



April 24, 2015

Mayor Steven S. Choi, Ph.D.
City of Irvine
1 Civic Center Plaza
Irvine, CA 92606-5207

Subject: Status of Stained Soil in Storm Drain Adjacent to Portola High School

Dear Mayor Choi:

As leaders of the Irvine Unified School District (IUSD), we sincerely appreciate our collaborative and productive partnership with the City of Irvine. However, it is extremely disappointing that there continues to be efforts by a small contingent to engage in an extended, misleading debate over the suitability of the location of IUSD's fifth comprehensive high school, Portola High School.

The latest round of deception appears to focus on stained soil that was initially identified during excavation work on a storm drain box located between Irvine Blvd. and the Portola High School site. To be abundantly clear, the initial discovery of the stained soil was found on land adjacent to Portola High School and not on the site. Subsequent investigation and excavation revealed that a thin layer of the stained soil, originally located outside of the Portola High School site perimeter, extended into the Portola High School site. Given the misleading and potentially damaging rhetoric designed to misrepresent the significance of this event, IUSD feels it is imperative to clearly communicate the arduous process, due diligence and expertise employed in investigating the contents, origin and any potential negative impacts of the stained soil.

These matters are complex. Therefore, it is critical that articulation of facts be presented by those with the appropriate level of professional expertise, training and technical knowledge. For this reason, IUSD hired PlaceWorks, which has the extensive expertise and specialization in environmental analysis and geological testing, to perform the requisite review and testing of the stained soil. The following sequence of events illustrates the process IUSD directed while investigating the stained soil.

On the morning of November 14, 2014, IUSD received notification from Heritage Fields' Director of Land Development of the potential of suspect material, stained soil, discovered during grading of the storm drain north of the Portola High School site. Although the suspect material appeared to be off-site and not on IUSD's property, given the proximity to the Portola High School site, IUSD facilities staff immediately notified their environmental consultant, PlaceWorks, who dispatched a registered professional geologist to the site the same day. The geologist remained on the job for the duration of the investigation, testing and remediation.

On Monday, November 17, 2014, IUSD provided a surveyor to clearly identify and stake the property line of the Portola High School site to verify that the location of the stained soil was not on IUSD property. The surveyor verified the stained soil was not on IUSD property. This provided certainty of the property owner and the responsible entity required to take action under the Hazardous

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Protection Protocol Plan adopted by the City of Irvine, for the project(s) identified in the City of Irvine's Environmental Impact Report (EIR), namely, Heritage Fields El Toro, LLC (Heritage Fields). As the property owner and responsible party, Heritage Fields immediately took action and ordered their environmental consultant, ENGEO, to provide soil samples for lab analysis. The next day, Heritage Fields resumed excavation activities off-site with PlaceWorks observing the progress and continued work.

Heritage Fields continued to work expeditiously and collaboratively with IUSD, and provided IUSD with lab analysis results on November 19 which indicated the presence of hydrocarbons and naphthalene. While the source of the tested soil was off-site and not on the Portola High School site, given the proximity, IUSD's environmental consultant from PlaceWorks, Denise Clendening, PhD, recommended that IUSD inform the Department of Toxic Substances Control (DTSC) of the location of the stained soil and the lab results. IUSD staff immediately notified the DTSC. Dr. Clendening, who has a PhD in Soil Physics, a Masters of Science in Soil Science and a Bachelor of Science in Geology, and more than 30 years of experience in site and human health risk assessment, has been IUSD's chief environmental consultant on its Portola High School project.

The excavation and removal process continued, and on November 24, 2014 a thin layer of stained soil was revealed, which extended approximately 8 feet onto the Portola High School site. Once this was brought to IUSD's attention, PlaceWorks immediately collected soil samples which were submitted to the lab for analysis. Additionally, IUSD immediately informed the DTSC of this discovery. The next day, lab results identified the presence of non-hazardous hydrocarbons and other analytical results that were below levels of concern for a school site. Dr. Clendening discussed the lab results with Rana Georges, DTSC Project Manager. Ms. Georges offered that, due to the lack of any hazardous material presence, DTSC would not require a report. PlaceWorks sent the lab results to DTSC on December 1, 2014.

With the Thanksgiving holidays and rain in the first week of December, it was decided to put further excavation efforts on hold and complete the storm drain so previous work would not be compromised by storms. Excavation and removal activities then resumed on January 21, 2015, revealing an actual intrusion of stained soil of 29 feet onto the Portola High School site. Once again, soil samples were collected and sent to the lab for testing. On January 22, 2015, lab results were received indicating non-detect for hydrocarbons in three of the four composite samples, with the fourth composite sample indicating a 3.66mg/kg hydrocarbon detection, which is an extremely low concentration. For example, the DTSC screening level for hydrocarbons of this nature is 10,000mg/kg. It is also worth noting that no naphthalene was detected in ANY sample collected on the Portola High School site. However, despite these non-detect and extremely low concentration detection findings, in an abundance of caution, all of the excavated soil was removed from the site. Based on the size of the excavation and the truck count, it is estimated that 405 cubic yards of soil were removed from the Portola High School site and disposed at a licensed off-site facility. For perspective, the removed soil would fill about a quarter of a high school swimming pool.

On March 16, 2015, a final summary and report was received from PlaceWorks, which has been provided to DTSC.

We trust that the plain facts stated above are more than enough to put any continued dialogue concerning this matter to rest. IUSD has followed a professional, rigorous and transparent process in

acquiring the Portola High School site and in constructing the project. In order to avoid any further confusion regarding this matter surrounding stained soil, IUSD requests that the City read this correspondence into the record at any upcoming City Council meeting wherein this matter is discussed.

IUSD has a long and successful history of constructing safe and highly functional schools. Additionally, IUSD places the utmost importance on the safety of our students and staff. To date, we have uncovered no evidence, nor been presented any evidence, to suggest that the Portola High School site poses any human health risk to future students, staff or visitors. IUSD remains committed to the timely completion of Portola High School, which will benefit the students, staff and Irvine community for years to come.

Sincerely,



Terry L. Walker
Superintendent of Schools

cc: City Councilmembers
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