



**Yana Garcia**  
Secretary for  
Environmental Protection



**Department of Toxic Substances Control**

Katherine M. Butler, MPH, Director  
8800 Cal Center Drive  
Sacramento, California 95826-3200  
[dtsc.ca.gov](http://dtsc.ca.gov)



**Gavin Newsom**  
Governor

**SENT VIA ELECTRONIC MAIL**

November 1, 2024

Kim Fowler  
Planning Division Manager  
City of Morro Bay  
955 Shasta Avenue  
City of Morro Bay, CA 93442  
[kfowler@morrobayca.gov](mailto:kfowler@morrobayca.gov)

RE: NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE 3300 PANORAMA DRIVE PROJECT DATED OCTOBER 1, 2024, STATE CLEARINGHOUSE NUMBER [2024100022](#)

Dear Kim Fowler,

The Department of Toxic Substances Control (DTSC) received the Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) for the 3300 Panorama Drive Project (Project). The proposed Project would involve demolition of the remaining onsite structures associated with the previous tank battery removal project and the subdivision of project site to create 46 residential lots and one common lot. After reviewing the project, DTSC recommends and requests consideration of the following comments:

1. The DEIR should acknowledge the potential for historic or future activities on or near the site [Estero Bay Defense Fuel Supply Point](#) due to the release of hazardous wastes/substances on or near the site. In instances in which releases have occurred or may occur, further studies should be carried out to delineate the nature and extent of the contamination, and the potential threat to public health and/or the environment should be evaluated. DTSC notes that

Central Coast RWQCB is the lead oversight agency for the site and recommends the City of Morro Bay continue to work with them on future cleanup efforts.

2. As stated in the MND, Analytical Consulting Group (Analytical) prepared a Site assessment Report and Request for Site Closure for the former tank farm that is located onsite. The MND states: "Analytical did not recommend any further investigation but suggested that a Soil Management Plan (SMP) be prepared to provide guidance for the proper management of any impacted soil that is encountered during redevelopment activities. The Closure Report further recommends that the SMP include a plan for removing the upper 6 to 12 inches of soil to address lead impacts, surficial soil testing of lead post-grading, and the placement of topsoil to protect against naturally occurring asbestos associated with the onsite serpentinite." A SMP alone cannot sufficiently identify and document the potential contaminants that may pose a threat to human health and the environment. DTSC recommends that a cleanup plan, a Removal Action Workplan (RAW) or Remedial Action Plan (RAP), be prepared to adequately address all site impacts after complete characterization.
3. DTSC recommends the City of Morro Bay enter into a voluntary agreement to address contamination at brownfields and other types of properties or receive oversight from a [self-certified local agency](#), DTSC or the Regional Water Quality Control Board. If entering into one of DTSC's voluntary agreements, please note that DTSC uses a single standard Request for Lead Agency Oversight Application for all agreement types. Please apply for DTSC oversight using this link: [Request for Agency Oversight Application](#). Submittal of the online application includes an agreement to pay costs incurred during agreement preparation. If you have any questions about the application portal, please contact your [Regional Brownfield Coordinator](#).
4. DTSC recommends that all imported soil and fill material should be tested to assess any contaminants of concern meet screening levels as outlined in

[DTSC's Preliminary Endangerment Assessment \(PEA\) 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 NOP of DEIR for the 3300 Panaroma Drive 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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HWMP - Permitting Division – CEQA Unit  
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Kim Fowler  
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cc: (via email)

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