



Yana Garcia
Secretary for
Environmental Protection



Department of Toxic Substances Control

Meredith Williams, Ph.D.
Director
8800 Cal Center Drive
Sacramento, California 95826-3200



Gavin Newsom
Governor

SENT VIA ELECTRONIC MAIL

December 14, 2023

Katharine Martin
Senior Planner
City of Modesto
1010 10th Street
Modesto, California 95354
kmartin@modestogov.com



RE: NEGATIVE DECLARATION (NEG DEC) FOR GPA-22-001/SPA-22-003: VILLAGE ONE SPECIFIC PLAN AMENDMENT NO. 26 AND GENERAL PLAN AMENDMENT DATED NOVEMBER 15, 2023 STATE CLEARINGHOUSE NUMBER: [2014042081](#)

Dear Katherine Martin:

The Department of Toxic Substances Control (DTSC) received a Negative Declaration (Neg) for the GPA-22-001/SPA-22-003: Village One Specific Plan Amendment No. 26 and General Plan Amendment (Project). The proposed amendment of the City of Modesto Urban Area General Plan Land Use Diagram changes the land use of approximately 140 acres from Business Park-Commercial-Residential (BCR) to Residential (R) and adds associated textual and exhibit amendments to the General Plan. Based on our preliminary review of your project and documentation of contamination within the project area, DTSC requests consideration of the following comments:

1. Due to the historical and current agricultural use of the project site, DTSC recommends this project enter into DTSC's Standard Voluntary Agreement (SVA) program so that a proper evaluation of the Project can be reviewed by designated DTSC technical staff. The [FLUXX portal link](#) is provided and the page also has a link to the [Fluxx User Guide](#) that can help you navigate the system. You will need to create a new profile and once in the system, click "Start a Request for Lead Agency Oversight Application." DTSC recommends that once the SVA is signed, a Preliminary Endangerment Assessment Report (PEA Report) be submitted for DTSC review. The PEA Report shall summarize all existing data and provide an evaluation of the possible risk to current and future users of the site.

If you have any questions about the application portal, please contact the DTSC Brownfield Coordinator [Gregory Shaffer](#) or the Application Portal at applicationportal@dtsc.ca.gov.

2. DTSC recommends that all imported soil and fill material should be tested to ensure any contaminants of concern are within approved screening levels for the intended land use. To minimize the possibility of introducing contaminated soil and fill material there should be documentation of the origins of the soil or fill material and, if applicable, sampling be conducted to ensure that the imported soil and fill material meets screening levels for the intended land use. The soil sampling should include analysis based on the source of the fill and knowledge of the prior land use.

DTSC appreciates the opportunity to comment on the NEG DEC for the Project. If you have any questions or concerns, simply respond to this [email](#) for guidance.

Sincerely,

Tamara Purvis

Tamara Purvis
Associate Environmental Planner
HWMP-Permitting Division – CEQA Unit
Department of Toxic Substances Control
Tamara.Purvis@dtsc.ca.gov

cc: (via email)

Governor's Office of Planning and Research
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