

From: Leland C Noll
Administrative Director MOF
AUSD

**RE: Installation Restoration Site 30 (IR Site 30) Soil
Former Naval Air Station (NAS) Alameda
No Further Action for Soil Proposal**

To Whom It May Concern:

The Alameda Unified School District (AUSD) has two facilities located within the IR Site 30 boundary; Woodstock Child Development Center and Island High School. The proposed No Further Action (NFA) for Soil raises concerns regarding possible future AUSD development on this site. According to a bulletin released by the U.S. Navy in November 2008, announcing the proposal for NFA status at the site, a remedial investigation (RI) performed at the site determined that the soil present at IR Site 30 does not "present an unacceptable risk to human health or the environment under current or future conditions." The bulletin further states that no "land-use restrictions, environmental monitoring or other clean-up actions are required at the site for the soil."

Pursuant to the California Education Code, Sections 17210-17224, the California Environmental Protection Agency (Cal-EPA) Department of Toxic Substance Control (DTSC) has developed a "three-step" process for evaluating sites where a publicly funded school will be built or significant renovation will be performed on an existing school. The first step in the process is a Phase I Environmental Site Assessment (ESA). If the ESA identifies the potential for contamination on the site, DTSC requires a Preliminary Endangerment Assessment (PEA) be performed. The PEA includes the collection and analysis of environmental samples and assesses the potential risk to public health and the environment. If the PEA concludes that contamination is present at the site, the school district can elect to proceed with clean-up at the site under DTSC oversight or can chose not to proceed with construction.

AUSD has determined based on population projections, that expansion at either Woodstock Child Development Center and/or Island High School will be necessary in the future. With the understanding that soil contamination is present and if the NFA is approved, AUSD has the following questions:

1. Will DTSC require a PEA for any future development of IR Site 30?
2. Based on the known contamination proposed to be left in place by the NFA, would DTSC allow any new construction to be performed at the Site?
3. Would DTSC require remedial action be performed at IR Site 30 prior to any development of the site? If so, which agency would cover to cost of that remedial action; i.e., AUSD, the State of California Department of Education, the State of California Office of Public School Construction, the EPA, or the U.S. Navy?
4. Given that any excavation of the site as part of new construction will impact the asphalt cap, would a general contractor working for AUSD be subject to special working conditions during excavation activities? Would AUSD be required to obtain a special permit if any proposed excavation would approach the marsh crust? Will the contractor be required to provide special handling or regulated disposal of soils removed from excavation activities?

Thank you for you consideration. We look forward to your response.

Sincerely,