



**Yana Garcia**  
Secretary for  
Environmental Protection



## Department of Toxic Substances Control

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



**Gavin Newsom**  
Governor

### **SENT VIA ELECTRONIC MAIL**

June 18, 2024

Wendy Atkins

Planner II

Napa County Staff Contact

1195 Third Street

Napa, CA 94559

[wendy.atkins@countyofnapa.org](mailto:wendy.atkins@countyofnapa.org)

RE: MITIGATED NEGATIVE DECLARATION FOR THE INFINITE LEISURE LLC  
GRADING PERMIT (ENG23-00020) PROJECT DATED MAY 30, 2024 STATE  
CLEARINGHOUSE NUMBER [2024051329](#)

Dear Wendy Atkins,

The Department of Toxic Substances Control (DTSC) received a Mitigated Negative Declaration (MND) for the Infinite Leisure LLC Grading Permit (ENG23-00020) project (project). The proposal would allow a total cut and fill of 5,165 cubic yards of soil to be disturbed, including 22,782 square feet excess soil dispersal area to construct building pads and a driveway for a new single-family dwelling, an accessory dwelling unit, and a guest house associated with a Grading Permit application. Portions of driveway sections, the main residence, and the accessory dwelling unit are located on slopes that exceed 10 percent resulting in a driveway over 300 feet in length, which triggers a discretionary grading permit.

After reviewing the project's MND, DTSC recommends and requests consideration of the following comments:

1. When agricultural crops and land uses are rezoned for residential use, a number of contaminants of concern 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 Dichlorodiphenyltrichloroethane (DDT), 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.
2. 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.
3. Due to the zone reclassification change of Agriculture Watershed Open Space to Residential, a site and/or soil assessment should be completed to determine if any Recognized Environmental Conditions (REC's) are present. This may require a Phase I Environmental Site Assessment and oversight from DTSC or a [certified local agency](#). For boring and analyses recommendations under 50 acres, refer to [DTSC Interim Guidance for Sampling Agricultural Properties](#).
4. 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. 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 meets screening levels outlined in DTSC's [Preliminary Endangerment Assessment \(PEA\) Guidance Manual](#) 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](#).

DTSC appreciates the opportunity to comment on the MND for the Infinite Leisure LLC Grading Permit (ENG23-00020) 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 any 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  
[Dave.Kereazis@dtsc.ca.gov](mailto:Dave.Kereazis@dtsc.ca.gov)

Wendy Atkins  
June 18, 2024  
Page 4

cc: (via email)

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