



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



Gavin Newsom
Governor

SENT VIA ELECTRONIC MAIL

November 4, 2024

Doug Libby
Deputy Director of Development Services
City of Yuba City
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dlibby@yubacity.net

RE: MITIGATED NEGATIVE DECLARATION FOR THE BROWNSTONE ESTATES
DATED OCTOBER 28, 2024, STATE CLEARINGHOUSE NUMBER [2024101195](#)

Dear Doug Libby,

The Department of Toxic Substances Control (DTSC) received a Mitigated Negative Declaration (MND) for the Brownstone Estates project (project). A General Plan Amendment 24-03, Planned Development 19, Tentative Subdivision Map 24-04. GPA 24-03 will redesignate 7.84 acres from the Office and Office Park land use designation to a single-family residential designation. The Tentative Subdivision Map will subdivide the parcel into 54 new single-family residential lots, and the Planned Development 19 will rezone the site to allow for revised development standards in the Yuba City Municipal Code. After reviewing the project, 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.

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.

2. 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 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 Brownstone Estates 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.

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Sincerely,

Dave Kereazis

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cc: (via email)

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