

CALIFORNIA ENVIRONMENTAL QUALITY ACT NOTICE OF EXEMPTION

To: Office of Land Use and Climate Innovation
State Clearinghouse
1400 Tenth Street, Room 212
Sacramento, CA 95812-3044

From: Department of Toxic Substances Control
Site Mitigation and Restoration Program
5790 Corporate Avenue
Cypress, CA 90630

Project Title: San Rafael Elementary School Removal Action Workplan

Project Location: 1090 Nithsdale Road, Pasadena, California, 91105

County: Los Angeles

Project Applicant: Pasadena Unified School District

Approval Action Under Consideration by DTSC: Removal Action Workplan

Statutory Authority: California Health and Safety Code, Division 45

Project Description: The Removal Action Workplan (RAW) for the San Rafael Elementary School campus implements activities to excavate approximately 1,867 cubic yards (cy) of arsenic- and lead-impacted soils which were identified during a post-wildfire site assessment of the campus. The project is located on approximately 3.2 acres at the southwest corner of Nithsdale Road and San Miguel Road in Pasadena (Site). The project activities consist of excavating the impacted soil, off-Site transportation of impacted soil for disposal, backfilling the excavated areas with clean imported fill material, and restoring Site conditions. The RAW establishes applicable cleanup goals and documents the basis for the selected remedy.

Background: The Site is an elementary school campus within the Pasadena Unified School District (PUSD) which currently serves students in grade levels TK-5. The Site includes classroom buildings, administration areas, landscaped areas, a playfield, and hardscape playgrounds. The school is located in the South Arroyo neighborhood of Pasadena in an area that consists primarily of single-family residential development.

In January 2025, a series of major wildfires (including the Eaton Fire) swept through areas of Los Angeles and Ventura Counties. Several PUSD properties were affected by the strong winds and intense heat of the fire, resulting in damage and impacts from the Eaton Fire's ash, char, smoke, and soot.

On January 7, 2025, Governor Newsom declared a State of Emergency in response to the fires. Governor Newsom subsequently issued several Executive Orders (EOs) aimed at addressing critical challenges in post-disaster recovery, including suspending environmental approvals and streamlining the building permitting process.

Following the wildfires, with assistance from DTSC and the Los Angeles County Department of Public Health (LACDPH), PUSD conducted site investigations at all of its school sites to assess the presence of hazardous substances. As a result of the site investigations, the San Rafael Elementary School campus as well as several other school sites were identified as requiring soil remediation. On February 26, 2026, PUSD's Board of Trustees approved a resolution authorizing the removal and replacement of fire-impacted soil at multiple District sites. (Resolution No. 2864. State Clearinghouse No. 2026030159.)

Project Activities: The RAW consists of excavation and offsite disposal of approximately 1,867 cubic yards (cy) of contaminated soils from the upper one to four feet of the Site. Excavation will occur on six areas of the campus totaling approximately 18,102 sq. ft. (Refer to Figure 3 of the RAW for map of excavation locations.)

The excavated soil will be either loaded directly into waste transport trucks or soil bins, or stockpiled onsite for offsite disposal at appropriately licensed offsite facilities permitted to accept the waste. Based on the planned volume and weight of excavated soil (approximately 1,867 cubic yards, or 2,987 tons), approximately 136 truckloads will be required for soil removal; a similar number of truck trips will be required for backfill, resulting in approximately 272 total truck trips.

Excavated soils will be replaced with DTSC-approved clean soil for reuse of the same or similar type as what was in the original location. Imported backfill materials will be tested to confirm that thresholds for residential Site

standards are met. All imported backfill material will be approved by DTSC for use at the Site prior to bringing the material onsite. Confirmation samples will be collected prior to backfilling the excavations with clean imported soil.

In addition, landscaped areas will be replaced with like kind material, with the exception of mature, large trees which will be replaced with appropriately sized trees similar to what the District would plant for new construction and allowed under any local tree policies (i.e. 20-gallon trees and shrubs). Replacement of any utilities, hardscape, playground equipment, or other items, such as picnic tables, fencing, etc., that require removal to implement soil excavation will be completed as well.

The RAW includes a Transportation Plan and a Site-specific Health and Safety Plan. The project will also be subject to compliance with applicable South Coast Air Quality Management District (SCAQMD) regulations, including rules that address fugitive dust (Rules 403 and 1466).

The RAW activities are scheduled to take place during summer 2026 and be completed prior to the start of the 2026-27 academic year. Excavation and loading operations will occur between 7:00 am and 6:00 pm in conformance with City of Pasadena noise regulations.

Although not anticipated, in the event biological, cultural or historical resources are discovered in the course of project activities, work will be suspended while a qualified biologist, cultural or historical specialist makes an assessment of the area and arrangements are made to protect or preserve any resources that are discovered. If human remains are discovered, no further disturbance will occur in the location where the remains are found, and the County Coroner will be notified pursuant to the Health and Safety Code, Chapter 2, Section 7050.5.

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

Name of Person or Agency Carrying Out Project: Pasadena Unified School District

Exempt Status: Governor's Executive Orders [EOs N-4-25, N-20-25, and N-29-25]; Emergency Projects [CCR Title 14, Sec. 15269]; Categorical Exemption: Class 30 [CCR Title 14, Sec. 15330]

Reasons Why Project is Exempt:

The project has been determined to be exempt from CEQA under each of the provisions identified below.

Governor's Executive Orders

Executive Orders (EOs) N-4-25, N-20-25, and N-29-25 were issued to expedite recovery efforts for areas affected by the Palisades, Eaton, Hurst, Lidia, Sunset, and Woodley Fires. The provisions of the EOs include suspending CEQA for projects to repair, restore, demolish, or replace property or facilities damaged or rendered unsafe as a result of the fires. Since the RAW activities consist of replacing and restoring soils which were impacted by fire analytes as a result of the Eaton Fire, the provisions of the EOs suspending CEQA apply to the project.

Statutory Emergency Exemption

CEQA Guidelines Section 15269 (which implements Public Resources Code Section 21080(b)(3)) exempts projects to maintain, repair, restore, demolish, or replace property or facilities damaged or destroyed as a result of a disaster in a disaster-stricken area in which a state of emergency has been proclaimed by the Governor pursuant to the California Emergency Services Act. Since the RAW activities consist of removal and replacement of soils that may have been impacted by wildfires for which a State of Emergency was declared, the project meets the statutory exemption criteria for emergency projects.

Class 30 Categorical Exemption

The project meets the criteria for the Class 30 categorical exemption for the following reasons:

1. The project is a minor action designed to prevent, minimize, stabilize, mitigate or eliminate the release or threat of release of hazardous waste or hazardous substances.
2. The project is a removal action that will not exceed \$1 million in cost.
3. The project will be consistent with applicable State and local environmental permitting requirements.

4. The project does not involve the onsite use of a hazardous waste incinerator or thermal treatment unit.
5. The project does not involve the relocation of residences or businesses.
6. The project does not involve the potential release into the air of volatile organic compounds as defined in Health and Safety Code Section 25123. (Exception: Small-scale in situ soil vapor extraction and treatment systems which have been permitted by the Air Pollution Control District or the Air Quality Management District.)
7. The exceptions pursuant to Cal. Code Regs., tit. 14, § 15300.2 have been addressed as follows:
 - a. Cumulative Impact. The project will not result in cumulative impacts because it is designed to be a short-term, final remedy that would not lead to a succession of projects of the same type in the same place over time.
 - b. Significant Effect. The environmental safeguards and monitoring procedures that are enforceable and made a condition of project approval will prevent unusual circumstances from occurring so that there is no possibility that the project will have a significant effect on the environment.
 - c. Scenic Highways. The project will not damage scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, because it is not located within view of a highway officially designated as a state scenic highway.
 - d. Hazardous Waste Sites. The project is not located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.
 - e. Historical Resources. The project will not cause a substantial adverse change in the significance of a historical resource.

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
 5790 Corporate Avenue
 Cypress, CA 90630

Additional project information is available on EnviroStor:
https://www.envirostor.dtsc.ca.gov/public/profile_report.asp?global_id=60003910

Project Manager's Name	Title	Phone Number
Zhilan (Kate) Zhang	Project Manager	(657) 777-9827

Branch Chief's Signature:	Date:
 <hr style="width: 60%; margin: 0 auto;"/>	May 15, 2026

Branch Chief's Name	Title	Phone Number
Shahir Haddad, P.E.	Branch Chief	(714) 484-5368