



**Yana Garcia**  
Secretary for  
Environmental Protection



**Department of Toxic Substances Control**

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**Gavin Newsom**  
Governor

**SENT VIA ELECTRONIC MAIL**

May 14, 2026

Andy Knighton  
Planner II  
County of San Luis Obispo  
976 Osos Street Room 200  
San Luis Obispo, CA 93408  
[aknighton@co.slo.ca.us](mailto:aknighton@co.slo.ca.us)

RE: MITIGATED NEGATIVE DECLARATION FOR THE AVILA MAJOR GRADING PERMIT (GRAD2025-00157 / ED25-0138) DATED MAY 12, 2026, STATE CLEARINGHOUSE NUMBER [2026050480](#)

Dear Andy Knighton,

The Department of Toxic Substances Control (DTSC) reviewed the Mitigated Negative Declaration (MND) for the Avila Major Grading Permit (GRAD2025-00157 / ED25-0138) (Project). A request by Samuel Avila for a Major Grading Permit (GRAD2025-00157) to authorize the grading for the construction of a 2,009-square-foot single-family residence, 604 square-foot garage, a septic system and associated site improvements. The proposed Project will result in approximately 29,000 square-feet of site disturbance, including 689 cubic yards of cut and 641 cubic yards of fill on a 1.0-acre vacant parcel. The proposed Project is within the Agricultural land use category 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 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.
3. The County of San Luis Obispo 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 County of San Luis Obispo 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.

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DTSC would like to thank you for the opportunity to comment on the MND for the Avila Major Grading Permit (GRAD2025-00157 / ED25-0138). 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,



Dave Kereazis  
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HWMP - Permitting Division – CEQA Unit  
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