Wickham, Jerry, Env. Health

From: Wickham, Jerry, Env. Health
Sent: Tuesday, June 03, 2014 9:21 AM

To: 'Peter Sims'

Subject: RO3122: Ashland Housing Project Fill Import

Peter,

Based on the information provided, Alameda County Environmental Health has no objections to the use of imported fill from the Evelyn-Marshall site in Sunnyvale, CA described in the submitted documents. We request that the imported fill be periodically inspected by a qualified environmental professional to assure that the imported fill is consistent with the assumed conditions. Undocumented fill or fill that is not consistent with the described native soil from the Evelyn-Marshall site is not to be placed at the Ashland Housing site. The inspections and placement of the fill are to be documented and described in the Remedial Action Completion Report that is to be submitted following completion of site grading.

Regards,
Jerry Wickham
Alameda County Environmental Health
1131 Harbor Bay Parkway
Alameda, CA 94502-6577
phone: 510-567-6791
jerry.wickham@acgov.org

From: Peter Sims [mailto:psims@ninyoandmoore.com]

Sent: Monday, June 02, 2014 3:25 PM **To:** Wickham, Jerry, Env. Health

Subject: Ashland Housing Project Fill Import

Hi Jerry,

Ashland has found a source that appears to me to be acceptable for import. Please review the attached data as well as the answers to your list of required information below:

1) Some background on environmental conditions at the site where the fill comes from. Some documentation such as a Phase I report or other information from a qualified professional indicating whether the site has any known or suspected environmental conditions.

Phase I ESA is attached.

2) The sample location and volume that each sample represents such as does the sample go with a stockpile of a certain volume.

Sample location map is attached. 1,500 cubic yards of soil will be imported from the northern property (Evelyn-Marshall). The soil samples were collected in-situ. The fill soil will be excavated from 0 to 5 feet bgs and will be direct loaded at the source property and exported to the Ashland site.

3) The type of samples - composite or discrete and how they were collected.

Discrete in-situ samples were collected from the source property.

4) The type of fill and the heterogeneity.

The fill is clayey sand or sandy clay from 0 to 5 feet bgs with some gravel at shallower depths (see attached geotechnical report for soil descriptions/boring logs).

5) Whether the fill contains any debris, construction material, baserock, or other non-native materials.

Non-native materials were not reported in the boring logs of the geotechnical report.

6) Whether any staining or odor was observed.

Staining and odor were not reported.

7) Where the soil is to be used at the site. In this case, will the soil be used in housing areas or under a street?

Fill soil is to be used across the site beneath both housing and parking/street areas.

8) Whether this is a variance from the Work Plan.

The Work Plan did not address import fill.

9) Laboratory analytical results.

See attached.

Peter D. Sims, LEED AP
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PII ENVIRONMENTAL



March 5, 2012

Evelyn Avenue Associates Project c/o Mr. Jonathan Stone Prometheus Real Estate Group, Inc. 1900 S. Norfolk Street, Suite 150 San Mateo, California 94403

RE: Draft Phase I Environmental Site Assessment (ESA) Report

457-475 E. Evelyn Avenue, Sunnyvale, California

Dear Mr. Stone:

Enclosed is the Draft Phase I ESA Report for the above referenced property. Please review this Report, especially the Site Reconnaissance and Conclusion sections.

This assessment has not revealed any Recognized Environmental Conditions (REC) at the subject property. PIIE did not review any evidence or observe any significant environmental issues related to the subject property.

Thank you for choosing PIIE to perform this project. If you have any questions about this report, please contact me at (510) 520-2372, or email me at david.dement@ymail.com.

Sincerely,

David DeMent, PG Senior Geologist MO, 5974

PHASE I ENVIRONMENTAL SITE ASSESSMENT

Evelyn Avenue Associates Project 457-475 E. Evelyn Avenue Sunnyvale, California

March 5, 2012

Prepared For:

Prometheus Real Estate Group, Inc. 1900 S. Norfolk Street, Suite 150 San Mateo, California

EXECUTIVE SUMMARY

Consultant: PII Environmental (PIIE)

Subject Property: 2 Parcel Property, 457 and 475 E. Evelyn Avenue, Sunnyvale,

California. The 2 parcels are known as Assessor's Parcel Numbers

209-04-053 and 209-04-054.

Client: Prometheus Real Estate Group, Inc. (Prometheus) and Evelyn Ave.

Associates LLC.

Location: The subject property is located at 457 and 475 E. Evelyn Avenue in

Sunnyvale, California. The subject property is bound by train tracks to the north, apartments to the east, a day care center and

apartments to the south, and apartments to the west.

Current Use: The subject property is comprised of two parcels designated Parcels

209-04-053 and 209-04-054. Parcel 053 is occupied by one office building with 6 tenants addressed 457 to 471 E. Evelyn Avenue and Parcel 054 is occupied by one office building with 4 tenants

addressed 473 to 493 E. Evelyn Avenue.

Current Owner: Evelyn Ave. Associates LLC

Site

Characteristics: The 2-parcel subject property is approximately 100,623 square feet

(2.3 acres) and has been developed with two multi-unit commercial centers. Currently there are four roll-up doors at 457 E. Evelyn Avenue and 2 roll-up doors at 475 E. Evelyn Avenue. Originally, the

buildings were designed to have up to 17 tenants.

Vicinity

Characteristics: The subject property and surrounding properties are zoned C-4,

"Commercial General Business", by the Santa Clara County

Planning Department.

Purpose: This Phase I Environmental Site Assessment (ESA) was performed

to (1) identify any recognized environmental conditions (RECs), and (2) permit a user to satisfy one of the requirements to qualify for the innocent landowner defense under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) liability protection (42 U.S.C. §9601). All components of this ESA were performed or overseen by Environmental Professionals as defined in the All Appropriate Inquiries (AAI) Standard and the

American Society for Testing and Materials (ASTM) E 1527-05.

Recognized Environmental Conditions:

This assessment has revealed no Recognized Environmental Condition at the subject property.

The following are observations for the subject property:

- During the site reconnaissance, PIIE observed:
 - Electrical Transformer;
 - Asphalt Staining; and
 - HVAC Equipment.
- During the site reconnaissance, PIIE observed several suspect asbestos containing building materials (ACBM) in the two Buildings. Suspect ACBM consisted of typical items such as floor tiles, linoleum, and mastic in the bathrooms and kitchens, and asphalt roofing materials.

None of the items observed during the site reconnaissance represents a serious condition and does not warrant any special mitigation or investigation. All observed items are typical for an operational office building and tenant housekeeping practices were good to excellent. PIIE recommends that all tenants properly dispose or recycle all chemicals and materials used or stored at their respective offices prior to vacating the premises.

Within 0.5 mile of the subject property, there are several sites with documented releases of hazardous substances and/or petroleum products. However, there is <u>no</u> documented evidence that constituent plumes originating from any of these sites have migrated to the subject property.

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- A: Scope of Work
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- D: Geotracker Information
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- I: Aerial Photographs
- J: EDR Property Tax Maps
- K: Environmental Professional Resume

1.0 INTRODUCTION

On behalf of Prometheus Real Estate Group (hereinafter referred to as the "Client"), PII Environmental (PIIE), performed a Phase I Environmental Site Assessment (ESA) of APN numbers 209-04-053 and 209-04-054, known as 457 and 475 E. Evelyn Avenue, Sunnyvale, California, (hereinafter referred to as the "subject property").

1.1 Purpose

This ESA was performed to provide a record of the site conditions at the subject property and to evaluate what, if any, recognized environmental conditions exist at this site. Additional goals of this ESA are to identify recognized environmental conditions (RECs) from current and historical practices on the subject property and surrounding area and to assist the Client to satisfy one of the requirements to qualify for the innocent landowner, contiguous property owner, or bona fide prospective purchaser limitations from Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) liability.

1.2 Detailed Scope of Services

These tasks were performed in accordance with the Scope of Services (Appendix A).

- Visual site inspection of the subject property to investigate for recognized environmental conditions. PIIE is not responsible for inspecting areas covered by parked vehicles, overgrown vegetation, and other obstacles preventing access.
- A historical review of the use and improvements of the subject property through a review of aerial photographs, historical topographic maps, city directories, fire insurance maps, title reports, and/or building department records.
- A review of available geologic and hydrogeologic literature concerning the property and surrounding area.
- Interviews of persons familiar with the history of the subject property, including key site managers, owners, tenants, past tenants, and/or previous owners.
- Review of appropriate federal, state, and local regulatory agencies to reveal known hazardous wastes sites or significant leaks or spills of hazardous materials that may have occurred at the subject property and immediate vicinity.
- Interviews with applicable local agencies familiar with the areas in the vicinity of the subject property such as local fire departments, health departments, Regional Water Quality Control Board, and/or other local government agencies.

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1.3 Significant Assumptions

No significant assumptions were made during this Phase I ESA.

1.4 Limitations and Exceptions of Agreement

PIIE has performed the services for this project in accordance with our proposal, and within the current standards of the American Society for Testing and Materials (ASTM 1527-05) for Phase I Environmental Site Assessments and the standards for All Appropriate Inquiries (AAI) approved by the Federal Environmental Protection Agency. Except for the representations set forth in this Phase I ESA, no other representations, guarantees, or warrantees are either expressed or implied. A record search was limited to reasonably ascertainable information that could be obtained within 20 calendar days.

The review was limited to a search for RECs at the subject property. The term REC means the presence or likely presence of any hazardous substances or petroleum products on a property under conditions that indicate an existing release, a past release, or a material threat of a release of any hazardous substances or petroleum products into structures on the property or into the ground, groundwater, or surface water of the property. The term includes hazardous substances or petroleum products even under conditions in compliance with laws. The term is not intended to include *de minimis* conditions that generally do not present a material risk of harm to public health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies.

There is no investigation that is thorough enough to preclude the presence of hazardous materials that presently, or in the future, may be considered hazardous at the site. Because regulatory evaluation criteria are constantly changing, concentrations of contaminants presently considered low may, in the future, fall under more stringent regulatory standards that require remediation.

The Site Reconnaissance was limited to visual observation of surface conditions at the subject property. Interviews with public agency personnel were conducted. Reasonably ascertainable information was reviewed. This approach reflects current ASTM standards and AAI regulations.

Where there is a conflict between the environmental database and PIIE's actual knowledge with regard to the distance and direction from the subject property of sites listed on the database, information obtained by PIIE from the site reconnaissance was used. Whenever feasible, PIIE notes such conflict within the text of the report.

This ESA addresses recognized environmental conditions at the subject property. However, certain conditions, such as those listed below may not be revealed:

- 1) naturally-occurring toxic materials in subsurface soils, rocks, or water, or toxicity associated with onsite flora;
- 2) toxicity of substances common in current habitable environments, such as stored household products, building materials, and consumables;
- 3) biological pathogens;
- 4) contaminant plume below the depths sampled or from remote source;
- 5) contaminants or contaminant concentrations that do not violate present regulatory standards, but may violate future standards; and
- 6) unknown site contamination, such as illegal dumping and/or accidental spillage which may occur following the site visit by PIIE.

Opinions and judgments expressed herein, which are based on our understanding and interpretation of current regulatory standards, should not be construed as legal opinions. This document and the information contained herein have been prepared solely for the Client and any reliance on this report by third parties not authorized by the Client shall be at such party's sole risk.

Conducting an AAI Phase I ESA alone does not provide a landowner with protection against CERCLA liability. Landowners who want to qualify as bona fide prospective purchasers or contiguous property owner must comply with all of the statutory requirements identified in CERCLA Section 107(r) and 107(q).

1.5 Special Terms and Conditions

No special terms or conditions were agreed upon for conducting this Phase I ESA.

1.6 User Reliance

As specified in ASTM E 1527-05, Sections 7.5.2 and 7.5.2.1, PIIE is not required to independently verify the information provided by the User (Client), obtained from interviews, previous environmental reports, and/or reviewed documents during records review.

2.0 SITE DESCRIPTION

2.1 Location and Legal Description

The subject property is located at 457 and 475 E. Evelyn Avenue in Sunnyvale, California (Figure 1). The subject property is bound by train tracks to the north, apartments to the east, a day care center and apartments across E. Evelyn Avenue to the south, and

apartments to the west (Figure 2). The Santa Clara County Assessor's Office identifies the 2-parcel subject property as Assessor's Parcel Numbers (APN) 209-04-053 and 209-04-054 (Figure 3).

2.2 Site and Vicinity General Characteristics

The subject property is approximately 100,623 square feet and comprised of two parcels (Figure 2). Parcel 053 has been developed with a 1-story, multi-unit commercial center (Photographs 1 and 2). Parcel 054 has been developed with a 1-story, multi-unit retail center (Photographs 3 and 4). Parcel 053 is approximately 43,124 square feet and Parcel 054 is approximately 57,499 square feet. The buildings are surrounded by and separated by asphalt parking spaces and landscaping (Photographs 5 and 6). The two Parcels were primarily used for agricultural until the 1930's, used as storage due to its proximity to the railroad tracks until it was developed in 1978 to 1979.

The subject property is bound by train tracks to the north, apartments to the east (Photograph 7), a day care center and apartments to the south (Photograph 8), and apartments to the west (Photograph 9).

The subject property is zoned C-4, "Commercial General Business", by the Santa Clara County Planning Department.

2.3 Current and Proposed Use of the Property

The subject property is currently zoned "Commercial General Business." Parcels east, south, and west are occupied by residential housing. PIIE was informed by the Client that the subject property will be redeveloped for housing.

2.4 Description of Structures, Road, and Other Improvements

The subject property is comprised of two parcels totaling approximately 100,623 square feet. Parcel 053 is 43,124 square feet and the building is approximately 12,750 square feet. Parcel 054 is 57,499 square feet and the building is approximately 17,936 square feet.. Constructed in 1979, it was originally designed for as many as 17 tenants and every other unit was equipped with rollup doors leading to rear of each respective building. Currently there are four rollup doors in the rear of 457 E. Evelyn and two rollup doors at the rear of 475 E. Evelyn.

There are no roads or municipal structures or equipment on the subject property and the parking areas are drained by private storm drains.

Electricity and natural gas is provided to the subject property by Pacific Gas & Electric Company (PG&E). An electrical transformer located between the buildings serves both buildings (Photograph 10). Municipal water is primarily provided by the Hetch Hetchy

Water System and the San Francisco Public Utilities Commission, and has redundant water sources from Santa Clara Valley Water District and City of Sunnyvale Municipal water wells. Wastewater services are provided by the City of Sunnyvale.

2.5 Current Uses of the Adjoining Properties

The subject property is bound by Southern Pacific railroad tracks to the north, apartments to the east, residential apartments and a Pre-School to the south, and apartments to the west. The properties north across the railroad tracks were formerly occupied by Hendy Iron Works, and more recently occupied by Westinghouse Electric and Westinghouse Marine, and the Northrop Grumman Corporation. The property east if the subject property is occupied by apartments. The Villa Del Sol Apartments are located west of the subject property on E. Evelyn across Bayview Avenue. Properties south of the subject property are occupied by apartments and the BoostUp Kids Academy Pre-School.

3.0 USER PROVIDED INFORMATION

3.1 Title Records

PIIE reviewed an Environmental Lien Search for Parcels 053 and 054 provided by EDR dated December 9, 2011. This parcel was purchased by Evelyn Ave. Associates LLC on July 7, 2007.

3.2 Environmental Liens or Activity and Use Limitations

The Environmental Professional is required to search for Activity and Use Limitations (AULs) if such records are available in "publicly available lists or registries." Typical AULs include land use restrictions (LURs), institutional controls (ICs), and Engineering Controls (ECs). Typical ICs include: 1) governmental controls such as zoning; 2) proprietary controls such as covenants or easements; 3) enforcement documents such as orders or consent decrees; and 4) information devices such as land record or deed notices. Typical ECs include: 1) passive measures such as vapor barriers and setbacks; 2) active measures such as remediation systems; and 3) monitoring of passive and/or active measures. According to 40 CFR Part 312.26 (b)(7), ICs are to be investigated on the subject property and according to 40 CFR Part 312.26 (b)(6) and (c)(2)(ii), ECs are to be reviewed to a 0.5 mile radius of the subject property. ASTM 1527-05 recommends that ECs be reviewed only for the subject property.

An Environmental Liens Search was performed for Parcels 053 and 054 (Appendix B). The Environmental Liens Search did <u>not</u> report any environmental liens associated with the subject property. According to the User Questionnaire (Appendix C), no additional information is known regarding environmental liens or AULs.

3.3 Specialized Knowledge

PIIE was not informed of any specialized knowledge associated with the subject property or the area in the vicinity of the subject property. According to the User Questionnaire completed by Mr. Jonathan Stone, Prometheus Real Estate Group, and an interview with Ms. Tara Anderson (Property Manager, Borelli Investment Company), no specialized knowledge is known regarding the subject property. PIIE contacted the BoostUp Kids Academy Pre-School at 404 E. Evelyn Avenue (directly upgradient of the subject property) for historical information. According to Ms. Bhavna Patkar, the Pre-School was built in 2010 and was a Realty Office before that, but she did not know the timeframe. City Directory records showed that 404 E. Evelyn Avenue was occupied by Braeman Awards & Gifts from 1985 to 1986.

3.4 Commonly Known or Reasonably Ascertainable Information

According to the User Questionnaire, there is no commonly known or reasonable ascertainable knowledge known regarding the subject property. PIIE interviewed Ms. Tara Anderson on the history of the site but Ms. Anderson could not supply any information prior to her tenure as the Property Manager (approximately 7 years).

3.5 Valuation Reduction for Environmental Issues

According to the User Questionnaire, no data is known regarding the fair market value of the subject property or that the price of the subject property reflects a reduction due to the fact that contamination is known or believed to be present.

3.6 Owner, Property Manager, and Occupant Information

The current owner of the subject property is Evelyn Ave. Associates LLC. The Property manager is Ms. Tara Anderson with Borelli. Tenants at 457 E. Evelyn Avenue (Parcel 053) include: 1) Function Engineering; 2) Equipment Solutions; 3) Med-Surgical Services; 4) Good Plastics; 5) Sunnyvale Public Safety Officers Association (PSOA); and 6) Kapila Dental Office. Tenants at 475 E. Evelyn Avenue (Parcel 054) include: 1) Breakthrough Physical Therapy; 2) Lucidiport; 3) Chiropractic Health Center; and 4) Moshi.

3.7 Reason for Performing the Phase I ESA

PIIE has performed this Phase I ESA for due diligence purposes.

3.8 Other

PIIE reviewed the following documentation provided by the State of California Geotracker Database for the case at 401 E. Hendy Avenue, Sunnyvale, California.

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PIIE was not provided with any additional documentation or specific knowledge regarding the subject property.

4.0 RECORDS REVIEW

Table 1, Records Review, located below lists the government environmental agency databases PIIE reviewed. Shaded cells indicate that, in accordance with ASTM 1527-05, the Environmental Database was not searched to the corresponding distance. The database obtained from Environmental Data Resources, Inc. (EDR) is included as Appendix E. When locations and distances reported by EDR were observed to be incorrect, PIIE amended the information to provide a more accurate assessment.

Based on the EDR Database Search Report and review of the State EnviroStor and Geotracker databases, file review requests were not warranted with the United States Environmental Protection Agency (USEPA), California EPA – Department of Toxic Substance Control (DTSC), the San Francisco Bay Regional Water Quality Control Board (RWQCB), Santa Clara County Department of Environmental Health, and the Santa Clara County Fire Department (SCCFD). Inquiry with these entities is considered redundant and is not considered a data gap.

TABLE 1: RECORDS REVIEW						
Environmental Database	Subject Site	Within ¹ / ₈ mile	¹ / ₈ to ¹ / ₄ mile	¹ / ₄ to ¹ / ₂ mile	¹ / ₂ to 1 mile	Total
National Priority List (NPL)	No	1	0	0	3	4
Proposed NPL	No	0	0	0	0	0
Delisted NPL	No	0	0	0	0	0
NPL Liens	No					0
CERCLIS	No	1	0	0		1
CERCLIS Sites/No Further Remedial Action Planned (NFRAP) Sites	No	0	0	0		0
Resource Conservation and Recovery Act (RCRA) Corrective Action Sites	No	0	0	0	6	6
RCRA Treatment, Storage and Disposal Facilities (TSDF)	No	0	0	0		0
RCRA Large Quantity Generators	No	1	0			1
RCRA Small Quantity Generators	No	0	3			3
RCRA Non-Generators	No	0	0			0
Federal Engineering Controls	No	1	0			1

TABLE 1: RECORDS REVIEW						
Environmental Database	Subject Site	Within ¹ / ₈ mile	1/ ₈ to 1/ ₄ mile	1/ ₄ to 1/ ₂ mile	¹ / ₂ to 1 mile	Total
Federal Institutional Controls	No	1	0			1
Emergency Response Notification System (ERNS) Database	No					0
US Brownsfield	No	0	0	0		0
FUDS	No	0	0	0	1	1
FTTS	No					0
HIST FTTS	No					0
FINDS	No					0
State Contaminant List (Cal-Sites)	No	0	0	1	3	4
Toxic Pits	No	0	0	0	0	0
State Landfill	No	0	0	0		0
WMUDS/SWAT	No	0	0	0		0
Cortese	No	0	0	0		0
Leaking Underground Storage Tank (LUST) Database	No	1	6	3		10
CA FID UST	No	1	1			2
SLIC	No	1	0	1		2
Underground Storage Tank Database	No	3	1			4
Historical UST	No	1	3			4
SWEEPS UST	No	1	2			3
Notify 65	No	0	0	0	0	0
Aboveground Storage Tank Database	No	1	0			1
California Hazardous Materials Information Reporting System (CHMIRS)	No					0
DEED	No	0	0	0		0
Voluntary Cleanup Program	No	0	0	0		0
DRYCLEANERS	No	0	0			0
RESPONSE	No	0	0	0	0	0
HazNet	No					0

TABLE 1: RECORDS REVIEW						
Environmental Database	Subject Site	Within ¹ / ₈ mile	¹ / ₈ to ¹ / ₄ mile	¹ / ₄ to ¹ / ₂ mile	¹ / ₂ to 1 mile	Total
ЕМІ	No					0
Indian LUST	No	0	0	0		0
Indian UST	No	0	0			0
ENVIROSTOR	No	1	0	2	27	30

4.1 Standard Environmental Record Sources

The subject property was <u>not</u> identified on any of the researched government databases. A detailed description of the subject property can be found in the appropriate section of Section 4.1.

4.1.1 Leaking Underground Storage Tank (LUST) Database

The Leaking Underground Storage Tank (LUST) Database contains sites that have had unauthorized releases of hazardous materials from underground storage tanks (USTs). The California Regional Water Quality Control Board (RWQCB) maintains this database. Based on the findings of the Lawrence Livermore Study, performed for the California State Resources Control Board to improve and streamline its Leaking Underground Storage Tank Guidelines, PIIE does not consider petroleum hydrocarbon sites further than 0.125 mile (660 feet) from the subject property to be significant when assessing potential offsite impacts. Specifically, the Lawrence Livermore Study found that 90 percent of benzene (a carcinogenic and highly mobile constituent of gasoline) plumes typically extend no further than 250 feet from the source and the majority of the plumes extend less than 100 feet from the source. Thus, it is PIIE's practice to review only LUST sites located within 0.125 mile (660 feet) of the subject property. There is one (1) site listed on the LUST database that is located within 0.125 mile of the subject property. This site is currently listed on 16 or more databases and is a National Priority List (NPL) site, more commonly known as a Federal Superfund site. Due to the distance of subsurface contamination at 401 Hendy Avenue from the subject property, its downgradient direction relative to the subject property, subsurface remediation formerly performed at the site, and previously performed investigation and periodic groundwater monitoring, it is considered unlikely that constituents originating from this site could migrate to the subject property and the potential to impact the subject property is low to non-existent. In addition, because the responsible party has been identified and the case is being overseen by the appropriate lead regulatory agency, should constituents originating from this site have an impact on the subject property, the owner of the subject property would not be held responsible.

4.1.2 Other Sites of Potential Environmental Concern

PIIE reviewed the EDR Radius Report for other potential environmental concerns and identified two sites of potential concern within 0.5 miles. Site One is National Semiconductor, 2900 Semiconductor Drive, Santa Clara, and Site Two is TRW Inc., 825 Stewart Drive, Sunnyvale, California. There are significant documented releases of hazardous materials to the environment from these two sites. However, based on the review of available information and, the potential to impact the subject property is low.

Both of these sites are located in the estimated downgradient or crossgradient direction from the subject property at distances greater than 4,350 feet (0.82 mile) relative to the subject property; therefore, it is PIIE's opinion that these sites pose a low concern for the subject property. In addition, because the responsible parties have been identified for these sites, should constituents originating from these sites have an impact on the subject property, the owner of the subject property would not be held responsible.

Site One – National Semiconductor

The National Semiconductor facility at 2900 Semiconductor Drive is a NPL case and is currently being overseen by the RWQCB. The site is located approximately 5,000 feet (0.9 mile) east in the City of Santa Clara. Investigation and remediation for volatile organic compounds (VOCs) has been ongoing since the 1980's, and include: soil excavation, groundwater extraction and treatment, soil vapor extraction, and ozone sparging. Current groundwater extraction and treatment removes an approximate 200 pounds of dissolved VOCs per year, and VOC levels in groundwater are typically below 500 micrograms per Liter (µg/L) or parts per billion. An extensive soil vapor investigation and human health risk assessment was conducted in 2004 and no unacceptable risk was reported. The most recent 5 Year Review was prepared in October 2011 and 80 groundwater monitoring wells are currently being sampled annually for VOCs to document groundwater conditions and evaluate remediation effectiveness.

Site Two - TRW

The TRW facility at 825 Stewart Drive is a NPL case and is currently being overseen by the RWQCB. The site is located approximately 4,350 feet (0.82 mile) east-northeast in Sunnyvale and is part of a commingled plume along with Advanced Micro Devices (AMD) and Philips Inc. Investigation and remediation for VOCs has been ongoing since the 1980's, and include: soil excavation, groundwater extraction and treatment, soil vapor extraction, and enhanced anaerobic biodegradation. The most recent 5 Year Review was prepared in May 2009 and groundwater monitoring wells are currently being sampled annually for VOCs to document groundwater conditions and evaluate remediation effectiveness.

4.2 Additional Environmental Record Sources

Based on the lack of sites of concern within 0.5 mile radius of the subject property, and the lack of sites of concern identified in the Geotracker database, and historical property use in the vicinity of the subject property, no additional review is warranted. All relevant information from the reviewed sources is discussed elsewhere in the Report.

4.3 Physical Setting Sources(s)

The subject property lies at 90 feet above mean sea level within the Stevens Creek Valley flood plain (Santa Clara Valley Groundwater Basin) between the Diablo Mountains to the east and the Santa Cruz Mountains to the west. Several faults bound the Santa Cruz Mountains and intersect Stevens Creek. The northern portion is drained by the Stevens Creek and its tributaries. The Santa Clara Valley Groundwater Basin is filled by valley floor alluvium and the Santa Clara Formation. Soil boring logs indicate that the subject property is underlain primarily by silt, silty sand, and well graded sand with silt and gravel. The reported groundwater flow direction in the vicinity of the subject property is north towards San Francisco Bay at relatively flat gradients. Groundwater is generally encountered a minimum of 45 feet below ground surface.

4.4 Historical Use Information on the Property

PIIE reconstructed a brief history of the subject property through a review of historical Topographic maps; the EDR City Abstract; historical aerial photographs provided by EDR; and other available documents. A summary of historical sources can be found in Section 12.0 of this Report with pertinent reports available in Appendices E through J.

Parcels 053 and 054 (457 to 475 E. Evelyn Avenue)

Circa 1899 to 1939

According to historical Topographic maps and aerial photographs, the subject properties were undeveloped pasture or agricultural land. The area was known as "Pastoria De La Borregas" and the City of Sunnyvale first appeared on maps in 1902. Few roads are present until the 1930's when isolated development occurred near roads and intersections. Row crops and orchards are visible throughout the area with the exception of the Hendy Iron Works located north of the Monterey Line railroad tracks circa 1911.

Circa 1939 to circa 1979

According to historical Topographic maps, Sanborn® maps, and aerial photographs, the subject property was used at various times for storage and light commercial. Sunnyvale has undergone extensive development and numerous facilities are observed along the now named Southern Pacific railroad tracks. Evelyn Avenue runs north of the property along the railroad tracks and Marshall Avenue is

depicted south of the subject property. Aerial photographs show trees and possible orchard trees covering much of the subject property in 1939, parked cars covering much of the subject property in 1948, and in 1965 the subject property is covered with stored materials in rows with parking lanes. One possible residence and several small structures or sheds are visible in 1930 and the majority of the property is vacant. Two smaller structures and one large structure described as "vacant" are visible in 1959 and most of the property is vacant. East Evelyn Avenue and the small section of Marshall Avenue are shown in its current configuration in 1965.

Circa 1979 to Present Based upon historical Topographic maps, Sanborn® maps, aerial photographs, Building Department records, and visual observations during the site reconnaissance, the subject property was developed with the two current commercial buildings and associated asphalt parking lots. Originally designed with 17 possible tenant spaces as an automobile repair facility, rollup doors were built behind every other unit facing the rear of the property. The tenant spaces have undergone numerous renovation over the years and currently only six sets of rollup doors remain and some of them are no longer operable.

4.5 Historical Use Information on the Adjoining Properties

Southern Pacific Train Tracks (Property to the North)

Circa 1899 to circa 1911

According to historical Topographic maps and aerial photographs, the property was undeveloped pasture or agricultural land. The area was known as "Pastoria De La Borregas" and the City of Sunnyvale first appeared on maps in 1902. The Monterey Line railroad tracks are visible in 1899. Few roads are present until the 1930's when isolated development occurred near roads and intersections. Row crops and orchards are visible throughout the area which appear to have been phased out circa 1902 and 1911. The Hendy Iron Works located north of the Monterey Line railroad lines are visible in 1911.

Circa 1911 to Present Based upon historical Topographic maps, aerial photographs, and visual observations during the site reconnaissance, the area north of the subject property was and is heavy commercial. The Hendy Iron Works are visible on Topographic Maps, aerial photographs, and Sanborn® maps from circa 1911 to 1959, including associated buildings, railroad spur, and storage areas. Sometime after 1959, the property was occupied by the Westinghouse Corporation and the Northrop Grumman Corporation.

Apartment Complex (Property to the East)

Circa 1899 to	According to historical Topographic maps, this parcel was agricultural
circa 1930	land and orchards and/or vacant. Evelyn Avenue runs adjacent to
	the railroad tracks and Marshall Avenue runs approximately east-west

where E. Evelyn Avenue is today.

Circa 1930 to circa 1991

Based upon historical Topographic maps and aerial photographs, several commercial operations occupied the property. From circa 1911 until 1943, the Growers Packing & Warehousing Association occupied the property and from circa 1943 until 1982, a Fiber Box Storage Facility and Dried Fruit Plant occupied the property.

Circa 1991 to Present Based upon historical Topographic maps, aerial photographs, and visual observations during the site reconnaissance, the property was redeveloped into 130+residential apartments.

404 to 428 E. Evelyn Avenue (Properties to the South)

Circa 1899 to According to historical Topographic maps and aerial photographs, circa 1911 this parcel was agricultural land and orchards. Orchards and row crops were visible when adjacent properties were being developed.

Circa 1911 to circa 2005

Based upon historical Topographic maps, Sambp and aerial photographs, the property was primarily occupied by residential housing and apartments. The property south of Parcel 053 was developed with a small retail building in 1985. This building was occupied by Braeman Awards & Gifts in 1985 and 1986, and a small Realty Office circa 1986 to 2005. The properties south of Parcel 054 were occupied by residential housing until 2005 when they were redeveloped into an apartment complex.

Circa 2005 to Present Based upon aerial photographs and visual observations during the site reconnaissance, the property is unchanged. In 2010, the small retail building was redeveloped into the BoostUp Kids Academy Pre-School.

395 E. Evelyn Avenue (Property to the West)

Circa 1899 to circa 1911

According to historical Topographic maps and aerial photographs, this parcel was agricultural land and orchards. In the 1911 Sanborn map, the property is largely vacant but has several long storage sheds on the south side of the property.

Circa 1911 to circa 1991	Based upon historical Topographic maps, Sanborn® maps, and aerial photographs, several commercial operations occupied the property. From circa 1911 until 1982, the property was occupied by the California Concrete Products Company until circa 1943 and occupied by the Central California Berry Gardeners Pre-Cooling Plant until circa 1991. The property immediately adjacent to Bayview Avenue was primarily vacant and/or used for parking.
Circa 1991 to circa 2005	Based upon aerial photographs, the property was vacant.
Circa 2005 to Present	Based upon aerial photographs and visual observations during the site reconnaissance, the property was redeveloped into the current Villa Del Sol Apartments.

5.0 SITE RECONNAISSANCE

The goal of the site reconnaissance is to obtain information indicating the likelihood of identifying RECs in connection with the subject property. The subject property is visually observed and any structures located on the property are observed to the extent not obstructed by bodies of water, adjacent buildings, and/or other obstructions.

5.1 Methodology and Limiting Conditions

The exterior site reconnaissance was performed by walking open areas of the property in a grid fashion. Special attention was given to observe surfaces adjacent to the structures and sidewalks, surfaces in storage areas, and potential conduits to the subsurface such as drains and sumps. The interior site reconnaissance was performed by systematically observing each room and open space of the property. Additional attention was given to doors, utility rooms, storage areas, and areas where hazardous materials were used or stored.

5.2 General Site Setting

On December 14, 2011, PIIE Environmental Assessor and California Professional Geologist, Mr. David DeMent, conducted a site reconnaissance at the subject property. Mr. DeMent was accompanied by Mr. Jonathan Stone with Prometheus and Ms. Tara Anderson, Property Manager with Borelli Investment Company. Due to time constraints, PIIE could not inspect Med-Surgical Services (465 E. Evelyn) and Kapila Dental Office (471 E. Evelyn). PIIE observed no evidence of debris, distressed vegetation, or illegal dumping. The following is a checklist of features that were specifically searched for during the Site reconnaissance:

Feature	Observed	Not Observed
Existing structures		Х
Evidence of past uses (foundations, debris, roads)		X
Hazardous substances and/or petroleum products		X
Aboveground storage tanks (ASTs) or evidence of ASTs		X
Underground storage tanks (USTs) or evidence of USTs		X
Strong, pungent, or noxious odors		X
Pools of liquid likely to be hazardous materials or petroleum products		X
Drums		X
Unidentified substance containers		X
PCB-containing equipment		Х
Subsurface hydraulic equipment		Х
Heating/ventilation/air conditioning (HVAC)	X	
Stains on walls or ceilings		Х
Floor drains and sumps		Х
Pits, ponds or lagoons, drainage channels		Х
Agricultural Area(s)		Х
Stained soil and/or pavement	Х	
Distressed vegetation		Х
Waste or wastewater discharge to surface or surface waters on subject property (including stormwater)		х
Wells (irrigation, domestic, dry, injection, abandoned, monitoring)		Х
Septic systems		Х

5.3 Exterior Observations

Evidence was found of the presence of the following items during the site reconnaissance of the exterior of the subject property. Below is a discussion of the item(s) found:

- Electrical Transformer;
- Asphalt Staining; and
- HVAC Equipment.

5.3.1 <u>Electrical Transformer</u>

During site reconnaissance, PIIE observed one "dry type" electrical transformer between the buildings on a dedicated concrete pedestal. The concern with electrical transformers is that the dielectric fluid contains polychlorinated biphenyls (PCBs). This electrical transformer is owned and maintained by Pacific Gas & Electric Company. No surface staining was observed in the vicinity of the transformer and it appeared to be in proper working order. Based on these observations and the age of the transformer, the potential to impact the environment is considered to be low.

5.3.2 Asphalt Staining

During site reconnaissance, PIIE observed stained asphalt in the parking lots in front of and behind the two office buildings. The intact asphalt appeared to be in good condition and no significant leaks or standing fluid was observed. It is PIIE's opinion that the asphalt staining has been caused by incidental drips from automobiles and poses a low risk to the environment.

5.3.3 HVAC Equipment

During site reconnaissance, PIIE observed HVAC equipment mounted on the roof of the two buildings (Photograph 11). The HVAC equipment appeared to be in proper working order and well maintained. Based on the condition of the equipment and its location on the roofs of the buildings, it is PIIE's opinion that the HVAC equipment poses a low risk to the environment.

5.4 Interior Observations

During site reconnaissance, PIIE inspected 15 of 17 tenant spaces. With the exception of minor amounts of cleaning agents and chemicals, no concerns were noted within the various tenant spaces. Various containers of solvents and chemicals were noted in the rear of Good Plastics (Photograph 12), but the chemicals were properly stored in a flammable cabinet equipped with secondary containment, and do not present a concern.

All tenant spaces are currently occupied, contained typical small amounts of cleaning agents and chemicals, and no potential concerns were observed. During the site reconnaissance of the interior and exterior of the two residential buildings, evidence was found of suspect Asbestos Containing Building Materials (ACBM). A discussion of ACBM follows in Section 5.5.

5.5 Non-Scope Items

The following non-scope items were included as part of this Report based on readily available information that was reviewed or site reconnaissance observations.

Suspect Asbestos Containing Building Materials

PIIE identified suspect asbestos containing building materials (ACBM) in the inspected units at 457 and 475 E. Evelyn Avenue. The suspect ACBM located at the subject property consisted primarily of bathroom and kitchen flooring and roofing materials, and these suspect materials were observed to be in good condition (Photographs 13 through 18). Federal regulations require that both friable and non-friable suspect ACBM be sampled and analyzed for the presence of asbestos prior to any renovation or demolition activities which may disturb the materials (40 CFR Part 61). Sampling was

not performed. Based on the condition of the suspect ACBM located at the subject property, the potential to impact the environment and/or human health is considered to be low.

Suspect Lead-Based Paint

The subject property contains two structures erected circa 1979 which may have painted surfaces that meet the definition of lead-based paint (LBP), defined differently by various agencies. The Consumer Product Safety Commission prohibits the use of more than 600 parts per million (ppm) of lead in new paint for residential use. The United States Housing and Urban Development (HUD) use a cutoff of 0.5% lead by weight or 1.0 milligram per square centimeter (mg/cm²). Lead paint waste disposal regulated by California EPA uses a definition of 350 ppm total lead by volume, and 5 milligram per liter soluble lead, though intact painted components are generally not regulated as hazardous waste. There are state and federal occupational safety and health (OSHA) regulations and HUD guidelines that are designed to protect residents and workers who disturb LBP. A lead based paint survey performed by a California Certified Lead Inspector is recommended if construction work is performed that disturbs the painted surfaces by such means as manual demolition, sanding, or scraping.

Vapor Intrusion

In accordance with ASTM E 2600-08, PIIE screened the subject property for a potential vapor intrusion condition (pVIC). A vapor intrusion condition is defined by ASTM E 2600-08 as "the presence or likely presence of any chemicals of concern in the indoor air environment of existing or planned structures on a property cased by the release of vapor from contaminated soil or groundwater on the property or within close proximity to the property, at a concentration that presents or may present an unacceptable health risk to occupants." Vapor intrusion is an indoor air quality condition that occurs when evaporating chemicals migrate from polluted soil and groundwater in the form of hazardous vapors into overlying buildings.

Based on documented Site history, the lack of documented subsurface impacts on the two subject property parcels, and no documented or suspect sources of volatile constituents on or within 100 feet of the subject property, PIIE contends that a low to negligible pVIC exists at the subject property.

Radon

No radon survey was conducted. According to the State of California Department of Health Services *Radon Database for California*, October 2002, 94 tests were conducted in the Santa Clara County. Of the 94 tests, 8 tests contained results equal to or greater than 4 picocuries per liter (pC/L), the US Environmental Protection Agency (USEPA) action level. In zip code 94086, 8 tests were conducted and 1 reported radon test result was

above 4 pC/L. Based on these test results, other low test results in Santa Clara County, and soil conditions in the vicinity of the subject property, radon is not an environmental concern at the subject property.

6.0 INTERVIEWS

6.1 Interview with Owner

PIIE interviewed Mr. Jonathan Stone, Development Manager with Prometheus Real Estate Group. Mr. Stone provided parcel information but did not have any site specific knowledge about the subject property.

6.2 Interview with Property Manager

PIIE interviewed Ms. Tara Anderson, Property Manager at the subject property. Ms. Anderson was knowledgeable about the current tenants but did not have any site specific knowledge about the subject property before becoming the Property Manager. Ms. Anderson stated that to her knowledge, no hazardous materials or chemicals are being stored at Med-Surgical Services and Kapila Dental Office. Med-Surgical Services stores equipment only and the Kapila Dental Office is in the process of vacating the premises.

6.3 Interviews with Occupants

PIIE interviewed tenants at Equipment Solutions (461 E. Evelyn), Good Plastics (467 E. Evelyn), Lucidiport (485 E. Evelyn). The tenants had no site specific knowledge regarding the property and commented strictly on their use and storage of chemical and any hazardous materials used at their respective facility.

6.4 Interviews with Local Government Officials

Due to the lack of any nearby regulatory cases of concern, PIIE did not interview any government officials.

6.5 Interviews with Others

PIIE did not perform any interviews with others regarding the subject property.

7.0 FINDINGS

No recognized environmental conditions were identified on Parcels 053 and 054. Typical, minor amounts of suspect ACBM only were observed in the two buildings.

Within 0.5 mile of the subject property, there are several sites with documented releases of hazardous substances and/or petroleum products. However, there is no

evidence or reasonable professional opinion that any nearby sites are impacting the subject property, especially sites within 660 feet.

7.1 Data Gaps

PIIE was unable to interview the previous owners that occupied parcels at the subject property. It is PIIE's opinion that the lack of this information does not pose a significant data gap due to historic site use. There were several gaps in available historical maps or photographs: 1) Historical topographic maps were not available from 1902 to 1943; 2) aerial photographs were not available prior to 1939, and Sanborn® Insurance Maps were not available from 1911 to 1930 and from 1959 to the present. It is PIIE' opinion that the lack of this information does not pose a significant data gap, and other available data sources and reasonable professional assessment confidently document historical site use at the subject property.

7.2 Continuing Obligations

Continuing obligations start on the date that a landowner acquires title to a property. The landowner must: 1) comply with land use restrictions and institutional controls; 2) take "reasonable" steps with respect to hazardous substances releases; 3) provide full cooperation, assistance and access to persons that are authorized to conduct response actions or natural resource restoration; 4) comply with information requests and administrative subpoenas; and 5) provide all legally required notices. Continuing obligations must be satisfied to maintain liability protection under CERCLA for innocent landowners, bona fide prospective purchasers, and contiguous property owners.

PIIE is not aware of any continuing obligations.

8.0 OPINION

File review and documented site history indicates the subject property was agricultural land until properties along the Monterey Line, which subsequently became Southern Pacific railroad tracks, were developed in the 1930's. The current buildings were constructed in 1979 and site use since then has essentially been unchanged. The buildings were originally designed for "automobile repair"; however, only three or four units were historically used for this purpose. The majority of tenants since 1979 have been retail and light commercial tenants with no potential to impact the subsurface. Building permits issued for the two buildings were generally for renovation (moving walls or fire control water lines) and Fire Department inspection records indicate that businesses requiring inspection or Hazardous Materials Management Plans (HMMPs) were generally in compliance. Any notices of violation issued by the Fire Department were generally for administrative issues and failure to pay City-imposed fees.

PIIE reviewed a building permit application for a paint booth for Unit G, believed to be the northern-most tenant space in 475 E. Evelyn; however, no other reference to this paint booth was reported in any other source, a paint booth was never included on any Fire Department inspection reports, and no physical indications of a paint booth were observed at the subject property. PIIE believes the paint booth was never constructed.

With the exception of the heavy commercial facility at 401 E. Hendy Avenue, located a minimum of 350 feet downgradient of the subject property, there are no sites with any potential to impact the subject property. Based on distance and its downgradient location relative to the subject property, the potential for 401 E. Hendy Avenue to impact groundwater migrating onto the subject property is low to non-existent.

There is no available information to suggest that the subject property has been adversely impacted by historic site use. No contaminant plumes were identified with any potential to extend to the subject property from any offsite source(s).

9.0 CONCLUSIONS

We have performed a Phase I Environmental Site Assessment in conformance with the scope and limitations of ASTM Practice E 1527-05 for the 2-Parcel subject property in Sunnyvale, California. Any exceptions to, or deletions from, this practice are described in Section 1.4 of this Report.

This assessment has revealed no Recognized Environmental Condition in connection with the subject property.

Based on visual observations, the history of the subject property, and documents reviewed regarding contaminated sites within 0.5 mile of the subject property, PIIE does not recommend any further investigation.

Specific records should be maintained to preserve potential CERCLA defense and liability protection. The relative importance of record keeping depends on whether the User is a Prospective Purchaser, Lending Institution, or Seller.

10.0 DEVIATIONS

PIIE did not evaluate the purchase price versus property value as PIIE is not qualified to evaluate this issue.

11.0 ADDITIONAL SERVICES

No additional services were performed in conjunction with this Phase I ESA.

12.0 REFERENCES

EDR City Abstract: 1982 -2001 (subject property), 1930-2001 (adjoining properties). Historic Topographic Maps: 1899, 1902, 1943, 1947, 1948, 1953, 1961, 1968, 1973, 1980, 1980, 1991, and 1997.

Historic Sanborn® Fire Insurance Maps: 1911, 1930, 1943, and 1959.

Aerial Photographs: 1939, 1948, 1956, 1965, 1973, 1982, 1991, 1998, 2005, and 2006.

The following governmental agencies were evaluated and/or contacted, and websites reviewed, to obtain the information in this report:

Jurisdiction	Agency			
Federal	U.S. Environmental Protection Agency, Region IX			
State and Regional	State of California Environmental Protection Agency, Department of Toxic Substances Control, Berkeley San Francisco Bay Regional Water Quality Control Board			
County and Local	Santa Clara County Assessor's Office Santa Clara County Environmental Health Department Santa Clara County Planning Department Santa Clara County Building Department Sunnyvale Fire Department			

Websites:

http://www.epa.gov/region9/cleanup/

http://www.envirostor.dtsc.ca.gov/public/

http://www.geotracker.swrcb.ca.gov/

http://www.dhs.ca.gov/radon/default.htm

http://cfpub.epa.gov/supercpad/cursites/csitinfo.cfm?id=0905639

Interviews:

Mr. Jonathan Stone, Prometheus Real Estate Group

Ms. Tara Anderson, Property Manager

13.0 SIGNATURES OF ENVIRONMENTAL PROFESSIONAL

I declare that to the best of my professional knowledge and belief, I meet the definition of an Environmental Professional as defined in §312.21 of 40 CFR Part 312 and have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the subject property. I have developed and performed the all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR Part 312.

Prepared by:

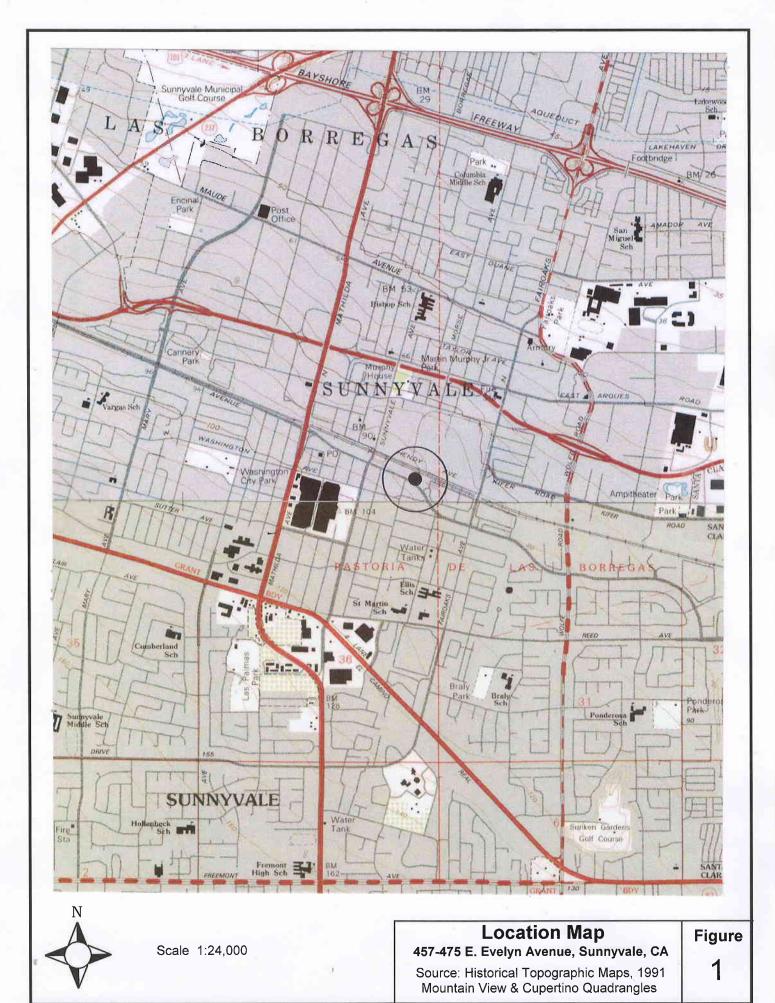
Pavid R. DeMent, PG 5874 Senior Geologist

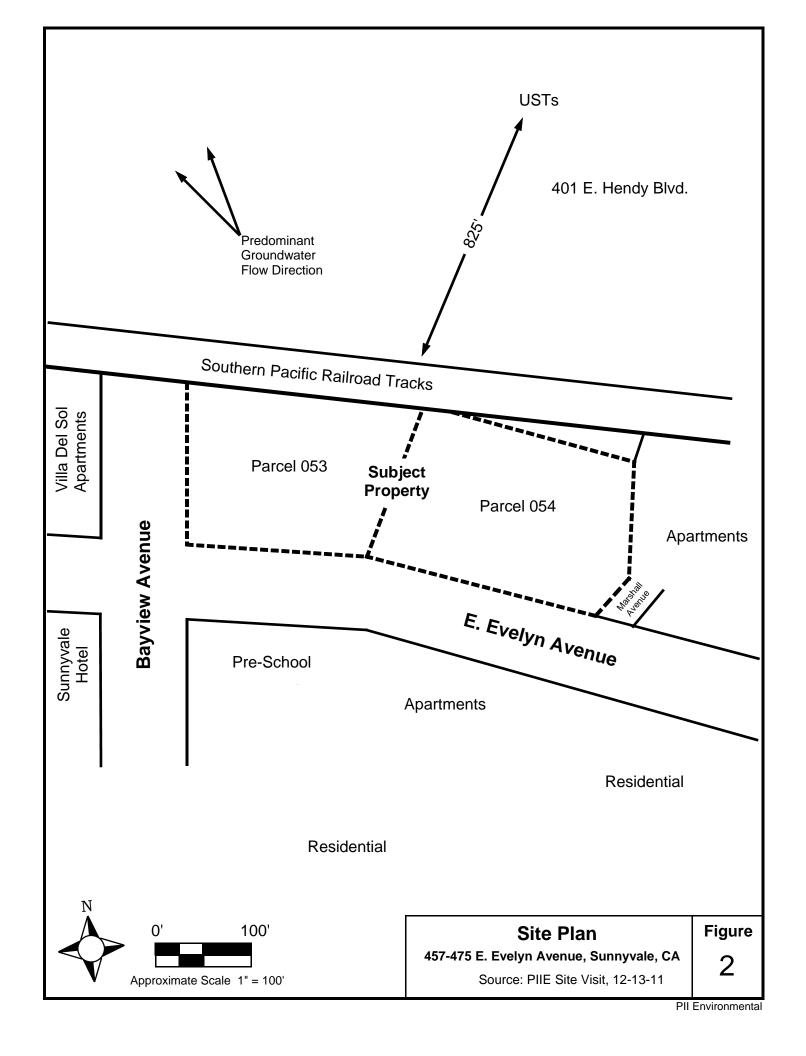
14.0 QUALIFICATIONS OF ENVIRONMENTAL PROFESSIONALS

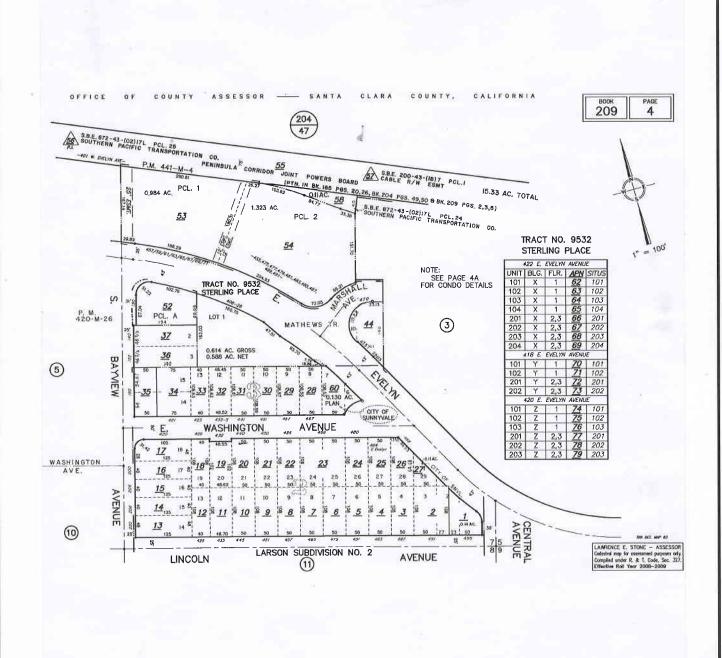
Pursuant to 40 CFR 10 and according to 40 CFR Part 312, the Environmental Professionals listed in Section 13.0 possess sufficient education, training, and experience necessary to exercise the professional judgment to develop the opinions and conclusions regarding conditions indicative of releases or threatened releases on, at, in or to a property, sufficient to meet the objectives and performance factors in §312.20(e) and (f). See Appendix K for a resume on the following individual:

David R. DeMent

FIGURES







3220962.



Assessor's Map

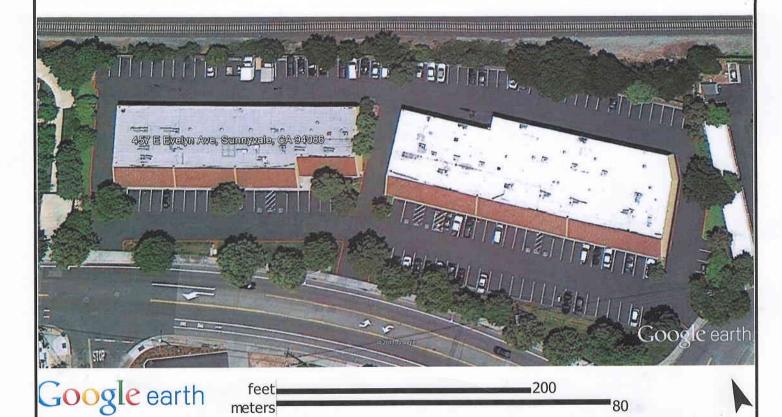
Figure

457-475 E. Evelyn Avenue, Sunnyvale, CA

Source: EDR, SCC Assessor's Office

3







Aerial Map

700

457-475 E. Evelyn Avenue, Sunnyvale, CA

Source: Google Earth

Figure