APPENDIX D
PREVIOUS PHASE I REPORT

PHASE I ENVIRONMENTAL SITE ASSESSMENT

City of Milpitas Library
Parcels 028-024-014, 028-024-015, 028-024-016,
028-024-017, 028-024-018, 028-024-020,
and 028-024-026
Milpitas, Santa Clara County, California

January 15, 2004

RBF
CONSULTING
111 W. St. John Street, Suite 850
San Jose, CA 95113-1122

RBF CONSULTING

JN 40-100014

November 17, 2003

City of Milpitas
Gail Seeds, Project Manager
455 E. Calaveras Road
Milpitas, CA 95035

Re: Phase I Environmental Site Assessment – City of Milpitas Library - Parcel Numbers 028-024-014, 028-024-015, 028-024-016, 028-024-017, 028-024-019, 028-024-020 and 028-024-026.

Dear Ms. Seeds:

Based upon the scope-of-work approved by the City of Milpitas, RBF Consulting was engaged to conduct a Phase I Environmental Site Assessment for the property located near North Main Street and Weller Lane, Milpitas, Santa Clara County, California.

The Phase I Environmental Site Assessment (ESA) is designed to identify obvious recognized environmental conditions in connection with the previous and current land uses and ownership of the subject site. RBF Consulting performed this assessment in conformance with the American Society for Testing and Materials (ASTM) E 1527-00 *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process,* a copy of which follows this transmittal letter.

The conclusions presented herein are professional opinions based on the indicated data described in this report. They are indicated only for the purpose, the location, and the project specified. It should be noted that the opinions and recommendations presented herein apply to the site conditions existing at the time of the study and those reasonably foreseeable. They cannot necessarily apply to site changes of which we are not aware and have not had the opportunity to evaluate. Changes in the conditions of the subject property can occur with time because of natural processes or due to human impact on the subject site or adjoining property. Changes in applicable evaluation standards can occur as a result of legislation or from a broadening of current knowledge and sampling technologies. Accordingly, the findings of this report may be invalidated, wholly or in part, by changes beyond our control.

I, the undersigned, acknowledge that the City of Milpitas is relying on the information within this report and warrants that the information accurately represents the condition of the property with respect to the scope of work, which authorized this report.

Sincerely Yours,

REGISTERED ENVIRONMENTAL ASSESSOR
L. ROBERT ULIBARRI
No. 02616
Exp 7-2004
STATE OF CALIFORNIA

L. Robert Ulibarri, Senior Environmental Project Manager
Registered Environmental Assessor
REA #02616

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SECTION 1 – EXECUTIVE SUMMARY

1.0 INTRODUCTION

RBF Consulting was retained by the City of Milpitas Public Works Department to conduct a Phase 1 Environmental Site Assessment (ESA) for the Milpitas Library Project. A Phase 1 ESA is designed to identify obvious recognized environmental conditions in connection with the previous and current land uses and ownership of the subject site. RBF Consulting performed this assessment in conformance with the American Society for Testing and Materials (ASTM) E 1527-00 *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process.* The project site examined included 7 parcels (Assessor's Parcel Numbers: 028-024-014, 028-024-015, 028-024-016, 028-024-017, 028-024-019, 028-024-020, and 028-024-026).

The proposed project site is located in the County of Santa Clara, in the City of Milpitas. The project site is generally located to the north and south of Calaveras Boulevard, approximately 1 mile west of Interstate 680 and 0.5 miles east of Interstate 880.

The dominant land uses in the general vicinity are commercial service uses (such as automobile services, building material facilities, and storage yards), research and development/industrial uses, and public/quasi public uses (such as the Elmwood Rehabilitation Center, churches, childcare businesses, and community facilities).

Land uses in the immediate vicinity of the proposed library site include:

- The Southern Pacific Railroad Corridor rail to the east.
- Two single-family homes and a tow shop to the south.
- A church, the historic DeVries House, and undeveloped land to the west.
- Vacant commercial buildings to the north.
- Multi-family residential housing to the northwest.

In addition, a Valley Transportation Authority and Altamont Commuter Transit transfer center is located to the northwest of the project site, at the intersection of Weller Lane and North Main Street.

The proposed use of the property includes the rehabilitation of a historic elementary school building for use as the City of Milpitas Library. The proposed library project site is generally located at the southeast corner of North Main Street and Weller Lane. The project also includes streetscape improvements within the existing right-of-ways of North Main Street and Winsor Street (between Weller Lane and Carlo Street) and on Carlo Street and Weller Lane (between North Main Street and Winsor Avenue).

1.1 CONCLUSIONS

Based on a combination of field reconnaissance and database research, mapped sites were found in our search of reasonably ascertainable government records on the target property and within the ASTM E 1527-00 search radius. The subject property does exhibit physical evidence obtained from previous environmental sampling that the

presence of contamination was on site and contamination impacts from properties within ½ - mile of the site exists. Database research indicates that 21 properties within zero to 0.5 miles of the subject property are listed as potential or documented hazardous waste sites. Those sites are as follows:

Database[1]	Name & Address of Facility	Distance to Subject Property
Cortese, ERNS, CHMIRS, LUST, CA FID UST, HIST UST	**MILPITAS SENIOR CENTER** 160 N MAIN STREET MILPITAS, CA 95035	On site at 15' elevation
ERNS, CHMIRS	**51 CARLO STREET** MILPITAS, CA 95035	1/8 mile southwest at 15' elevation
ERNS	**CALAVERAS & MILPITAS BLVDS.** MILPITAS, CA 95035	¼ to ½ mile east at 18' elevation
ERNS	**290 SPENCE AVE** MILPITAS, CA 95035	¼ to ½ mile southwest at 15' elevation
ERNS	**301 W. CALAVERAS** MILPITAS, CA 95035	¼ to ½ mile southwest at 18' elevation
ERNS	**301 CALAVERAS** MILPITAS, CA 95035	¼ to ½ mile southwest at 18' elevation
ERNS	**#1 WHITTIER ST** MILPITAS, CA 95035	¼ to ½ mile southwest at 17' elevation
ERNS, CHMIRS	**S. HILLVIEW DR. AND CALAVERAS BLVD.** MILPITAS, CA 95035	¼ to ½ mile east at 22' elevation
ERNS	**SOUTH ABBOTT AVE & VALLEY WAY** MILPITAS, CA 95035	¼ to ½ mile southwest at 17' elevation
ERNS	**REAR OF 86 N. MAIN ST.** MILPITAS, CA 95035	<1/8 mile northwest at 13' elevation
ERNS	**518 PENITENTIA ST** MILPITAS, CA 95035	¼ to ½ mile northwest at 13' elevation
HIST UST, Cortese	**BEACON STATION # 589** 10 N MAIN ST MILPITAS, CA 95035	<1/8 mile south at 16' elevation
HIST UST, Cortese, LUST, CA SLIC	**TRUSS-COM INC.** 80 RAILROAD AVE MILPITAS, CA 95035	<1/8 mile northeast at 15' elevation
HIST UST, CA FID UST	**MICHAELS AUTO REPAIR** 130 WINSOR ST MILPITAS, CA 95035	<1/8 mile northeast at 14' elevation
HIST UST, CA FID UST, LUST	**CITY OF MIPITAS CORPORATION YD** 116 N MAIN ST MILPITAS, CA 95035	<1/8 mile northwest at 14' elevation
HAZNET, Cortese, LUST	**MILPITAS TRANSMISSION** 130 WINSOR ST	<1/8 mile northeast at 14' elevation

[1] **Cortese** is a database of Cal-EPA that includes water wells with detectable levels of contamination, remedial action sites, sites with known toxic material with known migration, and UST's with reportable releases.
CA SLIC is a database of the Regional Water Quality Control Board.
CHMIRS is the California Hazardous Material Incident Report System from the State OES
HAZNET includes manifests reported to the California Department of Toxic Substances Control .
LUST is a database of leaking underground storage tank incidents.
RCRIS is an EPA database of sites that generate, store, treat or dispose of hazardous waste.
ERNS is the Emergency Response Notification System records and stores information on reported releases of oil and hazardous substances. The source of this database is the U.S. EPA.
CA FID UST: The Facility Inventory Database contains active and inactive underground storage tank locations. The source is the State Water Resource Control Board.
HIST UST: Historical UST Registered Database.

Appendix "A" Includes a detailed description of each property.

Database[1]	Name & Address of Facility	Distance to Subject Property
	MILPITAS, CA 95035	
HAZNET, HIST UST	**KMART #4419** 75 E WELLER LANE MILPITAS, CA 95035	<1/8 mile northwest at 14' elevation
HIST UST, CA FID UST, LUST, HAZNET, Cortese, UST	**UNION OIL SS#6397** 190 W CALAVERAS BLVD MILPITAS, CA 95035	¼ to 1/8 mile northwest at 13' elevation
HAZNET, HIST UST, CA FID UST, FINDS, RCRIS-SQG	**PACIFIC BELL** 76 CARLO STREET MILPITAS, CA 95035	¼ to 1/8 mile southwest at 14' elevation
LUST, CA SLIC, HAZNET	**PRESTON PIPELINES INC** 151 BOTHELO AVE MILPITAS, CA 95035	¼ to ½ mile southeast at 17' elevation
CA SLIC	**CASTLEMAN AND HASKELL** 726/738 CALERO ST MILPITAS, CA 95035	¼ to ½ mile northwest at 13' elevation

It should also be noted that the sites listed above which are listed on the California Hazardous Material Incident Report System (CHMIRS) or the Emergency Response Notification System (ERNS) as accidental releases or spills involve small quantities of hazardous materials. As a consequence of haz-mat response, these sites are remediated and do not present a threat of contamination to the subject property because of distance and quantity of release.

A review of the HAZNET list has revealed that there are 50 HAZNET sites within approximately 0.25 miles of the target property. The data is extracted from the copies of hazardous waste manifests received each year by the Department of Toxic Substance Control (DTSC). The annual volume of manifests is typically 700,000-1,000,000 annually, representing approximately 350,000-500,000 shipments. Source: California Environmental Protection Agency, Telephone: 916-255-1136

	ADDRESS	DIRECTION/ DISTANCE (Mi)
SCC DEPT OF ENVIRONMENTAL HEALTH	50 NORTH MAIN STREET	W 0 - 1/8
THE PERFORMANCE SOURCE	91 WINSOR STREET	ESE 0 - 1/8
TOTAL TRANSPORTATION ENTERPRISES	87 WINSOR	ESE 0 - 1/8
BEACON STATION #589	10 N MAIN ST	S 0 - 1/8
CITY OF MILPITAS	116 MAIN STREET	S 0 - 1/8
FAMILY DENTAL FITNESS	141 WEST CALAVERAS BLVD	S 0 - 1/8
MARYJANE L FUSTER DMD	126 W CALAVERAS	SSE 0 - 1/8
CALAVERAS VETERINARY CLINIC	140 W CALAVERAS BLVD	S 0 - 1/8
FELDMAN CHI ROPRACTIC OFFICE	148 W CALAVERAS BLVD	S 0 - 1/8
MIGUEL'S AUTO SALES AND REPAIR	12 SOUTH MAIN ST	S 0 - 1/8
MILPITAS MEDICAL & DENTAL PROP	420 E CALAVERAS BLVD	SE 0 - 1/8
DR HOWARD LUM DDS, INC	426 E CALAVERAS BLVD	SE 0 - 1/8
ROCELLE MALIKSI D.D.S.	424 E CALAVERAS BLVD	SE 0 - 1/8
REFLECTIONS AUTO BODY	36 WINSOR ST	SE 0 - 1/8
DR DOUGLAS R MAXSON DDS INC	430 E CALAVERAS BLVD	ESE 0 - 1/8
MINI MANIA	31 WINSOR STREET	SSE 0 - 1/8
CONTEMPO DESIGN WEST INC	212 RAILROAD AVE	SE 0 - 1/8
GREGORY V. WADDEN, D.D.S.	432 CALAVERAS	ESE 0 - 1/8
DENTAL OFFICE	434 EAST CALAVERAS BLVD	ESE 0 - 1/8
JERRY GLASS DDS	442 EAST CALAVERAS BLVD	ESE 0 - 1/8
JAMES P CARRIGAN DDS, INC	444 EAST CALAVERAS BLVD	ESE 0 - 1/8
DR RICHARD C COOLEY DDS	450 E CALAVERAS BLVD	ESE 0 - 1/8

CITY OF MILPITAS-PRINT SHOP	455 EAST CALAVERAS BLVD	ESE 0 - 1/8
EDMOND DE ST GEORGES DDS INC.	452 E CALAVERAS BLVD	ESE 0 - 1/8
ALAN L GRIMM DDS APC	460 E CALAVERAS BLVD	ESE 0 - 1/8
EDWARD A LYNN DDS	466 E CALAVERAS BLVD,#A	ESE 1/8 - 1/4
LAWRENCE L HSU DDS	466 EAST CALAVARAS BLVD	ESE 1/8 - 1/4
DR MICHAEL HARRIS DR CHARLES C	468 EAST CALAVERAS	ESE 1/8 - 1/4
RITZ CAMERA CENTERS #299	485 EAST CALAVERAS BLVD	E 1/8 - 1/4
TOWN CENTER DENTAL CARE	491 EAST CALAVERAS BLVD	E 1/8 - 1/4
SOUTH BAY CYCLES	96 S MAIN ST	S 1/8 - 1/4
BARRY HALL	500 E CALAVERAS BLVD	E 1/8 - 1/4
SAN JOSE MEDICAL GRP INC	500 E CALVERAS BOULEVARD	ESE 1/8 - 1/4
PACIFIC TIRE OUTLET INC	100 S MAIN STREET	S 1/8 - 1/4
JERRY GLASS DDS	151 SOUTH MAIN	S 1/8 - 1/4
ABEL GRAPHICS, INC	60 S ABEL ST	SSW 1/8 - 1/4
JOE MADRUGA	154 S MAIN ST	S 1/8 - 1/4
BOB WINSOR	130 WINSOR ST	NE 0 - 1/8
MILPITAS TRANSMISSION	130 WINSOR STREET	NE 0 - 1/8
GREYSTONE HOMES, INC	75 EAST WELLER LANE	NNW 0 - 1/8
KMART #4419	75 E WELLER LANE	NNW 0 - 1/8
PACCAR AUTOMOTIVE, INC	164 N ABEL ST	WNW 1/8 - 1/4
UNOCAL SS#6397	190 W CALAVERAS BLVD	SSW 1/8 - 1/4
TOSCO CORPORATION STATION #311	190 W CALAVERAS BLVD	SSW 1/8 - 1/4
PACIFIC BELL	76 CARLO STREET	SSW 1/8 - 1/4
ABEL DENTAL CARE	12 NORTH ABEL ST	SW 1/8 - 1/4
OWEN'S FINANCIAL GRP	230 N MAIN ST	N 1/8 - 1/4
DAVID MEDNICK DPM	8 NORTH ABEL ST	SW 1/8 - 1/4
CALIFORNIA BACK SPECIALISTS, INC.	8 N ABEL ST	SW 1/8 - 1/4
BROWN FAMILY CHIROPRACTIC	49 MARYLINN DRIVE	N 1/8 - 1/4

Based on a combination of site reviews and examination of 1-meter digital elevation models (DEMs), it is possible that hazardous releases will present liability to the subject property's owners or lenders. During the site review conducted on October 30, 2003, some visual elements were detected on the sites, including but not limited to stained soils, distressed vegetation, empty drums, automotive parts, stored vehicles, household hazardous waste, fill pipes for underground storage tanks, and other evidence of potential liability. For a map displaying the sites describe above, please see Figure 1.

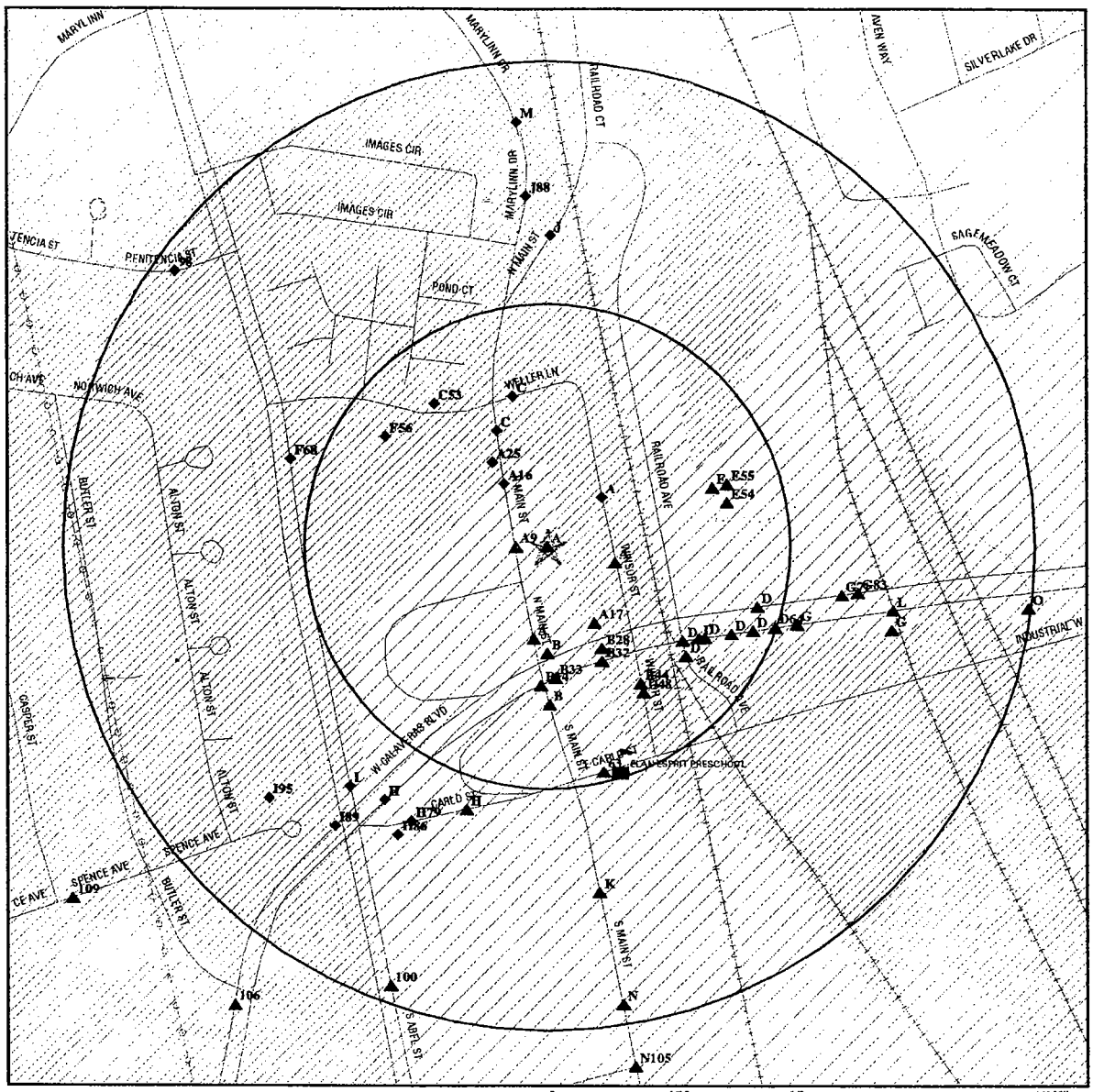
The site reconnaissance and review of the subject property has been limited in scope. This type of investigation is undertaken with the calculated risk that the presence, full nature, and extent of contamination would not be revealed by visual observation alone. Although a thorough site reconnaissance was conducted in accordance with ASTM guidelines and employing a professional standard of care, no warranty is given, either expressed or implied, that additional hazardous material contamination or buried structures, which would not have been disclosed through this investigation, do not exist at the project site. Therefore, the data obtained are clear and accurate only to the degree implied by the sources and methods used.

Based on the limited site review disclosed above, an ASTM E-1903 Phase II Report may be warranted for some portions of the subject site.

1.2 LIMITATIONS

The findings presented in this report are based upon field observations during a single property visit, review of available data, and discussions with local regulatory and advisory agencies. Observations describe only the conditions present at the time of this investigation. The data reviewed and observations made are limited to accessible areas and currently available records researched. Additionally, in evaluating the property, RBF Consulting has relied in good faith upon the representations and information provided by the individuals or firms noted in the report with respect to present operations and existing property conditions, as well as the historic uses of the subject property. It must also be understood that changing circumstances in the property usage, proposed property usage, and changes in the environmental status of other nearby properties can alter the validity and conclusions contained in this report. Therefore, the data obtained are clear and accurate only to the degree implied by the sources and methods used.

This report is provided for the exclusive use of the client(s) noted on the cover page and shall be subject to the terms and conditions between the client(s) and RBF Consulting. Any third party use of this report, including the client(s) and/or lender(s), shall be subject to the terms and conditions governing use of, reliance on, or release of the information contained in this report without the written consent of RBF Consulting is strictly prohibited and will be without risk or liability to RBF Consulting.



- ★ Target Property
- ▲ Sites at elevations higher than or equal to the target property
- ◆ Sites at elevations lower than the target property
- Coal Gasification Sites
- Historical Gas Stations / Historical Dry Cleaners See the EDR Proprietary Historical Map Findings
- Sensitive Receptors
- National Priority List Sites
- Landfill Sites
- Dept. Defense Sites
- County Boundary
- Power transmission lines
- Oil & Gas pipelines
- 100-year flood zone
- 500-year flood zone
- Areas of Concern

TARGET PROPERTY:	Milpitas Community Library Project	CUSTOMER:	RBF Consulting
ADDRESS:	160 North Main Street	CONTACT:	Justin Meek
CITY/STATE/ZIP:	Milpitas CA 95035	INQUIRY #:	1066311.3s
LAT/LONG:	37.4323 / 121.9071	DATE:	October 17, 2003 7:03 am

Figure 1 – Hazardous Waste Sites, Source: Environmental Data Resources

SECTION 2 – PHYSICAL SETTING

2.0 LOCATION AND TOPOGRAPHY

The subject property includes parcel numbers 028-024-014, 028-024-015, 028-024-016, 028-024-017, 028-024-019, 028-024-020, and 028-024-026, and is generally located at the southeast corner of North Main Street and Weller Lane. The project also includes streetscape improvements within the existing right-of-ways of North Main Street and Winsor Street (between Weller Lane and Carlo Street) and on Carlo Street and Weller Lane (between North Main Street and Winsor Avenue and lies within the Milpitas USGS 7.5 minute Quadrangle. A 1993 aerial photo of the subject parcels is indicated in Figure 2.

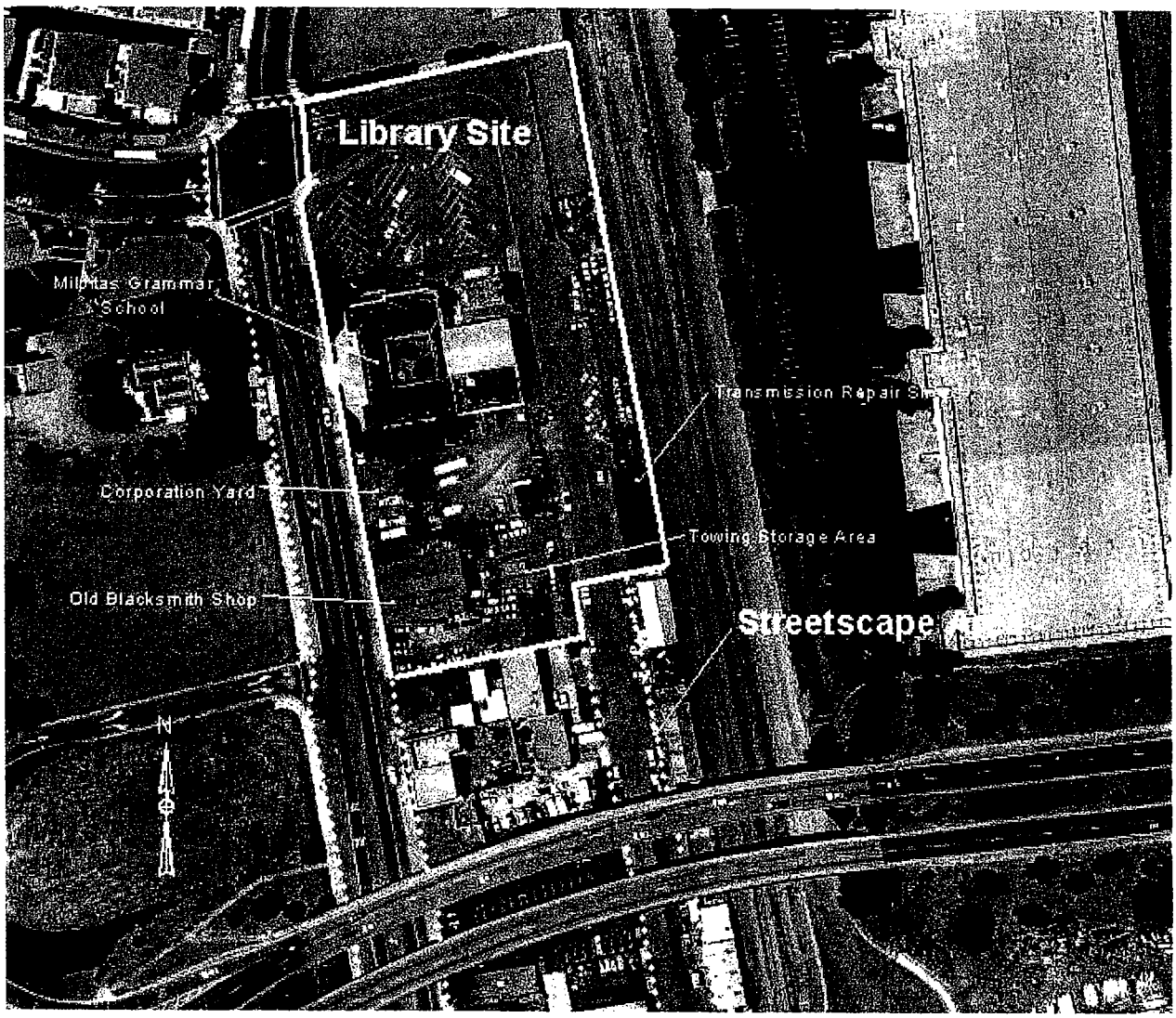


Figure 2– Aerial Photo of Subject Property

At the project site, the topography ranges from 15 feet MSL at the northeast section of the library (Senior Center) parcel to 18 feet MSL at the southeastern corner of the site. The gradient for the project site is to the northwest with Lower Penitencia Creek serving as the drainage basin for the subject property.

2.1 REGIONAL GEOLOGY

The site is located in the Coastal Plain/Foothill providence of Santa Clara County. The geologic history of the area generally consists of Cenozoic era quaternary system geology.

The dominant soil at the site is the Clear Lake clay. The soils are classified by the Natural Resource Conservation Service as Class D soil with very slow infiltration rates and a pH of 6.10 to 8.40 in the upper 13-inch layer of soil. The soil at the project sites do not meet the requirements as a hydric soil however, Lower Penitencia Creek which is approximately 550 feet west of the site is classified as jurisdictional wetlands and is included in the National Wetlands Inventory.

2.2 HYDROLOGIC INFORMATION

The project site does not include any areas that are classified in the National Wetland Inventory as jurisdictional wetlands.

2.3 AREA RADON INFORMATION

The Federal EPA Radon Zone classification for Santa Clara County is 2. Zone 2 counties have a predicted average indoor radon screening level less than 4 pCi/L. Each zone designation reflects the average short-term radon measurement that can be expected to be measured in a building without the implementation of radon control methods. The radon zone designation of the highest priority is Zone 1 with Zone 3 being the lowest.

Radon records for the County reveal an average of less than 4 pCi/L for average activity areas. On January 10, 2001, ASTM International (American Society for Testing and Materials) approved the Standard Practice for Radon Mitigation Systems in Existing Low-Rise Residential Buildings (E 2121-01, March 2001), as a voluntary standard of practice. EPA's Indoor Environments Division's Radon Program is proposing to incorporate E 2121-01 by reference into its "Radon Mitigation Standards".

The County Zone 2 designation is below the established standards for Radon by both ASTM E 2121-01 and those of the Environmental Protection Agency.

SECTION 3 – SITE RECONNAISSANCE

3.0 ON-SITE OBSERVATIONS

L. Robert Ulibarri, Registered Environmental Assessor, along with Jason Jones of RBF Consulting, conducted a site review on October 29, 2003. The parcels were transversed the length of the parcels and from side to side and significant features were identified and mapped utilizing GPS technology. Visual surface inspection of the sites did indicate staining of the soil. One electrical transformer array located on Winsor Street was reviewed with no visual anomalies or obvious leakage noted. Several small benign dumps were noted and recorded.

Based upon visual inspection, the following features were observed for the project area:

TABLE 1
SUMMARY OF SITE RECONNAISSANCE

Feature	Observed	Not Observed
Existing Structures	X	
Evidence of Past Uses (Farming & Ranching)		X
Hazardous Substances and/or petroleum products (Containers)	X	
Aboveground Storage Tanks (AST's)	X	
Underground Storage Tanks (UST's) or evidence of UST's	X	
Strong, pungent, or noxious orders		X
Pools of liquid likely to be hazardous or petroleum materials	X	
Drums	X	
Unidentified substance containers	X	
Potential polychlorinated biphenyl (PCB) containing equipment		X
Subsurface hydraulic equipment		X
Stains or corrosion on floor, walls, or ceilings		X
Floor drains and sumps		X
Pits, ponds, or lagoons		X
Stained soil or pavement	X	
Stressed Vegetation	X	
Waste or wastewater discharges to surface or surface waters		X

TABLE 1
SUMMARY OF SITE RECONNAISSANCE

Feature	Observed	Not Observed
Wells	X	
Septic Systems		X
Asbestos		X
Lead-based Paint	X	

3.1 DESCRIPTION OF VISUAL OBSERVATIONS

Two sub-areas were examined for potential liability: the proposed library site and the proposed streetscape project site. The 3.4-acre library site is located to the southeast of the North Main Street and Weller Avenue intersection. The site includes:

- a 1.58-acre City-owned Senior Center parcel (APN 028-024-019);
- approximately 21,780 square feet of private property located immediately south of the Senior Center parcel (APNs 028-024-020 and 028-024-026);
- approximately 18,330 square feet of private property located between Winsor Avenue and the Southern Pacific Railroad corridor (APNs 028-024-15 and 028-024-016, and portions of APNs 028-024-014 and 028-024-017)
- approximately 30,970 square feet of the Winsor Avenue right-of-way; and,
- approximately 8,590 square feet of the Weller Lane Avenue right-of-way (see Exhibit 2-3).

The properties that make up the library site are listed on various databases, such as Cortese, ERNS, CHMIRS, LUST, CA FID UST, and HIST UST. In addition, the Senior Center property (APN 028-024-019) and the two properties located immediately to the south (APNs 028-024-020 and 028-024-026) were previously contaminated by an underground storage tank. A closure report, dated November 8, 2001, was prepared by the Santa Clara Valley Water District to document the contamination and remediation efforts at the properties. A review of this closure report was conducted in addition to the site review.

According to the November 8, 2001 closure report, the Milpitas Senior Center property and the two properties located immediately to the south were the subject of a joint investigation and clean-up effort. One 550-gallon waste oil UST was removed from the site and approximately 380 tons of contaminated soil were disposed of at the Class II Altamont Landfill and 131 tons of soil was transported to the Class III Kirby Canyon Landfill. Additionally, 5 monitoring wells were installed. The conclusions of the November 8, 2001 state:

> *"Based on previous investigation results, it appears that the majority of the residual soil contamination has been removed from this site by overexcavation. Groundwater monitoring results suggest that the residual groundwater*

> *contamination as a result of the release from the former waste oil UST remain localized within the immediate vicinity of the tank area. It is anticipated that natural attenuation will continue to reduce the remaining pollution at the site. It also appears that there would not be a significant risk to human health, safety, and the environment if the site management requirements remain in place, Therefore, no further corrective action is necessary at this time. (Emphasis added).*

The site management requirements in the closure report states "*Residual petroleum hydrocarbons contamination exists at the site. Since the residual contamination could be exposed during site development activities, grading or excavation, any such disturbance of the contamination shall be assessed and appropriate action taken so that there is no impact to human health and safety, or the environment.*"

During the site review conducted, residual petroleum hydrocarbons in the form of stained soils were observed within the corporation yard of the Senior Center Property (APN 028-024-019). In addition, approximately one-dozen containers of household hazardous waste and eight empty 50-gallon drums were observed.

The four parcels between Winsor Avenue and the Southern Pacific Railroad corridor were also inspected. As private property, access to these four parcels was limited to visual inspections from Winsor Street. Two of the parcels were open lots with chain-link fencing and the other two parcels contained operating businesses. Visual inspection from outside of the fencing indicated substantial stained soils in a vehicle storage area and approximately 100 automobile transmissions stored on racks outside in the elements.

The proposed project site contains permanent structures (the Milpitas Senior Center, the Winsor Blacksmith Shop, and automobile service buildings) that are likely to contain asbestos-containing construction materials (ACCMs). ACCMs at the project site may include vinyl floor coverings, wallboards or plaster skim coatings, asphalt roofing felts, and insulation materials. The demolition or renovation of the buildings on site may pose a potential health risk to people if the materials are not properly handled and disposed of. The paint on the walls and trim of the buildings on the site likely predate the 1978 U.S. Environmental Protection Agency (EPA) ban on non-industrial lead-based paint, and could therefore, contain hazardous substances. Demolition or renovation of the buildings could pose a health threat if materials are not properly handled and disposed of. In addition, City of Milpitas staff has indicated that mold is present in the Milpitas Senior Center building. Certain molds could produce mycotoxins, natural organic compounds that can initiate a toxic response and impair respiratory functioning. Rehabilitation efforts in the conversion of the building to a library would include the environmental testing and remediation of mold in the building.

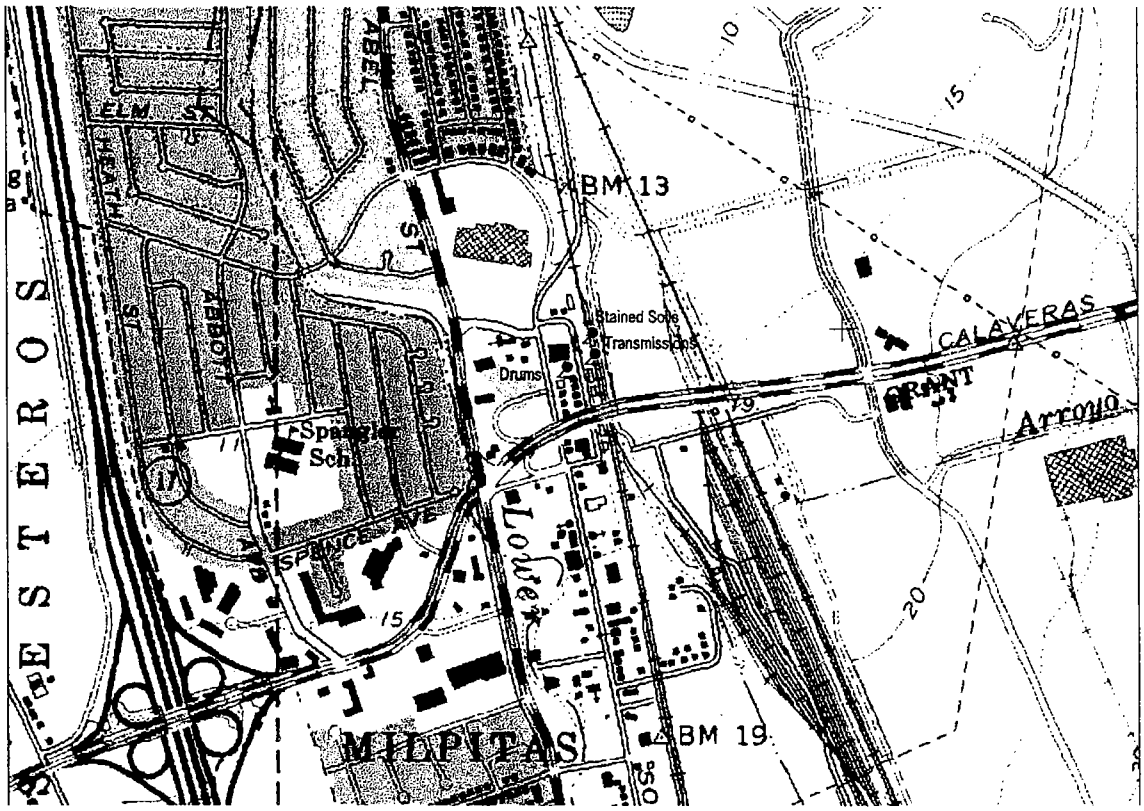


Figure 3 - Observed Features

3.2 OFF-SITE OBSERVATIONS

Twenty-one sites described in Section 2 were located during the field review. Since these sites have been identified as documented hazardous waste sites and were the closest to the subject property, field verification was necessary to determine the level of release, if any, of hazardous materials to the subject property.

These sites do not pose a liability to the subject property due to distance and terrain barriers

All other orphan sites (unmapped) have been identified and were determined to be greater than 1 mile from the subject property.

SECTION 4 – RECORDS RESEARCH

4.0 DATABASE RESEARCH

Appendix "A" includes detailed information for the reported sites within one mile of the subject property. Some of the sites have the potential for creating an off-site liability to the subject property.

4.1 SANBORN MAPS

According to EDR research conducted for the project, Sanborn fire insurance maps are not available for the project and therefore were not reviewed.

4.2 AERIAL PHOTOGRAPHS

ASTM E-1527-00 requires "*All obvious uses of the property shall be identified from the present back to the property's obvious first developed use, or back to 1940, whichever is earlier. This task requires reviewing only as many of the standard historical sources as are necessary, and that are reasonably ascertainable and likely to be useful* " (ASTM E-1527-00 Section 7.3.2 Page 11).

For the project site, five aerial photographs were examined ranging from 1939, 1956,1965, 1982 and 1993. The aerial photos examined clearly indicate that historical uses of the property were agricultural or open space. Copies of these aerial photographs are contained in Appendix B and the following observations are offered:

Photo	Year	Scale	Visual Observations
1	1939	1"=555'	Existing buildings (Milpitas Grammar School and Blacksmith Shop) on site. Surrounding parcels appear to be used for agricultural purposes and the railroad corridor.
2	1956	1"=555'	Existing buildings (Milpitas Grammar School, Blacksmith Shop, and other commercial buildings) on site. Surrounding land use appears to be used for extensive cultivation. Buildings appear along the railroad corridor
3	1965	1"=333'	Existing buildings and uses are well defined, including the Milpitas Grammar School, the Blacksmith Shop, commercial buildings, and the Corporation Yard. Surrounding land use is primarily agriculture and industrial.
4	1982	1"=690'	Existing buildings are well defined. Land use is the same as the 1965 photo.
5	1993	1"=666'	Existing buildings are well defined. Land use has changed with less agricultural use and a substantial conversion to industrial and residential uses

4.3 PUBLIC RECORDS

A record search of public records was conducted by EDR and the list of public records researched is included in Appendix A. To maintain currency of the public federal and state databases, EDR contacts the appropriate governmental agency on a monthly or quarterly basis, as required. As listed in the government records searched, elapsed ASTM days provides confirmation that this EDR report meets or exceeds the 90-day updating requirement of the ASTM standard.

4.4 HISTORICAL ANALYSIS

To meet the prior use requirements of ASTM E 1527-00, Section 7.3.2 states that topographic maps as a historical source may be used. For the project site two historical topographic maps were reviewed. In addition, interviews with a person or persons knowledgeable about the property is determined to be "*reasonably ascertainable and likely to be useful*" by ASTM.

For this analysis two historical topographic maps were reviewed including1899 and 1947.

Topo	Year	Scale	Quad Name and Series	Visual Observations
1	1899	1:62,500	San Jose, CA - 15 minute	Land use appears to be as the town core for Milpitas.
2	1947	1:50,000	San Jose, CA - 15 minute	Land use appears to be as the town core for Milpitas. The Milpitas Grammar School appears as a "school" symbol.

Copies of the historical topographic maps are attached as Appendix C.

SECTION 5 – DISCUSSION OF FINDINGS

5.0 FINDINGS

Based on a combination of field reconnaissance and database research, the subject property does exhibit characteristics that indicate the presence of contamination on-site and contamination impacts to properties within ½ - mile of the site.

Review of title records and aerial photographs confirms that the past uses of the subject site include a blacksmith shop, a grammar school, City Hall, Senior Center, and commercial/auto service uses.

Asbestos, lead-based paint, and possible mold are visually or mechanically present on the subject parcel. Residual petroleum hydrocarbons contamination exists at the site. PCB, urea-formaldehyde foam and radon gas probably are not present on the property.

The present site appears to be in conformance with the following laws and regulations based upon public record research:

Historic Properties: The National Historic Preservation Act (PL. 89-665), Preservation of Historic and Archaeological Data Act (PL. 93-291) Executive Order 11593, and Protection and Enhancement of the Cultural Environment (36 CFR Part 800 or 801) with proper historic building evaluation.

Floodplain: Flood Disaster Protection Act (PL. 93-234), the National Flood Insurance Program (44 CFR Parts 59-79), and Executive Order 11988.

Wetlands Protection: Executive Order 11990.

Coastal Zone Management: Coastal Zone Management Act (PL. 92-583),

Coastal Barrier Resources: Coastal Barrier Resources Act (PL. 97-348).

Water Supply: Under the Safe Drinking Water Act as amended (PL. 93-523) and applicable EPA implementing regulations.

Endangered Species: The Endangered Species Act (16 USC 1531-1543) and applicable Department of Interior and Commerce implementing regulations.

Agricultural Lands: The Farmland Protection Policy Act (PL. 97-98).

Air Quality: Clean Air Act as amended (PL. 90-148) and applicable EPA implementing regulations.

Water Quality: Federal Water Pollution Control Act (PL. 92-500), the Safe Drinking Water Act as amended (PL. 93-523) and applicable EPA implementing regulations.

Solid Waste Disposal: The Solid Waste Disposal Act as amended by the Resource Conservation and Recovery Act (PL. 94-580) and applicable EPA implementing regulations.

The proposed development of the site as a public library will likely require an Initial Study to be prepared in compliance with the California Environmental Quality Act (CEQA) (Public Resources Code 21000 et seq.) as amended January 1, 2003, and the State CEQA Guidelines (California Administrative Code 15000 et seq.) as amended December 1, 2002.

An Initial Study is a preliminary analysis prepared by the lead agency to determine whether an EIR or Negative Declaration must be prepared and to identify the significant effects to be analyzed in an EIR (CEQA Guidelines Sec. 15365).

SECTION 6 – CONCLUSIONS AND RECOMMENDATIONS

6.0 CONCLUSIONS AND RECOMMENDATIONS

Based on a combination of field reconnaissance and database research, the subject property does exhibit characteristics that indicate the presence of contamination on site and contamination impacts to properties within ½ - mile of the site. The following recommendations are specific to each parcel considered.

Parcels 028-024-019; 028-024-14; and 028-024-026: Since the buildings on these parcels are likely to contain asbestos-containing construction materials (ACCMs), lead-based paint, and mold, they could pose a health threat if materials are not properly handled and disposed of. Therefore, demolition and rehabilitation efforts must include environmental testing and remediation of lead-based paint, asbestos, and mold, as described below:

Prior to any future site demolition or renovation, areas of the buildings to be demolished or renovated shall be sampled as part of an asbestos survey in compliance with the National Emissions Standards for Hazardous Air Pollutants. If asbestos is found in the buildings, asbestos related work (including demolition) involving 100 square feet or more of asbestos-containing materials should be performed by a Licensed Asbestos Abatement Contractor under the supervision of a Certified Asbestos Consultant. Asbestos shall be removed, transported, and disposed of in compliance with applicable state and federal laws.

Prior to any future site demolition or renovation, areas of the buildings to be demolished or renovated shall be sampled as part of a lead hazard evaluation in compliance with the California Health and Safety Code. A Certified Lead-Related Construction Supervisor shall supervise the abatement and disposal if lead is found in the building.

Prior to project construction, a Certified Industrial Hygienist should develop a mold remediation plan for the former Milpitas Grammar School building (senior Center). The plan shall include steps to identify contaminated areas, to fix water or moisture problems, to identify appropriate Personal Protective Equipment (PPE), and to carefully contain and remove moldy building materials.

After the mold is remediated from the old Milpitas Grammar School building, swab samples and an air clearance tests would be performed to by a Certified Industrial Hygienist to verify that all contaminated materials have been removed from the building.

As indicated in the closure report dated November 8, 2001 from the Santa Clara Water District to the City of Milpitas, residual petroleum hydrocarbons contamination exists on the site. Since the residual contamination could be exposed during site development activities, grading or excavation, any such disturbance of the contamination shall be assessed and appropriate action taken so that there is no impact to human health and safety, or the environment.

Parcels 028-024-017; 028-024-16; 028-024-015; 028-024-14; 028-024-020; 028-024-026: As private property, access to these parcels was limited to visual inspection from Winsor Avenue and North Main Street during this Phase 1 process. Two of the parcels were open lots with chain-link fencing and the other three parcels contained operating businesses. Visual inspection from outside of the fencing indicated substantial stained soils in a vehicle storage area and approximately 100 automobile transmissions stored on racks outside in the elements. Prior to the acquisition of these properties, an ASTM E-1903 Phase II Report should be conducted to determine the level of contamination and to lessen the liability to the City of Milpitas.

Photographs of the described areas are included in Appendix D.

The redevelopment of the project area can go forward with the recommendations outlined above.

The conclusions presented herein are professional opinions based on the indicated data described in this report. They are indicated only for the purpose, the location, and the project specified. It should be noted that the opinions and recommendations presented herein apply to the site conditions existing at the time of the study and those reasonably foreseeable. They cannot necessarily apply to site changes of which we are not aware and have not had the opportunity to evaluate. Changes in the conditions of the subject property can occur with time because of natural processes or due to human impact on the subject site or adjoining property. Changes in applicable evaluation standards can occur as a result of legislation or from a broadening of current knowledge and sampling technologies. Accordingly, the findings of this report may be invalidated, wholly or in part, by changes beyond our control.

The conclusions and recommendations contained in this report are based on the evaluation of information made available during the course of this assessment. It is not warranted that such data cannot be superseded through the course of construction or future development. Therefore, it is not warranted that future environmental, legal, geotechnical issues that surface during the course of future construction could supersede the findings specified herein.

6.1 QUALIFICATIONS

This Phase I Environmental Site Assessment was conducted by RBF Consulting's undersigned environmental professional duly registered by the California Environmental Protection Agency as a Registered Environmental Assessor (REA).

An REA as defined in Title 22 California Code of Regulations, Section 67100.10 is "an individual who, through academic training, occupational experience, and reputation, is qualified to objectively conduct one or more aspects of an environmental assessment". REA's are registered by the California Environmental Protection Agency whose qualification requirements guarantee that an REA possesses the skills necessary to conduct an environmental site assessment. The work and content of this Phase I Report was conducted in accordance with ASTM 1527-00 and generally accepted industry standards for environmental due diligence in place at the time of this report.

Respectfully Submitted,

L. Robert Ulibarri, AICP
Registered Environmental Assessor
Senior Environmental Project Manager
November 4, 2003

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Districts of California, State of California, Division of Mines and Geology, 1970.

Earthquakes, Bruce A. Bolt, Copyright 1978, 1988 by W.H. Freeman and Company.

Environmental Data Resources, The EDR Radius Map for Milpitas Community Library Project, 160 North Main Street, Milpitas, CA 95035, October 17, 2003.

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Preliminary Endangerment Assessment Guidance Manual, California Department of Toxic Substances Control, Cal-EPA, 1999.

Preliminary Fault Activity of California, Jennings, Department of Mining and Geology OFR 92-03, 1992.

Soils of Santa Clara County, U.S. Department of Agriculture, Soil Conservation Service, 1968.

APPENDICES

Appendix A – EDR Database Report

Appendix B – Historical Aerial Photographs

Appendix C – Historical Topographic Maps

Appendix D – Selected Photographs of the Subject Property

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

Former Manufactured Gas (Coal Gas) Sites: The existence and location of Coal Gas sites is provided exclusively to EDR by Real Property Scan, Inc. ©Copyright 1993 Real Property Scan, Inc. For a technical description of the types of hazards which may be found at such sites, contact your EDR customer service representative.

Disclaimer Provided by Real Property Scan, Inc.

The information contained in this report has predominantly been obtained from publicly available sources produced by entities other than Real Property Scan. While reasonable steps have been taken to insure the accuracy of this report, Real Property Scan does not guarantee the accuracy of this report. Any liability on the part of Real Property Scan is strictly limited to a refund of the amount paid. No claim is made for the actual existence of toxins at any site. This report does not constitute a legal opinion.

BROWNFIELDS DATABASES

VCP: Voluntary Cleanup Program Properties
Source: Department of Toxic Substances Control
Telephone: 916-323-3400
Contains low threat level properties with either confirmed or unconfirmed releases and the project proponents have request that DTSC oversee investigation and/or cleanup activities and have agreed to provide coverage for DTSC's costs.

Date of Government Version: 08/31/03
Database Release Frequency: Quarterly

Date of Last EDR Contact: 09/02/03
Date of Next Scheduled EDR Contact: 12/01/03

US BROWNFIELDS: A Listing of Brownfields Sites
Source: Environmental Protection Agency
Telephone: 202-566-2777
Included in the listing are brownfields properties addresses by Cooperative Agreement Recipients and brownfields properties addressed by Targeted Brownfields Assessments. Targeted Brownfields Assessments-EPA's Targeted Brownfields Assessments (TBA) program is designed to help states, tribes, and municipalities--especially those without EPA Brownfields Assessment Demonstration Pilots--minimize the uncertainties of contamination often associated with brownfields. Under the TBA program, EPA provides funding and/or technical assistance for environmental assessments at brownfields sites throughout the country. Targeted Brownfields Assessments supplement and work with other efforts under EPA's Brownfields Initiative to promote cleanup and redevelopment of brownfields. Cooperative Agreement Recipients-States, political subdivisions, territories, and Indian tribes become BCRLF cooperative agreement recipients when they enter into BCRLF cooperative agreements with the U.S. EPA. EPA selects BCRLF cooperative agreement recipients based on a proposal and application process. BCRLF cooperative agreement recipients must use EPA funds provided through BCRLF cooperative agreement for specified brownfields-related cleanup activities.

Date of Government Version: N/A
Database Release Frequency: Semi-Annually

Date of Last EDR Contact: N/A
Date of Next Scheduled EDR Contact: N/A

OTHER DATABASE(S)

Depending on the geographic area covered by this report, the data provided in these specialty databases may or may not be complete. For example, the existence of wetlands information data in a specific report does not mean that all wetlands in the area covered by the report are included. Moreover, the absence of any reported wetlands information does not necessarily mean that wetlands do not exist in the area covered by the report.

Oil/Gas Pipelines: This data was obtained by EDR from the USGS in 1994. It is referred to by USGS as GeoData Digital Line Graphs from 1:100,000-Scale Maps. It was extracted from the transportation category including some oil, but primarily gas pipelines.

Electric Power Transmission Line Data
Source: PennWell Corporation
Telephone: (800) 823-6277
This map includes information copyrighted by PennWell Corporation. This information is provided on a best effort basis and PennWell Corporation does not guarantee its accuracy nor warrant its fitness for any particular purpose. Such information has been reprinted with the permission of PennWell.

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

Sensitive Receptors: There are individuals deemed sensitive receptors due to their fragile immune systems and special sensitivity to environmental discharges. These sensitive receptors typically include the elderly, the sick, and children. While the location of all sensitive receptors cannot be determined, EDR indicates those buildings and facilities - schools, daycares, hospitals, medical centers, and nursing homes - where individuals who are sensitive receptors are likely to be located.

AHA Hospitals:
Source: American Hospital Association, Inc.
Telephone: 312-280-5991
The database includes a listing of hospitals based on the American Hospital Association's annual survey of hospitals.

Medical Centers: Provider of Services Listing
Source: Centers for Medicare & Medicaid Services
Telephone: 410-786-3000
A listing of hospitals with Medicare provider number, produced by Centers of Medicare & Medicaid Services, a federal agency within the U.S. Department of Health and Human Services.

Nursing Homes
Source: National Institutes of Health
Telephone: 301-594-6248
Information on Medicare and Medicaid certified nursing homes in the United States.

Public Schools
Source: National Center for Education Statistics
Telephone: 202-502-7300
The National Center for Education Statistics' primary database on elementary and secondary public education in the United States. It is a comprehensive, annual, national statistical database of all public elementary and secondary schools and school districts, which contains data that are comparable across all states.

Private Schools
Source: National Center for Education Statistics
Telephone: 202-502-7300
The National Center for Education Statistics' primary database on private school locations in the United States.

Daycare Centers: Licensed Facilities
Source: Department of Social Services
Telephone: 916-657-4041

Flood Zone Data: This data, available in select counties across the country, was obtained by EDR in 1999 from the Federal Emergency Management Agency (FEMA). Data depicts 100-year and 500-year flood zones as defined by FEMA.

NWI: National Wetlands Inventory. This data, available in select counties across the country, was obtained by EDR in 2002 from the U.S. Fish and Wildlife Service.

STREET AND ADDRESS INFORMATION

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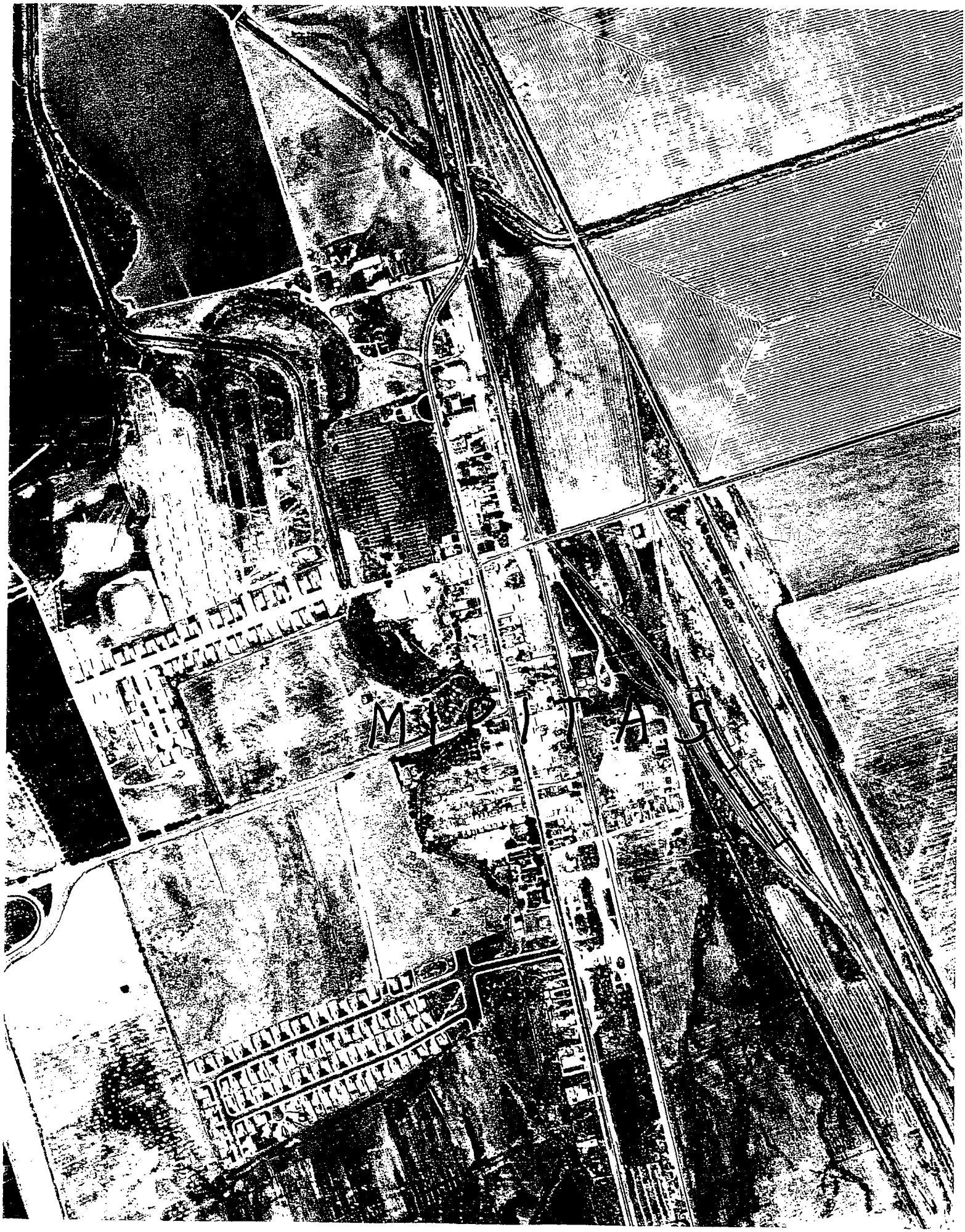
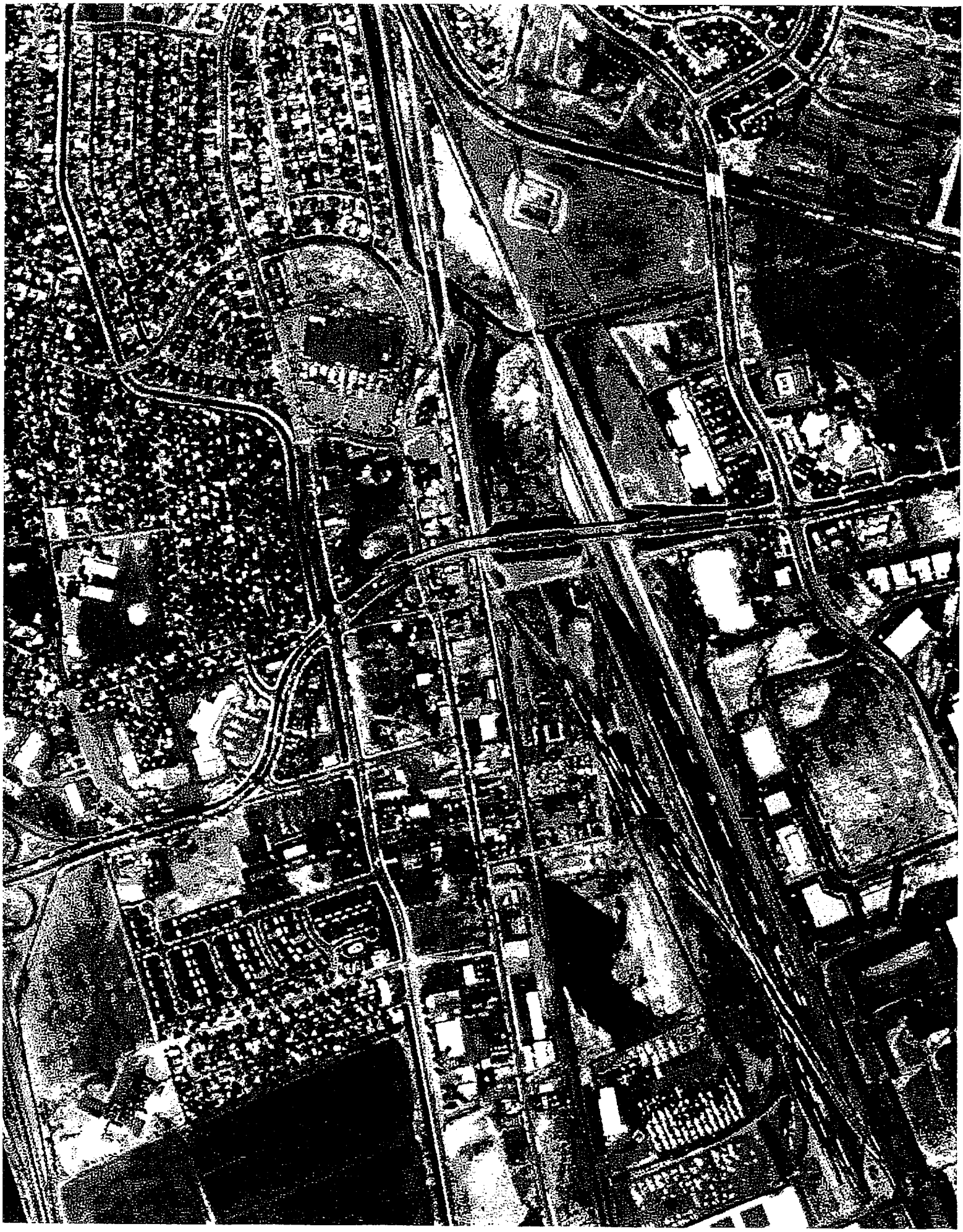
Appendix B – Historical Aerial Photographs

Inquiry : 1066311.5 Year : 1939 Flyer : Fairchild Scale : 1"=555'



Inquiry : 1066311.5 Year : 1956 Flyer : Aero Scale : 1"=555'

Inquiry : 1066311.5 Year : 1965 Flyer : Cartwright Scale : 1"=333'



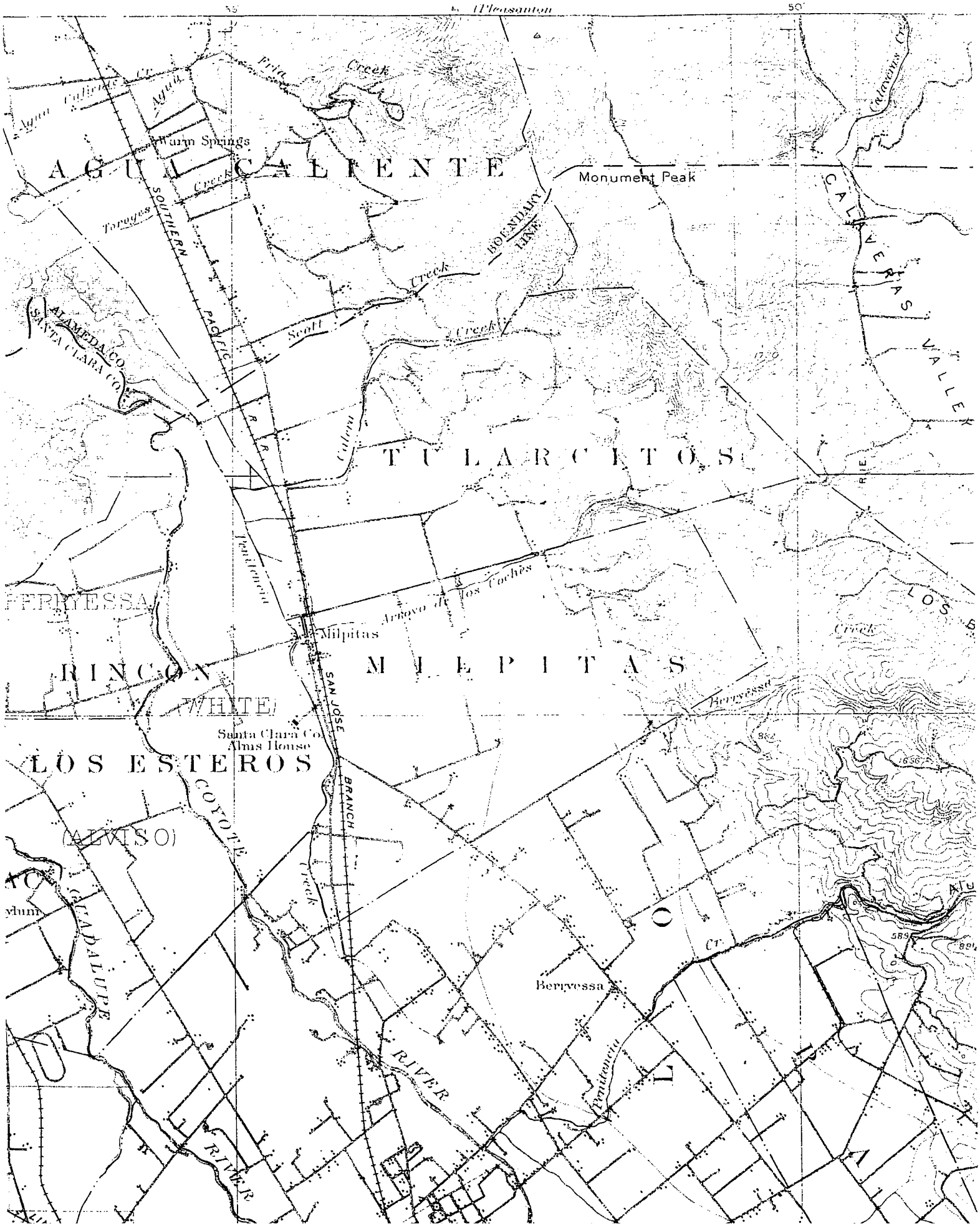
Inquiry : 1066311.5 Year : 1982 Flyer : WSA Scale : 1"=600'

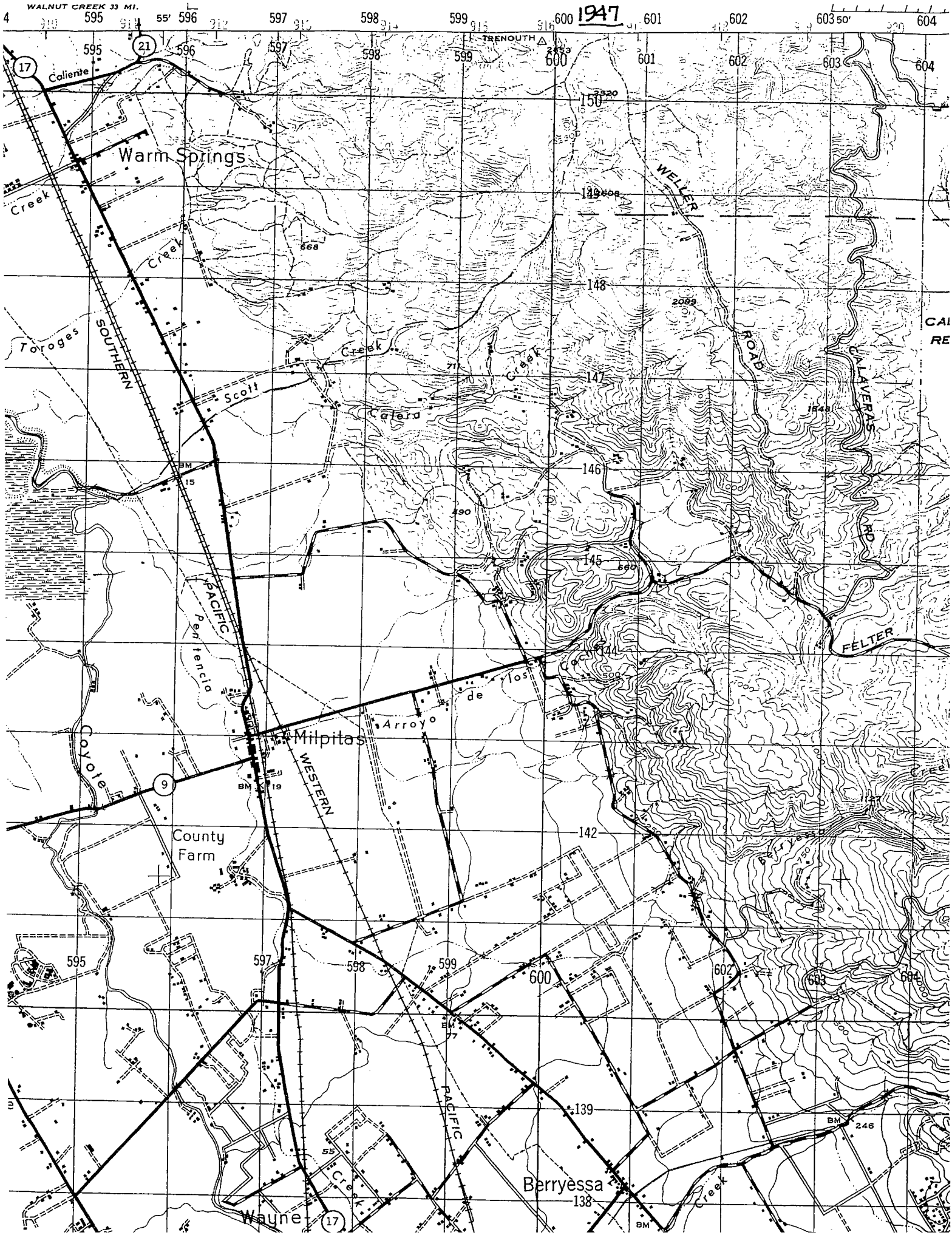
Inquiry : 1066311.5 Year : 1993 Flyer : USGS Scale : 1"=666'

Appendix C – Historical Topographic Maps

TOPOGRAPHY

1899





WALNUT CREEK 33 MI.
1947
TRENOUTH
Caliente
Warm Springs
Creek
Toroges
SOUTHERN
PACIFIC
Scott
Creek
Calera
Creek
WELLER
ROAD
CALAVERAS
RD
FELTER
Penitencia
Arroyo
de
los
Cachos
Milpitas
WESTERN
Coyote
County
Farm
Berryessa
Creek
Berryessa
Creek
Wayne

Appendix D – Selected Photographs of the Subject Property

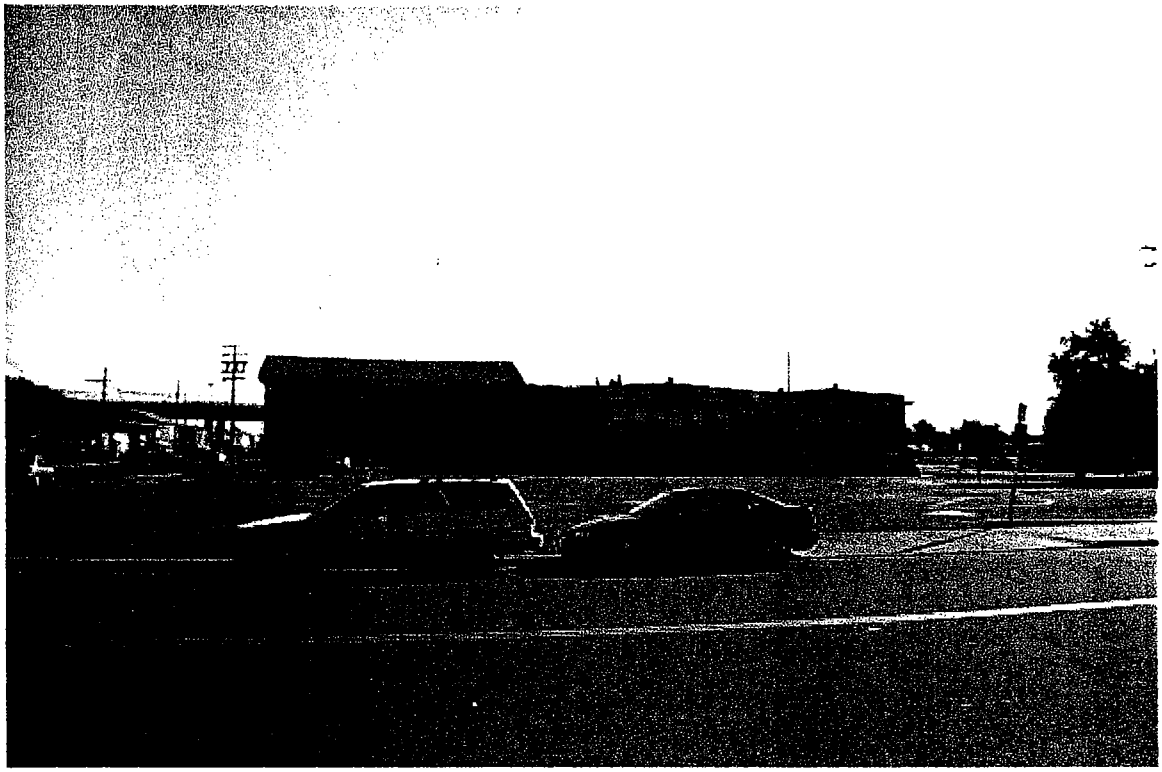


Photo 1 – Southern View of Senior Center (Old Milpitas Grammar School).

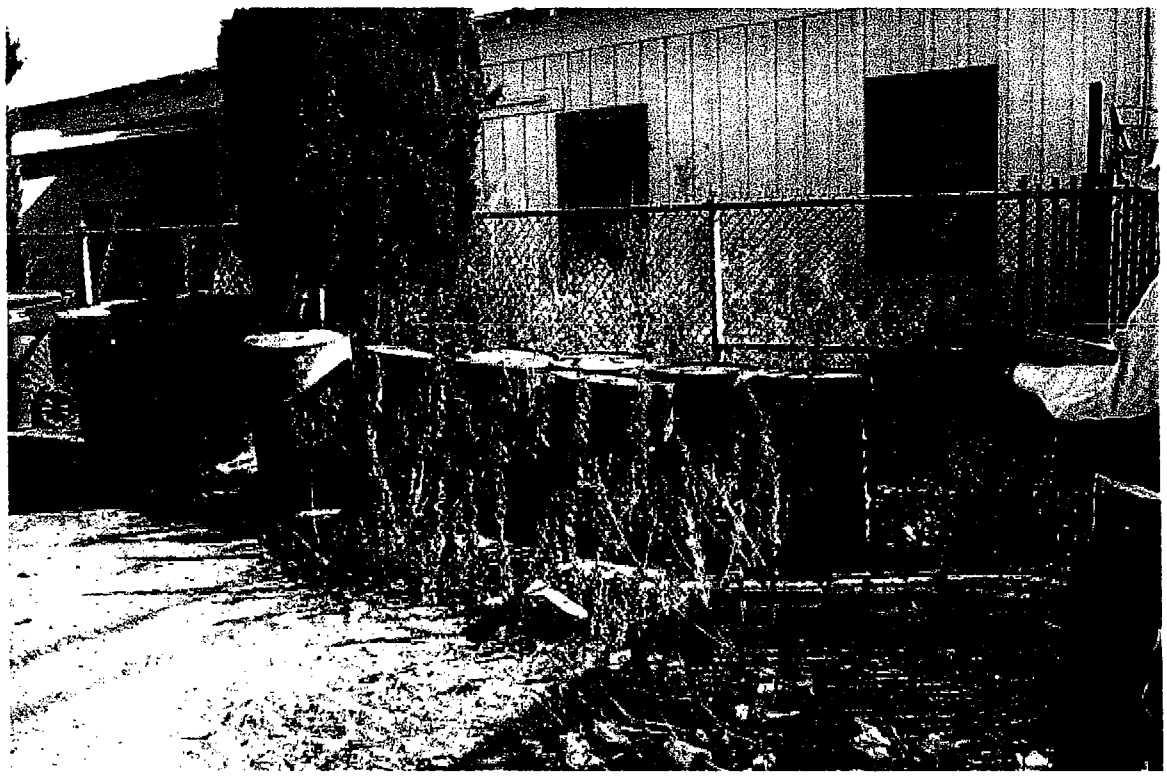


Photo 2 – Empty Drums at "Old Corporation" Yard (N 37° 25.948 W121° 54.440).

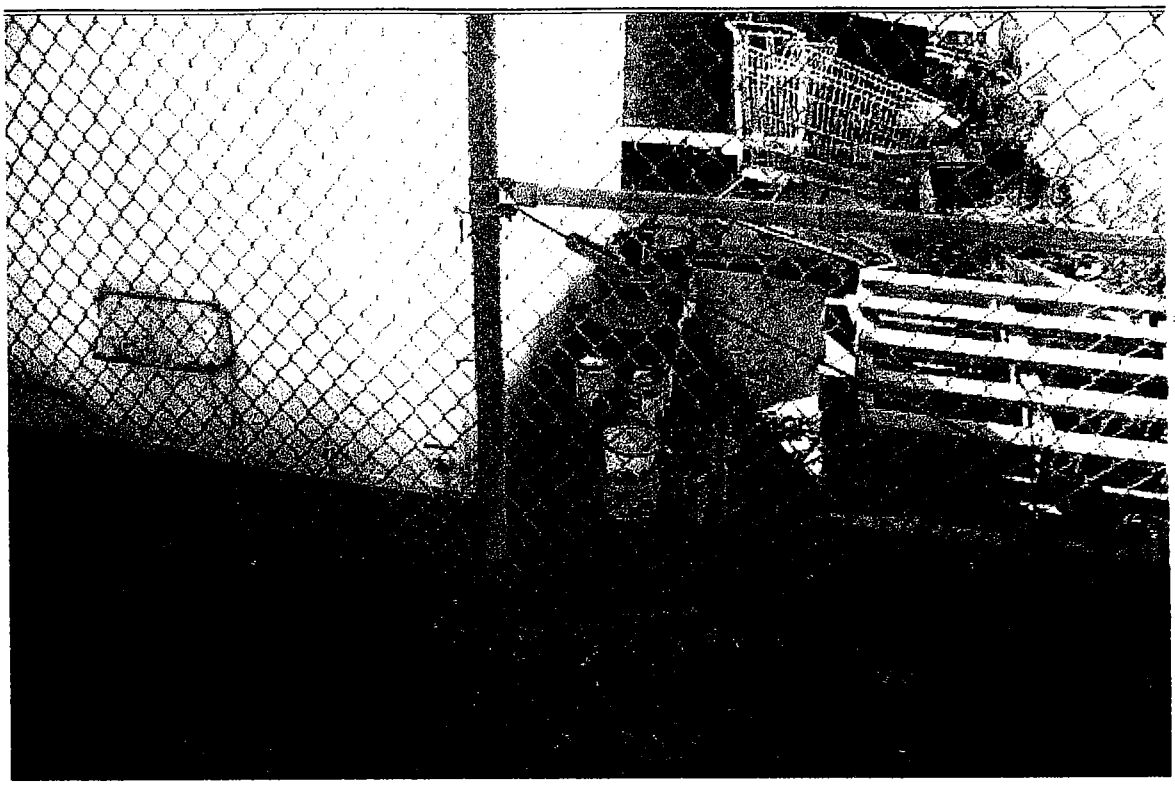


Photo 3 – Household hazardous waste in "Old Corporation" Yard.

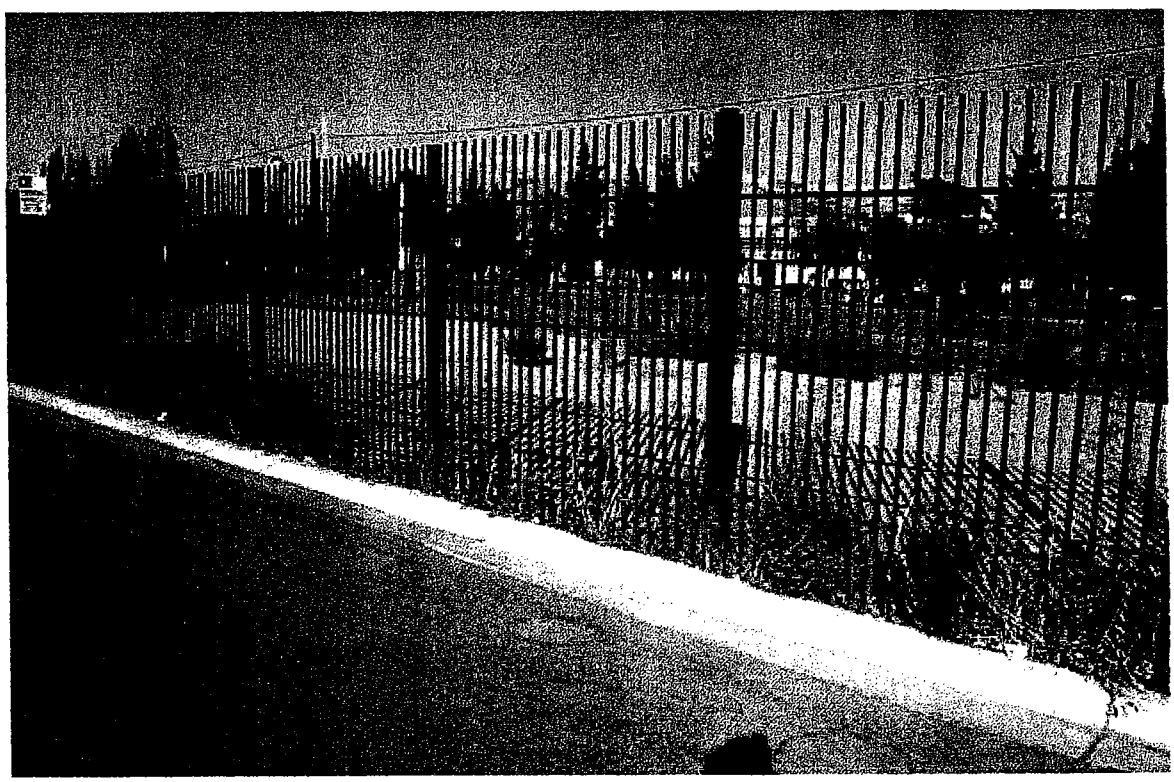


Photo 4 – Fenced and Paved Area (Lot 16).

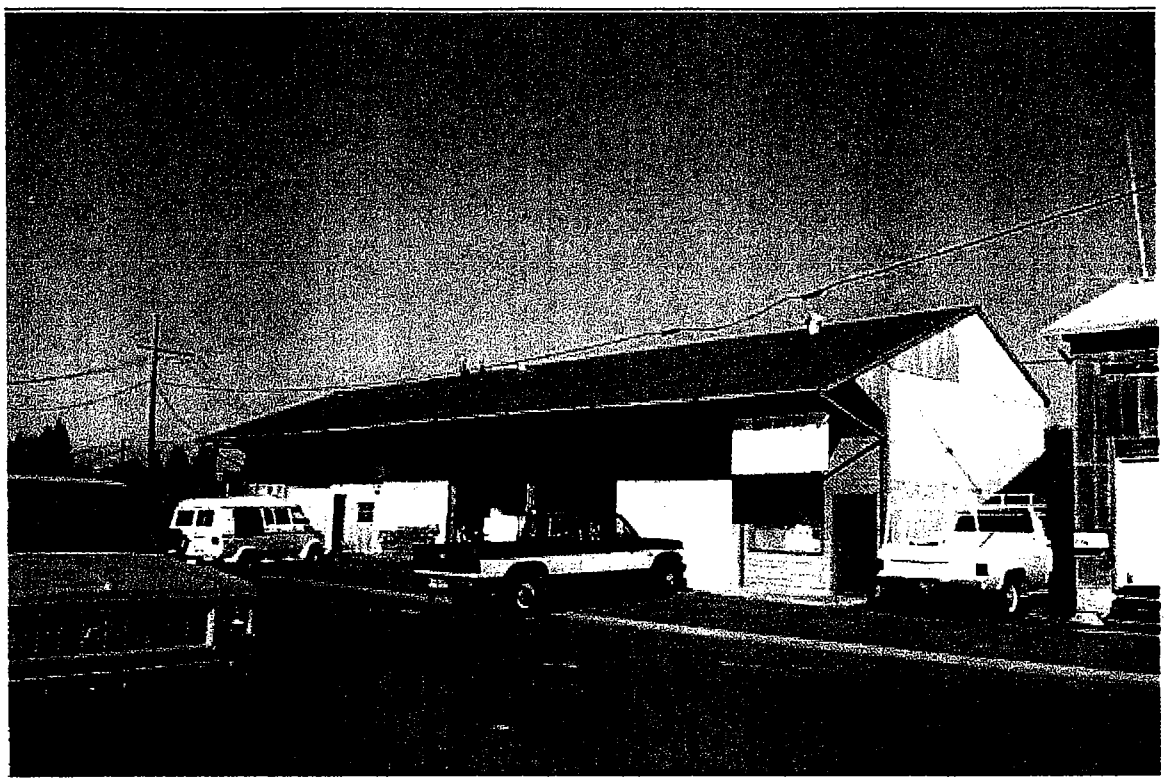


Photo 5- Existing Business Buildings at Lot 14.

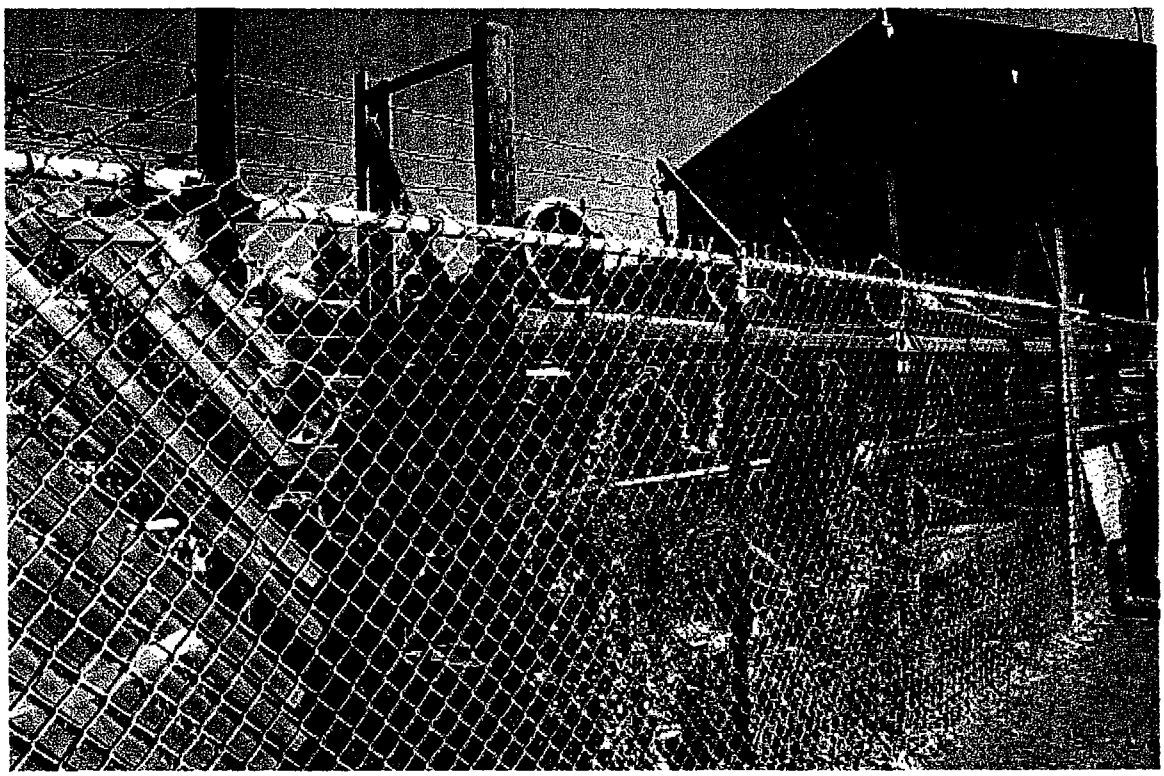


Photo 6 – Transmission Storage at Lot 14.

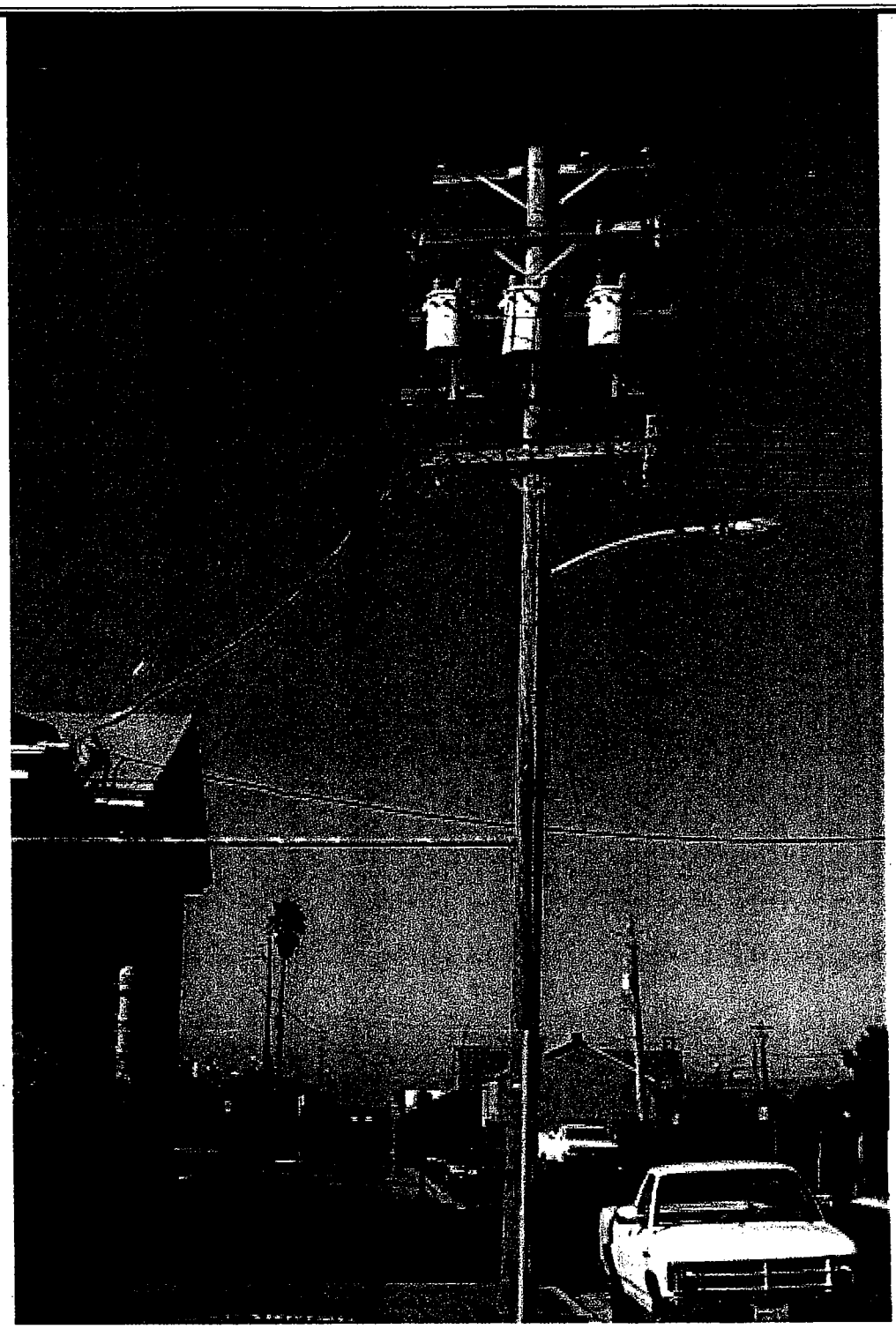


Photo 7 – Electrical Transformers on Winsor Avenue.

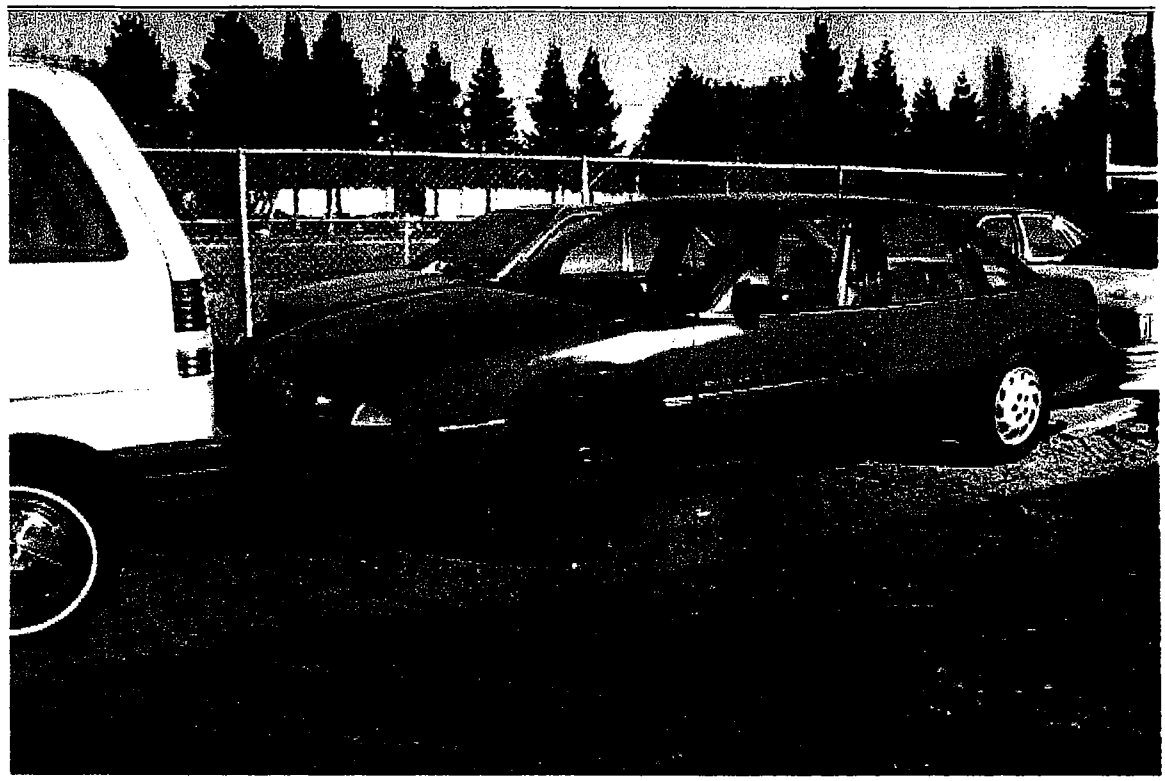


Photo 8 – Vehicle Storage Area on Lot 16. Note Substantial Staining of Soil.

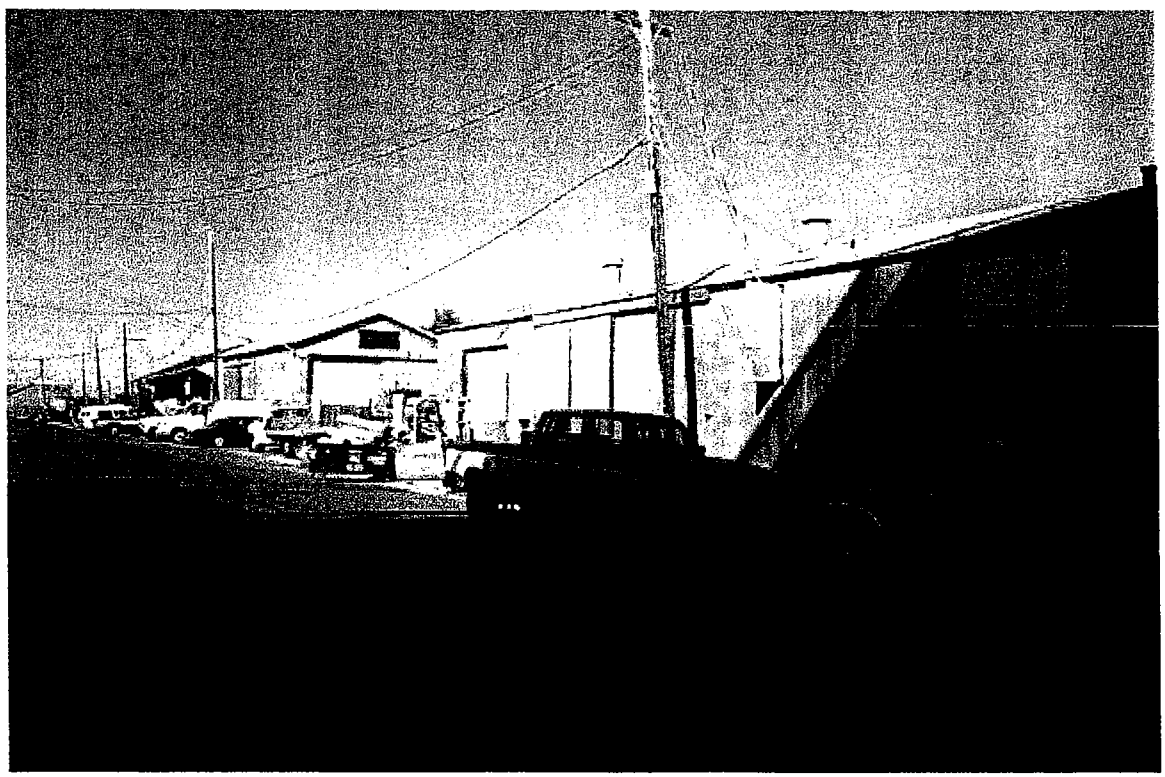


Photo 9 – Area Businesses Along Winsor Avenue.

Photo 10 – Old Blacksmith Shop (#116) Along N. Main Street.

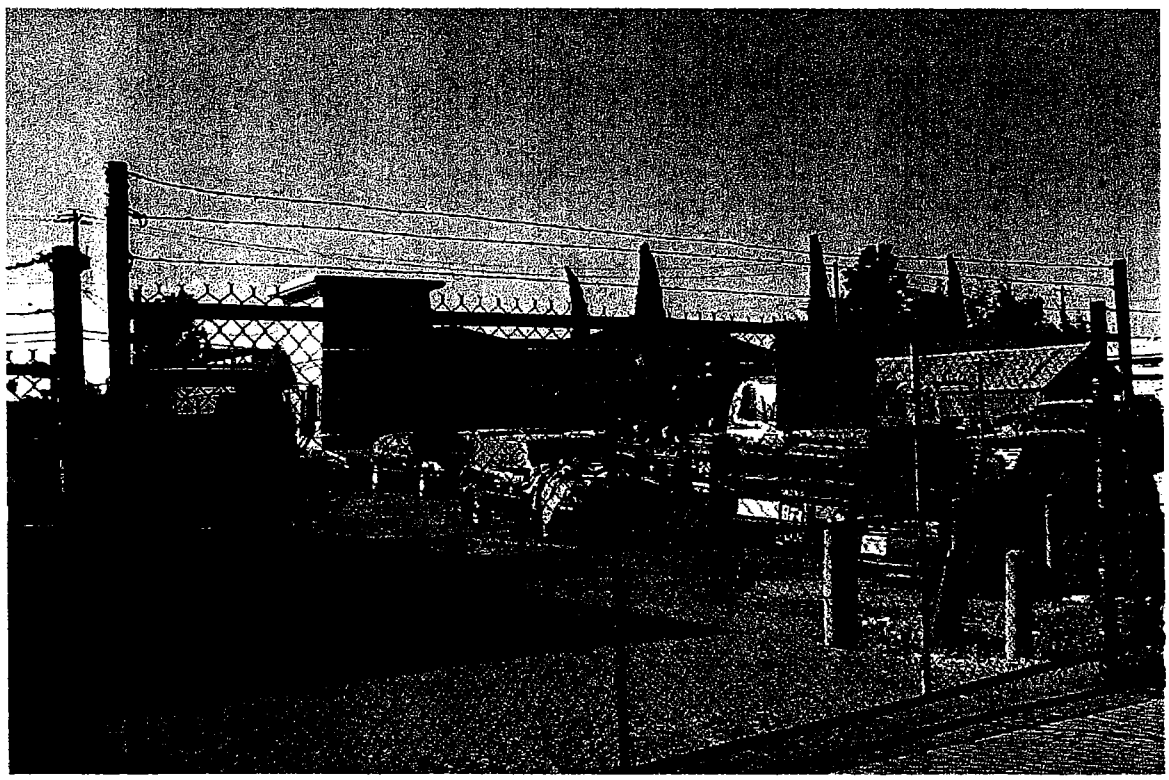


Photo 11 – Rear of Old Blacksmith Shop and Towing Storage Area.