



**Yana Garcia**  
Secretary for  
Environmental Protection



## Department of Toxic Substances Control

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



**Gavin Newsom**  
Governor

### SENT VIA ELECTRONIC MAIL

April 25, 2023

Mr. Mike Sawley  
Principal Planner  
City of Chico Community Development Department  
P.O. Box 3420  
Chico, CA 95927  
[mike.sawley@Chicoca.gov](mailto:mike.sawley@Chicoca.gov)



RE: BARBER YARD SPECIFIC PLAN DATED MARCH 24, 2023 (STATE  
CLEARINGHOUSE NUMBER: [2023030641](#))

Dear Mr. Sawley:

The Department of Toxic Substances Control (DTSC) received a Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) for the Barber Yard Specific Plan. DTSC has identified that the Barber Yard Specific Plan Proposed Project (Project) may affect, and in turn may be affected by historical contamination by the Louisiana-Pacific Corp - Chico (04240002). The Louisiana Pacific Corporation-Chico facility was a former wood products facility, match production facility and wood treatment plant. Diamond International operated these facilities through 1984. These facilities were then purchased by Louisiana Pacific Corporation and were closed in 1989. The facility consists of approximately 140 acres of land. Historically, formaldehyde, pentachlorophenol, heavy metals, solvents, and fuel oil wastes were released, buried and/or burned onsite. In March 1992, elevated concentrations of pentachlorophenol were detected in onsite wells. Potential pathways of contamination are limited because

the entire site is fenced, and controls are in place to limit use of groundwater due to existing trichloroethylene contamination in the vicinity of the subject site. In 1995, arsenic contaminated soil was excavated, consolidated, and capped onsite. A ground water pump and treat system was installed and run from 1997 to 2003 and groundwater monitoring continues currently. Further information on the [Louisiana-Pacific Corp - Chico \(04240002\)](#) can be found on EnviroStor. The Project does have a list of [Land Use Covenant](#) associated with the Project area that can be found on Envirostor. Those restrictions include but are not limited to:

- Activities prohibited which disturb the remedy and monitoring systems without approval,
- Asphalt cover not to be disturbed without approval,
- Day care center prohibited,
- Elder care center prohibited,
- Hospital use prohibited,
- Land use covenant,
- Maintain fencing to control access,
- Maintain monitoring of groundwater,
- No excavation of contaminated soils without agency review and approval,
- No groundwater extraction at any depth without approval,
- Notify after change of property owner,
- Notify damages to remedy and monitoring systems upon discovery,
- Notify prior to change in land use,
- Notify prior to development,
- Notify prior to subsurface work,
- Only extraction of groundwater for site remediation permitted,
- Perform H&S plan prior to subsurface work, and
- Residence use prohibited.

The Project is documented in accordance with California Government Code Section 65962.5, commonly known as the Cortese List. DTSC recommends that the Hazards

and Hazardous Materials section of the upcoming DEIR address actions to be taken for any potential impacts due to hazardous waste or hazardous materials within the Project area. DTSC recommends further coordination with other agencies that may have regulatory authority over the Project. DTSC has the following comments on the Project to be addressed in the DEIR:

1. A State of California environmental regulatory agency such as DTSC, a Regional Water Quality Control Board (RWQCB), or a local agency that meets the requirements of [Health and Safety Code section 101480](#) should provide regulatory concurrence that Louisiana-Pacific Corp – Chico (Site) is safe for construction and the proposed use.
2. The DEIR should acknowledge the potential for historic or future activities on or near the Project site to result in the release of hazardous wastes/substances on the Project site. In instances in which releases have occurred or may occur, further studies should be carried out to delineate the nature and extent of the contamination, and the potential threat to public health and/or the environment should be evaluated. The DEIR should also identify the mechanism(s) to initiate any required investigation and/or remediation and the government agency who will be responsible for providing appropriate regulatory oversight.
3. If any projects initiated as part of the proposed Project require the importation of soil to backfill any excavated areas, proper sampling should be conducted to ensure that the imported soil is free of contamination. DTSC recommends the imported materials be characterized according to DTSC's 2001 [Information Advisory Clean Imported Fill Material](#).
4. The Site proposed for redevelopment has an associated Land Use Covenant (LUC) which restricts activities which use or interfere with the groundwater and prohibits any activities that may disturb the capped portion of the Site. The LUC also prohibits certain uses of the capped portion of the Site such as a residence, hospital, school, or day care. The Barber Yard Specific Plan Exhibit 5 shows the area of the capped portion of the Site planned as "Primary Open Space". The proposed use in this area does not conflict with the terms of the LUC.

5. The Barber Yard Specific Plan does not include language stating that all uses, and development of the Property shall preserve the integrity and physical accessibility of the Cap and the Groundwater Monitoring System as required by the LUC. DTSC requests language to this effect be added to the plans to ensure the LUC conditions are followed.
6. Any site activities that may be impacted by the terms of the LUC or that involve any hazardous materials should be coordinated with DTSC.

DTSC appreciates the opportunity to comment on the NOP and proposed DEIR. Should you need any assistance with an environmental investigation, please visit DTSC's [Site Mitigation and Restoration Program](#) page to apply for lead agency oversight. Additional information regarding voluntary agreements with DTSC can be found at [DTSC's Brownfield website](#).

If you have any questions, please contact me at (916) 255-3748 or via email at [Garrett.Thornton@dtsc.ca.gov](mailto:Garrett.Thornton@dtsc.ca.gov).

Sincerely,

*Garrett Thornton*

Garrett Thornton  
Project Manager  
Site Mitigation and Restoration Program  
Department of Toxic Substances Control

cc: (via email)  
Governor's Office of Planning and Research  
State Clearinghouse  
[State.Clearinghouse@opr.ca.gov](mailto:State.Clearinghouse@opr.ca.gov)

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