

**APPENDIX M**

**Environmental Site Investigation**

**Responses to Comments**



August 11, 2020

Ms. Serena Ip  
MidPen Housing Corporation  
303 Vintage Park Drive, Suite 250  
Foster City, California 94404

**Subject: Response to Comments**  
Cypress Point Development Project  
Moss Beach, San Mateo County, California  
AEI Project No. 350428

Dear Ms. Ip:

AEI Consultants (AEI) has reviewed the April 9, 2020 *Comments on the MidPen Cypress Point Project, PLN2018-00265* letter prepared by SWAPE (SWAPE Letter) regarding the Cypress Point Development Project located in Moss Beach, California ("the Site"). The SWAPE letter provides comment on the "Preliminary Environmental Evaluation Report" dated April 2019 and several documents prepared by AEI relating to environmental due diligence and environmental testing of the Site, including the February 20, 2018 "Additional Subsurface Investigation & Water Well Evaluation" report. This letter responds to two substantial items in the SWAPE letter, including: 1) the appropriate use of statistical analyses of lead test results, and 2) the relevance of the referenced Terrestrial Habitat Environmental Screening Level (ESL) for lead published subsequent to issuance of the above referenced Site analysis.

As presented in the "Additional Subsurface Investigation & Water Well Evaluation," lead was identified in shallow soils at the Site. In accordance with the "User's Guide: Derivation and Application of Environmental Screening Levels, Interim Final 2019" prepared by the San Francisco Bay Regional Water Quality Control Board (Regional Water Board), the 95-percent upper confidence limit was used to estimate the exposure point concentration (EPC). It is appropriate to statistically estimate the EPC, and not use only the maximum-detected concentrations, since the site will be developed with multiple scattered buildings each consisting of a number of individual apartment-style units. As part of construction activities, some homogenization of soils is to be expected. These buildings will also be surrounded by landscaping and hardscape constituting the common area spaces around the buildings, which also limits exposure to Site soils. These units do not have private yards or gardens, nor are the units to be constructed on individual smaller lots or parcels as would occur for single family homes, condominium, or town-home developments. Therefore, in considering the theoretical exposure to soil by a given future resident, such exposure would be across the larger development, not concentrated in an individual smaller yard area where exposure to a localized "hot spot" would constitute a large fraction of the soil exposure. The project will not create an exceedance of the human health ESL for lead and further mitigation is not necessary.

The Terrestrial Habit ESL for lead in soil was first published in the most recent revision of the ESLs issued in July 2019, which after the issuance of the "Additional Subsurface Investigation & Water Well Evaluation." However, the Regional Water Board continues to provide guidance on how this Terrestrial Habitat ESL should be used. As outlined in Sec 8.0 of the ESL guidance document, it should be noted that the Terrestrial Habitat ESLs also are not applicable to aquatic habitats (e.g., wetlands; ephemeral, intermittent or perennial streams; rivers and mudflats; ponds or lakes; vernal pools; marine intertidal areas). Following development, much of the soils will be improved with buildings and hardscape (Parking, walkways, etc.), including much of the area with the higher lead detections; essentially eliminating the exposure pathway in these areas. The project does include green-scape; such areas will be developed with typical imported topsoil, landscaped lawns, shrubbery and other designed flora. There will be minimal habitat for terrestrial animals or flora, and where there is habitat, Site soils will be below imported topsoil, further limiting contact. The project does not create substantial habitat using soils of the Site, therefore additional analysis or mitigation is not necessary.

AEI appreciates the opportunity to support this important project. If there are any questions or comments, please contact me anytime; I can be reached at (925) 285-8286 or [pmcintyre@aeiconsultants.com](mailto:pmcintyre@aeiconsultants.com).

Sincerely,

**AEI Consultants**

A handwritten signature in black ink, appearing to read "Peter McIntyre", enclosed in a thin black rectangular border.

Peter McIntyre, PG  
Executive Vice President  
Principal Geologist