



**Yana Garcia**  
Secretary for  
Environmental Protection



**Department of Toxic Substances Control**

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Katherine M. Butler, MPH, Director  
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[dtsc.ca.gov](http://dtsc.ca.gov)



**Gavin Newsom**  
Governor

**SENT VIA ELECTRONIC MAIL**

November 6, 2024

John Barnard  
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Sacramento County  
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RE: MITIGATED NEGATIVE DECLARATION FOR THE PLNP2022-00114 GAY ROAD  
REZONE & PARCEL MAP DATED NOVEMBER 4, 2024, STATE CLEARINGHOUSE  
NUMBER [2024110072](#)

Dear John Barnard,

The Department of Toxic Substances Control (DTSC) reviewed the Mitigated Negative Declaration (MND) for the PLNP2022-00114 Gay Road Rezone & Parcel Map (project). The project proposes to rezone a 19.98-acre parcel from Agricultural 80-acre (AG-80) to Agricultural Residential 5-acre (AR-5) and subdivide the property into four new approximately 5-acre lots. The project requests the following entitlements:

1. A Rezone request to the Board of Supervisors of a single 19.98-acre parcel to AR-5 from AG-80.
2. A Tentative Parcel Map to divide the single 19.98-acre parcel into four, approximately 5-acre lots.
3. A Special Development Permit to allow one or more proposed lots to be below the 5.00-acre minimum required for AR-5 zoning district.
4. A Design Review to determine substantial compliance with the Sacramento County Countywide Design Guidelines.

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 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 PLNP2022-00114 Gay Road Rezone & Parcel Map project. Thank you for your assistance in protecting California's people and environment from the harmful effects of toxic substances. If you

John Barnard  
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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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