



Yana Garcia
Secretary for
Environmental Protection



Department of Toxic Substances Control

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SENT VIA ELECTRONIC MAIL

September 30, 2024

Manuel Campos
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City of Kerman
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RE: DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE DEL NORTE ESTATES
PROJECT DATED SEPTEMBER 11, 2024, STATE CLEARINGHOUSE NUMBER
[2024031008](#)

Dear Manuel Campos,

The Department of Toxic Substances Control (DTSC) received and reviewed the Draft Environmental Impact Report (DEIR) for the Del Norte Estates project (project). The project proposes to develop 48 acres of land with up to 200 single-family dwelling units, 100 multi-family dwelling units, a 15,000 square foot retail plaza, and two 3,500 square foot fast-food restaurants. The project proposes a General Plan Amendment, Rezone, Cancellation of a Williamson Act Contract, and Tentative Subdivision Map to accommodate the project site, a 23-acre parcel to be annexed into the City of Kerman.

DTSC recommends and requests consideration of the following comments:

1. Based on the Phase I Environmental Site Assessment, The subject property has been occupied by an orchard for over 75 years. There is a potential that agricultural chemicals, such as pesticides, herbicides and fertilizers, were

used onsite and that the subject property has been impacted by the use of such agricultural chemicals. Based on the proposed redevelopment which includes residential use, the orchard represents a Recognized Environmental Concern, therefore, when agricultural crops and/or land uses are proposed or rezoned for residential use, a number of contaminants of concern (COCs) can be present. The Lead Agency shall identify the amounts of Pesticides and Organochlorine Pesticides (OCPs) historically used on the property. If present, OCPs requiring further analysis are dichloro-diphenyl-trichloroethane, toxaphene, and dieldrin. Additionally, any level of arsenic present would require further analysis and sampling and must meet [HHRA NOTE NUMBER 3, DTSC-SLs](#) approved thresholds. If they are not, remedial action must take place to mitigate them below those thresholds.

2. Although Mitigation Measure HAZ-1 states, “Evidence of compliance shall be submitted to the City of Kerman Community Development Department”, the City of Kerman Community Development Department is not recognized as a [self-certified local agency](#). Therefore, the City of Kerman is recommended to enter into a voluntary agreement to address contamination at brownfields and other types of properties or receive oversight from a [self-certified local agency](#), DTSC or Regional Water Quality Control Board. If entering into one of DTSC’s voluntary agreements, please note that DTSC uses a single standard Request for Lead Agency Oversight Application for all agreement types. Please apply for DTSC oversight using this link: [Request for Agency Oversight Application](#). Submittal of the online application includes an agreement to pay costs incurred during agreement preparation. If you have any questions about the application portal, please contact your [Regional Brownfield Coordinator](#).
3. Additional COCs may be found in mixing, loading, and storage areas, drainage ditches, farmhouses, or any other outbuildings and should be sampled and analyzed. If smudge pots had been routinely utilized, additional

sampling for Polycyclic Aromatic Hydrocarbons and/or Total Petroleum Hydrocarbons may be required.

4. DTSC recommends that all imported soil and fill material should be tested to assess any contaminants of concern meet screening levels as outlined in the [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](#).

5. 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 appreciates the opportunity to comment on the DEIR for the Del Norte Estates 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.

Manuel Campos
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Sincerely,

Dave Kereazis

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cc: (via email)

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