



Yana Garcia
Secretary for
Environmental Protection



Department of Toxic Substances Control

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Director
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Gavin Newsom
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SENT VIA ELECTRONIC MAIL

August 8, 2024

Damien Curry

Planner

Alameda County

224 West Winton Avenue, Room 111

Hayward, CA 94544

Damien.Curry@acgov.org

RE: MITIGATED NEGATIVE DECLARATION FOR THE PLN2021-00064 - FA YUN CHAN TEMPLE PROJECT DATED AUGUST 2, 2024, STATE CLEARINGHOUSE NUMBER [2024080043](#)

Dear Damien Curry,

The Department of Toxic Substances Control (DTSC) reviewed the Mitigated Negative Declaration (MND) for the PLN2021-00064 - Fa Yun Chan Temple Project (Project). The Applicant proposes phased construction consisting of Phase 1: internal renovation of an existing residence for continued and expanded use as a residence by Temple staff and addition of Buddha statues and associated meditation trails, and Phase 2: demolition of existing storage and stable buildings, and construction of five new buildings and site improvements for the proposed private Buddhist temple. Other site improvements would include stabilization of the hillsides, replacement and expansion of the current leach field and provision of individual wastewater service laterals, septic tanks and ejector/grinder pumps. Approximately 10 acres of the project site is developed with existing facilities, one two-story main residential building and 11 others originally built as

other residences, barns and garages, and paved areas. The remainder of the site is currently undeveloped and zoned Single Family Residential and Agricultural/Resource Management Area and Measure D Canyonlands.

DTSC recommends and requests consideration of the following comments:

1. When agricultural crops and/or land uses are proposed or rezoned for residential use, a number of contaminants of concern (COCs) can be present. The Lead Agency shall identify the amounts of Pesticides and Organochlorine Pesticides (OCPs) historically used on the property. If present, OCPs requiring further analysis are dichloro-diphenyl-trichloroethane, toxaphene, and dieldrin. Additionally, any level of arsenic present would require further analysis and sampling and must meet [HHRA NOTE NUMBER 3, DTSC-SLs](#) approved thresholds. If they are not, remedial action must take place to mitigate them below those thresholds.
2. Additional COCs may be found in mixing/loading/storage areas, drainage ditches, farmhouses, or any other outbuildings and should be sampled and analyzed. If smudge pots had been routinely utilized, additional sampling for Polycyclic Aromatic Hydrocarbons and/or Total Petroleum Hydrocarbons may be required.
3. 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 Preliminary Endangerment Assessment \(PEA\) Guidance Manual](#).
4. DTSC recommends that all imported soil and fill material should be tested to assess any contaminants of concern meet screening levels as outlined in the [PEA Guidance Manual](#). Additionally, DTSC advises referencing the [DTSC](#)

[Information Advisory Clean Imported Fill Material Fact Sheet](#) if importing fill is necessary. 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 are suitable 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. Additional information can be found by visiting [DTSC's Human and Ecological Risk Office \(HERO\) webpage](#).

DTSC appreciates the opportunity to comment on the PLN2021-00064 - Fa Yun Chan Temple 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,



Dave Kereazis
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cc: (via email)

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