



**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 28, 2024

Yazid S. Alawgarey  
Assistant Planner  
City of Bakersfield  
1715 Chester Avenue  
Bakersfield, CA 93301

[yalawgarey@bakersfieldcity.us](mailto:yalawgarey@bakersfieldcity.us)

RE: MITIGATED NEGATIVE DECLARATION FOR THE GENERAL PLAN  
AMENDMENT/ZONE CHANGE NO. 23-0330 PROJECT DATED JUNE 14, 2024,  
STATE CLEARINGHOUSE NUMBER [2024060685](#)

Dear Yazid S. Alawgarey,

The Department of Toxic Substances Control (DTSC) received a Mitigated Negative Declaration (MND) for the General Plan Amendment/Zone Change No. 23-0330 project (project). The applicant, Swanson Engineering, Inc., on behalf of Leah Volkoff (property owner), has requested a General Plan Amendment to change the existing land use from Office Commercial to High-Density Residential and a Zone Change to change the existing zoning from Commercial Office/ Planned Commercial Development to Multiple-Family Dwelling on approximately 6.18 acres at Assessor's Parcel Numbers 464-032-31, 32, 33, and 34. After reviewing the project, DTSC recommends and requests consideration of the following comments:

1. 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 Dichlorodiphenyltrichloroethane, 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. Additional COCs may be found in mixing/loading/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.
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 Preliminary Endangerment Assessment \(PEA\) Guidance Manual](#).
4. DTSC recommends that all imported soil and fill material should be tested to assess any COC's meet screening levels as outlined in the [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

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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](#).

DTSC appreciates the opportunity to comment on the MND for the General Plan Amendment/Zone Change No. 23-0330 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,



Tamara Purvis

Associate Environmental Planner

HWMP - Permitting Division – CEQA Unit

Department of Toxic Substances Control

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cc: (via email)

Governor's Office of Planning and

Research State Clearinghouse

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Dave Kereazis

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