



Jared Blumenfeld
Secretary for
Environmental Protection



Department of Toxic Substances Control

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Gavin Newsom
Governor

February 21, 2020

Mr. Steve Esselman
City of Bakersfield
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Governor's Office of Planning & Research

February 21, 2020

STATE CLEARINGHOUSE

MITIGATED NEGATIVE DECLARATION (MND) FOR GPA/ZC 19-0184 – DATED
FEBRUARY 4, 2020 (STATE CLEARINGHOUSE NUMBER: 2020029009)

Dear Mr. Esselman:

The Department of Toxic Substances Control (DTSC) received a Mitigated Negative Declaration (MND) for GPA/ZC 19-0184.

The project proposes a General Plan Amendment/Zone Change (GPA/ZC) on 16.89 acres located east of Old River Road between Panama Lane and Empire State Drive (APN 497-010-92). The request includes: (1) an amendment of the Land Use Element of the Metropolitan Bakersfield General Plan land use designation from LR (Low Density Residential) to LMR (Low Medium Density Residential), or a more restrictive designation, and (2) a change in zone classification from R-1 (One Family Dwelling) to R-2 (Limited Multiple Family Dwelling). The project proposes the development of 63 duplexes (126 units).

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

1. The MND should acknowledge the potential for historic or future activities on or near the project site to result in the release of hazardous wastes/substances on the project site. In instances in which releases have or occurred or 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/wpcontent/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).
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. 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. Additional information regarding voluntary agreements with DTSC can be found at: <https://dtsc.ca.gov/brownfields/>.

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

Sincerely,



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

cc: (see next page)

cc: (via email)

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