Department of Toxic Substances Control

Yana Garcia
Secretary for
Environmental Protection

Katherine M. Butler, MPH, Director
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Gavin Newsom
Governor

SENT VIA ELECTRONIC MAIL

August 28, 2025

Lane Sutherland
Planner III
County of San Luis Obispo
976 Osos Street, Room 200
San Luis Obispo, CA 93408
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RE: MITIGATED NEGATIVE DECLARATION FOR HOWES VARIANCE (N-DRC2025-00003 / ED25-0037) DATED AUGUST 26, 2025, STATE CLEARINGHOUSE NUMBER 2025081194

Dear Lane Sutherland,

The Department of Toxic Substances Control (DTSC) reviewed the Mitigated Negative Declaration (MND) for Howes Variance (N-DRC2025-00003 / ED25-0037) (Project). A request by Ryan Howes for a Variance to allow grading on slopes exceeding 30% to facilitate the construction of a residential driveway intended to serve a 6,422-square-foot single-story single-family residence, a 1,131-square-foot attached garage, and three outdoor deck areas totaling 689 square feet. The proposed project will result in approximately 0.92 acres of site disturbance. The project includes site improvements over approximately 0.92 acres and would involve approximately 1,060 cubic yards of cut and 1,600 cubic yards of fill, including trenching for utilities. The project site is located at 1523 Badger Canyon Lane, at the intersection of Badger Canyon Lane and Fox Canyon Lane, in the unincorporated area of Arroyo Grande. The project site is within the Residential Suburban land use category and lies within the San Luis Bay Inland Sub-

Area, South, of the South County Planning Area. DTSC recommends and requests consideration of the following comment:

DTSC recommends that all imported soil/fill material should be tested to assess any COCs 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/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 are suitable for the intended land use. The soil sampling should include analysis based on the source of the soil/fill and knowledge of prior land use.

DTSC appreciates the opportunity to comment on the MND for Howes Variance (N-DRC2025-00003 / ED25-0037). 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 address for additional guidance.

Sincerely,

Dave Kereazis

Dave Kereazis
Associate Environmental Planner
HWMP-Permitting Division – CEQA Unit
Department of Toxic Substances Control
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cc: (via email)

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