



**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

January 3, 2024

Jeremy Shaw

Planner

Fresno County

2220 Tulare Street, 6<sup>th</sup> Floor

Fresno, CA 93721

[jshaw@fresnocountyca.gov](mailto:jshaw@fresnocountyca.gov)



RE: MITIGATED NEGATIVE DECLARATION (MND) FOR THE INITIAL STUDY NO. 8135 AND UNCLASSIFIED CONDITIONAL USE PERMIT NO. 3721 DATED DECEMBER 8, 2023 STATE CLEARINGHOUSE # [2023120238](#)

Dear Jeremy Shaw,

The Department of Toxic Substances Control (DTSC) received a MND for the Initial Study No. 8135 and Unclassified Conditional Use Permit No. 3721. The project allows the development and operation of a cemetery on a 17.70-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

Following our review of the Project, DTSC recommends consideration of the following comments:

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.
3. In the Hazards and Hazardous Waste section, there are no controls or mitigation measures mentioned in the event contaminants or hazards are encountered. If they are encountered, notify the Department of Toxic Substances Control of your findings, and receive guidance on how to proceed and handle the hazardous waste.

DTSC believes Fresno County 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 appreciates the opportunity to comment on Initial Study No. 8135 and Unclassified Conditional Use Permit No. 3721 project. 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 any clarification on DTSC's comments, please respond to this letter or via [email](#) for additional guidance.

Jeremy Shaw  
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Sincerely,

*Dave Kereazis*

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