



*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

March 19, 2024

Governor's Office of Planning & Research

**March 19 2024**

Nancy Arroyo

Associate Planner

San Joaquin County Community Development Department

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**STATE CLEARINGHOUSE**

RE: MITIGATED NEGATIVE DECLARATION (MND) FOR THE GENERAL PLAN AMENDMENT NO. PA-2200277, ZONE RECLASSIFICATION NO. PA-2200278, & ADMINISTRATIVE USE PERMIT NO. PA-2300162, DATED JANUARY 31, 2024  
STATE CLEARINGHOUSE # [2024020787](#)

Dear Nancy Arroyo,

The Department of Toxic Substances Control (DTSC) received a MND for the General Plan Amendment No. PA-2200277, Zone Reclassification No. PA-2200278, & Administrative Use Permit No. PA-2300162. This project is comprised of three applications: (1) General Plan Amendment No. PA-2200277 to amend the map designation of 2 Assessor Parcel Numbers (APN's) composed of 10 legal lots from Community Commercial (C/C) to Medium Density Residential (R/M) and Zone Reclassification No. PA-2200278, which proposes to change the current zoning designation of the same parcels from C/C and Public Facilities (P/F) to R/M; and an Administrative Use Permit to develop a Multi-Unit Residential project to include a two-story four-plex totaling 4,184 square feet and an 822 square foot accessory dwelling unit on a new parcel configuration created by Lot Line Adjustment No. PA-2200168.

The project site currently has eight existing non-conforming single-family dwellings and proposes the demolition of four existing single-family residences and an accessory storage structure. Additionally, the project proposes to construct two single family residences, two accessory dwelling units and two duplexes.

DTSC has identified that this project may affect an active or nonactive mitigation and clean-up site, which is located near or within the project boundaries. The site, [California Fuels](#) is currently vacant and fenced and a warehouse is the only remaining site feature. Fuel tanks were removed in June of 1988. Groundwater is very shallow, about 10- 20 feet and Total Petroleum Hydrocarbons (TPH) was detected at 22 ppm at 7 feet. San Joaquin County referred the site to the Regional Water Quality Control Board (RWQCB). Based on our project review, we request consideration of the following comments:

1. The City of Gonzales enter into DTSC's Standard Voluntary Agreement (SVA) program or work with RWQCB and/or the [San Joaquin County Environmental Health Department](#), so a proper evaluation of the Project is completed. If entering into an SVA with DTSC, 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. If you have any questions about the application portal, please contact the DTSC Brownfield Coordinator [Gregory Shaffer](#) or contact the [Application Portal Inbox](#).
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. 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 [Update to June 2006 Phase I Addendum Guidance](#).

DTSC believes the City 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 the MND for the General Plan Amendment No. PA-2200277, Zone Reclassification No. PA-2200278, & Administrative Use Permit No. PA-2300162. 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.

Sincerely,



Tamara Purvis  
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HWMP - Permitting Division – CEQA Unit  
Department of Toxic Substances Control  
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cc: (via email)

Governor's Office of Planning and Research

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