



Yana Garcia
Secretary for
Environmental Protection



Department of Toxic Substances Control

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Director
8800 Cal Center Drive
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Gavin Newsom
Governor

SENT VIA ELECTRONIC MAIL

March 20, 2024

Marnie Waffle, AICP
Principal Planner
City of Carmel-by-the-Sea
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RE: MITIGATED NEGATIVE DECLARATION (MND) FOR DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR) FOR THE CITY OF CARMEL-BY-THE-SEA 6TH CYCLE HOUSING ELEMENT UPDATE (2023-2031) AND SAFETY ELEMENT UPDATE DATED FEBRUARY 21, 2024 STATE CLEARINGHOUSE NUMBER [2024020775](#)

Dear Marnie Waffle,

The Department of Toxic Substances Control (DTSC) received a MND for the City of Carmel-by-the-Sea 6th Cycle Housing Element Update (2023-2031) and Safety Element Update. The project includes the update to the City's 6th Cycle Housing Element Update (2023-2031) Housing and Community Development (HCD) Revised Draft (dated January 24, 2024) ("Housing Element Update") and the update to the City's Safety Element. The adoption of these two elements would be an amendment to the City's General Plan/Coastal Land Use Program (General Plan). It is not expected that the updates to the City's Safety Element will result in any physical changes. The Housing Element Update includes 410 housing units, which is approximately 17 percent

more than the RHNA of 349 units. The City does not anticipate that future housing projects proposed on sites with existing commercial/office uses would also result in expanded building square footage for such uses. Consequently, no increase in existing commercial/office building square footage would occur with the implementation of the Housing Element Update. After reviewing the project, DTSC recommends and requests consideration of the following comments:

1. If buildings or other structures are to be demolished on any project sites included in the proposed project, surveys should be conducted for the presence of lead-based paints or products, mercury, asbestos containing materials, and polychlorinated biphenyl caulk. Removal, demolition, and disposal of any of the above-mentioned chemicals should be conducted in compliance with California environmental regulations and policies. In addition, sampling near current and/or former buildings should be conducted in accordance with DTSC's [Update to June 2006 Phase I Addendum Guidance](#).
2. DTSC recommends that all imported soil and fill material should be tested to ensure any contaminants of concern are within approved screening levels 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 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.

DTSC appreciates the opportunity to comment on the MND for the City of Carmel-by-the-Sea 6th Cycle Housing Element Update (2023-2031) and Safety 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.

Marnie Waffle
March 20, 2024
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Sincerely,

Tamara Purvis

Tamara Purvis
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cc: (via email)

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