Ninyo & Moore
Geotechnical and Environmental Sciences Consultants

PHASE I ENVIRONMENTAL SITE ASSESSMENT REPORT
NORTHEAST CORNER OF CLEVELAND AVE. AND WASHINGTON AVE, (BETWEEN CLEVELAND AVE, WASHINGTON AVE, PIERCE ST. AND I-80) ALBANY, CALIFORNIA

PREPARED FOR:
Ms. Judith R. Lieberman
City of Albany
1000 San Pablo Avenue
Albany, California 94706

PREPARED BY:
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Oakland, California 94612

November 23, 2010
Project No. 401678001

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Ms. Judith R. Lieberman
Assistant City Manager
City of Albany
Albany, California 94706

Subject: Phase I Environmental Site Assessment Report
Northeast corner of Cleveland Ave. and Washington Ave, (Between Cleveland Ave, Washington Ave, Pierce St, and I-80).
Albany, California

Dear Ms. Lieberman:

In accordance with the Scope of Services described in the Proposal dated October 20, 2010, Ninyo & Moore has performed a Phase I Environmental Site Assessment for the property located at the northeast corner of Cleveland Avenue and Washington Avenue property (Between Cleveland Ave, Washington Ave, Pierce St, and I-80). The attached report presents our findings, conclusions, and recommendations regarding the environmental conditions at the site.

We appreciate the opportunity to be of service to you on this project.

Sincerely,
NINYO & MOORE

Monami Chakravarti
Senior Staff Geologist

Kris M. Larson, P.G. 8059
Principal Environmental Geologist

MOC/KML/dhi

Distribution: (1) addressee

TABLE OF CONTENTS

Page

Tables

Figures

Appendices

EXECUTIVE SUMMARY

Ninyo & Moore was retained by the City of Albany, to conduct a Phase I Environmental Site Assessment (ESA) for the site located at the northeast corner of Washington Ave and Cleveland Ave, in Albany (between Cleveland Ave, Washington Ave, Pierce St and I-80), Albany, California. The site covers portions of two parcels portions of APNs 066-2732-013, 14 and 066-2733 (Portions of Lots 2 and 21-24), and the plot is approximately 4.45 acres in size.

In general, the following items were noted:

- Based on our review of historical documents and our site reconnaissance, the site currently a vacant lot is located between residential developments along Washington Avenue, Calhoun and Pierce Streets, and I-80. The southern portion of the site was historically part of the freeway ramp connecting Pierce Street to east bound I-80, however in the late 1990's the ramp was removed when the connection between I-580 and I-80 was constructed. The site is currently owned by the California Department of Transportation (Caltrans), and according to the City of Albany a multi family unit existed on the site facing Washington Avenue and was demolished by them in the mid 1990's. A portion of the site was also graded by Caltrans in 2000, in conjunction with the City of Albany, whose future development plans for the site include a public park.

- Review of the Environmental Data Resources (EDR) Radius Report obtained for this project indicated that the site is not listed on any of regulatory databases. The nearby properties that were listed in the EDR Radius Report are not considered likely environmental concerns to the site. The closest Leaking Underground Storage Tank (LUST) facility (USDA-ARS located at 800 Buchanan St) was closed as of September 1994. The nearest open LUST facility (Albany Hill Mini Mart located at 800 San Pablo Ave.) is located approximately 2,000 feet upgradient and to the east of the site. The facility is currently a gasoline service station and mini mart located at the corner of San Pablo Avenue and Washington Avenue. Soil and groundwater beneath the site have been contaminated by fuel hydrocarbons that leaked from the underground storage tank system. A plume of contaminated groundwater containing dissolved fuel hydrocarbons, and MTBE has migrated from the service station more than 100 feet to the north. According to the most recent groundwater monitoring report from Geotracker, groundwater gradient for this property is toward the north-northeast. Based on this information this property is unlikely to have a negative environmental impact on the site.

- In January 2001, a site investigation was done for Caltrans to evaluate whether petroleum hydrocarbons, volatile organic compounds (VOCs), semi volatile organic compounds and metals including aerially deposited lead, existed in on-site soil. Based on the results, metals (arsenic, chromium, lead), total petroleum hydrocarbons as diesel (TPHd), TPH as motor oil (TPHmo), and semi-volatile organic compounds (SVOCs) (phenols) was found at concentrations greater then the respective reporting limits and also, in certain samples, exceeded regulatory guidelines for residential use. The highest concentrations of arsenic were detected in samples collected between 0-5 feet and were reported at 10-13 mg/kg. Four soil samples

exhibited total lead concentrations greater than 100 milligrams per kilograms (mg/kg), and the highest concentration of lead detected was 390 mg/kg taken from a surface sample in the southwestern corner of the site. Soil samples analyzed for SVOCs exhibit phenol concentrations ranging from 420 to 2,500 micrograms per kilograms (ug/kg). Certain SVOC compounds could not be evaluated because of reporting limits that exceeded regulatory screening levels for some of the SVOCs. TPH (diesel) was reported in soil samples at values ranging from 1.7 to 1,300 mg/kg. TPH (motor oil) was detected in samples at concentrations ranging from 1.3 to 3,000 mg/kg.

- During the site reconnaissance conducted by Ninyo & Moore personnel on November 9, 2010, no potential environmental hazards/concerns were observed on site.

We have performed this Phase I ESA in general conformance with the scope and limitations of ASTM Practice E 1527-05 on portions of site parcels APN's 066-2732-013, 14 and 066-2733 (Portions of Lots 2 and 21-24), northeast corner of Cleveland Avenue and Washington Avenue (Between Cleveland Ave, Washington Ave, Pierce St and I-80), in Albany, California. Any exceptions to, or deletions from this Practice are described in Section 10.3 of this report. De minimis environmental conditions were not observed for the site.

This assessment has revealed the following RECs in connection with the site:

- The site has historically been located adjacent to a major freeway and may potentially be impacted by aerially deposited lead (ADL) resulting from automobile emissions.

- Based on a previous investigation report done for Caltrans in 2001, potential constituents of concern were found in soil samples taken between the surface and 20 feet. Metals (arsenic, nickel, chromium and lead) were detected above background concentrate and/or regulatory screening guidelines in several borings. Phenol was also detected in eight samples, however certain other SVOCs could not be evaluated because of high reporting limits. TPHd and TPHg were also detected in nearly 95 percent of the total samples taken. Most of the metal, TPH, and phenol detections were from samples collected in the western and central portion of the site. Based on the sample locations and the constituents of concerns detected, impacts to site soils potentially originated from several sources including ADL, runoff from the adjacent freeway, and/or building materials, such as treated lumber.

In response to the REC concern, Ninyo & Moore recommends:

- Additional sampling is recommended to fill data gaps associated with the 2001 report. Soil samples should be collected (both shallow and deep), and analyzed for site constituents of concern including metals, SVOCs and TPHd and TPH mo.

1. INTRODUCTION

Ninyo & Moore was retained by the City of Albany (City) to conduct a Phase I Environmental Site Assessment (ESA) for the property located at the northeast corner of Washington Avenue and Cleveland Avenue (between Cleveland Ave, Washington Ave, Pierce St and I-80) located in Albany, California (Figure 1). The site covers portions of two parcels (portions of APNs 066-2732-013, 014 and 066-2733-portions of Lots 2 and 21-24). The lot is approximately 4.45 acres in size. Copies of the assessor maps including site parcels APN's 066-2732-013, 14 and 066-2733 (Portions of Lots 2 and 21-24) are included in Appendix C. The work was conducted in general accordance with our proposal dated October 20, 2010. It is our understanding that this ESA is being conducted to assist with a property transaction.

The following sections identify the purpose, the involved parties, the scope of work, and the limitations and exceptions associated with this Phase I ESA.

1.1. Purpose

In accordance with the American Society for Testing and Materials (ASTM) Standard Practice for Environmental Site Assessments on Commercial Real Estate E 1527-05, the objective of the Phase I ESA is to identify, to the extent feasible pursuant to the process described in ASTM Practice E 1527-05, recognized environmental conditions (RECs), which are defined by ASTM as "the presence or likely presence of any hazardous substances or petroleum products on a property under conditions that indicate an existing release, a past release, or a material threat of a release of any hazardous substances or petroleum products into structures on the property or into the ground, ground water, or surface water of the property."

1.2. Involved Parties

Ms Monami Chakravarti of Ninyo & Moore, environmental professional, conducted the site reconnaissance on November 9, 2010. She also performed regulatory inquiries, historical research, and document review. Mr. Kris Larson, a Professional Geologist, performed

project oversight and quality review (Appendix A, Credentials). The Phase I ESA was prepared for the City of Albany (user).

1.3. Scope of Work

Ninyo & Moore's proposed scope of work for this Phase I ESA included the following:

- A review of a computerized database search of federal and state environmental record sources for the site and for properties located within the minimum search radii prescribed by the ASTM and AAI for the respective environmental records sources. The objective of the database search review was to evaluate locations where hazardous materials may have been used or stored and their possible effects on the site. If the review of the computerized database search identified properties of concern, Ninyo & Moore made inquiries regarding these properties to the appropriate regulatory agencies.

- A site visit to visually evaluate site characteristics for possible contaminated surface soil or surface water, improperly stored hazardous materials, possible sources of polychlorinated biphenyls (PCBs), and possible risks of site contamination from activities at the site. Owner representatives and/or other individuals familiar with the property, past site operations and construction history were interviewed, if readily available.

- A site vicinity reconnaissance to evaluate characteristics of adjacent or nearby properties for possible environmental influences on the site.

- A review of site and site vicinity historical land use to evaluate whether past uses may have contributed to the presence of environmental concerns at the site. Information used to review the site history included historical aerial photographs, reverse telephone directories, Sanborn Insurance Maps, building permits, oil and gas maps, and United States Geological Survey (USGS) Topographic Maps, if readily available.

- A review of available local agency regulatory files for the subject site, and if necessary, for selected properties in the site vicinity. Requests were made at the local building, fire, and health departments.

- A review of any environmental reports provided by City of Albany.

- Preparation of this Phase I ESA report. This report was prepared for the site and documents the environmental issues and discusses whether environmental concerns are present. The report included the findings and provided a discussion, conclusions and recommendations regarding the current environmental condition of the site.

1.4. Limitations and Exceptions

The environmental services described in this report have been conducted in general accordance with current regulatory guidelines and the standard-of-care exercised by environmental consultants performing similar work in the project area. No warranty, expressed or implied, is made regarding the professional opinions presented in this report.

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

The findings, opinions, and conclusions are based on an analysis of the observed site conditions and the referenced literature. It should be understood that the conditions of a site could change with time as a result of natural processes or the activities of man at the subject property or nearby sites. In addition, changes to the applicable laws, regulations, codes, and standards of practice may occur due to government action or the broadening of knowledge. The findings of this report may, therefore, be invalidated over time, in part or in whole, by changes over which Ninyo & Moore has no control. Ninyo & Moore cannot warrant or guarantee that not finding indicators of any particular hazardous material means that this particular hazardous material or any other hazardous materials do not exist on the site. Additional research, including invasive testing, can reduce the uncertainty, but no techniques now commonly employed can eliminate the uncertainty altogether.

1.5. Special Terms and Conditions

This study did not include an evaluation of geotechnical conditions or potential geologic hazards. In addition, as indicated in Section 13.1.5 of ASTM E 1527-05, the following, which is not intended to be all inclusive, represents out-of-scope items with respect to a Phase I ESA and, therefore, were not addressed: asbestos-containing materials, radon, lead-based paint, lead in drinking water, regulatory compliance, cultural and historic risk, industrial hygiene, health and safety, ecological resources, endangered species, indoor air quality

(e.g., vapor intrusion), biological agents, mold, and high voltage power lines. Furthermore, Ninyo & Moore did not address interpretations of zoning regulations, building code requirements, or property title issues.

1.6. User Reliance

This report may be relied upon by, and is intended exclusively for City of Albany. Any use or reuse of the findings, opinions, and/or conclusions of this report by parties other than these is undertaken at said parties' sole risk.

1.7. Physical Limitations

During the site reconnaissance physical limitations were not encountered. At the time of the site reconnaissance, the weather was chilly and overcast with a temperature of approximately 65 degrees Fahrenheit.

1.8. Data Gaps

No data gaps were encountered during the preparation of the Phase 1 ESA.

2. SITE DESCRIPTION

The following sections describe the location of the site, general characteristics and current uses of the site, the structures present at the site, and the tenant currently occupying the site. The current uses of adjacent properties are also described. A site location map is presented as Figure 1. An aerial photograph depicting site features is presented as Figure 2. Photographs of the site taken during the site reconnaissance are presented in Appendix B.

2.1. Site Location

The site is located in the northeast corner of Cleveland Avenue and Washington Avenue (between Cleveland Ave, Washington Ave, Pierce St and I-80), in the city of Albany (Figure 1).

2.2. General Site Characteristics

The site is approximately 4.45 acres, irregular in shape, and currently a vacant lot. General land use in the vicinity of the site consists mostly of residential properties (Figure 2).

2.2.1. Site Structures

The site is currently vacant with no structures on it (Photos 1-4, included in Appendix B).

2.2.2. Occupants

The site is currently vacant and there are no occupants on the site.

2.2.3. Roads

The site is bound to the west by highway I-80 and Cleveland Avenue, to the south by Washington Avenue, to the east by Pierce and Calhoun Streets.

2.2.4. Heating and Cooling Systems

The site is vacant so there are no heating and cooling systems on site.

2.2.5. Sewage Disposal/Septic Systems

The site is vacant and not in use so it is not connected to any sewer system.

2.2.6. Potable Water

The site is vacant so no potable water is available on site.

2.2.7. Electricity and Natural Gas

The site is vacant so there is no electricity and natural gas supplied to the site.

2.3. Adjoining Properties

Table 1 lists the properties adjoining the site and associated land use.

Table 1 – Adjoining Properties

Location	Current Occupant(s)
North	Residential and Commercial properties.
West	Commercial properties west of I-80
South	Residential properties
East	Residential properties

Based on the nature of the adjacent properties and observations made during our site reconnaissance, it is unlikely that these properties have impacted the environmental integrity of the site. Adjacent property uses are presented in Figure 2 and the photographs (5-9) of the neighboring properties are included in Appendix B.

3. USER PROVIDED INFORMATION

The following sections summarize information provided by the user to assist the environmental professional in identifying the possibility of RECs in connection with the site, and to fulfill the user's responsibilities in accordance with Section 6 of ASTM Practice E 1527-05. Ms. Judy Lieberman of the City of Albany was contacted by Ms. Chakravarti on November 4, 2010, regarding information pertinent to the site.

3.1. Current Title Information

A Preliminary Title Report was not provided by the client or reviewed by Ninyo & Moore for this report.

3.2. Environmental Liens or Activity and Use Limitations

Based on the EDR report no environmental liens or activity use limitations, such as engineering controls, land use restrictions, or institutional controls are associated with the site.

3.3. Specialized Knowledge

Ms Lieberman indicated that, for the purposes of this assessment, the City of Albany has no specialized knowledge regarding the site.

3.4. Commonly Known or Reasonably Ascertainable Information

Ms. Lieberman did not know of the existence of commonly known or reasonably ascertainable information within the local community that is material to RECs in connection with the site.

3.5. Valuation Appraisal/Reduction for Environmental Issues

An appraisal report dated June, 2004 and prepared for the City of Albany by Smith and Associates, Inc indicated that the market value of the property was $ 580,000.

3.6. Site Contact Information

Table 2 lists the site personnel that were contacted by Ninyo & Moore for the purposes of this assessment.

Table 2 – Site Contacts

Contact	Company	Relationship to Site
Ms Judy Lieberman	City of Albany (User)	Retained Ninyo & Moore to conduct this Phase I ESA
Mr. Randy Leptien	City of Albany (Contract Engineer)	Knowledgeable of site
Mr. Chris Wilson	California Department of Transportation	Provided Ninyo & Moore with former site investigation report done for Caltrans, for the site.

3.7. Other User Provided Information

No other information regarding the environmental condition of the site was provided to Ninyo & Moore.

4. PHYSICAL SETTING

The following sections include discussions of topographic, geologic, hydrogeologic conditions, and wetlands characterization in the vicinity of the site, based upon our document review, web-site research, and our visual reconnaissance of the site and adjacent areas.

4.1. Topographic Conditions

Based on a figure (Figure 2) from a previous report for Caltrans (Geocon, January 2001), the site lies at an elevation between 6 feet to 14.6 feet above mean sea level.

4.2. Geologic and Soil Conditions

Soil encountered during the field activities generally consisted of clayey sand and clayey gravel underlain by well-cemented fine sand, clayey sand, and silty clay at 20 feet below ground surface (bgs) (Geocon, January 2001).

4.2.1. Site Hydrology

The following sections discuss the site hydrology in terms of surface water and groundwater.

4.2.2. Surface Waters

The closest natural surface water body is the San Francisco Bay which is located approximately 650 feet west of the site.

4.2.3. Wetlands

Based on information obtained from the U.S. Fish and Wildlife Service webpage (http://wetlandsfws.er.usgs.gov/NWI/index.html), wetlands were not noted on or adjacent to the site.

4.2.4. Flood Zones

According to the EDR report, the site was not located within a Federal Emergency Management Agency (FEMA) flood zone.

4.2.5. Groundwater

The site groundwater likely follows the topographic gradient, which is toward the west-southwest.

5. HISTORICAL USE INFORMATION

Ninyo & Moore conducted a historical record search for both the site and surrounding areas. This review included one or more of the following sources that were found to be both reasonably ascertainable and useful for the purposes of this Phase I ESA: historical aerial photographs, historical fire insurance maps, historical city directories, building permits and plans, land title records, topographic maps, property tax records, and zoning/land use records. Table 3 lists the historical data types reviewed for this Phase I ESA, their source, their respective dates, and data failures encountered during our review, if any.

Table 3 – Summary of Historical Records Reviewed

Data Type	Source	Source Dates	Data Limitation
Historical Aerial Photographs	Environmental Data Resources	See Table 4	Photographs for the site were not identified for any year prior to 1939.
City Directories	Environmental Data Resources	See Section 5.3	The site was not listed in the city directory search.
Historical Topographic Maps	Environmental Data Resources	See Section 5.6	The topographic maps for the site were not identified prior to 1895.
Sanborn Maps	Environmental Data Resources	See Section 5.2	No maps for the site were identified prior to 1929.

Although one or more of the sources listed above provided limited information with regard to the historical use of the site, the information gathered from the sources reviewed as a whole is adequate to develop a history of the previous uses of the site and the surrounding area in accordance with Section 8.3 of ASTM Practice E 1527-05.

Historical review documentation, including historical aerial photographs, Sanborn Fire Insurance maps, city directories, and historical topographic maps are presented in Appendix C.

5.1. Historical Aerial Photographs

Historical aerial photographs dated 1939 to 2005 were provided by EDR. Table 4 presents a summary of our review.

Table 4 – Aerial Photograph Review

Photograph Date	Site	Adjacent Properties	
1939	The site is comprised of a vacant lot in the southern and central areas, and vacant land with a grove of trees in the northern portion An I-80 off-ramp connecting to Solano Avenue was observed bisecting the southern section of the site.	West:	I-80 was observed bordering the site to the west, beyond which is mostly vacant land with an unidentified structure.
		South:	Washington Avenue bordered the site to the south, beyond which mostly vacant land with an unidentified structure.
		East:	Vacant land in the southern section, and roadways beyond which are what appear to be parcels with residential structures. Three unidentified (potentially residences) structures were observed in the central section of the adjacent property.
		North:	Vacant land with a grove of trees. lot
1946	No major changes were observed compared to the 1939 photograph.	West:	No major changes were observed compared to the 1939 photograph.
		South:	An unidentified structure, possibly use or commercial purposes, was observed south and adjacent to Washington Avenue.
		East:	Several unidentified structures in the southern portion, more densely populated residential housing in the central portion, and similar to the 1939 photograph in the northern portion.
		North:	No major changes were observed compared to the 1939 photograph

Table 4 – Aerial Photograph Review

Photograph Date	Site	Adjacent Properties	
1959	No major changes were observed compared to the 1946 photograph.	West:	No major changes were observed compared to the 1946 photograph
		South:	
		East:	
		North:	
1965	The eastern site boundary, Pierce Street, is observed to extend to the northern site boundary. The former I-80 off ramp connecting Solano Avenue has been mostly removed with a sliver remaining adjacent to Pierce Street, and a new on and off ramp to I-80 is observed just north of the previous off-ramp. The northern section of the site does not appear on this photograph.	West:	No major changes were observed compared to the 1959 photograph; however the area adjacent and north of the site is not visible on this photograph.
		South:	
		East:	
		North:	
1974	Due to the lack of clarity in the aerial photograph, changes to the site parcel could not be observed.	West:	Due to the lack of clarity in the aerial photograph, changes to the adjacent properties could not be observed with the exception of a large commercial or residential development north and adjacent to the site.
		South:	
		East:	
		North:	
1982	Due to the lack of clarity in the aerial photograph, changes to the site parcel could not be observed.	West:	Due to the lack of clarity in the aerial photograph, changes to the adjacent properties could not be observed.
		South:	
		East:	
		North:	
1993	No major changes were observed compared to the 1959 photograph	West:	No major changes were observed compared to the 1959 photograph with the exception of a large unidentified structure observed adjacent to the southwestern section of the site.
		South:	
		East:	
		North:	

Table 4 – Aerial Photograph Review

Photograph Date	Site	Adjacent Properties	
1998	No major changes were observed compared to the 1959 photograph	West	No major changes were observed compared to the 1993 photograph.
		South	
		East	
		North	
2005	The I-80 on and off ramps are no longer observed and the site appears as a vacant lot.	West	No major changes were observed compared to the 1993 photograph with the exception of an on ramp extending from Buchanan Street to the south to I-80 along the southwestern site boundary.
		South	
		East	
		North	

Based on our aerial photograph review, the site parcel was developed by 1939 with an I-80 interchange. Changes to the site relating to highway I-80 construction projects were also observed in the 1965 and 2005 photographs.

5.2. Sanborn Fire Insurance Rate Maps

Sanborn fire insurance rate maps for the subject site and surrounding areas were requested from EDR. Maps were available for the site for the following years; 1929, 1950, 1970 and 1981. In the 1929 map the site appears vacant. The site is bounded by Pierce Street on the east, Cleveland Avenue to the west, Bay View Road and Arthur Road to the north and Hayes Street to the south. Calhoun Street intersects Cleveland Avenue in the vicinity (northeast corner) of the site. There are several vacant parcels in and around the site area. In the 1950 map, part of the site appears vacant and portions of it forms part of the East Shore Highway. Pierce Street bounds the site to the east. Calhoun Street intersects the East Shore Highway on the west, Hayes Street now known as Washington Street bounds the site to the south. Most of the vacant lots observed in the 1929 map were redeveloped with residential properties. In the 1970 map there were no major changes observed on the site property. Also the roadways bounding the site were observed to be the same. In the 1981 map, also there were

no major changes observed on the site property nor were there changes to the roadways bounding the property.

5.3. City Directories

City directories were researched by EDR for the site addresses and addresses adjacent to the site that are of an environmental concern based on site reconnaissance and a review of available files and databases. Information on the adjoining properties were identified in City Directory searches between 1945 and 2006. The adjoining properties searched were 719 Calhoun Street, 700 Calhoun Street, 757 Pierce Street, 745 Pierce Street and 759 Pierce Street. All of these properties are privately owned residential buildings.

5.4. Historical Chain-of-Title Records

A historical chain-of-title report was not available for review by Ninyo & Moore for this Phase I ESA.

5.5. Building Permits

No building permits were made available for the site.

5.6. Historical Topographic Maps

Historical topographic maps dated 1895, 1915, 1948, 1949, 1959, 1968, 1973, 1980, 1993, 1995 were provided by EDR. The site is currently a vacant lot located at the northeast corner of Cleveland Ave and Washington Ave (between Cleveland Ave, Washington Ave, Pierce St and I-80). The 1895 map shows the site as a vacant lot with no buildings on it. The neighboring town of Berkeley (to the south) appears urbanized, criss-crossed by roads. The Southern Pacific Railroad trends north south along the San Francisco Bay. The 1915 map also shows the site as vacant, however the city of Albany is shown as being developed. In the 1948 map, the area within the site vicinity is developed. Highway 40 is observed bordering the site to the west, Washington Avenue to the south and Pierce Street to the east. The 1949 through 1995 topographic maps indicate the site vicinity as being developed. Addition-

ally, the 1959 through 1995 maps indicates the I-80 on and off-ramps bisecting the site and connecting to Pierce Street at the sites eastern boundary.

5.7. Previous Reports and Documents

Two reports were provided by the City of Albany for review. Of the two reports, one is a Site Investigation Report prepared for California Department of Transportation completed in January 2001 (Geocon, January 2001) and the other is an Appraisal Report for the site, prepared by Smith and Associates, Inc. in June 2004 (An Appraisal of the Market Value of a 4.45 acre Parcel and the Fair Market Lease rate of a 1.38 acre parcel, Smith and Associates, June 2004). The Appraisal report is not relevant to site environmental conditions and will not be discussed.

In January 2001, a site investigation was done for Caltrans (Geocon, 2001) to evaluate whether constituents of concern (COCs) including petroleum hydrocarbons, volatile organic compounds (VOCs), semi volatile organic compounds (SVOCs) and metals exist in on-site soil. The purpose of the investigation was to evaluate the applicability of the Department of Toxic Substances (DTSC) variance with respect to the soil generated during construction and its potential reuse. On December 27 and 28, 2000, 14 boreholes were advanced at the site using a direct-push drill rig. Refusal was encountered in the 14 borings at depths ranging from 6 to 20 feet. Groundwater was not encountered during the advancement of the boreholes. Select soil samples from the surface to 20 feet were analyzed for the COCs discussed above. Total petroleum hydrocarbons as gasoline, diesel and motor oil (TPHg, d, and mo), benzene, toluene, ethylbenzene and total xylenes, (BTEX), fuel oxygenated compounds and metals were analyzed in every sample. Volatile organic compounds (VOCs), and semi-volatile organic compounds (SVOCs) were analyzed in deeper samples collected.

TPHg, BTEX, and FOCs were not reported above laboratory detection limits in any samples. VOCs were not detected with the exception of methylene chloride in low concentrations. Elevated concentration of TPHd (with respect to the average concentrations detected on site) were reported in several samples ranging from 140 to 1,300 milligrams per

kilograms(mg/kg). Elevated concentrations of TPHmo were reported between 200 to 3,000 mg/kg. Phenol was the only SVOC reported above laboratory reporting limits, ranging between 450 to 2,500 micrograms per kilograms (µg/kg). Several metals were reported above laboratory detection limits, however those that were elevated above what appeared to be background concentrations included arsenic, ranging between 10-13 milligrams per kilograms (mg/kg), chromium, ranging between 130 to 170 mg/kg, lead, ranging between 140 and 390 mg/kg. Most of the elevated TPH and metal compounds were detected in shallow soils. A copy of the text, tables and figures are included in Appendix E.

6. ENVIRONMENTAL DATABASE REVIEW

Environmental databases for the site and site vicinity were searched for environmental re cords, including a computerized environmental database search report completed for Ninyo & Moore by EDR, and a search of available online databases.

6.1. EDR Radius Report Review

A computerized, environmental database search report, dated October 26, 2010, was completed for Ninyo & Moore by EDR. The EDR search was completed and included federal, state, and local databases. A complete description of the assumptions and approach to the database search, as well as the results, is provided in Appendix D. The review was conducted to evaluate whether the site or properties within the vicinity of the site have been identified as having experienced significant unauthorized releases of hazardous substances or other events with potentially adverse environmental effects. It should be noted that the EDR Radius Report indicated the target property was not listed on any of the databases searched.

The database query was completed via block-face address matching (geo-coding). Sites located at the block-face level are reported to be within 250 feet of the true geographic location at a 97 percent confidence level. Any records obtained from a non-governmental source are required to be updated within 90 days of the date the government agency last made the information publicly available. The database report included a section entitled

"Orphan Summary" (Orphans). Orphans are sites or facilities listed in EPA databases that cannot be mapped (geo-coded) due to incomplete or inaccurate information. However, the Orphan sites can be located by zip code or city name. Twenty-six orphan sites were included in the EDR report. The twenty-six sites were either closed cases or were determined to likely not have an environmental impact based on our site vicinity reconnaissance and the nature of the specific listing.

A summary of selected environmental databases searched, their corresponding search distance, and number of noted sites of environmental concern are presented in the following table.

Table 5 – Summary of Environmental Database Search

Database Name	Target Property	Radius	Database Date	Number of Properties
Federal Records				
RCRA CORRACTS	No	1 mile	05/10	1
RCRA Large Quantity Generators	No	¼ mile	2/10	2
EPA RCRA Small Quantity Generators	No	¼ mile	2/10	2
RCRA Non Gen Site	No	¼ mile	2/10	1
State and Local Records				
RESPONSE	No	1 mile	8/10	1
ENVIROSTOR	No	1 mile	8/10	8
SWF/LF	No	½ mile	8/10	1
LUST	No	½ mile	9/10	21
SLIC	No	½ mile	9/10	5
ALAMEDA COUNTY Contaminated Sites	No	½ mile	7/10	19
UST	No	¼ mile	9/10	2

Table 5 – Summary of Environmental Database Search

Database Name	Target Property	Radius	Database Date	Number of Properties
Local Lists of Landfill/Solid Waste Disposal Sites (WMUDS/SWAT)	No	½ mile	4/00	1
Local Lists of Hazardous Waste/Contaminated sites. (HIST Cal Sites)	No	1 mile	8/05	2
HIST UST	No	¼ mile	6/94	2
SWEEPS UST	No	¼ mile	6/94	3
HIST CORTESE	No	½ mile	4/01	19
Notify 65	No	1 mile	10/93	6
Hazardous Waste Facilities	No	1 mile	8/10	1

Notes:
CORRACTS – Corrective Action Report
EPA – United States Environmental Protection Agency
RCRA – Resource Conservation and Recovery Act
LUST – Leaking Underground Storage Tank
SLIC – Spills, Leaks, Investigation, Cleanup
SWF/LF – The Solid Waste Facilities/Landfill Sites
UST – Underground Storage Tank
WMUDS – The Waste Management Unit Database System
SWEEPS – Statewide Environmental Evaluation and Planning System

The following paragraphs describe the databases that contain noted properties of environmental concern, and include a discussion of the regulatory status of the facilities and potential environmental impact to the site. Based on the groundwater gradient information discussed in Section 4.3.4, the groundwater flow direction is inferred to be in a south-southwest direction.

6.1.1. Resource Conservation and Recovery Act (RCRA) CORRACTS List: Distance Searched – ¼ mile

CORRACTS identifies hazardous waste handlers with RCRA Corrective Action Activity.

The site was not listed on this database. However one facility was listed on the database. The facility is located 3,000 feet crossgradient to the site, based on this information; it is unlikely that this facility has had a negative environmental impact on the site.

6.1.2. Resource Conservation and Recovery Act (RCRA) Large Quantity Generators (LQG) List: Distance Searched – ¼ mile

The RCRA-LQG database consists of facilities which generate, transport, store, treat, and/or dispose of hazardous waste as defined by the RCRA-LQGs generate over 1,000 kilograms of hazardous waste, or over 1 kilogram of acutely hazardous waste per month. This site is maintained by the EPA.

The site was not listed on this database. However two facilities were listed approximately 1,300 feet upgradient to the site. No documented releases or violations were noted at any of these facilities. Based on this information, it is unlikely that either of these two facilities has had a negative environmental impact on the site.

6.1.3. Resource Conservation and Recovery Act (RCRA) Small Quantity Generators List (SQG): Distance Searched – ¼ mile

This list identifies sites that generate small quantities of hazardous waste as defined by RCRA. Inclusion on this list is for permitting purposes and is not indicative of a release. This listing is maintained by the Environmental Protection Agency (EPA).

The site was not listed on this database. However two facilities were listed on this database. The two facilities located at 715 Cleveland Avenue (downgradient) approximately 460 feet from the site, and 1001 East Shore Highway (downgradient) approximately 1,045 feet from the site. No documented releases or violations were noted at any of

these facilities. Based on this information, it is unlikely that either of these two facilities has had a negative environmental impact on the site.

6.1.4. Resource Conservation and Recovery Act (RCRA) Non- Generators List: Distance Searched – ¼ Mile

This list identifies sites which have previously generated hazardous waste as defined by RCRA. Inclusion on this list is for permitting purposes and is not indicative of a release. This listing is maintained by the EPA.

The site was not listed on this database. However one facility was listed on the database, approximately 1,350 feet downgradient to the site. Based on this information, it is unlikely that this facility has had a negative environmental impact on the site.

6.1.5. RESPONSE: Distance Searched – 1 mile

The Response database identifies confirmed release sites where DTSC is involved in remediation, either in a lead or oversight capacity. These confirmed release sites are generally high priority and high potential risk.

The site was not listed on the database. However one facility was listed on the database. The facility is located approximately 3,600 feet downgradient from the site. No documented release or violations were noted at this facility. Based on this information, it is unlikely that this facility has had a negative environmental impact on the site.

6.1.6. Envirostor: Distance Searched – ½ mile

This database is maintained by the California Department of Toxic Substances Control (DTSC) and identifies properties that have known contamination or properties where there may be reasons to investigate further.

The site was not listed on this database. Eight facilities were listed on this database. The facilities are located at a distance of between approximately 1,400 feet to 4,000 feet

downgradient from the site. Based on this information, it is unlikely that either of these facilities has had an adverse environmental impact on the site.

6.1.7. SWF/LF: Distance Searched – ¼ mile

The Solid Waste Facilities/Landfill sites records contain an inventory of solid waste disposal facilities or landfill. The data comes from the Integrated Waste Management Board's Solid Waste Information System (SWIS) database.

The site was not listed on this database; however, one facility was listed on this database. The facility is located at the west end of Buchanan Street approximately 1,200 feet upgradient to the site, and is a solid waste disposal site. No violations were found associated with the facility. Based on this information, it is unlikely that this facility has had a negative environmental impact on the site.

6.1.8. State Leaking Underground Storage Tank (LUST) Lists: Distance Searched – ½ mile:

Databases of the LUST information system are maintained by the California SWRCB. The site was not listed on the database. However 21 facilities were listed on this database between 600 feet to 2,600 feet from the site. Of the 21 facilities, 16 are closed. Of the five open facilities, the closest one is Albany Hill Mini Mart, located at 800 San Pablo Avenue, approximately 2,000 feet upgradient from the site. This property is listed twice. The facility is currently operating as a gasoline service station and mini mart. Soil and groundwater beneath the site was reported to be contaminated by fuel hydrocarbons that leaked from the underground storage tank system. A plume of contaminated groundwater containing dissolved fuel hydrocarbons and MTBE has migrated from the service station more than 100 feet to the north. According to the most recent groundwater monitoring report, (Aqua Science Engineers, July 2010) located in the Geotracker database, groundwater gradient for this property is toward the north-northeast. Based on this information, this property is unlikely to have a negative environmental impact on the site.

The remaining three facilities, Albany Fire City located at 1001 Marin Ave, Former Exxon Gas station located at 990 San Pablo Avenue and Firestone facility located at 969 San Pablo Ave, are all greater than 2,000 feet downgradient from the site. Based on this information it is unlikely that any of these facilities has had a negative influence on the site.

6.1.9. SLIC: Distance Searched – ½ mile

SLIC Region comes from the California Regional Water Quality Control Board. The site was not listed on this database; however, five facilities were listed on this database. Two of the five facilities, 578 Cleveland Avenue and 536 Cleveland Avenue, are closed cases, and the facility Fleming Point Property located at 1100 East Shore Highway (an open inactive case as of June 2009) is downgradient to the site and hence is unlikely to have a negative environmental impact on the site. Of the remaining two open facilities, one is a private residence located approximately 1,400 feet from the site. The facility is an open site and Alameda County Health Care Services Agency is the regulatory oversight. Based on the most recent regulatory correspondence dated July 2009, the responsible party (homeowner) has been instructed upload the analytical data on to Geotracker. The other open facility, Western Forge and Flange Co, located is 1,463 feet downgradient to the site and hence is unlikely to have a negative environmental impact on the site. Based on this information it is unlikely that any of these facilities has had a negative environmental impact on the site.

6.1.10. Alameda County Contaminated Sites: Distance Searched – ½ mile

The database contains a listing of contaminated facilities overseen by the Toxic Release Program including facilities with oil and groundwater contamination from chemical releases and spills, and the Leaking Underground Storage Tank Program.

The site was not listed on this database; however, nineteen facilities were listed on this database. Of the nineteen facilities listed twelve are closed. Of the remaining seven facilities, six are downgradient and one is upgradient. The one upgradient facility is

located at 800 San Pablo Ave. (Albany Mini Mart), and has already been discussed in Section 6.1.8. Based on this information it is unlikely that any of these facilities has had a negative environmental impact on the site.

6.1.11. UST: Distance Searched – ¼ mile

The database is maintained by the State Water Resources Control Board (SWRCB) Hazardous Substances Storage Container Database.

The site was not listed on this database; however, two facilities were listed on this database. Both the facilities are located on 800 Buchanan Street and approximately 1,300 feet upgradient from the site. There are no violations associated with either of these sites. Based on this information it is unlikely that either of these facilities has had a negative environmental impact on the site.

6.1.12. Local Lists of Landfill/Solid Waste Disposal Sites (WMUDS/SWAT): Distance Searched – ½ mile

The database is used for tracking and inventory of waste management units. The source is the State Water Resources Control Board.

The site was not listed on this database; however, one facility was listed 1,400 feet downgradient of the site. There are no reported violations associated with this facility and based on this information it is unlikely that this facility has had a negative environmental impact on the site.

6.1.13. Local Lists of Hazardous Waste / Contaminated Sites (Hist Cal Sites): Distance Searched – 1 mile

The database contains both known and potential hazardous substance sites. The source is the California Department of Toxic Substance Control.

The site was not listed on this database; however, two facilities were listed between approximately 1,500 feet and 3,600 feet downgradient of the site. Based on this

information it is unlikely that these facilities have had a negative environmental impact on the site.

6.1.14. Historic Underground Storage Tank (UST) List: Distance Searched – ¼ mile

This Historic UST database provides information on registered historic USTs. This listing is maintained by the SWRCB.

The site was not listed on this database; however, two facilities were listed on this database. The two facilities, one located on Buchanan Street (upgradient) and the other located at East Shore Highway (downgradient) are both at distances of approximately 1,300 feet from the site. However, there are no leaks or violations associated with these facilities and based on this information; it is unlikely that these facilities have had a negative environmental impact on the site.

6.1.15. SWEEPS UST: Distance Searched – ¼ mile

This UST database was updated and maintained by a company contracted by the SWRCB in the early 1990's.

The site was not listed on this database; however, three facilities were listed on this database. Two facilities are located approximately 600 and 1,300 feet downgradient of the site. The third site is located approximately 1,300 feet upgradient; however no leaks and violations have been reported for this facility. Based on this information, it is unlikely that any of the three facilities has had a negative environmental impact on the site.

6.1.16. Historical Cortese List: Distance Searched – ½ mile

The Historical Cortese facilities are designated by the SWRCB, the Integrated Waste Board, and the DTSC. This listing is no longer updated. The site was not listed on this database. However nineteen facilities were located between approximately 600 feet to 2,600 feet from the site. Of the nineteen facilities, nine facilities are upgradient to the site, the remaining ten sites are downgradient and therefore an unlikely environmental

concern. Of the nine upgradient facilities, five are closed. Of the four open facilities, three have already been discussed in sections 6.1.8 and 6.2.1. The remaining facility is located at 501 San Pablo Avenue approximately 2,600 feet upgradient to the site, and has no leaks or violations associated with it. Based on this information, it is unlikely that any of these facilities has had a negative environmental impact on the site.

6.1.17. Notify 65: Distance Searched – ½ mile

This database contains facility notifications about any release that could impact drinking water and thereby expose the public to a potential health risk. The data comes from the State Water Resources Control Board.

The site was not listed on this database. However, six facilities were listed on this database. Of the six facilities, five are upgradient and one is downgradient. Of the five upgradient facilities, one (located on 800 Buchanan St) has already been discussed in section 6.2.0. The four remaining facilities are at least 2,600 feet from the site, and, due to the distance, there is a low likelihood that these four facilities have had a negative environmental impact on the site.

6.1.18. HWP: Distance Searched – ½ mile

This database contains detailed information on permitted hazardous waste facilities and corrective action (cleanups) tracked in Envirostor.

The site was not listed on this database. However one facility was listed approximately 3,000 feet downgradient from the site. Based on this information, there is a low likelihood that this facility has had a negative environmental impact on the site.

6.2. Online Database Review

State environmental databases were reviewed to evaluate potential environmental concerns for the site and the site vicinity including potential impacts to the site from hazardous materials emanating from on-site and off-site sources. Databases reviewed included the State

Water Resources Control Board (SWRCB) online database Geotracker and the DTSC online database Envirostor. The site was not listed on either database. Properties that were listed on Geotracker included one upgradient of the site that was an open LUST case, which was located at 800 San Pablo Avenue (Albany Hill Mini Mart). This property is discussed in Section 6.1 above and is not considered an environmental concern to the site. No sites of environmental concern were listed on the Envirostor database.

7. ENVIRONMENTAL REGULATORY AGENCY INQUIRIES

Based on the site reconnaissance, historical research, and environmental database review, information regarding the site and relevant surrounding properties was requested from local government agencies and, if available, reviewed by Ninyo & Moore. Based on information obtained through verbal requests to local government agencies, it was judged that interviews of regulatory officials would not provide additional significant information to the Phase I ESA. The agencies contacted, were RWQCB, DTSC, and County of Alameda)

7.1. City of Albany

Ninyo & Moore personnel made requests to the City of Albany to review records that may be available for the site addresses. The City of Albany provided a Site investigation Report prepared for Caltrans by Geocon in January 2001 (Geocon, 2001). Please refer to Section 5.7 for a description of this report. A copy of the text, tables and figures are included in Appendix E.

7.2. Alameda County Environmental Health (CUPA)

Ninyo & Moore requested ACDEH for existing environmental documents for the site. ACDEH did not provide any records pertaining to the site.

8. SITE RECONNAISSANCE

On November 9, 2010, Ms. Monami Chakravarti of Ninyo & Moore conducted the site reconnaissance. The reconnaissance involved a visual inspection of the site and observations of adjoining properties. Ms. Judy Lieberman, from City of Albany, met Ms. Chakravarti on site and guided her through the site visit. The site is a vacant lot, approximately 4.45 acres in area, irregular in configuration and located at the northeast corner of Cleveland Ave and Washington Ave (between Cleveland Ave, Washington Ave, Pierce St and I-80). Photographs taken during the site reconnaissance are included in Appendix B.

8.1. Use and Storage of Hazardous Substances and Petroleum Products

The site is currently vacant. Currently there are no hazardous substances and petroleum products stored on site. (Photos 1-4, included in Appendix B)

8.2. Storage and Disposal of Hazardous Waste

The storage and/or disposal of hazardous waste were not observed at the site.

8.3. Unidentified Substance Containers

No unidentified containers were observed at the site.

8.4. Evidence of Releases

Evidence of releases was not observed at the site.

8.5. Aboveground and Underground Storage Tanks

No aboveground storage tanks or USTs were observed at the site.

8.6. Wastewater Systems

No wastewater systems were observed at the site.

8.7. Storm water Systems

No storm water systems were observed at the site.

8.8. Wells

No wells were observed at the site.

8.9. Surface/Subsurface Structures

No subsurface structures observed at the site.

8.10. Controlled Substances Production

Controlled substances production was not observed at the site.

8.11. On-Site Records

On-site records were not available at the site.

9. INTERVIEW

Ms. Chakravarti of Ninyo & Moore spoke with Ms Judy Lieberman, City Manager and Randy Leptien, Contract Engineer for the City of Albany. Ms Lieberman was listed as the main property contact. Ms. Lieberman recommended speaking with Mr. Leptien to get more accurate information on the site. Both Ms. Lieberman and Mr. Leptien confirmed that the portions of the site were part of the freeway ramp since the 1940's. However in the late 90's the off ramp was eliminated when the connection between I- 580 W and I-80E was constructed. There was also a multi-family unit facing Washington Ave which was also demolished by Caltrans in the mid 1990's. The site was created through the freeway and building demolition, and graded by Caltrans in early 2000 in conjunction with the City of Albany because of their development plans for use of the site as a public park.

10. FINDINGS, OPINIONS, CONCLUSIONS, AND RECOMMENDATIONS

Based upon the results of this Phase I ESA, the following findings, opinions, conclusions, and recommendations are provided.

10.1. Findings and Opinions

The following presents a summary of the findings and opinions associated with this Phase I ESA performed for the site, including known or suspect RECs, historical RECs, and de minimis environmental conditions (i.e., conditions that generally do not present a material risk of harm to public health or the environment).

- Based on our review of historical documents and our site reconnaissance, the site currently a vacant lot is located between residential developments along Washington Avenue, Calhoun and Pierce Streets, and I-80. The southern portion of the site was historically part of the freeway ramp connecting Pierce Street to east bound I-80, however in the late 1990's the ramp was removed when the connection between I-580 and I-80 was constructed. The site is currently owned by the California Department of Transportation (Caltrans), and according to the City of Albany a multi family unit existed on the site facing Washington Avenue and was demolished by them in the mid 1990's. A portion of the site was also graded by Caltrans in 2000, in conjunction with the City of Albany, whose future development plans for the site include a public park.

- Review of the Environmental Data Resources (EDR) Radius Report obtained for this project indicated that the site is not listed on any of regulatory databases. The nearby properties that were listed in the EDR Radius Report are not considered likely environmental concerns to the site. The closest Leaking Underground Storage Tank (LUST) facility (USDA-ARS located at 800 Buchanan St) was closed as of September 1994. The nearest open LUST facility (Albany Hill Mini Mart located at 800 San Pablo Ave.) is located approximately 2,000 feet upgradient and to the east of the site. The facility is currently a gasoline service station and mini mart located at the corner of San Pablo Avenue and Washington Avenue. Soil and groundwater beneath the site have been contaminated by fuel hydrocarbons that leaked from the underground storage tank system. A plume of contaminated groundwater containing dissolved fuel hydrocarbons, and MTBE has migrated from the service station more than 100 feet to the north. According to the most recent groundwater monitoring report from Geotracker, groundwater gradient for this property is toward the north-northeast. Based on this information this property is unlikely to have a negative environmental impact on the site.

- In January 2001, a site investigation was done by Caltrans to evaluate whether petroleum hydrocarbons, volatile organic compounds (VOCs), semi volatile organic compounds and metals including aerially deposited lead, existed in on-site soil. Based

on the results, metals (arsenic, chromium, lead), total petroleum hydrocarbons as diesel (TPHd), TPH as motor oil (TPHmo), and semi-volatile organic compounds (SVOCs) (phenols) was found at concentrations greater then the respective reporting limits and also, in certain samples, exceeded regulatory guidelines for residential use. The highest concentrations of arsenic were detected in samples collected between 0-5 feet and were reported at 10-13 mg/kg. Four soil samples exhibited total lead concentrations greater than 100 milligrams per kilograms (mg/kg), and the highest concentration of lead detected was 390 mg/kg taken from a surface sample in the southwestern corner of the site. Soil samples analyzed for SVOCs exhibit phenol concentrations ranging from 420 to 2,500 micrograms per kilograms (ug/kg). Certain SVOC compounds could not be evaluated because of reporting limits that exceeded regulatory screening levels for some of the SVOCs. TPH (diesel) was reported in soil samples at values ranging from 1.7 to 1,300 mg/kg. TPH (motor oil) was detected in samples at concentrations ranging from 1.3 to 3,000 mg/kg.

- During the site reconnaissance conducted by Ninyo & Moore personnel on November 9, 2010, no potential environmental hazards/concerns were observed on site.

10.2. Conclusions and Recommendations

We have performed this Phase I ESA in general conformance with the scope and limitations of ASTM Practice E 1527-05 on portions of the site parcels 066-2732 and 066-2733). Any exceptions to, or deletions from, this practice are described in Section 10.3 of this report. De minimis environmental conditions were not observed for the site. However this assessment has revealed the following environmental concern (REC) in connection with the site.

This assessment has revealed the following RECs in connection with the site:

- The site has historically been located adjacent to a major freeway and may potentially be impacted by aerially deposited lead (ADL) resulting from automobile emissions.

- Based on a previous investigation report done by Caltrans in 2001, potential constituents of concern were found in soil samples taken between the surface and 20 feet. Metals (arsenic, nickel, chromium and lead) were detected above background concentrate and/or regulatory screening guidelines in several borings. Phenol was also detected in eight samples, however certain other SVOCs could not be evaluated because of high reporting limits. TPHd and TPHg were also detected in nearly 95 percent of the total samples taken. Most of the metal, TPH, and phenol detections were from samples collected in the western and central portion of the site. Based on the sample locations and the constituents of concerns detected, impacts to site soils potentially originated from several sources including ADL, runoff from the adjacent freeway, and/or building materials, such as treated lumber.

In response to the REC concern, Ninyo & Moore recommends:

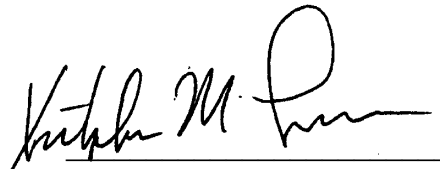
- Additional sampling is recommended to fill data gaps associated with the 2001 report. Soil samples should be collected (both shallow and deep), and analyzed for site constituents of concern including metals, SVOCs and TPHd and TPH mo.

10.3. Deviations

This report was prepared in accordance with ASTM Practice E 1527-05. No deviations from this standard occurred in this Phase I ESA. Based on the information gathered by Ninyo & Moore for the purposes of this assessment, it is our opinion that the data obtained from our site reconnaissance, records reviewed, and interviews conducted, is adequate to make a conclusion on the environmental condition of the site with respect to the existence or lack of Rocs associated with the site.

11. ENVIRONMENTAL PROFESSIONAL STATEMENT

I declare that, to the best of my professional knowledge and belief, I meet the definition of Environmental Professional as defined by §312.10 of 40 Code of Federal Regulations (CFR) 312. I have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the subject property. I have developed and performed the all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR Part 312.



11/23/10

Kris M. Larson, P.G. 8059
Project Environmental Geologist

Date

12. REFERENCES

An Appraisal of the Market Value of a 4.45-acre Parcel and the Fair Market Lease Rate of a 1.38 acre parcel located in Albany, California 94706 by Smith and Associates, Inc, dated June 30, 2004.

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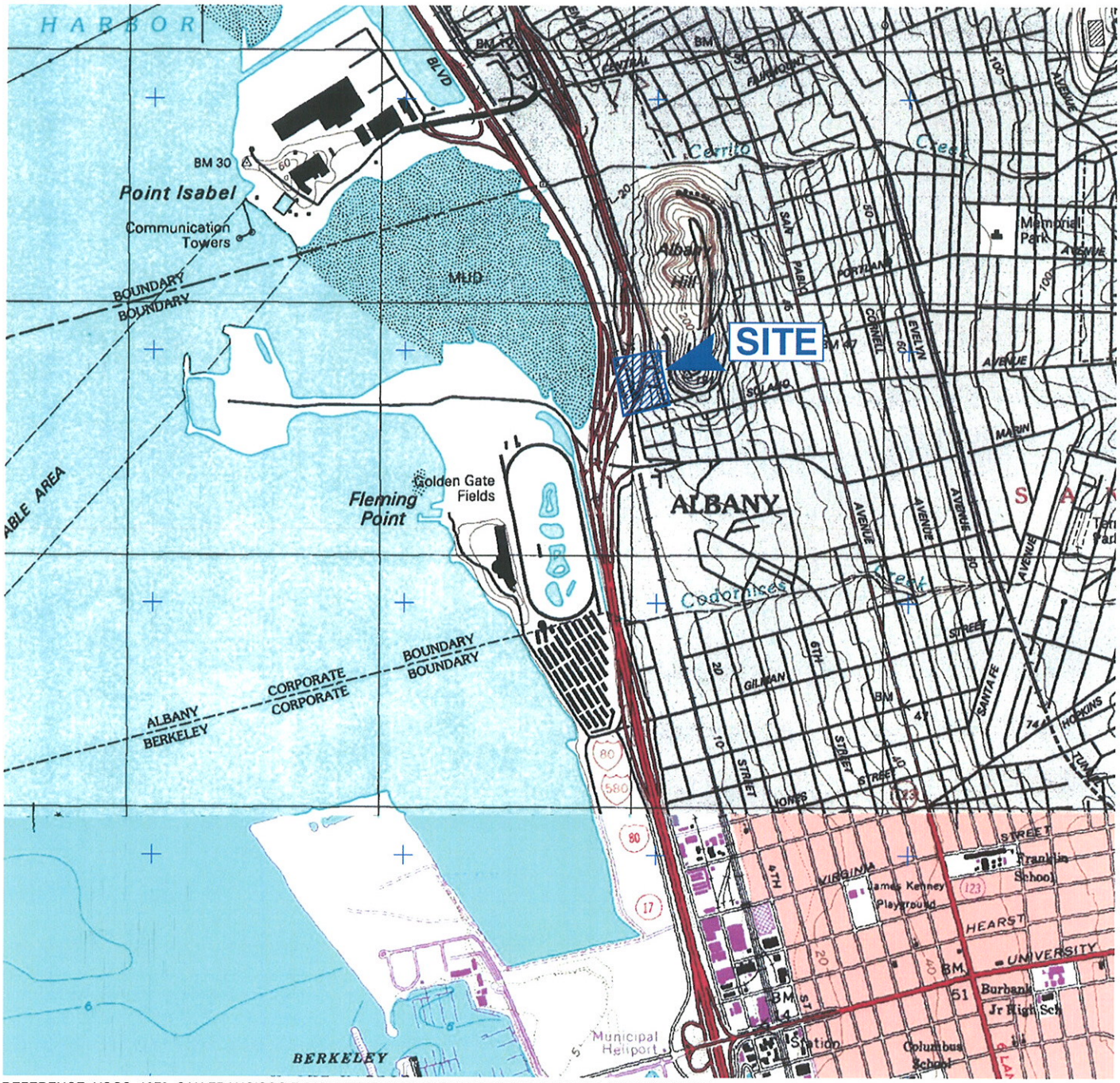

REFERENCE: USGS, 1978, SAN FRANCISCO 7.5 MINUTE QUADRANGLE TOPOGRAPHIC MAP, SCALE 1:24,000.

N

SCALE IN FEET

0 2000 4000

NOTE: ALL DIMENSIONS, DIRECTIONS AND LOCATIONS ARE APPROXIMATE.

Ninyo & Moore	SITE LOCATION	FIGURE
PROJECT NO.	DATE	NORTHEAST CORNER OF CLEVELAND AVENUE & WASHINGTON AVENUE ALBANY, CALIFORNIA	1
401678001	11/10		

REFERENCE:GOOGLE EARTH, 2010.

N

SCALE IN FEET

0 250 500

NOTE: ALL DIMENSIONS, DIRECTIONS AND LOCATIONS ARE APPROXIMATE.

LEGEND	
(1) RESIDENTIAL	(4) RESIDENTIAL
(2) RESIDENTIAL	(5) RESIDENTIAL
(3) RESIDENTIAL	

Ninyo & Moore		SITE VICINITY	FIGURE
PROJECT NO.	DATE	NORTHEAST CORNER OF CLEVELAND AVENUE & WASHINGTON AVENUE ALBANY, CALIFORNIA	2
401678001	11/10		