



**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 15, 2023

**Governor's Office of Planning & Research**

Ron Bess

**December 15 2023**

Associate Planner

**STATE CLEARINGHOUSE**

City of Sacramento

300 Richards Boulevard, 3<sup>rd</sup> Floor

Sacramento, CA 95811

[Rbess@cityofsacramento.org](mailto:Rbess@cityofsacramento.org)

RE: MITIGATED NEGATIVE DECLARATION (MND) FOR THE SACRAMENTO MIXED-USE APARTMENTS PROJECT (P21-020) DATED NOVEMBER 15, 2023 STATE CLEARINGHOUSE NUMBER [2023110406](#)

Dear Ron Bess,

The Department of Toxic Substances Control (DTSC) received a MND for the Sacramento Mixed-Use Apartments Project (Project). The proposed Project consists of a request to demolish existing buildings and construct a five-story approximately 122,000 square-foot mixed use building with 108 dwelling units above ground level retail space and construct a new 2,948 square foot mechanic shop. This request requires a Planning and Design Commission Conditional Use Permit for an auto-service and repair use and Site Plan and Design Review of the new development.

After reviewing the Project, DTSC recommends and requests consideration to be notified if any further Project remediation is required. In Section 7. Hazards of the Environmental Checklist and Discussion, DTSC is not mentioned as an agency to be

notified even though it is our responsibility as a Responsible Agency to review and comment on any hazardous waste encounters. In the event remedial action is required, DTSC would be involved in the oversight and therefore, should be notified when remediation becomes necessary. Additional comments for the construction phase of the Project include:

1. 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 2006 [Interim Guidance Evaluation of School Sites with Potential Contamination from Lead Based Paint, Termiticides, and Electrical Transformers](#)
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 MND for the Sacramento Mixed-Use Apartments Project. If you have any questions or concerns, simply respond to this [email](#) for guidance.

Ron Bess  
December 15, 2023  
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Sincerely,



Dave Kereazis  
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Department of Toxic Substances Control  
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cc: (via email)

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