Nowell, Keith, Env. Health

| From: | Altherr, Peter@DOT <peter.altherr@dot.ca.gov></peter.altherr@dot.ca.gov> |
|--------------|---|
| Sent: | Thursday, September 06, 2018 5:07 PM |
| То: | Nowell, Keith, Env. Health; Roe, Dilan, Env. Health; Boyer, Ray@DOT; John Love; |
| | Semple, Grant J@DOT; Shindler, Mark@DOT |
| Subject: | Draft Meeting Summary; Alameda County LOP Case No. RO-225; Caltrans Parcel No. |
| | DD-036980-01-03; 555 Hegenberger Road; Oakland |
| Attachments: | ALA LOP RO_225 Meeting Summary 20180905 DRAFT.pdf |

Attached for your review please find a draft summary of our meeting on September 5, 2018 to discuss Alameda County LOP Case No. RO-225.

Please provide me with any comments you may have by 5 p.m. on September 20th.

Sincerely,

Peter Altherr, P.E.

Transportation Engineer/Civil Phone: (510) 286-4668

California Department of Transportation - District 4 Office of Environmental Engineering Hazardous Waste Branch "B" 111 Grand Avenue P.O. Box 23660, MS-8C Oakland, CA 94623-0660

http://www.dot.ca.gov/d4/environmental/

MEETING SUMMARY*

Subject: Caltrans Parcel DD-036980-01-03 (Site) Alameda County LOP Case No. RO 225 / RWQCB Case No. 01-1830 555 Hegenberger Road; Oakland, CA 94621

Meeting Date: September 5, 2018 Meeting Time: 10:30 to Noon Location: 1131 Harbor Bay Parkway; Alameda, CA

Agenda: Review site history; Review site status; and discuss path toward case closure.

Participants:

- Peter Altherr, Transportation Engineer, Caltrans District 4 Hazardous Waste Branch "B"
- Ray Boyer, Branch Chief, Caltrans District 4 Hazardous Waste Branch "B"
- John Love, Senior Project Geologist, Geocon Consultants Inc.
- Keith Nowell, Geologist, Alameda County Healthcare Services Agency
- Dilan Roe, Chief Land Water Division, Alameda County Healthcare Services Agency
- Grant Semple, Senior Right of Way Agent, Caltrans District 4
- Mark Shindler, Supervising Right of Way Agent, Caltrans District 4

After introductions, Peter Altherr provided a brief overview of the site history. Note that information shown inside [brackets] was not provided during this meeting, but is provided in this summary for clarification.

Caltrans acquired a portion of the City of Oakland's Corporation Yard No. 2 from the City of Oakland in 1970 [April 20th] for the purpose of constructing the new Interstate 880 freeway. Caltrans then leased this property back to the City of Oakland [until June 30, 1974] for continued use as a corporation yard. This corporation yard included four underground fuel-storage tanks (USTs) and fuel dispensers. Attachment 1, a Sanborn Map of this area, shows the former office building highlighted in yellow. The former fuel dispensers were located along the south side of this office building and the USTs were located to the west of the office.

When Caltrans purchased the Site, Caltrans Parcel No. DD-036980-01-03, we did not acquire the entire [4.48 acre] corporation yard; Caltrans only acquired about one acre of the original property [1.28 acres]. Attachment 2, Appraisal Map A-759.8A, shows some of the original structures located within the corporation yard and shows that the much of the former footprint of the corporation yard is currently outside of Caltrans' right of way. [3.2 acres of the former 4.48-acre corporation yard is now located within APN 42-4328-8-1 owned by D. Thompson Properties LLC] Attachment 3 is a recent aerial photograph which depicts the approximate limits of the former City of Oakland Corporation Yard No. 2 as a red dashed line. The former structures within the corporation yard are shown in tan lines with black cross hatching. The former concrete slab foundation of the office is visible and roughly lines up with the tan outline of the former office building. Attachment 3 shows the approximate location of the underground storage tanks and shows the general vicinity of residual petroleum contamination. Note that the residual petroleum contamination extends onto the adjacent property [APN 42-4328-8-1 owned by D. Thompson Properties LLC].

Geocon consultants, at Caltrans' request, prepared an Interim Remedial Action Workplan which proposed secondary source removal via excavation at the locations outlined in blue dashed lines shown on Attachment 4. While an amended Interim Remedial Action Workplan was approved by Alameda County Healthcare Services Agency, Caltrans does not presently have the right to enter APN 42-4328-8-1. Peter Altherr expressed that, while Caltrans has proposed to remove contaminated soil from APN 42-4328-8-1, it is not clear that Caltrans is legally responsible for remediating contaminated soil on APN 42-4328-8-1.

Caltrans has, to Peter's knowledge, never used the underground storage tanks at this site. Caltrans did use this site as a resident engineer's office and as a materials testing facility, but not to dispense fuel. This fact was verified by Mr. Shindler. Note that Caltrans already had a maintenance station [with fuel service] located just a few miles [4 miles] north of this site. [See file for Alameda County LOP Case No. RO-397 for Caltrans' former South Oakland Maintenance Station at 1112 29th Avenue in Oakland]. Peter did recall, however, that Alameda County inspected Caltrans' Materials Lab and that there was an inspection report available.

Dilan Roe, at this point in the meeting, asked Keith Nowell to send a notice of responsibility (NOR) and a site-investigation request to the City of Oakland.

Dilan Roe asked about the future use of the property [DD-036980-01-03] and Mr. Shindler responded that the adjacent property owner reached out to Caltrans to inquire about purchasing this property. The presumed future use would be as a paved parking lot. Mark Shindler stated that Caltrans wants to sell this property. Peter Altherr stated that Caltrans' policy is not to sell contaminated properties that are under a cleanup order, but this statement of Caltrans' policy was contested by Mark Shindler. Peter responded that he verified this policy recently with Kim Christmann in Caltrans Division of Environmental Analysis.

Mark Shindler stated that the Bay Area Rapid Transit (BART) aerial link to the Oakland International Airport passes over a portion of the Site and that they constructed footings within the area of contamination at the Site. Mark recommended that Alameda County request information from BART regarding any contamination found during construction of these footings.

Dilan Roe informed us that present state policy is to only analyze vapor intrusion risk for the current land use. Since the current land use for Caltrans Parcel DD-036980-01-03 is as a paved parking lot it may be possible that this site could qualify for low-threat closure if Caltrans were to implement a land-use covenant to restrict the land use to its current use as a parking lot.

The adjacent APN 42-4328-8-1 is already known to Alameda County as LOP Case No. RO-1389. Now that is has been established that D. Thompson Properties LLC has expressed interest in acquiring Caltrans Parcel DD-036980-01-03 and that both properties have shallow surface soil and groundwater contamination concerns – that may overlap; Dilan Roe proposed a low-flow groundwater-sampling event on Caltrans right of way that is coordinated with a groundwater sampling event on APN 42-4328-8-1; i.e., on the former GMC Truck Center site now occupied by TEC Equipment – Oakland. This coordinated groundwater sampling event will provide information that can be used to identify whether or not there are co-mingled contamination plumes at this location and provide data for an integrated conceptual site model. Dilan Roe also requested that Caltrans prepare a isoconcentration map that delineates the extent of benzene contamination on Caltrans property.

John Love expressed concern that Caltrans' wells were screened too deep and therefore our groundwater observations might not be representative of actual shallow-groundwater conditions since they were potentially diluted from water coming up from the seasonally-confined aquifer located underneath the contaminated soil. If, however, the wells on the adjacent property were also screened at similar intervals then the data could be considered an apples-to-apples comparison.

Peter Altherr asked if Caltrans needed to include funds in the next task order to re-survey all of the groundwater wells on both properties to ensure that the depth to water data is all referenced to one common datum. This survey data would ensure that the groundwater elevation data accurately reflects actual groundwater elevation contours. Peter also asked if water samples obtained from this coordinated groundwater monitoring event needs to be sent to the same analytical laboratory. Dilan Roe expressed that while having one lab do all of the analytical work would be ideal – she felt this requirement was not essential.

Peter asked about Caltrans obligations regarding the proposed Interim Remedial Action Workplan and Dilan responded that this workplan would be placed on hold pending the results of the coordinated groundwater sampling event.

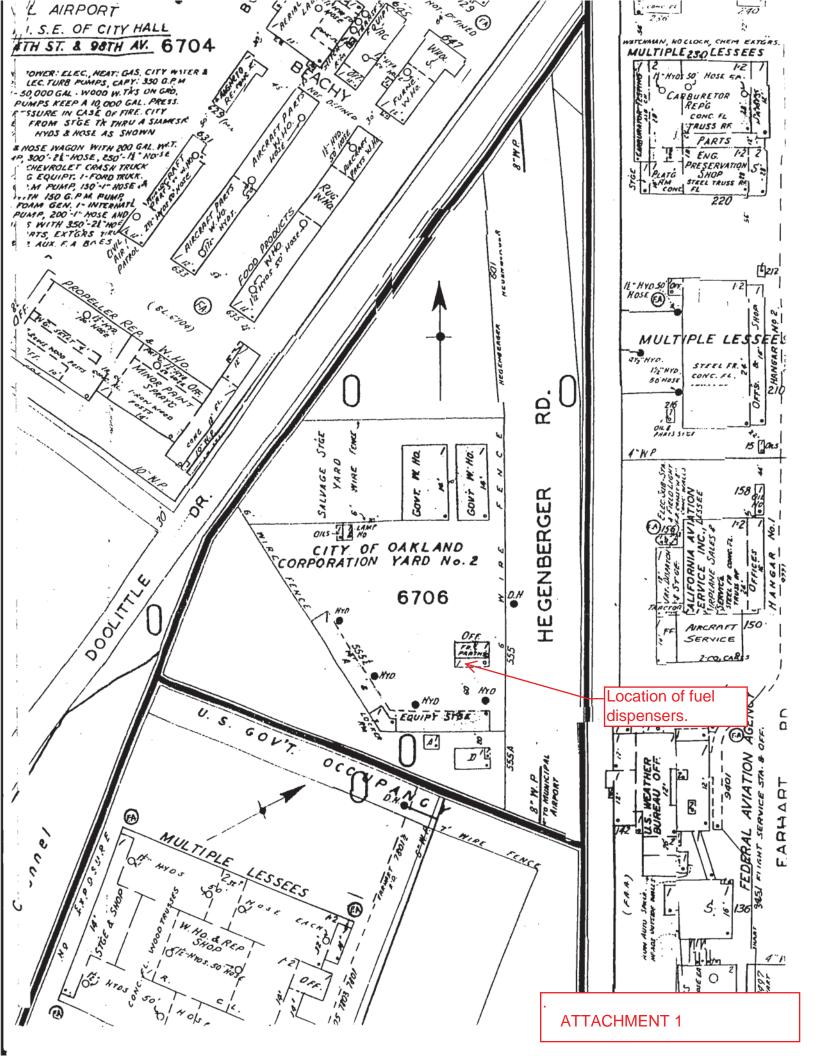
Action Item(s):

- 1) Alameda County Send NOR letter to City of Oakland
- 2) Alameda County Send information requests to City of Oakland and BART
- 3) Caltrans/Geocon Prepare a task order for a coordinated groundwater monitoring event

Sample groundwater for gasoline, diesel, and VOCs.

- 4) Caltrans/Geocon Survey wells included in coordinated monitoring event
- 5) Geocon Prepare draft workplan
- 6) Alameda County Review and comment on Geocon's draft workplan
- 7) Geocon Conduct coordinated low-flow groundwater monitoring per approved workplan
- 8) Geocon Prepare groundwater-monitoring report
- Alameda County/Caltrans/Geocon Meet to review results of coordinated groundwater monitoring.

Notes: * This document is not intended to be an actual transcript of what each individual said at this meeting, but rather a general summary of key discussion points. Please contact Peter Altherr via email at peter.altherr@dot.ca.gov if you have any comments regarding this meeting summary.





Approximate limits of residual fuel contamination and general vicinity of proposed soil-removal action; i.e., secondary source removal.



outh Coliseum Way

GMC Facility Sales Building 8099 South Coliseum Way

Approximate limits of the City of Oakland Corporation Yard No. 2 shown as a red dashed line.

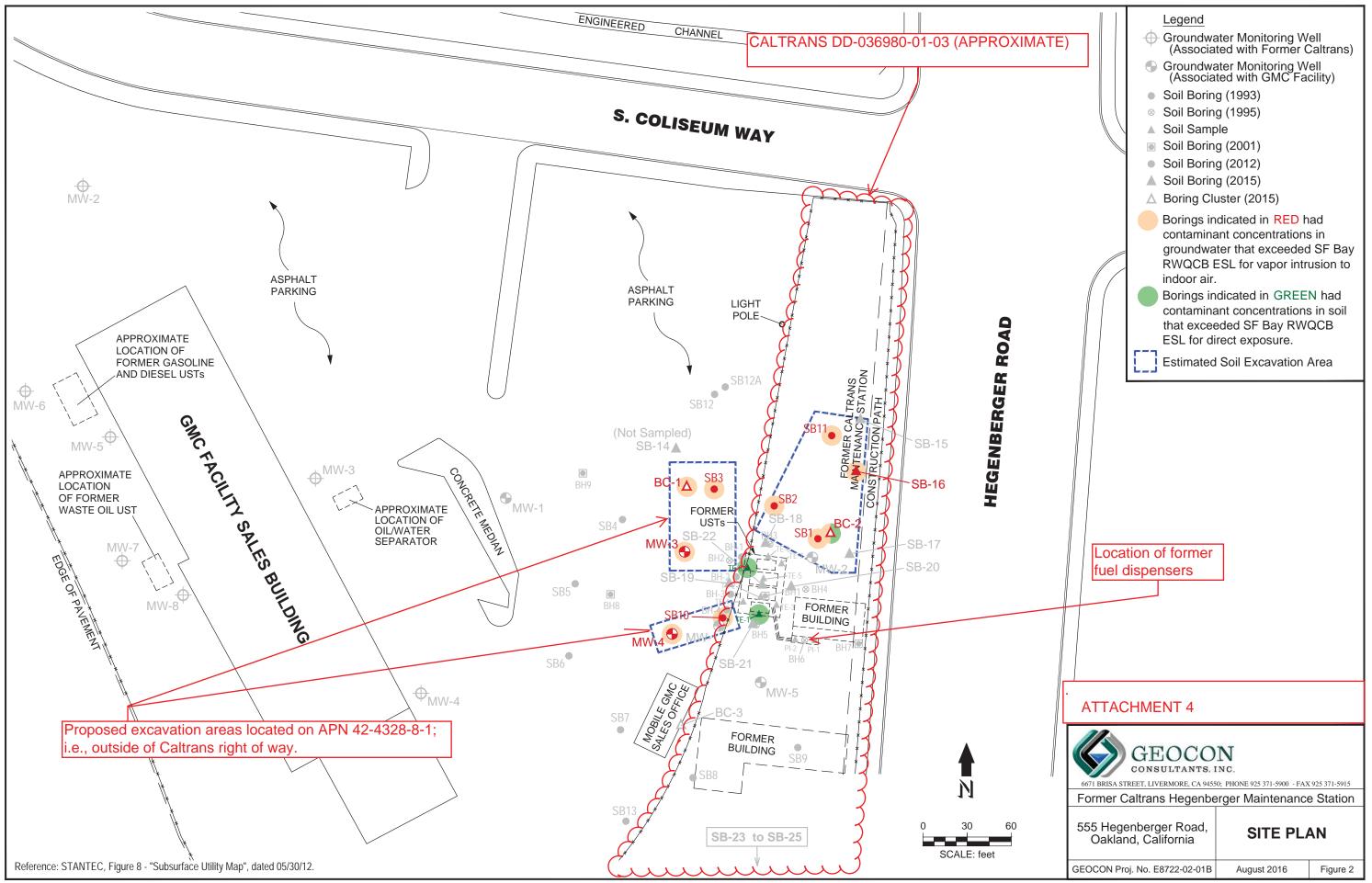
Footprint of former structures associated with the corporation yard are outlined in brown with black cross hatching. Former Location of Underground Fuel Storage Tanks

Basemaps -

Former Location of Fuel Dispensers/ Service Station 555 Hegenberger Road Oakland, CA 94621



ATTACHMENT 3 Map of Former City of Oakland Corporation Yard No. 2 RWQCB Case No. 01-1830 Drawn by P. Altherr May 18, 2018



RECORDING REQUESTED BY STATE OF CALIFORNIA

WHEN RECORDED RETURN TO DEPARTMENT OF TRANSPORTATION PO BOX 23440, MS-11A OAKLAND, CA 94623-0440 Attn: Excess Lands

Documentary Transfer Tax:\$

Space above this line for Recorder's Use

| | District | County | Route | Postmile | Number | |
|--------------------------|--|--------|-------|----------|-----------------|--|
| DIRECTOR'S DEED GRANT | 04 | ALA | 880 | 25.7 | DD-036980-01-01 | |
| | (036980-01-01, 036980-01-02, 036980-01-03, 036981-01-01) | | | | | |

The State of California, acting by and through its Director of Transportation, hereinafter called STATE, hereby grants to

[Enter Vesting Ownership],

hereinafter called GRANTEE, that real property in the City of Oakland, County of Alameda, State of California, described as follows:

See Exhibit "A", attached.

Subject to special assessments if any, restrictions, reservations, and easements of record.

| MAIL TAX STATEMENTS TO: | | | | | | | |
|----------------------------|---------------------------------|--|--|--|--|--|--|
| | DOCUMENTARY TRANSFER TAX \$ | | | | | | |
| | COMPUTED ON FULL VALUE LES | COMPUTED ON FULL VALUE LESS LIENS & ENCUMBRANCES REMAINING THEREON AT TIME OF SALE. | | | | | |
| | Signature of declarant or agent | determining tax-firm name | | | | | |
| | | Unincorporated | | | | | |
| | | | | | | | |

ATTACHMENT 5

DD-036980-01-01

This conveyance is executed pursuant to the authority vested in the Director of Transportation by law and, in particular, by the Streets and Highways Code.

Dated

APPROVED AS TO FORM AND PROCEDURE

ATTORNEY DEPARTMENT OF TRANSPORTATION STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

MALCOLM DAUGHTERY Director of Transportation

By

MARK L. WEAVER, Attorney in Fact Deputy District Director Right of Way and Land Surveys

This Space Reserved for California Transportation Commission Certification

DD-036980-01-01

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California County of

personally appeared

} ss

On _____ before me,

Here insert Name and Title of the Officer

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are

subscribed to the within instrument and acknowledged to me that he/she/they executed the same in

his/her/their authorized capacity (ies), and that by his/her/their signature(s) on the instrument the person(s),

or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

(Seal)

EXHIBIT "A"

PARCEL 1 (036980-01-01, 036980-01-02, 036980-01-03, 036981-01-01)

A portion of Parcel 1 described in Deed No. 36980-1-2-3-4-5-1st, to the State of California, recorded April 20, 1970, in Reel 2601, Image 384, Official Records of Alameda County and a portion of the parcel described in Deed No. 36981-Second, to the State of California, recorded April 20, 1970, in Reel 2601, Image 389, Official Records of Alameda County, more particularly described as follows:

COMMENCING at the point of intersection of the northeasterly line of that certain 14.095 acre parcel of land described in deed to State of California, recorded August 31, 1948, Book 5210, Official Records page 423, Series No. AC/67887, with the southeasterly line of the tract of land described in deed to Henry S. Fitch, recorded June 25, 1870, Book 55 of Deeds, page 444; thence along said southeasterly boundary of said deed of that certain 14.095 acre parcel the following seven courses:

- 1) North 52°06'47" East, 65.96 feet;
- 2) South 35°20'46" East, 89.87 feet;
- 3) South 47°53'55" East, 64.41 feet;
- 4) South 35°20'46" East, 32.32 feet;
- 5) along a tangent curve to the left with a radius of 946.00 feet, through an angle of 14°15'00" and arc length of 235.28 feet;
- 6) South 49°35'46 East, 143.08 feet;
- 7) along a tangent curve to the right with a radius of 654.00 feet, through an angle of 10°25'46", an arc length of 119.05 feet to the boundary line between Plot 31 and 32 as shown on that certain map entitled "Map of the Lands in Partition in the Suit of Wm. P. Toler, et al., vs. Jose C. Peralta, Administrator, et al., defendants, Case No. 5408, and as designated and described in the Final Decree of Partition filed on said action on October 27, 1880, in Book 207 of Deeds, page 349, Alameda County Records to the POINT OF BEGINNING; thence along the northerly boundary of said Parcel 1 and said parcel 36981-Second the following nine courses:
- along a non-tangent curve to the right having a radius of 654.00 feet, to which beginning of curve a radial bears North 50°49'58" East; thence southerly along said curve through an angle of 14°28'07", an arc length of 165.15;
- 2) South 38°44'56" East, 201.63 feet;
- 3) along a tangent curve to the right a radius of 800.00 feet, through an angle of 16°32'49" an arc length of 231.04 feet;
- 4) South 22°12'06" East, 218.30 feet;

- 5) along a tangent curve to the left with a radius of 150.00 feet, through an angle of 52°11'11", an arc length of 136.62 feet to a point of compound curvature;
- 6) along a tangent curve to the left with a radius of 172.00 feet, through an angle of 62°06'56" an arc length of 186.47 feet to a point of compound curvature;
- along a tangent curve to the left with a radius of 450.00 feet, through an angle of 32°59'29" an arc length of 259.11 feet;
- 8) North 10°30'17" East, 212.68 feet;
- along a tangent curve to the left with a radius of 30.00 feet, through an angle of 90°52'33" an arc length of 47.58 feet to the southerly line of Coliseum South Access Road;

thence along said southerly road line South 80°22'16" East, 77.89 feet; thence South 16°27'24" East, 15.76 feet; thence South 2°18'23" West, 75.28 feet; thence South 4°51'26" West, 158.81 feet; thence South 5°19'13" West, 235.95 feet; thence South 15°14'21" West, 112.41 feet; thence North 80°07'41" West, 499.98 feet to the northwesterly boundary of said Parcel 1; thence along said line North 33°50'15" West, 838.04 feet; thence North 56°09'45" East, 160.62 feet to the POINT OF BEGINNING.

There shall be no abutter's rights of access over and across the courses above-described with lengths of 77.88 feet, 15.76 feet, 75.28 feet, 158.81 feet, 235.95 feet, 112.41 feet, 499.98 feet, 838.04 feet, 160.62 feet.

CONTAINING 209,710 square feet or 4.814 acres, more or less.

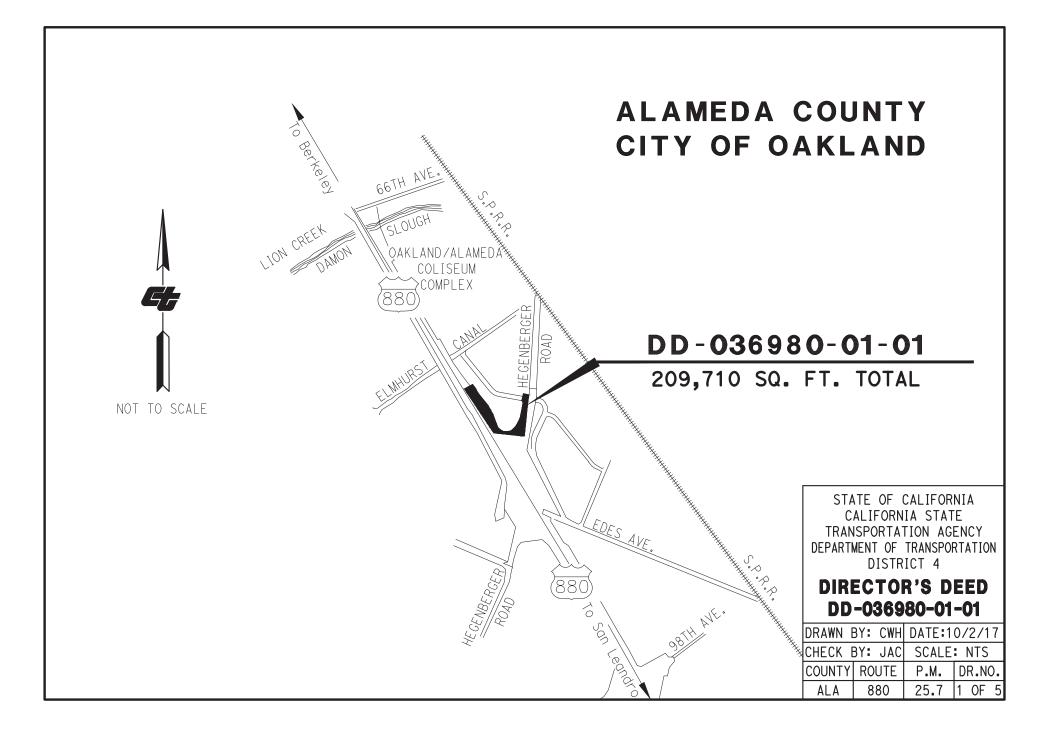
The bearings and distances used in the above description are on the California Coordinate System of 1927, Zone 3. Multiply the above distances by 1.0000708 to obtain ground level distances.

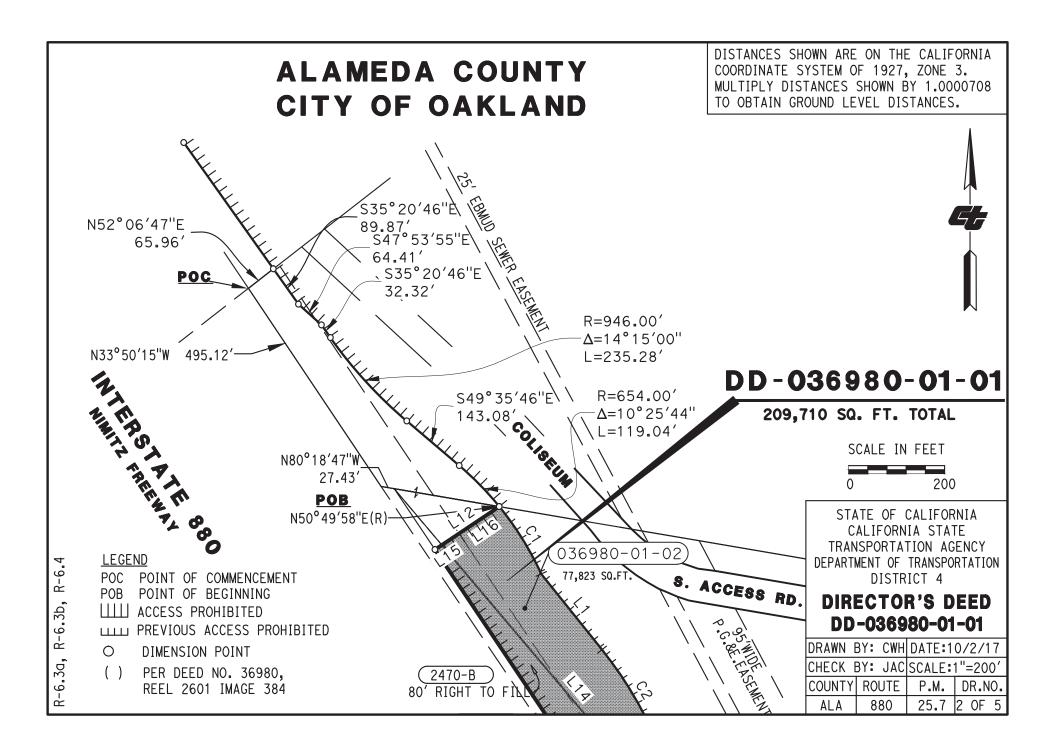
This real property description has been prepared by me in conformance with the Professional Land Surveyors Act.

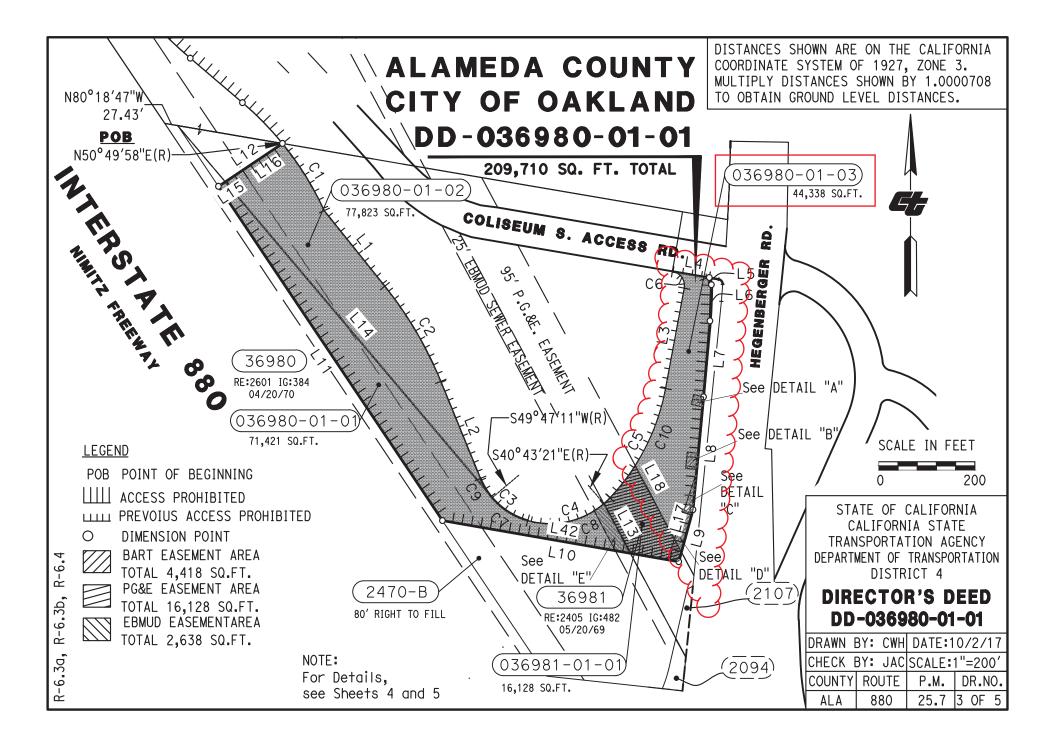
Jun U Cardarelli Licensed Land Surveyor Signature:

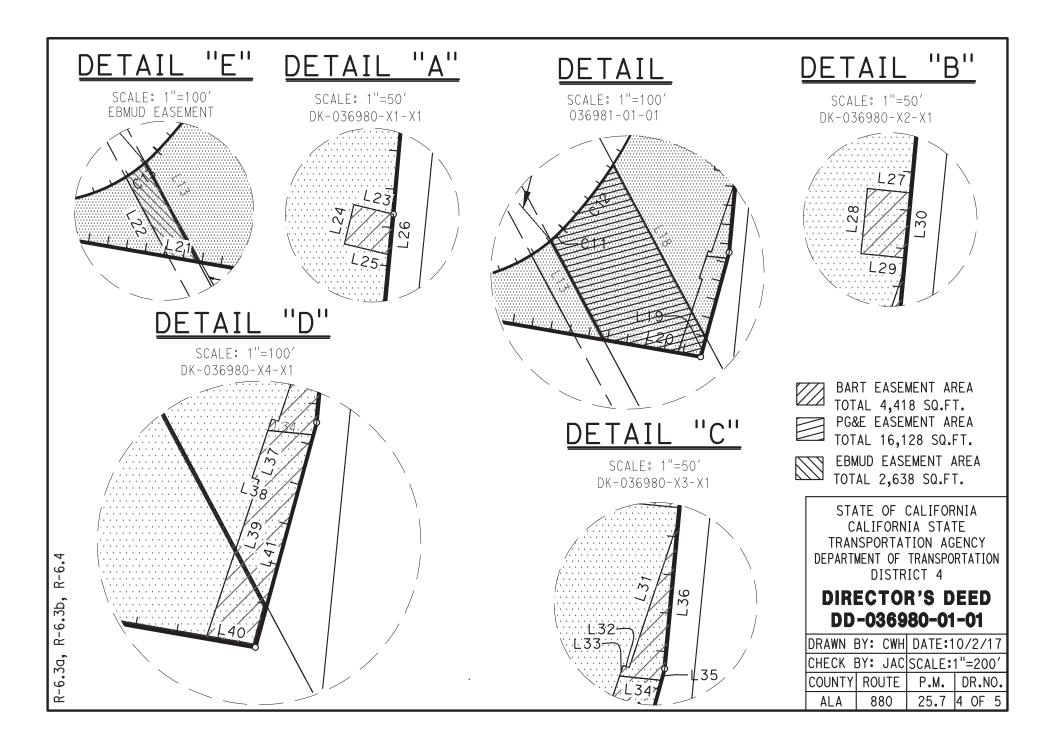
1 2017 Date:











| LINE DATA TABLE | | | | LINE DATA TABLE | | | CURVE DATA TABLE | | | |
|-----------------|--------------|-----------------|-----|-----------------|----------|-----|------------------|---|-------------------------|--|
| NO. | BEARING | DISTANCE | NO. | BEARING | DISTANCE | NO. | RADIUS | DELTA | LENGTH | |
| L1 | S38°44′56''E | 201.63′ | L23 | S76°26′05''E | 21.24′ | C1 | 654.00′ | 14°28′07'' | 165.15′ | |
| L2 | S22°12′06''E | 218.30′ | L24 | N13°33′55''E | 21.00′ | C2 | 800.00′ | 16°32′49'' | 231.04′ | |
| L3 | N10°30′17''E | 212.68′ | L25 | N76°26′05"W | 24.28′ | C3 | 150.00′ | 52°11′11″ | 136.62′ | |
| L4 | S80°22′16''E | 77.89′ | L26 | SO5°19′13"W | 21.22′ | C4 | 172.00′ | 62°06′56'' | 186.47′ | |
| L5 | S16°27′24''E | 15.76′ | L27 | S84°14′02''E | 22.89′ | C5 | 450.00′ | 32°59′29'' | 259.11′ | |
| L6 | S02°18′23"W | 75.28′ | L28 | N05°45′58″E | 34.00′ | C6 | 30.00′ | 90°52′33'' | 47.58′ | |
| L7 | SO4°51′26"W | 158.81′ | L29 | N84°14′02"W | 23.15′ | C7 | 150.00′ | 34° 37′46'' | 90.66′ | |
| L8 | SO5°19′13"W | 235.95′ | L30 | SO5°19′13"W | 34.00′ | C8 | 172.00′ | 55°52′57'' | 167.76′ | |
| L9 | S15°14′21"W | 112.41′ | L31 | N18°27′39''E | 81.10′ | C9 | 150.00′ | 18°00′33'' | 47.16′ | |
| L10 | N80°07′41″W | 499.98′ | L32 | S71°32′43''E | 3.41′ | C10 | 450.00′ | 22°04′26'' | 173.37′ | |
| L11 | N33°50′15"W | 838.04′ | L33 | N18°27′17''E | 5.77′ | C11 | 172.00′ | 5°46′53'' | 17.36′ | |
| L12 | N56°09′45″E | 160.62′ | L34 | N84°14′02"W | 22.00′ | C12 | 450.00′ | 10°55′03'' | 85.75′ | |
| L13 | N28°04′11''W | 117.42′ | L35 | S15°14′21"W | 6.21′ | C13 | 172.00′ | 8°25′36'' | 25 . 30′ | |
| L14 | S40°12′50''E | 861.40′ | L36 | SO5°19′13"W | 77.87′ | | | | | |
| L15 | S56°09′45"W | 17.05′ | L37 | S18°27′17"W | 24.09′ | | | | | |
| L16 | S56°09′45"W | 143.57′ | L38 | S71°32′43''E | 3.41′ | | | | | |
| L17 | N15°14′21''E | 91 . 76′ | L39 | S18°27′17"W | 80.73′ |] | | STATE OF CALIFORNIA BUSINESS, TRANSPORTATION AND HOUSING AGENCY DEPARTMENT OF TRANSPORTATION DISTRICT 4 | | |
| L18 | S28°04′11''E | 204.73′ | L40 | S80°07′41″E | 24.28′ | | | | | |
| L19 | N15°14′21''E | 20.65′ | L41 | N15°14′21''E | 106.20′ |] | | | | |
| L20 | S80°07′41″E | 102.49′ | L42 | S80°07′41″E | 397.49′ |] | | DIRECTOR | | |
| L21 | S80°07′41″E | 31.70′ | | | | - | | DRAWN BY: CWH | DATE:10/2/17 | |
| L22 | S28°04′11″E | 94.22′ | | | | | | CHECK BY: JAC COUNTY ROUTE | NO SCALE P.M. DR.NO. | |
| • ' | | | - | | | | | ALA 880 | 25.7 5 OF 5 | |