

## CALIFORNIA ENVIRONMENTAL QUALITY ACT NOTICE OF DETERMINATION

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| <b>To:</b> Office of Planning and Research-State Clearinghouse<br>P.O. Box 3044, 1400 Tenth Street, Room 212<br>Sacramento, CA 95812-3044 | <b>From:</b> Department of Toxic Substances Control<br>P.O. Box 806<br>Sacramento, CA 95812-0806 |
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**Subject:** Filing of Notice of Determination in Compliance with Section 21108 of the Public Resources Code

**Project Title:** Variance TWW-2021-LG-00428 to Allow the Generation, Accumulation, and Transport of Treated Wood Waste under Alternate Procedures by Pacific Shops, Inc.

**State Clearinghouse Number:** 2016102064

**Project Location:** 1815 Clement Ave, Alameda, CA 94501

**County:** Alameda

**Project Applicant:** Eileen Zedd, Harbor Master, Pacific Shops, Inc.

**Project Description:** The Department of Toxic Substances Control (DTSC), pursuant to Section 25143 of the Health and Safety Code and Section 66260.210 of the California Code of Regulations Title 22, has issued a variance to Pacific Shops, Inc. (CAL000376632) to generate and accumulate treated wood waste on-site. The applicant may transport the treated wood waste generated on-site to an authorized handler or disposal facility. The treated wood waste is generated as a result of timber piles. The variance allows treated wood waste to be managed under procedures different from, but equally protective to human health and the environment to, the provisions of California Health and Safety Code (HSC) Articles 6, 6.5 and 9 of Chapter 6.5 and California Code of Regulations (CCR), Title 22, Division 4.5, Chapters 12, 13, 14, 15, 16, 18, and/or 20. Under the terms and conditions of Variance TWW-2021-LG-00428, Pacific Shops, Inc. will ensure the treated wood waste will be appropriately managed. Because the variance activities are consistent with operations of a previously approved project, DTSC has prepared an addendum to a previously certified environmental impact report consistent with Public Resources Code 21166 and Title 14 CCR 15162-15164. The variance will expire on October 31, 2021 with possibility of extension for an additional six months.

The treated wood waste management activities are part of a larger development project, Alameda Marina, which is a 44 acre master plan with 4 phases. Pacific Shops, Inc. is a recreational marina on this mixed use commercial property and is responsible as generator to dispose of treated wood waste.

As a Responsible Agency under the California Environmental Quality Act (CEQA), DTSC approved the above-described project on May 4, 2021 and has made the following determinations:

1. The project will not have a significant effect on the environment.
2. An environmental impact report was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures were not made a condition of project approval.
4. A Statement of Overriding Considerations was not adopted for this project.
5. Findings were not made pursuant to the provisions of CEQA.

The administrative record for this project is available to the public by appointment at the following location:

Department of Toxic Substances Control  
 Permitting Division  
 1001 I Street  
 Sacramento, CA 95814

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| Contact Person<br>Kahui Lim | Contact Title<br>Project Manager | Phone Number<br>(916) 255-3711 |
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Approver's Signature:

Date:

Robert Irving

May 5, 2021

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| Approver's Name<br>Robert Irving | Approver's Title<br>Supervising Environmental Planner | Approver's Phone Number<br>(916) 255-3988 |
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TO BE COMPLETED BY OPR ONLY

Date Received for Filing and Posting at OPR: