



Yana Garcia
Secretary for
Environmental Protection



Department of Toxic Substances Control

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Director
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Gavin Newsom
Governor

SENT VIA ELECTRONIC MAIL

September 18, 2024

Mark Niskanen
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RE: MITIGATED NEGATIVE DECLARATION FOR THE FAHMY ANNEXATION -
ANNEXATION, PREZONE, AND VESTING TENTATIVE SUBDIVISION MAP NO. 2022-
0001 PROJECT DATED SEPTEMBER 4, 2024, STATE CLEARINGHOUSE NUMBER
[2024090068](#)

Dear Mark Niskanen,

The Department of Toxic Substances Control (DTSC) received and reviewed the Mitigated Negative Declaration (MND) for the Fahmy Annexation - Annexation, Prezone, and Vesting Tentative Subdivision Map No. 2022-0001 project (project). The project proposes to annex and pre-zone 43.27-acres, including the subdivision of 19.13-acres into 98 single-family residential units. 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 contaminants of concern 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 Fahmy Annexation - Annexation, Prezone, and Vesting Tentative Subdivision Map No. 2022-0001 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.

Mark Niskanen
September 18, 2024
Page 3

Sincerely,

Dave Kereazis

Dave Kereazis
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cc: (via email)

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