



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 5, 2025

Albert Enault
Senior Planner
City of Vacaville
Community Development Department
650 Merchant Street
Vacaville, CA 95688
Albert.Enault@cityofvacaville.com

RE: DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE MCMURTRY CREEK
ESTATES PROJECT DATED FEBRUARY 18, 2025, STATE CLEARINGHOUSE
NUMBER [2024051142](#)

Dear Albert Enault,

The Department of Toxic Substances Control (DTSC) reviewed the Draft Environmental Impact Report (DEIR) for the McMurtry Creek Estates Project (Project). The Project proposes to annex 15.73 acres of land from Solano County into the City of Vacaville to develop a subdivision consisting of 20 single-family residential estate lots, along with associated roadway and utility improvements. Additionally, as part of the subdivision, two new parcels would be created: Parcel A, the 15.73-acre project site, which would be annexed into the City of Vacaville and includes the 20 residential lots, fire access roads, and a 150-foot irrigated landscape buffer; and Parcel B, a separate 18.60-acre remnant parcel that would remain unimproved and within Solano County. As such, the Project proposal would require a General Plan Amendment to change the General Plan designation from Hillside Agriculture to Residential Estates and apply the Residential Estate pre-zoning district to the Project site. DTSC recommends and requests consideration of the following comment:

1. When agricultural crops and/or land uses are proposed or rezoned for residential use, a number of 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 [HHRA NOTE NUMBER 3, DTSC-SLs](#) 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.
2. DTSC recommends that all imported soil and fill material should be tested to assess any contaminants of concern 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 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 are suitable for the intended land use. The soil sampling should include analysis based on the source of the fill and knowledge of prior land use. Additional information can be found by visiting [DTSC's Human and Ecological Risk Office \(HERO\) webpage](#).

DTSC would like to thank you for the opportunity to comment on the DEIR for the McMurtry Creek 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 clarification on DTSC's comments, please respond to this letter or via our [CEQA Review email](#) for additional guidance.

Albert Enault
March 5, 2025
Page 3

Sincerely,

Dave Kereazis

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

cc: (via email)

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

Edward Heming
Principal Environmental Planner
LSA Associates, Inc.
Edward.Heming@lsa.net

Thomas A. Phillippi
Project Applicant
Phillippi Engineering, Inc.
tphillippi@phillippieng.com

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

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