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February 25, 2014

Sandra Lyon, Superintendent of Schools  
Santa Monica-Malibu Unified School District  
1651 16<sup>th</sup> St.  
Santa Monica, CA 90404

By postal mail and email to [slyon@smmusd.org](mailto:slyon@smmusd.org)

Dear Superintendent Lyon,

We are again writing to you on behalf of the group “Concerned Malibu/Cabrillo Teachers,” which consists of many of the teachers and staff at Malibu Middle and High School and Juan Cabrillo Elementary School. The purpose of this letter is to communicate information about past uses of the lands occupied by and adjacent to the current high, middle and elementary school complex consisting of the Malibu Middle and High Schools and Juan Cabrillo Elementary School.

During World War II, the area housed significant military activity, including artillery training, equipment maintenance and ammunition storage. These military operations may explain the extensively contaminated soils found on campus during a 2011 environmental assessment and soil removal action.

In the months after the attack at Pearl Harbor, concern about a Japanese incursion on the California coast was acute. Based upon published reports and interviews with long-time residents who were present during those years, it appears that the U.S. Army opened a training center in the area and fenced off much of the coastal area. Besides regular beach patrols, military impacts in the area included –

- Artillery training, possibly supported by an ammunition and supply depot located directly atop the present Malibu High School;
- An Army motor pool on the site; and
- The schools were built on fill which may have come from Point Dume, where the artillery range was located.

In addition, training films indicate the U.S. Navy conducted target practice for its P-38 fighter planes over Malibu. The area hosted anti-aircraft batteries, a radar station, look-out posts and a Coast Guard base. Even after the war, records indicate that Grumman Hellcat drones were flown over the area as targets for guided missiles during the 1950's.

As you finalize the contract, work-plan and testing protocol with the Environ International firm, we would urge that you take these military uses into account.

The toxic legacy from "Formerly Used Defense Sites" (FUDS), some dating back to World War I, is a national problem that continues to grow with each passing year, as buried unexploded ordnance or other munitions are uncovered. Nationally, there are an estimated 16,000 former military ranges, depots and other sites contaminating up to 40 million acres of land, an area larger than the State of Florida, according to the U.S. Environmental Protection Agency. While Malibu is not on any current FUDS clean-up list, new sites are still being discovered across the country.

Previously, we have stressed the need to conduct a site assessment covering the entire three-school campus to determine the extent and the source of toxic chemicals. We have yet to receive any assurance that such an assessment will be done.

Since October, the District has spent considerable sums on environmental testing, consultants and lawyers but has yet to answer any of the questions raised by teachers, parents and students. Moreover, despite our requests, the proposed Environ contract and work-plan has yet to be publicly released, and as we understand, will not be subject to public comment and input before it is finalized. Thus, we still have no clear idea whether the promised site-wide assessments will ever be performed.

We would appreciate a response to this letter and to our specific requests.

Sincerely,

Jeff Ruch, Executive Director

Paula Dinerstein, Senior Counsel  
Public Employees for Environmental Responsibility

cc: Jared Blumenfeld, EPA Region IX Administrator  
Patrick Wilson, Region IX, EPA  
Steve Armann, Region IX, EPA  
Mathy Stanislaus, Assistant Administrator, Office of Solid Waste and Emergency Response, U.S. EPA  
Deborah Raphael, Director, California Department of Toxic Substances Control

Maria Gillette, California Department of Toxic Substances Control  
Tom Cota, California Department of Toxic Substances Control  
Senator Barbara Boxer  
Congressman Henry Waxman  
State Senator Fran Pavley  
State Assemblyman Richard Bloom  
LA County Supervisor (3rd district) Zev Yaroslavsky