



**Yana Garcia**  
Secretary for  
Environmental Protection



**Department of Toxic Substances Control**

Katherine M. Butler, MPH, Director  
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[dtsc.ca.gov](http://dtsc.ca.gov)



**Gavin Newsom**  
Governor

**SENT VIA ELECTRONIC MAIL**

August 28, 2025

Eric Tolle  
Senior Planner  
County of San Luis Obispo  
976 Osos Street, Room 300  
San Luis Obispo, CA 93408  
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RE: MITIGATED NEGATIVE DECLARATION FOR GROLLE VARIANCE N-DRC2024-00008 ED25-0041 DATED AUGUST 26, 2025, STATE CLEARINGHOUSE # [2025081193](#)

Dear Eric Tolle,

The Department of Toxic Substances Control (DTSC) reviewed the Mitigated Negative Declaration (MND) for Grolle Variance N-DRC2024-00008 ED25-0041 (Project). The Project is a request by Kenneth Grolle for a Variance to allow grading on slopes exceeding 30 percent for the purpose of constructing a 16-foot-wide, 1,650 total linear foot, asphalt driveway to serve a 6,025 square-foot single-family residence and a 2,025 square-foot residential accessory structure comprising a workshop, garage, and carport along with building pads for said structures, utility trenching, and erosion and sediment control measures. The proposed grading activities will result in approximately 2-acres of site disturbance, 41,897 square-feet of impervious surface area, 4,000 cubic-yards of cut and 4,000 cubic-yards of fill. The parcel is designated Agriculture and is within the Adelaida Sub-area of the North County Planning Area and within a Geologic Hazard Area Combining Designation. 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. 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 would like to thank you for the opportunity to comment on the MND for Grolle Variance N-DRC2024-00008 ED25-0041. Thank you for your assistance in protecting California's people and environment from the harmful effects of toxic substances. If you

Eric Tolle  
August 28, 2025  
Page 3

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  
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HWMP-Permitting Division – CEQA Unit  
Department of Toxic Substances Control  
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cc: (via email)

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