



**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](http://dtsc.ca.gov)



**Gavin Newsom**  
Governor

**SENT VIA ELECTRONIC MAIL**

June 11, 2025

Jonnie Lan  
Acting Planning Manager  
City of Merced  
678 W 18<sup>th</sup> Street  
Merced, CA 95340  
[lanj@cityofmerced.org](mailto:lanj@cityofmerced.org)

RE: MITIGATED NEGATIVE DECLARATION FOR THE MERCED GATEWAY  
SUBDIVISION PROJECT GPA #24-03, R-PD EST. #83, VTSM #1333, ZC #435 AND  
ERC #24-30 DATED JUNE 9, 2025, STATE CLEARINGHOUSE NUMBER [2025060379](https://clearinghouse.ca.gov/cases/2025060379)

Dear Jonnie Lan,

The Department of Toxic Substances Control (DTSC) reviewed the Mitigated Negative Declaration (MND) for the Merced Gateway Subdivision Project General Plan Amendment #24-03, Residential – Planned Development Est. #83, Vested Tentative Subdivision Map #1333, Zone Change #435 and Environmental Review Case #24-30 (Project) The proposed Project includes the entitlement and development of almost 570 single-family residential lots, the future development of a 9-acre commercial area, and 3.0 acres of open space/park within the city limits of the City of Merced.

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. 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 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  
Associate Environmental Planner  
HWMP-Permitting Division – CEQA Unit  
Department of Toxic Substances Control  
[Dave.Kereazis@dtsc.ca.gov](mailto:Dave.Kereazis@dtsc.ca.gov)

Jonnie Lan  
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cc: (via email)

Governor's Office of Land Use and Climate Innovation  
State Clearinghouse  
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