



Jared Blumenfeld
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

December 21, 2020

Governor's Office of Planning & Research

Ms. Amy Gedney
City of Sutter Creek
18 Main Street
Sutter Creek, CA 95685
AGedney@cityofsuttercreek.org

Dec 21 2020

STATE CLEARINGHOUSE

DRAFT INITIAL STUDY AND NEGATIVE DECLARATION FOR THE CAMPBELL VESTING TENTATIVE PARCEL MAP NO. 2894 PROJECT AT 175 SUTTER HILL ROAD, SUTTER CREEK, CA – DATED NOVEMBER 2020 (STATE CLEARINGHOUSE NUMBER: 2020120118)

Ms. Gedney:

The Department of Toxic Substances Control (DTSC) reviewed a proposed Initial Study and Negative Declaration (IS/ND) for the Campbell Vesting Tentative Parcel Map No. 2894 Project (Project). The Project refers to the property located at 175 Sutter Hill Road in Sutter Creek, which is listed as the Old Eureka Mine (Amador Surplus) [Site] in DTSC's Envirostor database. The Lead Agency is receiving this notice from DTSC because the Project includes work on a property with former mining activities. After reviewing the IS/ND, DTSC has the following comments:

General Comments

- 1) The Revised Final Preliminary Endangerment Assessment (PEA) Report for the Old Eureka Mine and Salvage Yard was approved by DTSC on December 1, 2006. Due to the time that has elapsed since the approval of the PEA Report, it may be necessary for a new evaluation of the suitability of the Site for proposed residential and commercial use utilizing current DTSC screening levels and an updated risk assessment for Contaminants of Concern (COCs).
- 2) The PEA identified elevated levels of arsenic throughout proposed commercial Parcel 1, and along former roads, in the southern portion, and in the north-eastern portion of proposed residential Parcel 2. These areas may have impacts from the Old Eureka Mine and adjacent Central Eureka Mine, and would require remediation and potentially long-term stewardship activities.

Specific Comments

1) V: Cultural Resources

The Project states that “remnants of the mining operation, with the exception of the gravel roadways cutting through the site have been removed and capped.” DTSC did not oversee the described removal and capping activities that have occurred on proposed Parcel 1 and has not reviewed or approved documentation of these activities.

2) VII: Geology and Soils

The Project indicates that the commercial portion of the Site, proposed Parcel 1, is connected to the sewer system and it is unclear if the proposed residence is capable of connecting to this system. If connection to the existing sewer system is proposed for development of the residence, construction activities may encounter soil from the commercial area with elevated levels of COCs. If proposed Parcels 1 and 2 are not remediated to levels that are safe for unrestricted (residential) use, a soils management plan will be needed to eliminate a health risk to workers and the surrounding community for any soil disturbing activities, including construction of a septic system or connection to the existing sewer system.

3) IX: Hazards and Hazardous Materials

- a) The Project states that “the applicant has indicated that they are currently working with DTSC and are not cancelling the Voluntary Agreement.” DTSC does not have an active Voluntary Agreement with the applicant and is not currently conducting a risk assessment or evaluating plans for contaminate removal. The Site status is listed as “Inactive - Action Required” as of April 8, 2020 in DTSC’s Envirostor database. DTSC has communicated to the applicant that they will need to reapply to DTSC’s Voluntary Cleanup Program as the previous draft agreement was never executed and work of the draft agreement was closed administratively.
- b) The Project states that “the PEA indicates concern for future residential and commercial occupants, although arsenic does not appear to pose a significant threat to public health of the environment in its current state.” The PEA defined the “current state” of the Site as “unoccupied, access is limited and pathways for the public health or the public to be exposed to COCs from the Site are limited or non-existent.” Per the DTSC December 1, 2006 PEA approval letter, remediation is necessary for both the proposed commercial (Parcel 1) and residential (Parcel 2) areas in order for both areas to not pose a significant threat to future residential and commercial occupants.

4) XI: Land Use and Planning

The Project states that the “PEA prepared for DTSC in regard to arsenic hazards in 2006 indicates the portion of the property to be split and rezoned/designated

as RE/Residential Estate was previously zoned and designated for residential use at the time the PEA was prepared (2006).” Section 2.1 of the PEA Report indicates that the site had a Land Use and Zoning designation of Commercial (PD).

DTSC appreciates the opportunity to comment on the IS/ND. DTSC is prepared to assist the project applicant through DTSC’s Voluntary Cleanup Program to evaluate the Site and conduct the necessary activities required to make it safe for unrestricted land use, including residential housing.

If you have any questions, please contact me at (916) 255-3614 or via email at Karri.Peters@dtsc.ca.gov.

Sincerely,



Karri Peters
Project Manager
Site Evaluation and Remediation Unit
Site Mitigation and Restoration Program
Department of Toxic Substances Control

cc: (via email)

Governor’s Office of Planning and Research
State Clearinghouse
State.Clearinghouse@opr.ca.gov

Ms. Lora Jameson, Chief
Site Evaluation and Remediation Unit
Department of Toxic Substances Control
Lora.Jameson@dtsc.ca.gov

Mr. Gavin McCreary
Site Evaluation and Remediation Unit
Department of Toxic Substances Control
Gavin.McCreary@dtsc.ca.gov

Mr. Dave Kereazis
Office of Planning & Environmental Analysis
Department of Toxic Substances Control
Dave.Kereazis@dtsc.ca.gov