



Yana Garcia
Secretary for
Environmental Protection



Department of Toxic Substances Control

Katherine M. Butler, MPH, Director
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Sacramento, California 95826-3200
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Gavin Newsom
Governor

SENT VIA ELECTRONIC MAIL

July 31, 2026

Cristhian Barajas
Development Services Director
City of Brawley
205 South Imperial Avenue
Brawley, CA 92227
cristhian.barajas@brawley-ca.gov

RE: MITIGATED NEGATIVE DECLARATION FOR THE RIO VISTA APARTMENTS
ANNEXATION DATED JULY 28, 2026, STATE CLEARINGHOUSE NUMBER
[2026071059](#)

Dear Cristhian Barajas,

The Department of Toxic Substances Control (DTSC) has reviewed the Mitigated Negative Declaration (MND) for the Rio Vista Apartments Annexation Project (Project). The Rio Vista Apartments Project proposes the redevelopment of a former equestrian facility and vacant parcels of land into a 133-unit multi-family residential complex through the annexation of a 4.26-acre triangular parcel lying within unincorporated Imperial County into the City of Brawley, the rezoning of this parcel and adjacent parcels of land from Residential Estates and Recreational to Residential Medium Density, and the amending of the General Plan to redesignate the site from Rural Residential and Open Space to Medium Density Residential. All five parcels making up the approximately 7.87-acre site are planned to be consolidated into a single parcel through an Adjustment Plat.

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, and 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 PEA 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 Brawley 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 Brawley ensure that any potential contamination be fully characterized and then remediated under the oversight of 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 appreciates the opportunity to comment on the MND for the Rio Vista Apartments Annexation 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 the [CEQA Review email](#) for additional guidance.

Sincerely,



Tamara Purvis
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HWMP-Permitting Division – CEQA Unit
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Cristhian Barajas

July 31, 2026

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cc: (via email)

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