



Yana Garcia
Secretary for
Environmental Protection



Department of Toxic Substances Control

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Director
8800 Cal Center Drive
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Gavin Newsom
Governor

SENT VIA ELECTRONIC MAIL

July 12, 2024

Tiffany Ho
Deputy Director of Planning
County of Merced
2222 M Street
Merced, CA 95340

Tiffany.Ho@countyofmerced.com

RE: NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE FRANKLIN-BEACHWOOD COMMUNITY PLAN UPDATE DATED JUNE 28, 2024, STATE CLEARINGHOUSE NUMBER [2024061306](#)

Dear Tiffany Ho,

The Department of Toxic Substances Control (DTSC) received a Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) for the Franklin-Beachwood Community Plan Update (project). The proposed project is intended to guide development in Franklin- Beachwood through the year 2040 and would amend the County General Plan, including the land use map, and provide policies to ensure that the proposed project is implemented as envisioned by Franklin-Beachwood residents and the County. The County zoning map would also be amended to reflect the zones associated with the proposed land use designations. The proposed project will include commercial, residential and park/recreational areas and bike lane development. The proposed project does not include any specific development projects. In order to determine the potential impacts of the proposed project, the EIR will assume, at

buildout, the land uses and levels of development. If the proposed project is adopted, proposals for new development would need to demonstrate that they are consistent with the land use designations and policies of the adopted Project.

After reviewing the project, DTSC recommends and requests consideration of the following comments:

1. The proposed project encompasses multiple active and nonactive mitigation and clean-up sites where DTSC has conducted oversight that may be impacted as a result of this project. This may restrict what construction activities are permissible in the proposed project areas in order to avoid any impacts to human health and the environment.
2. Due to the broad scope of the project, DTSC is unable to determine the locations of the proposed sites, whether they are listed as having documented contamination, land use restrictions, or whether there is the potential for the sites to be included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Therefore, DTSC recommends providing further information on the proposed project and areas that may fall under DTSC's oversight within future environmental documents. Once received, DTSC may provide additional comments on future environmental documents as further information becomes available. Please review the project area in [EnviroStor](#), DTSC's public-facing database.
3. 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.

4. 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

DTSC believes the County of Merced 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 recommends the department connect with our unit if any hazardous waste projects managed or overseen by DTSC are discovered.

Please refer to the [City of Merced EnviroStor Map](#) for additional information about the areas of potential contamination. If further concerns or impacts surface in light of the any forthcoming environmental documents, DTSC reserves the right to provide applicable comments at that time

DTSC appreciates the opportunity to comment on the NOP of a DEIR for the Franklin-Beachwood Community Plan Update 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 clarification on DTSC's comments, please respond to this letter or via [email](#) for additional guidance.

Sincerely,

Tamara Purvis

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cc: (via email)

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