



Yana Garcia
Secretary for
Environmental Protection



Department of Toxic Substances Control

Katherine M. Butler, MPH, Director
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Gavin Newsom
Governor

SENT VIA ELECTRONIC MAIL

November 6, 2025

Thomas Veatch
Planner
City of Fresno
2600 Fresno Street, Room 3043
Fresno, CA 93721
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RE: MITIGATED NEGATIVE DECLARATION FOR ENVIRONMENTAL ASSESSMENT
NO. P23-00446/P23-00449/P23-00702 DATED NOVEMBER 5, 2025, STATE
CLEARINGHOUSE NUMBER [2025110167](#)

Dear Thomas Veatch,

The Department of Toxic Substances Control (DTSC) reviewed the Mitigated Negative Declaration (MND) for Environmental Assessment No. P23-00446 / P23-00449 / P23-00702 (Project). The Project consists of Annexation Application No. P23-00446 which would initiate annexation proceedings for the Nees-Willow No. 3 Reorganization for incorporation of approximately 10.55 acres within the City of Fresno and detachment from the Kings River Conservation District and Fresno County Fire Protection District. The annexation territory consists of five separate parcels and is located at the southwest corner of North Willow and East Nees Avenues. Pre-zone Application No. P23-00449 is to pre-zone; approximately 5.30 acres of the subject parcels at 2895 and 2991 East Nees Avenue and 7853 North Willow Avenue from the Fresno County Limited Agriculture zone district to the City of Fresno Community Commercial / Annexed Rural Residential Transitional Overlay zone district; approximately 3.30 acres of the subject parcels at 7819 and 7835 North Willow Avenues from the Fresno County Limited Agriculture zone district to the City of Fresno Community Commercial zone district.

Development Permit Application No. P23-00702 filed by iT Architecture Inc. pertains to the approximately 3.30 acres at 7819 and 7835 North Willow Ave for development of medical, dental, and/or professional office use. DTSC recommends and requests consideration of the following comments:

1. When agricultural crops and/or land uses are proposed or rezoned for residential use, several 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 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. These recommendations should be adhered to and become part of the environmental document. Please refer to the [DTSC's Human and Ecological Risk Office \(HERO\) webpage](#) for the most recent guidance and screening levels.
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 Preliminary Endangerment Assessment \(PEA\) Guidance Manual](#).
3. DTSC recommends all imported soil/fill material be tested to ensure all COCs meet screening levels as outlined in [DTSC's Preliminary Endangerment Assessment Guidance Manual](#). Furthermore, DTSC advises referencing the

[DTSC Information Advisory Clean Imported Fill Material Fact Sheet](#) if importing soil/fill is necessary. To minimize the possibility of introducing contaminated soil/fill material, there should be documentation of the origins of the soil/fill material and, if applicable, sampling be conducted to ensure that the imported soil/fill material is suitable for the intended land use. The sampling should include analysis based on the source of the soil/fill and knowledge of prior land use.

4. The City of Fresno should consider soil testing as mentioned in comment #1. If, in the event any COC results are above DTSC residential screening levels, DTSC recommends the City of Fresno address the contaminations within the Project area through an Environmental Site Assessment and/or receive oversight from a [self-certified local agency](#), DTSC or Regional Water Quality Control Board. If entering into one of DTSC's voluntary agreements, please note that DTSC uses a single standard Request for Lead Agency Oversight Application for all agreement types. Please apply for DTSC oversight using this link: [Request for Agency Oversight Application](#). Submittal of the online application includes an agreement to pay costs incurred during agreement preparation. If you have any questions about the application portal, please contact the relevant [Regional Brownfield Coordinator](#) for your Project.

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,

Tamara Purvis

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cc: (via email)

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