouse Data Base			
SCH#	2015061105		
Project Title	Casimir Middle School Gymnasium		
Lead Agency	Torrance Unified School District		
Type	MND Mitigated Negative Declaration		
Description	The proposed project is the construction of a new gymnasium on the Casimir Middle School campus. The gymnasium would be developed on a small portion of the school's natural turf field, near the north-central portion of the campus. The facility would be approximately 7,500 sf, with pull-out bleachers for seating of up to 300 spectators. The gymnasium would primarily accommodate existing activities currently held at the school. Although no joint-use programs are proposed for the gymnasium, the facility would be available for community use through the Civic Center Act.		
Lead Agency Contact			
Name	Donald Stabler		
Agency	Torrance Unified School District		
Phone	310 972 6500	Fax	
email			
Address	2335 Del Amo Plaza Blvd.		
City	Torrance	State	CA Zip 90509
Project Location			
County	Los Angeles		
City	Torrance		
Region			
Lat / Long	33° 52' 28" N / 118° 19' 13" W		
Cross Streets	Artesia Boulevard and Casimir Avenue		
Parcel No.	4093-027-900		
Township	3S	Range	14W Section 26 Base SBB&M
Proximity to:			
Highways	I-110, 405; SR-213		
Airports	No		
Railways	UPRR		
Waterways	Dominguez Channel		
Schools	Casimir MS		
Land Use	Z: Public Use; GP: Public/Quasi-Public/Open Space		
Project Issues	Recreation/Parks; Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; Minerals; Noise; Population/Housing Balance; Public Services; Schools/Universities; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Growth Inducing; Landuse; Cumulative Effects; Other Issues		
Reviewing Agencies	Resources Agency; Department of Fish and Wildlife, Region 5; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 7; Air Resources Board; Regional Water Quality Control Board, Region 4; Department of Toxic Substances Control; Native American Heritage Commission; Public Utilities Commission; State Lands Commission		
Date Received	06/30/2015	Start of Review	06/30/2015 End of Review 07/29/2015

2. Response to Comments

B. Response to Comments from Scott Morgan, State Clearinghouse and Planning Unit, dated July 30, 2015.

B-1 The commenter states that the State Clearinghouse submitted the Casimir Middle School Gymnasium Mitigated Negative Declaration to state agencies and that as of the close of the 30-day review period, no state agencies submitted comments. The commenter also confirms that the Torrance Unified School District (District) complied with the State Clearinghouse review requirements, pursuant to the California Environmental Quality Act.




The comments are noted. No additional response is required.

2. Response to Comments

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2. Response to Comments


LETTER C – Scott Morgan, State Clearinghouse and Planning Unit. (4 page[s])

 Edmund G. Brown Jr. Governor	<p>STATE OF CALIFORNIA</p> <p>Governor's Office of Planning and Research</p> <p>State Clearinghouse and Planning Unit</p>	 Ken Alex Director
<p>July 31, 2015</p>		
<p>Donald Stabler Torrance Unified School District 2335 Del Amo Plaza Blvd. Torrance, CA 90509</p>		
<p>Subject: Casimir Middle School Gymnasium SCH#: 2015061105</p>		
<p>Dear Donald Stabler:</p>		
<p>The enclosed comment (s) on your Mitigated Negative Declaration was (were) received by the State Clearinghouse after the end of the state review period, which closed on July 29, 2015. We are forwarding these comments to you because they provide information or raise issues that should be addressed in your final environmental document.</p>		
<p>The California Environmental Quality Act does not require Lead Agencies to respond to late comments. However, we encourage you to incorporate these additional comments into your final environmental document and to consider them prior to taking final action on the proposed project.</p>		
<p>Please contact the State Clearinghouse at (916) 445-0613 if you have any questions concerning the environmental review process. If you have a question regarding the above-named project, please refer to the ten-digit State Clearinghouse number (2015061105) when contacting this office.</p>		
<p>Sincerely,</p> 		
<p>Scott Morgan Director, State Clearinghouse</p>		
<p>Enclosures cc: Resources Agency</p>		
<p>1400 TENTH STREET P.O. BOX 8044 SACRAMENTO, CALIFORNIA 95812-3044 TEL (916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov</p>		


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2. Response to Comments




LATE
7-29-15
E



Matthew Rodriguez
Secretary for
Environmental Protection

Department of Toxic Substances Control

Barbara A. Lee, Director
5796 Corporate Avenue
Cypress, California 90630



Edmund G. Brown Jr.
Governor

July 30, 2015

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STATE CLEARING HOUSE

Mr. Donald Stabler
Deputy Superintendent
Torrance Unified School District
2335 Plaza Del Amo
Torrance, California 90501

DTSC COMMENTS ON THE MITIGATED NEGATIVE DECLARATION AND INITIAL STUDY FOR THE CASIMIR MIDDLE SCHOOL GYMNASIUM PROJECT, TORRANCE (SCH# 2015061105)

Dear Mr. Stabler:

The Department of Toxic Substances Control (DTSC) has reviewed the Mitigated Negative Declaration (MND) and Initial Study (IS) for the subject site (Placeworks – June 2015) received by DTSC on July 3, 2015. The proposed project is for the construction of a new gymnasium on the Casimir Middle School campus. The gymnasium would be developed on a small portion of the school's natural turf field, near the north-central portion of the campus. Based on review of the submitted MND and IS, DTSC would like to provide the following comments:

1. If the Torrance Unified School District (District) plans to use State funds for the project, then the District shall comply with the requirements of Education Code sections 17213.1 and 17213.2, unless otherwise specifically exempted under section 17268.
2. Because the proposed project is school site related, DTSC recommends that an environmental review under DTSC oversight be conducted. The environmental review may include, but is not limited to, a Phase I Environmental Site Assessment and/or Preliminary Endangerment Assessment, 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 each 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. Such an environmental review is also recommended for compliance with the requirements of California Education Code,

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2. Response to Comments

Mr. Donald Stabler
July 30, 2015
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§17268(a) or §17213(a), as applicable. If the District elects to proceed to conduct an environmental assessment at the site under DTSC oversight, it should enter into an Environmental Oversight Agreement or a Voluntary Cleanup Agreement with DTSC to oversee the preparation of the environmental assessment.

3. If the existing site buildings were constructed prior to 1978, lead based paint and organochlorine pesticides (from termiticide applications) may be potential environmental concerns at the site. 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.
4. If the site was previously used for agricultural purposes, pesticides (DDT, DDE, 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. If a response action is required based on the results of the above investigations, and/or other information, the Draft Environmental Impact Report (EIR) 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, Div. 13, §21000 et seq.) and its implementing Guidelines (CCR, Title 14, §15000 et seq.), prior to approval. A discussion of the mitigation and/or removal actions, if necessary, and associated cumulative impacts to each site and the surrounding environment, should be included in the Draft EIR. If sufficient information to discuss the proposed mitigation and/or removal actions, and their associated impacts to each site and the surrounding environment, are not available for inclusion in the Draft EIR, then an Addendum or Supplement to the Draft EIR may be required.

DTSC is also administering the Cleanup Loans and Environmental Assistance to Neighborhoods (CLEAN) Program which provides low-interest loans to investigate and cleanup 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.

2. Response to Comments

Mr. Donald Stabler
July 30, 2015
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For additional information on DTSCs School process or CLEAN Program, please visit DTSCs web site at www.dtsc.ca.gov. If you would like to discuss this matter further, please contact me at (714) 484-5320 or at rana.georges@dtsc.ca.gov.

Sincerely,



Rana Georges
Project Manager
Schools Evaluation and Brownfields Cleanup Branch
Brownfields and Environmental Restoration Program

cc: State Clearinghouse (via e-mail)
Office of Planning and Research
state.clearinghouse@opr.ca.gov

Mr. Michael O'Neill (via e-mail)
Department of Education – Sacramento, CA
moneill@cde.ca.gov

John Gordon (via e-mail)
Department of Education – Sacramento, CA
JGordon@cde.ca.gov

B&ERP Reading File – Cypress

CEQA Reading File – Cypress

2. Response to Comments

C. Response to Comments from Scott Morgan, State Clearinghouse and Planning Unit, dated July 31, 2015.

- C-1 The State Clearinghouse forwarded late comments submitted by the Department of Toxic Substances Control (DTSC). Torrance Unified School District has responded to the DTSC letter (see page 2-7). No additional response is required.

2. Response to Comments

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Appendix A Mitigation Monitoring and Reporting Program

Appendix

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August 2015 | Mitigation Monitoring and Reporting Program

Casimir Middle School Gymnasium

Torrance Unified School District

Prepared for:

Torrance Unified School District

Donald Stabler, Deputy Superintendent
2335 Plaza Del Amo
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310.972.6500

Prepared by:

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1. Introduction

1.1 PURPOSE OF MITIGATION MONITORING AND REPORTING PROGRAM

The Torrance Unified School District (District) is the lead agency for the proposed Casimir Middle School Gymnasium project and has developed this Mitigation Monitoring and Reporting Program (MMRP) as a vehicle for monitoring mitigation measures outlined in the Casimir Middle School Gymnasium Mitigated Negative Declaration (MND), State Clearinghouse No. 2015061105. As the lead agency, the District is responsible for implementing the MMRP, which has been prepared in conformance with Section 21081.6 of the Public Resources Code:

- (a) When making findings required by paragraph (1) of subdivision (a) of Section 21081 or when adopting a mitigated negative declaration pursuant to paragraph (2) of subdivision (c) of Section 21080, the following requirements shall apply:
 - (1) The public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation. For those changes which have been required or incorporated into the project at the request of a responsible agency or a public agency having jurisdiction by law over natural resources affected by the project, that agency shall, if so requested by the lead or responsible agency, prepare and submit a proposed reporting or monitoring program.
 - (2) The lead agency shall specify the location and custodian of the documents or other material which constitute the record of proceedings upon which its decision is based.

The MMRP consists of mitigation measures that avoid, reduce, and/or fully mitigate potential environmental impacts. The mitigation measures have been identified and recommended through preparation of the Mitigated Negative Declaration and drafted to meet the requirements of Public Resources Code Section 21081.6.

1. Introduction

1.2 PROJECT CHARACTERISTICS

1.2.1 Project Location

The site is on a small portion of the schools natural turf field in the north-central part of campus at Casimir Middle School at 17220 Casimir Avenue in the City of Torrance.

1.2.2 Proposed Improvements

The proposed project is the construction and operation of a new gymnasium on the Casimir Middle School campus. The gymnasium would be developed near the north-central perimeter of the school. It would be constructed over an existing turf playfield with no above-grade structures, except for three pull-up bars. The gymnasium would be 7,500 square feet with pull-out bleachers for seating up to 300 spectators.

1.2.3 Project Operation

Development of the proposed gymnasium would not significantly change existing operations of the school, which would continue to operate under the current schedule. The gymnasium would supplement the school's physical education program with new locker facilities and an indoor multiuse basketball and volleyball court. Although no joint-use programs are proposed for the gymnasium, the facility would be available for community use through the Civic Center Act.

1.2.4 Construction Schedule

Construction would be completed in one general phase, with the demolition of existing infrastructure commencing in late February 2016. Construction would last approximately 16 months.

1.2.5 Project Design Features

The following project design features (PDFs) have been incorporated into the proposed project to minimize construction-related noise impacts on the Casimir Middle School program when school is in session:

A During all phases of construction, one of the following measures will be taken:

- (1) Limit the operation of construction equipment at the construction zone to outside school instructional hours (i.e., after school is released in the afternoon or during extended breaks).

OR

- (2) Relocate students to campus facilities that are at least 150 feet from the edge of the construction zone or do not face the construction site,

OR

1. Introduction

- (3) Erect a temporary noise barrier/curtain between the construction zone and all classrooms. The temporary sound barrier shall have a minimum height of 12 feet and be free of gaps and holes and must achieve a Sound Transmission Class (STC) of 35 or greater. The barrier can be (a) a $\frac{3}{4}$ -inch-thick plywood wall OR (b) a hanging blanket/curtain with a surface density of at least 2 pounds per square foot. For either configuration, the construction side of the barrier shall have an exterior lining of sound absorption material with a Noise Reduction Coefficient (NRC) rating of at least 0.7.

1.3 ENVIRONMENTAL IMPACTS

1.3.1 Impacts Considered Less Than Significant

The MND and supporting Initial Study identified various thresholds from the CEQA Guidelines in a number of environmental categories that would not be significantly impacted by the proposed project and therefore did not require mitigation. Impacts to the following environmental resources were found to be less than significant:

- | | |
|--------------------------------------|---------------------------------|
| ■ Aesthetics | ■ Land Use and Planning |
| ■ Agriculture and Forestry Resources | ■ Mineral Resources |
| ■ Air Quality | ■ Noise |
| ■ Biological Resources | ■ Population and Housing |
| ■ Geology and Soils | ■ Public Services |
| ■ Greenhouse Gas Emissions | ■ Recreation |
| ■ Hazards and Hazardous Materials | ■ Transportation and Traffic |
| ■ Hydrology and Water Quality | ■ Utilities and Service Systems |

1.3.2 Potentially Significant Adverse Impacts That Can Be Mitigated, Avoided, or Substantially Lessened

Cultural Resources was the only environmental topic identified as having potentially significant impacts that could be reduced, avoided, or substantially lessened through implementation of mitigation measures. No significant and unavoidable impacts were identified.

1. Introduction

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2. Mitigation Monitoring Process

2.1 MITIGATION MONITORING PROGRAM ORGANIZATION

Overall MMRP management is the responsibility of the District. The District's technical consultants (CEQA consultant, archaeologist, paleontologist, etc.) may perform related monitoring tasks under the direction of the environmental monitor (if they are contracted by the District).

2.2 TORRANCE UNIFIED SCHOOL DISTRICT

The District is the designated lead agency for the MMRP and has the overall responsibility for the review of all monitoring reports, enforcement actions, and document disposition. The District will rely on information provided by individual monitors (e.g., CEQA consultant, archaeologist, paleontologist), presuming it to be accurate and up to date, and will field check mitigation measure status, as required.

2.3 MITIGATION MONITORING TEAM

The mitigation monitoring team, including the construction manager and technical advisors (CEQA consultant, archaeologist, paleontologist), is responsible for monitoring implementation/compliance with all adopted mitigation measures and conditions of approval. A major portion of the team's work is field monitoring and compliance report preparation. Implementation disputes are brought to the District Superintendent and/or his designee.

2.3.1 Monitoring Team

The following summarizes key positions in the MMRP and their respective functions:

- **Construction Manager:** Responsible for coordination of mitigation monitoring team; technical consultants; report preparation; and implementing the monitoring program, including overall program administration, document/report clearinghouse, and first phase of dispute resolution.
- **Technical Advisors:** Responsible for monitoring in their areas of expertise (CEQA, archaeologist, paleontologist). Report directly to the monitoring program manager.

2.3.2 Recognized Experts

Recognized experts are required on the monitoring team to ensure compliance with scientific and engineering mitigation measures. The mitigation monitoring team's recognized experts assess compliance with required mitigation measures, and recognized experts from responsible agencies consult with the construction manager regarding disputes.

2. Mitigation Monitoring Process

2.4 ARBITRATION RESOLUTION

If a mitigation monitor is of the opinion that a mitigation measure has not been implemented or has not been implemented correctly, the problem will be brought before the construction manager for resolution. The decision of the construction manager is final unless appealed to the District superintendent and/or his designee. The construction manager will have the authority to issue stop work orders until the dispute is resolved.

2.5 ENFORCEMENT

Agencies may enforce conditions of approval through their existing police power using stop work orders; fines; infraction citations; or in some cases, notice of violation for tax purposes.

3. Mitigation Monitoring Requirements

3.1 PREMONITORING MEETING

A premonitoring meeting will be scheduled to review mitigation measures, implementation requirements, schedule conformance, and monitoring team responsibilities. Team rules will be established, the entire mitigation monitoring program presented, and any misunderstandings resolved.

3.2 CATEGORIZED MITIGATION MEASURES/TABLE

Project-specific mitigation measures have been categorized in Table 3-1, *Mitigation Monitoring Requirements*. The table identifies the environmental impact, specific mitigation measures, schedule, and responsible monitor. The mitigation table will serve as the basis for scheduling the implementation of and compliance with all mitigation measures.

3.3 FIELD MONITORING

Project monitors and technical subconsultants shall exercise caution and professional practices at all times when monitoring implementation of mitigation measures. Protective wear (e.g., hard hat, glasses) shall be worn at all times in construction areas. Injuries shall be immediately reported to the mitigation monitoring team.

3.4 COORDINATION WITH CONTRACTORS

The construction manager is responsible for coordination of contractors and for contractor completion of required mitigation measures.

3. Mitigation Monitoring Requirements

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3. Mitigation Monitoring Requirements

Table 3-1 Mitigation Monitoring Requirements

Mitigation Measure		Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
CULTURAL RESOURCES					
CUL-1	Prior to the beginning of ground disturbances, Torrance Unified School District shall retain a qualified archaeologist/paleontologist to monitor ground-disturbing activities that occur five feet below ground surface. The archaeologist shall meet the Secretary of the Interior's Professional Qualifications Standards (48 Federal Register 44738-39). Before ground-disturbing activities begin, the archaeologist/ paleontologist shall prepare an archaeological monitoring plan consistent with CEQA Guidelines section 15064.5, specifying the frequency, duration, and methods of monitoring. The archaeologist/paleontologist shall train construction workers regarding types of archaeological and paleontological resources that could be identified in site soils. The archaeologist/paleontologist shall have the authority to stop grading or construction work within 25 feet of the site of any discovery of potential historical, archaeological, or paleontological resources until a find can be recovered and the significance of the find identified per CEQA. All resources recovered shall be curated at the facilities of the Natural History Museum of Los Angeles County.	Qualified archaeologist and paleontologist	Before and during ground-disturbing construction activities	Construction Manager and Torrance Unified School District	

3. Mitigation Monitoring Requirements

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4. Mitigation Monitoring Reports

Mitigation monitoring reports are required to document compliance with the Mitigation Monitoring Program and to dispute arbitration enforcement resolution. Specific reports include:

- Field Check Report
- Implementation Compliance Report
- Arbitration/Enforcement Report

4.1 FIELD CHECK REPORT

Field check reports are required to record in-field compliance and conditions.

4.2 IMPLEMENTATION COMPLIANCE REPORT

The Implementation Compliance Report is prepared to document the implementation of mitigation measures, based on the information in Table 3-1. The report summarizes implementation compliance, including mitigation measures, date completed, and monitor's signature.

4.3 ARBITRATION/ENFORCEMENT REPORT

The Arbitration/Enforcement Report is prepared to document the outcome of arbitration review and becomes a portion of the ICR.

4. Mitigation Monitoring Reports

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5. Community Involvement

Monitoring reports are public documents and are available for review by the general public. Discrepancies in monitoring reports can be taken to the District Superintendent and/or his designee by the general public.

5. Community Involvement

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6. Report Preparation

6.1 LIST OF PREPARERS

PlaceWorks

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Report Preparation

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