



Yana Garcia
Secretary for
Environmental Protection



Department of Toxic Substances Control

Meredith Williams, Ph.D.
Director
8800 Cal Center Drive
Sacramento, California 95826-3200



Gavin Newsom
Governor

SENT VIA ELECTRONIC MAIL

September 25, 2024

Susie Pineda
Contract Planner
City of Scotts Valley
1 Civic Center Drive
Scotts Valley, CA 95066
spineda@m-group.us

RE: DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE VALLEY GARDENS
PROJECT DATED AUGUST 30, 2024, STATE CLEARINGHOUSE NUMBER
[2021090394](#)

Dear Susie Pineda,

The Department of Toxic Substances Control (DTSC) received and reviewed a Draft Environmental Impact Report (DEIR) for the Valley Gardens project (project). The project proposes construction of 196 residential dwelling units, which includes 62 two-story single-family dwellings, 80 attached and detached two-, to three-story single-family dwellings, and 54 multi-family apartments in two buildings. The project also includes up to three retail buildings near Mt. Hermon Road totaling approximately 8,350 square feet of commercial building space and up to 3,000 square feet of associated outdoor dining areas. The project also includes 4.99 acres of parks, open space, common areas and public trails. After reviewing the Project, DTSC recommends and requests consideration of the following comments:

1. The Phase I Environmental Site Assessment stated: "PCE (Perchloroethylene) was detected in soil vapor locations SG01 and SG05

through SG07 above laboratory reporting limits..., PCE concentrations in soil vapor at the site are likely related to the documented release at the [Scotts Valley Dry Cleaners](#) located approximately 200 feet north of the site.”

Although the proposed residences are in locations where minimal to no concentrations of PCE reside, the proposed site should be contaminant-free and adhere to the protocols identified by the [US EPA Risk Management for Perchloroethylene \(PCE\)](#). Please incorporate remediation efforts and findings in the EIR.

2. DTSC recommends the City of Scotts Valley enter into a voluntary agreement to address contamination at brownfields and other types of properties or receive oversight from a [self-certified local agency](#), DTSC or Regional Water Quality Control Board. If entering into one of DTSC’s voluntary agreements, please note that DTSC uses a single standard Request for Lead Agency Oversight Application for all agreement types. Please apply for DTSC oversight using this link: [Request for Agency Oversight Application](#). Submittal of the online application includes an agreement to pay costs incurred during agreement preparation. If you have any questions about the application portal, please contact your [Regional Brownfield Coordinator](#).
3. 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 the prior land use. Additional information can be found by visiting [DTSC’s Human and Ecological Risk Office \(HERO\) webpage](#).

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DTSC appreciates the opportunity to comment on the DEIR for the Valley Gardens 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.

Sincerely,

A handwritten signature in cursive script that reads "Dave Kereazis".

Dave Kereazis
Associate Environmental Planner
HWMP-Permitting Division – CEQA Unit
Department of Toxic Substances Control
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cc: (via email)

Governor's Office of Planning and
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