



Jared Blumenfeld
Secretary for
Environmental Protection



Department of Toxic Substances Control

Meredith Williams, Ph.D.
Director
8800 Cal Center Drive
Sacramento, California 95826-3200



Gavin Newsom
Governor

April 3, 2020

Governor's Office of Planning & Research

Ms. Renee Hendry
Tuolumne County
Community Development Department
2 South Green Street
Sonora, California 95370

APR 03 2020

STATE CLEARINGHOUSE

NEGATIVE DECLARATION FOR KAHL AGRICULTURAL PRESERVE ALTERATION AP14-001(1), GENERAL PLAN AMENDMENT GPA 14-006(1), ZONE CHANGE RZ14-016(1) AND VESTING TENTATIVE SUBDIVISION MAP T18-046 – DATED FEBRUARY 26, 2020 (STATE CLEARINGHOUSE NUMBER: 2020039027)

Dear Ms. Hendry:

The Department of Toxic Substances Control (DTSC) received a Negative Declaration (ND) for Kahl Agricultural Preserve Alteration AP14-001(1), General Plan Amendment GPA14-006(1), Zone Change RZ14-016(1) and Vesting Tentative Subdivision Map T18-046. The project includes resolution for Agricultural Preserve Alteration AP14-001 (1) to remove a 90.3± acre parcel from Agricultural Preserve No. 138, which currently consists of 367.7± acres. The projects also include resolution for General Plan Amendment GPA14-006(1) to amend the General Plan land use designation of a 90.3± acre parcel from Agricultural (AG) to Large Lot Residential (LR). An ordinance for Zone Change RZ14-016(1) to rezone the project site from AE-37 (Exclusive Agricultural, Thirty Seven Acre Minimum) under Title 17 of the Tuolumne County Ordinance Code, and Vesting Tentative Subdivision Map T18-046 to divide the existing 90.3± acre parcel into eight parcels would also be included in the project.

DTSC recommends that the following issues be evaluated in the (ND) Hazards and Hazardous Materials section:

1. The ND should acknowledge historic or future activities on or near the project site that may have the potential 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 ND 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. Refiners in the United States started adding lead compounds to gasoline in the 1920s in order to boost octane levels and improve engine performance. This practice did not officially end until 1992 when lead was banned as a fuel additive in California. Tailpipe emissions from automobiles using leaded gasoline contained lead and resulted in aerially deposited lead (ADL) being deposited in and along roadways throughout the state. ADL-contaminated soils still exist along roadsides and medians and can also be found underneath some existing road surfaces due to past construction activities. Due to the potential for ADL-contaminated soil DTSC, recommends collecting soil samples for lead analysis prior to performing any intrusive activities for the project described in the ND.
3. 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).
4. 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).
5. 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 ND. 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 comment on the ND. 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/>.

Ms. Renee Hendry
March 30, 2020
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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.

Sincerely,

A handwritten signature in blue ink that reads "Gavin McCreary". The signature is fluid and cursive, with the first name "Gavin" being more prominent and the last name "McCreary" following in a similar style.

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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