# EAST PALO ALTO DIRECTOR'S LEVEL READING
# REGULAR SESSION AGENDA

**Thursday, February 20, 2025, 4:00 PM**
**THIS MEETING WILL BE VIRTUALLY CONDUCTED**

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**THIS HEARING WILL BE VIRTUALLY CONDUCTED**

This Director's Hearing on Thursday, February 20, 2025 at 4:00 PM will be conducted virtually via virtually via videoconference with no physical meeting location available to the public.

Members of the public may participate in the Director's Hearing with this link, http://eastpaloalto.iqm2.com/Citizen/Calendar.aspx and proivde comments by emailing ajen@cityofepa.org, or using the **RAISE HAND** feature when the Director calls for public comment.

Please click this URL to join

https://us06web.zoom.us/j/6077127197?omn=82086339134

Or join by phone:
Dial (for higher quality, dial a number based on your current location):
US: +1 669 900 6833 or
+ 1 346 248 7799 or
+ 1 253 215 8782 or
+ 1 312 626 6799 or
+ 1 929 205 6099 or
+ 1 301 715 8592

Meeting ID: 607 712 7197

International numbers available: https://zoom.us/u/aMWYF4KT

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## 1. PUBLIC HEARINGS

### 1.1 Major Temporary Use Permit to allow for the stockpiling of up to 150,000 cubic yards of soil on the southwest portion of the parcel for a period of one year or 365 days.

**Recommendation:**

1. Approve a Major Temporary Use Permit to Allow for the Stockpiling of Up to 150,000 cubic yards of soil on the southwest portion of the parcel for a period of one year or 365 days.
2. Find that the project is Categorically Exempt from the California Environmental Quality Act (CEQA) under Section 15301 - Existing Facilities and 15304(e) - Minor Temporary Use of Land

## 2. ADJOURNMENT

### 2.1 Major Temporary Use Permit to allow for the stockpiling of up to 150,000 cubic yards of soil on the southwest portion of the parcel for a period of one year or 365 days.

**Recommendation:**

1. Approve a Major Temporary Use Permit to Allow for the Stockpiling of Up to 150,000 cubic yards of soil on the southwest portion of the parcel for a period of one year or 365 days.
2. Find that the project is Categorically Exempt from the California Environmental Quality Act (CEQA) under Section 15301 - Existing Facilities and 15304(e) - Minor Temporary Use of Land

*This AGENDA is posted in accordance with Government Code Section 54954.2(a)*

***This Notice of Availability of Public Records: All public records relating to an open session item which are not exempt from disclosure pursuant to the Public Records Act, that are distributed to the majority of the City Council will be available for public inspection at the City Clerk's Office, 2415 University Avenue, East Palo Alto, CA at the same time that the public records are distributed or made available to the City Council. Such documents may also be available on the East Palo Alto website www.cityofepa.org subject to staff's ability to post the documents prior to the meeting. Information may be obtained by calling (650) 853-3100.***

*The City Council meeting packet may be reviewed by the public in the Library or the City Clerk's Office. Any writings or documents pertaining to an open session item provided to a majority of the City Council less than 72 hours prior to the meeting, shall be made available for public inspection at the front counter at the City Clerk's Office, 2ND Floor, City Hall, 2415 University Avenue, East Palo Alto, California 94303 during normal business hours. Information distributed to the Council at the Council meeting becomes part of the public record. A copy of written material, pictures, etc. should be provided for this purpose.*

*East Palo Alto City Council Chambers is ADA compliant. Requests for disability related modifications or accommodations, aids or services may be made by a person with a disability to the City Clerk's office at (650) 853-3127 no less than 72 hours prior to the meeting as required by Section 202 of the Americans with Disabilities Act of 1990 and the federal rules and regulations adopted in implementation thereof.*

**DECLARATION OF POSTING**

This Notice is posted in accordance with Government Code §54954.2(a) or §54956. Members of the public can view electronic agendas and staff reports by accessing the City website. Under penalty of perjury, this Agenda was posted to the public at least 72 hours prior to the meeting.

POSTED: (Date Posted)

ATTEST:

_____
(Name)
(Title)

**C I T Y  O F  E A S T  P A L O  A L T O**
**Planning Division**
1960 Tate Street • East Palo Alto, CA 94303
Tel: (650) 853-3185 • Fax: (650) 853-3179

**Temporary Use Permit**

**Application #:** **TUP 24 - 016**
**Date:** **February 20, 2025**
**Issued By:** **Planning Division**
**Project Planner:** **Alvin Jen**

## I. Property Information:

| | |
|---|---|
| **Applicant/Owner:** | JC Poetsch Advisors, Inc./Sycamore Real Estate Investment, LLC. |
| **Location/ APN:** | 063-050-050 |
| **General Plan Designation:** | Office (1990 Bay Road) and General Industrial (1175 Weeks Street) |
| **Zoning:** | Industrial Flex Overlay |
| **Flood Zone:** | AE (100-year flood zone) and X (500-year flood zone) |
| **Existing Use:** | Vacant Land |
| **CEQA Status**: | Exempt, CEQA Categorical Exemption Section 15301 - Existing Facilities and 15304 (e) - Minor Temporary Use of Land |
| **Public Notification:** | Provided a radius mailing of owners within 300 feet of the subject sites on 2/7/2025 |

## II. Project Description:

The applicant is proposing a Temporary Use Permit to allow for the stockpiling of up to 150,000 cubic yards of soil on the southwest portion of the parcel for a period of one year or 365 days. The reason for the stockpile is to provide fill material for the subject site and other future projects in the Ravenswood/4 Corners Specific Plan area such as EPA waterfront , 2020 Bay Road, Four Corners, etc., as well as potentially additional projects in the sub region. The project site is currently vacant with no existing structures or improvements.

According to an Area-Wide Risk Management Plan (RMP) prepared for Sycamore Real Estate Investment, LLC. (Sycamore), the project site consists of approximately twenty-nine (29) acres of previously undeveloped tidal land until the early 1900s when its western portion was possibly used for cattle grazing. A railroad spur was located

along the western boundary until it was removed in 1943. In the mid-1950s, three (3) warehouse-type structures were constructed on the property's southwest corner and later removed in 1965. In 1986, Facciola Meat Company (FMC) imported and placed an unknown quantity of soil in a rectangular-shaped berm on the southwest portion of the site to prepare the site for a meat packing plant. The origin of the soil was reportedly Stanford University and the Santa Clara Valley Medical Center.

In 2014, a Phase I Environmental Site Assessment (ESA) conducted by Nino & Moore identified some Recognized Environmental Concerns (RECs). Under Order Number 96-122 which was issued by the Regional Water Quality Control Board (RWQCB), FMC collected and tested soil samples from the stockpile and a nearby drainage ditch which showed low levels of polychlorinated biphenyls (PCBs). In 2015, Nino & Moore performed a Limited Environmental Investigation testing for contaminants of concern (COC). The results showed concentrations of Toal Petroleum Hydrocarbons (TPHd) and metals below the 2019 Residential and Commercial RWQCB Environmental Screening Levels (ESLs). In 2016 a Phase II ESA was conducted to test the known PCSs in the shallow fill material introduced in 1986 and reported back that the concentrations were below the 2019 Commercial RWQCB ESL (Regional Water Quality Control Board Environmental Screening Levels) and regulated by the United States Environmental Protection Agency's (USEPA) Toxic Substances Control Act (TSCA). Furthermore, in 2017, grading, erosion control, and hydroseeding of the existing berm area were performed to prevent the potential migration of PCBs into the tidal wetlands.

## III. Findings and Decisions for Temporary Use:

The City of East Palo Alto (EPA) Development Code Section 18.94.080 requires the following findings to be made for a Temporary Use Permit:

1. **The operation of the requested temporary use at the location proposed and within the time period specified will not endanger, jeopardize, or otherwise constitute a menace to the public convenience, health, safety, or general welfare.**

The proposed operation would utilize approximately six (6) acres of the twenty-nine (29) acre site. The proposed temporary stockpiling of dirt includes forty-nine (49) average daily trips, fifteen (15) cubic yards (CY) per truckload, seven-hundred thirty-five (735) average cubic yards per day (CYD), and an estimated ten thousand (10,000) total truck trips within a one-year period. On-site hours of operations are proposed to be aligned with the City's Hours of Construction Activity, Monday through Friday 7:00 am to 6:00 pm, Saturdays 9:00 am to 5:00 pm, and no work allowed on Sundays and national holidays. Consistent with this limitation on construction activities, it would take 204 days (i.e. 34 6-day weeks or 41 5-day weeks in a 52-week year) at 735 CYD to haul the planned 150,000 CY.

Any noise and air impacts generated by the trucks and construction/site (i.e. dumping and spreading) activity were included in Mitigation Measure Air 1 (MM AIR-1.1), Mitigation Measure Noise 1.1 (MM NOI-1.1), and Mitigation Measure Noise 2 (MM NOI-2.) and determined as a Less than Significant Impact with Mitigation Incorporated in the Subsequent Environmental Impact Report of Ravenswood Business District/ Four Corners Specific Plan Update.

The project site is monitored by the RWQCB and any imported soil proposed to be used as durable cover or beneath the durable cover will be tested in accordance with the Standard Industrial Classification (SIC) Soil Import Criteria Memo. Prior to bringing soil to the site, a manifest of the soil and a sampling plan must be submitted to the RWQCB for review and approval. The City of East Palo Alto Planning Division, Building Division, and Engineering Division, and Menlo Fire Protection District have reviewed the proposed temporary use, and conditions have been recommended, where appropriate, to ensure that the proposed events will not have an adverse effect on public health, safety, and general welfare.

2. **The operation of the requested temporary use will not be detrimental to adjoining properties through the creation of excessive dust, light, noise, odor, or other objectionable characteristics.**

The subject site will be used for the stockpiling of soil for future development which requires clean fill. The subject site is currently vacant and there are no existing structures. Any dust and noise related to the hauling and grading of the soil shall be mitigated to a less than significant level in compliance with the Subsequent Environmental Impact Report for the Ravenswood Business District/Four Corners Specific Plan Update and stated in the Conditions of Approval for this temporary use permit. The project does not propose any temporary light fixtures or introduce soil that may contain or generate offensive odors. Furthermore, the soil shall be monitored by the RWQCB and any imported soil proposed to be used as durable cover or beneath the durable cover will be tested in accordance with the Standard Industrial Classification (SIC) Soil Import Criteria Memo. The East Palo Alto Planning Division has reviewed the proposed temporary use, and conditions have been recommended to ensure and enforce that the temporary use will not be detrimental to the adjoining properties through the potential creation of dust, light, noise, and odor.

3. **The proposed parcel is adequate in size and shape to accommodate the temporary use without detriment to the enjoyment of other properties located adjacent to and in the vicinity of the subject parcel.**

The subject site is adequate in size and shape to accommodate the temporary use as it is approximately twenty-nine acres in size while approximately six acres will be utilized for the stockpiling of soil. The distance from existing residences located on the west to the stockpiling will be approximately ninety-four feet or more. The highest point of the stockpile is proposed at approximately 36.5 feet above existing grade at property line, which will have a minimal visual impact from the rear yards of the existing residences.

4. **The proposed parcel is adequately served by streets or highways having sufficient width and improvements to accommodate the kind and quantity of traffic that the temporary use will or could reasonably be expected to generate.**

The existing parcel is located adjacent to the northeasterly developed area of the City and westerly of the greater Ravenswood Open Space Preserve, and is adequately served by Demeter Street, Bay Road, and University Avenue which have sufficient widths and improvements to accommodate the potential traffic flow that the temporary use is anticipated to generate. Demeter Street terminates at the entrance of the project site and is a lightly utilized street in the area.

5. **Adequate temporary parking to accommodate vehicular traffic to be generated by the use will be available either on-site or at alternate locations acceptable to the Director.**

All proposed parking required for temporary use would be accommodated on the proposed site and not spill over onto the nearby public rights-of-way. Conditions of Approval will require any vehicles to be located on the site and not impact surrounding on-street parking.

6. **The applicant agrees in writing to comply with any and all of the conditions imposed by the Review Authority in the approval of the Temporary Use Permit.**

The applicant has been apprised of all the conditions of approval and has pledged to abide by the letter and spirit of those conditions and has communicated that in writing.

**Director's Hearing:**

As required by the City of East Palo Alto Municipal Code Section 18.94.070, a public hearing was held for this item on February 20, 2025. Notices were mailed and posted in compliance with the Municipal Code.

**Appeal Procedure:** In accordance with Chapter 18, Article 7, Section 18.100.030 A. 1 of the City of East Palo Alto City Municipal Code, the Planning Director's decision may be appealed, in writing, to the Planning Commission within 15 days of the determination date. Appeal forms can be obtained from the City's webpage at Planning Applications & Forms | City of East Palo Alto (east-palo-alto.ca.us), and must be submitted with the appropriate fee before the end of the appeal period.

This approval is valid for a period of one (1) year and will lapse on March 7, 2026, if the approval is not exercised. **Please note this deadline as this letter serves as your only reminder of the term of approval and no other notice will be sent by this office.** Please do not hesitate to contact me by telephone at **(650) 680-3189** or by email at **ajen@cityofepa.org** if you have any additional questions regarding this matter.

**Conditions of Approval:**

**PLANNING DIVISION**

1. The use shall be in substantial compliance with the application materials submitted as part of East Palo Alto planning application for TUP24-016 dated August 1, 2024.

2. This Temporary Use Permit shall be effective beginning March 8, 2025 and expire on March 7, 2026.

3. The applicant shall defend, indemnify, and hold harmless the city, its officers, agents, and employees from any liability or claims for damages due to the injury of any person, loss of life, or damage to property caused by, or arising out of activities authorized by Temporary Use Permit (TUP24-016).

4. The project shall comply with the mitigation measures (MM) stated in the Subsequent Environmental Impact Report (SEIR) for the Ravenswood 4/Corners Specific Plan Update. Please see the SEIR for additional details, https://www.cityofepa.org/sites/default/files/fileattachments/planning/page/16201/draft_rbd_specific_plan_update_seir_7.24.24_update_web-ready.pdf The mitigation measures include:

    - MM AIR-1.1, MM AIR-3.1, MM AIR-3.2, MM AIR-4.1

    - MM BIO-1.1, MM BIO-1.2, MM BIO-1.3, MM BIO-2.1, MM BIO-2.2 MM BIO-2.3, MM BIO-2.4, MM BIO-3.1, MM BIO-4.1 , MM BIO-4.2, MM BIO-5.1, MM BIO-6.1, MM BIO-7.1, MM BIO-8.1, MM BIO-9.1, MM BIO-10.1

    - Policy LU-7.5, Policy LU-7.6, Policy LU-7.7, Policy LU-7.8, Policy LU-7.9, Policy LU-7.10, Policy LU-7.11

    - MM GEO-6

    - LU-5.1, LU-5.2, LU-5.3, LU-5.4, LU-5.5, LU-5.6

    - MM NO-1.1, MM NO-4.1

5. As stated in the Ravenswood 4/Corners Specific Plan Update Mitigation Measure Air-3.2, Future projects which would have construction emissions that exceed BAAQMD thresholds shall implement the following Enhanced Construction Best Management Practices, which include but would not be limited to the measures below. Future project applicants shall submit these measures to the City for approval.

    - Limit the simultaneous occurrence of excavation, grading, and ground-disturbing construction activities.

- Install wind breaks (e.g., trees, fences) on the windward side(s) of actively disturbed areas of construction. Wind breaks should have at maximum 50 percent air porosity.

- Plant vegetative ground cover (e.g., fast-germinating native grass seed) in disturbed areas as soon as possible and watered appropriately until vegetation is established.

- Install sandbags or other erosion control measures to prevent silt runoff to public roadways from sites with a slope greater than one percent.

- Minimize the amount of excavated material or waste materials stored at the site.

- Hydroseed or apply non-toxic soil stabilizers to construction areas, including previously graded areas, that are inactive for at least 10 calendar days.

6. All trash and debris from the site shall be removed at the conclusion of each day. Complete removal of all associated material and equipment related to this temporary use permit must occur by 9:00 PM, March 7, 2026.

7. Minor modifications to the approved plans or proposed uses which are generally consistent with this approval may be approved administratively by the Planning Manager.

8. Failure to appeal this decision in a timely manner, or commencement of any activity related to this temporary use permit, is understood acceptance of all conditions and obligations imposed by this permit and waiving any challenge to the validity of the conditions and obligations stated therein.

9. If the applicant fails to comply with any of the conditions of this permit, the applicant, owner, or tenant shall be subject to permit revocation or enforcement actions pursuant to the City of East Palo Alto Municipal Code. All costs associated with any such actions shall be the responsibility of the applicant, owner, or tenant.

10. If applicable, the applicant shall contact and obtain necessary permits from the Building Division, Engineering Division, Police Department and Menlo Fire prior to initiating new construction or modification authorized under this approval, including but not limited to encroachment permits and clearances from any State or local environmental agencies. The applicant shall confirm if other requirements/coordination are needed.

11. Graffiti from any building or wall surface visible from the public street shall be removed within 72 hours of discovery in a manner that retains the existing color and texture of the building or wall surface as most practically feasible. Building materials amenable to graffiti removal shall be used to the extent feasible.

12. The property shall be kept free of weeds, dry brush, dead vegetation, trash, junk, debris, building materials, any accumulation of newspapers, circulars, flyers, notices, but not limited to, furniture, clothing, large and small appliances, printed material or any other items per EPAMC Chapter 8.10.

13. A building permit is required for all electrical installation. Please check with the Building Division for building permits prior to the site operation.

14. If applicable, temporary structures and uses shall conform to the structural strength, fire safety, means of ingress and egress, light, ventilation, and sanitary requirements to ensure the public health, safety, and general welfare.

15. The applicant shall ensure that on-site parking demand shall be adequately addressed and said parking does not impact the surrounding neighborhood.

16. This permit shall be kept onsite and available for inspection upon request by municipal staff and the general public during the entire duration of the event.

17. The applicant shall ensure that all protocols included in the operational letter submitted with the permit application are fully implemented.

18. Countersign this Temporary Use Permit acknowledging the conditions, and that the applicant will comply as stated in the Conditions of Approval.

19. A sign shall be posted on-site at all times indicating a designated contact person along with contact information, including a phone number and email, to address any complaints related to the operation of this Temporary Use Permit.

**BUILDING DIVISION:**

20. All debris removal shall be contained on-site (not in the public right-of-way) in constantly covered bins, which include adequate service." Please note on plan: The City of East Palo Alto Municipal Code Section 15.04.125 limits construction activity to the following hours:

    Monday through Friday: 7:00 AM to 6:00 PM

    Saturday: 9:00 AM to 5:00 PM

    Sundays and national holidays: No activity allowed

**ENGINEERING DIVISON**

21. GRADING PERMIT:

Prior to any activity, a grading permit shall be obtained from the Engineering Division with payment of fees per EPAMC 15.48. See the following link for an application.

https://www.cityofepa.org/publicworks/page/grading-permit

22. ENGINEERING FEES:

All review and inspection fees per the City's Master Fee Schedule shall be paid prior to the issuance of any permits.

23. ENCROACHMENT PERMIT:

The developer shall obtain an encroachment permit from the Engineering Division prior to performing any work in the public right-of-way. See the link below for an application.
https://www.cityofepa.org/publicworks/page/encroachment-permit

24. CONSTRUCTION VEHICLES, EQUIPMENT, AND MATERIALS:

All construction related vehicles, equipment, and materials shall be managed on-site. At no time shall such items be parked or stored in the public right-of-way without an encroachment permit or written approval by the City Engineer.

25. TRAFFIC CONTROL:

Activities that require temporary closures of or impacts sidewalks, vehicle and/or bike lanes, or other public paths shall require review and approval by the Engineering Division through an encroachment permit.

26. CONSTRUCTION BEST MANAGEMENT PRACTICES:

This project is required to implement stormwater best management practices (BMP) as described by the San Mateo Countywide Water Pollution Prevention Program. The following sheet in the link below shall be included in the plans.

https://www.flowstobay.org/wp-content/uploads/2020/04/Countywide-Program-BMP-Plan-Sheet-June-2014-Update.pdf

27. The project shall comply with designated local truck route when entering or leaving the City per EPAMC 10.36 and obtain all required permits.

28. All trucks, on a trip originating in the city and traveling for destinations in the city, shall proceed by the shortest and most direct route to the nearest local truck route and shall deviate there from only by the shortest and most direct route between each destination and the nearest local truck route except that it may go directly to the next destination by the shortest and most

direct route without regard to truck routes if it will result in a shorter distance being traveled on restricted streets per EPAMC 10.36.

**Specific requirements:**

29. Provide fencing around the perimeter of the 1st layer of the berm.

30. Spray the sides with grass or hydroseed as appropriate, and include other mitigation measures to prevent erosion, runoff

31. Follow/comply with C3/C6 construction requirements including the filing of a Notice of Intent (NOI) and storm water pollution prevention plan (SWPPP) with the Regional Water Quality Control Board.

**SAN FRANCISCO BAY REGIONAL WATER QUALITY CONTROL BOARD**

32. Any activities shall follow the September 29, 2021 Area Wide Risk Management Plan.

**MENLO FIRE PROTECTION DISTRICT**

There are no comments from the Menlo Fire Protection District.

APPROVED ___X___

DENIED _____

By:

_____
Alvin Jen
Associate Planner

CC'd: Elena Lee, Planning Manager

## ACKNOWLEDGEMENT OF CONDITIONS

I have reviewed the conditions of approval and acknowledge to comply with all of the conditions imposed by the City of East Palo Alto Planning Division in the approval of the Temporary Use Permit.

_____

Sycamore Real Estate Investment, LLC

Property Owner or Designee

_____

Jeff Poetsch

JCPoetsch Advisors, Inc.

Attachments:

1. Plan Set
2. Risk Management Plan

# EAST PALO ALTO WATERFRONT

## STOCKPILE PLAN

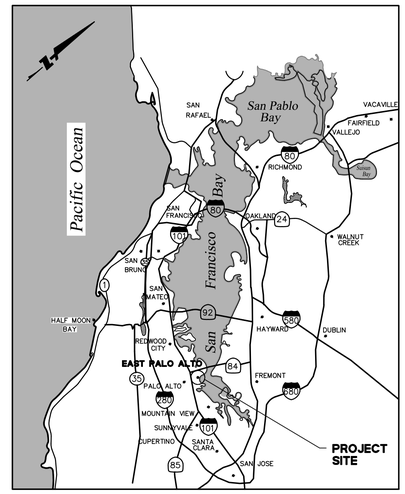
### CITY OF EAST PALO ALTO, SAN MATEO COUNTY, CALIFORNIA

## LEGEND

| | |
|---|---|
| | PROPERTY LINE |
| | EASEMENT LINE |
| | TOP OF SLOPE |
| | BOTTOM OF SLOPE |
| 15 | EXISTING CONTOUR |
| 15 | PROPOSED CONTOUR |
| 15.0 | EXISTING GRADE |
| FG 15.0 | PROPOSED GRADE |

## ABBREVIATIONS

| | |
|---|---|
| BOS | BOTTOM OF SLOPE |
| EG | EXISTING GRADE |
| ESMT | EASEMENT |
| EX | EXISTING |
| FG | FINISHED GRADE |
| L | LENGTH |
| MH | MANHOLE |
| R | RADIUS |
| TOS | TOP OF SLOPE |
| TYP | TYPICAL |
| VC | VERTICAL CURVE |




## VICINITY MAP

NTS

## TRUCK TRIPS

| | |
|---|---|
| ESTIMATED IMPORT QUANTITY: | 150,000 CYD |
| AVERAGE TRUCK LOAD: | 15 CYD |
| ESTIMATED TOTAL TRUCK TRIPS: | 10,000 TRUCKS |
| AVERAGE DAILY TRIPS: | 49 TRUCKS |
| AVERAGE DAILY IMPORT: | 735 CYD |
| ESTIMATED OVERALL DURATION: | 10 TO 18 MONTHS |

## STOCKPILING PROGRAM

1. TRUCKS ARRIVE AT DEMETER SITE.
2. PAPERWORK AND CONFORMING SOIL TEST INFORMATION SUBMITTED TO SITE FOREMAN (TRUCK BOSS) (TRUCKS, DRIVERS, CONTRACTORS, EXPORT SITE ADDRESS TO BE LOGGED WHEN TRUCKS ARRIVE AT IMPORT SITE).
3. TRUCKS DIRECTED TO AREA TO DUMP SOIL.
4. EXITING TRUCKS TRAVEL OVER RUMBLE STRIPS/RIP-RAP & WHEEL WASHERS.
5. DOZER PLACES/DISTRIBUTES SOIL AT SPECIFIC AREAS OF THE SITE PER STOCKPILING PLAN.
6. DUST CONTROL PER STOCKPILING PLAN AND/OR AS NEEDED.
7. STREETS WILL BE SWEPT AS NECESSARY ON A DAILY BASIS.
8. ADDITIONAL SOIL TESTING AS DIRECTED BY GEOTECH.

## PROJECT TEAM

| | |
|---|---|
| OWNER: | SYCAMORE REAL ESTATE INVESTMENT LLC<br>2555 PULGAS AVE, BUILDING A<br>EAST PALO ALTO, CA 94303<br>PHONE: (650) 308-9572<br>CONTACT: MIA BERNARDINO |
| CIVIL ENGINEER: | BKF ENGINEERS<br>255 SHORELINE DR, SUITE 200<br>REDWOOD CITY, CA 94065<br>PHONE: (650) 482-6300<br>CONTACT: JASON WONG |
| GEOTECHNICAL ENGINEER: | TBD |

## SHEET INDEX:


| SHEET NO | DESCRIPTION |
|---|---|
| C1.0 | TITLE SHEET |
| C2.0 | EXISTING CONDITIONS PLAN |
| C3.0 | STOCKPILE PLAN |
| C3.1 | TRUCK ACCESS RAMP PLAN |
| C4.0 | EROSION CONTROL PLAN |
| C4.1 | BEST MANAGEMENT PRACTICES |
| C5.0 | TRUCK HAUL ROUTE PLAN |
| C6.0 | SECTIONS |
| C6.1 | SECTIONS |


## ENGINEER'S STATEMENT

THESE IMPROVEMENT PLANS HAVE BEEN PREPARED BY ME OR UNDER MY DIRECTION IN ACCORDANCE WITH STANDARD ENGINEERING PRACTICE.

JASON W. WONG
PROJECT MANAGER
BKF ENGINEERS
P.E. No. 79725

REGISTERED PROFESSIONAL ENGINEER JASON W. WONG No. 79725 CIVIL STATE OF CALIFORNIA

DATE

REGISTERED PROFESSIONAL ENGINEER JASON W. WONG No. 79725 CIVIL STATE OF CALIFORNIA


BKF ENGINEERS
255 SHORELINE DRIVE
SUITE 200
REDWOOD CITY, CA 94065
(650) 482-6300
www.bkf.com


JASON W. WONG C 79725

EAST PALO ALTO WATERFRONT
APN 063-050-050
STREET NUMBER AND NAME, EAST PALO ALTO

TITLE SHEET

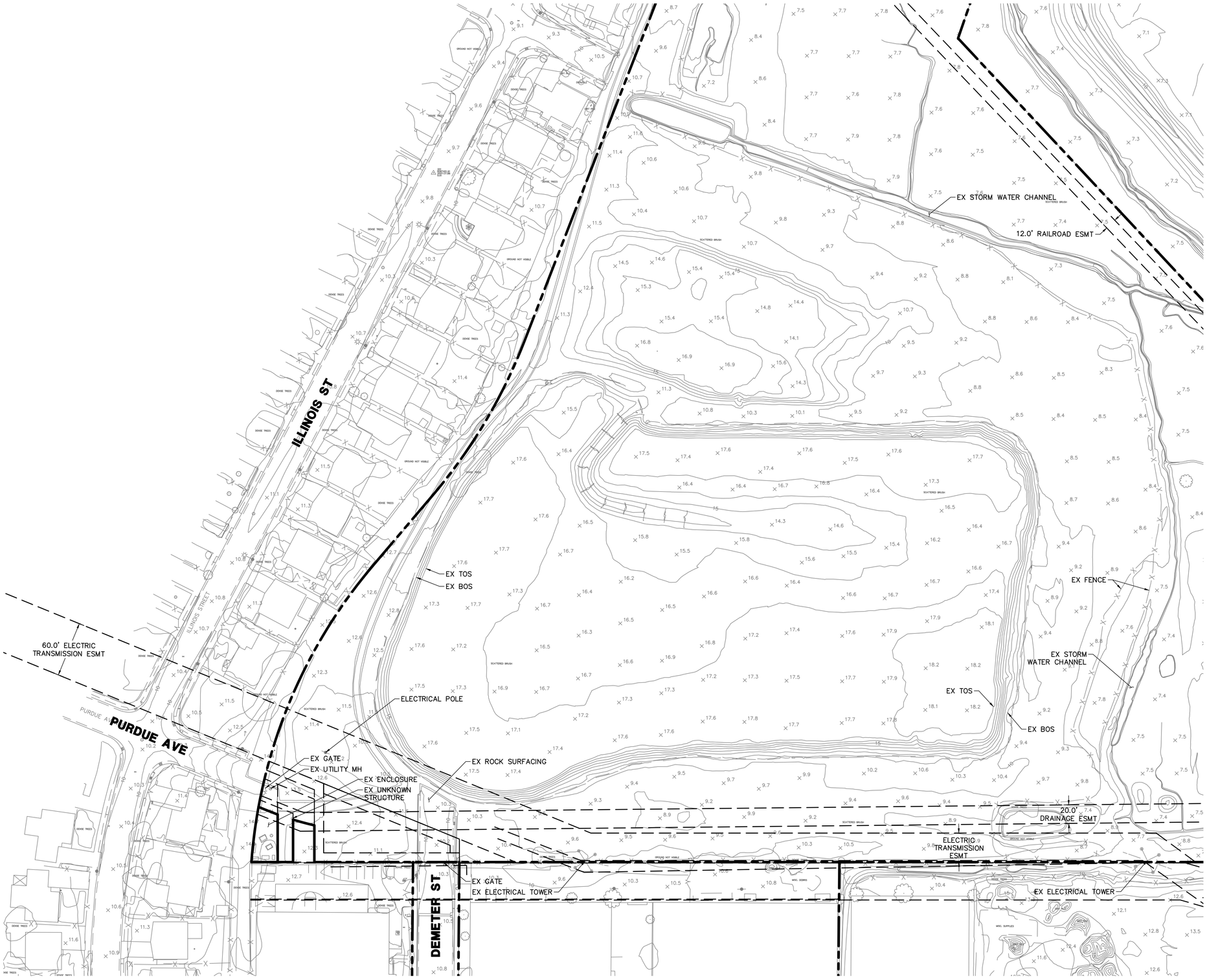
| No. | Revisions |
|---|---|
| | |

Date: 08/01/2024
Scale: AS SHOWN
Design: JW
Drawn: CP
Approved: JW
Job No: 20190885

Drawing Number:
C1.0
1 OF 10


COPYRIGHT © 2024 BKF ENGINEERS


C1.0 - TITLE.dwg
Plot: Aug 23, 2024 at 4:29pm




GRAPHIC SCALE

50 0 50 100

## NOTES:

1. SEE LEGEND, ABBREVIATIONS, AND GENERAL NOTES ON SHEETS C1.0–C1.1.
2. ELEVATIONS SHOWN IN THESE PLANS ARE BASED UPON GPS OBSERVATIONS AND ARE NAVD 88.

## LEGEND:

PROPERTY LINE

EASEMENT LINE

REGISTERED PROFESSIONAL ENGINEER JASON W. WONG No. 79725 CIVIL STATE OF CALIFORNIA

C 79725

JASON W. WONG

BKF ENGINEERS
255 SHORELINE DRIVE
SUITE 200
REDWOOD CITY, CA 94065
(650) 482-6300
www.bkf.com

# EAST PALO ALTO WATERFRONT

APN 063-050-050

STREET NUMBER AND NAME, EAST PALO ALTO

# EXISTING CONDITIONS PLAN

| No. | Revisions |
|---|---|
| | |

Date: 08/01/2024
Scale: AS SHOWN
Design: JW
Drawn: CP
Approved: JW
Job No: 20190885

Drawing Number:

**C2.0**

2 OF 10

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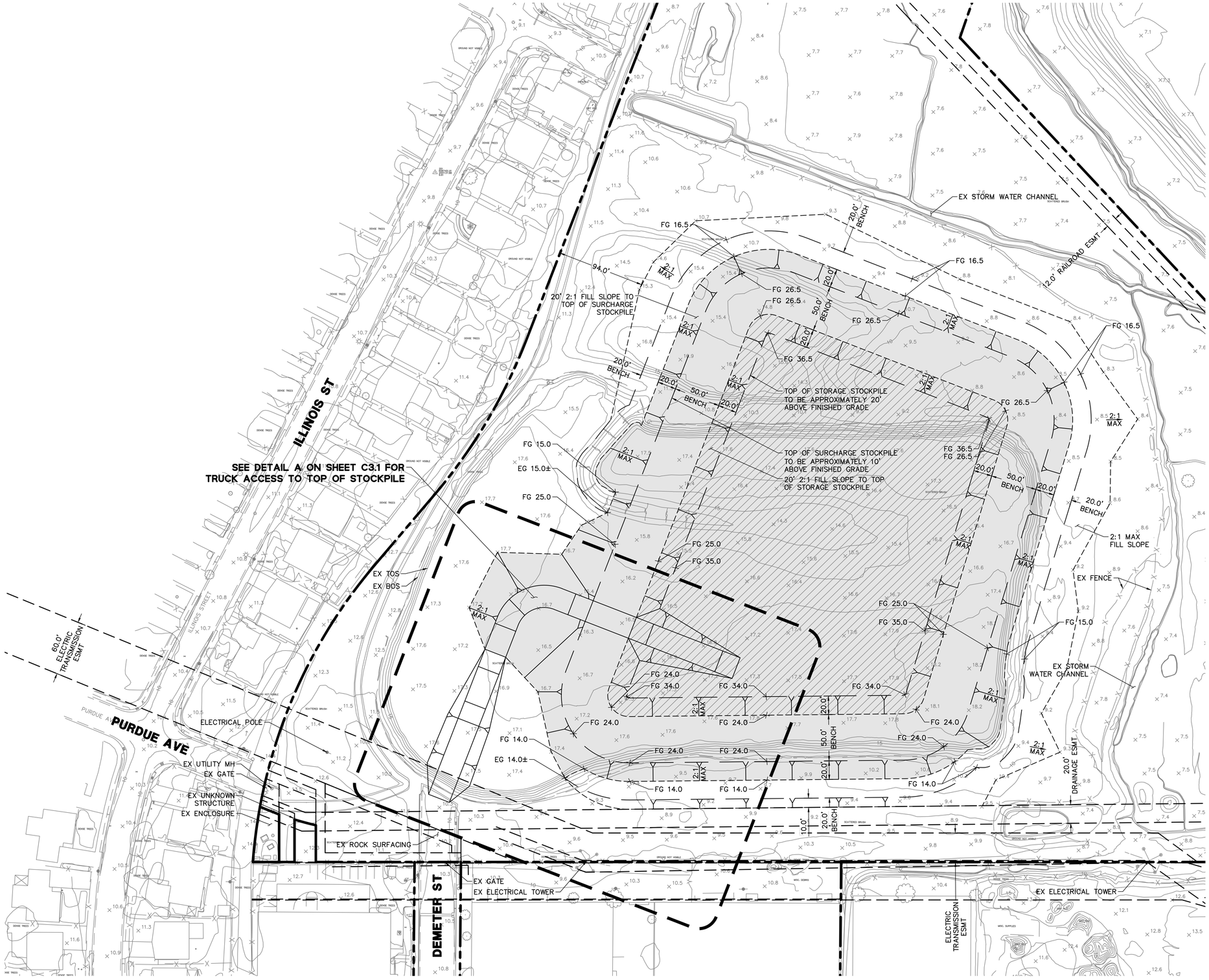
C2.0 - EXCOND.dwg

Plot Aug 23, 2024 at 4:13pm




GRAPHIC SCALE

50 0 50 100

## NOTES:

1. SEE LEGEND, ABBREVIATIONS, AND GENERAL NOTES ON SHEETS C1.0–C1.1.
2. ELEVATIONS SHOWN IN THESE PLANS ARE BASED UPON GPS OBSERVATIONS AND ARE NAVD 88.

## LEGEND:

- PROPERTY LINE
- EASEMENT LINE
- TOP OF SLOPE
- BOTTOM OF SLOPE
- SURCHARGE STOCKPILE (BASE = 6.4 ACRES)
- STORAGE STOCKPILE (BASE = 2.9 ACRES)
- 15.0 EXISTING GRADE
- FG 15.0 PROPOSED GRADE
- 10% PROPOSED SLOPE
- SIDE SLOPE

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# EAST PALO ALTO WATERFRONT

APN 063-050-050
STREET NUMBER AND NAME, EAST PALO ALTO

# STOCKPILE PLAN

| No. | Revisions |
|---|---|
| | |

Date: 08/01/2024
Scale: AS SHOWN
Design: JW
Drawn: CP
Approved: JW
Job No: 20190885

Drawing Number:

**C3.0**

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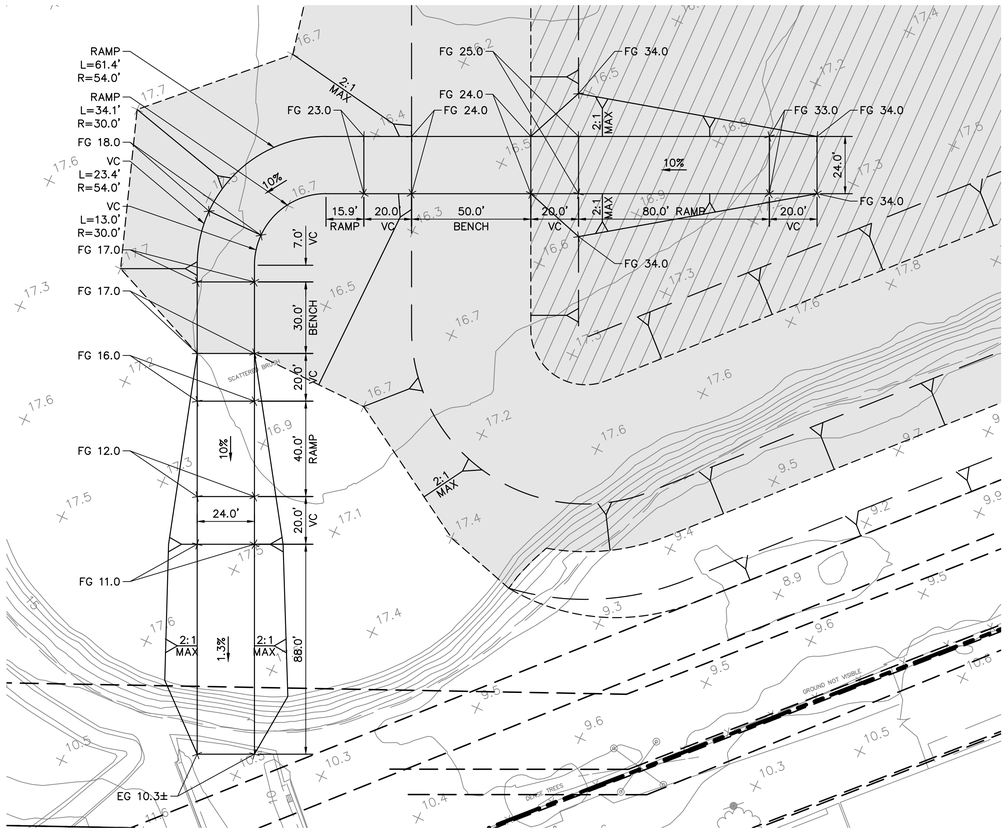
Plot Aug 23, 2024 at 4:15pm




## DETAIL A

SCALE: 1" = 30'

GRAPHIC SCALE

30 0 30 60

## NOTES:

1. SEE LEGEND, ABBREVIATIONS, AND GENERAL NOTES ON SHEETS C1.0–C1.1.
2. ELEVATIONS SHOWN IN THESE PLANS ARE BASED UPON GPS OBSERVATIONS AND ARE NAVD 88.

## LEGEND:

- PROPERTY LINE
- EASEMENT LINE
- TOP OF SLOPE
- BOTTOM OF SLOPE
- SURCHARGE STOCKPILE (BASE = 6.4 ACRES)
- STORAGE STOCKPILE (BASE = 2.9 ACRES)
- 15.0 — EXISTING GRADE
- FG 15.0 — PROPOSED GRADE
- 10% — PROPOSED SLOPE
- SIDE SLOPE

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# EAST PALO ALTO WATERFRONT

APN 063-050-050

STREET NUMBER AND NAME, EAST PALO ALTO

# TRUCK ACCESS RAMP PLAN

Revisions

No.

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Drawn: CP
Approved: JW
Job No: 20190885

Drawing Number:

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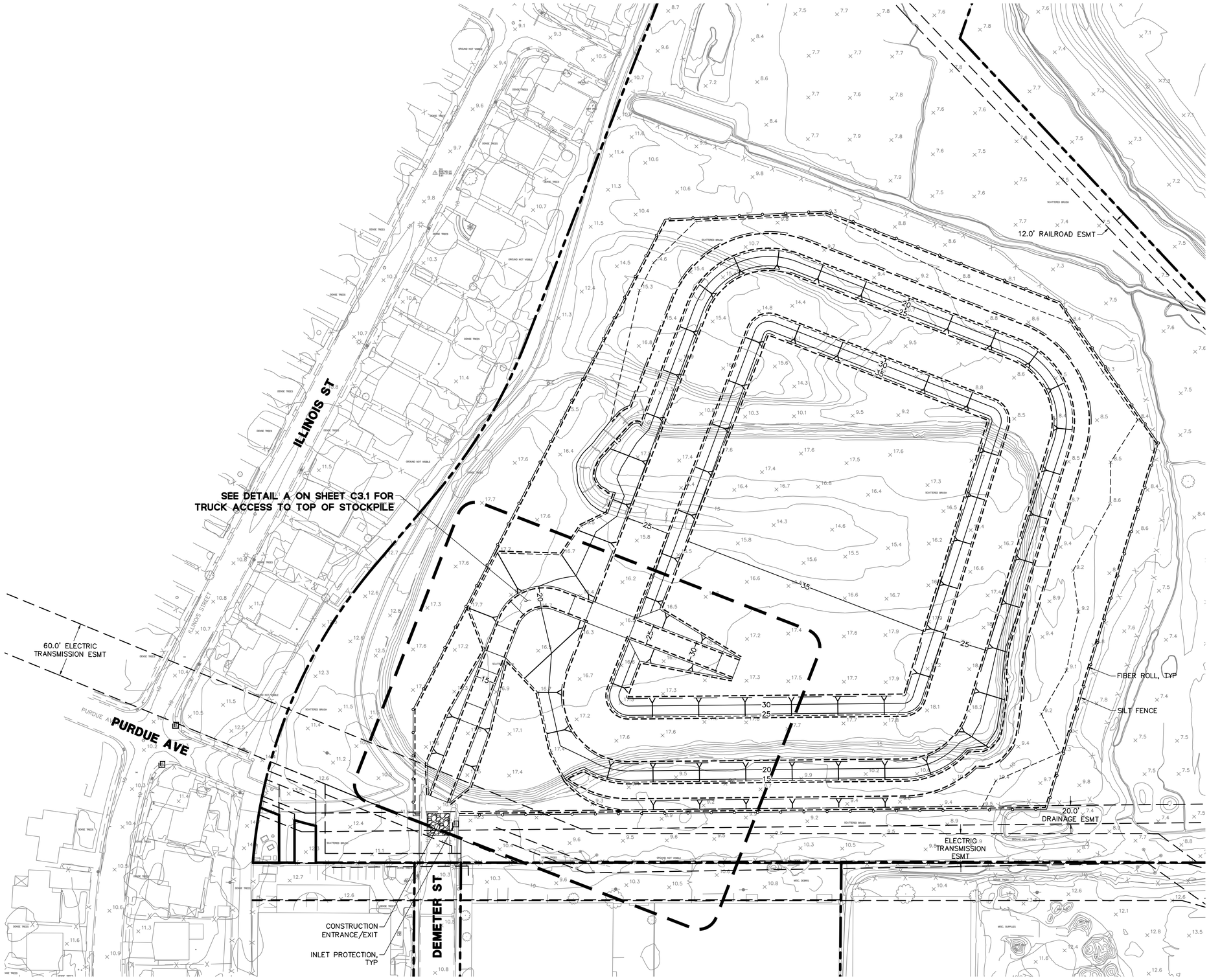


GRAPHIC SCALE

50 0 50 100

## NOTES:

1. SEE LEGEND, ABBREVIATIONS, AND GENERAL NOTES ON SHEETS C1.0–C1.1.
2. ELEVATIONS SHOWN IN THESE PLANS ARE BASED UPON GPS OBSERVATIONS AND ARE NAVD 88.
3. CONTRACTOR SHALL PROVIDE INLET PROTECTION TO ALL DOWN STREAM INLETS.
4. SEE ADDITIONAL EROSION CONTROL NOTES AND DETAILS ON SHEET C4.1.

## LEGEND:

- PROPERTY LINE
- EASEMENT LINE
- EXISTING CONTOUR
- PROPOSED CONTOUR
- FIBER ROLL
- SILT FENCE
- INLET PROTECTION
- STABILIZED CONSTRUCTION ENTRANCE/EXIT

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# EAST PALO ALTO WATERFRONT

APN 063-050-050
STREET NUMBER AND NAME EAST PALO ALTO

# EROSION CONTROL PLAN

Revisions

| No. | |
|---|---|
| | |

Date: 08/01/2024
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Drawn: CP
Approved: JW
Job No: 20190885

Drawing Number:

**C4.0**

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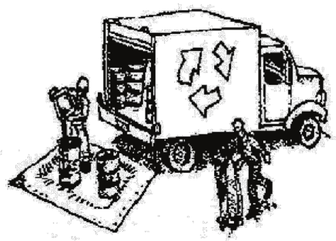
Water Pollution Prevention Program
Clean Water. Healthy Community.

# Construction Best Management Practices (BMPs)

Construction projects are required to implement the stormwater best management practices (BMP) on this page, as they apply to your project, all year long.

## Materials & Waste Management



**Non-Hazardous Materials**

- ❑ Berm and cover stockpiles of sand, dirt or other construction material with tarps when rain is forecast or if not actively being used within 14 days.
- ❑ Use (but don't overuse) reclaimed water for dust control.

**Hazardous Materials**

- ❑ Label all hazardous materials and hazardous wastes (such as pesticides, paints, thinners, solvents, fuel, oil, and antifreeze) in accordance with city, county, state and federal regulations.
- ❑ Store hazardous materials and wastes in water tight containers, store in appropriate secondary containment, and cover them at the end of every work day or during wet weather or when rain is forecast.
- ❑ Follow manufacturer's application instructions for hazardous materials and be careful not to use more than necessary. Do not apply chemicals outdoors when rain is forecast within 24 hours.
- ❑ Arrange for appropriate disposal of all hazardous wastes.

**Waste Management**

- ❑ Cover waste disposal containers securely with tarps at the end of every work day and during wet weather.
- ❑ Check waste disposal containers frequently for leaks and to make sure they are not overfilled. Never hose down a dumpster on the construction site.
- ❑ Clean or replace portable toilets, and inspect them frequently for leaks and spills.
- ❑ Dispose of all wastes and debris properly. Recycle materials and wastes that can be recycled (such as asphalt, concrete, aggregate base materials, wood, gyp board, pipe, etc.)
- ❑ Dispose of liquid residues from paints, thinners, solvents, glues, and cleaning fluids as hazardous waste.

**Construction Entrances and Perimeter**

- ❑ Establish and maintain effective perimeter controls and stabilize all construction entrances and exits to sufficiently control erosion and sediment discharges from site and tracking off site.
- ❑ Sweep or vacuum any street tracking immediately and secure sediment source to prevent further tracking. Never hose down streets to clean up tracking.

## Equipment Management & Spill Control

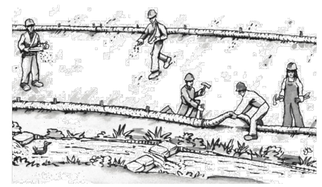
**Maintenance and Parking**

- ❑ Designate an area, fitted with appropriate BMPs, for vehicle and equipment parking and storage.
- ❑ Perform major maintenance, repair jobs, and vehicle and equipment washing off site.
- ❑ If refueling or vehicle maintenance must be done onsite, work in a bermed area away from storm drains and over a drip pan or drop cloths big enough to collect fluids. Recycle or dispose of fluids as hazardous waste.
- ❑ If vehicle or equipment cleaning must be done onsite, clean with water only in a bermed area that will not allow rinse water to run into gutters, streets, storm drains, or surface waters.
- ❑ Do not clean vehicle or equipment onsite using soaps, solvents, degreasers, or steam cleaning equipment.

**Spill Prevention and Control**

- ❑ Keep spill cleanup materials (e.g., rags, absorbents and cat litter) available at the construction site at all times.
- ❑ Inspect vehicles and equipment frequently for and repair leaks promptly. Use drip pans to catch leaks until repairs are made.
- ❑ Clean up spills or leaks immediately and dispose of cleanup materials properly.
- ❑ Do not hose down surfaces where fluids have spilled. Use dry cleanup methods (absorbent materials, cat litter, and/or rags).
- ❑ Sweep up spilled dry materials immediately. Do not try to wash them away with water, or bury them.
- ❑ Clean up spills on dirt areas by digging up and properly disposing of contaminated soil.
- ❑ Report significant spills immediately. You are required by law to report all significant releases of hazardous materials, including oil. To report a spill: 1) Dial 911 or your local emergency response number, 2) Call the Governor's Office of Emergency Services Warning Center, (800) 852-7550 (24 hours).

## Earthmoving



- ❑ Schedule grading and excavation work during dry weather.
- ❑ Stabilize all denuded areas, install and maintain temporary erosion controls (such as erosion control fabric or bonded fiber matrix) until vegetation is established.
- ❑ Remove existing vegetation only when absolutely necessary, and seed or plant vegetation for erosion control on slopes or where construction is not immediately planned.
- ❑ Prevent sediment from migrating offsite and protect storm drain inlets, gutters, ditches, and drainage courses by installing and maintaining appropriate BMPs, such as fiber rolls, silt fences, sediment basins, gravel bags, berms, etc.
- ❑ Keep excavated soil on site and transfer it to dump trucks on site, not in the streets.

**Contaminated Soils**

- ❑ If any of the following conditions are observed, test for contamination and contact the Regional Water Quality Control Board:
  - Unusual soil conditions, discoloration, or odor.
  - Abandoned underground tanks.
  - Abandoned wells
  - Buried barrels, debris, or trash.

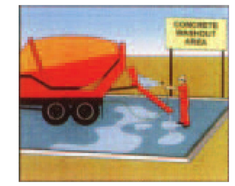
## Paving/Asphalt Work

- ❑ Avoid paving and seal coating in wet weather or when rain is forecast, to prevent materials that have not cured from contacting stormwater runoff.
- ❑ Cover storm drain inlets and manholes when applying seal coat, tack coat, slurry seal, fog seal, etc.
- ❑ Collect and recycle or appropriately dispose of excess abrasive gravel or sand. Do NOT sweep or wash it into gutters.
- ❑ Do not use water to wash down fresh asphalt concrete pavement.

**Sawcutting & Asphalt/Concrete Removal**

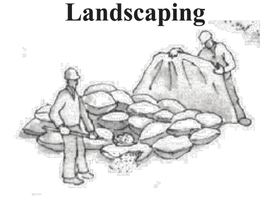
- ❑ Protect nearby storm drain inlets when saw cutting. Use filter fabric, catch basin inlet filters, or gravel bags to keep slurry out of the storm drain system.
- ❑ Shovel, abosorb, or vacuum saw-cut slurry and dispose of all waste as soon as you are finished in one location or at the end of each work day (whichever is sooner!).
- ❑ If sawcut slurry enters a catch basin, clean it up immediately.

## Concrete, Grout & Mortar Application



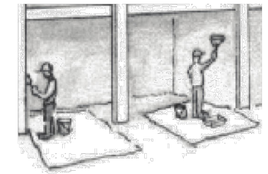

- ❑ Store concrete, grout, and mortar away from storm drains or waterways, and on pallets under cover to protect them from rain, runoff, and wind.
- ❑ Wash out concrete equipment/trucks offsite or in a designated washout area, where the water will flow into a temporary waste pit, and in a manner that will prevent leaching into the underlying soil or onto surrounding areas. Let concrete harden and dispose of as garbage.
- ❑ When washing exposed aggregate, prevent washwater from entering storm drains. Block any inlets and vacuum gutters, hose washwater onto dirt areas, or drain onto a bermed surface to be pumped and disposed of properly.

## Landscaping



- ❑ Protect stockpiled landscaping materials from wind and rain by storing them under tarps all year-round.
- ❑ Stack bagged material on pallets and under cover.
- ❑ Discontinue application of any erodible landscape material within 2 days before a forecast rain event or during wet weather.

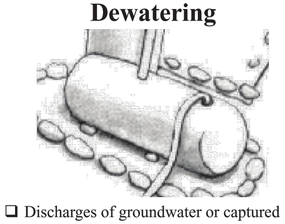
## Painting & Paint Removal



**Painting Cleanup and Removal**

- ❑ Never clean brushes or rinse paint containers into a street, gutter, storm drain, or stream.
- ❑ For water-based paints, paint out brushes to the extent possible, and rinse into a drain that goes to the sanitary sewer. Never pour paint down a storm drain.
- ❑ For oil-based paints, paint out brushes to the extent possible and clean with thinner or solvent in a proper container. Filter and reuse thinners and solvents. Dispose of excess liquids as hazardous waste.
- ❑ Paint chips and dust from non-hazardous dry stripping and sand blasting may be swept up or collected in plastic drop cloths and disposed of as trash.
- ❑ Chemical paint stripping residue and chips and dust from marine paints or paints containing lead, mercury, or tributyltin must be disposed of as hazardous waste. Lead based paint removal requires a state-certified contractor.

## Dewatering



- ❑ Discharges of groundwater or captured runoff from dewatering operations must be properly managed and disposed. When possible send dewatering discharge to landscaped area or sanitary sewer. If discharging to the sanitary sewer call your local wastewater treatment plant.
- ❑ Divert run-on water from offsite away from all disturbed areas.
- ❑ When dewatering, notify and obtain approval from the local municipality before discharging water to a street gutter or storm drain. Filtration or diversion through a basin, tank, or sediment trap may be required.
- ❑ In areas of known or suspected contamination, call your local agency to determine whether the ground water must be tested. Pumped groundwater may need to be collected and hauled off-site for treatment and proper disposal.

**Storm drain polluters may be liable for fines of up to $10,000 per day!**

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EAST PALO ALTO WATERFRONT
APN 063-050-050
STREET NUMBER AND NAME, EAST PALO ALTO

BEST MANAGEMENT PRACTICES

| No. | Revisions |
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Date: 08/01/2024
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Drawn: CP
Approved: JW
Job No: 20190885

Drawing Number:
C4.1
6 OF 10

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Plot: Aug 23, 2024 at 4:42pm

**NOTES:**

1. SEE SURVEYOR'S NOTES, LEGEND, AND ABBREVIATIONS ON SHEET C1.0.
2. SEE TRUCK TRIPS AND STOCKPILING PROGRAM INFORMATION ON SHEET C1.0.

**LEGEND:**

- PROPERTY LINE
- EASEMENT LINE
- TRUCK HAUL ROUTE
- PROJECT SITE




**DETAIL A**
SCALE: 1" = 100'

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**EAST PALO ALTO WATERFRONT**
APN 063-050-050
STREET NUMBER AND NAME, EAST PALO ALTO

# TRUCK HAUL ROUTE PLAN

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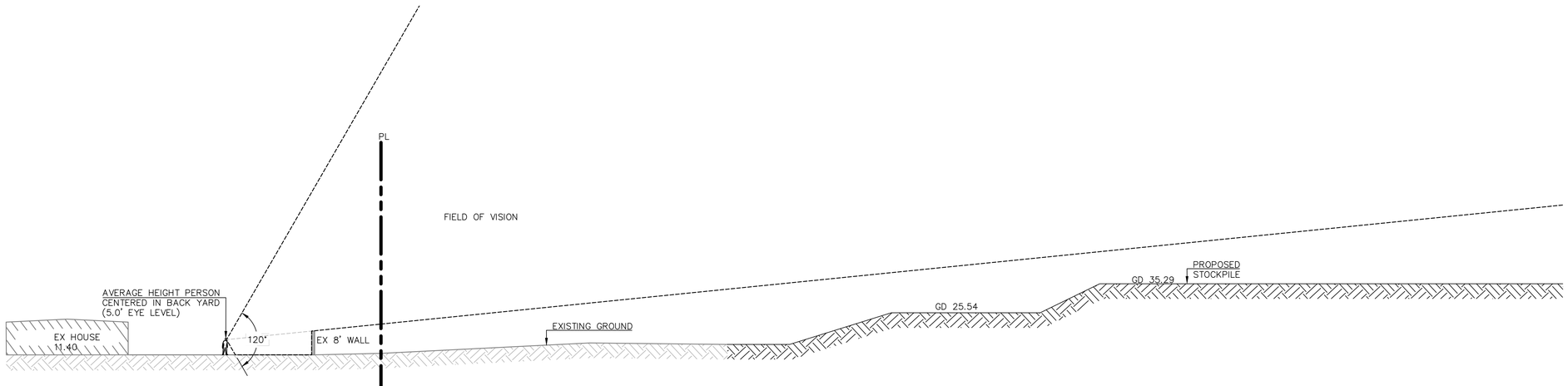
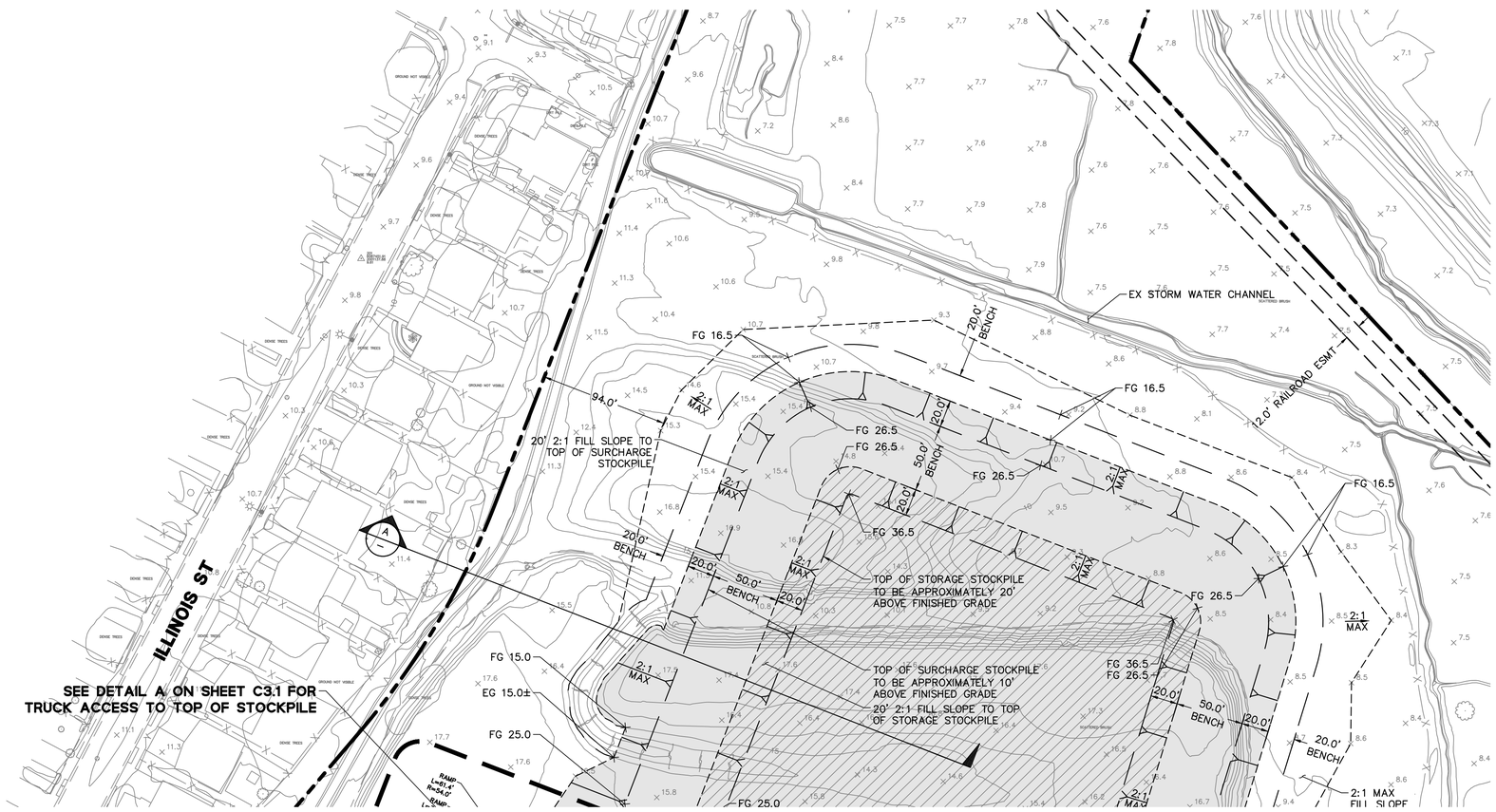



**SECTION A – BACKYARD**
SCALE 1"=20'




**PLAN**
SCALE 1"=50'

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**EAST PALO ALTO WATERFRONT**
APN 063-050-050
STREET NUMBER AND NAME, EAST PALO ALTO

# SECTIONS

| No. | Revisions |
|---|---|
| | |

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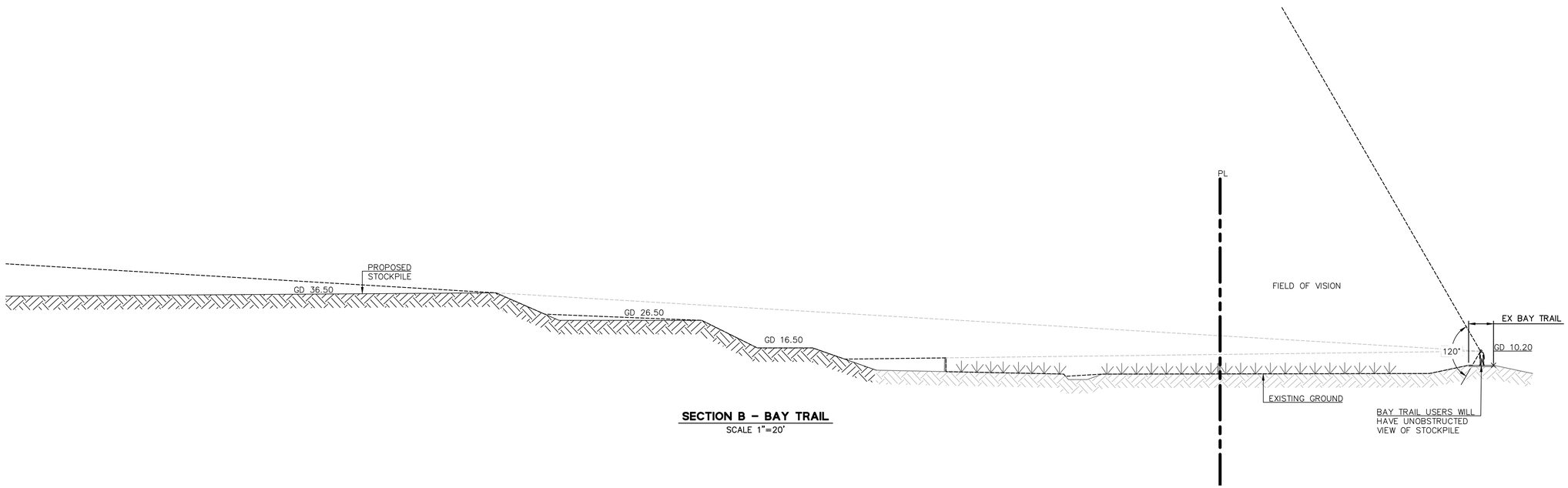
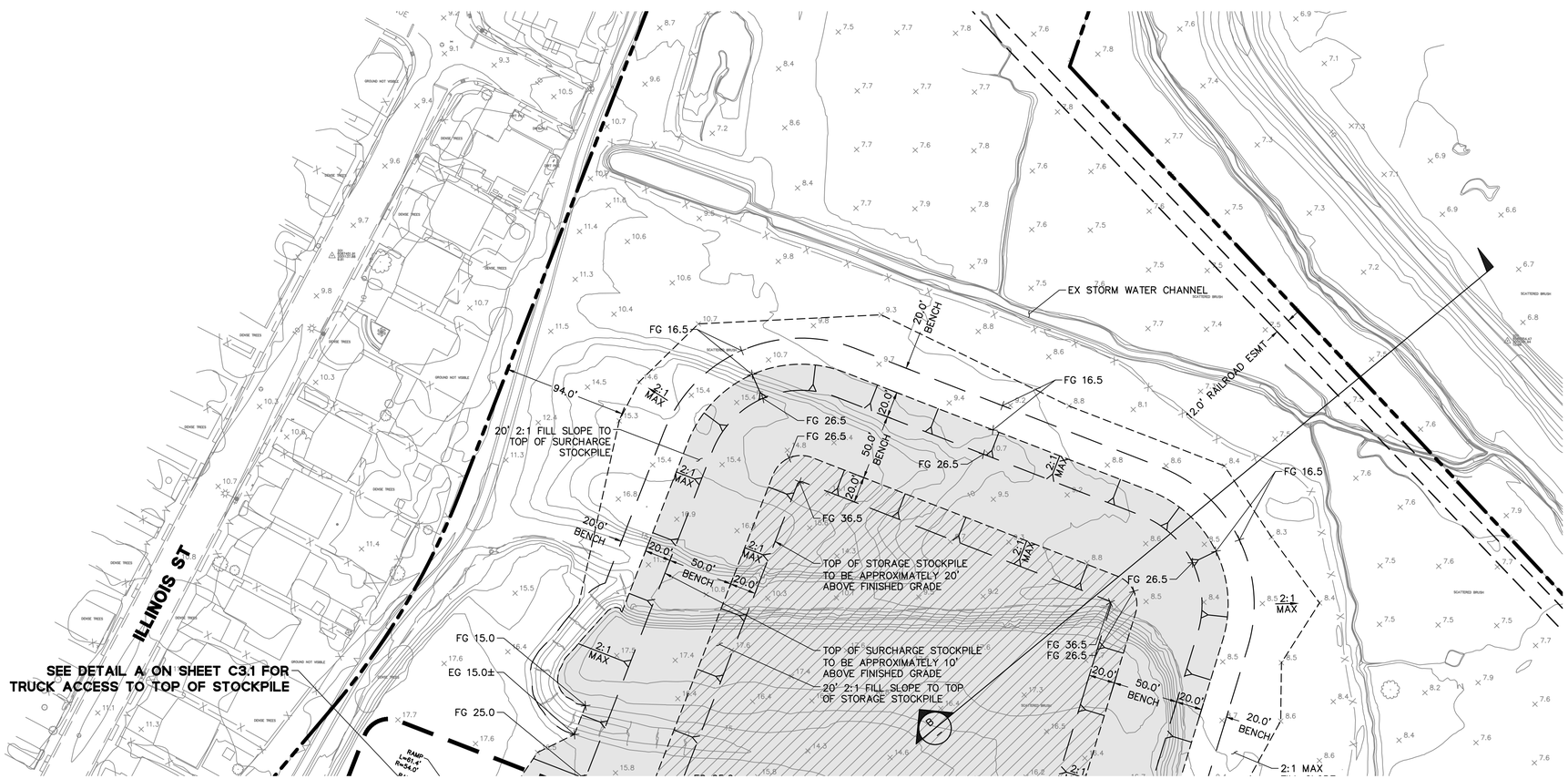



**SECTION B – BAY TRAIL**
SCALE 1"=20'




**PLAN**
SCALE 1"=50'

GRAPHIC SCALE
50 0 50 100

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# EAST PALO ALTO WATERFRONT

APN 063-050-050
STREET NUMBER AND NAME, EAST PALO ALTO

## SECTIONS

| No. | Revisions |
|---|---|
| | |

Date: 08/01/2024
Scale: AS SHOWN
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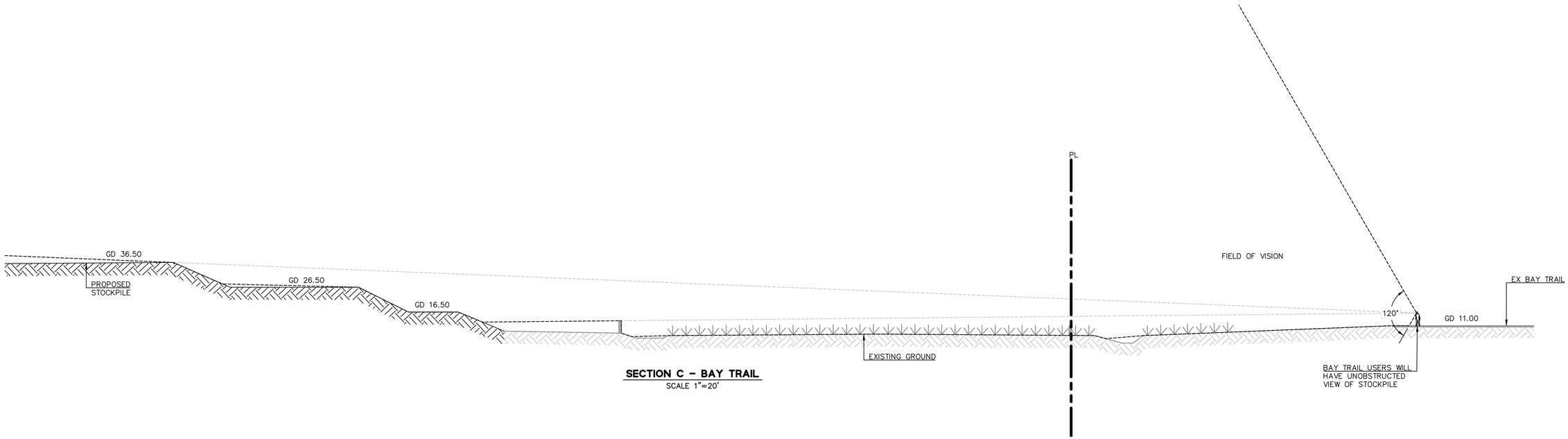
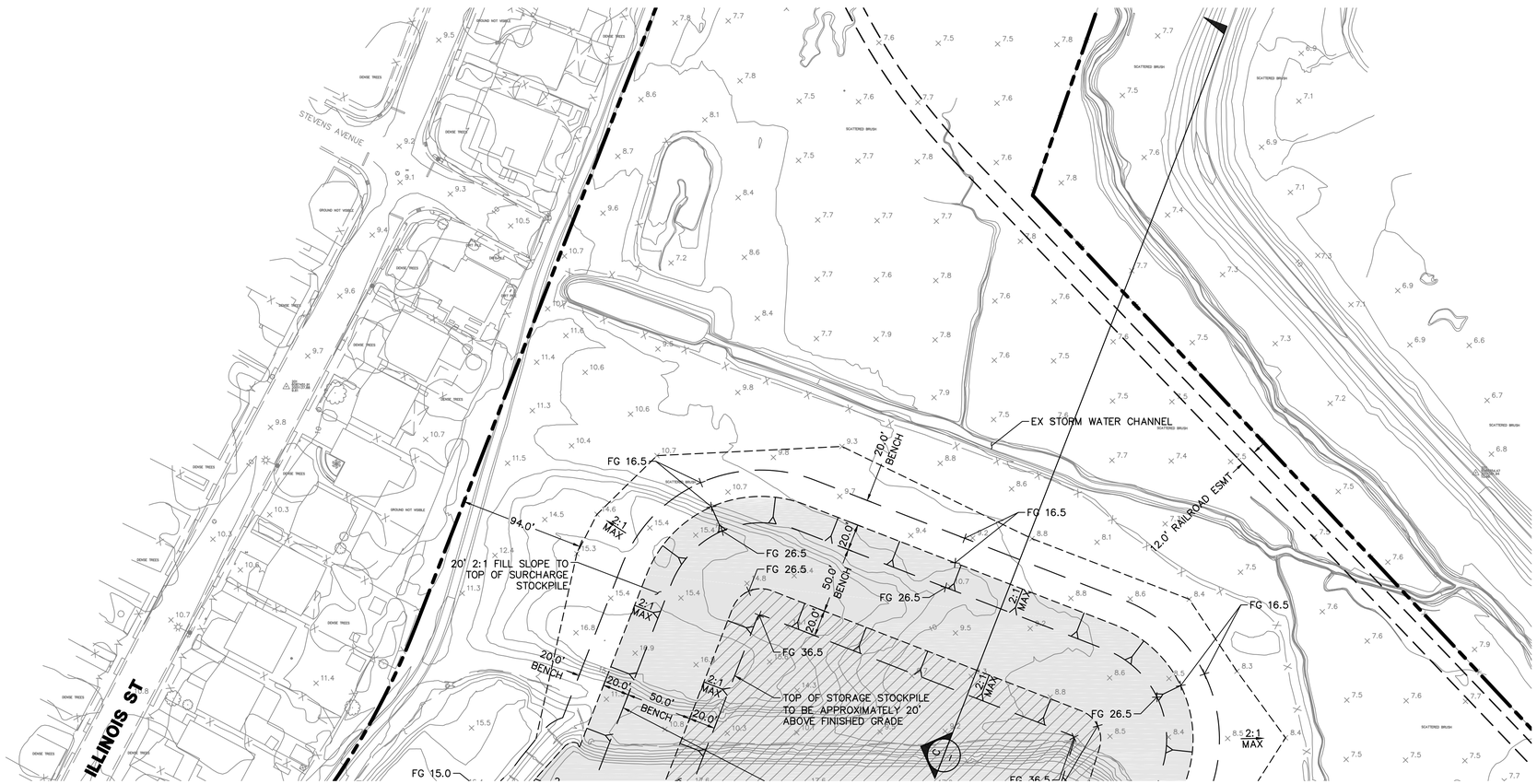



**SECTION C – BAY TRAIL**
SCALE 1"=20'




**PLAN**
SCALE 1"=50'

GRAPHIC SCALE
50 0 50 100

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**EAST PALO ALTO WATERFRONT**
APN 063-050-050
STREET NUMBER AND NAME, EAST PALO ALTO

**SECTIONS**

| No. | Revisions |
|---|---|
| | |

Date: 08/01/2024
Scale: AS SHOWN
Design: JW
Drawn: CP
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Drawing Number:
**C6.2**
10 OF 10

Plot: Sep 12, 2024 at 6:01 pm
C6.0 - Sections.dwg

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# Area-Wide Risk Management Plan

# Identified Properties Within the Ravenswood Industrial Area

## East Palo Alto, California

c/o Sycamore Real Estate Investments LLC

2555 Pulgas Avenue, Building A | East Palo Alto, California 94303

September 29, 2021 | Project No. 403475002

Geotechnical | Environmental | Construction Inspection & Testing | Forensic Engineering & Expert Witness

Geophysics | Engineering Geology | Laboratory Testing | Industrial Hygiene | Occupational Safety | Air Quality | GIS

Ninyo & Moore

Geotechnical & Environmental Sciences Consultants

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Geotechnical & Environmental Sciences Consultants

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# Area-Wide Risk Management Plan
# Identified Properties Within the Ravenswood Industrial Area
## East Palo Alto, California

Ms. Mia Bernardino
c/o Sycamore Real Estate Investments LLC
2555 Pulgas Avenue, Building A | East Palo Alto, California 94303

September 29, 2021 | Project No. 403475002


**Bryan A. Fong**
Senior Project Geologist

**Kris M. Larson, PG 8059**
Principal Environmental Geologist


BBF/KML/gvr

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# EXECUTIVE SUMMARY

This Area-Wide Risk Management Plan (RMP) was prepared for Sycamore Real Estate Investments, LLC (Sycamore) in connection with the proposed redevelopment activities at the identified properties (site) located within the Ravenswood Industrial Area (RIA) on Demeter Street, Pulgas Avenue and Tara Street in East Palo Alto, California (Figures 1 and 2). The current properties proposed for redevelopment are identified as 151 Tara Street, 264 Tara Street, 2555 Pulgas Avenue, 350 Demeter Street, 320 Demeter, 391 Demeter Street, and 2535 Pulgas Avenue. Copies of the site parcel maps are included in Appendix A.

This RMP is a component of, and is incorporated into, the Land Use Covenant (LUC) set forth in Appendix B. Each Owner, occupant, and their agent(s) must comply with the LUC for the portions of site that they either own or occupy.

The LUC prohibits any construction of occupied enclosed structures without first completing to the satisfaction of the San Francisco Bay Regional Water Quality Control Board (RWQCB), the protocol established under section 11 of this RMP addressing the potential for vapor intrusion. The LUC also prohibits, unless a variance is granted: (1) groundwater use at each property covered by this LUC; (2) residential dwellings (once soil vapor has been adequately addressed per section 11 of this RMP) with individually owned or controlled yard or gardens; (3) growing vegetables, fruits, and any edible items in native soil (native soils defined as existing site soils prior to development) for human consumption; and (4) any activity not consistent and in compliance with the RMP. Other properties may be included under this RMP upon the showing that environmental site conditions are substantially similar to environmental conditions covered by the LUC to the satisfaction of the RWQCB. Upon such showing, this RMP shall be amended to include such additional sites, and this RMP shall become applicable to them upon approval by the RWQCB.

This RMP sets forth and documents the procedures to address residual contamination and potential risks posed by it. These measures include: 1) requirements for soil vapor assessment, remediation, mitigation and monitoring; 2) Durable Cover construction requirements; 3) operation, monitoring and maintenance procedures for engineered controls; and, 4) soil and groundwater management measures and protocols to be implemented during redevelopment construction activities of site properties. This RMP is incorporated into the LUC, designed to be used for soil and groundwater management during earthwork construction activities including, but not limited to, drilling, grading, excavation, utility trenching and installation, landscaping, and any other subsurface activities associated with the site improvements.

This RMP also establishes protocols to address potential vapor intrusion risk for future development. For those properties that have the potential for significant vapor intrusion risk (determined through a soil vapor survey and analysis in the context of detected concentrations, intended use and building design) mitigation measures will be implemented as part of site development to protect human health. Additionally, remediation will be implemented to address significant vapor intrusion risk if the source is associated with an on-site release, and to the extent of its cost effectiveness and feasibility. As detailed herein, mitigation measures may include implementation and monitoring of vapor intrusion mitigation systems (VIMS), building design, further site remediation or other techniques that may be available and as found acceptable to the RWQCB. Prior to beginning construction of enclosed structures for occupied use, soil vapor will be evaluated and where necessary remediated and or mitigated, as appropriate. The RWQCB shall review and accept the remediation and or mitigation (project design or VIMS), as provided herein.

The remedy and mitigation measures in this RMP require: capping soils with Durable Cover, compliance with the LUC, implementation of this RMP, source removal and or VIMS where deemed necessary and use of Site-specific Health and Safety Plans (SSHSP) to manage the potential risks during site development. Operation, maintenance, and monitoring plans (OMM) for engineering controls (Durable Cover, VIMS, etc.) shall be developed and submitted, with full design documents, to the RWQCB for review and acceptance. The requirements set forth in the OMM Plan will be implemented by the Owner of each site property to provide for each property's respective long-term operation, maintenance and monitoring.

The Durable Cover will include building foundations, roads and other hardscape, and landscaped areas with a minimum of three-feet of clean fill covering native soil (native soils defined as existing site soils prior to development) and/or other fill or low impact development (LID) features, and marker fabric (e.g. geotextile fabric) establishing the transition from clean fill to native soil and/or other fill. This RMP requires that any native soil encountered during earthwork activities that is proposed to be used as part of the Durable Cover and backfill for utility corridors meet Category 1 criteria. An adequate sampling plan must be submitted to and approved by the RWQCB prior to soil testing for onsite soil reuse as part of the Durable Cover or backfill for utility corridors. Any excess soil excavated at the site proposed to be used below the Durable Cover will not require analytical testing prior to emplacement; however, no soil that exhibits discoloration, chemical odors or other signs of chemical impact shall be reused, and it must be disposed of offsite.

Soil excavation activities may extend below the water table during proposed site improvement activities. If groundwater is anticipated to be encountered, and dewatering is determined to be necessary, the groundwater shall be sampled prior to commencement of dewatering to evaluate disposal options, which may include discharge to sanitary sewer, storm drain, applied to land under California State Water Board Permit No. 2003-0003, or transferred to a vacuum truck for off-site treatment or disposal. If discharging to the sanitary sewer is an option, the Contactor shall contact the East Palo Alto Sanitary District to inquire about obtaining a special discharge permit. If discharging to storm sewer is an option, the Contractor shall comply with the requirements established in the RWQCB Order No. R2-2012-0012, NPDES No. CAG912002, “General Waste Discharge Requirements for: Discharge or Reuse of Extracted and Treated Groundwater Resulting from the Cleanup of Groundwater Polluted by Volatile Organic Compounds (VOC), Fuel Leaks and Other Related Wastes (VOC and Fuel General Permit)", dated February 9, 2012. A groundwater extraction plan may be required, and is discussed in Section 9.9.

This RMP further provides that once a property area has been developed, post-construction maintenance and management measures will be undertaken to maintain protective conditions (e.g., maintenance of the Durable Cover, long term VIMS monitoring ) for future site users and the environment. Moreover, for maintenance or construction workers who may disturb soils below the Durable Cover, protective health and safety procedures will be implemented in accordance with a SSHSP, and any future subsurface construction or maintenance activities that may encounter contaminants of concern (COC)-impacted soil will be completed in a manner consistent with soil and groundwater management procedures set forth in this RMP to ensure protection of human health, the environment and compliance with applicable laws.

This RMP also addresses worker health and safety controls, personnel assignments and responsibilities, soil excavation, management of contaminated and potentially contaminated soils, on site re-use of soil, soil import requirements, requirements to reduce potential exposure of workers and the public to contaminants in soil and groundwater and, if required, procedures for off-site soil disposal. Work performed under this RMP shall be in compliance with site development or redevelopment specifications, a SSHSP, and applicable local, state, and federal statutes and regulations. The SSHSP to be adopted, used and implemented by the contractor performing activities on the properties shall be prepared by the Contractor’s Certified Industrial Hygienist.

This RMP is incorporated into the site-wide LUC, which is the mechanism for the RWQCB to ensure and enforce compliance with the RMP in both the short and long-term. Should modifications or variances of this RMP be necessary, they must be approved in writing by the Executive Officer of the RWQCB. This RMP supersedes historical Soil Management Plans (SMP) that may have been created for any of the aforementioned properties or such additional properties that are brought under this RMP. Previous LUCs will be terminated and replaced upon recordation of the current LUC (Appendix B).

# 1 INTRODUCTION

This Area-Wide Risk Management Plan (RMP) was prepared for Sycamore Real Estate Investments, LLC (Sycamore) in connection with the proposed redevelopment activities at the identified properties (site), located within the Ravenswood Industrial Area (RIA) on Demeter Street, Pulgas Avenue and Tara Street in East Palo Alto, California (Figures 1 and 2). Sites within the RIA have a history of agricultural uses, industrial uses, and/or fill operations, and more recently as auto wrecking yards and storage facilities. The East Palo Alto Waterfront properties proposed for redevelopment are identified as San Mateo County Assessor's Parcel Numbers (APNs) 063-121-030, 063-121-040, 063-121-350, 063-132-020, 063-132-040 (151 Tara Street); 063-121-060 and 063-121-050 (264 Tara Street); 063-121-020, 063-121-200, and 063-121-210 (2555 Pulgas Avenue); 063-121-320 (350 Demeter Street); 063-121-330 and 063-121-340 (320 Demeter Street); and 063-050-050 (391 Demeter Street). The Center of Economic Mobility property is located on 063-12-370 (2535 Pulgas Avenue). Copies of the parcel maps are included in Appendix A.

Properties within the RIA have been under the regulatory jurisdiction of the San Francisco Bay Regional Water Quality Control Board (RWQCB), including RWQCB Orders, Nos. 92-037 and 92-086 (Orders). These Orders were prepared to cover the entire RIA (with the exception of the 1990 Bay Road site and the former Romic site at 2081 Bay Road), and were created to aid in redevelopment and soil and/or groundwater cleanup of properties under RWQCB oversight. The orders require property owners within the RIA to submit site use histories, work plans to identify the extent of soil and groundwater impacts, results of the investigation, and to propose further characterization. Because of the Phase I and Phase II Environmental Site Assessments (ESAs) performed under the Orders on aforementioned sites, existing site environmental impacts have been documented.

Consistent with the requirements of the Orders, based on Phase II ESA results and/or remediation efforts and concentrations of contaminants of concern (COC) in soil and/or groundwater, the most appropriate way to manage site contamination at the properties subject to this RMP is by application of LUC (Appendix B), which includes compliance with this RMP. The response actions set forth in the RMP consist primarily of institutional controls, fencing (as necessary), and engineering controls, including construction and maintenance of a Durable Cover over the surface of a property to eliminate the pathway of direct exposure to native site soils (defined as existing site soils prior to development), thereby eliminating the risk posed by these soils, and, where appropriate implementing VIMS and/or soil vapor remediation. Remediation will be implemented to address significant vapor intrusion risk if the source is associated with a significant on-site

release, to the extent of its cost effectiveness and feasibility. Excavation and treatment or disposal of impacted media may be required under this RMP to address unknown conditions commonly associated with the discovery of underground storage tanks (USTs), other fuel release or other unexpected conditions. Execution of the LUC establishes an enforceable agreement that requires compliance with this RMP. Upon execution of the LUC, the Orders' requirements are satisfied by the LUC's enforceable protective requirements, and no further action is required under the Orders. The Orders, therefore, should be rescinded for the properties subject to the LUC.

This RMP provides a framework to manage residual COCs in a manner that protects users during current and future land use. It specifies measures to mitigate potential risks to the environment, current and future on-site employees, construction and maintenance workers, visitors, and the public. It was prepared under oversight of the RWQCB to provide specifications and details on how risk will be mitigated and managed during development and future use of the properties identified by the LUC and this RMP, as may be amended, including during construction and maintenance. This RMP is a requirement of the LUC, designed to be used for soil and groundwater management during earthwork construction activities including, but not limited to, drilling, grading, excavation, utility trenching and installation, and any other subsurface activities associated with the site improvements.

The remedy and mitigation measures in this RMP include:

- Capping site soils with Durable Cover (as defined in Section 3.2) consisting of either hardscape materials, 3-feet of Category 1 soil, or 6 inches of a compacted path or LID features underlined by a geotextile marker or stormwater detention and treatment feature;
- Compliance with the LUC;
- Implementation of this RMP and use of Site-specific Health and Safety Plans (SSHSP) to manage the potential risks during site development; and
- Assessment of soil vapor and, where appropriate implementation of a VIMS and/or remediation of soil vapor.

Operation, maintenance, and monitoring (OMM) plans for engineering controls (Durable Cover, VIMS, etc.) shall be developed and submitted, with the full design documents, to the RWQCB for review and acceptance. The requirements set forth in the OMM plans will be implemented by the Owner of each property to provide for each property's respective long-term maintenance and monitoring.

This RMP also addresses worker health and safety controls through the requirement that contractors adopt a SSHSP with terms substantially similar to those included in this RMP. The RMP also addresses requirements associated with personnel assignments and responsibilities, soil excavation, management of contaminated and potentially contaminated soils, on-site re-use of soil, soil import requirements, requirements to reduce potential exposure of workers and the public to contaminants in soil and groundwater and, if required, procedures for off-site soil disposal. Work performed under this RMP shall be in compliance with site development or redevelopment specifications, a SSHSP, and applicable local, state, and federal statutes and regulations. The SSHSP to be adopted, used and implemented by the contractor performing activities on the properties shall be prepared by the Contractor's Certified Industrial Hygienist (CIH).

# 2 PROPERTY DESCRIPTIONS AND ENVIRONMENTAL BACKGROUNDS

The Sycamore redevelopment properties covered by this RMP in the RIA are located on Demeter Street, Pulgas Avenue and Tara Street in East Palo Alto and are part of the larger RIA consisting of 50 plus properties comprising 100 plus acres that have been used for agricultural and a variety of industrial purposes since circa 1920.

Per the RWQCB Orders, Nos. 92-037 and 92-086, property owners within the RIA were required to perform Phase I and Phase II assessments. The environmental background for the site provided in this section of the RMP is based on environmental investigations conducted under these Orders. Only portions of the Phase I and Phase II documents deemed relevant to describe each property are summarized in this RMP. Additionally, a comparison of historical analytical soil and groundwater data to the current (2019) RWQCB Environmental Screening Levels (ESLs) has been included in this RMP. The underlying documents that make comparisons of the soil and groundwater analytical data to the then applicable ESLs (e.g., 2003, 2005, 2013) and these comparisons are not discussed in this RMP. A generalized summary of COCs analyzed and exceeding the 2019 ESLs for properties identified herein are presented below. Arsenic concentrations in soil have been compared to 11 milligrams per kilogram (mg/kg) rather than the ESLs, which is the background concentration of arsenic in the Bay Area, established by Duverge, and accepted by the RWQCB (Duverge, 2011).

As this is an Area Wide RMP, additional properties in the former RIA, upon RWQCB approval, may be added to this RMP and will be included in this section and the LUC. RMP revisions will be submitted to RWQCB staff in accordance with Section 11.

## 2.1 264 Tara Street (GeoTracker ID T10000009229)

### 2.1.1 Property Description and Background

The property is comprised of two (2) parcels, approximately 1.2-acres and located at the northern end of Tara Street (Figure 2). The APNs for the property are listed as 063-121-050 and 063-121-060.

Based on historical research, the property land use was primarily agricultural up until the 1950's at which point it was occupied by auto dismantlers and towing companies until the present (Ninyo & Moore, 2015a). In addition, the adjacent property to the east and south, the former Romic facility, is responsible for a VOC groundwater plume that may be encroaching upon the property's eastern and southern boundary. A historical deed restriction precluded residential development for this property, and has now been replaced with the LUC in Appendix B.

### 2.1.2 Previous Property Investigations

In 2005, a Preliminary Endangerment Assessment (PEA) was performed and concentrations of total petroleum hydrocarbons (TPH) as diesel (TPHd), as gasoline (TPHg), as motor oil (TPHmo), several VOCs (total xylenes, toluene, naphthalene) and metals (cadmium, chromium, lead, nickel, and zinc) were detected in shallow soil samples collected from approximately 1 foot below ground surface (bgs) (JCC, 2005). Detected concentrations were reported below their respective 2019 ESLs for residential and commercial properties.

In November 2015, a Phase I ESA was prepared by Ninyo & Moore for the property and based on the previous property uses and properties in the vicinity of the former Romic facility, a Phase II was recommended to evaluate soil and groundwater conditions (Ninyo & Moore, 2015a).

In December 2015, a Phase II ESA was conducted by Ninyo & Moore with the advancement of five (5) borings to depths from 2 to 20 feet bgs and collection of soil and groundwater samples to assess potential impacts from 1) agricultural use where pesticides may have contaminated soils with organochlorine pesticides (OCPs) and metals, 2) the storage of damaged automobiles where fuel compounds (i.e. TPHg, TPHd, TPHmo and benzene, toluene, ethylbenzene, and total xylenes [BTEX]), waste oils [heavy metals], and cleaning solvents [chlorinated VOCs]) may have been released to the soil and groundwater and, 3) the former Romic facility's VOC-impacted groundwater plume encroaching upon the property (Ninyo & Moore, 2016a).

The Phase II ESA made the following conclusions, which have been updated to reference the 2019 ESLs:

- Soil samples were collected between 1 to 2 feet bgs during this investigation. Pesticide use was confirmed due to the presence of OCPs in shallow soils (1 and 2 feet bgs). Of the pesticides identified in shallow soils, one concentration of chlordane was detected above the 2019 Residential ESL, but below the 2019 Commercial ESL.
- Fuel related leaks and spills were confirmed in shallow soils (1-foot bgs) by the detected concentrations of TPHd and TPHmo. The soil impacts from TPHmo are below the 2019 Residential and Commercial ESLs. TPHd concentrations exceed the 2019 Residential ESL, but are below the Commercial ESL.
- Metals do not exceed the 2019 Residential or Commercial ESLs.
- Site VOC groundwater impacts in shallow (A Zone) groundwater were confirmed through the analytical data. MTBE concentrations exceed the 2019 RWQCB MCL (Maximum Contaminant Level) Priority ESL in two of the three samples collected, from the north and south portions of the property.

In May 2016, Ninyo & Moore prepared a site-specific Soil Management Plan (Ninyo & Moore, 2016b), as a component of the LUC to summarize durable cover construction requirements and soil and groundwater management protocol to be implemented during upcoming construction activities at the property which are incorporated into this area-wide RMP and have been updated to include the 2019 RWQCB ESLs.

In October 2018, Ninyo & Moore installed three borings at 264 Tara Street. Three groundwater samples were collected from each boring from the A Zone, B Zone and C Zone, for a total of 9 samples. Concentrations of VOCs in groundwater including 1,1,2-trichloroethane (1,1,2-TCA), 1,1-dichloroethene (1,1-DCE), tetrachloroethene (PCE), trichloroethene (TCE), and MTBE exceed the 2019 MCL Priority ESL (Ninyo & Moore, 2018a).

## 2.2 151 Tara Street (GeoTracker ID SL0608169978)

### 2.2.1 Property Description and Background

The property is comprised of five (5) parcels within an approximately 4.85-acre area and is located on the west side of Tara Street, beginning approximately 370 feet north of Bay Road and extending northward to the end of Tara Street and crossing over to the east side of Tara Street (Figure 2). The APNs for the property are listed as 063-121-030, 063-121-040, 063-121-350, 063-132-020, and 063-132-040. A historical deed restriction precluded residential development for this property, and has now been replaced with the LUC in Appendix B.

Based on historical research, auto dismantling operations were performed at the property from the 1950s through the 1980s. In the 1990s, soil and groundwater investigations and soil clean up actions were conducted relating to impacts by COCs associated with the former property uses. In 1999, the property was purchased by TWC Tara LLC, and since then the majority of the property has been vacant and has received imported fill materials ranging up to approximately 8 feet in thickness in the northeast portion of the property, to raise the overall grade elevation of the property for re-development that did not occur (EKI, 2007).

### 2.2.2 Previous Property Investigations, Remediation and Grading Activities

In 1994, approximately 120 tons of oil-stained soil was excavated from the southern section of the property and reportedly transported to a Class I landfill. There was no record of confirmation sampling conducted subsequent to the excavation activities.

In 1995 and 1996, approximately 173 borings were advanced and soil samples were collected generally between the surface to 2.5 feet bgs to characterize native surface and shallow soils (EKI, 2007). In the majority of soil samples analyzed, TPHmo concentrations were reported, and to a lesser extent TPHd and TPHg were also reported above laboratory detection limits. The 1995 and 1996 TPHd concentrations in soil exceed the 2019 Residential and Commercial ESLs. EKI calculated the 95% upper confidence limit (UCL) and mean of concentrations of chromium, copper, lead, and nickel from composite soil samples. The calculated means and 95% UCLs for chromium III, copper, and nickel are below the 2019 Residential and Commercial ESLs. Chromium VI and lead both exceeded the Residential ESL, but were below the Commercial ESL.

In June and August 1997 and February 1998, approximately 510 tons of oil-stained soil was excavated to depths of 4.5 feet bgs from the southern section of the property, in the location of a cobble-filled sump. In November 1997, approximately 210 tons of soil were transported off-site and disposed of as non-hazardous at the Forward Landfill in Manteca, California. In July 1998, approximately 300 tons of soil were transported off-site and disposed of as hazardous waste at ECDC in East Carbon, Utah. Confirmation sampling conducted subsequent to the excavation activities reported residual TPHmo concentrations up to 9,100 mg/kg (EKI, 2007), less than the 2019 Residential and Commercial ESLs.

In the early 1990s, three groundwater monitoring wells were installed at the property by Bay Road Holdings to monitor potential impacts to groundwater conditions off-site and upgradient of 2081 Bay Road. In August 1997 and 1998, two groundwater monitoring wells were also installed on site by the 151 Tara Street owner at the time. Wells were sampled several times

between 1991 and 2004 and in 2006 prior to destruction in 2008 under permit from the San Mateo County Department of Environmental Health (SMCEHS) (EKI, 2008). Analytical results for the 2006 groundwater sampling event included detected concentrations of TPHd, MTBE, copper, chromium, cadmium, nickel and zinc. Of these detections, MTBE concentrations ranged from 8.07 micrograms per liter (µg/L) to 62.5 µg/L, exceeding the 2019 MCL Priority ESLs. Total dissolved solids (TDS) concentrations exceeded the State of California Water Resources Control Board (SWRCB) Resolution 88-63 (revised by Resolution 2006-0008) established 3,000 milligrams per liter (mg/L) TDS as the maximum concentration for groundwater to be considered a potentially suitable source for drinking water.

In 2005, two composite soil samples were collected from a large stockpile in the central portion of the property, reportedly originating from a residential development in Atherton, was sampled prior to being used as fill over the central portion of the property (EKI, 2007). In another area on the property, north of the aforementioned stockpile, one four-point composite sample was collected from import fill material, source unknown, at approximately 1 foot bgs (EKI, 2007). The samples were analyzed for TPHg, TPHd, total extractible petroleum hydrocarbons (TEPH), BTEX and select metals (cadmium, chromium, lead, nickel and zinc). Concentrations detected in this sample were below the 2019 Residential and Commercial ESLs. There is no established 2019 ESL for TEPH.

In September 2006, six boreholes were drilled in the northern portion of the property, four boreholes along the top of a fill slope, and two boreholes south of the fill slope. Soil samples were collected at and below the 1995/1996 grade elevation, ranging from 4 to 11 feet bgs of the current grade. In general, soil samples were collected at the inferred 1995/1996 ground surface and at depths generally at 2 and 4 feet below the inferred 1995/1996 ground surface. Detected concentrations of total lead, copper, nickel, TPHd, and TPHmo in the soil samples were below the 2019 Residential and Commercial ESLs, except for one lead concentration of 327 mg/kg at 8.5 feet bgs, exceeding the 2019 Residential and Commercial ESLs.

Between 2007 and 2009, the site soils were reworked with areas of excavations to depths of 5 feet bgs, and compacted to a 95% compaction rate during grading activities (Ninyo & Moore, 2015b). There were no indications in the field reports reviewed whether or not clean fill material was imported to the property, or if environmental testing occurred during the grading activities. Compaction and grading activities were part of a planned development that never occurred.

In 2015, Ninyo & Moore prepared a site-specific SMP to address the RWQCB January 2007 *Final Cleanup Plan Proposed* letter or Fact Sheet to address and mitigate soil and groundwater impacts (Ninyo & Moore, 2015b). The SMP details, which include institutional and engineering controls (ICs and ECs) relating to case closure and the soil and groundwater management protocol to be implemented during redevelopment construction activities, are incorporated into this area-wide RMP and have been updated to include the 2019 ESLs. Therefore, this RMP is consistent with and supersedes the 2007 SMP.

## 2.3 2555 Pulgas Avenue (GeoTracker ID SL0608186716)

### 2.3.1 Property Description and Background

The property is comprised of three parcels that surround the northern termination of Pulgas Avenue, with an assigned address of 2555 Pulgas Avenue (sometimes listed as 2565 in agency documents and reports) (Figure 2). The APNs for the property are listed as 063-121-020, 063-121-200, and 063-121-210.

Based on historical research, the property land use has been agricultural, a construction yard with a mechanic shop, a facility to process and ship cut flowers, and a greenhouse to grow potted plants since approximately 1968. Property improvements have included one- and two-story buildings since approximately 1954, with uses as offices, refrigeration, storage, facility operations, greenhouse, etc. (E2C, 2005).

### 2.3.2 Previous Property Investigations and Remediation

In 1993, Innovative & Creative Environmental Solutions (ICES) prepared a report summarizing the property and chemical use history as well as a subsequent work plan to evaluate subsurface soil for the presence of contaminants based on the property history use by construction companies and extensive agricultural and auto dismantling activities on adjacent properties (ICES, 1993).

In 1998, soil samples were collected by ICES from seven shallow test pits approximately 9 to 12 inches bgs on a portion of APN 063-121-020. Select samples were analyzed for pesticides, metals (including cadmium, chromium, lead, nickel zinc and silver), TPHd and TPHmo. Ninyo & Moore has compared these historical results to the 2019 ESLs, and no detections exceed the Residential or Commercial 2019 ESLs.

In 2005, a Phase I ESA was prepared by E2C and subsequent Phase II ESAs were performed with the collection of soil samples at 2 and 4 feet bgs from 16 boreholes to evaluate the potential presence of total oil and grease (TOG), TRPH, VOCs, and metals (arsenic, lead,

and mercury) in soil (E2C, 2005b). In addition, eight groundwater grab samples were collected from boreholes where groundwater was first encountered (approximately 7 to 8 feet bgs). Based on the analytical results, recommendations included the excavation of TOG and TRPH impacted soil exceeding 2005 Commercial ESLs at five locations. TRPH concentrations detected in the groundwater samples ranged from 7,600 to 77,000 µg/L, exceeding the 2005 ESL of 100 µg/L (E2C, 2005b). There are no current soil or groundwater ESLs for TOG or TRPH.

In 2006, E2C oversaw two phases of excavation activities to remove TRPH impacted soil with concentrations exceeding the 2005 Residential ESL of 500 mg/kg. In the first phase, five locations were excavated to a depth of 3 or 5 feet bgs, based on the Phase II ESA soil sampling analytical results and field observations, and confirmation soil samples were collected. Based on the analytical results, additional excavation was required at two locations to remove soil exceeding the Residential ESLs (E2C, 2006a). Step-out borings were drilled around the two locations and soil samples collected to evaluate the extent of additional excavation required (E2C, 2006b). Over-excavation of the two areas was performed to the lateral and vertical extent based on the boring soil sample analytical results. Excavated soil was transported off-site to the Newby Island Class II-III Landfill in Milpitas, California for disposal (E2C, 2016c).

In 2007, the RWQCB required additional sampling as part of the requirements towards the goal of obtaining a No Further Action (NFA) designation for the site. The additional sampling was to fulfill the remainder of the original 19 sampling locations described in the 1993 work plan, as only six of the locations had been sampled to date. E2C performed the collection of 13 near surface soil samples, six samples from depths of approximately 0.5 to 1 foot bgs and seven samples from depths of approximately 2 to 2.5-feet bgs (E2C, 2007) for laboratory analysis of OCPs, CAM 17 Metals, hexavalent chromium and/or total extractable petroleum hydrocarbons. Analytical results were below laboratory reporting limits, 2019 Residential and Commercial ESLs or within naturally occurring background levels (E2C, 2007), except for two cobalt concentrations reported slightly over the 2019 Residential ESL.

The RWQCB issued a NFA letter dated, July 17, 2007 based on the findings of the investigations, remedial measures taken and the recordation of an environmental deed restriction on groundwater use for the property (RWQCB, 2007).

Ninyo & Moore installed one soil vapor well at the property in 2018 to assess the potential for vapor intrusion in Building A. Of the VOCs detected, none were reported above their established 2019 Residential and Commercial Subslab/ Soil Gas ESLs (Ninyo & Moore, 2018b).

## 2.4 350 Demeter Street (GeoTracker ID T10000017384)

### 2.4.1 Property Description and Background

The property is located at the northern end of Demeter Street and is approximately two acres in size. The APN for the property is 063-121-320. Property improvements consist of two one-story light-industrial warehouses separated by a fenced-in storage yard and asphalt parking lots. The warehouses are divided into separate tenant spaces, one which included an auto repair business.

Based on historical research, the property was used for cattle grazing and/or hay fields from at least 1939 to the mid-1950s and a large warehouse-type building was constructed on the property (and the southerly adjacent property) prior to 1956 and was removed by 1965. In 1970 and 1981, the western and eastern warehouses were constructed, respectively and the property was used for commercial and industrial activities (Ninyo & Moore, 2015c).

### 2.4.2 Previous Property Investigations

In 1991, a PEA was prepared by Bay Area Geotechnical Group and the report recommended the UST be tested for tightness and leaks (Ninyo & Moore, 2015c).

In 1992, a UST Closure report was prepared by Environmental Geosciences Engineering with the conclusion that the data supported a decision for NFA and case closure (Ninyo & Moore, 2015).

In 2000, a Phase I ESA was conducted by PIERS Environmental Services, Inc. (PIERS); recommendations in the report included soil and groundwater sampling and analysis for pesticides, heavy metals and VOCs to evaluate if historical activities have impacted subsurface conditions. A subsequent subsurface investigation was performed by PIERS and consisted of four borings (SB-1 through SB-4) to a depth of 24 feet bgs. SB-1 and SB-2 were advanced in the south parking areas adjacent to a 55-gallon drum storage areas and storm catch basin; and SB-3 and SB-4 were advanced in the north parking areas adjacent to storm catch basin and hazardous materials storage areas. Soil samples were collected from each boring at a depth of 2 feet bgs and analyzed for metals (cadmium, chromium, lead, nickel, and zinc), PCBs, and halogenated VOCs (HVOCs). A grab groundwater sample was also

collected from each boring using a new disposable bailer and analyzed for the same constituents as the soil. Chromium, lead, nickel, and zinc concentrations in soil ranged from 0.032 to 0.160 mg/kg, 0.0073 to 0.260 mg/kg, 0.0087 to 0.200 mg/kg, and 0.077 to 0.140 mg/kg respectively. PCB analyses detected chlordane at a concentration of 0.0000074 mg/kg (Sample SB-1) and DDT at a concentration of 0.000012 mg/kg (sample SB-4. No cadmium or HVOCs were detected. Lead, nickel, zinc, and chloroform were detected in grab groundwater samples at 65 µg/L (SB-3), 24 to 55 µg/L, 15 to 25 µg/L, and 66 to 76 µg/L, respectively. No cadmium or PCBs were detected in the grab groundwater samples (PIERS, 2000). Soil and groundwater concentrations did not exceed the 2019 Commercial or Residential ESLs or 2019 MCL Priority ESL, except for lead in groundwater which exceeded the 2019 MCL Priority ESL.

In 2015, a Phase I ESA was conducted by Ninyo & Moore and the identified REC was major staining around a storm drain located in the equipment storage yard indicative of a potential release of unknown a material (Ninyo & Moore, 2015c). Ninyo & Moore subsequently conducted a Limited Phase II at the property and, advanced one soil boring adjacent to the identified storm drain in the Phase I (Ninyo & Moore, 2015d). One soil and one grab groundwater sample were collected and analyzed for TPHg, TPHd, TPHmo, VOCs and Title 22 Metals. Detected metal concentrations in soil and groundwater were below the 2019 Residential and Commercial ESLs; TPHg/d/mo and VOCs were below laboratory reporting limits.

## 2.5 230 Demeter Street (GeoTracker ID T10000017389)

### 2.5.1 Property Description and Background

The property consists of two parcels immediately south of 350 Demeter Street with San Mateo County APNs 063-121-330 and 063-121-340, referenced as Parcel B and A, respectively on the APN maps. The two parcels are vacant and based on a review of aerial photographs have been vacant since at least 1948. Grading of the parcels, likely conducted to address potential erosion conditions, was evident in aerial photographs starting in 2002 (GE, 2018). There are no records on GeoTracker for the property and there are no known historical investigations.

## 2.6 391 Demeter Street (GeoTracker ID T10000010439)

### 2.6.1 Property Description and Background

The property is located north of the terminus of Demeter Street and consists of approximately 20 acres of vacant land bound on the east by wetlands along the western margin of the San Francisco Bay, on the north by railroad tracks, and to the east by residential properties. The APN for the property is 063-050-050

Based on historical research, the property was undeveloped tidal wetlands until the early 1900s when the western portion of the property was possibly used for cattle grazing. Prior to 1943, a railroad spur was constructed along the western boundary of the property but was later removed. In the mid-1950s, three large warehouse-type structures were constructed in the southwest corner of the property and later removed prior to 1965. In 1986, fill activities were conducted by Facciola Meat Company (FMC) to raise the grade to prepare for construction of a meat packing plant, and a large quantity of soil was imported and dumped/placed roughly in the shape of a rectangle ringed berm (stockpile) on the southwestern portion of the site. The origin of the soil is reportedly from Stanford University and the Santa Clara Valley Medical Center (Ninyo & Moore, 2014a).

### 2.6.2 Previous Property Investigations

In 2014, a Phase I ESA was conducted by Ninyo & Moore; the historic property information associated with the identified Recognized Environmental Concerns (RECs) are summarized below:

A railroad spur was previously located adjacent to the western property boundary. The RWQCB has a property Order (Order No. 96-122) issued to FMC which discusses the aforementioned fill activities and investigation activities that were conducted at the property, including the collection of soil samples from the soil stockpile, a drainage ditch area south of the stockpile, and from areas where garbage had accumulated. The COCs that were reported from the sampling event included low levels of polychlorinated biphenyls (PCBs) in the stockpile samples and drainage ditch.

In 2015, Ninyo & Moore performed a Limited Environmental Investigation to evaluate if there were COCs present in the pre-1950 fill material (Ninyo & Moore, 2015e). Six potholes were excavated for the purpose of evaluating if the different layers of fill material (pre-1950 and 1986) could be distinguished and to collect soil samples; a distinct color change was observed at approximately 4 feet bgs and therefore, the samples were collected at 5 feet

bgs. Samples were analyzed for VOCs, TPHd, TPHmo, OCPs, PCBs, and Title 22 Metals. Detected concentrations of TPHd and metals are below the 2019 Residential and Commercial RWQCB ESLs (Ninyo & Moore, 2015e).

In 2016, Ninyo & Moore conducted a Phase II to further characterize known PCBs in the shallow fill material deposited at the property in 1986 for the proposed project to grade down the berms, distributing the soil into the interior area of the bermed ring. Soil samples were collected and analyzed for PCBs from 14 pothole locations at depths between 0.5 feet bgs near the wetlands and at 3 feet bgs at other locations. Detected PCB concentrations ranged from 7.8 to 243 micrograms per kilogram (µg/kg), below the 2019 Commercial RWQCB ESL (Ninyo & Moore, 2017) and below concentrations regulated by the USEPA's Toxic Substances Control Act (TSCA).[1] One concentration was reported at 243 µg/kg, above the 2019 Residential RWQCB ESL of 230 µg/kg, which is also below USEPA TSCA regulatory thresholds.

In 2017, interim remedial measures (IRMs) consisting of grading activities in the pre-existing bermed area were performed to prevent the potential migration of PCBs into the tidal wetlands. As part of the Final Grading and Erosion Control plans, the berm was graded down and the interior of the fill area contoured to control storm water drainage along the extended route; jute mesh and fiber rolls were installed to assist in erosion and sediment control; and hydroseeding of the entire soil disturbance area was performed as an erosion control measure (Ninyo & Moore, 2018b).

[1] Under TSCA PCB regulations, soil containing less than one (1) parts per million (ppm) PCBs is considered clean soil. For example, regarding cleanup of low-concentration spills, the PCB Spill Cleanup Policy identifies soil containing less than or equal to 1 ppm PCBs as "clean soil" for purposes of back-filling a PCB spill area with clean soil. See, 40 CFR §761.125(b)(ii). As such, soil containing less than 1 ppm PCBs is not subject to any restrictions or requirements under TSCA. Additionally, under 40 CFR §761.61, no cleanup of PCB remediation waste is required for soil containing less than or equal to 1 ppm PCBs. In areas with soil containing less than or equal to 1 ppm PCBs, such soil may be left in place without further conditions for use or management. See, 40 CFR §761.61(a)(4)(i)(A).

## 2.7 2535 Pulgas Avenue (GeoTracker ID T0608100546)

### 2.7.1 Property Description and Background

The property is approximately 3.8-acres and is currently occupied by Touchatt Trucking Co. and three other tenants, for use as a truck and equipment staging and maintenance yard. The APN for the property is 063-12-370. Property improvements appear to consist of two buildings and the majority of the property is asphalt paved. A 250-gallon waste oil aboveground storage tank (AST) in secondary containment, a 900-gallon diesel AST in secondary containment, and subsurface grease and oil separator are currently present on the property (Ninyo & Moore, 2016b).

Based on historical research, the property was originally developed as early as 1939 for agricultural use. In the late 1940s, the current property buildings were constructed for use as residential and agricultural buildings. In the late 1950s hot houses for growing flowers were constructed on the property, and the hot houses were demolished in the early 1980s. In 1984 the property was purchased and occupied by the Touchatt Trucking Company for the storage of cars, trucks and equipment (Ninyo & Moore, 2016c). A cement batch also operated at the property between 2001 and 2008.

### 2.7.2 Previous Property Investigations and Remediation

In November 1989, one 1,000-gallon gasoline UST (formerly located on the eastern portion of the property and north of the main office building) and one 2,000-gallon waste oil UST (formerly located on the north side of the welding shop) were removed from the property (Dubovsky, 1989). Soil and groundwater confirmation samples were collected from the sidewalls and bottoms of the excavations. TPHd and TPHmo concentrations were reported in soil and TPHg, TPHd and TPHmo concentrations were reported in groundwater.

In December 1989, impacted (heavily stained) soil was excavated from the former UST locations and stockpiled. Confirmation soil samples were collected after over-excavation were non-detect for TPHd, TPHmo, and BTEX. The stockpiled soil (approximately 200 cubic yards) was treated by aeration, sampled in 1995, and no detectable concentrations of TPHd and BTEX were reported. The stockpiled soil was reportedly approved by the SMCEHS for use as backfill at the property (Ninyo & Moore, 2016c).

In 1990, four wells were installed and sampled quarterly for one year to evaluate groundwater. Based on the non-detect TPHd, TOG, and BTEX concentration results of the four sampling events, closure and an NFA was requested (Dubovsky, 1991). Additional groundwater

sampling from monitoring well MW-2 was performed in 1995 for TPHg, BTEX, chlorinated hydrocarbons, and metals (cadmium, chromium, lead, nickel and lead) to further assess groundwater conditions in the vicinity of the former waste oil tank. TPHd was detected at a concentration of 74 µg/L and chromium, nickel, and zinc were detected at 77.9, 85.9, and 225 µg/L, respectively (Dubovsky. 1995). Based on the low to non-detect concentrations, the wells were destroyed in 1996 (Dubovsky, 1996) and case closure for the USTs was received from SMCEHS in their letter dated January 18, 1996.

In 2015, a Phase I ESA was prepared by Ninyo & Moore for the property. Based on the previous and current property use, the following RECs identified: 1) probable use of OCPs due to the agricultural use of the property, 2) potential petroleum hydrocarbon and VOC impacts to soil and groundwater relating to the oil and grease separator, and 3) potential petroleum hydrocarbon impacts to shallow soil from vehicle and equipment maintenance and storage.

In 2016, a Phase II ESA was conducted by Ninyo & Moore with the advancement of five (5) borings to depths from 2 to 20 feet bgs and collection of soil and groundwater samples to assess potential impacts from the RECs identified in the aforementioned Phase I ESA. The groundwater sample was collected from the 20-foot boring adjacent to the oil and grease separator. Based on the soil and groundwater analytical results, the following findings and conclusions, which have been updated with current ESLs, were presented:

- Pesticide use was confirmed due to the presence of OCPs in shallow soils (1 and 2 feet bgs). OCP concentrations are below the 2019 Residential and Commercial RWQCB ESLs.
- TPH related leaks and spills were confirmed in shallow soils (1-foot bgs), and TPHd and TPHmo concentrations are below the Residential and Commercial 2019 RWQCB ESLs, except for the Residential 2019 RWQCB ESL for TPHd in soil.
- MTBE concentrations in groundwater exceeded the 2019 RWQCB MCL Priority ESL.

In 2019, Ninyo & Moore conducted a Phase II on the property and the northern portion of 2519 Pulgas Avenue. A total of seven borings were advanced at the property; one boring was advanced to groundwater, two borings were advanced to 5.5 feet and converted into temporary soil vapor wells, and 4 shallow borings were advanced to either 1 foot bgs or 2 feet bgs (Ninyo & Moore, 2020). Shallow soil indicated impacts of pesticides exceeding Residential and Commercial ESLs and TPHd exceeding Residential ESLs. Concentrations of TPHs and VOCs in groundwater do not exceed the 2019 MCL Priority ESLs. Concentrations of VOCs in soil vapor do not exceed Residential ESLs. Groundwater and soil

vapor at the property do not appear impacted by regional property uses (Ninyo & Moore 2020).

# 3 KEY TERMS AND DEFINITIONS

## 3.1 Project Team Roles and Responsibilities

This section describes the general project team relevant to the excavation, handling, transportation, reuse, and, as applicable, off-site disposal of contaminated materials and groundwater if encountered at the site.

### 3.1.1 Owners

The Owner is the current property owner or lessee of their respective property included under the LUC. The Owner will be the owner or lessee of each subject property at the time of implementation of this RMP. Each Owners is responsible for maintenance, engineering controls and compliance with this RMP at his or her respective property during his or her ownership or lease term, and will be the point of contact for the RWQCB during that time.

### 3.1.2 Project Manager

Sycamore or subsequent Owner of each subject property, or his or her designated party, shall be the Project Manager during its ownership period and will oversee future construction activities at each respective property. The Project Manager will serve as the point of contact between the Owner, the Contractors, Subcontractors and Environmental Consultant, and will coordinate with the involved parties.

### 3.1.3 Contractor

The Contractor includes any contractor or subcontractor that is disturbing soil during excavation, grading or maintenance activities at any given property. Each Contractor responsible for construction or maintenance activities must be provided a copy of this RMP and will be required to comply with this RMP addressing excavation and management, direct-loading, temporary stockpiling, possible off-site disposal, and measures to protect worker/public health and the environment from impacts caused by the Contractor's activities. The Contractor shall be responsible for assigning competent and qualified personnel to execute the work, and for selecting and supervising the work of subcontractors assigned to the project. The Contractor must be provided by the owner a copy of this RMP prior to any redevelopment activities, and the Contractor shall provide the RMP to all subcontractors.

The Contractor shall provide a site Superintendent, who will be responsible for site activities. The site Superintendent's responsibilities will include oversight of equipment, labor, materials, and resources needed to complete the project as it involves the COC-impacted materials.

### 3.1.4 Subcontractors

The Contractor may utilize subcontractors to execute subtasks of this project, subject to approval by the Project Manager. The supervision, inspection, and approval of such subcontractor work will be the responsibility of the Contractor.

### 3.1.5 Health and Safety Manager

Each Contractor shall retain a Health and Safety Manager (HSM) or equivalent, who is a CIH, or who is under the direct supervision of a CIH, with the appropriate training, certificates, and experience. The HSM will be responsible for preparing and overseeing implementation of the SSHSP for each property. The SSHSP shall list the various safety-related Contractor personnel and their duties and responsibilities. The SSHSP is discussed in further detail in Section 8.

### 3.1.6 Environmental Consultant

The Environmental Consultant shall, for each property over which he or she has jurisdiction, monitor earthwork construction activities during excavation and grading activities in areas of known contamination and in areas of unknown contamination if such areas are exposed during construction activities. The Consultant shall, for each property over which he or she has jurisdiction, provide guidance on segregation of excavated soils, as necessary, and assist in characterization and profiling contaminated soils, as necessary. The consultant shall meet the definition of a "competent person," as defined, herein. The Consultant shall be a California Certified Professional Engineer or Professional Geologist.

### 3.1.7 Competent Person

A competent person shall have demonstrated knowledge of, and professional experience in the observation and documentation of environmental excavating activities; environmental and geologic conditions in the project area; and recognition of, and testing for, hazardous materials and conditions. A competent person shall have appropriate, current Occupational Safety and Health Administration (OSHA) training and certificates, and the authority to respond to changed conditions. Typically, a competent person will be a state-licensed geologist, engineer, or health professional with sufficient knowledge of local conditions and

environmental regulations, or a person working under the direct supervision of such a geologist or engineer.

## 3.2 Soil Management Definitions

### 3.2.1 Stained or Odorous Soil

Stained or Odorous Soil includes soil exhibiting visual staining (soil suspected to be impacted with COCs) and soils with a headspace reading exceeding 50 parts per million (ppm) on a photoionization detector (PID) may not be reused on site and will be off-hauled from the site for disposal. Headspace readings of representative samples will be collected by placing soils into a Ziploc® bag and allowing the soil to volatilize for several minutes. A PID probe will then be placed into the headspace of the Ziploc® to collect the reading. Headspace readings shall be collected at a frequency described in the RWQCBs October 20, 2006 *Draft Technical Reference Document, Characterization and Reuse of Petroleum Hydrocarbon Impacted Soil as Inert Waste*, or at a frequency consistent with the most current and applicable guidance documents at the time.

### 3.2.2 Durable Cover

The Durable Cover at the site will consist of the following:

- Three-feet of Category 1 soil underlain by a geotextile marker fabric, or
- Hardscape materials such as buildings, parking structures, concrete or asphalt, or
- Gravel walking paths and/or low impact development (LID) features extending to a minimum depth of 6-inches bgs underlain by a geotextile marker fabric.

Durable Cover consisting of either Category 1 soil, gravel paths, or LID features will be underlain by a geotextile fabric.

### 3.2.3 Soil Import Criteria

There are three categories under which soils may be imported or reused at the site:

- Category 1 soil is soil that has been tested in accordance with the SIC Memo, as provided in Appendix C and does not exceed the Category 1 criteria as provided in Table C-1. This soil may be used at the site as Durable Cover and will be underlain by a geotextile fabric. Category 1 soil will be free of debris, and only includes natural materials (e.g., soil, clay, silt, sand, gravel, rock, or a mixture or combination of such materials) that have average (95% UCL of the mean) concentrations that meet the criteria as listed in Table C-1 in Appendix C. In addition, Category 1 soil shall not have an average concentration of naturally occurring asbestos above 0.25 percent (%) as determined by California Environmental Protection Agency, Air Resources Board (CARB) Test Method

435B (800-point count), and in accordance with the CARB Implementation Guidance Document.

- Category 2 soil includes both: (a) soil originating from the site which may be used under the Durable Cover without any analytical testing if the soil is unstained and/or non-odorous. Stained or Odorous soil may not be reused on site; and (b) soil imported to the site tested in accordance with the SIC Memo, as provided in Appendix C, which meets the average (95% UCL of the mean) Category 2 criteria as provided in Table C-1. Soil meeting Category 2 criteria may be placed under the Durable Cover, with a marker bed separating the Category 2 soil and the Category 1 soil/Durable Cover. Category 2 material will consist only of natural materials (e.g., soil, clay, silt, sand, gravel, rock, or a mixture or combination of such materials), will be free of visible signs of trash, debris, staining, liquids.

- Category 3 is soil that does not meet the Category 1 or Category 2 criteria due to exceedances. The Environmental Consultant may submit the analytical data, along with the SIC Memo to the RWQCB, who may designate the soil as acceptable for use as either Category 1 or Category 2 soil. No further references to Category 3 soil is made within the text of this RMP.

These criteria do not apply to soils proposed for use within 50 feet of the bay margin or Wetland areas (bay front properties). The import criteria for such bay front properties will be modified by Terrestrial Habitat: Significantly Vegetated Area ESLs and all soil proposed for use within this zone must be approved in writing by the RWQCB.

### 3.2.4 Property

The term “property” means a single address, or portions thereof, located within the site.

# 4 PHYSICAL SETTING

## 4.1 Geology

In general, the shallow subsurface lithology is composed of near-surface well-graded gravel and sand as fill material, to approximately 1-foot bgs, with medium-dense well-graded sands with silt and gravel, as alluvium to approximately 10 feet bgs. These soils are then underlain by dense well-graded sands with silt and gravel, interbedded with silt and sandy silts to 15 feet bgs (Ninyo & Moore, 2014b).

## 4.2 Hydrology

In general, the local hydrology is composed of three shallow saline to brackish aquifers (A through C) to a depth of approximately 80 feet bgs (Ninyo & Moore, 2014b). A description of the aquifers follows:

- The A-zone aquifer is approximately 22 feet thick and is composed of interbedded clays, sands, and gravels and overlies a discontinuous clay aquitard that is reportedly 13 feet thick in some areas. The A-zone groundwater elevations generally range from 2 to 8 feet above mean sea level (msl), and groundwater flow is primarily north and east toward the sloughs.

- The B-zone aquifer has been classified as semi-confined with a stratigraphy of interbedded fine sands and silts, and clay lenses. The aquifer ranges from 5 to 27 feet in thickness and overlies a clay aquitard ranging between 3 to 22 feet in thickness. The bottom of the B-zone aquifer is approximately 60 feet bgs, and groundwater flow direction is toward the east-northeast in the direction of the sloughs.

- The C-zone stratigraphy is composed of poorly to well-sorted sands, silty sands, and clays. The unit ranges between 3 to 25 feet thick and overlies an 80-foot-thick regional aquitard composed of dense clays and silts. The bottom of the C-zone aquifer is approximately 80 feet bgs. There reportedly is an upward groundwater gradient that flows in the direction of the sloughs in the C-zone aquifer.

### 4.3 Site Surface and Groundwater

Surface waters, including ponds, streams, creeks, lagoons and other naturally-occurring bodies of water have not been observed on developed properties within the RIA. Approximately 20 acres of undeveloped land at 391 Demeter Street is identified as a wetland on the United States Fish & Wildlife Service's National Wetlands Inventory Wetlands Mapper, but at this time this property has not been delineated as either a water of the United States or water of the State.

In general, depth to groundwater in the vicinity is approximately 10 to 11 feet bgs and the groundwater flow direction is to the east, towards the San Francisco Bay.

## 5 PLANNED FUTURE SITE DEVELOPMENT

The planned use of the site is in conformance with the existing zoning pursuant to the 2012 - 4 Corners Ravenswood Specific Plan (as may be amended). The reasonably anticipated uses of the site may include multi-story, light industrial, research and development buildings, residential, neighborhood-serving retail or other commercial use, and recreational open space areas (e.g., parks, landscaped areas, raised planters, and walking trails).

### 5.1 Variance for LUC Prohibited Uses

The LUC as provided in Appendix B precludes, unless a variance is granted:

1. Groundwater use at each property covered by this LUC;

2. Residential dwellings (once soil vapor has been adequately addressed) with individually owned or controlled yard or gardens;

3. Growing vegetables, fruits, and any edible items in native soil for human consumption; and

4. Any activity not consistent and in compliance with the RMP.

A written variance request for these uses must be submitted to RWQCB for review and approval prior to implementation. RWQCB submittals are discussed further in Section 11.

## 5.2 Areas Not Requiring Durable Cover

As stated, the selected remedy for the properties covered under this RMP includes installation of a Durable Cover above native and/or Fill soils. Some properties are exempt from these requirements due to their historical use, reasonably intended use, and/or historical analytical data. Following is a list of areas covered under this RMP that are known not to require a Durable Cover above native/ Fill soils:

- The wetlands area of 391 Demeter Street. Wetland areas are shown on Figure 3. This portion of the property has never been developed or used for any purpose.
- Additional areas or properties may be exempted from the Durable Cover requirement following approval by the RWQCB. Such areas will be exempted on the basis of current environmental conditions, presence of wetland characteristics that will remain in an undeveloped condition, or use.

# 6 CONTAMINANTS OF CONCERN

The objective of the RMP is to reduce human exposure to site COCs to below the acceptable risk range by severing (e.g., by the use of Durable Cover) or minimizing the pathway of direct human exposure to native soil, soil vapor and groundwater containing COCs at levels exceeding applicable ESLs. Furthermore, SIC will be implemented so that imported surface soil concentrations shall not exceed Category 1 and is further discussed in Appendix C and Section 9. The measures and protocols in this RMP will be implemented during redevelopment activities of each property in order to help ensure that future site users' exposure to COCs in all media (soil, soil vapor and groundwater) are adequately mitigated. The ESLs are used as a screening tool to evaluate potential exposure of future site users to COCs in soil, groundwater and soil vapor during and after construction activities. Therefore, no soils exceeding the Durable Cover Soil Screening Levels will be present in soil above the Durable Cover following redevelopment of any given property.

Additional COCs may be identified if additional assessments are warranted (i.e., in the event of unanticipated conditions) or performed for properties that may be incorporated into this RMP after the LUC is in effect. For future proposed development properties to be covered by this RMP after the effective date of the LUC, Figure 4 contains a flow chart to characterize and delineate the presence of COCs on the subject property.

## 6.1 Soil Contaminants of Concern

Identified COCs in soil at the properties included in this RMP came to be so located based on prior site operations and placement of undocumented fill. These COCs have been identified as including TPHg, TPHd, TPHmo, VOCs, SVOCs, OCPs, PCBs, and/or metals. Except for visually stained soil or odorous soils, any soil currently present on the site may be reused or relocated below the Durable Cover. Notwithstanding the preceding, the stockpiled soil containing PCBs on the southern portion of 391 Demeter Street may not be relocated to any other portion of the site and must either be used at the subject property beneath a Durable Cover or disposed of off-site at an appropriate landfill facility.

Based on the previous site investigations, COC-impacted soil has been reported in the fill material and native soils, generally ranging from the surface to approximately 5 feet bgs or at greater depths for properties with overlying fill. However, if excavation and/or remediation of soils have occurred, COC-impacted soils may not be present in previously identified areas.

### 6.1.1 Soil Screening Criteria

Soil being imported to the site, or site soils proposed to be used as the Durable Cover will be sampled and evaluated in accordance with the SIC Memo, and compared to Table C-1 in Appendix C to determine where the soil may be emplaced. On-site soils proposed for reuse under the Durable Cover do not require additional soil sampling.

## 6.2 Groundwater Contaminants of Concern

Identified COCs in groundwater at properties covered in this RMP are based on previous site operations, previous site investigations, and/or the nearby operations and may include TPHg, TPHd, TPHmo, VOCs, SVOCs, OCPs, and/or metals. In general, the historic analytical groundwater data with COCs exceeding the 2019 MCL Priority ESLs have included the following petroleum related COCs: TPHg, TPHd, and MTBE. However, if the groundwater sample collected during an investigation pre-dated removal and/or remediation of soils that were considered the source for groundwater contamination, current groundwater concentrations may be lower and the COC may not exceed the MCL Priority ESLs.

### 6.2.1 Groundwater Screening Criteria

The groundwater at the site generally has high total dissolved solids (TDS, greater than 3,000 mg/L) and is generally unusable for domestic and municipal purposes. Water is supplied to the site by a regulated water purveyor, and the use of groundwater is not necessary and is prohibited through the LUC. Therefore, potential receptors would likely be construction worker exposure during excavation, trenching, or drilling activities. Worker protection through direct contact with groundwater will be achieved through compliance with the SSHSP.

## 6.3 Soil Vapor Contaminants of Concern

No comprehensive soil vapor analytical data is available for the properties under this RMP. Prior to beginning development of occupied enclosed structures, a soil vapor investigation work plan will be submitted to RWQCB for approval, and will be implemented in a manner consistent with the most current and applicable soil vapor guidance documents at the time the soil vapor investigation is conducted, consistent with the LUC and as provide under Section 11 of this RMP. The soil vapor investigation work plan should be submitted to the RWQCB approximately one-year prior to intended development activities to allow for testing to address seasonality and agreement on a path forward, as necessary to remediate and or mitigate significant releases of VOCs. Soil gas concentrations will be analyzed for VOCs using USEPA TO-15. RWQCB submittals are discussed further in Section 11.

### 6.3.1 Soil Vapor Screening Criteria

The screening criteria required for soil vapor will be the RWQCB ESLs, Table SG-1, Subslab/Soil Gas Vapor Intrusion: Human Health Risk Levels, Residential or Commercial/Industrial based on the land use and the presence or absence of a bioattenuation zone. The rationale for this screening criteria is to determine if a site-specific risk assessment will be required prior to development of an enclosed structure that will be occupied for human use.

# 7 MEDIA MANAGEMENT OBJECTIVES

Media (i.e., soil, groundwater and soil vapor) management objectives (MMOs) for the site are to eliminate the pathway of exposure to contaminants on site. The MMOs are intended for implementation during redevelopment activities at each property covered under this RMP in order to prevent exposure of future site users and reduce potential exposure of workers and the public during earthwork construction activities to soil, groundwater and/or soil vapor that contain COCs above applicable screening criteria.

## 7.1 Soil Management Objectives

The soil management objectives for the properties covered under this RMP include 1) installing a Durable Cover that will meet the Durable Cover Screening Criteria and protect future site occupants and visitors, 2) removal of excess excavated soil that is Stained or Odorous, and 3) implementation of appropriate future risk management measures (e.g., long-term operation, maintenance and monitoring) so that residual concentrations of COCs remaining in soil at the site do not result in significant human health risks to future site users through anticipated land uses.

Additionally, the migration of PCBs, existing in soils located on the southwestern portion of the 391 Demeter Street property, to the Ravenswood Open Space Preserve (ROSP) are currently controlled (i.e. prevented) through IRMs as summarized in section 2.6.2. IRMs shall remain effective through use of an OMM plan, per section 10.3, until MMOs are implemented.

## 7.2 Groundwater Management Objectives

The groundwater management objectives for the properties covered by this RMP are to protect future site users from contact with groundwater and to ensure the appropriate management of construction-generated water.

The LUC provided in Appendix B preclude the use of groundwater at the site without prior approval by RWQCB staff. This shallow groundwater is not currently being used as a drinking water supply and is not likely to be used in the foreseeable future. Municipal drinking water is provided to the RIA and there is no need to use shallow groundwater. In general, residual petroleum hydrocarbons are the primary COCs impacting groundwater and it is anticipated that natural processes over time will result in attenuation of residual pollutants in groundwater, restoring water quality at the site.

## 7.3 Soil Vapor Management Objectives

The soil vapor management objectives for properties included under this RMP include ensuring that future site users are protected from significant (Hazard Index greater than 1 and/or excess lifetime cancer risk greater than 1 in 1,000,000) vapor intrusion risk through source removal and/or use of engineering controls, building design, or as necessary demonstration through a vapor intrusion risk assessment that property-specific conditions do not pose a significant risk. Soil vapor is currently a data gap at all properties.

## 7.4 Management Actions to Meet Soil, Groundwater and Soil Vapor Objectives

To mitigate or reduce direct human exposure to residual contaminants remaining in site soils (native soils), groundwater and soil vapor, the recommended remedial actions for impacted properties are 1) install a Durable Cover across the site, 2) off-site removal or the covering, with a Durable Cover, excess native soil (e.g., excess soil generated from trenching and other earthwork operations) or demonstration (i.e. analytical testing) that such excess soil does not contain concentrations of COCs above the Category 1 criteria, 3) off-site disposal or treatment of visibly stained or odorous excess soil or soil associated with a previously unknown condition (e.g. leaking UST) to the extent practicable during site development, and, as necessary 4) mitigation of vapor intrusion risk through source removal (remediation) if warranted, use of engineering controls, or building design.

The future development under this RMP will include import of Fill soils, and construction of commercial or residential buildings, paved or other hardscaped surfaces, and landscaped or other open space areas underlain by not less than three feet of Durable Cover Soil separated from native soil and/or Fill by a geotextile fabric or other marker-barrier, thereby eliminating exposure pathways to impacted soil to future site occupants. Short-term and long-term risk management protocols will be implemented during construction, including the use of protective clothing and other health and safety measures for construction and trench workers involved in earthwork/construction operations, and implementation of institutional controls. The four elements of the remedial actions are discussed in more detail below:

### 7.4.1 Excess Soil

Excess soil generated from digging or trenching activities that is not Stained or Odorous is permitted to be placed under the Durable Cover without analytical testing. Excess native soil generated from excavation activities may be used as Durable Cover if it meets Category 1 criteria, in accordance with the SIC Memo in Appendix C, following submittal of a sampling plan to the RWQCB for review and approval. If the excess soil is found to contain COCs above Category 1, it may not be used as Durable Cover and will be either capped under a Durable Cover or transported off-site and disposed of at an appropriately-permitted disposal facility or treated off-site for reuse. Underground utility corridors to be constructed must be backfilled with material that meets Category 1 criteria at a minimum. A Soil Reuse Flow Chart illustrating decisions for sampling and analyzing excavated and stockpiled soils is presented in Figure 5. Should excess soil meet the Category 1 criteria, three feet of the soil may be used as Durable Cover and will be underlain by geotextile fabric.

### 7.4.2 Durable Cover and Containment (Engineering Controls)

A Durable Cover will serve as cover and containment of native soil containing concentrations of COCs that exceed Category 1 criteria, in areas that will be used by members of the public. The Durable Cover involves the placement of a containment material over native soils, thus preventing direct contact with the native soils, off-site migration of soil via wind-blown dust, and erosion from surface water runoff. The Durable Cover will also be installed with the intent to prevent exposure to human and ecological receptors from site COCs.

A variety of covers would be suitable for the properties under this RMP. The options for Durable Cover include:

- Buildings or other structures.
- Streets, roads, paved parking lots or other hardscape.
- Paths with packed fines or similar material, LID features, to a depth of six inches and geotextile marker bed.
- A three-foot layer of clean imported fill material meeting Category 1 (95 UCL of the mean) and installation of a geotextile marker bed separating fill material and native soil.

Proper installation of the Durable Cover as discussed above will be effective in providing a barrier capable of preventing exposure to COC-impacted soil remaining on site. The Durable Cover would be supplemented by institutional controls, including an environmental covenant and Deed Restriction (Appendix B) and an OMM Plan.

### 7.4.3 Soil Vapor Mitigation

Prior to construction of enclosed, occupied structures, a soil vapor survey shall be conducted. A work plan following the vapor intrusion guidance current at the time of development will be prepared and submitted to the RWQCB for review and approval, prior to conducting the survey. Following completion of the survey, a report documenting the results will be submitted to the RWQCB. Should soil vapor concentrations exceed the RWQCB ESLs, Table SG-1, Subslab/Soil Gas Vapor Intrusion: Human Health Risk Levels, Residential or Commercial/Industrial based on the land use and the presence or absence of a bioattenuation zone, a risk assessment shall be required. If a risk assessment determines soil vapor is found to create a Hazard Index greater than 1 and/or excess lifetime cancer risk greater than 1 in 1,000,000, discussions with the RWQCB will occur to determine if soil vapor mitigation or source removal/remediation shall be implemented at the subject property. Soil vapor mitigation measures may include additional soil vapor sampling, installation of vapor barriers beneath buildings with either a passive or active venting system. Prior to construction

RWQCB shall review and approve the soil vapor work plan, soil vapor survey report, and any necessary risk assessment, proposed mitigation and/or remediation.

### 7.4.4 Institutional Controls

Due to the known and potential COCs in soil and groundwater for properties covered in this RMP, institutional controls (i.e. through the LUC provided in Appendix B) including compliance with this RMP, are required to protect future site occupants. This legally binding and enforceable document will remain in perpetuity, unless terminated by the RWQCB, to limit exposure to residual COCs, and to ensure the effectiveness and compliance with this RMP in the short and long-term, and prohibit certain activities (e.g., use of groundwater) that could create significant risk. In addition to site-wide LUCs, property-specific LUCs may be appropriate to ensure vapor mitigation measures are installed, maintained and monitored. Should future site occupants not comply with the LUC, the RWQCB may take enforcement action to compel compliance.

# 8 SITE HEALTH AND SAFETY PLAN

During earthwork construction activities for planned redevelopment or maintenance of a property, the Contractor shall adopt and follow precautions no less stringent than the following measures:

- Health and safety training requirements, including Hazardous Waste Operations and Emergency Response (HAZWOPER) certification per 29 CFR 1910.120, for earthwork construction workers who may directly contact soil and/or groundwater containing COCs (e.g., during site preparation, grading, foundation construction, or landscape installation); and
- Requirements for establishing worker protection procedures for construction workers who may directly contact soil or groundwater containing COCs;

Each earthwork construction or maintenance contractor with workers who may directly contact native site soils or groundwater containing COCs (e.g., during site preparation, grading, and foundation construction) shall prepare their own SSHSP through a CIH.

The SSHSP shall include procedures for earthwork construction personnel to manage encountered/disturbed soil that is obviously impacted, as identified by visual observation of staining, odors or elevated organic vapor readings, and to handle encountered abandoned subsurface structures such as tanks, sumps, and pipes. The SSHSP will also include groundwater management protocol, should groundwater be encountered during the proposed redevelopment activities.

Field personnel shall be required to review the SSHSP and provide written acknowledgement of their review and understanding of the SSHSP and willingness to abide by its requirements. In addition, the Contractor's site Superintendent will perform a daily tailgate safety meeting held at the beginning of each workday to discuss relevant task-specific safety issues. Additionally, daily site visitors will be required to review the SSHSP and sign the acknowledgement sheet.

# 9 SOIL AND GROUNDWATER MANAGEMENT PROTOCOL

This section provides a discussion of the protocol for excavation and monitoring of COC-impacted soils that may be encountered during grading and/or excavation in association with site earthwork construction activities, stockpiling and sampling of potentially COC-impacted soils, stockpile management, site best management practices, re-use and disposal criteria for soils, and management of COC-impacted groundwater, if encountered.

## 9.1 Soil Excavation and Monitoring

The Contractor shall be responsible for construction activities associated with subsurface excavation, trenching, handling, on-site reuse, direct-loading for off-site disposal, and temporary stockpiling of soil in accordance with project specifications. The Contractor shall also be responsible for general construction impact mitigation measures, including control of dust generation at the property over which he or she has control, decontamination of equipment, prevention of sediment from leaving the property in storm water runoff, and management of groundwater, if any. Additionally, the Contractor shall also be responsible for developing a project specific SSHSP, consistent with the minimum requirements established under Section 8 of this RMP, and compliance with this RMP, and all applicable local, state, and federal statutes, regulations, and guidelines. Excavation and handling of COC-impacted soils will be conducted in a manner that prevents the release of contamination, if present, to other on-site and off-site areas.

The Environmental Consultant shall periodically observe, monitor and document intrusive work activities. If evidence of potentially COC-impacted soil (e.g., distinctive discoloration and odor and/or suspected contaminated materials such as wastes) is encountered by the Contractor, the Project Manager shall be notified and the Environmental Consultant will monitor and document intrusive work activities. The Stained and/or Odorous soil will be stockpiled separately for potential reuse or for off-site disposal or treatment. Stockpiles will be segregated and managed in accordance with Section 9.2.

### 9.1.1 Odor and Vapor Control

If there is a potential to generate odors during earthwork construction activities, the Contractor shall employ odor suppression techniques including covering of 1) stockpiles, 2) open excavations or 3) trenches, to mitigate impacts to site workers, visitors and nearby sensitive receptors (e.g., businesses, residential communities, general public). Stockpiles will be managed in accordance with Section 9.3. In addition, the Contractor shall implement appropriate means and methods to mitigate odors of stockpiles, open excavations or trenches, prior to leaving the site at the end of each workday.

### 9.1.2 Dust Monitoring Plan

The Contractor shall mitigate dust following those guidelines presented in a RWQCB approved area-wide Dust Monitoring Plan. Dust management measures will include, but not be limited to, using water with a hand held sprayer or by water trucks, as-needed, on the surface of active work areas. Care will be exercised to minimize the overuse of water so as not to create surface water runoff or excessively saturated conditions. Dust control will also be conducted at the site entrance during construction activities.

### 9.1.3 Storm Water Pollution Prevention Plan

A Storm Water Pollution Prevention Plan SWPPP will be required prior to soil disturbance activities for properties that are more than one acre and will be prepared by a Qualified SWPPP Developer. The SWPPP will be compliant with the California SWRCB General Construction Permit (GCP) Requirements for Storm Water Discharges, RWQCB Order No. 2009-009-DWQ Construction and will include those storm water pollution prevention measures and best management practices.

### 9.1.4 Decontamination

Construction equipment and transportation vehicles will be decontaminated prior to leaving the site to minimize the possibility that this equipment will track COC-containing soil onto public roadways. To minimize the possibility of cross-contamination, construction equipment and transportation vehicles will also be decontaminated prior to moving from on-site areas known or newly found to contain contaminated soils or wastes to other areas or paved areas that are not expected to contain COCs.

Decontamination methods will include scraping, brushing, and/or vacuuming to remove dirt on vehicle exteriors and wheels. In the event that these dry decontamination methods are not adequate, methods such as steam cleaning, high-pressure washing, and cleaning

solutions will be used, as necessary, to thoroughly remove accumulated dirt and other materials. Wash water resulting from decontamination activities will be collected and managed in accordance with all applicable laws and regulations.

## 9.2 Soil Segregation and Stockpiling

The Contractor shall coordinate with the Environmental Consultant to segregate soil into separate stockpiles as follows:

- **Reuse Soil:** Soil that does not exhibit any staining, and/or is not odorous may be reused on site below the Durable Cover and above the existing soil without any further analytical testing. Reuse soil must be stockpiled separately from impacted (e.g. stained) soils. Soils may be reused between properties within the site provided it is placed under the Durable Cover, with the exception of stockpiled soil originating from 391 Demeter.
- **Potentially Impacted Soils:** Soils exhibiting staining and/or are odorous will be stockpiled separately from the reuse soil. Analytical testing will be conducted in accordance with Section 9.4.1 to determine if the soil may be reused beneath the Durable Cover, or if it should be moved off site.
- **Imported Fill:** Soil imported to the site to be used as Fill will be stockpiled separately from excess soils originating from the site. Category 1 soils will be separated from Category 2 soils.

Soil segregation and stockpiling shall be monitored by the Contractor to ensure no cross contamination will occur. The contractor shall prepare a Stockpile Management Plan which will discuss stockpile handling and management procedures similar to those discussed in Section 9.3, and will include a figure designating stockpile locations. Grading plans with stockpile management procedures will be included and can be submitted in place of the Stockpile Management Plans. The plans will be reviewed and approved by the Consultant prior to import.

## 9.3 Stockpile Management

The staging area and the stockpiles shall be managed by the Contractor in accordance with San Francisco Bay Area Air Quality Management District (BAAQMD) 8-40 requirements (BAAQMD, 2005), this document, the SSHSP, and a site-specific SWPPP which will follow Construction General Permit guidelines. The soil stockpiles shall be constructed and managed to minimize the threat of release of contaminants or soil from the stockpile, as applicable. Imported stockpiles, reuse stockpiles and potentially impacted stockpiles will be stockpiled separately from each other. Any hazardous waste stockpile or other stockpile of soils that will not be reused on site because the soils do not meet reuse criteria shall be removed from the site in 90 days or less from the date of excavation.

It is required that excavated and stockpiled soils associated with construction activities at the site be managed as follows:

- Placed onto a relatively impervious surface, such as asphalt, concrete, or on a 30-millimeter (mil) or thicker high-density polyethylene (HDPE) liner.
- Sprayed or misted with water to minimize dust emissions during stockpiling, if necessary.
- Securely covered with an 8-mil or thicker HDPE liner to minimize vapor emissions and prevent runoff from rain.
- Configured in such a manner that surface water runoff, if present, from the stockpile does not carry stockpiled material and/or leachate beyond the stockpile perimeter berm.
- Inactive stockpiles (stockpiles not in use for over 2 hours), will either be covered with 8-mil or thicker HDPE liner or sprayed with water every 2 hours, or as necessary, to minimize dust emissions.

## 9.4 Soil Characterization for Reuse or Off-haul

The following section describes the sampling and analysis protocol for characterizing distinct native stockpiles and, as applicable, characterizing native soils into appropriate categories for off-site disposal, or suitability for on-site reuse. Stockpile sampling, analytical testing, and reporting shall be conducted by the Environmental Consultant and shall be conducted in accordance with the guidelines in the SIC Memo (Appendix C) and/or disposal facility requirements, as appropriate. Figure 5 provides a flow chart for the following disposal or reuse purposes:

- Native soil without odor or visual staining may be reused on-site beneath the Durable Cover without any analytical testing.
- Native soil with odor or visual staining (as defined in Section 3.2.1) will be off-hauled to an appropriate facility.
- Native soil proposed to be used as Category 1 will be tested in accordance with the SIC Memo in Appendix C, following submittal of a sampling plan to the RWQCB for review and approval.

Soil sampling protocols will follow the DTSC Clean Imported Fill Material Information Advisory (Advisory), as provided in Appendix C. Required sampling frequencies and analytical methods are provided in the Advisory, and may be updated by the RWQCB as required. Analytical data, along with the SIC Memo will be submitted to the RWQCB, as provided in Appendix C. Should the soils meet the designated import criteria (either Category 1 or Category 2), soils may be imported to the Site 5 business days following notification and upload of the SIC Memo and attachments to GeoTracker, without RWQCB approval.

If soils do not meet geotechnical or environmental requirements for reuse (e.g., Stained or Odorous) stockpile sampling may also be necessary and shall be conducted according to the requirements of the accepting facility(s).

## 9.5 Imported Soil

Imported soil proposed to be used as Durable Cover or beneath the Durable Cover will be tested in accordance with the SIC Memo in Appendix C, following the submittal of a sampling plan to the RWQCB. It is noted that the Advisory referred above only applies to soil from sources that are not suspected of having any impacts. The level of testing in the Advisory is to confirm the soil is not impacted, not to characterize. Soil import from source sites which are undergoing or have undergone an environmental cleanup, industrial, commercial or agricultural sites where hazardous materials were used, handled, or stored as part of the business operations, or unpaved parking area where petroleum hydrocarbons could have been spilled or leaked onto the soil will require more rigorous sampling than that required by the Advisory. A sampling plan must be submitted to the RWQCB for review and approval, as per the SIC Memo.

## 9.6 Unknown Contamination

If hazardous substances or conditions are encountered which present an immediate threat or injury to human health or water quality, the Contractor shall secure the area and shall notify the Project Manager, Environmental Consultant and RWQCB staff immediately. The Contractor or any person shall call "911" to summon the emergency services, as necessary. Any site cleanup activities of unknown contamination that give rise to an emergency condition, will be halted and abated by the Contractor if it is safe to do so. If emergency clean-up activities are required, it will be conducted under all applicable laws. The Environmental Consultant and RWQCB staff shall be notified at the first safe opportunity.

If previously unknown hazardous substances or conditions are encountered that do not present an immediate threat to human health or water quality, the Contractor shall immediately notify the Project Environmental Consultant and the Project Manager. As necessary, the area surrounding the discovery of unknown contamination will be isolated and secured by the Contractor with markings, fencing, or a suitable barrier so that construction activities can be excluded from the zone of impact. The Environmental Consultant and the Project Manager will then decide whether immediate excavation, segregation, stockpiling, containerization, and/or other activities are warranted as well as notification of the appropriate regulatory authority.

Professional judgement will be employed in determining when any previously unknown encountered subsurface materials require excavation or remediation (including, but not limited to, tanks, pipes, odorous soils, stained soils, etc.). Should remediation be required, work will stop and the Environmental Consultant will notify RWQCB staff. If Odorous or Stained substances are encountered, work will stop and the Contractor will notify the Environmental Consultant.

Any encountered, abandoned subsurface structures that may contain liquids (e.g., sumps, storage tanks, and pipelines), will be treated as possible COC-contaminated materials or potential sources of COCs to soil and groundwater. If these features are encountered, the following guidelines shall be applied:

- Any obvious leakage or drainage will be collected, contained and stopped as rapidly as can be safely accomplished by the contractor;
- RWQCB staff will be notified and applicable paperwork, such as an Underground Tank Closure Plan with County of San Mateo Health Service, will be initiated;
- Residual liquids in the sump(s), tank(s), and/or pipe(s) will be removed, contained, tested as required for disposal, and appropriately disposed;
- Sumps and tanks will be cleaned and closed in place or excavated and appropriately disposed;
- If it is not necessary to remove all of a discovered pipe to complete construction, then the pipe will be cut, the portion of the pipe required to be removed to complete construction will be removed and appropriately disposed, and the ends of the pipe remaining in place will be capped; and;
- Visibly contaminated or odorous soil, whether or not it is associated with encountered subsurface sumps, tanks, or pipes, will be subject to the soil management procedures discussed above;
- If residual liquids are determined to contain COCs or hazardous compounds other than petroleum hydrocarbon constituents at significant concentrations or quantities, RWQCB staff will be contacted, and additional environmental assessments will be conducted in accordance with the RWQCB's guidance and in accordance with all laws and regulations.

## 9.7 Data Gaps

Soil vapor is considered a data gap at all properties. As discussed previously, additional investigation activities will occur at these properties prior to beginning development. Soil vapor investigations should be started one year prior to construction.

## 9.8 Transport and Disposal

If contaminated or hazardous soils or other environmental media or subsurface structures (e.g., tanks, sumps, piping) are transported off site for disposal, the transporters and disposal facilities used must be appropriately licensed and/or permitted and properly insured, and be pre-approved by the Project Manager. The Contractor, with assistance from the Environmental Consultant, will manage the transportation and disposal of wastes to the appropriate treatment and disposal or recycling facilities. The Contractor shall prepare waste profiles and manifests or bills of lading for review by the Environmental Consultant and for signature by the Project Manager or Owner. Manifests or bills of lading and waste profiles will be forwarded to the appropriate disposal/recycling facility for acceptance. The Contractor shall be responsible for the scheduling of shipments of wastes after notice of acceptance.

Coordinating vehicles entering property for loading and off-site disposal of site materials shall be tracked through documentation, by the Contractor, with assistance from the Environmental Consultant. Vehicles shall be decontaminated, as necessary, prior to their departure from the property per Section 9.1.4. Care shall be taken to avoid spillage of contaminated materials and/or tracking such materials off site. The Contractor shall maintain a daily log of contaminated substances, hazardous substances, or hazardous wastes removed from the property for disposal. Upon project completion, the logs shall be accompanied by copies of waste manifests and load tickets that document receipt of the waste at the permitted facility and the weight of the load.

Hazardous wastes transported off site for disposal or recycling shall be performed in accordance with Department of Transportation (DOT) Hazardous Material Transportation regulations 49 CFR Parts 171 and 180, 40 CFR Part 262, Subpart B, and Title 22 CCR Section 66262, which involve packaging, placarding, labeling, and manifesting requirements. Hazardous wastes transported shall also have appropriate certification notices per 40 CFR Par 268 and Title 22 CCR Section 66268. Personnel having the required DOT-training shall perform DOT-related functions, if required.

Contaminated materials characterized as non-hazardous that do not exhibit the DOT hazard class characteristics (i.e., explosives, gases, flammable/combustible liquids, flammable solids/ spontaneously combustible materials/dangerous when wet materials, oxidizers and organic peroxides, toxic materials and infectious substances, radioactive materials, and corrosive materials) are not regulated under DOT rules for hazardous materials transportation. If a material is hazardous, it shall be shipped under the appropriate hazard class with a Hazardous Waste Manifest.

Trucks carrying contaminated substances or hazardous wastes shall be covered such that there is no odor or dust during transportation along the haul route identified in the project specifications. Open trucks shall not be permitted to transport waste from the property that may produce odor or dust during transportation.

## 9.9 Groundwater Management

Activities associated with site earthwork construction activities may involve subsurface excavations, and depending on the excavation depths could potentially encounter groundwater. If excavations are planned to extend below 5 to 10 feet bgs, then groundwater should be expected to be encountered. If groundwater is encountered, and dewatering is necessary, the groundwater shall be temporarily stored and sampled to evaluate disposal options, which may include discharge to sanitary sewer or storm drain, applied to land, or disposed of off-site.

If groundwater is encountered and dewatering required, the Contractor will be responsible for providing equipment (vacuum truck or a pump, holding tanks, filtration systems) to contain groundwater and to conduct the permit-required sampling and analytical testing until it can be discharged to either the sanitary or storm sewer systems, or land. Prior to any discharge, the Environmental Consultant shall be provided the analytical sampling results to confirm discharging is acceptable and groundwater management plan will be submitted to the RWQCB for review. The Contractor is responsible to complying with all conditions of the discharge permit or RWQCB Order.

If discharging to the sanitary sewer is an option, the Contactor shall contact the East Palo Alto Sanitary District to inquire about obtaining a special discharge permit. If discharging to storm sewer is an option, the Contractor shall comply with the requirements established in the RWQCB Order No. R2-2012-0012, NPDES No. CAG912002, “General Waste Discharge Requirements for: Discharge or Reuse of Extracted and Treated Groundwater Resulting from the Cleanup of Groundwater Polluted by VOC, Fuel Leaks and Other Related Wastes (VOC and Fuel General Permit)", dated February 9, 2012.

Groundwater may also be discharged to land, as approved by the Environmental Consultant, in accordance with the State Water Resources Control Board Water Quality Order No. 2003-0003. Prior to discharging groundwater, a Notice of Intent must be submitted to RWQCB staff, along with a project map, evidence of California Environmental Quality Act (CEQA) compliance, a discharger monitoring plan, and applicable fees as required by Title 23, CCR, Section 2200. Groundwater discharged under this permit may not enter any surface waters. The minimum

standards and further information for groundwater discharge are listed in Table 1 of Order No. 2003-0003.

Should off-site disposal be required, the groundwater will be stored on-site, sampled and analyzed by the Contractor in accordance with the accepting facilities requirements.

# 10 POST-CONSTRUCTION RISK MANAGEMENT

Post-construction risk management will address precautions that will be undertaken for mitigation of future potential risks to human health and the environment after completion of cleanup and development. When development is completed, soil with concentrations of COCs exceeding Criteria 1 will be effectively capped, thus preventing direct contact with this soil. For maintenance or construction workers who may occasionally disturb subsurface soils below the Durable Cover, protective health and safety procedures will be implemented in accordance with a SSHSP, and notice will be given to the RWQCB if more than 150 cy are disturbed. Where a VIMS is required, annual and/or five-year reviews may be required by the RWQCB to verify the VIMS is functioning as intended, in accordance with the DTSC Vapor Intrusion Guidance (DTSC, 2011), or applicable soil vapor guidance documents at the time the VIMS is installed and is functional.

Any future subsurface construction or maintenance activities that may encounter potentially COC-impacted soil will be completed in a manner consistent with soil and groundwater management procedures set forth in this RMP, including, but not limited to Sections 7 (Media Management Objectives), 8 (Health and Safety) and 9 (Soil and Groundwater Management Protocol) and 11 (Agency Notification and Soil Disturbance Activities) to ensure protection of human health, the environment and compliance with applicable laws.

Workers excavating COC-impacted soil below the Durable Cover placed as part of future site redevelopment or maintenance will be required to define adequate measures to protect construction worker, occupants, tenants, visitors, and nearby off-site residents and workers. For subsurface work to be performed on a property, a SSHSP will be prepared in accordance with Section 8.

## 10.1 Restrictions Use Under This RMP

The LUC precludes, unless expressly approved in writing by the Executive Officer of the RWQCB or a variance is granted:

1. Groundwater use at each property covered by this LUC;

2. Residential dwellings (once soil vapor has been adequately addressed) with individually owned or controlled yard or gardens;

3. Growing vegetables, fruits, and any edible items in native soil for human consumption; and

4. Any activity not consistent and in compliance with the RMP.

Other properties may be included under the LUC if environmental site conditions are similar to environmental conditions covered by the LUC. If conditions are similar, Appendix A and Appendix B shall be amended to include such additional properties, and this RMP shall become applicable to them at that time.

## 10.2 Long-Term Compliance

The soil and groundwater management protocols specified in this RMP are based on the current understanding of site environmental conditions. All future owners, tenants, developers, contractors and any other entities with responsibility for site activities shall continue to have the obligation (1) to review and determine the adequacy of this RMP in light of the conditions actually encountered on each property and the intended or current land use of the property; (2) to evaluate the current understanding of the health effects of identified COCs, to the extent health effects assumed in this RMP may change; and (3) to comply with all applicable regulatory policies, laws, and regulations including any appropriate notifications to RWQCB staff regarding material changes, thickness of Durable Cover, and use of alternative Durable Covers in land use or identified site conditions. In addition, property owners will be responsible for any and all operations and maintenance activities discussed in this RMP and the LUC with respect to property under their respective ownership. Each owner is responsible for notifying the RWQCB in writing within 30 days of a change in ownership. Such notification shall be uploaded to the State Water Resource Control Board's Geotracker database.

## 10.3 Operations, Maintenance, and Monitoring Plan

OMM Plan and OMM checklist for the properties covered in this RMP shall be prepared and submitted, with the full design documents for each parcel development, to the RWQCB for review and approval. The OMM Plan will be implemented by the site Owner following site redevelopment.

The OMM Plan includes, but is not limited to, a maintenance schedule, inspection guidance, repair procedures, reporting requirements, descriptions of inspections and any maintenance performed, and any emergency response procedures.

# 11 AGENCY NOTIFICATION AND SOIL DISTURBANCE ACTIVITIES

The Owner, as defined in Section 3.1.1, must notify the RWQCB staff at least 60 days prior to performing ground disturbance activities for any on occupied structures exceeding the disturbance of 150 cubic yards or 1,250 square feet of surface. The notice shall include a description of current property conditions and property features, proposed activity, and a Work Plan for Ground Disturbance. Requirements for the Work Plan for Ground Disturbance are listed below in Section 11.2.1. A Durable Cover must be either installed or reinstalled following the proposed ground disturbance activities. RWQCB staff shall strive to respond with approval or comments on the Workplan (via letter or e-mail) within 60-days of submittal. Should any emergency repairs need to take place, RWQCB staff will be notified within 48 hours of the activities or as soon as possible. Any variances to the protocols as described in this RMP will be submitted to RWQCB staff in writing a minimum of 90 days prior to the planned activity. The variance may not occur until the RWQCB has approved the variance. The City of East Palo Alto shall also be notified prior to commencing construction activities.

Prior to and during earthwork construction activities related to redevelopment of a property, applicable permits and notifications shall be the responsibility of the Contractor. The Contractor shall be responsible for notifying California OSHA in accordance with the Contractor's Annual Trenching and Excavation Permit and notifying Underground Service Alert. If unknown contamination is found on a property, the Project Manager and Environmental Consultant will be immediately informed. A description of the project team's roles and responsibilities is included in Section 3.1.

## 11.1 Redevelopment Activities

The Owner shall request a pre-project scoping meeting to identify timelines with RWQCB staff prior to any groundwork for occupied structures. To allow adequate time for soil vapor investigations, risk evaluation, and, as necessary, agreement with the RWQCB to remediate and or mitigate, the Owner should request the pre-project scoping meeting approximately one-year in advance of intended development activities (Note: Section 11.1.1 outlines the process and approximate timeline for soil vapor assessment). The pre-project scoping meeting should be conducted within 30 days following request by Owner and will include a description of the project and a Work Plan for Ground Disturbance (see Section 11.2.1). A scoping meeting will follow within

60 days following the pre-project scoping meeting, except by mutual agreement, and will include a submittal and discussion of a Work Plan Memorandum describing redevelopment activities. Requirements for the Work Plan Memorandum are listed below in Section 11.2.2.

RWQCB staff will strive to respond within approximately 60 days of receipt. RWQCB approval will require, where necessary, final vapor intrusion mitigation measure plans and pre-occupancy testing, long term monitoring, and contingency evaluation.

If following a site-specific risk assessment, soil vapor is found to create a Hazard Index of 1 and excess lifetime cancer risk of 1 in 1,000,000, the RWQCB will be consulted to determine if soil vapor mitigation or mitigation/remediation shall be implemented at the property. Soil vapor mitigation or source removal measures may include, among others: installation of vapor barriers beneath buildings with either a passive or active venting system, building design or potential soil gas extraction. Prior to construction the RWQCB shall approve the soil vapor survey, risk assessment, and any proposed VIMS within 30 days of receipt of final documents.

Following implementation of the Work Plan Memorandum and completion of remedial activities, as well as required vapor intrusion mitigation measures (as needed), the Owner will submit a Completion Report documenting compliance with the Work Plan Memorandum and any required vapor mitigation and monitoring measures. Interim approvals, such as a smoke test may also be required.

## 11.2 Documentation

The Environmental Consultant shall prepare the following reports for each property for which a notification is required. The reports will be signed by the Environmental Consultant (Professional Geologist or Professional Engineer as appropriate) and include the following information.

### 11.2.1 Work Plan for Ground Disturbance

- A description of current property conditions and property features,
- A description of the proposed activity,
- Documentation of compliance with this RMP,
- Proposed soil vapor sampling work plan, or an evaluation of adequacy of existing soil vapor data for the proposed activity-,
- Any proposed design drawings, and
- A schedule.

### 11.2.2 Work Plan Memorandum

- A description of the completed work and redevelopment activities
- Means and methods for compliance with this RMP (e.g. vapor intrusion assessment, remediation, and mitigation, dust management activities, compliance with a SWPPP)
- Any required soil vapor data that was collected and site-specific assessment, as necessary
- Engineering drawings (not less than 10%)
- Following documents in the case where a VIMS is needed:
  - A risk evaluation
  - VIMS plans, including design, OMM, contingency plans, and financial assurance (case-by-case decision)

### 11.2.3 Completion Report

- Summarize the activities involving COC-impacted materials
- Site map showing the lateral extent and depths of the soils excavated at the property,
- Durable Cover construction details,
- Placement location(s), and volumes of the excavated soils reused on site,
- Any groundwater, soil or soil analytical results collected during the improvement project,
- If soils are transported off site, an accounting of the materials transported and either disposed of or reused off site, including location of reused soils, weight tickets, waste manifests, and/or bills of lading,
- Health and safety monitoring records, including air monitoring analytical data during excavation activities (if conducted) and procedures used to mitigate odors and dust, and
- Any vapor intrusion and VIMS data including the documentation of installation of mitigation measures, any pre-occupancy testing (e.g., coupons, smoke test overseen by a third party), final OMM plan, long-term monitoring reports, five-year review reports, and a project-specific LUC.

## 11.3 Geotracker Uploads

GeoTracker is the primary repository that will be used to document compliance with this RMP. All documents Any revisions or amendments to this RMP, along with any compliance documents, notifications, or environmental reports for the properties covered under this RMP are required to be submitted in electronic format to the State Water Resources Control Board's GeoTracker database pursuant to the California Code of Regulations (Title 23, Section 3890 et.seq.). This requirement includes all analytical data, monitoring well latitudes, longitudes, elevations, water

depth, site maps, and boring logs (in a PDF format). Owners are responsible for maintaining GeoTracker compliance for their respective properties.

### 11.4 Variance Process

A variance may be submitted to the RWQCB to amend the existing LUC (Appendix B) or this RMP. The variance shall document that the modification will result in no less protective condition as provided by the LUC. RWQCB shall strive to review the variance and provide a decision within approximately 60 days following submittal. Should the RWQCB determine that the variance request documents that the modification will result in no less protective condition as provided under the LUC, the RWQCB shall issue a letter of approval.

## 12 LIMITATIONS

No representation or warranty is made by any present or future owner or developer of the site or their consultants, agents, and contractors as to the applicability or sufficiency of this RMP with respect to future site conditions or alterations made to the site conditions. This RMP should be reviewed periodically and updated by the Owners of the site to reflect any pertinent changes in the state of knowledge regarding the COCs, conditions, or legal requirements impacting the site or its use and occupancy.

This RMP has been prepared in general accordance with current regulatory guidelines and the standard-of-care exercised in preparing similar plans in the project area. No warranty, expressed or implied, is made regarding the professional opinions presented in this plan. Variations in site conditions may exist and conditions not observed or described in this plan may be encountered during subsequent activities. Please also note that this plan did not include an evaluation of geotechnical conditions or potential geologic hazards.

Ninyo & Moore's opinions and recommendations regarding environmental conditions, as presented in this plan, are based on limited subsurface assessments. Further assessment of potential adverse environmental impacts from past onsite and/or nearby use of hazardous materials may be accomplished by a more comprehensive assessment. The samples collected and used for testing, and the observations made, are believed to be representative of the area(s) evaluated; however, conditions can vary significantly between sampling locations. Variations in soil and/or groundwater conditions will exist beyond the points explored.

The environmental interpretations and opinions contained in this plan are based on the results of laboratory tests and analyses intended to detect the presence and concentration of specific chemical or physical constituents in samples collected from the subject site, and on work performed by others. The testing and analyses have been conducted by independent laboratories, which are certified by the State of California to conduct such tests. Ninyo & Moore has no involvement in, or control over, such testing and analysis of work performed by others. Ninyo & Moore, therefore, disclaims responsibility for any inaccuracy in such laboratory results and work performed by others.

Our conclusions and opinions are based on an analysis of the observed site conditions and work performed by others. It should be understood that the conditions of a site could change with time as a result of natural processes or the activities of man at the subject site or nearby sites. In addition, changes to the applicable laws, regulations, codes, and standards of practice may occur due to government action or the broadening of knowledge. The findings of this plan may, therefore, be invalidated over time, in part or in whole, by changes over which Ninyo & Moore has no control.

This document is intended to be used only in its entirety. No portion of the document, by itself, is designed to completely represent any aspect of the project described herein. Ninyo & Moore should be contacted if the reader requires any additional information, or has questions regarding content, interpretations presented, or completeness of this document.

This plan is intended exclusively for use by Sycamore Real Estate Investments LLC. Any use or reuse of the findings, conclusions, and/or recommendations of this plan by parties other than the client is undertaken at said parties' sole risk.

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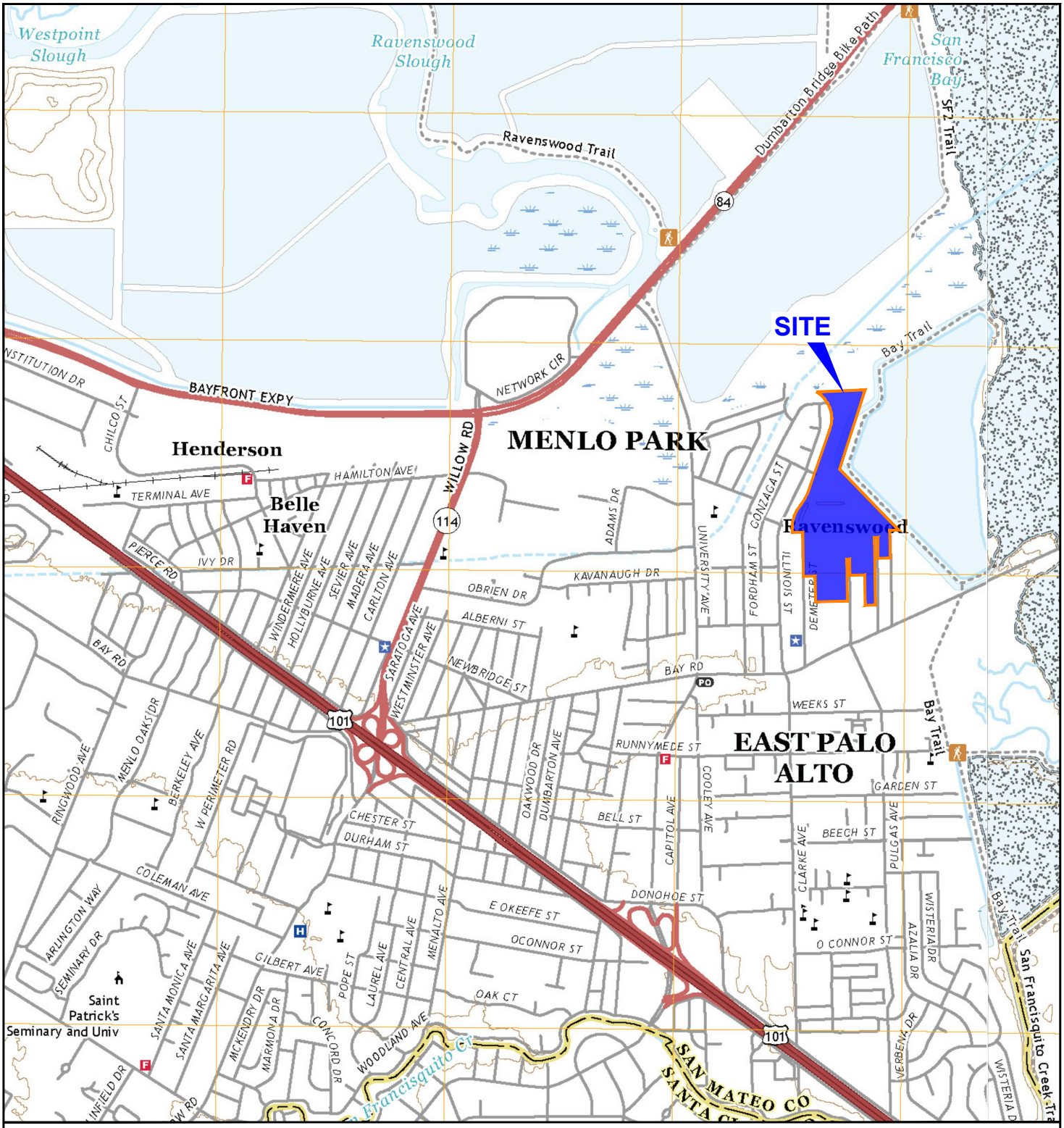
# FIGURES




NOTE: DIMENSIONS, DIRECTIONS, AND LOCATIONS ARE APPROXIMATE I REFERENCE: USGS, 2018

N

SCALE (FEET)

0 2,000 4,000

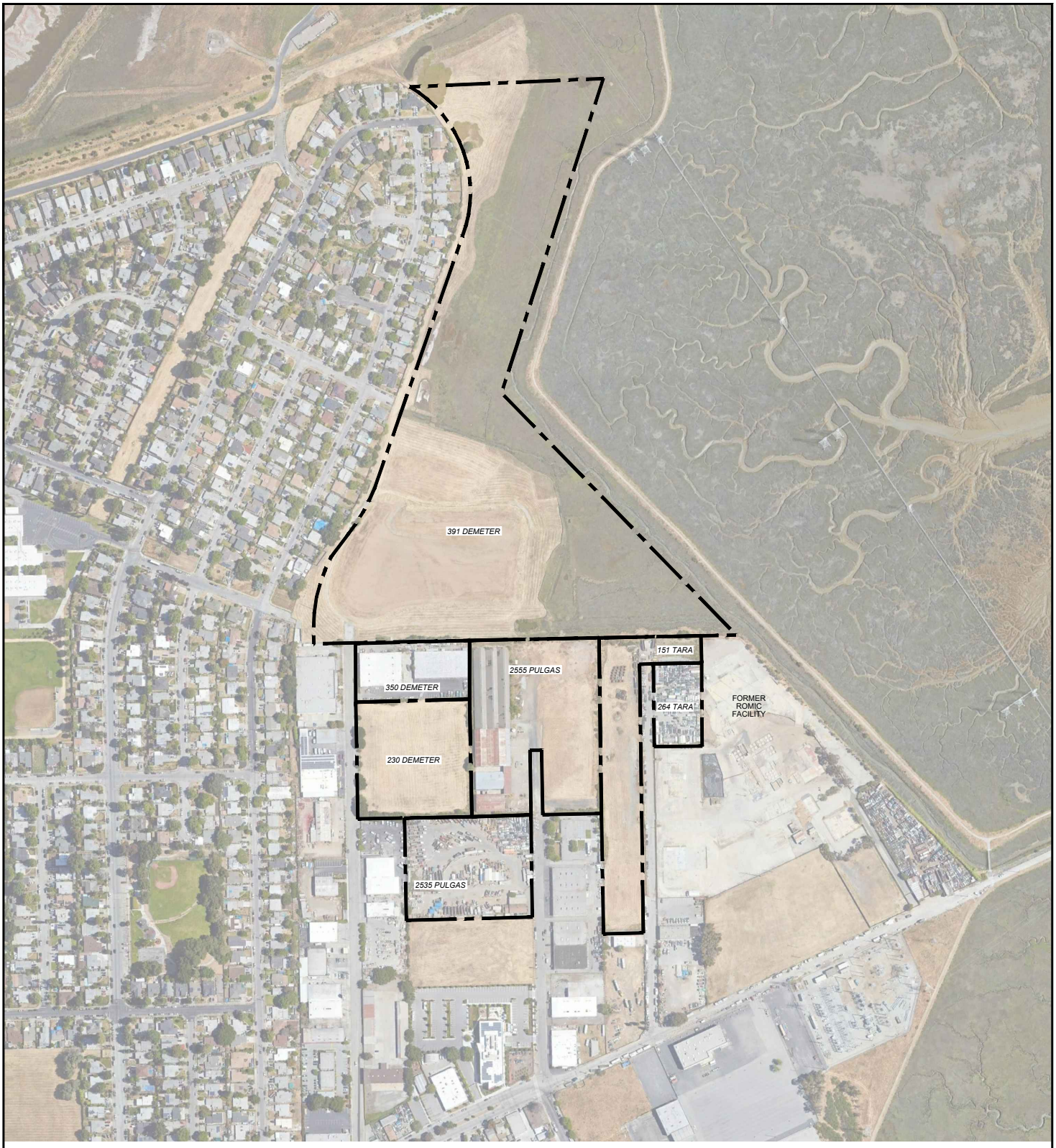
403475001.dwg 11/16/2020 AEK

**FIGURE 1**

Ninyo & Moore
Geotechnical & Environmental Sciences Consultants

## SITE LOCATION

RISK MANAGEMENT PLAN
EPA WATERFRONT
EAST PALO ALTO, CALIFORNIA
403475002 I 8/21




**LEGEND**

PARCEL BOUNDARY

NOTE: DIMENSIONS, DIRECTIONS, AND LOCATIONS ARE APPROXIMATE I REFERENCE: GOOGLE EARTH, 2020

N

SCALE (FEET)

0 500 1,000

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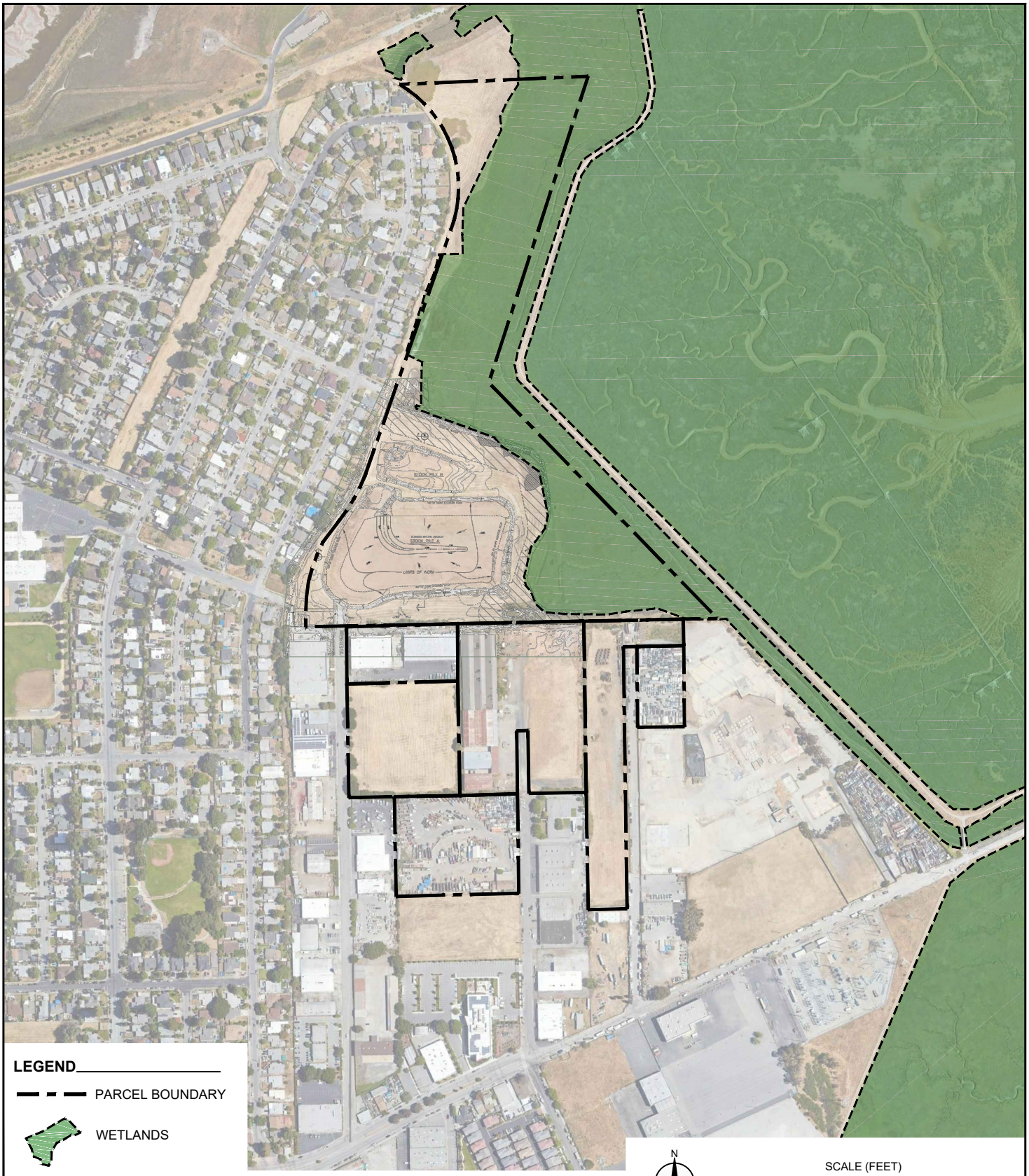
**FIGURE 2**

Ninyo & Moore
Geotechnical & Environmental Sciences Consultants

## SITE PLAN

RISK MANAGEMENT PLAN
EPA WATERFRONT
EAST PALO ALTO, CALIFORNIA
403475002 I 8/21




NOTE: DIMENSIONS, DIRECTIONS, AND LOCATIONS ARE APPROXIMATE
REFERENCES: WILSEY HAM, 2016; U.S. FISH & WILDLIFE SERVICE, 2020; GOOGLE EARTH, 2020

403475002.dwg 08/25/2021 AEK

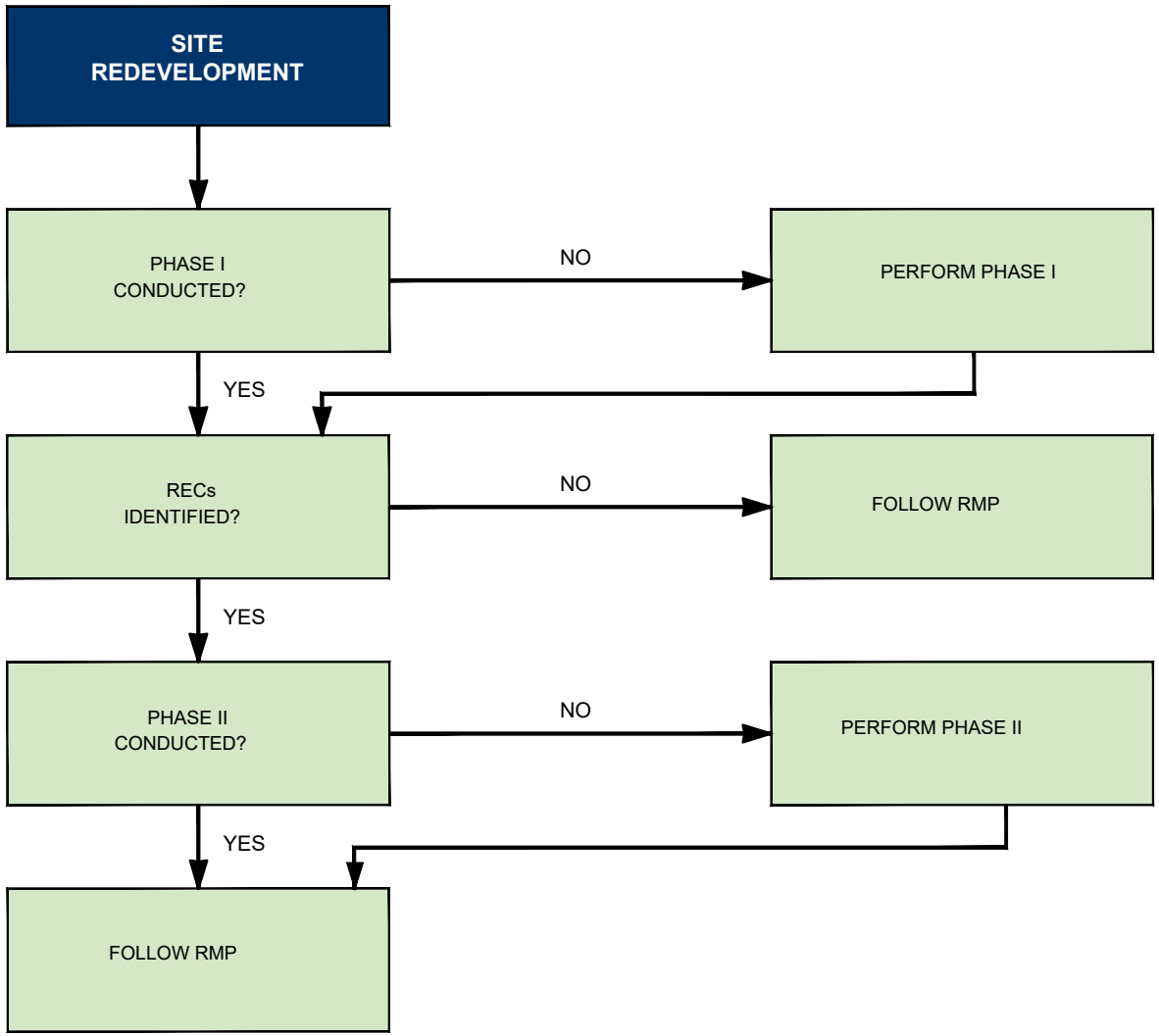
FIGURE 3

Ninyo & Moore
Geotechnical & Environmental Sciences Consultants

## WETLAND AREAS

RISK MANAGEMENT PLAN
EPA WATERFRONT
EAST PALO ALTO, CALIFORNIA

403475002 I 08/21




**LEGEND**

| | | | |
|---|---|---|---|
| REC | RECOGNIZED ENVIRONMENTAL CONCERN | RMP | RISK MANAGEMENT PLAN (NINYO & MOORE, 2020) |

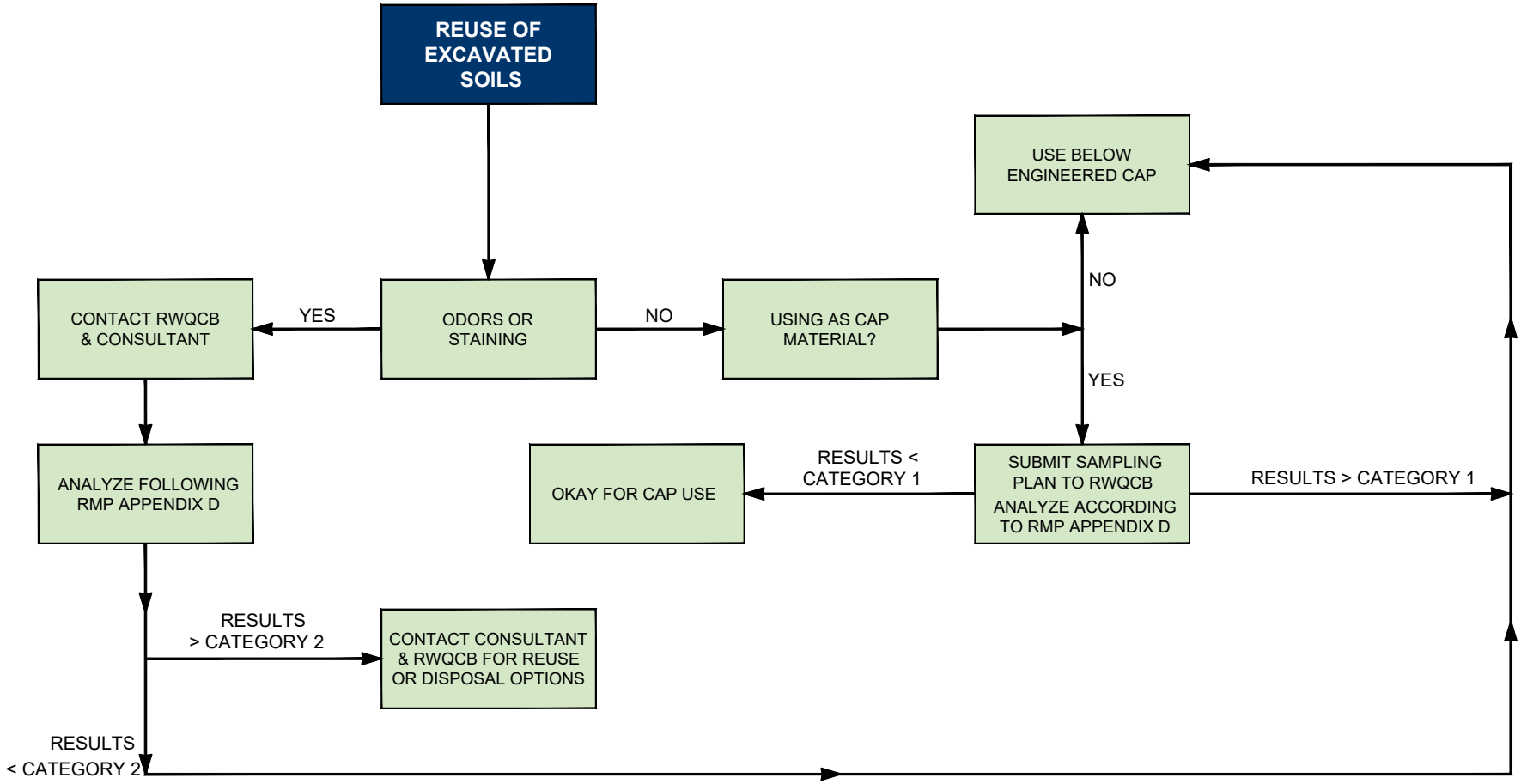
403475001.dwg 11/04/2020 AEK

**FIGURE 4**

Ninyo & Moore
Geotechnical & Environmental Sciences Consultants

## DUE DILIGENCE FLOW CHART

RISK MANAGEMENT PLAN
EPA WATERFRONT
EAST PALO ALTO, CALIFORNIA
403475002 I 8/21




**LEGEND**

| | | | | | |
|---|---|---|---|---|---|
| RMP | RISK MANAGEMENT PLAN (NINYO & MOORE, 2020) | RWQCB | SAN FRANCISCO BAY REGIONAL WATER QUALITY CONTROL BOARD | CATEGORY 1<br>CATEGORY 2 | DEFINED IN RMP APPENDIX D |

403475001.dwg 11/04/2020 AEK

**FIGURE 5**

Ninyo & Moore
Geotechnical & Environmental Sciences Consultants

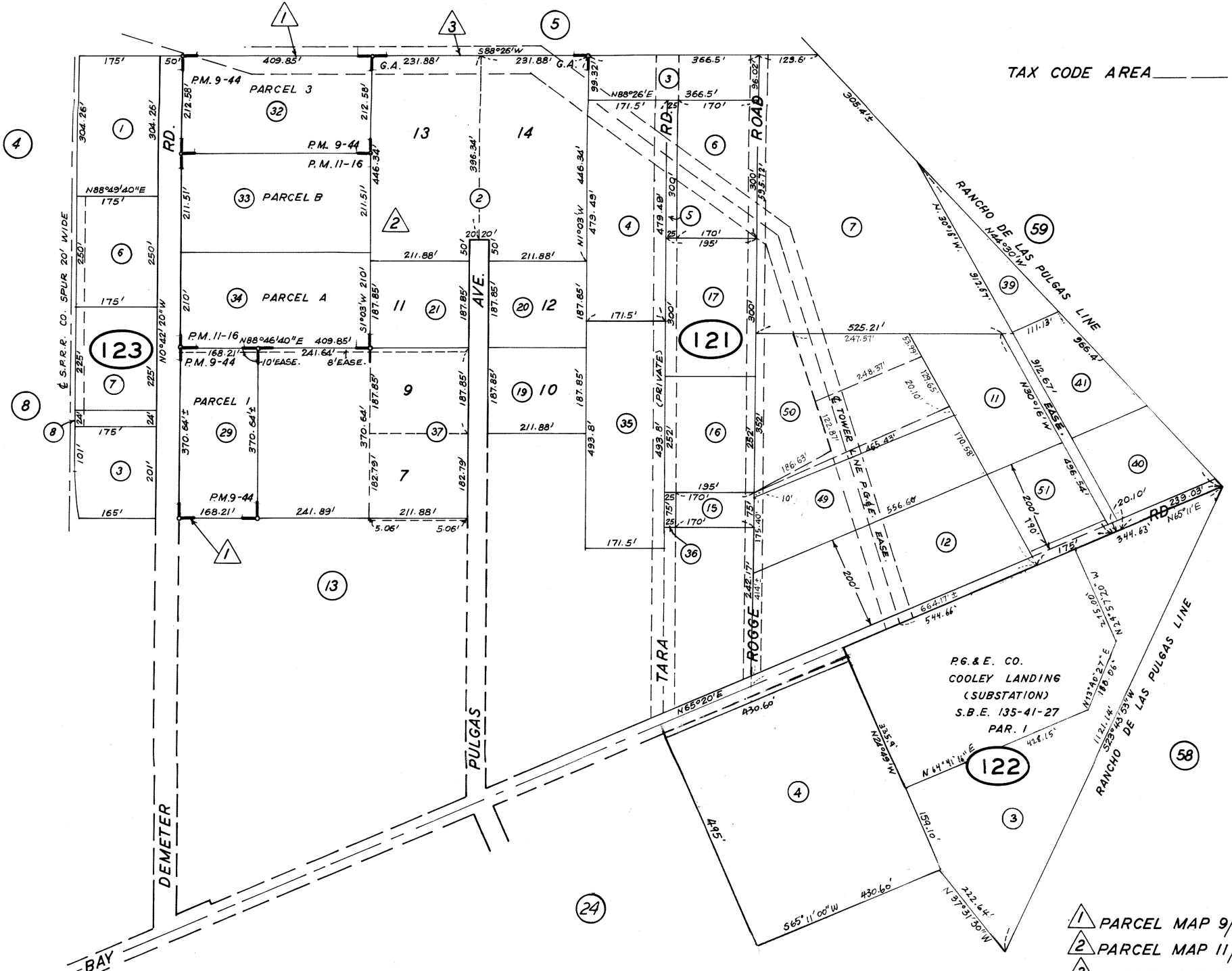
## SOIL REUSE FLOW CHART

RISK MANAGEMENT PLAN EPA WATERFRONT
EAST PALO ALTO, CALIFORNIA
403475002 I 8/21

# APPENDIX A

## Assessor's Parcel Maps

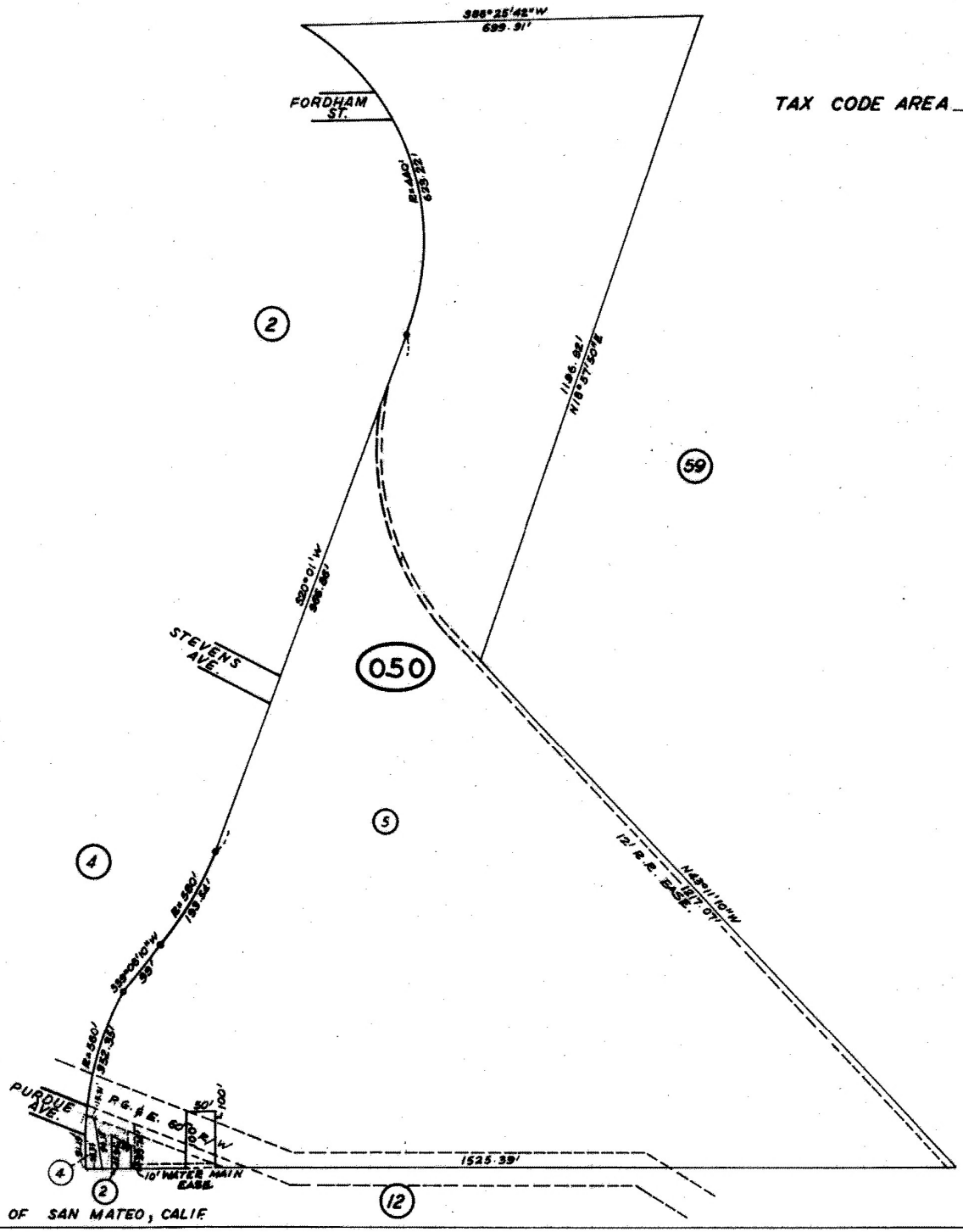
TAX CODE AREA_____




D.M. ASSESSOR'S MAP COUNTY OF SAN MATEO, CALIF.

63-5

TAX CODE AREA _____




1" = 200'

D.M. ASSESSOR'S MAP COUNTY OF SAN MATEO, CALIF.

RAVENSWOOD SCHOOL DISTRICT

# APPENDIX B

## Land Use Covenant

To be inserted once recorded

# APPENDIX C

## Soil Import Criteria

# SOIL IMPORT CRITERIA MEMO

## Select Properties in the Former Ravenswood Industrial Area
## East Palo Alto, California

(Note: This document and supporting must be uploaded to GeoTracker prior to import of soil to the site.)

| | |
|---|---|
| **1. Project Name/Owner:** | 2. **GeoTracker Number:** |
| **3. Acceptance Form Preparer:** | **4. Date:** |

**5. Source of Material and Location (Include full address and name of source property):**

a. Is the fill source from a site that is undergoing or has undergone an environmental cleanup and/or an industrial or commercial site where hazardous materials were used, handled or stored as part of the business operations, or unpaved parking areas where petroleum hydrocarbons could have been spilled or leaked into the soil? ☐ Yes ☐ No

If Yes, please proceed to Section 10 and check 'Agency Review and Concurrence Requested'

b. Is there soil vapor data for the fill source with detectable concentrations? ☐ Yes ☐ No

If Yes, please proceed to Section 10 and check 'Agency Review and Concurrence Requested'

**6. Does this Site Meet the DTSC Clean Fill Guidance:** (Yes / No)

**7. Material Description:**

a. Material type:

b. Quantity: ☐ Borrow Area (acres): _____ ☐ Stockpile (CY): _____ ☐ Import volume (CY) _____

c. Source Category Type: ☐ Construction Site ☐Virgin Rock Quarry ☐Recycler/Dirt Broker ☐Other _____

d. Environmental Documents Available: ☐Phase I Report ☐Phase II Report ☐Regulatory Agency Closure Letters ☐Geotechnical Report ☐Other _____

e. Source Area COCs: ☐ Metals ☐ Pesticides ☐ PCBs ☐ SVOCs ☐ VOCs ☐ TPHs ☐ NOA ☐ Dioxins & Furans ☐ Radium ☐ N/A

f. Intended use of material: ☐Category 1 Cover Soil ☐ Category 2 General Fill Soil ☐ Agency Review

8.. **Attachments**

| | Attached | Not Applicable | Specify |
|---|---|---|---|
| a. Sampling/Testing Plan | ☐ | ☐ | |
| b. Analytical Data | ☐ | ☐ | |
| c. Other: | ☐ | ☐ | |

9. **Screening Level Evaluation**

| | | |
|---|---|---|
| ☐ Category 1: Unrestricted Use Soil<br>(*to be placed as Durable Cover*)<br>Analytes are below established criteria<br>AND<br>Physical samples deemed "acceptable" by Qualified Person | ☐ Category 2: General Fill<br>*(to be placed only beneath the Durable Cover)*<br>Analytes are below established criteria<br>AND<br>Physical samples deemed "acceptable" by Qualified Person | ☐ Agency Review and Concurrence Requested<br>Sofil does not strictly meet Category 1 or 2 criteria. Water Board is requested to review and accept/reject import.<br>(Complete Section 10. Below) |

10. **Explanation of Acceptance or Reason for Review Request:**

| | |
|---|---|
| 11. **Environmental Professional: (Print Name and *Signature*):** | **Date**: |
| 12. **Water Board Approval of Import? (**Yes / No**):** | **Date of Water Board Approval:** |

**10.** Continued

# SOIL IMPORT CRITERIA MEMO - INSTRUCTION SHEET

1. **Project Name/Owner**: State the project name and Owner.
2. **GeoTracker Number**: State the GeoTracker ID number for the address where the soil will be used at the site, if available
3. **Acceptance Form Preparer**: State the form preparer's first and last name, credentials, and company name or organization.
4. **Date**: Date the form was prepared and submitted
5. **Source of Material and Location**: Include the location, name and full address of the import material.
    a. Indicate if the source site is undergoing or has undergone an environmental cleanup; is an industrial or commercial site where hazardous materials were used, handled, or stored as part of the business operations; and/or is an unpaved parking area where petroleum hydrocarbons could have been spilled or leaked onto the soil. Should soil from potentially impacted sources be considered, a more rigorous sampling protocol acceptable to the RWQCB will be required.
    b. Indicate if there is soil vapor data for the fill source site with detectable concentrations
6. **Does the Site Meet the DTSC Clean Fill Guidance**: Review the DTSC Advisory for Clean Fill Material
7. **Material Description**
    **a.** *Material Type:* State the main soil or rock classification the import material is composed of (e.g., sand/silt/clay soil mixture; landscape topsoil; bay mud; quarry rock; etc.).
    b. *Quantity*: Check the appropriate box and include the quantity of material in acres (if borrow area) or cubic yards (if stockpile or import volume).
    c. *Source Category Type*: Check the appropriate box designating the type of source (construction site, virgin rock quarry, recycler/dirt broker, or other source type).
    d. *Environmental Documents Available*: Check the appropriate boxes for type of environmental documents (if any) available for the source. Reports may include Phase I, Phase II, geotechnical reports, regulatory agency closure letters, or other related documents.
    e. *Source Area COCs*: Check all appropriate boxes
    f. *Intended use of Material*: Indicate what the planned uses of the import fill materials are
8. **Attachments**: Include any attachments pertaining to the import material to this form and upload to GeoTracker with this submittal. Descriptions of the type of attachments are included below.
    a. *Sampling/Testing Plan*: Provide a brief description of the type of sampling and testing performed in this section.
    b. *Analytical Data*: Attach any analytical data packages or results with this submittal. Provide a brief description of the type of documents and sampling and testing performed in this section.
    c. *Other*: Attach any other documentation pertaining to the import material that may be applicable.
9. **Screening Level Evaluation**: Refer to Section 3.2.3 and Table D-1 for soil import screening criteria.
    a. Category 1 soil is soil with unrestricted use and can be placed as durable cover. Soil may be considered Category 1 if it meets all acceptance criteria as outlined in the RMP. The average (95% UCL of the mean) analytical data from the soil or import material testing will be compared against the import criteria Category 1 soil which are listed on Table D-1 of the RMP. Physical samples must also be deemed "acceptable" by a Qualified Person.
    b. Category 2 soil is soil that is to be placed beneath the durable cover. The average (95% UCL of the mean) analytical data from the import soil or import material testing will be compared against the import criteria Category 2 soil which are listed on Table D-1 of the RMP. Physical samples must also be deemed "acceptable" by a Qualified Person.
10. **Explanation of Acceptance or Reason for Review Request**: If Water Board review and concurrence is requested in Section 10 above, then explain the reason for requesting review.
11. **Registered Environmental Professional**: In this section a California registered professional experienced in environmental matters must print and sign the form. A registered professional is a professional geologist (P.G.) or professional engineer (P.E.)
12. **Water Board Approval Required for Import**: State if Water Board approval is needed for this submittal. If box 10 Agency Review and Concurrence Requested box is checked, then check "yes" in box 14. If the material meets the import criteria and no Water Board review/approval is needed, then check "no" in box 14.

## Table C - 1 Soil Import Screening Criteria

| Analyte | Title 22 Metals | | | |
|---|---|---|---|---|
| | Category 1 | | Category 2 | |
| | Screening Level (mg/kg) | Basis | Screening Level (mg/kg) | Basis |
| Antimony | 11 | Residential ESL | 150 | STLC Trigger Level |
| Arsenic | 11 | Regional Background | 11 | Regional Background |
| Barium | 1,000 | STLC Trigger Level | 1,000 | STLC Trigger Level |
| Beryllium | 7.5 | STLC Trigger Level | 7.5 | STLC Trigger Level |
| Cadmium | 10 | STLC Trigger Level | 10 | STLC Trigger Level |
| Chromium (total) | 120 | Regional Background | 120 | Regional Background |
| Cobalt | 420 | Residential ESL | 800 | STLC Trigger Level |
| Copper | 250 | STLC Trigger Level | 250 | STLC Trigger Level |
| Lead | 50 | STLC Trigger Level | 50 | STLC Trigger Level |
| Mercury | 2.0 | STLC Trigger Level | 2.0 | STLC Trigger Level |
| Molybdenum | 390 | Residential ESL | 3,500 | STLC Trigger Level |
| Nickel | 272 | Regional Background | 272 | Regional Background |
| Selenium | 10 | STLC Trigger Level | 10 | STLC Trigger Level |
| Silver | 50 | STLC Trigger Level | 50 | STLC Trigger Level |
| Thallium | 10 | Regional Background | 12 | Commercial/Industrial ESL ESL |
| Vanadium | 240 | STLC Trigger Level | 240 | STLC Trigger Level |
| Zinc | 2,500 | STLC Trigger Level | 2,500 | STLC Trigger Level |

| Analyte | Volatile Organic Compounds | | | |
|---|---|---|---|---|
| | Category 1 | | Category 2 | |
| | Screening Level (mg/kg) | Basis | Screening Level (mg/kg) | Basis |
| Acetone | 500 | Residential Odor Nuisance ESL | 1,000 | Commercial/Industrial Odor Nuisance ESL ESL |
| Benzene | 0.33 | Residential ESL | 1.4 | Commercial/Industrial ESL |
| Bromobenzene | 290 | Residential RSL (USEPA) | 1,800 | Industrial RSL (USEPA) |
| Bromoform | 18 | Residential ESL | 80 | Commercial/Industrial ESL |
| Bromochloromethane | 150 | Residential RSL (USEPA) | 630 | Industrial RSL (USEPA) |
| Bromodichloromethane | 0.29 | Residential ESL | 1.3 | Commercial/Industrial ESL |
| Bromomethane | 6.9 | Residential ESL | 30 | Commercial/Industrial ESL |
| 2-Butanone (MEK) | 1,000 | Commercial/Industrial Odor Nuisance ESL ESL | 1,000 | Commercial/Industrial Odor Nuisance ESL ESL |
| n-Butylbenzene | 2,400 | Residential SL (DTSC) | 18,000 | Commercial/Industrial SL (DTSC) |
| sec-Butylbenzene | 2,200 | Residential SL (DTSC) | 12,000 | Commercial/Industrial SL (DTSC) |
| tert-Butylbenzene | 2,200 | Residential SL (DTSC) | 12,000 | Commercial/Industrial SL (DTSC) |
| Carbon disulfide | 770 | Residential RSL (USEPA) | 3,500 | Industrial RSL (USEPA) |
| Carbon tetrachloride | 0.62 | Residential ESL | 2.7 | Commercial/Industrial ESL |
| Chlorobenzene | 270 | Residential ESL | 1,300 | Commercial/Industrial ESL |
| Chloroethane | 1,000 | Commercial/Industrial Odor Nuisance ESL ESL | 1,000 | Commercial/Industrial Odor Nuisance ESL ESL |
| Chloroform | 0.32 | Residential ESL | 1.4 | Commercial/Industrial ESL |
| Chloromethane | 110 | Residential ESL | 470 | Commercial/Industrial ESL |
| 2-Chlorotoluene | 470 | Residential SL (DTSC) | 2,500 | Commercial/Industrial SL (DTSC) |
| 4-Chlorotoluene | 440 | Residential SL (DTSC) | 2,300 | Commercial/Industrial SL (DTSC) |
| Dibromochloromethane | 8.3 | Residential ESL | 39 | Commercial/Industrial ESL |
| 1,2-Dibromo-3-chloropropane | 0.010 | Method Reporting Limit | 0.059 | Commercial/Industrial ESL |
| Dibromomethane | 24 | Residential RSL (USEPA) | 99 | Industrial RSL (USEPA) |
| 1,2-Dichlorobenzene | 1,800 | Residential ESL | 7,800 | Commercial/Industrial ESL |
| 1,3-Dichlorobenzene | 500 | Commercial/Industrial Odor Nuisance ESL ESL | 500 | Commercial/Industrial ESL |
| 1,4-Dichlorobenzene | 2.6 | Residential ESL | 12 | Commercial/Industrial ESL |
| Dichlorodifluoromethane | 87 | Residential RSL (USEPA) | 370 | Industrial RSL (USEPA) |
| 1,1-Dichloroethane | 3.6 | Residential ESL | 16 | Commercial/Industrial ESL |
| 1,2-Dichloroethane | 0.47 | Residential ESL | 2.1 | Commercial/Industrial ESL |
| Cis-1,2-dichloroethene | 19 | Residential ESL | 85 | Commercial/Industrial ESL |
| Trans-1,2-dichloroethylene | 130 | Residential ESL | 600 | Commercial/Industrial ESL |
| 1,1-Dichloroethylene | 83 | Residential ESL | 350 | Commercial/Industrial ESL |
| 1,2-Dichloropropane | 1.0 | Residential ESL | 4.4 | Commercial/Industrial ESL |
| 1,3-Dichloropropene | 0.57 | Residential ESL | 2.5 | Commercial/Industrial ESL |
| 1,4 Dioxane | 4.7 | Residential ESL | 22 | Commercial/Industrial ESL |
| Ethylbenzene | 5.9 | Residential ESL | 26 | Commercial/Industrial ESL |
| Ethylene dibromide | 0.036 | Residential ESL | 0.16 | Commercial/Industrial ESL |
| Hexachlorobutadiene | 1.2 | Residential ESL | 5.3 | Commercial/Industrial ESL |
| 2-Hexanone | 200 | Residential RSL (USEPA) | 1,300 | Industrial RSL (USEPA) |
| Methylene chloride | 1.9 | Residential ESL | 25 | Commercial/Industrial ESL |
| Methyl isobutyl ketone (MIBK) | 500 | Commercial/Industrial Odor Nuisance ESL ESL | 500 | Commercial/Industrial Odor Nuisance ESL ESL |
| Methyl tert-butyl ether (MTBE) | 47 | Residential ESL | 210 | Commercial/Industrial ESL |
| Styrene | 1,000 | Commercial/Industrial Odor Nuisance ESL ESL | 1,000 | Commercial/Industrial Odor Nuisance ESL ESL |
| 1,1,2,2-Tetrachloroethane | 0.61 | Residential ESL | 2.7 | Commercial/Industrial ESL |
| 1,1,1,2-Tetrachloroethane | 2.0 | Residential ESL | 190 | Commercial/Industrial ESL |
| Tetrachloroethene | 0.59 | Residential ESL | 2.7 | Commercial/Industrial ESL |
| Toluene | 1,000 | Commercial/Industrial Odor Nuisance ESL ESL | 1,000 | Commercial/Industrial Odor Nuisance ESL ESL |
| 1,2,3-Trichlorobenzene | 40 | Residential SL (DTSC) | 300 | Commercial/Industrial SL (DTSC) |
| 1,2,4-Trichlorobenzene | 24 | Residential ESL | 110 | Commercial/Industrial ESL |
| 1,1,1-Trichloroethane | 1,000 | Commercial/Industrial Odor Nuisance ESL ESL | 1,000 | Commercial/Industrial Odor Nuisance ESL ESL |
| 1,1,2-Trichloroethane | 1.2 | Residential ESL | 5.1 | Commercial/Industrial ESL |
| Trichloroethene | 0.95 | Residential ESL | 6.1 | Commercial/Industrial ESL |
| Trichlorofluoromethane | 1,200 | Residential SL (DTSC) | 5,400 | Commercial/Industrial SL (DTSC) |
| 1,2,3-Trichloropropane | 0.023 | Residential ESL | 0.11 | Commercial/Industrial ESL |
| 1,2,4-Trimethylbenzene | 300 | Residential RSL (USEPA) | 1,800 | Industrial RSL (USEPA) |
| 1,3,5-Trimethylbenzene | 270 | Residential RSL (USEPA) | 1,500 | Industrial RSL (USEPA) |
| Vinyl chloride | 0.0083 | Residential ESL | 0.15 | Commercial/Industrial ESL |
| Xylenes (total) | 580 | Residential ESL | 2,500 | Commercial/Industrial ESL |

| Analyte | Semi-volatile Organic Compounds | | | |
|---|---|---|---|---|
| | Category 1 | | Category 2 | |
| | Screening Level (mg/kg) | Basis | Screening Level (mg/kg) | Basis |
| Acenaphthene | 1,000 | Residential Odor Nuisance ESL | 45,000 | Commercial/Industrial ESL |
| Acenaphthylene | 500 | Residential Odor Nuisance ESL | 1,000 | Commercial/Industrial Odor Nuisance ESL |
| Anthracene | 500 | Residential Odor Nuisance ESL | 230,000 | Commercial/Industrial ESL |
| Azobenzene | 5.6 | Residential RSL (USEPA) | 26 | Industrial Soil RSL (USEPA) |
| Benzoic acid | 250,000 | Residential Soil SL (DTSC) | 2,100,000 | Commercial/Industrial SL (DTSC) |
| Benzo(a)anthracene | 1.1 | Residential ESL | 20 | Commercial/Industrial ESL |
| Benzo(a)pyrene | 0.10 | Residential ESL | 2.1 | Commercial/Industrial ESL |
| Benzo(b)fluoranthene | 1.0 | Residential ESL | 21 | Commercial/Industrial ESL |
| Benzo(g,h,i)perylene | 500 | Residential Odor Nuisance ESL | 1,000 | Commercial/Industrial Odor Nuisance ESL |
| Benzo(k)fluoranthene | 11 | Residential ESL | 210 | Commercial/Industrial ESL |
| Benzyl (alcohol) | 6,300 | Residential Soil SL (DTSC) | 53,000 | Commercial/Industrial SL (DTSC) |
| Benzyl (chloride) | 1.1 | Residential RSL (USEPA) | 4.8 | Industrial Soil RSL (USEPA) |
| Bis(2-chloroethoxy)methane | 190 | Residential Soil SL (DTSC) | 1,600 | Commercial/Industrial SL (DTSC) |
| Bis(2-chloroethyl)ether | 0.10 | Residential ESL | 0.47 | Commercial/Industrial ESL |
| Bis(2-ethylhexyl)phthalate | 39 | Residential ESL | 160 | Commercial/Industrial ESL |
| Butyl benzyl phthalate | 290 | Residential Soil SL (DTSC) | 780 | Commercial/Industrial SL (DTSC) |
| 4-Chloroaniline | 3.5 | Residential ESL | 16 | Commercial/Industrial ESL |
| Chrysene | 110 | Residential ESL | 2,100 | Commercial/Industrial ESL |
| Beta-chloronaphthalene | 4,800 | Residential RSL (USEPA) | 60,000 | Industrial Soil RSL (USEPA) |
| 2-Chloronaphthalene | 4,100 | Residential Soil SL (DTSC) | 27,000 | Commercial/Industrial SL (DTSC) |
| 2-Chlorophenol | 100 | Residential Odor Nuisance ESL | 5,800 | Commercial/Industrial ESL |
| Dibenzofuran | 66 | Residential Soil SL (DTSC) | 650 | Commercial/Industrial SL (DTSC) |
| Diethyl phthalate | 500 | Residential Odor Nuisance ESL | 660,000 | Commercial/Industrial ESL |
| Dibutyl phthalate | 6,300 | Residential RSL (USEPA) | 82,000 | Industrial Soil RSL (USEPA) |
| 1,2-Dichlorobenzene | 1,000 | Residential Odor Nuisance ESL | 9,400 | Commercial/Industrial ESL |
| 1,3-Dichlorobenzene | 100 | Residential Odor Nuisance ESL | 610 | Commercial/Industrial ESL |
| 1,4-Dichlorobenzene | 2.6 | Residential ESL | 12 | Commercial/Industrial ESL |
| 3,3-Dichlorobenzidine | 0.60 | Residential ESL | 2.7 | Commercial/Industrial ESL |
| 2,4-Dichlorophenol | 230 | Residential ESL | 3,500 | Commercial/Industrial ESL |
| 2,4-Dimethylphenol | 100 | Residential Odor Nuisance ESL | 23,000 | Commercial/Industrial ESL |
| Dimethylphthalate | 500 | Residential Odor Nuisance ESL | 1,000 | Commercial/Industrial Odor Nuisance ESL |
| di-n-butyl phthalate | 6,300 | Residential Soil SL (DTSC) | 53,000 | Commercial/Industrial SL (DTSC) |

| | | | | |
|---|---|---|---|---|
| di-n-octyl phthalate | 630 | Residential Soil SL (DTSC) | 5,300 | Commercial/Industrial SL (DTSC) |
| 2,4-Dinitrophenol | 160 | Residential ESL | 2,300 | Commercial/Industrial ESL |
| 2-Methyl-4,6-Dinitrophenol | 5.0 | Residential Soil SL (DTSC) | 42 | Commercial/Industrial SL (DTSC) |
| 2,4-Dinitrotoluene | 2.2 | Residential ESL | 11 | Commercial/Industrial ESL |
| 2,6-Dinitrotoluene | 0.36 | Residential Soil SL (DTSC) | 0.99 | Commercial/Industrial SL (DTSC) |
| Fluoranthene | 500 | Residential Odor Nuisance ESL | 30,000 | Commercial/Industrial ESL |
| Fluorene | 500 | Residential Odor Nuisance ESL | 30,000 | Commercial/Industrial ESL |
| Hexachlorobenzene | 0.18 | Residential ESL | 0.78 | Commercial/Industrial ESL |
| Hexachlorobutadiene | 1.2 | Residential ESL | 5.3 | Commercial/Industrial ESL |
| Hexachloroethane | 1.8 | Residential ESL | 7.8 | Commercial/Industrial ESL |
| Indeno (1,2,3-c,d) pyrene | 1.0 | Residential ESL | 21 | Commercial/Industrial ESL |
| Isophorone | 570 | Residential Soil SL (DTSC) | 1,600 | Commercial/Industrial SL (DTSC) |
| 2-Methylnaphthalene | 240 | Residential ESL | 3,000 | Commercial/Industrial ESL |
| 2-Methylphenol | 3,200 | Residential Soil SL (DTSC) | 26,000 | Commercial/Industrial SL (DTSC) |
| 4-Chloro-3-Methylphenol | 6,300 | Residential Soil SL (DTSC) | 53,000 | Commercial/Industrial SL (DTSC) |
| Naphthalene | 3.8 | Residential ESL | 17 | Commercial/Industrial ESL |
| 2-Nitroaniline | 630 | Residential Soil SL (DTSC) | 5,200 | Commercial/Industrial SL (DTSC) |
| 4-Nitroaniline | 27 | Residential Soil SL (DTSC) | 74 | Commercial/Industrial SL (DTSC) |
| Nitrobenzene | 5.1 | Residential RSL (USEPA) | 22 | Industrial Soil RSL (USEPA) |
| n-Nitrosodiphenylamine | 110 | Residential RSL (USEPA) | 300 | Commercial/Industrial SL (DTSC) |
| n-Nitroso-di-n-propylamine | 0.078 | Residential RSL (USEPA) | 0.21 | Commercial/Industrial SL (DTSC) |
| Pentachlorophenol | 1.0 | Residential ESL | 4.0 | Commercial/Industrial ESL |
| phenanthrene | 500 | Residential Odor Nuisance ESL | 1,000 | Commercial/Industrial Odor Nuisance ESL |
| Phenol | 500 | Residential Odor Nuisance ESL | 350,000 | Commercial/Industrial ESL |
| Pyrene | 500 | Residential Odor Nuisance ESL | 23,000 | Commercial/Industrial ESL |
| 2,4,5-Trichlorophenol | 500 | Residential Odor Nuisance ESL | 120,000 | Commercial/Industrial ESL |
| 2,4,6-Trichlorophenol | 9.9 | Residential ESL | 47 | Commercial/Industrial ESL |
| 1,2,4-Trichlorobenzene | 24 | Residential ESL | 110 | Commercial/Industrial ESL |

| Analyte | Organochlorine Pesticides | | | |
|---|---|---|---|---|
| | Category 1 | | Category 2 | |
| | Screening Level (mg/kg) | Basis | Screening Level (mg/kg) | Basis |
| Aldrin | 0.035 | Residential ESL | 0.15 | Commercial/Industrial ESL |
| alpha-BHC | 0.086 | Residential RSL (USEPA) | 0.36 | Industrial RSL (USEPA) |
| beta-BHC | 0.30 | Residential RSL (USEPA) | 1.3 | Industrial RSL (USEPA) |
| Chlordane (total) | 0.48 | Residential ESL | **0.60** | **TCLP Trigger Value** |
| DDD/DDT/DDE (sum) | 1.0 | TTLC Trigger Value | 1.00 | TTLC Trigger Value |
| 2,4-Dichlorophenoxy acetic acid | 700 | Residential RSL (USEPA) | 9,600 | Industrial RSL (USEPA) |
| Dieldrin | 0.037 | Residential ESL | 0.2 | Commercial/Industrial ESL |
| Dioxin (2,3,7,8-TCDD) | 0.0000048 | Residential ESL | 0.000022 | Commercial/Industrial ESL |
| Endrin | **0.40** | **TCLP Trigger Value** | **0.40** | **TCLP Trigger Value** |
| Endosulfan (total) | 420 | Residential ESL | 5,800 | Commercial/Industrial ESL |
| Heptachlor | **0.016** | **TCLP Trigger Value** | **0.016** | **TCLP Trigger Value** |
| Lindane (gamma-BHC) | 0.51 | Residential ESL | 2.5 | Commercial/Industrial ESL |
| Methoxychlor | 100 | STLC Trigger Value | 100 | STLC Trigger Value |
| Toxaphene | 0.51 | Residential ESL | 2.2 | Commercial/Industrial ESL |
| Heptachlor epoxide | 0.062 | Residential ESL | 0.28 | Commercial/Industrial ESL |
| Kepone (chlordecone) | 0.054 | Residential RSL (USEPA) | 0.23 | Industrial RSL (USEPA) |

| Analyte | Total Petroleum Hydrocarbons | | | |
|---|---|---|---|---|
| | Category 1 | | Category 2 | |
| | Screening Level (mg/kg) | Basis | Screening Level (mg/kg) | Basis |
| TPH as gasoline | **430** | Residential ESL | **1,000** | Gross Contamination ESL |
| TPH as diesel | **260** | Residential ESL | **2,300** | Gross Contamination ESL |
| TPH as motor oil | **1,000** | RWQCB Directive | **5,100** | Gross Contamination ESL |

| Analyte | Polychlorinated Biphenyls | | | |
|---|---|---|---|---|
| | Category 1 | | Category 2 | |
| | Screening Level (mg/kg) | Basis | Screening Level (mg/kg) | Basis |
| PCBs | Lower of RL or 0.23 | Tier 1 ESL | 0.23 | Tier 1 ESL |

| Analyte | Naturally Occurring Asbestos | | | |
|---|---|---|---|---|
| | Category 1 | | Category 2 | |
| | Screening Level (%) | Basis | Screening Level (mg/kg) | Basis |
| Asbestos | 0.25 | Asbestos Airborne Toxic Control Measure | 0.25 | Asbestos Airborne Toxic Control Measure |

**Notes:**

mg/kg = milligrams per kilogram

% = percent

Title 22 Metals analyzed by United States Environmental Protection Agency (USEPA) Methods 6010/6020/7471

Volatile Organic Compounds (VOCs) analyzed by USEPA Method 8260

Semi-volatile Organic Compounds (SVOCs) analyzed by USEPA Method 8270

Organochlorine Pesticides (OCPs) analyzed by USEPA Method 8081

Total Petroleum Hydrocarbons (TPHs) analyzed by USEPA Method 8015

Polychlorinated biphenyls (PCBs) analyzed by USEPA Method 8082

Asbestos analyzed by California Air Resources Board (CARB) Test Method 435B (800-point count)

Screening thresholds for Category 1 soil, excluding metals and OCPs, are based on Residential Environmetnal Screening LEvels (ESLs), (RWQCB, 2019). If no RWQCB ESL exists, screening thresholds are based on Department of Toxic Substances Control (DTSC) Human and Ecological Risk Office (HERO) Note 3 Residential Screening Level (SLs) (DTSC, 2018). If neither RWQCB ESLs nor DTSC SLs exist, screening thresholds are based on the USEPA's Residential Regional Screening Levels (RSLs) (USEPA, 2016). Some screening levels are based on analytical laboratory method detection limits (MDLs) or reporting limits (RLs)

Screening thresholds for Category 2 soil, excluding metals, are based on Commercial/Industrial ESLs (RWQCB, 2019). If no RWQCB ESL exists, screening thresholds are based on DTSC HERO Note 3 Commercial/Industrial Screening Level (DTSC, 2018). If neither RWQCB ESLs nor DTSC SLs exist, screening thresholds are based on the USEPA's Industrial RSLs (USEPA, 2016).

Screening thresholds for select metals are based on the Soluble Threshold Limit Concentration (STLC) trigger levels or regional background concentrations from either Duverge, 2011 (for arsenic) or LBNL, 2009

This table does not apply to soils proposed for use within a 50 foot buffer zone of the San Francisco Bay (bay front properties). Category 1 and 2 for the bay front properties will be based upon Terrestrial Habitat: Significantly Vegetated Area.

**References:**


1. San Francisco Bay Regional Water Quality Control Board (RWQCB), 2019. Environmetnal Screening Levels, Rev. 2.
2. United States Environmental Protection Agency (USEPA), 2016. Regional Screening Levels, Chemical Contaminants in Residential Soil at Superfund Sites (TR=1E-06, HQ=1). May.
3. Lawrence Berkeley National Laboratory (LBNL), 2009. Analysis of Background Distributions of Metals in the Soil at Lawrence Berkeley National Laboratory. April.
4. Department of Toxic Substances Control (DTSC) Human and Ecological Risk Office (HERO), Human Health Risk Assessment (HHRA) Note 3 2018. Modified Screening Levels (SLs), June.
5. STLC - Soluble Threshold Limit Concentration, California Code of Regulations (CCR), Title 22, Chapter 11, Article 3. STLC trigger level is 10x the listed STLC
6. TTLC - Total Threshold Limit Concentration, CCR, Title 22, Chapter 11, Article 3.

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Ninyo & Moore
Geotechnical & Environmental Sciences Consultants

**C I T Y  O F  E A S T  P A L O  A L T O**
**Planning Division**
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**Temporary Use Permit**

**Application #:** **TUP 24 - 016**
**Date:** **February 20, 2025**
**Issued By:** **Planning Division**
**Project Planner:** **Alvin Jen**

## I. Property Information:

| | |
|---|---|
| **Applicant/Owner:** | JC Poetsch Advisors, Inc./Sycamore Real Estate Investment, LLC. |
| **Location/ APN:** | 063-050-050 |
| **General Plan Designation:** | Office (1990 Bay Road) and General Industrial (1175 Weeks Street) |
| **Zoning:** | Industrial Flex Overlay |
| **Flood Zone:** | AE (100-year flood zone) and X (500-year flood zone) |
| **Existing Use:** | Vacant Land |
| **CEQA Status**: | Exempt, CEQA Categorical Exemption Section 15301 - Existing Facilities and 15304 (e) - Minor Temporary Use of Land |
| **Public Notification:** | Provided a radius mailing of owners within 300 feet of the subject sites on 2/7/2025 |

## II. Project Description:

The applicant is proposing a Temporary Use Permit to allow for the stockpiling of up to 150,000 cubic yards of soil on the southwest portion of the parcel for a period of one year or 365 days. The reason for the stockpile is to provide fill material for the subject site and other future projects in the Ravenswood/4 Corners Specific Plan area such as EPA waterfront , 2020 Bay Road, Four Corners, etc., as well as potentially additional projects in the sub region. The project site is currently vacant with no existing structures or improvements.

According to an Area-Wide Risk Management Plan (RMP) prepared for Sycamore Real Estate Investment, LLC. (Sycamore), the project site consists of approximately twenty-nine (29) acres of previously undeveloped tidal land until the early 1900s when its western portion was possibly used for cattle grazing. A railroad spur was located

along the western boundary until it was removed in 1943. In the mid-1950s, three (3) warehouse-type structures were constructed on the property's southwest corner and later removed in 1965. In 1986, Facciola Meat Company (FMC) imported and placed an unknown quantity of soil in a rectangular-shaped berm on the southwest portion of the site to prepare the site for a meat packing plant. The origin of the soil was reportedly Stanford University and the Santa Clara Valley Medical Center.

In 2014, a Phase I Environmental Site Assessment (ESA) conducted by Nino & Moore identified some Recognized Environmental Concerns (RECs). Under Order Number 96-122 which was issued by the Regional Water Quality Control Board (RWQCB), FMC collected and tested soil samples from the stockpile and a nearby drainage ditch which showed low levels of polychlorinated biphenyls (PCBs). In 2015, Nino & Moore performed a Limited Environmental Investigation testing for contaminants of concern (COC). The results showed concentrations of Toal Petroleum Hydrocarbons (TPHd) and metals below the 2019 Residential and Commercial RWQCB Environmental Screening Levels (ESLs). In 2016 a Phase II ESA was conducted to test the known PCSs in the shallow fill material introduced in 1986 and reported back that the concentrations were below the 2019 Commercial RWQCB ESL (Regional Water Quality Control Board Environmental Screening Levels) and regulated by the United States Environmental Protection Agency's (USEPA) Toxic Substances Control Act (TSCA). Furthermore, in 2017, grading, erosion control, and hydroseeding of the existing berm area were performed to prevent the potential migration of PCBs into the tidal wetlands.

## III. Findings and Decisions for Temporary Use:

The City of East Palo Alto (EPA) Development Code Section 18.94.080 requires the following findings to be made for a Temporary Use Permit:

1. **The operation of the requested temporary use at the location proposed and within the time period specified will not endanger, jeopardize, or otherwise constitute a menace to the public convenience, health, safety, or general welfare.**

The proposed operation would utilize approximately six (6) acres of the twenty-nine (29) acre site. The proposed temporary stockpiling of dirt includes forty-nine (49) average daily trips, fifteen (15) cubic yards (CY) per truckload, seven-hundred thirty-five (735) average cubic yards per day (CYD), and an estimated ten thousand (10,000) total truck trips within a one-year period. On-site hours of operations are proposed to be aligned with the City's Hours of Construction Activity, Monday through Friday 7:00 am to 6:00 pm, Saturdays 9:00 am to 5:00 pm, and no work allowed on Sundays and national holidays. Consistent with this limitation on construction activities, it would take 204 days (i.e. 34 6-day weeks or 41 5-day weeks in a 52-week year) at 735 CYD to haul the planned 150,000 CY.

Any noise and air impacts generated by the trucks and construction/site (i.e. dumping and spreading) activity were included in Mitigation Measure Air 1 (MM AIR-1.1), Mitigation Measure Noise 1.1 (MM NOI-1.1), and Mitigation Measure Noise 2 (MM NOI-2.) and determined as a Less than Significant Impact with Mitigation Incorporated in the Subsequent Environmental Impact Report of Ravenswood Business District/ Four Corners Specific Plan Update.

The project site is monitored by the RWQCB and any imported soil proposed to be used as durable cover or beneath the durable cover will be tested in accordance with the Standard Industrial Classification (SIC) Soil Import Criteria Memo. Prior to bringing soil to the site, a manifest of the soil and a sampling plan must be submitted to the RWQCB for review and approval. The City of East Palo Alto Planning Division, Building Division, and Engineering Division, and Menlo Fire Protection District have reviewed the proposed temporary use, and conditions have been recommended, where appropriate, to ensure that the proposed events will not have an adverse effect on public health, safety, and general welfare.

2. **The operation of the requested temporary use will not be detrimental to adjoining properties through the creation of excessive dust, light, noise, odor, or other objectionable characteristics.**

The subject site will be used for the stockpiling of soil for future development which requires clean fill. The subject site is currently vacant and there are no existing structures. Any dust and noise related to the hauling and grading of the soil shall be mitigated to a less than significant level in compliance with the Subsequent Environmental Impact Report for the Ravenswood Business District/Four Corners Specific Plan Update and stated in the Conditions of Approval for this temporary use permit. The project does not propose any temporary light fixtures or introduce soil that may contain or generate offensive odors. Furthermore, the soil shall be monitored by the RWQCB and any imported soil proposed to be used as durable cover or beneath the durable cover will be tested in accordance with the Standard Industrial Classification (SIC) Soil Import Criteria Memo. The East Palo Alto Planning Division has reviewed the proposed temporary use, and conditions have been recommended to ensure and enforce that the temporary use will not be detrimental to the adjoining properties through the potential creation of dust, light, noise, and odor.

3. **The proposed parcel is adequate in size and shape to accommodate the temporary use without detriment to the enjoyment of other properties located adjacent to and in the vicinity of the subject parcel.**

The subject site is adequate in size and shape to accommodate the temporary use as it is approximately twenty-nine acres in size while approximately six acres will be utilized for the stockpiling of soil. The distance from existing residences located on the west to the stockpiling will be approximately ninety-four feet or more. The highest point of the stockpile is proposed at approximately 36.5 feet above existing grade at property line, which will have a minimal visual impact from the rear yards of the existing residences.

4. **The proposed parcel is adequately served by streets or highways having sufficient width and improvements to accommodate the kind and quantity of traffic that the temporary use will or could reasonably be expected to generate.**

The existing parcel is located adjacent to the northeasterly developed area of the City and westerly of the greater Ravenswood Open Space Preserve, and is adequately served by Demeter Street, Bay Road, and University Avenue which have sufficient widths and improvements to accommodate the potential traffic flow that the temporary use is anticipated to generate. Demeter Street terminates at the entrance of the project site and is a lightly utilized street in the area.

5. **Adequate temporary parking to accommodate vehicular traffic to be generated by the use will be available either on-site or at alternate locations acceptable to the Director.**

All proposed parking required for temporary use would be accommodated on the proposed site and not spill over onto the nearby public rights-of-way. Conditions of Approval will require any vehicles to be located on the site and not impact surrounding on-street parking.

6. **The applicant agrees in writing to comply with any and all of the conditions imposed by the Review Authority in the approval of the Temporary Use Permit.**

The applicant has been apprised of all the conditions of approval and has pledged to abide by the letter and spirit of those conditions and has communicated that in writing.

**Director's Hearing:**

As required by the City of East Palo Alto Municipal Code Section 18.94.070, a public hearing was held for this item on February 20, 2025. Notices were mailed and posted in compliance with the Municipal Code.

**Appeal Procedure:** In accordance with Chapter 18, Article 7, Section 18.100.030 A. 1 of the City of East Palo Alto City Municipal Code, the Planning Director's decision may be appealed, in writing, to the Planning Commission within 15 days of the determination date. Appeal forms can be obtained from the City's webpage at Planning Applications & Forms | City of East Palo Alto (east-palo-alto.ca.us), and must be submitted with the appropriate fee before the end of the appeal period.

This approval is valid for a period of one (1) year and will lapse on March 7, 2026, if the approval is not exercised. **Please note this deadline as this letter serves as your only reminder of the term of approval and no other notice will be sent by this office.** Please do not hesitate to contact me by telephone at **(650) 680-3189** or by email at **ajen@cityofepa.org** if you have any additional questions regarding this matter.

**Conditions of Approval:**

**PLANNING DIVISION**

1. The use shall be in substantial compliance with the application materials submitted as part of East Palo Alto planning application for TUP24-016 dated August 1, 2024.

2. This Temporary Use Permit shall be effective beginning March 8, 2025 and expire on March 7, 2026.

3. The applicant shall defend, indemnify, and hold harmless the city, its officers, agents, and employees from any liability or claims for damages due to the injury of any person, loss of life, or damage to property caused by, or arising out of activities authorized by Temporary Use Permit (TUP24-016).

4. The project shall comply with the mitigation measures (MM) stated in the Subsequent Environmental Impact Report (SEIR) for the Ravenswood 4/Corners Specific Plan Update. Please see the SEIR for additional details, https://www.cityofepa.org/sites/default/files/fileattachments/planning/page/16201/draft_rbd_specific_plan_update_seir_7.24.24_update_web-ready.pdf The mitigation measures include:

    - MM AIR-1.1, MM AIR-3.1, MM AIR-3.2, MM AIR-4.1

    - MM BIO-1.1, MM BIO-1.2, MM BIO-1.3, MM BIO-2.1, MM BIO-2.2 MM BIO-2.3, MM BIO-2.4, MM BIO-3.1, MM BIO-4.1 , MM BIO-4.2, MM BIO-5.1, MM BIO-6.1, MM BIO-7.1, MM BIO-8.1, MM BIO-9.1, MM BIO-10.1

    - Policy LU-7.5, Policy LU-7.6, Policy LU-7.7, Policy LU-7.8, Policy LU-7.9, Policy LU-7.10, Policy LU-7.11

    - MM GEO-6

    - LU-5.1, LU-5.2, LU-5.3, LU-5.4, LU-5.5, LU-5.6

    - MM NO-1.1, MM NO-4.1

5. As stated in the Ravenswood 4/Corners Specific Plan Update Mitigation Measure Air-3.2, Future projects which would have construction emissions that exceed BAAQMD thresholds shall implement the following Enhanced Construction Best Management Practices, which include but would not be limited to the measures below. Future project applicants shall submit these measures to the City for approval.

    - Limit the simultaneous occurrence of excavation, grading, and ground-disturbing construction activities.

- Install wind breaks (e.g., trees, fences) on the windward side(s) of actively disturbed areas of construction. Wind breaks should have at maximum 50 percent air porosity.

- Plant vegetative ground cover (e.g., fast-germinating native grass seed) in disturbed areas as soon as possible and watered appropriately until vegetation is established.

- Install sandbags or other erosion control measures to prevent silt runoff to public roadways from sites with a slope greater than one percent.

- Minimize the amount of excavated material or waste materials stored at the site.

- Hydroseed or apply non-toxic soil stabilizers to construction areas, including previously graded areas, that are inactive for at least 10 calendar days.

6. All trash and debris from the site shall be removed at the conclusion of each day. Complete removal of all associated material and equipment related to this temporary use permit must occur by 9:00 PM, March 7, 2026.

7. Minor modifications to the approved plans or proposed uses which are generally consistent with this approval may be approved administratively by the Planning Manager.

8. Failure to appeal this decision in a timely manner, or commencement of any activity related to this temporary use permit, is understood acceptance of all conditions and obligations imposed by this permit and waiving any challenge to the validity of the conditions and obligations stated therein.

9. If the applicant fails to comply with any of the conditions of this permit, the applicant, owner, or tenant shall be subject to permit revocation or enforcement actions pursuant to the City of East Palo Alto Municipal Code. All costs associated with any such actions shall be the responsibility of the applicant, owner, or tenant.

10. If applicable, the applicant shall contact and obtain necessary permits from the Building Division, Engineering Division, Police Department and Menlo Fire prior to initiating new construction or modification authorized under this approval, including but not limited to encroachment permits and clearances from any State or local environmental agencies. The applicant shall confirm if other requirements/coordination are needed.

11. Graffiti from any building or wall surface visible from the public street shall be removed within 72 hours of discovery in a manner that retains the existing color and texture of the building or wall surface as most practically feasible. Building materials amenable to graffiti removal shall be used to the extent feasible.

12. The property shall be kept free of weeds, dry brush, dead vegetation, trash, junk, debris, building materials, any accumulation of newspapers, circulars, flyers, notices, but not limited to, furniture, clothing, large and small appliances, printed material or any other items per EPAMC Chapter 8.10.

13. A building permit is required for all electrical installation. Please check with the Building Division for building permits prior to the site operation.

14. If applicable, temporary structures and uses shall conform to the structural strength, fire safety, means of ingress and egress, light, ventilation, and sanitary requirements to ensure the public health, safety, and general welfare.

15. The applicant shall ensure that on-site parking demand shall be adequately addressed and said parking does not impact the surrounding neighborhood.

16. This permit shall be kept onsite and available for inspection upon request by municipal staff and the general public during the entire duration of the event.

17. The applicant shall ensure that all protocols included in the operational letter submitted with the permit application are fully implemented.

18. Countersign this Temporary Use Permit acknowledging the conditions, and that the applicant will comply as stated in the Conditions of Approval.

19. A sign shall be posted on-site at all times indicating a designated contact person along with contact information, including a phone number and email, to address any complaints related to the operation of this Temporary Use Permit.

**BUILDING DIVISION:**

20. All debris removal shall be contained on-site (not in the public right-of-way) in constantly covered bins, which include adequate service." Please note on plan: The City of East Palo Alto Municipal Code Section 15.04.125 limits construction activity to the following hours:

    Monday through Friday: 7:00 AM to 6:00 PM

    Saturday: 9:00 AM to 5:00 PM

    Sundays and national holidays: No activity allowed

**ENGINEERING DIVISON**

21. GRADING PERMIT:

Prior to any activity, a grading permit shall be obtained from the Engineering Division with payment of fees per EPAMC 15.48. See the following link for an application.

https://www.cityofepa.org/publicworks/page/grading-permit

22. ENGINEERING FEES:

All review and inspection fees per the City's Master Fee Schedule shall be paid prior to the issuance of any permits.

23. ENCROACHMENT PERMIT:

The developer shall obtain an encroachment permit from the Engineering Division prior to performing any work in the public right-of-way. See the link below for an application.
https://www.cityofepa.org/publicworks/page/encroachment-permit

24. CONSTRUCTION VEHICLES, EQUIPMENT, AND MATERIALS:

All construction related vehicles, equipment, and materials shall be managed on-site. At no time shall such items be parked or stored in the public right-of-way without an encroachment permit or written approval by the City Engineer.

25. TRAFFIC CONTROL:

Activities that require temporary closures of or impacts sidewalks, vehicle and/or bike lanes, or other public paths shall require review and approval by the Engineering Division through an encroachment permit.

26. CONSTRUCTION BEST MANAGEMENT PRACTICES:

This project is required to implement stormwater best management practices (BMP) as described by the San Mateo Countywide Water Pollution Prevention Program. The following sheet in the link below shall be included in the plans.

https://www.flowstobay.org/wp-content/uploads/2020/04/Countywide-Program-BMP-Plan-Sheet-June-2014-Update.pdf

27. The project shall comply with designated local truck route when entering or leaving the City per EPAMC 10.36 and obtain all required permits.

28. All trucks, on a trip originating in the city and traveling for destinations in the city, shall proceed by the shortest and most direct route to the nearest local truck route and shall deviate there from only by the shortest and most direct route between each destination and the nearest local truck route except that it may go directly to the next destination by the shortest and most

direct route without regard to truck routes if it will result in a shorter distance being traveled on restricted streets per EPAMC 10.36.

**Specific requirements:**

29. Provide fencing around the perimeter of the 1st layer of the berm.

30. Spray the sides with grass or hydroseed as appropriate, and include other mitigation measures to prevent erosion, runoff

31. Follow/comply with C3/C6 construction requirements including the filing of a Notice of Intent (NOI) and storm water pollution prevention plan (SWPPP) with the Regional Water Quality Control Board.

**SAN FRANCISCO BAY REGIONAL WATER QUALITY CONTROL BOARD**

32. Any activities shall follow the September 29, 2021 Area Wide Risk Management Plan.

**MENLO FIRE PROTECTION DISTRICT**

There are no comments from the Menlo Fire Protection District.

APPROVED ___X___

DENIED _____

By:

_____
Alvin Jen
Associate Planner

CC'd: Elena Lee, Planning Manager

## ACKNOWLEDGEMENT OF CONDITIONS

I have reviewed the conditions of approval and acknowledge to comply with all of the conditions imposed by the City of East Palo Alto Planning Division in the approval of the Temporary Use Permit.

_____

Sycamore Real Estate Investment, LLC

Property Owner or Designee

_____

Jeff Poetsch

JCPoetsch Advisors, Inc.

Attachments:

1. Plan Set
2. Risk Management Plan

# EAST PALO ALTO WATERFRONT

## STOCKPILE PLAN

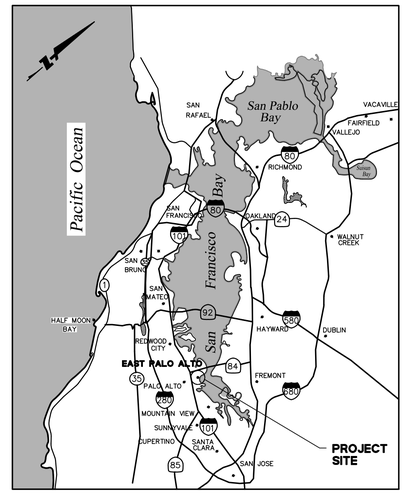
### CITY OF EAST PALO ALTO, SAN MATEO COUNTY, CALIFORNIA

## LEGEND

| | |
|---|---|
| | PROPERTY LINE |
| | EASEMENT LINE |
| | TOP OF SLOPE |
| | BOTTOM OF SLOPE |
| 15 | EXISTING CONTOUR |
| 15 | PROPOSED CONTOUR |
| 15.0 | EXISTING GRADE |
| FG 15.0 | PROPOSED GRADE |

## ABBREVIATIONS

| | |
|---|---|
| BOS | BOTTOM OF SLOPE |
| EG | EXISTING GRADE |
| ESMT | EASEMENT |
| EX | EXISTING |
| FG | FINISHED GRADE |
| L | LENGTH |
| MH | MANHOLE |
| R | RADIUS |
| TOS | TOP OF SLOPE |
| TYP | TYPICAL |
| VC | VERTICAL CURVE |




## VICINITY MAP

NTS

## TRUCK TRIPS

| | |
|---|---|
| ESTIMATED IMPORT QUANTITY: | 150,000 CYD |
| AVERAGE TRUCK LOAD: | 15 CYD |
| ESTIMATED TOTAL TRUCK TRIPS: | 10,000 TRUCKS |
| AVERAGE DAILY TRIPS: | 49 TRUCKS |
| AVERAGE DAILY IMPORT: | 735 CYD |
| ESTIMATED OVERALL DURATION: | 10 TO 18 MONTHS |

## STOCKPILING PROGRAM

1. TRUCKS ARRIVE AT DEMETER SITE.
2. PAPERWORK AND CONFORMING SOIL TEST INFORMATION SUBMITTED TO SITE FOREMAN (TRUCK BOSS) (TRUCKS, DRIVERS, CONTRACTORS, EXPORT SITE ADDRESS TO BE LOGGED WHEN TRUCKS ARRIVE AT IMPORT SITE).
3. TRUCKS DIRECTED TO AREA TO DUMP SOIL.
4. EXITING TRUCKS TRAVEL OVER RUMBLE STRIPS/RIP-RAP & WHEEL WASHERS.
5. DOZER PLACES/DISTRIBUTES SOIL AT SPECIFIC AREAS OF THE SITE PER STOCKPILING PLAN.
6. DUST CONTROL PER STOCKPILING PLAN AND/OR AS NEEDED.
7. STREETS WILL BE SWEPT AS NECESSARY ON A DAILY BASIS.
8. ADDITIONAL SOIL TESTING AS DIRECTED BY GEOTECH.

## PROJECT TEAM

| | |
|---|---|
| OWNER: | SYCAMORE REAL ESTATE INVESTMENT LLC<br>2555 PULGAS AVE, BUILDING A<br>EAST PALO ALTO, CA 94303<br>PHONE: (650) 308-9572<br>CONTACT: MIA BERNARDINO |
| CIVIL ENGINEER: | BKF ENGINEERS<br>255 SHORELINE DR, SUITE 200<br>REDWOOD CITY, CA 94065<br>PHONE: (650) 482-6300<br>CONTACT: JASON WONG |
| GEOTECHNICAL ENGINEER: | TBD |

## SHEET INDEX:


| SHEET NO | DESCRIPTION |
|---|---|
| C1.0 | TITLE SHEET |
| C2.0 | EXISTING CONDITIONS PLAN |
| C3.0 | STOCKPILE PLAN |
| C3.1 | TRUCK ACCESS RAMP PLAN |
| C4.0 | EROSION CONTROL PLAN |
| C4.1 | BEST MANAGEMENT PRACTICES |
| C5.0 | TRUCK HAUL ROUTE PLAN |
| C6.0 | SECTIONS |
| C6.1 | SECTIONS |


## ENGINEER'S STATEMENT

THESE IMPROVEMENT PLANS HAVE BEEN PREPARED BY ME OR UNDER MY DIRECTION IN ACCORDANCE WITH STANDARD ENGINEERING PRACTICE.

JASON W. WONG
PROJECT MANAGER
BKF ENGINEERS
P.E. No. 79725

REGISTERED PROFESSIONAL ENGINEER JASON W. WONG No. 79725 CIVIL STATE OF CALIFORNIA

DATE

REGISTERED PROFESSIONAL ENGINEER JASON W. WONG No. 79725 CIVIL STATE OF CALIFORNIA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SUITE 200
REDWOOD CITY, CA 94065
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JASON W. WONG C 79725


EAST PALO ALTO WATERFRONT
APN 063-050-050
STREET NUMBER AND NAME, EAST PALO ALTO

TITLE SHEET

| No. | Revisions |
|---|---|

Date: 08/01/2024
Scale: AS SHOWN
Design: JW
Drawn: CP
Approved: JW
Job No: 20190885

Drawing Number:
C1.0
1 OF 10


C1.0 - TITLE.dwg
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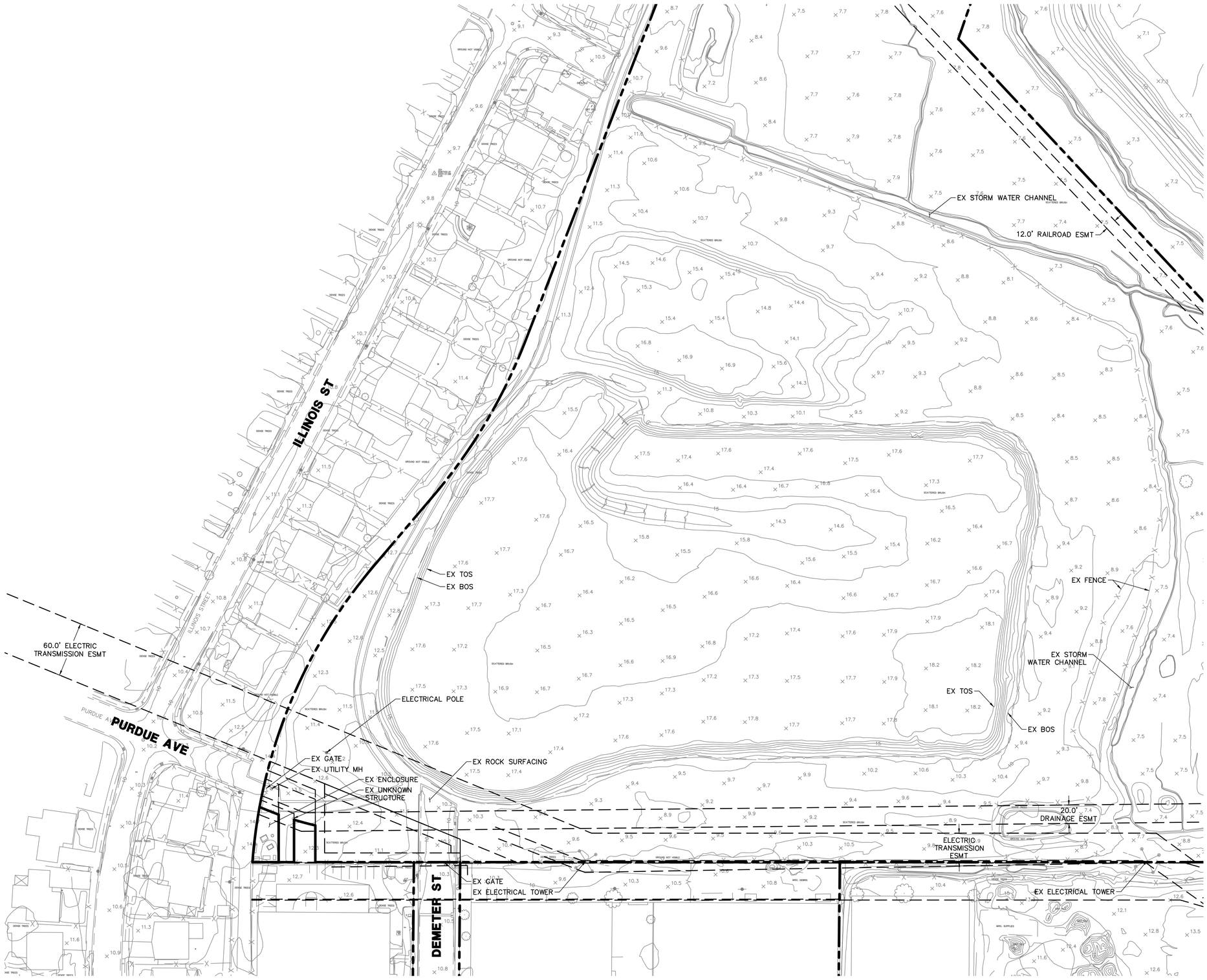


GRAPHIC SCALE

50 0 50 100

## NOTES:

1. SEE LEGEND, ABBREVIATIONS, AND GENERAL NOTES ON SHEETS C1.0–C1.1.
2. ELEVATIONS SHOWN IN THESE PLANS ARE BASED UPON GPS OBSERVATIONS AND ARE NAVD 88.

## LEGEND:

PROPERTY LINE

EASEMENT LINE

REGISTERED PROFESSIONAL ENGINEER JASON W. WONG No. 79725 CIVIL STATE OF CALIFORNIA

C 79725

JASON W. WONG

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# EAST PALO ALTO WATERFRONT

APN 063-050-050

STREET NUMBER AND NAME, EAST PALO ALTO

# EXISTING CONDITIONS PLAN

Revisions

| No. | |
|---|---|
| | |

Date: 08/01/2024
Scale: AS SHOWN
Design: JW
Drawn: CP
Approved: JW
Job No: 20190885

Drawing Number:

**C2.0**

2 OF 10

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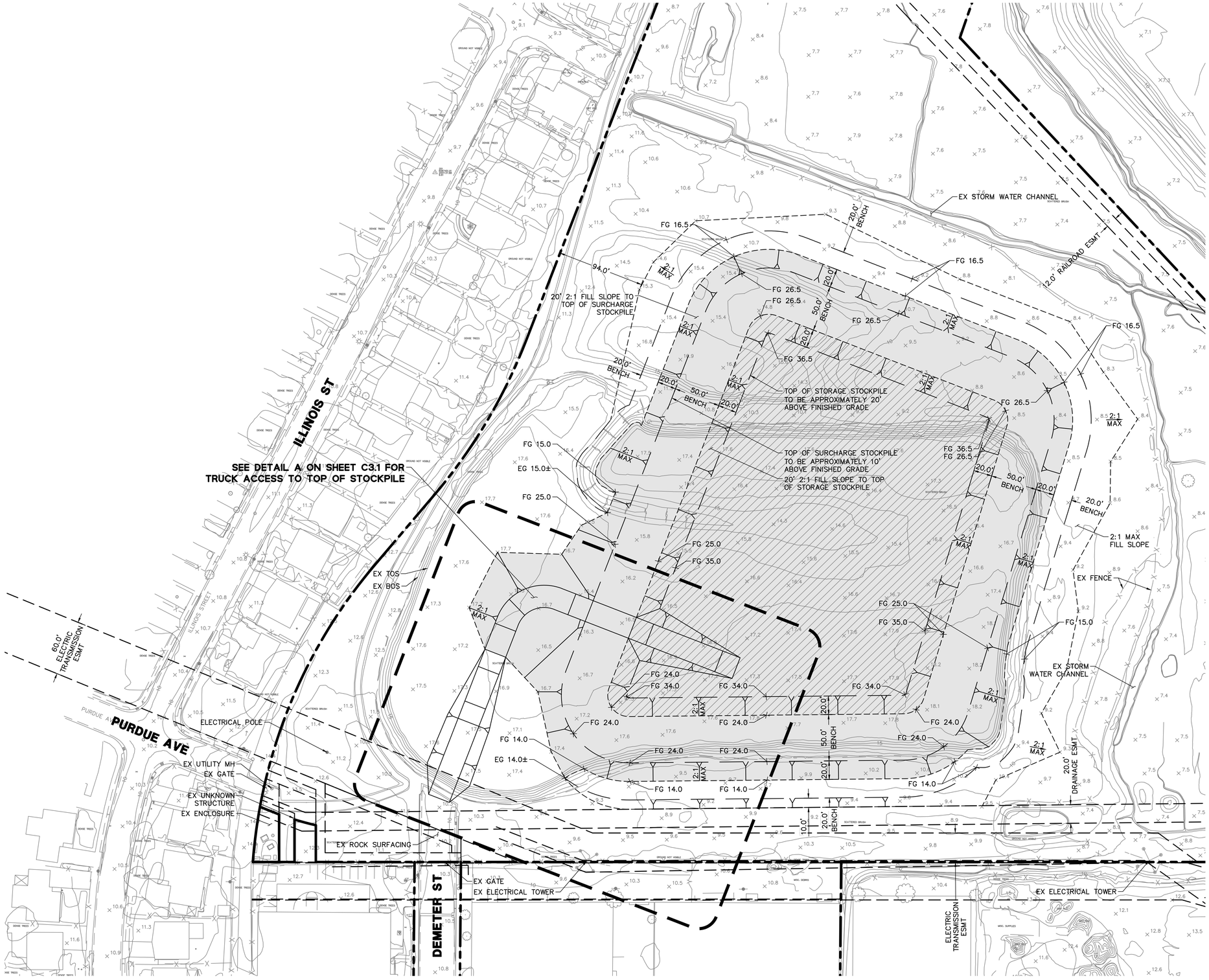
C2.0 - EXCOND.dwg

Plot Aug 23, 2024 at 4:13pm




GRAPHIC SCALE

50 0 50 100

## NOTES:

1. SEE LEGEND, ABBREVIATIONS, AND GENERAL NOTES ON SHEETS C1.0–C1.1.
2. ELEVATIONS SHOWN IN THESE PLANS ARE BASED UPON GPS OBSERVATIONS AND ARE NAVD 88.

## LEGEND:

- PROPERTY LINE
- EASEMENT LINE
- TOP OF SLOPE
- BOTTOM OF SLOPE
- SURCHARGE STOCKPILE (BASE = 6.4 ACRES)
- STORAGE STOCKPILE (BASE = 2.9 ACRES)
- 15.0 — EXISTING GRADE
- FG 15.0 — PROPOSED GRADE
- 10% — PROPOSED SLOPE
- SIDE SLOPE

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# EAST PALO ALTO WATERFRONT

APN 063-050-050
STREET NUMBER AND NAME, EAST PALO ALTO

# STOCKPILE PLAN

| No. | Revisions |
|---|---|
| | |

Date: 08/01/2024
Scale: AS SHOWN
Design: JW
Drawn: CP
Approved: JW
Job No.: 20190885

Drawing Number:

**C3.0**

3 OF 10

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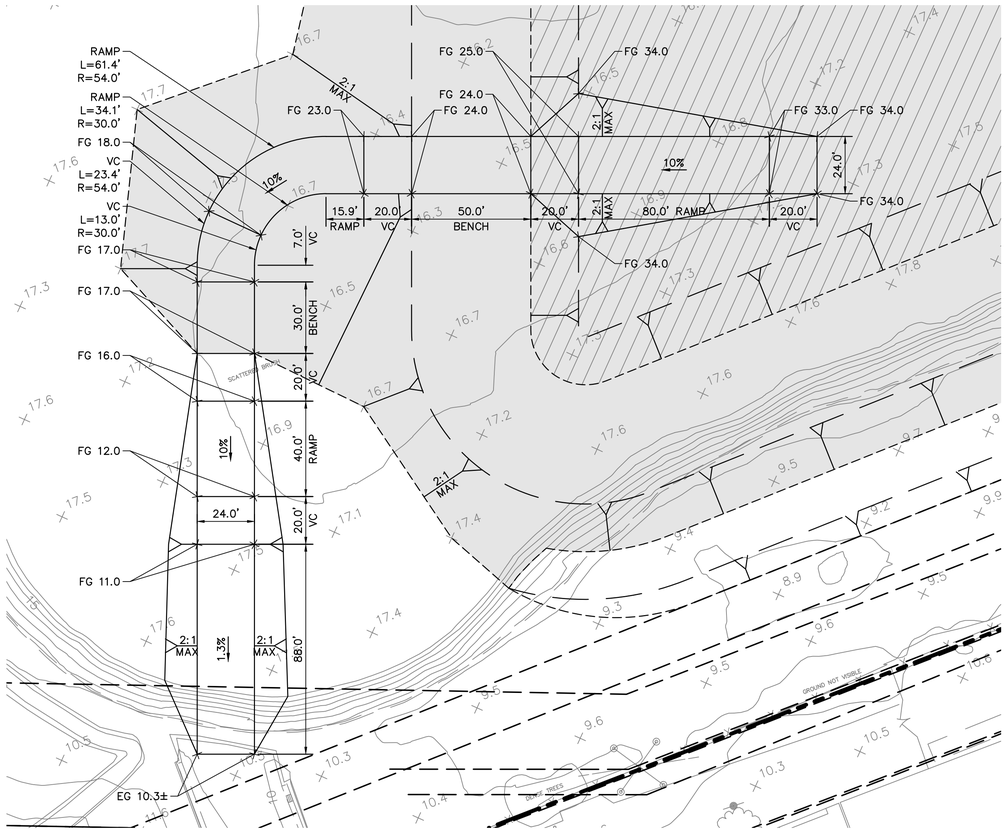
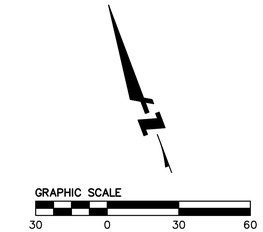
C3.0 - SITE.dwg

Plot Aug 23, 2024 at 4:15pm




## DETAIL A

SCALE: 1" = 30'




## NOTES:

1. SEE LEGEND, ABBREVIATIONS, AND GENERAL NOTES ON SHEETS C1.0–C1.1.
2. ELEVATIONS SHOWN IN THESE PLANS ARE BASED UPON GPS OBSERVATIONS AND ARE NAVD 88.

## LEGEND:

- PROPERTY LINE
- EASEMENT LINE
- TOP OF SLOPE
- BOTTOM OF SLOPE
- SURCHARGE STOCKPILE (BASE = 6.4 ACRES)
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- 15.0 — EXISTING GRADE
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- SIDE SLOPE

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# EAST PALO ALTO WATERFRONT

APN 063-050-050
STREET NUMBER AND NAME, EAST PALO ALTO

# TRUCK ACCESS RAMP PLAN

| No. | Revisions |
|---|---|
| | |

Date: 08/01/2024
Scale: AS SHOWN
Design: JW
Drawn: CP
Approved: JW
Job No: 20190885

Drawing Number:

**C3.1**

4 OF 10

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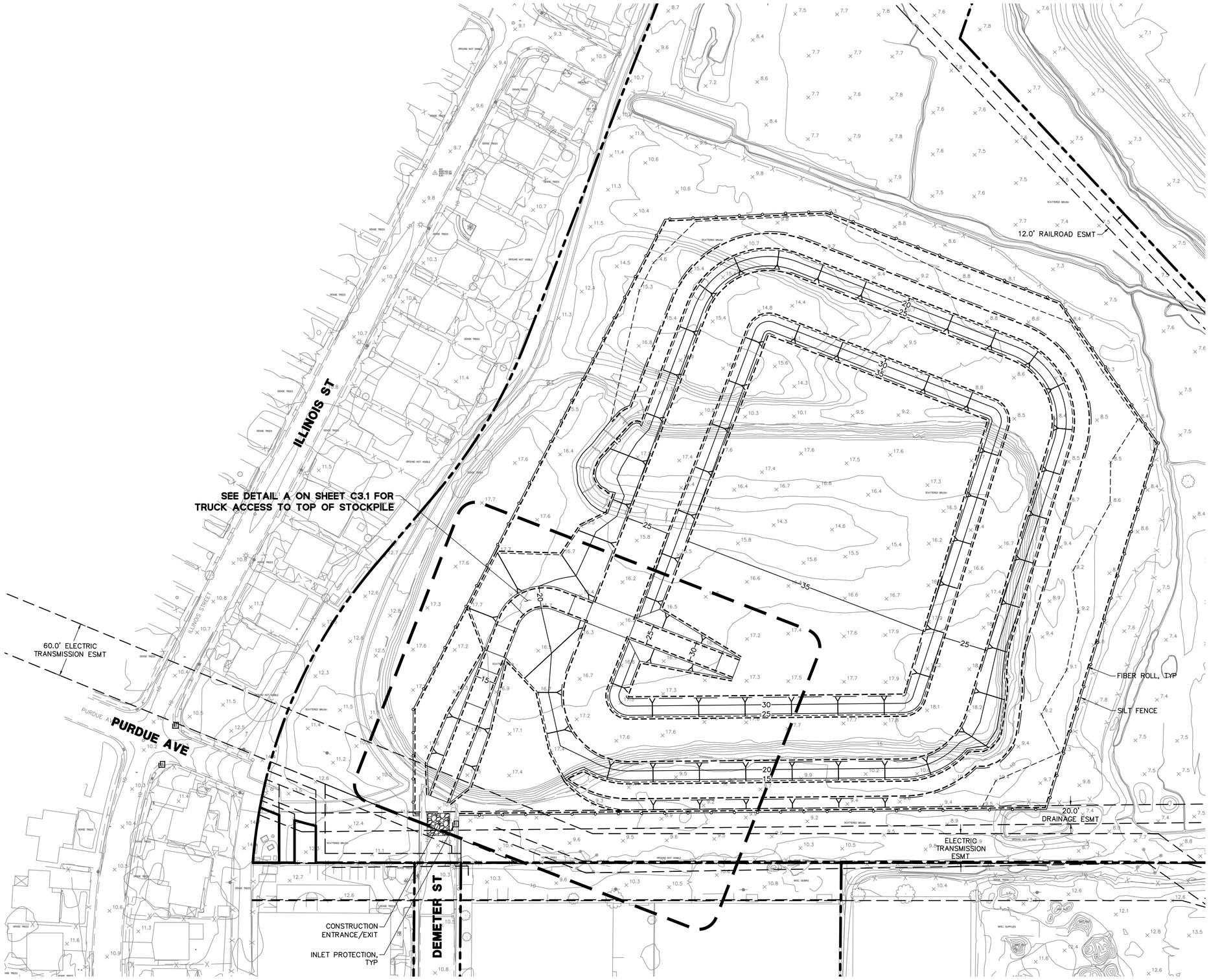
C3.0 - SITE.dwg

Plot: Aug 23, 2024 at 4:37pm




GRAPHIC SCALE

50 0 50 100

## NOTES:

1. SEE LEGEND, ABBREVIATIONS, AND GENERAL NOTES ON SHEETS C1.0–C1.1.
2. ELEVATIONS SHOWN IN THESE PLANS ARE BASED UPON GPS OBSERVATIONS AND ARE NAVD 88.
3. CONTRACTOR SHALL PROVIDE INLET PROTECTION TO ALL DOWN STREAM INLETS.
4. SEE ADDITIONAL EROSION CONTROL NOTES AND DETAILS ON SHEET C4.1.

## LEGEND:

- PROPERTY LINE
- EASEMENT LINE
- EXISTING CONTOUR
- PROPOSED CONTOUR
- FIBER ROLL
- SILT FENCE
- INLET PROTECTION
- STABILIZED CONSTRUCTION ENTRANCE/EXIT

REGISTERED PROFESSIONAL ENGINEER JASON W. WONG No. 79725 CIVIL STATE OF CALIFORNIA

C 79725

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# EAST PALO ALTO WATERFRONT

APN 063-050-050
STREET NUMBER AND NAME EAST PALO ALTO

# EROSION CONTROL PLAN

Revisions

| No. | |
|---|---|
| | |

Date: 08/01/2024
Scale: AS SHOWN
Design: JW
Drawn: CP
Approved: JW
Job No: 20190885

Drawing Number:

**C4.0**

5 OF 10

Plot Aug 23, 2024 at 4:41pm

C4.0 - ERSN.dwg

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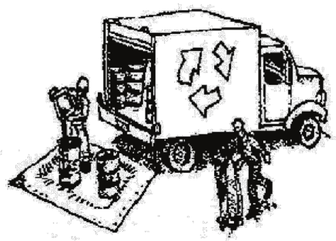
SAN MATEO COUNTYWIDE
Water Pollution Prevention Program
Clean Water. Healthy Community.

# Construction Best Management Practices (BMPs)

Construction projects are required to implement the stormwater best management practices (BMP) on this page, as they apply to your project, all year long.

## Materials & Waste Management



**Non-Hazardous Materials**

- ❑ Berm and cover stockpiles of sand, dirt or other construction material with tarps when rain is forecast or if not actively being used within 14 days.
- ❑ Use (but don't overuse) reclaimed water for dust control.

**Hazardous Materials**

- ❑ Label all hazardous materials and hazardous wastes (such as pesticides, paints, thinners, solvents, fuel, oil, and antifreeze) in accordance with city, county, state and federal regulations.
- ❑ Store hazardous materials and wastes in water tight containers, store in appropriate secondary containment, and cover them at the end of every work day or during wet weather or when rain is forecast.
- ❑ Follow manufacturer's application instructions for hazardous materials and be careful not to use more than necessary. Do not apply chemicals outdoors when rain is forecast within 24 hours.
- ❑ Arrange for appropriate disposal of all hazardous wastes.

**Waste Management**

- ❑ Cover waste disposal containers securely with tarps at the end of every work day and during wet weather.
- ❑ Check waste disposal containers frequently for leaks and to make sure they are not overfilled. Never hose down a dumpster on the construction site.
- ❑ Clean or replace portable toilets, and inspect them frequently for leaks and spills.
- ❑ Dispose of all wastes and debris properly. Recycle materials and wastes that can be recycled (such as asphalt, concrete, aggregate base materials, wood, gyp board, pipe, etc.)
- ❑ Dispose of liquid residues from paints, thinners, solvents, glues, and cleaning fluids as hazardous waste.

**Construction Entrances and Perimeter**

- ❑ Establish and maintain effective perimeter controls and stabilize all construction entrances and exits to sufficiently control erosion and sediment discharges from site and tracking off site.
- ❑ Sweep or vacuum any street tracking immediately and secure sediment source to prevent further tracking. Never hose down streets to clean up tracking.

## Equipment Management & Spill Control

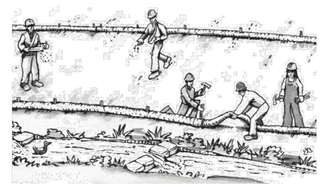
**Maintenance and Parking**

- ❑ Designate an area, fitted with appropriate BMPs, for vehicle and equipment parking and storage.
- ❑ Perform major maintenance, repair jobs, and vehicle and equipment washing off site.
- ❑ If refueling or vehicle maintenance must be done onsite, work in a bermed area away from storm drains and over a drip pan or drop cloths big enough to collect fluids. Recycle or dispose of fluids as hazardous waste.
- ❑ If vehicle or equipment cleaning must be done onsite, clean with water only in a bermed area that will not allow rinse water to run into gutters, streets, storm drains, or surface waters.
- ❑ Do not clean vehicle or equipment onsite using soaps, solvents, degreasers, or steam cleaning equipment.

**Spill Prevention and Control**

- ❑ Keep spill cleanup materials (e.g., rags, absorbents and cat litter) available at the construction site at all times.
- ❑ Inspect vehicles and equipment frequently for and repair leaks promptly. Use drip pans to catch leaks until repairs are made.
- ❑ Clean up spills or leaks immediately and dispose of cleanup materials properly.
- ❑ Do not hose down surfaces where fluids have spilled. Use dry cleanup methods (absorbent materials, cat litter, and/or rags).
- ❑ Sweep up spilled dry materials immediately. Do not try to wash them away with water, or bury them.
- ❑ Clean up spills on dirt areas by digging up and properly disposing of contaminated soil.
- ❑ Report significant spills immediately. You are required by law to report all significant releases of hazardous materials, including oil. To report a spill: 1) Dial 911 or your local emergency response number, 2) Call the Governor's Office of Emergency Services Warning Center, (800) 852-7550 (24 hours).

## Earthmoving



- ❑ Schedule grading and excavation work during dry weather.
- ❑ Stabilize all denuded areas, install and maintain temporary erosion controls (such as erosion control fabric or bonded fiber matrix) until vegetation is established.
- ❑ Remove existing vegetation only when absolutely necessary, and seed or plant vegetation for erosion control on slopes or where construction is not immediately planned.
- ❑ Prevent sediment from migrating offsite and protect storm drain inlets, gutters, ditches, and drainage courses by installing and maintaining appropriate BMPs, such as fiber rolls, silt fences, sediment basins, gravel bags, berms, etc.
- ❑ Keep excavated soil on site and transfer it to dump trucks on site, not in the streets.

**Contaminated Soils**

- ❑ If any of the following conditions are observed, test for contamination and contact the Regional Water Quality Control Board:
  - Unusual soil conditions, discoloration, or odor.
  - Abandoned underground tanks.
  - Abandoned wells
  - Buried barrels, debris, or trash.

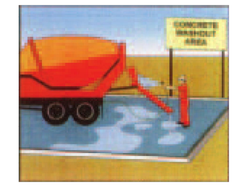
## Paving/Asphalt Work

- ❑ Avoid paving and seal coating in wet weather or when rain is forecast, to prevent materials that have not cured from contacting stormwater runoff.
- ❑ Cover storm drain inlets and manholes when applying seal coat, tack coat, slurry seal, fog seal, etc.
- ❑ Collect and recycle or appropriately dispose of excess abrasive gravel or sand. Do NOT sweep or wash it into gutters.
- ❑ Do not use water to wash down fresh asphalt concrete pavement.

**Sawcutting & Asphalt/Concrete Removal**

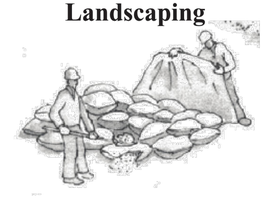
- ❑ Protect nearby storm drain inlets when saw cutting. Use filter fabric, catch basin inlet filters, or gravel bags to keep slurry out of the storm drain system.
- ❑ Shovel, abosorb, or vacuum saw-cut slurry and dispose of all waste as soon as you are finished in one location or at the end of each work day (whichever is sooner!).
- ❑ If sawcut slurry enters a catch basin, clean it up immediately.

## Concrete, Grout & Mortar Application



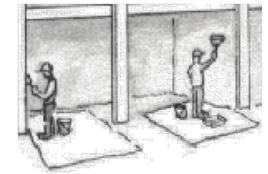

- ❑ Store concrete, grout, and mortar away from storm drains or waterways, and on pallets under cover to protect them from rain, runoff, and wind.
- ❑ Wash out concrete equipment/trucks offsite or in a designated washout area, where the water will flow into a temporary waste pit, and in a manner that will prevent leaching into the underlying soil or onto surrounding areas. Let concrete harden and dispose of as garbage.
- ❑ When washing exposed aggregate, prevent washwater from entering storm drains. Block any inlets and vacuum gutters, hose washwater onto dirt areas, or drain onto a bermed surface to be pumped and disposed of properly.

## Landscaping



- ❑ Protect stockpiled landscaping materials from wind and rain by storing them under tarps all year-round.
- ❑ Stack bagged material on pallets and under cover.
- ❑ Discontinue application of any erodible landscape material within 2 days before a forecast rain event or during wet weather.

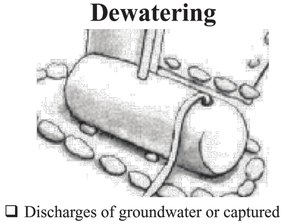
## Painting & Paint Removal



**Painting Cleanup and Removal**

- ❑ Never clean brushes or rinse paint containers into a street, gutter, storm drain, or stream.
- ❑ For water-based paints, paint out brushes to the extent possible, and rinse into a drain that goes to the sanitary sewer. Never pour paint down a storm drain.
- ❑ For oil-based paints, paint out brushes to the extent possible and clean with thinner or solvent in a proper container. Filter and reuse thinners and solvents. Dispose of excess liquids as hazardous waste.
- ❑ Paint chips and dust from non-hazardous dry stripping and sand blasting may be swept up or collected in plastic drop cloths and disposed of as trash.
- ❑ Chemical paint stripping residue and chips and dust from marine paints or paints containing lead, mercury, or tributyltin must be disposed of as hazardous waste. Lead based paint removal requires a state-certified contractor.

## Dewatering



- ❑ Discharges of groundwater or captured runoff from dewatering operations must be properly managed and disposed. When possible send dewatering discharge to landscaped area or sanitary sewer. If discharging to the sanitary sewer call your local wastewater treatment plant.
- ❑ Divert run-on water from offsite away from all disturbed areas.
- ❑ When dewatering, notify and obtain approval from the local municipality before discharging water to a street gutter or storm drain. Filtration or diversion through a basin, tank, or sediment trap may be required.
- ❑ In areas of known or suspected contamination, call your local agency to determine whether the ground water must be tested. Pumped groundwater may need to be collected and hauled off-site for treatment and proper disposal.

**Storm drain polluters may be liable for fines of up to $10,000 per day!**

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APN 063-050-050
STREET NUMBER AND NAME, EAST PALO ALTO

BEST MANAGEMENT PRACTICES

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C4.1
6 OF 10

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Plot: Aug 23, 2024 at 4:42pm

**NOTES:**

1. SEE SURVEYOR'S NOTES, LEGEND, AND ABBREVIATIONS ON SHEET C1.0.
2. SEE TRUCK TRIPS AND STOCKPILING PROGRAM INFORMATION ON SHEET C1.0.

**LEGEND:**

- PROPERTY LINE
- EASEMENT LINE
- TRUCK HAUL ROUTE
- PROJECT SITE




**DETAIL A**
SCALE: 1" = 100'

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# TRUCK HAUL ROUTE PLAN

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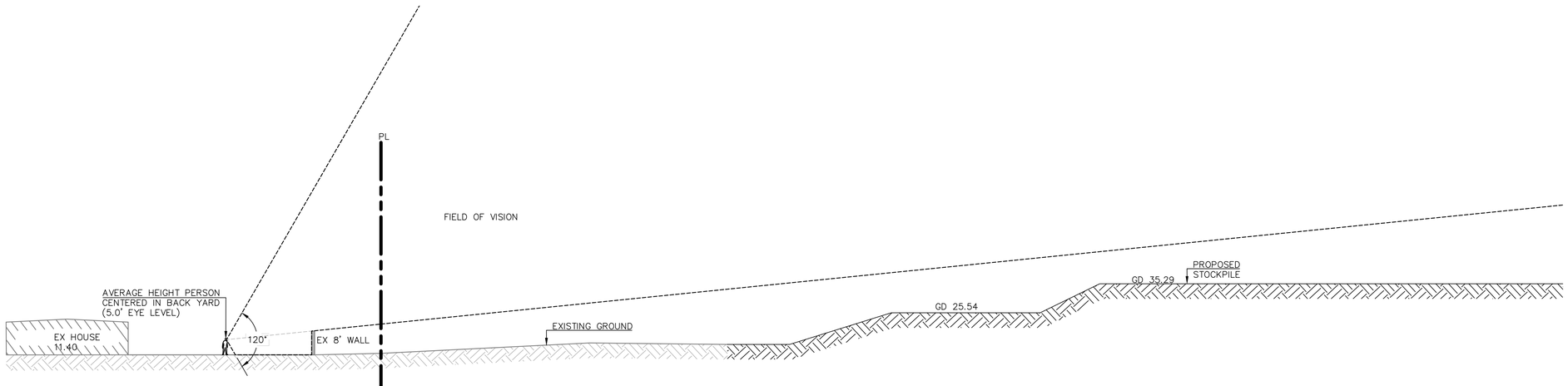


**SECTION A – BACKYARD**
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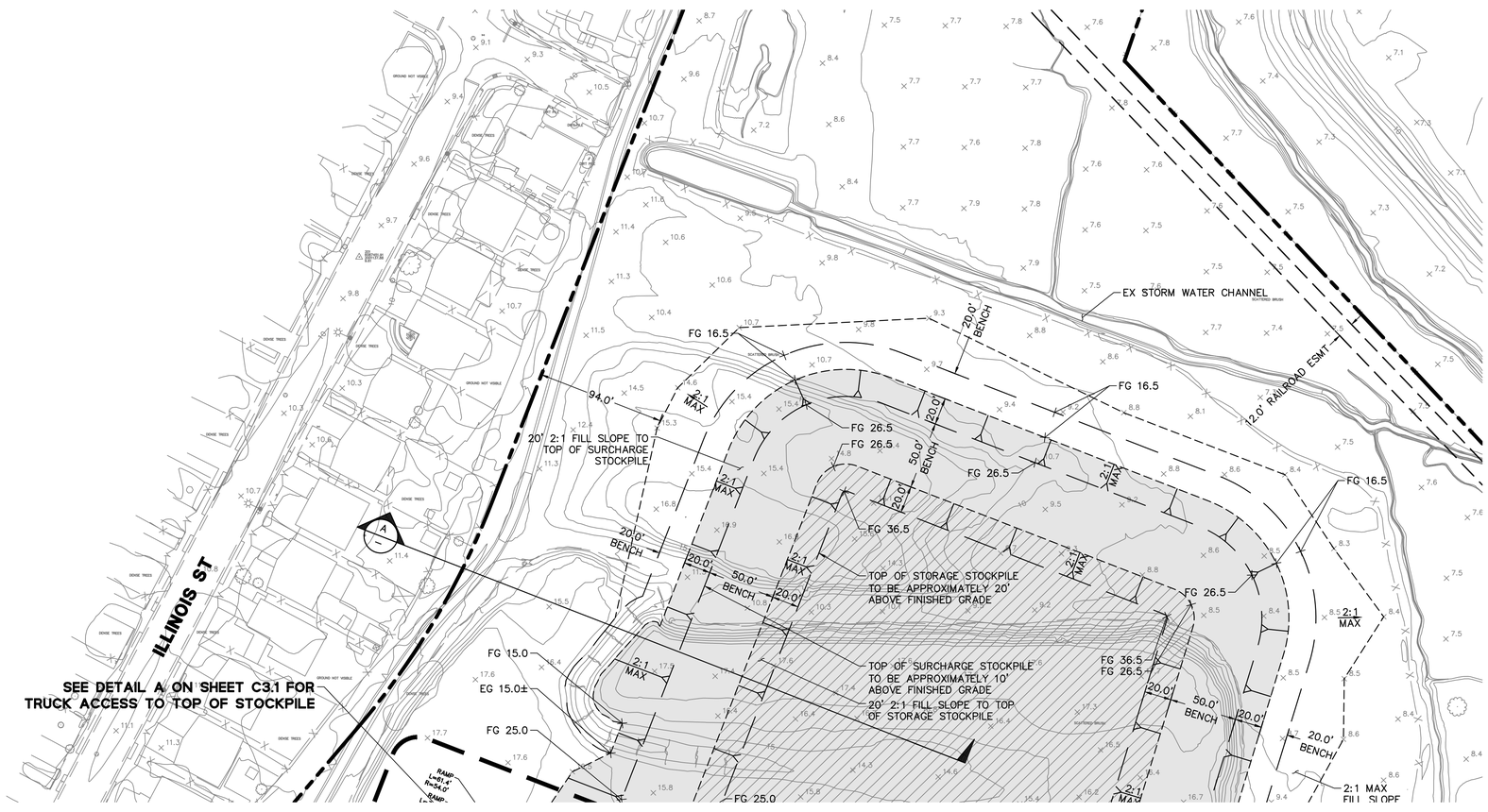


**PLAN**
SCALE 1"=50'

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# EAST PALO ALTO WATERFRONT

APN 063-050-050
STREET NUMBER AND NAME, EAST PALO ALTO

## SECTIONS

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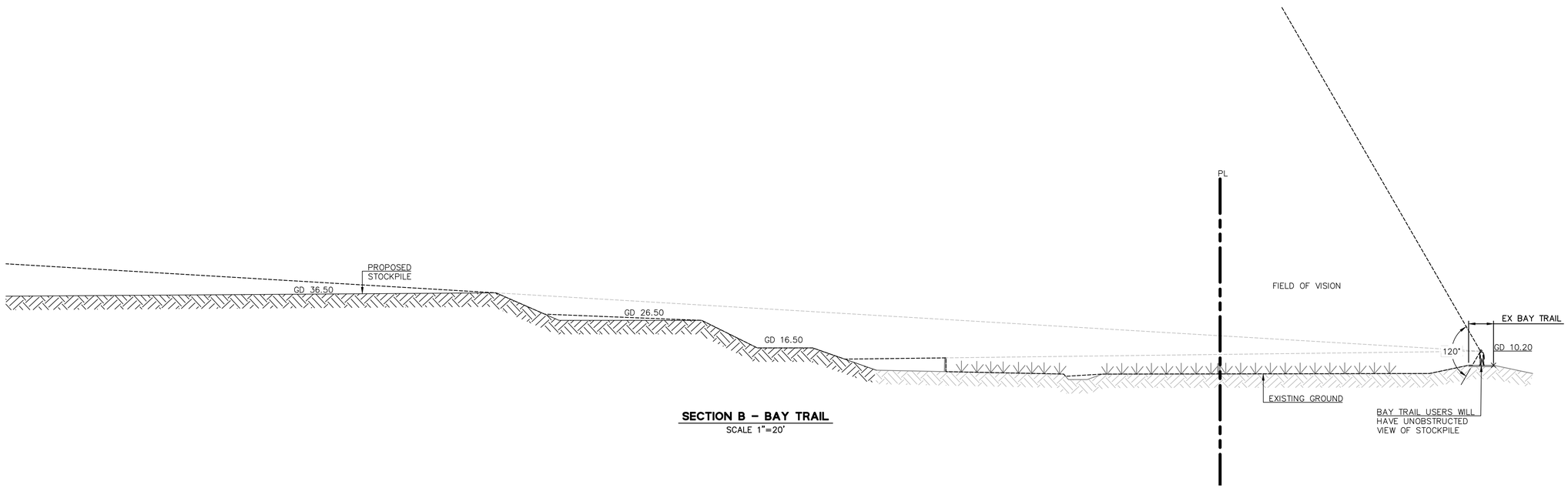
8 OF 10




**SECTION B – BAY TRAIL**
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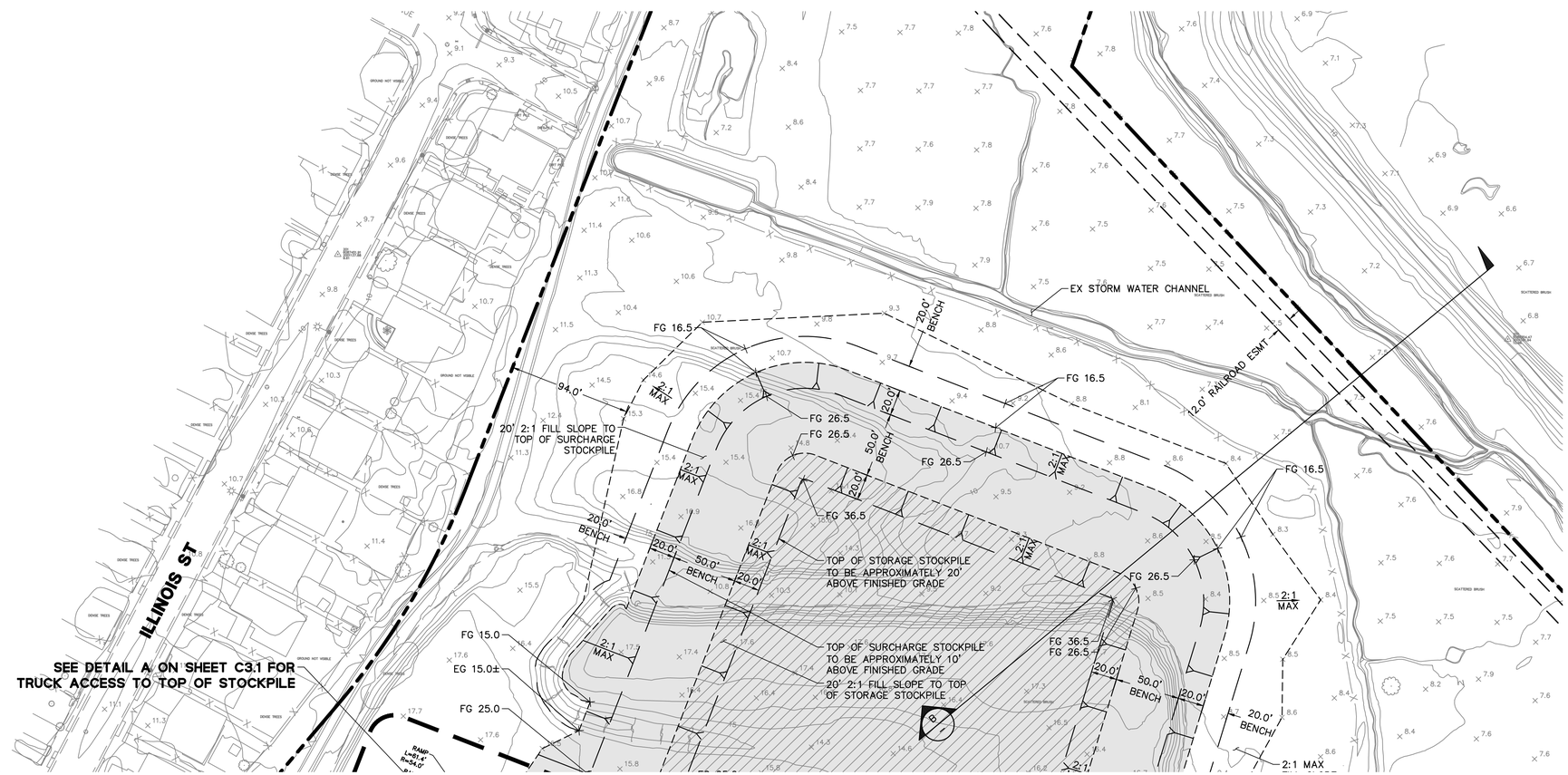


**PLAN**
SCALE 1"=50'

GRAPHIC SCALE
50 0 50 100

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# EAST PALO ALTO WATERFRONT

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## SECTIONS

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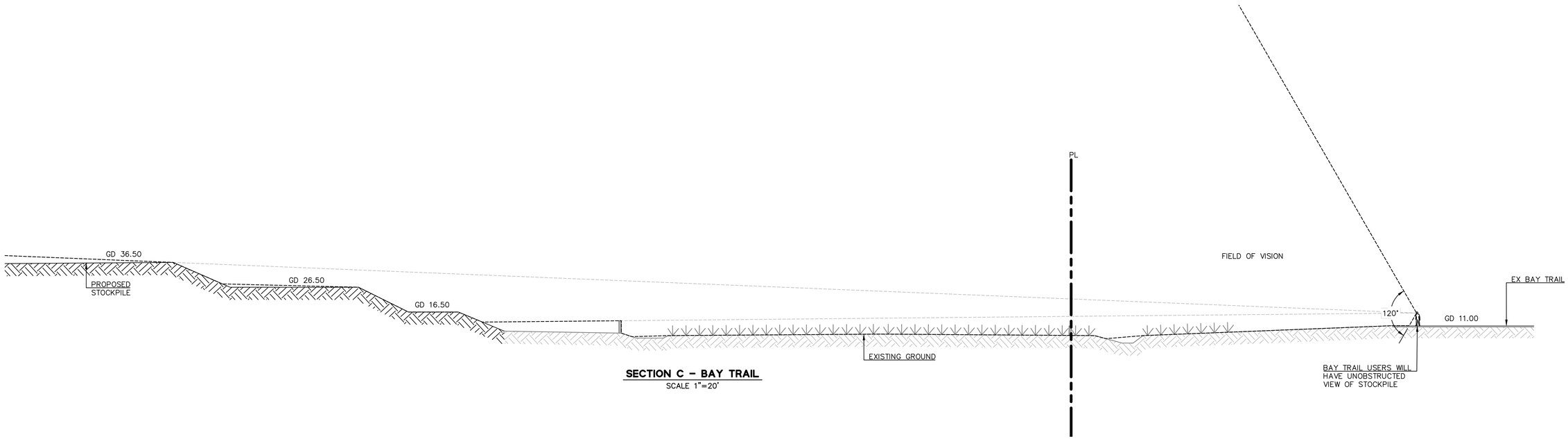


**SECTION C – BAY TRAIL**
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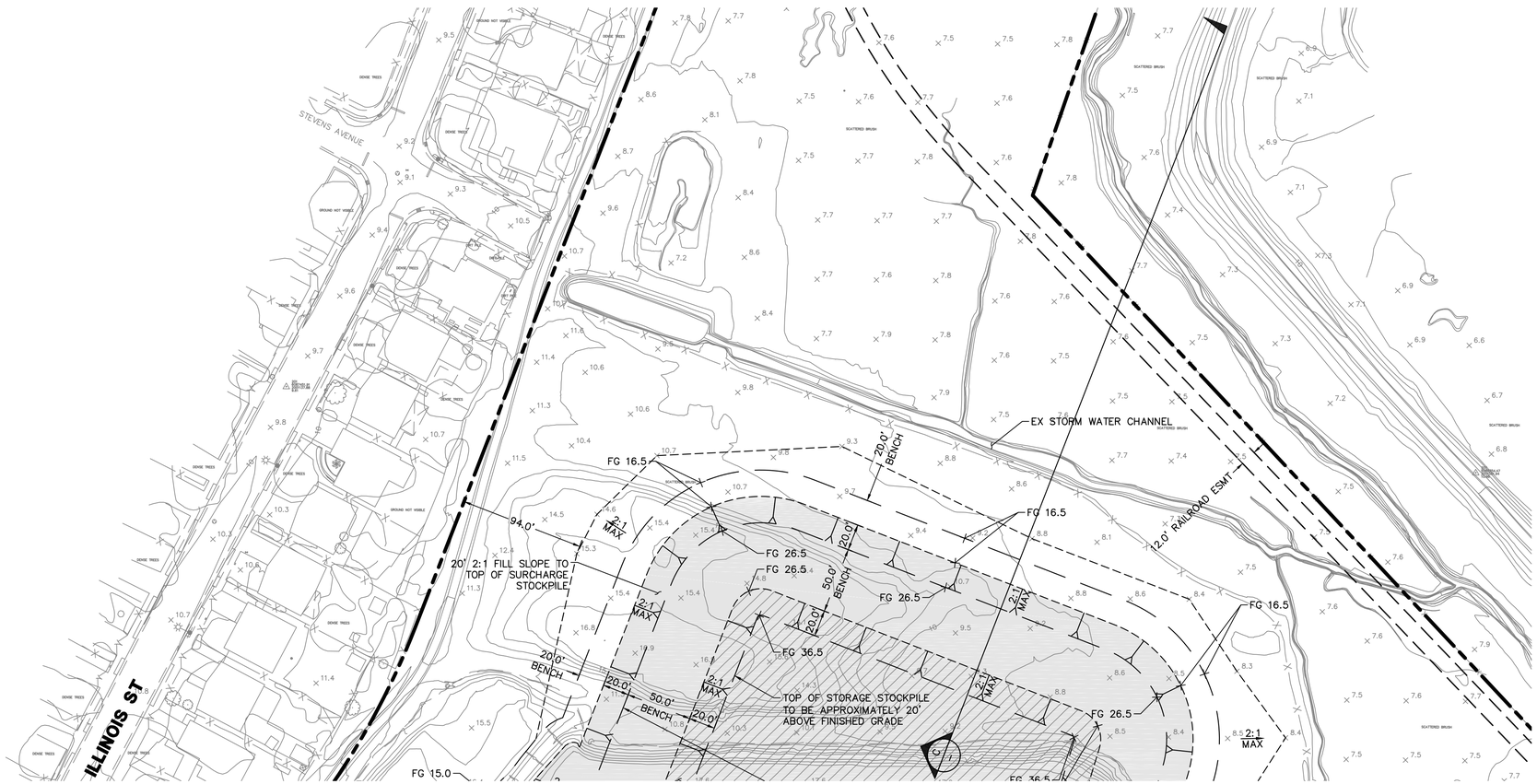


**PLAN**
SCALE 1"=50'

GRAPHIC SCALE
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**SECTIONS**

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# Area-Wide Risk Management Plan

# Identified Properties Within the Ravenswood Industrial Area

## East Palo Alto, California

### c/o Sycamore Real Estate Investments LLC

2555 Pulgas Avenue, Building A | East Palo Alto, California 94303

September 29, 2021 | Project No. 403475002

Geotechnical | Environmental | Construction Inspection & Testing | Forensic Engineering & Expert Witness

Geophysics | Engineering Geology | Laboratory Testing | Industrial Hygiene | Occupational Safety | Air Quality | GIS

Ninyo & Moore
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# Area-Wide Risk Management Plan
# Identified Properties Within the Ravenswood Industrial Area
## East Palo Alto, California

Ms. Mia Bernardino
c/o Sycamore Real Estate Investments LLC
2555 Pulgas Avenue, Building A | East Palo Alto, California 94303

September 29, 2021 | Project No. 403475002


**Bryan A. Fong**
Senior Project Geologist

**Kris M. Larson, PG 8059**
Principal Environmental Geologist


BBF/KML/gvr

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# EXECUTIVE SUMMARY

This Area-Wide Risk Management Plan (RMP) was prepared for Sycamore Real Estate Investments, LLC (Sycamore) in connection with the proposed redevelopment activities at the identified properties (site) located within the Ravenswood Industrial Area (RIA) on Demeter Street, Pulgas Avenue and Tara Street in East Palo Alto, California (Figures 1 and 2). The current properties proposed for redevelopment are identified as 151 Tara Street, 264 Tara Street, 2555 Pulgas Avenue, 350 Demeter Street, 320 Demeter, 391 Demeter Street, and 2535 Pulgas Avenue. Copies of the site parcel maps are included in Appendix A.

This RMP is a component of, and is incorporated into, the Land Use Covenant (LUC) set forth in Appendix B. Each Owner, occupant, and their agent(s) must comply with the LUC for the portions of site that they either own or occupy.

The LUC prohibits any construction of occupied enclosed structures without first completing to the satisfaction of the San Francisco Bay Regional Water Quality Control Board (RWQCB), the protocol established under section 11 of this RMP addressing the potential for vapor intrusion. The LUC also prohibits, unless a variance is granted: (1) groundwater use at each property covered by this LUC; (2) residential dwellings (once soil vapor has been adequately addressed per section 11 of this RMP) with individually owned or controlled yard or gardens; (3) growing vegetables, fruits, and any edible items in native soil (native soils defined as existing site soils prior to development) for human consumption; and (4) any activity not consistent and in compliance with the RMP. Other properties may be included under this RMP upon the showing that environmental site conditions are substantially similar to environmental conditions covered by the LUC to the satisfaction of the RWQCB. Upon such showing, this RMP shall be amended to include such additional sites, and this RMP shall become applicable to them upon approval by the RWQCB.

This RMP sets forth and documents the procedures to address residual contamination and potential risks posed by it. These measures include: 1) requirements for soil vapor assessment, remediation, mitigation and monitoring; 2) Durable Cover construction requirements; 3) operation, monitoring and maintenance procedures for engineered controls; and, 4) soil and groundwater management measures and protocols to be implemented during redevelopment construction activities of site properties. This RMP is incorporated into the LUC, designed to be used for soil and groundwater management during earthwork construction activities including, but not limited to, drilling, grading, excavation, utility trenching and installation, landscaping, and any other subsurface activities associated with the site improvements.

This RMP also establishes protocols to address potential vapor intrusion risk for future development. For those properties that have the potential for significant vapor intrusion risk (determined through a soil vapor survey and analysis in the context of detected concentrations, intended use and building design) mitigation measures will be implemented as part of site development to protect human health. Additionally, remediation will be implemented to address significant vapor intrusion risk if the source is associated with an on-site release, and to the extent of its cost effectiveness and feasibility. As detailed herein, mitigation measures may include implementation and monitoring of vapor intrusion mitigation systems (VIMS), building design, further site remediation or other techniques that may be available and as found acceptable to the RWQCB. Prior to beginning construction of enclosed structures for occupied use, soil vapor will be evaluated and where necessary remediated and or mitigated, as appropriate. The RWQCB shall review and accept the remediation and or mitigation (project design or VIMS), as provided herein.

The remedy and mitigation measures in this RMP require: capping soils with Durable Cover, compliance with the LUC, implementation of this RMP, source removal and or VIMS where deemed necessary and use of Site-specific Health and Safety Plans (SSHSP) to manage the potential risks during site development. Operation, maintenance, and monitoring plans (OMM) for engineering controls (Durable Cover, VIMS, etc.) shall be developed and submitted, with full design documents, to the RWQCB for review and acceptance. The requirements set forth in the OMM Plan will be implemented by the Owner of each site property to provide for each property's respective long-term operation, maintenance and monitoring.

The Durable Cover will include building foundations, roads and other hardscape, and landscaped areas with a minimum of three-feet of clean fill covering native soil (native soils defined as existing site soils prior to development) and/or other fill or low impact development (LID) features, and marker fabric (e.g. geotextile fabric) establishing the transition from clean fill to native soil and/or other fill. This RMP requires that any native soil encountered during earthwork activities that is proposed to be used as part of the Durable Cover and backfill for utility corridors meet Category 1 criteria. An adequate sampling plan must be submitted to and approved by the RWQCB prior to soil testing for onsite soil reuse as part of the Durable Cover or backfill for utility corridors. Any excess soil excavated at the site proposed to be used below the Durable Cover will not require analytical testing prior to emplacement; however, no soil that exhibits discoloration, chemical odors or other signs of chemical impact shall be reused, and it must be disposed of offsite.

Soil excavation activities may extend below the water table during proposed site improvement activities. If groundwater is anticipated to be encountered, and dewatering is determined to be necessary, the groundwater shall be sampled prior to commencement of dewatering to evaluate disposal options, which may include discharge to sanitary sewer, storm drain, applied to land under California State Water Board Permit No. 2003-0003, or transferred to a vacuum truck for off-site treatment or disposal. If discharging to the sanitary sewer is an option, the Contactor shall contact the East Palo Alto Sanitary District to inquire about obtaining a special discharge permit. If discharging to storm sewer is an option, the Contractor shall comply with the requirements established in the RWQCB Order No. R2-2012-0012, NPDES No. CAG912002, “General Waste Discharge Requirements for: Discharge or Reuse of Extracted and Treated Groundwater Resulting from the Cleanup of Groundwater Polluted by Volatile Organic Compounds (VOC), Fuel Leaks and Other Related Wastes (VOC and Fuel General Permit)", dated February 9, 2012. A groundwater extraction plan may be required, and is discussed in Section 9.9.

This RMP further provides that once a property area has been developed, post-construction maintenance and management measures will be undertaken to maintain protective conditions (e.g., maintenance of the Durable Cover, long term VIMS monitoring ) for future site users and the environment. Moreover, for maintenance or construction workers who may disturb soils below the Durable Cover, protective health and safety procedures will be implemented in accordance with a SSHSP, and any future subsurface construction or maintenance activities that may encounter contaminants of concern (COC)-impacted soil will be completed in a manner consistent with soil and groundwater management procedures set forth in this RMP to ensure protection of human health, the environment and compliance with applicable laws.

This RMP also addresses worker health and safety controls, personnel assignments and responsibilities, soil excavation, management of contaminated and potentially contaminated soils, on site re-use of soil, soil import requirements, requirements to reduce potential exposure of workers and the public to contaminants in soil and groundwater and, if required, procedures for off-site soil disposal. Work performed under this RMP shall be in compliance with site development or redevelopment specifications, a SSHSP, and applicable local, state, and federal statutes and regulations. The SSHSP to be adopted, used and implemented by the contractor performing activities on the properties shall be prepared by the Contractor’s Certified Industrial Hygienist.

This RMP is incorporated into the site-wide LUC, which is the mechanism for the RWQCB to ensure and enforce compliance with the RMP in both the short and long-term. Should modifications or variances of this RMP be necessary, they must be approved in writing by the Executive Officer of the RWQCB. This RMP supersedes historical Soil Management Plans (SMP) that may have been created for any of the aforementioned properties or such additional properties that are brought under this RMP. Previous LUCs will be terminated and replaced upon recordation of the current LUC (Appendix B).

# 1 INTRODUCTION

This Area-Wide Risk Management Plan (RMP) was prepared for Sycamore Real Estate Investments, LLC (Sycamore) in connection with the proposed redevelopment activities at the identified properties (site), located within the Ravenswood Industrial Area (RIA) on Demeter Street, Pulgas Avenue and Tara Street in East Palo Alto, California (Figures 1 and 2). Sites within the RIA have a history of agricultural uses, industrial uses, and/or fill operations, and more recently as auto wrecking yards and storage facilities. The East Palo Alto Waterfront properties proposed for redevelopment are identified as San Mateo County Assessor's Parcel Numbers (APNs) 063-121-030, 063-121-040, 063-121-350, 063-132-020, 063-132-040 (151 Tara Street); 063-121-060 and 063-121-050 (264 Tara Street); 063-121-020, 063-121-200, and 063-121-210 (2555 Pulgas Avenue); 063-121-320 (350 Demeter Street); 063-121-330 and 063-121-340 (320 Demeter Street); and 063-050-050 (391 Demeter Street). The Center of Economic Mobility property is located on 063-12-370 (2535 Pulgas Avenue). Copies of the parcel maps are included in Appendix A.

Properties within the RIA have been under the regulatory jurisdiction of the San Francisco Bay Regional Water Quality Control Board (RWQCB), including RWQCB Orders, Nos. 92-037 and 92-086 (Orders). These Orders were prepared to cover the entire RIA (with the exception of the 1990 Bay Road site and the former Romic site at 2081 Bay Road), and were created to aid in redevelopment and soil and/or groundwater cleanup of properties under RWQCB oversight. The orders require property owners within the RIA to submit site use histories, work plans to identify the extent of soil and groundwater impacts, results of the investigation, and to propose further characterization. Because of the Phase I and Phase II Environmental Site Assessments (ESAs) performed under the Orders on aforementioned sites, existing site environmental impacts have been documented.

Consistent with the requirements of the Orders, based on Phase II ESA results and/or remediation efforts and concentrations of contaminants of concern (COC) in soil and/or groundwater, the most appropriate way to manage site contamination at the properties subject to this RMP is by application of LUC (Appendix B), which includes compliance with this RMP. The response actions set forth in the RMP consist primarily of institutional controls, fencing (as necessary), and engineering controls, including construction and maintenance of a Durable Cover over the surface of a property to eliminate the pathway of direct exposure to native site soils (defined as existing site soils prior to development), thereby eliminating the risk posed by these soils, and, where appropriate implementing VIMS and/or soil vapor remediation. Remediation will be implemented to address significant vapor intrusion risk if the source is associated with a significant on-site

release, to the extent of its cost effectiveness and feasibility. Excavation and treatment or disposal of impacted media may be required under this RMP to address unknown conditions commonly associated with the discovery of underground storage tanks (USTs), other fuel release or other unexpected conditions. Execution of the LUC establishes an enforceable agreement that requires compliance with this RMP. Upon execution of the LUC, the Orders' requirements are satisfied by the LUC's enforceable protective requirements, and no further action is required under the Orders. The Orders, therefore, should be rescinded for the properties subject to the LUC.

This RMP provides a framework to manage residual COCs in a manner that protects users during current and future land use. It specifies measures to mitigate potential risks to the environment, current and future on-site employees, construction and maintenance workers, visitors, and the public. It was prepared under oversight of the RWQCB to provide specifications and details on how risk will be mitigated and managed during development and future use of the properties identified by the LUC and this RMP, as may be amended, including during construction and maintenance. This RMP is a requirement of the LUC, designed to be used for soil and groundwater management during earthwork construction activities including, but not limited to, drilling, grading, excavation, utility trenching and installation, and any other subsurface activities associated with the site improvements.

The remedy and mitigation measures in this RMP include:

- Capping site soils with Durable Cover (as defined in Section 3.2) consisting of either hardscape materials, 3-feet of Category 1 soil, or 6 inches of a compacted path or LID features underlined by a geotextile marker or stormwater detention and treatment feature;
- Compliance with the LUC;
- Implementation of this RMP and use of Site-specific Health and Safety Plans (SSHSP) to manage the potential risks during site development; and
- Assessment of soil vapor and, where appropriate implementation of a VIMS and/or remediation of soil vapor.

Operation, maintenance, and monitoring (OMM) plans for engineering controls (Durable Cover, VIMS, etc.) shall be developed and submitted, with the full design documents, to the RWQCB for review and acceptance. The requirements set forth in the OMM plans will be implemented by the Owner of each property to provide for each property's respective long-term maintenance and monitoring.

This RMP also addresses worker health and safety controls through the requirement that contractors adopt a SSHSP with terms substantially similar to those included in this RMP. The RMP also addresses requirements associated with personnel assignments and responsibilities, soil excavation, management of contaminated and potentially contaminated soils, on-site re-use of soil, soil import requirements, requirements to reduce potential exposure of workers and the public to contaminants in soil and groundwater and, if required, procedures for off-site soil disposal. Work performed under this RMP shall be in compliance with site development or redevelopment specifications, a SSHSP, and applicable local, state, and federal statutes and regulations. The SSHSP to be adopted, used and implemented by the contractor performing activities on the properties shall be prepared by the Contractor's Certified Industrial Hygienist (CIH).

# 2 PROPERTY DESCRIPTIONS AND ENVIRONMENTAL BACKGROUNDS

The Sycamore redevelopment properties covered by this RMP in the RIA are located on Demeter Street, Pulgas Avenue and Tara Street in East Palo Alto and are part of the larger RIA consisting of 50 plus properties comprising 100 plus acres that have been used for agricultural and a variety of industrial purposes since circa 1920.

Per the RWQCB Orders, Nos. 92-037 and 92-086, property owners within the RIA were required to perform Phase I and Phase II assessments. The environmental background for the site provided in this section of the RMP is based on environmental investigations conducted under these Orders. Only portions of the Phase I and Phase II documents deemed relevant to describe each property are summarized in this RMP. Additionally, a comparison of historical analytical soil and groundwater data to the current (2019) RWQCB Environmental Screening Levels (ESLs) has been included in this RMP. The underlying documents that make comparisons of the soil and groundwater analytical data to the then applicable ESLs (e.g., 2003, 2005, 2013) and these comparisons are not discussed in this RMP. A generalized summary of COCs analyzed and exceeding the 2019 ESLs for properties identified herein are presented below. Arsenic concentrations in soil have been compared to 11 milligrams per kilogram (mg/kg) rather than the ESLs, which is the background concentration of arsenic in the Bay Area, established by Duverge, and accepted by the RWQCB (Duverge, 2011).

As this is an Area Wide RMP, additional properties in the former RIA, upon RWQCB approval, may be added to this RMP and will be included in this section and the LUC. RMP revisions will be submitted to RWQCB staff in accordance with Section 11.

## 2.1 264 Tara Street (GeoTracker ID T10000009229)

### 2.1.1 Property Description and Background

The property is comprised of two (2) parcels, approximately 1.2-acres and located at the northern end of Tara Street (Figure 2). The APNs for the property are listed as 063-121-050 and 063-121-060.

Based on historical research, the property land use was primarily agricultural up until the 1950's at which point it was occupied by auto dismantlers and towing companies until the present (Ninyo & Moore, 2015a). In addition, the adjacent property to the east and south, the former Romic facility, is responsible for a VOC groundwater plume that may be encroaching upon the property's eastern and southern boundary. A historical deed restriction precluded residential development for this property, and has now been replaced with the LUC in Appendix B.

### 2.1.2 Previous Property Investigations

In 2005, a Preliminary Endangerment Assessment (PEA) was performed and concentrations of total petroleum hydrocarbons (TPH) as diesel (TPHd), as gasoline (TPHg), as motor oil (TPHmo), several VOCs (total xylenes, toluene, naphthalene) and metals (cadmium, chromium, lead, nickel, and zinc) were detected in shallow soil samples collected from approximately 1 foot below ground surface (bgs) (JCC, 2005). Detected concentrations were reported below their respective 2019 ESLs for residential and commercial properties.

In November 2015, a Phase I ESA was prepared by Ninyo & Moore for the property and based on the previous property uses and properties in the vicinity of the former Romic facility, a Phase II was recommended to evaluate soil and groundwater conditions (Ninyo & Moore, 2015a).

In December 2015, a Phase II ESA was conducted by Ninyo & Moore with the advancement of five (5) borings to depths from 2 to 20 feet bgs and collection of soil and groundwater samples to assess potential impacts from 1) agricultural use where pesticides may have contaminated soils with organochlorine pesticides (OCPs) and metals, 2) the storage of damaged automobiles where fuel compounds (i.e. TPHg, TPHd, TPHmo and benzene, toluene, ethylbenzene, and total xylenes [BTEX]), waste oils [heavy metals], and cleaning solvents [chlorinated VOCs]) may have been released to the soil and groundwater and, 3) the former Romic facility's VOC-impacted groundwater plume encroaching upon the property (Ninyo & Moore, 2016a).

The Phase II ESA made the following conclusions, which have been updated to reference the 2019 ESLs:

- Soil samples were collected between 1 to 2 feet bgs during this investigation. Pesticide use was confirmed due to the presence of OCPs in shallow soils (1 and 2 feet bgs). Of the pesticides identified in shallow soils, one concentration of chlordane was detected above the 2019 Residential ESL, but below the 2019 Commercial ESL.
- Fuel related leaks and spills were confirmed in shallow soils (1-foot bgs) by the detected concentrations of TPHd and TPHmo. The soil impacts from TPHmo are below the 2019 Residential and Commercial ESLs. TPHd concentrations exceed the 2019 Residential ESL, but are below the Commercial ESL.
- Metals do not exceed the 2019 Residential or Commercial ESLs.
- Site VOC groundwater impacts in shallow (A Zone) groundwater were confirmed through the analytical data. MTBE concentrations exceed the 2019 RWQCB MCL (Maximum Contaminant Level) Priority ESL in two of the three samples collected, from the north and south portions of the property.

In May 2016, Ninyo & Moore prepared a site-specific Soil Management Plan (Ninyo & Moore, 2016b), as a component of the LUC to summarize durable cover construction requirements and soil and groundwater management protocol to be implemented during upcoming construction activities at the property which are incorporated into this area-wide RMP and have been updated to include the 2019 RWQCB ESLs.

In October 2018, Ninyo & Moore installed three borings at 264 Tara Street. Three groundwater samples were collected from each boring from the A Zone, B Zone and C Zone, for a total of 9 samples. Concentrations of VOCs in groundwater including 1,1,2-trichloroethane (1,1,2-TCA), 1,1-dichloroethene (1,1-DCE), tetrachloroethene (PCE), trichloroethene (TCE), and MTBE exceed the 2019 MCL Priority ESL (Ninyo & Moore, 2018a).

## 2.2 151 Tara Street (GeoTracker ID SL0608169978)

### 2.2.1 Property Description and Background

The property is comprised of five (5) parcels within an approximately 4.85-acre area and is located on the west side of Tara Street, beginning approximately 370 feet north of Bay Road and extending northward to the end of Tara Street and crossing over to the east side of Tara Street (Figure 2). The APNs for the property are listed as 063-121-030, 063-121-040, 063-121-350, 063-132-020, and 063-132-040. A historical deed restriction precluded residential development for this property, and has now been replaced with the LUC in Appendix B.

Based on historical research, auto dismantling operations were performed at the property from the 1950s through the 1980s. In the 1990s, soil and groundwater investigations and soil clean up actions were conducted relating to impacts by COCs associated with the former property uses. In 1999, the property was purchased by TWC Tara LLC, and since then the majority of the property has been vacant and has received imported fill materials ranging up to approximately 8 feet in thickness in the northeast portion of the property, to raise the overall grade elevation of the property for re-development that did not occur (EKI, 2007).

### 2.2.2 Previous Property Investigations, Remediation and Grading Activities

In 1994, approximately 120 tons of oil-stained soil was excavated from the southern section of the property and reportedly transported to a Class I landfill. There was no record of confirmation sampling conducted subsequent to the excavation activities.

In 1995 and 1996, approximately 173 borings were advanced and soil samples were collected generally between the surface to 2.5 feet bgs to characterize native surface and shallow soils (EKI, 2007). In the majority of soil samples analyzed, TPHmo concentrations were reported, and to a lesser extent TPHd and TPHg were also reported above laboratory detection limits. The 1995 and 1996 TPHd concentrations in soil exceed the 2019 Residential and Commercial ESLs. EKI calculated the 95% upper confidence limit (UCL) and mean of concentrations of chromium, copper, lead, and nickel from composite soil samples. The calculated means and 95% UCLs for chromium III, copper, and nickel are below the 2019 Residential and Commercial ESLs. Chromium VI and lead both exceeded the Residential ESL, but were below the Commercial ESL.

In June and August 1997 and February 1998, approximately 510 tons of oil-stained soil was excavated to depths of 4.5 feet bgs from the southern section of the property, in the location of a cobble-filled sump. In November 1997, approximately 210 tons of soil were transported off-site and disposed of as non-hazardous at the Forward Landfill in Manteca, California. In July 1998, approximately 300 tons of soil were transported off-site and disposed of as hazardous waste at ECDC in East Carbon, Utah. Confirmation sampling conducted subsequent to the excavation activities reported residual TPHmo concentrations up to 9,100 mg/kg (EKI, 2007), less than the 2019 Residential and Commercial ESLs.

In the early 1990s, three groundwater monitoring wells were installed at the property by Bay Road Holdings to monitor potential impacts to groundwater conditions off-site and upgradient of 2081 Bay Road. In August 1997 and 1998, two groundwater monitoring wells were also installed on site by the 151 Tara Street owner at the time. Wells were sampled several times

between 1991 and 2004 and in 2006 prior to destruction in 2008 under permit from the San Mateo County Department of Environmental Health (SMCEHS) (EKI, 2008). Analytical results for the 2006 groundwater sampling event included detected concentrations of TPHd, MTBE, copper, chromium, cadmium, nickel and zinc. Of these detections, MTBE concentrations ranged from 8.07 micrograms per liter (µg/L) to 62.5 µg/L, exceeding the 2019 MCL Priority ESLs. Total dissolved solids (TDS) concentrations exceeded the State of California Water Resources Control Board (SWRCB) Resolution 88-63 (revised by Resolution 2006-0008) established 3,000 milligrams per liter (mg/L) TDS as the maximum concentration for groundwater to be considered a potentially suitable source for drinking water.

In 2005, two composite soil samples were collected from a large stockpile in the central portion of the property, reportedly originating from a residential development in Atherton, was sampled prior to being used as fill over the central portion of the property (EKI, 2007). In another area on the property, north of the aforementioned stockpile, one four-point composite sample was collected from import fill material, source unknown, at approximately 1 foot bgs (EKI, 2007). The samples were analyzed for TPHg, TPHd, total extractible petroleum hydrocarbons (TEPH), BTEX and select metals (cadmium, chromium, lead, nickel and zinc). Concentrations detected in this sample were below the 2019 Residential and Commercial ESLs. There is no established 2019 ESL for TEPH.

In September 2006, six boreholes were drilled in the northern portion of the property, four boreholes along the top of a fill slope, and two boreholes south of the fill slope. Soil samples were collected at and below the 1995/1996 grade elevation, ranging from 4 to 11 feet bgs of the current grade. In general, soil samples were collected at the inferred 1995/1996 ground surface and at depths generally at 2 and 4 feet below the inferred 1995/1996 ground surface. Detected concentrations of total lead, copper, nickel, TPHd, and TPHmo in the soil samples were below the 2019 Residential and Commercial ESLs, except for one lead concentration of 327 mg/kg at 8.5 feet bgs, exceeding the 2019 Residential and Commercial ESLs.

Between 2007 and 2009, the site soils were reworked with areas of excavations to depths of 5 feet bgs, and compacted to a 95% compaction rate during grading activities (Ninyo & Moore, 2015b). There were no indications in the field reports reviewed whether or not clean fill material was imported to the property, or if environmental testing occurred during the grading activities. Compaction and grading activities were part of a planned development that never occurred.

In 2015, Ninyo & Moore prepared a site-specific SMP to address the RWQCB January 2007 *Final Cleanup Plan Proposed* letter or Fact Sheet to address and mitigate soil and groundwater impacts (Ninyo & Moore, 2015b). The SMP details, which include institutional and engineering controls (ICs and ECs) relating to case closure and the soil and groundwater management protocol to be implemented during redevelopment construction activities, are incorporated into this area-wide RMP and have been updated to include the 2019 ESLs. Therefore, this RMP is consistent with and supersedes the 2007 SMP.

## 2.3 2555 Pulgas Avenue (GeoTracker ID SL0608186716)

### 2.3.1 Property Description and Background

The property is comprised of three parcels that surround the northern termination of Pulgas Avenue, with an assigned address of 2555 Pulgas Avenue (sometimes listed as 2565 in agency documents and reports) (Figure 2). The APNs for the property are listed as 063-121-020, 063-121-200, and 063-121-210.

Based on historical research, the property land use has been agricultural, a construction yard with a mechanic shop, a facility to process and ship cut flowers, and a greenhouse to grow potted plants since approximately 1968. Property improvements have included one- and two-story buildings since approximately 1954, with uses as offices, refrigeration, storage, facility operations, greenhouse, etc. (E2C, 2005).

### 2.3.2 Previous Property Investigations and Remediation

In 1993, Innovative & Creative Environmental Solutions (ICES) prepared a report summarizing the property and chemical use history as well as a subsequent work plan to evaluate subsurface soil for the presence of contaminants based on the property history use by construction companies and extensive agricultural and auto dismantling activities on adjacent properties (ICES, 1993).

In 1998, soil samples were collected by ICES from seven shallow test pits approximately 9 to 12 inches bgs on a portion of APN 063-121-020. Select samples were analyzed for pesticides, metals (including cadmium, chromium, lead, nickel zinc and silver), TPHd and TPHmo. Ninyo & Moore has compared these historical results to the 2019 ESLs, and no detections exceed the Residential or Commercial 2019 ESLs.

In 2005, a Phase I ESA was prepared by E2C and subsequent Phase II ESAs were performed with the collection of soil samples at 2 and 4 feet bgs from 16 boreholes to evaluate the potential presence of total oil and grease (TOG), TRPH, VOCs, and metals (arsenic, lead,

and mercury) in soil (E2C, 2005b). In addition, eight groundwater grab samples were collected from boreholes where groundwater was first encountered (approximately 7 to 8 feet bgs). Based on the analytical results, recommendations included the excavation of TOG and TRPH impacted soil exceeding 2005 Commercial ESLs at five locations. TRPH concentrations detected in the groundwater samples ranged from 7,600 to 77,000 µg/L, exceeding the 2005 ESL of 100 µg/L (E2C, 2005b). There are no current soil or groundwater ESLs for TOG or TRPH.

In 2006, E2C oversaw two phases of excavation activities to remove TRPH impacted soil with concentrations exceeding the 2005 Residential ESL of 500 mg/kg. In the first phase, five locations were excavated to a depth of 3 or 5 feet bgs, based on the Phase II ESA soil sampling analytical results and field observations, and confirmation soil samples were collected. Based on the analytical results, additional excavation was required at two locations to remove soil exceeding the Residential ESLs (E2C, 2006a). Step-out borings were drilled around the two locations and soil samples collected to evaluate the extent of additional excavation required (E2C, 2006b). Over-excavation of the two areas was performed to the lateral and vertical extent based on the boring soil sample analytical results. Excavated soil was transported off-site to the Newby Island Class II-III Landfill in Milpitas, California for disposal (E2C, 2016c).

In 2007, the RWQCB required additional sampling as part of the requirements towards the goal of obtaining a No Further Action (NFA) designation for the site. The additional sampling was to fulfill the remainder of the original 19 sampling locations described in the 1993 work plan, as only six of the locations had been sampled to date. E2C performed the collection of 13 near surface soil samples, six samples from depths of approximately 0.5 to 1 foot bgs and seven samples from depths of approximately 2 to 2.5-feet bgs (E2C, 2007) for laboratory analysis of OCPs, CAM 17 Metals, hexavalent chromium and/or total extractable petroleum hydrocarbons. Analytical results were below laboratory reporting limits, 2019 Residential and Commercial ESLs or within naturally occurring background levels (E2C, 2007), except for two cobalt concentrations reported slightly over the 2019 Residential ESL.

The RWQCB issued a NFA letter dated, July 17, 2007 based on the findings of the investigations, remedial measures taken and the recordation of an environmental deed restriction on groundwater use for the property (RWQCB, 2007).

Ninyo & Moore installed one soil vapor well at the property in 2018 to assess the potential for vapor intrusion in Building A. Of the VOCs detected, none were reported above their established 2019 Residential and Commercial Subslab/ Soil Gas ESLs (Ninyo & Moore, 2018b).

## 2.4 350 Demeter Street (GeoTracker ID T10000017384)

### 2.4.1 Property Description and Background

The property is located at the northern end of Demeter Street and is approximately two acres in size. The APN for the property is 063-121-320. Property improvements consist of two one-story light-industrial warehouses separated by a fenced-in storage yard and asphalt parking lots. The warehouses are divided into separate tenant spaces, one which included an auto repair business.

Based on historical research, the property was used for cattle grazing and/or hay fields from at least 1939 to the mid-1950s and a large warehouse-type building was constructed on the property (and the southerly adjacent property) prior to 1956 and was removed by 1965. In 1970 and 1981, the western and eastern warehouses were constructed, respectively and the property was used for commercial and industrial activities (Ninyo & Moore, 2015c).

### 2.4.2 Previous Property Investigations

In 1991, a PEA was prepared by Bay Area Geotechnical Group and the report recommended the UST be tested for tightness and leaks (Ninyo & Moore, 2015c).

In 1992, a UST Closure report was prepared by Environmental Geosciences Engineering with the conclusion that the data supported a decision for NFA and case closure (Ninyo & Moore, 2015).

In 2000, a Phase I ESA was conducted by PIERS Environmental Services, Inc. (PIERS); recommendations in the report included soil and groundwater sampling and analysis for pesticides, heavy metals and VOCs to evaluate if historical activities have impacted subsurface conditions. A subsequent subsurface investigation was performed by PIERS and consisted of four borings (SB-1 through SB-4) to a depth of 24 feet bgs. SB-1 and SB-2 were advanced in the south parking areas adjacent to a 55-gallon drum storage areas and storm catch basin; and SB-3 and SB-4 were advanced in the north parking areas adjacent to storm catch basin and hazardous materials storage areas. Soil samples were collected from each boring at a depth of 2 feet bgs and analyzed for metals (cadmium, chromium, lead, nickel, and zinc), PCBs, and halogenated VOCs (HVOCs). A grab groundwater sample was also

collected from each boring using a new disposable bailer and analyzed for the same constituents as the soil. Chromium, lead, nickel, and zinc concentrations in soil ranged from 0.032 to 0.160 mg/kg, 0.0073 to 0.260 mg/kg, 0.0087 to 0.200 mg/kg, and 0.077 to 0.140 mg/kg respectively. PCB analyses detected chlordane at a concentration of 0.0000074 mg/kg (Sample SB-1) and DDT at a concentration of 0.000012 mg/kg (sample SB-4. No cadmium or HVOCs were detected. Lead, nickel, zinc, and chloroform were detected in grab groundwater samples at 65 µg/L (SB-3), 24 to 55 µg/L, 15 to 25 µg/L, and 66 to 76 µg/L, respectively. No cadmium or PCBs were detected in the grab groundwater samples (PIERS, 2000). Soil and groundwater concentrations did not exceed the 2019 Commercial or Residential ESLs or 2019 MCL Priority ESL, except for lead in groundwater which exceeded the 2019 MCL Priority ESL.

In 2015, a Phase I ESA was conducted by Ninyo & Moore and the identified REC was major staining around a storm drain located in the equipment storage yard indicative of a potential release of unknown a material (Ninyo & Moore, 2015c). Ninyo & Moore subsequently conducted a Limited Phase II at the property and, advanced one soil boring adjacent to the identified storm drain in the Phase I (Ninyo & Moore, 2015d). One soil and one grab groundwater sample were collected and analyzed for TPHg, TPHd, TPHmo, VOCs and Title 22 Metals. Detected metal concentrations in soil and groundwater were below the 2019 Residential and Commercial ESLs; TPHg/d/mo and VOCs were below laboratory reporting limits.

## 2.5 230 Demeter Street (GeoTracker ID T10000017389)

### 2.5.1 Property Description and Background

The property consists of two parcels immediately south of 350 Demeter Street with San Mateo County APNs 063-121-330 and 063-121-340, referenced as Parcel B and A, respectively on the APN maps. The two parcels are vacant and based on a review of aerial photographs have been vacant since at least 1948. Grading of the parcels, likely conducted to address potential erosion conditions, was evident in aerial photographs starting in 2002 (GE, 2018). There are no records on GeoTracker for the property and there are no known historical investigations.

## 2.6 391 Demeter Street (GeoTracker ID T10000010439)

### 2.6.1 Property Description and Background

The property is located north of the terminus of Demeter Street and consists of approximately 20 acres of vacant land bound on the east by wetlands along the western margin of the San Francisco Bay, on the north by railroad tracks, and to the east by residential properties. The APN for the property is 063-050-050

Based on historical research, the property was undeveloped tidal wetlands until the early 1900s when the western portion of the property was possibly used for cattle grazing. Prior to 1943, a railroad spur was constructed along the western boundary of the property but was later removed. In the mid-1950s, three large warehouse-type structures were constructed in the southwest corner of the property and later removed prior to 1965. In 1986, fill activities were conducted by Facciola Meat Company (FMC) to raise the grade to prepare for construction of a meat packing plant, and a large quantity of soil was imported and dumped/placed roughly in the shape of a rectangle ringed berm (stockpile) on the southwestern portion of the site. The origin of the soil is reportedly from Stanford University and the Santa Clara Valley Medical Center (Ninyo & Moore, 2014a).

### 2.6.2 Previous Property Investigations

In 2014, a Phase I ESA was conducted by Ninyo & Moore; the historic property information associated with the identified Recognized Environmental Concerns (RECs) are summarized below:

A railroad spur was previously located adjacent to the western property boundary. The RWQCB has a property Order (Order No. 96-122) issued to FMC which discusses the aforementioned fill activities and investigation activities that were conducted at the property, including the collection of soil samples from the soil stockpile, a drainage ditch area south of the stockpile, and from areas where garbage had accumulated. The COCs that were reported from the sampling event included low levels of polychlorinated biphenyls (PCBs) in the stockpile samples and drainage ditch.

In 2015, Ninyo & Moore performed a Limited Environmental Investigation to evaluate if there were COCs present in the pre-1950 fill material (Ninyo & Moore, 2015e). Six potholes were excavated for the purpose of evaluating if the different layers of fill material (pre-1950 and 1986) could be distinguished and to collect soil samples; a distinct color change was observed at approximately 4 feet bgs and therefore, the samples were collected at 5 feet

bgs. Samples were analyzed for VOCs, TPHd, TPHmo, OCPs, PCBs, and Title 22 Metals. Detected concentrations of TPHd and metals are below the 2019 Residential and Commercial RWQCB ESLs (Ninyo & Moore, 2015e).

In 2016, Ninyo & Moore conducted a Phase II to further characterize known PCBs in the shallow fill material deposited at the property in 1986 for the proposed project to grade down the berms, distributing the soil into the interior area of the bermed ring. Soil samples were collected and analyzed for PCBs from 14 pothole locations at depths between 0.5 feet bgs near the wetlands and at 3 feet bgs at other locations. Detected PCB concentrations ranged from 7.8 to 243 micrograms per kilogram (µg/kg), below the 2019 Commercial RWQCB ESL (Ninyo & Moore, 2017) and below concentrations regulated by the USEPA's Toxic Substances Control Act (TSCA).[1] One concentration was reported at 243 µg/kg, above the 2019 Residential RWQCB ESL of 230 µg/kg, which is also below USEPA TSCA regulatory thresholds.

In 2017, interim remedial measures (IRMs) consisting of grading activities in the pre-existing bermed area were performed to prevent the potential migration of PCBs into the tidal wetlands. As part of the Final Grading and Erosion Control plans, the berm was graded down and the interior of the fill area contoured to control storm water drainage along the extended route; jute mesh and fiber rolls were installed to assist in erosion and sediment control; and hydroseeding of the entire soil disturbance area was performed as an erosion control measure (Ninyo & Moore, 2018b).

[1] Under TSCA PCB regulations, soil containing less than one (1) parts per million (ppm) PCBs is considered clean soil. For example, regarding cleanup of low-concentration spills, the PCB Spill Cleanup Policy identifies soil containing less than or equal to 1 ppm PCBs as "clean soil" for purposes of back-filling a PCB spill area with clean soil. See, 40 CFR §761.125(b)(ii). As such, soil containing less than 1 ppm PCBs is not subject to any restrictions or requirements under TSCA. Additionally, under 40 CFR §761.61, no cleanup of PCB remediation waste is required for soil containing less than or equal to 1 ppm PCBs. In areas with soil containing less than or equal to 1 ppm PCBs, such soil may be left in place without further conditions for use or management. See, 40 CFR §761.61(a)(4)(i)(A).

## 2.7 2535 Pulgas Avenue (GeoTracker ID T0608100546)

### 2.7.1 Property Description and Background

The property is approximately 3.8-acres and is currently occupied by Touchatt Trucking Co. and three other tenants, for use as a truck and equipment staging and maintenance yard. The APN for the property is 063-12-370. Property improvements appear to consist of two buildings and the majority of the property is asphalt paved. A 250-gallon waste oil aboveground storage tank (AST) in secondary containment, a 900-gallon diesel AST in secondary containment, and subsurface grease and oil separator are currently present on the property (Ninyo & Moore, 2016b).

Based on historical research, the property was originally developed as early as 1939 for agricultural use. In the late 1940s, the current property buildings were constructed for use as residential and agricultural buildings. In the late 1950s hot houses for growing flowers were constructed on the property, and the hot houses were demolished in the early 1980s. In 1984 the property was purchased and occupied by the Touchatt Trucking Company for the storage of cars, trucks and equipment (Ninyo & Moore, 2016c). A cement batch also operated at the property between 2001 and 2008.

### 2.7.2 Previous Property Investigations and Remediation

In November 1989, one 1,000-gallon gasoline UST (formerly located on the eastern portion of the property and north of the main office building) and one 2,000-gallon waste oil UST (formerly located on the north side of the welding shop) were removed from the property (Dubovsky, 1989). Soil and groundwater confirmation samples were collected from the sidewalls and bottoms of the excavations. TPHd and TPHmo concentrations were reported in soil and TPHg, TPHd and TPHmo concentrations were reported in groundwater.

In December 1989, impacted (heavily stained) soil was excavated from the former UST locations and stockpiled. Confirmation soil samples were collected after over-excavation were non-detect for TPHd, TPHmo, and BTEX. The stockpiled soil (approximately 200 cubic yards) was treated by aeration, sampled in 1995, and no detectable concentrations of TPHd and BTEX were reported. The stockpiled soil was reportedly approved by the SMCEHS for use as backfill at the property (Ninyo & Moore, 2016c).

In 1990, four wells were installed and sampled quarterly for one year to evaluate groundwater. Based on the non-detect TPHd, TOG, and BTEX concentration results of the four sampling events, closure and an NFA was requested (Dubovsky, 1991). Additional groundwater

sampling from monitoring well MW-2 was performed in 1995 for TPHg, BTEX, chlorinated hydrocarbons, and metals (cadmium, chromium, lead, nickel and lead) to further assess groundwater conditions in the vicinity of the former waste oil tank. TPHd was detected at a concentration of 74 µg/L and chromium, nickel, and zinc were detected at 77.9, 85.9, and 225 µg/L, respectively (Dubovsky. 1995). Based on the low to non-detect concentrations, the wells were destroyed in 1996 (Dubovsky, 1996) and case closure for the USTs was received from SMCEHS in their letter dated January 18, 1996.

In 2015, a Phase I ESA was prepared by Ninyo & Moore for the property. Based on the previous and current property use, the following RECs identified: 1) probable use of OCPs due to the agricultural use of the property, 2) potential petroleum hydrocarbon and VOC impacts to soil and groundwater relating to the oil and grease separator, and 3) potential petroleum hydrocarbon impacts to shallow soil from vehicle and equipment maintenance and storage.

In 2016, a Phase II ESA was conducted by Ninyo & Moore with the advancement of five (5) borings to depths from 2 to 20 feet bgs and collection of soil and groundwater samples to assess potential impacts from the RECs identified in the aforementioned Phase I ESA. The groundwater sample was collected from the 20-foot boring adjacent to the oil and grease separator. Based on the soil and groundwater analytical results, the following findings and conclusions, which have been updated with current ESLs, were presented:

- Pesticide use was confirmed due to the presence of OCPs in shallow soils (1 and 2 feet bgs). OCP concentrations are below the 2019 Residential and Commercial RWQCB ESLs.
- TPH related leaks and spills were confirmed in shallow soils (1-foot bgs), and TPHd and TPHmo concentrations are below the Residential and Commercial 2019 RWQCB ESLs, except for the Residential 2019 RWQCB ESL for TPHd in soil.
- MTBE concentrations in groundwater exceeded the 2019 RWQCB MCL Priority ESL.

In 2019, Ninyo & Moore conducted a Phase II on the property and the northern portion of 2519 Pulgas Avenue. A total of seven borings were advanced at the property; one boring was advanced to groundwater, two borings were advanced to 5.5 feet and converted into temporary soil vapor wells, and 4 shallow borings were advanced to either 1 foot bgs or 2 feet bgs (Ninyo & Moore, 2020). Shallow soil indicated impacts of pesticides exceeding Residential and Commercial ESLs and TPHd exceeding Residential ESLs. Concentrations of TPHs and VOCs in groundwater do not exceed the 2019 MCL Priority ESLs. Concentrations of VOCs in soil vapor do not exceed Residential ESLs. Groundwater and soil

vapor at the property do not appear impacted by regional property uses (Ninyo & Moore 2020).

# 3 KEY TERMS AND DEFINITIONS

## 3.1 Project Team Roles and Responsibilities

This section describes the general project team relevant to the excavation, handling, transportation, reuse, and, as applicable, off-site disposal of contaminated materials and groundwater if encountered at the site.

### 3.1.1 Owners

The Owner is the current property owner or lessee of their respective property included under the LUC. The Owner will be the owner or lessee of each subject property at the time of implementation of this RMP. Each Owners is responsible for maintenance, engineering controls and compliance with this RMP at his or her respective property during his or her ownership or lease term, and will be the point of contact for the RWQCB during that time.

### 3.1.2 Project Manager

Sycamore or subsequent Owner of each subject property, or his or her designated party, shall be the Project Manager during its ownership period and will oversee future construction activities at each respective property. The Project Manager will serve as the point of contact between the Owner, the Contractors, Subcontractors and Environmental Consultant, and will coordinate with the involved parties.

### 3.1.3 Contractor

The Contractor includes any contractor or subcontractor that is disturbing soil during excavation, grading or maintenance activities at any given property. Each Contractor responsible for construction or maintenance activities must be provided a copy of this RMP and will be required to comply with this RMP addressing excavation and management, direct-loading, temporary stockpiling, possible off-site disposal, and measures to protect worker/public health and the environment from impacts caused by the Contractor's activities. The Contractor shall be responsible for assigning competent and qualified personnel to execute the work, and for selecting and supervising the work of subcontractors assigned to the project. The Contractor must be provided by the owner a copy of this RMP prior to any redevelopment activities, and the Contractor shall provide the RMP to all subcontractors.

The Contractor shall provide a site Superintendent, who will be responsible for site activities. The site Superintendent's responsibilities will include oversight of equipment, labor, materials, and resources needed to complete the project as it involves the COC-impacted materials.

### 3.1.4 Subcontractors

The Contractor may utilize subcontractors to execute subtasks of this project, subject to approval by the Project Manager. The supervision, inspection, and approval of such subcontractor work will be the responsibility of the Contractor.

### 3.1.5 Health and Safety Manager

Each Contractor shall retain a Health and Safety Manager (HSM) or equivalent, who is a CIH, or who is under the direct supervision of a CIH, with the appropriate training, certificates, and experience. The HSM will be responsible for preparing and overseeing implementation of the SSHSP for each property. The SSHSP shall list the various safety-related Contractor personnel and their duties and responsibilities. The SSHSP is discussed in further detail in Section 8.

### 3.1.6 Environmental Consultant

The Environmental Consultant shall, for each property over which he or she has jurisdiction, monitor earthwork construction activities during excavation and grading activities in areas of known contamination and in areas of unknown contamination if such areas are exposed during construction activities. The Consultant shall, for each property over which he or she has jurisdiction, provide guidance on segregation of excavated soils, as necessary, and assist in characterization and profiling contaminated soils, as necessary. The consultant shall meet the definition of a "competent person," as defined, herein. The Consultant shall be a California Certified Professional Engineer or Professional Geologist.

### 3.1.7 Competent Person

A competent person shall have demonstrated knowledge of, and professional experience in the observation and documentation of environmental excavating activities; environmental and geologic conditions in the project area; and recognition of, and testing for, hazardous materials and conditions. A competent person shall have appropriate, current Occupational Safety and Health Administration (OSHA) training and certificates, and the authority to respond to changed conditions. Typically, a competent person will be a state-licensed geologist, engineer, or health professional with sufficient knowledge of local conditions and

environmental regulations, or a person working under the direct supervision of such a geologist or engineer.

## 3.2 Soil Management Definitions

### 3.2.1 Stained or Odorous Soil

Stained or Odorous Soil includes soil exhibiting visual staining (soil suspected to be impacted with COCs) and soils with a headspace reading exceeding 50 parts per million (ppm) on a photoionization detector (PID) may not be reused on site and will be off-hauled from the site for disposal. Headspace readings of representative samples will be collected by placing soils into a Ziploc® bag and allowing the soil to volatilize for several minutes. A PID probe will then be placed into the headspace of the Ziploc® to collect the reading. Headspace readings shall be collected at a frequency described in the RWQCBs October 20, 2006 *Draft Technical Reference Document, Characterization and Reuse of Petroleum Hydrocarbon Impacted Soil as Inert Waste*, or at a frequency consistent with the most current and applicable guidance documents at the time.

### 3.2.2 Durable Cover

The Durable Cover at the site will consist of the following:

- Three-feet of Category 1 soil underlain by a geotextile marker fabric, or
- Hardscape materials such as buildings, parking structures, concrete or asphalt, or
- Gravel walking paths and/or low impact development (LID) features extending to a minimum depth of 6-inches bgs underlain by a geotextile marker fabric.

Durable Cover consisting of either Category 1 soil, gravel paths, or LID features will be underlain by a geotextile fabric.

### 3.2.3 Soil Import Criteria

There are three categories under which soils may be imported or reused at the site:

- Category 1 soil is soil that has been tested in accordance with the SIC Memo, as provided in Appendix C and does not exceed the Category 1 criteria as provided in Table C-1. This soil may be used at the site as Durable Cover and will be underlain by a geotextile fabric. Category 1 soil will be free of debris, and only includes natural materials (e.g., soil, clay, silt, sand, gravel, rock, or a mixture or combination of such materials) that have average (95% UCL of the mean) concentrations that meet the criteria as listed in Table C-1 in Appendix C. In addition, Category 1 soil shall not have an average concentration of naturally occurring asbestos above 0.25 percent (%) as determined by California Environmental Protection Agency, Air Resources Board (CARB) Test Method

435B (800-point count), and in accordance with the CARB Implementation Guidance Document.

- Category 2 soil includes both: (a) soil originating from the site which may be used under the Durable Cover without any analytical testing if the soil is unstained and/or non-odorous. Stained or Odorous soil may not be reused on site; and (b) soil imported to the site tested in accordance with the SIC Memo, as provided in Appendix C, which meets the average (95% UCL of the mean) Category 2 criteria as provided in Table C-1. Soil meeting Category 2 criteria may be placed under the Durable Cover, with a marker bed separating the Category 2 soil and the Category 1 soil/Durable Cover. Category 2 material will consist only of natural materials (e.g., soil, clay, silt, sand, gravel, rock, or a mixture or combination of such materials), will be free of visible signs of trash, debris, staining, liquids.

- Category 3 is soil that does not meet the Category 1 or Category 2 criteria due to exceedances. The Environmental Consultant may submit the analytical data, along with the SIC Memo to the RWQCB, who may designate the soil as acceptable for use as either Category 1 or Category 2 soil. No further references to Category 3 soil is made within the text of this RMP.

These criteria do not apply to soils proposed for use within 50 feet of the bay margin or Wetland areas (bay front properties). The import criteria for such bay front properties will be modified by Terrestrial Habitat: Significantly Vegetated Area ESLs and all soil proposed for use within this zone must be approved in writing by the RWQCB.

### 3.2.4 Property

The term “property” means a single address, or portions thereof, located within the site.

# 4 PHYSICAL SETTING

## 4.1 Geology

In general, the shallow subsurface lithology is composed of near-surface well-graded gravel and sand as fill material, to approximately 1-foot bgs, with medium-dense well-graded sands with silt and gravel, as alluvium to approximately 10 feet bgs. These soils are then underlain by dense well-graded sands with silt and gravel, interbedded with silt and sandy silts to 15 feet bgs (Ninyo & Moore, 2014b).

## 4.2 Hydrology

In general, the local hydrology is composed of three shallow saline to brackish aquifers (A through C) to a depth of approximately 80 feet bgs (Ninyo & Moore, 2014b). A description of the aquifers follows:

- The A-zone aquifer is approximately 22 feet thick and is composed of interbedded clays, sands, and gravels and overlies a discontinuous clay aquitard that is reportedly 13 feet thick in some areas. The A-zone groundwater elevations generally range from 2 to 8 feet above mean sea level (msl), and groundwater flow is primarily north and east toward the sloughs.

- The B-zone aquifer has been classified as semi-confined with a stratigraphy of interbedded fine sands and silts, and clay lenses. The aquifer ranges from 5 to 27 feet in thickness and overlies a clay aquitard ranging between 3 to 22 feet in thickness. The bottom of the B-zone aquifer is approximately 60 feet bgs, and groundwater flow direction is toward the east-northeast in the direction of the sloughs.

- The C-zone stratigraphy is composed of poorly to well-sorted sands, silty sands, and clays. The unit ranges between 3 to 25 feet thick and overlies an 80-foot-thick regional aquitard composed of dense clays and silts. The bottom of the C-zone aquifer is approximately 80 feet bgs. There reportedly is an upward groundwater gradient that flows in the direction of the sloughs in the C-zone aquifer.

### 4.3 Site Surface and Groundwater

Surface waters, including ponds, streams, creeks, lagoons and other naturally-occurring bodies of water have not been observed on developed properties within the RIA. Approximately 20 acres of undeveloped land at 391 Demeter Street is identified as a wetland on the United States Fish & Wildlife Service's National Wetlands Inventory Wetlands Mapper, but at this time this property has not been delineated as either a water of the United States or water of the State.

In general, depth to groundwater in the vicinity is approximately 10 to 11 feet bgs and the groundwater flow direction is to the east, towards the San Francisco Bay.

## 5 PLANNED FUTURE SITE DEVELOPMENT

The planned use of the site is in conformance with the existing zoning pursuant to the 2012 - 4 Corners Ravenswood Specific Plan (as may be amended). The reasonably anticipated uses of the site may include multi-story, light industrial, research and development buildings, residential, neighborhood-serving retail or other commercial use, and recreational open space areas (e.g., parks, landscaped areas, raised planters, and walking trails).

### 5.1 Variance for LUC Prohibited Uses

The LUC as provided in Appendix B precludes, unless a variance is granted:

1. Groundwater use at each property covered by this LUC;

2. Residential dwellings (once soil vapor has been adequately addressed) with individually owned or controlled yard or gardens;

3. Growing vegetables, fruits, and any edible items in native soil for human consumption; and

4. Any activity not consistent and in compliance with the RMP.

A written variance request for these uses must be submitted to RWQCB for review and approval prior to implementation. RWQCB submittals are discussed further in Section 11.

## 5.2 Areas Not Requiring Durable Cover

As stated, the selected remedy for the properties covered under this RMP includes installation of a Durable Cover above native and/or Fill soils. Some properties are exempt from these requirements due to their historical use, reasonably intended use, and/or historical analytical data. Following is a list of areas covered under this RMP that are known not to require a Durable Cover above native/ Fill soils:

- The wetlands area of 391 Demeter Street. Wetland areas are shown on Figure 3. This portion of the property has never been developed or used for any purpose.
- Additional areas or properties may be exempted from the Durable Cover requirement following approval by the RWQCB. Such areas will be exempted on the basis of current environmental conditions, presence of wetland characteristics that will remain in an undeveloped condition, or use.

# 6 CONTAMINANTS OF CONCERN

The objective of the RMP is to reduce human exposure to site COCs to below the acceptable risk range by severing (e.g., by the use of Durable Cover) or minimizing the pathway of direct human exposure to native soil, soil vapor and groundwater containing COCs at levels exceeding applicable ESLs. Furthermore, SIC will be implemented so that imported surface soil concentrations shall not exceed Category 1 and is further discussed in Appendix C and Section 9. The measures and protocols in this RMP will be implemented during redevelopment activities of each property in order to help ensure that future site users' exposure to COCs in all media (soil, soil vapor and groundwater) are adequately mitigated. The ESLs are used as a screening tool to evaluate potential exposure of future site users to COCs in soil, groundwater and soil vapor during and after construction activities. Therefore, no soils exceeding the Durable Cover Soil Screening Levels will be present in soil above the Durable Cover following redevelopment of any given property.

Additional COCs may be identified if additional assessments are warranted (i.e., in the event of unanticipated conditions) or performed for properties that may be incorporated into this RMP after the LUC is in effect. For future proposed development properties to be covered by this RMP after the effective date of the LUC, Figure 4 contains a flow chart to characterize and delineate the presence of COCs on the subject property.

## 6.1 Soil Contaminants of Concern

Identified COCs in soil at the properties included in this RMP came to be so located based on prior site operations and placement of undocumented fill. These COCs have been identified as including TPHg, TPHd, TPHmo, VOCs, SVOCs, OCPs, PCBs, and/or metals. Except for visually stained soil or odorous soils, any soil currently present on the site may be reused or relocated below the Durable Cover. Notwithstanding the preceding, the stockpiled soil containing PCBs on the southern portion of 391 Demeter Street may not be relocated to any other portion of the site and must either be used at the subject property beneath a Durable Cover or disposed of off-site at an appropriate landfill facility.

Based on the previous site investigations, COC-impacted soil has been reported in the fill material and native soils, generally ranging from the surface to approximately 5 feet bgs or at greater depths for properties with overlying fill. However, if excavation and/or remediation of soils have occurred, COC-impacted soils may not be present in previously identified areas.

### 6.1.1 Soil Screening Criteria

Soil being imported to the site, or site soils proposed to be used as the Durable Cover will be sampled and evaluated in accordance with the SIC Memo, and compared to Table C-1 in Appendix C to determine where the soil may be emplaced. On-site soils proposed for reuse under the Durable Cover do not require additional soil sampling.

## 6.2 Groundwater Contaminants of Concern

Identified COCs in groundwater at properties covered in this RMP are based on previous site operations, previous site investigations, and/or the nearby operations and may include TPHg, TPHd, TPHmo, VOCs, SVOCs, OCPs, and/or metals. In general, the historic analytical groundwater data with COCs exceeding the 2019 MCL Priority ESLs have included the following petroleum related COCs: TPHg, TPHd, and MTBE. However, if the groundwater sample collected during an investigation pre-dated removal and/or remediation of soils that were considered the source for groundwater contamination, current groundwater concentrations may be lower and the COC may not exceed the MCL Priority ESLs.

### 6.2.1 Groundwater Screening Criteria

The groundwater at the site generally has high total dissolved solids (TDS, greater than 3,000 mg/L) and is generally unusable for domestic and municipal purposes. Water is supplied to the site by a regulated water purveyor, and the use of groundwater is not necessary and is prohibited through the LUC. Therefore, potential receptors would likely be construction worker exposure during excavation, trenching, or drilling activities. Worker protection through direct contact with groundwater will be achieved through compliance with the SSHSP.

## 6.3 Soil Vapor Contaminants of Concern

No comprehensive soil vapor analytical data is available for the properties under this RMP. Prior to beginning development of occupied enclosed structures, a soil vapor investigation work plan will be submitted to RWQCB for approval, and will be implemented in a manner consistent with the most current and applicable soil vapor guidance documents at the time the soil vapor investigation is conducted, consistent with the LUC and as provide under Section 11 of this RMP. The soil vapor investigation work plan should be submitted to the RWQCB approximately one-year prior to intended development activities to allow for testing to address seasonality and agreement on a path forward, as necessary to remediate and or mitigate significant releases of VOCs. Soil gas concentrations will be analyzed for VOCs using USEPA TO-15. RWQCB submittals are discussed further in Section 11.

### 6.3.1 Soil Vapor Screening Criteria

The screening criteria required for soil vapor will be the RWQCB ESLs, Table SG-1, Subslab/Soil Gas Vapor Intrusion: Human Health Risk Levels, Residential or Commercial/Industrial based on the land use and the presence or absence of a bioattenuation zone. The rationale for this screening criteria is to determine if a site-specific risk assessment will be required prior to development of an enclosed structure that will be occupied for human use.

# 7 MEDIA MANAGEMENT OBJECTIVES

Media (i.e., soil, groundwater and soil vapor) management objectives (MMOs) for the site are to eliminate the pathway of exposure to contaminants on site. The MMOs are intended for implementation during redevelopment activities at each property covered under this RMP in order to prevent exposure of future site users and reduce potential exposure of workers and the public during earthwork construction activities to soil, groundwater and/or soil vapor that contain COCs above applicable screening criteria.

## 7.1 Soil Management Objectives

The soil management objectives for the properties covered under this RMP include 1) installing a Durable Cover that will meet the Durable Cover Screening Criteria and protect future site occupants and visitors, 2) removal of excess excavated soil that is Stained or Odorous, and 3) implementation of appropriate future risk management measures (e.g., long-term operation, maintenance and monitoring) so that residual concentrations of COCs remaining in soil at the site do not result in significant human health risks to future site users through anticipated land uses.

Additionally, the migration of PCBs, existing in soils located on the southwestern portion of the 391 Demeter Street property, to the Ravenswood Open Space Preserve (ROSP) are currently controlled (i.e. prevented) through IRMs as summarized in section 2.6.2. IRMs shall remain effective through use of an OMM plan, per section 10.3, until MMOs are implemented.

## 7.2 Groundwater Management Objectives

The groundwater management objectives for the properties covered by this RMP are to protect future site users from contact with groundwater and to ensure the appropriate management of construction-generated water.

The LUC provided in Appendix B preclude the use of groundwater at the site without prior approval by RWQCB staff. This shallow groundwater is not currently being used as a drinking water supply and is not likely to be used in the foreseeable future. Municipal drinking water is provided to the RIA and there is no need to use shallow groundwater. In general, residual petroleum hydrocarbons are the primary COCs impacting groundwater and it is anticipated that natural processes over time will result in attenuation of residual pollutants in groundwater, restoring water quality at the site.

## 7.3 Soil Vapor Management Objectives

The soil vapor management objectives for properties included under this RMP include ensuring that future site users are protected from significant (Hazard Index greater than 1 and/or excess lifetime cancer risk greater than 1 in 1,000,000) vapor intrusion risk through source removal and/or use of engineering controls, building design, or as necessary demonstration through a vapor intrusion risk assessment that property-specific conditions do not pose a significant risk. Soil vapor is currently a data gap at all properties.

## 7.4 Management Actions to Meet Soil, Groundwater and Soil Vapor Objectives

To mitigate or reduce direct human exposure to residual contaminants remaining in site soils (native soils), groundwater and soil vapor, the recommended remedial actions for impacted properties are 1) install a Durable Cover across the site, 2) off-site removal or the covering, with a Durable Cover, excess native soil (e.g., excess soil generated from trenching and other earthwork operations) or demonstration (i.e. analytical testing) that such excess soil does not contain concentrations of COCs above the Category 1 criteria, 3) off-site disposal or treatment of visibly stained or odorous excess soil or soil associated with a previously unknown condition (e.g. leaking UST) to the extent practicable during site development, and, as necessary 4) mitigation of vapor intrusion risk through source removal (remediation) if warranted, use of engineering controls, or building design.

The future development under this RMP will include import of Fill soils, and construction of commercial or residential buildings, paved or other hardscaped surfaces, and landscaped or other open space areas underlain by not less than three feet of Durable Cover Soil separated from native soil and/or Fill by a geotextile fabric or other marker-barrier, thereby eliminating exposure pathways to impacted soil to future site occupants. Short-term and long-term risk management protocols will be implemented during construction, including the use of protective clothing and other health and safety measures for construction and trench workers involved in earthwork/construction operations, and implementation of institutional controls. The four elements of the remedial actions are discussed in more detail below:

### 7.4.1 Excess Soil

Excess soil generated from digging or trenching activities that is not Stained or Odorous is permitted to be placed under the Durable Cover without analytical testing. Excess native soil generated from excavation activities may be used as Durable Cover if it meets Category 1 criteria, in accordance with the SIC Memo in Appendix C, following submittal of a sampling plan to the RWQCB for review and approval. If the excess soil is found to contain COCs above Category 1, it may not be used as Durable Cover and will be either capped under a Durable Cover or transported off-site and disposed of at an appropriately-permitted disposal facility or treated off-site for reuse. Underground utility corridors to be constructed must be backfilled with material that meets Category 1 criteria at a minimum. A Soil Reuse Flow Chart illustrating decisions for sampling and analyzing excavated and stockpiled soils is presented in Figure 5. Should excess soil meet the Category 1 criteria, three feet of the soil may be used as Durable Cover and will be underlain by geotextile fabric.

### 7.4.2 Durable Cover and Containment (Engineering Controls)

A Durable Cover will serve as cover and containment of native soil containing concentrations of COCs that exceed Category 1 criteria, in areas that will be used by members of the public. The Durable Cover involves the placement of a containment material over native soils, thus preventing direct contact with the native soils, off-site migration of soil via wind-blown dust, and erosion from surface water runoff. The Durable Cover will also be installed with the intent to prevent exposure to human and ecological receptors from site COCs.

A variety of covers would be suitable for the properties under this RMP. The options for Durable Cover include:

- Buildings or other structures.
- Streets, roads, paved parking lots or other hardscape.
- Paths with packed fines or similar material, LID features, to a depth of six inches and geotextile marker bed.
- A three-foot layer of clean imported fill material meeting Category 1 (95 UCL of the mean) and installation of a geotextile marker bed separating fill material and native soil.

Proper installation of the Durable Cover as discussed above will be effective in providing a barrier capable of preventing exposure to COC-impacted soil remaining on site. The Durable Cover would be supplemented by institutional controls, including an environmental covenant and Deed Restriction (Appendix B) and an OMM Plan.

### 7.4.3 Soil Vapor Mitigation

Prior to construction of enclosed, occupied structures, a soil vapor survey shall be conducted. A work plan following the vapor intrusion guidance current at the time of development will be prepared and submitted to the RWQCB for review and approval, prior to conducting the survey. Following completion of the survey, a report documenting the results will be submitted to the RWQCB. Should soil vapor concentrations exceed the RWQCB ESLs, Table SG-1, Subslab/Soil Gas Vapor Intrusion: Human Health Risk Levels, Residential or Commercial/Industrial based on the land use and the presence or absence of a bioattenuation zone, a risk assessment shall be required. If a risk assessment determines soil vapor is found to create a Hazard Index greater than 1 and/or excess lifetime cancer risk greater than 1 in 1,000,000, discussions with the RWQCB will occur to determine if soil vapor mitigation or source removal/remediation shall be implemented at the subject property. Soil vapor mitigation measures may include additional soil vapor sampling, installation of vapor barriers beneath buildings with either a passive or active venting system. Prior to construction

RWQCB shall review and approve the soil vapor work plan, soil vapor survey report, and any necessary risk assessment, proposed mitigation and/or remediation.

### 7.4.4 Institutional Controls

Due to the known and potential COCs in soil and groundwater for properties covered in this RMP, institutional controls (i.e. through the LUC provided in Appendix B) including compliance with this RMP, are required to protect future site occupants. This legally binding and enforceable document will remain in perpetuity, unless terminated by the RWQCB, to limit exposure to residual COCs, and to ensure the effectiveness and compliance with this RMP in the short and long-term, and prohibit certain activities (e.g., use of groundwater) that could create significant risk. In addition to site-wide LUCs, property-specific LUCs may be appropriate to ensure vapor mitigation measures are installed, maintained and monitored. Should future site occupants not comply with the LUC, the RWQCB may take enforcement action to compel compliance.

# 8 SITE HEALTH AND SAFETY PLAN

During earthwork construction activities for planned redevelopment or maintenance of a property, the Contractor shall adopt and follow precautions no less stringent than the following measures:

- Health and safety training requirements, including Hazardous Waste Operations and Emergency Response (HAZWOPER) certification per 29 CFR 1910.120, for earthwork construction workers who may directly contact soil and/or groundwater containing COCs (e.g., during site preparation, grading, foundation construction, or landscape installation); and
- Requirements for establishing worker protection procedures for construction workers who may directly contact soil or groundwater containing COCs;

Each earthwork construction or maintenance contractor with workers who may directly contact native site soils or groundwater containing COCs (e.g., during site preparation, grading, and foundation construction) shall prepare their own SSHSP through a CIH.

The SSHSP shall include procedures for earthwork construction personnel to manage encountered/disturbed soil that is obviously impacted, as identified by visual observation of staining, odors or elevated organic vapor readings, and to handle encountered abandoned subsurface structures such as tanks, sumps, and pipes. The SSHSP will also include groundwater management protocol, should groundwater be encountered during the proposed redevelopment activities.

Field personnel shall be required to review the SSHSP and provide written acknowledgement of their review and understanding of the SSHSP and willingness to abide by its requirements. In addition, the Contractor's site Superintendent will perform a daily tailgate safety meeting held at the beginning of each workday to discuss relevant task-specific safety issues. Additionally, daily site visitors will be required to review the SSHSP and sign the acknowledgement sheet.

# 9 SOIL AND GROUNDWATER MANAGEMENT PROTOCOL

This section provides a discussion of the protocol for excavation and monitoring of COC-impacted soils that may be encountered during grading and/or excavation in association with site earthwork construction activities, stockpiling and sampling of potentially COC-impacted soils, stockpile management, site best management practices, re-use and disposal criteria for soils, and management of COC-impacted groundwater, if encountered.

## 9.1 Soil Excavation and Monitoring

The Contractor shall be responsible for construction activities associated with subsurface excavation, trenching, handling, on-site reuse, direct-loading for off-site disposal, and temporary stockpiling of soil in accordance with project specifications. The Contractor shall also be responsible for general construction impact mitigation measures, including control of dust generation at the property over which he or she has control, decontamination of equipment, prevention of sediment from leaving the property in storm water runoff, and management of groundwater, if any. Additionally, the Contractor shall also be responsible for developing a project specific SSHSP, consistent with the minimum requirements established under Section 8 of this RMP, and compliance with this RMP, and all applicable local, state, and federal statutes, regulations, and guidelines. Excavation and handling of COC-impacted soils will be conducted in a manner that prevents the release of contamination, if present, to other on-site and off-site areas.

The Environmental Consultant shall periodically observe, monitor and document intrusive work activities. If evidence of potentially COC-impacted soil (e.g., distinctive discoloration and odor and/or suspected contaminated materials such as wastes) is encountered by the Contractor, the Project Manager shall be notified and the Environmental Consultant will monitor and document intrusive work activities. The Stained and/or Odorous soil will be stockpiled separately for potential reuse or for off-site disposal or treatment. Stockpiles will be segregated and managed in accordance with Section 9.2.

### 9.1.1 Odor and Vapor Control

If there is a potential to generate odors during earthwork construction activities, the Contractor shall employ odor suppression techniques including covering of 1) stockpiles, 2) open excavations or 3) trenches, to mitigate impacts to site workers, visitors and nearby sensitive receptors (e.g., businesses, residential communities, general public). Stockpiles will be managed in accordance with Section 9.3. In addition, the Contractor shall implement appropriate means and methods to mitigate odors of stockpiles, open excavations or trenches, prior to leaving the site at the end of each workday.

### 9.1.2 Dust Monitoring Plan

The Contractor shall mitigate dust following those guidelines presented in a RWQCB approved area-wide Dust Monitoring Plan. Dust management measures will include, but not be limited to, using water with a hand held sprayer or by water trucks, as-needed, on the surface of active work areas. Care will be exercised to minimize the overuse of water so as not to create surface water runoff or excessively saturated conditions. Dust control will also be conducted at the site entrance during construction activities.

### 9.1.3 Storm Water Pollution Prevention Plan

A Storm Water Pollution Prevention Plan SWPPP will be required prior to soil disturbance activities for properties that are more than one acre and will be prepared by a Qualified SWPPP Developer. The SWPPP will be compliant with the California SWRCB General Construction Permit (GCP) Requirements for Storm Water Discharges, RWQCB Order No. 2009-009-DWQ Construction and will include those storm water pollution prevention measures and best management practices.

### 9.1.4 Decontamination

Construction equipment and transportation vehicles will be decontaminated prior to leaving the site to minimize the possibility that this equipment will track COC-containing soil onto public roadways. To minimize the possibility of cross-contamination, construction equipment and transportation vehicles will also be decontaminated prior to moving from on-site areas known or newly found to contain contaminated soils or wastes to other areas or paved areas that are not expected to contain COCs.

Decontamination methods will include scraping, brushing, and/or vacuuming to remove dirt on vehicle exteriors and wheels. In the event that these dry decontamination methods are not adequate, methods such as steam cleaning, high-pressure washing, and cleaning

solutions will be used, as necessary, to thoroughly remove accumulated dirt and other materials. Wash water resulting from decontamination activities will be collected and managed in accordance with all applicable laws and regulations.

## 9.2 Soil Segregation and Stockpiling

The Contractor shall coordinate with the Environmental Consultant to segregate soil into separate stockpiles as follows:

- **Reuse Soil:** Soil that does not exhibit any staining, and/or is not odorous may be reused on site below the Durable Cover and above the existing soil without any further analytical testing. Reuse soil must be stockpiled separately from impacted (e.g. stained) soils. Soils may be reused between properties within the site provided it is placed under the Durable Cover, with the exception of stockpiled soil originating from 391 Demeter.
- **Potentially Impacted Soils:** Soils exhibiting staining and/or are odorous will be stockpiled separately from the reuse soil. Analytical testing will be conducted in accordance with Section 9.4.1 to determine if the soil may be reused beneath the Durable Cover, or if it should be moved off site.
- **Imported Fill:** Soil imported to the site to be used as Fill will be stockpiled separately from excess soils originating from the site. Category 1 soils will be separated from Category 2 soils.

Soil segregation and stockpiling shall be monitored by the Contractor to ensure no cross contamination will occur. The contractor shall prepare a Stockpile Management Plan which will discuss stockpile handling and management procedures similar to those discussed in Section 9.3, and will include a figure designating stockpile locations. Grading plans with stockpile management procedures will be included and can be submitted in place of the Stockpile Management Plans. The plans will be reviewed and approved by the Consultant prior to import.

## 9.3 Stockpile Management

The staging area and the stockpiles shall be managed by the Contractor in accordance with San Francisco Bay Area Air Quality Management District (BAAQMD) 8-40 requirements (BAAQMD, 2005), this document, the SSHSP, and a site-specific SWPPP which will follow Construction General Permit guidelines. The soil stockpiles shall be constructed and managed to minimize the threat of release of contaminants or soil from the stockpile, as applicable. Imported stockpiles, reuse stockpiles and potentially impacted stockpiles will be stockpiled separately from each other. Any hazardous waste stockpile or other stockpile of soils that will not be reused on site because the soils do not meet reuse criteria shall be removed from the site in 90 days or less from the date of excavation.

It is required that excavated and stockpiled soils associated with construction activities at the site be managed as follows:

- Placed onto a relatively impervious surface, such as asphalt, concrete, or on a 30-millimeter (mil) or thicker high-density polyethylene (HDPE) liner.
- Sprayed or misted with water to minimize dust emissions during stockpiling, if necessary.
- Securely covered with an 8-mil or thicker HDPE liner to minimize vapor emissions and prevent runoff from rain.
- Configured in such a manner that surface water runoff, if present, from the stockpile does not carry stockpiled material and/or leachate beyond the stockpile perimeter berm.
- Inactive stockpiles (stockpiles not in use for over 2 hours), will either be covered with 8-mil or thicker HDPE liner or sprayed with water every 2 hours, or as necessary, to minimize dust emissions.

## 9.4 Soil Characterization for Reuse or Off-haul

The following section describes the sampling and analysis protocol for characterizing distinct native stockpiles and, as applicable, characterizing native soils into appropriate categories for off-site disposal, or suitability for on-site reuse. Stockpile sampling, analytical testing, and reporting shall be conducted by the Environmental Consultant and shall be conducted in accordance with the guidelines in the SIC Memo (Appendix C) and/or disposal facility requirements, as appropriate. Figure 5 provides a flow chart for the following disposal or reuse purposes:

- Native soil without odor or visual staining may be reused on-site beneath the Durable Cover without any analytical testing.
- Native soil with odor or visual staining (as defined in Section 3.2.1) will be off-hauled to an appropriate facility.
- Native soil proposed to be used as Category 1 will be tested in accordance with the SIC Memo in Appendix C, following submittal of a sampling plan to the RWQCB for review and approval.

Soil sampling protocols will follow the DTSC Clean Imported Fill Material Information Advisory (Advisory), as provided in Appendix C. Required sampling frequencies and analytical methods are provided in the Advisory, and may be updated by the RWQCB as required. Analytical data, along with the SIC Memo will be submitted to the RWQCB, as provided in Appendix C. Should the soils meet the designated import criteria (either Category 1 or Category 2), soils may be imported to the Site 5 business days following notification and upload of the SIC Memo and attachments to GeoTracker, without RWQCB approval.

If soils do not meet geotechnical or environmental requirements for reuse (e.g., Stained or Odorous) stockpile sampling may also be necessary and shall be conducted according to the requirements of the accepting facility(s).

## 9.5 Imported Soil

Imported soil proposed to be used as Durable Cover or beneath the Durable Cover will be tested in accordance with the SIC Memo in Appendix C, following the submittal of a sampling plan to the RWQCB. It is noted that the Advisory referred above only applies to soil from sources that are not suspected of having any impacts. The level of testing in the Advisory is to confirm the soil is not impacted, not to characterize. Soil import from source sites which are undergoing or have undergone an environmental cleanup, industrial, commercial or agricultural sites where hazardous materials were used, handled, or stored as part of the business operations, or unpaved parking area where petroleum hydrocarbons could have been spilled or leaked onto the soil will require more rigorous sampling than that required by the Advisory. A sampling plan must be submitted to the RWQCB for review and approval, as per the SIC Memo.

## 9.6 Unknown Contamination

If hazardous substances or conditions are encountered which present an immediate threat or injury to human health or water quality, the Contractor shall secure the area and shall notify the Project Manager, Environmental Consultant and RWQCB staff immediately. The Contractor or any person shall call "911" to summon the emergency services, as necessary. Any site cleanup activities of unknown contamination that give rise to an emergency condition, will be halted and abated by the Contractor if it is safe to do so. If emergency clean-up activities are required, it will be conducted under all applicable laws. The Environmental Consultant and RWQCB staff shall be notified at the first safe opportunity.

If previously unknown hazardous substances or conditions are encountered that do not present an immediate threat to human health or water quality, the Contractor shall immediately notify the Project Environmental Consultant and the Project Manager. As necessary, the area surrounding the discovery of unknown contamination will be isolated and secured by the Contractor with markings, fencing, or a suitable barrier so that construction activities can be excluded from the zone of impact. The Environmental Consultant and the Project Manager will then decide whether immediate excavation, segregation, stockpiling, containerization, and/or other activities are warranted as well as notification of the appropriate regulatory authority.

Professional judgement will be employed in determining when any previously unknown encountered subsurface materials require excavation or remediation (including, but not limited to, tanks, pipes, odorous soils, stained soils, etc.). Should remediation be required, work will stop and the Environmental Consultant will notify RWQCB staff. If Odorous or Stained substances are encountered, work will stop and the Contractor will notify the Environmental Consultant.

Any encountered, abandoned subsurface structures that may contain liquids (e.g., sumps, storage tanks, and pipelines), will be treated as possible COC-contaminated materials or potential sources of COCs to soil and groundwater. If these features are encountered, the following guidelines shall be applied:

- Any obvious leakage or drainage will be collected, contained and stopped as rapidly as can be safely accomplished by the contractor;
- RWQCB staff will be notified and applicable paperwork, such as an Underground Tank Closure Plan with County of San Mateo Health Service, will be initiated;
- Residual liquids in the sump(s), tank(s), and/or pipe(s) will be removed, contained, tested as required for disposal, and appropriately disposed;
- Sumps and tanks will be cleaned and closed in place or excavated and appropriately disposed;
- If it is not necessary to remove all of a discovered pipe to complete construction, then the pipe will be cut, the portion of the pipe required to be removed to complete construction will be removed and appropriately disposed, and the ends of the pipe remaining in place will be capped; and;
- Visibly contaminated or odorous soil, whether or not it is associated with encountered subsurface sumps, tanks, or pipes, will be subject to the soil management procedures discussed above;
- If residual liquids are determined to contain COCs or hazardous compounds other than petroleum hydrocarbon constituents at significant concentrations or quantities, RWQCB staff will be contacted, and additional environmental assessments will be conducted in accordance with the RWQCB's guidance and in accordance with all laws and regulations.

## 9.7 Data Gaps

Soil vapor is considered a data gap at all properties. As discussed previously, additional investigation activities will occur at these properties prior to beginning development. Soil vapor investigations should be started one year prior to construction.

## 9.8 Transport and Disposal

If contaminated or hazardous soils or other environmental media or subsurface structures (e.g., tanks, sumps, piping) are transported off site for disposal, the transporters and disposal facilities used must be appropriately licensed and/or permitted and properly insured, and be pre-approved by the Project Manager. The Contractor, with assistance from the Environmental Consultant, will manage the transportation and disposal of wastes to the appropriate treatment and disposal or recycling facilities. The Contractor shall prepare waste profiles and manifests or bills of lading for review by the Environmental Consultant and for signature by the Project Manager or Owner. Manifests or bills of lading and waste profiles will be forwarded to the appropriate disposal/recycling facility for acceptance. The Contractor shall be responsible for the scheduling of shipments of wastes after notice of acceptance.

Coordinating vehicles entering property for loading and off-site disposal of site materials shall be tracked through documentation, by the Contractor, with assistance from the Environmental Consultant. Vehicles shall be decontaminated, as necessary, prior to their departure from the property per Section 9.1.4. Care shall be taken to avoid spillage of contaminated materials and/or tracking such materials off site. The Contractor shall maintain a daily log of contaminated substances, hazardous substances, or hazardous wastes removed from the property for disposal. Upon project completion, the logs shall be accompanied by copies of waste manifests and load tickets that document receipt of the waste at the permitted facility and the weight of the load.

Hazardous wastes transported off site for disposal or recycling shall be performed in accordance with Department of Transportation (DOT) Hazardous Material Transportation regulations 49 CFR Parts 171 and 180, 40 CFR Part 262, Subpart B, and Title 22 CCR Section 66262, which involve packaging, placarding, labeling, and manifesting requirements. Hazardous wastes transported shall also have appropriate certification notices per 40 CFR Par 268 and Title 22 CCR Section 66268. Personnel having the required DOT-training shall perform DOT-related functions, if required.

Contaminated materials characterized as non-hazardous that do not exhibit the DOT hazard class characteristics (i.e., explosives, gases, flammable/combustible liquids, flammable solids/ spontaneously combustible materials/dangerous when wet materials, oxidizers and organic peroxides, toxic materials and infectious substances, radioactive materials, and corrosive materials) are not regulated under DOT rules for hazardous materials transportation. If a material is hazardous, it shall be shipped under the appropriate hazard class with a Hazardous Waste Manifest.

Trucks carrying contaminated substances or hazardous wastes shall be covered such that there is no odor or dust during transportation along the haul route identified in the project specifications. Open trucks shall not be permitted to transport waste from the property that may produce odor or dust during transportation.

## 9.9 Groundwater Management

Activities associated with site earthwork construction activities may involve subsurface excavations, and depending on the excavation depths could potentially encounter groundwater. If excavations are planned to extend below 5 to 10 feet bgs, then groundwater should be expected to be encountered. If groundwater is encountered, and dewatering is necessary, the groundwater shall be temporarily stored and sampled to evaluate disposal options, which may include discharge to sanitary sewer or storm drain, applied to land, or disposed of off-site.

If groundwater is encountered and dewatering required, the Contractor will be responsible for providing equipment (vacuum truck or a pump, holding tanks, filtration systems) to contain groundwater and to conduct the permit-required sampling and analytical testing until it can be discharged to either the sanitary or storm sewer systems, or land. Prior to any discharge, the Environmental Consultant shall be provided the analytical sampling results to confirm discharging is acceptable and groundwater management plan will be submitted to the RWQCB for review. The Contractor is responsible to complying with all conditions of the discharge permit or RWQCB Order.

If discharging to the sanitary sewer is an option, the Contactor shall contact the East Palo Alto Sanitary District to inquire about obtaining a special discharge permit. If discharging to storm sewer is an option, the Contractor shall comply with the requirements established in the RWQCB Order No. R2-2012-0012, NPDES No. CAG912002, “General Waste Discharge Requirements for: Discharge or Reuse of Extracted and Treated Groundwater Resulting from the Cleanup of Groundwater Polluted by VOC, Fuel Leaks and Other Related Wastes (VOC and Fuel General Permit)", dated February 9, 2012.

Groundwater may also be discharged to land, as approved by the Environmental Consultant, in accordance with the State Water Resources Control Board Water Quality Order No. 2003-0003. Prior to discharging groundwater, a Notice of Intent must be submitted to RWQCB staff, along with a project map, evidence of California Environmental Quality Act (CEQA) compliance, a discharger monitoring plan, and applicable fees as required by Title 23, CCR, Section 2200. Groundwater discharged under this permit may not enter any surface waters. The minimum

standards and further information for groundwater discharge are listed in Table 1 of Order No. 2003-0003.

Should off-site disposal be required, the groundwater will be stored on-site, sampled and analyzed by the Contractor in accordance with the accepting facilities requirements.

# 10 POST-CONSTRUCTION RISK MANAGEMENT

Post-construction risk management will address precautions that will be undertaken for mitigation of future potential risks to human health and the environment after completion of cleanup and development. When development is completed, soil with concentrations of COCs exceeding Criteria 1 will be effectively capped, thus preventing direct contact with this soil. For maintenance or construction workers who may occasionally disturb subsurface soils below the Durable Cover, protective health and safety procedures will be implemented in accordance with a SSHSP, and notice will be given to the RWQCB if more than 150 cy are disturbed. Where a VIMS is required, annual and/or five-year reviews may be required by the RWQCB to verify the VIMS is functioning as intended, in accordance with the DTSC Vapor Intrusion Guidance (DTSC, 2011), or applicable soil vapor guidance documents at the time the VIMS is installed and is functional.

Any future subsurface construction or maintenance activities that may encounter potentially COC-impacted soil will be completed in a manner consistent with soil and groundwater management procedures set forth in this RMP, including, but not limited to Sections 7 (Media Management Objectives), 8 (Health and Safety) and 9 (Soil and Groundwater Management Protocol) and 11 (Agency Notification and Soil Disturbance Activities) to ensure protection of human health, the environment and compliance with applicable laws.

Workers excavating COC-impacted soil below the Durable Cover placed as part of future site redevelopment or maintenance will be required to define adequate measures to protect construction worker, occupants, tenants, visitors, and nearby off-site residents and workers. For subsurface work to be performed on a property, a SSHSP will be prepared in accordance with Section 8.

## 10.1 Restrictions Use Under This RMP

The LUC precludes, unless expressly approved in writing by the Executive Officer of the RWQCB or a variance is granted:

1. Groundwater use at each property covered by this LUC;

2. Residential dwellings (once soil vapor has been adequately addressed) with individually owned or controlled yard or gardens;

3. Growing vegetables, fruits, and any edible items in native soil for human consumption; and

4. Any activity not consistent and in compliance with the RMP.

Other properties may be included under the LUC if environmental site conditions are similar to environmental conditions covered by the LUC. If conditions are similar, Appendix A and Appendix B shall be amended to include such additional properties, and this RMP shall become applicable to them at that time.

## 10.2 Long-Term Compliance

The soil and groundwater management protocols specified in this RMP are based on the current understanding of site environmental conditions. All future owners, tenants, developers, contractors and any other entities with responsibility for site activities shall continue to have the obligation (1) to review and determine the adequacy of this RMP in light of the conditions actually encountered on each property and the intended or current land use of the property; (2) to evaluate the current understanding of the health effects of identified COCs, to the extent health effects assumed in this RMP may change; and (3) to comply with all applicable regulatory policies, laws, and regulations including any appropriate notifications to RWQCB staff regarding material changes, thickness of Durable Cover, and use of alternative Durable Covers in land use or identified site conditions. In addition, property owners will be responsible for any and all operations and maintenance activities discussed in this RMP and the LUC with respect to property under their respective ownership. Each owner is responsible for notifying the RWQCB in writing within 30 days of a change in ownership. Such notification shall be uploaded to the State Water Resource Control Board's Geotracker database.

## 10.3 Operations, Maintenance, and Monitoring Plan

OMM Plan and OMM checklist for the properties covered in this RMP shall be prepared and submitted, with the full design documents for each parcel development, to the RWQCB for review and approval. The OMM Plan will be implemented by the site Owner following site redevelopment.

The OMM Plan includes, but is not limited to, a maintenance schedule, inspection guidance, repair procedures, reporting requirements, descriptions of inspections and any maintenance performed, and any emergency response procedures.

# 11 AGENCY NOTIFICATION AND SOIL DISTURBANCE ACTIVITIES

The Owner, as defined in Section 3.1.1, must notify the RWQCB staff at least 60 days prior to performing ground disturbance activities for any on occupied structures exceeding the disturbance of 150 cubic yards or 1,250 square feet of surface. The notice shall include a description of current property conditions and property features, proposed activity, and a Work Plan for Ground Disturbance. Requirements for the Work Plan for Ground Disturbance are listed below in Section 11.2.1. A Durable Cover must be either installed or reinstalled following the proposed ground disturbance activities. RWQCB staff shall strive to respond with approval or comments on the Workplan (via letter or e-mail) within 60-days of submittal. Should any emergency repairs need to take place, RWQCB staff will be notified within 48 hours of the activities or as soon as possible. Any variances to the protocols as described in this RMP will be submitted to RWQCB staff in writing a minimum of 90 days prior to the planned activity. The variance may not occur until the RWQCB has approved the variance. The City of East Palo Alto shall also be notified prior to commencing construction activities.

Prior to and during earthwork construction activities related to redevelopment of a property, applicable permits and notifications shall be the responsibility of the Contractor. The Contractor shall be responsible for notifying California OSHA in accordance with the Contractor's Annual Trenching and Excavation Permit and notifying Underground Service Alert. If unknown contamination is found on a property, the Project Manager and Environmental Consultant will be immediately informed. A description of the project team's roles and responsibilities is included in Section 3.1.

## 11.1 Redevelopment Activities

The Owner shall request a pre-project scoping meeting to identify timelines with RWQCB staff prior to any groundwork for occupied structures. To allow adequate time for soil vapor investigations, risk evaluation, and, as necessary, agreement with the RWQCB to remediate and or mitigate, the Owner should request the pre-project scoping meeting approximately one-year in advance of intended development activities (Note: Section 11.1.1 outlines the process and approximate timeline for soil vapor assessment). The pre-project scoping meeting should be conducted within 30 days following request by Owner and will include a description of the project and a Work Plan for Ground Disturbance (see Section 11.2.1). A scoping meeting will follow within

60 days following the pre-project scoping meeting, except by mutual agreement, and will include a submittal and discussion of a Work Plan Memorandum describing redevelopment activities. Requirements for the Work Plan Memorandum are listed below in Section 11.2.2.

RWQCB staff will strive to respond within approximately 60 days of receipt. RWQCB approval will require, where necessary, final vapor intrusion mitigation measure plans and pre-occupancy testing, long term monitoring, and contingency evaluation.

If following a site-specific risk assessment, soil vapor is found to create a Hazard Index of 1 and excess lifetime cancer risk of 1 in 1,000,000, the RWQCB will be consulted to determine if soil vapor mitigation or mitigation/remediation shall be implemented at the property. Soil vapor mitigation or source removal measures may include, among others: installation of vapor barriers beneath buildings with either a passive or active venting system, building design or potential soil gas extraction. Prior to construction the RWQCB shall approve the soil vapor survey, risk assessment, and any proposed VIMS within 30 days of receipt of final documents.

Following implementation of the Work Plan Memorandum and completion of remedial activities, as well as required vapor intrusion mitigation measures (as needed), the Owner will submit a Completion Report documenting compliance with the Work Plan Memorandum and any required vapor mitigation and monitoring measures. Interim approvals, such as a smoke test may also be required.

## 11.2 Documentation

The Environmental Consultant shall prepare the following reports for each property for which a notification is required. The reports will be signed by the Environmental Consultant (Professional Geologist or Professional Engineer as appropriate) and include the following information.

### 11.2.1 Work Plan for Ground Disturbance

- A description of current property conditions and property features,
- A description of the proposed activity,
- Documentation of compliance with this RMP,
- Proposed soil vapor sampling work plan, or an evaluation of adequacy of existing soil vapor data for the proposed activity-,
- Any proposed design drawings, and
- A schedule.

### 11.2.2 Work Plan Memorandum

- A description of the completed work and redevelopment activities
- Means and methods for compliance with this RMP (e.g. vapor intrusion assessment, remediation, and mitigation, dust management activities, compliance with a SWPPP)
- Any required soil vapor data that was collected and site-specific assessment, as necessary
- Engineering drawings (not less than 10%)
- Following documents in the case where a VIMS is needed:
  - A risk evaluation
  - VIMS plans, including design, OMM, contingency plans, and financial assurance (case-by-case decision)

### 11.2.3 Completion Report

- Summarize the activities involving COC-impacted materials
- Site map showing the lateral extent and depths of the soils excavated at the property,
- Durable Cover construction details,
- Placement location(s), and volumes of the excavated soils reused on site,
- Any groundwater, soil or soil analytical results collected during the improvement project,
- If soils are transported off site, an accounting of the materials transported and either disposed of or reused off site, including location of reused soils, weight tickets, waste manifests, and/or bills of lading,
- Health and safety monitoring records, including air monitoring analytical data during excavation activities (if conducted) and procedures used to mitigate odors and dust, and
- Any vapor intrusion and VIMS data including the documentation of installation of mitigation measures, any pre-occupancy testing (e.g., coupons, smoke test overseen by a third party), final OMM plan, long-term monitoring reports, five-year review reports, and a project-specific LUC.

## 11.3 Geotracker Uploads

GeoTracker is the primary repository that will be used to document compliance with this RMP. All documents Any revisions or amendments to this RMP, along with any compliance documents, notifications, or environmental reports for the properties covered under this RMP are required to be submitted in electronic format to the State Water Resources Control Board's GeoTracker database pursuant to the California Code of Regulations (Title 23, Section 3890 et.seq.). This requirement includes all analytical data, monitoring well latitudes, longitudes, elevations, water

depth, site maps, and boring logs (in a PDF format). Owners are responsible for maintaining GeoTracker compliance for their respective properties.

### 11.4 Variance Process

A variance may be submitted to the RWQCB to amend the existing LUC (Appendix B) or this RMP. The variance shall document that the modification will result in no less protective condition as provided by the LUC. RWQCB shall strive to review the variance and provide a decision within approximately 60 days following submittal. Should the RWQCB determine that the variance request documents that the modification will result in no less protective condition as provided under the LUC, the RWQCB shall issue a letter of approval.

## 12 LIMITATIONS

No representation or warranty is made by any present or future owner or developer of the site or their consultants, agents, and contractors as to the applicability or sufficiency of this RMP with respect to future site conditions or alterations made to the site conditions. This RMP should be reviewed periodically and updated by the Owners of the site to reflect any pertinent changes in the state of knowledge regarding the COCs, conditions, or legal requirements impacting the site or its use and occupancy.

This RMP has been prepared in general accordance with current regulatory guidelines and the standard-of-care exercised in preparing similar plans in the project area. No warranty, expressed or implied, is made regarding the professional opinions presented in this plan. Variations in site conditions may exist and conditions not observed or described in this plan may be encountered during subsequent activities. Please also note that this plan did not include an evaluation of geotechnical conditions or potential geologic hazards.

Ninyo & Moore's opinions and recommendations regarding environmental conditions, as presented in this plan, are based on limited subsurface assessments. Further assessment of potential adverse environmental impacts from past onsite and/or nearby use of hazardous materials may be accomplished by a more comprehensive assessment. The samples collected and used for testing, and the observations made, are believed to be representative of the area(s) evaluated; however, conditions can vary significantly between sampling locations. Variations in soil and/or groundwater conditions will exist beyond the points explored.

The environmental interpretations and opinions contained in this plan are based on the results of laboratory tests and analyses intended to detect the presence and concentration of specific chemical or physical constituents in samples collected from the subject site, and on work performed by others. The testing and analyses have been conducted by independent laboratories, which are certified by the State of California to conduct such tests. Ninyo & Moore has no involvement in, or control over, such testing and analysis of work performed by others. Ninyo & Moore, therefore, disclaims responsibility for any inaccuracy in such laboratory results and work performed by others.

Our conclusions and opinions are based on an analysis of the observed site conditions and work performed by others. It should be understood that the conditions of a site could change with time as a result of natural processes or the activities of man at the subject site or nearby sites. In addition, changes to the applicable laws, regulations, codes, and standards of practice may occur due to government action or the broadening of knowledge. The findings of this plan may, therefore, be invalidated over time, in part or in whole, by changes over which Ninyo & Moore has no control.

This document is intended to be used only in its entirety. No portion of the document, by itself, is designed to completely represent any aspect of the project described herein. Ninyo & Moore should be contacted if the reader requires any additional information, or has questions regarding content, interpretations presented, or completeness of this document.

This plan is intended exclusively for use by Sycamore Real Estate Investments LLC. Any use or reuse of the findings, conclusions, and/or recommendations of this plan by parties other than the client is undertaken at said parties' sole risk.

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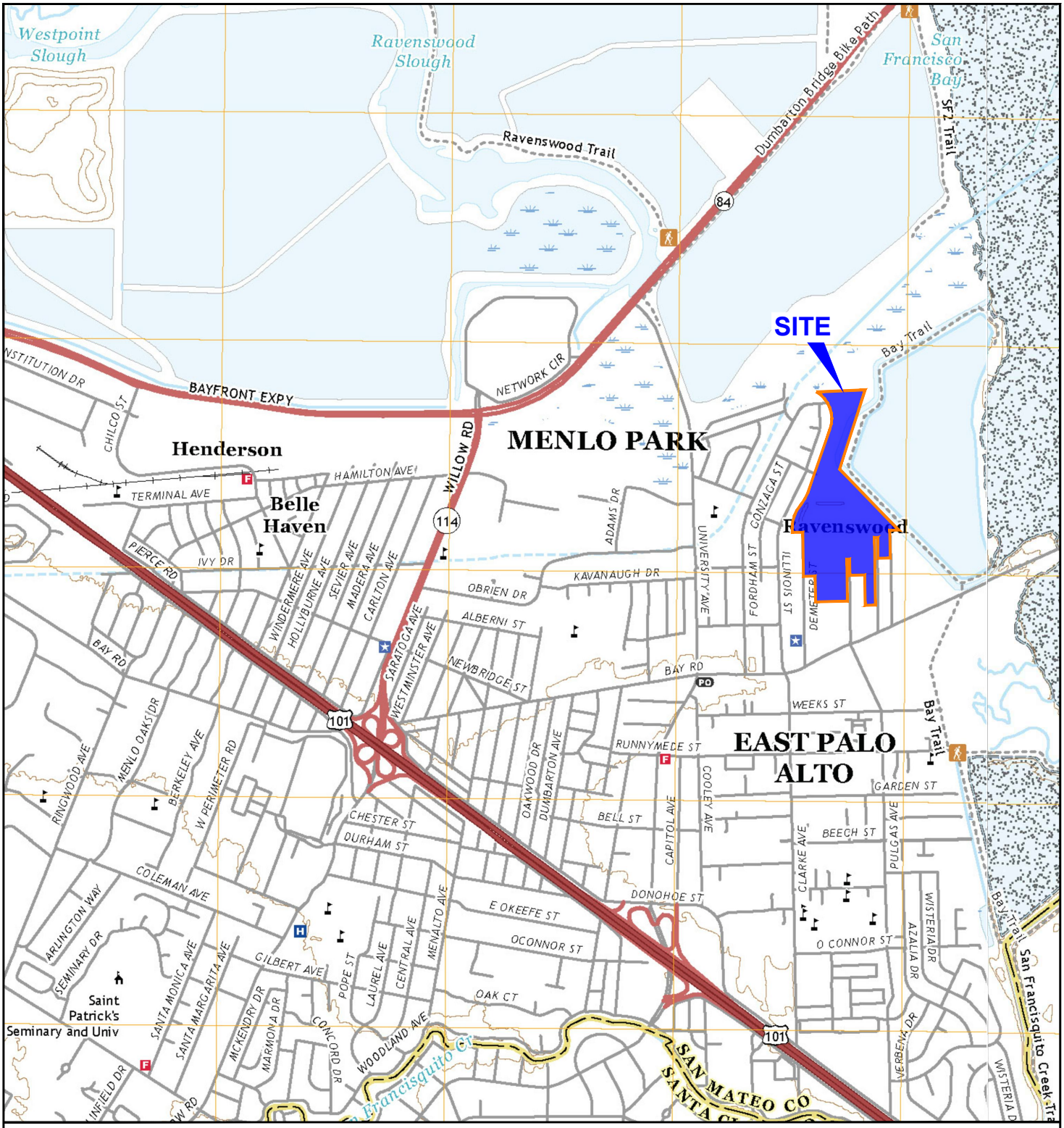
# FIGURES

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NOTE: DIMENSIONS, DIRECTIONS, AND LOCATIONS ARE APPROXIMATE I REFERENCE: USGS, 2018

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SCALE (FEET)

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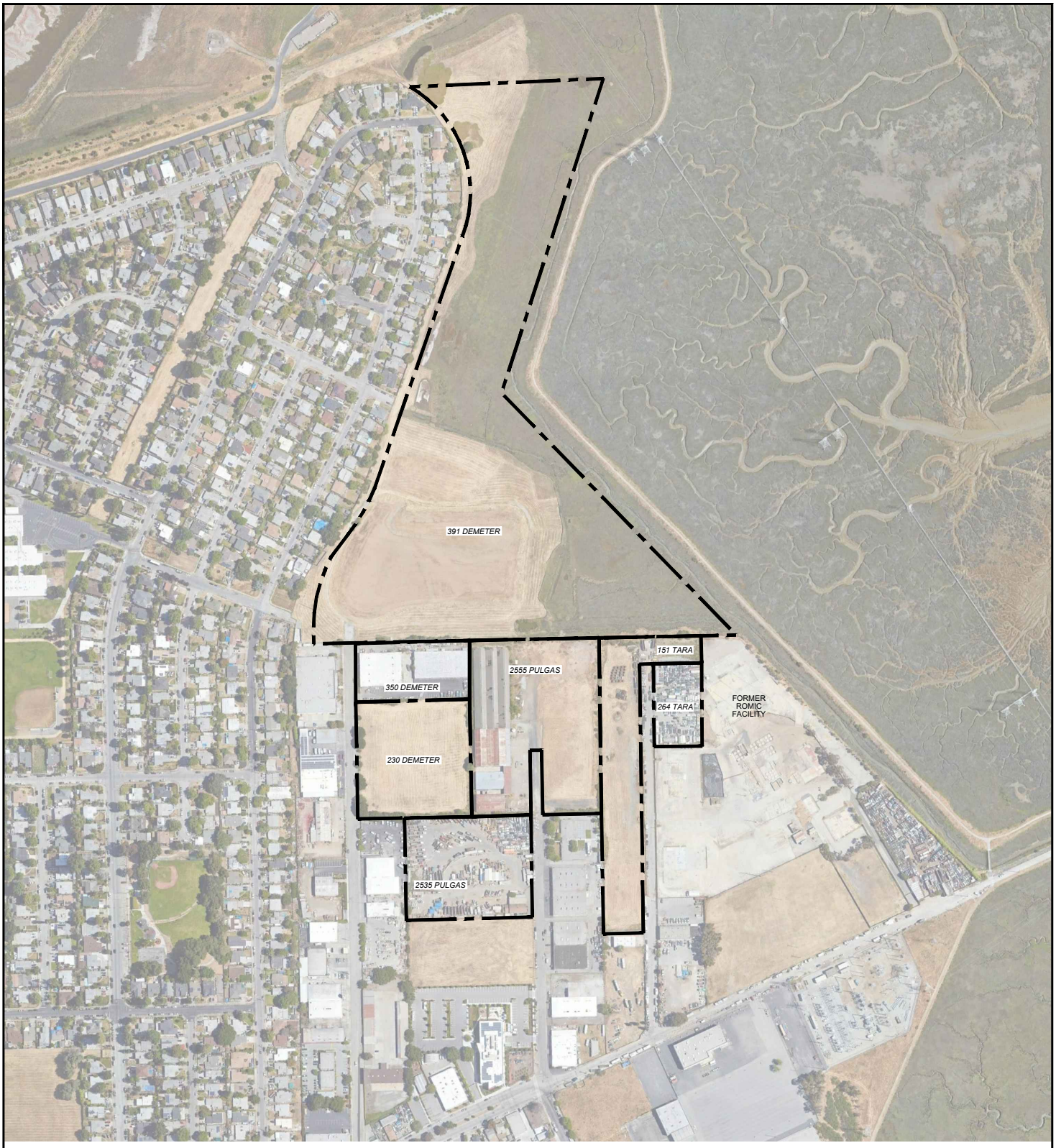
FIGURE 1

Ninyo & Moore
Geotechnical & Environmental Sciences Consultants

## SITE LOCATION

RISK MANAGEMENT PLAN
EPA WATERFRONT
EAST PALO ALTO, CALIFORNIA
403475002 I 8/21




**LEGEND**

PARCEL BOUNDARY

NOTE: DIMENSIONS, DIRECTIONS, AND LOCATIONS ARE APPROXIMATE I REFERENCE: GOOGLE EARTH, 2020

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SCALE (FEET)

0 500 1,000

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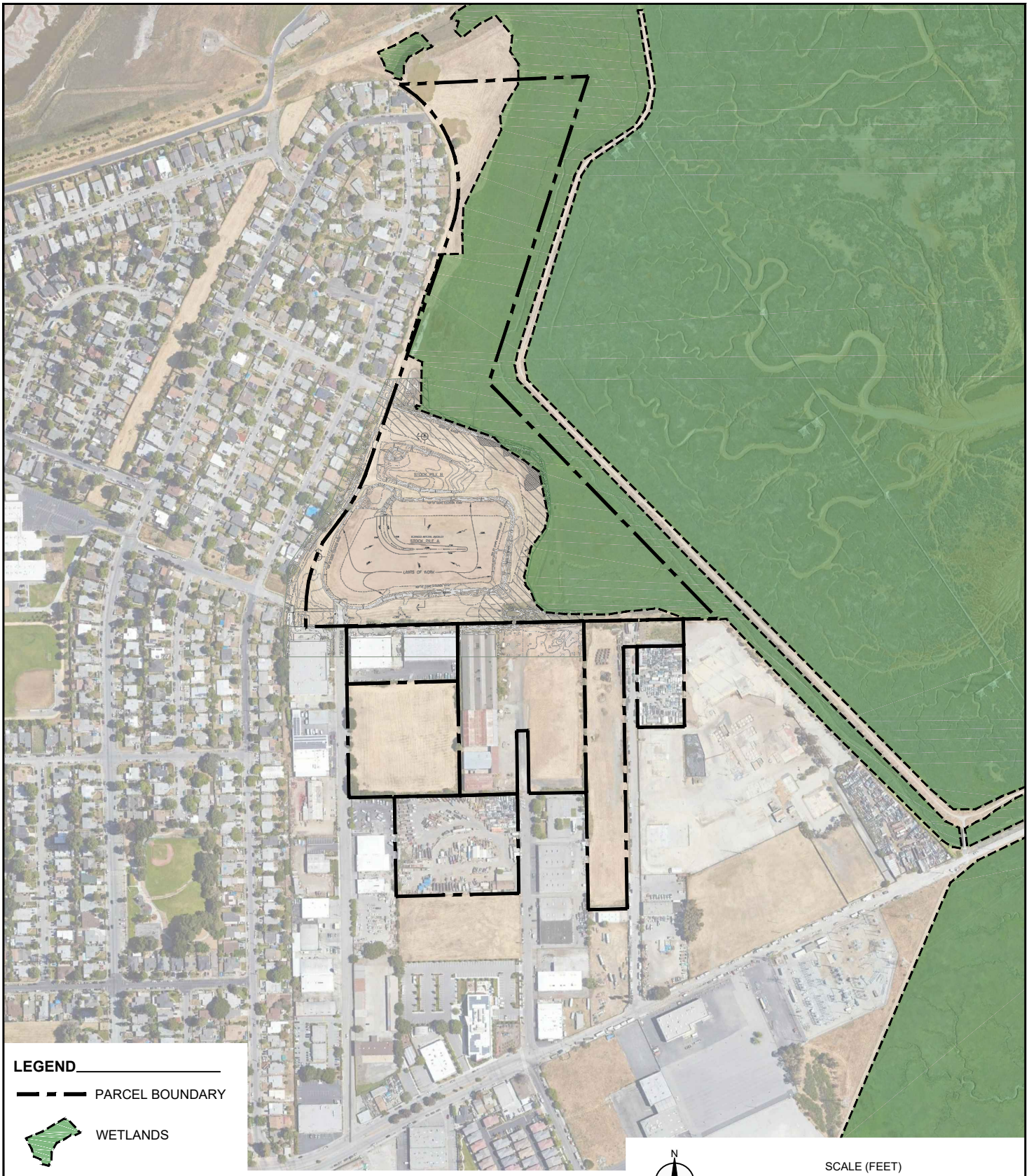
**FIGURE 2**

Ninyo & Moore
Geotechnical & Environmental Sciences Consultants

## SITE PLAN

RISK MANAGEMENT PLAN
EPA WATERFRONT
EAST PALO ALTO, CALIFORNIA
403475002 I 8/21




NOTE: DIMENSIONS, DIRECTIONS, AND LOCATIONS ARE APPROXIMATE
REFERENCES: WILSEY HAM, 2016; U.S. FISH & WILDLIFE SERVICE, 2020; GOOGLE EARTH, 2020

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FIGURE 3

Ninyo & Moore
Geotechnical & Environmental Sciences Consultants

## WETLAND AREAS

RISK MANAGEMENT PLAN
EPA WATERFRONT
EAST PALO ALTO, CALIFORNIA

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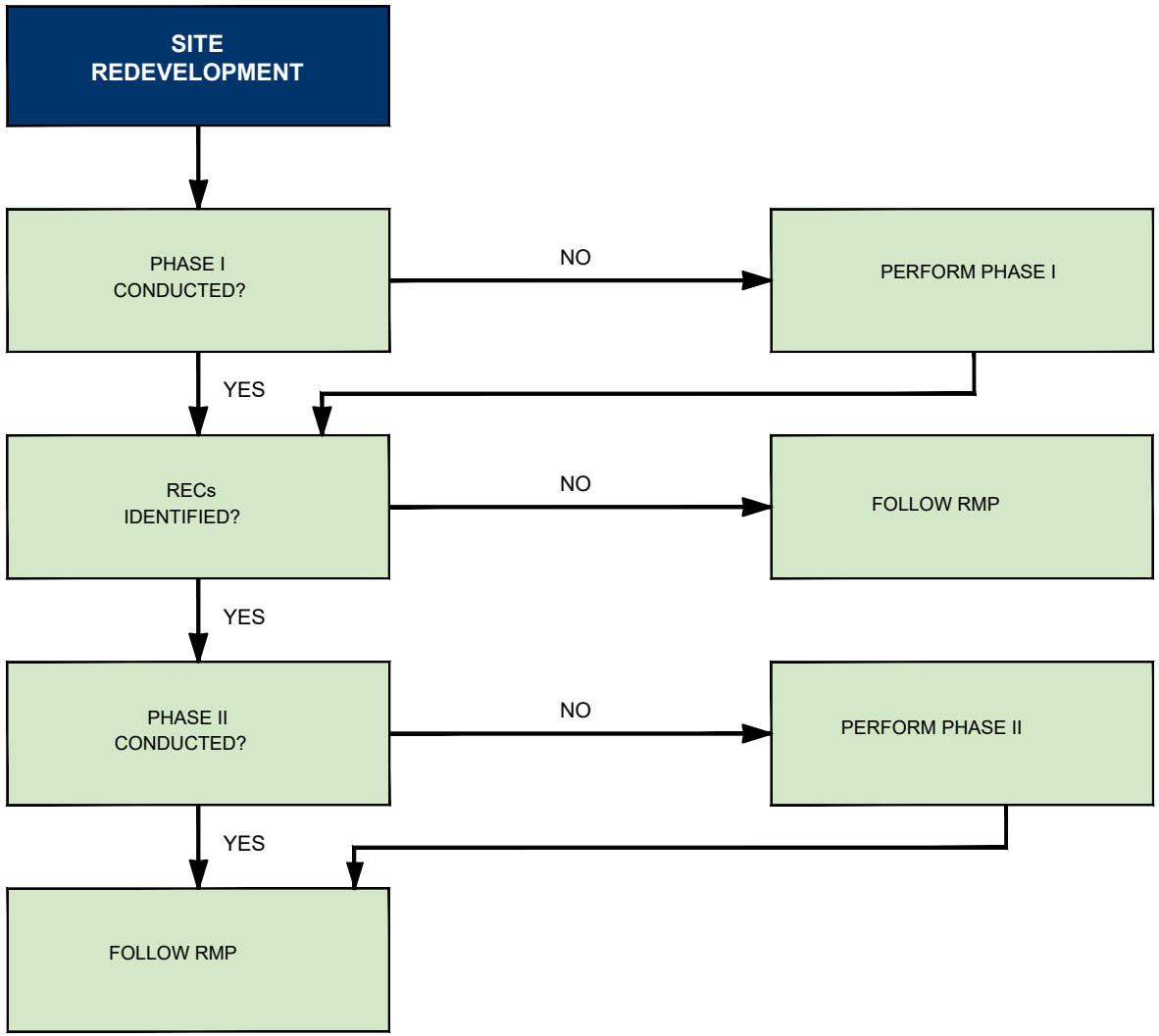


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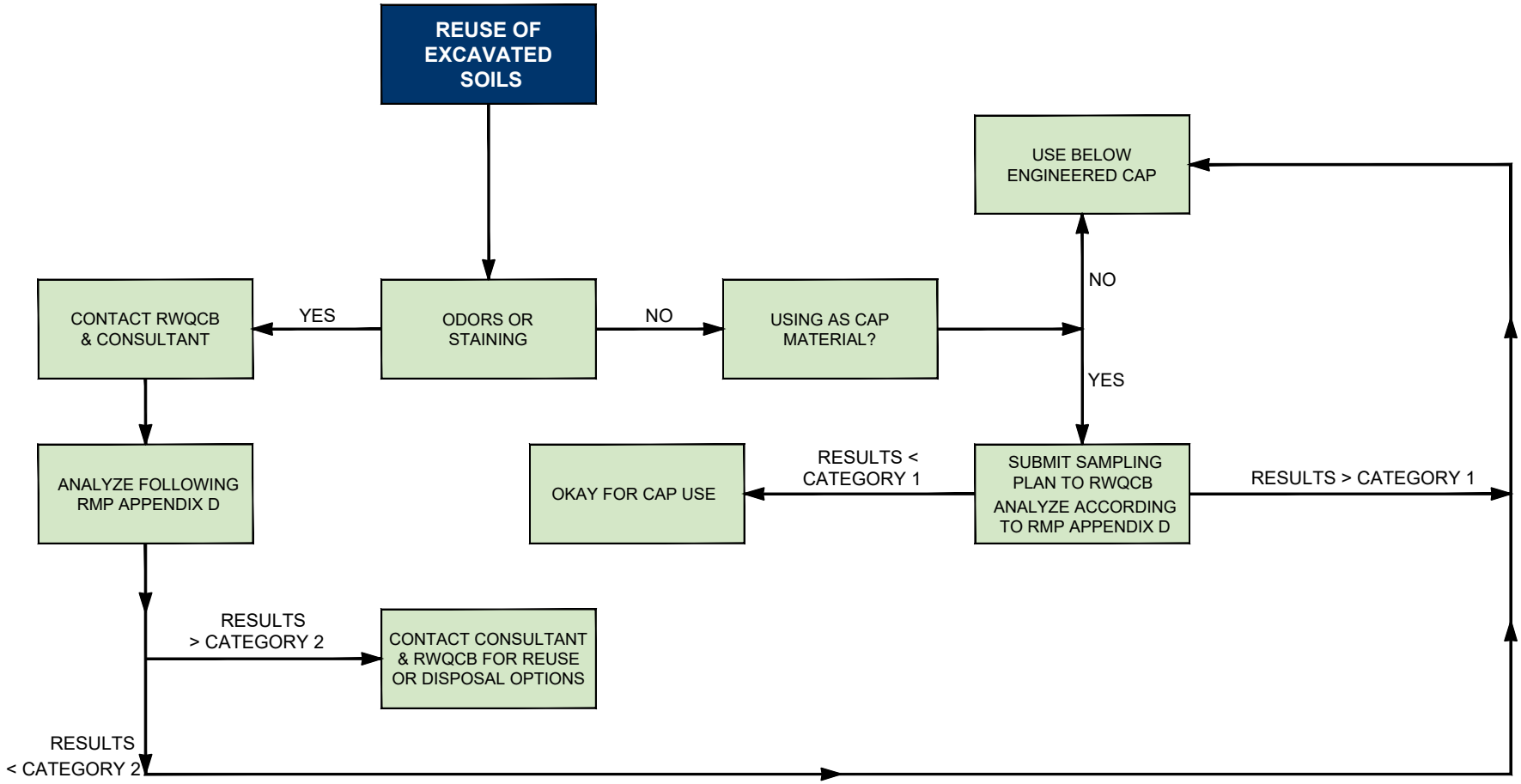
**FIGURE 4**

Ninyo & Moore
Geotechnical & Environmental Sciences Consultants

## DUE DILIGENCE FLOW CHART

RISK MANAGEMENT PLAN
EPA WATERFRONT
EAST PALO ALTO, CALIFORNIA
403475002 I 8/21

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| | | | | | |
|---|---|---|---|---|---|
| RMP | RISK MANAGEMENT PLAN (NINYO & MOORE, 2020) | RWQCB | SAN FRANCISCO BAY REGIONAL WATER QUALITY CONTROL BOARD | CATEGORY 1<br>CATEGORY 2 | DEFINED IN RMP APPENDIX D |

403475001.dwg 11/04/2020 AEK

**FIGURE 5**

Ninyo & Moore
Geotechnical & Environmental Sciences Consultants

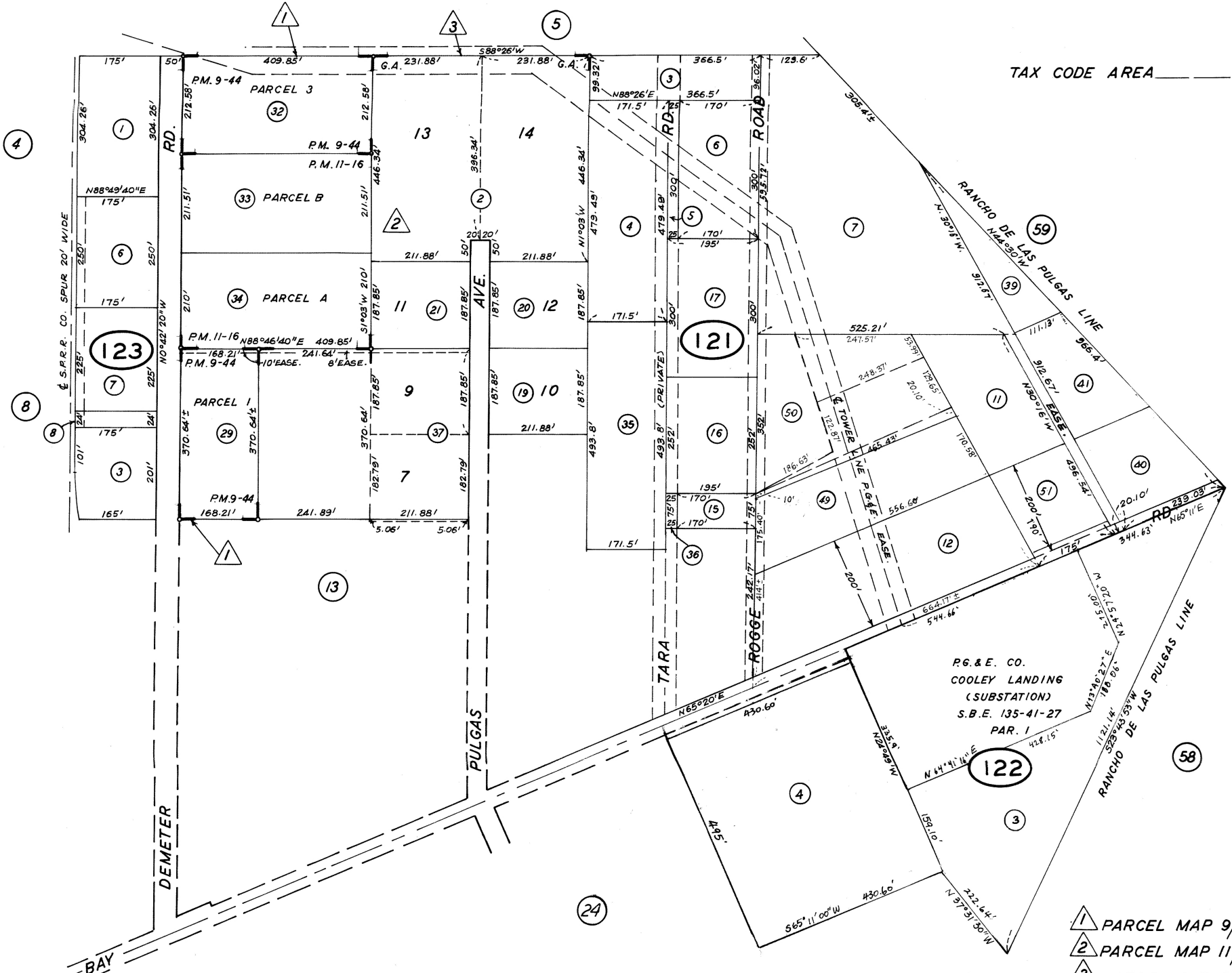
## SOIL REUSE FLOW CHART

RISK MANAGEMENT PLAN EPA WATERFRONT
EAST PALO ALTO, CALIFORNIA
403475002 I 8/21

# APPENDIX A

## Assessor's Parcel Maps

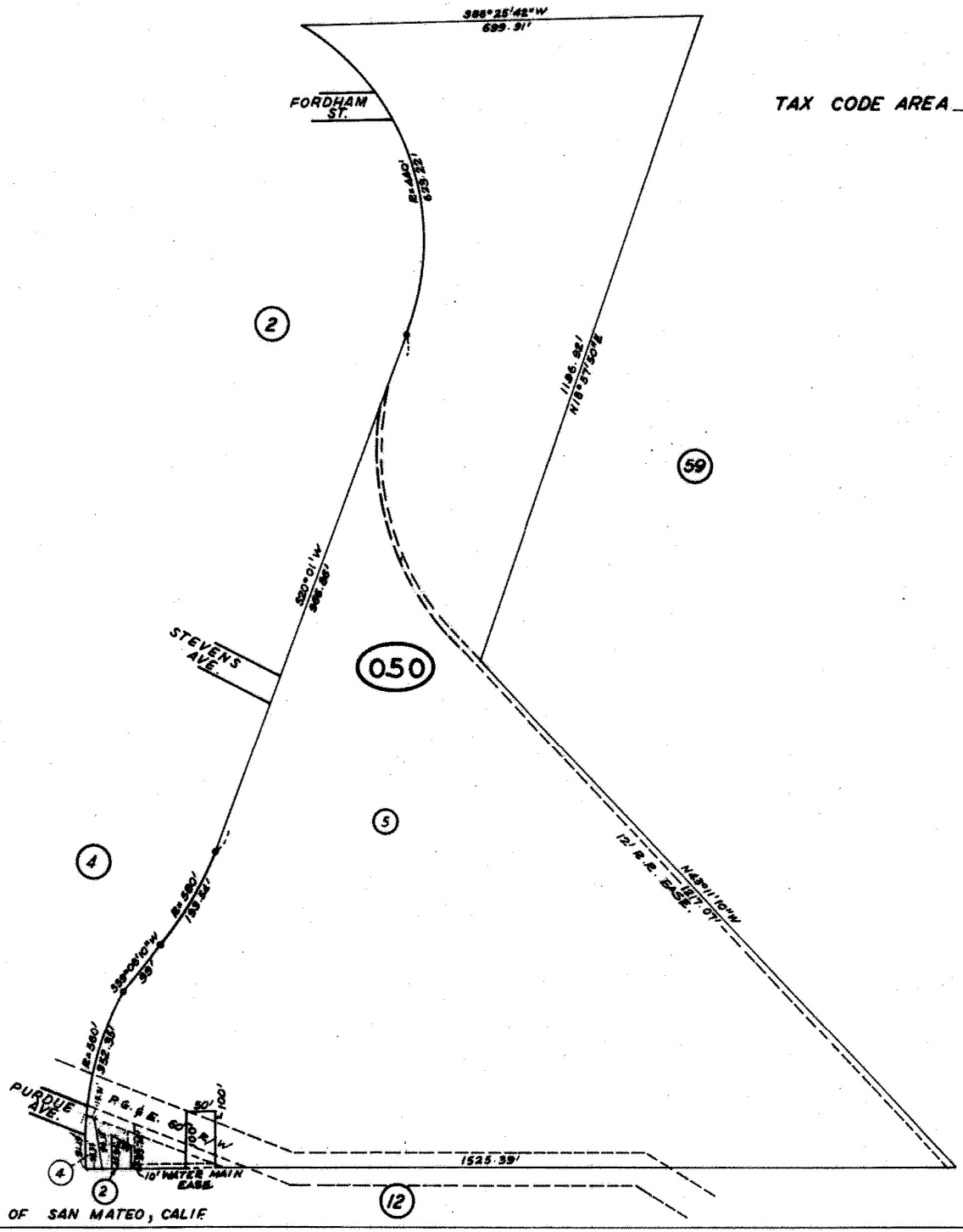
TAX CODE AREA ____ ____ ____




1 PARCEL MAP 9/44
2 PARCEL MAP 11/16
3 GARDEN ACRES RSM 10/54

D.M. ASSESSOR'S MAP COUNTY OF SAN MATEO, CALIF.

TAX CODE AREA _____




1" = 200'

D.M. ASSESSOR'S MAP COUNTY OF SAN MATEO, CALIF.

RAVENSWOOD SCHOOL DISTRICT

# APPENDIX B

## Land Use Covenant

To be inserted once recorded

# APPENDIX C

## Soil Import Criteria

# SOIL IMPORT CRITERIA MEMO

## Select Properties in the Former Ravenswood Industrial Area
## East Palo Alto, California

(Note: This document and supporting must be uploaded to GeoTracker prior to import of soil to the site.)

| | |
|---|---|
| **1. Project Name/Owner:** | 2. **GeoTracker Number:** |
| **3. Acceptance Form Preparer:** | **4. Date:** |

**5. Source of Material and Location (Include full address and name of source property):**

a. Is the fill source from a site that is undergoing or has undergone an environmental cleanup and/or an industrial or commercial site where hazardous materials were used, handled or stored as part of the business operations, or unpaved parking areas where petroleum hydrocarbons could have been spilled or leaked into the soil? ☐ Yes ☐ No

If Yes, please proceed to Section 10 and check 'Agency Review and Concurrence Requested'

b. Is there soil vapor data for the fill source with detectable concentrations? ☐ Yes ☐ No

If Yes, please proceed to Section 10 and check 'Agency Review and Concurrence Requested'

**6. Does this Site Meet the DTSC Clean Fill Guidance:** (Yes / No)

**7. Material Description:**

a. Material type:

b. Quantity: ☐ Borrow Area (acres): _____ ☐ Stockpile (CY): _____ ☐ Import volume (CY) _____

c. Source Category Type: ☐ Construction Site ☐Virgin Rock Quarry ☐Recycler/Dirt Broker ☐Other _____

d. Environmental Documents Available: ☐Phase I Report ☐Phase II Report ☐Regulatory Agency Closure Letters ☐Geotechnical Report ☐Other _____

e. Source Area COCs: ☐ Metals ☐ Pesticides ☐ PCBs ☐ SVOCs ☐ VOCs ☐ TPHs ☐ NOA ☐ Dioxins & Furans ☐ Radium ☐ N/A

f. Intended use of material: ☐Category 1 Cover Soil ☐ Category 2 General Fill Soil ☐ Agency Review

8.. **Attachments**

| | Attached | Not Applicable | Specify |
|---|---|---|---|
| a. Sampling/Testing Plan | ☐ | ☐ | |
| b. Analytical Data | ☐ | ☐ | |
| c. Other: | ☐ | ☐ | |

9. **Screening Level Evaluation**

| | | |
|---|---|---|
| ☐ Category 1: Unrestricted Use Soil (*to be placed as Durable Cover*) Analytes are below established criteria AND Physical samples deemed "acceptable" by Qualified Person | ☐ Category 2: General Fill (*to be placed only beneath the Durable Cover*) Analytes are below established criteria AND Physical samples deemed "acceptable" by Qualified Person | ☐ Agency Review and Concurrence Requested Sofil does not strictly meet Category 1 or 2 criteria. Water Board is requested to review and accept/reject import. (Complete Section 10. Below) |

10. **Explanation of Acceptance or Reason for Review Request:**

| | |
|---|---|
| 11. **Environmental Professional: (Print Name and *Signature*):** | **Date**: |
| 12. **Water Board Approval of Import? (**Yes / No**):** | **Date of Water Board Approval:** |

**10.** Continued

# SOIL IMPORT CRITERIA MEMO - INSTRUCTION SHEET

1. **Project Name/Owner**: State the project name and Owner.
2. **GeoTracker Number**: State the GeoTracker ID number for the address where the soil will be used at the site, if available
3. **Acceptance Form Preparer**: State the form preparer's first and last name, credentials, and company name or organization.
4. **Date**: Date the form was prepared and submitted
5. **Source of Material and Location**: Include the location, name and full address of the import material.
    a. Indicate if the source site is undergoing or has undergone an environmental cleanup; is an industrial or commercial site where hazardous materials were used, handled, or stored as part of the business operations; and/or is an unpaved parking area where petroleum hydrocarbons could have been spilled or leaked onto the soil. Should soil from potentially impacted sources be considered, a more rigorous sampling protocol acceptable to the RWQCB will be required.
    b. Indicate if there is soil vapor data for the fill source site with detectable concentrations
6. **Does the Site Meet the DTSC Clean Fill Guidance**: Review the DTSC Advisory for Clean Fill Material
7. **Material Description**
    **a.** *Material Type:* State the main soil or rock classification the import material is composed of (e.g., sand/silt/clay soil mixture; landscape topsoil; bay mud; quarry rock; etc.).
    b. *Quantity*: Check the appropriate box and include the quantity of material in acres (if borrow area) or cubic yards (if stockpile or import volume).
    c. *Source Category Type*: Check the appropriate box designating the type of source (construction site, virgin rock quarry, recycler/dirt broker, or other source type).
    d. *Environmental Documents Available*: Check the appropriate boxes for type of environmental documents (if any) available for the source. Reports may include Phase I, Phase II, geotechnical reports, regulatory agency closure letters, or other related documents.
    e. *Source Area COCs*: Check all appropriate boxes
    f. *Intended use of Material*: Indicate what the planned uses of the import fill materials are
8. **Attachments**: Include any attachments pertaining to the import material to this form and upload to GeoTracker with this submittal. Descriptions of the type of attachments are included below.
    a. *Sampling/Testing Plan*: Provide a brief description of the type of sampling and testing performed in this section.
    b. *Analytical Data*: Attach any analytical data packages or results with this submittal. Provide a brief description of the type of documents and sampling and testing performed in this section.
    c. *Other*: Attach any other documentation pertaining to the import material that may be applicable.
9. **Screening Level Evaluation**: Refer to Section 3.2.3 and Table D-1 for soil import screening criteria.
    a. Category 1 soil is soil with unrestricted use and can be placed as durable cover. Soil may be considered Category 1 if it meets all acceptance criteria as outlined in the RMP. The average (95% UCL of the mean) analytical data from the soil or import material testing will be compared against the import criteria Category 1 soil which are listed on Table D-1 of the RMP. Physical samples must also be deemed "acceptable" by a Qualified Person.
    b. Category 2 soil is soil that is to be placed beneath the durable cover. The average (95% UCL of the mean) analytical data from the import soil or import material testing will be compared against the import criteria Category 2 soil which are listed on Table D-1 of the RMP. Physical samples must also be deemed "acceptable" by a Qualified Person.
10. **Explanation of Acceptance or Reason for Review Request**: If Water Board review and concurrence is requested in Section 10 above, then explain the reason for requesting review.
11. **Registered Environmental Professional**: In this section a California registered professional experienced in environmental matters must print and sign the form. A registered professional is a professional geologist (P.G.) or professional engineer (P.E.)
12. **Water Board Approval Required for Import**: State if Water Board approval is needed for this submittal. If box 10 Agency Review and Concurrence Requested box is checked, then check "yes" in box 14. If the material meets the import criteria and no Water Board review/approval is needed, then check "no" in box 14.

## Table C - 1 Soil Import Screening Criteria

| Analyte | Title 22 Metals | | | |
|---|---|---|---|---|
| | Category 1 | | Category 2 | |
| | Screening Level (mg/kg) | Basis | Screening Level (mg/kg) | Basis |
| Antimony | 11 | Residential ESL | 150 | STLC Trigger Level |
| Arsenic | 11 | Regional Background | 11 | Regional Background |
| Barium | 1,000 | STLC Trigger Level | 1,000 | STLC Trigger Level |
| Beryllium | 7.5 | STLC Trigger Level | 7.5 | STLC Trigger Level |
| Cadmium | 10 | STLC Trigger Level | 10 | STLC Trigger Level |
| Chromium (total) | 120 | Regional Background | 120 | Regional Background |
| Cobalt | 420 | Residential ESL | 800 | STLC Trigger Level |
| Copper | 250 | STLC Trigger Level | 250 | STLC Trigger Level |
| Lead | 50 | STLC Trigger Level | 50 | STLC Trigger Level |
| Mercury | 2.0 | STLC Trigger Level | 2.0 | STLC Trigger Level |
| Molybdenum | 390 | Residential ESL | 3,500 | STLC Trigger Level |
| Nickel | 272 | Regional Background | 272 | Regional Background |
| Selenium | 10 | STLC Trigger Level | 10 | STLC Trigger Level |
| Silver | 50 | STLC Trigger Level | 50 | STLC Trigger Level |
| Thallium | 10 | Regional Background | 12 | Commercial/Industrial ESL ESL |
| Vanadium | 240 | STLC Trigger Level | 240 | STLC Trigger Level |
| Zinc | 2,500 | STLC Trigger Level | 2,500 | STLC Trigger Level |

| Analyte | Volatile Organic Compounds | | | |
|---|---|---|---|---|
| | Category 1 | | Category 2 | |
| | Screening Level (mg/kg) | Basis | Screening Level (mg/kg) | Basis |
| Acetone | 500 | Residential Odor Nuisance ESL | 1,000 | Commercial/Industrial Odor Nuisance ESL ESL |
| Benzene | 0.33 | Residential ESL | 1.4 | Commercial/Industrial ESL |
| Bromobenzene | 290 | Residential RSL (USEPA) | 1,800 | Industrial RSL (USEPA) |
| Bromoform | 18 | Residential ESL | 80 | Commercial/Industrial ESL |
| Bromochloromethane | 150 | Residential RSL (USEPA) | 630 | Industrial RSL (USEPA) |
| Bromodichloromethane | 0.29 | Residential ESL | 1.3 | Commercial/Industrial ESL |
| Bromomethane | 6.9 | Residential ESL | 30 | Commercial/Industrial ESL |
| 2-Butanone (MEK) | 1,000 | Commercial/Industrial Odor Nuisance ESL ESL | 1,000 | Commercial/Industrial Odor Nuisance ESL ESL |
| n-Butylbenzene | 2,400 | Residential SL (DTSC) | 18,000 | Commercial/Industrial SL (DTSC) |
| sec-Butylbenzene | 2,200 | Residential SL (DTSC) | 12,000 | Commercial/Industrial SL (DTSC) |
| tert-Butylbenzene | 2,200 | Residential SL (DTSC) | 12,000 | Commercial/Industrial SL (DTSC) |
| Carbon disulfide | 770 | Residential RSL (USEPA) | 3,500 | Industrial RSL (USEPA) |
| Carbon tetrachloride | 0.62 | Residential ESL | 2.7 | Commercial/Industrial ESL |
| Chlorobenzene | 270 | Residential ESL | 1,300 | Commercial/Industrial ESL |
| Chloroethane | 1,000 | Commercial/Industrial Odor Nuisance ESL ESL | 1,000 | Commercial/Industrial Odor Nuisance ESL ESL |
| Chloroform | 0.32 | Residential ESL | 1.4 | Commercial/Industrial ESL |
| Chloromethane | 110 | Residential ESL | 470 | Commercial/Industrial ESL |
| 2-Chlorotoluene | 470 | Residential SL (DTSC) | 2,500 | Commercial/Industrial SL (DTSC) |
| 4-Chlorotoluene | 440 | Residential SL (DTSC) | 2,300 | Commercial/Industrial SL (DTSC) |
| Dibromochloromethane | 8.3 | Residential ESL | 39 | Commercial/Industrial ESL |
| 1,2-Dibromo-3-chloropropane | 0.010 | Method Reporting Limit | 0.059 | Commercial/Industrial ESL |
| Dibromomethane | 24 | Residential RSL (USEPA) | 99 | Industrial RSL (USEPA) |
| 1,2-Dichlorobenzene | 1,800 | Residential ESL | 7,800 | Commercial/Industrial ESL |
| 1,3-Dichlorobenzene | 500 | Commercial/Industrial Odor Nuisance ESL ESL | 500 | Commercial/Industrial ESL |
| 1,4-Dichlorobenzene | 2.6 | Residential ESL | 12 | Commercial/Industrial ESL |
| Dichlorodifluoromethane | 87 | Residential RSL (USEPA) | 370 | Industrial RSL (USEPA) |
| 1,1-Dichloroethane | 3.6 | Residential ESL | 16 | Commercial/Industrial ESL |
| 1,2-Dichloroethane | 0.47 | Residential ESL | 2.1 | Commercial/Industrial ESL |
| Cis-1,2-dichloroethene | 19 | Residential ESL | 85 | Commercial/Industrial ESL |
| Trans-1,2-dichloroethylene | 130 | Residential ESL | 600 | Commercial/Industrial ESL |
| 1,1-Dichloroethylene | 83 | Residential ESL | 350 | Commercial/Industrial ESL |
| 1,2-Dichloropropane | 1.0 | Residential ESL | 4.4 | Commercial/Industrial ESL |
| 1,3-Dichloropropene | 0.57 | Residential ESL | 2.5 | Commercial/Industrial ESL |
| 1,4 Dioxane | 4.7 | Residential ESL | 22 | Commercial/Industrial ESL |
| Ethylbenzene | 5.9 | Residential ESL | 26 | Commercial/Industrial ESL |
| Ethylene dibromide | 0.036 | Residential ESL | 0.16 | Commercial/Industrial ESL |
| Hexachlorobutadiene | 1.2 | Residential ESL | 5.3 | Commercial/Industrial ESL |
| 2-Hexanone | 200 | Residential RSL (USEPA) | 1,300 | Industrial RSL (USEPA) |
| Methylene chloride | 1.9 | Residential ESL | 25 | Commercial/Industrial ESL |
| Methyl isobutyl ketone (MIBK) | 500 | Commercial/Industrial Odor Nuisance ESL ESL | 500 | Commercial/Industrial Odor Nuisance ESL ESL |
| Methyl tert-butyl ether (MTBE) | 47 | Residential ESL | 210 | Commercial/Industrial ESL |
| Styrene | 1,000 | Commercial/Industrial Odor Nuisance ESL ESL | 1,000 | Commercial/Industrial Odor Nuisance ESL ESL |
| 1,1,2,2-Tetrachloroethane | 0.61 | Residential ESL | 2.7 | Commercial/Industrial ESL |
| 1,1,1,2-Tetrachloroethane | 2.0 | Residential ESL | 190 | Commercial/Industrial ESL |
| Tetrachloroethene | 0.59 | Residential ESL | 2.7 | Commercial/Industrial ESL |
| Toluene | 1,000 | Commercial/Industrial Odor Nuisance ESL ESL | 1,000 | Commercial/Industrial Odor Nuisance ESL ESL |
| 1,2,3-Trichlorobenzene | 40 | Residential SL (DTSC) | 300 | Commercial/Industrial SL (DTSC) |
| 1,2,4-Trichlorobenzene | 24 | Residential ESL | 110 | Commercial/Industrial ESL |
| 1,1,1-Trichloroethane | 1,000 | Commercial/Industrial Odor Nuisance ESL ESL | 1,000 | Commercial/Industrial Odor Nuisance ESL ESL |
| 1,1,2-Trichloroethane | 1.2 | Residential ESL | 5.1 | Commercial/Industrial ESL |
| Trichloroethene | 0.95 | Residential ESL | 6.1 | Commercial/Industrial ESL |
| Trichlorofluoromethane | 1,200 | Residential SL (DTSC) | 5,400 | Commercial/Industrial SL (DTSC) |
| 1,2,3-Trichloropropane | 0.023 | Residential ESL | 0.11 | Commercial/Industrial ESL |
| 1,2,4-Trimethylbenzene | 300 | Residential RSL (USEPA) | 1,800 | Industrial RSL (USEPA) |
| 1,3,5-Trimethylbenzene | 270 | Residential RSL (USEPA) | 1,500 | Industrial RSL (USEPA) |
| Vinyl chloride | 0.0083 | Residential ESL | 0.15 | Commercial/Industrial ESL |
| Xylenes (total) | 580 | Residential ESL | 2,500 | Commercial/Industrial ESL |

| Analyte | Semi-volatile Organic Compounds | | | |
|---|---|---|---|---|
| | Category 1 | | Category 2 | |
| | Screening Level (mg/kg) | Basis | Screening Level (mg/kg) | Basis |
| Acenaphthene | 1,000 | Residential Odor Nuisance ESL | 45,000 | Commercial/Industrial ESL |
| Acenaphthylene | 500 | Residential Odor Nuisance ESL | 1,000 | Commercial/Industrial Odor Nuisance ESL |
| Anthracene | 500 | Residential Odor Nuisance ESL | 230,000 | Commercial/Industrial ESL |
| Azobenzene | 5.6 | Residential RSL (USEPA) | 26 | Industrial Soil RSL (USEPA) |
| Benzoic acid | 250,000 | Residential Soil SL (DTSC) | 2,100,000 | Commercial/Industrial SL (DTSC) |
| Benzo(a)anthracene | 1.1 | Residential ESL | 20 | Commercial/Industrial ESL |
| Benzo(a)pyrene | 0.10 | Residential ESL | 2.1 | Commercial/Industrial ESL |
| Benzo(b)fluoranthene | 1.0 | Residential ESL | 21 | Commercial/Industrial ESL |
| Benzo(g,h,i)perylene | 500 | Residential Odor Nuisance ESL | 1,000 | Commercial/Industrial Odor Nuisance ESL |
| Benzo(k)fluoranthene | 11 | Residential ESL | 210 | Commercial/Industrial ESL |
| Benzyl (alcohol) | 6,300 | Residential Soil SL (DTSC) | 53,000 | Commercial/Industrial SL (DTSC) |
| Benzyl (chloride) | 1.1 | Residential RSL (USEPA) | 4.8 | Industrial Soil RSL (USEPA) |
| Bis(2-chloroethoxy)methane | 190 | Residential Soil SL (DTSC) | 1,600 | Commercial/Industrial SL (DTSC) |
| Bis(2-chloroethyl)ether | 0.10 | Residential ESL | 0.47 | Commercial/Industrial ESL |
| Bis(2-ethylhexyl)phthalate | 39 | Residential ESL | 160 | Commercial/Industrial ESL |
| Butyl benzyl phthalate | 290 | Residential Soil SL (DTSC) | 780 | Commercial/Industrial SL (DTSC) |
| 4-Chloroaniline | 3.5 | Residential ESL | 16 | Commercial/Industrial ESL |
| Chrysene | 110 | Residential ESL | 2,100 | Commercial/Industrial ESL |
| Beta-chloronaphthalene | 4,800 | Residential RSL (USEPA) | 60,000 | Industrial Soil RSL (USEPA) |
| 2-Chloronaphthalene | 4,100 | Residential Soil SL (DTSC) | 27,000 | Commercial/Industrial SL (DTSC) |
| 2-Chlorophenol | 100 | Residential Odor Nuisance ESL | 5,800 | Commercial/Industrial ESL |
| Dibenzofuran | 66 | Residential Soil SL (DTSC) | 650 | Commercial/Industrial SL (DTSC) |
| Diethyl phthalate | 500 | Residential Odor Nuisance ESL | 660,000 | Commercial/Industrial ESL |
| Dibutyl phthalate | 6,300 | Residential RSL (USEPA) | 82,000 | Industrial Soil RSL (USEPA) |
| 1,2-Dichlorobenzene | 1,000 | Residential Odor Nuisance ESL | 9,400 | Commercial/Industrial ESL |
| 1,3-Dichlorobenzene | 100 | Residential Odor Nuisance ESL | 610 | Commercial/Industrial ESL |
| 1,4-Dichlorobenzene | 2.6 | Residential ESL | 12 | Commercial/Industrial ESL |
| 3,3-Dichlorobenzidine | 0.60 | Residential ESL | 2.7 | Commercial/Industrial ESL |
| 2,4-Dichlorophenol | 230 | Residential ESL | 3,500 | Commercial/Industrial ESL |
| 2,4-Dimethylphenol | 100 | Residential Odor Nuisance ESL | 23,000 | Commercial/Industrial ESL |
| Dimethylphthalate | 500 | Residential Odor Nuisance ESL | 1,000 | Commercial/Industrial Odor Nuisance ESL |
| di-n-butyl phthalate | 6,300 | Residential Soil SL (DTSC) | 53,000 | Commercial/Industrial SL (DTSC) |

| | | | | |
|---|---|---|---|---|
| di-n-octyl phthalate | 630 | Residential Soil SL (DTSC) | 5,300 | Commercial/Industrial SL (DTSC) |
| 2,4-Dinitrophenol | 160 | Residential ESL | 2,300 | Commercial/Industrial ESL |
| 2-Methyl-4,6-Dinitrophenol | 5.0 | Residential Soil SL (DTSC) | 42 | Commercial/Industrial SL (DTSC) |
| 2,4-Dinitrotoluene | 2.2 | Residential ESL | 11 | Commercial/Industrial ESL |
| 2,6-Dinitrotoluene | 0.36 | Residential Soil SL (DTSC) | 0.99 | Commercial/Industrial SL (DTSC) |
| Fluoranthene | 500 | Residential Odor Nuisance ESL | 30,000 | Commercial/Industrial ESL |
| Fluorene | 500 | Residential Odor Nuisance ESL | 30,000 | Commercial/Industrial ESL |
| Hexachlorobenzene | 0.18 | Residential ESL | 0.78 | Commercial/Industrial ESL |
| Hexachlorobutadiene | 1.2 | Residential ESL | 5.3 | Commercial/Industrial ESL |
| Hexachloroethane | 1.8 | Residential ESL | 7.8 | Commercial/Industrial ESL |
| Indeno (1,2,3-c,d) pyrene | 1.0 | Residential ESL | 21 | Commercial/Industrial ESL |
| Isophorone | 570 | Residential Soil SL (DTSC) | 1,600 | Commercial/Industrial SL (DTSC) |
| 2-Methylnaphthalene | 240 | Residential ESL | 3,000 | Commercial/Industrial ESL |
| 2-Methylphenol | 3,200 | Residential Soil SL (DTSC) | 26,000 | Commercial/Industrial SL (DTSC) |
| 4-Chloro-3-Methylphenol | 6,300 | Residential Soil SL (DTSC) | 53,000 | Commercial/Industrial SL (DTSC) |
| Naphthalene | 3.8 | Residential ESL | 17 | Commercial/Industrial ESL |
| 2-Nitroaniline | 630 | Residential Soil SL (DTSC) | 5,200 | Commercial/Industrial SL (DTSC) |
| 4-Nitroaniline | 27 | Residential Soil SL (DTSC) | 74 | Commercial/Industrial SL (DTSC) |
| Nitrobenzene | 5.1 | Residential RSL (USEPA) | 22 | Industrial Soil RSL (USEPA) |
| n-Nitrosodiphenylamine | 110 | Residential RSL (USEPA) | 300 | Commercial/Industrial SL (DTSC) |
| n-Nitroso-di-n-propylamine | 0.078 | Residential RSL (USEPA) | 0.21 | Commercial/Industrial SL (DTSC) |
| Pentachlorophenol | 1.0 | Residential ESL | 4.0 | Commercial/Industrial ESL |
| phenanthrene | 500 | Residential Odor Nuisance ESL | 1,000 | Commercial/Industrial Odor Nuisance ESL |
| Phenol | 500 | Residential Odor Nuisance ESL | 350,000 | Commercial/Industrial ESL |
| Pyrene | 500 | Residential Odor Nuisance ESL | 23,000 | Commercial/Industrial ESL |
| 2,4,5-Trichlorophenol | 500 | Residential Odor Nuisance ESL | 120,000 | Commercial/Industrial ESL |
| 2,4,6-Trichlorophenol | 9.9 | Residential ESL | 47 | Commercial/Industrial ESL |
| 1,2,4-Trichlorobenzene | 24 | Residential ESL | 110 | Commercial/Industrial ESL |

| Analyte | Organochlorine Pesticides | | | |
|---|---|---|---|---|
| | Category 1 | | Category 2 | |
| | Screening Level (mg/kg) | Basis | Screening Level (mg/kg) | Basis |
| Aldrin | 0.035 | Residential ESL | 0.15 | Commercial/Industrial ESL |
| alpha-BHC | 0.086 | Residential RSL (USEPA) | 0.36 | Industrial RSL (USEPA) |
| beta-BHC | 0.30 | Residential RSL (USEPA) | 1.3 | Industrial RSL (USEPA) |
| Chlordane (total) | 0.48 | Residential ESL | **0.60** | **TCLP Trigger Value** |
| DDD/DDT/DDE (sum) | 1.0 | TTLC Trigger Value | 1.00 | TTLC Trigger Value |
| 2,4-Dichlorophenoxy acetic acid | 700 | Residential RSL (USEPA) | 9,600 | Industrial RSL (USEPA) |
| Dieldrin | 0.037 | Residential ESL | 0.2 | Commercial/Industrial ESL |
| Dioxin (2,3,7,8-TCDD) | 0.0000048 | Residential ESL | 0.000022 | Commercial/Industrial ESL |
| Endrin | **0.40** | **TCLP Trigger Value** | **0.40** | **TCLP Trigger Value** |
| Endosulfan (total) | 420 | Residential ESL | 5,800 | Commercial/Industrial ESL |
| Heptachlor | **0.016** | **TCLP Trigger Value** | **0.016** | **TCLP Trigger Value** |
| Lindane (gamma-BHC) | 0.51 | Residential ESL | 2.5 | Commercial/Industrial ESL |
| Methoxychlor | 100 | STLC Trigger Value | 100 | STLC Trigger Value |
| Toxaphene | 0.51 | Residential ESL | 2.2 | Commercial/Industrial ESL |
| Heptachlor epoxide | 0.062 | Residential ESL | 0.28 | Commercial/Industrial ESL |
| Kepone (chlordecone) | 0.054 | Residential RSL (USEPA) | 0.23 | Industrial RSL (USEPA) |

| Analyte | Total Petroleum Hydrocarbons | | | |
|---|---|---|---|---|
| | Category 1 | | Category 2 | |
| | Screening Level (mg/kg) | Basis | Screening Level (mg/kg) | Basis |
| TPH as gasoline | **430** | Residential ESL | **1,000** | Gross Contamination ESL |
| TPH as diesel | **260** | Residential ESL | **2,300** | Gross Contamination ESL |
| TPH as motor oil | **1,000** | RWQCB Directive | **5,100** | Gross Contamination ESL |

| Analyte | Polychlorinated Biphenyls | | | |
|---|---|---|---|---|
| | Category 1 | | Category 2 | |
| | Screening Level (mg/kg) | Basis | Screening Level (mg/kg) | Basis |
| PCBs | Lower of RL or 0.23 | Tier 1 ESL | 0.23 | Tier 1 ESL |

| Analyte | Naturally Occurring Asbestos | | | |
|---|---|---|---|---|
| | Category 1 | | Category 2 | |
| | Screening Level (%) | Basis | Screening Level (mg/kg) | Basis |
| Asbestos | 0.25 | Asbestos Airborne Toxic Control Measure | 0.25 | Asbestos Airborne Toxic Control Measure |

**Notes:**

mg/kg = milligrams per kilogram

% = percent

Title 22 Metals analyzed by United States Environmental Protection Agency (USEPA) Methods 6010/6020/7471

Volatile Organic Compounds (VOCs) analyzed by USEPA Method 8260

Semi-volatile Organic Compounds (SVOCs) analyzed by USEPA Method 8270

Organochlorine Pesticides (OCPs) analyzed by USEPA Method 8081

Total Petroleum Hydrocarbons (TPHs) analyzed by USEPA Method 8015

Polychlorinated biphenyls (PCBs) analyzed by USEPA Method 8082

Asbestos analyzed by California Air Resources Board (CARB) Test Method 435B (800-point count)

Screening thresholds for Category 1 soil, excluding metals and OCPs, are based on Residential Environmetnal Screening LEvels (ESLs), (RWQCB, 2019). If no RWQCB ESL exists, screening thresholds are based on Department of Toxic Substances Control (DTSC) Human and Ecological Risk Office (HERO) Note 3 Residential Screening Level (SLs) (DTSC, 2018). If neither RWQCB ESLs nor DTSC SLs exist, screening thresholds are based on the USEPA's Residential Regional Screening Levels (RSLs) (USEPA, 2016). Some screening levels are based on analytical laboratory method detection limits (MDLs) or reporting limits (RLs)

Screening thresholds for Category 2 soil, excluding metals, are based on Commercial/Industrial ESLs (RWQCB, 2019). If no RWQCB ESL exists, screening thresholds are based on DTSC HERO Note 3 Commercial/Industrial Screening Level (DTSC, 2018). If neither RWQCB ESLs nor DTSC SLs exist, screening thresholds are based on the USEPA's Industrial RSLs (USEPA, 2016).

Screening thresholds for select metals are based on the Soluble Threshold Limit Concentration (STLC) trigger levels or regional background concentrations from either Duverge, 2011 (for arsenic) or LBNL, 2009

This table does not apply to soils proposed for use within a 50 foot buffer zone of the San Francisco Bay (bay front properties). Category 1 and 2 for the bay front properties will be based upon Terrestrial Habitat: Significantly Vegetated Area.

**References:**


1. San Francisco Bay Regional Water Quality Control Board (RWQCB), 2019. Environmetnal Screening Levels, Rev. 2.
2. United States Environmental Protection Agency (USEPA), 2016. Regional Screening Levels, Chemical Contaminants in Residential Soil at Superfund Sites (TR=1E-06, HQ=1). May.
3. Lawrence Berkeley National Laboratory (LBNL), 2009. Analysis of Background Distributions of Metals in the Soil at Lawrence Berkeley National Laboratory. April.
4. Department of Toxic Substances Control (DTSC) Human and Ecological Risk Office (HERO), Human Health Risk Assessment (HHRA) Note 3 2018. Modified Screening Levels (SLs), June.
5. STLC - Soluble Threshold Limit Concentration, California Code of Regulations (CCR), Title 22, Chapter 11, Article 3. STLC trigger level is 10x the listed STLC
6. TTLC - Total Threshold Limit Concentration, CCR, Title 22, Chapter 11, Article 3.

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