



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

March 3, 2025

Ryan Safty
Associate Planner
Town of Los Gatos
110 E. Main Street
Los Gatos, CA 95030
rsafty@losgatosca.gov

RE: MITIGATED NEGATIVE DECLARATION FOR THE 143 & 151 E. MAIN STREET MIXED-USE PROJECT DATED FEBRUARY 27, 2025, STATE CLEARINGHOUSE NUMBER [2025021056](#)

Dear Ryan Safty,

The Department of Toxic Substances Control (DTSC) reviewed the Mitigated Negative Declaration (MND) for the 143 & 151 E. Main Street Mixed-Use Project (Project). The Project proposes to demolish the existing on-site uses and then construct a four-story mixed-use building with underground parking. The ground level of the proposed building will include 2,416 square feet of pedestrian-oriented commercial with a total of 30 residential units located in the building. DTSC recommends and requests consideration of the following comments:

1. The Phase I Environmental Site Assessment recommends that if the property use changes to residential or if the property is redeveloped and no longer utilizes a raised foundation, then soil vapor testing on the site should be conducted. DTSC recommends the Town of Los Gatos 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 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](#).

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 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 would like to thank you for the opportunity to comment on the MND for the 143 & 151 E. Main Street Mixed-Use 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 our [CEQA Review email](#) for additional guidance.

Sincerely,



Dave Kereazis
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HWMP - Permitting Division – CEQA Unit
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Ryan Safty
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cc: (via email)

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