



**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

August 6, 2024

Mike Sawley  
Principal Planner  
City of Chico  
P.O. Box 3420  
Chico, CA 95927  
[mike.sawley@chicoca.gov](mailto:mike.sawley@chicoca.gov)

RE: MITIGATED NEGATIVE DECLARATION FOR THE BELL-MUIR SPA  
DISSOLUTION (GPA/RZ 24-02) AND AUTUMN LEAF ESTATES SUBDIVISION  
(ANX 24-01, SUB 24-01) DATED JULY 26, 2024,  
STATE CLEARINGHOUSE NUMBER [2024071034](#)

Dear Mike Sawley,

The Department of Toxic Substances Control (DTSC) received a Mitigated Negative Declaration (MND) for the Bell-Muir SPA Dissolution (GPA/RZ 24-02) and Autumn Leaf Estates Subdivision (ANX 24-01, SUB 24-01) project (project). The project proposes to remove the Bell-Muir Special Planning Area (SPA) designation and requirements identified in the 2030 Chico General Plan. The project would change the City's Land Use Designation of "Special Planning Area" to "Low Density Residential (R1)," change the City's pre-zoning of "SPA" to "R1" and amend General Plan text that refers to the Bell-Muir SPA. Additionally, the project proposes to annex APNs: 042-020-009 and 042-020-105, located at 1124 Henshaw Avenue and 2870 Nord Avenue, within the Bell-Muir

SPA, just outside of the city limits of Chico in unincorporated Butte County, California. The proposed subdivision would divide 20 acres into 68 individual single-family residential lots and a parcel dedicated to stormwater retention. The annexation is a request that the City Council adopt a resolution directing staff to initiate annexation proceedings for the subdivision area.

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 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.
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. DTSC recommends that all imported soil and fill material should be tested to assess any COCs meet screening levels as outlined in the [Preliminary Endangerment Assessment 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

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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 Bell-Muir SPA Dissolution (GPA/RZ 24-02) and Autumn Leaf Estates Subdivision (ANX 24-01, SUB 24-01) 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,

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](mailto:Dave.Kereazis@dtsc.ca.gov)

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cc: (via email)

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