



## Department of Toxic Substances Control



**Jared Blumenfeld**  
Secretary for  
Environmental Protection

Meredith Williams, Ph.D.  
Acting Director  
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**Gavin Newsom**  
Governor

December 16, 2019

Governor's Office of Planning & Research

**DEC 16 2019**

Ms. Katie Nall  
County of San Luis Obispo  
976 Osos Street, Room 300  
San Luis Obispo, California 93408-2040

### STATE CLEARINGHOUSE

MITIGATED NEGATIVE DECLARATION FOR BALAKIAN & AT&T MOBILITY  
CONDITIONAL USE PERMIT DRC2018-00176 – DATED NOVEMBER 2019  
(STATE CLEARINGHOUSE NUMBER: UNKNOWN)

Dear Ms. Nall:

The Department of Toxic Substances Control (DTSC) received a Mitigated Negative Declaration (MND) for the Balakian & AT&T Mobility Conditional Use Permit DRC2018-00176.

The proposed project was requested by Sam Balakian and AT&T Mobility for a Conditional Use Permit (DRC2018-00176) to allow for the construction and operation of a wireless communications facility consisting of twelve (12) panel antennas, thirty-six (36) remote radio units, five (5) surge suppression units, two (2) microwave dishes, and associated equipment and hardware within a 21-foot 7-inch wide, 30-foot tall cylinder portion of a new 55-foot tall faux elevated water tank within a 46-foot by 30-foot lease area surrounded by an 8-foot tall wooden fence enclosure.

DTSC recommends that the following issues be evaluated in the MND, Hazards and Hazardous Materials section:

1. The MND should acknowledge the potential for project site activities to result in the release of hazardous wastes/substances. In instances in which releases may occur, further studies should be carried out to delineate the nature and extent of the contamination, and the potential threat to public health and/or the environment should be evaluated. The MND should also identify the mechanism(s) to initiate any required investigation and/or remediation and the government agency who will be responsible for providing appropriate regulatory oversight.

2. If buildings or other structures are to be demolished on any project sites included in the proposed project, surveys should be conducted for the presence of lead-based paints or products, mercury, asbestos containing materials, and polychlorinated biphenyl caulk. Removal, demolition and disposal of any of the above-mentioned chemicals should be conducted in compliance with California environmental regulations and policies. In addition, sampling near current and/or former buildings should be conducted in accordance with DTSC's 2006 *Interim Guidance Evaluation of School Sites with Potential Contamination from Lead Based Paint, Termiticides, and Electrical Transformers* ([https://dtsc.ca.gov/wp-content/uploads/sites/31/2018/09/Guidance\\_Lead\\_Contamination\\_050118.pdf](https://dtsc.ca.gov/wp-content/uploads/sites/31/2018/09/Guidance_Lead_Contamination_050118.pdf)).
3. If any projects initiated as part of the proposed project require the importation of soil to backfill any excavated areas, proper sampling should be conducted to ensure that the imported soil is free of contamination. DTSC recommends the imported materials be characterized according to *DTSC's 2001 Information Advisory Clean Imported Fill Material* ([https://dtsc.ca.gov/wp-content/uploads/sites/31/2018/09/SMP\\_FS\\_Cleanfill-Schools.pdf](https://dtsc.ca.gov/wp-content/uploads/sites/31/2018/09/SMP_FS_Cleanfill-Schools.pdf)).
4. If any sites included as part of the proposed project have been used for agricultural, weed abatement or related activities, proper investigation for organochlorinated pesticides should be discussed in the MND. DTSC recommends the current and former agricultural lands be evaluated in accordance with DTSC's 2008 *Interim Guidance for Sampling Agricultural Properties (Third Revision)* (<https://dtsc.ca.gov/wp-content/uploads/sites/31/2018/09/Ag-Guidance-Rev-3-August-7-2008-2.pdf>).

DTSC appreciates the opportunity to review the MND for the Balakian & AT&T Mobility Conditional Use Permit. Should you need any assistance with an environmental investigation, please submit a request for Lead Agency Oversight Application, which can be found at: [https://dtsc.ca.gov/wp-content/uploads/sites/31/2018/09/VCP\\_App-1460.doc](https://dtsc.ca.gov/wp-content/uploads/sites/31/2018/09/VCP_App-1460.doc). Additional information regarding voluntary agreements with DTSC can be found at: <https://dtsc.ca.gov/brownfields/>.

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If you have any questions, please contact me at (916) 255-3710 or via email at [Gavin.McCreary@dtsc.ca.gov](mailto:Gavin.McCreary@dtsc.ca.gov).

Sincerely,

A handwritten signature in blue ink that reads "Gavin McCreary". The signature is fluid and cursive, with the first name "Gavin" and last name "McCreary" clearly distinguishable.

Gavin McCreary  
Project Manager  
Site Evaluation and Remediation Unit  
Site Mitigation and Restoration Program  
Department of Toxic Substances Control

cc: (via email)

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