



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

April 17, 2024

Karl Schoettler

City Planner

City of Dinuba

405 E El Monte Way

Dinuba, CA 93291

karl@weplancities.com



RE: MITIGATED NEGATIVE DECLARATION (MND) FOR THE EMPIRE ESTATES
RESIDENTIAL PROJECT (PROJECT) DATED MARCH 28, 2024 STATE
CLEARINGHOUSE NUMBER [2024031071](#)

Dear Karl Schoettler,

The Department of Toxic Substances Control (DTSC) received a MND for the project. The Project Applicant intends to develop 75 single-family residential units on an approximately 18.6-acre site. The site is currently outside the western City limits of Dinuba, but within the City's Sphere of Influence. The development will also include access roads, lighting, and other associated improvements. Entitlements needed to accommodate the proposed Project include an Annexation, a Zone Change, and a Tentative Subdivision Map. The proposed project site has an existing residential dwelling in the southwestern portion, which will be removed as part of the project. After reviewing the project, DTSC recommends and requests 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 Preliminary Endangerment Assessment \(PEA\) Guidance Manual](#).
2. DTSC recommends that all imported soil and fill material should be tested to ensure any contaminants of concern are within DTSC's and U.S. Environmental Protection Agency (USEPA) Regional Screen Levels (RSLs) 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 outlined in the [PEA](#) 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](#).

DTSC appreciates the opportunity to comment on the MND for the 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.

Karl Schoettler
April 17, 2024
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Sincerely,

Dave Kereazis

Dave Kereazis
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HWMP-Permitting Division – CEQA Unit
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cc: (via email)

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