



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

June 26, 2024

Jonathan Olivas
Assistant Planner
County of San Benito
2301 Technology Parkway
Hollister, CA 95023

jolivas@sanbenitocountyca.gov

RE: MITIGATED NEGATIVE DECLARATION FOR THE PLN220004 MINOR
SUBDIVISION 1175 COMSTOCK ROAD PROJECT, DATED JUNE 7, 2024,
STATE CLEARINGHOUSE NUMBER [2024060225](#)

Dear Jonathan Olivas,

The Department of Toxic Substances Control (DTSC) received a Mitigated Negative Declaration (MND) for the PLN220004 Minor Subdivision 1175 Comstock Road project (project). This project proposes to subdivide an existing 39-acre parcel into four parcels: three, 5 -acre parcels, and one, 23.54-acre parcel. There is one existing residence on one of the proposed parcels. No new construction is proposed as part of this 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. 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 Regional Screen 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 outlined in [DTSC's Preliminary Endangerment Assessment \(PEA\) Guidance Manual](#). 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](#).
3. When agricultural crops and/or land uses are proposed or rezoned for residential use, a number of contaminants of concern 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 Dichlorodiphenyltrichloroethane, toxaphene, and dieldrin. Additionally, any level of arsenic present would require further analysis and sampling and must meet [Human Health Risk Assessment Note Number 3](#) approved thresholds outlined in the [PEA Guidance Manual](#). If they do not, remedial action must take place to mitigate them below those thresholds.
4. Additional chemicals of concern may be found in mixing/loading/storage area, drainage ditches, farmhouses, or any other outbuildings and should be sampled and analyzed. If smudge pots had been routinely utilized, additional

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

DTSC appreciates the opportunity to comment on the MND for the PLN220004 Minor Subdivision 1175 Comstock Road 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.

Sincerely,

A handwritten signature in cursive script that reads "Dave Kereazis".

Dave Kereazis

Associate Environmental Planner

HWMP-Permitting Division – CEQA Unit

Department of Toxic Substances Control

Dave.Kereazis@dtsc.ca.gov

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cc: (via email)

Governor's Office of Planning and

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