



Linda S. Adams
Secretary for
Environmental Protection



Department of Toxic Substances Control

Maureen F. Gorsen, Director
700 Heinz Avenue
Berkeley, California 94710-2721



Arnold Schwarzenegger
Governor

RECEIVED

MAY 10 2007

**CITY OF SAN JOSE
DEVELOPMENT SERVICES**

May 8, 2007

Mr. Darryl Boyd,
Department of Planning, Building,
And Code Enforcement
200 East Santa Clara Street, 3rd Floor
San Jose, California 95113

Dear Mr. Boyd:

Thank you for the opportunity to comment on the Draft Environmental Impact Report (EIR) (SCH#2005062017) for the Coyote Valley Specific Plan. As you may be aware, the California Department of Toxic Substances Control (DTSC) oversees the cleanup of sites where hazardous substances have been released pursuant to the California Health and Safety Code, Division 20, Chapter 6.8.

The draft EIR identified numerous properties within the project area, including nurseries, agricultural properties, properties with above-ground storage tanks (ASTs), properties with leaking under-ground storage tanks (LUST), septic and commercial properties that used septic leach field, properties with old farm machinery and old buildings, landfills, and gas stations. Some of the properties already have known releases to soil and groundwater. Based on the results of soil sampling on limited areas/parcels, DDE was detected above screening level. In addition, naturally occurring asbestos was identified above acceptable levels at the proposed school sites.

DTSC recommends that more extensive soil and groundwater sampling be conducted prior to development to ensure that no contamination exists above acceptable levels. If hazardous substances have been released at other properties, they will need to be addressed as part of this project. The remediation activities would then need to be addressed in the California Environmental Quality Act (CEQA) compliance document.

For example, if the remediation activities include the need for soil excavation, the CEQA document should include: (1) an assessment of air impacts and health impacts associated with the excavation activities; (2) identification of any applicable local standards which may be exceeded by the excavation activities, including dust levels and noise; (3) transportation impacts from the removal or remedial activities; and (4) risk of upset should be there an accident at the Site.

RECEIVED

Mr. Darryl Boyd

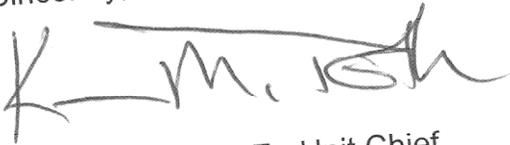
May 8 2007

Page 2

DTSC can assist your agency in overseeing characterization and cleanup activities through our Voluntary Cleanup Program. A fact sheet describing this program is enclosed. We are aware that projects such as this one are typically on a compressed schedule, and in an effort to use the available review time efficiently, we request that DTSC be included in any meetings where issues relevant to our statutory authority are discussed.

Please contact me at (510) 540-3834 if you have any questions or would like to schedule a meeting. Thank you in advance for your cooperation in this matter.

Sincerely,



Karen M. Toth, P.E., Unit Chief
Northern California
Coastal Cleanup Operations Branch

Enclosure

cc: without enclosure

Governors Office of Planning and Research
State Clearinghouse
1400 Tenth Street
P.O. Box 3044
Sacramento, California 95812-3044

Guenther W. Moskat
CEQA Tracking Center
Department of Toxic Substances Control
1001 "I" Street, 22nd Floor
P.O. Box 806
Sacramento, California 95812-0806