



**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

July 25, 2024

Harald Luna

Senior Planner

Buena Park

6650 Beach Boulevard

Buena Park, CA 90621

[HLuna@buenapark.com](mailto:HLuna@buenapark.com)

RE: MITIGATED NEGATIVE DECLARATION FOR THE DALE TOWNHOMES  
PROJECT DATED JULY 19, 2024, STATE CLEARINGHOUSE NUMBER [2024070784](#)

Dear Harald Luna,

The Department of Toxic Substances Control (DTSC) received a Mitigated Negative Declaration (MND) for the Dale Townhomes Project (Project). The proposed Project would demolish a single 44,064 square-foot vacant commercial structure to allow for the development of a 93-unit, two- and three-story semi-attached townhomes located at 8030 Dale Avenue. The Project involves the construction of 14 two- and three-story buildings with 39 two-bedroom and 54 three-bedroom units, totaling 93 residential townhomes. The Project would total approximately 187,534 square feet of building space and would include attached two-car garages at ground level and one to two above ground floors of living space. The Project would include landscaping and green spaces throughout the site with specific landscaping along the east and south to buffer the Project from the single-family residential dwelling units. The Project proposes a

General Plan Amendment to amend the existing General Plan Land Use designation from Commercial to High Density Residential; a Zone Change to amend the existing zoning district from Commercial Shopping to Medium-Density Multifamily Residential; a Tentative Tract Map to subdivide an existing parcel containing approximately 3.82-acres into a single lot for condominium purposes (93-unit townhomes); and a Conditional Use Permit to review and permit the proposed 93-unit townhomes residential development and associated on-site improvements.

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. 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.
3. 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

4. DTSC recommends that all imported soil and fill material should be tested to assess any COCs 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 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 Dale Townhomes 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,



Dave Kereazis  
Associate Environmental Planner  
HWMP-Permitting Division – CEQA Unit  
Department of Toxic Substances Control  
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Harald Luna  
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cc: (via email)

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