



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

December 14, 2023

Alexa Smittle
Community Development Director
City of Seal Beach
211 Eighth Street
Seal Beach, CA 90740

ASmittle@sealbeachca.gov



RE: NOTICE OF PREPARATION (NOP) OF A DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR) FOR THE CITY OF SEAL BEACH HOUSING ELEMENT AND ZONING CODE UPDATES PROJECT, DATED NOVEMBER 16, 2023 STATE CLEARINGHOUSE # [2023110425](#)

Dear Alexa Smittle,

The Department of Toxic Substances Control (DTSC) received a NOP of a DEIR for the City of Seal Beach Housing Element and Zoning Code Updates Project. The Initial Study was prepared to analyze potential impacts related to implementation of the City's Housing Element and Zoning Code Update. The Housing Element identifies 13 Housing Opportunity Sites throughout the City that have the potential for providing additional housing to meet the City's Regional Housing Needs Assessment (RHNA) allocation. The sites are broken into two categories: (a) underutilized sites that do not require zoning code changes and (b) sites where zoning modifications are proposed. Of the 13 Housing Opportunity Sites, six would require rezoning, one would be rezoned through a proposed Specific Plan, and one would require an amendment to the Main

Street Specific Plan. The rezoning effort would also include the establishment of a new zoning designation, Mixed Commercial/Residential High Density (MC/RHD), which would apply to five of the Housing Opportunity Sites. This new zone district would facilitate housing for lower-income households as required by the state's RHNA allocation for the City and facilitate the inclusion of affordable units. Implementation of the Housing Element and Zoning Code Update would result in the City being able to accommodate 1,833 additional housing units pursuant to the City's RHNA allocation. 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 all of 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. DTSC recommends providing further information on the project site and areas that may fall under DTSC's oversight within the project area. Please review the [City of Seal Beach project area](#) in [EnviroStor](#); DTSC's public-facing database.

DTSC believes the City of Seal Beach 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.

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DTSC appreciates the opportunity to comment on the City of Seal Beach Housing Element and Zoning Code Updates 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,

Tamara Purvis

Tamara Purvis
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HWMP - Permitting Division – CEQA Unit
Department of Toxic Substances Control
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cc: (via email)

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