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SAN JOSÉ, CALIFORNIA

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APPENDIX

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PHASE I AND PHASE II

SITE ASSESSMENTS

PHASE I & II
ENVIRONMENTAL SITE ASSESSMENT
ARCADIA PROPERTY
SAN JOSE, CA 95122

July 7, 2005
File No. 56815/ENV

A Report Prepared for:

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PHASE I & II ENVIRONMENTAL SITE ASSESSMENT
ARCADIA PROPERTY
SAN JOSE, CA 95122

Project No: 56815/ENV

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ARCADIA PROPERTY
SAN JOSE, CA 95122

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ON FILE WITH CITY AND AVAILABLE FOR REVIEW UPON REQUEST. CONTACT: JOHN BATY (408) 535-7894

1 EXECUTIVE SUMMARY

Kleinfelder, Inc. (Kleinfelder) conducted this Phase I & II Environmental Site Assessment (ESA) for David J. Powers & Associates for the Arcadia property located south of Quimby Road and west of East Capital Expressway, in San Jose, Santa Clara County, California. In this report, this property will be referred as "the site".

The site is bounded by Quimby Road to the north, and East Capital Expressway to the east. The site is surrounded by both commercial and residential properties; commercial to the north and northeast; residential to the west and to the east. There is a school and park located to the south of the site. The site is located on an approximately 81-acre of piece of undeveloped land composed of seven (7) parcels. The site is not listed in the federal, state, or local environmental databases reviewed.

We have performed a Phase I & II ESA in general conformance with the scope and limitations of American Society for Testing and Materials (ASTM) Designation E 1527-00 for the Arcadia property located south of Quimby Rd. and west of East Capital Expressway in San Jose, Santa Clara County, California. Our services included testing for agricultural chemical residues in surface soil samples per City of San Jose requirements, and in general accordance with DTSC guidelines (DTSC 2002). Based on the results of our Phase I & II ESA, Kleinfelder has not identified Recognized Environmental Conditions (RECs) associated with the site.

2 INTRODUCTION

2.1 PURPOSE

Kleinfelder conducted a Phase I & II ESA for the Arcadia Property in San Jose, Santa Clara County, California (Plates 1 and 2). Kleinfelder understands this report will be used to assist the client, David J. Powers & Associates, in assessing environmental conditions associated with the subject property's past and current use. Kleinfelder performed the Phase I ESA in general accordance with the scope and limitations of ASTM *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process* (Designation E 1527-00) and our proposal 01002PROP dated April 15, 2005.

The purpose of this assessment is to assist the client in recognizing "environmental conditions" at the site. A recognized environmental condition (REC) is defined by the ASTM standard as:

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

2.2 DETAILED SCOPE-OF-SERVICES

The following sections describe Kleinfelder's work scope:

- Section 2, **Introduction**, includes a discussion of the purpose/reason for performing the Phase I ESA with supplemental field investigation, additional services requested by the client (e.g., an evaluation of Business Environmental Risk (BER) factors associated with the property, significant assumptions (e.g. property boundaries if not marked in the field), limitations, exceptions, and special terms and conditions (e.g., contractual), and user reliance parameters.
- Section 3, **Site Setting,** is a compilation of information concerning the site's location, legal description (if available), current and proposed use of the site, a description of structures and improvements on site at the time of Kleinfelder's assessment, and current uses of adjoining properties. Also included is a description of the physical setting of the site including readily available information on topography, geology, and hydrogeology.
- Section 4, **Records Review**, is a compilation of Kleinfelder's review of several databases available from federal, state, and local regulatory agencies regarding hazardous substance use, storage, or disposal at the site, and for off-site facilities up to a mile radius from the site. Environmental liens or activity and use limitations are included in this section. Records provided by the client are summarized and copies of relevant documents are included in the appendices of this report.
- Section 5, **History of the Site**, summarizes the history of the site and adjoining properties. This History of the Site is based on various sources which may include a review of: aerial photographs, Sanborn Fire Insurance Maps, city or suburban directories, historical topographic maps, building department records, previous assessments, and a chain-of-title/a preliminary title report (if provided by the client). Also included in this section is a summary of telephone and personal interviews conducted with "Key Managers" that may include the owner/manager of the facility, occupants/tenants, local government officials, and the client.

- Section 6, **Site Reconnaissance**, describes Kleinfelder's site observations during the site reconnaissance. The methodology used and limiting conditions are described;
- Section 7, **Phase II Environmental Site Assessment,** presents the sampling and analysis activities of our soil and groundwater investigation;
- Section 8, **Evaluation**, describes our findings and opinions regarding the information in Sections 3 through 7;
- Section 9, **Conclusions**, presents our conclusions regarding the presence of environmental conditions of concern at the site; and
- Section 11, **References**, is a summary of the resources used to compile this report.

Pertinent documentation regarding the site is included in the appendices of this report.

2.3 SIGNIFICANT ASSUMPTIONS

Groundwater is estimated to flow in a generally northeast direction. This estimation is based on surface topography of the general area and information provided by the EDR Radius Map with GeoCheck.

2.4 DEVIATIONS

In addition to the scope presented in ASTM Standard Practice E 1527-00, this Phase I ESA did not include an evaluation of business environmental risks (BERs) associated with the site. A Phase I ESA typically does not incorporate non-scope considerations, such as asbestos containing materials, radon, lead-based paint, lead in drinking water, wetlands, regulatory compliance, cultural and historic resources, industrial hygiene, health and safety, ecological resources, endangered species, indoor air quality, high voltage power lines, and any other considerations not mentioned. Kleinfelder did however perform sampling and analysis of soil and groundwater of the site, as described in Section 7.

2.5 LIMITATIONS AND EXCEPTIONS

Phase I ESAs are non-comprehensive by nature and are unlikely to identify all environmental problems or eliminate all risk. The Phase I ESA is a qualitative assessment. Kleinfelder offers a range of investigative and engineering services to suit the needs of our clients, including more quantitative investigations. Although risk can never be eliminated, more detailed and extensive investigations yield more information, which may help you understand and better manage your risks. Since such detailed services involve greater expense, we ask our clients to participate in identifying the level of service, which will provide them with an acceptable level of risk. Please contact the signatories of this report if you would like to discuss this issue of risk further.

Kleinfelder performed this environmental assessment in general accordance with the guidelines set forth in the ASTM *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process* (Designation E 1527-00), and our proposal subsequently approved by you as our client. No warranty, either expressed or implied is made. Environmental issues not specifically addressed in the report were beyond the scope of our work and not included in our evaluation.

This report may be used only by the client and only for the purposes stated, within a reasonable time from its issuance. Land use, site conditions (both on- and off-site) or other factors may change over time, and additional work may be required. Based on the intended use of the report, Kleinfelder may require that additional work be performed and that an updated report be issued. Non-compliance with any of these requirements by the client or anyone else, unless specifically agreed to in advance by Kleinfelder in writing will release Kleinfelder from any liability resulting from the use of this report by any unauthorized party. This report should not be relied upon after 180 days from the date of its issuance (ASTM Standard E 1527, Section 4.6).

2.6 SPECIAL TERMS AND CONDITIONS

No special terms and conditions in addition to those discussed above were agreed to by the client, David J. Powers & Associates, and Kleinfelder.

2.7 USER RELIANCE

Any party other than the client who would like to use this report shall notify Kleinfelder of such intended use in writing. Based on the intended use of the report, Kleinfelder may require that additional work be performed and that an updated report be issued. Non-compliance with any of these requirements by the client or anyone else will release Kleinfelder from any liability resulting from the use of this report by any unauthorized party.

3 SITE SETTING

The site setting is presented to assess the significance of potential on- and off-site contaminant migration, if present. The site location is shown on Plate 1. Tables 1 through 4 provide the physical characteristics of the site and bordering properties.

3.1 LOCATION AND LEGAL DESCRIPTION

The information presented in Table 1 describes the physical location and legal description of the site. This information was obtained from maps, public records, and interviews.

TABLE 1

LOCATION AND LEGAL DESCRIPTION

ADDRESS	The site does not have a conventional address.
LOCATION	South of Quimby Road and west of East Capital Expressway, in San Jose, Santa Clara County, California.
TOWNSHIP & RANGE	Township 7 South and Range 1 East (Source: San Jose 7.5' Quadrangle Topographic Map)
ASSESSOR'S PARCEL NUMBERS	670-20-71 670-24-13 670-24-45 670-25-27 670-29-02 670-29-17 670-29-20
ACREAGE	Approximately 81 acres
ZONING USE CODE(S)	PD (Planned Development)

3.2 SITE AND VICINITY GENERAL CHARACTERISTICS

The site is located on an approximately 81-acre of tract of undeveloped land composed of seven (7) parcels. The site is surrounded by both commercial and residential properties; commercial to the north and northeast; and residential to the west and to the east. There is a school and park located to the south of the site.

3.3 CURRENT/PROPOSED USE OF THE PROPERTY

The site is currently unoccupied. Current and proposed uses are described in Table 2.

TABLE 2

CURRENT/PROPOSED USES

CURRENT USE	Unoccupied – Undeveloped
PROPOSED USE	Residential

3.4 CURRENT USES OF ADJOINING PROPERTIES

Kleinfelder conducted a brief drive-by survey of the parcels adjoining the site on the same day as the site reconnaissance. A summary of the surrounding properties is presented in Table 3.

TABLE 3

SURROUNDING PROPERTIES

NORTH	A group of retail stores northeast of the property. To the north (immediately) Quimby Road, and the Eastridge Shopping center beyond.
EAST	East Capital Expressway (immediately) and residential housing beyond.
SOUTH	Part is residential housing and part is a school and park.
WEST	Residential housing beyond.

3.5 PHYSICAL SITE SETTING

Table 4 presents information about the physical setting of the site. This information was obtained from published data and maps, interviews with public agencies, and/or from previous investigations conducted by Kleinfelder in the vicinity of the site.

TABLE 4
PHYSICAL SETTING

REGIONAL GEOMORPHIC PROVINCE (Source: Norris and Web, 1990)	Coastal Range
USGS TOPOGRAPHIC QUADRANGLE (Source: EDR Radius Map with Geocheck for the Site)	The site elevation is approximately 144 feet above mean sea level (MSL).
GEOLOGIC MAP (Source: EDR Radius Map with Geocheck for the Site)	The site is underlain by Quaternary alluvium.
SOIL TYPE (Source: EDR Radius Map with Geocheck for the Site)	The site is underlain by Clay loam, which has moderate infiltration rates.
OIL AND GAS FIELDS (Source: EDR Radius Map with Geocheck for the Site)	No oil or gas wells were identified on the site.

Groundwater information is included in Table 5 below.

TABLE 5
GROUNDWATER INFORMATION

DEPTH TO REGIONAL GROUNDWATER (Source: boring logs from a recent geotechnical investigation conducted by Kleinfelder, May 5, 2005)	The depth to groundwater is estimated to be 8 to 12 feet below ground surface (bgs). General groundwater depth and flow may be influenced by local pumping, rainfall, and irrigation patterns.
DIRECTION OF ANTICIPATED FLOW (Source: EDR Historical Topographic Map Report for the Site)	The estimated direction of groundwater flow is estimated to be northeast.
REGIONAL GROUNDWATER QUALITY PROBLEMS (Source: EDR Radius Map with Geocheck for the Site)	Regional groundwater quality problems were not discovered during Kleinfelder's assessment.

4. RECORDS REVIEW

4.1 STANDARD ENVIRONMENTAL RECORD SOURCES

The purpose of the records review is to obtain and review records that would help evaluate recognized environmental conditions in connection with the site and bordering properties. Kleinfelder reviewed databases available from federal, state, and local regulatory lists. Database information was compiled by Environmental Data Resources, Inc. (EDR) of Southport, Connecticut and is summarized below in Table 7. The acronyms used in Table 6 are defined in EDR's Site Assessment Report (Appendix C) in the Executive Summary (pages 2 and 3).

EDR utilizes a geographical information system to plot the locations of reported incidents. This information is reviewed by Kleinfelder to help establish whether the site or nearby properties have been included on the noted databases and lists. The EDR report includes maps, which show the locations of the regulated properties with respect to the site (Page 2 and 3 of EDR's report), and a summary of pertinent information for these properties, including the responsible party, the property address, the distance and direction from the site, and the databases and lists on which the property appears (see Executive Summary pages 1 through 4 of the EDR report).

Due to lack of sufficient address information, EDR was unable to map several facilities with reported releases (see page 12 of EDR's report).

Site

The site was not listed in the federal, state, or local environmental databases reviewed.

Surrounding Area

Surrounding properties were listed in federal, state, and local environmental databases. A summary of the listings is presented below in Table 6. The discussion following the summary table focuses only on the properties that, in our opinion, have a potential to impact the site.

TABLE 6

RECORDS REVIEW-SEARCH DISTANCE FINDINGS

		Total Number of Facilities Listed	Number of Up-gradient or Cross-gradient Facilities Listed	Site Listed
FEDERAL				
NPL (National Priority List)	Site & 1 Mile	0	0	NO
CERCLIS (Comprehensive Environmental Response, Compensation, and Liability Act Information System)	Site & 0.5 Mile	0	0	NO
CERCLIS NFRAP (No Further Remedial Action Planned)	Site & Bordering	0	0	NO
RCRA (Resource Conservation and Recovery Act) **CORRACTS** (Corrective Actions Site)	Site & 1 Mile	0	0	NO
RCRA non-CORRACTS TSD (Transfer Storage and Disposal)	Site & 0.5 Mile	0	0	NO
RCRA LQG (Large Quantity Generators)	Site & 0.25	0	0	NO
RCRA SQG (Small Quantity Generators)	Site & 0.25	0	0	NO
ERNS (Emergency Response Notification System)	Site	0	0	NO
STATE				
AWP (Annual Work Plan)	Site & 1.0 Mile	0	0	NO
BEP (Bond Expenditure Plan)	Site & 0.5 Mile	0	0	NO
Calsites	Site & 0.5 Mile	0	0	NO
CORTESE	Site & 0.5 Mile	2	0	NO
CHMIRS (California Hazardous Material Incident Report System)	Site & Bordering	0	0	NO
Notify 65	Site & 1 Mile	0	0	NO
Toxic Pits	Site & 1 mile	0	0	NO
State Landfill	Site & 0.5 Mile	0	0	NO

		Total Number of Facilities Listed	Number of Up-gradient or Cross-gradient Facilities Listed	Site Listed
LUST (Leaking Underground Storage Tank)	Site & 0.5 Mile	2	0	NO
UST (Underground Storage Tank) & **FID** (Facility Inventory Database) & **HIST UST**	Site & Bordering	0	0	NO
CLEANERS	Site & 0.25 Mile	0	0	NO
CA SLIC (Spills, Leaks, Investigation and Cleanup)	Site & 0.5 Mile	0	0	NO
HAZNET	Site	0	0	NO

The following discussion focuses only on the properties that are up-gradient or cross-gradient from the site.

4.1.1 Federal ASTM Databases

No properties located up-gradient or cross-gradient of the site are listed in the federal ASTM databases.

4.1.2 State ASTM Databases

- **CORTESE:** This database contains a list of properties identified as "Hazardous Waste and Substances" by the State Water Board, the Integrated Waste Board, and the Department of Toxic Substances Control. Two (2) down-gradient sites are listed in this database. The sites listed in the Cortese database are also cross-listed on the LUST database and are discussed below.

4.1.3 State or Local ASTM Supplemental Databases

- **State LUST:** This database contains an inventory of reported leaking underground storage tank incidents. Two (2) down-gradient sites are listed on this database. The sites are located between one-quarter and one-half mile from the subject site. Due to the distance from these sites to the subject site, it is unlikely that they would have the potential to impact the subject site. Arco station # 2187, located about 1768 feet from the site at 2375 Quimby Road, San Jose, Santa Clara County, California, was listed on this database. This site had a gasoline leak confirmed in 1985. This case affected drinking water aquifer and the contamination included MTBE in the water. The case was closed in 1995.

  Arco station # 2187 had another gasoline leak confirmed in 2001. This case affected the drinking water aquifer and the contamination included MTBE in the water. The case was closed in 2001. The Eastridge Shopping Center case was also listed in the LUST database, but no information regarding the listing was provided. No further information is available on this case; however the case is considered closed. No information is available regarding its Cortese listing. Due to the distance and down-gradient location, these properties should not affect the subject site.

4.2 ORPHAN SITES

Due to poor or inadequate address information, seven properties could not be mapped by EDR. These properties were included in an orphan summary/unmapped properties report, which was reviewed by Kleinfelder. The orphan summary/unmapped properties report was reviewed to assess the potential for off site properties to affect the site. Because they have incomplete addresses, these properties are not practically reviewable as defined by the ASTM standard.

4.3 ADDITIONAL ENVIRONMENTAL RECORDS

Kleinfelder conducted a search of the Santa Clara County Environmental Health Division and the San Francisco Bay Regional Water Board; however no environmental records exist for the site.

5. HISTORICAL USE OF THE PROPERTY AND ADJOINING PROPERTIES

The history of the site was researched to identify obvious uses from the present to first developed use (or back to 1954, whichever is earlier) from readily available resources. Table 7 summarizes the availability of information reviewed during this assessment.

TABLE 7

HISTORICAL SOURCES

	Years reviewed	Availability
AERIAL PHOTOGRAPHS	1939, 1956, 1965, 1982, 1993, 1998, 1998 and 2000	Aerial photographs were available from EDR of Southport, Connecticut, the Terraserver website and Airphoto (provided by client).
SANBORN FIRE INSURANCE MAPS	Not available	According to the Sanborn Library, LLC, fire insurance maps were not prepared for the site area.
CITY DIRECTORIES	No coverage	City directories were not available.
HISTORICAL TOPOGRAPHIC MAP REPORT	1953, 1961 photorevised for 1968, 1961 photorevised for 1973, 1961 photorevised for 1980, 1961	Historical maps were available from EDR of Southport.
PREVIOUS ASSESSMENT(S)	Not available	To the best of our knowledge, no previous environmental assessments of the study area have been performed, and none were provided for our review.
CHAIN-OF-TITLE OR PRELIMINARY TITLE REPORT	None	A title report was not provided to Kleinfelder for review.
INTERVIEWS	No person was interviewed, but ASTM Site Interview Questionnaire was filled out by Mr. Rob Wooton of Arcadia companies	Mr. Rob Wooton is in charge of the property.

5.1 AERIAL PHOTOGRAPHY

Historical aerial photographs were reviewed to evaluate past land use at the site and in the surrounding area. Aerial photographs covering 61 years were available during the time frame of this report. The summary of aerial photograph review is presented in Table 8.

TABLE 8

AERIAL PHOTOGRAPHS

Date	Scale	Type	Source	Quality
1939	1"=555'	Black & White	Fairchild	GOOD
1956	1"=555'	Black & White	Aero	GOOD
1965	1"=333'	Black & White	Cartwright	GOOD
1982	1"=690'	Infrared Color	Western State Aerial	FAIR
1993	1"=666'	Black & White	USGS	GOOD
1998	1"=666'	Black & White	USGS	GOOD
1998	1"=192 yd	Black & White	TerraServer	FAIR
2000	1"=200'	Color	Airphoto	GOOD

Site

The 1939, 1956, and 1965 photographs show the site as agricultural land with approximately half of the site covered with orchards. In the 1939 photograph, two (2) cluster of buildings appear about 300 feet south of Quimby Road; one of them on the northwest, and the other on northeast side of the site. Both of these properties are assumed to be farming facilities used to store farming equipment. The 1956 photograph shows that several additional buildings were added, while the property on the northeast remains unchanged. The 1965 photograph shows residential development to the west of the site. The 1982 photograph shows only one small house on the north side of the site; the rest of the site buildings no longer appear. The 1993 photograph shows what appears to be a disturbed area on the southeast side of the site. The disturbed area in the 1993 photograph becomes more apparent in the 1998 photograph. Also, the 1998 photograph shows a recreational park has been added to the southwest of the site. The site remains mainly

unchanged until the year 1998. The 2000 photograph shows a greater concentration of trees in the southeast side of the site.

Surrounding Properties

The 1939 photograph shows the surrounding areas as agricultural land apparently used as crop fields, fallow land, and dirt roads. Also, the 1939 photograph shows a creek running across the west side of the site towards Quimby Road and into a golf course north of Quimby Road. In the 1956 photograph, to the far southwest of the site, housing appears; however the surrounding area remains relatively unchanged. The 1965 photograph shows the adjacent property to the west of the site highly developed, while the rest of the surrounding area remains unchanged.

Between the years 1965 and 1982, most of the surrounding area became highly developed including a school, a park, and housing to the south, the Eastridge Shopping Center to the north, and five buildings northeast of the site. The 1993 photograph shows five new buildings and new housing northeast and far northwest of the site, respectively. There was minimum change to the surroundings of the site from the years 1992 to 2000.

NOTE: Aerial photographs only provide information on indications of land use and no conclusions can be drawn from photographs alone. Kleinfelder's review of available aerial photographs did not reveal any obvious signs of dumping, spilling, leaking, storage or disposal of hazardous materials or wastes on site.

5.2 SANBORN FIRE INSURANCE MAPS

Sanborn Fire Insurance Maps provide historical land use information for some metropolitan and small, established towns. Kleinfelder, Inc. requested a search of Sanborn Fire Insurance Maps by EDR. Sanborn Fire Insurance Maps were not available for the site.

5.3 CITY DIRECTORIES

A city directory search was conducted by EDR. Kleinfelder, Inc. requested a search of City Directories by EDR. City Directories were not available for the site.

5.4 HISTORICAL TOPOGRAPHIC MAP REVIEW

Kleinfelder reviewed historical topographic maps from 1953, 1961, 1969, 1973, and 1980. The topographic maps show the site as undeveloped from 1953 until 1980, except for small structures in the northern side of the site adjacent to Quimby Road.

The site surrounding area appears to be primarily undeveloped in the 1953 map; several roads exist, including Tully road, which is now Quimby Road, to the north. In the 1961 map the surrounding area is mainly unchanged; however the area on the north side of the site appears to be developed with unidentified small structures. On the 1968 map residential properties appear to the west, and a commercial property to the south of the site. The 1973 topographic map illustrates that the Eastridge Shopping Center and Arco station #2187 were developed north of the site. Also the 1973 topographic map illustrates that East Capital Expressway was constructed immediately east of the site. The 1973 topographic map shows the initial development of the school south of the site. The 1980 map shows a continuation of the development of the surrounding area.

Objects within and surroundings of the site were identified in the historic Topographic Map Review and in the Aerial Photography by cross-referencing the topography maps and the aerial photographs. Copies of the historical topographic maps reviewed by Kleinfelder are attached as Appendix C.

5.5 PRELIMINARY TITLE REPORT

The client provided no title report for review.

5.6 PREVIOUS ASSESSMENTS

The site has no previous assessments on file.

5.7 INTERVIEWS

Before the site visit, Mr. Ramirez of Kleinfelder spoke briefly with Mr. Rob Wooton of Arcadia Companies, in San Jose, CA. Mr. Wooton was invited to accompany our site reconnaissance but Mr. Wooton declined the invitation. Arcadia Companies owns and maintains the Arcadia property. Mr. Wooton was provided with the ASTM Site Interview Questionnaire for completion. According to Mr. Wooton's responses, he had no knowledge of USTs, or hazardous chemicals stored at the site.

6. SITE RECONNAISSANCE

6.1 METHODOLOGY AND LIMITING CONDITIONS

Kleinfelder representative, Ms. Gregorio Ramirez, conducted a site visit on May 12, 2005, to assess and photograph present site conditions. The approximate site boundaries are shown on Plate 2, Site Plan, and photographs of the site are presented in Appendix A. The site conditions discussed below are limited to readily apparent environmental conditions observed.

6.1.1 General Site Setting

The site is 81-acres area. The site is currently undeveloped and unoccupied.

A group of retail buildings are located to the northeast of the site, southwest of the corner of Quimby Road and East Capital Expressway. During the site reconnaissance, Mr. Ramirez noticed standing water, a pile of asphalt shingles, piles of garbage, bed frames, and chairs near the property line adjacent to the retail buildings. These objects appear to have been thrown from the other side of the concrete wall at the property line.

On the south side of the site, adjacent to the school, about 90 feet north of the fence line, there is noticeable difference in the soil compared to the rest of the site. This are covers about 5 acres. This soil stands 3 to 4 feet higher above ground level than the rest of the site. The soil in this location does not seem to be native; and it appears that this soil was imported several years ago. Pictures of this area are presented on Appendix A.

Site observations are further described in Table 10.

TABLE 9

SITE OBSERVATIONS

General Observations	Remarks	Observed	Not
Current Use	Unoccupied	X	
Past Use	Agriculture		X
Terrain	Soil	X	
Interior and exterior observations or environmental conditions that may involve the use, storage, disposal or generation of hazardous substances or petroleum products.		**Observed**	**Not Observed**
Aboveground storage tank (AST)			X
Asbestos and lead			X
Below grade vaults			X
Burned or buried debris			X
Chemical storage or chemical mixing areas			X
Discolored soil or water			X
Drains and piping			X
Drums			X
Electrical equipment (Polychlorinated biphenyls [PCBs])			X
Hazardous chemical and petroleum products in connection with known use.			X
Hazardous chemical and petroleum products in connection with unknown use.			X
Hazardous Waste Storage			X
Heating and Cooling System			X
Industrial waste treatment equipment			X
Loading and unloading areas			X
Odors			X
Pits, Ponds, or Lagoons			X
Pools of Liquid			X
Process waste water			X

TABLE 9

SITE OBSERVATIONS

(Continued)

Interior and exterior observations or environmental conditions that may involve the use, storage, disposal or generation of hazardous substances or petroleum products.		Observed	Not Observed
Raw material storage or chemical storage areas			X
Sanitary System (Sewer)			X
Septic system (Tank and leach fields)			X
Solid Waste	As described in (section 6.1.1) there is solid waste that has been dumped on the property at the northeast side of the property.	X	
Stained pavement or concrete			X
Stains or corrosion (interior)			X
Storm basins/catch			X
Storm drains			X
Stressed vegetation			X
Sumps & clarifiers			X
Surface water			X
Underground storage tanks			X
Unidentified substance containers			X
Waste Water			X
Water supplies (potable and process)			X
Wells (irrigation, monitoring, or domestic)			X
Wells (dry)			X
Wells (Oil and Gas)			X

7. PHASE II ENVIRONMENTAL SITE ASSESSEMENT

7.1 DRILLING AND SAMPLING PROGRAM

Based on the findings from our Phase I ESA, Kleinfelder recommended that a Phase II ESA be performed at the site. The goal of the Phase II ESA was to assess possible impacts to soil and groundwater beneath the site related to the past use of the site and to comply with City of San Jose requirements. In order to achieve that goal, 25 composite surface soil samples, six individual surface soil samples, two subsurface soil samples, one surface water sample and one groundwater sample were collected for chemical analysis. The sample locations are presented on Plate 3. The sampling activities were performed on May 11, 12 and 13, 2005.

7.1.1 Field Preparation

As part of the investigation, Kleinfelder conducted a site reconnaissance to review onsite conditions and mark soil boring locations. After locations were marked, Underground Services Alert was notified, to identify and contact utility companies that may have underground facilities in the investigation area.

7.1.2 Soil Boring Procedures

Soil borings (B-1 and B-2) were drilled to depths of 45 feet bgs using a mud rotary drill rig equipped with a 4-7/8-inch diameter drag bit during the geologic hazard assessment (Kleinfelder, 2005). The first ten feet of these borings were advanced using a hollow stem auger. Within these first ten feet soil and groundwater samples were collected for environmental analyses.

7.2 SAMPLE COLLECTION

7.2.1 Surface Soil Samples

Surface samples were collected at the site to comply with City of San Jose requirements for testing former agricultural lands for pesticide residue at sites slated for residential development. Kleinfelder performed the surface sampling in general accordance with DTSC guidance for Sampling Agricultural Fields for School Sites (DTSC 2002). Selected samples were also tested for naturally occurring asbestos. Eighty-one surface soil samples were collected based on a one-acre grid across the entire site. The grid sample pattern was designed for characterization of the surface soil conditions with respect to agricultural chemical residue. Surface soil samples were collected at 6 inches beneath the existing ground surface. The approximate sample locations are presented on Plate 3. The eighty-one surface soil samples were combined into twenty-five, three or four point composite samples.

Soil samples were collected in stainless steel liners, and inspected for signs of staining and/or odors. Select samples were then sealed on both ends with Teflon® sheets and plastic end caps, labeled with the boring name, depth, project number and sampler's name, placed in a Ziploc® bag and stored in a cooler with ice for delivery to the analytical laboratory under chain-of-custody procedures.

7.2.2 Subsurface Soil Samples

Subsurface soil samples were collected for analysis from each boring (B-1 and B-2) at 5.0 to 5.5 feet bgs. Representative soil samples were obtained from the borings by driving a 2-inch inside diameter Modified California sampler. The sampler was driven approximately 18 inches into the soil at each sampling interval using a 140-pound hammer falling 30 inches.

Soil samples were collected in stainless steel liners, and inspected for signs of staining and/or odors. Select samples were then sealed on both ends with Teflon® sheets and plastic end caps,

labeled with the boring name, depth, project number and sampler's name, placed in a Ziploc® bag and stored in a cooler with ice for delivery to the analytical laboratory under chain-of-custody procedures.

7.2.3 Surface Water Sample

A surface water sample (W-1) was collected from a swale on the northeast edge of the site. The surface water sample was collected using a disposable bailer. The surface water sample location is presented on Plate 3. Groundwater samples were placed in laboratory-supplied containers, labeled, and placed in a cooler with ice for delivery to the analytical laboratory under chain-of-custody procedures.

7.2.4 Groundwater Sample

Boring B-1 was advanced to a depth of 10 feet bgs, but groundwater was not encountered. In boring B-2 groundwater was encountered at approximately 8 feet bgs. In boring B-2, a 2-inch-diameter slotted polyvinyl chloride (PVC) pipe was inserted into each boring as a temporary well for the collection of a groundwater sample. Groundwater samples were collected from within the temporary well point using a disposable bailer. Groundwater samples were placed in laboratory-supplied containers, labeled, and placed in a cooler with ice for delivery to the analytical laboratory under chain-of-custody procedures.

7.2.5 Site Restoration

After the sampling was completed, each boring was backfilled from bottom to top with neat cement grout (one 94-pound sack of Portland cement mixed with 5 to 6 gallons of clean water).

7.2.6 Analytical Program

Soil and water samples were submitted under chain of custody to Torrent Laboratory, Inc. of Milpitas. Soil samples were submitted for asbestos analysis under chain of custody to MACS Lab, Inc. of Santa Clara and EMSL Analytical, Inc. of Milpitas. Torrent Laboratory, Inc. is certified by the California Environmental Protection Agency (Cal/EPA), Department of Health Services (DHS), under the Environmental Laboratory Accreditation Program (ELAP) to perform the requested analyses. MACS Lab Inc. and EMSL Analytical Inc. are certified by the National Voluntary Laboratory Accreditation Program (NVLAP) and Cal/EPA DHS under ELAP to perform the requested analyses. The soil and groundwater samples were analyzed for one or more of the following parameters:

- Total Petroleum Hydrocarbons (TPH) as gasoline using EPA Test Method 8015m;
- TPH as diesel using EPA Method 8015m;
- TPH as motor oil using EPA Method 8015m;
- Volatile Organic Compounds (VOCs), including fuel oxygenates, using EPA Method 8260;
- Organochlorine Pesticides using EPA Method 8081;
- Total Lead, Arsenic and Mercury using EPA Method 6010;
- LUFT 5 Metals (cadmium, chromium, lead, nickel, and zinc) using the EPA Method 6010; and
- Asbestos using polarized light microscopy (PLM).

7.3 SUMMARY OF SAMPLING AND ANALYSIS RESULTS

7.3.1 Field Observations

In boring B-1, medium stiff clay was encountered from the ground surface to approximately 35 feet bgs. The clayey soils in the top 35 feet are generally medium stiff to stiff. Between 35 feet

and 40 feet, a layer of well-graded gravelly sand, dense to very dense, was encountered. Stiff to very stiff lean silty clay with some sand was located from a depth of 40 feet to the bottom of the boring (46.5 feet). In boring B-2, clayey soils (both lean and fat) were encountered from the surface to the bottom of the boring (46.5 feet), with a thin layer of clayey sand between depths of 25.5 feet and 26.5 feet. The boring logs are presented in Appendix F.

7.3.2 Analytical Results

Eighty-one surface soil samples were collected during the field investigation. These samples were combined by the laboratory into three and four point composite samples. Twenty-five composite surface soil samples were analyzed for organochlorine pesticides and metals (mercury, arsenic, and lead). In addition, five select individual samples were analyzed for asbestos.

Two subsurface soil samples were collected from borings B-1 and B-2 and analyzed for VOCs (including fuel oxygenates), TPH-g, TPH-d, TPH-mo and LUFT 5 metals (cadmium, chromium, lead, nickel and zinc). A groundwater sample was collected from boring B-2 and analyzed for VOCs (including fuel oxygenates), TPH-g, TPH-d, and TPH-mo. In addition, a surface water sample was collected from the swale located in the northeast corner of the site and analyzed for VOCs (including fuel oxygenates), TPH-g, TPH-d and TPH-mo.

The analytical results are presented in Tables 10, 11, 12 and 12. The certified analytical laboratory reports are included in Appendix G. The following sub-sections present the results of the soil, surface water and groundwater samples by type of analyte, and describe how they compare to their corresponding Environmental Screening levels (ESLs).

The Regional Water Quality Control Board (RWQCB) has established ESLs as an initial indicator of potential impacts to human health and the environment. ESLs are not intended to be cleanup criteria but indicators of when additional investigation may be warranted. Kleinfelder compared the reported concentrations of each compound to its established ESL. The ESLs that are referenced in this report are those for near-surface soils (less than 3 meters) at residential

properties where groundwater is a current or potential source of drinking water. Values for particular compounds or metals that exceed their respective ESLs have been highlighted in Tables 11 and 13.

7.3.2.1 Volatile Organic Compounds (including fuel oxygenates)

Two subsurface soil samples, one surface water and one groundwater sample were analyzed for VOCs (including fuel oxygenates) from the two soil borings and surface water location. Results of the analyses are presented in Tables 10, 11 and 12.

Soil Concentrations

Results of VOC (including fuel oxygenates) soil analyses are presented in Table 10. VOCs (including fuel oxygenates) were not reported in subsurface soil samples at or above the laboratory detection limit.

Groundwater Concentrations

Results of VOC (including fuel oxygenates) surface water and groundwater analyses are presented in Table 11 and 12, respectively. VOCs (including fuel oxygenates) were not reported in surface and groundwater at or above the laboratory detection limit.

7.3.2.2 Total Petroleum Hydrocarbons

Two soil samples, one surface water sample and one groundwater sample were collected and analyzed for TPH-g, TPH-d, and TPH mo.

Soil Concentrations

The results of the TPH soil analyses are presented in Table 10. TPH-g, TPH-d and TPH-mo were not reported in subsurface soil at or above the laboratory detection limit.

Groundwater Concentrations

Results of TPH surface water and groundwater analyses are presented in Tables 11 and 12, respectively. TPH-g and TPH-mo were not reported in surface water at or above the laboratory detection limit. TPH-d was reported slightly above the ESL of 0.1 mg/L in surface water at a concentration of 0.127 mg/L. TPH-g, TPH-d and TPH-mo were not reported in groundwater at or above the laboratory detection limit.

7.3.2.3 Metals Results

Twenty-five composite surface samples were collected and analyzed for total lead, arsenic and mercury. Results of the surface soil samples metals analysis are presented in Table 13.

Two subsurface soil samples were collected and analyzed for LUFT 5 metals analysis. Results of the surface soil metals analyses are presented in Table 10.

Surface Soil Sample Concentrations

Total lead, arsenic and mercury metals were reported in soils at the site. Total lead and mercury concentrations reported did not exceed their respective ESLs. Arsenic concentrations were reported above the ESL of 5.5 mg/kg in ten of the twenty-five surface composite samples. The ten concentrations exceeding the ESL ranged from 6.8 mg/kg to 18 mg/kg surface soil samples. The averaged arsenic concentration from the twenty-five composite samples is 5.67 mg/kg, which is only slightly above the ESL of 5.5 mg/kg.

Subsurface Soil Sample Concentrations

Of the LUFT 5 metals (chromium, lead, nickel and zinc), only chromium, lead, nickel, and zinc were reported above the laboratory detection limits. Lead, nickel, and zinc concentrations were reported but did not exceed their respective ESLs.

7.3.2.4 Organochlorine Pesticides

Twenty-five composite surface samples and six individual surface soil samples were collected and analyzed for organochlorine pesticides. Results of the pesticides soil analysis are presented on Table 13.

Surface Soil Sample Concentrations

4,4-DDD, 4,4-DDE, 4,4-DDT, alpha-chlordane, gamma-chlordane, beta-BHC, endrin aldehyde, endrin ketone were reported in surface soil samples above the laboratory detection limits. 4,4-DDE was reported above the ESL of 1,600 µg/kg at boring Comp(5A, 5B, 5C) and Comp(6A, 6B, 6C) at concentrations of 2,900 µg/kg and 2,600 µg/kg, respectively. Based on these elevated concentrations the individual samples (5A, 5B, 5C, 6A, 6B and 6C) were analyzed for organochlorine pesticides. None of the six individual soil samples contained organochlorine pesticides at concentrations exceeding their respective ESL.

7.3.2.5 Asbestos

Five surface soil samples were collected and analyzed for asbestos by PLM. Asbestos was not reported in these five samples above the laboratory reporting limits.

8 EVALUATION

Kleinfelder performed this Phase I & II ESA for David J. Powers & Associates for the Arcadia property located south of Quimby Road and west of East Capital Expressway, in San Jose, Santa Clara County, California in conformance with the scope and limitations of ASTM Designation E 1527-00. In summary, Kleinfelder's assessment revealed the following information about the site:

8.1 PHASE I ENVIRONMENTAL SITE ASSESSMENT

The following sections describe Kleinfelder's findings and provide general background information about the site. Findings include recognized environmental conditions, historically recognized environmental conditions, and *de minimus* quantities, as applicable to the site. In summary:

8.1.1 Background Information

The site is an 81-acre tract of undeveloped land composed of seven parcels. Aerial photographs dating back to 1939 show that the site has been used for agricultural purposes, and that several small structures formerly occupied the site.

8.1.2 Onsite Findings

The site is located south of Quimby Road and west of East Capital Expressway, San Jose, Santa Clara County, California. The site was not listed on any state and local environmental databases.

8.1.3 Off-Site Findings

Surrounding properties were listed in federal, state, and local environmental databases. Based on the anticipated groundwater flow direction, the case history of these facilities, and the distances from the site, these properties are not expected to impact the site.

8.1.4 Business Environmental Risks

The Phase I ESA did not incorporate BERs, such as radon, lead in drinking water, regulatory compliance, cultural and historic resources, industrial hygiene, health and safety, ecological resources, high voltage power lines, and/or any other potential BERs not mentioned here.

8.2 PHASE II ENVIRONMENTAL SITE ASSESSMENT

Based on the findings from our Phase I ESA, Kleinfelder recommended that a Phase II ESA be performed at the site. The goal of the Phase II ESA was to assess possible impacts to soil and groundwater beneath the site related to the past use of the site and to comply with City of San Jose requirements. In order to achieve that goal, 25 composite surface soil samples, six individual surface soil samples, two subsurface soil samples, one surface water sample and one groundwater sample were collected for chemical analysis, as described in Section 7. The following is a discussion of our findings.

8.2.1 Volatile Organic Compounds (including fuel oxygenates)

Based on the analytical results, VOCs (including fuel oxygenates) do not appear to represent a REC in surface soil, surface water or groundwater at this site.

8.2.2 Total Petroleum Hydrocarbons

Based on the analytical results, TPH-g, TPH-d and TPH-mo do not appear to represent a REC in subsurface soil, surface water or groundwater at this site.

8.2.3 Organochlorine Pesticides

4,4-DDE was reported above the ESL of 1,600 µg/kg in surface samples Comp (5A, 5B, 5C) and Comp (6A, 6B, 6C) at concentrations of 2,900 µg/kg and 2,600 µg/kg, respectively. Based on these elevated concentrations the individual samples (5A, 5B, 5C, 6A, 6B and 6C) were individually analyzed for organochlorine pesticides. None of the six individual soil samples contained organochlorine pesticides were reported at concentrations exceeding their respective ESL. Based on the variability of the 4,4-DDE concentrations in the composite samples (Comp5A, 5B, 5C and Comp6A, 6B, 6C), and in the individual samples comprising the composite samples, the distribution of 4,4-DDE within the soil at these locations appears to be nonhomogeneous. Based on the analytical results from the individual samples, organochlorine pesticides do not appear to represent a REC in surface soil at this site.

8.2.4 Metals

Arsenic concentrations were reported above the ESL 5.5 mg/kg in ten of the surface composite samples. The ten concentrations exceeding the ESL ranged from 6.8 mg/kg to 18 mg/kg surface soil samples. The averaged arsenic concentration is 5.67 mg/kg, which is only slightly above the ESL of 5.5 mg/kg. In addition, the results are within the range of normal, naturally occurring background concentrations for arsenic (U.S. Geological Survey Professional Paper 1270; Lawrence Berkeley National Laboratory Environmental Restoration Program, 1995; City of Oakland Survey of Background Metal Concentration Studies). Based on the analytical results, metals do not appear to represent a REC in surface soil at this site.

8.2.5 Asbestos

Based on the analytical results, asbestos does not appear to represent a REC at the site.

9. CONCLUSIONS

We have performed a Phase I & II ESA in general conformance with the scope and limitations of American Society for Testing and Materials (ASTM) Designation E 1527-00 for David J. Powers & Associates for the Arcadia property located west of E Capital Expressway and south of Quimby Rd, San Jose, in Santa Clara County, California. Our services included testing for agricultural chemical residues in surface soil samples per City of San Jose requirements, and in general accordance with DTSC guidelines (DTSC 2002). Based on the results of our Phase I & II ESA, Kleinfelder has identified no Recognized Environmental Conditions (RECs) associated with the site.

10. REFERENCES

California Department of Toxic Substances Control (DTSC), 2002. *Interim Guidance for Sampling Agricultural Fields for School Sites (Second Revision).* August 26.

Kleinfelder, 2005. *Feasibility-Level Geologic Hazards Assessment, Arcadia Property, San Jose, California.* June 7.

Norris and Webb, 1990. *Geology of California*, Second Edition, New York, New York, John Wiley and Sons.

U. S. Geological Survey (USGS), 1984. *Element Concentrations in Soils and Other Surficial Materials of the Conterminous United States.* Professional Paper 1270.

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Table 10
Analytical Results of Subsurface Soil Samples
Volatile Organic Compounds, Total Petroleum Hydrocarbons, and Metals
Arcadia Property
San Jose, California

		VOCs	TPH-g	TPH-d	TPH-mo	Metals				
Boring	Date	(µg/kg)	(mg/kg)	(mg/kg)	(mg/kg)	Cadmium (mg/kg)	Chromium (mg/kg)	Lead (mg/kg)	Nickel (mg/kg)	Zinc (mg/kg)
E-1	5/13/2005	ND	ND	ND	ND	ND	58	10	83	83
E-2	5/13/2005	ND	ND	ND	ND	ND	48	8.4	76	62
RWQCB - ESLs		---	**100**	**100**	**500**	**1.7**	**58**	**150**	**150**	**600**

.cronyms/Abbreviations:

ESL Environmental Screening levels - Shallow Soils (<3m bgs), Residential Land Use - (Groundwater is Current or Potential Source of Drinking Water)
TPH-g Total petroleum hydrocabons as gasoline
TPH-d Total petroleum hydrocarbons as diesel
TPH-mo Total petroleum hydrocarbons as motor oil
(µg/kg) Micrograms per kilogram
(mg/kg) Milligrams per kilogram
ND not detected at or above the laboratory reporting limits
RWQCB Regional Water Quality Control Board
VOC Volatile organic compounds (including fuel oxygenates)

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Table 11
Analytical Results of Surface Water Sample
Total Petroleum Hydrocarbons and Volatile Organic Compounds
Arcadia Property
San Jose, California

Sample	Date	TPH-g (mg/L)	TPH-d (mg/L)	TPH-mo (mg/L)	VOCs (µg/L)
W-1	5/12/2005	ND	**0.127**	ND	ND
RWQCB-Groundwater ESLs		**0.1**	**0.1**	**0.1**	----

Notes:

Bold indicates that the value exceeds the respective ESL.

Acronyms/Abbreviations:

ESL Environmental Screening levels - Shallow Soils (<3m bgs), Residential Land Use - (Groundwater is Current or Potential Source of Drinking Water)
µg/L micrograms per liter
mg/L milligrams per liter
TPH-g Total petroleum hydrocarbons a gasoline
TPH-d Total petroleum hydrocarbons as diesel
TPH-mo Total petroleum hydrocarbons as oil
RWQCB Regional Water Quality Control Board
ND not detected at or above the laboratory reporting limits
VOC Volatile organic compounds (including fuel oxygenates)

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Table 12
Analytical Results of Groundwater Samples
Total Petroleum Hydrocarbons and Volatile Organic Compounds
Arcadia Property
San Jose, California

Sample	Date	TPH-g (mg/L)	TPH-d (mg/L)	TPH-mo (mg/L)	VOCs (µg/L)
B-2	5/13/2005	ND	ND	ND	ND
RWQCB-Groundwater ESLs		**0.1**	**0.1**	**0.1**	**----**

Acronyms/Abbreviations:

ESL Environmental Screening levels - Shallow Soils (<3m bgs), Residential Land Use - (Groundwater is Current or Potential Source of Drinking Water)
TPH-g Total petroleum hydrocarbons as gasoline
TPH-d Total petroleum hydrocarbons as diesel
TPH-mo Total petroleum hydrocarbons as motor oil
ug/L micrograms per liter
mg/L milligrams per liter
ND not detected at or above the laboratory reporting limits
RWQCB Regional Water Quality Control Board
VOC Volatile organic compounds (including fuel oxygenates)

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Table 13
Analytical Results of Surface Soil Samples
Organochlorine Pesticides and Metals
Arcadia Property
San Jose, California

	Organochlorine Pesticides								Metals		
Sample	4, 4'-DDD (µg/kg)	4, 4'-DDE (µg/kg)	4, 4'-DDT (µg/kg)	alpha-Chlordane (µg/kg)	gamma-Chlordane (µg/kg)	beta-BHC (µg/kg)	Endrin aldehyde (µg/kg)	Endrin ketone (µg/kg)	Mercury (mg/kg)	Arsenic (mg/kg)	Lead (mg/kg)
Comp(1A,1B,1C)	ND	8.5	5.9	ND	ND	ND	ND	ND	ND	ND	9.6
Comp(2A,2B,2C)	ND	5.8	5.2	ND	ND	ND	ND	ND	0.10	**18**	11
Comp(3A,3B,3C)	ND	8.4	4.9	ND	ND	ND	ND	ND	ND	**16**	9.5
Comp(4A,4B,4C)	ND	14	4.9	ND	ND	ND	ND	ND	0.12	**15**	9.6
Comp(5A,5B,5C)	49	**2,900**	800	ND	ND	ND	ND	ND	0.13	**16**	11
5A	ND	6.8	ND	ND	ND	ND	ND	ND	NA	NA	NA
5B	ND	2.9	ND	ND	ND	ND	ND	ND	NA	NA	NA
5C	4.5	400	180	ND	ND	ND	ND	ND	NA	NA	NA
Comp(6A,6B,6C)	29	**2,600**	590	ND	ND	ND	ND	ND	0.10	ND	13
6A	3.1	350	210	ND	ND	ND	ND	ND	NA	NA	NA
6B	5.3	360	230	ND	ND	4.0	2.8	ND	NA	NA	NA
6C	7.5	390	310	ND	ND	20	4.8	3.1	NA	NA	NA
Comp(7A,7B,7C)	13	830	140	ND	ND	ND	ND	ND	ND	ND	7.6
Comp(8A,8B,8C)	4.5	96	18	ND	ND	ND	ND	ND	0.10	ND	8.6
Comp(9A,9B,9C,9D)	ND	610	100	ND	ND	ND	ND	ND	0.33	ND	8.9
Comp(10A,10B,10C)	ND	260	63	ND	ND	ND	ND	ND	0.77	ND	7.0
Comp(11A,11B,11C)	ND	54	13	ND	ND	ND	ND	ND	0.13	ND	6.0
Comp(12A,12B,12C)	11	290	270	ND	ND	ND	ND	ND	0.13	ND	12
Comp(13A,13B,13C)	ND	30	12	ND	ND	ND	ND	ND	0.13	**7.9**	26
Comp(14A,14B,14C)	ND	12	7	ND	ND	ND	ND	ND	0.12	**12**	11
Comp(15A,15B,15C)	ND	12	9	ND	ND	ND	ND	ND	0.12	**15**	11

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Table 13
Analytical Results of Surface Soil Samples
Organochlorine Pesticides and Metals
Arcadia Property
San Jose, California

	Organochlorine Pesticides								Metals		
Sample	4, 4'-DDD (µg/kg)	4, 4'-DDE (µg/kg)	4, 4'-DDT (µg/kg)	alpha-Chlordane (µg/kg)	gamma-Chlordane (µg/kg)	beta-BHC (µg/kg)	Endrin aldehyde (µg/kg)	Endrin ketone (µg/kg)	Mercury (mg/kg)	Arsenic (mg/kg)	Lead (mg/kg)
Comp(16A,16B,16C)	ND	7.5	6.1	ND	ND	ND	ND	ND	0.17	ND	10
Comp(17A,17B,17C,17D)	ND	14	10	ND	ND	ND	ND	ND	0.12	**15**	12
Comp(18A,18B,18C)	ND	15	7.7	ND	ND	ND	ND	ND	0.18	ND	8.4
Comp(19A,19B,19C,19D)	13	880	150	ND	ND	ND	ND	ND	0.13	**7.3**	11
Comp(20A,20B,20C)	ND	220	76	ND	ND	ND	ND	ND	0.27	**6.8**	17
Comp(21A,21B,21C,21D)	ND	230	57	18	14	ND	ND	ND	0.50	ND	33
Comp(22A,22B,22C22D)	ND	460	79	ND	ND	ND	ND	ND	0.40	ND	16
Comp(23A,23B,23C,23D)	ND	220	48	32	22	ND	ND	ND	0.13	ND	15
Comp(24A,24B,24C)	ND	9.4	3.2	ND	ND	ND	ND	ND	0.15	ND	8.0
Comp(25A,25B,25C)	ND	240	65	ND	ND	ND	ND	ND	0.12	ND	9.2
RWQCB -ESLs	**2,300**	**1,600**	**1,600**	**440**	**440**	**NE**	**NE**	**NE**	**3.7**	**5.5**	**150**

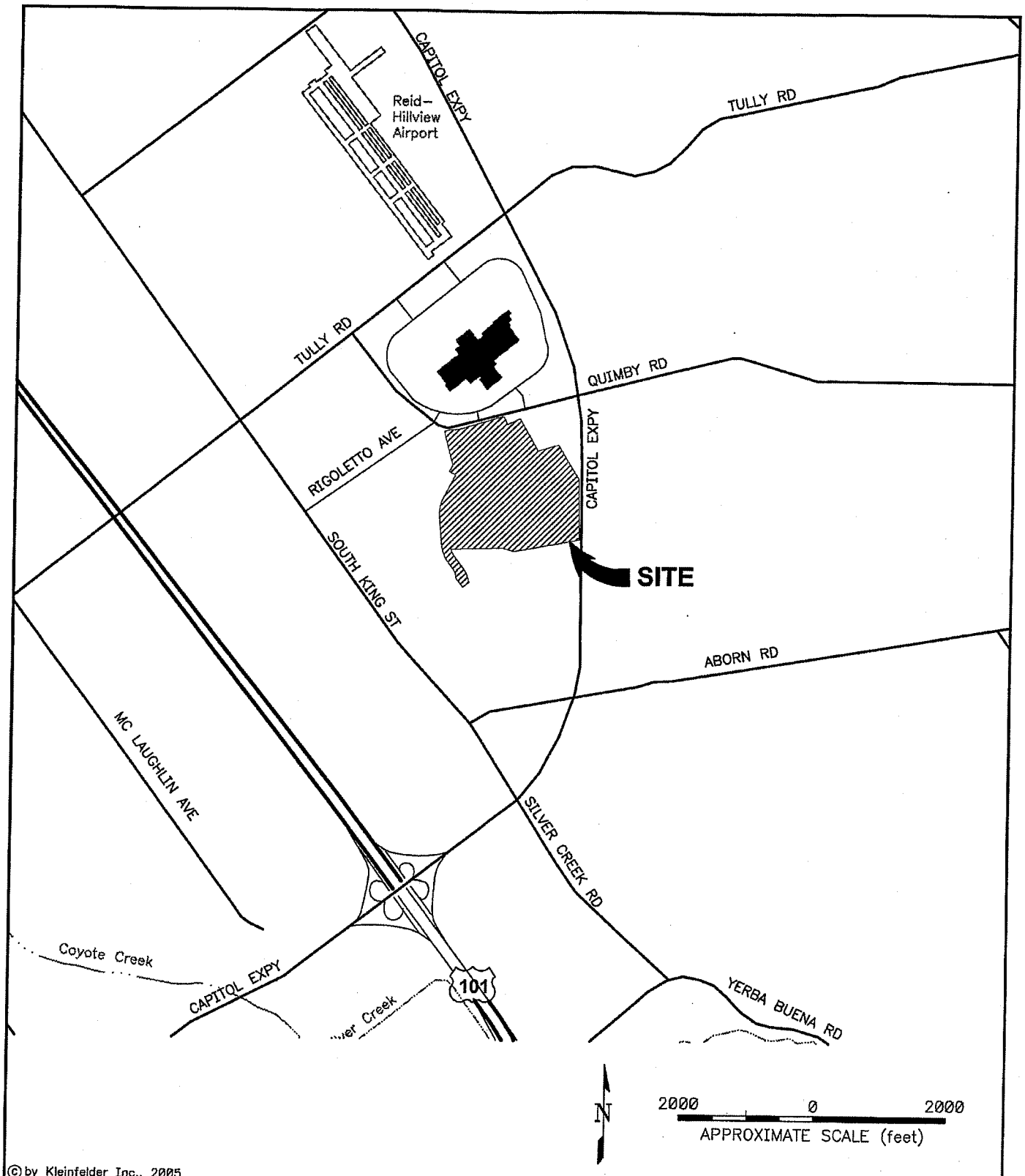
Notes:

Bold indicates that the value exceeds the respective ESL.

Acronyms/Abbreviations:

4, 4'-DDD	Dichlorodiphenyldichloroethane
4, 4'-DDE	Dichlorodiphenyldichloroethylene
4, 4'-DDT	Dichlorodiphenyltrichloroethane
ESL	Environmental Screening levels - Shallow Soils (<3m bgs), Residential Land Use - (Groundwater is Current or Potential Source of Drinking Water)
µg/kg	micrograms per kilogram
mg/kg	milligrams per kilogram
NA	not analyzed
NE	not established
ND	not detected at or above the laboratory reporting limits
RWQCB	Regional Water Quality Control Board

PLATES



KLEINFELDER
7133 Koll Center Parkway, Suite 100
Pleasanton, CA 94566–3101
PH. (925) 484–1700 FAX. (925) 484–5838

DRAFTED BY: J. Sala	CHECKED BY: G. Ramirez
DATE: 05–23–05	REVISION DATE:

SITE VICINITY MAP

81–ACRE SITE
ARCADIA PROPERTY
SAN JOSE, CALIFORNIA

PROJECT NO. 56815–ENV

PLATE 1

ATTACHED XREFS: XRef: TB_A-port
ATTACHED IMAGES:

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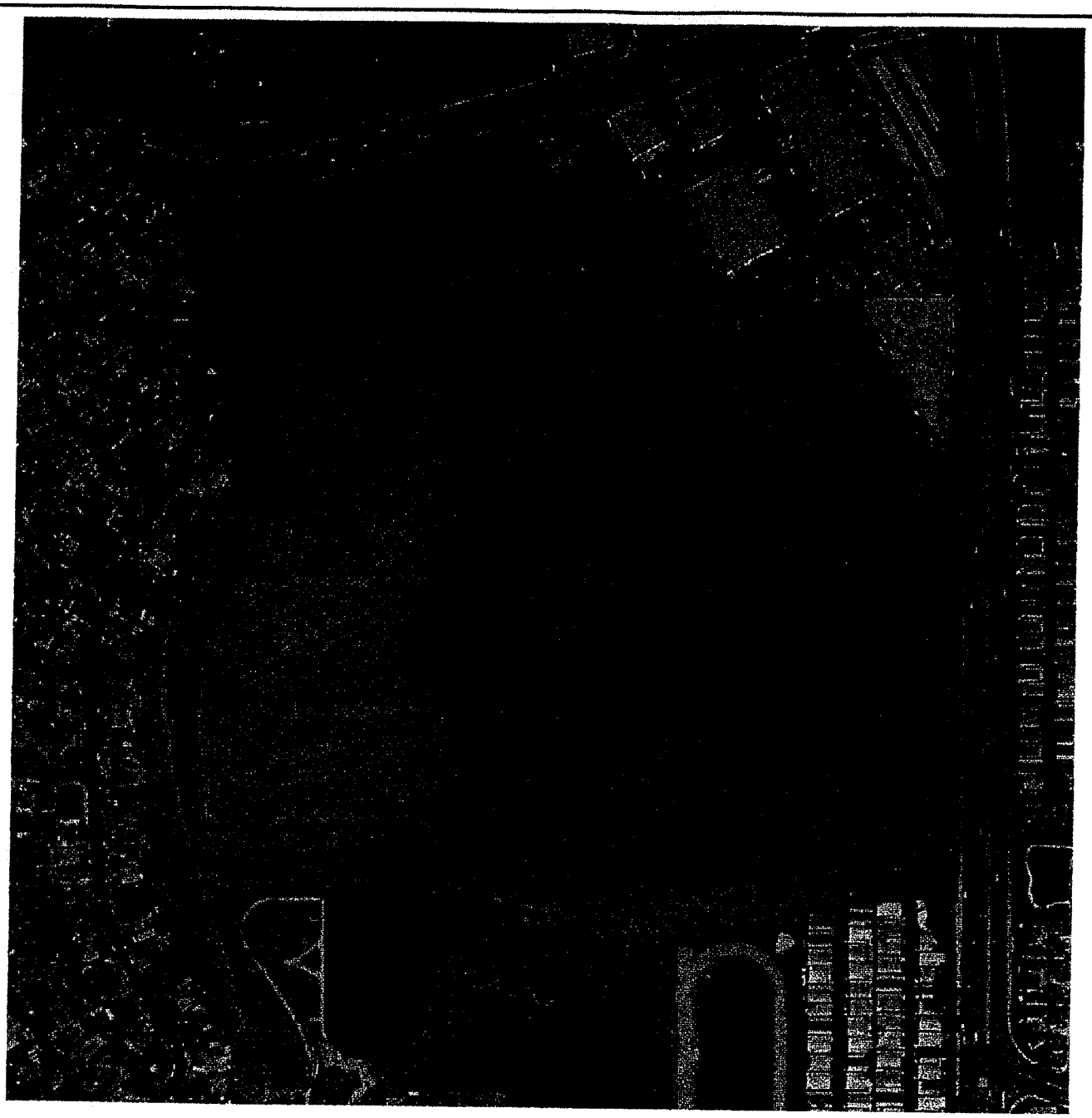

LEGEND

SITE BOUNDARY

1 LOCATION, NUMBER AND VIEW DIRECTION OF PHOTOGRAPH

N

400 200 0 400

APPROXIMATE SCALE (feet)

NOTE: Locations are approximate.

REFERENCE:
TerraServer, San Jose Ca., dated August 27, 1998

ATTACHED XREFS: XRef: TB_A-port
ATTACHED IMAGES: Images: Arcadia.jpg

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DRAFTED BY: J. Sala	CHECKED BY: G. Ramirez
DATE: 05-24-05	REVISION DATE:

SITE PLAN

81-ACRE SITE
ARCADIA PROPERTY
SAN JOSE, CALIFORNIA
PROJECT NO. 56815-ENV

PLATE 2

Plo-L:\2005\05PROJ CAD FILE: D:_PROJECTS\56815\ENV\SITE PLAN.dwg
LAYOUT: Layout1
PLOTTED: 20 Jun 2005, 10:37am

LEGEND

- PROPERTY BOUNDARY
- B-1 SOIL BORING
- 1A SURFACE SOIL SAMPLE
- W-1 SURFACE WATER SAMPLE
- 8A ASBESTOS SAMPLE

NOTE: Locations are approximate.

N

APPROXIMATE SCALE (feet)

300 150 0 300

KLEINFELDER

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DRAFTED BY: J. Solo/L. Sue | CHECKED BY: G. Ramirez | REVISION DATE:

DATE: 07-11-05

SAMPLE LOCATIONS

81-ACRE SITE
ARCADIA PROPERTY
SAN JOSE, CALIFORNIA

PROJECT NO. 56815-ENV

PLATE **3**

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ATTACHED XREFS: Xref: TB_B-size
LAYOUT: Layout1

Plot: L:\2005\05PROJECTS\56815\GRAPHICS\ENV\SAMPLE LOCATIONS.dwg
PLOTTED: 11 Jul 2005, 2:51pm

APPENDIX A

PHOTO 1. Looking northeast at the commercial buildings and the subject site, where the debris piles are located.

PHOTO 2. One of the debris piles. This pile is located about 50 feet southwest of the standing water.

PHOTO 3. Looking into the swale that is about 8–9 ft lower than the rest of the site.

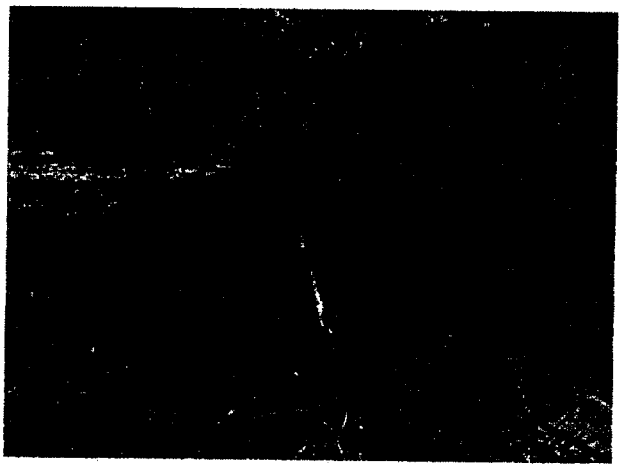

PHOTO 4. A closer look at the standing water in the swale. This photograph also shows the bailer used to collect a water sample.

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DRAFTED BY: J. Sala/L. Sue	CHECKED BY: G. Ramirez
DATE: 06/20/05	REVISION DATE:

SITE RECONNAISSANCE PHOTOGRAPHS: MAY 12, 2005

81–ACRE SITE
ARCADIA PROPERTY
SAN JOSE, CALIFORNIA

PROJECT NO. 56815–ENV

APPENDIX

A-1

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LAYOUT: 01–04
PLOTTED: 20 Jun 2005, 10:35am

PHOTO 5. Looking across the 5.08–acres of assumed non–native soil pile/fill.

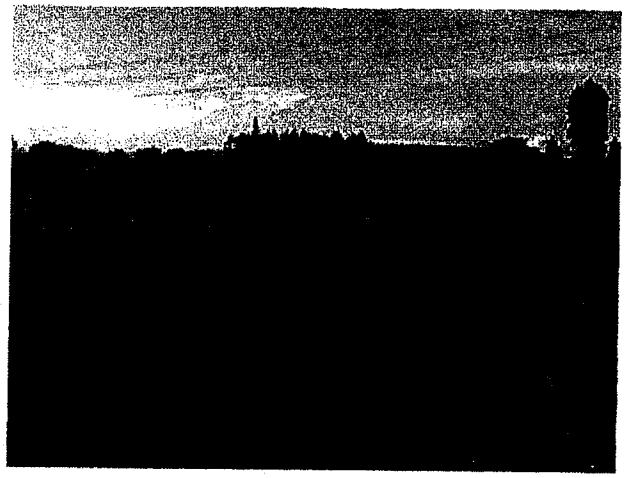

PHOTO 6. The fill is about 2.5 ft higher then the rest of the site.

PHOTO 7. A photograph of soil stockpile.

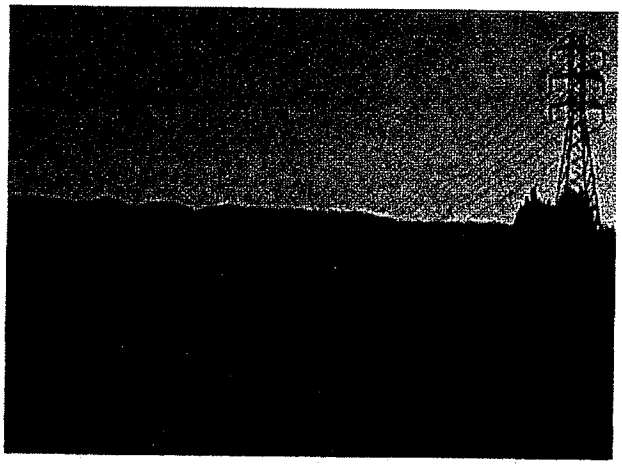

PHOTO 8. Looking eastwrd at the south side of the site.

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DRAFTED BY: J. Sala/L. Sue	CHECKED BY: G. Ramirez
DATE: 06/20/05	REVISION DATE:

SITE RECONNAISSANCE PHOTOGRAPHS: MAY 12, 2005

81–ACRE SITE
ARCADIA PROPERTY
SAN JOSE, CALIFORNIA

PROJECT NO. 56815–ENV

APPENDIX

A-2

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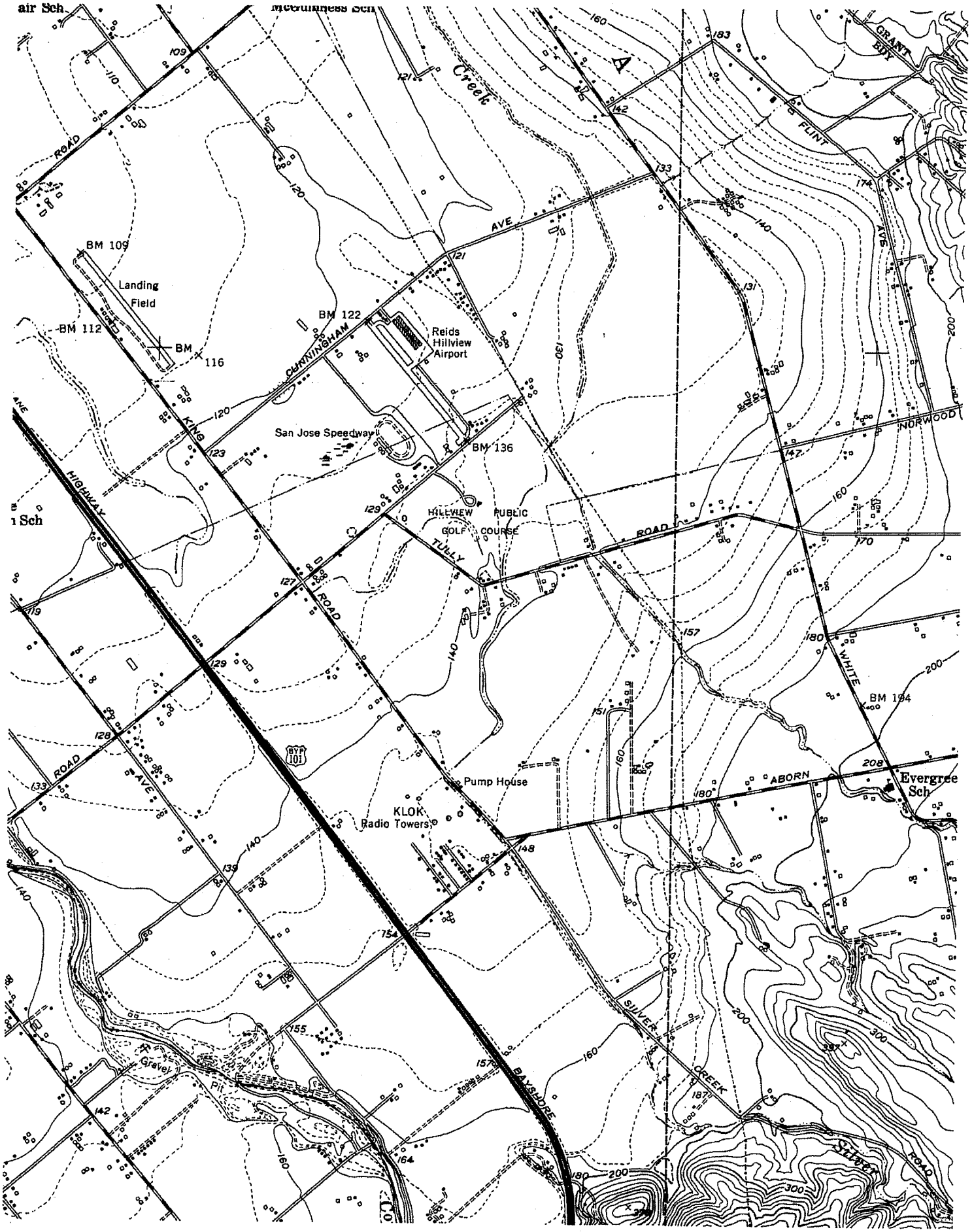

N ^ EDR INQUIRY# 1409423.4 TARGET QUAD: SANJOSEEAST YEAR: 1953 Series: 7.5' Scale: 1:24,000

APPENDIX B

1.0 EXECUTIVE SUMMARY

Based on the visual inspection of the subject site, the historical and database reviews, and local agency contact, no environmental concerns are noted.

On-Site

The subject property is a developed golf course (2050 South White Road) about 115-acre parcel just east of White Road in an unincorporated area surrounded by the City of San Jose, County of Santa Clara and State of California (see Figures 1 and 2). The assessor's parcel number for the property is No. 649-24-013. The property was previously a farm and has been a golf course since about 1959.

On the basis of our site walk and research, the property does contain two groundwater wells for golf course watering (one well is inactive), and does not contain wastewater clarifiers. The clubhouse is on a septic treatment system. The wells and septic system should be closed properly when their service use has ended. Evidence of hazardous materials use or storage or staining was not observed on the property. The subject site has agency database records of a historical 500-gallon fuel storage tank but that tank was removed in 1998 and the case was closed by SCVWD.

- No Recognized Environmental Concern (REC) (other than the currently permitted above ground 500-gallon gasoline tank) in respect to the property was found.

ASE does not recommend any further assessment activities related to on-site conditions at this time.

The existing lake used in golf course watering was classified as a wetland in the overall regulatory review and a potential wetland assessment issue for the property.

Off-Site

The adjacent sites do not appear to present a significant environmental concern to the subject site at this time. ASE does not recommend any further assessment activities related to off-site

conditions at this time.

2.0 INTRODUCTION

2.1 Purpose

The objective of this Phase I Environmental Site Assessment was to identify, to the extent feasible, recognized environmental conditions (RECs) in connection with the subject property relative to the date of this report. This Phase I Environmental Site Assessment contains four major components (1) records review; (2) site reconnaissance; (3) interviews with regulatory agencies/property owners; (4) reporting. This Phase I Environmental Site Assessment was prepared using the guidelines within the American Society for Testing and Materials (ASTM) Designation: E 1527-00.

2.2 Special Terms and Conditions

No special terms or conditions were made between Aqua Science Engineers, Inc. (ASE) and KB Home, Inc., our client, or the operators of the subject property. This report has been produced by ASE to be within the scope of the American Society for Testing and Materials (ASTM) *Standard Practice for Environmental Assessment: Phase I Environmental Site Assessment Process* guidance document (Designation: E 1527-00).

2.3 Limitations and Exceptions of Assessment

As noted in the ASTM E 1527-00 Standard Practice document, the environmental professional conducting the Phase I Environmental Site Assessment is responsible to determine the content of the report. Therefore, Aqua Science Engineers, Inc. (ASE), with extensive experience in conducting Phase I Environmental Site Assessments, has strategically designed this Phase I Environmental Site Assessment to provide a site-specific evaluation of the environmental conditions affecting the subject site. This report has been prepared for use solely of KB Home, Inc., our Client. This report shall not be relied upon by or transferred to any other party, or used for any other purpose, without the express written authorization of our Client, and Aqua Science Engineers.

3.0 SITE DESCRIPTION

3.1 Location and Legal Description

The subject property is a developed golf course about 115-acre parcel just east of White Road between Tully and Cunningham Roads in the City of San Jose, County of Santa Clara and State of California (see Figures 1 and 2). The assessor's parcel number for the property is No. 649-24-013.

3.2 Site and Vicinity Characteristics

The subject site lies within a residential setting in an unincorporated area inside the city limits of San Jose, California. The immediate surrounding area is predominately developed as single family and apartment housing, and a city park (Cunningham Park) as shown in Figure No. 2 in Appendix A.

3.3 Description of Structures, Roads, and Improvements

The city streets have been in place for decades and the surrounding area has been developed into residential housing and a city park.

3.31 Source of Potable Water

The site is currently connected to a municipal supply company. The site has two private groundwater wells used for golf course watering and not drinking. One well is inactive/closed and one pumps in the vicinity of the on-site lake for watering.

3.32 Storm Drains and Sanitary Sewer Systems

The subject property is currently connected to the municipal sanitary or storm sewer systems. The clubhouse uses a septic tank and leach field system. Former restrooms on the courses were apparently on septic systems.

3.33 Recycling and Solid Waste Disposal

The subject site is currently served by the Waste Management Inc. local municipal service for recycling and solid waste disposal.

3.34 Heating, Ventilation, and Cooling (HVAC) Systems

The golf course clubhouse has a HVAC system.

3.35 Storage Tanks

One 500-gallon above ground gasoline fuel storage tank is present. One 500-gallon fuel underground storage tank was removed from the property in 1998.

3.36 Radon Statistics

The EDR report indicates that the subject area of Santa Clara County has an EPA Radon Zone 2 rating. The reported average indoor levels of radon gas were 0.700 pCi/L or less, which is below the 4.0 pCi/L threshold level of concern. ASE did not test for radon at the subject site.

3.4 Environmental Setting

3.41 Geology

The site occurs within the Santa Clara Valley in the Coast Range Geomorphic Province of California, on relatively flat to slightly sloping ground at an elevation of approximately 140-180 feet above mean sea level. Regional geologic reports indicate that the subsurface of the subject property consists primarily of thick alluvial sediments derived from Mesozoic and Tertiary rocks cropping out in the surrounding hills.

The subject site is not within an Alquist-Priolo Special Studies Zone. The surrounding region is very seismically active, experiencing destructive earthquakes. The nearby well-defined, active faults zones include the Hayward Fault about 2 miles to the east San Andreas Fault Zone about 9 miles to the west. Several potentially active faults also occur in the foothills about one to two miles to the east of the property.

3.42 Hydrogeology/Hydrology

The property occurs in the Santa Clara Valley Groundwater Basin. Shallow groundwater is anticipated to lie at about 15 to 35 feet below ground surface, flowing in a low gradient in westerly direction, based on the hydrogeologic studies. Regional pumping aquifers lie below 150 feet and deeper in the basin. The Regional Water Quality Control Board protects the near-surface groundwater in this groundwater basin area as a natural resource and as a potential source of drinking water.

The site is mapped in a 500-year recurrence flood zones by EDR cited FEMA Flood Electronic Data Flood Plain Panel 0603370260D. The nearest surface water is Silver Creek flowing about one-half mile west of the subject site. A mapped wetland area (lake used for golf course watering) classified as a Federal wetland occurs on-site according to EDR.

3.5 Information Regarding Environmental Liens

No environmental liens were identified for the subject site during the preparation of this report.

3.6 Current Use of Property

On September 16, 2003, ASE representative Mr. Chris Palmer conducted a site walk accompanied by Mr. Frank Duino the course owner at the subject site property. The site is currently developed as one eighteen-hole golf course and one nine-hole executive golf course (see Photographs). The golf course has a central clubhouse and parking area, with a small kitchen and bar inside the clubhouse. The clubhouse is on a septic and leach field system. A metal building near the clubhouse is used to store and recharge golf carts. A small fenced area inside the building is used to store lubricants in five-gallon containers and one 20-gallon container of used motor oil. One above ground 500-gallon gasoline tank is located adjacent to the metal building for fueling golf tractors and mowing equipment. Three old wooden buildings on concrete slabs are used to repair tractors and mowers, and store sprinkler parts, tractor parts and equipment and small quantities of retail-sized packages of paints and parts cleaners. Minor oil stains attributed to engine drippings occur on the concrete floors. Bulk pesticides and fertilizers were not observed and are not used on the courses according to Mr. Duino. A small lake occurs near the center of the eighteen-hole course and is used as a part of the watering system. Small stacks of chopped wood from decayed trees are located near the edge of the courses. A small depression excavated during the original construction of the courses for borrow soil to construct greens is located near the northern portion of the executive course.

Based upon our sitewalk, interviews, and record reviews, we did not observe obvious signs of significant environmental concerns related to the subject site.

3.7 Former Uses and History of Property

Aerial photographs show the site as a farm and cropland fields prior to1939. By 1959, the property was developed into a golf course, and that use has continued to the present.

3.71 Rationale

The purpose of the records review is to obtain and review records, photographs, maps and other related historical documents that will assist in the identification of recognized environmental

conditions in connection with the subject property. The objective of consulting historical sources is to develop a history of the property and surrounding area. This review helps identify the likelihood of past uses having led to recognized environmental conditions in connection with the property. The following recommended sources/databases are used to investigate the property history.

3.72 Historical Aerial Photographs Review

ASE representative Chris Palmer obtained aerial photographs of the area from the EDR Aerial Photograph service for the historic review (by year and source) is briefly discussed below.

1939 Fairchild

The property appears to be a farm and in agricultural use.

1956 Aero

The property is in agricultural use and appears either fallow or possibly used as pasture.

1965 Cartwright

The property has been developed into an eighteen-hole golf course. The farm buildings previously present appeared to have been removed.

1982 Western State Aerial

The property appears similar to the previous photograph. Most of the surrounding region has been developed into residential use to the north, east and south, with a park to the west.

1993 USGS

The property appears similar to the previous photograph.

In summary, the aerial photographs confirmed the general site information as established through other similar sources of historical evidence.

3.73 Historical Maps Review (Sanborn Fire Insurance; USGS Historical Topo Maps)

There were no historical Sanborn Maps available for the property site.

Topographic maps show that the property was used for orchards or agricultural use from about 1899 to about 1953. Development in the area expanded in this time period but no development is noted for the property. The property is mapped as the Pleasant Hills Golf Course by 1961.

3.74 Business License Review

There is business license information from the United States Golf Association for the site and a license to dispense alcohol in the bar.

3.75 Building City/County Permit Review

ASE contacted the City of San Jose and County of Santa Clara Building Departments on August 29, 2003. One permit for reproofing dated 8/16/85 was present for 2050 South White Road.

3.76 City Directory Review

ASE had EDR perform a City Directory search for the property address and no listings were found.

4.0 SURROUNDING PROPERTIES

4.1 Description

A general description of the usage of surrounding and/or adjoining properties is determined by the environmental professional during the site visit, through interviews or from the records review. This is performed to help identify recognized environmental concerns that may have the potential to impact the subject site.

4.11 Current Uses of Surrounding and/or Adjoining Properties

Based on our site visit, the use of the surrounding properties includes new residential

development just north of the property.

4.12 Former Uses of Surrounding and/or Adjoining Properties

Based upon historical evidence review, the use of the surrounding properties was confirmed to be similar to the present usage.

5.0 REGULATORY REVIEW

5.1 Purpose

The purpose of the regulatory review is to research regulatory agency records that will assist in the identification of recognized environmental conditions in connection with the subject property and neighboring properties within a 1-mile radius. The regulatory review also includes visiting or contacting local regulatory agency representatives for interviews regarding the subject site or surrounding properties. The regulatory review is split into three major components (1) federal, (2) state, and (3) local. We have summarized the sources/databases used to investigate the regulatory issues of the subject site and surrounding properties. The following information was provided to ASE by EDR, Inc. (See Appendix D, for an excerpt of pertinent listings. The full EDR report is available in the Appendix).

5.2 Federal

5.21 The National Priorities List (NPL)

There are no NPL sites within 1-mile radius of the subject site.

5.22 RCRA Corrective Actions (CORRACTS & CORRACTS-TSD)

The subject site address is not listed on the database. There are no CORRACTS site within a 1/2 to 1-mile radius of the subject site

5.23 Resource, Conversation and Recovery Act (RCRA; RCRIS-TSD)

The subject site address is not listed on the database. There are no RCRA corrective action sites or RCRA permitted treatment, storage or disposal facility within 1/2-mile radius of the subject

site.

5.24 Emergency Response Notification System (ERNS)

The subject site address is not listed on the database. There are no ERNS sites within 1/8-mile radius of the subject site.

5.25 RCRA Registered Generators of Hazardous Waste (GNRTR, RCRIS-LQG/SQG))

The subject site address is not listed on the database. There are no listed small-quantity generators within 1/8th to 1/4 mile of the subject site. There are no large-quantity generators of hazardous waste less than a 1/4-mile radius of the subject site.

5.3 State

5.31 Solid Waste Landfill Facilities (State Landfill, WMUDS/SWAT)

The subject site address is not listed on the database. There are no WMUDS/SWAT or State Landfill sites within 1/2-mile radius of the subject site.

5.32 Leaking Underground Storage Tank List (LUST)

The subject site address is listed on the database. There are no LUST sites within 1/8-mile radius of the subject site; one LUST site within a 1/8-1/4 mile radius of the subject site; no LUST sites are listed within a 1/4 to 1/2 mile radius of the subject site.

The subject property had a 500-gallon gasoline tank removed in 1998, and the case was closed on December 9, 1999 (a copy of the closure letter and summary are attached in Appendix B). There are no other nearby LUST sites of potential concern. None of the orphan listed sites were considered to be sufficiently close to pose a potential concern to the subject site.

5.33 Notify 65: Proposition 65 Records

The subject address is not listed on the database. One site within 1/2 mile of the property address was listed in the EDR report.

5.34 California Cerclis/State Equivalent Priority List (SPL)

The subject site is not listed on the database. There are no sites within 1-mile radius of the subject site.

5.35 Cal-Sites

The subject site address is not listed on the Cal-Sites database. There are no Cal-Sites cases within 1/4-mile to 1/2-mile radius of the subject site, and no Cal-Sites cases within 1/2-mile to 1-mile radius of the subject site.

5.36 State Registered Underground or Aboveground Storage Tanks (UST/AST/HistUST)

The subject site is listed on the UST/AST database for one 500-gallon above ground gasoline storage tank (the current active tank permit is attached in Appendix B). There are no UST sites within 1/4-mile radius of the subject site. There are no AST sites within 1/8th mile of the subject site.

5.38 Cortese List (Cortese Senate Bill; Impacted Drinking Water Wells)

There are three Cortese sites within a 1-mile radius of the subject site, none of which are within 1/8th mile of the subject site. None of the listings were interpreted to pose a potential environmental concern to the subject site.

5.4 Local

5.41 Regional Water Quality Control Board (RWQCB)

The San Francisco Bay Area Regional Water Quality Control Board web site was reviewed on August 29, 2003. No listing for the site address was on the current leaking underground tank list.

5.42 Santa Clara Valley Water District

The Santa Clara Valley Water District was contacted by telephone on September 15, 2003. The District had reviewed and closed the site in 1999 after collection of samples for analysis of

MTBE (see attached closure documents).

5.43 City of San Jose Fire Department

The City of San Jose Fire Department was contacted on August 29, 2003 to review the files on computer file. The flies showed that the workplan and site closure documents for the underground tank were on file. Additional files for site fire safety inspections showed that no violations were reported

5.44 City Building Department

Please see Section 3.75 for a discussion about permit-related information for the subject site.

5.44 Santa Clara County Health Department

The property uses one 500-gallon above ground gasoline storage tank for fueling tractors, power equipment and mowers used on the golf courses. The County Permit number is facility ID FA0207499 and it also has a current Bay Area Air Quality Management District permit to operate.

6.0 SITE RECONNAISSANCE AND INTERVIEWS

6.1 Hazardous Substances/Materials Usage and Storage

No obvious signs of hazardous materials use or storage were observed.

6.2 Hazardous Waste Storage, Disposal

No obvious signs of hazardous materials use or storage were observed.

6.3 Underground & Aboveground Storage Tanks, Sumps, Drains

No obvious signs of hazardous materials use or storage were observed. One 500-gallon

underground storage tank was removed in 1998 and the case was closed in 1999. One 500-galllon above ground gasoline storage tank is present on-site and is permitted with the County of Santa Clara Health Department and Bay Area Air Quality Management Board.

6.4 Identification of PCBs

No obvious signs of hazardous materials use or storage were observed.

6.5 Identification of Asbestos Containing Materials or Lead-based Paint

No obvious signs of hazardous materials use or storage were observed. Mr. Duino stated that a previous survey for asbestos and lead paint showed none were present in the building.

6.6 Surface Staining, Distressed Vegetation

No obvious signs of stains or distressed vegetation were observed.

6.7 Summary of Interviews

ASE representative Mr. Chris Palmer spoke to Mr. Frank Duino of Pleasant Hills Golf Course regarding the site. The site was previously a farm prior to being developed into a golf course by his father in 1959. Bulk pesticides or fertilizers as well as weed killers are not used on the courses according to Mr. Duino. Landscape and fairway grass cutting and maintenance equipment uses an above ground 500-gallon gasoline storage tank. Mr. Duino verified that the property had not been developed and he was not aware of any contaminant problems on the property.

ASE had a brief discussion with Mr. James Crowley of SCVWD on September 17, 2003 who indicated that subject property site underground storage tank site would not be reopened on the basis of the work completed. SCVWD policy is that under some circumstances sites may be reopened if a drinking water well downgradient of a "closed site" in near proximity (about 1,000 feet) became contaminated some additional sampling might be required at the upgradient site. No drinking water wells were reported within 1,000 feet of the subject property by EDR. ASE also contacted Mr. Caleb Gretton of the City of San Jose Planning Department on September 17, 2003 regarding acceptance of site closure documentation for the tank. Mr. Gretton indicated that the SCVWD closure letter and accompanying documents usually satisfy the City documentation

requirements for tank environmental problems.

6.8 Other Conditions of Concern

No other conditions of concern were noted during our research.

7.0 CONCLUSIONS

7.1 Subject Site

The subject property is a developed golf course (2050 South White Road) about 115-acre parcel just east of White Road in an unincorporated area surrounded by the City of San Jose, County of Santa Clara and State of California (see Figures 1 and 2). The assessor's parcel number for the property is No. 649-24-013. The property was previously a farm and was developed into a golf course in about 1959.

On the basis of our site walk and research, the property does contain two groundwater wells for golf course watering (one well is inactive), and does not contain wastewater clarifiers. The clubhouse is on a septic treatment system. The wells and septic system should be closed properly when their service use has ended. Evidence of hazardous materials use or storage or staining was not observed on the property. The subject site has agency database records of a historical 500-gallon fuel storage tank but that tank was removed in 1998 and the case was closed by SCVWD.

- No Recognized Environmental Concern (REC) (other than the currently permitted above ground 500-gallon gasoline tank) in respect to the property was found.

ASE does not recommend any further assessment activities related to on-site conditions at this time.

The existing lake used in golf course watering was classified as a wetland in the overall regulatory review and a potential wetland assessment issue for the property.

7.2 Off-Site

Based on the EDR report and our understanding of the local hydrogeology, there are no nearby off-site sources that have been identified as impacting the subject site. ASE does not recommend any further assessment activities related to off-site conditions at this time.

8.0 REPORT LIMITATIONS

The findings and analysis contained in this Phase I Environmental Site Assessment report have been prepared by the professional staff of Aqua Science Engineers, Inc. (ASE) in accordance with generally accepted professional practices and from the guidance within the standard practice of ASTM E 1527-00.

Some of the information provided in this Phase I Environmental Site Assessment report is based upon personal interviews and research of available documents, records and maps held by appropriate government and private agencies. This is subject to the limitations of the historical documentation, availability and accuracy of pertinent records, and the recollection of those persons contacted and interviewed. The information contained in this report has received appropriate technical and peer review. The findings and analysis represent professional judgments and are based upon the investigations conducted and the review and interpretation of

such data based on our experience and expertise according to the existing standard. No warranty or guarantee is expressed or implied. The scope of services within this Phase I Environmental Site Assessment did not include sample collection and/or analysis for hazardous materials. In addition, it did not include a property title search or evaluate asbestos, radon or seismic risk.

The findings and analysis set forth in this report are strictly limited in time and scope to the date of the evaluation(s), and for the sole use of our client.

9.0 SIGNATURE OF ENVIRONMENTAL PROFESSIONALS

Aqua Science Engineers, Inc. appreciates the opportunity to have prepared this Phase I Environmental Site Assessment for our client. Should any questions or comments arise, please feel free to call us at (925) 820-9391.

Respectfully submitted

AQUA SCIENCE ENGINEERS, INC.

Christopher M. Palmer, R.E.A. II 20185
Project Manager

Reviewed by

Gerald W. Sasse, R.E.A. 06963
Vice President

1.0 INTRODUCTION

This report details Aqua Science Engineers, Inc. (ASE)'s methods and findings for a soil assessment conducted at the 115 - acre property (APN's 649-23-001 and 649-24-013) that most recently operated as the Pleasant Hills Golf Course, located at 2050 and 2079 South White Road in San Jose, California (Figure 1). The site assessment activities were initiated by Mr. Joe Sordi of KB Home, a prospective purchaser of the subject property, as follow-up to the Phase I Environmental Site Assessment report prepared by ASE for the subject site in September 2003.

2.0 SITE HISTORY

Based on the Phase I Environmental Site Assessment report, the entire site was historically used for agricultural land. In the late 1950's, the property was developed as it appears today, as the Pleasant Hills Golf Course. The golf course is now closed. Based on this historical and current usage, the City of San Jose Environmental Services Department requested an assessment of near surface soils for the presence of pesticides. ASE personnel spoke to Mr. Gary Lynch of the City of San Jose Environmental Services Department by telephone to discuss a scope of work for the project. Mr. Lynch verbally approved the following scope of work.

3.0 SCOPE OF WORK

ASE's scope of work was as follows:

1. Grid the subject site into 24-zones of equal size, approximately 5-acres each, see Figure 2.

2. Using a shovel, collect a soil sample at 6 – 12 inches below grade from each zone, a total of 24 samples. Store the sample in a new, pre-cleaned sample jar, label each sample discretely, and store the samples in an ice chest containing wet ice.

3. Analyze each soil sample at a CA DHS certified laboratory for organochlorine pesticides by EPA Method 8081B, and arsenic, lead, and mercury by EPA Method 6020A.

4. Prepare a report detailing the methods and findings of the field activities. Compare the soil analytical results to the environmental

screening levels (ESL's) for residential development and usage established by the Regional Water Quality Control Board.

4.0 COLLECTION OF SOIL SAMPLES

On May 6, 2005, ASE senior project manager Dave Allen mobilized to the site. Using the parcel map for the property, ASE sectioned the site into 24 equal zones, approximately 5-acres in size each. Using a shovel, ASE collected a near surface soil sample from each zone at a depth ranging from 6 to 12 inches below ground surface (Figure 2). Each soil sample was placed in a new glass jar supplied by the laboratory, individually labeled (SS-1 through SS-24), and placed in an ice chest containing wet ice. The samples were then delivered to McCampbell Analytical of Pacheco, California (CA DHS Certificate Number 1644) under chain of custody procedures.

5.0 SOIL SAMPLE ANALYTICAL RESULTS

Each soil sample was analyzed by McCampbell Analytical for organochlorine pesticides by EPA Method 8081B, and for arsenic, lead and mercury by EPA Method 6020A. The soil sample analytical results were compared to the residential environmental screening levels (ESLs) as presented in the "Screening for Environmental Concerns at Sites with Contaminated Soil and Groundwater (February 2005)" document prepared by the California Regional Water Quality Control Board, San Francisco Bay Region. See Table One for tabulated analytical results. See Appendix A for the certified analytical report from McCampbell Analytical.

5.1 Organochlorinated Pesticides

Only trace concentrations of DDE, DDT and a-Chlordane were identified in eight of the twenty-four soil samples. None of these concentrations exceeded the residential ESL. The remaining samples contained no detectable concentrations of organochlorinated pesticides.

5.2 Heavy Metals

Each soil sample was analyzed for arsenic, lead and mercury. Each soil sample contained detectable concentrations of all three heavy metals. However, only soil samples SS-10, SS-19, SS-21 and SS-24 contained concentrations of these metals above residential ESLs. Soil sample SS-10 contained 58 parts per million (ppm) arsenic. Soil sample SS-19 contained 90 ppm arsenic. Soil Sample SS-21 contained 48 ppm arsenic

and 170 ppm lead. Soil sample SS-24 contained 24 ppm arsenic. All four of the afore-mentioned soil samples were collected from putting greens at the subject site. None of the mercury concentrations exceeded the residential ESL.

6.0 CONCLUSIONS AND RECOMMENDATIONS

Of the twenty-four soil samples collected at the site, nineteen of them were collected from fairways, tees, or roadways of the golf course. The remaining five soil samples were collected from greens (not practice putting greens). Of the five soil samples collected from greens, four of these soil samples contained concentrations of arsenic and lead above the residential ESL. The RWQCB ESL for arsenic is 5.5 ppm. However, the background concentration of arsenic in the greater Bay Area is documented to be approximately 15 ppm. ASE used 15 ppm as the target concentration for arsenic. In doing research regarding golf course management, it was noted that arsenic and lead were used historically for the treatment of flying pests and rodents. The current owners of the golf course had no knowledge of such pesticides.

Based on the information collected during this assessment, it is likely that a majority of the putting greens at the site, including practice greens, are similarly affected with arsenic and/or lead concentrations exceeding the residential ESL. There is a vast difference with the soil conditions of the greens in comparison to all other areas of the golf course. Not only in the fact that none of the fairway, tee, or roadway samples contained elevated metals concentrations, but also in the fact that the soil composition of the greens is sand, and a dense silty clay for the remainder of the golf course. It is therefore possible that the metals pollution is not the result of pesticides but rather contaminated imported fill material used to construct the greens. No areas of the site appear to be adversely affected by organochlorinated pesticides.

ASE recommends that prior to any grading activities at the site, all putting greens should be discretely sampled for arsenic and lead by EPA Method 6020A. Any green containing concentrations of arsenic or lead above the residential ESL should be excavated and stockpiled separately from all other soils on the site. ASE believes that this material may be suitable for re-use on the property beneath roadways, sidewalks and utility trenches. A formal request for re-use of this material must be made to the City of San Jose Environmental Services Department. Any contaminated putting green material that cannot be re-used at the site, due to volume or

compaction constraints, should be hauled off-site to an appropriate landfill facility.

ASE further recommends that a copy of this report be sent to Mr. Gary Lynch of the City of San Jose Environmental Services Department for further guidance.

7.0 REPORT LIMITATIONS

The results of this assessment represent conditions at the time of the soil sampling, at the specific locations where the samples were collected, and for the specific parameters analyzed by the laboratory.

This report does not fully characterize the site for contamination resulting from unknown sources or for parameters not analyzed by the laboratory. All of the laboratory work cited in this report was prepared under the direction of an independent CAL-EPA certified laboratory. The independent laboratory is solely responsible for the contents and conclusions of the chemical analysis data.

Aqua Science Engineers appreciates the opportunity provide environmental consulting services for this project. Should you have any questions or comments, please feel free to call us at (925) 820-9391.

Respectfully submitted,

AQUA SCIENCE ENGINEERS, INC.

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Senior Project Manager

Robert Kitay, R.G., R.E.A.
Senior Geologist

Cc: Mr. Joe Sordi, KB Home

Mr. Buddy Parsons, Borelli Investments

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Analytical Report and Chain of Custody Forms
For Soil Samples

June 8, 2005

SOIL ASSESSMENT REPORT
ASE JOB NO. 4023
at
The Former Pleasant Hills Golf Course
South White Road
San Jose, California

Submitted by:
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208 West El Pintado Road
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TABLE ONE

Summary of Chemical Analysis of **Soil** Samples

ORGANOCHLORINATED PESTICIDES, ARSENIC, LEAD AND MERCURY

All results are in **parts per million**

SAMPLE NAME	DDE	DDT	A-CHLORDANE	ARSENIC	LEAD	MERCURY	REMAINING PESTICIDES
SS-1	< 0.001	< 0.001	< 0.001	**14**	**32**	**0.25**	< 0.001 - < 0.05
SS-2	< 0.0050	< 0.0050	< 0.0050	**12**	**26**	**0.31**	< 0.0050 - < 0.25
SS-3	**0.0064**	< 0.001	< 0.001	**6.8**	**12**	**0.15**	< 0.001 - < 0.05
SS-4	< 0.001	< 0.001	< 0.001	**2.7**	**9.3**	**0.14**	< 0.001 - < 0.05
SS-5	**0.0032**	< 0.001	< 0.001	**5.5**	**11**	**0.17**	< 0.001 - < 0.05
SS-6	< 0.001	< 0.001	< 0.001	**4.7**	**12**	**0.40**	< 0.001 - < 0.05
SS-7	< 0.001	< 0.001	< 0.001	**11**	**22**	**0.15**	< 0.001 - < 0.05
SS-8	**0.0011**	< 0.001	< 0.001	**9.1**	**17**	**0.18**	< 0.001 - < 0.05
SS-9	**0.0036**	**0.0033**	< 0.001	**8.9**	**16**	**0.55**	< 0.001 - < 0.05
SS-10	< 0.0050	< 0.0050	< 0.0050	**58**	**140**	**2.5**	< 0.0050 - < 0.25
SS-11	< 0.001	< 0.001	< 0.001	**5.0**	**9.1**	**0.15**	< 0.001 - < 0.05
SS-12	< 0.001	< 0.001	< 0.001	**7.9**	**7.9**	**0.59**	< 0.001 - < 0.05
SS-13	< 0.001	< 0.001	< 0.001	**6.2**	**13**	**0.21**	< 0.001 - < 0.05
SS-14	< 0.001	< 0.001	< 0.001	**4.7**	**9.1**	**0.070**	< 0.001 - < 0.05
SS-15	< 0.001	< 0.001	< 0.001	**7.2**	**14**	**0.20**	< 0.001 - < 0.05
SS-16	< 0.001	< 0.001	**0.0013**	**3.9**	**26**	**0.19**	< 0.001 - < 0.05
SS-17	**0.0023**	< 0.001	< 0.001	**9.7**	**12**	**0.16**	< 0.001 - < 0.05
SS-18	**0.0017**	< 0.001	< 0.001	**8.8**	**18**	**0.11**	< 0.001 - < 0.05
SS-19	< 0.001	< 0.001	< 0.001	**90**	**44**	**0.21**	< 0.001 - < 0.05
SS-20	< 0.001	< 0.001	< 0.001	**6.7**	**13**	**0.13**	< 0.001 - < 0.05
SS-21	< 0.001	< 0.001	< 0.001	**48**	**170**	**0.21**	< 0.001 - < 0.05
SS-22	< 0.001	< 0.001	< 0.001	**7.6**	**12**	**0.31**	< 0.001 - < 0.05
SS-23	**0.0040**	< 0.001	< 0.001	**7.0**	**16**	**0.090**	< 0.001 - < 0.05
SS-24	< 0.001	< 0.001	< 0.001	**24**	**60**	**0.53**	< 0.001 - < 0.05
RESIDENTIAL ESL	1.6	1.6	0.44	15*	150	3.7	VARIES

Detectable concentrations are in **BOLD**

Boxed concentrations exceed the Residential ESL

ESL = Environmental Screening Levels presented in the "Screening for Environmental Concerns at Sites with Contaminated Soil and Groundwater (February 2005)" document prepared by the California Regional Water Quality Control Board, San Francisco Bay Region.

* = The ESL for arsenic is 5.5 ppm; however, the background concentration in the greater Bay Area for arsenic can be as high as 15 ppm.

PES Environmental, Inc.
Engineering & Environmental Services

A Report Prepared for:

Berg & Berg Enterprises, Inc.
10050 Bandley Drive
Cupertino, California 95014-2188

Attention: Mr. Myron Crawford

PHASE I ENVIRONMENTAL SITE ASSESSMENT AND PHASE II SITE INVESTIGATION FOWLER ROAD PROPERIES SAN JOSE, CALIFORNIA

JULY 14, 2004

By:

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DISTRIBUTION

ON FILE WITH CITY AND AVAILABLE FOR REVIEW UPON REQUEST.

CONTACT: JOHN BATY
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1.0 INTRODUCTION

1.1 Purpose and Scope of Work

This report presents the results of a Phase I Environmental Site Assessment (ESA) and Phase II Site Investigation conducted by PES Environmental, Inc. (PES) for two former agricultural properties (consisting of approximately 87.33 and 87.31 acres) located north and south, respectively, of Fowler Road in San Jose, California (herein called the North and South properties and together referred to as the Berg Property, Site, or subject property). The Site location is shown on Plate 1 and a Site Vicinity Map/Aerial Photograph showing the Site and nearby adjacent areas is presented as Plate 2. PES understands that Berg & Berg Enterprises, Inc. (Berg) is evaluating the feasibility of a land use zoning change to residential and wishes to update prior environmental investigations and documents to support an Environmental Impact Report that is currently in preparation.

In addition to conducting an updated Phase I ESA for the properties, Berg requested that PES perform Phase II investigations consistent with the City of San Jose (City) Environmental Services Department's guidelines for sampling of former agricultural lands proposed for residential development.

The Phase I ESA and Phase II site investigation activities were performed pursuant to our Proposal dated June 8, 2004 (reference number 280.018.01.P01).

The Phase I ESA was performed in accordance with American Society for Testing and Materials (ASTM) Standard E 1527-00. PES performed the following tasks for the Phase I ESA:

- Reviewed Federal, State, and local agency databases to identify nearby sites which have reported use, storage, or release of hazardous materials;
- Reviewed environmental regulatory agency files for the subject property and nearby sites with respect to hazardous materials use, hazardous waste generation, and releases of hazardous materials;
- Reviewed previous environmental investigations for the subject property;
- Conducted historical research for the subject property and surrounding area;
- Conducted an inspection of the subject property and a reconnaissance of the surrounding area;
- Interviewed persons familiar with the subject property; and
- Prepared this report presenting the results of the Phase I ESA.

For the Phase II investigation, PES collected shallow soil samples for analysis of pesticides, and arsenic, lead, and mercury to supplement previous sampling and analysis conducted on the South property and implement a program that provided a sampling frequency of one sample per acre for the entire Site. The following tasks were completed for the Phase II investigations.

- Collected 87 shallow soil samples at 0.5 to 1.0 feet below ground surface (bgs) across the North property, and submitted the samples for analysis of organochlorine pesticides, and arsenic, lead, and mercury;
- Collected a deeper soil sample at 2 feet bgs at 4 previous shallow sample locations on the South property to supplement data from previous investigations, and submitted the samples for analysis of organochlorine pesticides;
- Collected a shallow soil samples at 0.5 to 1.0 feet bgs on an approximately 4-acre parcel in the South property that was not sampled during previous investigations, and submitted the samples for analysis of organochlorine pesticides, and arsenic, lead, and mercury;
- Evaluated the analytical results and compared the results to potentially applicable, risk-based screening levels; and
- Prepared this report presenting the results of the Phase II investigations.

Finally, PES was asked to visually inspect a proposed 6 to 20-foot wide public trail easement located outside of the eastern boundary of the South parcel for evidence of environmental issues. PES visually inspected the easement by walking the property boundary.

1.2 Limitations

The Phase I ESA and Phase II investigation activities were conducted in accordance with current practices and procedures generally accepted in the consulting environmental engineering field. Our professional judgment to assess the potential for contamination is based on limited data; no warranty is given or implied by this report.

2.0 SITE DESCRIPTION

2.1 Location

The properties are located in the southeast portion of the City of San Jose, Santa Clara County, California (Plate 1). San Jose is situated in the Santa Clara Valley at the south end of San Francisco Bay. U.S. Highway 101 is located approximately 3 miles to the west. The site is situated within a non-sectioned portion of Township 7 South (T7S), Range 2 East (R2E), Mount Diablo Base Meridian. The North property is bounded by Aborn Road on the north

and Fowler Road on the south. The South property is bounded by Fowler Road on the north and Yerba Buena Road on the west (Plates 1 and 2). The street addresses for two residences on the South property are 3352 and 3388 Fowler Road.

The North property consists of Assessor Parcel Number (APN) 659-02-007 (Parcel A) and comprises approximately 87.33 acres. The South property consists of APNs 660-33-001, 002, 006, 011, 012, 013, 014, 020, 025, and 026 that together comprise approximately 87.31 acres. The combined area of the North and South properties is approximately 175 acres. Site plans for the North and South properties are presented on Plates 3 and 4, respectively.

2.2 Site and Vicinity Characteristics

The subject property is situated on the east side of the Santa Clara Valley at the base of the Diablo Range. The site is located in an area known as Yerba Buena between the more densely developed areas of the City of San Jose to the west and north, and more rural and agricultural areas to the east and south. Fowler Creek flows seasonally from east-northeast to west-southwest across the North property.

According to United States Geological Survey (USGS) *San Jose East, California* 7.5-minute series topographic map (photo-revised 1980), the site is situated at elevations varying from approximately 440 to 600 above mean sea level (msl), and the site topography slopes gently downward to the west. Directly to the east, hills rise relatively steeply to elevations of over 2,000 feet above msl within approximately a mile of the site.

The Site consists entirely of unpaved permeable surfaces, with the exception of two residences on the South property. Most precipitation would be anticipated to infiltrate on the Site, and no significant areas of run-off or run-on were noted other than Fowler Creek. The Site may receive runoff from adjacent paved roadways and receives surface runoff from the east via Fowler Creek. However, no significant runoff has been observed by the Client in the last few years. Other than electrical service, the Site is not served by public utilities. Residences on the South property use groundwater wells for water supply and septic/drain fields for wastewater. Public utilities provided to adjacent properties, including water and sewer, are located along the roads adjacent to the Site.

The City Water Department maintains an aboveground water storage tank adjacent to the site at the northwest corner of the intersection of Fowler and Yerba Buena Roads. An underground water line that connects the tank to the City's water distribution system trends approximately north-south across the North property along the unpaved access road that transects the North property from north to south (Plate 3). The City Water Department also maintains an aboveground water storage tank on the hillside directly east of the South property, and an underground water line connecting this tank to the water distribution system trends approximately east-west across the South property along the unpaved access road that transects the South property from east to west (Plate 4).

2.2.1 Regional Geology

The subject property is located in the eastern portion of the Santa Clara Valley, at the base of the Diablo Range, and lies in the Coast Range geomorphic province that consists of a series of northwest trending ridges and valleys that were formed as a result of tectonic uplift. Ridges are typically composed of altered sedimentary and volcanic bedrock and the valleys contain alluvial deposits. The Santa Clara Valley is part of the larger structural basin occupied by San Francisco Bay that formed during the tectonic activities.

2.2.2 Local Geology and Hydrogeology

The property is near the intersection of the Hayward and the Calaveras fault zones. The site lies on alluvial fan deposits spreading from the valley of Fowler Creek and other similar creeks draining form the hillsides to the east. The area of the Site is mapped as the Santa Clara Formation (Pleistocene age), consisting of alluvial deposits of sand and gravel up to 150 feet thick.

Based on information obtained from Santa Clara Valley Water District (SCVWD) personnel, the depth to groundwater in the vicinity of the property is approximately 60 to 70 feet bgs. Based on information obtained from SCVWD and regional topography, the direction of groundwater flow in the vicinity of the property is likely to be westerly to southwesterly.

2.3 Description of Onsite Structures and Improvements

The North property is vacant and consists primarily of fallow pasture. No structures or above ground improvements were observed on the North property, with the exception of a water well, the dirt access road, and overhead power lines (Plate 3). The well appears to be operational, but the usage is unknown. Fowler Creek trends across the North property from east-northeast to west-southwest, and although the creek was dry at the time of the PES' site inspection, the creek bed is evident from the surface topography and trees along the creek bed.

The South property primarily consists of fallow pasture, with the exception of access roads, two houses and five water wells. These features are discussed further in Section 5.1.2 below. Livestock (cattle and a horse) were grazing on the South property at the time of PES' site inspection. In addition to the east-west trending dirt access road for the City water tank, there is a second east-west trending dirt road and two north-south trending dirt roads on the South Property. Overhead power lines are present on the South parcel that serve the residences and water wells.

2.4 Current Uses of Adjoining Properties

PES conducted a reconnaissance of the surrounding area to assess whether neighboring properties pose potential environmental concerns to the subject Site. Adjacent properties are

used predominantly for agricultural and residential purposes. The results of our surrounding area reconnaissance are presented below.

Properties to the North

The Site is bordered on the north by Aborn Road. Residential development exists further north and northwest of the Site. Undeveloped hillside and scattered residences are present to the northeast.

Properties to the South

An approximately 20-acre vacant former orchard/residence property is located directly adjacent to the southwest portion of the South property. An office building and research and development park is located south of this vacant area. At the time of PES' surrounding area reconnaissance, this facility appeared to be vacant and offered for lease/sale. No placarding or evidence of hazardous material storage was observed at this facility. Undeveloped land is located further to the south and southeast, and residential development and Evergreen Valley Community College are located to the southwest.

Properties to the West

The Site is bordered on the west by Yerba Buena Road along the South Property, and vacant property along the North Property. Construction activities were being conducted on the vacant property west of the North Property during PES' surrounding area reconnaissance. Areas beyond to the west are occupied by residential development. A City water tank is located adjacent to the site on the west at the northwest corner of the intersection of Yerba Buena and Fowler Roads.

Properties to the East

The properties to the east consist of primarily undeveloped hillsides with scattered residences. A City water tank is located on the hillside east of the South Property, and a grouping of three or four residences is located directly east of the North property.

2.5 Historical Use of the Property and Adjoining Properties

Historical property use information was obtained from review of topographic maps, historical aerial photographs, parcel maps, previous environmental investigations, and interviews with persons familiar with the Site and vicinity. In summary, the subject Site and immediately surrounding areas have been used primarily for agricultural and rural residential purposes since at least the early 1900s. The Site has been used for orchard and row crop cultivation and residences. Increased development has occurred over time to the west and north with the continued growth of San Jose, and most properties in the area formerly used for agricultural/rural residential have been redeveloped.

2.5.1 Topographic Map Review

PES reviewed the USGS *San Jose East, California* (1953, 1961, and 1961-photorevised 1968, 1973, and 1980) and adjoining *Lick Observatory, California* (1955, and 1955-photorevised 1968) 7.5 minute series topographic maps. The following summarizes the topographic map review:

1953 and 1955 USGS Maps: The Site and general area appear primarily undeveloped with the exception of scattered residences. Aborn and Fowler Roads are shown and an area identified as "Evergreen" is shown west of the Site. Fowler Creek is shown in its current configuration. A grouping of small structures, presumably residences and outbuildings, are shown east of the Site.

1961 USGS Map: The Site and general area appear similar to the 1953 and 1955 maps with no significant changes noted. A map pattern depicts portions of the Site as being occupied by orchards.

1968 USGS Maps: The Site and general area appear similar to the 1961 map with no significant changes noted. However, a few new small structures, presumably residences and outbuilding are present on the South Property. Areas of increased development are evident to the west of the Site in the "Evergreen" area.

1973 USGS Map: No significant changes are evident compared to the 1968 map, other than continued increased development to the west.

1980 USGS Map: No significant changes are evident compared to the 1973 map. Increased development is evident to the west, and the City water tank located at the northwest corner of Fowler and Yerba Buena Roads is shown. The access road that trends north-south across the North Property is also shown.

2.5.2 Historical Aerial Photographs

PES obtained aerial photographs of the subject property from Environmental Data Resources, Inc. (EDR) for the years 1939, 1956, 1965, 1982, and 1993. In addition, PES obtained copies of a 1998 and a circa 2003 aerial photograph from other sources. PES' aerial photograph review is consistent with PES' previous review conducted during the 1998 Phase I ESA of the subject property. A summary of the aerial photograph review is presented below.

1939: The subject property is primarily orchards. The east portion of the North property consists of distinct fields, possibly indicating row crop cultivation or hay/alfalfa fields. Numerous small structures are present at the southeast corner of the North property. Two small structures are apparent on the south property adjacent to orchard fields. Fowler Creek transects the North property in this photograph. The

surrounding area is primarily agricultural land, including row crop fields and orchards. A cylindrical feature is shown west of the South property. The feature is located in the center of pasture land and appears to be a water tank.

1956: The structures at the southeast corner of the North property observed in the 1939 photograph are no longer present. A structure is present at the center of the South property. An apparent reservoir is present at the southeast corner of the South property. No other significant changes were observed to the subject property. The water tank formerly observed in the 1939 photograph west of the subject property is no longer present. No other significant changes were observed to the surrounding area.

1965: Portions of the west and south sections of the subject property are not shown in this photograph. The existing house located at the west section of the South property is present in this photograph. Small structures are present on the north section of the South property. Additional structures are present at the central and west areas of the South property. An area at the northwest section of the South property, which was formerly orchards, appears to be a row crop field in this photograph. No significant changes were observed to the surrounding area.

1982: Sections of the North property are no longer orchards in this photograph. These sections are still in distinct fields and are possibly used for agricultural purposes. The existing house at the north section of the South property is apparent in this photograph. No other significant changes were observed to the subject property in this photograph. The existing City water tank is present off Fowler Road, adjacent to the North property. Indications of development are apparent north of the subject property. No other significant changes were observed in the surrounding area.

1993: The reservoir first observed in the 1956 photograph at the southeast corner of the subject property is no longer apparent. No other significant changes were observed in this photograph. The area west of the subject property is undeveloped, with residential development apparent further west. The existing research and development park south of the subject property is present in this photograph. No other significant changes were observed to the surrounding area.

1998: The quality and resolution of this photograph do not allow for detailed descriptions. No obvious significant changes were observed to the subject property or surrounding areas, other than residential development west of the Site.

circa 2003: This photograph is shown on Plate 2. The subject property appears primarily as observed during PES' June 2004 inspection. The two existing houses are the only structures present on the subject property. No evidence of orchards or row crop cultivation is apparent on the subject property in this photograph. Structures formerly observed at the north section and the center of the South property are no longer present. The existing water tank east of the South property is present in this

photograph. According to City personnel, material derived from the hillside as part of the offsite water tank construction activities were placed on the South property. This material is evident on the east section of the South property in the aerial photograph. No other significant changes were observed to the surrounding area.

2.5.3 Tax Assessor Records

PES reviewed the Santa Clara County Assessor's parcel map for the subject parcels to confirm the property descriptions and locations. Parcel delineations for the South property are presented in Plate 4.

2.5.4 City of San Jose

PES discussed the site and area with Environmental Services Department and Water Department staff at the City. According to the City Water Department personnel, the tank located east of the south property and associated access road were constructed over a period of about 18 months and were completed in November 2002. City Water Department personnel also stated that material derived from the hillside as part of the offsite water tank construction activities were placed on the South property.

3.0 PREVIOUS ENVIRONMENTAL INVESTIGATIONS

Several previous environmental investigations have been conducted for the South property, and a previous Phase I ESA was conducted for the North Property. Reports related to these investigations are:

North Property:

- Phase One Inc. (Phase One), 1999. *Phase I Environmental Site Assessment Report, Subject Site Location: APN# 659-02-07, San Jose California, 96135*. August 30;

South Property:

- MFG, Inc. (MFG), 2000. *Phase I Environmental Site Assessment Report, Proposed Evergreen Industrial Park, 3352, 3384, 3388, and 3390 Fowler Road, San Jose, California, 95123*. May 22;

- PES, 1998. *Phase I Environmental Site Assessment Report, Proposed Evergreen Industrial Park, 3352, 3384, 3388, and 3390 Fowler Road, San Jose, California*. April 20;

- Innovative and Creative Environmental Solutions (ICES), 1997. *Preliminary Site Investigation, Fowler Road Properties, San Jose, California*. August 15; and

- ATEC Associates, Inc. (ATEC), 1994. *Phase I Environmental Site Assessment.* July.

- Earth Systems Environmental, Inc. (ESE), 1989. *Preliminary Site Assessment.* September.

PES was not provided a copy of the ESE and ATEC reports; however associated information was summarized in the 1997 ICES report. According to ICES' report, ESE performed a preliminary site assessment in 1989 on the South property, which included the collection and analyses of two groundwater and eleven soil samples for polychlorinated biphenyls (PCBs) and pesticides. Only low concentrations (below CCR Title 22 Total Threshold Limit Concentrations) of DDE were reportedly detected in three of the soil samples during ESE's investigation. In addition, ATC prepared a Phase I ESA for the South property in 1984. ATEC reportedly did not identify any recognized environmental conditions associated with the Site.

An additional investigation was conducted on the South property by ICES in August 1997. A total of 100 shallow soil samples were collected throughout the property and analyzed for organochlorine pesticides, arsenic, lead, and mercury. Results of the chemical analyses indicated low levels of organochlorine pesticides, including up to 0.890 milligrams per kilogram (mg/kg) of the sum of DDT and metabolites DDE and DDD, and up to 0.820 mg/kg of chlordane. In addition, concentrations of arsenic (up to 22 mg/kg), lead (up to 67 mg/kg), and mercury (up to 0.46 mg/kg) were detected in the soil samples which were either attributed to natural background levels or below Region IX Preliminary Remediation Goals (PRGs).

Phase I ESAs were also prepared for the South property by PES in 1998 and MFG in 2000. According to PES' report, a gasoline UST was formerly located south of the Site at 3390 Fowler Road. The UST was reportedly closed in 1990 with approval of the San Jose Fire Department. The former residence at 3390 Fowler Road is no longer present and this area is now fallow pasture. The 1998 PES report also noted the existence of two empty aboveground storage tanks (ASTs) and two empty 55-gallon drums in the northeast portion of the South Property. No evidence of related impacts were evident. MFG noted that the ASTs were no longer present in 2000. Both PES and MFG concluded that no recognized environmental conditions were identified on the South property other than the past application of agricultural chemicals. Both concluded that based on the sampling and analysis performed by ICES in 1997, the residual levels of pesticides and metals were below applicable risk-based levels.

A Phase I ESA was conducted for the North property by Phase One in 1999. Phase One noted a few areas of surface debris on the North property, but did not observe any evidence of potential related impacts. Phase One concluded that the North property did not appear to pose a risk related to environmental concerns, and no further investigations were recommended. However, they did recommend that sampling and analysis for agricultural chemicals should be conducted if the property was ever to be developed for residential use.

4.0 ENVIRONMENTAL RECORDS REVIEW

4.1 Environmental Liens

Based on review of an environmental database search conducted by EDR, no Federal Superfund (National Priority List) liens or State deed restrictions are associated with the subject property. The EDR report dated June 9, 2004 is included as Appendix A.

4.2 Standard Environmental Record Sources Review

The discussion presented in this section is based on available information provided by government agencies and various databases. The EDR report contains listings of sites located within a 1-mile radius, which were selected in accordance with ASTM E-1527-00 standards. This information is obtained from computerized databases of Federal, State and local records. Descriptions of the lists reviewed are presented below.

The following ASTM-standard and ASTM-supplemental regulatory agency databases were searched and reported in the EDR report:

- U.S. Environmental Protection Agency (EPA) - Comprehensive Environmental Response Compensation, and Liability Information System (CERCLIS) - within ½ mile of the subject property;
- U.S. EPA - CERCLA National Priority List (NPL) - within 1 mile of the subject property;
- California Department of Toxic Substances Control (DTSC) - Hazardous Waste Sites (CAL-SITES) - within 1 mile of the subject property;
- California State Water Resources Control Board (SWRCB) - Leaking Underground Storage Tank (LUST) Incident Reports - within ½ mile of the subject property;
- California EPA/Office of Emergency Protection - Hazardous Waste and Substance Site List (CORTESE List) - within 1 mile of the subject property;
- U.S. EPA - Resource Conservation and Recovery Information System (RCRIS), Treatment, Storage, or Disposal (TSD) facilities (within ½ mile of the subject property) and Small Quantity and Large Quantity Generators of hazardous waste (SQG and LQG) databases within ¼ mile of the subject property;
- California Regional Water Quality Control Board (RWQCB)- Spills, Leaks, Investigation and Cleanups (SLIC) database - within ½ mile of the subject property;

- SWRCB – Hazardous Substance Storage Container Database (USTs) and California EPA Facility Inventory Database (FID) – within ¼ mile of the subject property;
- U.S. EPA – Emergency Response Notification System (ERNS) – the subject property;
- California Integrated Waste Management Board – Solid Waste Information System (SWIS) – within ½ mile of the subject property;
- California EPA Hazardous Waste Information System (HAZNET) – within ¼ mile of the subject property;
- U.S. EPA RCRA Corrective Action Report (CORRACTS) – within 1 mile of the subject property;
- California Hazardous Material Incident Report System (CHMIRS) - within 1 mile of the subject property;
- California State Water Resources Control Board Above Ground Storage Tank Facilities (AST) – subject property only;
- California State Water Resources Control Board Hazardous Substance Storage Container Database (HIST UST) – within ¼ mile of the subject property;
- "Cortese" Hazardous Waste & Substances Site List (CORTESE) - within 1 mile of the subject property;
- U.S. EPA Facility Index System (FINDS) – the subject property;
- U.S. EPA Toxic Chemical Release Inventory System (TRIS) – the subject property; and
- California Facility Inventory Database for Underground Storage Tanks (CA FID UST) within ¼ mile of the subject property.

4.2.1 Subject Property Records

The Site is not listed on regulatory agency databases. No records for the Site addresses were present in the San Jose Fire Prevention and San Jose Building Department databases.

4.2.2 Surrounding Property Records

No surrounding properties are listed on the regulatory agency databases within the standard ASTM search-radii.

5.0 SITE INSPECTION AND SURROUNDING AREA RECONNAISSANCE

PES conducted a Site inspection and surrounding area reconnaissance on June 9, 10, and 11, 2004. PES performed the Site inspection and area reconnaissance unaccompanied. The results of the inspection and reconnaissance are discussed in the following sections.

5.1 Subject Property

5.1.1 North Property

The North property primarily consists of fallow pasture. No permanent structures or improvements are present on the North property, with the exception of the dirt access roads, overhead power lines, and a water well. An unpaved road also is present leading from the north-south access road to the group to the residences east of the North property (Plate 3). The well was located at the northwest corner of the intersection of Fowler and Yerba Buena Roads in the vicinity of the offsite city water tank (Plate 5, Photo 1).

An area of debris was present in the central portion of the North property on the east side of the access road, where Fowler Creek crosses the road (Plate 5, Photo 2). This debris covers an area of approximately 16,000 square feet and consists of various solid waste including miscellaneous car parts, household waste, concrete, metal, and wood. A second smaller debris pile (covering approximately 450 square feet) was located on the east side of the access road to the north of the larger debris pile. The smaller debris pile was comprised of metal and wood debris, and tires (Plate 6, Photo 1). An area of approximately 12,000 square feet was present in the southwest corner of the North property that is occupied by soil mounds with minor amounts of wood and concrete debris (Plate 6, Photo 2). According to the Phase I ESA report prepared by Phase One (1999), these soil mounds were generated from installation of power poles on the North property. In addition, two piles of soil (one approximately 15 feet by 15 feet by 3 feet high and one about 30 feet by 30 feet by 6 feet high) were observed in the northwest portion of the North property which contained wood, metal, and concrete debris (Plate 7, Photo 1). No surface staining or indications of environmental impacts related to the debris piles/areas on the North property were observed.

5.1.2 South Property

The South property is occupied by fallow pasture and two residences (3352 and 3388 Fowler Road). PES did not access the residences or immediately adjacent areas during the Site inspection. Two debris areas and an area of fill and grading were observed on the South property. A debris pile was present in the central portion of the South property (APN 660-33-014) (Plate 7, Photo 2). This pile covered an area of approximately 30 feet by 45 feet by 5 feet high and was comprised of wood, metal, and concrete. The location of this debris pile corresponds to locations of two former storage buildings and it is possible that this debris was generated from demolition of these former structures. The second debris pile was present south of the livestock corral area in the northeast portion of the South property (APN

660-33-012). This second pile covered an area of approximately 1,200 square feet and was comprised of wood and metal debris, and tires (Plate 8, Photo 1).

An area of apparently recent fill and grading (Plate 8, Photo 2) was observed in the south portion of the South property (APN 660-33-013 and -025). According to City personnel, this fill material was derived from the hillside to the east as part of the construction of the City water tank and access road. Based on this origin, there are no environmental concerns identified with this fill material. No surface staining or indications of environmental impacts related to the debris piles/areas on the South property were noted.

There are two occupied residences present on the South property, one on APN 660-33-001 (3352 Fowler Road) and one on APN 660-33-011 (3388 Fowler Road). Each of these residences has a domestic water well that are assumed to be operational (Plate 4). In addition to these two wells, three other wells are present on the South Property as follows: (1) an apparent operational water well used for watering livestock located in the northeast portion of the South property (APN 660-33-012); (2) a non-operational well at the northwest portion of the South property (APN 660-33-002); and (3) a non-operational well at the central portion of the South property (APN 660-33-014). A corral area for managing livestock is present in the northeast portion of the South property (APN 660-33-012).

PES also inspected a potential future public trail easement along the eastern border of the South properties. This area was undeveloped and covered in dry grass. No environmental concerns were identified in this area.

5.2 Surrounding Areas

No indications of hazardous materials handling or other activities that could result in potential environmental impacts to the subject properties were observed on other properties in the surrounding area.

5.3 Indications of Polychlorinated Biphenyls (PCBs)

Pole-mounted electrical transformers were observed on the North and South property during the Site inspection. The transformers are owned and maintained by Pacific Gas & Electric (PG&E). Based on the date of construction of the residences onsite, PCBs may be present in the service transformers. PES recommends that PG&E be contacted prior to initiating Site demolition and grading activities for proper removal and disposal of the pole-mounted transformers.

5.4 Asbestos Containing Materials

Use of asbestos-containing building materials (ACBM) was federally banned in 1981. Based on the date of construction of the residences (1960s to 1970s), there is a potential for ACBM to be present. Assessment for the presence of ACBM was not included in PES' scope of work

and inspections of the interior of the buildings were not performed. Berg may wish to perform an assessment for the presence of ACBM prior to initiating any demolition activities.

5.5 Radon

The California Department of Health Services participated in the U.S. EPA's State Radon Survey which was conducted in 1990 to assess indoor radon levels in single-family homes. As part of the survey, 242 homes in an area of northern California (including Santa Clara County) were sampled for the presence of radon. The median value for radon levels was reported to be 0.6 pico curies per liter (pCi/l) of air. This is significantly lower than the U.S. EPA's recommended action level of 4.0 pCi/l.

The State's survey indicates it is unlikely that radon levels in residences (or other above ground structures) in Santa Clara County are above the State action level, and therefore, no radon testing was deemed necessary for this project.

5.6 Lead in Paint

The consumer Products Safety Commission limited lead content in residential paint to 0.06 percent (600 parts per million) in 1978. The use of paint containing greater than 0.06 percent lead was also prohibited in areas where consumers have direct access to painted surface. There are currently two residential structures on the South property. Based on the date of construction of these buildings (1960s to 1970s), lead-based paint (LBP) may be present in these structures. Inspections of the interiors of the buildings were not conducted by PES. Assessment for the presence of LBP is recommended prior to initiating any demolition activities which would disturb these materials.

5.7 Other Conditions

No other environmental issues on the subject property were observed during the site reconnaissance or document review.

6.0 PHASE II SITE INVESTIGATION

Based on the historical use of the property for agricultural purposes and the proposed residential development, a shallow soil sampling and analysis program was implemented consistent with that recommended by the City of San Jose and the previous testing conducted by ICES on the South property. The potential environmental concerns typical for agricultural lands in this area include the presence of organochlorine pesticide residues in soil. In addition, residual levels of arsenic, lead, and mercury related to historical agricultural land use are a potential concern.

As no previous testing for potential residual levels of organochlorine pesticides and metals had been conducted on the North property, PES collected shallow soil samples at 0.5 to 1 foot bgs on the North property at a frequency of one per acre. Based on the 87.34-acre area of the North property, PES collected a total of 87 samples for analysis of organochlorine pesticides, and arsenic, lead, and mercury.

Prior testing conducted for the South parcel (ICES, 1997) identified the presence of DDT, its breakdown products DDD and DDE and chlordane at concentrations below applicable health based criteria for an industrial land-use scenario. At four locations in the north eastern part of the South property (samples S-71, S-72, S-73, S-74) chlordane concentrations at 0.5 to 1 foot bgs exceeded residential Environmental Screening Levels (ESLs) established by the Regional Water Quality Control Board, San Francisco Bay Region (RWQCB). No deeper (2 feet bgs) samples were collected at these four areas, because a residential-development scenario was not being proposed at that time. The metals arsenic, lead, and mercury were also detected, but at concentrations attributed to natural background levels. In addition, an approximately 4-acre parcel (APN 660-33-20) within the South property was not previously sampled. Based on the absence of deeper sampling at the four locations with elevated chlordane concentrations (S-71, S-72, S-73, S-74), and the four-acre parcel portion of the South property not previously sampled, PES collected soil samples from these areas for testing to supplement the ICES data and implement a sample frequency consistent with the proposed residential development. PES collected deeper samples at the approximate locations where ICES collected samples S-71 through S-74 for analysis of organochlorine pesticides, and collected four shallow (0.5 to 1 foot bgs) samples (one per acre) from the approximately 4-acre parcel (APN 660-33-20) for analysis of organochlorine pesticides, and arsenic, lead, and mercury.

6.1 Shallow Soil Sampling and Analysis

PES conducted shallow soil sampling on the subject property on June 9, 10, and 11, 2004. PES prepared and implemented a site-specific Health and Safety Plan complying with applicable federal and California Occupational Safety and Health Administration (OSHA) guidelines. Prior to sampling, surficial vegetation was cleared using a pre-cleaned hand trowel. Soil representative of desired depth interval was collected using a pre-cleaned hand trowel or hand auger and then transferred into a laboratory-supplied glass container. All sampling equipment was cleaned using a non-phosphate detergent solution and deionized water rinse prior to each use.

All samples were labeled, placed on ice in a thermally-insulated cooler, and delivered via courier to Severn Trent Laboratories, Inc. (STL) in Pleasanton, California under chain-of-custody protocol. A portion of each discrete sample was archived at the laboratory pending analysis results. These sampling and analysis efforts are discussed below and the sample locations are shown on Plates 3 and 4.

6.1.1 North Property

For the North property, PES established a one-acre grid across the property and collected a soil sample at 0.5 to 1 foot bgs at the approximate center of each one-acre grid location (87 total). The samples were designated 061004-01 through 061104-87 (date and grid number) and analyzed for organochlorine pesticides using U.S. EPA Test Method 8081A, arsenic and lead using U.S. EPA Test Method 6010B, and mercury using U.S. EPA Test Method 7471A. The sample grid and collection locations for the North property are shown on Plate 3.

6.1.2 South Property

For the South property, PES collected samples at a depth of 2 feet bgs at the approximate location of S-71, S-72, S-73, and S-74 (from ICES, 1997 map locations). These four samples, designated S-71-2 through S-74-2, were analyzed for organochlorine pesticides using U.S. EPA Test Method 8081A. PES also collected four samples at 0.5 to 1 foot bgs from the approximately 4-acre parcel (APN# 660-33-20) on the South property. These four samples, designated SP-01 through SP-04, were analyzed for organochlorine pesticides using U.S. EPA Test Method 8081A, arsenic and lead using U.S. EPA Test Method 6010B, and mercury using U.S. EPA Test Method 7471A. The sample collection locations for the South property are shown on Plate 4.

6.2 Shallow Soil Sampling Results and Discussion

This section presents a summary and discussion of the analytical results for the soil samples.

6.2.1 North Property

Laboratory analytical results for the organochlorine pesticide analyses of the samples from the North property are presented in Table 1, and the analytical results for the arsenic, lead, and mercury analyses of the samples from the North property are presented in Table 2. The laboratory reports are included in Appendix B.

The following five organochlorine pesticides were detected in the soil samples from the North property:

- endrin;
- 4,4'-DDD;
- 4,4'-DDE;
- 4,4'-DDT; and
- chlordane.

Endrin was reported at concentrations ranging from 2 to 27 micrograms per liter (µg/kg) in soil samples from four grid locations (44, 54, 62 and 27). 4,4'-DDD was reported in soil samples from grid locations 32, 44 and 54 at concentrations of 28, 10 and 31 µg/kg, respectively. 4,4'-DDT was detected in soil samples from 48 of the 87 grid locations at concentrations ranging from 2 to 300 µg/kg, and 4,4'-DDE was detected in soil samples from 80 of the 87 grid locations at reported concentrations ranging from 2.5 to 610 µg/kg. Chlordane (total of alpha- and gamma-) was reported at a concentration of 53 µg/kg in the soil sample from grid location 54 (Table 1).

Arsenic, lead, and mercury were detected in all of the samples collected from the North property. Arsenic was reported at concentrations ranging from 2.8 to 9.9 milligrams per kilogram (mg/kg), lead was reported at concentrations ranging from 4.6 to 28 mg/kg, and mercury was reported at concentrations ranging from 0.077 to 8.3 mg/kg (Table 2). Excluding the reported mercury concentrations of 2.6, 8.3, and 3.6 mg/kg for the samples from three grid locations (12, 34, and 45, respectively), the reported mercury concentrations ranged from 0.077 to 1.3 mg/kg.

6.2.2 South Property

Laboratory analytical results for the organochlorine pesticide analyses of the samples from the South property are presented in Table 3, and the analytical results for the arsenic, lead, and mercury analyses of the samples from the South property are presented in Table 4. The laboratory reports are included in Appendix B.

The following four organochlorine pesticides were detected in the soil samples from the South property:

- 4,4'-DDD;
- 4,4'-DDE;
- 4,4'-DDT; and
- chlordane.

4,4'-DDE was detected in samples S-71-2, S-72-2, S-73-2, and S-74-2 at reported concentrations ranging from 8.9 to 100 µg/kg. 4,4'-DDT and chlordane (total of alpha- and gamma-) were reported at concentrations of 5.8 and 4.5 µg/kg, respectively for sample S-71-2. No organochlorine pesticides were detected in sample SP-01. 4,4'-DDE was detected in samples SP-02, SP-03 and SP-04 at reported concentrations ranging from 2.5 to 20 µg/kg, and 4,4'-DDD was reported at a concentration of 6 µg/kg for sample SP-04 (Table 3).

Arsenic, lead, and mercury were detected in samples SP-01, SP-02, SP-03 and SP-04 collected from the South property. Arsenic was reported at concentrations ranging from 6.3 to

10 mg/kg, lead was reported at concentrations ranging from 4.7 to 9.9 mg/kg, and mercury was reported at concentrations ranging from 0.11 to 0.32 mg/kg (Table 4).

6.2.3 Discussion

The reported concentrations of the detected pesticide compounds, and arsenic, lead, and mercury were compared to the residential ESLs established by the RWQCB. The ESLs are presented in "Tier 1 Lookup Tables" that are included in the RWQCB's document, *Screening for Environmental Concerns At Sites With Contaminated Soil and Groundwater, Interim Final – July 2003 (updated 2/4/04)*. The document includes different Lookup Tables and ESLs for soils based on whether or not the soils are shallow or deep, and whether or not groundwater is a current or potential source of drinking water. The ESLs are considered to be conservative and are not "cleanup standards". The presence of a contaminant at levels above an ESL does not necessarily indicate potential adverse impacts to human health or the environment. This only means that a potential for adverse effects may exist and that additional evaluation of the data and site-specific conditions is needed. However, in most cases, the presence of a contaminant in soil at a concentration below the ESL can be assumed to not pose a significant threat to human health and the environment. Therefore, preliminary comparison of contaminant concentrations provides a screening tool for decision making related to the need for additional investigations, or more detailed evaluation of data and site conditions. ESLs for contaminants that are more readily degraded in the environment may be particularly overly conservative (RWQCB, 2004).

The most conservative ESLs are for sites with contamination in shallow soils (less than or equal to 3 meters bgs), and where groundwater is a current or potential source of drinking water (Lookup Table A, RWQCB, 2004). As an initial screening, the reported concentrations for the detected pesticides, and arsenic, lead, and mercury were compared to the ESLs in Lookup Table A. The Table A ESLs are included in Tables 1 through 4 of this report for comparison purposes.

The reported concentrations of the detected pesticide compounds, and arsenic, lead, and mercury were also compared to the U.S EPA Region IX PRGs for residential properties. The residential PRGs are also included in Table 1 through 4.

The U.S. EPA PRGs are intended to address human health risks related to direct exposure with impacted soils and do not consider potential impact to groundwater and ecological concerns (USEPA, 2002). The RWQCB ESLs expand upon the PRGs and do address potential groundwater and ecological impacts related to impacted soils. RWCQB also uses a more rigorous leaching model to develop screening levels for protection of groundwater. Therefore, the ESLs are generally more stringent than the PRGs, however, depending on site-specific conditions (e.g., low potential for groundwater and ecological impacts related to soil contamination), the PRGs may be more appropriate for screening purposes.

None of the reported concentrations of the detected pesticide compounds in soil samples from the South property exceeded the Table A ESLs or residential PRGs. Chlordane was reported at a concentration of 4.5 μg/kg for the samples collected at 2 feet bgs at location S-71, and Chlordane was not detected in the samples collected at 2 feet bgs at locations S-72, S-73, and S-74 with a method reporting limit (MRL) of 2 and 20 μg/kg. The Chlordane concentrations detected in the shallow (0.5 to 1 foot bgs) samples previously collected by ICES in 1997 at locations S-71 through S-74 ranged from 510 to 820 μg/kg. These data indicate a significant decrease in Chlordane concentrations from the 0.5- to 1-foot depth interval to the 2-foot depth interval, and that Chlordane concentrations are below the corresponding Table A ESL of 440 μg/kg at 2 feet bgs. The residential PRG for chlordane is 1,600 μg/kg.

For the North property, the reported concentrations of endrin for soil samples from grid locations 44, 54, 62 and 27 (2 to 27 μg/kg) exceed the corresponding residential ESL which is 0.65μg/kg. It should be noted that the method reporting limit (MRL) for endrin ranges from 2.0 to 20 μg/kg and that the MRL is greater than the residential ESL. The residential PRG for Endrin is 18,000 μg/kg.

The reported concentrations of arsenic (2.8 to 10 mg/kg) are generally comparable to natural background levels of arsenic found in soils in northern Santa Clara County that range from approximately 0.2 to 5.5 mg/kg (Scott, 1991). The arsenic concentrations are also comparable to background arsenic concentrations reported for the Lawrence Berkeley National Lab (LBNL), located northeast of the site, that range from 9.3 to 31 mg/kg (LBNL, 1995). The residential ESL for arsenic is 5.5 mg/kg, and the residential PRG for arsenic is 22 mg/kg (non-cancer endpoint) or 0.39 mg/kg (cancer endpoint).

The reported concentrations of lead (4.6 to 28 mg/kg) are generally comparable to the natural background levels of lead found in soils in northern Santa Clara County that range from approximately 6.8 to 16.1 mg/kg (Scott, 1991). The lead concentrations are also comparable to LBNL background values of 8.9 to 21.5 mg/kg (LBNL, 1995). The residential ESL for lead is 200 mg/kg and the residential PRG for lead is 400 mg/kg.

The reported concentrations of mercury ranged from 0.077 to 8.3 mg/kg. Excluding the reported mercury concentrations of 2.6, 8.3, and 3.6 mg/kg for the samples from three grid locations on the North property (12, 34, and 45, respectively), the reported mercury concentrations ranged from 0.077 to 1.3 mg/kg. Natural background levels of mercury found in soils in the San Francisco Bay region range from approximately 0.10 to 0.25 mg/kg (Bradford et al, 1996). Background reported for the LBNL site ranges from 0.3 to 0.6 mg/kg. The residential ESL for mercury is 2.5 mg/kg and the residential PRG for mercury is 23 mg/kg.

The depth to groundwater in the vicinity of the site is 60 to 70 feet bgs, and under a residential development scenario it is assumed public water supply will be provided for the properties. Therefore, potential impacts to groundwater from shallow soil impacts are not probable based on the depth to groundwater, and potential human health risks associated with groundwater use

will not exist. Also, under a residential development scenario, it is assumed no significant ecological conditions will exist that could be impacted. Based on these factors, comparison of the detected concentrations of pesticides and metals at the site to the residential PRGs is appropriate.

Arsenic was detected at concentrations above the cancer endpoint PRG of 0.39 and below the non-cancer endpoint of 22 mg/kg. However, the detected concentrations are within the range of natural background levels for the San Francisco Bay area.

The detected concentrations of organochlorine pesticides, and lead and mercury are all below the residential PRGs. Mercury was detected above the ESL in isolated areas (3 of 87 samples) of the North property, and endrin was detected above the ESL in isolated areas (4 of 87 samples) of the North property. Chlordane was detected above the ESL in 4 of 100 samples on the South property (ICES, 1997). Based on the site conditions and comparison to the corresponding PRGs, these isolated areas (e.g., outliers) where mercury, endrin and chlordane were detected above the ESLs are not considered to pose a significant threat to human or ecological receptors, and no further related investigations are warranted.

Based on the results of this investigation and the previous investigation conducted for the South property by ICES, it is unlikely that the levels of organochlorine pesticide compounds and arsenic, lead, and mercury in shallow soil on the North and South properties pose a human health risk. Site conditions (depth to groundwater) and the relatively isolated areas of shallow soil with contaminant concentrations above ESLs (chlordane, endrin, and mercury) make the potential for related impacts to groundwater or ecological conditions unlikely.

7.0 CONCLUSIONS AND RECOMMENDATIONS

The subject Site and surrounding properties have historically been used for agricultural and rural residential purposes. The Site has been used primarily for agricultural purposes, including orchards and row crop cultivation, since the early 1900s.

The Site is currently used primarily as fallow pasture, with the exception of two residences located on the South property. Approximately six water wells (four operational; two non-operational) are present on the Site. Soil mounds and solid waste debris (i.e., tires, wood, etc.) were observed on the Site during PES' site inspection. However, no staining or evidence of hazardous substances or hazardous waste handling, storage, or disposal activities was observed in the debris or on other areas of the Site. No evidence of recognized environmental conditions were observed by PES during the Site inspection. The Site and surrounding properties are not listed on regulatory agency databases. No environmental conditions were identified on the Site or adjoining properties, with the exception of the historical application of agricultural chemicals.

Based on the historical use of the property, a shallow soil sampling and analysis program was implemented consistent with that recommended by the City of San Jose and the previous testing conducted by ICES on the South property. Organochlorine pesticides, and arsenic, lead, and mercury were detected in shallow soils at the Site. However, based on comparison of the reported concentrations to potentially applicable risk-based screening levels in conjunction with the Site conditions, the levels of pesticides and metals are not considered to pose a significant threat to human or ecological receptors. No further investigations are recommended.

Consistent with housekeeping measures, PES recommends the following:

- Solid waste debris piles be properly disposed prior to redevelopment activities;
- Onsite water wells should be properly destroyed at the time of development according to local, state, and federal regulations;
- PG&E should be contacted to determine the proper disposal method for the onsite transformers prior to redevelopment activities;
- Lead and asbestos surveys of the remaining structures (e.g., residences) should be conducted prior to activities which may disturb these materials to establish appropriate abatement measures; and
- Septic tanks and leach fields, presumably associated with the two residences, should be properly abandoned according to local regulation.

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TABLES

Table 1
Summary of Laboratory Analytical Results
Organochlorine Pesticides in Soil Samples
North Property (APN 659-02-007)
San Jose, California

Sample Identification	Sample Location (Grid Number)	Endrin (µg/kg)	4,4',-DDT (µg/kg)	4,4',-DDE (µg/kg)	4,4',-DDD (µg/kg)	Chlordane (sum of alpha- and gamma-) (µg/kg)
061004-01	01	ND(2.0)	ND(2.0)	ND(2.0)	ND(2.0)	ND(2.0)
061004-02	02	ND(2.0)	ND(2.0)	ND(2.0)	ND(2.0)	ND(2.0)
061004-03	03	ND(2.0)	ND(2.0)	**2.5**	ND(2.0)	ND(2.0)
061004-04	04	ND(10)	**43**	**220**	ND(10)	ND(10)
061004-05	05	ND(10)	**56**	**280**	ND(10)	ND(10)
061004-06	06	ND(10)	**45**	**240**	ND(10)	ND(10)
061004-07	07	ND(2.0)	**6.9**	**29**	ND(2.0)	ND(2.0)
061004-08	08	ND(2.0)	**2.0**	**45**	ND(2.0)	ND(2.0)
061004-09	09	ND(2.0)	**2.3**	**27**	ND(2.0)	ND(2.0)
061004-10	10	ND(2.0)	ND(2.0)	**20**	ND(2.0)	ND(2.0)
061004-11	11	ND(2.0)	ND(2.0)	**44**	ND(2.0)	ND(2.0)
061004-12	12	ND(2.0)	**7.1**	**30**	ND(2.0)	ND(2.0)
061004-13	13	ND(50)	ND(50)	**590**	ND(50)	ND(50)
061004-14	14	ND(2.0)	**6.9**	**37**	ND(2.0)	ND(2.0)
061004-15	15	ND(2.0)	ND(2.0)	**13**	ND(2.0)	ND(2.0)
061004-16	16	ND(20)	**44**	**340**	ND(20)	ND(20)
061004-17	17	ND(10)	**57**	**320**	ND(10)	ND(10)
061004-18	18	ND(10)	**56**	**270**	ND(10)	ND(10)
061004-19	19	ND(10)	**29**	**230**	ND(10)	ND(10)
061004-20	20	ND(4.0)	**28**	**75**	ND(4.0)	ND(4.0)
061004-21	21	ND(2.0)	ND(2.0)	**9.0**	ND(2.0)	ND(2.0)
061004-22	22	ND(10)	ND(10)	**110**	ND(10)	ND(10)
061004-23	23	ND(2.0)	ND(2.0)	**3.8**	ND(2.0)	ND(2.0)
061004-24	24	ND(2.0)	ND(2.0)	ND(2.0)	ND(2.0)	ND(2.0)
061104-25	25	ND(20)	**86**	**580**	ND(20)	ND(20)
061104-26	26	ND(20)	**57**	**300**	ND(20)	ND(20)
061104-27	27	ND(20)	**65**	**550**	ND(20)	ND(20)
061104-28	28	ND(20)	ND(20)	**55**	ND(20)	ND(20)
061104-29	29	ND(20)	**48**	**410**	ND(20)	ND(20)
061104-30	30	ND(20)	**53**	**320**	ND(20)	ND(20)
061004-31	31	ND(20)	ND(20)	ND(20)	ND(20)	ND(20)
061004-32	32	ND(20)	**270**	**20**	**28**	ND(20)
061004-33	33	ND(2.0)	**2.4**	**36**	ND(2.0)	ND(2.0)
061004-34	34	ND(2.0)	ND(2.0)	**8.5**	ND(2.0)	ND(2.0)
061004-35	35	ND(2.0)	ND(2.0)	**14**	ND(2.0)	ND(2.0)
061104-36	36	ND(20)	**85**	**610**	ND(20)	ND(20)
061104-37	37	ND(2.0)	**8.2**	**28**	ND(2.0)	ND(2.0)

Table 1
Summary of Laboratory Analytical Results
Organochlorine Pesticides in Soil Samples
North Property (APN 659-02-007)
San Jose, California

Sample Identification	Sample Location (Grid Number)	Endrin (µg/kg)	4,4',-DDT (µg/kg)	4,4',-DDE (µg/kg)	4,4',-DDD (µg/kg)	Chlordane (sum of alpha- and gamma-) (µg/kg)
061104-38	38	ND(20)	**30**	**220**	ND(20)	ND(20)
061104-39	39	ND(20)	ND(20)	**120**	ND(20)	ND(20)
061104-40	40	ND(20)	ND(20)	**94**	ND(20)	ND(20)
061104-41	41	ND(20)	ND(20)	**120**	ND(20)	ND(20)
061004-42	42	ND(20)	**83**	**600**	ND(20)	ND(20)
061004-43	43	ND(20)	ND(20)	**120**	ND(20)	ND(20)
061004-44	44	**2.0**	**27**	**21**	**10**	ND(2.0)
061004-45	45	ND(2.0)	ND(2.0)	ND(2.0)	ND(2.0)	ND(2.0)
061004-46	46	ND(2.0)	ND(2.0)	ND(2.0)	ND(2.0)	ND(2.0)
061104-47	47	ND(20)	**110**	**410**	ND(20)	ND(20)
061104-48	48	ND(20)	**67**	**400**	ND(20)	ND(20)
061104-49	49	ND(20)	**48**	**280**	ND(20)	ND(20)
061104-50	50	ND(20)	**28**	**150**	ND(20)	ND(20)
061104-51	51	ND(20)	**23**	**140**	ND(20)	ND(20)
061104-52	52	ND(20)	**44**	**380**	ND(20)	ND(20)
061104-53	53	ND(20)	**40**	**240**	ND(20)	ND(20)
061104-54	54	**21**	**300**	**470**	**31**	**53**
061104-55	55	ND(20)	ND(20)	**84**	ND(20)	ND(20)
061104-56	56	ND(2.0)	**6.4**	**20**	ND(2.0)	ND(2.0)
061104-57	57	ND(2.0)	ND(2.0)	ND(2.0)	ND(2.0)	ND(2.0)
061104-58	58	ND(20)	ND(20)	**130**	ND(20)	ND(20)
061104-59	59	ND(20)	ND(20)	**91**	ND(20)	ND(20)
061104-60	60	ND(20)	**31**	**160**	ND(20)	ND(20)
061104-61	61	ND(20)	**58**	**290**	ND(20)	ND(20)
061104-62	62	**22**	**110**	**560**	ND(20)	ND(20)
061104-63	63	ND(20)	**27**	**140**	ND(20)	ND(20)
061104-64	64	ND(2.0)	**3.6**	**21**	ND(2.0)	ND(2.0)
061104-65	65	**27**	**260**	**400**	ND(20)	ND(20)
061104-66	66	ND(20)	ND(20)	**190**	ND(20)	ND(20)
061104-67	67	ND(20)	ND(20)	**44**	ND(20)	ND(20)
061104-68	68	ND(20)	ND(20)	**46**	ND(20)	ND(20)
061104-69	69	ND(20)	ND(20)	**64**	ND(20)	ND(20)
061104-70	70	ND(20)	**37**	**220**	ND(20)	ND(20)
061104-71	71	ND(20)	**31**	**220**	ND(20)	ND(20)
061104-72	72	ND(20)	**36**	**290**	ND(20)	ND(20)
061104-73	73	ND(20)	**22**	**210**	ND(20)	ND(20)
061104-74	74	ND(2.0)	ND(2.0)	**16**	ND(2.0)	ND(2.0)

Table 1
Summary of Laboratory Analytical Results
Organochlorine Pesticides in Soil Samples
North Property (APN 659-02-007)
San Jose, California

Sample Identification	Sample Location (Grid Number)	Endrin (µg/kg)	4,4',-DDT (µg/kg)	4,4',-DDE (µg/kg)	4,4',-DDD (µg/kg)	Chlordane (sum of alpha- and gamma-) (µg/kg)
061104-75	75	ND(20)	ND(20)	**87**	ND(20)	ND(20)
061104-76	76	ND(20)	ND(20)	**63**	ND(20)	ND(20)
061104-77	77	ND(20)	ND(20)	**54**	ND(20)	ND(20)
061104-78	78	ND(20)	ND(20)	**94**	ND(20)	ND(20)
061104-79	79	ND(20)	ND(20)	**67**	ND(20)	ND(20)
061104-80	80	ND(2.0)	**4.5**	**44**	ND(2.0)	ND(2.0)
061104-81	81	ND(20)	**52**	**320**	ND(20)	ND(20)
061104-82	82	ND(20)	**38**	**150**	ND(20)	ND(20)
061104-83	83	ND(20)	**51**	**240**	ND(20)	ND(20)
061104-84	84	ND(20)	ND(20)	**64**	ND(20)	ND(20)
061104-85	85	ND(20)	ND(20)	**30**	ND(20)	ND(20)
061104-86	86	ND(20)	ND(20)	**86**	ND(20)	ND(20)
061104-87	87	ND(20)	ND(20)	**47**	ND(20)	ND(20)
ESLs		**0.65**	**1,700**	**1,700**	**2,400**	**440**
PRGs		**18,000**	**1,700**	**1,700**	**2,400**	**1,600**

Notes:

Samples collected on June 10 and 11, 2004
Chemical Analysis by U.S. EPA Test Method 8081A
µg/kg - micrograms per kilogram
ND(2.0) - Not detected at or above indicated laboratory reporting limit
ESLs - Environmental Screening Levels, Regional Water Quality Control Board San Francisco Bay Region (RWQCBSF, 2003)
PRGs - Preliminary Remediation Goals, U.S. Environmental Protection Agency, Region IX (USEPA, 2002)

Table 2
Summary of Laboratory Analytical Results
Arsenic, Lead, and Mercury in Soil Samples
North Property (APN 659-02-007)
San Jose, California

Sample Identification	Sample Location (Grid Number)	Arsenic (mg/kg)	Lead (mg/kg)	Mercury (mg/kg)
061004-01	01	6.9	8.0	0.110
061004-02	02	7.0	8.5	0.099
061004-03	03	7.5	9.6	0.18
061004-04	04	8.7	17.0	0.22
061004-05	05	8.8	16.0	0.20
061004-06	06	8.6	16.0	0.27
061004-07	07	6.6	6.8	0.22
061004-08	08	6.0	7.9	0.16
061004-09	09	6.7	8.8	0.15
061004-10	10	6.6	7.4	0.077
061004-11	11	6.3	9.6	0.10
061004-12	12	5.8	9.9	2.60
061004-13	13	8.7	19.0	0.21
061004-14	14	7.1	7.0	0.19
061004-15	15	7.7	10.0	0.16
061004-16	16	8.9	17.0	0.24
061004-17	17	9.3	18.0	0.37
061004-18	18	9.2	18.0	0.21
061004-19	19	8.9	15.0	0.65
061004-20	20	7.7	11.0	0.47
061004-21	21	7.5	6.4	0.44
061004-22	22	7.9	8.3	0.35
061004-23	23	7.7	7.2	0.29
061004-24	24	4.5	7.0	0.26
061104-25	25	7.6	12.0	0.15
061104-26	26	7.8	12.0	0.13
061104-27	27	7.2	13.0	0.15
061104-28	28	6.9	17.0	0.30
061104-29	29	9.2	12.0	0.22
061104-30	30	9.2	13.0	0.22
061004-31	31	7.3	8.4	0.14
061004-32	32	7.5	12.0	0.43
061004-33	33	7.9	8.2	0.91
061004-34	34	8.2	7.0	8.30
061004-35	35	6.8	8.0	1.10
061104-36	36	6.1	11.0	0.14
061104-37	37	5.6	4.6	0.10
061104-38	38	8.1	12.0	0.15

Table 2
Summary of Laboratory Analytical Results
Arsenic, Lead, and Mercury in Soil Samples
North Property (APN 659-02-007)
San Jose, California

Sample Identification	Sample Location (Grid Number)	Arsenic (mg/kg)	Lead (mg/kg)	Mercury (mg/kg)
061104-39	39	7.9	11.0	0.12
061104-40	40	7.8	11.0	0.13
061104-41	41	8.7	8.3	0.18
061004-42	42	9.2	19.0	0.38
061004-43	43	7.9	8.4	0.30
061004-44	44	7.6	17.0	1.00
061004-45	45	7.5	8.0	3.60
061004-46	46	7.0	7.4	0.91
061104-47	47	9.3	17.0	0.16
061104-48	48	8.4	13.0	0.14
061104-49	49	9.6	12.0	0.19
061104-50	50	8.1	9.2	0.20
061104-51	51	8.9	8.1	0.20
061104-52	52	9.7	15.0	0.24
061104-53	53	8.5	12.0	0.50
061104-54	54	7.5	25.0	0.32
061104-55	55	7.4	6.9	0.32
061104-56	56	7.8	11.0	1.30
061104-57	57	7.9	5.6	0.26
061104-58	58	7.8	8.8	0.12
061104-59	59	7.0	9.2	0.26
061104-60	60	7.6	11.0	0.26
061104-61	61	8.7	14.0	0.12
061104-62	62	9.9	20.0	0.42
061104-63	63	7.9	12.0	0.40
061104-64	64	7.8	10.0	0.17
061104-65	65	8.2	28.0	0.40
061104-66	66	4.1	9.6	0.17
061104-67	67	4.0	6.5	0.072
061104-68	68	3.8	7.2	0.18
061104-69	69	4.5	7.2	0.16
061104-70	70	7.7	12.0	0.13
061104-71	71	7.6	13.0	0.14
061104-72	72	7.3	16.0	0.11
061104-73	73	7.2	14.0	0.19
061104-74	74	3.4	6.1	0.39
061104-75	75	4.1	8.0	0.16
061104-76	76	3.8	8.5	0.13

Table 2
Summary of Laboratory Analytical Results
Arsenic, Lead, and Mercury in Soil Samples
North Property (APN 659-02-007)
San Jose, California

Sample Identification	Sample Location (Grid Number)	Arsenic (mg/kg)	Lead (mg/kg)	Mercury (mg/kg)
061104-77	77	**3.8**	**8.1**	**0.27**
061104-78	78	**4.2**	**8.1**	**0.12**
061104-79	79	**3.4**	**7.3**	**0.10**
061104-80	80	**3.4**	**8.7**	**0.09**
061104-81	81	**8.2**	**16.0**	**0.15**
061104-82	82	**3.4**	**13.0**	**0.24**
061104-83	83	**4.1**	**9.4**	**0.30**
061104-84	84	**3.6**	**8.3**	**0.13**
061104-85	85	**4.8**	**7.1**	**0.20**
061104-86	86	**3.4**	**9.1**	**0.14**
061104-87	87	**2.8**	**6.7**	**0.093**
ESLs		**5.5**	**200**	**2.5**
PRGs		**0.39**	**400**	**23**

Notes:

Samples collected on June 10 and 11, 2004
Chemical analysis by U.S. EPA Test Method 6010B (arsenic and lead), and 7471A (mercury)
mg/kg - milligrams per kilogram
ESLs - Environmental Screening Levels, Regional Water Quality Control Board, San Francisco Bay Region (RWQCB, 2003)
PRGs - Preliminary Remediation Goals, U.S. Environmental Protection Agency, Region IX (US EPA, 2002)

Table 3
Summary of Laboratory Analytical Results
Organochlorine Pesticides in Soil Samples
South Property (APN 660-33-012 and 660-33-020)
San Jose, California

Sample Identification	Sample Location (APN#)	4,4',-DDT (µg/kg)	4,4',-DDE (µg/kg)	4,4',-DDD (µg/kg)	Chlordane (sum of alpha- and gamma-) (µg/kg)
S-71-2	660-33-012	**5.8**	**14**	ND(2.0)	**4.5**
S-72-2	660-33-012	ND(20)	**44**	ND(20)	ND(20)
S-73-2	660-33-012	ND(20)	**100**	ND(20)	ND(20)
S-74-2	660-33-012	ND(2.0)	**8.9**	ND(2.0)	ND(2.0)
SP-01	660-33-020	ND(2.0)	ND(2.0)	ND(2.0)	ND(2.0)
SP-02	660-33-020	ND(2.0)	**3.1**	ND(2.0)	ND(2.0)
SP-03	660-33-020	ND(2.0)	**2.5**	ND(2.0)	ND(2.0)
SP-04	660-33-020	ND(2.0)	**20**	**6.0**	ND(2.0)
ESLs		**1,700**	**1,700**	**2,400**	**440**
PRGs		**1,700**	**1,700**	**2,400**	**1,600**

Notes:

Samples collected on June 9 and 10, 2004
Chemical Analysis by U.S. EPA Test Method 8081A
µg/kg - micrograms per kilogram
ND(2.0) - Not detected at or above indicated laboratory reporting limit
ESLs - Environmental Screening Levels, Regional Water Quality Control Board, San Francisco Bay Region (RWQCB, 2003)
PRGs - Preliminary Remediation Goals, U.S. Environmental Protection Agency, Region IX (US EPA, 2002)

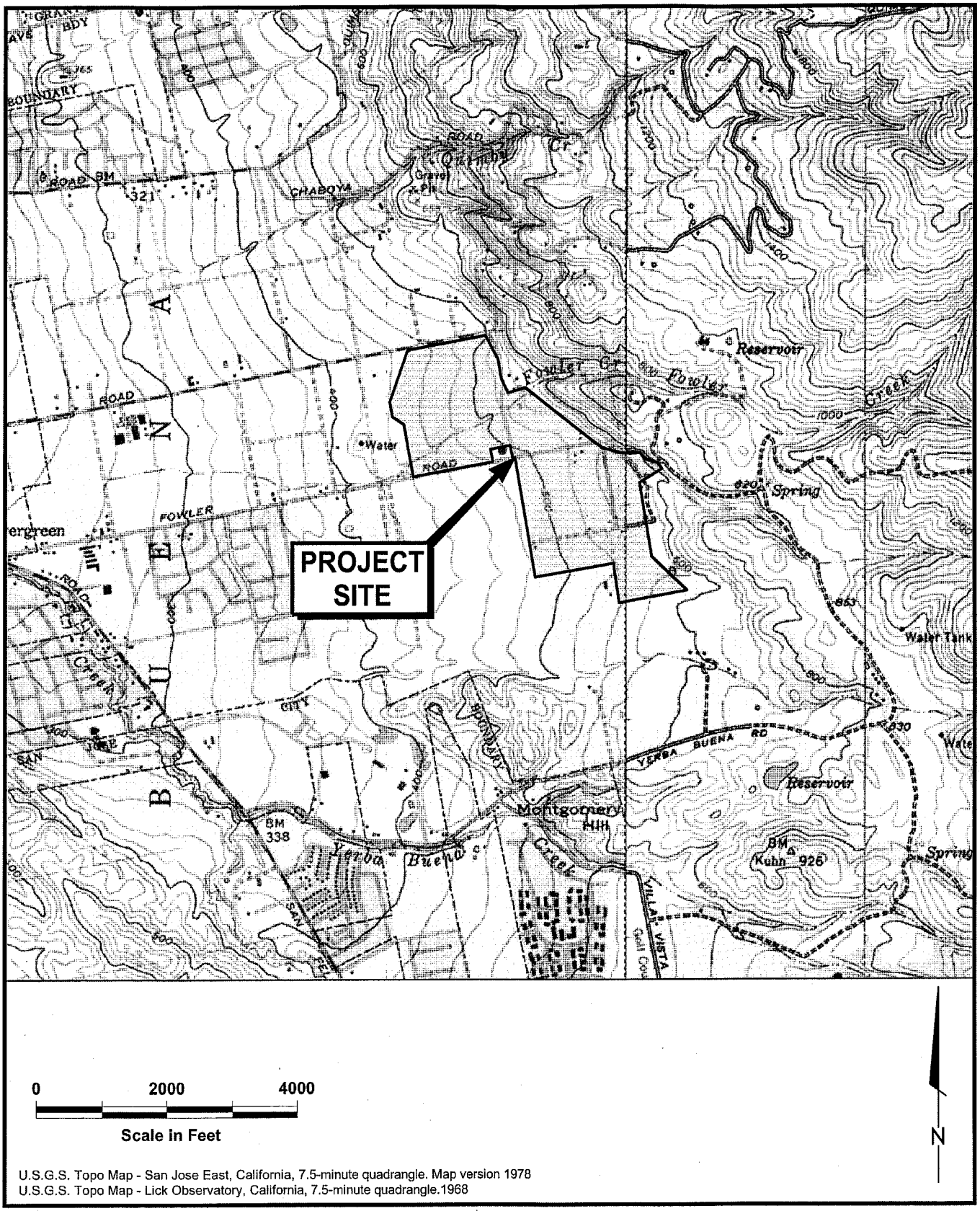
Table 4
Summary of Laboratory Analytical Results
Arsenic, Lead, and Mercury in Soil Samples
South Property (APN 660-33-020)
San Jose, California

Sample Identification	Sample Location (APN#)	Arsenic (mg/kg)	Lead (mg/kg)	Mercury (mg/kg)
SP-01	660-33-020	**10**	**4.7**	**0.11**
SP-02	660-33-020	**6.3**	**9.9**	**0.19**
SP-03	660-33-020	**6.7**	**6.9**	**0.32**
SP-04	660-33-020	**7.5**	**7.4**	**0.18**
ESLs		**5.5**	**200**	**2.5**
PRGs		**0.39**	**400**	**23**

Notes:

Samples collected on June 10, 2004
Chemical analysis by U.S. EPA Test Method 6010B (arsenic and lead), and 7471A (mercury)
mg/kg - milligrams per kilogram
ESLs - Environmental Screening Levels, Regional Water Quality Control Board, San Francisco Bay Region (RWQCB, 2003)
PRGs - Preliminary Remediation Goals, U.S. Environmental Protection Agency, Region IX (US EPA, 2002)

ILLUSTRATIONS



U.S.G.S. Topo Map - San Jose East, California, 7.5-minute quadrangle. Map version 1978
U.S.G.S. Topo Map - Lick Observatory, California, 7.5-minute quadrangle.1968

PES Environmental, Inc.
Engineering & Environmental Services

Site Location Map
Fowler Road Properties
San Jose, California

PLATE
1

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Aerial photograph circa 2003

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PES Environmental, Inc.
Engineering & Environmental Services

Vicinity Map/Aerial Photograph
Fowler Road Properties
San Jose, California

PLATE
2

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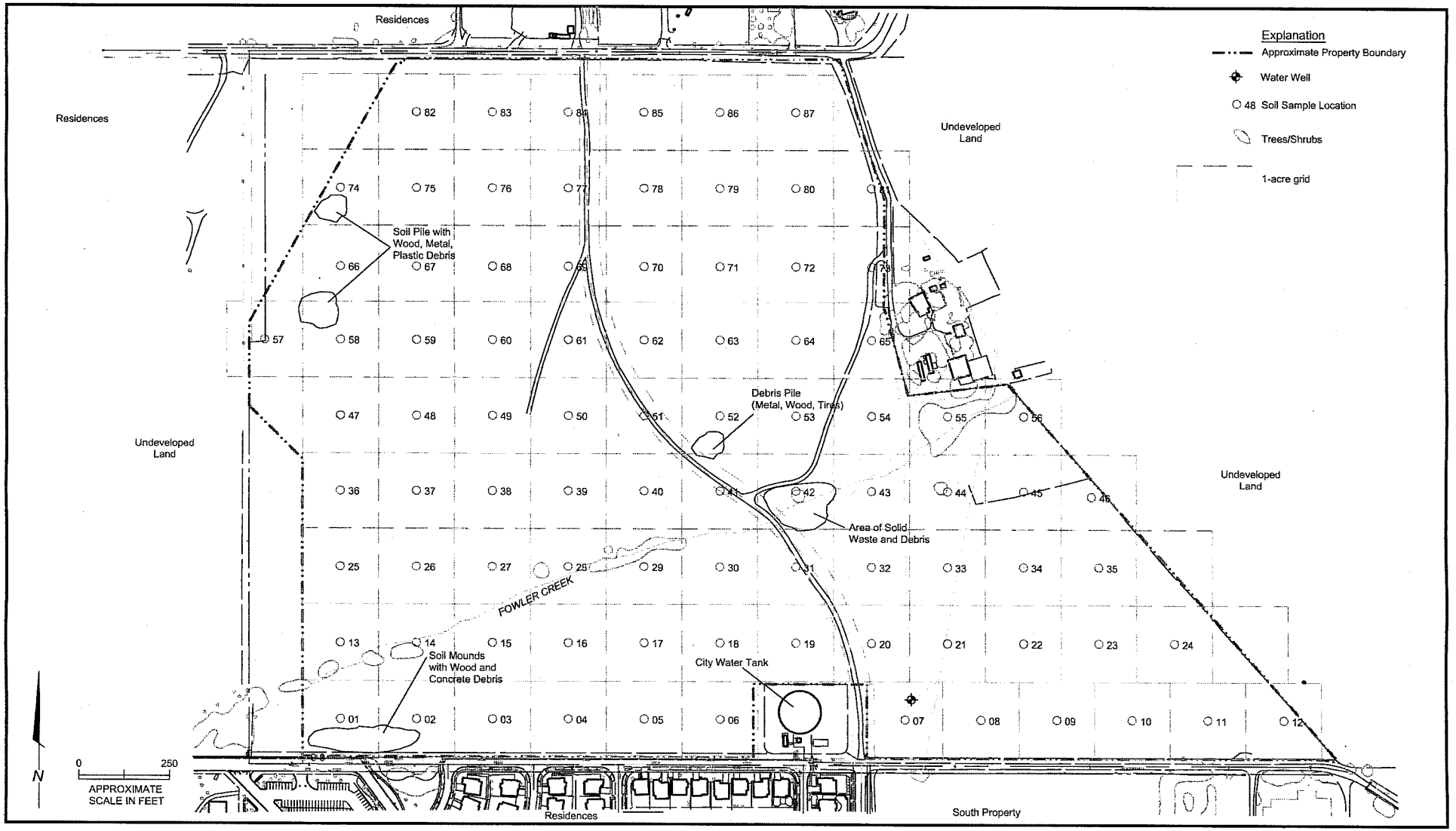

PES Environmental, Inc.
Engineering & Environmental Services

Site Plan and Sample Locations
Fowler Road Properties
North Property
San Jose, California

PLATE
3

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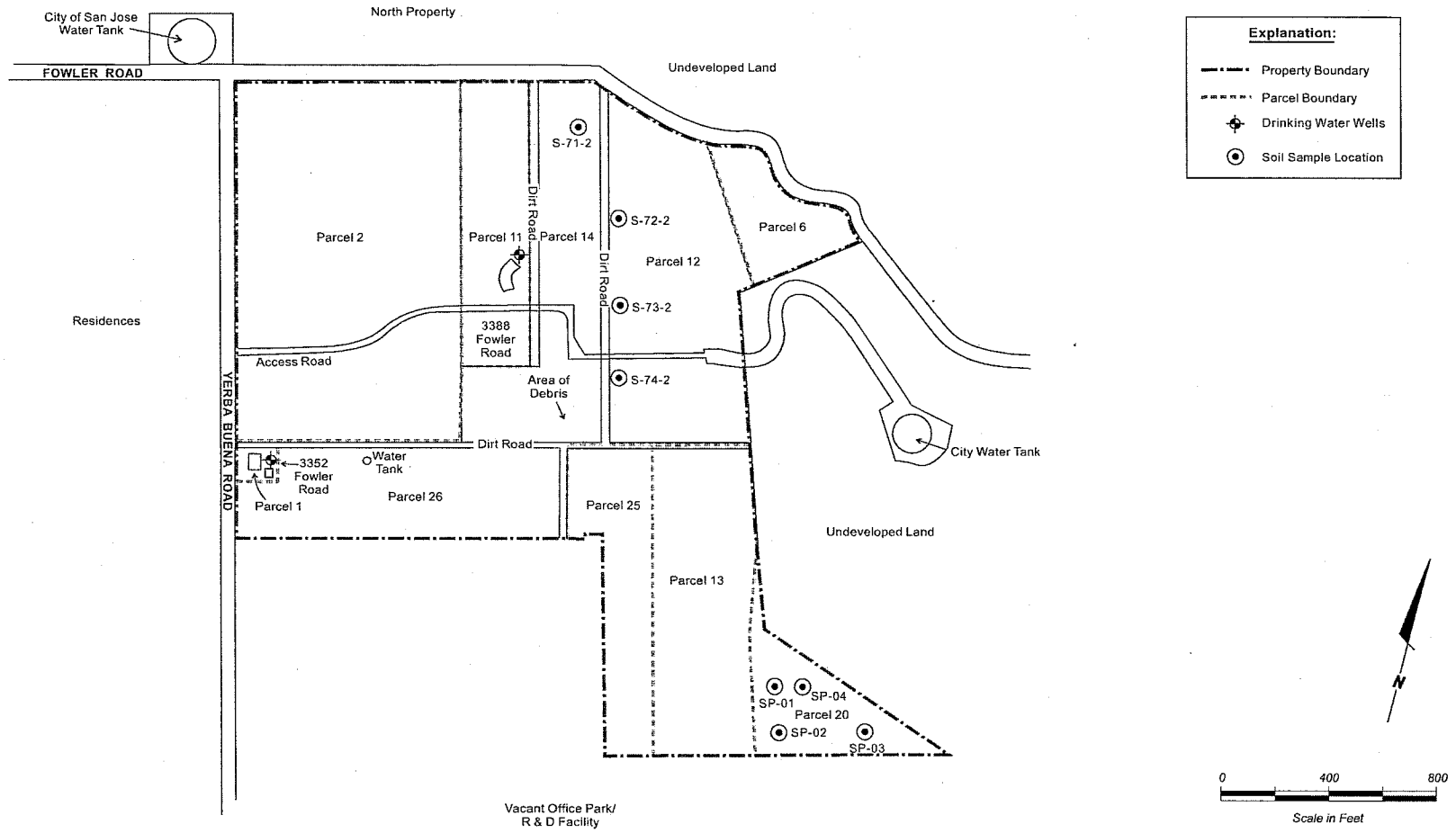

PES Environmental, Inc.
Engineering & Environmental Services

Site Plan and Sample Locations
Fowler Road Properties
South Property
San Jose, California

PLATE
4

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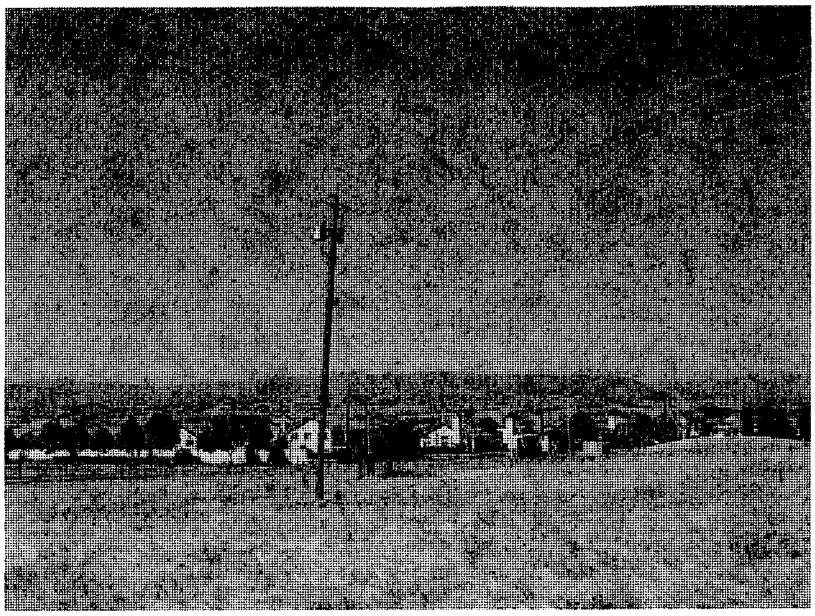

Photo 1.
View looking southwest at water well and City of San Jose water tank (middle right) in south portion of North property.

Photo 2.
View looking south at solid waste and debris on east side of access road on North property.

PES Environmental, Inc.
Engineering & Environmental Services

Site Photographs
Fowler Road Properties
San Jose, California

PLATE
5

280.018.01.001	28001801001_photos	*KAR*	7/04
JOB NUMBER	DRAWING NUMBER	REVIEWED BY	DATE

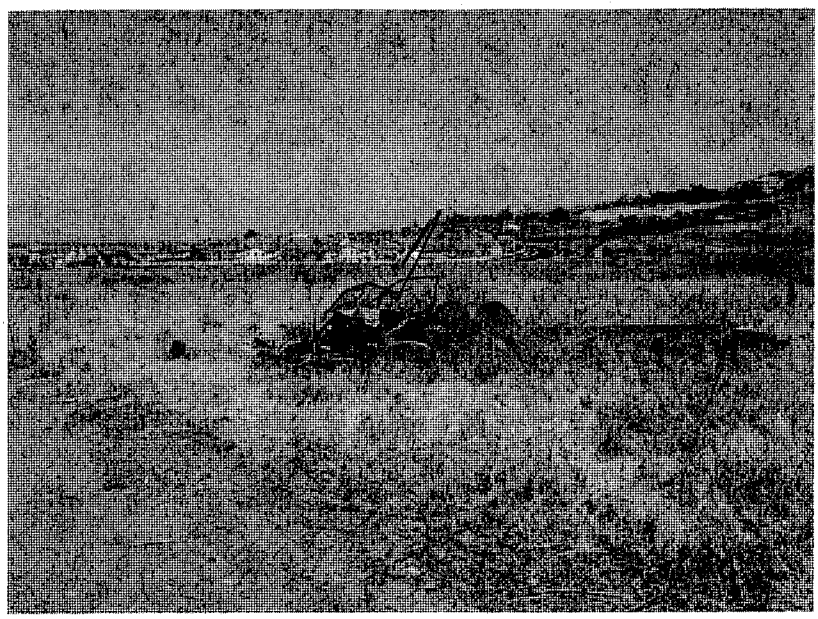

Photo 1.
View looking north at debris pile of metal, wood, and tires on east side of access road on North property.

Photo 2.
View looking southwest at soil mounds with wood and concrete debris in the southwest portion of the North property.

PES Environmental, Inc.
Engineering & Environmental Services

Site Photographs
Fowler Road Properties
San Jose, California

PLATE
6

280.018.01.001	28001801001_photos	*KAR*	7/04
JOB NUMBER	DRAWING NUMBER	REVIEWED BY	DATE

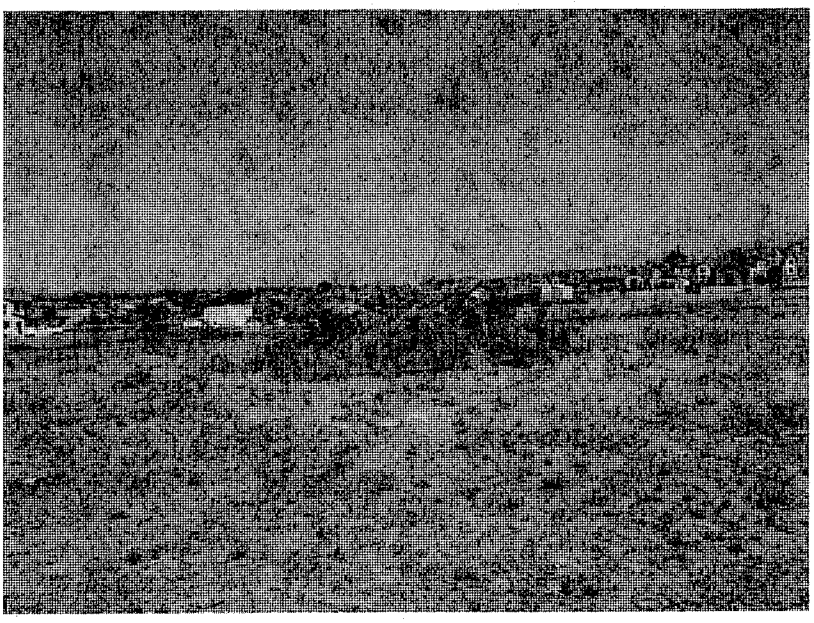

Photo 1.
View looking northwest at soil piles with wood, metal, and plastic debris in the northwest portion of the North property.

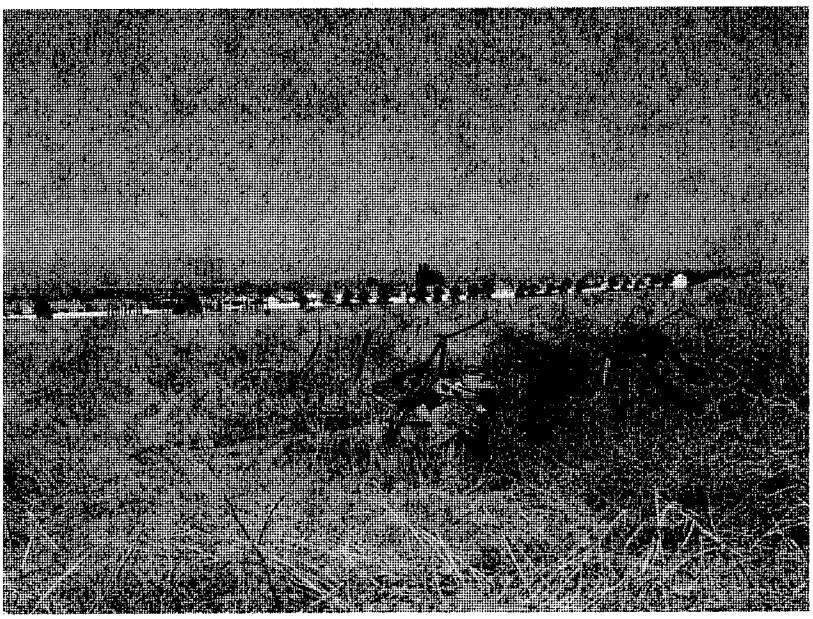

Photo 2.
View looking northwest at debris pile of wood, metal, and concrete in the central portion of the South property.

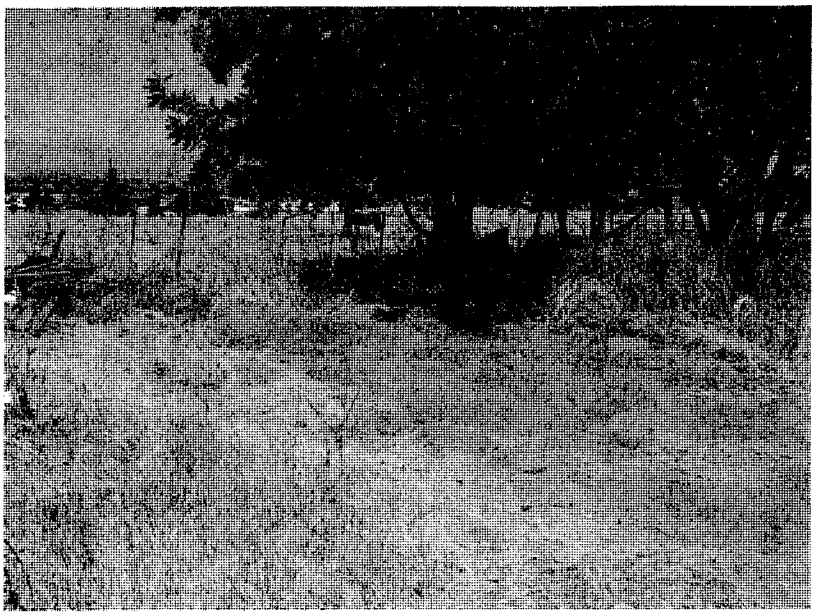

Photo 1.
View looking northwest at the area of scattered debris in the northeast portion of the South property.

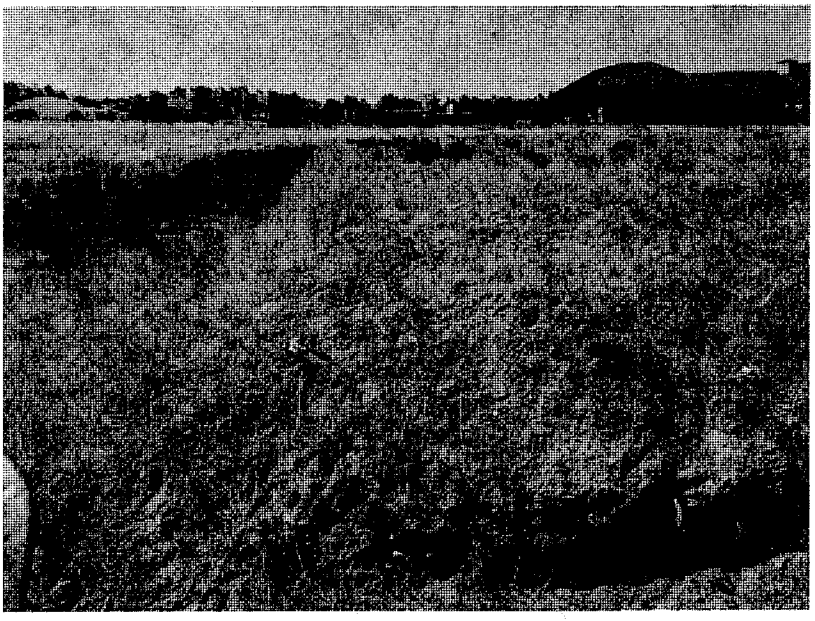

Photo 2.
View looking south at area of fill and grading in the south portion of the South property.

PES Environmental, Inc.
Engineering & Environmental Services

Site Photographs
Fowler Road Properties
San Jose, California

PLATE
8

280.018.01.001	28001801001_photos	*KAR*	7/04
JOB NUMBER	DRAWING NUMBER	REVIEWED BY	DATE

PES Environmental, Inc.
Engineering & Environmental Services

July 8, 2005

983.001.01.002

Investment Development Services, Inc.
515 S. Figueroa Street, Suite 1600
Los Angeles, California 90071

Attention: Ms. Gretchen Sauer

SUMMARY OF SOIL SAMPLING AND ANALYSIS
PARCELS 660-33-027 AND 028
YERBA BUENA ROAD
SAN JOSE, CALIFORNIA

Dear Ms. Sauer:

As you know, PES Environmental, Inc. (PES) previously prepared a Phase I Environmental Site Assessment (ESA) [1] for Parcels 660-33-027 and 028 located along Yerba Buena Road in San Jose, California, collectively referred to as the Site (Plate 1). The Phase I ESA presented a general description of soil sampling and analysis of soil at the Site and surrounding area conducted in July 1997 by Innovative and Creative Environmental Solutions (ICES) of Berkeley, California[2]. This letter provides additional detail regarding the sampling activities, and presents a discussion of the sampling results with respect to current residential land use guidelines.

During their July 1997 investigation, ICES collected 100 discrete soil samples from an area known as the Fowler Road properties, comprising approximately 100 acres including Parcels 660-33-027 and 028, as well as additional parcels extending to the north and east from the Site. Twenty of the samples collected by ICES were located within the Site, as shown on Plate 2. This letter discusses only the sample results from the 20 samples collected from the Site.

Soil samples were collected by advancing test pits to 0.5 feet below ground surface (bgs) and scraping soil from the floor of the test pits from 0.5 feet to 1 foot bgs directly into 4-ounce glass jars. The sample containers were sealed and labeled, placed on crushed ice in a

[1] PES Environmental, Inc., 2004. *Phase I Environmental Site Assessment, Parcels 660-33-027 and 028, Yerba Buena Road, San Jose, California*. July 26.
[2] Innovative and Creative Environmental Solutions, 1997. *Preliminary Site Investigation, Fowler Road Properties, San Jose, California*. August 15.

thermally insulated cooler, and transported to the laboratory under standard chain-of-custody protocol. All equipment which might have come into contact with contaminated materials was decontaminated before and after each use, either by steam-cleaning or washing with Alconox detergent and rinsing with deionized or distilled water[2].

Samples were analyzed by American Environmental Network of Pleasant Hill, California, for the following:

- Organochlorine pesticides by U.S. EPA Test Method 8080;
- Arsenic by U.S. EPA Test Method 7060;
- Lead by U.S. EPA Test Method 7420; and
- Mercury by U.S. EPA Test Method 7471.

Laboratory analytical results for organochlorine pesticides are presented in Table 1. Analytical results for metals are presented in Table 2. Four organochlorine pesticides, DDD, DDE, DDT and chlordane, were detected at low concentrations in soil samples. DDD, DDE and/or DDT were detected in all soil samples at concentrations up to 0.68 milligram per kilogram (mg/kg). Chlordane was detected in 13 of 20 samples at up to 0.220 mg/kg. Lead and arsenic were detected in all soil samples at concentrations of up to 61 and 21 mg/kg, respectively. Mercury was detected in 11 of 20 soil samples at up to 0.46 mg/kg[2].

Tables 1 and 2 also present three common screening criteria for residential soil:

- Regional Water Quality Control Board – San Francisco Bay Region (RWQCB) Environmental Screening Levels (ESLs) for shallow soil where groundwater is a current or potential source of drinking water[3];
- U.S. EPA Region 9 Preliminary Remediation Goals (PRGs) for the direct contact exposure pathway[4] for residential soils; and
- California EPA (CalEPA) California Human Health Screening Levels (CHHSLs)[5] also for residential land use.

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[3] Regional Water Quality Control Board – San Francisco Bay Region, 2005. *Screening for Environmental Concerns at Sites with Contaminated Soil and Drinking Water*. Interim Final – February.

[4] U.S EPA Region 9, 2004. *Region 9 PRG Table*. October.

[5] California EPA, 2005. *Use of California Human Health Screening Levels (CHHSLs) in Evaluation of Contaminated Properites*. January.

The maximum concentrations for all analytes detected in soil except arsenic were below the regulatory agency screening criteria cited above and are therefore not expected to pose a significant human health risk.

The reported concentrations of arsenic (6 to 21 mg/kg) are generally within the range of 9.3 to 31 mg/kg cited during a study of background metal concentrations conducted at the Lawrence Berkeley National Laboratory located northeast of the Site[6]. The concentrations of arsenic reported at the Site are within the range of background conditions that would be expected at the Site, and therefore the arsenic present in Site soil is not considered to pose a human health risk above that of the naturally occurring condition.

In summary, 20 soil samples were collected from the Site in 1997 at a frequency of approximately 1 per acre, and analyzed for organochlorine pesticides, lead, arsenic and mercury. All analytical results were below regulatory agency screening level criteria for residential soil, except arsenic, which was detected within the range of background concentrations for the area.

We trust that this is the information you require at this time. Please call if you have any questions regarding this information.

Very truly yours,

PES ENVIRONMENTAL, INC.

Ann Loomis
Senior Engineer

William F. Frizzell, P.E.
Principal Engineer

Attachments: Table 1 – Laboratory Analytical Results for Organochlorine Pesticides
Table 2 – Laboratory Analytical Results for Metals
Plate 1 – Site Location Map
Plate 2 – Site Plan and Soil Sample Locations

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[6] Lawrence Berkeley National Laboratory, 2002. *Analysis of Background Distribution of Metals at Lawrence Berkeley National Laboratory*. June.

TABLES

Table 1
Laboratory Analytical Results for Organochlorine Pesticides
Fowler Road
San Jose, California

concentrations are in milligrams per kilogram (mg/kg)

Sample Identification	DDD	DDE	DDT	DD*	Chlordane
S-6	ND(0.010)	**0.145**	**0.030**	**0.180**	**0.070**
S-7	ND(0.010)	**0.155**	**0.035**	**0.195**	**0.090**
S-13	ND(0.010)	**0.215**	**0.060**	**0.280**	**0.160**
S-14	ND(0.020)	**0.370**	**0.050**	**0.430**	**0.100**
S-20	ND(0.010)	**0.045**	**0.015**	**0.065**	ND(0.050)
S-21	ND(0.010)	**0.175**	**0.040**	**0.220**	**0.070**
S-27	ND(0.010)	**0.175**	**0.040**	**0.220**	**0.080**
S-28	ND(0.010)	**0.235**	**0.070**	**0.310**	**0.220**
S-34	ND(0.010)	**0.195**	**0.050**	**0.250**	**0.160**
S-35	ND(0.010)	**0.095**	**0.025**	**0.125**	ND(0.050)
S-41	ND(0.010)	**0.155**	**0.030**	**0.190**	**0.070**
S-42	ND(0.010)	**0.125**	**0.015**	**0.145**	ND(0.050)
S-48	ND(0.010)	**0.055**	**0.035**	**0.095**	ND(0.050)
S-49	ND(0.010)	**0.025**	**0.015**	**0.045**	ND(0.050)
S-55	ND(0.040)	**0.680**	**0.190**	**0.890**	ND(0.200)
S-56	ND(0.010)	**0.025**	ND(0.010)	**0.035**	**0.110**
S-62	**0.025**	**0.295**	**0.090**	**0.410**	**0.160**
S-63	ND(0.010)	**0.035**	ND(0.010)	**0.045**	**0.100**
S-69	ND(0.010)	**0.155**	**0.035**	**0.195**	**0.080**
S-70	ND(0.010)	**0.085**	**0.025**	**0.115**	ND(0.050)
RWQCB ESLs	2.3	1.6	1.6	NL	0.44
EPA PRGs	2.4	1.7	1.7	NL	1.6
CHHSLs	2.3	1.6	1.6	NL	0.43

Notes:

Bolded results indicate detections by U.S. EPA Test Method 8080.

DD* - sum of DDD, DDE and DDT

ND(0.010) - Not detected above the indicated laboratory reporting limit.

RWQCB ESLs - Regional Water Quality Control Board San Francisco Bay Region Environmental Screening Levels for shallow soil and residential land use where groundwater is a current or potential source of drinking water.

EPA Region 9 PRGs - U.S. Environmental Protection Agency Region 9 Preliminary Remediation Goals for residential soil.

CHHSLs - California Human Health Levels for soil for residential land use.

None - Regulatory criteria not established for the sum of DDD, DDE and DDT.

Table 2
Laboratory Analytical Results for Metals
Fowler Road
San Jose, California

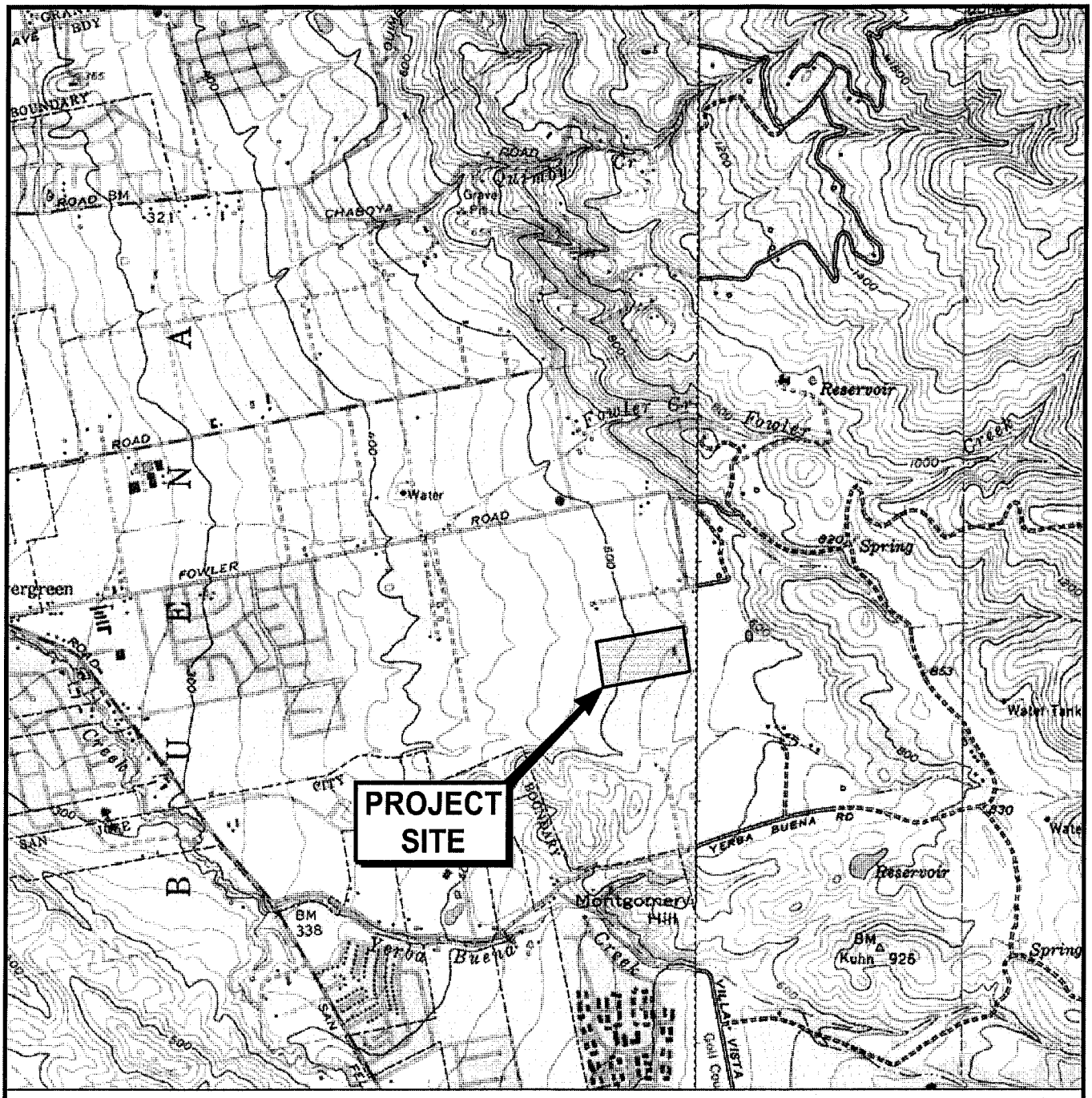
concentrations are in milligrams per kilogram (mg/kg)

Sample Identification	Lead	Arsenic	Mercury
S-6	**13**	**9.4**	ND(0.06)
S-7	**13**	**7.6**	ND(0.06)
S-13	**15**	**12**	**0.07**
S-14	**35**	**21**	**0.07**
S-20	**11**	**6.0**	**0.18**
S-21	**10**	**7.6**	ND(0.06)
S-27	**11**	**9.8**	ND(0.06)
S-28	**18**	**9.8**	ND(0.06)
S-34	**15**	**9.0**	**0.13**
S-35	**16**	**6.7**	**0.46**
S-41	**13**	**9.5**	ND(0.06)
S-42	**11**	**8.8**	ND(0.06)
S-48	**26**	**11**	**0.10**
S-49	**17**	**11**	ND(0.06)
S-55	**51**	**16**	**0.27**
S-56	**26**	**11**	**0.13**
S-62	**61**	**19**	**0.19**
S-63	**22**	**18**	ND(0.06)
S-69	**39**	**15**	**0.07**
S-70	**25**	**16**	**0.08**
RWQCB ESLs	150	5.5	3.7
EPA PRGs (CAL-Modified)	400 (150)	0.39 (0.062)*	23
CHHSLs	150	0.07	18

Notes:

Bolded results indicate detections by respective laboratory analytical method
ND(0.010) - Not detected above the indicated laboratory reporting limit.
RWQCB ESLs - Regional Water Quality Control Board San Francisco Bay Region Environmental Screening Levels for shallow soil and residential land use where groundwater is a current or potential source of drinking water.
EPA Region 9 PRGs - U.S. Environmental Protection Agency Region 9 Preliminary Remediation Goals for residential soil.
(CAL-Modified) - California-modified PRGs are shown in parentheses where applicable.
CHHSLs - California Human Health Levels for soil for residential land use.
* The PRGs shown for arsenic are for the cancer endpoint.

PLATES



U.S.G.S. Topo Map - San Jose East, California, 7.5-minute quadrangle. Map version 1978
U.S.G.S. Topo Map - Lick Observatory, California, 7.5-minute quadrangle.1968

PES Environmental, Inc.
Engineering & Environmental Services

Site Location Map
Parcels 660-33-027 and 028
Yerba Buena Road
San Jose, California

PLATE
1

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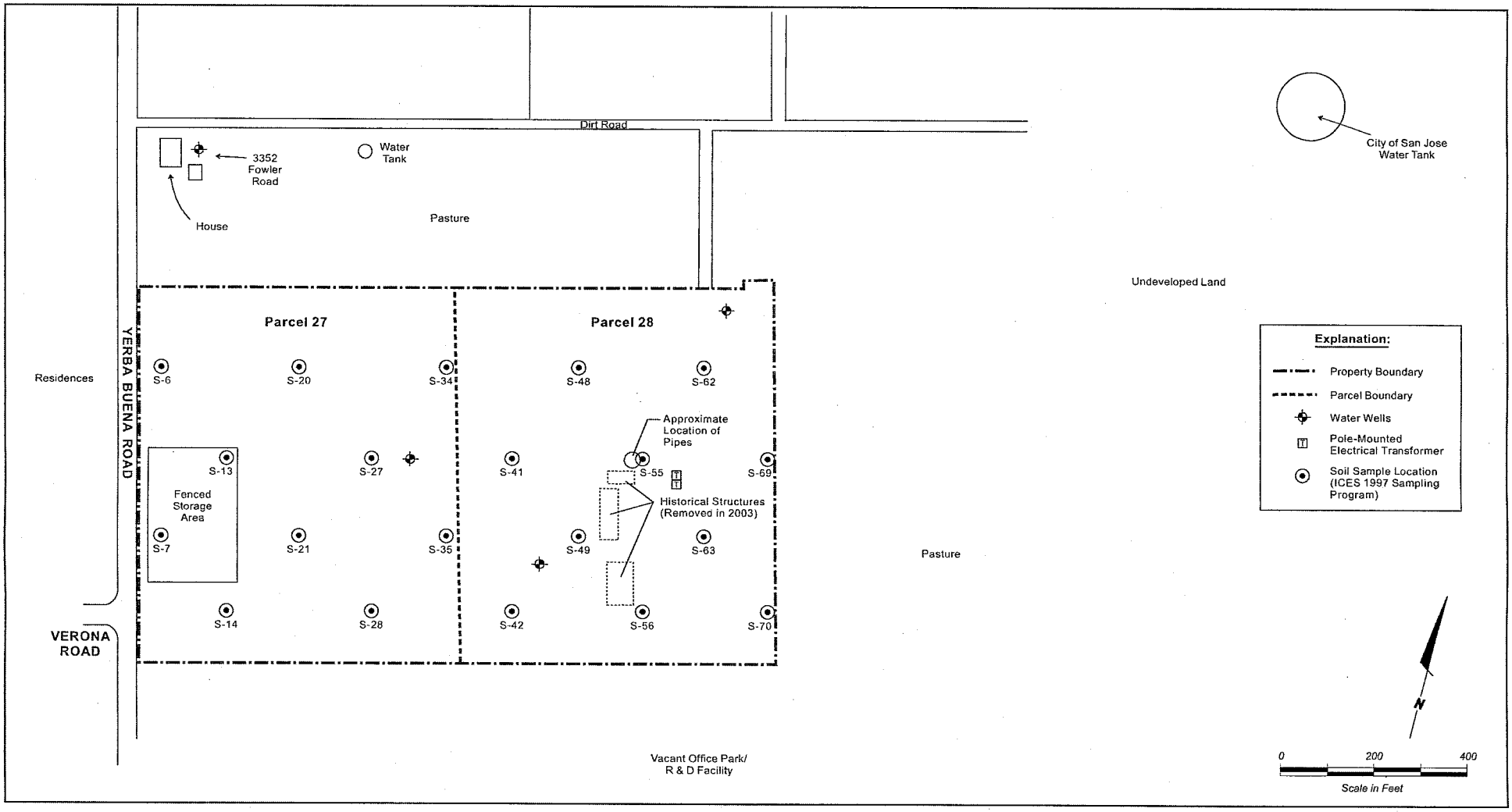
JOB NUMBER	DRAWING NUMBER	REVIEWED BY	DATE



PES Environmental, Inc.
Engineering & Environmental Services

Site Plan and Soil Sample Locations
Parcels 660-33-027 and 028
Yerba Buena Road
San Jose, California

PLATE
2

983.001.01.002	983-001_0605	AL	7/05
JOB NUMBER	DRAWING NUMBER	REVIEWED BY	DATE

REPORT
OF
FINDINGS
PHASE I ENVIRONMENTAL SITE ASSESSMENT
AND
LIMITED SOIL SAMPLING
EVERGREEN VIEWS
SAN JOSE, CALIFORNIA 95135

Prepared for:

D.R. HORTON, INC.
5927 PRIESTLY DRIVE, SUITE 200
CARLSBAD, CALIFORNIA 92008

Prepared by:

TETRA TECH EM INC.
10860 GOLD CENTER DRIVE, SUITE 200
RANCHO CORDOVA, CALIFORNIA 95670

TETRA TECH PROJECT P2261.05.1.BAD0.0108.2B

May 19, 2005

May 19, 2005

Mr. Chris Chambers
Northern California Region President
D.R. Horton, Inc.
5927 Priestly Drive, Suite 200
Carlsbad, CA 92008

Subject: **REPORT OF FINDINGS - PHASE I ENVIRONMENTAL SITE ASSESSMENT (March 23, 2004) AND LIMITED SOIL SAMPLING**
Evergreen Views
San Jose, California 95135
Tetra Tech Project: P2261.05.1.BAD0.0108.2B

Dear Mr. Chambers:

A Phase I Environmental Site Assessment (ESA) and Limited Soils Sampling was conducted for the above referenced property by Tetra Tech EM, Inc. (Tetra Tech), on behalf of D.R. Horton for the purposes of characterizing environmental conditions as part of site acquisition due diligence. The Phase I ESA was conducted in accordance with the American Society of Testing and Materials (ASTM) E 1527-00 "Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process."

The Phase I ESA is based on the review of readily available information, and site and surrounding area observations which are used to identify obvious environmental concerns associated with practices and activities that have occurred on the site or adjacent sites that could potentially contaminate the referenced property.

Additionally, this report summarizes the results of limited soil sampling which was performed in accordance with applicable regulatory requirements, and used to evaluate the potential for pesticide and metals contamination on the target property associated with historic agricultural activities.

This report is intended for the sole and exclusive use of D.R. Horton, Inc. and its subsidiaries only. Tetra Tech's services have been performed under mutually agreed upon terms and conditions. If other parties wish to rely on this report, please have them contact us so that a mutual understanding and agreement of the terms and conditions for our services can be established prior to any use of this information.

PHYSICAL DESCRIPTION AND SITE RECONNAISSANCE

The target property consists of one approximately 121-acre parcel of currently undeveloped land, located northeast of the intersection of Yerba Buena Road and Old Yerba Buena Road and identified by Santa Clara County Assessors Parcel Numbers 660-19-005, -010, -011, -012, -016, and -017. The target property includes two small out parcels totaling approximately 1 and 3 acres respectively, which are located immediately west of Yerba Buena Road. The target property is bounded to the north by undeveloped land and an unoccupied former medical research laboratory (the former Dade-Behring Diagnostics facility), to the east and south by rangeland, and to the west by Yerba Buena Road, with

undeveloped land further west of the out parcels. A Site Location Map is presented as Figure 1 and a Site Map is presented as Figure 2.

Tetra Tech conducted the site and area reconnaissance on March 11, 2004. At the time of the site reconnaissance, the property was an unimproved previously developed orchard. Evergreen Creek, a seasonal tributary of Yerba Buena Creek that crosses the eastern portion of the target property in an approximate northwest-southeast direction, was dry at the time of the site reconnaissance. No structures were observed on the target property during the site reconnaissance with the exception of an approximately 61,000 gallon concrete water reservoir located on the southeastern portion of the target property. Two former irrigation wells are located on the property, one on the southeastern and one on the northern portion of the property.

One pole-mounted transformer was observed on the target property. The transformer casing appeared intact, with no visible signs of cracks, leaks or corrosion. No soil staining was observed below the transformer.

REGULATORY REVIEW

Tetra Tech conducted a database search of information published by Environmental Data Resources, Inc (EDR) of various state and federal regulatory agencies for the target property and adjacent and surrounding properties. Tetra Tech also contacted local and municipal agencies to determine if the target property or nearby properties are listed as having a past or present record of actual or potential environmental impact or are under investigation for an environmental impact.

The results of the regulatory review indicated that neither the target property nor sites within the specified ASTM search distances were identified on any of the various state and federal regulatory databases, nor are there sites which present a recognized environmental condition (REC) to the target property.

HISTORICAL REVIEW

Tetra Tech's review of readily available historical topographic maps indicates the target property as being unimproved land through at least 1955, with the presence of Yerba Buena Road located immediately south of the target property. Evergreen Creek is visible, with four structures located immediately north of Evergreen Creek. An unimproved road is shown running approximately north-south near the center of the target property on the 1953 and 1955 topographic maps. As early as 1961 through 1980, the target property appears to be developed as an orchard, and improved with five structures located to the north of Evergreen Creek.

Tetra Tech's review of readily available aerial photographs indicates the target property to be developed as an orchard since at least 1939. Photographs through 1956 indicate the presence of Evergreen Creek, which crosses the target property in an approximately northwest-southeast direction, a concrete-lined reservoir located on the eastern portion of the target property, and several structures located on the north side of Evergreen Creek and within the northeastern portion of the target property. An additional structure and two apparent areas of fill each located on the southwestern portion of the target property are present between 1965 and 1982. The majority of the orchard trees had been removed, and the eastern portion of the target property was apparently filled with dirt, since 1993.

On March 13, 2004, Tetra Tech interviewed Mr. Steve Dunn, Project Manager for Legacy Partners, a firm representing the current owner of the target property- Yerba Buena Operations Company (Yerba). According to Mr. Dunn, Yerba, which has owned the property for approximately 3 years, had conducted a

previous Phase I ESAs and subsequent environmental investigation prior to purchasing the site. Mr. Dunn indicated that no hazardous materials or underground storage tanks have been present on the target property, and that the previous environmental investigation had been signed off by the Santa Clara County Department of Environmental Health (SCCDEH). Mr. Dunn was not aware of any outstanding environmental issues associated with the target property.

Two site reports were reviewed as part of the Phase I ESA conducted by Tetra Tech; a Phase I ESA prepared by Clayton Environmental Consults (Clayton) in February 1999 and a Soil Investigation and Remediation Report also prepared by Clayton in February 1999. The Clayton (1999) Phase I ESA identified a REC and an environmental issue related to petroleum contamination associated with a former maintenance shed and the use of pesticides during the target property's use as an orchard. Soil removal and confirmation sampling documented in the Soil Investigation and Remediation Report addressed the petroleum contamination and included soil sampling in the former orchard area for possible residual pesticide contamination. According to Mr. Dunn the conclusions presented in the Soil Investigation and Remediation Report had been signed off by the SCCDEH.

LIMITED SOIL SAMPLING

A review of available environmental documents for the target property was conducted by David J. Powers and Associates, Inc. in preparation of an Environment Impact Report for a proposed development which includes the target property. It was discovered during this document review that the agricultural soil sampling performed in 1999 did not meet the City of San Jose Phase II requirements for properties that were formerly agricultural, especially where "sensitive" uses such as residential housings are proposed. The purpose of the City of San Jose's requirement is to determine if residual pesticides and/or heavy metals are present in the soil at concentrations which exceed residential regulatory standards.

On May 9, 2005, Tetra Tech contacted Mr. Gary Lynch from the City of San Jose Environmental Services to develop an appropriate sampling protocol to satisfy the City's Phase II requirements. Based on the discussion, Tetra Tech developed a sampling protocol to collect one discreet soil sample per acre and prepare composite samples developed from four into one from any portion of the target property historically used for agricultural purposes. The samples were submitted to a California state certified laboratory and analyzed for chlorinated pesticides, arsenic, mercury, and lead. The results were compared to California Regional Water Quality Control Board (RWQCB), Region 2 residential Environmental Screening Levels (ESL).

On May 11, 2005, Tetra Tech collected soil samples across the approximately 121-acre property to assess residual pesticides and select metals concentrations. Tetra Tech collected 124 discreet samples and composited them into 31 four-point samples. Soil samples were collected from approximately six inches below ground surface. Four soil samples from adjacent acres were commingled and mixed before transferring the four-point composite sample into a glass sample jar. The sample jars were labeled, packaged, and stored on ice in an insulated cooler for transport under chain-of-custody protocol to SunStar Laboratories, Inc., a California-certified analytical laboratory. Soil samples were analyzed for chlorinated pesticides using U.S. Environmental Protection Agency (EPA) Method 8081A; arsenic and total lead using EPA Method 6010B; and mercury using EPA Method 7470/7471. Analytical results for soil samples collected during this limited investigation are presented in Table 1. Certified analytical reports and chain-of-custody documentation are included as Attachment A.

All sampling equipment was decontaminated before and after sample collection by washing with alconox and water followed by rinsing with distilled water.

Investigation Results

Former Orchard Area

One hundred twenty-four soil samples were collected from the former orchard area and composited into 31 soil samples to assess residual pesticides and select metals concentrations at the target property (Figure 2). Dichlorodiphenyl dichloroethylene (DDE) was detected above the laboratory reporting limits in 12 samples at concentrations ranging from 6.0 micrograms per kilogram (µg/kg) to 420 µg/kg. Dichlorodiphenyldichloroethane (DDD) and Dichlorodiphenyltrichloroethane (DDT) were each detected in seven samples at concentrations ranging from 26 µg/kg to 51 µg/kg and 6.3 µg/kg to 13 µg/kg, respectively. No other organochlorine pesticides were detected at concentrations above the laboratory detection limit of 5 µg/kg. Arsenic concentrations ranged from less than 5.0 milligrams per kilogram (mg/kg) to 14 mg/kg. Total lead concentrations ranged from less than 3.0 mg/kg to 21 mg/kg, and mercury concentrations ranged from less than 0.10 mg/kg to 2 mg/kg. Table 1 includes residential ESL concentrations published by the California RWQCB, Region 2 for comparison.

Based on analytical results, chlorinated pesticides, lead, and mercury were detected at concentrations below their respective ESLs.

Arsenic concentrations in samples collected from the orchard area exceed the RWQCB ESL of 5.5 mg/kg for residential soil. Arsenic concentrations ranged from less than 5.0 mg/kg to 14 mg/kg, with an average concentration of 5.91 mg/kg. Tetra Tech's review of background metals concentrations in a soil survey produced by the City of Oakland Public Works Agency (PWA) indicate that background arsenic concentrations in soil could range from 1.8 to 31.0 mg/kg where natural arsenic occurs in rocks related to the geology of the Oakland area (Oakland PWA 2003). The range of arsenic concentrations detected in the target property soils as compared to the regional background soil concentrations in the City of Oakland PWA survey show that the range of arsenic concentrations detected in target property soils are within the range of background concentrations for arsenic in the region.

Based on the analytical results, no further assessment of this area is recommended.

CONCLUSIONS

Tetra Tech performed this assessment in general conformance with the scope and limitations of ASTM E 1527-00 of the target property to identify any RECs in connection with the property including the presence, or likely presence, of any hazardous substances or petroleum products on the target property under conditions that indicate an existing release, a past release, or a material threat of a release into structures on the target property or into the ground, groundwater, or surface water. This assessment included an evaluation to the extent practicable of the past and present land uses at the target property and on adjacent properties. Our findings are summarized below.

- Tetra Tech's review of historical information did not indicate environmental concerns to the target property from either activities on the target property or from surrounding properties.
- During Tetra Tech's site reconnaissance, no on-site or off-site RECs resulting from past or present activities were identified.

- Tetra Tech's review of the regulatory agency information did not indicate sources of recognized environmental conditions to the target property.
- Tetra Tech conducted a limited soil sampling for the 121-acre target property in accordance with the City of San Jose sampling requirements for residentially developed properties. Based on the analytical results, no further assessment of this area is recommended.

The results of this assessment indicate no evidence of on-site or off-site RECs in connection with the target property, therefore no further assessment of the property is warranted.

We trust the information presented in this summary has provided you sufficient insight regarding the results of the environmental site assessment which was conducted for the Evergreen property. Please contact David Foley at (916) 853-4522 if we can be of further service to you.

Sincerely,

TETRA TECH EM INC.

David Foley
Project Manager

Tim Adair, P.G.
Senior Geologist

Cc: John Hesler, David J. Powers
William Mayer, DHI California Region
Bridgit Koller, DHI Bay Area Division
Ed Perez, DHI Fort Worth
Tetra Tech, Project File

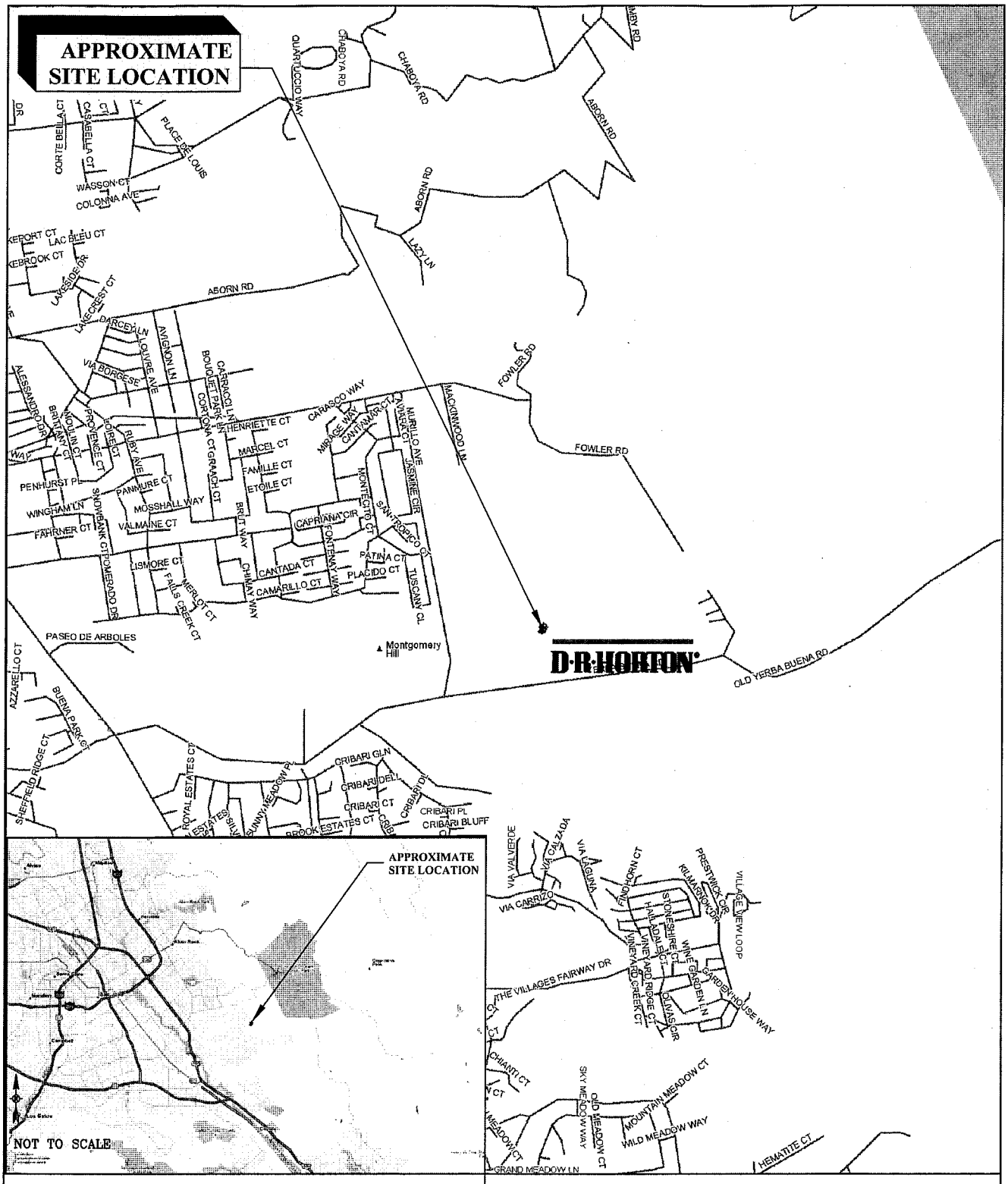
Attachments

Figure 1 – Site Location Map
Figure 2 – Site Map with Sample Locations
EDR Report
Photographs
Table 1 – Soil Analytical Results
Certified Analytical Reports and Chain-of-Custody documentation
Cited References

ON FILE WITH CITY OF SAN JOSE AND AVAILABLE FOR REVIEW UPON REQUEST.

CONTACT: JOHN BATY
(408) 535-7894

FIGURES



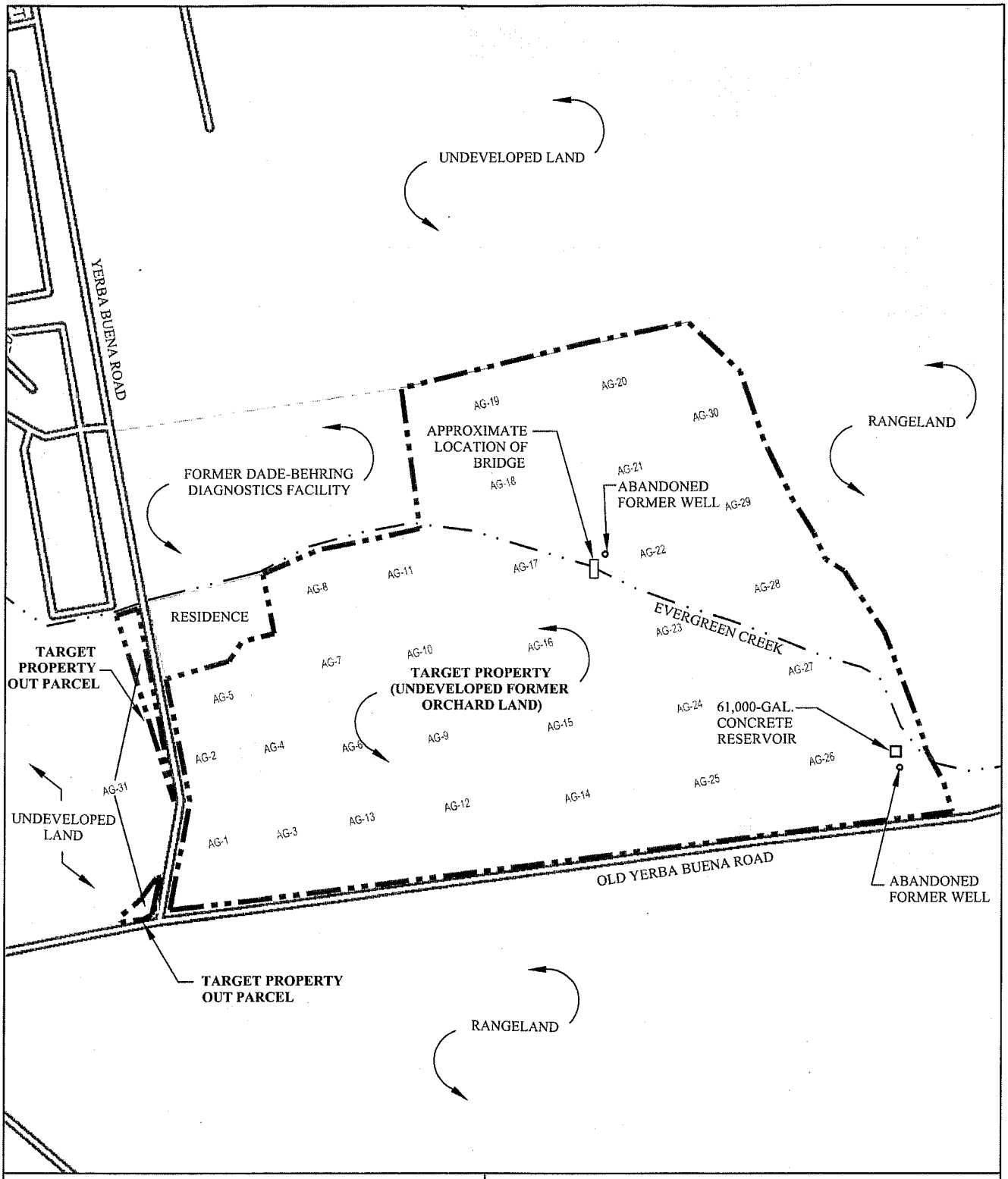
SOURCE: MODIFIED FROM DELORME STREET ATLAS USA, 2003

SITE LOCATION MAP
EVERGREEN VIEWS
NEAR YERBA BUENA RD. & SAN FELIPE RD.
SAN JOSE, CALIFORNIA 95135

D·R·HORTON®

Tetra Tech EM Inc. Project P2261.05.1.BAD0.0108.2B

FIGURE 1



LEGEND:
- Target Property Boundary
- Property Line
- Intermittent Stream

Sample Locations Depict Center of Four-Point Composite Location

SOURCE: TETRA TECH EM INC., 2004

NOT TO SCALE

SITE MAP
EVERGREEN VIEWS
NEAR YERBA BUENA RD. & SAN FELIPE RD.
SAN JOSE, CALIFORNIA 95135

D·R·HORTON®

Tetra Tech EM Inc. Project P2261.05.1.BAD0.0108.2B

FIGURE 2

LOWNEY ASSOCIATES
Environmental/Geotechnical/Engineering Services

Phase I Environmental

Site Assessment

Evergreen Community College

Land Development

San Jose, California

This report has been prepared for:

San Jose/Evergreen Community College District

4750 San Felipe Road, San Jose, California 95135

February 16, 2005
Project No. 2100-1A

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February 16, 2005
2100-1A

Mr. Michael Hill
SAN JOSE/EVERGREEN COMMUNITY COLLEGE DISTRICT
4750 San Felipe Road
San Jose, California 95135

RE: PHASE I ENVIRONMENTAL SITE ASSESSMENT
EVERGREEN COMMUNITY COLLEGE LAND DEVELOPMENT
SAN JOSE, CALIFORNIA

Dear Mr. Hil:

As requested, we have performed a Phase I environmental site assessment at Evergreen Community College Land Development in San Jose, California. This report was prepared in accordance with our agreement dated September 22, 2004.

We refer you to the text of the report for details regarding this study. To help us continue to add value to your projects please visit the feedback section on our web site at http://www.Lowney.com/feedback. Your opinion is important to us. Thank you for choosing us to assist you. If you have any questions, please call and we will be glad to discuss them with you.

Very truly yours,

LOWNEY ASSOCIATES

Thomas F. McCloskey, R.G., C.HG.
Principal Geologist

TFM:CMV:jcm

Copies: Addressee (5)

SR, 2100-1A Evergreen Comm College PH I rpt 021605

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FIGURE 1 — VICINITY MAP
FIGURE 2 — SITE PLAN

APPENDIX A — TERMS AND CONDITIONS
APPENDIX B — AERIAL PHOTOGRAPHS AND MAPS
APPENDIX C — CITY AND COUNTY DOCUMENTS
APPENDIX D — REGULATORY AGENCY DATABASE REPORT

ON FILE WITH THE CITY AND AVAILABLE FOR REVIEW UPON REQUEST.

CONTACT: JOHN BATY
(408) 535-7894

PHASE I ENVIRONMENTAL SITE ASSESSMENT
EVERGREEN COMMUNITY COLLEGE LAND DEVELOPMENT
SAN JOSE, CALIFORNIA

1.0 INTRODUCTION

1.1 Purpose

This Phase I environmental site assessment was performed for San Jose/Evergreen Community College District, who we understand is considering redevelopment of the site shown on Figures 1 and 2. We understand that the planned development is not determined but could include retail, commercial, residential or student housing. The development will incorporate upgrades for various modes of transportation, parking and the campus identity and gateway image.

The purpose of this study was to strive to document recognized environmental conditions at the site related to current and historic use of hazardous substances and petroleum products. The term "recognized environmental conditions" means the presence or likely presence of hazardous substances or petroleum products on a property under conditions that indicate a significant release or significant threat of a release into the ground, ground water, or surface water.

1.2 Scope of Work

As requested, the scope of work for this study was performed in general accordance with the American Society for Testing and Materials (ASTM) Designation E 1527-00 as outlined in our agreement dated September 22, 2004. The scope of work included the following tasks.

- Reconnaissance of the site and limited drive-by survey of adjacent properties for readily observable indications of current or historic activities that have or could significantly impact the site.
- Review of readily available topographic maps and reports to evaluate local hydrogeologic conditions including anticipated ground water depth and flow direction.
- Review of readily available documents, maps, and aerial photographs, and interviews with knowledgeable persons to evaluate past land uses.
- Acquisition and review of a regulatory agency database report to evaluate potential impacts to the site from reported contamination incidents at nearby facilities.
- Review of available regulatory agency files to obtain information about the use and storage of hazardous materials at the site.

Our scope of services did not include sampling or analysis of on-site building materials, air, soil, or ground water. The limitations of this Phase I environmental site assessment are presented in Section 6.0; the terms and conditions of our agreement are presented in Appendix A.

2.0 SITE RECONNAISSANCE

2.1 Site Location and Ownership

The site is located on the western end of the existing campus on the corner of San Felipe Road and Yerba Buena Road in San Jose, California in a mixed residential and commercial area (Figure 2). The site consists of four contiguous parcels. Parcel 1 is the 10-acre Yerba Buena Road parcel that is the largest of the four parcels and is currently undeveloped. Parcel 2a is the 6.7-acre District Offices parcel along San Felipe Road that is currently occupied by an existing office building. Parcel 2b is the 5.6-acre Criminal Justice Training Center currently occupied by two buildings. Parcel 3 is the 4.8-acre Northeast parcel that was previously proposed for future expansion.

This group of parcels are bounded by Paseo De Arboles Road, a creek, residential development, a student parking lot and a college warehouse to the north, college facilities, parking lots and sports fields to the east, Yerba Buena Road, commercial development Yerba Buena Creek and a park to the south and undeveloped land and residential development to the west.

2.2 Topographic Features and Hydrogeology

Based on U.S. Geological Survey (USGS) topographic maps, the site elevation is approximately Elevation 359 feet above mean sea level along the eastern boundary to Elevation 310 feet above mean sea level in the western portion of the site. Topography in the vicinity of the site slopes gently to the southwest towards the Thompson Creek. Based on readily available information for nearby sites on the Santa Clara Valley Water District (SCVWD) web site, the shallow water-bearing zone likely is encountered at depths of approximately 35 to 40 feet; ground water beneath the site likely flows to the southwest.

2.3 Site Visit

To observe current site conditions, our representative, environmental engineer Christopher Vertin, visited the site on December 2, 2004, and was accompanied by Mr. Ed Molina at the South Bay Regional Public Safety Training Consortium and interviewed Mr. Robert Dias Director of Facilities at the District office. At the time of our site visit, the western portions of the subject property were developed with parking lots and wood framed structure consisting of administrative offices and classrooms. The eastern portion of the subject property was an undeveloped field. The current site tenants are listed in Table 1.

Table 1. Current Site Tenants

Address	Tenant	General Use
4750 San Felipe Road	San Jose/ Evergreen Community College	District Office and Administrative offices
3095 Yerba Buena Road	The Academy – South Bay Regional Public Safety Training Consortium	Offices, classroom, and training facilities for Public Safety/ Police Officers. Includes Firing Range and Skid pad. Minor vehicle maintenance.

2.3.1 4750 San Felipe Road

This portion of the site is defined herein as Parcel 2a and consists of 6.7 acres, as shown on Figure 2. The District office buildings and associated parking lot are present on this section of the site. The remains of the former orchards are present on the western and southern sides of the buildings. A gated area north of the office buildings enclosed a 1000-gallon diesel above ground storage tank (AST). The facilities manager stated that the AST is for a generator. He stated that a fenced area west of the AST contained a 150-gallon diesel AST day tank for the generator and the backup generator. The day tank generator and backup generator are located on concrete slabs. He stated that the generator system is run about once a month. He stated that the underground piping from the AST to the generator system was recently replaced. No visible soil staining was observed around the AST.

Adjacent to the generators, an AC system, compressor and transformer were located in another enclosed area. The systems were located on a concrete slab. Minor staining was observed on the concrete in this enclosure.

The building structures consisted of many wood framed offices that appear to be located on a concrete pad forming a ring around an open courtyard. The courtyard area consisted of concrete walkways, landscaping, sprinkler systems and a drain system. Some soil was exposed around the courtyard portion of the buildings. Soil was exposed around most of the exterior of the building. The buildings contain typical office supplies, computers, restroom and household cleaning supplies, and fire extinguishers.

The asphalt concrete in the parking lot appears to be cracked in many locations. Asphalt concrete patches cross the parking lot indicating many underground utilities may be present. Storm drain inlets are also present throughout the parking lot. Garbage and recycling bins are present on a concrete slab on the southern side of the parking lot.

Additional observed site features are listed in Table 2.

Table 2. Additional Readily Observable Site Features

Site Features			Comments
Heating/Ventilation/Air Conditioning System	☒ Natural Gas and/or Electrical ☐ Fuel Oil		Northern side of the building
Potable Water Supply	☒ Municipal	☐ On-Site Well	
Sewage Disposal Syst.	☒ POTW	☐ On-Site Septic	
Transformers	☒ Present ☐ PG&E	☐ Not Observed ☐ Privately Owned	Northern side of the building
Other Features	☒ Aboveground Storage Tanks		1000-gallon and 130-gallon Diesel tanks – Northern side of the building
	☐ Agricultural Wells		
	☐ Air Emission Control Systems		
	☐ Auto Servicing Areas		
	☐ Boilers		
	☐ Burning Areas		
	☐ Chemical Mixing Areas		
	☐ Chemical Storage Areas		
	☐ Clean Rooms		
	☐ Drainage ditches		
	☐ Elevators		
	☒ Emergency Generators		Northern side of the building
	☐ Equipment Maintenance Areas		
	☒ Garbage Disposal Areas		Southern side of parking lot
	☐ HazMat Storage Areas		
	☐ High Power Transmission Lines		
	☐ Hoods and Ducting		
	☐ Hydraulic Lifts		
	☐ Petroleum Pipelines		
	☐ Petroleum Wells		
	☐ Ponds or Streams		
	☐ Railroad Lines		
	☒ Row crops or orchards		
	☐ Stockpiles of Soil or Debris		
	☐ Sumps or clarifiers		
	☐ Underground Storage Tanks		
	☐ Vehicle Maintenance Areas		
	☐ Vehicle Wash Areas		
	☐ Waste Water Neutralization Systems		
	☐ Wells		

Note: An unchecked box does not warrant that these features are not present on-site; it only states that these features were not readily observed during our site visit.

2.3.2 3095 Yerba Buena Road

This portion of the site is defined as Parcel 2b and consists of a 5.6-acre Criminal Justice Training Center currently occupied by two buildings. Mr. Ed Molina accompanied us around the facilities. The buildings consist of a wood-framed structure with office, classrooms, storage space and a concrete structure used as a firing range building. The wood framed structure has an open courtyard in the middle of the building. A concrete pad is located in the center of the building along with some

grass-covered areas around the concrete pad. Portable classrooms are located on the eastern side of the main building. A HVAC system was located on the southeastern side of the building. A PG&E transformer was observed on the southwestern side of the building. Vehicle maintenance equipment, vehicle fluids, tires and tools were stored in a room on the northeastern side of the building.

A storage room on the western side of the building also contained many office supplies, household cleaning supplies and small quantities of lubricants, grease and oils. The Table of Content for the 2004 Material Safety Data Sheets (MSDS) is included in Appendix C.

The concrete building on the southern portion of Parcel 2b has been used as a firing range. The concrete building has soil ramped up approximately 8 to 10 feet on the northern and southern sides. Two exit doors are located on the southern side of the building. Concrete retaining walls protect the walkways from the exit doors from the ramped soil against the building. The building has a ventilation system that exhausts the air out of the eastern side of the building when the range is in use. The air is filtered before it is discharged from the eastern side of the building. The firing range has a bullet collection system (steel plates) at the eastern side of the 25-yard firing range. Ed Molina stated that The Academy hires a contractor to collect the bullets and clean the lead from the interior of the firing range once a month. The concrete floor in the firing range appears clean and free of debris. Chemical agents (tear gas and mace) and ammunition are stored in locked bins within the building.

A parking lot exists on the northern, western and southern sides of the buildings. A skid pad is located on the northern side of South Bay Regional Public Safety Training Consortium building.

Additional observed site features are listed in Table 3.

Table 3. Additional Readily Observable Site Features

Site Features			Comments
Heating/Ventilation/Air Conditioning System	☒ Natural Gas and/or Electrical ☐ Fuel Oil		Located on the eastern side of the main facility
Potable Water Supply	☒ Municipal	☐ On-Site Well	
Sewage Disposal Syst.	☒ POTW	☐ On-Site Septic	
Transformers	☒ Present ☒ PG&E	☐ Not Observed ☐ Privately Owned	Located on the southern side of the main facility
Other Features	☐ Aboveground Storage Tanks ☐ Agricultural Wells ☐ Air Emission Control Systems ☐ Auto Servicing Areas ☐ Boilers ☐ Burning Areas ☐ Chemical Mixing Areas ☒ Chemical Storage Areas ☐ Clean Rooms ☐ Drainage ditches ☐ Elevators ☐ Emergency Generators ☒ Equipment Maintenance Areas ☐ Garbage Disposal Areas ☒ HazMat Storage Areas ☐ High Power Transmission Lines ☐ Hoods and Ducting ☐ Hydraulic Lifts ☐ Petroleum Pipelines ☐ Petroleum Wells ☐ Row crops or orchards ☐ Stockpiles of Soil or Debris ☐ Underground Storage Tanks ☐ Vehicle Maintenance Areas ☐ Vehicle Wash Areas		Small area observed on the northeastern side of the building Metal storage container on the northern side of the site

Note: An unchecked box does not warrant that these features are not present on-site; it only states that these features were not readily observed during our site visit.

2.3.3 Undeveloped Parcels

This part of the site consisted of two parcels. Parcel 1 is the 10-acre Yerba Buena Road parcel that is the largest of the four parcels and is currently undeveloped. Parcel 3 is the 4.8-acre northeast parcel that was previously proposed for future expansion. Water valves were observed on the western side of Parcel 1. The valves were enclosed within a small chain link fence structure. A small pile of debris, consisting of concrete and rebar, was located just west of the water valves. A sign stating that a underground telephone/cable line exists was also observed west of the water valves. An electrical box was observed in the open field on the eastern side of Parcel 1. The electrical box was surrounded with small amount of concrete and metal debris.

2.4 Site Vicinity Drive-By Survey

To evaluate adjacent land use, we performed a limited drive-by survey. Our observations of adjacent properties are presented in Table 4.

Table 4. Adjacent Properties

Business Name and Address	Direction from Site	Observations
McDonalds 4838 San Felipe Road	South	
Star Bucks, Suite 110 4848 San Felipe Road	South	
Jamba Juice, Suite 120 4848 San Felipe Road	South	
Casa Castillo, Suite 130 4848 San Felipe Road	South	
Optometry, Suite 140 4848 San Felipe Road	South	
Mail Center, Suite 150 4848 San Felipe Road	South	
Professionail Nails, Suite 160 4848 San Felipe Road	South	Possible use of acetone and small quantities of other hazardous materials
Cold Stone Creamery, Suite 170 4848 San Felipe Road	South	
Cleaners, Suite 180 4848 San Felipe Road	South	Dry Cleaners, possible use of solvents.
Score, Suite 190 4848 San Felipe Road	South	
Longs Drug 4850 San Felipe Road	South	Has photo processing laboratory Listed on Haznet as small quantity generator
Alliance Title, Suite 110 4868 San Felipe Road	South	
Dentist, Suite 120 4868 San Felipe Road	South	
Bel Aire Realty Inc., Suite 130 4868 San Felipe Road	South	
Curves, Suite 110 4878 San Felipe Road	South	
Belleza Salon and Spa, Suite 120 4878 San Felipe Road	South	Possible use of acetone and small quantities of other hazardous materials
Dish Network, Suite 130 4878 San Felipe Road	South	
Radio Shack, Suite 140 4878 San Felipe Road	South	
Wells Fargo 4888 San Felipe Road	South	
Le Boulanger - The Baker 4898 San Felipe Road	South	
Pizzeria Andiamos 4898 San Felipe Road	South	
Panda Express 4898 San Felipe Road	South	
Pasta Pomodoro 4898 San Felipe Road	South	

2.5 Environmental Questionnaire

An environmental questionnaire was sent to the client, Mr. Michael Hill. The information presented on the questionnaire is used to obtain general information regarding past and current Site usage. The questionnaire was not returned to us at the time of the report preparation.

3.0 HISTORICAL REVIEW

3.1 Photograph and Map Review

To evaluate the site history, we reviewed:

- Stereo-paired aerial photographs (dated 1939, 1956, 1965, 1982 and 1993) from Environmental Data Resources, Inc. in Milford, Connecticut
- USGS 15-minute and 7.5-minute topographic maps (1953, 1961, 1968, 1973 and 1980).
- Historic Sanborn fire insurance maps were requested from EDR in Milford, Connecticut. However, no Sanborn maps were available.

The above maps and photographs commonly provide historical information regarding a site including land uses and changes in development over time. Copies of these maps and photographs are presented in Appendix C. The following is a summary of our observations for the site and site vicinity.

3.2 Site

1939 through 1973: The 1939, 1956 and 1965 aerial photographs and the 1953, 1961, 1968 and 1973 topographic maps showed the site as being occupied by an orchard. What appeared to be a farmhouse and related outbuildings were located at the southeastern side of the site. Another small structure was observed along the northeastern side of the site in the 1961, 1968 and 1973 topographic maps and the 1956 and 1965 aerial photographs.

1980 through 1993: The 1980 topographic map and the 1982 and 1993 aerial photographs showed that the orchards have been removed from most of the site. A small amount of the orchards remain on the northwestern corner of the site. A large portion of the site appears undeveloped. A cluster of buildings and associated parking lot appear on the northwestern side of the site in the 1980 topographic map and 1982 aerial photograph. One additional building, a cluster of buildings and associated parking lots, were observed adjacent to the other structures on the northwestern side of the site in the 1993 aerial photograph. The path of Yerba Buena Road along the southern side of the site appears to have been changed from the 1980 topographic map and 1982 aerial photograph. The alignment of Yerba Buena Road now appears similar to the present day.

3.3 Site Vicinity

1939 through 1965: Based on the 1939, 1956, 1965 aerial photographs and the 1953 and 1961 topographic maps, the site vicinity appeared developed with orchards with a few residential structures. Yerba Buena Creek appears south of the site and Thompson Creek appears on the western side of the site.

1968 through 1993: The 1968, 1973, and 1980 topographic maps and the 1982 and 1993 aerial photographs showed an increase in both commercial and residential developments in the site vicinity. Orchards only appear north of the site in the 1993 aerial photograph.

4.0 REGULATORY RECORDS

4.1 City and County Agencies File Review

To obtain information on hazardous materials usage and storage, we reviewed readily available information at the City of San Jose Building Department (SJBD), the City of San Jose Fire Department (SJFD), and Santa Clara County Environmental Health Department (SCCEHD) pertaining to site addresses 4750 San Felipe Road and 3095 Yerba Buena Road.

Files reviewed at the San Jose Fire Department including three under ground storage tank (UST) applications, a 2002 Hazardous Material Business Plan and an application of new underground diesel fuel lines for a diesel generator. The UST applications state that the three tanks had been installed during 1975, 1979 and 1980. The locations of the UST installations were not documented in the files reviewed. Two of the tanks installed were 10,000 gallon diesel storage tanks and one 1,000 gallon diesel storage tank. A 2002 Hazardous Material Business Plan states that the college has active ASTs in place around the campus, but stated that no USTs are located at the college. The locations and information about possible removal of the USTs was not available from the sources researched. The application for the installation of new underground diesel fuel lines were to connect a diesel fuel AST and a diesel generator. Approximately 16 feet of fuel lines were replaced connecting the generator and the emergency diesel storage tank.

San Jose Building Department (SJBD) permit files were available for review on-line. None of the permits available appeared to have any significant application to the Site.

The Santa Clara County Environmental Health Department (SCCEHD) files contained information about Evergreen Valley College being a hazardous waste generator. The hazardous material generated from the college was identified on a waste inventory form included in a Hazardous Waste Generator Permit Application. The CA waste code, the annual quantity generated and the method of disposal for all the waste manifested off-site was listed on the form. The hazardous material appears to be off hauled by a registered hazardous waste hauler. The waste appears to be recycled off-site or thermally treated. The application, dated August 27, 1990, states that the facility has underground storage tanks. The college also appears to have disposed of 40 cubic yards of asbestos containing material in August 4, 1989. The SCCEHD files appear to apply only to the classroom and college portions east of the parcels under review.

4.2 Regulatory Agency Database Report

During this study, a regulatory agency database report was obtained and reviewed to help establish whether contamination incidents have been reported in the site vicinity. A list of the database sources reviewed, a detailed description of the sources, and a radius map indicating the location of the reported facilities relative to the project site are presented in Appendix D.

There were no reported nearby hazardous materials spills or releases with a potential to significantly impact the site. The potential for site impact was evaluated based on information in the database records regarding the type of release, current case status, and distance and direction from the site.

5.0 CONCLUSIONS

5.1 Historical Summary

The site's first use appears to have been orchards with a farmhouse and related buildings in 1939. Site information prior to 1939 was unavailable from sources researched, but based on our experience, site use prior to 1939 likely was either agricultural or undeveloped land. Orchards were observed on aerial photographs dated from 1939 to 1965. The farmhouse and orchards appears to be demolished and removed in the late 1970's. The eastern portion of the site has since remained as undeveloped land. The San Jose Community College District office buildings at 4750 San Felipe Road and associated parking lot appear to have been constructed in the late 1970's or early 1980's. The Academy building and firing range at 3095 Yerba Buena Road appears to have been built in the mid to late 1980's to early 1990's.

5.2 Agricultural Use

The site was used for agricultural purposes for several decades. During the course of agricultural use, pesticides, such as DDT, likely were applied to crops in the normal course of farming operations. There is no indication of any uncontrolled release of pesticides to the site. However, because redevelopment of the site may include residential, soil sampling and analyses should be performed to evaluate the residual pesticide concentrations, if any, and potential health risks to future residents.

Construction worker health and safety issues and off-site disposal of excess soil, however, can also be concerns if high levels of pesticides are present. For these reasons, soil sampling should be considered to evaluate the site for residual pesticides.

5.3 Chemical Storage and Use

Chemical storage and use observed at the site involved routine janitorial and maintenance supplies, small amounts of herbicides and pesticides, silicone lubricants, ammunition, defense training technology and above ground storage tanks associated with an emergency generator. The college does generate small quantities of hydrofluoric acid, hydrochloric acid and other inorganic acids, alkaline wastes, waste surplus of photo-chemicals, and hazardous solid wastes. No record of any releases were reviewed by us. These materials do not appear to pose a significant hazard to

the site, provided they continue to be used as designed, are properly handled, and all regulations regarding their use are followed.

The former farm house historically associated with the site was located on the southeastern corner of the site. No detailed information concerning their operations in the orchards was available from the sources researched. Due to the lack of readily available information, there is insufficient information upon which to base a conclusion regarding the likelihood that these historic activities may have impacted the site. No evidence of significant hazardous material impact to the site was observed, however, during our site visit, nor in the records reviewed.

5.4 Water Supply Well

Mr. Robert Dias Director of Facilities at the District office said that a water supply well had been capped in the open fields on the eastern side of the site. The location of the well is unknown. The water supply well should have been properly abandoned in accordance with applicable regulations if continued use is no longer intended.

5.5 Asbestos

Due to the age of the on-site buildings, asbestos-containing materials (ACMs) may be present. If demolition, renovation, or re-roofing of the buildings is under consideration, an asbestos survey must be conducted under National Emissions Standards for Hazardous Air Pollutants (NESHAP) guidelines. In addition, NESHAP guidelines require that all potentially friable ACM be removed prior to building demolition or renovation that may disturb the ACM.

5.6 Lead

In 1978, the Consumer Product Safety Commission banned the use of lead as an additive in paint. Currently, the U.S. EPA and U.S. Department of Housing and Urban Development are proposing additional lead-based paint regulations. Based on the age of the buildings, lead-based paint may be present. Residual lead may also be present in soils around the former farmhouse and associated buildings on the southeastern corner of the site. For existing structures, lead-based paint is still bonded to the building materials, its removal is not required prior to demolition. It will be necessary, however, to follow the requirements outlined by Cal/OSHA Lead in Construction Standard, Title 8, California Code of Regulations (CCR) 1532.1 during demolition activities; these requirements include employee training, employee air monitoring, and dust control. If lead based paint is peeling, flaking or blistered, it should be removed prior to demolition. It is assumed that such paint will become separated from the building components during demolition activities; thus, it must be managed and disposed as a separate waste steam. Any debris or soil containing lead paint or coating must be disposed at landfills that are permitted to accept the waste being disposed.

If lead based paint residues are present in soils around the current or former buildings, the concentrations may exceed health-based or hazardous waste concentrations. Such residues are typically present in a narrow, shallow strip of soil around the structure. To confirm if such residuals are present at this site, soil sampling and analysis could be performed.

The bullet collection system in the firing range is cleaned monthly. The lead from the bullets appears to be properly recycled or disposed. The ventilation and air filtration system in the firing range appears to collect the lead particles that get generated from bullets impacting the steel plates of the bullet collection system. The air being discharged from the firing range is filtered before it is discharged from the eastern side of the firing range.

Lead based residues may be present in the soil on the eastern side of the building, due to the fan system blowing the interior air out the eastern side of the building. The effectiveness of the filtration system would be associated with the amount of lead residues present in the soil on the eastern side of the building.

5.7 Fluorescent Light Ballasts and Tubes

Fluorescent lights were observed on-site. Fluorescent light ballasts manufactured before 1978 may contain PCBs. Ballasts manufactured after January 1, 1978, should not contain PCBs and are required by law to contain a label that states that no PCBs are present within the units. Fluorescent light tubes also may contain mercury. The Department of Toxic Substances Control (DTSC) considers these wastes Universal Wastes. Universal Wastes are lower risk hazardous wastes that require proper disposal and handling. Disposal at an appropriate recycling facility is encouraged.

5.8 Transformers

Transformers were observed outside both groups of buildings. This transformer may contain transformer oil. The transformer appeared to be in good condition and no oil leaks were observed. Although oil is typically not highly toxic or mobile in the environment, transformer oil may contain polychlorinated biphenyls (PCBs). If the transformer is to be removed or if leaks are observed, testing of the oil for PCBs should be performed. The manufacturer may also be able to provide information regarding the PCB content, if any.

5.9 Underground Storage Tanks

The locations and other information about two 10,000-gallon diesel UST, and one 1,000-gallon diesel UST were not documented in the files made available to us. Further information on the location of these USTs, or documentation of their removals should be obtained.

5.10 Urban Runoff Pollution Prevention Program

The Urban Runoff Pollution Prevention Program, also called the Non-Point Source Program, was developed in accordance with the requirements of the 1986 San Francisco Bay Basin Water Quality Control Plan to reduce water pollution associated with urban storm water runoff. This program was also designed to fulfill the requirements of the Federal Clean Water Act, which mandated that the EPA develop National Pollution Discharge Elimination system (NPDES) Permit application requirements for various storm water discharges, including those from municipal storm drain systems and construction sites.

Construction activity resulting in a land disturbance of 1 acre or more, or less than 1 acre but part of a larger common plan of development or sale, must obtain a Construction Activities Storm Water General Permit. A Notice of Intent (NOI) and Storm Water Pollution Prevention Plan (SWPPP) must be prepared prior to commencement of construction.

5.11 Firing Range

We recommend the removal and appropriate disposal of all exhaust hoods, ductwork and fans at the firing range. This equipment may contain elevated lead residues. The interior of the building should be sampled for residual lead.

5.12 Fill

Fill material may have been placed on-site in the late 1970s. Landscape berms appear placed around the District office buildings. Fill appears placed around the firing range building and around part of The Academy building. Fill appears to have been placed in the parking lot, due to the step in elevation on the eastern and western side of the parking lot. The source and quality of the fill soil are unknown. The source of the fill may have been the soil from the orchards. If a higher degree of comfort is desired, consideration should be given to evaluating the fill for the presence of pesticide residues.

5.13 Potential Environmental Concerns Within the Site Vicinity

Based on the information obtained during this study, no hazardous material incidents have been reported in the site vicinity that would be likely to significantly impact the site. As is typical to many commercial/industrial areas, several facilities in the vicinity, however, were reported as hazardous materials users. If leaks or spills occur at these facilities, contamination could impact the site, depending upon the effectiveness of cleanup efforts.

5.14 Soil Management Plan

Based on the long agricultural history of the site, buried structures, debris or impacted soil may be encountered during site development activities; these materials may require special handling and disposal. To limit construction delays, we recommend that a Soil Management Plan (SMP) be developed to establish management practices for handling these materials/structures if encountered.

5.15 Environmental Insurance

Due to the lengthy industrial use of the site, contaminated materials may be encountered during site development. Consideration should be given to purchasing insurance to help protect against these liabilities. There are two primary insurance policies that provide significant protection against environmental liability risks:

- Pollution Legal Liability protects against third party claims for personal injury and property damage, and related risks;
- Cleanup Cost-Cap protects against increases in cleanup costs due to unknown or changing conditions, including more stringent requirements than currently exist.

Other environmental insurance coverages are available to protect financial institutions lending money for the purchase of distressed assets, contractors working on environmental projects, and underground storage tank closure liability. Generally, if the risk is related to environmental conditions, it is likely that an insurance product can be adapted to protect against risk.

6.0 LIMITATIONS

As with all site assessments, the extent of information obtained is a function of client demands, time limitations, and budgetary constraints. Our conclusions and recommendations regarding the site are based on readily observable site conditions, review of readily available documents, maps, aerial photographs, and data collected and/or reported by others. Due to poor or inadequate address information, the regulatory agency database report listed several sites that may be inaccurately mapped or could not be mapped; leaks or spills from these or other facilities, if nearby, could impact the site. As directed by you, we are relying on information presented in reports provided to us by you or your representative. We are not responsible for the accuracy of information or data presented by others.

Because publicly available information often cannot affirm the presence of recognized environmental conditions, there is the possibility that such conditions exist. Our conclusions and recommendations in this site assessment are qualified in that no soil, ground water, air, or building material analyses were performed. Sampling and analysis lead to a more reliable assessment of environmental conditions, conditions that often cannot be noted from typical Phase I activities. Should you desire a greater degree of confidence, these samples should be obtained and analyzed to further evaluate environmental conditions.

This report was prepared for the sole use of San Jose/Evergreen Community College District. We make no warranty, expressed or implied, except that our services have been performed in accordance with environmental principles generally accepted at this time and location.

* * * * * * * * * * * *

LOWNEY ASSOCIATES
Environmental/ Geotechnical/ Engineering Services

Soil Quality Evaluation

San Jose/ Evergreen Community College District

San Jose, California

This report has been prepared for:

San Jose/ Evergreen Community College District

4750 San Felipe Road, San Jose, California 95135

July 27, 2005

Project No. 2100-1B

Travis Hinman
Staff Environmental Geologist

Thomas F. McCloskey, P.G., C.HG.
Principal Geologist

LOWNEY ASSOCIATES
Environmental/Geotechnical/Engineering Services

San Ramon
Fairfield
Fullerton
Mountain View
Oakland
Sacramento
Las Vegas

July 27, 2005
2100-1B

Mr. Michael Hill
SAN JOSE/ EVERGREEN COMMUNITY COLLEGE DISTRICT
4750 San Felipe Road
San Jose, California 95135

RE: SOIL QUALITY EVALUATION
EVERGREEN COMMUNITY COLLEGE
LAND DEVELOPMENT
SAN JOSE, CALIFORNIA

Dear Mr. Hill:

The attached report summarizes the results of our soil quality evaluation performed at Evergreen Community College site in San Jose, California. This report was prepared in accordance with our agreement dated May 17, 2005. We previously performed a Phase I site assessment dated February 16, 2005.

We refer you to the text of the report for details regarding this study. To help us continue to add value to your projects please visit the feedback section on our web site at **http://www.lowney.com/feedback**. Your opinion is important to us. Thank you for choosing us to assist you. If you have any questions, please call and we will be glad to discuss them with you.

Very truly yours,

LOWNEY ASSOCIATES

Thomas F. McCloskey, P.G., C.E.G., C.HG.
Principal Geologist

TFM:TEH:jcm

Copies: Addressee (3)
David J. Powers (*via email*)
Attn: Mr. John Hessler

SR: 2100-1B Evergreen Comm College phII Soil rpt 07.27.05 (w table edits)

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APPENDIX B — ANALYTICAL RESULTS

ON FILE WITH THE CITY AND AVAILABLE FOR REVIEW UPON REQUEST.
CONTACT: JOHN BATY
(408) 535-7894

SOIL QUALITY EVALUATION
EVERGREEN COMMUNITY COLLEGE
SAN JOSE, CALIFORNIA

1.0 INTRODUCTION

1.1 Purpose

In this report we present the results of the soil quality evaluation performed at a portion of the Evergreen Community College site in San Jose, California. This work was performed for the San Jose/ Evergreen Community College District who we understand is considering selling the subject portion of the site for redevelopment.

1.2 Site Background

We understand that San Jose/Evergreen Community College District is considering the sale of four parcels, totaling approximately 27 acres, at the western end of the existing campus (Figures 2 and 3). The development could be mixed-use for commercial, residential, and student/staff housing, along with other possible uses that fit with the college or community objectives.

The four parcels include both developed and undeveloped acreage consisting of the following:

- 10-acre Yerba Buena Road parcel that is the largest of the four parcels and is currently undeveloped,
- 6.7-acre District Offices parcel along San Felipe Road that is currently occupied by an existing office building,
- 5.6-acre Criminal Justice Training Center currently occupied by two buildings, and
- 4.8-acre Northeast Site that was previously proposed for future expansion.

The final development plan will determine the actual parcel use, with possible changes to the existing parcel configurations (dividing or combining). The development will also include the installation of underground utilities, and roadway construction to service the commercial, and residential land use.

1.3 Scope of Work

The scope of work for this study was outlined in our agreements dated May 17 and June 6, 2005; and included the following tasks.

- Collection of 12 randomly located shallow soil samples in former agricultural areas and laboratory analysis for organochlorine pesticides and related metals.

- Collection of four surface samples from the areas where the historical farm buildings were located and analysis for organochlorine pesticides and related metals. A return visit was made for collection of six additional samples after elevated lead and pesticides were found.

- Collection of 15 surface samples from around the firing range, office and classroom buildings, and laboratory analysis for total lead as well as organochlorine pesticides and related metals. A return visit was made for collection of nine additional samples around the firing range after elevated lead was identified.

- Collection of one sample from the above ground storage tank enclosure and laboratory analysis for purgable and extractable hydrocarbons.

- Collection of six samples from fill areas.

2.0 SOIL QUALITY EVALUATION

2.1 Soil Sampling

To evaluate shallow soil quality, soil sampling was conducted as part of this investigation. Two site visits were conducted on May 19 and June 17, 2005, under the supervision of Principal Geologist Tom McCloskey, environmental geologist Travis Hinman collected 12 soil samples (AG-1 through AG-12) in the agricultural fields at the site at the locations shown on Figure 2. The samples were collected from an approximate depth of surface to ½ foot and were randomly located across the site at an approximate frequency of one sample for every 2 acres.

Twelve additional samples were collected from around the existing buildings at the locations shown on Figure 3. They were collected at a frequency of one sample for each side of the building (SS-9 through SS-20). One sample was collected from the above ground storage tank enclosure at a depth of approximately surface to ½ foot (SS-1). Four 2-point composite samples were collected at a depth of approximately the surface to ½ foot from areas which had fill placement from unknown sources.

A second site visit was conducted to evaluate the extent of lead contamination around the exhaust fans and exit doors of the firing range. Additional sampling was also performed around the former farm building area to evaluate the extent of pesticide contamination.

2.2 Laboratory Analyses

The 12 agricultural soil samples were analyzed at a California-certified analytical laboratory for organochlorine pesticides (EPA Test Method 8081A) and the pesticide-related metals arsenic, lead and mercury (EPA Test Method 6010B/7471A).

The soil sample collected inside the above ground storage tank enclosure was analyzed for purgable and extractable hydrocarbons (EPA Test Method 8015M with silica gel cleanup).

The 14 samples collected from around the existing firing range were analyzed for total lead (EPA Method 6010B).

The eight samples that were collected from fill areas around the firing range, the parking lot, and the existing buildings were analyzed for organochlorine pesticides (EPA Method 8081A) and arsenic, lead, and mercury (EPA Methods 6010B/7471A).

The 12 samples that were collected on each side of the office and classroom buildings were analyzed for organochlorine pesticides (EPA Method 8081A) and arsenic, lead, and mercury (EPA Methods 6010B/7471A).

The ten samples collected from the former farm building area were analyzed for organochlorine pesticides (EPA Method 8081A) and arsenic, lead, and mercury (EPA Methods 6010B/7471A).

2.3 Analytical Results

The analytical results of the pesticides analyses for the agricultural samples are presented in Table 1. Only the pesticide compounds detected above the laboratory detection limits are included in Table 1. None of the detected pesticides exceeds the United States Environmental Protection Agency (USEPA) Preliminary Remediation Goals (PRG) and the California Human Health Screening Levels (CHHSLs) for residential sites, which is the most restrictive health-based standard. None of the concentrations exceeds hazardous waste threshold concentrations.

The analytical results of the metals analyses for the agricultural samples are presented in Table 2. Low concentrations of arsenic were detected in samples AG-1 and AG-2. The arsenic concentrations detected appear to be within the range of naturally-occurring background concentrations of 0.2 to 14.1 ppm (Scott 1991). Low concentrations of lead were detected in all of the samples collected. The lead concentrations appear to be consistent with the range of naturally-occurring background concentrations of 6.8 to 16.1 ppm (Scott 1991). Mercury was also detected in low concentrations in nine of the 12 samples. These concentrations also appear to be consistent with the range of background concentrations of 0.02 to 0.5 ppm (Scott 1991). All concentrations are also well below the CHHSLs for residential sites, and do not exceed hazardous waste threshold concentrations.

Copies of the analytical reports and chain of custody documentation are presented in Appendix B.

Table 1. Analytical Results of Agricultural Surface Soil Samples-Pesticides

(concentrations in parts per million)

Sample	4,4'-DDD	4,4'-DDE	4,4'- DDT	Total DDT	Dieldrin
AG-1	0.0064	0.051	0.053	0.1104	<0.002
AG-2	0.0055	0.05	0.035	0.0905	<0.002
AG-3	<0.002	0.043	0.019	0.062	<0.002
AG-4	<0.002	0.0078	<0.002	0.0078	<0.002
AG-5	0.014	0.24	0.18	0.434	<0.002
AG-6	0.0072	0.05	0.046	0.1032	<0.002
AG-7	0.0039	0.043	0.005	0.0519	0.002
AG-8	<0.002	0.026	<0.002	0.026	<0.002
AG-9	<0.002	0.02	<0.002	0.02	<0.002
AG-10	0.015	0.053	0.039	0.107	<0.002
AG-11	0.01	0.048	0.024	0.082	<0.002
AG-12	0.017	0.23	0.023	0.27	<0.002
PRG	2.4	1.7	1.7	1.7	0.03
CHHSL	2.3/9.0	1.6/6.3	1.6/6.3	NE	0.035/0.13
TTLC	NE	NE	NE	1.0	8.0

< Indicates that the compound was not detected at or above stated laboratory detection limits
PRG Preliminary Remediation Goal for residential site use-EPA Region 9, October 2004
CHHSLs California Human Health Screening Levels in Evaluation of Contaminated Properties, January 2005, Residential standard / Commercial standard.
NE Not established
TTLC Total Threshold Limit Concentration for hazardous wastes

Table 2. Analytical Results of Agricultural Surface Soil Samples-Metals
(concentrations in parts per million)

Sample	Arsenic	Lead	Mercury
AG-1	9.7	14	0.1
5.6	5.6	8.0	0.2
AG-3	<1.7	11	<0.1
AG-4	<1.7	13	<0.1
AG-5	<1.7	23	0.1
AG-6	<1.7	9.3	0.1
AG-7	<1.7	9.2	<0.1
AG-8	<1.7	7.3	0.13
AG-9	<1.7	6.5	0.3
AG-10	<1.7	12	0.1
AG-11	<1.7	10	0.12
AG-12	<1.7	8.1	0.12
PRG	0.39	400	23
CHHSLs	0.07/0.24	150/3,500	18/180
TTLC	500	1000	20

< Indicates that the compound was not detected at or above stated laboratory detection limits
PRG Preliminary Remediation Goal for residential site use-EPA Region 9, October 2004
CHHSLs California Human Health Screening Levels in Evaluation of Contaminated Properties, January 2005, Residential standard / Commercial standard.
TTLC Total Threshold Limit Concentration for hazardous wastes

The analytical results of the pesticides analyses for the samples collected around the existing buildings and the formerly developed area in the southeast corner of the site are presented in Table 3. Only the pesticide compounds detected above the laboratory detection limit are included in the table.

Elevated concentrations of chlordane were detected in samples SS-15, SS-16, SS-17, SS-18, and SS-24. The detected concentrations were well above the CHHSL of 0.43 ppm for residential uses, but not the CHHSL for commercial/industrial uses of 1.7 ppm. Samples SS-15 through SS-18 were collected from adjacent to the existing District Office, as shown on Figure 3. Sample SS-24 was collected from the former farm building area of the site (Figure 5). Additional sampling was done to evaluate the lateral extent of the contamination at the SS-24 area. None of the other detected pesticides exceeds the CHHSL for residential sites or the hazardous waste threshold concentrations.

Table 3. Analytical Results of Developed Area Surface Soil Samples – Pesticides

(concentrations in parts per million)

Sample	4,4- DDD	4,4- DDE	4,4- DDT	Total DDT	Aldrin	Alpha Chlordane	Chlordane	Gamma Chlordane	Dieldrin
SS-2A, B Composite	<0.002	0.02	0.0065	0.0265	<0.002	<0.002	<0.05	<0.002	<0.002
SS-3A, B Composite	<0.002	0.053	0.012	0.065	<0.002	<0.002	<0.05	<0.002	<0.002
SS-4A, B Composite	<0.002	0.048	0.029	0.077	<0.002	<0.002	<0.05	<0.002	<0.002
SS-8A, B Composite	<0.002	0.049	0.022	0.071	<0.002	<0.002	<0.05	<0.002	<0.002
SS-9	<0.002	0.12	0.013	0.133	<0.002	<0.002	<0.05	<0.002	<0.002
SS-10	<0.002	<0.002	<0.002	<1.0	<0.002	<0.002	<0.05	<0.002	<0.002
SS-11	<0.004	0.04	0.014	0.054	<0.004	<0.004	<0.1	<0.004	<0.004
SS-12	<0.006	0.13	0.02	0.15	<0.006	<0.006	<0.15	<0.006	<0.006
SS-13	<0.006	0.054	<0.006	0.054	<0.006	<0.006	<0.15	<0.00	<0.006
SS-14	<0.004	0.058	0.0069	0.0649	<0.004	<0.004	<0.1	<0.004	<0.004
SS-15	0.018	0.27	0.11	0.398	<0.002	0.061	**0.89**	0.057	0.0042
SS-16	0.0098	0.23	0.099	0.3388	<0.002	0.049	**0.7**	<0.002	0.0024
SS-17	0.018	0.14	0.037	0.195	<0.002	0.088	**0.95**	0.076	0.0042
SS-18	0.0054	0.14	0.046	0.1914	<0.002	0.016	**1.1**	0.017	<0.002
SS-19	<0.002	0.055	0.029	0.084	<0.002	0.0052	<0.05	0.0094	<0.002
SS-20	0.0043	0.042	0.033	0.0793	<0.002	0.013	<0.05	0.0093	<0.002
SS-21	<0.002	0.045	0.036	0.081	<0.002	<0.002	<0.05	<0.002	<0.002
SS-22	<0.002	0.042	0.047	0.089	<0.002	<0.002	<0.05	<0.002	<0.002
SS-22A	0.0021	0.069	0.046	0.1171	0.0036	0.0023	<0.05	0.0032	<0.002
SS-22B	0.0024	0.054	0.047	0.1034	<0.002	0.0034	<0.05	0.0065	<0.002
SS-22C	<0.002	0.09	0.066	0.156	0.0042	0.0033	<0.05	<0.002	<0.002
SS-23	0.0042	0.049	0.056	0.1092	<0.002	<0.002	<0.05	<0.002	<0.002
SS-24	0.0075	0.051	0.035	0.0935	0.0024	0.061	**0.67**	0.0460	0.0077
SS-24A	<0.002	0.16	0.1	0.26	<0.002	0.015	<0.05	0.015	0.0054
SS-24B	0.0029	0.4	0.11	0.5129	<0.002	0.0024	<0.05	0.0028	<0.002
SS-24C	<0.002	0.053	0.024	0.077	<0.002	0.0025	<0.05	0.0023	<0.002
PRG	2.4	1.7	1.7	1.7	0.029	NE	1.6	NE	0.03
CHHSLs	2.3/9.0	1.6/6.3	1.6/6.3	NE	0.033/0.13	0.43/1.7	0.43/1.7	0.43/1.7	0.035/0.13
TTLC	NE	NE	NE	1.0	1.4	2.5	2.5	2.5	8.0

< Indicates that the compound was not detected at or above stated laboratory detection limits
PRG Preliminary Remediation Goal for residential site use-EPA Region 9, October 2004
CHHSLs California Human Health Screening Levels in Evaluation of Contaminated Properties, January 2005, Residential standard / Commercial standard.
NE Not established
TTLC Total Threshold Limit Concentration

--Continued

Table 3. Analytical Results of Developed Area Surface Soil Samples – Pesticides

(concentrations in parts per million) Continued

Sample	Endo-sulfan I	Endo-sulfan II	Endo-sulfan Sulfate	Endrin	Endrin Aldehyde	Endrin Keytone	Hep-tachlor	Hep-tachlor Epoxide	Delta-BHC
SS-2A, B Composite	<0.002	<0.002	<0.002	<0.002	<0.002	<0.002	<0.002	<0.002	<0.002
SS-3A, B Composite	<0.002	<0.002	<0.002	<0.002	<0.002	<0.002	<0.002	<0.002	<0.002
SS-4A, B Composite	<0.002	<0.002	<0.002	<0.002	<0.002	<0.002	<0.002	<0.002	<0.002
SS-8A, B Composite	<0.002	<0.002	<0.002	<0.002	<0.002	<0.002	<0.002	<0.002	<0.002
SS-9	<0.002	<0.002	<0.002	<0.002	<0.002	<0.002	<0.002	<0.002	<0.002
SS-10	<0.002	<0.002	<0.002	<0.002	<0.002	<0.002	<0.002	<0.002	<0.002
SS-11	<0.004	<0.004	<0.002	<0.004	<0.004	<0.002	<0.004	<0.004	<0.004
SS-12	<0.006	<0.006	<0.002	<0.006	<0.006	<0.002	<0.006	<0.006	<0.002
SS-13	<0.006	<0.006	<0.002	<0.006	<0.006	<0.002	<0.006	<0.006	<0.006
SS-14	<0.004	<0.004	<0.002	<0.004	<0.004	<0.002	<0.004	<0.004	<0.004
SS-15	0.0072	<0.002	<0.002	<0.002	<0.002	<0.002	<0.002	<0.002	<0.002
SS-16	0.0036	<0.002	<0.002	<0.002	<0.002	<0.002	<0.002	<0.002	0.002
SS-17	0.0083	0.013	<0.002	<0.002	<0.002	<0.002	<0.002	<0.002	<0.002
SS-18	<0.002	<0.002	<0.002	<0.002	<0.002	<0.002	<0.002	<0.002	<0.002
SS-19	<0.002	<0.002	<0.002	<0.002	<0.002	<0.002	<0.002	<0.002	<0.002
SS-20	<0.002	<0.002	<0.002	<0.002	<0.002	<0.002	<0.002	<0.002	<0.002
SS-21	<0.002	<0.002	<0.002	<0.002	<0.002	<0.002	<0.002	<0.002	<0.002
SS-22	<0.002	<0.002	<0.002	<0.002	<0.002	<0.002	<0.002	<0.002	<0.002
SS-22A	<0.002	<0.002	<0.002	<0.002	0.0032	<0.002	0.005	<0.002	<0.002
SS-22B	<0.002	0.013	0.0058	<0.002	0.0029	<0.002	0.0042	<0.002	<0.002
SS-22C	<0.002	<0.002	<0.002	<0.002	0.0029	0.0022	0.0031	0.0027	<0.002
SS-23	<0.002	<0.002	<0.002	<0.002	<0.002	<0.002	<0.002	<0.002	<0.002
SS-24	0.0036	0.019	<0.002	0.0073	0.0037	<0.002	<0.002	0.0029	<0.002
SS-24A	<0.002	<0.002	<0.002	0.0097	0.0035	<0.002	<0.002	0.0041	<0.002
SS-24B	<0.002	<0.002	<0.002	<0.002	<0.002	<0.002	<0.002	<0.002	<0.002
SS-24C	<0.002	<0.002	<0.002	<0.002	<0.002	<0.002	0.0025	<0.002	<0.002
PRG	370	370	NE	18	NE	NE	0.11	0.053	NE
CHHSLs	NE	NE	NE	21/230	NE	NE	0.13/0.52	NE	NE
TTLC	NE	NE	NE	0.2	NE	NE	4.7	NE	NE

<	Indicates that the compound was not detected at or above stated laboratory detection limits
PRG	Preliminary Remediation Goal for residential site use-EPA Region 9, October 2004
CHHSLs	California Human Health Screening Levels in Evaluation of Contaminated Properties, January 2005, Residential standard / Commercial standard.
NE	Not established
TTLC	Total Threshold Limit Concentration

The analytical results of the metals analyses for the surface samples collected in the developed and the former farm building area are presented in Table 4. Elevated concentrations of lead were detected in the samples collected in the area of the firing range, and from one location at the former farm building area. The lead concentrations for samples collected in the other developed areas of the site (Figure 3) appear to be consistent to naturally-occurring background concentrations of 6.8 to 16.1 ppm (Scott, 1991). The firing range concentrations were very elevated near the exhaust fans and somewhat elevated (exceeding CHHSL and likely hazardous waste concentrations) near the exit doors of the firing range buildings (Figure 4). Concentrations of lead decreased away from these areas. Three samples were analyzed for Soluble Threshold Limit Concentration (STLC) to determine the soluble lead concentrations. Samples SS-7 and SS-26 STLC was found to be above the STLC, and therefore, hazardous waste threshold concentration.

Arsenic was detected in several samples, but the concentrations of 0.2 to 14.4 ppm appear to be consistent with naturally-occurring background concentrations (Scott, 1991). Elevated concentrations of arsenic were detected in sample SS-15 at 16 ppm, and is co-located with elevated chlordane. Low concentrations of mercury were detected in all but three of the 20 surface samples analyzed for mercury. The concentrations detected are slightly elevated, but still well below the residential CHHSLs for mercury, and consistent with naturally-occurring concentrations.

Table 4. Analytical Results of Developed Area Surface Soil Samples-Metals
(concentrations in parts per million)

Sample	Arsenic	Lead	Mercury	Soluble Lead
SS-2A, B Composite	<1.7	8.9	0.1	--
SS-3A, B Composite	5.4	13	<0.1	--
SS-4A, B Composite	<1.7	12	0.12	--
SS-5	--	**450**	--	--
SS-6	--	**15000**	--	--
SS-7	--	**120**	--	**6.26**
SS-8A, B Composit	<1.7	10	0.13	--
SS-9	<1.7	15	0.52	--
SS-10	<1.7	8.2	0.72	--
SS-11	<1.7	11	0.63	--
SS-12	<1.7	13	0.77	--
SS-13	<1.7	13	0.23	--
SS-14	<1.7	10	0.23	--
SS-15	**16**	19	<0.1	--
SS-16	9.8	23	0.1	--
SS-17	9.1	11	0.12	--
SS-18	<1.7	20	0.10	--
SS-19	<1.7	13	0.1	--

--Continued

Table 4. Analytical Results of Developed Area Surface Soil Samples-Metals
(concentrations in parts per million) Continued

Sample	Arsenic	Lead	Mercury	Soluble Lead
SS-20	12	11	<0.1	--
SS-21	2.7	13	0.1	--
SS-22	<1.7	**160**	0.15	2.76
SS-22A	--	47	--	--
SS-22B	--	45	--	--
SS-22C	--	69	--	--
SS-23	4.3	15	0.18	--
SS-24	2.9	25	0.25	--
SS-24A	--	20	--	--
SS-24B	--	15	--	--
SS-24C	--	10	--	--
SS-25	--	**220**	--	--
SS-26	--	62	--	20.0
SS-27	--	28	--	--
SS-28	--	**320**	--	--
SS-29	--	8.8	--	--
SS-30	--	**580**	--	--
SS-31	--	**180**	--	--
SS-32	--	44	--	--
SS-33	--	**1300**	--	--
PRG	0.39	400	23	--
CHHSLs	0.07/0.24	150/3,500	18/180	--
TTLC	500	1000	20	1000
STLC	5.0	--	0.2	5.0

< Indicates that the compound was not detected at or above stated laboratory detection limits
PRG Preliminary Remediation Goal for residential site use-EPA Region 9, October 2004
CHHSLs California Human Health Screening Levels in Evaluation of Contaminated Properties, January 2005, Residential standard / Commercial standard.
NE Not established
TTLC Total Threshold Limit Concentration
STLC Soluble Threshold Limit Concentration

The analytical results for extractable hydrocarbons are presented in Table 5. A low concentration of diesel-range petroleum hydrocarbons was detected in soil sample SS-1 (61.3 ppm) collected near an above ground storage tank (AST)(Figure 3), which does not exceed regulatory thresholds. Oil range hydrocarbons were detected in the sample in residual levels of 120 ppm. This concentration is also below the regulatory threshold.

Table 5. Analytical Results of Extractable Hydrocarbons
(concentrations in parts per million)

Sample	TPH (Diesel)	TPH (oil)
SS-1	61.3	120
CHHSL	100	100
ESL Soil Leaching Screening Level	100	1000

CHHSLs California Human Health Screening Levels in Evaluation of Contaminated Properties, January 2005
ESL – Environmental Screening Level RWQCB

The preliminary remediation goals (PRGs) presented in Tables 1 through 4 are risk-based concentrations developed by the United States Environmental Protection Agency (USEPA) Region 9; PRGs are for use as screening levels in determining if further evaluation is warranted, in prioritizing areas of concern, in establishing initial cleanup goals, and in estimation of potential health risks. The PRGs are included for reference purposes only because they have recently been replaced by the CHHSL prepared by the California Environmental Protection Agency (Cal/EPA) as a tool to assist in the evaluation of contaminated sites for potential adverse threats to human health from direct exposure to contaminated soil.

3.0 CONCLUSIONS AND RECOMMENDATIONS

To evaluate the presence of residual organochlorine pesticides and the related metals arsenic, lead, and mercury in the former agricultural areas of the site, 12 surface-soil samples were collected at random locations and are shown on Figure 2. As shown in Table 1, generally low concentrations of DDD, DDE, and DDT were detected in the soil samples. Dieldrin was only detected at low concentrations in one surface soil sample. The concentrations of these compounds did not exceed the United States Environmental Protection Agency (USEPA) Preliminary Remediation Goals (PRG) or the California Human Health Screening Levels (CHHSLs) for residential sites. Likewise hazardous waste thresholds were not exceeded in any of the samples.

Generally, low concentrations of lead (up to 23 ppm) and mercury (up to 0.3 ppm) were detected in the samples. The concentrations of lead and mercury detected in the agricultural samples appear to be consistent with naturally-occurring background levels of 6.8 to 16.1 ppm and 0.02 to 0.5 ppm, respectively (Scott 1991). Arsenic was detected in only two of the agricultural samples (AG-1, 9.7 ppm and AG-2, 5.4 ppm). The concentrations detected appear to be consistent with the range of typical background concentrations of 0.2 to 14.4 ppm (Scott 1991). Due to naturally-occurring arsenic in the Bay Area, arsenic concentrations typically exceed the residential PRGs and the CHHSLs and mitigation is not required.

To evaluate the presence of residual organochlorine pesticides and the related metals arsenic, lead, and mercury in the developed areas of the site, 42 surface-soil samples

were collected around the existing and historic building areas. As shown in Table 3, only chlordane was detected exceeding regulatory threshold criteria for residential use, but not for commercial/industrial uses. Elevated concentrations were identified around the District Office, and in one sample from the former farm building area in the southeast corner of the site. One sample from the District Office (SS-15) also had co-located elevated arsenic concentrations exceeding residential and commercial/industrial regulatory threshold concentrations. The chlordane in the formerly developed area appears to be an isolated contaminant based on additional sampling reformed in that area (Figure 5).

Elevated concentrations of lead were detected at several locations ranging from 120 ppm up to 15,000 ppm. One sample with elevated lead was collected from the former farm building area, and the remaining samples were collected from the firing range building. Elevated land was found to be associated with the exhaust fans and exit doors at the firing range, as shown on Figure 4. Lead concentrations appear to decrease with distances from these areas. These concentrations with the exception of SS-7 (120 ppm) are above the CHHSL of 150 ppm for residential uses. One sample exceeded the commercial/industrial CHHSL of 3,500 ppm. Two of these samples have concentrations over 1,000 ppm, which exceeds the hazardous waste threshold. Three samples were analyzed for soluble lead concentrations (Table 4). Samples SS-7 and SS-26 were above the threshold concentration for soluble lead and would be considered hazardous waste if excavated and disposed.

Low concentrations of mercury were also detected in all but three of the samples (up to 0.77ppm). These concentrations are less than the residential CHHSL of 18 ppm for that compound. A low concentration of arsenic was detected in seven of the 23 samples (up to 12 ppm). The concentrations detected appear to be consistent with the background concentrations of 0.2 to 14.4 ppm for the area (Scott 1991). Due to naturally-occurring arsenic in the Bay Area, arsenic concentrations typically exceed the CHHSLs, the residential PRGs and frequently the commercial/industrial PRG as well. An elevated concentration of arsenic was detected in sample SS-15 (16 ppm). This result is co-located with elevated concentrations of chlordane (0.89 ppm) and is therefore probably due to metal containing pesticide use around the buildings.

We understand that Evergreen Community College is considering selling or redeveloping the property for mixed use, including residential redevelopment. Based on the information obtained during this study, there should be remediation done in two areas of the site prior to residential or commercial development. These areas are the shallow soils around the District Office and the firing range building. Less remediation would be needed in these areas if reuse was for commercial or industrial use. It should be noted that one area of the District Office and one area of the firing range exceed commercial and industrial health-based screening level concentrations. Consideration should be given to restricting access to these areas, and to removal or capping of these areas to remove the potential long-term exposure hazard. Consideration should also be given to removing soils exceeding hazardous waste threshold concentrations to avoid future disclosure or disposal issues should the soil be removed at a later time.

4.0 LIMITATIONS

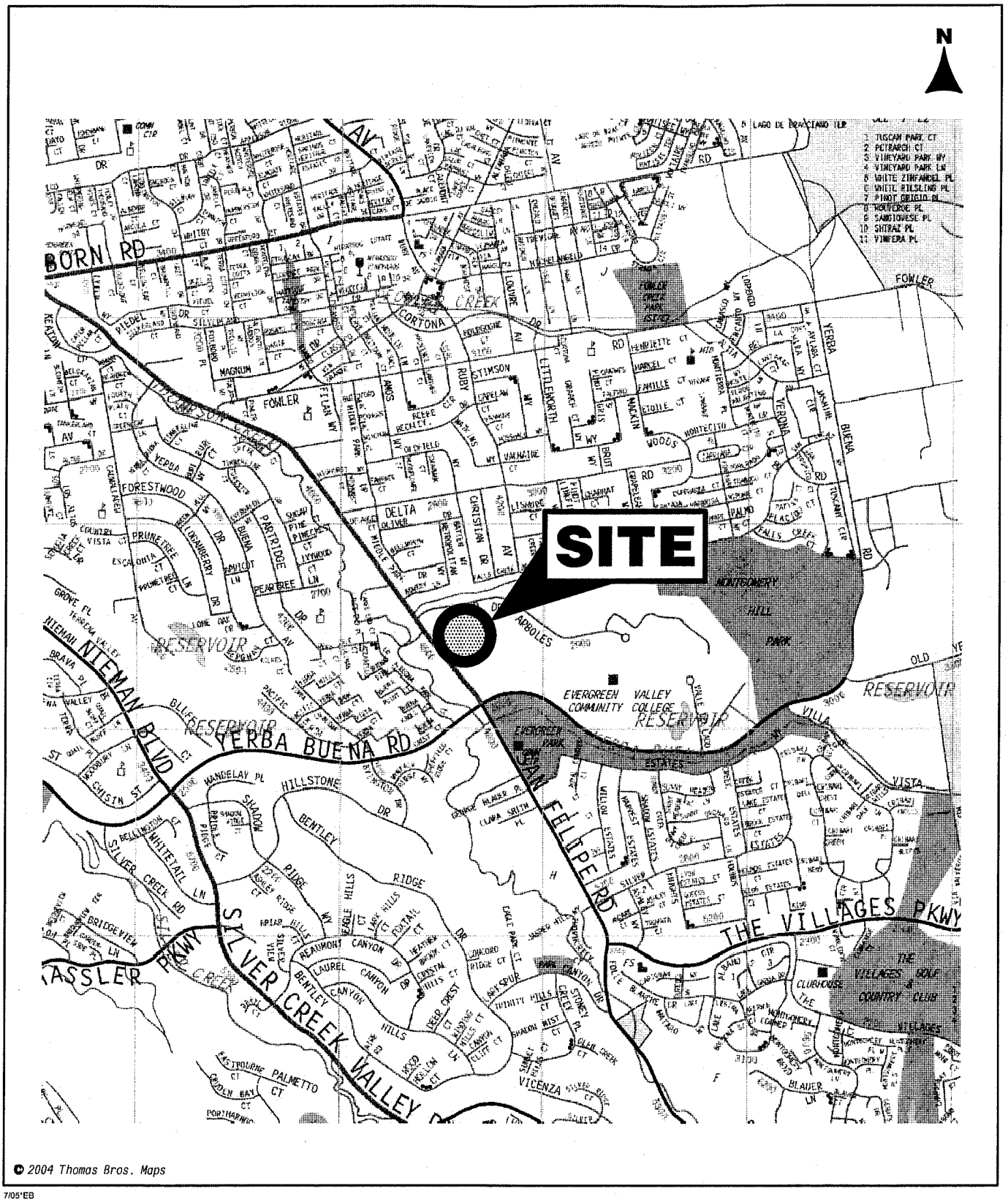
This report was prepared for the sole use of San Jose/Evergreen Community College District in evaluating soil quality at the Evergreen Community College site at the time of this study. We make no warranty, expressed or implied, except that our services have been performed in accordance with environmental principles generally accepted at this time and location. The chemical and other data presented in this report can change over time and are applicable only to the time this study was performed. We are not responsible for the data presented by others.

The accuracy and reliability of geo- or hydro-chemical studies are a reflection of the number and type of samples taken and extent of the analyses conducted, and are thus inherently limited and dependent upon the resources expended. Chemical analyses were performed for specific parameters during this investigation, as detailed in the scope of services. Please note that additional constituents not analyzed for during this evaluation may be present in soil at the site. Our sampling and analytical plan was designed using accepted environmental principles and our judgment for the performance of a soil quality evaluation and was based on the degree of investigation approved by you. It is possible to obtain a greater degree of certainty, if desired, by implementing a more rigorous soil and ground water sampling program or evaluating the risk posed by the contaminants detected, if any.

5.0 REFERENCES

Scott, Christina M. December 1991. Background Metal Concentrations in Soils in Northern Santa Clara County, California.

* * * * * * * * * * * * * *



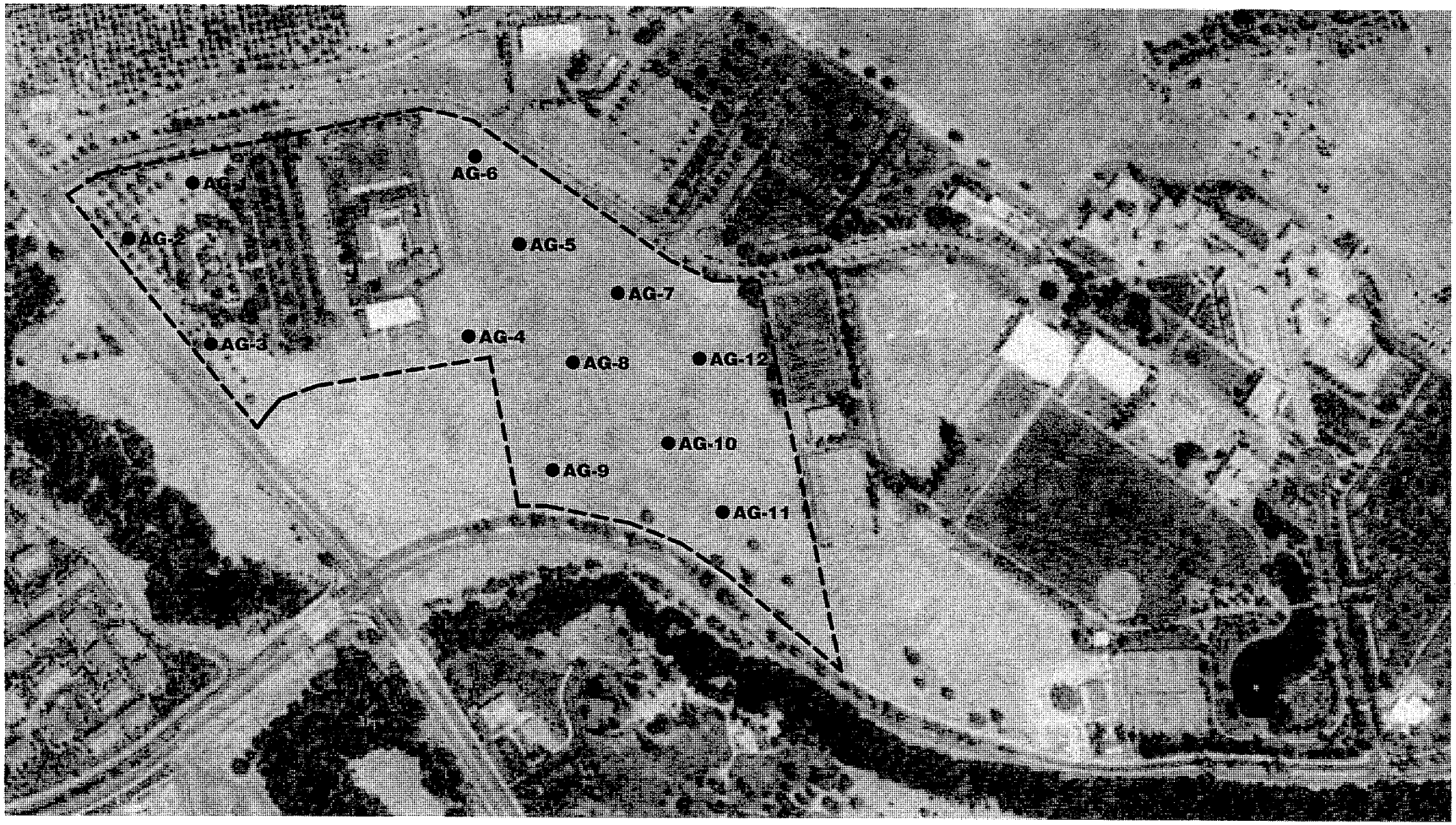
7/05*EB

VICINITY MAP

EVERGREEN COMMUNITY COLLEGE
San Jose, California

LOWNEY ASSOCIATES
Environmental/Geotechnical/Engineering Services

FIGURE 1
2100-1B



LEGEND

● - Approximate location of soil sample

▬ ▬ - Approximate site boundary

0 300 ft.

Base by USGS TerraServer, dated 1998.

AGRICULTURAL SAMPLING LOCATIONS

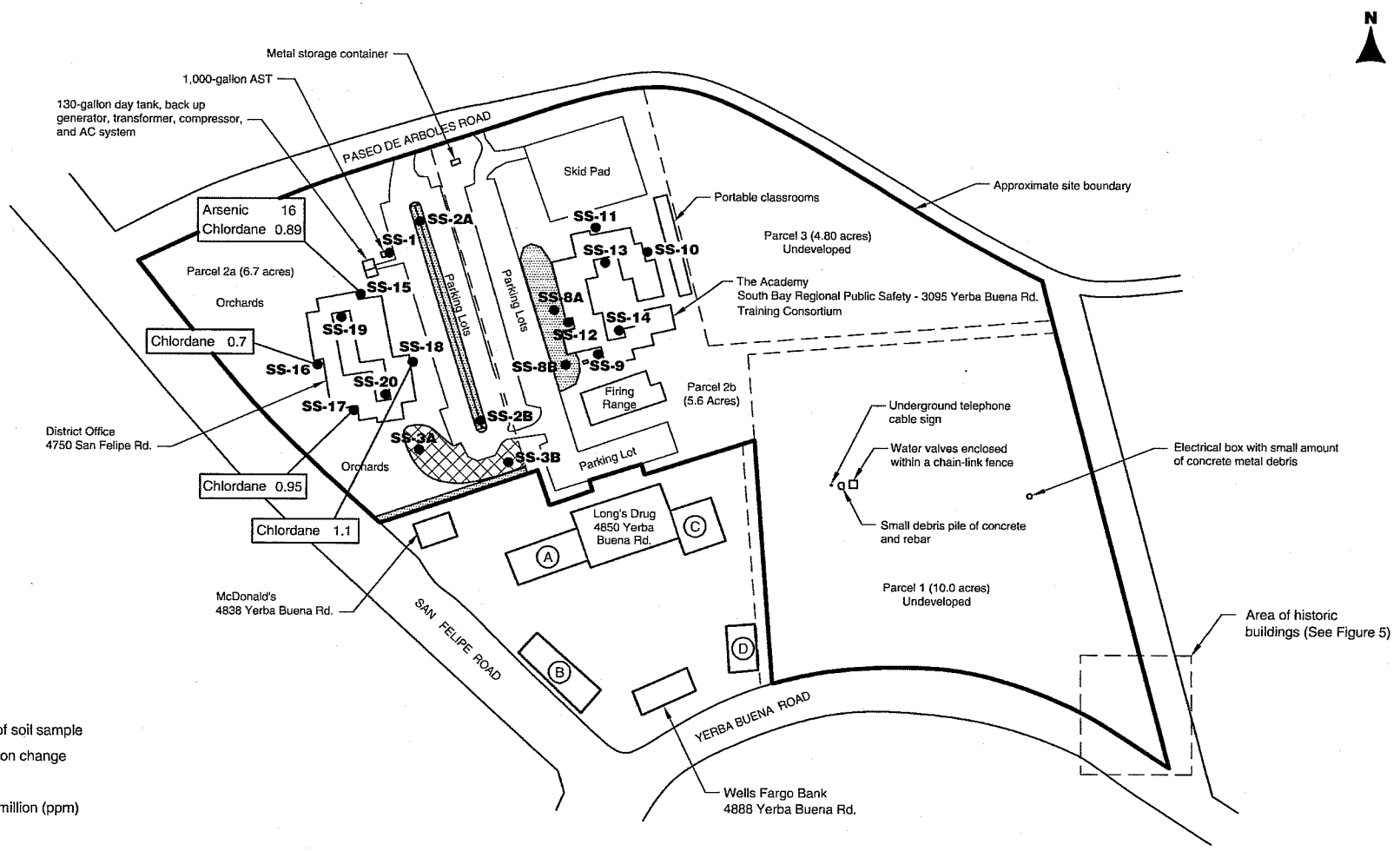
EVERGREEN COMMUNITY COLLEGE
San Jose, California

LOWNEY ASSOCIATES
Environmental/Geotechnical/Engineering Services

FIGURE 2

2100-1B

7/05*EB



LEGEND

- ● - Approximate location of soil sample
- ⊠ - Possible fill soil/elevation change
- ▨ - Existing berm

Concentrations in parts per million (ppm)

Not To Scale

Ⓐ 4848 Yerba Buena Road
- Starbucks (Suite 110)
- Jamba Juice (Suite 120)
- Casa Castillo (Suite 130)
- Optometry (Suite 140)
- Mail Center (Suite 150)
- Professionail (Suite 160)
- Cold Stone Creamery (Suite 170)
- Cleaners (Suite 180)
- Score (Suite 190)

Ⓑ 4898 Yerba Buena Road
- Le Boulanger-The Baker
- Pizzeria Andiamos
- Panda Express
- Pasta Pomodoro

Ⓒ 4868 Yerba Buena Road
- Alliance Title (Suite 110)
- Dentist (Suite 120)
- Bel Aire Realty Inc. (Suite 130)

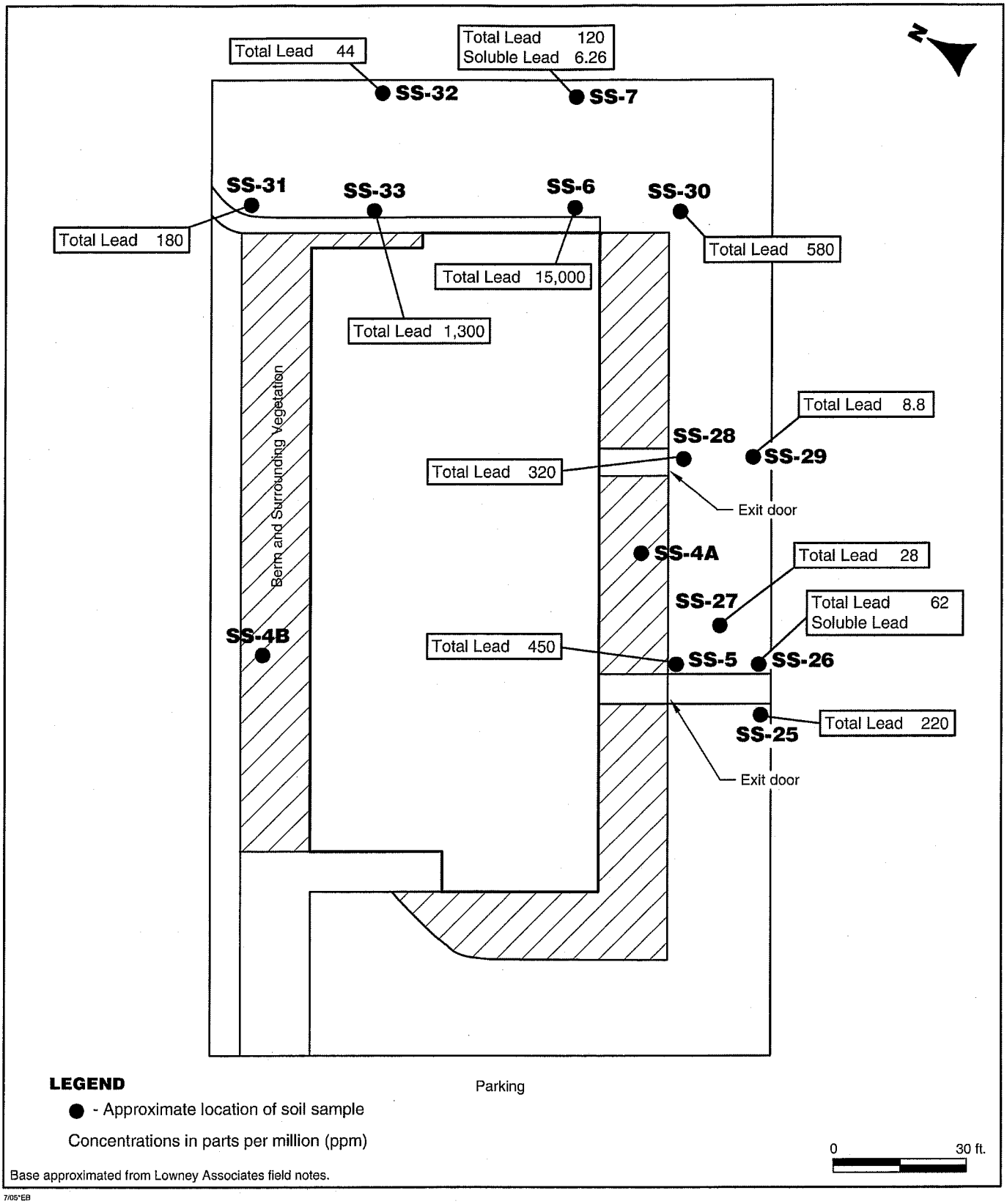
Ⓓ 4878 Yerba Buena Road
- Curves Gym (Suite 1100)
- Belleza Salon and Spa (Suite 120)
- Dish Network (Suite 130)
- Radio Shack (Suite 140)

OFFICE/CLASS BUILDINGS SAMPLING
EVERGREEN COMMUNITY COLLEGE
San Jose, California

LOVNEY ASSOCIATES
Environmental/Geotechnical/Engineering Services

FIGURE 3
2100-1B

7/05 EB



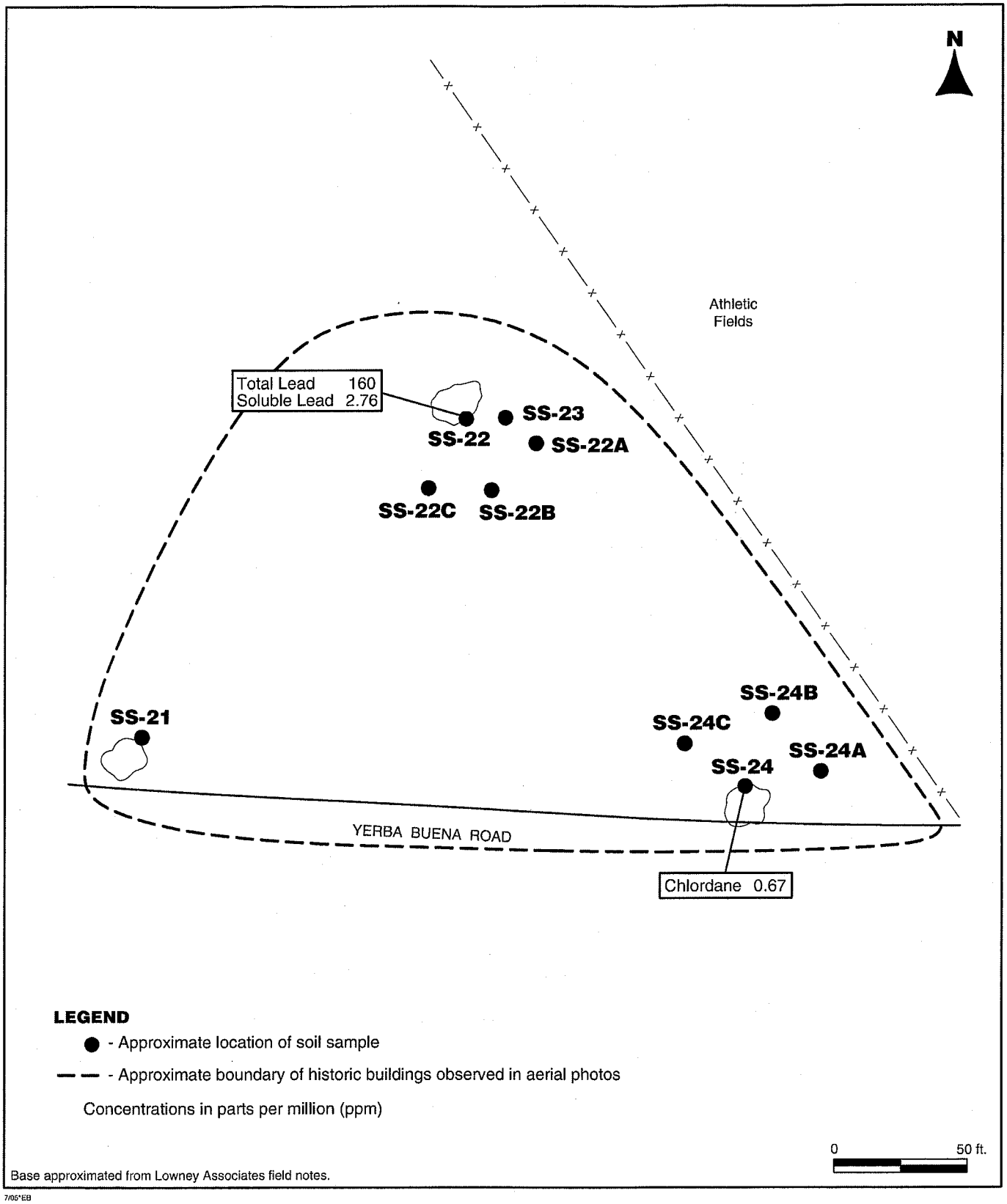
7/05*EB

FIRING RANGE RESULTS

EVERGREEN COMMUNITY COLLEGE
San Jose, California

LOWNEY ASSOCIATES
Environmental/Geotechnical/Engineering Services

FIGURE 4
2100-1B



7/05*EB

PREVIOUS HISTORIC BUILDINGS

EVERGREEN COMMUNITY COLLEGE

San Jose, California

LOWNEY ASSOCIATES

Environmental/Geotechnical/Engineering Services

FIGURE 5

2100-1B

NAME: Tully Road
JOB #: 57050/001

PHASE I ENVIRONMENTAL SITE ASSESSMENT
1698 TULLY ROAD
SAN JOSE, CALIFORNIA

PREPARED FOR: David J. Powers & Associates, Inc.
1885 The Alameda, Suite 204
San Jose, California 95126

ATTENTION: Mr. John Hesler

June 3, 2005

A Report Prepared for:

Mr. John Hesler
David J. Powers & Associates, Inc.
1885 The Alameda, Suite 204
San Jose, California 95126

PHASE I ENVIRONMENTAL SITE ASSESSMENT
1698 TULLY ROAD
SAN JOSE, CALIFORNIA

File No.: 57050/001

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June 3, 2005

PHASE I ENVIRONMENTAL SITE ASSESSMENT
1698 TULLY ROAD
SAN JOSE, CALIFORNIA

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PHASE I ENVIRONMENTAL SITE ASSESSMENT
1698 TULLY ROAD
SAN JOSE, CALIFORNIA

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Plate 1	Site Vicinity Map
Plate 2	Site Plan
Plate 3	Site Reconnaissance Photographs 1-4: May 23, 2005
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APPENDICES

Appendix A	EDR Site Assessment Report
Appendix B	Aerial Photographs, City Directories, Sanborn Maps, and Topographic Maps
Appendix C	Cambria Environmental Technology, Inc., Fourth Quarter 2004 Groundwater Monitoring Report – Shell-branded Service Station, May 11, 2005

ON FILE WITH THE CITY AND
AVAILABLE FOR REVIEW UPON REQUEST.
CONTACT: JOHN BATY
(408) 535-7894

1. EXECUTIVE SUMMARY

On behalf of David J. Powers and Associates, Inc. (David J. Powers), Kleinfelder, Inc. (Kleinfelder) performed this Phase I environmental site assessment (ESA) for a narrow strip of land, situated on a portion of a Shell station located at 1698 Tully Road at South King Road in San Jose, California (hereafter referred to as the "site") (see Plate 1), in general conformance with the scope and limitations of ASTM Designation E 1527-00, and in conformance with our proposal dated March 2, 2005, which was subsequently approved by David J. Powers. The site is a 4-foot wide by 150-foot long strip of land located on a portion of a Shell station facility, and is covered mostly by pavement (Plate 2). This strip of land is located on the northwestern border of the Shell station along Tully Road, with the eastern end of the strip curving along South King Road, as shown on Plate 2. The sidewalk is not included in the site boundary. Two monitoring wells are located on this strip of land.

The southwest of the gas station is flanked by Carrows Restaurant; the northeast is flanked by South King Road; the northwest is flanked by Tully Road; and the southeast is flanked by a Taco Bell/KFC fast-food restaurant.

A review of historical information indicates that the gasoline station located at the site, currently a Shell station, was first present sometime before 1965. This Shell station is currently an active fuel leak case according to the Santa Clara Valley Water District (SCVWD) files. Groundwater and soil contamination were discovered at this site in 1998 during underground storage tank (UST) upgrade activities. Since then, groundwater and soil remediation activities by means of groundwater extraction and soil vapor extraction, respectively, have taken place at the site. Seven monitoring wells are located on the Shell station property. Two of these monitoring wells, MW-1 and MW-6, are located on the site. Data obtained from recent groundwater monitoring events indicate that gasoline-related contaminants detected at the Shell station have decreased significantly since groundwater monitoring commenced in 2000. During the last groundwater monitoring event, TPH-g was detected in MW-1 at a concentration of 2,300 micrograms per liter (ug/L). Other levels of contaminants detected in MW-1 were relatively low. The levels of contaminants detected in MW-6 were either not detected at or above laboratory reporting limits,

or were relatively low. The groundwater contamination at the site is a recognized environmental condition.

If construction activities occur at the site, Kleinfelder recommends that the monitoring wells MW-1 and MW-6, be surveyed and protected during the construction activities. If the wells cannot be protected, Kleinfelder recommends that they be destroyed in accordance with State and County requirements.

There are several additional sites located upgradient or cross-gradient of the site, that are listed in regulatory databases. Information available in regulatory agency files indicates that documented releases from these locations are unlikely to impact groundwater under the site.

2. INTRODUCTION

2.1 PURPOSE

Kleinfelder conducted a Phase I ESA at the request of the David J. Powers for the strip of land located southwest of the intersection of Tully Road and South King Road in San Jose, Santa Clara County, California (Plate 1). Kleinfelder understands that David J. Powers is preparing an Environmental Impact Report (EIR) that will evaluate proposed improvements to the intersection of Tully Road and South King Road. Such improvements will necessitate the acquisition of a portion of the property located at 1698 Tully Road, in San Jose, California, which is currently occupied by a Shell station. The site is approximately 600 square feet of relatively flat land covered mostly by pavement (Plate 2). This strip of land is located on the western to northern border of the Shell station along Tully Road and curving along South King Road. The sidewalk is not included in the site boundary. Two monitoring wells are located on the site.

We understand that this report will be used to assist David J. Powers in assessing environmental conditions associated with the subject site's past and current use. Kleinfelder performed this Phase I ESA in general accordance with the scope and limitations of ASTM *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process* (Designation E 1527-00) and in accordance with our proposal dated May 2, 2005.

The purpose of this assessment is to assist the client in identifying recognized environmental conditions at the site. ASTM standards define a recognized environmental condition as:

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

2.2 DETAILED SCOPE-OF-SERVICES

The following sections describe Kleinfelder's work scope:

Section 2, **Introduction**, includes a discussion of the purpose/reason for performing the Phase I ESA, additional services requested by the client, if any, significant assumptions (e.g. property boundaries if not marked in the field), limitations, exceptions, and special terms and conditions (e.g., contractual), and user reliance parameters.

- Section 3, **Site Setting**, is a compilation of information concerning the site's location, legal description (if available), current and proposed use of the site, a description of structures and improvements on-site at the time of Kleinfelder's assessment, and current uses of adjoining properties. Also included is a description of the physical setting of the site including readily available information on topography, geology, and hydrogeology.
- Section 4, **Records Review**, is a compilation of Kleinfelder's review of several databases available from federal, state, and local regulatory agencies regarding hazardous substance use, storage, or disposal at the site, and for off-site facilities up to a mile radius from the site. File reviews conducted for sites of concern are also described in this section.
- Section 5, **History of the Site**, summarizes the history of the site and adjoining properties. This section is based on various sources which may include a review of: aerial photographs, Sanborn Fire Insurance Maps, city or suburban directories, historical topographic maps, previous assessments, and a chain-of-title/a preliminary title report (if provided by the client).
- Section 6, **Site Reconnaissance**, describes Kleinfelder's site observations during the site reconnaissance. The methodology used and limiting conditions are described;
- Section 7, **Findings and Conclusions**, is a presentation of our findings and opinions regarding the information in Sections 3 through 6;
- Section 8, presents our **Limitations**; and

- Section 9, **References**, is a summary of the resources used to compile this report.

Pertinent documentation regarding the site is included in the appendices of this report.

2.3 SIGNIFICANT ASSUMPTIONS

Groundwater is estimated to flow in a generally northwestern direction. This estimation was based on groundwater elevation data obtained from the Seismic Hazard Evaluation Map of the San Jose East 7.5-Minute Quadrangle, 2000. A site plan was not provided by David J. Powers, therefore, the site boundaries of 150 feet by 4 feet were estimated in the field.

2.4 DEVIATIONS

Other than the scope presented in ASTM Standard Practice E 1527-00, Kleinfelder was not requested or authorized to conduct other potential scope items such as an evaluation of Business Environmental Risk (BER) factors associated with the site. A Phase I ESA typically does not incorporate non-scope considerations, such as asbestos-containing materials, radon, lead-based paint, lead in drinking water, wetlands, regulatory compliance, cultural and historic resources, industrial hygiene, health and safety, ecological resources, endangered species, indoor air quality, high voltage power lines, and any other considerations not specifically required by ASTM E 1527-00.

2.5 SPECIAL TERMS AND CONDITIONS

The client, David J. Powers, and Kleinfelder did not agree to any special terms and conditions.

3. SITE SETTING

The site setting is presented to assess the significance of potential on- and off-site contaminant migration, if present. The site location is shown on Plate 1. Tables 1 through 4 provide the physical characteristics of the site and bordering properties.

3.1 LOCATION AND LEGAL DESCRIPTION

The information presented in Table 1 describes the physical location and legal description of the site. This information was obtained from maps, the report provided by Environmental Data Resources, Inc. (EDR), and information provided by David J. Powers.

TABLE 1
LOCATION AND LEGAL DESCRIPTION

Address	1698 Tully Road, San Jose, CA 95134
Location	The site is located southwest of the intersection of Tully Road and South King Road in San Jose, Santa Clara County, California.
Township & Range	Latitude: 37.3222 Longitude: 121.8259
Assessor's Parcel Numbers	670-02-007
Acreage	Approximately 600 square feet

3.2 SITE AND VICINITY GENERAL CHARACTERISTICS

The site is a generally rectangular-shaped strip of land, 150 feet long by 4 feet wide, located southwest of the intersection of Tully Road and South King Road in San Jose, California, in an area characterized by mixed commercial and residential land use. The site is currently located on a portion of a Shell station facility, and is covered mostly by pavement (Plate 2). The sidewalk is not included in the site boundaries. The site borders the western and northern end of the Shell station along Tully road and curves along South King Road. The southwest of the Shell station is flanked by Carrows Restaurant; the northeast is flanked by South King Road across which there is a 76 gas station; the northwest is flanked by Tully Road, across which is a shopping center which includes a large parking lot, a Long's Drugs Store, a Lucky 7 Supermarket, Lucky

Laundry, a bakery, and Huong Lan Sandwiches; the southeast is flanked by a Taco Bell/KFC fast-food restaurant.

3.3 CURRENT/PROPOSED USE OF THE PROPERTY

The site currently occupies a portion of a gas station. Current and proposed uses (based on information provided by David J. Powers) are described in Table 2.

TABLE 2
CURRENT/PROPOSED USES

Current Use	Currently the site is a strip of land mostly covered by pavement. It is used as part of the currently operating Shell gas station. Two monitoring wells are located on the site.
Proposed Use	The proposed use of this site is paved roadway.

3.4 DESCRIPTION OF STRUCTURES/IMPROVEMENTS

Structures and/or improvements observed on-site at the time of Kleinfelder's site reconnaissance on May 23, 2005, are described in Table 3.

TABLE 3
STRUCTURES/IMPROVEMENTS

	GENERAL OBSERVATIONS
Structures	The site mainly consists of a paved strip of land. Two monitoring wells are located on the site.
Other Improvements	Seven monitoring wells are located on the Shell station. Stained concrete areas, were also on the site in the vicinity of the pump island.

3.5 CURRENT USES OF ADJOINING PROPERTIES

Kleinfelder conducted a brief drive-by survey of the parcels adjoining the site on the same day as the site reconnaissance. A summary of the surrounding properties is presented in Table 4.

TABLE 4
SURROUNDING PROPERTIES

Northwest	The northwest of the site is flanked by Tully Road, across which is a shopping center containing the following: a large parking lot, Long's Drugs Store, Luck 7 Supermarket, Lucky Laundry, a bakery, and Huong Lan Sandwiches.
Northeast	The northeast of the site is flanked by South King Road, across which a 76 gas station is located.
Southwest	Carrows Restaurant flanks the southwest.
Southeast	A Taco Bell/KFC fast-food restaurant flanks the southeast.

3.6 PHYSICAL SITE SETTING

Table 5 presents information about the physical setting of the site. This information was obtained from published data and maps, and/or from investigations conducted by Kleinfelder for the site.

TABLE 5
PHYSICAL SETTING

REGIONAL GEOMORPHIC PROVINCE (Source: California Geological Survey, 2002)	Coastal Range
USGS TOPOGRAPHIC QUADRANGLE (Source: EDR Radius Map with Geocheck for the site, 2005)	Site elevation is approximately 130 feet above mean sea level (MSL).
GEOLOGIC MAP (Source: EDR Radius Map with Geocheck for the site, 2005)	The site is underlain by Quaternary basin deposits.
SOIL TYPE (Source: EDR Radius Map with Geocheck for the site, 2005)	EDR reported that the first 9 inches consist of clay loam, the next 9 to 41 inches consist of silty clay loam, and the next 41 to 76 inches consist of sandy clay loam.
OIL AND GAS FIELDS (Source: Munger Map, 1994)	No oil or gas wells were identified on or near the site.

Groundwater information is included in Table 6, below.

TABLE 6
GROUNDWATER INFORMATION

Depth To Regional Groundwater (Source: Fourth Quarter 2004 Groundwater Monitoring at Shell-branded Service Station, January 4, 2004)	Based on groundwater monitoring reports for the site, the depth to groundwater at the site is estimated to be approximately 11-13 feet below ground surface (bgs). General groundwater depth and flow may be influenced by local pumping, rainfall, and irrigation patterns.
Direction Of Anticipated Flow (Source: Seismic Hazard Evaluation of the San Jose East 7.5-Minute Quadrangle Map, 2000)	The direction of groundwater flow, based on groundwater elevation data, is estimated to be to the northwest.
Regional Groundwater Quality Problems (Source: EDR Radius Map with Geocheck for the site, 2005)	Several up-gradient sites are listed in local and regional regulatory agency databases. Previous or present activities at these sites may have the potential to impact groundwater underneath the site.

4. RECORDS REVIEW

4.1 STANDARD ENVIRONMENTAL RECORD SOURCES

The purpose of the records review is to obtain and review records that would help evaluate recognized environmental conditions in connection with the site and bordering properties. Kleinfelder reviewed databases available from federal, state, and local regulatory lists. Database information was compiled by EDR and is summarized below in Table 7. The acronyms used in Table 7 are defined in EDR's Site Assessment Report (Appendix A) in the Government Records (GR) section.

EDR utilizes a geographical information system to plot the locations of reported incidents. This information is reviewed by Kleinfelder to help establish if the site or nearby properties have been included on the noted databases and lists. The EDR report includes maps, which show the locations of the regulated properties with respect to the site (Pages 2 and 3 of EDR's report), and a summary of pertinent information for these properties, including the responsible party, the property address, the distance and direction from the site, and the databases and lists on which the property appears (see Executive Summary pages 4 and 5 of the EDR report).

Due to lack of sufficient address information, EDR was unable to map several facilities with reported releases (see page 35 of EDR's Report).

Site

The Shell station, located at 1698 Tully Road, on which the site currently resides, is listed in four databases searched by EDR. These databases are as follows: Hazardous Waste Information System (HAZNET), Historical Underground Storage Tank (HIST UST), California Waste Discharge System (CA WDS), and Leaking Underground Storage Tank (LUST). These databases indicate that the gas station contains 4 USTs. Two USTs store gasoline and the other two store waste oil. According to the databases, methyl tertiary-butyl ether (MTBE) was detected in groundwater at the site at a maximum concentration of 88 parts per billion (ppb). MTBE was detected in soil at the site at a maximum concentration of 8.4 parts per million (ppm). According to the LUST database, remediation action was initiated on June 17, 2002, and is currently underway.

Surrounding Area

Surrounding properties were listed in federal, state, and local environmental databases. A summary of the listings is presented below in Table 7. The discussion following the summary table focuses only on the properties that, in our opinion, have a potential to impact the site.

TABLE 7
RECORDS REVIEW-SEARCH DISTANCE FINDINGS

DATABASE		Total Number of Facilities Listed	Number of Up-gradient or Cross-gradient Facilities Listed	Site Listed
FEDERAL ASTM STANDARD				
NPL	Site & 1.00 Mile	0	0	NO
Proposed NPL	Site & 1.00 Mile	0	0	NO
CERCLIS	Site & 0.50 Mile	0	0	NO
CERCLIS-NFRAP	Site & 0.25 Mile	0	0	NO
CORRACTS	Site & 1.00 Mile	0	0	NO
RCRA TDS	Site & 0.50 Mile	0	0	NO
RCRA Large Quantity Generator	Site & 0.25 Mile	0	0	NO
RCRA Small Quantity Generator	Site & 0.25 Mile	2	2	NO
ERNS	Site & Bordering	0	0	NO
STATE ASTM STANDARD				
AWP	Site & 1.00 Mile	0	0	NO
Cal-Sites	Site & 1.00 Mile	0	0	NO
CHMIRS	Site & Bordering	0	0	NO
Cortese	Site & 0.50 Mile	7	4	NO
Notify 65	Site & 1.00 Mile	0	0	NO
Toxic Pits	Site & 1.00 Mile	0	0	NO
State Landfill	Site & 0.50 Mile	0	0	NO
WMUDS/SWAT	Site & 0.50 Mile	0	0	NO
LUST	Site & 0.50 Mile	8	4	YES
CA Bond Exp. Plan	Site & 1.00 Mile	0	0	NO
UST	Site & 0.25 Mile	1	1	NO
VCP	Site & 0.50 Mile	0	0	NO
INDIAN UST	Site & 0.25 Mile	0	0	NO
INDIAN LUST	Site & 0.50 Mile	0	0	NO
CA FID UST	Site & 0.25 Mile	0	0	NO
HIST UST	Site & 0.25 Mile	6	4	YES
FEDERAL ASTM SUPPLEMENTAL				
CONSENT	Site & 1.00 Mile	0	0	NO
ROD	Site & 1.00 Mile	0	0	NO
Delisted NPL	Site & 1.00 Mile	0	0	NO
FINDS	Site & Bordering	0	0	NO
HMIRS	Site & Bordering	0	0	NO
MLTS	Site & Bordering	0	0	NO
MINES	Site & 0.25 Mile	0	0	NO
NPL Liens	Site & Bordering	0	0	NO
PADS	Site & Bordering	0	0	NO
UMTRA	Site & 0.50 Mile	0	0	NO
US ENG CONTROLS	Site & 0.50 Mile	0	0	NO
ODI	Site & 0.50 Mile	0	0	NO

DATABASE		Total Number of Facilities Listed	Number of Up-gradient or Cross-gradient Facilities Listed	Site Listed
FUDS	Site & 1.00 Mile	0	0	NO
DOD	Site & 1.00 Mile	0	0	NO
INDIAN RESERV	Site & 1.00 Mile	0	0	NO
RAATS	Site & Bordering	0	0	NO
TRIS	Site & Bordering	0	0	NO
TSCA	Site & Bordering	0	0	NO
SSTS	Site & Bordering	0	0	NO
FTTS	Site & Bordering	0	0	NO
STATE OR LOCAL ASTM SUPPLEMENTAL				
AST	Site & Bordering	0	0	NO
CLEANERS	Site & 0.25 Mile	0	0	NO
CA WDS	Site & Bordering	0	0	YES
DEED	Site & 0.50 Mile	0	0	NO
SCH	Site & 0.25 Mile	0	0	NO
REF	Site & 0.25 Mile	0	0	NO
WIP	Site & 0.25 Mile	0	0	NO
EMI	Site & Bordering	0	0	NO
NFA	Site & 0.25 Mile	0	0	NO
NFE	Site & 0.25 Mile	0	0	NO
SLIC	Site & 0.50 Mile	1	0	NO
HAZNET	Site & Bordering	0	0	YES
SAN JOSE HAZMAT	Site & 0.25 Mile	0	0	NO
EDR PROPRIETARY HISTORICAL DATABASES				
Gas Stations/Dry Cleaners	Site & 0.25 Mile	11	5	YES
Coal Gas	Site & 1.00 Mile	0	0	NO
BROWNFIELDS DATABASES				
US BROWNFIELDS	Site & 0.50 Mile	0	0	NO
US INST CONTROL	Site & 0.50 Mile	0	0	NO
VCP	Site & 0.50 Mile	0	0	NO

The following discussion focuses only on adjacent properties or properties that are potentially upgradient or cross-gradient from the site and within ½ mile of the site.

4.1.1 Federal ASTM Databases

- **RCRA Small Quantity Generator:** Resource Conservation and Recovery Act (RCRA) information includes selective information on sites listed as small quantity generators (SQGs), which generate between 100 kg and 1,000 kg of hazardous waste per month. Two potentially upgradient or cross-gradient sites are listed in this

database. The listings are Pacific Bell, located at 1654 Burdette Drive, approximately 1/4-mile south of the site; and Exxon Service Station, located at 1610 Tully Road, approximately 1/4-mile southwest of the site.

4.1.2 State ASTM Databases

- **CORTESE:** This database identifies public drinking water wells with detectable levels of contamination, hazardous substance sites selected for remedial action, sites with known toxic material identified through the abandoned sites assessment program, sites with underground tanks having a reportable release and all solid waste disposal facilities from which there is known migration. Four potentially upgradient or cross-gradient sites are listed in this database. The listings are Texaco, located at 1645 Tully Road, approximately 1/8-mile west-southwest of the site; Chevron, located at 1648 Tully Road, approximately 1/4-mile southwest of the site; Exxon Service Station, located at 1610 Tully Road, approximately 1/4-mile southwest of the site; and Mobil Service Station, located at 2391 Lanai Avenue, approximately 1/4-mile west-southwest of the site.

- **LUST:** This database contains an inventory of reported LUST incidents. Four potentially upgradient or cross-gradient sites are listed in this database. The listings are Texaco, located at 1645 Tully Road, approximately 1/8-mile west-southwest of the site; Chevron, located at 1648 Tully Road, approximately 1/4-mile southwest of the site; Exxon Service Station, located at 1610 Tully Road, approximately 1/4-mile southwest of the site; and Mobil Service Station, located at 2391 Lanai Avenue, approximately 1/4-mile west-southwest of the site.

- **UST:** This database contains information on active UST facilities. There is one potentially upgradient or cross-gradient site listed in this database. This listing is Eastside Shell, located at 1692 Tully Road, approximately 1/8-mile west-southwest of the site.

- **HIST UST:** This database contains a historical listing of UST sites. Four potentially upgradient or cross-gradient sites are listed in this database. The listings are Chevron, located at 1648 Tully Road, approximately 1/4-mile southwest of the site; Pacific

Bell, located at 1654 Burdette Drive, approximately 1/4-mile south of the site; Exxon Service Station, located at 1610 Tully Road, approximately 1/4-mile southwest of the site; and Mobil Service Station, located at 2391 Lanai Avenue, approximately 1/4-mile west-southwest of the site.

4.1.3 EDR Proprietary Historical Databases

- **Gas Stations & Dry Cleaners:** EDR searched select national collections of business directories and collected listings of potential dry cleaner and gas station/filling station/service station sites that were available to EDR researchers. EDR's review was limited to those categories of sources that might, in EDR's opinion, include dry cleaning and gas station/filling station/service station establishments. Five potentially upgradient or cross-gradient sites are listed in this database. The listings are Launderland Coin-Op Laundry, located at 1665 Tully Road, approximately 1/8-mile west-southwest of the site; Ranch Milk Mohawk Service Station, located at 1645 Tully Road, approximately 1/8-mile west-southwest of the site; Evergreen Chevron Service, located at 1648 Tully Road, approximately 1/4-mile southwest of the site; Mobil Service, located at 2391 Lanai Avenue, approximately 1/4-mile west-southwest of the site; and Exxon Service, located at 1610 Tully Road, approximately ¼-mile southwest of the site.

4.2 ORPHAN SITES

The EDR report also lists "orphan" sites, properties for which insufficient information is available to identify their locations. There are 4 properties identified on the orphan list; 2 are listed on the Emergency Response Notification System (ERNS) database and 2 are listed on the Solid Waste Facility/Landfill (SWF/LF) database. The ERNS database records and stores information on reported releases of oil and hazardous substances. The SWF/LF database typically contains an inventory of solid waste disposal facilities or landfills which may be active or inactive facilities or open dumps that fail to meet RCRA Section 400 criteria for solid waste landfills or disposal sites.

Kleinfelder was able to locate all four orphan sites listed. All four orphan sites listed were verified as being located over 1 mile distance from the site.

4.3 ADDITIONAL ENVIRONMENTAL RECORDS

There are seven sites identified in the EDR report as documented environmental cases located potentially upgradient or cross-gradient of the site. These sites are as follows: Eastside Shell, located at 1692 Tully Road; Texaco, located at 1645 Tully Road; Chevron, located at 1648 Tully Road; Pacific Bell, located at 1654 Burdette Drive; Exxon Service Station, located at 1610 Tully Road; Mobil Service Station, located at 2391 Lanai Avenue; and Launderland Coin-Op Laundry, located at 1665 Tully Road. Kleinfelder obtained file for these sites from the Santa Clara Valley Water District (SCVWD) and the Santa Clara County Department of Environmental Health (SCCDEH). A summary of the findings is presented below.

Eastside Shell: This facility is located at 1692 Tully Road, less than 1/8-mile west-southwest of the site. This site is listed on the UST database. The SCVWD and SCCDEH do not contain information on this site. Based on information obtained from EDR, the facility contains one UST. The contents and capacity of the UST were not reported. There are no detected leaks reported at this facility. Given that there are no reported leaks at this site, it is our opinion that this site is unlikely to impact groundwater under the site.

Texaco: This facility is located at 1645 Tully Road, less than 1/8-mile west-southwest of the site. This site is listed on the LUST and Cortese databases. Information on this site was obtained from the SCVWD files. According to these files, this site is currently an active LUST case. The site is currently owned by Chevron Environmental Management Company (Chevron Texaco) and operates as a retail fuel and auto repair facility, RECO Gas and Minimart. This site consists of a building that is used as an office, garage, and tire storage area.

There are two 12,000-gallon USTs and two dispenser islands currently located at this site. Groundwater under this site has been monitored since 1991. Sixteen groundwater monitoring wells were sampled at the last groundwater monitoring event on May 12, 2004. The groundwater collected at this site was analyzed for the following constituents: total petroleum hydrocarbons in the gasoline range (TPH-g), benzene, toluene, ethylbenzene, total xylenes (BTEX), MTBE, and tertiary butyl alcohol (TBA). This most recent groundwater sampling event indicated that gasoline-related contaminant levels remain stable in the majority of the wells assessed with the exception of two wells located on the southern end of this site.

On March 30, 2005, Delta Environmental Consultants, Inc. (Delta) performed a two phase extraction (TPE) pilot test at this site. Based on the pilot testing results, Delta concluded that TPE appears to be the appropriate technology to remediate petroleum impacted groundwater and soil beneath the site. Remediation activities are estimated to begin once a workplan is submitted and subsequently approved by SCVWD. Based on groundwater flow direction and the location of the RECO Gas and Minimart in reference to the site, it is our opinion that release from this facility is unlikely to impact the site.

Chevron: This facility is located at 1648 Tully Road, approximately 1/4-mile southwest of the site. This site is listed on the HIST UST, LUST, and Cortese databases. Information on this site was obtained from the SCVWD files. According to these files, this site is currently a closed LUST case. The case closure summary indicates that four USTs were removed from this site in October and November 1987. Three of these USTs stored gasoline and one UST stored waste oil. Since the tank removals, 16 monitoring wells were installed at this site. Approximately 15 cubic yards of soil was over-excavated during the removal of the tanks. A maximum amount of 350 parts per million (ppm) of at the bottom of this excavation. After over-excavation to 18 ft bgs, petroleum hydrocarbons were not detected in soil.

The highest level of TPH-g in groundwater detected prior to remediation was 280,000 ppb. Groundwater at this site was extracted from September 1992 through January 1996. A dual-phase extraction (DPE) mobile treatment system (MTS) was used at this site in October 2001. An estimated 23,800 gallons of groundwater were removed from this site during this event, in which approximately 94 pounds of hydrocarbons were recovered. Groundwater contaminant concentrations significantly decreased after these cleanup events took place. The highest level of TPH-g detected in groundwater after remediation activities was 4,200 ppb. Upon reviewing this case, the SCVWD concluded that a continuing threat to groundwater, human health, and the environment from residual petroleum hydrocarbons does not exist at this site, and recommended case closure. Case closure was granted by the SCCDEH on December 17, 2004. Based on the estimated direction of groundwater flow (west-southwest) at this site and the low levels of contamination that currently exist, it is our opinion that release from this facility is unlikely to impact the site.

Pacific Bell: This facility is located at 1654 Burdette Drive, approximately 1/4-mile southwest of the site. This site is listed in the RCRA-SQG, FINDS, HAZNET, and HIST UST databases. Based on information obtained from EDR, the facility contains one diesel-containing UST. This UST was reportedly installed in 1974. There are no detected leaks reported at this facility. The removal of approximately 7.6 tons of asbestos and approximately 0.1 ton of waste oil and mixed oil was also reported for this facility. The asbestos was transported to a landfill. The waste oil was recycled. Given that there are no reported leaks at this site, and that the hazardous materials, asbestos and waste oil, were properly disposed of, it is our opinion that this site is unlikely to impact groundwater under the site.

Exxon Service Station: This facility is located at 1610 Tully Road, approximately 1/4-mile southwest of the site. This site is listed in the RCRA-SQG, FINDS, HAZNET, LUST, Cortese, and HIST UST databases. The SCVWD currently classifies this site as an active fuel leak case. Three 8,000-gallon gasoline tanks were removed from this site in August 1987. A waste oil tank was removed from this site in September 1987. These tanks were all replaced. Soil from the former gasoline UST pit was collected and analyzed for gasoline-related constituents. The samples indicated concentrations of total volatile hydrocarbons ranging from approximately 25 to 2,297 ppm. Samples collected from the soil surrounding the waste oil tank indicated no detectable concentrations of total extractable hydrocarbons.

Quarterly groundwater monitoring was initiated at this site in November 1988. The first monitoring event consisted of sampling 3 monitoring wells. Analytical results indicated that BTEX concentrations were lower than the California Department of Health Services (DHS) recommended action levels for the respective constituents in drinking water, with the exception of benzene in MW-3, which was detected at 0.0188 ppm. There are currently 18 on-site and 3 off-site monitoring wells. The most recent groundwater monitoring event occurred on February 16 and 17, 2005. Results of the latest groundwater monitoring event indicate that gasoline-related contaminants present in groundwater have decreased to either low or non-detectable levels.

A vapor extraction system (VES) operated at this site from April 20, 1993 through February 25, 1997. Soil vapors were extracted and treated by a thermal/catalytic oxidizer. Treated vapors

were discharged to the atmosphere. This system was discontinued on February 25, 1997, due to influent concentrations being too low to allow efficient operation. A total of 214 of volatile organic compounds (VOCs) were removed.

There is currently a groundwater extraction system (GES) operating at this site. This system operates by pumping groundwater into a holding tank. A transfer pump is used to pump the water through particulate filters and through two 2,000-pound activated carbon vessels in series. The treated water is then discharged to the storm drain. Since GES start-up, February 17, 2005, 7,709,060 gallons of water have been extracted, approximately 43 pounds of TPH have been removed, 0.50 pounds of benzene have been removed, and 130.55 pounds of MtBE have been removed. The GES will continue to be operated and monitored.

Based on the low levels of contaminants, the estimated direction of groundwater flow, and the location of this facility with respect to the site, it is our opinion that release from this facility is unlikely to impact the groundwater at this site.

Mobil Service Station: This facility is located at 2391 Lanai Avenue, approximately 1/4-mile west-southwest of the site. This site is listed in the LUST and Cortese databases. According to SCVWD files, this site is a closed fuel leak case. One waste-oil UST and three gasoline USTs were removed from this site in May 1987. Approximately 400 cubic yards of contaminated soil was overexcavated from the sides and bottoms of the former gasoline UST pit. Approximately 1 gallon of petroleum free product was removed by manual pump out. Approximately 0.4 gallons of petroleum hydrocarbons was removed by the groundwater pump-and-treat system.

The highest level of TPH-g detected in soil prior to remediation was 1,700 ppm. After remediation, TPH-g in soil was not detected at or above laboratory limits. The highest level of TPH-g detected in groundwater prior to remediation was 260,000 ppb. After remediation, TPH-g in groundwater was detected at 400 ppb. The SCVWD recommended case closure on this site based on the results of the soil and groundwater investigation, which indicated that the beneficial uses of groundwater should not be threatened by the low levels of residual pollution in soil and groundwater at the site.

Based on the low levels of contaminants, the estimated direction of groundwater flow, and the location of this facility with respect to the site, it is our opinion that release from this facility is unlikely to impact the groundwater at the site.

Launderland Coin-Op Laundry: This facility is located at 1665 Tully Road, approximately 1/8-mile west-southwest of the site. This facility is listed in EDR's Gas Stations & Dry Cleaners database. The SCVWD and SCCDEH do not contain information on this site. Based on the fact that this site is not listed in any other regulatory databases, it is our opinion that past or current activity at this site is unlikely impact the groundwater at the site.

5. HISTORICAL USE OF THE PROPERTY AND ADJOINING PROPERTIES

The history of the site was researched to identify its obvious uses from the present to first developed use (or back to 1940, whichever is earlier) from readily available resources. Table 8 summarizes the availability of information reviewed during this assessment.

TABLE 8
HISTORICAL SOURCES

	Years reviewed	Source
Aerial Photographs	1939, 1956, 1965, 1982, 1993, 1998	Aerial photographs were provided by EDR.
Sanborn Fire Insurance Maps	N/A	EDR indicated no Sanborn Maps were available.
City Directories	1922 through 2001	City Directories were provided by EDR.
Historical Topographic Map Report	1953, 1961, 1968, 1973, 1980	Historical maps were provided by EDR.
Building/Planning Departments	N/A	Building permits were not reviewed for this survey.
Previous Assessment(s)	1998 through 2005	Previous assessments were obtained from the SCVWD files.
Chain-Of-Title Or Preliminary Title Report	N/A	A title report was not provided to Kleinfelder for review.
Interviews	N/A	No contact was provided by David J. Powers, therefore, no interview was conducted.

5.1 SANBORN FIRE INSURANCE MAPS

Sanborn Fire Insurance Maps provide historical land use information for some metropolitan and small, established towns. Kleinfelder requested a search of Sanborn Fire Insurance Maps by EDR. EDR reported that the largest and most complete collection of Sanborn fire insurance maps were reviewed; however, fire insurance maps depicting the site were not identified. The no coverage Sanborn Map Report provided by EDR is present in Appendix B.

5.2 CITY DIRECTORIES

EDR provided city directories, which are a compilation of business directories including city, cross-reference, and telephone directories. The directories searched by EDR were R.L. Polk & Company, Pacific Telephone, Pacific Bell, and Haines & Company. Table 8 shows the years for

which the search was reviewed. The city directories do not indicate utilization of the site for the years spanning 1922 through 1974. There are 3 different listings shown for the site from the years spanning 1975 through 1996. These listings are as follows: Eastside Shell Gas Station, Hossein Azimirad, and H. Heydarian.

A search of adjoining properties was also conducted on the following streets: Clarice Drive, South King Road, Orlando Drive, Seacliff Way, and Tully Court, and Tully Road. The city directories do not indicate utilization of adjoining properties for the years spanning 1922 through 1965. In the years spanning 1966 through 2000, the listings on these streets appear to be a combination of residential and commercial properties. The listings along Clarice Drive, Orlando Drive, and South King Drive appear to be predominantly residential. The listings along Seacliff Way, Tully Court, and Tully Road appear to be predominantly commercial.

5.3 HISTORICAL TOPOGRAPHIC MAP REVIEW

Historical topographic maps from 1953, 1961, 1968, 1973, and 1980 were reviewed for this survey.

The 1953 map shows 2 small structures on the site (the strip of land along Tully Road). There are several other small structures located in the vicinity of the site (where the present Shell Station is located). Tully Road and South King Road are shown on the map at their present configuration. Highway 101 is shown approximately 2,000 feet southwest of the site. The Reid Hillview Airport is shown approximately 1/2-mile northeast of site. A small creek is shown directly southeast of the site. This small creek is shown flowing towards the Silver Creek. The Silver Creek is shown flowing from south to the north direction approximately 1 mile east of the site.

The 1961 map is very similar to the previous map. There are more roadways and development shown north of the site. There are many small structures shown approximately 1,500 feet southeast of the site. A water tower is shown southeast of the site along South King Road. The small creek that led into Silver Creek on the previous map is no longer apparent on this map.

The 1968 map does not show the small structures at the site that appeared in the previous maps. The site appears to be unoccupied. However, a small structure appears immediately south of the

site (where the present Shell Station is located). There are more roadways and development apparent on this map. A large building is shown along South King Road southeast of the site.

The 1973 map does not indicate any changes on the site. A large structure and three small structures are shown southwest of the site (where the present Carrows restaurant is located). There is more development apparent on this map.

The 1980 map does not indicate any changes on the site. There are more roadways and more development shown on this map. Copies of the topographic maps are provided in Appendix B.

5.4 HISTORICAL AERIAL PHOTOGRAPHS REVIEW

Aerial photographs of the site from 1939, 1956, 1965, 1982, 1993, and 1998 were reviewed for this survey.

The 1939 aerial photograph shows that the site as well as the surrounding area is rural, and is apparently used mainly for agricultural purposes. There are only a few roads shown on this photograph. South King Road and Tully Road are shown on this map. A structure is apparent on the northeastern end of the site, while the rest of the site is occupied by what appear to be fields. There are several buildings shown along Tully Road northeast and southeast of the site. The area surrounding the site appears to be predominantly occupied by fields and orchards.

In the 1956 aerial photograph, several small buildings are shown adjacent to the site. Highway 101 is shown approximately 2,000 feet southwest of the site. There are fewer orchards apparent on this map, however, the area is still predominantly agricultural.

In the 1965 aerial photograph, the area south of the site is developed and contains one large building and several possible scattered small buildings. The gas station building appears in this photograph at its current location. There are more roadways on this map than on the previous ones. A large building with a parking lot is located along South King Road southwest of the site. There are numerous small structures on lots that appear to be for residential use located north and west of the site. There are several areas of undeveloped land located southwest and east of the site.

The 1982 aerial photograph is of poor quality. However, development is apparent on the site. There is a significant increase in the amount of roadways and development on this photograph.

The 1993 aerial photograph shows the site in its current configuration (portion of a gas station). The two structures in which the pump islands currently reside are shown. There are no other significant changes apparent on this photograph.

The 1998 aerial photograph does not differ significantly from the previous photograph.

5.5 PREVIOUS ASSESSMENTS

The SCVWD files indicate that the Shell station, located at 1698 Tully Road, on which the site resides is currently an active fuel leak case. Upgrade activities were performed at the facility in November 1998. These activities consisted of installation of tank-top, spill-containment sumps on the existing USTs, and replacement of all product piping between product dispenser and USTs. Soil samples were collected in the vicinity of the dispenser islands during upgrade activities. These samples indicated elevated levels of TPH-g. In response to these elevated levels detected, SCVWD requested that a soil and groundwater investigation be conducted. Two soil and groundwater investigations were performed in 2000. Data from these investigations suggest a release source in the vicinity of the dispenser islands.

Remediation of groundwater and soil was conducted by implementing groundwater extraction (GWE). Batch GWE events were performed between January 30, 2001 and September 27, 2001. Continuous GWE commenced on May 20, 2002.

Groundwater has been monitored at this site since the fourth quarter of 2000. There are currently seven monitoring wells located at the Shell station. Two of these wells, MW-1 and MW-6, are located on the site. The groundwater collected is analyzed for the following constituents: TPH-g, BTEX, MTBE, and other gasoline constituents. Table 9 shows analytical groundwater data obtained from the most recent groundwater monitoring report available (this report is included as Appendix C). This data shows that levels of contamination in the wells at the site have attenuated since the first monitoring event.

TABLE 9
GROUNDWATER MONITORING DATA FOR SITE

Well ID	Date	TPH-g	Concentration (ug/L)					
			B	T	E	X	MTBE 8020	MTBE 8260
MW-1	9/8/00	14,000	71	36	310	970	490	1,200
	12/26/00	13,000	35	22	490	590	300	260
	3/5/01	11,000	42	12	430	570	250	250
	6/11/01	6,500	23	6.8	220	220	360	350
	8/24/01	9,200	13	<2.0	250	180	NA	380
	12/3/01	3,500	<10	<10	100	68	NA	4,400
	2/20/02	3,300	<5.0	<5.0	76	51	NA	2,800
	6/21/02	620	<5.0	<5.0	18	11	NA	1,700
	9/13/02	<200	<2.0	<2.0	<2.0	<2.0	NA	840
	12/3/02	160	1.5	<0.50	1.9	2.8	NA	61
	3/21/03	150	2.6	0.89	<0.50	2.3	NA	21
	6/2/03	140	1.8	<0.50	0.99	<1.0	NA	21
	9/24/03	160	2	<0.50	0.61	<1.0	NA	18
	12/11/03	690	4.9	<1.0	2.3	2.2	NA	63
	3/2/04	700	4.1	<1.0	1.5	<2.0	NA	52
	6/14/04	1,900	4.4	<1.0	4.8	4.1	NA	88
	9/1/04	3,400	8.8	1.4	12	5.7	NA	17
	12/8/04	**2,300**	**7.3**	**1.1**	**5.6**	**3.3**	**NA**	**36**
MW-6	3/7/02	<100	<1.0	<1.0	<1.0	<1.0	NA	570
	6/21/02	<200	<2.0	<2.0	<2.0	<2.0	NA	740
	9/13/02	<50	<0.50	<0.50	<0.50	<0.50	NA	23
	12/3/02	<50	<0.50	<0.50	<0.50	<0.50	NA	15
	3/21/03	92	<0.50	<0.50	<0.50	1.0	NA	24
	6/2/03	<50	<0.50	<0.50	<0.50	<1.0	NA	16
	9/24/03	<50	<0.50	<0.50	<0.50	<1.0	NA	19
	12/11/03	<50	<0.50	<0.50	<0.50	<1.0	NA	6.5
	3/2/04	<50	<0.50	<0.50	<0.50	<1.0	NA	7.5
	6/14/04	83	<0.50	0.75	2.2	8.9	NA	7.3
	9/1/04	<50	<0.50	<0.50	<0.50	<1.0	NA	2.2
	12/8/04	**<50**	**<0.50**	**<0.50**	**<0.50**	**<1.0**	**NA**	**2.4**

Notes: TPH-g = total petroleum hydrocarbons as gasoline
BTEX = benzene, toluene, ethylbenzene, xylenes
ug/L = micrograms per liter
< = not detected at or above laboratory reporting limit indicated

5.6 PRELIMINARY TITLE REPORT

No title report was provided for our review.

5.7 INTERVIEWS

No site contact was provided by David J. Powers, therefore, no interviews were conducted.

6. SITE RECONNAISSANCE

6.1 METHODOLOGY AND LIMITING CONDITIONS

A Kleinfelder representative conducted a site visit on May 23, 2005 to assess and photograph present site conditions. A site vicinity map is shown on Plate 1, the site plan indicating approximate site boundaries are shown on Plate 2, and color photographs of the site are presented on Plates 3 and 4. The site conditions discussed below are limited to readily apparent environmental conditions observed.

6.2 GENERAL SITE SETTING

The site is located in an area of mixed commercial and residential land use. The site is a relatively level rectangular-shaped strip of land, 4 feet wide by 150 feet long, situated on a Shell station. The sidewalk is not included in the site boundaries. The site consists mostly paved area, and contains two monitoring wells. The southwest end of the gas station is flanked by Carrows Restaurant; the northeast is flanked by South King Road across which there is a 76 gas station; the northwest is flanked by Tully Road, across which is a shopping center which includes a large parking lot, a Long's Drugs Store, a Lucky 7 Supermarket, Lucky Laundry, a bakery, and Huong Lan Sandwiches; the southeast end is flanked by a Taco Bell/KFC fast-food restaurant.

6.3 SITE OBSERVATIONS

Two monitoring wells are located on the site. The site contains a long narrow elevated strip of concrete pad, which divides a portion of the gas station property and the sidewalk (shown on Plate 4, photo 5). Photos of the site and general vicinity are shown on Plate 3. Several underground utility vaults were observed on the sidewalk along Tully Road. Underground Service Alert (USA) markings were observed on the sidewalk in the vicinity of these vaults. Stained cement was observed on the site in the vicinity of the pump island (Plate 4). A monitoring well, MW-1, was observed on the site in the vicinity of the pump island. Another monitoring well, MW-6, was observed on the site northeast of MW-1. Light fixtures were located on the northwest and northeast corners of the gas station. A propane tank was observed on the southwest end of the gas station.

Site observations are summarized in Table 10 below.

TABLE 10
SITE OBSERVATIONS

General Observations	Remarks	Observed	Not Observed
Current Use	The site is currently a portion of gas station.	X	
Structures	There are no above ground structures located on the site.	X	
Terrain	A majority of the site is paved.	X	
Interior and exterior observations or environmental conditions that may involve the use, storage, disposal or generation of hazardous substances or petroleum products.		**Observed**	**Not Observed**
Aboveground storage tank (AST)	A propane tank was observed on the southwest corner of the gas station.	X	
Asbestos and lead			X
Below grade vaults	Underground utility vaults were observed on the sidewalk along Tully Road.	X	
Burned or buried debris			X
Chemical storage or chemical mixing areas			X
Discolored soil or water			X
Drains and piping			X
Drums			X
Electrical equipment (Polychlorinated biphenyls [PCBs])			X
Fill dirt from an unknown source.			X
Hazardous chemical and petroleum products in connection with known use.	USTs containing fuel are located on the Shell station property.	X	
Hazardous chemical and petroleum products in connection with unknown use.			X
Hazardous Waste Storage			X
Heating and Cooling System			X
Industrial waste treatment equipment			X
Loading and unloading areas			X
Odors			X
Pits, Ponds, or Lagoons			X
Pools of Liquid			X
Process waste water			X
Raw material storage or chemical storage areas			X
Sanitary System (Sewer)			X
Septic system (Tank and leach fields)			X

TABLE 10
SITE OBSERVATIONS
(CONTINUED)

Interior and exterior observations or environmental conditions that may involve the use, storage, disposal or generation of hazardous substances or petroleum products.		Observed	Not observed
Soil piles			X
Solid Waste			X
Stained pavement or concrete	Stained concrete was observed in the vicinity of the pump island.	X	
Stains or corrosion (interior)			X
Storm basins/catch			X
Storm drains			X
Stressed vegetation			X
Sumps & clarifiers			X
Surface water			X
Underground storage tanks	USTs containing fuel are located on the Shell station property.	X	
Unidentified substance containers			X
Waste Water			X
Water supplies (potable and process)			X
Wells (irrigation, monitoring, or domestic)	There are seven wells located on the Shell station. Two of these monitoring wells, MW-1 and MW-6, were observed on the site.	X	
Wells (dry)			X
Wells (Oil and Gas)			X

7. FINDINGS AND CONCLUSIONS

On behalf of David J. Powers, Kleinfelder performed this Phase I ESA for a strip of land, situated on a portion of a Shell station located at 1698 Tully Road and South King Road in San Jose, California, in general conformance with the scope and limitations of ASTM Designation E 1527-00 and in conformance with our proposal dated March 2, 2005, which was subsequently approved by David J. Powers. The site is a 4-foot wide by 150-foot long strip of land located on a portion of a Shell station facility, and is covered mostly by pavement (Plate 2). This strip of land is located on the western to northern border of the Shell station along Tully Road and curving along South King Road. The sidewalk is not included in the site boundary. Two monitoring wells are located on the site.

The southwest end of the gas station is flanked by Carrows Restaurant; the northeast end is flanked by South King Road; the northwest is flanked by Tully Road; and the southeast end is flanked by a Taco Bell/KFC fast-food restaurant.

A review of historical information indicates that the most recent occupant of the site, a Shell station, was first present sometime around 1975. This Shell station is currently an active fuel leak case according to the SCVWD files. Groundwater and soil contamination were discovered at this site in 1998 during UST upgrade activities. Since then, groundwater and soil remediation activities by means of groundwater extraction and soil vapor extraction, respectively have taken place at the site. Seven monitoring wells are located on the Shell station property. Two of these monitoring wells, MW-1 and MW-6, are located on the site. Data obtained from recent groundwater monitoring events indicate that gasoline-related contaminants detected have either decreased significantly or are not detected at or above laboratory reporting limits. During the last groundwater monitoring event, TPH-g was detected in MW-1 at a concentration of 2,300 ug/L. Other levels of contaminants detected in MW-1 were relatively low. The levels of contaminants detected in MW-6 were either not detected at or above laboratory reporting limits or were relatively low. The groundwater contamination at the site is a recognized environmental concern.

Two monitoring wells reside on the site as shown on Plate 2. If construction activities occur at the site, Kleinfelder recommends that the monitoring wells, MW-1 and MW-6, be surveyed and

protected during the construction activities. If the wells cannot be protected, Kleinfelder recommends that they be destroyed in accordance with State and County requirements.

There are several additional sites listed in federal and local ASTM databases located upgradient or cross-gradient of the site, that are listed in regulatory databases. Information available in regulatory agency files indicates that documented releases from these locations are unlikely to impact groundwater under the site.

8. LIMITATIONS

Phase I ESAs are non-comprehensive by nature and are unlikely to identify all environmental problems or eliminate all risk. This report is a qualitative assessment. Kleinfelder offers a range of investigative and engineering services to suit the needs of our clients, including more quantitative investigations. Although risk can never be eliminated, more detailed and extensive investigations yield more information, which may help you understand and better manage your risks. Since such detailed services involve greater expense, we ask our clients to participate in identifying the level of service that will provide them with an acceptable level of risk. Please contact the signatories of this report if you would like to discuss this issue of risk further.

The scope of work on this project was presented in our proposal, dated March 2, 2005, and subsequently approved by David J. Powers. Please be aware our scope of work was limited to those items specifically identified in the proposal. Environmental issues not specifically addressed in the proposal or in this report were beyond the scope of our work and not included in our evaluations.

Kleinfelder performed this ESA in general accordance with the guidelines set forth in the ASTM Standard Practice for ESAs: Phase I ESA Process (Designation E-1527-00). No warranty, either express or implied is made.

Land use, site conditions (both on-site and off-site) and other factors will change over time. Since site activities and regulations beyond our control could change at any time after the completion of this report, our observations, findings and opinions can be considered valid only as of the date of the site visit. This report should not be relied upon after 180 days from the date of its issuance (ASTM Standard E-1527-00, Section 4.5).

This report may be used only by David J. Powers and only for the purpose stated, within a reasonable time from its issuance, but in no event later than one year from the date of the report. Land or facility use, site conditions (both on- and off-site) or other factors may change over time, and additional work may be required. Based on the intended use of the report, Kleinfelder may require that additional work be performed and that an updated report be issued. Non-compliance with any of these requirements by the David J. Powers or anyone else, unless specifically agreed

to in advance by Kleinfelder in writing, will release Kleinfelder from any liability resulting from the use of this report by any unauthorized party, and David J. Powers agrees to defend indemnify, and hold harmless Kleinfelder from any claim or liability associated with such unauthorized use or non-compliance.

9. REFERENCES

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