



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



Gavin Newsom
Governor

SENT VIA ELECTRONIC MAIL

March 10, 2026

Blake Maule
Planner II
County of San Luis Obispo
976 Osos Street Room 200
San Luis Obispo, CA 93408
bmaule@co.slo.ca.us

RE: MITIGATED NEGATIVE DECLARATION FOR THE HERNDON MAJOR GRADING PERMIT GRAD2024-00088 (ED25-0005) DATED FEBRUARY 26, 2026, STATE CLEARINGHOUSE NUMBER [2026021041](#)

Dear Blake Maule,

The Department of Toxic Substances Control (DTSC) reviewed the Mitigated Negative Declaration (MND) for the Herndon Major Grading Permit GRAD2024-00088 (ED25-0005) (Project). A request by Enrique Herndon for a major grading permit (GRAD2024-00088) to allow for the construction of a 1,760 square foot single-family residence, new septic system, and grading for a driveway. The proposed Project will result in approximately 0.67 acres of site disturbance, 305 cubic yards of cut and 133 cubic yards of fill on the 3.52-acre parcel, with grading occurring on slopes of up to 18%. The parcel is within the Residential Suburban land use category and is located at 100 Pine Canyon Rd in the unincorporated area of Paso Robles, in the Shandon Sub-area of the North County Planning Area. 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 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 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 the Herndon Major Grading Permit GRAD2024-00088 (ED25-0005). 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.

Blake Maule
March 10, 2026
Page 3

Sincerely,

Tamara Purvis

Tamara Purvis
Associate Environmental Planner
HWMP - Permitting Division – CEQA Unit
Department of Toxic Substances Control
Tamara.Purvis@dtsc.ca.gov

cc: (via email)

Governor's Office of Land Use and Climate Innovation
State Clearinghouse
state.clearinghouse@lci.ca.gov

Enrique Herndon
Project Applicant
Enrique.herndon@gmail.com

Dave Kereazis
Associate Environmental Planner
HWMP-Permitting Division – CEQA Unit
Department of Toxic Substances Control
Dave.Kereazis@dtsc.ca.gov

Scott Wiley
Analyst II
HWMP - Permitting Division – CEQA Unit
Department of Toxic Substances Control
Scott.Wiley@dtsc.ca.gov