



Yana Garcia
Secretary for
Environmental Protection



Department of Toxic Substances Control

Katherine M. Butler, MPH, Director
8800 Cal Center Drive
Sacramento, California 95826-3200
<https://dtsc.ca.gov>



Gavin Newsom
Governor

SENT VIA ELECTRONIC MAIL

October 10, 2024

Michael F Coleman
Environmental Planner
Santa Clara Valley Water District
5750 Almaden Expressway
San Jose, CA 95118
mcoleman@valleywater.org

RE: DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE PIPELINE
MAINTENANCE PROGRAM DATED SEPTEMBER 12, 2024, STATE
CLEARINGHOUSE NUMBER [2023100671](#)

Dear Michael F Coleman,

The Department of Toxic Substances Control (DTSC) received a Draft Environmental Impact Report (DEIR) for the Pipeline Maintenance Program (PMP). To modernize the existing PMP and encompass and standardize all pipeline-related activities under a single program, Valley Water is developing an updated PMP and an associated Program Manual. The PMP area is located within unincorporated Santa Clara, San Benito, and Merced counties and includes facilities in the following local jurisdictions: Cupertino, Campbell, Morgan Hill, Los Gatos, San Jose, Los Altos, Sunnyvale, Saratoga, Milpitas, Gilroy, and Santa Clara. The PMP area is defined as all of the raw, treated, and recycled water pipelines and associated infrastructure in Valley Water's system that are covered under the program, as well as an adjacent buffer of 100 feet. Under the existing PMP, Valley Water routinely inspects and maintains, repairs, and/or

replaces pipelines and related appurtenances on the raw, treated and recycled water systems under their jurisdiction. The existing PMP has been successfully implemented since 2007; however, maintenance processes and tracking system technology in the pipeline related industry have been updated requiring modernization of the PMP. After reviewing the project, DTSC recommends and requests consideration of the following comments:

1. The proposed project encompasses multiple active and nonactive mitigation and clean-up sites where DTSC has conducted oversight that may be impacted as a result of this project. This may restrict what construction activities are permissible in the proposed project areas in order to avoid any impacts to human health and the environment.
2. Due to the broad scope of the project, DTSC is unable to determine the locations of the proposed sites, whether they are listed as having documented contamination, land use restrictions, or whether there is the potential for the sites to be included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Therefore, DTSC recommends providing further information on the proposed project and areas that may fall under DTSC's oversight within future environmental documents. Once received, DTSC may provide additional comments on future environmental documents as further information becomes available. Please review the project area in [EnviroStor](#), DTSC's public-facing database.
3. DTSC recommends that all imported soil and fill material should be tested to assess any contaminants of concern meet screening levels as outlined in [DTSC's Preliminary Endangerment Assessment \(PEA\) Guidance Manual](#). Additionally, DTSC advises referencing the [DTSC Information Advisory Clean Imported Fill Material Fact Sheet](#) if importing fill is necessary. 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 are suitable 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. Additional information can be found by visiting [DTSC's Human and Ecological Risk Office \(HERO\) webpage](#).

4. If buildings or other structures are to be demolished on any project sites included in the proposed project, surveys should be conducted for the presence of lead-based paints or products, mercury, asbestos containing materials, and polychlorinated biphenyl caulk. Removal, demolition, and disposal of any of the above-mentioned chemicals should be conducted in compliance with California environmental regulations and policies. In addition, sampling near current and/or former buildings should be conducted in accordance with [DTSC's PEA Guidance Manual](#).

DTSC believes the Santa Clara Valley Water District must address these comments to determine if any significant impacts under the California Environmental Quality Act (CEQA) will occur and, if necessary, avoid significant impacts under CEQA. DTSC recommends the department connect with our unit if any hazardous waste projects managed or overseen by DTSC are discovered. Please refer to the [Santa Clara County EnviroStor Map](#) for additional information about the areas of potential contamination. If further concerns or impacts surface in light of the any forthcoming environmental documents, DTSC reserves the right to provide applicable comments at that time.

DTSC appreciates the opportunity to comment on the DEIR for the Pipeline Maintenance Program. Thank you for your assistance in protecting California's people and environment from the harmful effects of toxic substances. If you have any questions or would like clarification on DTSC's comments, please respond to this letter or via [email](#) for additional guidance.

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Sincerely,

Tamara Purvis

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