



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

November 22, 2023

Liz McElligott, Assistant Planning Director
County of Alameda Community Development Agency
224 Winton Avenue, Room 111
Hayward, CA 94544
elizabeth.mcelligott@acgov.org



RE: MITIGATED NEGATIVE DECLARATION (MND) FOR THE ALAMEDA COUNTY
2023-2031 HOUSING ELEMENT UPDATE, DATED NOVEMBER 2, 2023 STATE
CLEARINGHOUSE # [2023110069](#)

Dear Elizabeth McElligott,

The Department of Toxic Substances Control (DTSC) received a MND for the Alameda County 2023-2031 Housing Element Update. The proposed project consists of a complete update to the Alameda County Housing Element which is intended to enable the County to accommodate housing in accordance with State law. The proposed project would bring the element into compliance with State legislation passed since adoption of the 2015-2023 Housing Element and with the current Regional Housing Needs Allocation (RHNA). The Initial Study in the MND analyzes a total number of 3,134 units by 2031 from a residential rezone program which will be implemented to adequately meet the County's assigned RHNA of 4,711 units.

DTSC has identified that this project may affect multiple sites within the project boundaries therefore, based on our project review, we request the consideration of the following comments:

1. The proposed project encompasses multiple active and nonactive mitigation and clean-up sites where DTSC has conducted oversight that may be impacted as a result of this project. This may restrict what construction activities are permissible in the proposed project areas in order to avoid any impacts to human health and the environment.
2. Due to the broad scope of the project, DTSC is unable to determine the locations of the proposed project site, whether they are listed as having documented contamination, land use restrictions, or whether there is the potential for the project site to be included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Therefore, DTSC recommends providing further information on the project site and areas that may fall under DTSC's oversight within the DEIR. Once received, DTSC may provide additional comments on the DEIR as further information becomes available. Please review the [Alameda County project area](#) in [Envirostor](#); DTSC's public-facing database.

DTSC believes the County of Alameda Community Development Agency must address these comments to determine if any significant impacts under the California Environmental Quality Act (CEQA) will occur and, if necessary, avoid significant impacts under CEQA. DTSC recommends the department connect with our unit if any hazardous waste projects managed or overseen by DTSC are discovered.

DTSC appreciates the opportunity to comment on the Alameda County 2023-2031 Housing Element Update. 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,

Dave Kereazis

Dave Kereazis
Associate Environmental Planner
HWMP - Permitting Division – CEQA Unit
Department of Toxic Substances Control
Dave.Kereazis@dtsc.ca.gov

cc: (via email)

Governor's Office of Planning and
Research State Clearinghouse
State.Clearinghouse@opr.ca.gov

Ms. Tamara Purvis
Associate Environmental Planner
HWMP – Permitting Division - CEQA Unit
Department of Toxic Substances Control
Tamara.Purvis@dtsc.ca.gov

Scott Wiley
Associate Governmental Program Analyst
HWMP – Permitting Division - CEQA Unit
Department of Toxic Substances Control
Scott.Wiley@dtsc.ca.gov