



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

August 5, 2026

Charu Ahluwalia
Senior Planner
County of Santa Clara
70 West Hedding 7th Floor, East Wing
San Jose, CA 95110
charu.ahluwalia@pln.sccgov.org

RE: NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT
FOR FOUNTAIN OAKS RANCH DATED JULY 30, 2026, STATE CLEARINGHOUSE
NUMBER [2026071249](#)

Dear Charu Ahluwalia,

The Department of Toxic Substances Control (DTSC) has reviewed the Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) for Fountain Oaks Ranch (Project). The Project proposes to construct 175 single-family residential units and 44 duet (attached) residential units, totaling 219 residential units along with utility infrastructure including water supply, wastewater treatment facilities with leach fields, and storm drainage systems on approximately 54.9 acres. Common area improvements would include a detention basin, neighborhood park, and landscaped open space parcels. All 44 duet units would be deed-restricted affordable housing for low-income households. The existing structures at 2215 Tennant Avenue would remain and the Project would also dedicate right-of-way to the County along Tennant Avenue and Hill Road. 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. 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 Santa Clara 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 Santa Clara 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 Fountain Oaks Ranch. 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
Associate Environmental Planner
HWMP-Permitting Division – CEQA Unit
Department of Toxic Substances Control
Tamara.Purvis@dtsc.ca.gov

Charu Ahluwalia

August 5, 2026

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cc: (via email)

Governor's Office of Land Use and Climate Innovation

State Clearinghouse

state.clearinghouse@lci.ca.gov

Katherine Waugh

Senior Project Manager

Dudek / Consulting Firm

kwaugh@dudek.com

Paul Latala

CEO

The Latala Group / Project Applicant

paul@latalahomes.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