



Yana Garcia
Secretary for
Environmental Protection



Department of Toxic Substances Control

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Director
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Gavin Newsom
Governor

SENT VIA ELECTRONIC MAIL

April 24, 2024

Dana Ayers
Community Development Director
City of Clayton
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Clayton, CA 94517
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Governor's Office of Planning & Research

Apr 24 2024

STATE CLEARINGHOUSE

RE: NOTICE OF PREPARATION (NOP) OF A DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR) FOR SILVER OAK ESTATES PROJECT (PROJECT) DATED APRIL 04, 2024 STATE CLEARINGHOUSE NUMBER [2024040225](#)

Dear Dana Ayers,

The Department of Toxic Substances Control (DTSC) received a NOP of a DEIR for the Silver Oaks Estates Project. The Project consists of demolition of existing residential structures, associated outbuildings, and infrastructure on the Project site. The 14-acre site will be divided into 32 single-family residential lots and six open space parcels to facilitate construction of 32 new single-family detached residential units, 3 of which would include an accessory dwelling unit. A new roadway and new utilities are also proposed. After reviewing the project, DTSC recommends and requests consideration of the following comments:

1. If buildings or other structures are to be demolished on any project sites included in the proposed project, surveys should be conducted for the

presence of lead-based paints or products, mercury, asbestos containing materials, and polychlorinated biphenyl caulk. Removal, demolition, and disposal of any of the above-mentioned chemicals should be conducted in compliance with California environmental regulations and policies. In addition, sampling near current and/or former buildings should be conducted in accordance with [DTSC's Preliminary Endangerment Assessment \(PEA\) Guidance Manual](#).

2. DTSC recommends that all imported soil and fill material should be tested to ensure any contaminants of concern are within DTSC's and U.S. Environmental Protection Agency (USEPA) Regional Screen Levels (RSLs) for the intended land use. To minimize the possibility of introducing contaminated soil and fill material there should be documentation of the origins of the soil or fill material and, if applicable, sampling be conducted to ensure that the imported soil and fill material meets screening levels outlined in the [PEA](#) for the intended land use. The soil sampling should include analysis based on the source of the fill and knowledge of the prior land use. Additional information can be found by visiting [DTSC's Human and Ecological Risk Office \(HERO\) webpage](#).

DTSC appreciates the opportunity to comment on the NOP of a DEIR for the Silver Oaks Estates Project. 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 any clarification on DTSC's comments, please respond to this letter or via [email](#) for additional guidance.

Dana Ayres
April 24, 2024
Page 3

Sincerely,

Tamara Purvis

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cc: (via email)

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