

De Novo Planning Group



A Land Use Planning, Design, and Environmental Firm

June 25, 2024

Sarah Yuwiler, Associate Planner
City of Brentwood
150 City Park Way
Brentwood, CA 94513

SUBJECT: Orchard Grove North Project – Response to the IS/MND Comment Letters

Dear Mrs. Yuwiler:

De Novo Planning Group has carefully reviewed the two (2) comment letters received for the Orchard Grove North (Project) IS/MND. Specifically, a comment letter each was received from 1) the Central Valley Regional Water Quality Control Board (CVRWQCB) letter dated June 3, 2024, and 2) the California Department of Toxic Substances Control (DTSC), dated May 29, 2024. These letters include general recommendations and/or lists of potential applicable regulatory requirements. While a formal response to these comment letters is not warranted or required, we have provided a summary of the comments within each letter, and brief responses.

1) CVRWQCB Comment Letter:

Comment(s): This comment letter lists various regulatory requirements related to water resources that the Project may be subject to. The regulations cited include the CVRWQCD's Basin Plan, the State's Antidegradation policy, and various permitting requirements.

Response: The Project would comply with all applicable regulatory requirements, as required by law. No further response to this comment letter is warranted.

2) The DTSC Comment Letter:

Comment: This comment letter recommends that if any buildings or structures are to be demolished on the Project site, surveys should be conducted for the presence of lead-based paints or products, mercury, asbestos containing materials or polychlorinated biphenyl caulk, and that any removal, demolition, and disposal of such materials should be conducted according to the applicable environmental regulations and policies.

Response: A Phase I Environmental Site Assessment (ESA), dated June 5, 2023, and provided as Appendix E to the IS/MND, was prepared for the Project. The Phase I found that no evidence of Recognized Environmental Conditions, Controlled Recognized Environmental Conditions or Historical Recognized Environmental Conditions in connection with the Site. Further, and consistent with the findings of the Phase 1 ESA, Mitigation Measure HAZ-1 requires the Project applicant to incorporate the recommendations of the Phase 1 ESA, which includes viewing the interior of the barn located on-site (to be demolished) to determine whether any hazardous materials or other environmental conditions are present. Therefore, the barn would be evaluated for the potential for the presences of lead-based paints or products, mercury, asbestos containing materials or polychlorinated biphenyl caulk, and that any removal, demolition, and disposal of such

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materials would be conducted according to the applicable environmental regulations and policies. No further response to this comment is warranted.

Comment: The comment letter includes a recommendation 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.

Response: As described in the Phase 1 ESA for the Project, no contaminants of concern were identified within the Project site's soils. Additionally, soil import from outside of the Project site is not anticipated for this Project. Regardless, should any soil be imported, it would be tested consistent with the applicable requirements. No further response to this comment is warranted.

Comment: The comment letter also provides recommendations for soil testing within the Project site (including Pesticides and Organochloride Pesticides, or OCPs).

Response: A Phase 1 ESA was prepared for the Project, which tested to the Project site soils for all contaminants of potential concern, including for OCPs. See IS/MND Appendix E for more detail. The Phase I found that no evidence of Recognized Environmental Conditions, Controlled Recognized Environmental Conditions or Historical Recognized Environmental Conditions in connection with the Project site (including for OCPs). No further response to this comment is warranted.

Comment: The comment letter states that additional chemicals of concern may be found in mixing/loading/storage area, 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 (PAHs) and/or Total Petroleum Hydrocarbons (TPHs) may be required.

Response: As previously described, a Phase 1 ESA was prepared for the Project, consistent with all applicable requirements, which tested to the Project site for all applicable chemicals of concern, and found no evidence of Recognized Environmental Conditions, Controlled Recognized Environmental Conditions or Historical Recognized Environmental Conditions in connection with the Project site. No further response to this comment is warranted.

Sincerely,

DE NOVO PLANNING GROUP

Josh Smith

Senior Planner