

From: [Levi, Ariu, Env. Health](#)
To: [Thurman, Josh BOS Dist. 1](#)
Cc: [Drogos, Donna, Env. Health](#); [Roe, Dilan, Env. Health](#)
Subject: FW: Veterans Housing project
Date: Wednesday, May 02, 2012 12:43:03 PM

Hi Josh.

Following is the Department caseworker's response to my inquiry on this project. At this time it seems that work has and continues to progress and our lines of communication are open with both Eden Housing and the Site Consultants. Please let me know if you have further questions.

From: Roe, Dilan, Env. Health
Sent: Tuesday, May 01, 2012 5:02 PM
To: Levi, Ariu, Env. Health
Cc: Drogos, Donna, Env. Health
Subject: FW: Veterans Housing project

Hi Ariu,

Donna asked me to respond to you regarding the email you received from Supervisor Haggarty. I am little confused by the email correspondence as it implies that both the for-profit developer (Kingsmill group) and Eden Housing asked ACEH in early February to take a look at the proposed development project and give a preliminary estimate of what needs to be done. To my knowledge, except for a phone conversation I just had with Fay Blackman with Eden Housing, ACEH has never been in communication with these two parties about their proposed development project.

Rather, we have been working with the RPs and their consultant AMEC since the site was opened in October 2009, after receiving notification of a hazardous substance release at the Crown Chevrolet site in Dublin. Since that time, ACEH has worked with AMEC to delineate the impacts to the site through several phases of soil, groundwater, and soil vapor investigation. In fact, on several occasions ACEH expedited review and approval of field work without a submittal of a formal Work Plan as a courtesy to AMEC, and granted a 3-month extension on submittal of a Remediation Report. I have provided a summary below of the correspondence that has taken place since I took over as the primary case worker in March 2012.

- On March 23, 2012, Susan Gallardo with AMEC left a voice message and sent an email to Donna inquiring about the status of ACEH's review of the Soil, Groundwater, and Soil Vapor Investigation Report submitted on September 27, 2011 and the Remediation Report submitted on December 23, 2011, and about the possibility of setting up a meeting with her client (Crown Chevrolet) and potential developers during the week of April 2, 2012 to discuss a potential property transaction and redevelopment plans. She did not provide any details on the proposed redevelopment project and stated that the client wanted to keep it confidential.
- On March 27, 2012, I sent an email correspondence to Susan Gallardo notifying her that I had been recently assigned as the new caseworker for the site and that I would like to work

with her and Crown Chevrolet on developing a mutually agreeable schedule on how to best move forward, and requested that she send me key information/documents on the proposed development plans and schedule. I received an email response back from Avery Patton with AMEC reiterating AMECs request to set up a meeting with ACEH and stating that her client was hoping to bring the confidential information I requested on site redevelopment activities to the meeting to discuss it at that time. She also stated that she had additional confidential documents that they would like to share with us at the meeting, including new figures created by AMEC presenting data from another consultant (Ninyo & Moore), who had performed additional Phase II field investigation activities at the site for a potential buyer.

- On March 28, 2012, I responded to Avery Patton via email stating that I realized her client was eager to set up a meeting with ACEH, however in order for the meeting to be productive I would need time to review the case file. I stated that I had completed an inventory of the ACEH database and GeoTracker files and had identified several documents referenced in AMEC's reports that I would like to review and have in the official record. I alerted her to a letter from ACEH dated August 20, 2010 notifying the RPs that the site was in non-compliance status with regards to uploading of requisite documents to the GeoTracker website and asked her to upload electronic files of these documents to both the ACEH ftp site and GeoTracker in accordance with Electronic Reporting Regulations. I also stated that prior to scheduling a meeting I would like to have access to the confidential documents so that I could review them and thus be well versed in what her client is proposing and able to participate in a mutual discussion about the site.
- On March 29, 2012, I sent an email correspondence to Susan Gallardo with AMEC responding to a voice message from her in which she again stated the confidential nature of the project, however did not provide any details, and requested that ACEH schedule a meeting with Crown Chevrolet during the week of April 2, 2012. I again reiterated the importance of being able to review pertinent document prior to scheduling the meeting. I also stated that I would do my best to expedite review of the project; however that she could help facilitate this process by uploading and sending me the requested documents. I then received an email from Avery Patton asking if they could send me a CD with the requested documents as their client may not want all the documents public at this time to which I agreed in order to try to help expedite review.
- On March 30, 2012, I received notification that a CD has been sent to me via priority Fed EX with all the requested confidential documents except the redevelopment plans, which AMEC was still working on obtaining.
- On April 2, 2012, I received an email from Avery Patton with 3 figures showing a generic looking mixed-use redevelopment project and a skeleton schedule presenting major milestone dates for obtaining permits and start of construction but providing no information on the type of project. I was again asked if ACEH would meet with the parties during the current week to which I responded that I had not yet received the CD with the requested documents. I stated that once I had received all the documents and finished my

review I would contact her to schedule a meeting. Avery responded with an email stating that they were looking into what had happened with the CD, but in the meantime would send me another one in the mail. Again she asked me about when I would finish my review so she could let Crown and the other parties know what the time frame was.

- On April 3, 2012, I received the CD from AMEC with the confidential documents however the CD was blank. I notified Ms. Patton of this and asked her to please upload the files to the ACEH ftp site. She stated that since the client preferred to keep the documents confidential she was concerned about uploading them to the public website. She also stated that she was also concerned that some of the documents, which had been prepared by other consultants, would get rejected by ACEH for not having the requisite certifications. I told her I would work with our staff to facilitate the upload of the documents in a confidential folder and acceptance the documents without the requisite certification in order to expedite the review process. Later that day I received notification from Ms. Patton that the files had been uploaded to the ftp site and an apology for the delay.
- On April 9, 2012, I received an email from Ms. Patton stating that she didn't mean to be a pest but wondered whether I had any thoughts as to when I might be done with my review of the Crown files. She stated that she would like to communicate my timeframe to the various parties to help streamline the process for scheduling a meeting.
- On April 10, 2012, I sent an email to Ms. Patton stating that I had just received notice that the files she uploaded to the ftp site were available to me for review and that I would contact her to give her a status update.
- On April 25, 2010 I called Ms. Patton to give her a status update. I informed her that I was still reviewing the files and working on prioritizing my caseload and that I expected that I could give her a more realistic timeframe for scheduling a meeting the following week. I relayed to her that she could help expedite the process by sending me full size drawings of the figures with the compiled soil, groundwater, and soil gas data that she uploaded to the ftp site. I also suggested to her that she work with her client to upload the requisite reports and data to Geotracker and the ACEH ftp site and to get an update on the proposed redevelopment schedule she had sent me.

Prior to this yesterday when Donna forwarded me this email, I still had not received any information on the proposed confidential development, nor been told of the planned construction of affordable units for veterans. In fact it was not until this afternoon when I spoke with Faye Blackman with Eden Housing that I was provided with some details of the proposed site redevelopment. We had a good conversation and set the record straight about ACEH actions over the last month with respect to trying to expedite the review of the plans. When I informed her that we had been given very little information on the proposed development, she replied that she would be happy to send me information to help us during our review and in preparation for a meeting. She stated that she had been misled and told we were being non-responsive and that based on our conversation it was clear we had been working diligently on trying to expedite review

of the project and that she would contact both the Mayor and Supervisor Haggarty to give them an update and set the record straight. We both agreed that after she submitted more detailed plans to us that we would schedule a meeting. She also discussed getting a "Closure of Conditions" letter from ACEH in order to facilitate a property transaction. I asked her to also forward what she would be looking in the contents of the letter to me so I could discuss it with Donna.

Please let me know if you need any further information.

Regards,

Dilan Roe, P.E.

Hazardous Materials Specialist
Alameda County Environmental Health
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PDF copies of case files can be reviewed/downloaded at:

<http://www.acgov.org/aceh/lop/ust.htm>

From: Roe, Dilan, Env. Health
Sent: Tuesday, May 01, 2012 4:14 PM
To: Drogos, Donna, Env. Health
Subject: RE: Veterans Housing project

Dilan Roe, P.E.

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From: Drogos, Donna, Env. Health
Sent: Monday, April 30, 2012 2:46 PM
To: Roe, Dilan, Env. Health
Subject: FW: Veterans Housing project

From: Levi, Ariu, Env. Health
Sent: Monday, April 30, 2012 2:22 PM
To: Drogos, Donna, Env. Health
Subject: FW: Veterans Housing project

What do you know about this site? They say it sat on the shelf with us for 90 days.

From: Thurman, Josh BOS Dist. 1
Sent: Monday, April 30, 2012 9:17 AM
To: Levi, Ariu, Env. Health
Subject: FW: Veterans Housing project

From: Haggerty, Scott, Supv BOS Dist 1
Sent: Sunday, April 29, 2012 8:35 PM
To: Thurman, Josh BOS Dist. 1
Subject: Fwd: Veterans Housing project

Josh make this a priority

Sent from my iPhone

Begin forwarded message:

From: Tsbranti <tsbranti@aol.com>
Date: April 29, 2012 6:58:27 PM PDT
To: "Haggerty, Scott, Supv BOS Dist 1" <shaggert@acgov.org>
Subject: Veterans Housing project

Hey Scott-

Just following up on our conversation last week. We are working to redevelop the 6 acre site near the West Dublin BART station that used to be a Crown Chevrolet dealership and body shop. It will be a mixed use project with commercial on the bottom (closer to Dublin Blvd.) with a plaza. Residential will be on top and further back closer to the station.

One of the residential components to meet (actually exceed) the developers' inclusionary housing requirements is the construction of 76 affordable units for veterans. The project would include supportive services for veterans as well and is sponsored by Eden Housing (which is why Linda Mandolini was talking to you about this). Eden loves the site and from the City's standpoint we really like the idea of redeveloping such a prominent location in our City, as right now the vacant car dealership is a major eye sore.

Since it is a former car dealership site that had auto uses, there will undoubtedly be environmental clean up involved. Both the for-profit developer (Kingsmill group) and Eden are aware of this. They asked the Alameda County Environmental Health Department in early February to take a look at it and give a preliminary estimate of what needs to be done. Apparently their request has sat on the shelf for 90 days without any response from County staff. At this point the builders aren't aware if it's \$1 million, \$5 million, \$10 million etc. of mitigation that's needed. However, a preliminary review and some basic answers to their questions will determine whether or not this (or any project really) can

ever move forward.

At this point, if you could just call Environmental Division Chief Donna Drogos at (510) 567-6700 and just ask her staff to at least take a look at the request from Eden and the Kingsmill Group in a timely manner and get back to them on some next steps on how to get environmental approvals that would be great. Right now, they have not been getting any responses.

BTW, just because we are looking at a veterans' project downtown does not preclude us from still looking at another veterans' project on the County's triangular site that we discussed with Joni previously. We should continue to think about that and look at ways to make that a reality on that site at some point as well.

Thanks for your help....keep me posted if you hear anything on your end.

Tim