



Yana Garcia
Secretary for
Environmental Protection



Department of Toxic Substances Control

Katherine M. Butler, MPH, Director
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Gavin Newsom
Governor

SENT VIA ELECTRONIC MAIL

November 22, 2024

Daniel Sobczak
Associate Planner
City of Santa Clara
1500 Warburton Avenue
Santa Clara, CA 95050
dsobczak@santaclaraca.gov

RE: MITIGATED NEGATIVE DECLARATION FOR THE 2303 GIANERA STREET
TENTATIVE SUBDIVISION DATED NOVEMBER 8, 2024, STATE CLEARINGHOUSE
NUMBER [2024110312](#)

Dear Daniel Sobczak,

The Department of Toxic Substances Control (DTSC) reviewed the Mitigated Negative Declaration (MND) for the 2303 Gianera Street Tentative Subdivision (project). The project proposes demolishing the existing single-family house, one accessory structure, a shed, and associated improvements to subdivide the Project site to construct a total of eight, three-story, townhouse units. One of the eight proposed units would be deemed affordable at a Moderate Rate Income. Each unit would contain a two-car garage and rear yard. Each rear yard would have six-foot privacy fences. The project site has a General Plan designation of Low Density Residential and is zoned as Low Density Residential. The project proposes to rezone the site to Planned Development (PD). DTSC recommends and requests consideration of the following comments:

1. In Section 4.9.2 Impact Discussion, Condition of Approval of the MND it states: "All 55-gallon drums on-site shall be properly removed and disposed of by the applicant at the appropriate facility. Removal activities shall be

completed under the direction of the Santa Clara Fire Department.” DTSC recommends the City of Santa Clara to receive oversight from the Santa Clara County Department of Environmental Health as they are a [certified local agency](#) approved for regulating and monitoring hazardous material use and storage when referencing oversight.

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 2303 Gianera Street Tentative Subdivision 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

Tamara Purvis
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[cc:](#) (via email)

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