



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

April 30, 2025

Teresa McDonald
Associate Planner
Stanislaus County
1010 10th Street, Suite 3400
Modesto, CA 95354
planning@stancounty.com

RE: REQUEST FOR EARLY CONSULTATION FOR VARIANCE, PARCEL MAP, AND WILLIAMSON ACT CANCELLATION APPLICATION NO. PLN2025-0022 – SILVA REVOCABLE TRUST DATED APRIL 25, 2025, STATE CLEARINGHOUSE NUMBER [2025041296](#)

Dear Teresa McDonald,

The Department of Toxic Substances Control (DTSC) reviewed the Request for Early Consultation (CON) for the Variance, Parcel Map, and Williamson Act Cancellation Application No. PLN2025-0022 – Silva Revocable Trust (Project). The Project is a request to subdivide an approximate 107.62 gross acre parcel into two parcels, one approximately 5.32 acres and another approximately 44.22 acres while the remaining 58.08 acres remain in the General Agriculture zoning district. The Project requests to cancel a portion of the acreage under a Williamson Act contract (No. 1971-364) which is necessary to allow a parcel under 10-acres. A variance is needed for the creation of a parcel under the 40-acre minimum. If approved, the resulting 5.32-acre parcel will be improved with a single-family dwelling, barn, well, and septic system. The 44.22-acre parcel and 58.08-acre remainder will remain planted in row crops and aren't scheduled for any improvements or construction.

A Williamson Act Contract Notice of Non-Renewal has been filed and recorded on 107.62 gross acre parcel. The remaining 102.3 acres not being cancelled will be re-enrolled under a new contract after the map is recorded. If approved, the two resulting parcels and remainder will all have access to County-maintained roads. If the Williamson Act contract is cancelled and the Project commences, 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 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

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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 CON for the Variance, Parcel Map, and Williamson Act Cancellation Application No. PLN2025-0022 – Silva Revocable Trust. 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,

A handwritten signature in black ink that reads "Dave Kereazis". The signature is written in a cursive, flowing style.

Dave Kereazis

Associate Environmental Planner

HWMP-Permitting Division – CEQA Unit

Department of Toxic Substances Control

Dave.Kereazis@dtsc.ca.gov

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cc: (via email)

Governor's Office of Land Use and Climate Innovation

State Clearinghouse

State.Clearinghouse@opr.ca.gov

George and Barbara Ann Silva

Applicant

Property Owner

planning@stancounty.com

Lorrie Silva

Consultant

Beyond Boundaries

lsilva3.bb@gmail.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