



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

April 7, 2025

Yazid Alawgarey
Assistant Planner
City of Bakersfield, Planning Dept
1715 Chester Avenue
Bakersfield, CA 93301
yalawgarey@bakersfieldcity.us

RE: MITIGATED NEGATIVE DECLARATION FOR GENERAL PLAN AMENDMENT NO. 21-0424 DATED MARCH 28, 2025, STATE CLEARINGHOUSE NUMBER [2025031371](#)

Dear Yazid Alawgarey,

The Department of Toxic Substances Control (DTSC) reviewed the Mitigated Negative Declaration (MND) for General Plan Amendment No. 21-0424. New Gen Engineering Group Inc., on behalf of Keith Gardiner, is proposing a General Plan Amendment to change the Land Use Element of the Metropolitan Bakersfield General Plan land use designation from Resource-Intensive Agriculture to Low Medium Density Residential on approximately 28.91 acres located on the north side of McCutchen Road between Buena Vista Road and Old River Road, in southwest Bakersfield. 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 local

area baselines or thresholds. If they do 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 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 General Plan Amendment No. 21-0424. 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,

Tamara Purvis

Tamara Purvis

Associate Environmental Planner

HWMP - Permitting Division – CEQA Unit

Department of Toxic Substances Control

Tamara.Purvis@dtsc.ca.gov

Yazid Alawgarey

April 7, 2025

Page 3

cc: (via email)

Governor's Office of Land Use and Climate Innovation

State Clearinghouse

State.Clearinghouse@opr.ca.gov

Whitney Jackson

Project Manager / Project Applicant

New Gen Engineering Group Inc.

wjackson@mcintoshassoc.com

Dave Kereazis

Associate Environmental Planner

HWMP-Permitting Division – CEQA Unit

Department of Toxic Substances Control

Dave.Kereazis@dtsc.ca.gov

Scott Wiley

Associate Governmental Program Analyst

HWMP - Permitting Division – CEQA Unit

Department of Toxic Substances Control

Scott.Wiley@dtsc.ca.gov