



**Yana Garcia**  
Secretary for  
Environmental Protection



**Department of Toxic Substances Control**

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**Gavin Newsom**  
Governor

**SENT VIA ELECTRONIC MAIL**

January 8, 2025

Samuel Rashe  
Senior Planner  
Madera County  
200 W. 4<sup>th</sup> Street  
Madera, CA 93637  
[samuel.rashe@maderacounty.com](mailto:samuel.rashe@maderacounty.com)

RE: NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE LIBERTY GROVES PROJECT DATED DECEMBER 20, 2024, STATE CLEARINGHOUSE NUMBER [2024120992](#)

Dear Samuel Rashe,

The Department of Toxic Substances Control (DTSC) reviewed the Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) for the Liberty Groves Project (Project). The Project proposes the County of Madera to amend the Madera County General Plan to incorporate a New Growth Area, adopt the proposed Liberty Groves Area Plan (LGAP), adopt the proposed Liberty Groves Specific Plan (LGSP), and grant additional entitlements as necessary to allow for development of residential, community commercial, and industrial land uses consistent with the proposed LGAP and LGSP. DTSC recommends and requests consideration of the following comments:

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 thresholds. If they are 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 \(PEA\) 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 appreciates the opportunity to comment on the NOP of a DEIR for the Liberty Groves 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 [email](#) for additional guidance.

Samuel Rashe  
January 8, 2025  
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Sincerely,

*Tamara Purvis*

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